



Public Document Pack

Uttlesford District Council

Chief Executive: Dawn French

Cabinet Remote Meeting

Date: Wednesday, 9th September, 2020

Time: 7.00 pm

Venue: Zoom - <https://zoom.us/>

Leader and Chair: Councillor J Lodge

Members: Councillors A Armstrong, C Day, D Eke, J Evans, R Freeman, N Hargreaves, P Lees, L Pepper and N Reeve

Other attendees: Councillors C Criscione (Conservative Party Group Leader), A Dean (Liberal Democrat Party Group Leader), N Gregory (Chair of Scrutiny Committee), B Light (Green Party Group Leader), E Oliver (Chair of Governance, Audit and Performance Committee), R Pavitt (Uttlesford Independent Party Group Leader) and M Tayler (Thaxted and the Eastons Independents Group Leader).

Public Participation

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given notice by 12 noon two working days before the meeting by writing to committee@uttlesford.gov.uk.

Public speakers will be offered the opportunity for an officer to read out their questions or statement at the meeting, or to attend the meeting over Zoom to read out their questions or statement themselves.

Members of the public who would like to listen to the meeting live can do so [here](#).

AGENDA PART 1

Open to Public and Press

- 1 Apologies for Absence and Declarations of Interest**
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the Previous Meeting** 5 - 10
To consider the minutes of the meeting held on Thursday 9 July 2020.
- 3 Questions or Statements from Non-Executive Members of the Council (standing item)**
To receive questions or statements from non-executive members on matters included on the agenda.
- 4 Matters Referred to the Executive by the Scrutiny Committee or by the Council (standing item)**
To consider matters referred to the Executive for reconsideration in accordance with the provisions of the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Rules.
- 5 Consideration of reports from overview and scrutiny committees (standing item)**
To consider any reports from overview and scrutiny committees.
- 6 Report of Delegated Decisions taken by Cabinet Members (standing item)** 11 - 18
To receive for information any delegated decisions taken by Cabinet Members since the previous Cabinet meeting.
 - Investment Opportunity 11 – 19 August 2020
 - Statement of Community Involvement Temporary Suspension – 14 July 2020.
- 7 Report on assets of community value determined by the Assets of Community Value and Local Heritage List Committee (standing item)** 19

To receive for information any decisions made by the Assets of Community Value and Local Heritage List Committee since the previous Cabinet meeting.

- Record of decisions list following the Assets of Community Value and Local Heritage List Committee meeting on 14 July 2020:
 - Allotments Field, Station Road, Felsted
 - Felsted Village Playing Field, Braintree Road
 - Ravens Crescent Play Area, Watch House Green
 - Willows Green Play Area, Evelyn Road
 - Bannister Green

8 Local Plan Leadership Group (LPLG) Draft Terms of Reference and Working Arrangements 20 - 22

To consider the Local Plan Leadership Group Draft Terms of Reference and Working Arrangements.

9 Cabinet Working Groups - appointments 23

To appoint members to the Local Plan Leadership Group (as attached) and to make the following appointments to vacancies on Cabinet Working Groups:

- To appoint Councillor Driscoll to the Waste Strategy Panel in replacement of Councillor Jones who has stood down due to a conflict of interests.
- To appoint Councillors Driscoll and Foley to the vacancies on the Housing Board.
- To appoint Councillor Freeman to the vacancy on the MMWG.

10 Budget Forecast Outturn - 2020/21 Quarter 1 24 - 46

To consider the Budget Forecast Outturn report for Quarter 1 2020/21.

11 Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS) 47 - 478

To consider the report on the Essex Coast Recreational disturbance Avoidance & Mitigation Strategy.

12 Council House Development Sites 479 - 483

To consider the report on Council House Development Sites.

REMOTE MEETINGS AND THE PUBLIC

Members of the public are welcome to listen to the debate of any of the Council's Cabinet or Committee meetings. All agendas, reports and minutes can be viewed on the Council's website www.uttlesford.gov.uk. For background papers in relation to this meeting please contact committee@uttlesford.gov.uk or phone 01799 510410/548.

Members of the public and representatives of parish and town councils are permitted to speak or ask questions at any of these meetings. You will need to register with the Democratic Services Officer by midday two working days before the meeting by writing to committee@uttlesford.gov.uk.

The agenda is split into two parts. Most of the business is dealt with in Part I which is open to the public. Part II includes items which may be discussed in the absence of the press or public, as they deal with information which is personal or sensitive for some other reason. You will be asked to leave the meeting before Part II items are discussed.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

Facilities for people with disabilities

If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact committee@uttlesford.gov.uk or phone 01799 510548/410 as soon as possible prior to the meeting.

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<p>Email: Committee@uttlesford.gov.uk</p>
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<p>General Enquiries</p>

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<p>Website: www.uttlesford.gov.uk</p>
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Agenda Item 2

CABINET held at ZOOM - [HTTPS://ZOOM.US/](https://zoom.us/), on THURSDAY, 9 JULY 2020 at 7.00 pm

Present: Councillor J Lodge (Chair)
Councillors A Armstrong, C Day, D Eke, J Evans, R Freeman, N Hargreaves, P Lees, L Pepper and N Reeve

Officers in attendance: D French (Chief Executive), L Browne (Monitoring Officer), B Ferguson (Democratic Services Manager), G Glenday (Assistant Director - Planning), R Harborough (Director - Public Services) and A Knight (Assistant Director - Resources)

Also present: Councillors A Dean (Liberal Democrat Party Group Leader), N Gregory (Chair of the Scrutiny Committee), R Pavitt (Uttlesford Independent Party Group Leader) and A storah (previously Cabinet Deputy for Planning).

1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Criscione (Conservative Group Leader) and Light (Green Group Leader).

2 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 27 May 2020 were approved as a true and correct record.

3 **CONSIDERATION OF REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (STANDING ITEM)**

Councillor Gregory, Chair of the Scrutiny Committee, said he had learnt very little at the call-in meeting held on 16 June. The meeting had been called to debate the referral of the Corporate Plan Delivery Plan (CPDP) back to Cabinet for amendment. He said the impact of Covid-19 had caused great economic uncertainty, which had led to ambiguity in terms of what could be realistically achieved in the foreseeable future, but he expected greater clarity from the Administration in September when the CPDP would be brought back to the Scrutiny Committee for further consideration.

4 **REPORT OF DELEGATED DECISIONS TAKEN BY CABINET MEMBERS (STANDING ITEM)**

The 'Investment Opportunities' decision published on 15 June 2020 was noted by Cabinet.

5 **REPORT ON ASSETS OF COMMUNITY VALUE DETERMINED BY THE ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE (STANDING ITEM)**

Councillor Day, Chair of the Assets of Community Value and Local Heritage List Committee, informed members of the decision to list Andrewsfield Airfield as an asset of community value. He said the application was not straight forward, as the nominated area fell across two districts, as well as encapsulating agricultural land, and he had requested training for the Committee going forward.

The Leader raised The Gate public house, Saffron Walden, as an example of a complicated nomination. The Gate had previously been listed as an asset of community value, but following an objection from the owner, was no longer registered.

The decision to list Andresfield Airfield as an asset of community value was noted by Cabinet.

6 **THE NEW LOCAL PLAN GOVERNANCE ARRANGEMENTS**

Councillor Evans, the Portfolio Holder for Planning and the Local Plan, presented the report on the new local plan governance arrangements. He said the report had been produced in collaboration with Councillor Storah and two consultants from East of England Local Government Association (EELGA) who had proposed a bespoke governance structure for UDC in relation to the new Local Plan. He said a Local Plan Leadership Group (LPLG) would be put in place of the Planning Policy Working Group, and it would have up to twelve, cross party members with geographical representation from across the district. Councillor Storah would chair the LPLG. Meetings would be held in public, although there would be provision to hold private meetings in the event that sensitive information would be discussed. He said this went against the advice of the EELGA consultants who had recommended a small membership and for meetings to be held in private. He said the new group would be committed to public consultation and any materials used in evidence by the LPLG should be easily accessible to the public.

The second aspect of the new governance arrangements for the Local Plan related to the scrutiny function. Councillor Gregory said the Scrutiny Committee had discussed this at length during its previous meeting and had endorsed the following recommendations to Cabinet as published in the supplementary report:

- We would welcome an explanation from the EELGA consultants as to their reasoning in coming to their conclusions and how they were illuminated in their thinking by the lessons learnt from the past.
- We wish to see the maximum amount of transparency in the workings of all of the bodies in relation to the Local Plan process, but we appreciate that by whatever mechanism there must be some degree of confidentiality in certain fora.

- We would encourage the highest possible degree of consultation with residents by the Local Plan Leadership Group. However, it is a matter for that Group as to how they discharge that duty.
- The Committee would welcome a greater role for the Leader of the Council alongside the Chief Executive on the Corporate Overview Board.

He said there had been contention surrounding which body would be responsible for scrutinising the Local Plan process and no clear mandate could be put forward. He said the favoured option was for keeping the function within the current Scrutiny Committee's remit but operating with two sets of meetings; one for general scrutiny matters, the second solely relating to the Local Plan.

The Leader said he favoured the principle of pre-scrutiny and was content with keeping the Local Plan scrutiny function within the current committee's remit.

Councillor Evans said the new Local Plan governance arrangements would be kept under review with an assessment to take place in December 2020.

Councillor Lees supported the Scrutiny Committee's recommendations but asked that all costs relating to the new Local Plan to be recorded.

The Chief Executive said the issue of the scrutiny function was not for Cabinet to determine although they could welcome comments from the Committee.

In response to a question from Councillor Eke, Councillor Evans said the term "2nd tier officer" in relation to the Project Director's role did not detract from the seniority of the position.

Councillor Dean said the Local Plan was the greatest challenge that this Administration would face and he had written to Councillor Evans to offer the Liberal Democrats' constructive support. Matters such as affordability, high standards and a zero carbon ambition were of great importance and should be enshrined within the Plan. He said he had a number of concerns regarding the proposed governance arrangements; a large leadership group was likely to be hampered by "continual discussion and few conclusions", and the prospect of open meetings would reduce the capacity for members to "think" and "work out sound proposals". He also said the current Scrutiny Committee should not be overburdened with scrutinising the Local Plan and a distinct committee should be established to carry out that function.

Councillor Lees said the proposal for a large leadership group had been driven by R4U's commitment to inclusivity and members' enthusiasm to be involved in the process. She added that Councillor Storah, who would chair the LPLG, would not sit on the Scrutiny Committee when it was scrutinising Local Plan matters.

Councillor Evans proposed to approve the recommendations as set out in the report, with the observations and recommendations of the Scrutiny Committee to be noted.

RESOLVED to:

- a) approve the proposed Local Plan governance arrangements , as set out by the EELGA Peer Review Team (Appendix A), with the exception of its recommended numerical composition of the Local Plan Leadership Group (LPLG), the suggestion that the LPLG should meet in private and to not endorse EELGA's recommendation to Full Council to establish a distinct Local Plan Scrutiny Committee. Cabinet is resolved to agree that LPLG is instead made up of a greater number of members than proposed to allow not only for proportionate political but also geographical representation across the district and also held by way of a public meeting, although at liberty to hold meetings in private as necessary when discussing confidential information (as outlined in paragraph 13 of the report) and,
- b) use the organogram highlighted in Appendix B to illustrate the governance arrangements instead of the one included in the peer review team's report and,
- c) review the Local Plan governance arrangements in December 2020 to ensure that the new structure is providing the foundations for the timely delivery of the Local Plan and,
- d) to note the comments following 6th July Scrutiny Committee's consideration of the governance arrangements as outlined in the supplementary report.

7 **BUDGET FORECAST OUTTURN - 2019/20 QUARTER 4**

Councillor Hargreaves, the Portfolio Holder for Finance, summarised the report on the Budget Outturn for 2019-2020. The report outlined financial performance relating to the General Fund, Housing Revenue Account, Capital Programme, based upon actual expenditure and income for the financial year 2019/20.

In response to a question from Councillor Reeve, the Assistant Director Resources said the financial impact of Covid-19 was immaterial to the outturn for Quarter 4 of the previous financial year.

RESOLVED to approve:

- a) The General Fund, Housing Revenue Account and Capital Programme outturn positions including the updated use of reserves and requested slippage for the Capital Programme
- b) The allocation of the underspend/surplus:
 - i. General Fund underspend to the Medium Term Financial Strategy Reserve
 - ii. Housing Revenue surplus to the Development Reserve

8 **TREASURY MANAGEMENT OUTTURN 2019/20**

Councillor Hargreaves summarised the report outlining the Treasury Management Outturn position for 2019-2020. The report detailed the management of the local authority's investments and cash flows, its transactions and the effective control of the risks associated with those activities.

In response to a question from Councillor Evans, Councillor Hargreaves said it depended on the time of year in regard to whether the Council was a net borrower or lender.

The Assistant Director – Resources agreed and said there were peaks and troughs in terms of borrowing and lending throughout the year. She said this would be represented graphically in future reports, as well as a comparison with similar authorities.

RESOLVED to approve the 2019/20 Treasury Management Outturn attached as Appendix A

9 **OUTSIDE BODIES' APPOINTMENT**

The Leader said Councillor Lavelle was to be appointed as the UDC representative on the Dunmow Day Centre Management Committee. He added that Councillor Sutton had stepped down as a Cabinet Deputy and welcomed Councillor Reeve as a new member of Cabinet.

RESOLVED to appoint Councillor Lavelle as the UDC representative to the Dunmow Day Centre Management Committee.

10 **APPLICATIONS TO HOMES ENGLAND**

Councillor Lees introduced the report relating to applications to Homes England concerning the waiver of conditions imposed on housing associations in regard to their shared ownership leases. She said a mechanism which aimed to minimise the loss of affordable homes in certain Designated Protected Areas (DPA), by preventing shared ownership properties being owned outright, had led to shared owners missing out on advantageous mortgage rates. The recommendation of the report was to authorise officers to apply for waivers to these conditions that prevented 100% ownership.

Councillor Dean said he was concerned that there would be a net loss of affordable homes in the district if this proposal was approved.

Councillor Lees said that this was about providing assistance to the majority of shared owners to ensure they received a fairer deal.

In response to a question from Councillor Evans, Councillor Lees said each waiver would only apply to a specific DPA, not to the whole of Uttlesford.

RESOLVED to:

a. To authorise officers to apply to Homes England for waivers of the requirement to impose conditions limiting the acquisition of a 100% share or providing for repurchase of the shared ownership properties identified in this report.

b. To delegate authority to the Director of Public Services to apply for waivers when requested by registered housing providers, subject to him being satisfied that the conditions for granting a waiver are met and subject to consultation with the Portfolio Holder for Housing and Health

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APPLICATION FOR THE DESIGNATION OF LITTLE EASTON NEIGHBOURHOOD DEVELOPMENT PLAN AREA

Councillor Evans summarised the report detailing the application for the designation of Little Easton neighbourhood development plan area. He said £2,500 would be made available to makers of the Little Easton Neighbourhood Plan and that the proposed neighbourhood development plan area was entirely appropriate as it conformed to the parish boundary.

Councillor Hargreaves welcomed the designation of Little Easton neighbourhood development plan area and expressed his support for neighbourhood plans generally. He said the making of plans was an invaluable experience for parishes as it instilled a greater knowledge of the planning system.

Councillor Storah said that caution should be exercised in terms of spending heavily on neighbourhood plans, particularly as work had now begun on a new emerging Local Plan for the district.

RESOLVED to:

- i. Designate the Parish of Little Easton as a Neighbourhood Development Plan Area.
- ii. The Plan Area as submitted by Little Easton Parish Council should be supported and adopted as the Little Easton Neighbourhood Development Plan Area.

The meeting ended at 8.55pm.

NOTICE OF KEY DECISION(S) TO BE MADE UNDER REGULATIONS 5 (7) AND 11 (SPECIAL URGENCY)

Notice is hereby given under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (“the Regulations”) Regulations 5(7) (private meetings) and 11 (special urgency), that the following key decision(s) will be made by the Executive.

INVESTMENT OPPORTUNITIES

The Chair of the Scrutiny Committee, Cllr Gregory, has been informed of the matter about which the decision is to be made and has agreed that the decision is urgent.

Reason why notice of the decision cannot be published at least 28 clear days before the key decision is to be made and therefore requires special urgency measures – Due to the commercial nature of the opportunity, an urgent decision is required as the investment opportunity is only viable for a limited period of time, following endorsement from the Investment Board on Tuesday, 18 August 2020.

NOTICE OF KEY DECISION(S)

Uttlesford District Council intends to take key decisions on the issue set out below.

Key decisions are decisions which:

- Are likely to result in the Council incurring expenditure or making savings in excess of £100,000 subject to the following:
 - Decisions on the acquisition or disposal of land or of an interest in land will be key decisions if their value exceeds £500,000¹.
- Are likely to be significant in terms of its effects on communities living or working in Uttlesford.

¹ Please note, the following are not key decisions:

- Loans or borrowing decisions made in accordance with the Treasury Management Policy.
- Decisions relating to the engagement of staff unless falling within paragraph 4.
- Contract awards or renewals for vehicles, plant, machinery, goods, supplies and services where budget provision has been made and the award or renewal is within budget.
- Contract awards where the decision to let the contract has already been treated as a key decision.
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- Relate to the adoption or revision of plans and policies which would have a significant impact on the way in which the Council carries out its statutory functions.
- Relates to consideration by the Cabinet of proposals which would have a significant impact on the provision of services to the public or on the operational management of the Council.

Decisions to be taken in private are also listed (this is where specific exemptions apply under Schedule 12A of the Local Government Act 1972).

All documents and decisions are also published on the Council's website www.uttlesford.gov.uk or are available from Democratic Services by contacting committee@uttlesford.gov.uk

NOTICE OF KEY DECISION (SPECIAL URGENCY)

Published 19 August 2020

Decision maker	Details of Decision	Reasons for Part 2	Other options considered and rejected	Conflict of interest declared by any Executive member consulted	Contact officer from where the documents can be obtained
Cllr John Lodge, Leader of the Council	<p>To endorse the conclusions of the Investment Board and that</p> <ul style="list-style-type: none"> a. The purchase of Investment Opportunity 11 at Chorley is agreed up to the sum of £60,000,000 b. The funding ratio is on an 80% interest only and 20% repayment basis. c. The purchase costs are capitalised. d. The purchase is made as a direct investment by Uttlesford District Council. e. The Director of Finance and Corporate Services in consultation with the Leader, Portfolio Holder for 	<p>The information is exempt from publication in that the exemption outweighs the public interest in disclosing the information as it relates to the business affairs of the Council; the exemption category is:</p> <p>The information is exempt information under Section 100I of the Local Government Act 1972 as it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act</p>	N/A	N/A	<p>Adrian Webb – Director – Finance and Corporate Services awebb@uttlesford.gov.uk</p>

	<p>Investments and Business, and the Portfolio Holder for Finance and Budget to conclude the acquisition; subject to recommendation f.</p> <p>f. Council is requested to endorse the purchase and to authorise the necessary borrowing.</p>				
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RECORD OF EXECUTIVE DECISION PUBLISHED ON 14 JULY 2020

Decision maker	Details of Decision	Reasons	Other options considered and rejected	Conflict of interest declared by any Executive member consulted	Contact officer from where the documents can be obtained
Cllr John Lodge, Leader of the Council	<p>RESOLVED:</p> <p>i. To suspend part of the Councils' Statement of Community Involvement (SCI) insofar as it relates to the provision of hard copies of consultation documents at Council offices and Local Libraries where they remain fully or partially closed with immediate effect subject to [a] review in the event that the government removes requirements for social distancing and isolation related to Covid-19 within that period or [b] review on or before 30 September 2020. Printed copies will be made available if practicable. This will be</p>	<p>The Council is currently in the early stages of the production of a new Uttlesford District Council Local Plan as well as reviewing and preparing a new Statement of Community Involvement to reflect the consultation and engagement to be adopted.</p> <p>As a result of Covid-19 and the restrictions implemented by the UK government, a number of public places have been closed and are not open to the public.</p> <p>There are a number of requirements set out in the Statement of Community Involvement in Planning 2019, which are not currently possible to adhere to due to the restrictions imposed by</p>	None.	None.	Demetria Macdonald, Planning Policy Officer dmacdonald@uttlesford.gov.uk

	<p>communicated in consultation material.</p> <p>ii. To suspend part of the Councils' Statement of Community Involvement (SCI) insofar as it relates to publicity and consultation associated with the preparation of Neighbourhood Plans and to provide associated advice to neighbourhood planning groups in relation to consultation on neighbourhood plans with immediate effect subject to [a] review in the event that the government removes requirements for social distancing and isolation related to Covid-19 within that period or [b] review on or before 30 September 2020.</p> <p>iii. To postpone all neighbourhood plan referendums until 6th May 2021 or such other day as is fixed by the Secretary of State by order in line with the Local Government and Police and Crime Commissioner</p>	<p>the UK government in relation to COVID-19. As a result of this, there are a number of paragraphs in the Statement of Community Involvement 2019 that need to be temporarily amended as they relate to the publication and deposition of hard copies of documentation as well as undertaking site visits. These amendments are set out in the proposed SCI addendum at Appendix 1.</p>			
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	<p><u>(Coronavirus) (Postponement of Elections and Referendums) (England and Wales) Regulations 2020.</u></p> <p>iv. The Council also acknowledges that future consultations on development plan documents and supplementary planning documents that take place during this period of restrictions may not be able to include physical meetings, events etc. which are listed as possible consultation methods in Table 5 of the SCI.</p> <p>v. Paragraphs which need to be temporarily amended are 5.25, 5.27,5.35,6.4,6.5 and 6.10 These amendments only apply until the UK government removes social distancing measures and/or advises that the Council Office/Local Libraries/Community Centres and other deposit points can be fully opened to visitors again.</p>				
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	vi. The addendum includes measures that the Council will implement during the period of time in which social distancing measures are in force and public venues remain fully or partially closed.				
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A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in.

RECORD OF DECISIONS - ASSETS OF COMMUNITY VALUE AND LOCAL HERITAGE LIST COMMITTEE TUESDAY, 14 JULY 2020

Non-Key	3 - Nomination of 5 Assets of Community Value in Felsted RESOLVED to re-list the following five Assets of Community Value: <ul style="list-style-type: none">• Allotments Field, Station Road, Felsted• Felsted Village Playing Field, Braintree Road• Ravens Crescent Play Area, Watch House Green• Willows Green Play Area, Evelyn Road• Bannister Green.	Reasons: The nominations have been deemed valid and meet the criteria under the Localism Act 2011. Other Options considered: None. Any interest declared by any member of Cabinet: None. In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A.
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A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in. To check the call in status of any of the above decisions, please refer to the Decisions page of the website, where you can use search options to find information regarding decisions taken.

Agenda Item 8

LOCAL PLAN LEADERSHIP GROUP DRAFT TERMS OF REFERENCE

(Status)

- The LPLG is a working group of the Cabinet. It may make recommendations but is not a decision-making body.

(Membership)

- Twelve members of the Council to be appointed to the LPLG by Cabinet. The Portfolio-holder for Planning and the Local Plan will be invited to attend in a non-voting capacity in order to answer any questions that may arise. Substitutes are not permitted.

(Quorum)

- The quorum of a meeting will be one quarter of the total number of working group members (three). During any meeting if the Chairman counts the number of members present and declares there is not a quorum present, then the meeting will be adjourned immediately.

(Function)

- To assist the Council in the preparation of a local plan which meets the agreed development needs of the district during the course of the plan period in the most appropriate manner;
- To make recommendations to Cabinet as to the preparation of the draft Uttlesford Local Plan 2020 – 2040, and related planning policy documents, in the light of both documents submitted by officers to the Leadership Group for consideration and any other matters as the Group sees fit;
- To enable members of the public to address the Group for a maximum of 4 minutes and to provide a copy of their statement, subject to having registered to speak in advance;
- To enable councillors from Uttlesford District Council and Town and Parish Councils to address the Group for a maximum of 5 minutes and to provide a copy of their statement, subject to having registered to speak in advance;

(Meetings)

- In order to manage the time of the meeting, no more than 10 people shall address the meeting, at the chairs discretion this may be extended;
- Meetings shall generally be held in public but may be held in private if the Group considers that to be either desirable or necessary in the interests of commercial confidentiality, or there were matters arising which might otherwise be considered detrimental to the Local Plan making process, if discussed in public;
- To meet as frequently as necessary in order to enable the preparation of the plan to proceed in accordance with the current timetable;
- To make recommendations to officers as to any particular items the Group would like to see addressed at the next, or a forthcoming, meeting.

LPLG: WORKING ARRANGEMENTS

AS STATED BY THE CHAIR AT THE MEETING HELD ON 29 JULY 2020

I intend to Chair the Group as follows:-

- As a cross-party working group seeking to ensure the optimum outcome for the district as a whole (as distinct from either an individual or a party-political group seeking to protect any particular area(s) of the district from development, or direct development to any particular area(s));
- In furtherance of the above, I shall look to Members to act as District, rather than Ward, Councillors. This will require:-
 - in accordance with recognised best practice, resignation from membership of any organisation either promoting or opposing development in any particular locality in the district; and
 - In accordance with the National Code of Local Government Conduct, Members declaring a private or personal non-pecuniary interest arising at meetings and deciding whether that interest is clear and substantial. If it is not, then you may continue to take part in the discussion of the matter and may vote on it. If, however, it is a clear and substantial interest, then you should not take any further part in the proceedings and should withdraw from the meeting. In deciding whether such an interest is clear and substantial, you should examine your conscience and ask yourself whether members of the public, knowing the facts of the situation, would reasonably think that you might be influenced by it. If you think that that would be the case, you should regard the interest as clear and substantial and withdraw accordingly;
- Members should feel free, where appropriate:-
 - to question and challenge the guidance and recommendations to our Group from the officers of the local plan team; and
 - to invite consultants undertaking studies on behalf of the council to make a presentation to the Group explaining the overall approach taken, summarise their findings and answer any questions that Members pose;
- All Members are treated fairly and reasonably with regard to the length and, more importantly, frequency with which they are allowed to speak;
- In the event that a Member cannot attend a meeting, no substitute will be allowed;
- I will appoint a Vice-Chair of the Group;
- The Portfolio-holder for Planning and the Local Plan will be invited to all meetings to ask and/or answer any questions that may arise;
- Given that we have a monumental, complicated and vitally important task ahead of us, Members will be encouraged to familiarise themselves with the items on the agenda in order that they may be able to participate fully in the discussion. Neither should Members be afraid to question and ask what they fear might be a 'Wally

question' – because, in the context of preparing a local plan, there's no such thing.....; and

- Members should understand that, in considering the comments and responses of members of the public, interest groups and other Members of the council commenting on various development proposals, it is human nature for people to be either opposed to or, at the very least, wary of development in close proximity to where they live because of concern about their perception of the possible impact on their quality of life and/or the fear of change.

WORKING GROUPS OF THE CABINET 2020/21

Name of Group	No of Members	Membership	
Community Achievement Panel	5	H Asker M Caton P Lees (C)	M Sutton Vacancy
Energy and Climate Change and Working Group	12	M Caton C Criscione G Driscoll P Fairhurst R Freeman V Isham	B Light R Pavitt L Pepper (C) N Reeve M Sutton M Tayler
Highways Panel	4 + 4 ECC members	<u>UDC Members</u> G Driscoll D Eke R Jones G Sell	<u>ECC Members</u> S Barker R Gooding J Moran S Walsh (C)
Housing Board	10 + 2 tenant reps	A Armstrong A Coote A Dean A Khan P Lees (C)	M Lemon S Merifield N Reeve G Driscoll M Foley
Investment Board	12 + 2 independent members	G Bagnall C Criscione N Hargreaves A Khan P Lavelle G LeCount	J Lodge R Pavitt N Reeve G Sell J de Vries Vacancy
Local Plan Leadership Group	12	G Bagnall M Caton R Freeman P Lees B Light M Lemon	S Merifield R Pavitt (VC) N Reeve A Stora (C) M Sutton M Tayler
Museum Management Working Group	5	N Gregory P Lavelle B Light	G Sell (C) R Freeman
Stansted Airport Advisory Panel	10	M Caton A Dean D Eke (C) P Fairhurst M Foley	V Isham G LeCount M Lemon S Luck N Reeve
Waste Strategy Panel	5	R Freeman G Driscoll	E Oliver L Pepper M Tayler

Agenda Item 10

Committee:	Cabinet	Date:	Wednesday, 9 September 2020
Title:	Budget Forecast Outturn - 2020/21 Quarter 1		
Portfolio Holder:	Cllr Neil Hargreaves, Portfolio Holder for Finance and Budget		
Report Author:	Angela Knight, Assistant Director - Resources aknight@uttlesford.gov.uk	Key decision:	No

Summary

1. This report details the financial performance of the General Fund, Housing Revenue Account, Capital Programme and Treasury Management. It is based upon actual expenditure and income from April to June and predicts a forecast for the end of the 2020/21 financial year.
2. The General Fund is predicting a net operating underspend of £4,926,000 which is due mainly to the additional S31 grant to support the expanded Business Rates reliefs. After allowing for reserve adjustments this give a bottom line underspend of £341,000.
3. The Housing Revenue Account has a net operating deficit of £707,000; after in year reserves adjustments this gives an overall predicted budget deficit of £37,000.
4. The Capital Programme has a current year underspend of £1,811,000; this is due to requested slippage of £1,762,000 to be carried forward to 2021/22, giving an actual full year predicted underspend of £49,000.

Recommendations

5. The Cabinet is recommended to approve The General Fund, Housing Revenue Account and Capital Programme forecast outturn positions including the updated use of reserves and requested slippage for the Capital Programme

Financial Implications

6. Included in the main body of the report

Background Papers

7. None

Impact

Communication/Consultation	Corporate Management Team (CMT) and Joint Executive Team (JET) plus all service budget managers have provided information to support the full year forecasts
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Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	N/A
Workforce/Workplace	N/A

Covid-19 Financial Impact

8. The impact of the pandemic has affected all areas of Finance, and this is reflected in the budgets and the forecast outturn positions presented in this report.
9. The forecast position in this report is based on information available at the end of quarter 1 (30 June) and is in line with the Ministry for Housing, Communities and Local Government (MHCLG) monthly return on the financial impact of Covid-19.
10. These predictions are subject to change as the situation and circumstances evolve, these events and the subsequent financial impacts are outside the council's control and influence.

Key Risks to the forecast outturn

11. The Local Plan and Garden Communities budgets to reflect the new process and requirements in delivering a new Local Plan and this could have a material impact on the budget.
12. The uncertainty of the Covid-19 situation and the potential for a second spike later in the year increases the risks of material fluctuations in the following areas:
 - The sales, fees and charges income has been predicted based on a continuing downturn in the economy
 - Decreases in collection rates for both Council Tax and Business Rates due to unemployment and business unable to continue trading
 - Increase in Local Council Tax Support and Exceptional Hardship Support if unemployment increases when the furlough scheme ends

General Fund Revenue Account

13. The net operating expenditure is £4,926,000 underspent and after adjusting for the associated use of reserves, this gives an overall net underspend of £341,000. The following table provides a summary of the budget outturn and full details of service income and expenditure is shown in Appendix A

£'000	2019/20 Outturn	2020/21			Variance
		Original Budget	Current Budget	Outturn	
Communities & Partnerships	1,221	914	914	1,059	145
Housing & Economic Development	1,487	1,855	1,855	1,974	119
Environmental Services	3,271	5,065	5,065	7,084	2,019
Finance & Administration	5,912	7,040	7,040	7,663	623
Portfolio (Service) Budgets	11,891	14,874	14,874	17,780	2,906
Corporate Items	(1,909)	(1,171)	5,317	5,189	(128)
Net Direct Expenditure	9,982	13,703	20,191	22,969	2,779
Funding	(7,864)	(7,251)	(7,251)	(14,956)	(7,705)
Net Operating Expenditure	2,118	6,452	12,940	8,013	(4,926)
Transfers to/(from) Reserves	3,539	(495)	(6,983)	(2,397)	4,585
OVERALL NET POSITION	5,657	5,957	5,957	5,616	(341)

Direct Services Net Expenditure

14. Direct Services are reporting a net overspend of £2,906,000, after adjusting for government funding to support the impact of Covid-19 the actual position shows a £165,000 net underspend. This is set out in the table below and the variances have been set out in categories, normal service activity and items directly related to Covid-19.

15. After allowing for the Covid-19 variance of a net £2,854,000 this gives a net variance for normal service activity of £52,000 overspend.

£'000	Normal Service Activity Savings/Additional Income		Normal Service Activity Increased costs/Decreased Income		Covid -19 Service Impact		Other Immaterial	Total Net Variance
	One off	Ongoing	One off	Ongoing	Savings Additional Income	Increased Cost Decreased Income		
Communities & Partnerships	(23)	(21)	117	7	(29)	95	(2)	145
Housing & Economic Development	(106)	(41)	11	26	(10)	240	(1)	119
Environmental Services	(167)	(91)	201	15	(103)	2,165	1	2,019
Finance & Admin	(470)	(347)	779	165	(206)	704	(1)	623
Total Service Variances	(766)	(500)	1,108	214	(349)	3,203	(2)	2,906
Use of reserves					0			0
Government Funding					(2,716)			(2,716)
Collection Fund Section 31 Grant					(355)			(355)
Actual Service Variances net of reserves/funding	(766)	(500)	1,108	214	(3,420)	3,203	(2)	(165)

16. The following table details the expenditure and income losses directly attributed to the Covid-19 emergency. These costs reflect the direct impact on the councils finances and do not include the full cost, an example being staff currently employed who have been redirected to supporting the emergency are not included.

Covid-19 impact detailed analysis			Variance details
	£'000	£'000	
	Expenditure	Income	
Day Centre	(27)	46	Utilities savings and no room hire income received
Grants (Fairycroft income share)	(27)		Income share reduction to Pig Market Charity matched to expected actual income loss
Museum	6	15	Emergency staffing costs due to volunteers shielding and loss of admission fees
Building Surveying		223	Loss of income from inspections
Car Parks Income share saving	(76)	780	Parking income loss, plus reduction in the income share to Fairycroft, Rose & Crown and Craiton Green
Development Control		889	No pre or planning applications received and predicted 75% income loss
Licensing	(8)	155	Reduced income in applications for licences and some associated costs
Public Health	(15)	29	Loss of inspection income and overall saving in costs due to reduced services
Planning Management		27	Loss of income for Street naming and numbering
Benefits Administration	20	(39)	Additional costs for administration of additional work for Covid plus allocation of new burdens grant
Central Services (scanning, stationary, postage)	(81)	10	Savings due to staff vacancy and reduced postage cost with lost income for sales and printing
HR	(35)		Training and consultancy not required/available during lockdown and ongoing limited contact
IT	47		Additional cost of resources and supplies to support the organisation in new ways of working
Land Charges	(11)	59	Loss of income for searches and associated reduction in costs
Legal Services		20	Loss of income mainly from S106 agreements
Local Taxation		50	Loss of income as recovery action is frozen for first half of the year
Offices	(16)	5	Savings in utility costs for the building and loss of wedding income
Essex Council Tax sharing agreement		147	Loss of share back income based on the increased level of non payment of council tax
Waste and Recycling	122	162	Additional staff costs to support service in lockdown and employees shielding, plus expected loss of income in recycling and Trade Waste
LCTS additional gov support	325		Additional government support for residents in support of LCTS, this cost is supported by S31 grant
Homelessness	12		Additional resources to support the vulnerable and homeless
Net minor income and expenditure	40		
	<u>276</u>	<u>2,578</u>	
Total impact on revenue		<u>2,854</u>	

17. The main financial impact to the council is the loss of income with the current prediction showing a full year loss of £2,578,000. This lost income is supported in part from Government funding and is explained in paragraph 25.
18. The direct costs are reporting £276,000, of which the LCTS additional hardship support of £325,000 is included, but this cost is fully reimbursed by the Government via a S31 grant and after adjusting for this income the actual position is a reduction in expenditure of £49,000.
19. The expenditure reduction is due to savings generated from the new way of working, e.g. reduced travel costs, utility costs and the implementation of 'Essential Spend only' put in place in late March.

Corporate Costs

20. The capital financing original budget of £1,672,000 has increased by £6,488,000 this reflects the slippage requests from the 2019/20 Capital Programme as reported and approved by members at the July Cabinet meeting.
21. The key items of slippage which are now included in the 2020/21 budget are the New Depot site and Superfast Broadband, both of which are funded from reserves and has a net nil bottom line impact.
22. The investment interest charge variance is due to the decreased rates of interest for short term borrowing.

Funding

23. Business Rates have not at this point shown a significant drop in collection and this is due to the extension of business rates reliefs put in place by the government to support businesses affected by the lock down.
24. These reliefs along with other reliefs already in place cover a majority of the businesses in the Uttlesford District and the council receives 100% reimbursement for these reliefs via a Section 31 grant.
25. An additional £4,718,000 of Section 31 grant has been received to reimburse the council for the new reliefs and discounts, these are detailed in the following points:
- Retail Discount – increased to 100% for all eligible retail properties and extended to include Hospitality and Leisure properties; no limit on rateable value (Originally set at £51,000)
 - Nursery Relief – 100% relief for Early Learning providers
 - Pub Relief – increased discount to £5,000 for pubs up to RV £100,000 (This became irrelevant when the RV cap of £51,000 was removed for retail properties, as pubs are classified in this category)
 - Local Council Tax Discount (LCTS) discounts hardship support
Additional support for residents in receipt of LCTS; giving a maximum of £150 discount on their council tax liability.
26. The collectable income for business rates is accounted for in arrears and this means the impact of any changes to our income will be accounted for in the following year. To ensure we match the funding to the expenditure the business rates element of the additional S31 grant has been added to reserves for future year deficits.
27. The council has received additional financial support for the impacts of Covid-19 totalling £2,716,000 and this is made up of the following:
- £1,047,000 direct support, this is a fixed sum and will not change and is not subject to any criteria or pay back.
 - £1,669,000 relates to the loss of income on sales, fees and charges only and does not include any income losses for Council Tax or Business Rates. The funding is payable on 95% of the lost income and of this the council will receive funding at 75%.

Reserves

28. The balance of reserves at the 1 April 2020 was £20,958,000 and the original budgeted net use of reserves was £495,000.
29. The reserves have been updated to reflect the £6,488,000 approved capital slippage as discussed in paragraph 18; this now gives a current budget net use of reserves at £6,983,000.
30. The actual forecast position includes the capital slippage and the additional S31 grant funding discussed in paragraph 26.

31. The following table sets out the changes to the use of reserves and full details of all the reserves and current balances are set out in Appendix B.

	£'000
Original net use of reserves	(495)
Section 31 Grant (Business Rates)	4,635
New Depot	(4,504)
Capital Slippage (inc. Superfast Broadband)	(1,984)
Working Balance (to reflect current net budget)	(49)
Forecast net use of reserves	(2,397)

Housing Revenue Account (HRA)

Covid-19 Impact

32. The key impact of covid-19 on the HRA is in rental income and the current predicted loss of income for the year is expected to be £1.240m.

33. Officers continue to support Tenants and recover arrears where possible but recovery action is limited due to the government guidance preventing any court action.

34. The impact on the HRA is an increased bad debt provision of approximately 30%, this is included in the corporate items at a sum of £0.390m. The remaining balance will sit in debtors on the balance sheet.

Service Delivery

35. The HRA is predicting a net operating deficit of £707,000 and after adjusting for funding contributions and reserves the bottom line impact is forecast at £37,000 deficit. The following table provides a summary of the budget and the full budget is set out in Appendix C.

£'000	2020/21			
	Original Budget	Current Budget	Forecast Outturn	Variance
Total Service Income	(15,979)	(15,979)	(16,078)	(99)
Total Service Expenditure	4,564	4,564	4,971	407
Total Corporate Items	11,203	11,203	11,602	399
OPERATING (SURPLUS)/DEFICIT	(212)	(212)	495	707
Funding of Capital Programme from HRA	1,325	1,325	2,629	1,304
Use of Reserves	(1,113)	(1,113)	(3,087)	(1,974)
Total Use of Reserves/Funding	212	212	(458)	(670)
(SURPLUS)/DEFICIT	0	0	37	37

36. The key service variances relating to the operating deficit are detailed below:

- Service income – Collectable rental income has increased against budget by £81,000 due to an increase in available properties
- Service Expenditure - Housing Repairs transitional costs of £421,000 relating to the Uttlesford Norse Joint Venture first year management costs and finalisation of existing contractor payments
- Corporate Costs – Bad Debt provision increase of £390,000 relating to rent arrears as discussed in paragraphs 32-34.

Reserves

37. The reserves balances at 1 April 2020 were £2,279,000 and the predicted net use of reserves is £1,587,000 to support capital projects, this leaves a forecast year end balance of £692,000. The detailed reserves balances are set out in Appendix D

Capital Programme

38. The current budget for the 2020/21 Capital Programme is £19,299,000 and this is made up of the original budget of £8,887,000 and the slippage of £10,412,000 brought forward from 2019/20 as set out in the Final Outturn report approved at the July Cabinet.
39. The forecast outturn spend is predicted to be £17,488, with requested slippage of £1,762,000 in the HRA and this relates to Walden Place being reprofiled to 2021/22.
40. The full Capital Programme is set out in Appendix E, this provides a summary of all the schemes for the General Fund and HRA, along with the balances for S106 funds.

Investments

41. During the first quarter the Council completed on the purchase of a commercial property investment, this was in line with the requirements of the Commercial Strategy approved by Members in February 2020.
42. The purchase of Skyway House, Parsonage Road, Takeley for an initial purchase price of £17,000,000 (excludes stamp duty, Land Registry fees and insurance). A further 3 instalments are due totalling £3,000,000 as future performance milestones are met.
43. The annual rental income is £1,128,000 and for 2020/21 this is £845,000 for the period 1 July 2020 – 31 March 2021

Treasury Management

44. Treasury Management Activities have been in accordance with the approved strategy. Full details of all the council's investments and borrowing are attached as Appendix F

45. The average rates of interest for the period April to June:

- Investments – 0.08%
- Borrowing – 0.31%

46. The council's long term investments relate to the loans to Aspire (CRP) Ltd for the purchase of the 50% share of Chesterford Research Park and the ongoing development of the park. The table below provides details of both the actual investments to date and future agreed amounts:

Drawdown Date	Amount £'000	Loan Term	Rate %	Repayment Basis	Annual Interest Receivable £'000
03/05/2017	47,250	50 Years	4.0	Interest Only	1,890
26/03/2018	223	49 years 1 month	4.0	Interest Only	9
02/01/2019	2,518	48 years 4 month	4.0	Interest Only	101
09/06/2020	1,250	20 years	4.5	Principal & Interest	56
01/07/2020	2,600	20 years	4.5	Principal & Interest	117
20/08/2020	3,000	20 years	4.5	Principal & Interest	135

47. The additional funds to Aspire (CRP) Ltd are for the refurbishment and refit of 2 units on the site.

48. The council has two long term loans:

- £37,000,000 with Phoenix Life Limited over 40 years for the investment in Aspire (CRP) Ltd
 - The loan is to be drawn down in 3 separate stages
 - £10,000,000 on the 3rd July 2017
 - £12,000,000 on the 3rd July 2020
 - £15,000,000 on the 3rd July 2021
 - No principal repayments will be made until 5th January 2022.
 - Fixed rate of interest @ 2.86% for all 3 drawdowns.
- Housing Revenue Account borrowed £84,807,000 to fund the purchase of the council's housing stock; this is a mix of fixed and variable rate loans. The annual interest payment is £2,604,000 with a current annual principal repayment of £2,000,000.

Risk Analysis

49.

Risk	Likelihood	Impact	Mitigating actions
Actual income and expenditure will vary from forecast, requiring adjustments to budget and/or service delivery	2 – some variability is inevitable	2 – budget will be closely monitored and prompt action taken to deal with variances	Budgetary Monitoring and monthly analysis of the financial position

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project

Appendix A

General Fund Budget Summary

£'000	2019/20 Outturn	Quarter 1 April to June			2020/21			
		Current Budget	Actuals to Date	Variance to Date	Original Budget	Current Budget	Forecast	Variance
Portfolio Budgets								
Community & Partnerships	1,221	222	336	115	914	914	1,059	145
Housing & Economic Development	1,487	267	165	(101)	1,855	1,855	1,974	119
Environmental	3,271	631	946	315	5,065	5,065	7,084	2,019
Finance & Administration	5,912	1,736	3,061	1,324	7,040	7,040	7,663	623
Total - Portfolio Budgets	11,891	2,855	4,508	1,652	14,874	14,874	17,780	2,906
Corporate Items								
Capital Financing Costs	1,854				1,672	8,160	8,083	(77)
PFI interest cost	0				372	372	372	0
Interest Charges	417				788	788	687	(101)
Investment Income	(2,167)				(2,912)	(2,912)	(2,867)	45
Exceptional corporate items	(108)				0	0	5	5
Pension Fund - Added Years	113				85	85	85	0
Pension Triennial Payment					571	571	571	0
Corporate Core HRA Share	(376)				(372)	(372)	(372)	0
Recharge to HRA	(1,643)				(1,375)	(1,375)	(1,375)	0
Subtotal - Corporate Items	(1,909)				(1,171)	5,317	5,189	(128)
Subtotal - Budgets	9,982				13,703	20,191	22,969	2,779
Funding								
Council Tax - Collection Fund Balance	(67)				(20)	(20)	(20)	0
Business Rates - Collection Fund Balance	(1,052)				(26)	(26)	8	34
Business Rates - UDC Share (net of tariff)	(2,205)				(2,440)	(2,440)	(2,475)	(35)
Business Rates - Levy/(Safety Net) Payment	481				690	690	421	(269)
Business Rates - Renewable Energy Schemes	(126)				(133)	(133)	(133)	(0)
Collection fund - Section 31 Funding	(1,646)				(1,408)	(1,408)	(6,126)	(4,718)
Rural Services Delivery Grant	(279)				(279)	(279)	(279)	0
New Homes Bonus	(2,969)				(3,635)	(3,635)	(3,635)	0
Covid impact proposed funding	0				0	0	(2,716)	(2,716)
Subtotal - Funding	(7,864)				(7,251)	(7,251)	(14,956)	(7,705)
Net Operating Expenditure	2,118				6,452	12,940	8,013	(4,926)
Transfer to/(from) Reserves								
Business Rates	1,052				197	197	4,831	4,634
Departments for Work and Pensions	0				0	0	0	0
Licensing	(11)				34	34	34	0
Capital Slippage	108				0	(1,984)	(1,984)	0
Working Balance	39				0	0	(49)	(49)
Medium Term Financial Strategy	191				0	0	0	0
Transformation	(27)				(3)	(3)	(3)	0
EU Exit	385				0	0	0	0
Funding	1,060				0	0	0	0
Contingency Reserves	0				0	0	0	0
Emergency Response	0				0	0	0	0
Economic Development	185				0	0	0	0
Elections	(55)				25	25	25	0
Homelessness	65				102	102	102	0
Health and Wellbeing	46				0	0	0	0
Planning and Development	305				(15)	(15)	(15)	0
Strategic Initiatives	(500)				0	0	0	0
Garden Communities	0				0	0	0	0
Development Projects	623				(835)	(835)	(835)	0
Pension Reserve	0				0	0	0	0
New Homes Bonus Ward Members	22				0	0	0	0
Voluntary Sector	0				0	0	0	0
Waste Depot Relocation Project	(59)				0	(4,504)	(4,504)	0
Waste Management	49				0	0	0	0
Private Finance Initiative	60				0	0	0	0
Subtotal - Movement in General Fund Reserves	3,539				(495)	(6,983)	(2,397)	4,585
COUNCIL TAX REQUIREMENT	5,657				5,957	5,957	5,616	(341)
Council Tax (precept levied on Collection Fund)	(5,657)				(5,957)	(5,957)	(5,957)	0
OVERALL NET POSITION (Under) / Over spend	0				0	0	(341)	(341)

Portfolio Service Variances**Communities and Partnerships**

£'000	2019/20 Outturn	2020/21			Variance
		Original Budget	Current Budget	Forecast Outturn	
Community Information	50	51	51	49	(2)
Day Centres	77	91	91	104	13
Emergency Planning	29	26	26	33	6
Grants & Contributions	823	394	394	447	52
Leisure & Performance	43	43	43	42	(1)
Saffron Walden Museum	206	227	227	249	21
New Homes Bonus	57	78	78	78	0
Private Finance Init	(44)	3	3	78	75
Communities Partnership	0	0	0	0	0
Renovation Grants	(19)	0	0	(20)	(20)
Portfolio Total	1,221	914	914	1,059	145

Housing & Economic Development

£'000	2019/20 Outturn	2020/21			Variance
		Original Budget	Current Budget	Forecast Outturn	
Building Surveying	(56)	7	7	205	198
Committee Admin	354	288	288	268	(20)
Customer Services Centre	448	547	547	506	(42)
Democratic Represent	334	352	352	339	(13)
Economic Development	141	272	272	262	(10)
Energy Efficiency	24	34	34	35	0
Health Improvement	106	169	169	181	12
Homelessness	112	107	107	125	19
Lifeline	(163)	(158)	(158)	(158)	0
Communications	187	237	237	211	(26)
Portfolio Total	1,487	1,855	1,855	1,974	119

Portfolio Service Variances**Environmental Services**

£'000	2019/20 Outturn	2020/21			
		Original Budget	Current Budget	Forecast Outturn	Variance
Animal Warden	6	8	8	4	(3)
Grounds Maintenance	332	355	355	355	0
Car Park	(730)	(668)	(668)	43	711
Development Control	235	(125)	(125)	762	887
Depots	50	53	53	53	0
Garden Planning	286	1,638	1,638	1,638	0
Street Cleansing	434	415	415	413	(2)
Housing Strategy	48	57	57	46	(11)
Highways	1	6	6	6	0
Local Amenities	(13)	(12)	(12)	(13)	(1)
Licensing	(321)	(282)	(282)	(154)	129
Vehicle Management	474	483	483	483	0
Public Health	502	678	678	631	(47)
Planning Management	379	407	407	435	27
Planning Policy	547	910	910	910	0
Planning Specialists	153	218	218	218	0
Waste Management	334	311	311	643	332
Community Safety	302	370	370	369	(1)
Street Services	250	240	240	240	0
Portfolio Total	3,271	5,065	5,065	7,084	2,019

Portfolio Service Variances**Finance & Admin**

£'000	2019/20 Outturn	2020/21			
		Original Budget	Current Budget	Forecast Outturn	Variance
Benefits Admin	269	343	343	325	(18)
Corporate Management	1,132	1,907	1,907	1,704	(203)
Conveniences	20	0	0	0	0
Central Services	399	457	457	373	(84)
Corporate Team	238	49	49	547	498
Conducting Elections	130	1	1	5	4
Electoral Registration	45	55	55	46	(9)
Financial Services	1,059	1,024	1,024	1,148	124
Housing Benefits	(57)	(77)	(77)	(77)	0
Human Resources	272	377	377	290	(87)
Internal Audit	140	150	150	150	0
Information Technology	1,303	1,532	1,532	1,581	49
Land Charges	(65)	(66)	(66)	(17)	48
Legal Services	226	182	182	239	57
Local Taxation	(114)	(100)	(100)	(50)	50
Non Domestic Rates	(147)	(146)	(146)	(142)	4
Office Cleaning	214	213	213	213	0
Offices	503	688	688	368	(320)
Revenues Admin	560	597	597	599	2
Council Tax Discounts	(215)	(148)	(148)	360	508
Portfolio Total	5,912	7,040	7,040	7,663	623

Appendix B

General Fund Reserves

£'000	Balance 1st April 2020	Transfer From General Fund	Transfer to General Fund	Transfer Between Reserves	Balance 31st March 2021
<u>RINGFENCED RESERVES</u>					
Business Rates	2,833	4,831			7,664
Departments for Work and Pensions	71				71
Licensing	80	34			113
Capital Slippage	1,279		(1,984)		(705)
Working Balance	1,311		(49)		1,263
TOTAL RINGFENCED RESERVES	5,574	4,865	(2,033)	0	8,407
<u>USABLE RESERVES</u>					
<u>Financial Management Reserves</u>					
Medium Term Financial Strategy	1,527				1,527
Transformation	1,142		(3)		1,139
EU Exit	513				513
Funding	1,060				1,060
	4,242	0	(3)	0	4,239
<u>Contingency Reserves</u>					
Emergency Response	40				40
	40	0	0	0	40
<u>Service Reserves</u>					
Economic Development	247				247
Elections	45	25			70
Homelessness	283	150	(48)		385
Health and Wellbeing	118				118
<i>Planning</i>	1,628				1,628
<i>Neighbourhood Planning</i>	58		(15)		43
<i>Housing Strategy</i>	25				25
<i>Development Control</i>	96				96
Strategic Initiatives	1,660				1,660
Development Projects	1,774		(835)		940
New Homes Bonus Ward Members	22				22
Waste Depot Relocation Project	4,590		(4,504)		86
Waste Management	250				250
Private Finance Initiative	307				307
	11,102	175	(5,402)	0	5,876
TOTAL USABLE RESERVES	15,384	175	(5,405)	0	10,155
TOTAL GENERAL FUND RESERVES	20,958	5,040	(7,437)	0	18,561

Appendix C

Housing Revenue Account Budget Summary

£000	April to June			2020/21			
	Current Budget	Actuals to Date	Variance to Date	Original Budget	Current Budget	Forecast Outturn	Forecast Variance to Current Budget
Housing Revenue Account Income							
Dwellings Rent	(3,667)	(4,376)	(710)	(14,667)	(14,667)	(14,748)	(81)
Garage Rents	(57)	(68)	(11)	(230)	(230)	(231)	(1)
Land Rents	(1)	(1)	(0)	(3)	(3)	(3)	(1)
Charges for Services & Facilities	(270)	(300)	(30)	(1,079)	(1,079)	(1,079)	0
Contributions Towards Expenditure	0	(2)	(2)	0	0	(17)	(17)
Total Service Income	(3,995)	(4,747)	(753)	(15,979)	(15,979)	(16,079)	(99)
Housing Finance & Business Management							
Business & Performance Management	0	0	0	0	0	0	0
Rents, Rates & Other Property Charges	19	66	47	75	75	75	0
	19	66	47	75	75	75	0
Housing Maintenance & Repairs Services							
Common Service Flats	52	32	(20)	209	209	209	0
Estate Maintenance	49	1	(48)	196	196	196	0
Housing Repairs	612	0	(612)	2,449	2,449	2,869	421
Housing Sewerage	15	8	(7)	60	60	60	0
Newport Depot	0	10	10	0	0	0	0
Property Services	89	13	(76)	356	356	356	0
	818	65	(753)	3,270	3,270	3,691	421
Housing Management & Homelessness							
Housing Services	132	123	(9)	528	528	512	(16)
Sheltered Housing Services	173	162	(11)	691	691	693	3
Supporting People	0	0	0	0	0	0	0
	305	284	(20)	1,219	1,219	1,206	(13)
Total Service Expenditure	1,141	415	(726)	4,564	4,564	4,971	407
Corporate Costs							
Bad Debt Provision				100	100	490	390
Depreciation - Dwellings (to MRR)				4,555	4,555	4,555	(0)
Depreciation - Non-Dwellings (to MRR)				66	66	66	0
Impairment - Non-Dwellings				0	0	0	0
Interest / Costs - HRA Loan				2,613	2,613	2,613	0
Repayment of Loan				2,000	2,000	2,000	0
Investment Income				(13)	(13)	(2)	11
Recharge from General Fund				1,375	1,375	1,375	(0)
HRA Share of Corporate Core				372	372	372	0
Pension Fund - Added Years				19	19	19	0
Pension Fund - Deficit				126	126	126	0
Right to Buy Admin Cost Allowance				(10)	(10)	(10)	0
Total Corporate Costs				11,203	11,203	11,603	400
TOTAL EXPENDITURE				15,767	15,767	16,574	808
OPERATING (SURPLUS)/DEFICIT				(212)	(212)	496	709
Funding from Capital Receipts Reserve for HRA Loan				(2,000)	(2,000)	(1,500)	500
Funding of Capital Programme from HRA							
Funding of Action Plan Capital Items				0	0	0	0
Funding of Capital from Revenue				1,325	1,325	2,629	1,304
				1,325	1,325	2,629	1,304
Transfers to/from (-) Reserves							
Capital Projects Reserve				897	897	0	(897)
Potential Developments (New Builds)				0	0	(110)	(110)
Sheltered Housing Reserve				0	0	0	0
HRA Capital Slippage Reserve				0	0	(1,302)	(1,302)
Revenue Projects				0	0	0	0
Transformation Reserve				0	0	(170)	(170)
Working Balance				(10)	(10)	(5)	5
				887	887	(1,587)	(2,474)
Total Use of Reserve / Funding				2,212	2,212	1,042	(1,170)
(SURPLUS)/DEFICIT				0	0	37	37

Housing Revenue Account Reserves

Reserve £'000	Actual Balance 1st April 2020	Forecast transfer from HRA	Forecast Transfer to HRA	Transfer between Reserves	Estimated Balance 31st March 2021
<u>RINGFENCED RESERVES</u>					
Working Balance	514	0	(5)	0	509
	514	0	(5)	0	509
<u>USABLE RESERVES</u>					
<u>Revenue Reserves</u>					
Transformation / Change Management	180	0	(170)	0	10
Revenue Projects	160	0	0	0	160
	340	0	(170)	0	170
<u>Capital Reserves</u>					
Capital Projects	13	0	0	0	13
Potential Development Projects	110	0	(110)	0	0
Sheltered Housing Projects	0	0	0	0	0
HRA Slippage Reserve	1,302	0	(1,302)	0	0
	1,425	0	(1,412)	0	13
TOTAL USABLE RESERVES	1,765	0	(1,582)	0	183
TOTAL RESERVES	2,279	0	(1,587)	0	692

Capital Programme expenditure

	Original Budget	Slippage 2019/20	Current Budget	Forecast Outturn	Slippage to 2021/22	Under/Over spend
General Fund Total	1,890	6,488	8,378	8,378	0	0
Housing Revenue Account Total	6,997	3,924	10,921	9,110	1,762	(49)
Total Capital Programme	8,887	10,412	19,299	17,488	1,762	(49)

Capital Programme financing

£'000	GF	HRA
GRANTS AND CONTRIBUTIONS	200	1,664
RCCO	459	142
SLIPPAGE RESERVE	6,488	1,302
OTHER RESERVE	-	110
CAPITAL RECEIPT	261	220
INTERNAL BORROWING	970	-
S106 PAYMENTS	-	-
CAPITAL RECEIPT - RTB	-	975
MRR	-	4,697
SUB TOTAL	8,378	9,110
TOTAL CAPITAL PROGRAMME		17,488

Capital Programme General Fund

SCHEME	COST CENTRE	ACTUAL TO JUNE	ORIGINAL BUDGET 2020/21	SLIPPAGE FROM 2019/20	CURRENT BUDGET 2020/21	FORECAST	FORECAST TO BUDGET VARIANCE	REQUESTED SLIPPAGE TO 2021/22
GENERAL FUND								
COMMUNITY AND PARTNERSHIPS								
Community Project Grants	CGF502/6842	24	110	30	140	140	0	
Tree Planting	CGF533/6841	0	15	0	15	15	0	
TOTAL COMMUNITY AND PARTNERSHIPS		24	125	30	155	155	0	0
ENVIRONMENTAL SERVICES								
White Street Car Park	CGF108/6801	0	0	25	25	25	0	
Household Bins	CGF300/6822	12	70	0	70	70	0	
Trade Waste Bins	CGF301/6822	0	30	0	30	30	0	
Kitchen Caddies	CGF304/6822	0	10	0	10	10	0	
Garden Waste Bins	CGF308/6822	6	20	0	20	20	0	
Car Parking Machine Replacement	CGF321/6822	0	0	92	92	92	0	
Electric Car Charges	CGF323/6822	0	15	0	15	15	0	
Vehicle Replacement Programme	CGF602/6823	1	880	638	1,518	1,518	0	
TOTAL ENVIRONMENTAL SERVICES		20	1,025	755	1,780	1,780	0	0
HOUSING AND ECONOMIC DEVELOPMENT								
Private Sector Renewal Grant	CGF500/6841	0	70	70	140	140	0	
Disabled facilities Grant	CGF503/6841	22	200	0	200	200	0	
Empty Dwellings	CGF505/6841	0	10	10	20	20	0	
Superfast Broadband	CGF528/6841	0	0	600	600	600	0	
TOTAL HOUSING AND ECONOMIC DEVELOPMENT		22	280	680	960	960	0	0

Capital Programme General Fund

SCHEME	COST CENTRE	ACTUAL TO JUNE	ORIGINAL BUDGET 2020/21	SLIPPAGE FROM 2019/20	CURRENT BUDGET 2020/21	FORECAST	FORECAST TO BUDGET VARIANCE	REQUESTED SLIPPAGE TO 2021/22
FINANCE AND ADMINISTRATION								
Minor Items IT	CGF401/6834	0	20	0	20	20	0	
PCI Compliance	CGF413/6834	0	20	14	34	34	0	
PSN CoCo Works	CGF425/6824	0	30	32	62	62	0	
Replacement Electoral System	CGF434/6824	17	0	17	17	17	0	
Asset Management System	CGF437/6824	0	0	30	30	30	0	
Cyber Security	CGF438/6824	0	20	32	52	52	0	
Grounds Maint & Vehicle System	CGF439/6824	0	0	95	95	95	0	
Idox Additional Modules	CGF441/6824	0	0	5	5	5	0	
Licensing - Lalpac to Idox Uni	CGF442/6824	0	0	16	16	16	0	
ArcGIS Upgrade	CGF443/6824	0	0	21	21	21	0	
Network Monitor&Threat Protect	CGF445/6824	0	0	30	30	30	0	
Postal Software	CGF446/6824	0	0	27	27	27	0	
Scanner Replacement	CGF447/6824	0	30	0	30	30	0	
Sharepoint	CGF448/6824	0	30	0	30	30	0	
Wifi	CGF449/6824	0	50	0	50	50	0	
Northgate Housing Assets	CGF450/6824	0	20	0	20	20	0	
New Depot Site	CGF103/6801	3	0	4,504	4,504	4,504	0	
London Rd Office Building works	CGF112/6801	0	120	190	310	310	0	
Day Centres Cyclical Improvements	CGF115/6801	0	25	0	25	25	0	
London Rd Office Electrical	CGF316/6822	0	0	10	10	10	0	
London Road - Fire Alarm Upgrade	CGF127/6801	0	50	0	50	50	0	
London Road - LED Lighting	CGF128/6801	0	45	0	45	45	0	
TOTAL FINANCE AND ADMINISTRATION		20	460	5,023	5,483	5,483	0	0

Capital Programme Housing Revenue Account

SCHEME	COST CENTRE	ACTUAL TO JUNE	ORIGINAL BUDGET 2020/21	SLIPPAGE FROM 2019/20	CURRENT BUDGET 2020/21	FORECAST	FORECAST TO BUDGET VARIANCE	REQUESTED SLIPPAGE TO 2021/22
HOUSING REVENUE ACCOUNT								
Cash Incentive Scheme Grants	CHR500/6841	3	50	0	50	50	0	
Sheltered Digital Upgrade	CHR403/6824	0	0	20	20	20	0	
TOTAL CASH INCENTIVE SCHEME GRANTS		3	50	20	70	70	0	0
RIGHT TO BUY SCHEMES								
The Moors	CHR116/6801	3	0	1,960	1,960	1,960	0	
Thaxted Road	CHR119/6801	99	2,350	0	2,350	2,350	0	
Great Chesterford	CHR118/6801	42	900	0	900	900	0	
Auton Court	CHR122/6801	12	0	0	0	0	0	
TOTAL RIGHT TO BUY SCHEMES		156	3,250	1,960	5,210	5,210	0	0
SHELTERED SCHEMES								
Hatherley Court	CHR108/6801	40	0	0	0	0	0	
Reynolds Court	CHR107/6801	0	0	49	49	0	(49)	
Walden Place	CHR109/6801	0	0	1,762	1,762	0	(1,762)	1,762
Alexia House	CHR121/6801	0	0	0	0	0	0	
Parkside	CHR120/6801	9	0	0	0	0	0	
TOTAL SHELTERED SCHEMES		49	0	1,811	1,811	0	(1,811)	1,762
HRA - UTTLESFORD NORSE								
HRA Repairs	Various	0	3,542	0	3,542	3,542	0	
UPVC Fascia's and Guttering	CHR223/6812	0	100	0	100	100	0	
Resurfacing Access Road	CHR111/6801	0	0	133	133	133	0	
Lift Replacement	CHR224/6812	0	55	0	55	55	0	
TOTAL UTTLESFORD NORSE		0	3,697	133	3,830	3,830	0	0
TOTAL HOUSING REVENUE ACCOUNT CAPITAL SCHEMES		207	6,997	3,924	10,921	9,110	(1,811)	1,762

Section 106

With Conditions	31 March 2020	Income	Adjustment	Drawn Down - Capital	Balance at 30 June 2020
	£'000	£'000	£'000	£'000	£'000
S106 Receipts in Advance					
Priors Green, Takeley	78	-	-	-	78
Land north of Ingrams, Felsted	10	-	-	-	10
Rochford Nurseries/Foresthall Park, Stansted	20	-	-	-	20
The Orchard, Elsenham	42	-	-	-	42
Wedow Road, Thaxted	53	-	-	-	53
Sector 4 Woodlands Park, Gt Dunmow	10	-	-	-	10
Keers Green Nurseries, Aythorpe Roding	120	-	-	-	120
Land adjacent to S/W Hospital	31	-	-	-	31
Land at Blossom Hill Farm, Henham	33	-	-	-	33
Land at Webb & Hallett Road, Flitch Green, Felsted	33	-	-	-	33
Land south side of Radwinter Road	49	-	-	-	49
Total	479	-	-	-	479

Other Bodies	31 March 2020	Income	Adjustment	Transferred to other bodies	Balance at 30 June 2020
	£'000	£'000	£'000	£'000	£'000
S106 Receipts in Advance					
Sector 4 Woodlands Park (Helena Romanes School)	165	-	-	-	165
Brewers End, Takeley	31	-	-	-	31
Land adj Hailes Wood, Elsenham	10	-	-	-	10
Land at Flitch Green, Felsted	67	-	-	-	67
Land adjacent to S/W Hospital	1	-	-	-	1
Ashdon Road Commercial Centre	34	-	-	-	34
Land south of Stansted Road, Elsenham	53	-	-	-	53
Land south of Ongar Road, Dunmow	17	-	-	-	17
Land at 119 Radwinter Road, adj S/W Hospital	15	-	-	-	15
Land North of Ongar Road, Gt Dunmow	21	-	-	-	21
Land at Bury Water Lane, Newport	29	-	-	-	29
Land at Elsenham Nurseries	14	-	-	-	14
Bury Water Lane, Newport	26	-	-	-	26
Walpole Farm, Cambridge Road, Stansted	53	-	-	-	53
14 Stortford Road, Gt Dunmow	-	35	-	-	35
Grants and Contributions to Other Bodies	536	35	-	-	571

Without Conditions	31 March 2020	Income	Adjustment	Drawn Down - Capital	Balance at 30 June 2020
	£'000	£'000	£'000	£'000	£'000
S106 Unapplied					
Affordable Housing;	327	-	-	-	327
Drawn Down	-	-	-	-	-
Affordable Housing	327	-	-	-	327
Dunmow Eastern Sector	18	-	-	-	18
Woodlands Park, Gt Dunmow	36	-	-	-	36
Bell College, Saffron Walden	15	-	-	-	15
Priors Green, Takeley	8	-	-	-	8
Foresthall Park, Stansted	33	-	-	-	33
Lt Walden Road/Ashdon Road, Saffron Walden	98	-	-	-	98
Oakwood Park, Takeley	5	-	-	-	5
Total	540	-	-	-	540

Investments April – June 2020

Date of Investment	Counterparty	Amount (£)	Date of Repayment	Interest Rate %
01-Apr-20	DMO	21,000,000	06-Apr-20	0.055%
06-Apr-20	DMO	1,000,000	07-Apr-20	0.030%
06-Apr-20	DMO	4,000,000	08-Apr-20	0.035%
06-Apr-20	DMO	16,500,000	09-Apr-20	0.045%
09-Apr-20	DMO	1,800,000	14-Apr-20	0.040%
09-Apr-20	DMO	1,000,000	15-Apr-20	0.075%
09-Apr-20	DMO	12,400,000	16-Apr-20	0.080%
16-Apr-20	DMO	4,000,000	20-Apr-20	0.045%
20-Apr-20	DMO	3,000,000	23-Apr-20	0.055%
27-Apr-20	DMO	2,500,000	30-Apr-20	0.055%
15-May-20	DMO	3,400,000	19-May-20	0.040%
11-Jun-20	Thurrock Council	2,000,000	11-Dec-20	0.600%
05-Jun-20	DMO	2,000,000	08-Jun-20	0.020%
08-Jun-20	DMO	1,000,000	15-Jun-20	0.020%
15-Jun-20	DMO	3,800,000	22-Jun-20	0.020%
16-Jun-20	DMO	2,000,000	24-Jun-20	0.010%
22-Jun-20	DMO	1,800,000	25-Jun-20	0.010%
24-Jun-20	DMO	2,000,000	25-Jun-20	0.010%
30-Jun-20	Monmouthshire County Council	3,000,000	06-Apr-21	0.300%
Average interest rate				<u>0.08%</u>

Money Market Funds

Fund Name	Opening Balance (£) 01/04/2020	Closing Balance (£) 30/06/2020	No. of days invested	Average 1 day yield
CCLA - The Public Sector Deposit Fund	1,000,000	2,000,000	91	0.34%
Federated Short-Term Sterling Prime Fund	1,000,000	1,750,000	91	0.31%

Borrowing April – June 2020

Date of borrowing	Institution	Amount (£)	Date of Repayment	Interest Rate %
27/04/2020	Pembrokeshire County Council	5,000,000	27/05/2020	0.50%
01/05/2020	Newport City Council	4,000,000	01/06/2020	0.50%
04/05/2020	Newport City Council	2,000,000	06/07/2020	0.60%
21/05/2020	Northern Ireland Housing Executive	5,500,000	06/07/2020	0.45%
27/05/2020	Pembrokeshire County Council	5,000,000	06/07/2020	0.30%
25/06/2020	Hampshire County Council	5,000,000	25/09/2020	0.15%
25/06/2020	Hampshire Pension Fund	2,500,000	25/09/2020	0.15%
25/06/2020	New Forest District Council	1,500,000	25/09/2020	0.15%
25/06/2020	Hampshire Fire and Rescue Authority	1,000,000	25/09/2020	0.15%
25/06/2020	Medway Council	5,000,000	30/06/2020	0.15%
Average interest rate				<u>0.31%</u>

Committee:	Cabinet	Date:	Wednesday 9 September 2020
Title:	Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS) – Consultation exercise, final Supplementary Planning Document and Partnership Agreement		
Portfolio Holder:	Cllr John Evans, Portfolio Holder for Planning and the Local Plan		
Report Author:	Joanna Hill, Planning Policy Officer jhill@uttlesford.gov.uk	Key decision:	No

Summary

1. The purpose of this report is to provide an update on the outcome of the public consultation on the Essex Coast RAMS Supplementary Planning Document (SPD), and recommend the final SPD and Partnership Agreement for approval.
2. If any of the 12 participating local authorities choose not to approve these documents and sign up to the Partnership Agreement, they will still have an obligation to comply with the Habitat Regulations and will therefore have to put their own arrangements in place – which will have significant implications for resources. It is therefore strongly recommended that Cabinet endorses the Essex-wide approach.

Recommendations

3. That Cabinet adopt the Essex Coast (RAMS) Habitats Regulations Assessment Strategy document 2018-2033 (January 2019).
4. That Cabinet adopt the Essex Coast (RAMS) draft Supplementary Planning Document after the final authority considering the SPD agrees its adoption.
5. That Cabinet authorise the Assistant Director Planning to make minor changes to the draft Supplementary Planning Document, should it be necessary prior to final adoption by the Partnership.
6. That Cabinet authorise the Assistant Director Planning to make non-minor changes to the draft Supplementary Planning Document in consultation with the Portfolio Holder for Planning and the Local Plan, should it be necessary prior to final adoption by the Partnership

7. That Cabinet authorise the Assistant Director Planning to join the Partnership; make changes to the Partnership Agreement, required by the 12 Local Authorities in the Partnership; and sign the Partnership Agreement, to deliver the Essex Coast Recreation disturbance Avoidance Mitigation Strategy.
8. That Cabinet authorise the Assistant Director Planning to put a process in place to implement, collect, monitor, and pay the tariff to the accountable body of the Partnership.

Financial Implications

9. It is proposed to have an Accountable Body (AB) who would be responsible for setting up the RAMS governance and delivery arrangements, hold and administer the RAMS contributions, provide advice and guidance on financial matters and employ and manage the Delivery Officer. For the first three years, it is proposed that Chelmsford City Council take on this role.
10. The Partnership Agreement estimates start-up costs and annual on-costs which cannot be funded through developer contributions and will need to be shared between all partner authorities. The cost to Uttlesford District Council are estimated to be:
 - Circa £478.50 for the period from October 2020-March 2021
 - Circa £770 per annum moving forward
 These costs are broken down in Appendix 1

Background Papers

11. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.
 - Essex Coast (RAMS) Habitats Regulations Assessment Strategy document 2018-2033 (January 2019)
 - Essex Coast (RAMS) SPD You Said We Did – Consultation Report (April 2020)
 - Essex Coast (RAMS) Supplementary Planning Document – final draft
 - Essex Coast (RAMS) Partnership Agreement –draft
 - Letter from Natural England endorsing the strategic approach and Supplementary Planning Document (6 July 2020)

Impact

12.

Communication/ Consultation	The strategy has been prepared with and signed off by Natural England. The SPD has been subject to public consultation. The Partnership Agreement was drafted in consultation with the steering groups and legal input from the local authorities.
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Community Safety	N/A
Equalities	Essex Coast RAMS SPD is an evidence based, fair mechanism to fund the mitigation measures. The SPD and Partnership Agreement provides applicants, agents and planning authorities with a comprehensive, consistent and efficient way to ensure that appropriate mitigation for residential schemes within the Zone of Influence is provided in an effective and timely manner.
Health & Safety	N/A
Human Rights/ Legal Implications	<p>The Habitat Regulations were originally published in 2010, but were updated and consolidated into the Conservation of Habitats and Species Regulations 2017 which came into effect on 30th November 2017. Both sets of Regulations require Local Planning Authorities (LPAs) to demonstrate that their Local Plans will not adversely affect the integrity of a protected site(s) through a Habitats Regulations Assessment (HRA). Similarly, the Regulations require the Council as a 'competent authority' to ensure that planning permission is not granted for development that will have an adverse impact upon a protected site in the District, unless appropriate mitigation is sought. Any mitigation is a requirement of legislation so must be delivered.</p> <p>The UK Government is currently in a 'transition period' which will last until the 1st January 2021. During this period business will proceed as usual in regard to European Directives. This means that, for the purposes of the RAMS project, the Directives will still apply.</p>
Sustainability	RAMS allows for sustainable planned housing growth within the RAMS zone of influence to go ahead without adversely affecting the designated coastal Habitats sites.
Ward-specific impacts	Felsted and Stebbing; Great Dunmow South & Barnston; High Easter & the Rodings
Workforce/ Workplace	None

Situation: The RAMS Project

13. The Essex Coastal Recreational disturbance Avoidance and Mitigation Strategy (RAMS)¹ is a coordinated response, by 12 Local Authorities across Essex, to protecting internationally important and legally protected bird habitat sites from the direct and indirect impacts of recreational disturbance arising from housing development and population growth.
14. The need for a long term, strategic approach was identified by Natural England, the Government's advisor for the natural environment in England, to ensure compliance with the Habitat Regulations. RAMS have been successfully implemented throughout other areas of the country for example, in the Solent, Thames Basin Heaths and North Kent.
15. Essex County Council Place Services were commissioned to prepare the RAMS and SPD on behalf of the partners. The RAMS and SPD aims to deliver an £8.9 million mitigation package, from 2019 to 2038, to avoid and mitigate bird and habitat disturbance from recreational activities through a series of management measures which encourage visitors to enjoy their visits responsibly.
16. Under European Law and the associated Habitat Regulations², local planning authorities have a legal obligation to assess the impacts of new development on internationally important wildlife sites and, where necessary, put mitigation measures in place to minimise any harm. The RAMS, SPD and Partnership Agreement is a means to enable local authorities to comply with the existing law and regulations.

The Recreation disturbance Avoidance Mitigation Strategy (RAMS)

17. Twelve Essex Authorities have been working together with the assistance of Essex Place Services and Natural England in an advisory role. The 12 local planning authorities are listed below:
 - Basildon Borough Council
 - Braintree District Council
 - Brentwood Borough Council
 - Castle Point Borough Council
 - Chelmsford City Council
 - Colchester Borough Council
 - Maldon District Council
 - Rochford District Council

■ _____
¹ Essex Coast (RAMS) Habitats Regulations Assessment Strategy document 2018-2038 (January 2019)

² Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations')

- Southend Borough Council
- Tendring District Council
- Thurrock Borough Council
- Uttlesford District Council

18. Joint working offers the opportunity to protect the birds and habitats sites around the Essex Coast in a coordinated manner. Likely significant effects to habitats sites from non-residential development also have to be considered, albeit this will be undertaken through Habitat Regulations Assessments, on a case by case basis by the relevant local planning authority in consultation with Natural England.

19. The Essex coastline stretches over 350 miles, extending from the Thames Estuary in the south, northwards to the port of Harwich and the Stour Estuary. The coastline is extremely diverse and features a variety of habitats and environments and which are internationally important for wildlife. Most of the Essex Coast is designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') as part of the European Natura 2000 network. This includes Special Protection Areas, Special Areas of Conservation and Ramsar sites, which are defined as Habitats sites in the National Planning Policy Framework (2019).

20. The 10 Habitats sites in the Essex Coast RAMS are listed below and shown in Figure 1.1 (page 3) of the RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019):

- Essex Estuaries SAC
- Stour and Orwell Estuaries SPA and Ramsar
- Hamford Water SPA and Ramsar
- Colne Estuary SPA and Ramsar
- Blackwater Estuary SPA and Ramsar
- Dengie SPA and Ramsar
- Crouch and Roach Estuaries SPA and Ramsar
- Foulness Estuary SPA and Ramsar
- Benfleet and Southend Marshes SPA and Ramsar, and
- Thames Estuary and Marshes SPA and Ramsar

21. The Essex coast provides opportunities for a range of recreational activities including dog walking, hiking, cycling and sailing. Research undertaken to inform the RAMS shows that housing growth is likely to increase the number of people visiting these sensitive coastal areas. This could create the potential for impacts from increased recreational disturbance to the birds and their habitats unless adequately managed.

22. The Essex Coast RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019) comprises an evidence base and a mitigation report, identifying:

- The purpose of the Strategy;
- The likely impacts from recreational disturbance;
- The Zones of Influence;

- A package of effective mitigation measures including education and communication, fencing and rangers;
- When and where the mitigation measures are required;
- How mitigation relates to development (or development locations);
- The cost of the mitigation package and how it will be funded;
- How the strategy will be implemented; and
- How the success of mitigation measures will be monitored.

23. The RAMS has been endorsed by Natural England. To comply with the Habitat Regulations in advance of any formal planning guidance, the local planning authority partners are already collecting RAMS contributions for development within the Zone of Influence (Zol), which will be spent on the mitigation measures package detailed in the RAMS Strategy Document.

24. Through the provision of a per dwelling tariff, the RAMS enables the achievement of proportionate mitigation measures and enables development proposals of all scales to contribute to necessary mitigation. The measures within the RAMS Strategy are to be fully funded by developer contributions.

25. During development of the RAMS, workshops were held with key stakeholders with local and specialised knowledge to capture the mitigation measures considered as most effective to avoid the impacts likely to result from increased recreational pressure.

The Zones of Influence (Zol):

26. Visitor surveys were carried out at key locations within each of the habitats sites to establish base line evidence. 'Zones of Influence' (Zol) were calculated for each habitat site using the survey data.

27. Within the Zol it is considered that residential development is likely to have an impact and as a result developer contributions for the delivery of avoidance and mitigation measures are justified. The Zol are shown in the illustration overleaf.

28. Parts of the Uttlesford parishes of Felsted, High Easter, Stebbing and Barnston fall within the Zone of Influence of the Blackwater Estuary Special Protection Area (SPA) and Ramsar site. The Blackwater Estuary is part of the Essex Estuaries SAC. See Appendix 2 for a more detailed map.

29. Definitive boundaries of the Zol can be accessed via Magic Maps³. A guide is also available on the Constraints Map accessed through UDC website [here](#) via the layer titled 'Essex Coast RAMS Tariff – Zone of Influence'.

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³ MAGIC website: <https://magic.defra.gov.uk/MagicMap.aspx>

Illustration of the Essex Estuaries and Zones of Influence for the Essex Coast RAMS



SPA Special Protection Areas – sites which support rare and vulnerable and migratory birds.

SAC Special Areas of Conservation.

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

The Essex Estuaries SAC comprise the Colne Estuary, Blackwater Estuary, Crouch and Roach estuaries and Foulness Estuary.

The mitigation package:

30. The overall cost for the mitigation package is estimated to be £8.9 million up to 2038. The mitigation package is summarised on Table 8.2 (pages 58-63) of the RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019). It includes a mix of measures considered necessary to avoid or minimise likely disturbance at key locations with easy public access, including:

- Staff recourses – Rangers etc
- Communication – with the public and others
- Dog related mitigation
- Codes of conduct
- Habitat creation
- Monitoring

31. The package is flexible and deliverable and based on best practice elsewhere in England. A precautionary approach has been adopted, with priority areas for measures identified as those which have protected breeding birds which could conflict with high numbers of summer visitors to the coast and those with important roosts and foraging areas in the winter. Sensitive habitats have also been identified for ranger visits. The mitigation package prioritises measures considered to be effective at avoiding or mitigating recreational disturbance by habitats sites managers. For example Maldon District Council are managing water sports on the Blackwater Estuary. Encouraging responsible recreation is a key measure endorsed by land managers of important wildlife sites across the country, including Natural England, RSPB and the wildlife trusts. These bodies regularly provide educational material at sites to encourage visitors to comply with key objectives.

32. The RAMS is intended to be a flexible project that can adapt quickly as necessary. The rangers will quickly become familiar with the sites and areas that are particularly sensitive, which may change over time, and sites that experience a high number of visitors. The experience of rangers on the ground will help to steer the project and necessary measures.

Monitoring and review process:

33. The RAMS will provide a flexible and responsive approach, allowing it to respond to unforeseen issues. Close engagement will continue with Natural England who will be able to advise if recreational disturbance is increasing at particular habitats sites and specific locations. Thus, enabling these locations to be targeted by the rangers to have an immediate impact. Updated visitor surveys, which are included in the mitigation package, will enable the Zol to be reviewed and expanded if it is shown that visitors are travelling further than previously found. There is scope to adjust the tariff if it is shown that contributions are not covering the identified measures, if the Zol is made smaller or to respond to changes in housing numbers across Essex.

34. The RAMS will be monitored and reviewed on a regular basis by the Officers involved in the RAMS steering group. The RAMS will be deemed successful if the level of bird and habitat disturbance is not increased despite an increase in population and the number of visitors to the coastal sites for recreation. The

baseline has been identified in the RAMS Strategy Document and will be used to assess the effectiveness of the RAMS⁴.

35. The effectiveness of the RAMS has been considered/examined as part of Chelmsford City Council's Local Plan Examination. Chelmsford City Council's Local Plan Inspector's Report states that: "Overall, the HRA concludes that there will be no adverse effect on the integrity of European protected sites, either alone or in-combination with other plans or projects, subject to the mitigation set out in the Plan policies. Natural England agrees with these conclusions and I have no substantive evidence to counter these findings. The requirement to undertake an appropriate assessment in accordance with the Regulations has therefore been met."

The Supplementary Planning Document (SPD)

36. The RAMS Supplementary Planning Document sets out the guidance to deliver the RAMS and to be followed in the determination of planning applications, and formalises the arrangements for securing the developer contribution of £125.58 per dwelling. This amount is adjusted by inflation each year, in line with the retail price index.

37. The SPD distils the RAMS into a practical document for use by local authorities, applicants and the public, including:

- A summary of the RAMS;
- The scope of the RAMS;
- The legal basis for the RAMS;
- The level of developer contributions and tariff being sought for strategic mitigation;
- About the mitigation and RAMS toolkit;
- How and when applicants should make contributions;
- Alternative to paying the RAMS tariff; and
- Approach to monitoring.

38. Details of the SPD consultation and 'You Said We Did' report are summarised in Appendix 3.

The Partnership Agreement

39. The Partnership Agreement is a legal document drafted by Chelmsford City Council, as Lead Institution and Accountable Body, in consultation with the other local authorities, covering:

- The purpose of the Partnership, commencement and duration
- Project management, including the responsibilities of the Steering Group; appointment of a Delivery Officer; financial management and exit strategy

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⁴ Paragraph 1.7 and 1.28 of The Essex Coast RAMS Habitats Regulations Assessment Strategy document 2018-2038 (January 2019)

- The frequency, role and workings of Steering Group meetings
- Summary of estimated project resources
- How the RAMS Tariff will be reported and distributed
- Invoicing and claims
- Responsibilities of the parties, warranties, undertakings and liabilities
- Data management
- Governing law and dispute resolution

40. In brief the Partnership Agreement outlines that:

- A list of projects recommended by the Delivery Officer and agreed by the Steering Group is reported to the Project Board every six months for sign off, and six monthly updates to the Coastal Forum.
- Every quarter the S106 Officer of each LPA sends RAMS contributions to Accountable Body (CCC) and a contributions report to the Delivery Officer.
- Once all contributions collected, the Accountable Body and Delivery Officer provide Steering Group details of money available.
- Delivery Officer recommends projects based on money available, priorities in RAMS Strategy, and best information available from rangers, Natural England and interest groups.
- Steering Group meets quarterly and agrees projects and AOB, Steering Group makes recommendations to Project Board.
- Once Project Board has agreed spending, the Delivery Officer implements and project manages projects, all invoices are sent to the Accountable Body
- Delivery Officer to provide Steering Group with an annual report to inform LPA Annual Monitoring Reports.

41. The Strategy and the draft SPD has been tested at appeal. On the 30 May 2019 planning permission was granted on appeal for 28 dwellings at Maranello, Watch House Green Felsted (UTT/18/1011/OP). The Inspector considers the impact of the development on the Blackwater Estuary Special Protection Area (BESPA) (paragraphs 28-37 of decision). The Inspector takes a precautionary approach and considers that the proposal would alone or in combination with other projects be likely to have a significant effect on BESPA and therefore carries out an Appropriate Assessment using the Strategy and Draft SPD. The Inspector recognises that the RAMS and SPD although not yet adopted has no evidence to indicate that they won't be adopted in the near future. The appellant has signed a Unilateral Undertaking to make the financial contribution towards RAMS. The Inspector finds that the contributions would be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of the CIL Regulations. As such, the contributions toward the mitigation schemes would count as mitigation toward maintaining the integrity of the sites and concludes that taking this mitigation into account the development would not adversely affect the integrity of the habitat sites.

In conclusion

1. Officers recommend that Members consider and adopt the Essex Coast Recreation disturbance Avoidance Mitigation Strategy (RAMS) and amended Supplementary Planning Document (SPD); and that Members authorise the procedure to sign the Partnership Agreement to deliver the RAMS, and to put a process in place to implement, collect, monitor, and pay the tariff to the accountable body of the Partnership.

Risk Analysis

2.

Risk	Likelihood	Impact	Mitigating actions
That the Strategy and the SPD are not adopted, resulting in increased risk of harm to protected sites on the Essex coast and the risk of legal challenge that the Habitats Regulations will not be complied with.	1	3 – environmental impacts and dealing with legal challenges.	That each applicant would need to put forward alternative mitigation packages compliant with the Habitats Regulations and the Council would need to consider each proposal on its merits.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix 1: Costs likely to be incurred as a result of the Partnership Agreement

	Partnership costs		Cost to Uttlesford District Council *	
	First 6 months cost (assuming commencement in October 2020)	Annual cost	October 2020 – March 2021	Annual cost
Cost to the Lead Institution as Accountable Body for line managing the Delivery Officer	c£8,370	c£13,000	c £418.50 (5% share)	c £650 (5% share)
Lead Institution as Accountable Body for holding / administering RAMS contribution	c £1,200	c £2,400	c £60 (5% share)	c £120 (5% share)
Additional costs, eg legal costs **		unknown		unknown
Total	c £9570	c £15,400	c £478.50	c £770

* With regard to responsibility and liability for shared costs, Uttlesford District Council will contribute 4.5%-5%

** Any future shared legal cost would only relate to operational matters, the costs of challenges in relation to specific sites/planning applications will be borne by the local authority in which the site is located

Appendix 3: The SPD consultation and 'You Said We Did' report

The SPD Consultation:

Essex Place Services led the consultation process on behalf of the 12 authorities and consulted the following:

- Statutory bodies including neighbouring Councils, local Parish and Town Councils, utility companies, health representatives and Government bodies such as Highways England, Natural England, Historic England and the Environment Agency;
- Local stakeholders including the Business Forums, Essex Wildlife Trust, Sport England, and the Police;
- Developers and landowner and their agents;
- Local businesses, voluntary and community groups, and
- The public.

The consultation material was available to view and comment on the Essex County Council 'Citizen Space consultation portal' during the consultation dates. It was also available to view on partner Council's websites, from their main offices and at a number of local public libraries. Information was also provided on the project Bird Aware website www.essexcoast.birdaware.org

For those who did not have access to computers, paper response forms were made available.

The Councils sent direct emails/letter notifications to all consultees registered on their Local Plan consultation databases, public notices were included in local newspapers and information on the consultation was also posted on social media.

The SPD consultation received a total of 146 comments, including 87 from Essex residents and 59 from various organisations.

Of the resident responses, the following numbers of responses were received from individual administrative areas:

- 21 were made from residents of Chelmsford;
- 18 were made from residents of Tendring;
- 16 were made from residents of Basildon;
- 14 were made from residents of Braintree;
- 12 were made from residents of Rochford;
- 11 were made from residents of Colchester;
- 8 were made from residents of Maldon;
- 6 were made from residents of Uttlesford;
- 2 were made from residents of Brentwood;
- 2 were made from residents of Castle Point;
- 2 were made from residents of Southend-on-Sea; and
- 0 were made from residents of Thurrock.

Comments were received on a wide range of themes, relating to the SPD, the RAMS itself and also the format of the consultation exercise. The main issues that were raised included:

- a. Confusion about the purpose and aims of the RAMS;
- b. Scope and detail of mitigation measures;
- c. Concern regarding the effectiveness of the RAMS approach;
- d. Query whether the right key stakeholders have been involved in the RAMS;
- e. Questioning the status of protected wildlife sites following the UK's withdrawal from the European Union;
- f. Concern that RAMS will enable inappropriate development to be allowed;
- g. Suggestions that money should be spent on other projects;
- h. Concern with the calculation and definition of the Zones of Influence;
- i. Arguments that the tariff is set too high, or alternatively too low;
- j. Questions over the adequacy of the proposed budget and staff to deliver project across such a wide area;
- k. Concerns about monitoring (both in relation to the tariff and Zones of Influence);
- l. Suggestion that other land uses (other than residential) should come within the scope of the tariff;
- m. Perceived conflict of RAMS purpose (protecting against recreational disturbance) and aims with the England Coastal Path project (increasing public access to the coast);
- n. Concerns that RAMS will impact on existing and future strategies and aspirations for tourists and residents to access and enjoy the coast, for economic growth and health and wellbeing; and
- o. Suggestions that alternatives to paying into the RAMS should either not be allowed, or that alternative approaches should be more clearly set out.

The 'You Said We Did' Report:

In response to the various comments received, Essex Place Services have produced a 'You Said, We Did' document which considers the comments and recommends whether or not changes to the SPD are required. These have been considered by the RAMS Steering Group of Officers from the 12 Essex Authorities and a revised version of the SPD has been agreed. The main revisions include:

- a. A glossary and list of acronyms and a description of what they mean is now included at the beginning of the SPD.
- b. A clearer description of how overheads and other costs have been identified within the RAMS mitigation package.
- c. The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than 'Wildlife' to make it clearer from the outset as to what type of wildlife the RAMS and the SPD is primarily seeking to protect.

- d. More recognition of the South East Marine Plan and the East Inshore and East Offshore Marine Plans which, when adopted, will become part of the statutory Development Plan for the relevant Councils.
- e. An amendment to include reference to fishing / bait digging to paragraph 2.2 is proposed.
- f. Reference to the 'Outer Thames Estuary SPA' rather than the 'Thames Estuary SPA' is proposed.
- g. Previous maps replaced with higher resolution images.
- h. Additional clarification within Paragraph 3.7 making the SPD more explicit regarding proposals for single dwellings being subject to the RAMS tariff.
- i. More explanation of requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and that the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations.
- j. More justification for the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as being liable for tariff payments.
- k. Inclusion of the National Planning Policy Framework (NPPF) within the 'useful links' section.
- l. Clarification that non-residential proposals are exempt from the tariff.
- m. Amendments to the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended to reflect the Outer Thames SPA designation.
- n. Clarification on the requirements for project-level Habitat Regulations Assessment (HRA) and Appropriate Assessment (AA) of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only.
- o. Clear explanation that the intention of Essex Coast RAMS mitigation is to enable the conclusion of no adverse effect on the integrity of the international designated sites.
- p. Removal, from the relevant map in the SPD and RAMS Strategy, all areas of Suffolk from the Zone of Influence.
- q. Clearer explanation of the relationship between the effects of a population increase resulting from net new dwelling increases.
- r. Reference included to other statutory mitigation requirements (such as Suitable Alternative Natural Greenspace (SANGS)), and explanation of how they might represent an exemption to the tariff.



Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS)

Habitats Regulations Assessment
Strategy document
2018-2038

January 2019

Final version incorporating Natural England comments March 2019

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Executive Summary

The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the “Essex coast RAMS” or the Strategy) aims to deliver the mitigation necessary to avoid significant adverse effects from ‘in-combination’ impacts of residential development that is anticipated across Essex; thus protecting the Habitats (European) sites on the Essex coast from adverse effect on site integrity. All new residential developments within the evidenced Zone of Influence where there is a net increase in dwelling numbers are included in the Essex Coast RAMS.

The Essex Coast RAMS identifies a detailed programme of strategic mitigation measures which are to be funded by developer contributions from residential development schemes.

The 11 Local Planning Authorities (LPAs) which are partners in and responsible for the delivery of the Essex Coast RAMS are listed below:

- Basildon Borough Council
- Braintree District Council
- Brentwood Borough Council
- Castle Point Borough Council
- Chelmsford City Council
- Colchester Borough Council
- Maldon District Council
- Rochford District Council
- Southend Borough Council
- Tendring District Council
- Thurrock Borough Council

The published Habitats Regulations Assessments (HRAs) for the relevant Local Plans have identified recreational disturbance as an issue for all of the Essex coastal Habitats sites.

Mitigation measures have been identified in the HRA (screening and/or Appropriate Assessments) for many of the Local Plans. There are similarities in the mitigation measures proposed, reflecting the identification of in-combination effects resulting from planned and un-planned growth in LPA areas.

Mitigation at this scale, and across a number of LPAs, is best tackled strategically and through a partnership approach. This ensures maximum effectiveness of conservation outcomes and cost efficiency. In recognition of this, Natural England recommended a strategic approach to mitigation along the Essex coast.

This strategic approach has the following advantages:

- It meets the requirements of planning legislation: necessary to make a development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to a development;
- It is endorsed by Natural England and has been used to protect other Habitats sites across England;
- It is pragmatic: a simple and effective way of protecting and enhancing the internationally important wildlife & habitats of the Essex coast and will help to reduce the time taken to reach planning decisions;
- It allows for detailed evidence to be gathered to understand the recreational disturbance patterns and provide an effective mitigation package;
- It provides an evidence based and fair mechanism to fund the mitigation measures required as a result of the planned residential growth; and

It provides developers, agents and planning authorities with a comprehensive, consistent and efficient way to ensure that appropriate mitigation for residential schemes within the Zone of Influence is provided in an effective and timely manner.

The mitigation measures in the Essex Coast RAMS toolkit are summarised below:

Action area	Examples
Education and communication	
Provision of information and awareness raising	<p>This could include:</p> <ul style="list-style-type: none"> • Information on the sensitive wildlife and habitats • A coastal code for visitors to abide by • Maps with circular routes away from the coast on alternative footpaths • Information on alternative sites for recreation <p>There are a variety of means to deliver this such as:</p> <ul style="list-style-type: none"> • Through direct engagement led by Rangers/volunteers • Interpretation and signage • Using websites, social media, leaflets and traditional media to raise awareness of conservation and explain the Essex Coast RAMS project. • Direct engagement with clubs e.g. sailing clubs, ramblers clubs, dog clubs etc. and local businesses.
Habitat based measures	
Fencing/waymarking/screening	Direct visitors away from sensitive areas and/or provide a screen to minimise their impact
Pedestrian (and dog) access	<ul style="list-style-type: none"> • Zoning • Prohibited areas • Restrictions of times for access e.g. to avoid bird breeding season

Cycle access	Promote appropriate routes for cyclists to avoid disturbance at key locations
Vehicular access and car parking	Audit of car parks and capacity to identify hotspots and opportunities for “spreading the load”
Enforcement	<ul style="list-style-type: none"> Establish how Water Rangers operating the patrol boats can be most effective. It should be possible to minimise actual disturbance from the boat itself through careful operation. Rangers to explain reasons for restricted zones to visitors e.g. for bait digging, dogs on a lead
Habitat creation	Saltmarsh recharge, regulated tidal exchange and artificial islands may fit with Environment Agency Shoreline Management Plans
Project delivery	
Partnership working	Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.
Monitoring and review	Birds and visitor surveys with review of effectiveness of measures with new ideas to keep visitors wanting to engage

The overall cost for the mitigation package is £8,916,448 in total **from today 14 Feb 2019** until 2038. **The tariff per dwelling for this period is currently calculated at £122.30.**

Existing visitor pressure at Habitats sites will need to be mitigated through alternative means and any pressure that would arise from different types of development would be addressed through the relevant project HRA.

Ahead of the production of the Essex coast RAMS, LPAs have had an interim approach to delivering the requirements of the Habitats Regulations. The publication of the RAMS begins the strategic mitigation phase and the Essex Coast RAMS allows LPAs to collect developer contributions for applications for new residential dwellings which fall within the Zone of Influence of the Essex coast Habitats sites. The Essex Coast RAMS will be accompanied by a Supplementary Planning Document, which will facilitate its delivery.

Place Services
11 January 2019

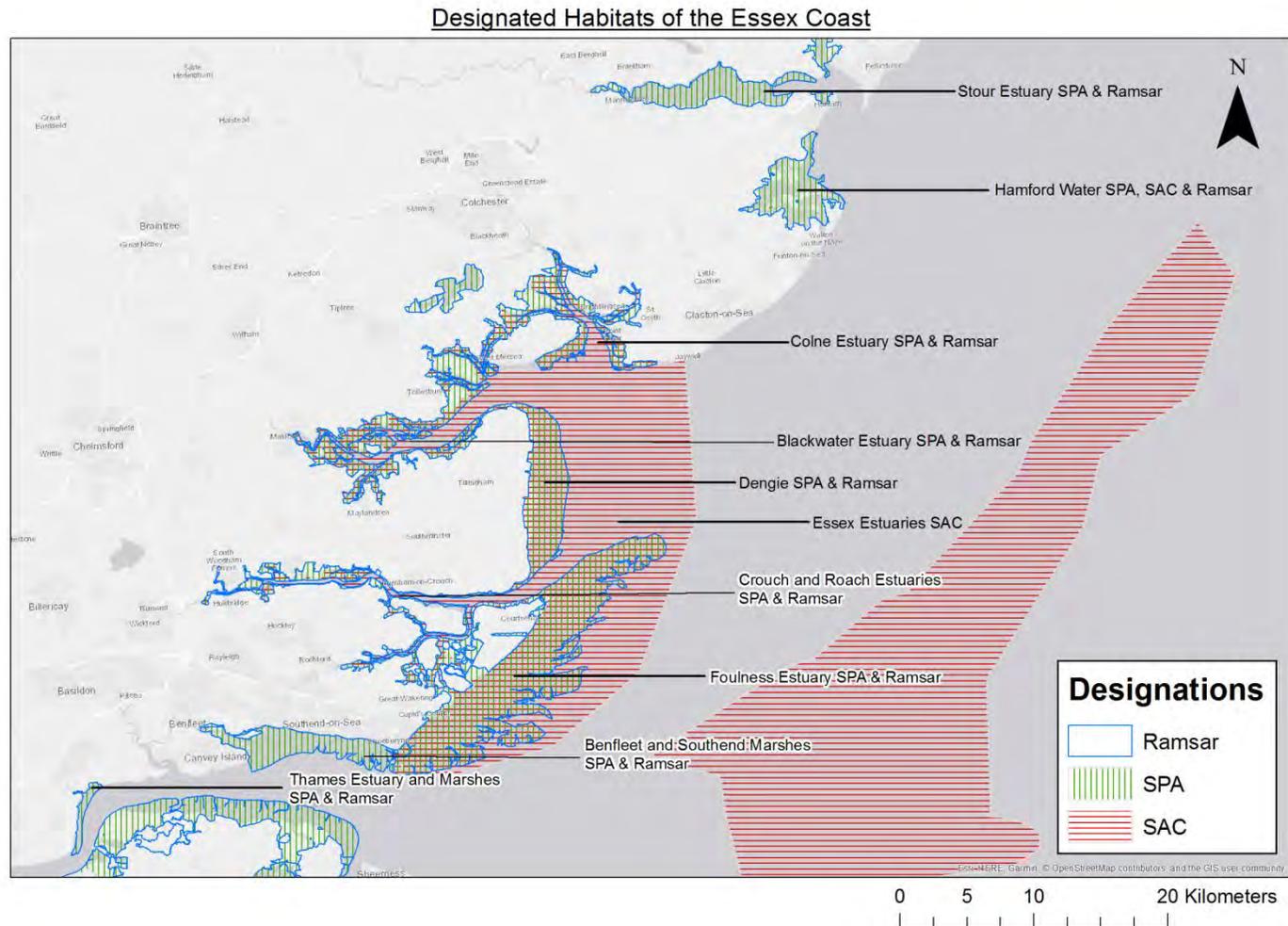
1 Introduction

- 1.1 The Essex coastline stretches for just over 350 miles, extending from the Thames Estuary in the south, northwards to the port of Harwich and the Stour Estuary. The coastline is extremely diverse and features a variety of habitats and environments and which are internationally important for wildlife as shown on Fig. 1.1.
- 1.2 Most of the Essex coast is designated under the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') as part of the European Natura 2000 network a series of these sites across Europe. For the purposes of this Strategy this means Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites. A key purpose of these designations is to protect internationally important numbers of breeding and non-breeding birds and their coastal habitats.
- 1.3 The Habitats Regulations usually refer to these sites as 'European Sites', however as SPAs and SACs (designated under the EU Birds and Habitats Directives) are now defined as 'Habitats sites' in the National Planning Policy Framework (NPPF) (2018) they will be referred to as Habitats sites in this Strategy. The NPPF (para 176) gives the same protection to Ramsar sites (wetlands of international importance designated under the Ramsar convention). For this Strategy, the term Habitats Sites will therefore also include Ramsar sites.
- 1.4 The Essex coast also provides opportunities for recreation. Housing and consequent population growth in Essex is likely to increase the number of visitors to these sensitive coastal areas, creating the potential for impacts from increased recreational disturbance of the birds and their habitats, unless adequately managed.
- 1.5 This Recreational disturbance Avoidance and Mitigation Strategy (RAMS) will support sustainable residential growth in Essex. It will deliver mitigation to protect coastal Habitats sites and the wildlife they support, from the increased recreational disturbance associated with a growth in population.
- 1.6 This mitigation must keep ahead of the rate of population growth to avoid any adverse effects on the integrity of coastal Habitats sites.
- 1.7 The Essex Coast RAMS will be deemed successful if the level of bird disturbance is not increased despite an increase in population and the number of visitors to the coastal sites for recreation.

- 1.8 The network of Habitats sites within the UK covers over 8.5% of the land area or 920 sites in total. There are 10 of these sites in the Essex Coast RAMS area¹ (see Figure 1.1 overleaf for more details). This means that almost the entire Essex coast is protected by an international designation for its wildlife interest.
- 1.9 Each Habitats site is underpinned by one or more Site of Special Scientific Interest (SSSI) as defined by Natural England advice.
- 1.10 Natural England is the Government's advisor for the natural environment in England and has published a set of mapped Impact Risk Zones (IRZs) for all Sites of Special Scientific Interest (SSSIs). These are defined on the Natural England website as "a GIS tool developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals to: Sites of Special Scientific Interest (SSSIs), Special Areas of Conservation (SACs), Special Protection Areas (SPAs) and Ramsar sites. They define zones around each site which reflect the particular sensitivities of the features for which it is notified and indicate the types of development proposal which could potentially have adverse impacts."
- 1.11 The IRZs have been identified for all SSSIs, with different trigger distances for a variety of types of developments. This study has defined Zones of Influence (ZOIs) for each Habitats site, based purely on recreational disturbance from residential dwellings.
- 1.12 11 of the 14 Essex Local Planning Authorities (LPAs) lie wholly or partly within the IRZs of these coastal Habitats sites. The 11 LPAs that are therefore partners to this strategy are:
- Basildon Borough Council
 - Braintree District Council
 - Brentwood Borough Council
 - Castle Point Borough Council
 - Chelmsford City Council
 - Colchester Borough Council
 - Maldon District Council
 - Rochford District Council
 - Southend-on-Sea Borough Council
 - Tendring District Council
 - Thurrock Council

¹ Abberton Reservoir and Epping Forest are also Habitats sites in Essex, but these are not within scope for the Essex Coast RAMS.

Figure 1.1: Habitats (European) sites on the Essex coast



Notes:

- Ramsar sites are areas of wetland which are designated of international importance under the Ramsar Convention (1971)¹.
- Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds.
- Special Areas for Conservation (SACs) are sites which support high-quality habitats and species.

- 1.13 Together, these LPAs are aiming to deliver approximately 80,000 new homes in the next 20 years according to growth set out in current and emerging Local Plans. This will potentially result in around 190,000 new residents in this area between 2018 and 2038 (based on a 2.4 person per household average household occupancy).
- 1.14 Harlow and Epping Forest Districts are not included in the Essex Coast RAMS because their geographical areas were outside the Zones of Influence for the coastal Habitats sites. However now that the ZOI for the Blackwater Estuary SPA & Ramsar site includes a small part of Uttlesford District, the District Council may decide to join as a partner for adoption of SPD and the delivery phase of the Essex Coast RAMS.
- 1.15 Under the Habitats Regulations, each of the partner LPAs is defined as “competent authority”, which is a term used for any public body or individual holding public office. In practice, this means that these LPAs have a duty to comply with the Habitats Regulations and ensure that plans and projects under their jurisdiction do not lead to adverse effects on the integrity of Habitats sites.
- 1.16 The published Habitats Regulations Assessments (HRAs) for the relevant Local Plans have also identified recreational disturbance as an issue for all of the Essex coastal Habitats Sites.
- 1.17 Each Habitats site or complex of sites in England has a Site Improvement Plan (SIP), developed by Natural England.
- 1.18 SIPs provide a high level overview of the issues (both current and predicted) affecting the condition of the designation features on the Habitats site(s) and outlines the priority measures required to improve the condition of the features. It does not cover issues where remedial actions are already in place or ongoing management activities which are required for maintenance.
- 1.19 The SIP consists of three parts: a Summary table, which sets out the priority Issues and Measures; a detailed Actions table, which sets out who needs to do what, when and how much it is estimated to cost; and a set of tables containing contextual information and links.
- 1.20 The SIPs are based on Natural England's current evidence and knowledge. The SIPs are not legal documents; they are live documents that are continually updated.
- 1.21 The planned growth in population is expected to increase the number of residents

using recreational spaces within reach of the new housing, including the Essex coast where people can undertake a range of recreational activities including picnics, hiking, walking their dogs, swimming, sailing and many other land and water based activities.

- 1.22 The Essex coast Habitats sites already experience recreational pressures but the planned level of population growth in Essex is likely to increase the number of visitors to these sensitive coastal areas. Unless adequately managed, this creates a potential for conflict between recreational activities and the conservation of internationally important assemblages of birds and habitats.
- 1.23 In response to the evidence for potential for recreational disturbance impacts from housing allocations in Local Plans, Natural England provided a list of Habitats sites to be included in a strategic approach to mitigation on the Essex coast. These are listed in Table 1.1 and shown on Figure 1.1:

Table 1.1: Habitats sites in Essex relevant to the Strategy

Habitats Sites on the Essex Coast
Essex Estuaries SAC
Hamford Water SAC, SPA and Ramsar
Stour and Orwell Estuaries SPA and Ramsar
Colne Estuary SPA and Ramsar
Blackwater Estuary SPA and Ramsar
Dengie SPA and Ramsar
Crouch and Roach Estuaries SPA and Ramsar
Foulness Estuary SPA and Ramsar
Benfleet and Southend Marshes SPA and Ramsar
Thames Estuary and Marshes SPA and Ramsar

Notes:

- *Ramsar sites are areas of wetland which are designated of international importance under the Ramsar Convention (1971)².*
- *Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds.*
- *Special Areas for Conservation (SACs) are sites which support high-quality habitats and species.*

² Listed or proposed Wetlands of International Importance under the Essex Coast Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites.

1.24 Evidence for a link between population increase, increased recreational pressure on the Essex coast and the resultant impact on wildlife comes from a study by Footprint Ecology commissioned by Natural England (Panter, C & Liley, D 2016). The following text box provides further details.

Table 1.2: Effects of recreational disturbance on non-breeding SPA birds
(Reproduced from Panter, C & Liley, D. 2016)

1.3	<p>Disturbance has been identified by Natural England as a generic issue across many European Marine Sites (see Coyle & Wiggins 2010), and can be an issue for a range of species. During the winter/passage periods there can be high numbers of birds present, and competition for food and resources (Caldow <i>et al.</i> 1999; Goss-Custard <i>et al.</i> 2002, 2006; Stillman <i>et al.</i> 2007). Disturbance to wintering and passage waterfowl can result in:</p> <ul style="list-style-type: none">• A reduction in the time spent feeding due to repeated flushing/increased vigilance (Fitzpatrick & Bouchez 1998; Stillman & Goss-Custard 2002; Bright <i>et al.</i> 2003; Thomas, Kvitek & Bretz 2003; Yasué 2005)• Increased energetic costs (Stock & Hofeditz 1997; Nolet <i>et al.</i> 2002)• Avoidance of areas of otherwise suitable habitat, potentially with birds feeding at poorer quality locations (Cryer <i>et al.</i> 1987; Gill 1996; Burton <i>et al.</i> 2002; Burton, Rehfish & Clark 2002)• Increased stress (Regel & Putz 1997; Weimerskirch <i>et al.</i> 2002; Walker, Dee Boersma & Wingfield 2006; Thiel <i>et al.</i> 2011)
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1.25 For breeding SPA birds, different issues result from recreational disturbance. Key breeding roosts are known on particular estuaries/shorelines and in specific locations where habitat and conditions enable territories to become established. Recreational pressure adds to the stresses of defending a territory, laying eggs and rearing chicks which means that SPA birds are often more vulnerable, and levels of public access to breeding areas can rise in the summer months too. During the breeding season, recreational disturbance can affect breeding success as it can result in nest desertion, potential trampling of eggs and an increase in predation rates etc. (Liley & Sutherland 2007).

1.26 Since this Footprint Ecology study was published, mitigation schemes across the UK have provided data which accords with the conclusions of this study.

1.27 The maps in Appendix 11 for each Habitats site, are annotated with existing recreational disturbance issues evidenced by Managers of these sites.

1.28 The potential ways in which species and their habitats are impacted by recreational disturbance, are considered in this Strategy. The Essex Coast RAMS identifies the baseline:

- The current condition of the Habitats sites, such as the existing pressures upon them, the effects on species and habitats;
- The level of recreational disturbance to non-breeding and breeding birds, trampling of sensitive vegetation e.g. saltmarsh, and nutrient enrichment and erosion of habitats; and
- The mitigation currently in place.

1.29 The Strategy then predicts the future situation without any mitigation and suggests suitable recreational disturbance avoidance and mitigation measures to negate possible significant effects on the Habitats sites.

1.30 The baseline will be used to assess the effectiveness of the Essex Coast RAMS.

1.31 A separate Supplementary Planning Document (SPD) will set out how each LPA will deliver the Essex Coast RAMS through the planning process. This SPD will build upon and provide more detailed guidance about the policies in the Local Plans prepared by the 11 Local Planning Authorities (LPAs) for adoption.

2 Background to the Strategy

Policy Context

- 2.1 This Strategy complies with the relevant legislation and national guidance, including:
- Article 6 of the Habitats Directive (92/43/EEC) 1994
 - European Commission (2001) Assessment of plans and projects significantly affecting Habitats sites – Methodological guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EC ³
 - Government Circular 06/2005
 - Conservation of Habitats and Species Regulations 2017
 - The National Planning Policy Framework (NPPF) 2018
- 2.2 The Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the Habitats Regulations) transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into UK law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations came into force on 30th November 2017 and extend to England.
- 2.3 The Habitats Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites (henceforth referred to as Habitats sites in accordance with the NPPF).
- 2.4 Regulations 63 and 64 of the Habitats Regulations require a series of steps and tests to be followed for plans or projects that could potentially affect a Habitats site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' (HRA) process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have significant effects on a Habitats site.
- 2.5 HRA is often referred to as 'Appropriate Assessment' (AA) although the requirement for AA is first determined by an initial HRA 'Screening' stage undertaken as part of the full HRA.

³

http://ec.europa.eu/environment/nature/natura2000/management/docs/art6/natura_2000_assess_en.pdf

2.6 Specifically, Regulation 63 states:

63.—(1) A competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which—

(a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and

(b) is not directly connected with or necessary to the management of that site,

must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives.

2.7 The Regulation 63 of the Habitats Regulations refers to “the competent authority”. These are the body or bodies responsible for the application of the Habitats Regulations Assessment process, on a case-by-case basis to ensure compliance with the Habitats and Birds Directives. A competent authority is defined in Regulation 7 of the Habitats Regulations so as to include:

a) Any Minister of the Crown (as defined in the Ministers of the Crown Act 1975(1)), government department, statutory undertaker, public body of any description or person holding a public office;

b) the Welsh Ministers; and

c) any person exercising any function of a person mentioned in sub-paragraph (a) or (b).

and public body includes:

a) the Broads Authority(4);

(b) a joint planning board within the meaning of section 2 of the TCPA 1990 (joint planning boards)(5);

(c) a joint committee appointed under section 102(1)(b) of the Local Government Act 1972 (appointment of committees)(6);

(d) a National Park authority; or

(e) a local authority, which in this regulation means—

(i) in relation to England, a county council, a district council, a parish council, a London borough council, the Common Council of the City of London, the sub-treasurer of the Inner Temple or the under treasurer of the Middle Temple;

(ii) in relation to Wales, a county council, a county borough council or a community council;

- 2.8 The Habitats Regulations also use the following terms, which are used in this Strategy and are defined below:

Likely Significant Effect – *this is a possible adverse effect that would undermine the conservation objectives for a Habitats (European) site and which cannot be ruled out based on clear verifiable objective information.*

Alone – *consideration given to the details of the plan or project which may result in effects on a Habitats site*

In combination with other plans and projects – *consideration needs to also be given to the cumulative effects which will or might result from the addition of the effects of other relevant plans or projects.*

- 2.9 The Government has produced core guidance for competent authorities and developers to assist with the HRA process. This can be found online ⁴
- 2.10 HRA is thus a vital part of a Local or Strategic Plan's evidence base: for Plans to be considered legally compliant and sound, as set out in section 35 of the National Planning Policy Framework 2018, each LPA must provide mitigation.

Identifying the problem

- 2.11 The majority of the HRAs produced by Essex LPAs as part of the production of their respective Local or Strategic Plans identified that the level of planned housing growth may lead to disturbance of birds in coastal Habitats (European) sites within and beyond each individual LPA boundary.
- 2.12 HRA work relating to the Essex coast Habitats sites undertaken to date at the plan level and project level across the 11 LPAs is detailed in Table 2.1.

4

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/82706/habitats-simplify-guide-draft-20121211.pdf

Table 2.1 LPAs and their relevant Habitats Sites

LPAs	Work undertaken	Relevant Habitats sites
Basildon Borough Council	Basildon Borough Council Local Plan 2014-2034 and HRAs (Oct 2018) at the plan and project level	The HRA identifies that new residential development is likely to result in significant effects on the Essex coast Habitats sites due to the draw of the coast for recreation.
Braintree District Council	North Essex Authorities Shared Section 1 Local Plan HRA (May 2017) Braintree District Council Section 2 Local Plan HRA (May 2017) Braintree District Council has prepared project level HRAs for residential developments in Hatfield Peverel, Cressing, Braintree and Coggeshall.	The HRA identifies that new residential development is likely to result in significant effects on the Essex coast Habitats sites due to the draw of the coast for recreation.
Brentwood	Brentwood Local Plan Habitat Regulations Assessment (January 2018)	The HRA identifies that new residential development is likely to result in significant effects on the Essex coast Habitats sites due to the draw of the coast for recreation.
Castle Point	Castle Point Local Plan HRA is currently being undertaken	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary
Chelmsford	Chelmsford City Council's Pre-Submission Local Plan Habitats Regulations Assessment (January 2018) and an update dated June 2018	The HRA identifies the possibility of significant effects on European sites. In the Pre-Submission Local Plan, the Council has committed to the adoption of the RAMS SPD. Plan level mitigation measures are considered to be both achievable and likely to be effective. Additional provision and master planning requirements are included to minimise effects on the Crouch and Roach Estuaries.
Colchester Borough Council	North Essex Authorities Shared Section 1 Local Plan HRA Colchester Borough Council Section 2 Local Plan HRA <ul style="list-style-type: none"> - HRA screening for Boxted Neighbourhood Plan (2014-2029) - HRA screening for West Bergholt Neighbourhood Plan (2018-2033) - HRA re-screening for Wivenhoe Neighbourhood Plan (2017-2032) 	Colne Estuary, Hamford Water, the Blackwater Estuary the Stour and Orwell Estuaries.

LPAs	Work undertaken	Relevant Habitats sites
Maldon District Council	Maldon District Council Local Development Plan Sustainability Appraisal Report (March 2017) incorporating Strategic Environmental Assessment and Habitats Regulations Assessment Nine LDP allocations with planning permission or planning consent subject to a S106 agreement have project level HRAs. Only two LDP allocations without consent have not had project level HRAs.	Maldon's Local Development Plan was approved in 2017 and all mitigation identified through its HRA was reflected in relevant LDP policies and has been secured via project level HRAs for each allocation.
Rochford District Council	Rochford District Council Local Plan HRA (January 2013) HRA Maylons Farm, West Hullbridge and Wallasea Island	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary
Southend Council	Southend Council Local Plan HRA (September 2010) Southend Central Area Action Plan (February 2018)	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary
Tendring District Council	North Essex Authorities Shared Section 1 Local Plan HRA (May 2017) Tendring District Council Section 2 Local Plan HRA (May 2017) Adopted project level HRAs for development	<ul style="list-style-type: none"> • Colne Estuary, • Hamford Water, • Blackwater Estuary • Stour and Orwell Estuaries
Thurrock	Thurrock Local Plan Local Development Scheme (December 2015)	<ul style="list-style-type: none"> • Crouch and Roach Estuaries • Foulness Estuary • Benfleet and Southend Marshes • Outer Thames Estuary

Notes: Not all of the LPAs have prepared project level HRAs for residential developments within the IRZs³ of the SSSIs that underpin each Habitats site. Uttlesford is only affected by a small geographical area on its eastern boundary within the ZOI of Blackwater Estuary SPA & Essex Coast Ramsar and this component of the Essex Estuaries SAC. This also applies to strategic plans eg Joint Strategic Plan and north Essex

⁴ Natural England has published a set of mapped Impact Risk Zones (IRZs) for Sites of Special Scientific Interest (SSSIs). This helpful GIS tool can be used by LPAs to help consider whether a proposed development is likely to affect a SSSI and determine whether they need to consult Natural England to seek advice on the nature of any potential SSSI impacts, their avoidance or mitigation. The dataset and user guidance can be accessed from the [gov.uk website](http://gov.uk/website).

Identifying the need for a strategic solution

- 2.13 In 2017, Natural England's West Anglia Team identified the Essex coast as a priority for strategic and proactive planning engagement and mitigation. This was due to the high numbers of dwellings that were likely to come forward for each Plan alone and also in combination within the relevant Local Plans by 2038 to meet projected housing needs, and the potential recreational impact these new residents could have upon the Habitats sites.
- 2.14 In September 2017, Natural England proposed a strategic approach to LPAs and recommended identifying the scale of the disturbance and implementing measures to mitigate impacts through the preparation of a joint Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS). Based on existing evidence of visitor pressures, Natural England advised that 11 district/borough Councils across Essex should be partners in the preparation of the Strategy. To reflect the differing Local Plan adoption dates of these authorities, Natural England advised that a Supplementary Planning Document should be the mechanism to secure developer contributions towards the mitigation measures identified as necessary by the Strategy.
- 2.15 Natural England's advice was that the Local Plans must have a clear policy commitment to producing a Mitigation Strategy, with a clear timeframe for its completion. This should be by the time the plan is adopted to ensure any developments coming forward as part of the plan have certainty that there are mitigation measures which can be implemented as soon as the plan is live.
- 2.16 Local Plans are advancing across Essex. The number of Local Plan consultations that are scheduled further increases the urgency to produce the strategy and secure a delivery mechanism for an effective mitigation package.
- 2.17 Mitigation measures have been identified in the HRA (screening and/or Appropriate Assessments) for many of the Local Plans. There are similarities in the mitigation measures proposed, reflecting the identification of in-combination effects resulting from growth in LPA areas. In recognition of this, Natural England recommended a strategic approach to mitigation along the Essex coast.
- 2.18 The LPAs agreed that a strategic solution to mitigate the impacts of recreational disturbance from Local Plans was a sensible approach to take the support of Natural England and Essex County Council. Strategic solutions are usually driven by challenges and opportunities arising from planning issues. They apply more broadly than at a single designated site and often include aims such as cutting down on unnecessary consultations, providing strategic scale mitigation or developing a generic approach to evidence collection and use. The development plan process provides huge opportunities to influence planning policy and create solutions that

can filter down to the application stage, providing confidence that mechanisms exist to deliver much needed development in the right places whilst also ensuring the natural environment is fully considered. Under planning legislation, LPAs have a statutory 'duty to cooperate' with each other, and other bodies, when preparing, or supporting the preparation of policies which address strategic matters. This includes the Essex Coast RAMS.

2.19 The initial Essex Coast RAMS meeting was held in November 2017 under the umbrella of the Essex Planning Officers Association (EPOA), with all Essex LPAs invited to discuss the rationale for taking a strategic approach to securing a solution to support their Local Plans. Natural England explained the need for Local Plans to provide mitigation in order that sustainable housing growth can be delivered whilst at the same time, adequately protecting Habitats sites from harm that could potentially occur because of increased recreational pressure arising from the new housing growth.

2.20 Natural England's guidance provided at the meeting held on 13 September 2017 outlined that a mitigation strategy should:

- Set clear parameters, providing a mechanism by which pressure from increased recreation can be avoided and mitigated for, thus enabling rather than stalling the progression of planned housing growth within local Plans;
- Be based on evidence and be precautionary where uncertainties remain;
- Provide a good degree of certainty that the required measures can be delivered;
- Be solutions focused, seeking to find robust means of mitigating for impacts to allow development to proceed, incorporating such mitigation at the plan level wherever possible so that these requirements are clear to developers and are consistently applied;
- Build upon work undertaken to date as part of the HRAs for the various Local Plans;
- Reflect best practice; and
- Include monitoring.

2.21 At the same meeting, Natural England also set out the key lessons learnt from strategic mitigation schemes in other parts of the country. These are:

- Early engagement is key to ensuring issues and opportunities are identified from the outset when time is on our side to deliver real solutions
- Embedding strategies – whilst a robust evidence base and options for avoidance and mitigation are crucial, the policy framework within a LPA's development Plan needs to be clear and reflect what is required at project stage to ensure successful delivery
- Stepping back and seeing the "bigger picture"

- Sharing and learning to embed strategic solutions is hugely important and enables lessons to be learnt and to apply best practice elsewhere.

2.22 Mitigation measures applied for the protection of Habitats sites through development should be those that :

- Are essential for and relevant to the planning permission being granted
- Provide certainty that housing development can proceed without adverse effect on the Habitats sites
- Are proportionate to the potential impact that may be generated, evidence based and cost effective.

Developing the Essex Coast RAMS project

2.23 The three options for the scale of joint working were discussed by the Essex LPAs present at the initial Essex Coast RAMS meeting. These are outlined in Table 2.2 below.

Table 2.2: Options for preparing an Essex Coast RAMS

<p style="text-align: center;"><u>Option 1 – No Joint Project</u></p> <p>In the absence of some form of joint project, it would fall upon those LPAs with likely effects predicted on European Sites to prepare the Essex Coast RAMS. However, in order for them to do this, information was required on housing growth from the other LPAs for the full extent of recreational impacts to be determined. Furthermore, those other LPAs would still be under a legal obligation to fulfil their duties under the Habitats Regulations, including managing residual recreational impacts on Habitats sites. In this situation, it would be the LPA with the Essex Coast RAMS determining how this could be resolved with no input from those other LPAs, potentially resulting in disputes over the appropriateness of projects and their costs. This did not appear to be an appropriate approach given the scale and cross-boundary nature of the problem.</p>
<p style="text-align: center;"><u>Option 2 – Sub-regional Projects</u></p> <p>LPAs are familiar with working across their housing market areas in order to deliver evidence-based projects and elements on plan making. This option offered some benefits in terms of utilising existing working arrangements. However, the housing market areas do not align with the ZOIs for the Habitats sites along the Essex coast and therefore there would still be a need for each sub-region to look at the Essex Coast RAMS beyond their area in order to determine their full impact on Habitats sites.</p> <p>Additionally, different approaches between these sub-regions may give rise to areas of dispute over the appropriateness and cost of projects, although this risk is not considered to be as significant as for Option 1. A further issue with this option is that some LPAs in Essex, such as Maldon are not part of a sub-regional working group because Maldon sits within its own housing market area. Given these issues, normal patterns of sub-regional working may not be appropriate in this instance.</p>
<p style="text-align: center;"><u>Option 3 – Essex-wide Project</u></p> <p>In order to cover all of the coastal Habitats Sites, and all of the Essex LPAs within the ZOIs, an Essex coast RAMS could be prepared jointly by the 11 LPAs considered likely to be affected. This was considered to be the</p>

most effective approach in terms of capturing all cross-boundary interactions between the different LPAs involved, and ensures that all authorities affected would have a stake in the final selection of mitigation projects and are aware of the costs associated with these.

Without a co-ordinated approach, it may be very difficult for LPAs to deliver bespoke mitigation measures particularly for those at a distance from the Essex coast. However, experience with the Gypsy & Traveller Accommodation Assessment, as an example, has shown that it is difficult to manage a project with this number of authorities and therefore a dedicated project management would be a requirement, particularly if it is to deliver in a timely manner.

- 2.24 It was concluded that the best outcomes in terms of delivering an Essex coast RAMS which addresses the issues in an effective and equitable way will be achieved through joint working at an Essex wide level i.e. Option 3. However, this option presented the greatest challenge in terms of project management. It was agreed by the LPAs present that Option 3 would be taken forward.
- 2.25 The Essex LPAs appointed Place Services to prepare the Essex Coast RAMS and undertake project management.

What will the Strategy achieve?

- 2.26 A Steering Group (comprising officers from the 11 LPAs, from Essex County Council and Natural England and consultants from Place Services, Essex County Council) was established to lead this project. The initial work of the Steering Group focused on approval of the project plan, signing of a Memorandum of Understanding which set out the commitment to undertaking this project, an initial review of existing information sources (Baseline Evidence Report), and planning for stakeholder events to aid information sharing. The need for visitor surveys to provide a robust evidence base was subsequently agreed with Natural England.
- 2.27 The initial brief for the Essex Coast RAMS is set out in Table 2.3 although details were considered in consultation with Natural England along the journey of producing the Strategy. It was decided by the Steering Group that governance and resourcing would be a separate piece of work to the Strategy.

Table 2.3: The Brief for the Essex Coast RAMS

1. Patterns of use of SPAs/SACs/Ramsar sites	a) Review existing sources of information, and produce report/paper to present to the Steering Group
	b) Agree with Natural England whether sufficient information exists.
	c) Obtain further primary data where necessary.

	<p>d) Analyse data to identify the locations where new development may lead to an impact in order for the LPAs to justify contributions being sought.</p>
<p>2. Mitigation and visitor monitoring</p>	<p>a) Based upon the conclusions from the patterns of use, identify which Habitats sites are relevant to which growth locations/ LPA.</p>
	<p>b) Identify mitigation and visitor monitoring objectives (i.e. what needs to be monitored, how often and to identify what methodologies to use).</p>
	<p>c) Identify specific existing or proposed on-site/off-site mitigation and site management measures which would address the HRA requirements. This must reflect HRA recommendations, set out the governance arrangements and likely delivery partners.</p>
	<p>d) Identify gaps (e.g. SAC/SPAs/Ramsar sites or parts of these Habitats sites where no mitigation or visitor monitoring is planned or where no or insufficient management is in place or planned, or where no delivery partner can be identified).</p>
<p>3. Funding</p>	<p>a) Identify what measures have already been funded and provide detail of how the current funding mechanisms work.</p>
	<p>b) Calculate the total cost of mitigation measures over the period of the local plans (based on the longest plan period of the project partners as in preparation now).</p>
	<p>c) Identify planned growth in the locations identified under 2c (above).</p>
	<p>d) Identify mechanisms for securing funding for each mitigation measure.</p>
	<p>e) Identify effective mechanisms for a Strategic Mitigation Scheme(s), to include collecting and holding contributions for 11 separate LPAs, prioritising spend and transfer of funds to delivery partners/organisations.</p>
<p>4. Monitoring of the Strategy</p>	<p>a) Identify mechanisms for monitoring the delivery and effectiveness of the mitigation strategy (e.g. outputs and outcomes – the former might be monitored more regularly).</p>
	<p>b) Provide recommendations related to future growth e.g. how might the strategy take account of growth in the longer term (beyond most plan periods) which would be subject to new HRAs and how should the results of monitoring feed into decisions about locations / scale of future growth.</p>
	<p>c) Identify how monitoring results will be analysed and used effectively.</p>
<p>5. Strategy finalised with recommendation for SPD</p>	<p>a) Incorporate areas above into strategy.</p>
	<p>b) Agree strategy with the Steering Group.</p>

to facilitate implementation	c) LPAs to consult on draft SPD- targeted consultation with interested parties, but strategy publically available for comment.
6. Finalise SPD	a) Consider consultation responses.
	b) Amend and finalise SPD.
	c) Adopt SPD.

3 Purpose of the Strategy

- 3.1 The Essex Coast RAMS will support sustainable residential growth in Essex while protecting Habitats sites and their wildlife from the increased disturbance from recreation associated with a growth in population. The Essex Coast RAMS will identify specific avoidance and mitigation measures that will be necessary to enable the planned housing and associated population growth within the strategy area to go ahead, without adversely affecting the designated features of the Habitats sites.
- 3.2 The Essex Coast RAMS will identify:
- the likely in combination impacts from recreational disturbance;
 - a range of effective mitigation measures;
 - when the mitigation measures are required;
 - where the mitigation is required;
 - how mitigation relates to development (or development locations);
 - how mitigation measures will be funded;
 - how the Strategy will be implemented
 - how the success of the mitigation measures will be monitored; and
 - how best to incorporate monitoring data and other information and best practice into future reviews of the strategy and Local Plans.
- 3.3 The Strategy does not cover any additional site-specific infrastructure, such as Country Parks, which are often referred to as Suitable Alternative Natural Greenspaces (SANGs). The issue of SANG is slightly different as, given that the coast cannot be replicated inland, SANGs do not tend to form part of coastal mitigation strategies. However, there is some evidence from the Solent HRA Mitigation project and corresponding website⁴ that if people are only visiting the coast because it is their nearest greenspace, then they can be drawn away from the coast by providing an attractive site nearer to their home. Natural England therefore may advise that on-site greenspace should be provided as part of individual developments (e.g. to include circular walks, dogs off lead areas etc.) to take some of the pressure off the coastal sites. However, this will not remove residents' overall desire to visit the coast, so a contribution to the mitigation measures at the coastal Habitats sites still needs to be made in all cases.

⁵ <http://www.birdaware.org/>

3.4 The Essex Coast RAMS Strategy does not provide:

- A mechanism to deliver mitigation for recreational impacts from individual residential developments alone; this must be provided on/near the development site;
- A mechanism for measures necessary to avoid likely significant effects from non-recreational impacts e.g. air or water quality, identified through project level HRAs prepared for individual planning application;
- Any mitigation needed to reduce or avoid *existing* impacts from recreational or other activities identified by Natural England in the SIPs for each Habitats site along the Essex coast;

or

- Mitigation for the England Coast Path (ECP). This is a Natural England project, which aims to create a new National Trail around the entirety of England’s coast. For each section of the ECP, Natural England undertakes an “Access and Sensitive Features Appraisal” (ASFA) which contains a bespoke HRA to mitigate for the effects of the Coast Path.

3.5 As listed in Natural England’s letters to LPAs (Interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations, November 2017 & August 2018) provided in Appendix 1, the Strategy applies to all net increases in residential dwellings that fall within the ZOI which are in the Planning Use Classes listed in Table 3.1, overleaf (excluding replacement dwellings and extensions).

Table 3.1: Planning Use Classes

Planning Use Class*	Class Description
C2 Residential institutions	Residential care homes, boarding schools, residential colleges and training centres.
C2A Secure Residential Institution	Military barracks.
C3 (a) Dwelling houses (a)	Covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
C3 Dwelling houses (b)	Up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
C3 Dwelling houses (c)	Allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.

C4 Houses in multiple occupation	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom
Sui Generis ***	- Residential caravan sites (excludes holiday caravans and campsites) -Gypsies, travellers and travelling show people plots

Notes:

* This table is based on Natural England advice (244199, included as Appendix 1) which was advisory, not definitive.

** Care homes will be considered on a case-by-case basis according to the type of residential care envisaged.

*** Sui Generis will be considered on a case-by-case basis according to the type of development.

3.6 The applications in scope for consideration will be confirmed in the SPD and should include:

- Full planning applications;
- Reserved Matters planning applications where the outline planning consent that were not previously assessed through the HRA process and assessed under the Essex Coast RAMS where updated evidence is now available; and
- Permitted Development as clarified by SPD.

3.7 A strategic, coordinated approach will reduce the burden on the LPAs and developers for project-level HRAs and offer a straight-forward, efficient and effective option for residential developers to provide appropriate mitigation measures, to ensure development accords with the Habitats Regulations.

3.5 Without a co-ordinated approach, it may be very difficult for LPAs to deliver effective bespoke mitigation measures particularly for locations that are on the outer edge of the Essex coast RAMS ZOI.

The Technical Report – Evidence Base

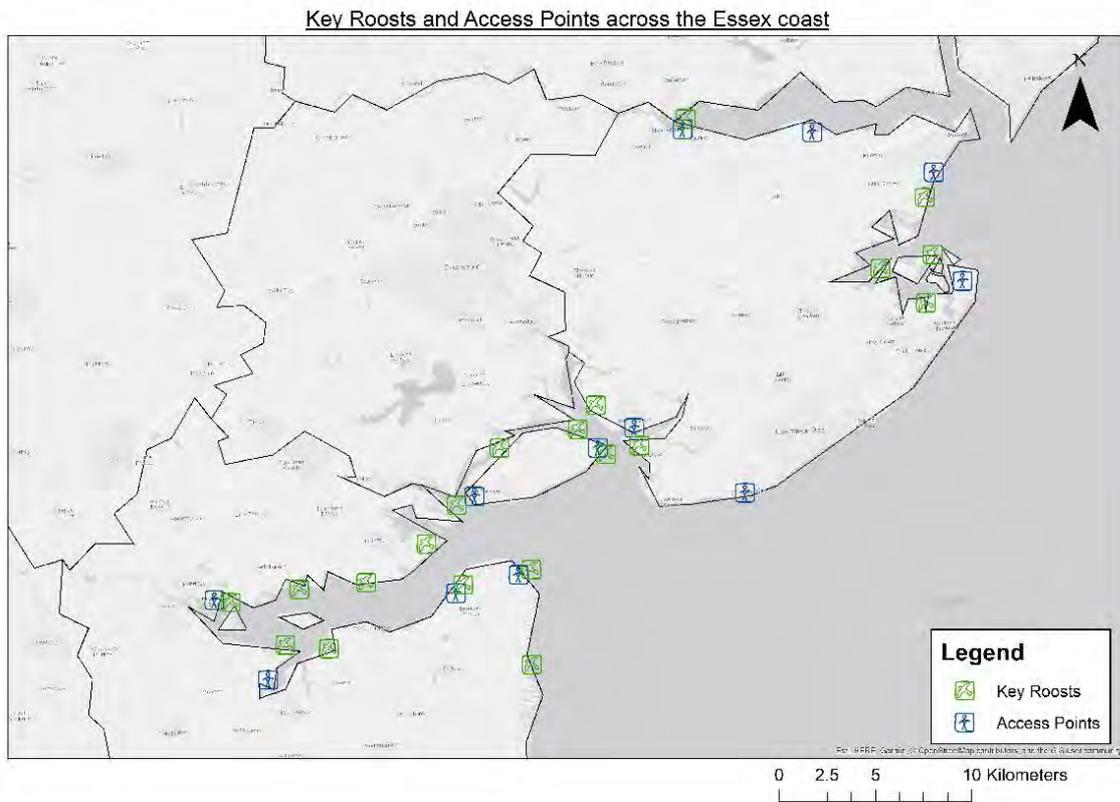
4 The Baseline

- 4.1 In order to determine the baseline, the following methodology was followed in the review process to determine patterns of visitor use of designated sites:
- Desk studies to determine what evidence existed and identify any gaps;
 - Visitor surveys to supplement the desk studies and gain an understanding of the origins of visitors to the Habitats sites and thereby determine the ZOIs;
 - Continual engagement with Natural England to discuss and agree the methodology, location and results of the studies to provide robust evidence on which to develop the Strategy; and
 - Stakeholder meetings with those parties with a responsibility for or an interest in the Habitat sites to gain a fuller understanding of the Habitats sites, the recreational pressures they are under presently, those that would arise with an increase in population and an understanding of what mitigation has been undertaken to date and how effective this is. Full details of the workshop attendees can be found in Appendix 10.

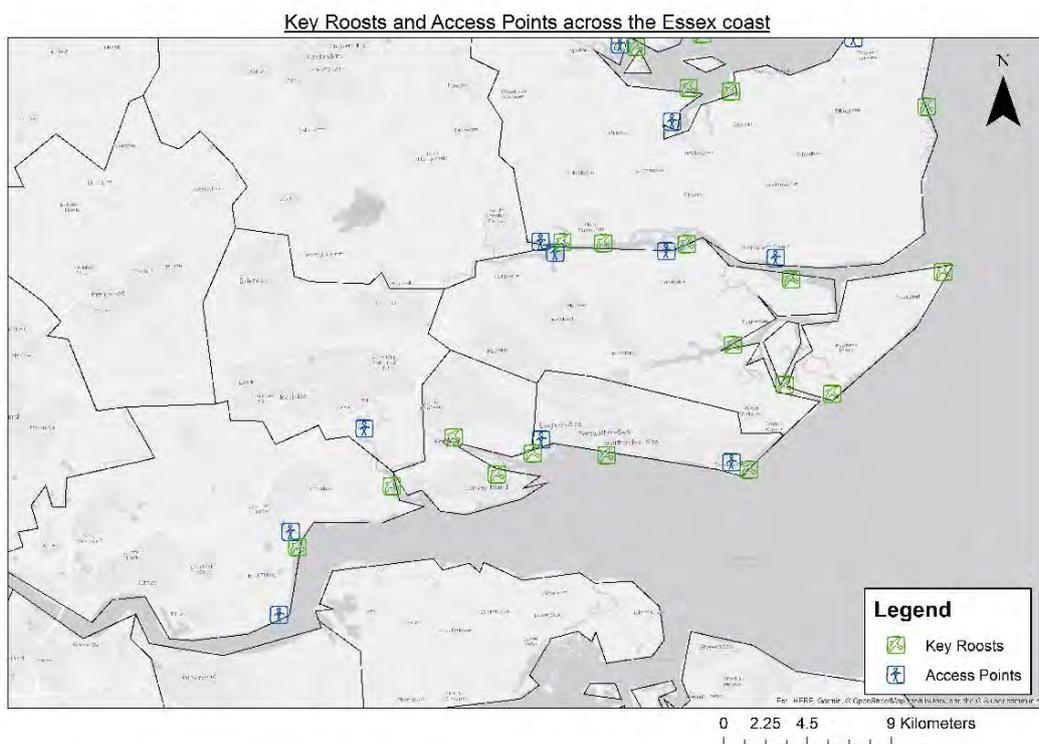
The Importance of the Essex coast Habitats sites – Desktop review

- 4.2 A desktop review looked at the existing data on the Habitats sites and the species therein.
- 4.3 Forty different bird species – predominantly waders and wildfowl – are specifically listed by Natural England as designated Interest Features for at least one of the Habitats sites.
- 4.4 Discussion with the Royal Society for the Protection of Birds (RSPB) on data available on key bird roost locations which are sensitive to disturbance has identified 20 key sites, which are shown on the maps 4.1 and 4.2. Because breeding information is confidential, the maps do not distinguish breeding and non-breeding roosts.
- 4.5 [Functionally Linked Land](#) (FLL) also needs to be protected from disturbance e.g. key areas of farmland and grassland for Brent geese. This will need to be mapped and has been included as a project in the mitigation package set out in this Strategy.

Map 4.1 Key SPA bird roosts/breeding areas and access points for North Essex



Map 4.2 Key SPA bird roosts/breeding areas and access points for South Essex



- 4.12 As key roosts are used by SPA birds at different times of the year (breeding and non-breeding), there are seasonal variations as well as daily variations in usage due to the tidal cycle. Key locations for SPA birds and the state of the tide can mean birds are closer or further from the shoreline and potential disturbance.
- 4.13 During harsh winters, a prolonged cold spell can mean birds struggle to get sufficient feeding time in between tides and any disturbance in these conditions is more significant to bird populations. Some roost sites hold large concentrations of birds but numbers may change as use fluctuates and factors other than disturbance or habitat degradation may be an issue in some locations.
- 4.14 [The Wetland Bird Survey](#) (WeBS) data has also been reviewed. WeBS monitors non-breeding waterbirds in the UK. There is a WeBS Alerts system which provides a method of identifying changes in numbers of water birds at a variety of spatial and temporal scales and reports are written every 3 years. It would be beneficial to integrate WeBS counts with the Essex Coast RAMS bird monitoring programme. Species that have undergone major changes in numbers are flagged, by the issuing of an Alert. Alerts are intended to be advisory; subject to interpretation, they should be used as a basis on which to direct research and subsequent conservation efforts if required.

Identifying visitor patterns of use of Habitats sites

- 4.15 Visitor surveys were undertaken to inform the Strategy, with the aim of gathering information on the number of visitors expected at coastal Habitats sites and evidence of the distances visitors to the sites will travel to access coastal locations for recreation purposes. This evidence is then used to calculate the Zones of Influence.

Visitor surveys

- 4.16 Where visitor data existed for Habitats sites, which had been previously collected by the LPAs, this was collated, and gaps identified in a baseline report to the Steering Group.
- 4.17 Visitor data (for the Stour & Orwell Estuaries SPA and Ramsar site, Hamford Water SAC, SPA and Ramsar site, the Colne SPA and Ramsar site and the Essex Estuaries SAC) was collected over a three-year period (from 2011 to 2013) as required by the appropriate assessments of Colchester and Braintree's adopted development plans and Tendring's emerging Local Plan.
- 4.18 On the advice of Natural England, the Essex Coast RAMS Steering Group agreed that the sites which would be subject to visitor surveys needed to be prioritised due

to resourcing and time constraints. Surveys at locations with no data were therefore prioritised so that there were data on which to base the ZOIs for all Habitats sites.

- 4.19 Tables 4.1 and 4.2 below show the visitor survey data which had previously been completed, and also the location of surveys needed to fill in the gaps.
- 4.20 ZOIs for the Habitats sites in North Essex were informed by the survey and monitoring work undertaken as a requirement of the Appropriate Assessments of Colchester and Braintree's adopted development plans and Tendring's emerging Local Plan. Since this joint survey work the North Essex LPAs have submitted an Appropriate Assessment (AA) for the North Essex Authorities Shared Strategic Part 1 for Local Plans Pre-submission (Regulation 19) prepared by Land Use Consultants (LUC) May 2017.
- 4.21 The AA for this joint plan identifies an increased prevalence and occurrence of negative recreational effects to the Habitats sites, which in the absence of effective mitigation is likely to lead to adverse effects on the sites' integrity.

Table 4.1: North Essex visitor survey details

Survey Location	Habitats Site	Source of existing information?	Seasons which information is needed for: Summer (May-July) Winter (August to April)
Mistley Walls	Stour and Orwell Estuaries	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Stour Wood	Stour and Orwell Estuaries	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Kirby Quay	Hamford Water	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
The Naze	Hamford Water	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Brightlingsea Marsh	Colne Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Cudmore Grove CP, Mersea	Colne Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Wivenhoe Barrier	Colne Estuary	None	Winter
Strood Channel	Blackwater Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Old Hall Marshes (owned by RSPB)	Blackwater Estuary	North Essex surveys over winter and summer months from 2010-2013.	Summer and winter
Tollesbury Wick (owned by EWT)	Blackwater Estuary	None	Summer and Winter
Promenade Park Maldon (Northey Island Causeway)	Blackwater Estuary	None	Winter
Bradwell Marina	Blackwater Estuary	None	Summer and winter
Dengie (St Peters Chapel)	Dengie	None	Winter

Table 4.2: South Essex visitor surveys required to identify impacts on the designated features

Survey Location	Habitats Site	Existing information?	Season Summer (May-July) Winter (August to April)
Burnham-on-Crouch	Crouch and Roach Estuaries	None	Winter
Blues House Farm (EWT), North Fambridge	Crouch and Roach Estuaries	None	Winter
Wallasea Island	Crouch and Roach Estuaries	Total visitor numbers recorded by RSPB from 2008-2016 and visitor numbers to the sea wall and number of cars from Apr-Sep 2017.	All
Thameside Nature Park (EWT)	Thames Estuary and Marshes	None	Winter
Coalhouse Fort	Thames Estuary and Marshes	None	Winter
Cinder Path, Leigh-on-Sea	Benfleet and Southend Marshes	None	Summer and Winter
Gunners Park, Shoebury	Benfleet and Southend Marshes	None	Winter
Two Tree Island, Leigh-on-Sea	Benfleet and Southend Marshes	None	Summer

Additional evidence gathered and analysis

4.22 The first round of visitor surveys took place in winter 2017/18, when non-breeding waders and wildfowl which are designated features of the Habitats sites are present along the Essex coast (August to April). The second round of visitor surveys took place on the Blackwater Estuary during the spring of 2018 when breeding birds such as the Little Tern and Ringed Plover, which are designated features of this Habitats site, use it for nesting. Benfleet and Southend Marshes SPA provide habitat for SPA birds which could be impacted by trampling during the summer months used by non-breeding species over winter.

Table 4.3: Designation features per Habitats site (MAGIC, 2018) and visitor surveys undertaken to assess disturbance

Habitats Site	Designation features sensitive to recreational disturbance and surveys undertaken				
	Habitats	Breeding birds (May to July)	Summer survey completed?	Non-breeding birds August to April	Winter survey completed?
Stour and Orwell Estuaries	Yes	Yes	Yes	Yes	Yes
Hamford Water	Yes	Yes	Yes	Yes	Yes
Colne Estuary	Yes	Yes	Yes	Yes	Yes
Blackwater Estuary	Yes	Yes	Yes	Yes	Yes
Dengie	Yes	No	N/A	Yes	Yes
Crouch and Roach Estuaries	Yes	No	No	Yes	Yes
Foulness Estuary	Yes	No	No	Yes	No**
Benfleet and Southend Marshes	Yes	No	Yes	Yes	Yes
Thames Estuary and Marshes	Yes	No	No	Yes	Yes
Essex Estuaries	Yes	No*	No*	No*	No*

*The Essex Estuaries comprise the Colne Estuary, Blackwater Estuary Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective Zols throughout.

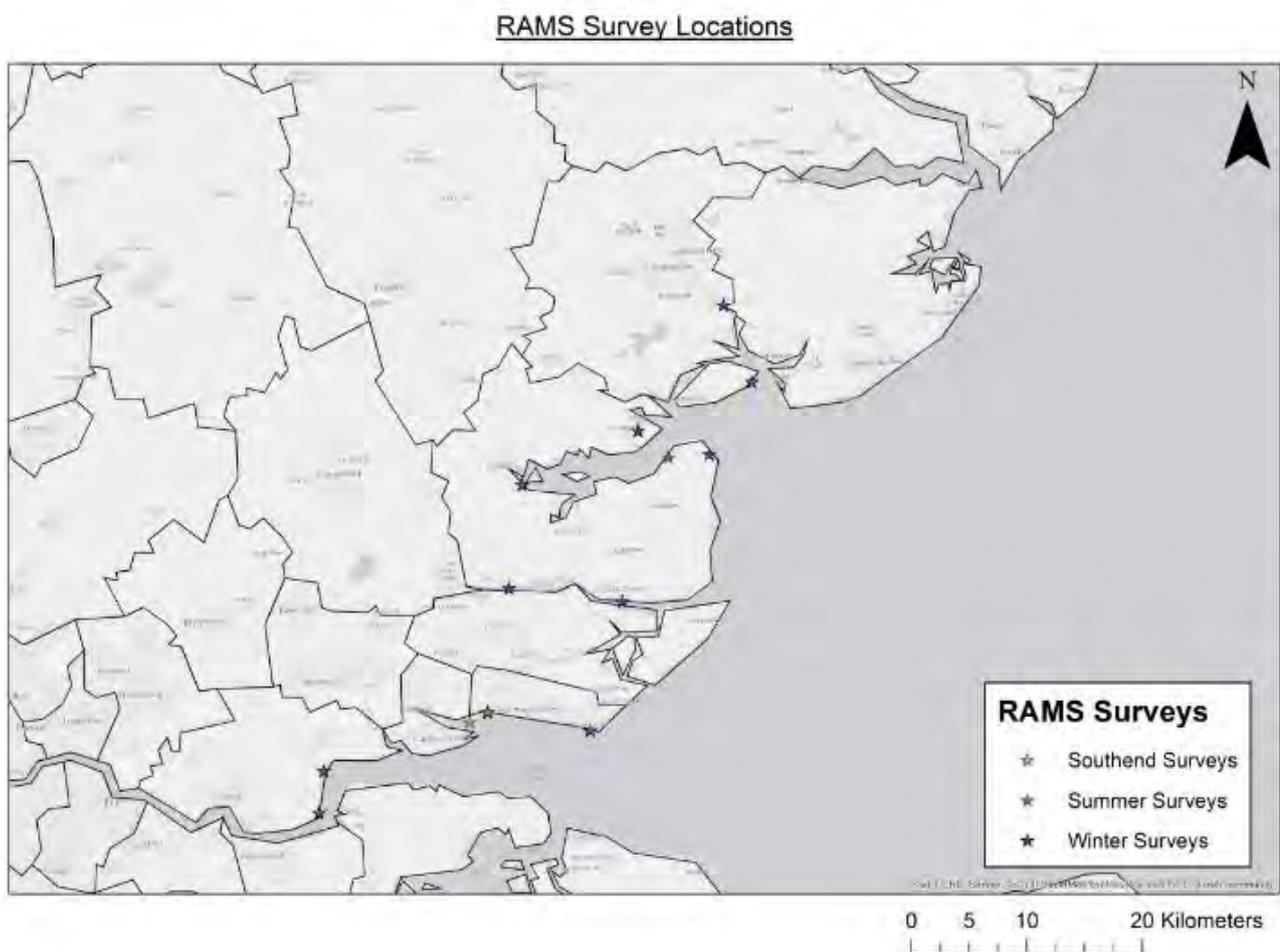
** As Foulness Estuary has limited access due to military control of much of the land, no surveys were considered necessary by Natural England.

- 4.23 Foulness Estuary, which is located within the Foulness Estuary SPA and Ramsar site, is Ministry of Defence (MoD) land and public access is restricted. For that reason, recreational disturbance from visitors is likely to be minimal or non-existent. As a result, no visitor surveys were carried out in this location.
- 4.24 A copy of the Visitor Survey methodology is included in Appendix 2, the questionnaire in Appendix 3 and the results for the Winter Visitor Surveys are in Appendix 4. Summer Visitor Survey results for the Blackwater Estuary and Benfleet and Southend Marshes are in Appendix 5.
- 4.25 The survey questionnaires were the same for both winter and summer, with the addition of a question relating to water borne recreational activities for the summer surveys. This was in response to the particularly high level of water borne recreation in the Blackwater Estuary when compared to other sites. The content of the survey questionnaires was agreed by the Steering Group and Natural England.
- 4.26 Cudmore Grove Country Park situated on the Colne Estuary was surveyed from 2011-2013, in the first north Essex surveys. This was repeated in 2018 as the ZOI was a lot higher than anticipated and the data was potentially skewed based on the

surveyor's location. As Cudmore Grove is a Country Park that attracts visitors from afar, the Essex Coast RAMS needed to clarify which of these visitors were there to use the facilities within the park and not at risk of causing disturbance to the coast. Therefore surveys were repeated with surveyors being focussed on locations where key bird roosts or habitats were likely to be disturbed by recreational activities. This enabled efforts to capture disturbance to coastal Habitats sites and no other recreational activities such as the children's play area.

4.27 Figure 4:1 shows the existing (completed) and additional allocations for visitor surveys on the Essex coast in 2018.

Figure 4.1 Locations of Visitor surveys undertaken 2018



- 4.28 Further visitor surveys were completed during May/June 2018 for the Blackwater Estuary SPA, when breeding SPA designated birds e.g. Little Tern & Ringed Plover use the site for nesting. Survey locations within the Blackwater Estuary were at Bradwell Marina and Tollesbury Wick. Additional visitor surveys were also undertaken by Southend Council in August 2018 for Benfleet and Southend Marshes SPA & Ramsar site with surveyors at Cinder Path and Two Tree Island. All locations were agreed with Natural England to ensure the results would inform recreational disturbance of Habitats sites features.
- 4.29 The visitor surveys provided data to add to the picture painted by attendees at the workshops. Indeed the significant visitor pressure experienced on the foreshore at Southend with over 7 million day visitors a year, principally in the summer months, includes dog walking at the Garrison in Shoebury as well as along the foreshore in the winter months when dogs are permitted on the beach.
- 4.30 The questions asked of visitors to the SPA locations were designed to collect data on the reasons for visits as well as postcodes to evidence Zones of Influence. The datasets collected for surveys of people visiting the Habitats sites on the Essex coast are therefore up to date and the best available. Natural England, as well as the LPAs and other key stakeholders are satisfied that they are acceptable to inform the mitigation strategy. It will therefore be used as a robust basis for identifying the mitigation measures necessary for this Strategy.
- 4.31 Additional surveys will improve the robustness of the datasets and repeat, surveys of visitors will be undertaken at the earliest opportunity to review the postcode data and Zone of Influence for the Dengie SPA & Ramsar. The total number of visitors completing questionnaires was below the number considered by Visit Britain guidelines to provide a comprehensive picture of recreational activities to draw them to this site (i.e. below 400). This is in addition to repeat visitor surveys throughout the lifetime of the Local Plan periods for all Habitats sites to ensure that the ZOIs remain fit-for-purpose, for example in the context of new development, infrastructure and advances in technology.

Identifying Zones of Influence (Zoi) for Essex coast Habitats sites

- 4.32 Data from both the winter and summer visitor surveys has been used primarily to calculate the Zois for each Habitats site, and also to collate information on current recreational activities at Habitats sites and predict likely impacts from increased use by additional residents.
- 4.33 The consideration of mitigation needed at each Habitats site and assessment of need, based on site sensitivity and housing allocated within the ZOI will be included

in the mitigation section of this report.

- 4.34 The results of the winter and summer visitor surveys provided substantial evidence relating to who uses the Habitats sites, where they travel from, how often they visit and why..
- 4.35 The data used to calculate the ZOIs defined in Table 4.4 has been refined to eliminate surveys where people were unlikely to cause disturbance to the coast. Although surveyors were placed in locations to capture the most potential disturbance in sensitive coastal areas, some sites had facilities that could be used for alternative recreational activities. For example, in the Dengie surveyors were located by St. Peters Chapel where some visitors were there solely for the use of the Chapel and were unlikely to cause recreational disturbance. Therefore an adjustment was made. Without refinement this would have increased the ZOI and affected the credibility of the data.
- 4.36 The ZOIs were calculated by ranking the distances travelled by visitors to the coast based on the home town postcode data they provided. Not all postcode data is used as this can skew the results. Instead the ZOIs are based on the 75th percentile of postcode data (i.e. the distance where the closest 75% of visitors come from) taken from the winter.
- 4.37 This method was used for a number of strategic mitigation schemes, including the emerging Suffolk Coast RAMS and is considered by Natural England to be best practice.
- 4.38 The ZOIs identify the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation. The ZOIs presented within this report will guide the requirement for residential developments to provide a financial contribution towards visitor management to mitigate for in-combination impacts on all the Habitats sites. Natural England have reviewed their IRZs, on MAGIC website on the basis of the overall Zoi because the data collected for this Strategy is the most comprehensive and up-to-date available.
- 4.39 ZOIs will be used to trigger developer contributions for delivery of mitigation measures for the Habitats sites. This will enable the delivery of mitigation measures to avoid impacts from increased recreational pressure.
- 4.40 Figure 4.4 below shows the overall ZOI for the Essex Coast RAMS to be used by each LPA to secure developer contributions for the Essex Coast RAMS package of measures. NB This excludes areas within the adjoining counties of Suffolk and Kent.

Table 4.4: ZOI calculations for Essex Coast Habitats sites

European designated site	Original ZOI (km) from Natural England's interim advice letter (Nov 2017)	Updated ZOI based on winter Essex Coast RAMS visitor surveys (RAW DATA)	Updated ZOI based on winter Essex Coast RAMS visitor surveys (REFINED DATA)	Updated ZOI based on summer Essex Coast RAMS visitor surveys (RAW DATA)	Updated ZOI based on summer Essex Coast RAMS visitor surveys (REFINED DATA)	Final ZOI (km)
Essex Estuaries SAC	24	-	-	-	-	_*
Hamford Water SAC, SPA and Ramsar	8	-	-	-	-	8
Stour and Orwell Estuaries SPA and Ramsar	13	-	-	-	-	13
Colne Estuary SPA and Ramsar	24	9.7	9.7	-	-	9.7
Blackwater Estuary SPA and Ramsar	8	14.2	14.2	22	22	22
Dengie SPA and Ramsar	13	27.3	20.8	-	-	20.8
Crouch and Roach Estuaries SPA and Ramsar	10	4.5	4.5	-	-	4.5
Foulness Estuary SPA and Ramsar	13	-	-	-	-	13
Benfleet and Southend Marshes SPA and Ramsar	10	4.1	4.1	4.9	4.3	4.3
Thames Estuary and Marshes SPA and Ramsar	10	8.1	8.1	-	-	8.1

**The Essex Estuaries comprise the Colne Estuary, Blackwater Estuary, Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective ZOIs throughout.*

Figure 4.2: Overall Zone of Influence (Zol) for Essex Coast RAMS



5 Housing planned in the Zones of Influence

- 5.1 Tables 5.1 and figures 5.1 and 5.2 represent the amount of housing that is being planned for in each Local Plan. All LPAs are at different stages of the plan making process. Some figures will be based on Local Plan allocations, but where that is not possible LPAs have provided an informed estimate based on evidence from housing trajectory documents and past housing delivery rates.
- 5.2 The housing data goes up to 2038, which is the longest Plan period for a partner LPA. These housing numbers will be reviewed and, where necessary, updated over the lifetime of the strategy in accordance with LPA monitoring data, as part of the Essex Coast RAMS monitoring and review process.
- 5.3 The housing numbers supplied in Table 5.1 below are based on the quantity of net new dwellings that are expected to fall within the ZOI for the Essex Coast RAMS. Basildon, Braintree, Brentwood, Chelmsford, and Thurrock are all partially covered by the ZOI, and therefore only the numbers of homes that are expected to be built within the ZOI have been included in the figures in the tables below. All the other authorities are wholly covered by the ZOI. Estimated windfall is the amount expected for the length of the strategy.

Table 5.1: – Housing to be delivered in the Essex coast RAMS overall Zol

	Included in calculations for RAMS mitigation package for Local Plans								
		Phasing of dwellings from allocations within ZOI				A	A2	A3	
Local planning authority	Estimated total windfall Nov 2017-2038	2017 - 2022/23	2023/24 - 2027/28	2028/29 - 2032/33	2033/34 - 2037/38	Total dwellings within ZOI	Of the total dwellings (column A), how many have been consented ?	Dwellings to include in the RAMS tariff = A-A2.	
Basildon	686	2669	2625	3758	2133	11871	2431	9440	
Braintree	582	3169	5269	3659	1300	13979	209	13770	
Brentwood	41	0	0	0	0	41	0	41	
Castle Point	300	1369	1867	886	470	4892	171	4721	
Chelmsford	1222	2149	2969	2964	1672	10976	2205	8771	
Colchester	315	1407	3266	3851	455	9294	150	9144	
Maldon	300	1795	1421	130	0	3646	0	3646	
Rochford	300	471	701	0	0	1472	150	1322	
Southend-on-Sea	3843	2450	2073	193	0	8559	911	7648	
Tendring	1195	185	1384	1545	4568	8877	448	8429	
Thurrock	375	3500	2100	0	0	5975	0	5975	
Total	9159	19164	23675	16986	10598	79582	6504	72907	

Figure 5.1: North Essex - distribution of housing allocations and numbers of units

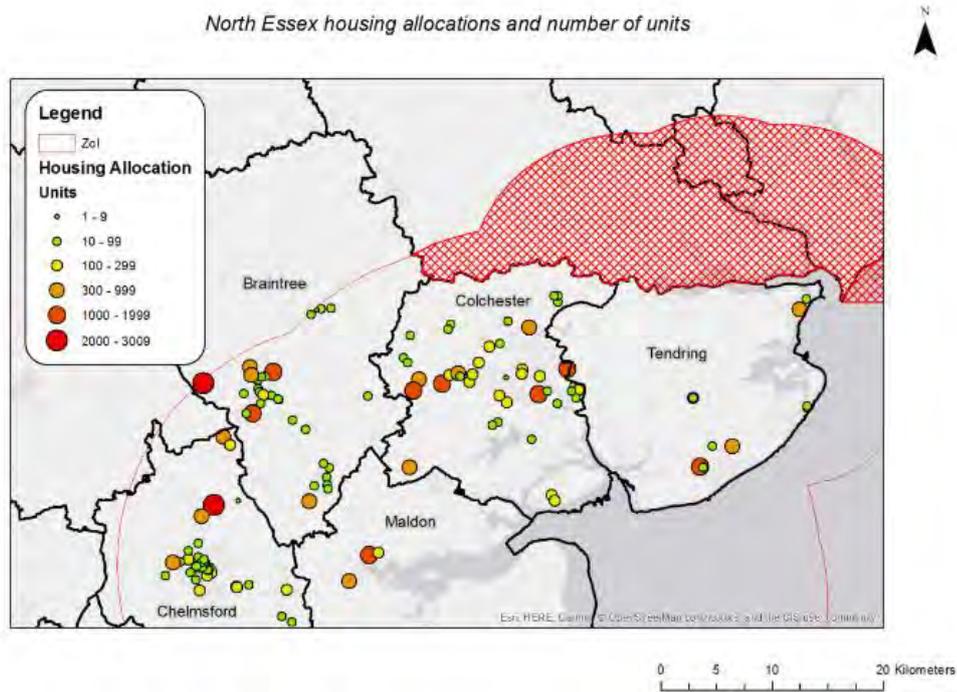
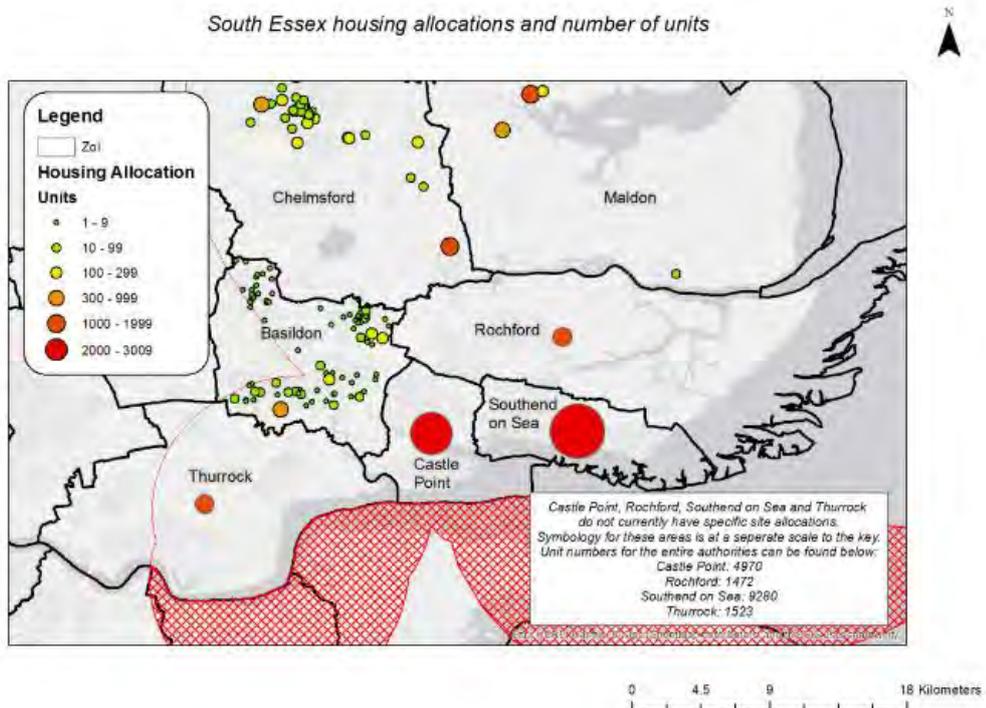


Figure 5.2: South Essex - distribution of housing allocations and numbers of units (NB Castle Point and Southend have a single dot instead of sites)



6 Exploring mitigation options

- 6.1 Two initial workshops were held for key stakeholders in February and March 2018 to gather local and specialised knowledge from organisations and individuals on the following:
- The locations of visitors at the coast and the recreational activity currently taking place;
 - Current recreational disturbance problems; and
 - Current mitigation measures in place.
- 6.2 A follow-up workshop held with key stakeholders in June provided an opportunity to capture the mitigation measures considered as most effective to avoid the impacts likely to result from increased recreational pressure on the Essex coast on Habitats sites in the future.
- 6.3 For each Habitats site, stakeholder input has helped to identify current issues of recreational disturbance which have provided a focus for and will help prioritise measures in the Essex Coast RAMS. The results of the workshop are summarised in the tables below and full details of the workshops is in Appendix 7.
- 6.4 It was explained to workshop attendees that the Essex Coast RAMS funds are targeted at non-infrastructure measures which are needed for in-combination effects from the overall quantum of residential development.
- 6.5 The provision of Suitable Accessible Natural Greenspaces (SANGs) (see Section 3.3) are not within the scope of the Essex Coast RAMS, since this provision is required to deal with impacts from an individual development scheme (i.e. identified by the project level HRA for that scheme). Furthermore, SANGs would have to be funded by the Community Infrastructure Levy, rather than the use of Section 106 (s106) Planning Obligations/agreements. Since no more than five s106 agreements may currently be pooled to contribute to infrastructure projects it will be up to the Project Board to determine whether any of these are a priority or if pooling restrictions are amended, It will however be important for LPAs involved with SANG provision to liaise closely with the Essex Coast RAMS Rangers to deliver the same messages to avoid recreational disturbance.
- 6.6 LPAs could decide to identify SANG(s) to be provided through separate funding streams (CIL) or enhancements such as the Local Growth Fund and Local Enterprise Partnership, where appropriate. Examples discussed by the Steering Group include:
- expand Belhus and/or Hadleigh Castle Country Parks

- upgrade other open space areas near the coast to attract visitors away from the beach areas
- provide a new Country Park/open space facility to the northeast of Southend as identified in the adopted Southend-on-Sea Core Strategy.

6.7 The information gained from the workshops has been summarised in the following tables as well as in Figures 6.1 and 6.2. They show the current recreational disturbance by increased visitor access, existing mitigation in place and identification of any gaps in mitigation which could be considered to be part of the Essex Coast RAMS.

Figure 6.1: Types of recreational disturbance reported at the Essex Coast RAMS workshops

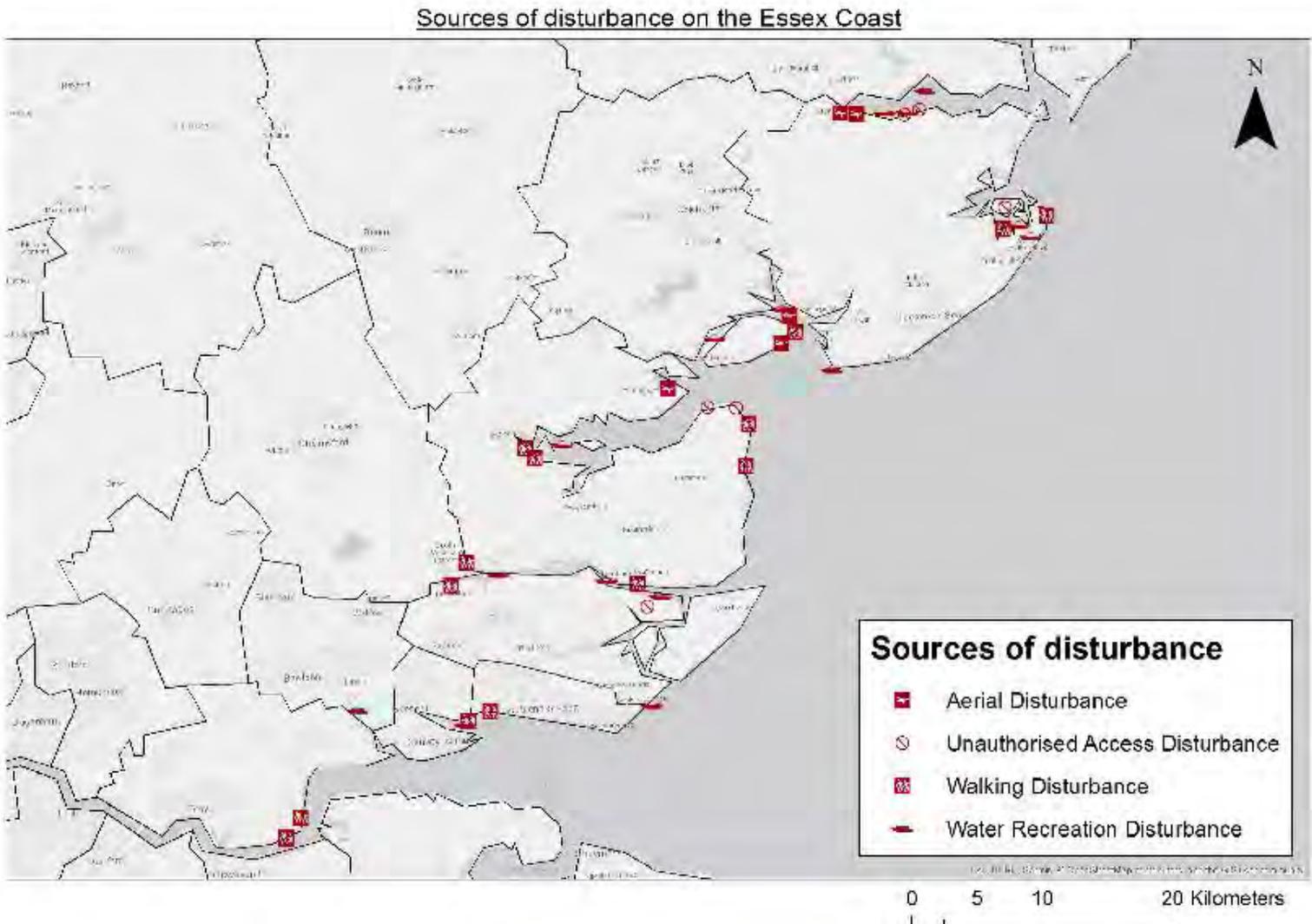


Figure 6.2: Key mitigation options identified at the Essex Coast RAMS workshops

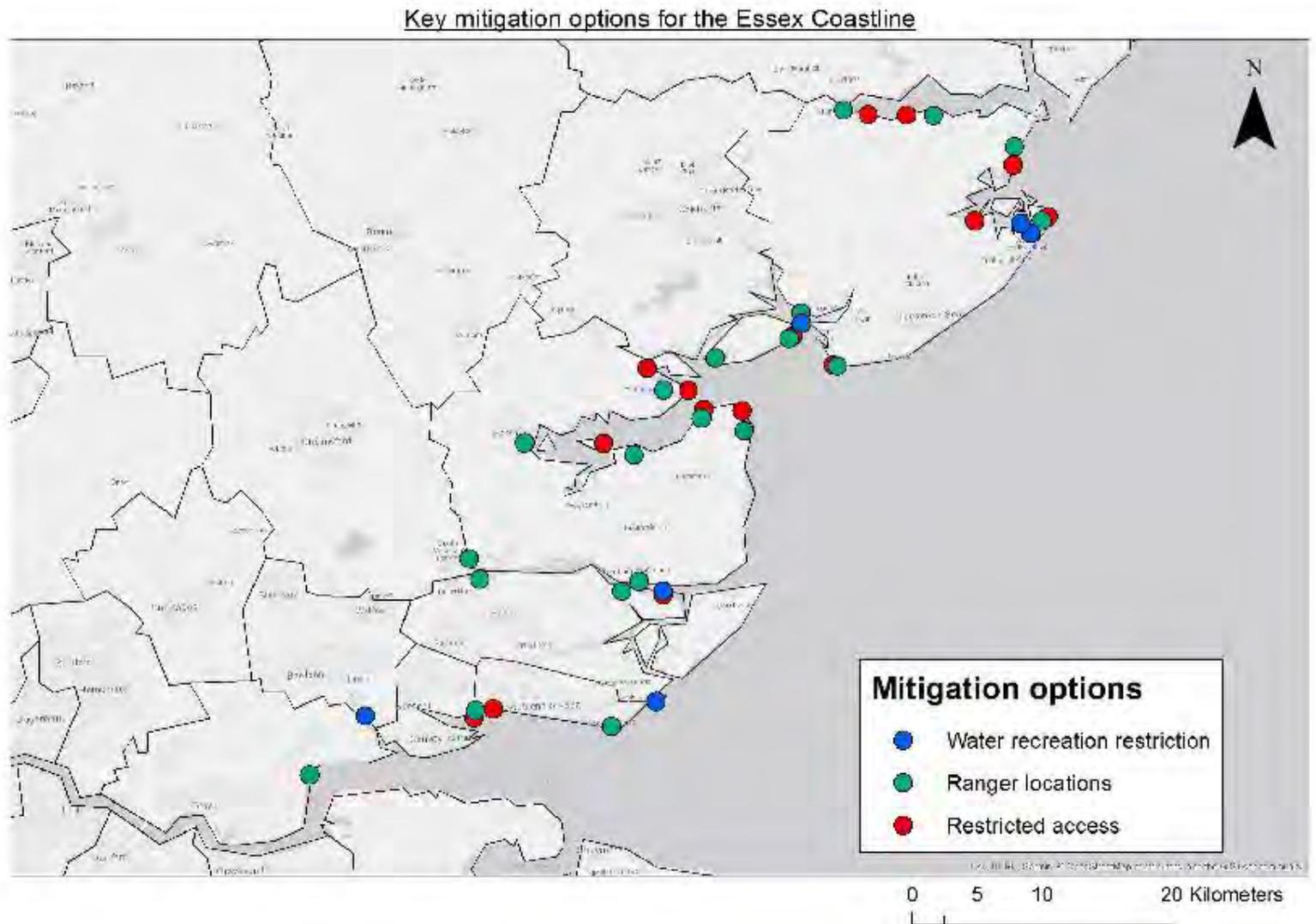


Table 6.1: Potential for disturbance to birds in Stour Estuary (Essex side only)

Stour Estuary SPA and Ramsar (Essex side only)		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - Average percentage from WeBS for southern sectors is relatively low suggesting relatively even distribution of birds across southern part of estuary. - Relatively few roost sites mapped suggest that those mapped may hold large numbers of birds. - Percentage of mudflat within 60m of the shore are mostly quite low, though WeBS sector at Mistley relatively high suggesting shoreline access here has potential to affect a high proportion of open mud feeding areas. - Shoreline near Manningtree and Harwich has high levels of local housing suggesting access levels could be potentially high at access points creating hotspots for recreation. One WeBS section with high housing near Harwich is identified as not having easy access to the estuary. - Paths all along southern shore but high path densities around eastern and western ends, suggesting more current access around Harwich and Manningtree. Relatively few car-parks mapped. 	<ul style="list-style-type: none"> - There is a visual screening and a bird hide on the southern shore of the estuary at RSPB Stour Wood. This ensures that an area looks more important for overwintering birds, with the aim of creating a better public attitude on how the area is used. - Oyster shell recharge projects are being undertaken to help create habitats for Little Terns - The Stour estuary has few access points to the Habitats site on the Essex side. Main points include Mistley Walls, Bradfield foreshore, Wrabness foreshore from Stone Lane and RSPB Stour Wood, Essex Coast Ramsey. - EWT manage the Wrabness nature reserve with a volunteer on site visual screening. However walkers use seawall which is not PROW from Wall Lane towards Bradfield and a lot of signage on site for visitors - EWT also manage some of the Wrabness Marsh fields which are adjacent to the Nature Reserve; these have no access and have been improved with scrapes and bunds to retain more water on site. There is a hide and the marsh fields under EWT management which will be extended following a purchase of additional land. - To the north of Harwich international port and Parkeston the estuary is relatively inaccessible due to the lack of PROW and the private ownership of the port. - At the RSPB Stour Estuary reserve there is already a ban on dogs for parts of the site, rangers, screening and hides. 	<ul style="list-style-type: none"> - Recreational disturbance is focused in the Manningtree and Mistley area. Although the shoreline near Harwich is within a short distance of housing, there is limited access due to a lack of PROW and private ownership of the port. - Essex coast RAMS measures should tie in with Suffolk Coast RAMS measures for this estuary, particularly at the western end near Cattawade Marshes and a high tide roost on the Brantham side which is relatively close to the Essex shoreline. - Drone activity and paramotors over SSSI/SPA – witnessed at Manningtree and Mistley Walls - Kayakers accessing saltmarsh at inappropriate times, e.g. close to high tide roosts - Increased mid-estuary mooring - Water skiing is common in Holbrook Bay and speed limits are not kept to in Jacques Bay. This should be enforced to reduce disturbance. - Saltmarsh is driven over and trampled at Jacques Bay (accessed via Shove Lane, Bradfield): possible reduction in access to avoid habitat erosion. - Unauthorised access along sea wall in front of screen at Wrabness NR (not on PROW) should be managed; this could be through better screening or wardening to encourage use of PROW through Wrabness NR. - There are bait diggers at Jacques Bay which should be made seasonal and have location restrictions. - Pedestrian access from at Wall Lane, Wrabness (no car park) along PROW on landward edge of saltmarsh to high tide roosts can cause disturbance as well as recreational water craft particularly kayakers and paddle boarders. Access and locations of activities should be restricted in conjunction with local landowners.

Table 6.2: Potential for disturbance of birds in Hamford Water

Hamford Water SAC, SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - Garnham Island and Horsey Island have highest average percentage values from WeBS for Hamford Water, suggesting these areas are particularly important - Large and important gull colonies - Breeding Little Tern and Ringed Plover at a range of beaches around the site - Percentage of mudflat within 60m of the shore for WeBS sectors near Walton and Great Oakley relatively high, suggesting shoreline access in these areas has potential to affect a high proportion of open mud feeding areas - Weighted housing values are mostly relatively low compared to other sites, suggesting few local residents - Some of the shoreline near the south-east of the site is identified as having no access and also has some higher values for local housing, suggesting high numbers of local residents within 'visiting' range - Western side (opposite Garnham) appears to have relatively little or no access and little path infrastructure and is likely to be relatively undisturbed - Limited path network and parking 	<ul style="list-style-type: none"> - Bramble Island has no access and is a quiet area as it is known as an area that is sensitive to wintering and breeding birds - Much of the site is inaccessible but the impact of the England Coast Path (ECP) is difficult to assess at this stage - Low risk to grassland habitat due to its wide nature and known location - Skippers Island has regular visits by a volunteer warden who speaks to visitors - Skippers Island has no landing signage on site - At EWT John Weston reserve there is very little recreation disturbance as 50% of the site has restricted access. However this has led to dog walkers and public users using the other half of the site and has made it worse. This is now being promoted as a safe, dog exercise area - Voluntary regulated speed limits are in place for boats to avoid disturbance to wildlife 	<ul style="list-style-type: none"> - Breeding Little Tern and Ringed Plover nest at a range of beaches and Garnham & Horsey Islands have the highest average WeBS value for the SPA so are important to protect waders and wildfowl from disturbance - Some of the key threats to SPA birds are sailing and jet skiing out of Titchmarsh marina and Walton Yacht Club - The location of the grassland habitat close to the southern PROW is susceptible to trampling and nutrient enrichment. Walking on the saltmarsh is also disturbing birds on the south easterly side of Hamford Water - At John Weston Essex Wildlife Trust reserve dog walkers and public use the accessible half of the site and has made it worse, this is now being promoted as a safe, dog exercise area - Enforcement on unauthorised quadbikes and motorbikes is needed - If a permissive bridle path was created at the western side of Hamford Water, this would draw horses away from the seawalls and give landowners income stream through stabling and grazing - Create shorter circular paths off coastal path with particular access from car parks. A main car park on public open space away from The Naze may encourage people to walk their dogs there instead of sensitive areas - Promote alternative sites for wind surfers and canoeists away from The Naze such as St. Osyth Lake/Jaywick/end of Clacton beach - The Naze would benefit from seasonal access rather than all year round day access

Table 6.3: Potential for disturbance to birds and mitigation options in Colne Estuary (including Essex Estuaries SAC)

Colne Estuary SPA and Ramsar (including Essex Estuaries SAC)		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - All average percentage values from WeBS are relatively low; creeks around Mersea Island have highest average values for the site - Percentage of mudflat within 60m of the shore values are moderate, suggesting a relatively high proportion of mudflat is close to shoreline areas - MOD land at Fringringhoe holds range of breeding bird species including Marsh Harrier and Pochard - Weighted housing is highest around Brightlingsea, otherwise relatively low levels of housing nearby and sections of shore identified as having no access - Areas around Brightlingsea and St. Osyth with high density of paths; Fringringhoe Ranges and Eastmarsh Point currently appear to have no access - Path network (and parking) focused around Brightlingsea, St Osyth and towards Clacton - Western shoreline and to some extent northern parts with little or no paths (including large area owned by MOD). - Very few slip ways and potentially limited access to water for those with boats - Development at Robinson Road will impact site 	<ul style="list-style-type: none"> - Natural England and EWT manage many of the key areas - The Colne Point is wardened and as such is likely to be resilient to increased visitor impacts although this provides a good opportunity for engagement with visitors. The Brightlingsea Marsh part of the site is only accessible by permit holders - Western edge of the Colne channel is sensitive to disturbance but this is on MOD land where access is difficult - St Osyth Stone Point and Brightlingsea Creek is another area where potential conflict could take place, however these areas are relatively remote - Conflict between water birds and water sports is also recognised on this SPA - Paramotors at Cudmore Grove – Natural England have held a meeting with Mersea Paramotors Club to discuss code of conduct - Ray Island has no landing signs which have proven ineffective. More recently new no access signs, a new gate and fence have been implemented onto the landward access through Bonner Saltings - EWT Fringringhoe Wick Nature Reserve has a no landing sign on Raised Beach which is very effective as well as a warden. Fringringhoe Wick Nature Reserve extension area has no landing signs on the sea wall and outside the wall by the saltmarsh; this reserve also has a warden - EWT Fringringhoe Wick Nature Reserve, Geedon Bay and Saltmarsh belonging to MOD have multiple no landing and keep off signs and a warden - Colne River between Tide Barrier and Point where Alresford Creek joins the Colne Estuary has a warden 	<ul style="list-style-type: none"> - Housing within easy reach of access points is highest around Brightlingsea and St Osyth and this area has a high density of PROW so this is a key area for Essex Coast RAMS ranger patrols - Another key location for mitigation is Mersea and Cudmore Grove Country Park in particular. Strandline/sand/shingle vegetation along the south side of Mersea and Cudmore Grove is currently being damaged by trampling and fires; mitigation is required to reduce impact. Current access levels at Cudmore Grove already cause some damage to vegetation and reduce breeding success for ringed plover. Access to the foreshore at Cudmore Grove at ebb tide causes disturbance to feeding waders - Powered hang gliders currently take off from a field in Mersea which affects a large area, these occasionally fly low and fly over the Colne and Blackwater SPAs. Paramotors have also caused disturbance at Cudmore Grove and it will be important to work with Mersea Paramotors Club - Jet skis and canoes disturbing wader high tide roosts in main channel of the Colne Estuary and Strood Channel. Water based recreation of Strood Channel in summer can also impact on breeding Little Terns - Breeding Ringed Plover and potentially Little Tern are heavily disturbed by the passenger ferry route from Mersea to Brightlingsea - Colne Point is by far the most important area for sand/shingle vegetation and breeding Ringed Plover so should be protected. Saltmarsh is vulnerable to increased visitor pressure at the EWT and National Nature Reserve (NNR) - Natwurst beach - dune vegetation badly damaged in places and may benefit from fencing - The popular beach by Point Clear commonly has kiteboarding which is disturbing terns and ringed plovers - Habitat creation could be used to move roosting birds away from the shoreline - As this SAC is designated for estuary and shoreline habitats eg mudflats, saltmarsh & sandbanks that support SPA birds, the measures specific to this Habitats site are to avoid trampling and degradation by promoting visitor behaviour including codes of conduct

Tables 6.4: Potential for disturbance to birds and mitigation options in the Dengie

Dengie SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - All WeBS sectors with relatively high average percentages suggesting relatively high importance across site - All WeBS sectors with relatively low percentage of mudflat within 60m of the shore, suggesting open mudflat is mostly away from shoreline areas. - Weighted housing densities are all low - Very little existing paths - No parking identified - No infrastructure providing access to water for boats 	<ul style="list-style-type: none"> - This is not a managed access restriction but as the south-east area of Dengie has poor access it means that it is only occasionally used. 	<ul style="list-style-type: none"> - Canoeists disturb high tide roosts on the River Blackwater although there is no infrastructure providing access to water for boats - There is often illegal off-roading of motorcycles and quadbikes on the seawalls and saltmarsh beach by Bradwell PowerStation - The north east Dengie area is too disturbed for high tide roosts although the open mudflat is mostly away from the shoreline and weighted housing densities are all low for this SPA - Othona Community and St Peters Church area is known to have walkers cross the saltmarshes in all directions. This should be an issue for the ECP to mitigate and Essex Coast RAMS Rangers to explain when they are in this area

Table 6.5: Potential for disturbance to birds and mitigation options in Blackwater Estuary

Blackwater Estuary SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - RSPB Old Hall Marshes shown to be particularly important from average WeBS values - Gull colony and breeding Ringed Plovers on Peewit Island - Important concentration of breeding birds around Old Hall Marshes - Sectors near Maldon coast, Mayland and St Lawrence have relatively high percentages of mudflat within 60m of the shore, indicating access in these areas has potential to affect higher proportion of open mudflat - Weighted housing values are high around Maldon suggesting higher levels of access here - Path network shows some sections of shoreline with high path density, suggesting much access. Other areas, such as large section of northern shore have just single routes along shoreline - Parking concentrated at western end of estuary near Maldon 	<ul style="list-style-type: none"> - RSPB Old Hall Marshes has a Little Tern colony and has a managed restricted access by boat in the summer - Despite efforts made to gather stakeholder information at workshops and follow-up questionnaires, there are fewer existing measures identified for some SPA sites. It will therefore be important for the Essex Coast RAMS rangers to ensure local stakeholders can add to these lists, and any additional measures and their efficiency are understood before trialling new ones 	<ul style="list-style-type: none"> - Boat landing at Old Hall point (breeding little terns) needs mitigation - Kite surfing and Para hang-gliding are a problem on the wider parts of the estuary and paramotors have caused disturbance at Tollesbury - Dog walking causes disturbance to Little Terns - Weighted housing values are high around Maldon and parking is concentrated in this locality so will be a key area for Essex Coast RAMS ranger patrols - Mayland & St Lawrence also have relatively high percentages of mudflat within 60m of the shore indicating these areas could be subject to disturbance from access - Maldon District Council jet-ski patrols should be supported - Work with Natural England to Keep National Trust Northey Island free of England Coast Path spreading room (access to foreshore) - Goldhanger had a former Little Tern colony - East Osea is a very popular picnic area which is un-authorised - Keep shingle spit free from public access at Tollesbury Wick - Stationary electronic people counters have been used by Essex County Council (Highways) to determine visitor numbers to areas in Essex which will be useful for monitoring the strategy and its effectiveness

Table 6.6: Potential for disturbance to birds and mitigation options in Crouch and Roach Estuaries

Crouch and Roach Estuaries SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - Central part of site has highest average WeBS values - WeBS sectors around Wallasea have relatively high percentage of mudflat within 60m of the shore, indicating access in these areas has potential to affect higher proportion of open mudflat. Creeks here are relatively narrow - High weighted housing values for South Woodham Ferrers, Hullbridge and around Burnham on Crouch, suggesting access levels higher in these areas - Areas near Brandy Hole and Bridgemarsh Island likely to be currently relatively undisturbed - Path network variable, with some areas with high density of paths (suggesting good current access provision and use), particularly around the settlements and for much of shoreline continuous routes. Some parts of north shore seem to have limited or little paths - Wide range of parking locations scattered around the estuary 	<ul style="list-style-type: none"> - Essex County Council parks such as Fenn Washland and Chelmsford City Council's Saltcoats Park are alleviating pressures on Habitats Sites as they provide good facilities such as dog walking, car parking, play and sports facilities. - EWT manages Blue House Farm - There is signage on the sea walls and Public Rights of Way (PROW). - RSPB Wallasea Island Nature Reserve (Allfleets Marsh is soon to be a designated SPA) 	<ul style="list-style-type: none"> - Although there is a wide range of parking opportunities around the estuaries, high weighted housing values for South Woodham Ferrers, Hullbridge and Burnham on Crouch suggest access levels are highest in these areas. These should be key patrol areas for Essex Coast RAMS rangers. - Dogs off lead require mitigation and maybe free leads being available from Essex Coast RAMS rangers - Trespass - regular occurrences of public access to private areas of the RSPB Wallasea reserve - generally on foot, but recently on motorcycles - Unauthorised boat activity – entering Allfleets Marsh to fish (which is the northern section of the island where the first seawall breaches took place) - Unauthorised fishing off the old seawalls on Allfleets Marsh - “Recreational” use of high speed watercraft including unauthorised temporary mooring to the conveyor pontoon in both the Crouch and Roach estuaries - Drone flying in this area causes disturbance to SPA birds & needs code of conduct for clubs - Better signage to minimise cycling on the seawall as it's a public footpath) - Use the Southend Council foreshore officers to enforce byelaws and speed limits for water sports such as jet-skis

Table 6.7: Potential for disturbance to birds and mitigation options in Foulness

Foulness SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - Central part of site has highest average WeBS values - WeBS sectors around Wallasea have relatively high percentage of mudflat within 60m of the shore, indicating access in these areas has potential to affect higher proportion of open mudflat. Creeks here are relatively narrow - High weighted housing values for South Woodham Ferrers, Hullbridge and around Burnham on Crouch, suggesting access levels higher in these areas - Areas near Brandy Hole and Bridgemarsh Island likely to be currently relatively undisturbed - Path network variable, with some areas with high density of paths (suggesting good current access provision and use), particularly around the settlements and for much of shoreline continuous routes. Some parts of north shore seem to have limited or little paths 	<ul style="list-style-type: none"> - This site is under MoD management and heavily restricted access or no public access at all - This site has 31 SSSI units that are unaffected by recreational pressure 	<ul style="list-style-type: none"> - Currently there is access for jet-skis in the north of Shoebury which causes disturbance and possible restrictions should be considered

Table 6.8: Potential for disturbance to birds and mitigation options in Benfleet and Southend Marshes

Benfleet and Southend Marshes SPA and Ramsar		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - North side of Canvey Island has highest average WeBS values - No data on the distribution of roost sites - WeBS sectors tend to have relatively low values for percentage of mudflat within 60m of shore, reflecting expansive areas of intertidal. - Weighted housing values all high, particularly around north side of Canvey, suggesting these areas have high levels of current access - Very high path density around most of shoreline particularly at Southend which experiences over 7 million day visitors a year to its tourist facilities centred on the coast which displaces local residents - Car-parking relatively evenly spread around shore 	<ul style="list-style-type: none"> - Signage at various locations along the length of the foreshore about the different types of birds and habitats raising awareness - Southend Council dog controls are in force in the summer months preventing dogs from entering the beach areas from 1st May to 30th September - Bait diggers are a common sight on the foreshore and their activities are controlled by local bye-laws. They can be seen travelling quite a way out from the shore - Significant water recreation takes place along the foreshore including sailing (5 clubs, jet skiing and rowing). Bye-laws are available to control accessibility to the foreshore and jet-ski use - EWT lease the nature reserves at Two Tree Island and Gunners Park from Southend-on-Sea BC and manage these areas 	<ul style="list-style-type: none"> - Two Tree Island has been highlighted as key area of habitat disturbance for breeding birds (eastern saltmarsh, island and eastern lagoons). Two Tree Island is subject to a wildfowling shooting agreement made in the 1950s. The agreement was made in perpetuity - The foreshore is accessible (with the exception of Gunners park) for its entire length and is regularly visited by residents and tourists. In the summer months the area experiences significantly high volumes of visitors with residents tending to be dispersed to the west which impacts on the SPA features and east foreshore which is also sensitive to disturbance in winter, Thameslink pathway near Two Tree Island is heavily used (Two Tree to Hadleigh Loop) - Leigh Cackle Sheds provide access to mudflats – people take their dogs which causes degradation of the habitat which impacts birds over the winter - Foreshore Officers have been significantly reduced in recent years. This and a lack of enforcement powers to implement by-laws and codes of conduct is resulting in some habitat degradation. On busy days in the summer, Foreshore officers are focused in central Southend to the detriment of other sensitive areas. Southend BC is working with Natural England to identify a solution - Delivering the sustainable links between Southend-on-Sea and Rochford as set out in the urban habitats strategy would provide relief to the coastal areas - Motorbiking, horse riding and trespassing for fishing in this SPA are activities which require mitigation

Table 6.9: Potential for disturbance to birds and mitigation options in Thames Estuary & Marshes (Essex side only)

Thames Estuary & Marshes SPA and Ramsar (Essex side only)		
Potential for disturbance of birds by increased visitor access	Access management and monitoring measures currently in place	Discussion of mitigation options
<ul style="list-style-type: none"> - No variation in average WeBS values and all moderately high - WeBS sector near Thurrock has high percentage of mudflat within 60m of the shore, suggesting little mudflat is away from shoreline areas - No data on the distribution of roost sites - Little variation in weighted housing and all currently moderate - Relatively low path density for whole area - Limited parking 	<ul style="list-style-type: none"> - Thameside Nature Park (Essex Wildlife Trust) is set to expand – this park has rangers and opening / closing times to the car park restricting access - East Tilbury Quarry is anticipated to restore provide recreational facilities/areas away from the coast 	<ul style="list-style-type: none"> - Thameside Nature Park run by EWT will be a key location for the Essex Coast RAMS rangers to complement the existing resource - Restoration of East Tilbury Quarry is anticipated to provide recreational facilities away from the coast - Unauthorised activities involving motorbikes, horse riding and trespassing for fishing are problems which will require input to resolve - Holehaven Creek is proposed as an extension to this SPA so may be a focus for the Essex Coast RAMS rangers to visit - There is little mudflat away from the shoreline in this WeBS sector and jet skis from Wat Tyler Park using this part of the coast are a problem. This issue could benefit from better signage and working with this supplier and clubs in the wider area

The Mitigation Report

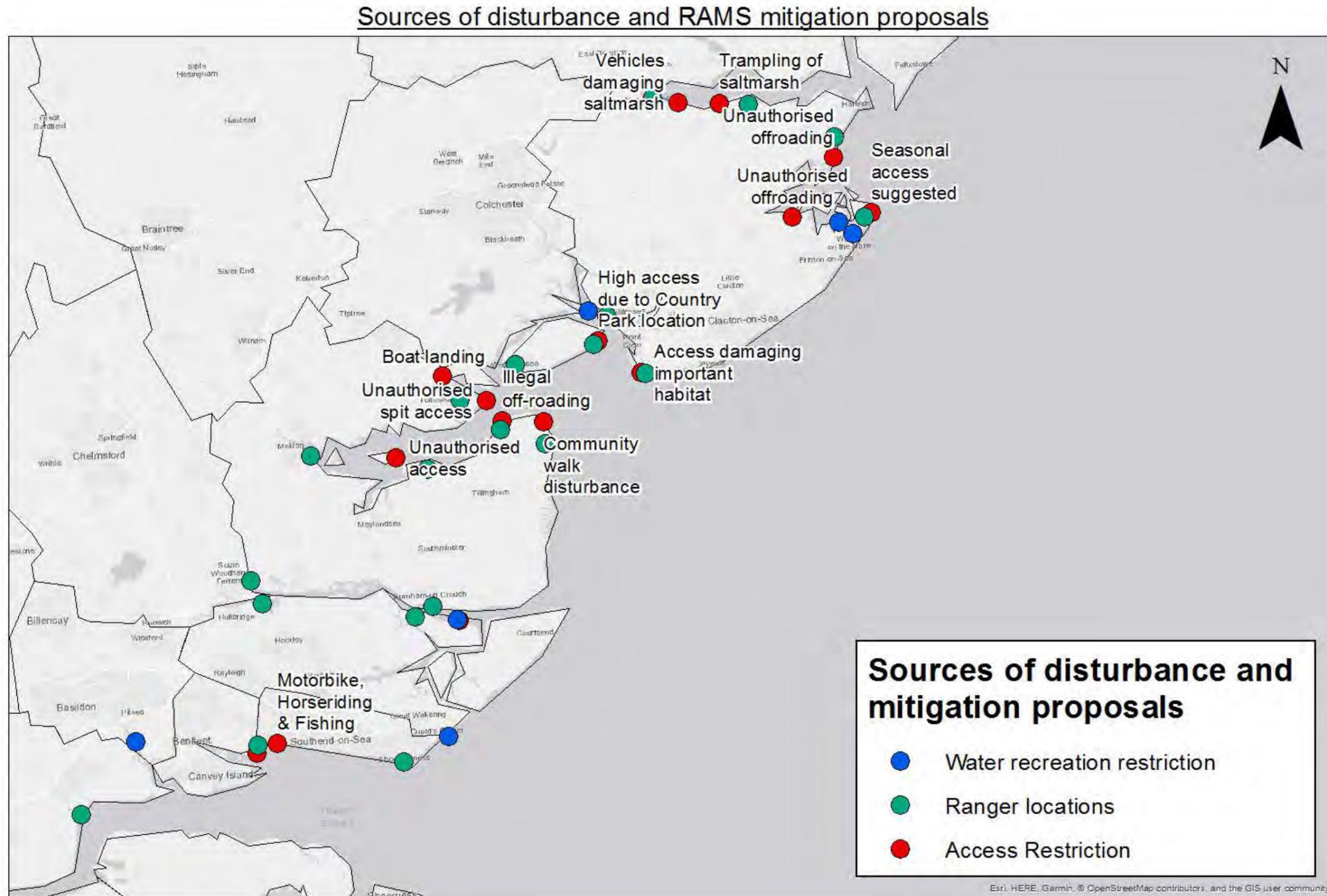
7 Overview of Essex coast RAMS mitigation options

- 7.1 This report has used the evidence gathered in the Technical report (sections 4- 6) to identify the package of effective measures considered necessary to avoid and mitigate the impacts of recreational disturbance from planned residential growth over the next 20 years in each participating LPA area. It is not designed to mitigate or reduce the current level of recreational disturbance in the Essex coastal sites although the measures identified for delivery will promote good visitor behaviour, which will have a positive impact where there are existing problems.
- 7.2 This chapter contains sections that address the following parts of the brief:
- a) effective mitigation measures;
 - b) when the mitigation measures are required;
 - c) where the mitigation is required;
 - d) how mitigation relates to development;
 - e) how mitigation measures will be funded;
 - f) How the mitigation will be implemented;
 - g) how the success of the mitigation measures will be monitored; and
 - h) how best to incorporate monitoring data and other information and best practice into future reviews of the strategy and Local Plans.

Recommended measures to avoid impacts from planned residential growth in Essex

7.3 The key measures proposed in the mitigation package are shown in Figure 7.1 below:

Figure 7.1 Sources of disturbance and Essex Coast RAMS mitigation proposals



- 7.4 The geographical distribution of recommended mitigation measures shown on Figure 7.1 indicate key locations where resources should be focussed. However it is possible that during the winter, one ranger would ideally be dedicated to one or two Habitats sites when disturbance of over-wintering birds is likely, where additional new housing delivery numbers are greatest in this part of the Essex Coast RAMS Zone of Influence. Ranger visits in the winter months will be focussed on key locations to counter problems e.g. associated with bait digging, oyster pickers and dog walkers allowed on to the beaches at Southend during these months.
- 7.5 In the summer months (May to September), Ranger efforts should be dedicated to locations within Habitats sites where trampling of sensitive habitats and SPA breeding birds in the spring & summer months are the focus e.g. Blackwater Estuary SPA, Benfleet & Southend Marshes SPA, Essex Estuaries & Hamford Water SACs. Clearly, the prioritisation of the implementation of these measures will need to consider which measures will achieve the greatest impact, the cost of the measures and the amount of funds available in the Essex Coast RAMS budget and the complexity of projects, for example some may require long term planning and feasibility work.
- 7.6 The package of mitigation measures, some coast-wide and others specific to an individual Habitats site, will need to be implemented “in perpetuity” although the costs are limited to the lifetime of the Local Plans 2018-2038. The term “in perpetuity” has a legal definition of 125 years (The Perpetuities and Accumulations Act 2009) and it has been accepted in strategic mitigation schemes for European sites such as those in place for the [Thames Basin Heaths](#) and [Dorset heathlands](#). Existing RAMS partnerships elsewhere in England invest some of the developer contributions to ensure that mitigation for impacts from residential development can be delivered for the Local Plan periods without the need for successive funding. BirdAware Solent currently invest 40% of all such contributions. After the current Strategy lifetime, future timetables will need to be prepared based on reviews of the Strategy itself and its evidence base.
- 7.7 The interventions for the Essex Coast RAMS Rangers are broadly categorised as education, communication and habitats based and are listed in Table 7.1 Essex Coast RAMS toolkit. Education and communications is discussed in sections 7.8 – 7.14. Partnership working, monitoring and review will be essential tasks for the partner LPAs

Table 7.1 – The Essex coast RAMS toolkit

Action area	Examples
Education and communication	
Provision of information and awareness raising	<p>This could include:</p> <ul style="list-style-type: none"> • Information on the sensitive wildlife and habitats • A coastal code for visitors to abide by • Maps with circular routes away from the coast on alternative footpaths • Information on alternative sites for recreation <p>There are a variety of means to deliver this such as:</p> <ul style="list-style-type: none"> • Through direct engagement led by rangers/volunteers • Interpretation and signage • Using websites, social media, leaflets and traditional media to raise awareness of conservation and explain the Essex Coast RAMS project. • Direct engagement with clubs e.g. sailing clubs, ramblers clubs, dog clubs etc and local businesses.
Habitat based measures	
Fencing/waymarking/screening	Direct visitors away from sensitive areas and/or provide a screen such that their impact is minimised.
Pedestrian (and dog) access	<ul style="list-style-type: none"> • Zoning • Prohibited areas • Restrictions of times for access e.g. to avoid bird breeding season
Cycle access	Promote appropriate routes for cyclists to avoid disturbance at key locations
Vehicular access and car parking	Audit of car parks and capacity to identify hotspots and opportunities for “spreading the load”
Enforcement	<ul style="list-style-type: none"> • Establish how the crew operating the river Ranger patrol boat could be most effective. It should be possible to minimise actual disturbance from the boat itself through careful operation. • Rangers to explain reasons for restricted zones to visitors
Habitat creation	Saltmarsh recharge, regulated tidal exchange and artificial islands may fit with Environment Agency Shoreline Management Plans
Partnership working	Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.
Monitoring and review	Birds and visitor surveys with review of effectiveness of measures with new ideas to keep visitors wanting to engage

Education and communication

- 7.8 A cost-effective approach which has been successfully implemented in North Kent and the Solent, is to develop a brand and use positive and clearly understandable message to engage with visitors. This positive and comprehensible approach is more engaging than an explanation of the Essex Coast RAMS and the intricacies of planning and conservation law. The latter would be provided on the website for interested parties.
- 7.9 The Solent partnership uses “Bird Aware” and North Kent uses “Bird Wise”, which is based upon the Bird Aware model. The use of the ‘Bird Aware’ brand for Essex Coast RAMS would not mean that the entire focus of the Essex Coast RAMS was on SPA birds as designated habitat features must be protected in their own right through the Essex Coast RAMS and these would not be forgotten about if this branding was used.
- 7.10 The Solent Coast RAMS project now offers a portal for information and partners under the Bird Aware brand which has a ready-made communication package including an established website - www.birdaware.org. This would be available for the Essex coast RAMS team to purchase and would include a bespoke Bird Aware Essex Coast webpage and an initial print run of Essex Coast with leaflets containing relevant local photos. A strategic approach / campaign is usually most effective where an easily understandable, clear, persuasive and memorable message/brand is presented to the target audience at the point of contact (recreational users of the sites in this case). For example, the RSPB have built an easily recognisable and well respected brand and, although their key focus is on protecting birds, their educational materials etc. advocate the conservation of other species and habitats too which improves people’s awareness of these as well. With this in mind, we just need to be mindful that the educational materials, ranger interactions with the public etc. should cover wider coastal habitat protection as well as birds.
- 7.11 Using a brand would complement the use of the Essex Coast RAMS rangers and the provision of rangers was a measure that was commonly cited in the Essex Coast RAMS workshops as being very effective. This face-to-face engagement with visitors is the main feature of other mitigation schemes such as the Solent (Bird Aware partnership), in the [Thames Basin Heaths](#) and [Dorset heathlands](#). Encouraging people to avoid disturbance of roosting and /or feeding wildfowl and waders has been identified as one of the most effective mitigation measures by wardens of Habitats sites.
- 7.12 The RAMS Rangers will form a small mobile team that spend the majority of their time outside at the coastal sites, educating and communicating with visitors, influencing how visitors behave and showing people wildlife. The advantage of such an approach is that the staff can focus their time at particular priority sites/locations as required, such as those with the best visitor access and those likely to result in disturbance of key roosts (see Figures 4.1 and 4.2).
- 7.13 The roles of the Essex Coast RAMS team as allocated by the RAMS Delivery co-ordinator would also include helping with the delivery of site-specific and local projects and monitoring of

visitors. As the Strategy is rolled out, the work of the Rangers will change to include publicity, events, monitoring, reporting and working on some of the longer-term measures.

- 7.14 Apart from the 20 identified key roosts and feeding areas, for Ranger visits across the Essex Coast RAMS area, other less sensitive sites will require additional visits. Locations identified should also include those with high visitor numbers regardless of risk to Habitats site features. Based on information provided by Bird Aware Solent Rangers, key locations should receive weekly visits as High Risk sites for recreational disturbance, whilst other locations should be categorised as Medium (with monthly visits scheduled) or Low (seasonal visits required). This frequency of visits to specific sites within each Ranger's geographical work area is aimed at maximising public engagement at the appropriate time of year which may be year-round in some locations. Rangers should aim to visit 2 sites each day on 3 days/week to allow for other work commitments. This calculation supports the inclusion of three Essex Coast RAMS Rangers within the mitigation package and any additional seasonal rangers will need to be assessed based on developer contributions collected and priorities for mitigation in any specific areas.
- 7.15 Rangers could also carry out further visitor surveys over the lifetime of the Essex Coast RAMS to provide updated baseline for ZOIs as part of the monitoring programme. This would ideally be prioritised as follows:
- Summer visitor surveys at all sites as the Ramsar sites and Essex Estuaries SAC include habitat features sensitive to recreational pressure at all times of the year, especially from water-based recreation. The ZOI should then be calculated from the combined dataset from summer visitors as well as over winter too.
 - Winter and summer visitor surveys at Hamford Water as these had been covered as part of Colchester, Braintree & Tendring visitor survey programme 2013-15.
 - Winter visitor surveys at the Stour Estuary as these were covered as part of Colchester, Braintree & Tendring visitor survey programme 2013-15.
 - Winter and/or summer visitor surveys for those sites which were surveyed as part of the Essex Coast RAMS programme but which had a dataset lower than 400 as per the Visit Britain guidelines.

Coordination of the Essex Coast RAMS

- 7.16 Delivering the Essex Coast RAMS will require the appointment of a delivery co-ordinator to overseeing the implementation of the different themes. This officer would report to a Project board. Options for governance of the Strategy implementation are to be dealt with in a separate report.

- 7.17 The delivery co-ordinator would act as the main contact point for the Essex Coast RAMS and report to the project board and Steering Group and other liaison as directed by the Governance report and relevant Terms of Reference.
- 7.18 The Essex Coast RAMS rangers would report to the Essex Coast RAMS Delivery co-ordinator and work with existing teams towards similar ends on the Essex coast. This could include the Coastal Guardians trained by Essex Wildlife. These volunteers promote visitor awareness by talks and the management of signage. The details will be finalised when the Essex Coast RAMS governance has been agreed with the partners.
- 7.19 The delivery co-ordinator will need to ensure that the Strategy complements other work to protect Habitats sites e.g. England Coast Path (Natural England), other projects delivered by stakeholders e.g. landowners, EWT, RSPB; and potentially also bringing additional benefits from funding elsewhere, whereby match funding can open enhancement opportunities over and above the mitigation requirement. As such the delivery co-ordinator would have the following duties:
- Develop projects and help with their implementation, working with stakeholders (landowners, NGOs, statutory bodies, LPA foreshore officers etc.) as necessary;
 - As funds are available, assist with recruitment of and oversee the Ranger's work programme. Tasks may include each ranger visiting sites each day and plan to maximise the numbers of people encouraged to avoid disturbance when visiting the coastal Habitats sites. The number of locations possible to visit each week will depend on the distance travelled in between Habitats sites as housing schemes come forward and the key hotspots for birds and people;
 - Report to the project board, Steering Group, liaise with Development Management planners and others e.g. s106 officers regarding development implemented and strategy work completed;
 - Organise funding for projects, both gaining funding from the developer contributions 'pot' through the Project Board but also linking with stakeholders and seeking other opportunities for additional funding, for example through reserve-based projects, tourism initiatives and the Heritage Lottery Foundation;
 - Oversee the project webpages and other publicity opportunities, explaining the strategy and providing information making full use of BirdAware or similar and other resources; and
 - Monitoring and review of the Strategy⁵.

⁵ It is recommended that the visitor survey information is updated within the first two years of the Essex Coast RAMS adoption and repeated every 5 years afterwards to maintain postcode evidence of new residents and justifiable ZoIs. The Essex Coast RAMS package of measures will need to be prioritised and delivered on several timescales. The initial priorities will be reviewed by the Essex Coast RAMS delivery co-ordinator, once they are in post.

8 Costed Mitigation Package and Mitigation Delivery

- 8.1 The costed mitigation package in Table 8.2 has been based on measures considered necessary to avoid likely disturbance at key locations with easy public access (as shown on Figure 7.1). A precautionary approach to avoid adverse effects has been adopted, with priority areas for measures identified as those which have breeding SPA birds which could conflict with high number of visitors to the coast in the summer and those with important roosts and foraging areas in the winter. Sensitive habitats are also at risk from damage by high numbers of visitors and potential hotspots have been identified for ranger visits which may including water rangers. The package includes an effective mixt of avoidance and mitigation measures to provide flexibility and deliverability, based on costed similar provision elsewhere in England.
- 8.2 This has been developed through identifying best practice measures and gathering local nature conservation practitioner expertise, from a new dedicated staff resource to focussing on awareness raising and appropriate behaviour with a wide range of recreational user groups at Habitats sites. The package particularly prioritises measures considered to be effective at avoiding and mitigating recreational disturbance by Habitats sites managers and Maldon DC in managing water sports on the Blackwater estuary. These measures can be justified as necessary, relevant and reasonable and enables the LAs to demonstrate that as competent authorities, they can avoid adverse effects on the integrity of Habitats sites.
- 8.3 The proposal to bolster the terrestrial RAMS Ranger visits with water based RAMS Ranger patrols is aimed at encouraging all users to take an active role in avoiding impacts from recreational activities on the coast waters. It is hoped that codes of conduct and zonation of sensitive waters near SPA bird roosts and foraging areas can be implemented, similar to measures on the Exe Estuary.
- 8.4 There is a potential need for additional rangers following the first five years of the project based on the predicted peak in housing delivery at this time, though evidence for this spend will be based on the findings of the rangers patrolling the coast. To provide flexibility for strategic deployment of resources, indicative locations are identified though “ground- trothing” from Ranger visits and updated surveys for the Essex Coast RAMS project Board and Delivery co-ordinator to account for any unforeseen circumstances.
- 8.5 The phasing of housing delivery, as shown below (taken from Table 4.4) indicates that most development within the overall ZOI for the Essex coast RAMS will take place in the period 2023/24-2027/28. The third Essex Coast RAMS Ranger is likely to be triggered in this time period.

Table 8.1 Phasing of housing delivery 2018-2038

Phasing of dwellings				Total to be included in the Essex Coast RAMS
2018/19 - 2022/23	2023/24 - 2027/28	2028/29 - 2032/33	2033/34 - 2037/38	
19,164	23,675	16,986	10,598	79,582

8.6 The per dwelling tariff is calculated by dividing the total cost of the Essex Coast RAMS mitigation package by the total number of houses still to be delivered over the Local Plans period i.e. any houses already consented having come forward early, are not included in this calculation.

8.7 As the above figures may change before the SPD is adopted, the tariff will require re-assessment beforehand. It will also be required as part of the monitoring process.

Table 8.2: Mitigation package costed for 2018-2038

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
Immediate - Year 1/2	Staff resources	Delivery officer		£45,000	19	£1,027,825	Salary costs include NI and overheads & 2% annual increments
		Equipment and uniform		(small ongoing cost)		£5,000	Bird Aware logo polo shirts, waterproof coats and rucksacks, plus binoculars for Rangers
Year 2		1 ranger		£36,000	18	£770,843	Salary costs include NI and overheads & 2% annual increments
Year 2		1 ranger		£36,000	18	£770,843	Salary costs include NI and overheads & 2% annual increments
		Staff training		£2,000	19	£38,000	£500 training for each staff
		Partnership Executive Group		(LPA £1,000)	19	£0	This would need to be an 'in kind' contribution from the LPA as this is a statutory requirement of the competent authorities. NB This is over and above the requirement for S106 monitoring
		Administration & audit		(LPA £1,000)	19	£0	As above
	Access	Audit of Signage including interpretation	£1,000			£1,000	Undertaken by Delivery officer/rangers but small budget for travel
		New interpretation boards	£48,600			£48,600	£2,700 per board, based on HLF guidance. Approx. 9 boards, one per Site. Cost allows for one replacement in plan period

Table 8.2: Mitigation package costed for 2018-2038

	Monitoring	Levels of new development				£0	No cost as undertaken as part of LPA work in Development Management and s106 or Infrastructure officers
		Recording implementation of mitigation and track locations and costs				£0	No cost as delivered as part of core work by delivery officer
		Collation & mapping of key roosts and feeding areas outside the SPA	£10,000			£10,000	Initial dataset to be available to inform Rangers site visits.
		Visitor surveys at selected locations in summer (with questionnaires)	£15,000			£15,000	Focus on Dengie, Benfleet & Southend Marshes and Essex Estuaries saltmarsh; estimated cost £5/Habitats site. Liaise with NE & ECC PROW re England Coast Path
		Visitor numbers and recreational activities	£5000 (£500/Habitats site/yr)			£5,000	Rangers, partner organisations, LPAs
		Consented housing development within ZOI.	£0/ Habitats site/yr)			£0	S106 officers to Track financial contributions for each development for all LPAs; liaise with LPA contributions officers
	Communication	Website set up for Day 1				£0	Essex Coast Bird Aware webpage set up costs £3k to be covered by LPAs.
		Walks and talks to clubs and estuary users groups				£0	Covered by salary costs for Delivery officer

Table 8.2: Mitigation package costed for 2018-2038

		Promotional materials				£5,000	Use BirdAware education packs, stationery, dog bag dispensers, car stickers etc.
Short to Medium term	Dog related	Set up/expand Dog project in line with Suffolk Coast & Heaths AONB "I'm a good dog" and Southend Responsible Dog Owner Campaign	£15,000			£15,000	Use BirdAware design for leaflets & website text, liaison with specialist consultants (Dog focussed), liaison with dog owners etc. Liaise with dog clubs & trainers;
	Water sports zonation		£10,000			£10,000	Approx. costs only to be refined when opportunity arises
Year 5	Staff resources	1 additional ranger		£36,000	13	£456,567	Salary costs include NI and overheads & 2% annual increments
		Staff to keep website & promotion on social media up to date		£1,000	19	£19,000	Update/refresh costs spread over plan period and include dog and water borne recreation focussed pages on Essex Coast RAMS / Bird Aware Essex Coast website plus merchandise eg dog leads.
Year 5	Monitoring	Update Visitor surveys at selected locations in summer (with questionnaires)	£45,000			£45,000	Estimated cost £5000/Habitats site/year for 9 Sites. Liaise with NE & ECC PROW re England Coast Path and LPAs re budgets as some of the survey costs may be absorbed into the budget for the HRAs needed for Local Plans. This could reduce the amount of contributions secured via Essex Coast RAMS which could be used for alternative measures.

Table 8.2: Mitigation package costed for 2018-2038

		Signage and interpretation	£14,500			£14,500	£14500 allows for 3 sets of discs - 3 designs, 1500 of each; e.g. paw prints in traffic light colours to show where no dogs, dogs on lead and dogs welcome. This may linking with a timetable eg Southend with dog ban 1 st May to 30 th Sept
	Water based Rangers to enforce byelaws	Set up Water Ranger	£50,000	£120,000	15	£2,029,342	Costs need to include jet ski(s), salary & on costs, training and maintenance plus byelaws costs. Priority is recommended for at least 1 Ranger to visit locations with breeding SPA birds eg Colne Estuary, Hamford Water, and other locations eg Southend to prevent damage during the summer. Explore shared use at different times of year eg winter use at other Habitats sites.
		Additional River Ranger where needed		£120,000	15	£2,029,342	Given increased recreation predicted,
	Codes of conduct	for water sports, bait digging, para motors/power hang gliders & kayakers	£5,000			£5,000	Use Bird Aware resources with small budget for printing. Talks to clubs and promotion covered by Delivery officer and rangers

Table 8.2: Mitigation package costed for 2018-2038

	Habitat creation - Alternatives for birds project – and long term management	Work with landowners & EA to identify locations eg saltmarsh creation in key locations where it would provide benefits and work up projects	£500,000			£500,000	Approx. costs only to be refined when opportunity arises for identified locations in liaison with EA and landowners via Coastal Forum and Shoreline Management Plans.
	Ground nesting SPA bird project – fencing and surveillance costs - specifically for breeding Lt Terns, & Ringed Plovers	Work with landowners & partners to identify existing or new locations for fencing to protect breeding sites for Little Tern & Ringed Plover populations	£15,000			£15,000	Check with RSPB, NE & EWT when project is prioritised
Longer term projects	Car park rationalisation	Work with landowners, Habitats site managers & partner organisations	£50,000			£50,000	Approx. costs only to be refined when opportunity arises
	Monitoring	Birds monitoring for key roosts & breeding areas within and outside SPAs		£5,000	10	£50,000	Costs for trained volunteers; surveys every 2 years
		Vegetation monitoring		£5,000	4	£20,000	Costs for surveys every 5 years

Table 8.2: Mitigation package costed for 2018-2038

Year 10, 15 & 20	Monitoring	Update Visitor surveys at selected locations in summer (with questionnaires)	£45,000			£135,000	Estimated cost £5/Habitats site. Liaise with NE & ECC PROW re England Coast Path
	Route diversions	Work with PROW on projects	£15,000			£15,000	Approx. costs only to be refined when opportunity arises

TOTAL MITIGATION PACKAGE
10% contingency
TOTAL COST

COSTS £8,105,862
£ 810,586
£8,916,448

8.8 The total cost for calculation per dwelling tariff is based on the total number of dwellings identified in each Local Plan which have not received Full/Reserved matters consent i.e. any houses already consented having come forward early, are not included in this calculation. **This figure is therefore £8,916,448 divided by 72,907 which means the recommended tariff is £122.30 rounded to nearest pence.**

8.9 As set out in Table 8.3 below, the split of the total cost for the Essex Coast RAMS mitigation package for each LPA to collect (i.e. the proportion of the costs to be collected from developers) is based on their housing figures to be delivered by the Local Plan. If predicted housing numbers are not realised, the associated impacts will also be less so the cost of the mitigation necessary will be reduced.

Table 8.3 Housing number and cost of mitigation for each LPA

(to include Habitats site specific measures plus over-arching measures e.g. delivery co-ordinator and Essex Coast RAMS Rangers.)

Charging Zone	Dwellings coming forward up to the end of Essex Coast RAMS plan period not already consented	Cost per dwelling tariff (rounded to nearest pence)	Cost of mitigation per LPA area
Basildon	9,440	£122.30	1,154,502.00
Braintree	13,770	£122.30	1,684,056.00
Brentwood	41	£122.30	5,014.26
Castle Point	4,721	£122.30	577,373.20
Chelmsford	8,771	£122.30	1,072,684.00
Colchester	9,144	£122.30	1,118,301.00
Maldon	3,646	£122.30	445,901.90
Rochford	1,322	£122.30	161,679.20
Southend-on-Sea	7,648	£122.30	935,342.20
Tendring	8,429	£122.30	1,030,858.00
Thurrock	5,975	£122.30	730,736.10
Total (Cost of package plus 10% contingency)	72,907		£8,916,448.00

8.10 The cost of implementing the mitigation measures will increase with inflation so the per dwelling tariffs will be updated each year in line with the Retail Price Index.

- 8.11 A proportion of all developer contributions collected (% to be determined by the Essex Coast RAMS Board) will be invested to cover the cost of delivering the visitor management measures in perpetuity, as the number of new residents will be permanent.
- 8.12 To avoid impacts, delivery of mitigation needs to be in advance of new residents occupying additional homes so triggers for payment should be prior to commencement of house building.

9. Monitoring and review

- 9.1 The Essex Coast RAMS sets out the baseline, status and disturbance evidence from which to monitor change and the impact of the Essex Coast RAMS in the future.
- 9.2 The effectiveness of mitigation measures and their timely delivery will be monitored and reviewed by the Essex Coast RAMS team, reporting to the Essex Coast RAMS Steering Group.
- 9.3 Monitoring will be undertaken annually and a report provided to each LPA to inform their Annual Monitoring Report (AMR). As competent authorities under the Habitats Regulations, the delivery of the Essex Coast RAMS is the responsibility of the LPA needing it to ensure their Local Plan is sound and legally compliant.
- 9.4 The Steering Group shall work with the Essex Coast RAMS team to establish the monitoring procedure, which will include SMART targets to effectively gauge progress.
- 9.5 To ensure the monitoring process is fit for purpose, there will be various monitoring activities which will be undertaken at different times and at an appropriate frequency. For example, visitor survey updates will be scheduled for after 2 and then 5 years.
- 9.6 Table 9.1 provides an example of what the monitoring approach may look like.

Table 9.1: Monitoring Report

Monitoring type	Objective	Responsibility	Action	Notes
Visitor numbers and recreational activities	Collect data on use and type of activity at different locations; assess change in behaviour likely to cause disturbance	Ranger / site warden team	Car park counter data; collated every 2 years with counters shared at different locations over plan period	
Visitor surveys with questionnaires	Collect repeat or additional post code data to review Zones of Influence for each Habitats site using the same methodology	Ranger/ site warden team	Minimum one face to face survey on each Habitats site location during the plan period	
Bird numbers and roost/feeding locations	Identify numbers and behaviour of designated birds	Ranger and volunteers e.g. WeBS on estuaries, continued monitoring of Little Terns	WeBS and breeding bird surveys	
Vegetation monitoring	Targeted at identifying impacts of trampling and triggers for mitigation	Site wardens/ managers		
Effectiveness of mitigation measures	Check that projects deliver status quo or improvements	Ranger/ site warden team/Habitats site staff	Questionnaires for behaviour and incident logs,	
Delivery of mitigation measures	Audit of projects delivered with feedback on implementation to LPAs refunds spent on each Habitats site.	Delivery officer	Project management tools e.g. membership of dog project, numbers of visitors engaged at different events	

- 9.7 Any future decrease (or increase) in bird populations cannot be the only measure of success for the Essex Coast RAMS in this respect as the designated habitats require protection too and effects could not be attributed solely to the implementation of the Essex Coast RAMS. This is due to multiple other factors at play on a local scale (e.g. predation, weather, habitat loss, coastal squeeze) and international scale (e.g. success at breeding or wintering grounds elsewhere etc.). Therefore, a range of monitoring identified for the Essex Coast RAMS delivery is needed and disturbance events reported
- 9.8 Working closely with partner organisations will be essential to understand these factors, evaluate success and provide feedback to inform reviews of the Essex Coast RAMS work programme. Both Place Services and Natural England recommended that the Essex Coast RAMS team regularly liaise with local nature conservation practitioners for this purpose.
- 9.9 Formal records will need to be kept of what, where and how the Essex Coast RAMS measures have been implemented e.g.:
- Most sensitive European site locations e.g. key bird roosts & breeding areas (noting that some of this is ecologically sensitive information);
 - Pending projects i.e. all mitigation priorities reflected in the above tables;
 - Live projects i.e. those underway; and
 - Completed projects i.e. those chalked off as the strategy progresses.
- 9.10 These will support the audit trail for spending against priorities set for the whole Strategy but also for the funds collected for each Habitats site by the Local Authorities. The latter is essential as the numbers of dwellings consented in Zols which will be subject to developer contributions and will provide the Essex Coast RAMS budget available for spending in each financial year.

10 Conclusions and next steps

- 10.1 Each LPA partner to the Essex Coast RAMS made a commitment to developing a strategic mitigation solution to address potential significant recreational impacts, in combination with other plans and projects, arising from new housing on the Habitats Sites on the Essex Coast.
- 10.2 The evidence base for the strategic mitigation package is set out in the Essex Coast RAMS which will be accompanied by an Essex Coast RAMS SPD.
- 10.3 The Essex Coast RAMS per dwelling tariff (currently £122.30) for new dwellings in the Zone of Influence is to be adopted by the LPAs to fund the mitigation measures set out in this Strategy.
- 10.4 Place Services recommend that the LPAs now finalise the SPD to ensure that tariff contributions are collected to implement the Essex Coast RAMS and avoid adverse effects on integrity for the Habitats sites identified in this Strategy document.
- 10.5 Governance and delivery models are still being discussed by the LPAs.
- 10.6 Place Services recommend that a model similar to that used by the Solent Recreation Mitigation Partnership and that used in North Kent would provide an effective way to deliver the Essex Coast RAMS. Strong branding, such as use of the Bird Aware brand, gives a powerful and intelligible wildlife conservation message and would help deliver elements of the Strategy in a positive and effective way. It also provides a tried and tested model for governance, delivery of measures and communications
- 10.7 The Essex Coast RAMS will be deemed successful if the level of bird and habitat disturbance is not increased despite an increase in population and the number of recreational visitors to the coastal sites.

11 Glossary

Appropriate Assessment	Forms part of the Habitats Regulations Assessment
Competent Authority	Has the invested or delegated authority to perform a designated function.
England Coast Path	Natural England are implementing the Government scheme to create a new national route around the coast of England
Impact Risk Zone	Developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals. They cover areas such as SSSIs, SACs, SPAs and Ramsar sites.
Habitats sites	Includes SPA, SAC & Ramsar sites as defined by NPPF (2018). Includes SPAs and SACs which are designated under European laws (the 'Habitats Directive' and 'Birds Directive' respectively) to protect Europe's rich variety of wildlife and habitats. Together, SPAs and SACs make up a series of sites across Europe, referred to collectively as Natura 2000 sites. In the UK they are commonly known as European sites; the National Planning Policy Framework also applies the same protection measures for Ramsar sites (Wetlands of International Importance under the Ramsar Convention) as those in place for European sites.
Habitats Regulations Assessment	Considers the impacts of plans and proposed developments on Natura 2000 sites.
Natural England	Natural England - the statutory adviser to government on the natural environment in England.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Ramsar site	Wetland of international importance designated under the Ramsar Convention 1971.
Responsible Officer	Natural England officer responsible for a particular habitats site.
Special Area of Conservation	Land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Special Protection Area	Land classified under Directive 79/409 on the Conservation of Wild Birds.
Supplementary Planning Document	Documents that provide further detail to the Local Plan. Capable of being a material consideration but are not part of the development plan.
Zone of Influence	A designated distance that establishes where development is permitted.

Abbreviations

AA	Appropriate Assessment
AMR	Annual Monitoring Report
ASFA	Access and Sensitive Features Appraisal
BTO	British Trust for Ornithology
CIL	Community Infrastructure Levy
EA	Environment Agency
ECP	England Coast Path
EPOA	Essex Planning Officers Association
EWT	Essex Wildlife Trust
FLL	Functionally Linked Land
GTAA	Gypsy and Traveller Accommodation Assessment
HRA	Habitats Regulations Assessment
IRZ	Impact Risk Zone
LEP	Local Enterprise Partnership
MoD	Ministry of Defence
NE	Natural England
NGOs	Non-Government Organisations
LPA	Local Planning Authority
PROW	Public Rights of Way
RO	Responsible Officer, Natural England
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SANG	Suitable Alternative Natural Greenspace
SIP	Site Improvement Plan
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Special Scientific Interest
WeBS	Wetland Bird Survey
Zol	Zone of influence

Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (RAMS)

Habitats Regulations Assessment
Strategy document
2018-2038

Appendices

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Appendix 1: Natural England Interim Advice Letters (Nov 2017 & Aug 2018)

Date: 16 November 2017
Our ref: 231488



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Tendring District Council
Thurrock Borough Council

Cc. Graham Thomas, Growing Essex Future Development
Essex Place Services
Essex County Council
Epping Forest District Council
Harlow Council
Uttlesford District Council

BY EMAIL ONLY

Dear All

Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) – Interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations¹

This letter provides Natural England's follow-up advice to the meetings with your authorities on the 13th September and 9th November 2017. During these meetings we discussed the need to take forward a strategic approach to mitigating recreational disturbance impacts from residential growth proposed in your local plans to European designated sites in and around the coastal zone of Essex. We found the discussion at the meetings very helpful and constructive and it was agreed in principle by all present that we would work together to prepare an Essex Recreational disturbance Avoidance and Mitigation Strategy (RAMS) to ensure that all local plans coming forward would be compliant with the Habitats Regulations and deliver positive outcomes for the natural environment. We consider that such an approach is the most effective and efficient means for planning authorities, developers and Natural England to ensure that housing growth is sustainably integrated alongside nature conservation in the long term.

One of the actions from the meeting on the 9th November 2017 was that we would provide you with some interim advice to ensure that any residential planning applications coming forward ahead of the Essex RAMS which have the potential to impact on coastal European designated sites are compliant with the Habitats Regulations.

¹ Conservation of Habitats and Species Regulations 2010, as amended (commonly known as the 'Habitats Regulations')

This advice specifically relates to additional recreational impacts that may occur on the interest features of the following European designated sites:

- Essex Estuaries Special Area of Conservation (SAC)
- Hamford Water Special Protection Area (SPA) and Ramsar site²
- Stour and Orwell Estuaries SPA and Ramsar site (Stour on the Essex side only)
- Colne Estuary SPA and Ramsar site
- Blackwater Estuary SPA and Ramsar site
- Dengie SPA and Ramsar site
- Crouch and Roach Estuaries SPA and Ramsar site
- Foulness Estuary SPA and Ramsar site
- Benfleet and Southend Marshes SPA and Ramsar site
- Thames Estuary and Marshes SPA and Ramsar site (Essex side only)

For further information on these sites, please see the [Conservation Objectives and Information Sheets on Ramsar Wetlands](#) which explain how each site should be restored and/or maintained.

The Habitats Regulations Assessment (HRA) reports produced for your local plans have identified recreational disturbance as an issue which can impact on the interest features of coastal SPAs and Ramsar sites. The HRA reports have also identified the potential for other recreational impacts on the interest features of the Essex Estuaries SAC, which includes coastal and intertidal habitats; some of these features are at threat from physical damage (e.g. trampling, erosion from wave damage etc.) which can be caused by land and water-based activities including walking, fishing and water sports.

The local plan HRA reports have also identified a number of zones of influence which determine the distance at which new development may result in changes in recreational use, and therefore where mitigation is necessary. Some of these zones of influence are based on visitor survey information, whereas others have been determined using the best available evidence from other locations (e.g. local habitats of a similar nature). In order to strengthen the evidence base behind the zones of influence within which the Essex RAMS will apply, it was agreed at the meeting that these will be refined, as required, through visitor surveys carried out in the interim period. However, the current zones of influence as defined in the Local Plan HRA reports are as follows:

Table 1

European designated site	Zone of influence (Km)	Based on site specific evidence such as visitor surveys?
Essex Estuaries SAC	24	Yes - some
Hamford Water SPA / Ramsar	8	Yes - some
Stour and Orwell Estuaries SPA and Ramsar	13	Yes - some
Colne Estuary SPA and Ramsar	24	Yes - some
Blackwater Estuary SPA and Ramsar	8	Yes - some
Dengie SPA and Ramsar	Not yet determined*	Not applicable
Crouch and Roach Estuaries Ramsar and SPA	10	No

² Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 118 of the National Planning Policy Framework applies the same protection measures as those in place for European sites

Foulness Estuary SPA and Ramsar	Not yet determined*	Not applicable
Benfleet and Southend Marshes SPA and Ramsar	10	No
Thames Estuary and Marshes SPA and Ramsar	10	No

* Note: where a zone of influence has not yet been identified, we advise that 13 km should be used in the interim period on a precautionary basis

It is recognised that a considerable proportion of the residential allocations in your local plans will already be coming forward as planning applications, prior to the adoption of the Essex RAMS.

It is therefore important to ensure that any recreational impacts from these residential allocations which fall within the identified zones of influence are considered in terms of the Habitats Regulations.

Natural England has already developed a set of [Impact Risk Zones \(IRZs\)](#) which helps guide planning authorities on the scale of residential development that we should be consulted on, in part to assess impacts from increased recreational disturbance. For example, the Stour Estuary residential IRZs are as follows:

- **Within 50 m** – we should be consulted on all planning applications (including all residential development) except householder applications
- **Within 200 m** – we should be consulted on residential development of 10 units or more within an existing settlement or all residential development outside an existing settlement
- **Within 1 km** – we should be consulted on residential development of 50 units or more within an existing settlement or all residential development outside an existing settlement
- **Within 2 km** – we should be consulted on residential development of 50 units or more within an existing settlement or 10 units outside an existing settlement
- **Within 5 km** – we should be consulted on 50 units or more outside an existing settlement

We advise that Natural England should continue to be consulted in line with the current IRZ arrangements for each site in order to provide bespoke advice on these applications.

However, for new residential development which falls outside the current IRZ consultation arrangements but within the zones of influence shown in Table 1 (subject to review), we advise that the following interim protocol should be followed to ensure consistency and fairness in securing strategic level mitigation for these developments:

Interim approach to avoidance and mitigation measures

- Appropriate funding should be collected on the basis that it can be used to fund strategic measures at the relevant European designated sites, proportionate to the level of housing development.

- A delivery mechanism for the agreed measures must be secured and the measures implemented from the first occupation of dwellings, thereby ensuring that the level of recreational disturbance is not increased by future residential development.
- Your councils may wish to consider identifying and funding specific projects which can be delivered in the interim period to increase the resilience of European designated sites to recreational pressures. Identifying projects to be funded now can provide certainty and reduce the risk of receiving funds without a delivery mechanism in place. Natural England would be happy to work with you to help identify potential 'off-site' mitigation projects (i.e. in and around European designated sites) which could be delivered using developer contributions for recreational disturbance impacts prior to the adoption of the Essex RAMS.
- It should be ensured that emerging Local Plans have a policy that sets out how likely recreational disturbance impacts from new residential development will be mitigated. This should include a policy commitment to the production and implementation of the Essex RAMS.
- In the absence of a relevant policy or a Local Plan in place, an alternative approach would be to consider developing an Interim Policy Statement, or similar mechanism. This letter may help inform any such interim policy statement.

We would be happy to discuss this further. If you require any further clarification then please do not hesitate to contact us.

Yours sincerely



Sarah Fraser
Senior Adviser – West Anglia Team

Date: 16 August 2018
 Our ref: 244199



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 Tendring District Council
 Thurrock Borough Council
 Uttlesford District Council
 Essex Place Services

BY EMAIL ONLY

Dear All

Emerging strategic approach relating to the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) – Revised interim advice to ensure new residential development and any associated recreational disturbance impacts on European designated sites are compliant with the Habitats Regulations¹

This letter provides Natural England's revised interim advice further to that issued on 16th November 2017. This advice is provided to ensure that any residential planning applications coming forward ahead of the Essex Coast RAMS which have the potential to impact on coastal European designated sites are compliant with the Habitats Regulations. It specifically relates to additional recreational impacts that may occur on the interest features of the following European designated sites:

- Essex Estuaries Special Area of Conservation (SAC)
- Hamford Water Special Protection Area (SPA) and Ramsar site²
- Stour and Orwell Estuaries SPA and Ramsar site (Stour on the Essex side only)
- Colne Estuary SPA and Ramsar site
- Blackwater Estuary SPA and Ramsar site
- Dengie SPA and Ramsar site
- Crouch and Roach Estuaries SPA and Ramsar site
- Foulness Estuary SPA and Ramsar site
- Benfleet and Southend Marshes SPA and Ramsar site
- Thames Estuary and Marshes SPA and Ramsar site (Essex side only)

¹ Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations')

² Listed or proposed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Paragraph 176 of the National Planning Policy Framework applies the same protection measures as those in place for European sites

For further information on these sites, please see the [Conservation Objectives and Information Sheets on Ramsar Wetlands](#) which explain how each site should be restored and/or maintained.

Recreational 'Zones of Influence' (Zols)

As part of the work required to inform the Essex Coast RAMS evidence base, visitor surveys have been undertaken to determine the distances that visitors will travel from their residences to visit the European designated sites to undertake recreation. Following collation and analysis of the survey data, the Zols currently agreed by the Essex Coast RAMS Steering Group are as follows:

Table 1:

European designated site	Underpinning SSSIs ³	Zols (km)
Stour and Orwell Estuaries SPA and Ramsar	Orwell Estuary SSSI Stour Estuary SSSI Cattawade Marshes SSSI	13
Hamford Water SPA and Ramsar	Hamford Water SSSI	8
Colne Estuary SPA and Ramsar	Colne Estuary SSSI	9.7
Blackwater Estuary SPA and Ramsar	Blackwater Estuary SSSI	22
Dengie SPA and Ramsar	Dengie SSSI	20.8
Crouch and Roach Estuaries Ramsar and SPA	Crouch and Roach Estuaries SSSI	4.5
Foulness Estuary SPA and Ramsar	Foulness SSSI	13
Essex Estuaries SAC	Blackwater Estuary SSSI Colne Estuary SSSI Crouch and Roach Estuaries SSSI Dengie SSSI Foulness SSSI	- ²
Benfleet and Southend Marshes SPA and Ramsar	Benfleet and Southend Marshes SSSI	4.1 ¹
Thames Estuary and Marshes SPA and Ramsar	Mucking Flats and Marshes SSSI	8.1

¹Note 1: The Essex Estuaries comprise the Colne Estuary, Blackwater Estuary, Dengie, Crouch and Roach Estuaries and Foulness Estuary and so follow the respective Zols throughout.

²Note 2: The Benfleet and Southend Marshes Zol is to be confirmed following summer visitor surveys.

In the context of your duty as competent authority under the provisions of the Habitats Regulations⁴, it is anticipated that new residential development within these Zols constitutes a likely significant effect (LSE) on the sensitive interest features of the above designated sites through increased recreational pressure, either when considered 'alone' or 'in combination'. As you will be aware, the Essex Coast RAMS is a large-scale strategic project which involves all of the Essex authorities listed above working together to help mitigate these effects. Once adopted, the RAMS will comprise a package of strategic mitigation measures to address such effects, which will be costed and funded through developer

³ Underpinning SSSIs are listed here as these are what the IRZs are aligned to

⁴ Conservation of Habitats and Species Regulations 2017, as amended (commonly known as the 'Habitats Regulations'). Requirements are set out within Regulations 63 and 64 of the Habitats Regulations, where a series of steps and tests are followed for plans or projects that could potentially affect a European site. The steps and tests set out within Regulations 63 and 64 are commonly referred to as the 'Habitats Regulations Assessment' process. The Government has produced core guidance for competent authorities and developers to assist with the Habitats Regulations Assessment process. This can be found on the Defra website. <http://www.defra.gov.uk/habitats-review/implementation/process-guidance/guidance/sites/>

contributions. However, it is recognised that a considerable proportion of the residential allocations in your local plans will already be coming forward as planning applications, prior to the adoption of the Essex Coast RAMS. In the interim period until the RAMS is in place and the necessary developer contributions are known, it is therefore important that any recreational impacts from residential schemes such as these are considered in terms of the Habitats Regulations through a project-level Habitats Regulations Assessment (HRA). We offer the following advice to guide you on this:

Consultation arrangements

Natural England has already developed a set of [Impact Risk Zones \(IRZs\)](#) which helps guide planning authorities on the types and scale of development that we should be consulted on. We advise that we should continue to be consulted in line with these arrangements (i.e. where there are other IRZs are triggered in addition to the Essex Coast RAMS)

We will shortly be refining the residential IRZs for the above designated sites to align with Essex Coast RAMS project and capture new residential development which falls within the Zols shown in Table 1 above; these updates are currently scheduled for September 2018 and relate to the following development types:

- New dwellings of 1+ units (excludes replacement dwellings and extensions)
- Houses in Multiple Occupancy (HMOs)
- Student Accommodation
- Residential care homes and residential institutions (excludes nursing homes)
- Residential caravan sites (excludes holiday caravans and campsites)
- Gypsies, travellers and travelling show people plots

We advise that the applications in scope for consideration should include all new applications as well as those with outline planning permission where this issue has not previously been assessed through the HRA process.

To help you screen applications prior to our IRZs being updated, we have included some maps in ANNEX A to this letter to show the current Essex Coast RAMS Zol.

Approach to avoidance and mitigation measures for recreational disturbance

We have included within ANNEX B to this letter a suggested HRA record template which can be used to record the conclusions of both the Screening and Appropriate Assessment stages of HRAs for planning applications within scope of the Essex Coast RAMS for which recreational disturbance to the above sites is the only HRA issue. The use of this template is not mandatory but we have provided it in an attempt to streamline the process and make it as straightforward and consistent as possible for the authorities involved in the RAMS.

For any queries relating to the specific advice in this letter only, please contact Jack Haynes on 0208 02 64857 or at jack.haynes@naturalengland.org.uk. In the context of the above advice, we would be happy to provide you with some training on the use of our IRZs, the HRA process, the use of the HRA record template etc. through our charged Discretionary Advice Service (DAS), further details on which are available [here](#). The way to progress your request is to complete a [DAS Request Form](#), including the training request, and send it to our consultations hub (consultations@naturalengland.org.uk).

Yours sincerely

Jack Haynes, Lead Adviser, Natural England

Figure A1.1

ANNEX A – Essex Coast RAMS 'zone of influence' (Zoi) maps

Tending, Colchester, Maldon, Rochford, Castle Point, Southend – The whole of the LPA area is within the Zoi so all relevant development is in scope of the RAMS

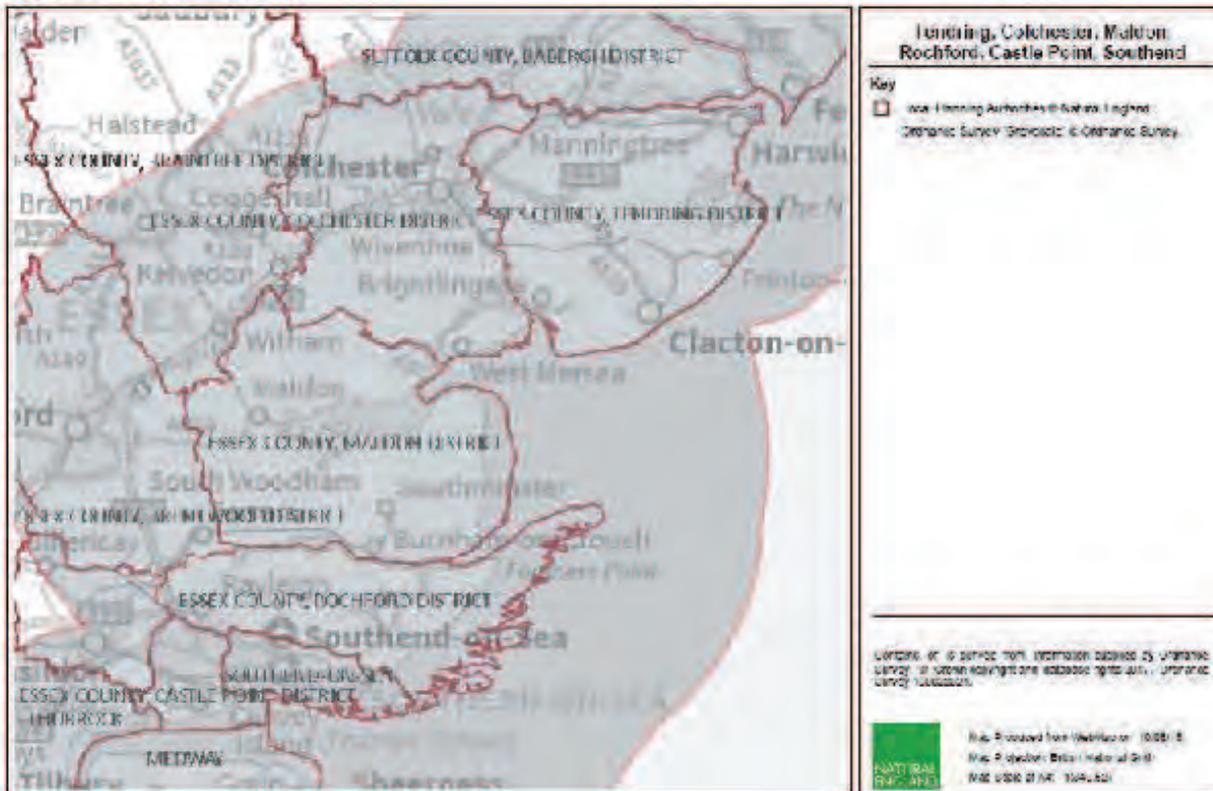


Figure A1.2

Braintree – Relevant development within the shaded area is in scope of the RAMS

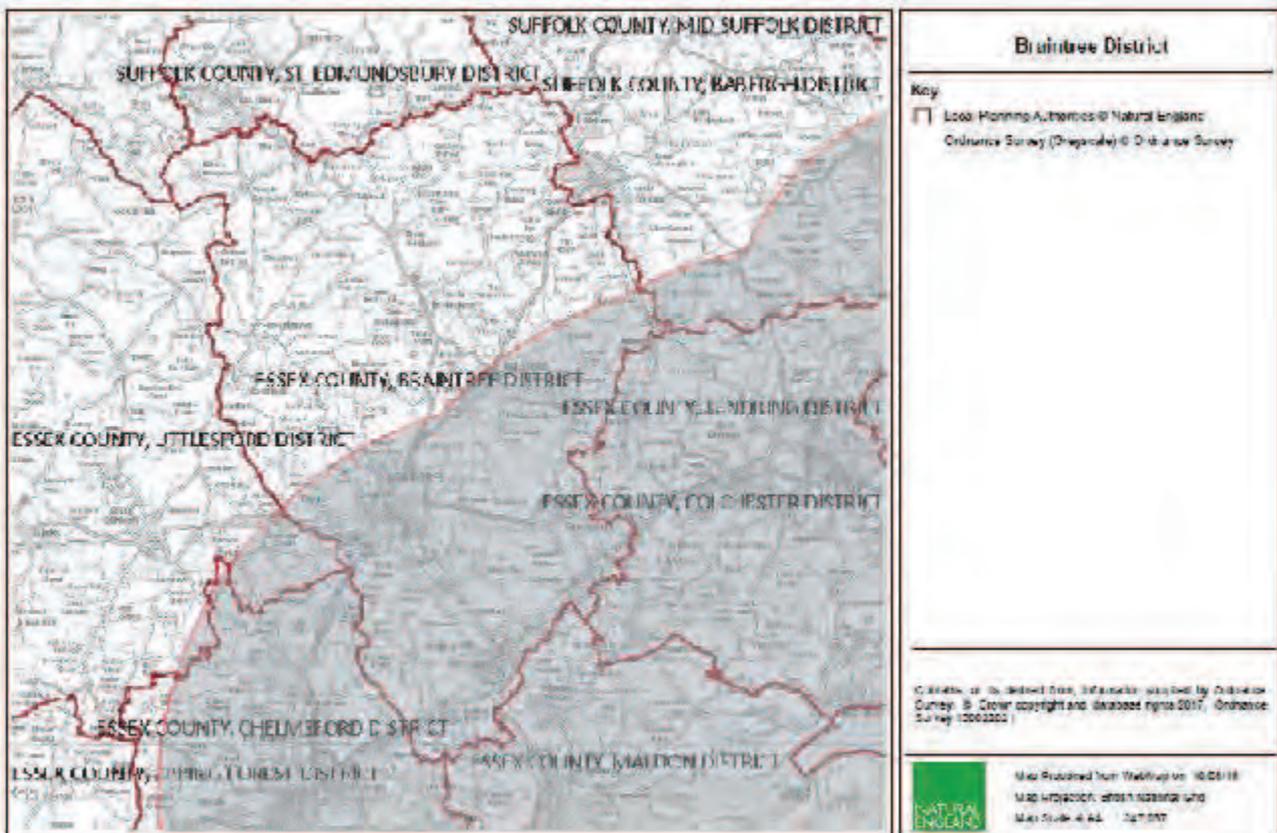


Figure A1.3

Uttlesford – Relevant development within the shaded area is in scope of the RAMS

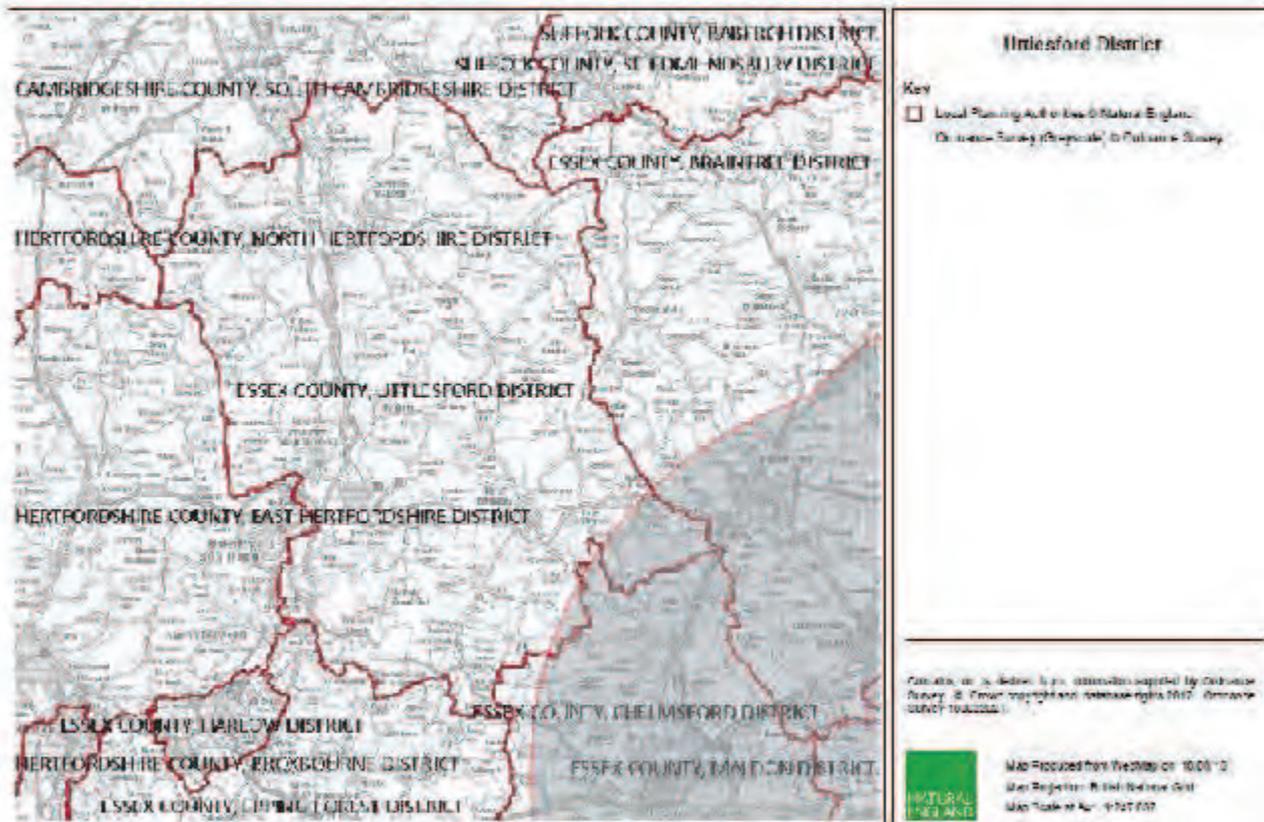


Figure A1.4

Chelmsford – Relevant development within the shaded area is in scope of the RAMS

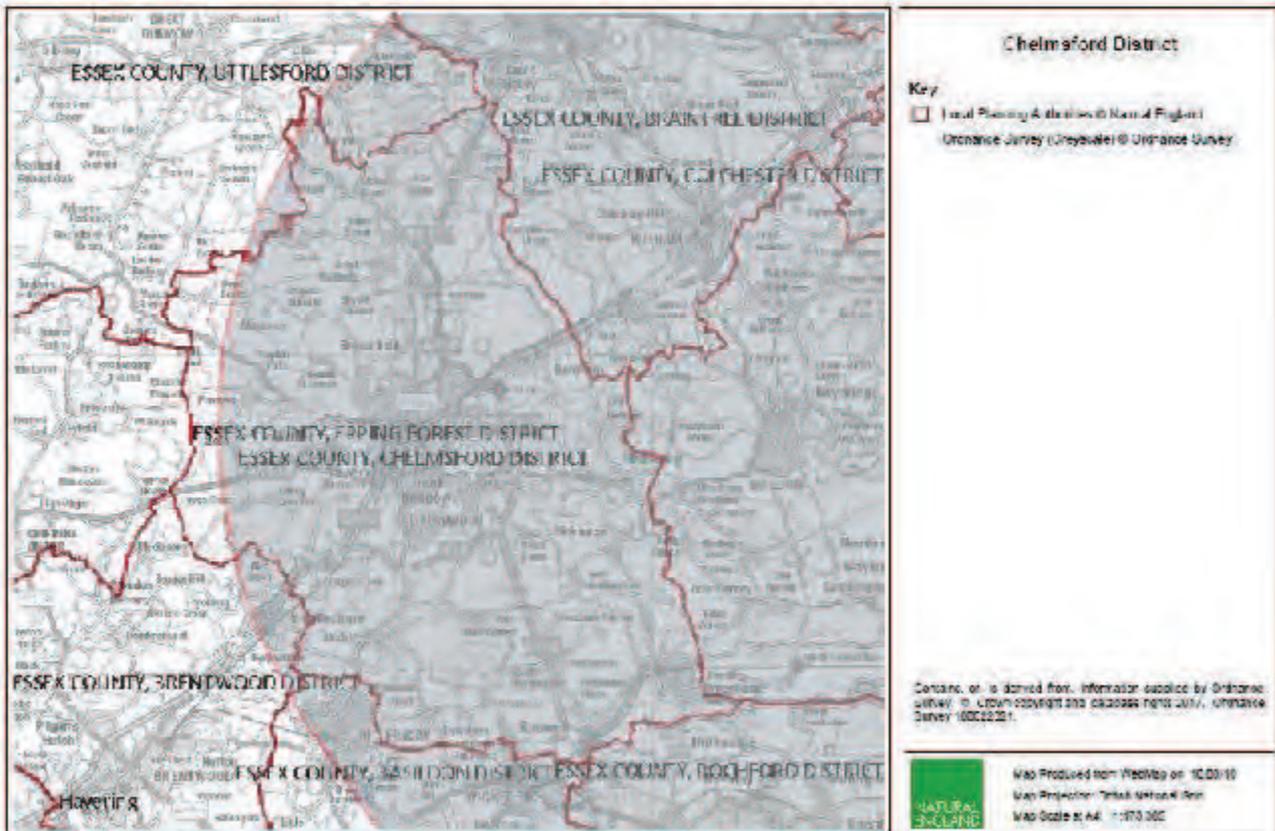


Figure A1.5

Basildon – Relevant development within the shaded area is in scope of the RAMS

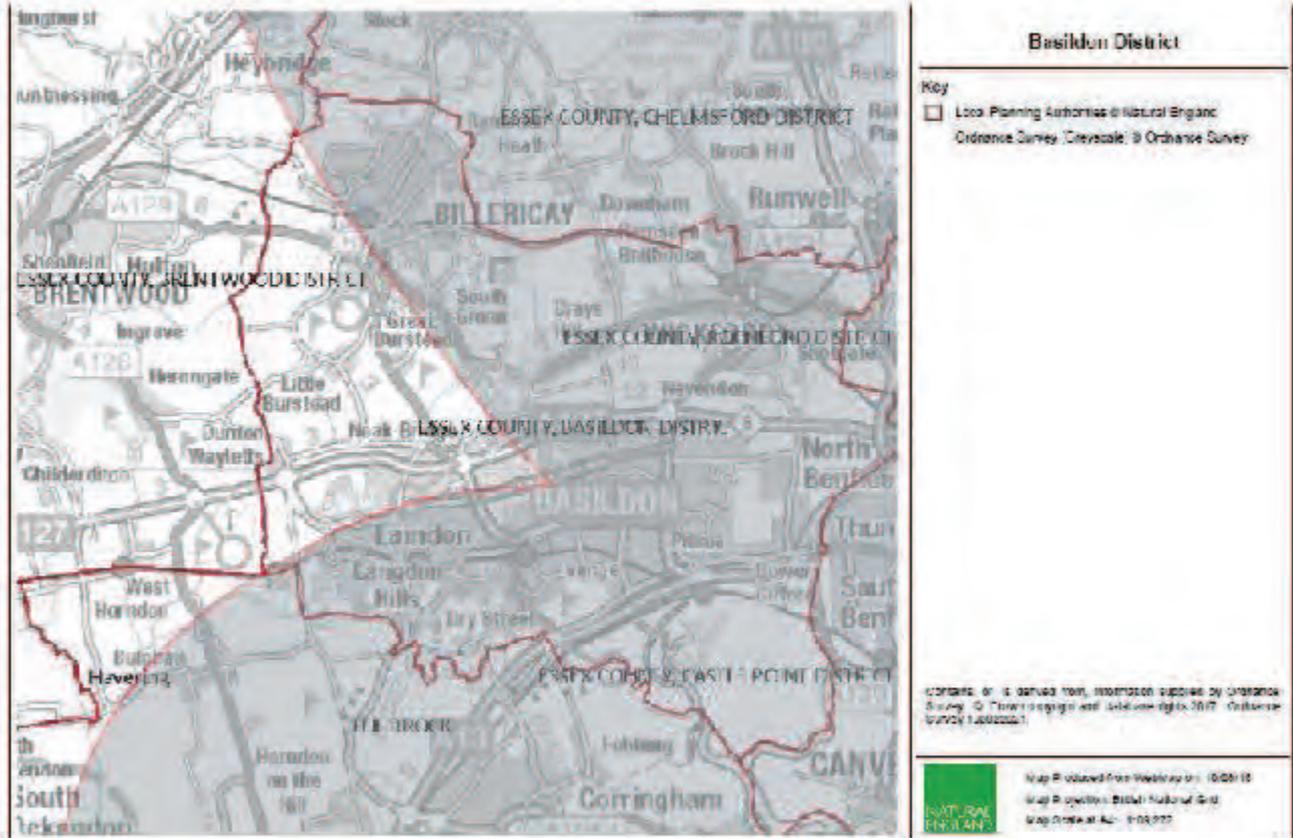


Figure A1.6

Brentwood – Relevant development within the shaded area is in scope of the RAMS (Note: the Zol clips the southeast corner of the district)

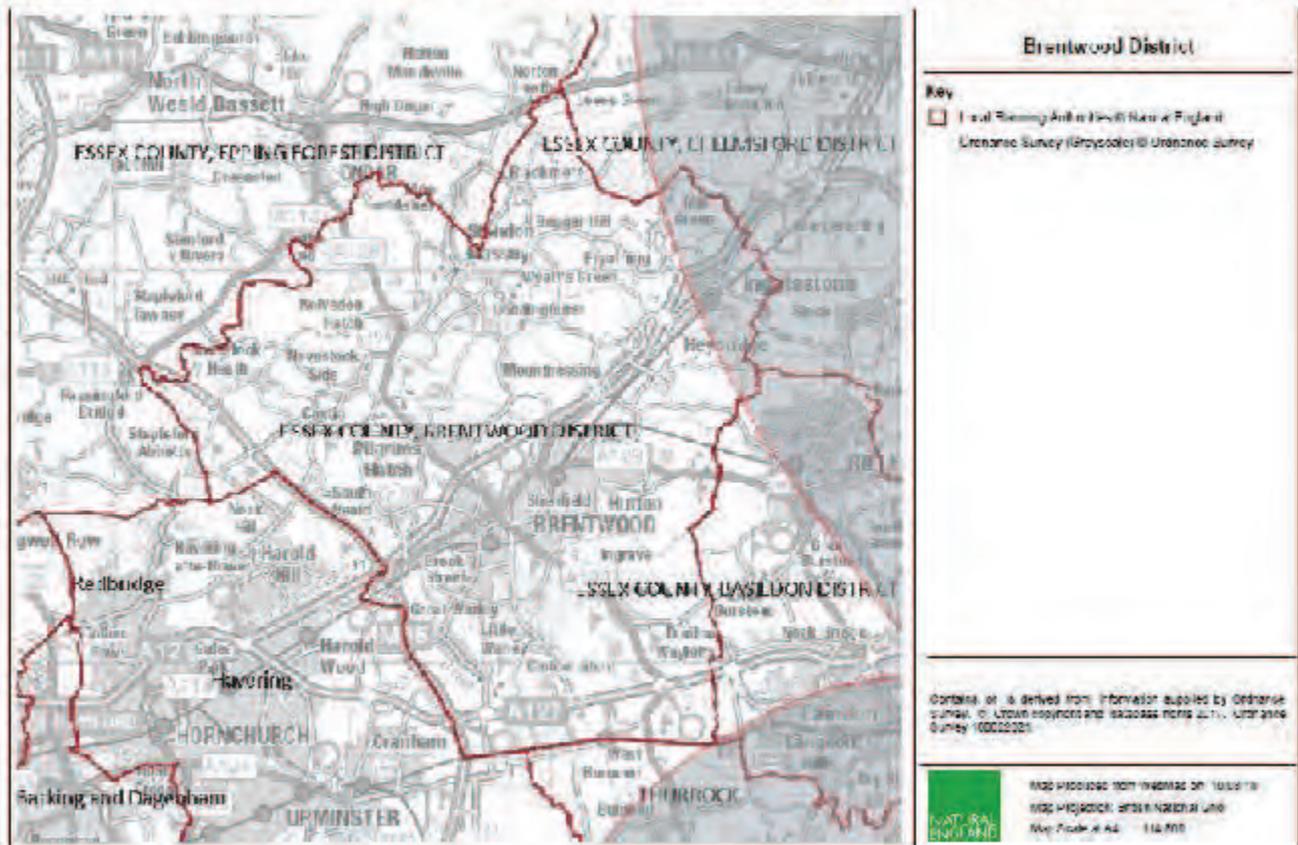
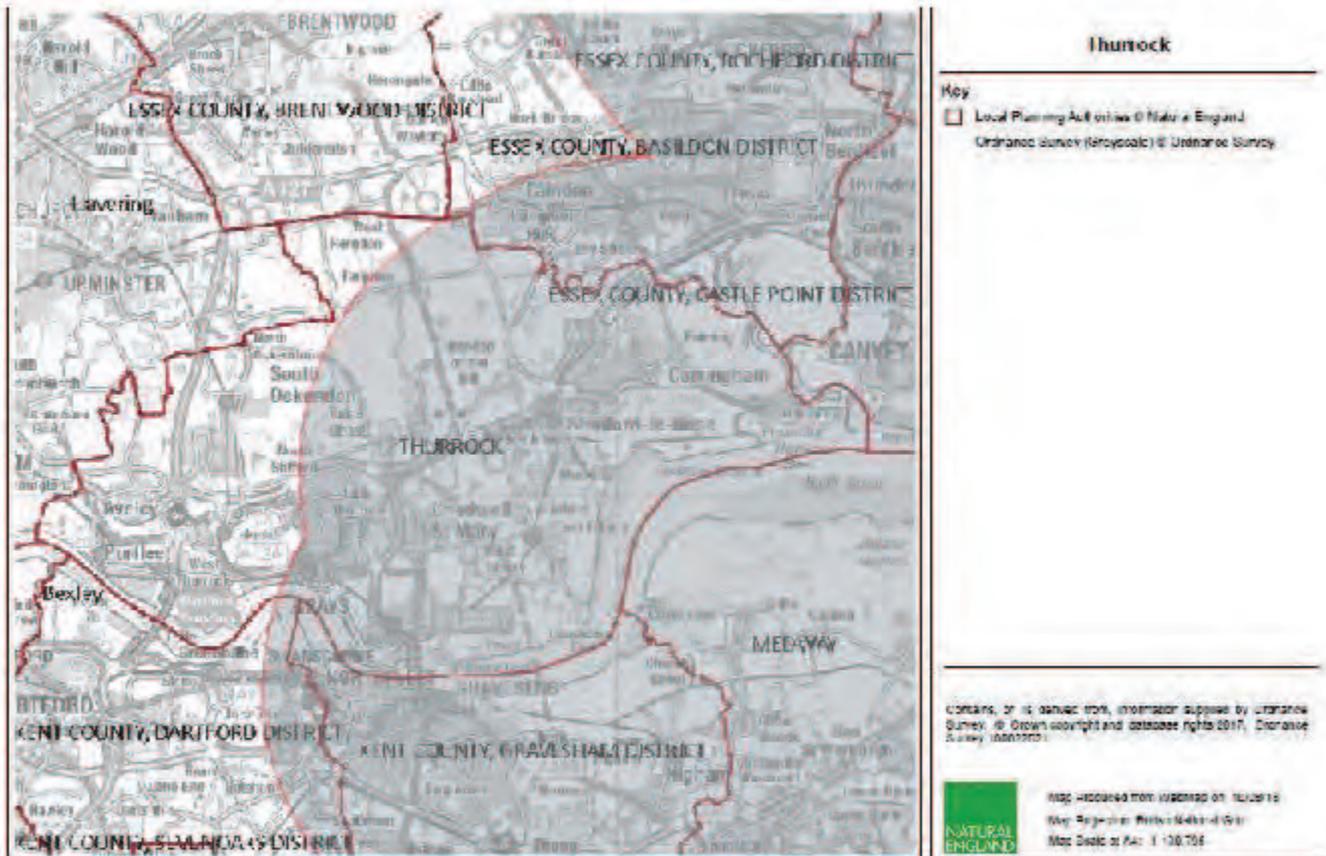


Figure A1.7

Thurrock – Relevant development within the shaded area is in scope of the RAMS

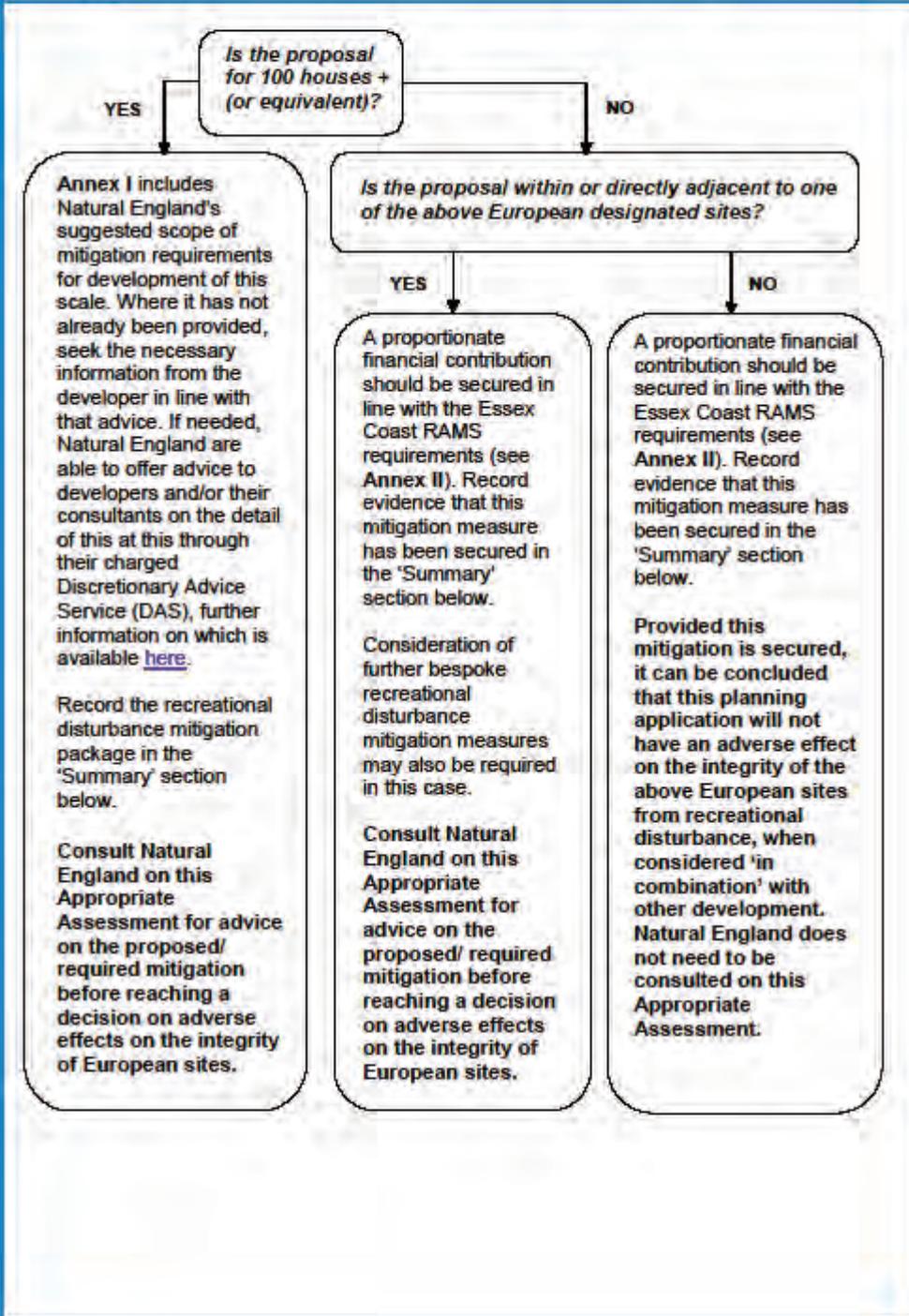


Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Habitat Regulation Assessment (HRA) Record

Application details	
Local Planning Authority:	
Case officer:	
Application reference:	
Application description:	
Application address:	
Status of Application:	
Grid Ref:	
HRA Stage 1: screening assessment	
<p>Test 1 – the significance test: Based on the development type and proximity to European designated sites, a judgement should be made as to whether the development constitutes a 'likely significant effect' (LSE) to a European site in terms of increased recreational disturbance</p>	
<p>Is the development within the zone of influence (ZoI) for the Essex Coast RAMS with respect to the below sites?</p> <ul style="list-style-type: none"> • Essex Estuaries Special Area of Conservation (SAC) • Hamford Water Special Protection Area (SPA) and Ramsar site • Stour and Onwell Estuaries SPA and Ramsar site (Stour on the Essex side only) • Coine Estuary SPA and Ramsar site • Blackwater Estuary SPA and Ramsar site • Dengie SPA and Ramsar site • Crouch and Roach Estuaries SPA and Ramsar site • Foulness Estuary SPA and Ramsar site • Benfleet and Southend Marshes SPA and Ramsar site • Thames Estuary and Marshes SPA and Ramsar site (Essex side only) 	
YES	NO
<p>Does the planning application fall within the following development types?</p> <ul style="list-style-type: none"> • New dwellings of 1+ units (excludes replacement dwellings and extensions) • Houses in Multiple Occupancy (HMOs) • Student Accommodation • Residential care homes and residential institutions (excludes nursing homes) • Residential caravan sites (excludes holiday caravans and campsites) • Gypsies, travellers and travelling show people plots 	<p>Conclude no LSE to the above designated sites in terms of recreational disturbance:</p> <ul style="list-style-type: none"> • An Appropriate Assessment (AA) is not required where recreational disturbance to these sites is the only issue <u>at</u> recreational disturbance to these sites can be scoped out of any HRA covering other issues. • Check NE J12 to see whether recreational disturbance is an issue for non-coastal European sites or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form.
YES	NO
<p>Conclude LSE. This proposal is within scope of the Essex Coast RAMS as it falls within the 'zone of influence' for likely impacts and is a relevant residential development type as listed above. It is anticipated that such development in this area is 'likely to have a significant effect' upon the interest features of the aforementioned designated site(s) through increased recreational pressure, when considered either alone or in combination. Therefore:</p> <ul style="list-style-type: none"> • Proceed to HRA Stage 2: Appropriate Assessment to assess recreational disturbance impacts on the above designated sites • Check J12 to see whether recreational disturbance is an issue for non-coastal European sites or Sites of Special Scientific Interest (SSSIs). If so, this will also need assessing outside of this HRA form. 	<p>The proposal is outside the scope of the Essex Coast RAMS. However, applications involving tourist accommodation (including holiday caravans and campsites), for example, could still potentially have recreational disturbance impacts (and other impacts) on designated sites, including those listed above. In cases such as these, consult Natural England for bespoke advice before concluding no LSE.</p>

HRA Stage 2: Appropriate Assessment

Test 2 – the integrity test: The applicant must provide sufficient evidence to allow the Appropriate Assessment to be made, which is the stage at which avoidance and/or mitigation measures can be considered



Summary of the Appropriate Assessment : To be carried out by the Competent Authority (the local planning authority) in liaison with Natural England (where necessary)

Summary of recreational disturbance mitigation package

[INSERT]

Conclusion

Having considered the proposed avoidance and mitigation measures above, [INSERT LPA] conclude that with mitigation the project will not have an Adverse Effect on the Integrity of the European sites included within the Essex Coast RAMS.

Having made this appropriate assessment of the implications of the plan or project for the site(s) in view of that (those) site(s)'s conservation objectives, and having consulted Natural England and fully considered any representation received (where necessary), the authority may now agree to the plan or project under regulation 63 of the Conservation of Habitats and Species Regulations 2017.

Local Planning Authority Case Officer comments, signed and dated:

Annex I – Natural England’s recommendations for larger scale residential developments within the Essex Coast RAMS zone of influence (100 units +, or equivalent, as a guide)

Developments of this scale should include provision of well-designed open space/green infrastructure, proportionate to its scale. Such provisions can help minimise any predicted increase in recreational pressure to the European sites by containing the majority of recreation within and around the development site boundary away from European sites. We advise that the Suitable Accessible Natural Green Space (SANGS) guidance [here](#) can be helpful in designing this; it should be noted that this document is specific to the SANGS creation for the Thames Basin Heaths, although the broad principles are more widely applicable. As a minimum, we advise that such provisions should include:

- High-quality, informal, semi-natural areas
- Circular dog walking routes of 2.7 km⁵ within the site and/or with links to surrounding public rights of way (PRoW)
- Dedicated ‘dogs-off-lead’ areas
- Signage/information leaflets to householders to promote these areas for recreation
- Dog waste bins
- A commitment to the long term maintenance and management of these provisions

Natural England would be happy to advise developers and/or their consultants on the detail of this at the pre-application stage through our charged Discretionary Advice Service (DAS), further information on which is available [here](#).

However, the unique draw of the above European sites means that, even when well-designed, ‘on-site’ provisions are unlikely to fully mitigate impacts when all residential development within reach of the coast is considered together ‘in combination’. We therefore advise that consideration of ‘off-site’ measures (i.e. in and around the relevant European designated site(s)) is also required as part of the mitigation package for predicted recreational disturbance impacts in these cases.

As such, in the interim period before the RAMS is adopted, a financial contribution should also be agreed with and collected from the developer, prior to commencement, on the basis that it can be used to fund strategic ‘off site’ measures (i.e. in and around the relevant European designated site(s)). These measures should be targeted towards increasing the relevant European site(s) resilience to recreational pressure and be in line with aspirations of the emerging RAMS. As an example in this interim period, this could include funding towards existing wardening schemes at the relevant European designated site(s). A suitable delivery mechanism for the measures must be agreed to secure them and ensure they are implemented from the first occupation of dwellings. Alternatively, we understand that it may be acceptable at the outline planning stage to include a suitably-worded planning condition which secures full adherence with the emerging Essex Coast RAMS at the Reserved Matters stage.

Once the RAMS has been adopted, a financial contribution should be secured from these developments prior to commencement.

Annex II – Natural England’s recommendations for smaller scale residential developments within the Essex Coast RAMS zone of influence (0-99 units, or equivalent, as a guide) which are not within/directly adjacent to a European designated site

Whilst the provision of well-designed open space/green infrastructure on site or contributions towards strategic green infrastructure in your district is to be welcomed for developments of this scale, a proportionate financial contribution in line with/to the Essex Coast RAMS should be

⁵ Taken from *Jenkinson, S., (2013), Planning for dog ownership in new developments: reducing conflict – adding value. Access and greenspace design guidance for planners and developers*

secured as a minimum to help fund strategic 'off site' measures.

As such, in the interim period before the RAMS is adopted, a financial contribution should be agreed with and collected from the developer, prior to commencement, on the basis that it can be used to fund strategic 'off site' measures (i.e. in and around the relevant European designated site(s)). These measures should be targeted towards increasing the relevant European site(s) resilience to recreational pressure and be in line with aspirations of the emerging RAMS. As an example in this interim period, this could include funding towards existing wardening schemes at the relevant European designated site(s). A suitable delivery mechanism for the measures must be agreed to secure them and ensure they are implemented from the first occupation of dwellings. Alternatively, we understand that it may be acceptable at the outline planning stage to include a suitably-worded planning condition which secures full adherence with the emerging Essex Coast RAMS at the Reserved Matters stage.

Once the RAMS has been adopted, a financial contribution should be secured from these developments prior to commencement.

Appendix 2: Visitor Survey Methodology

The survey form to be used at each site has been included within Appendix 3 of this document and contains all the proposed questions for each highlighted site.

The visitor survey methodology for these surveys has been adapted from the Visitor Survey for Brantham regeneration area, The Landscape Partnership Ltd, Oct 2015, at Natural England's recommendation.

1. The surveys for each site are to be undertaken over a three week period. Specific days will be chosen in order to cover a larger demographic.
2. The surveyors will ask a set of questions to visitors passing their designated location. Visitors who decline interviews will also be recorded. Visitors who have been previously interviewed are not interviewed again. Surveyors will be asked to note the total number of people which pass while interviews are in progress.
3. Timings and locations of the surveys will be planned so that there is suitable coverage. This is to ensure that visitors with specific habits are not missed from the survey.
4. Surveys will begin at 0730 each day, to record early visitors. The survey will continue throughout the day until 1700, with surveyors taking 30 minute breaks every 2 hours. This equates to four two hour sessions at each site.
5. Surveyors will have short breaks during the day for welfare purposes, lunch and to travel between survey locations as part of the surveyor rotation. Surveyors are asked to interview any visitors they encounter while travelling between locations.
6. The survey window would be better to include some school term time dates and Bank Holidays if this is practicable during the survey period.
7. The questionnaire can be found within Appendix 3. The questionnaire will need to be agreed with the Local Planning Authorities, as well as with assistance from Natural England before the surveying starts. The current questions cover a range of topics which may change if objectives for the survey alter.
8. Surveyors are asked to remain in position, even during rainy days, to ensure visitors during all weathers are captured.



Appendix 3: Winter visitor survey questionnaire

This is an example questionnaire for Leigh-on-Sea, specific locations and geographical features were changed for each location.

Visitor Questionnaire

This questionnaire is to help work out how much difference new residential development might make to protected sites and species in the area. In particular, people using the coast might lead to disturbance of the birds on the estuary, beaches and saltmarsh.

1. What is your main activity when using the area?

- a. Dog walking always on lead
- b. Dog walking sometimes or always off lead
- c. Exercise e.g. jogging
- d. Walking
- e. Bird/nature watching
- f. Bait digging
- g. Cycling
- h. Playing
- i. Outing with the children
- j. Wildfowling
- k. Water sports: please specify type
- l. Other (please specify)

2. How often do you come to this location?

- a. Daily
- b. Most days (180+ visits)
- c. 1 to 3 times a week (40-180 visits)
- d. 2 to 3 times per month (15-40 visits)
- e. Once a month (6-15 visits)
- f. Less than once a month (2-5 visits)
- g. Don't know
- h. First visit
- i. On holiday / day visit in area

3. Have you come from home or are you visiting / on holiday in the area? What is your postcode? (Just for making sure we understand the results properly and won't be used for anything else or given to anyone)

- a. From Home
- b. On holiday / day visit in area
- c. Town
- d. Postcode / partial postcode / town _____

4. What made you come here today rather than other places?

- a. Close to home
- b. Easy parking
- c. Free parking
- d. Good area to take the dog for a walk
- e. Space and facilities for natural play
- f. Peaceful
- g. Welcoming and safe
- h. Familiar
- i. Good choice of routes / places to walk

- j. Estuary views
- k. Wildlife
- l. Sense of wilderness
- m. Site history
- n. Other _____

5. How do you normally travel to the site?

- 7.1 On foot
- 7.2 Bicycle
- 7.3 Public transport
- 7.4 Car
- 7.5 Other, _____
- 7.6 Don't know / no answer

6. If you arrived by car, where did you park?

- a. Mayflower car park
- b. Belton Bridge car park
- c. Other formal car park
- d. Layby
- e. Roadside parking
- f. Other
- g. Not sure / Don't know

7. Refer to map. Where did you enter the site?

- a. A – Leigh Marina
- b. B – Belton Bridge / Osbourne Bros Café
- c. C – High Street / The Mayflower
- d. D – Leigh Cliffs East via bridge
- e. E – Along seafront from Chalkwell / Westcliff-on-Sea
- f. Other – specify
- g. Not sure

8. Do you normally visit at a certain time of day?

- a. Before 9am
- b. Between 9am and 12
- c. Between 12 and 3pm
- d. Between 3 – 6pm
- e. After 6pm
- f. It varies
- g. Don't know / first visit

9. How long have you spent / will you spend along the seafront today?

- a. Less than 1 hour
- b. 1 – 2 hours
- c. 2 – 3 hours
- d. More than 3 hours

10. Do you plan your visit in relation to the tide?

- a. Yes
- b. No

11. Is there a time of year when you tend to visit more often?

- a. No, all year round
- b. Spring (Mar-May)
- c. Summer (Jun-Aug)
- d. Autumn (Sept-Nov)
- e. Winter (Dec-Feb)



- f. Don't know
- g. Only visited once

12. What would make you want to visit a new park for recreation if created in the area (if needed to relieve pressure on protected sites)?

- a. New paths
- b. Room for running around
- c. Dogs off lead area
- d. Play equipment
- e. Shelter from wind
- f. Sculptures
- g. Attractive landscaping
- h. Cycling routes
- i. Wildlife
- j. Free parking
- k. Views over the estuary
- l. Anything else? specify:

13. Are you aware that the river and shore is very important for wildlife, particularly water birds for most of the year?

- a. Yes
- b. No

14. If you indicated yes to the above question, can you detail the designation / designations?

15. Group size

- a. Number of people_____
- b. Number of dogs on lead_____
- c. Number of dogs off lead_____
- d. Number of pushchair / wheelchair/ buggy

Interview time (24hr clock):
Interviewer:

Appendix 4: Winter Visitor Survey Results 2018/19

Table A4.1: Survey dates and location

Survey Location	Weekday	Weekend
Leigh-on-Sea – SE&BM	07.02.18	28.02.18
Gunners Park – SE&BM	12.02.18	04.02.18
Burnham-on-Crouch – C&R	06.02.18	28.01.18
North Fambridge – C&R	12.02.18	11.02.18
Northey Island – BW	16.02.18	11.02.18
Tollesbury Wick – BW	23.02.18	25.02.18
St Peters Chapel – D	22.02.18	18.02.18
	08.03.18	10.03.18
Coalhouse Fort – T	06.02.18	04.02.18
Thurrock Thames EWT – T	13.02.18	10.02.18
Cudmore Grove – C	22.02.18	25.02.18
Wivenhoe Barrier – C	01.03.18	04.03.18

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Table A4.2: Number of survey responses per Habitats site 2018/19

SPA	Site	Weekday	Weekend	Total
Benfleet and Southend Marshes	<i>Gunners Park</i>	34	85	119
	<i>Cinder Path</i>	71	143	214
	Total	105	228	333
Crouch and Roach Estuaries	<i>Burnham-on-Crouch</i>	60	43	103
	<i>Blues House Farm</i>	15	25	40
	Total	75	68	143

Blackwater Estuary	<i>Northey Island</i>	10	14	24
	<i>Tollesbury</i>	10	39	49
	Total	20	53	73
Dengie	<i>St. Peters Chapel 1</i>	17	37	54
	<i>St. Peters Chapel 2</i>	7	16	23
	Total	24	53	77
Thames Estuary and Marshes	<i>Coalhouse Fort</i>	10	23	33
	<i>Thameside Nature Park</i>	32	17	49
	Total	42	40	82
Colne Estuary	<i>Cudmore Grove</i>	23	29	52
	<i>Wivenhoe Barrier</i>	33	38	71
	Total	56	67	123

Table A4.3: Passers-by and water activity per survey location for 2018/19

SPA	Site	Weekday		Weekend		Total	
		Passers by	Water activity	Passers by	Water activity	Passers by	Water activity
Benfleet and Southend Marshes	<i>Gunners Park</i>	78	0	127	1	205	1
	<i>Cinder Path</i>	181	6	434	2	615	8
	Total	259	6	561	3	820	9
Crouch and Roach Estuaries	<i>Burnham-on-Crouch</i>			317	22	317	22
	<i>North Fambridge</i>			15	1	15	1
	Total			332	23	332	23
Blackwater Estuary	<i>Northey Island</i>	3	0	3	0	6	0
	<i>Tollesbury</i>	21*	0	1	10	22	10

	Total	24	0	4	10	28	10
Dengie	<i>St. Peters Chapel 1</i>	4	2	8	0	12	0
	<i>St. Peters Chapel 2</i>	4	0			4	0
	Total	8	2	8	0	16	0
Thames Estuary and Marshes	<i>Coalhouse Fort</i>	19	17	0	7	19	24
	<i>Thameside Nature Park</i>			46*	7	46	7
	Total	19	17	46	14	65	31
Colne Estuary	<i>Cudmore Grove</i>	4	0	15	0	19	0
	<i>Wivenhoe Barrier</i>	18	0	21	0	39	0
	Total	22	0	36	0	58	0
* Tollesbury 10 in walking group / Thameside Nature Park 15 in walking group							



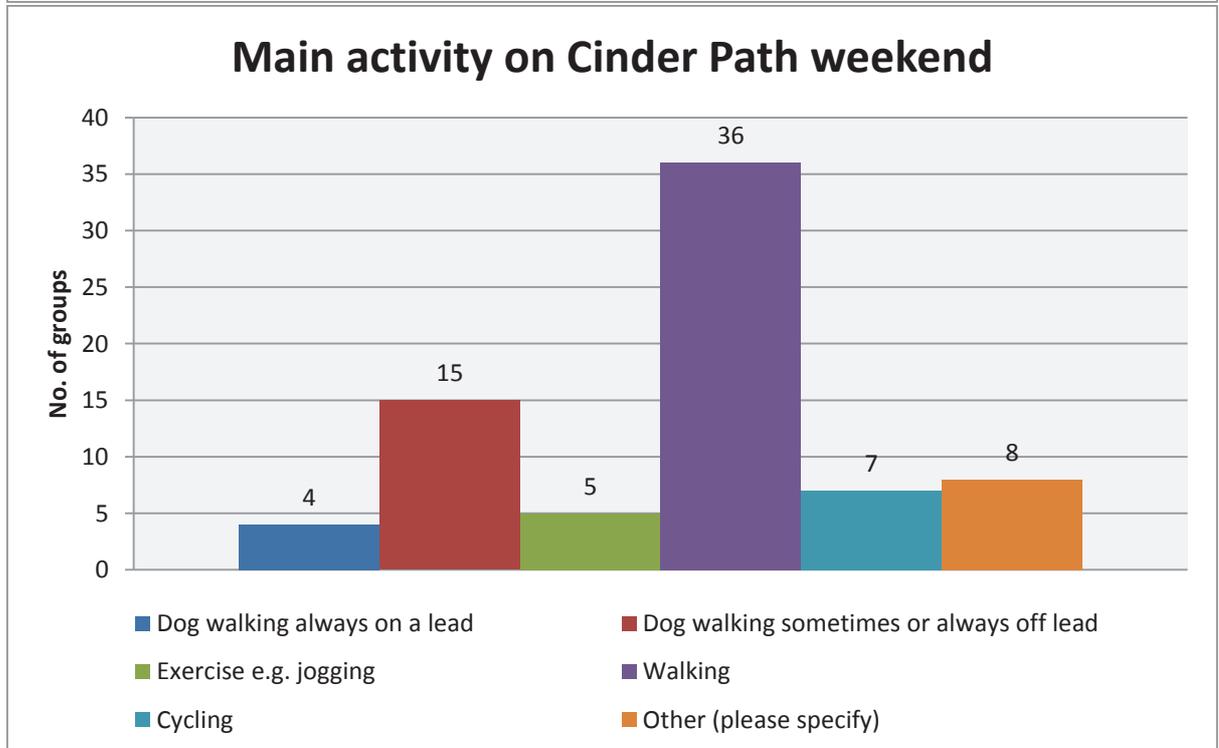
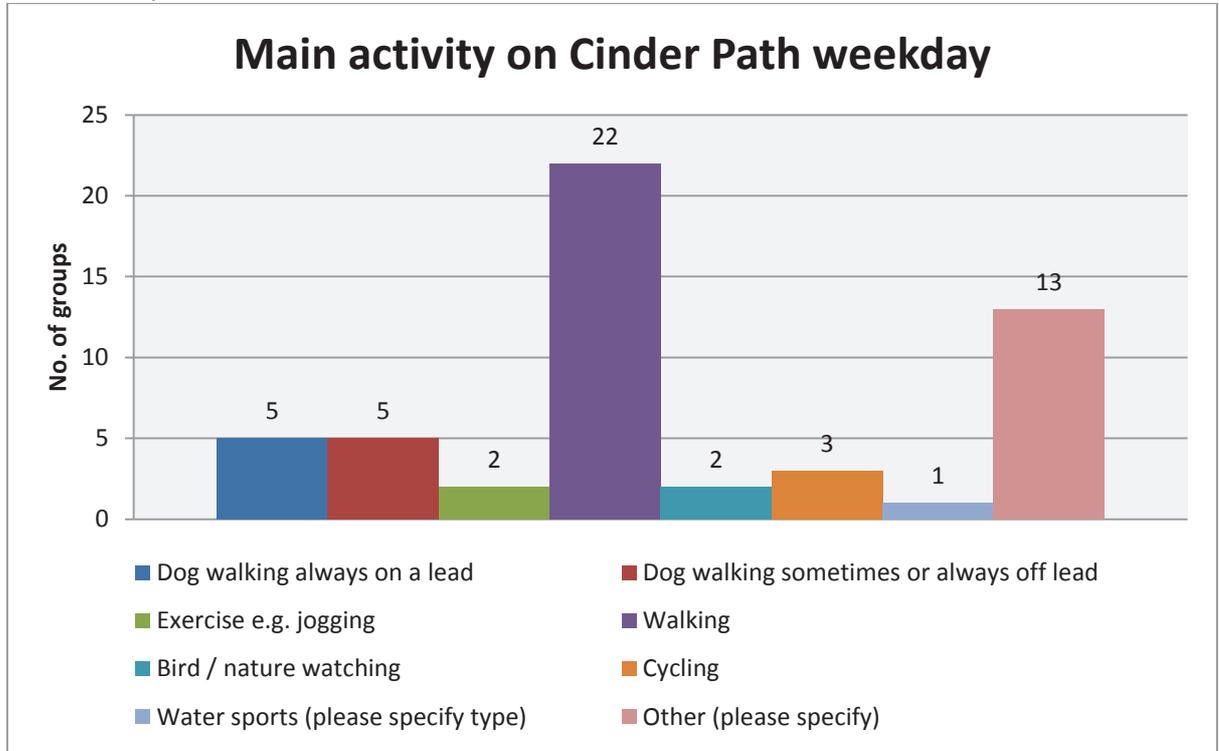
Appendix 5: Summer visitor surveys at the Blackwater Estuary and Benfleet & Southend Marshes

Southend summer survey results

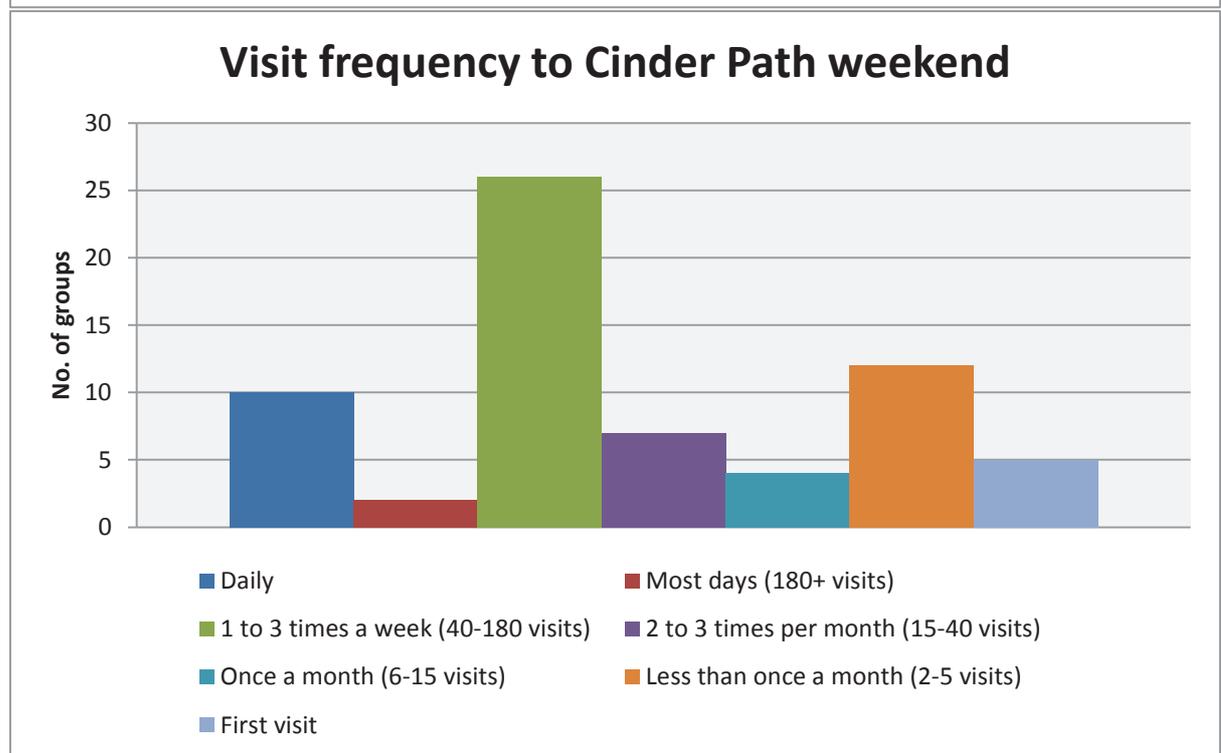
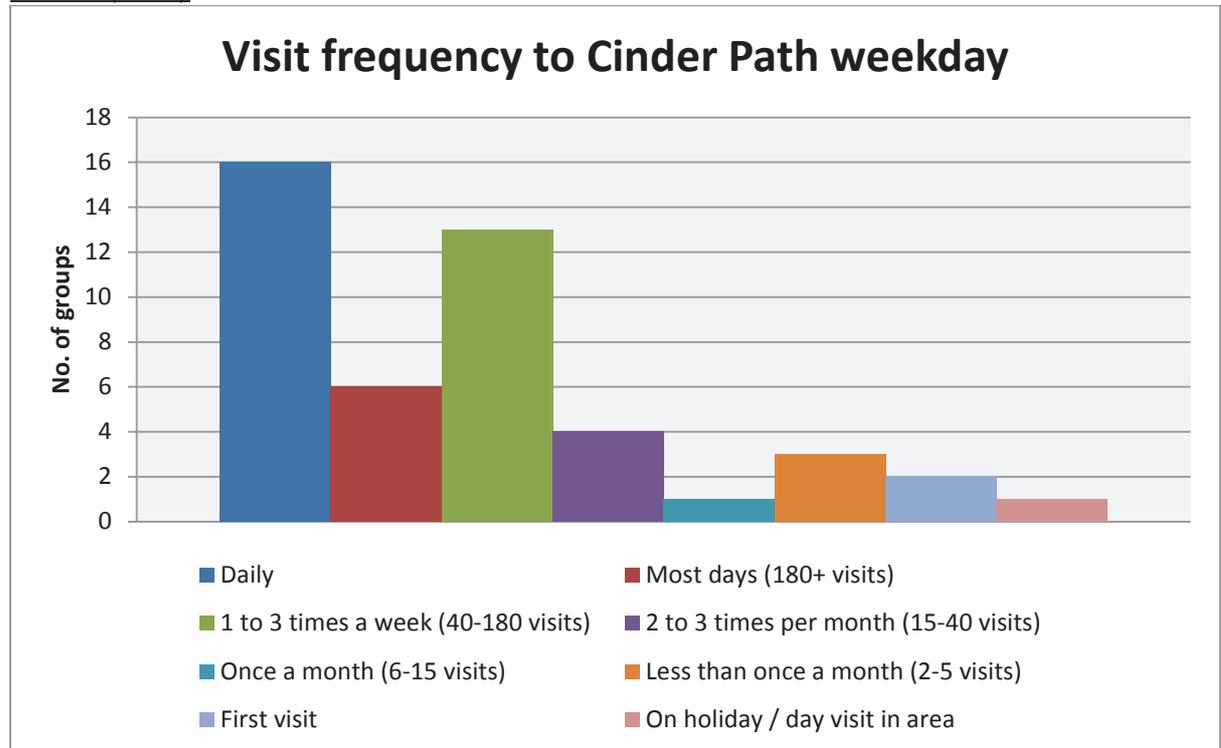
Number of passers-by

Location	Weekday	Weekend	Total
Cinder Path	72	179	251
<u>Two Tree Island</u>	72	99	171
<u>Total</u>	144	278	422

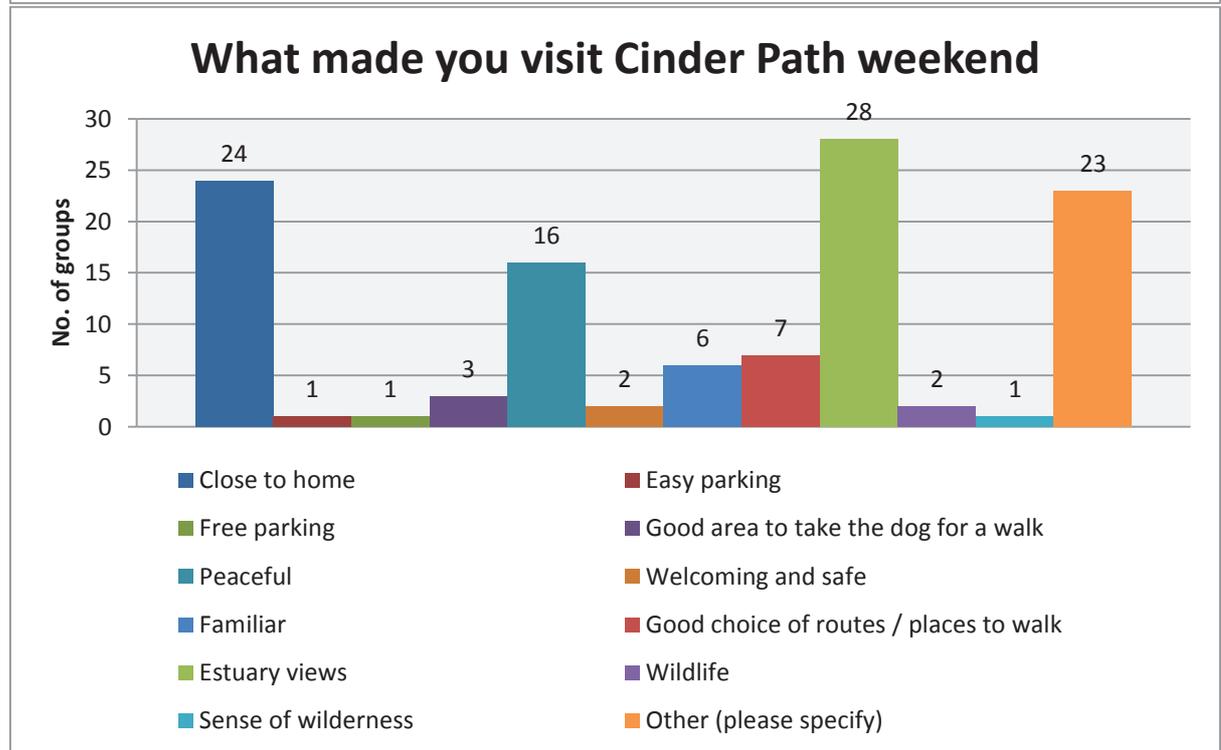
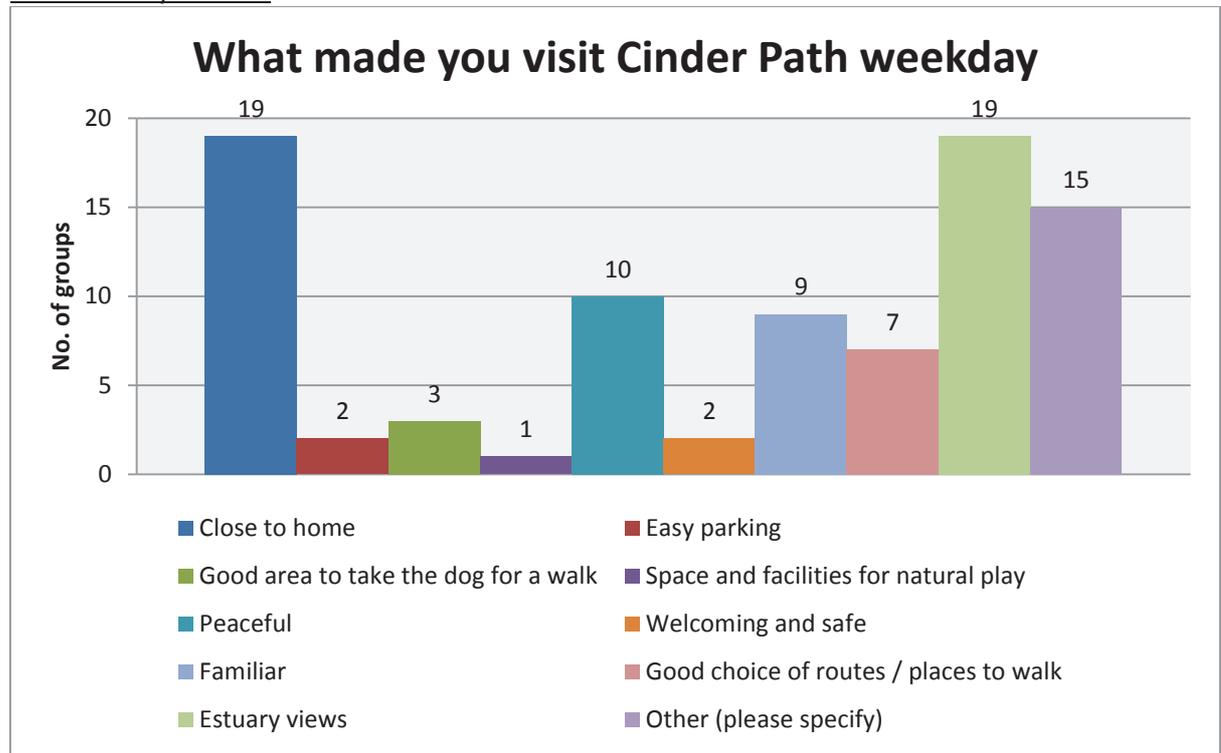
Cinder Path
Main activity



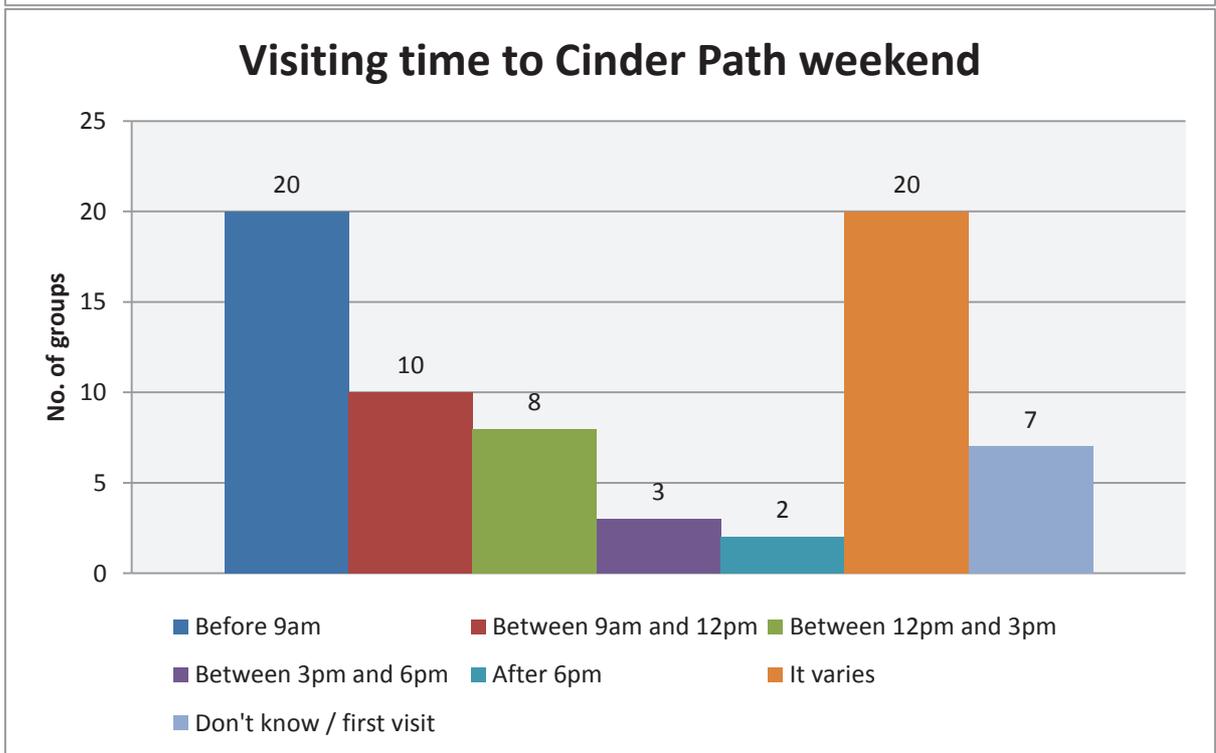
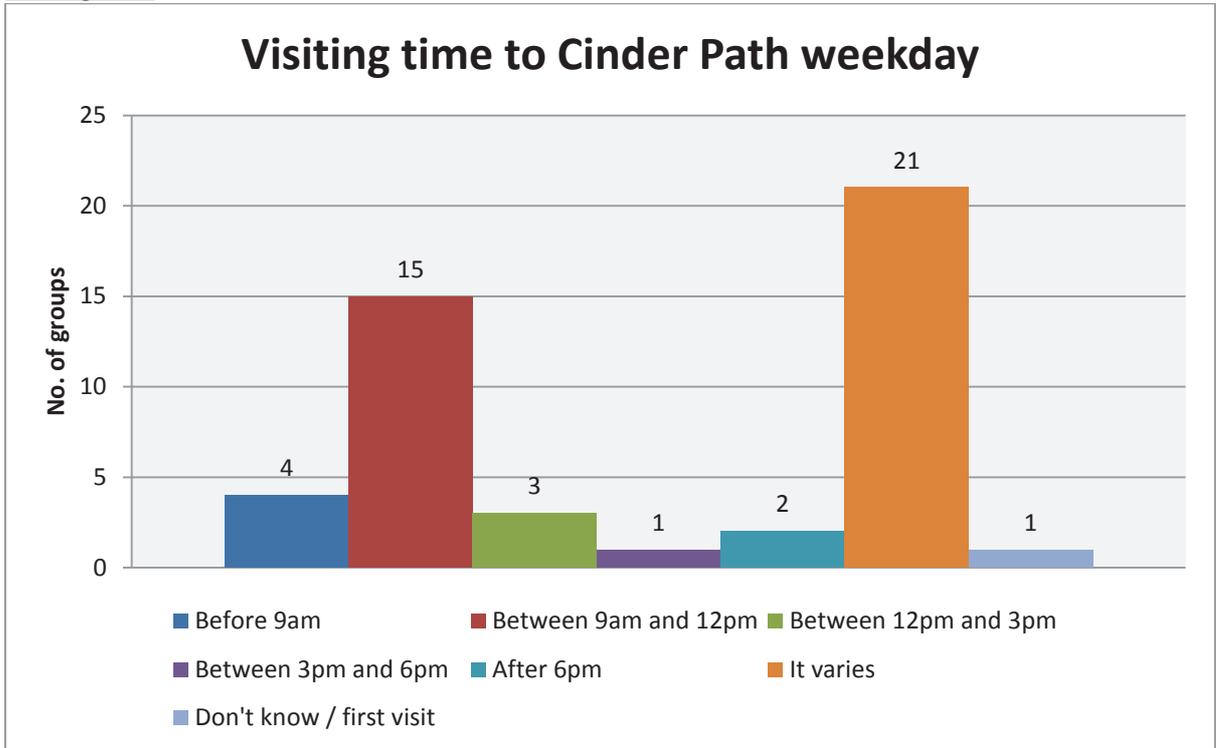
Visit frequency



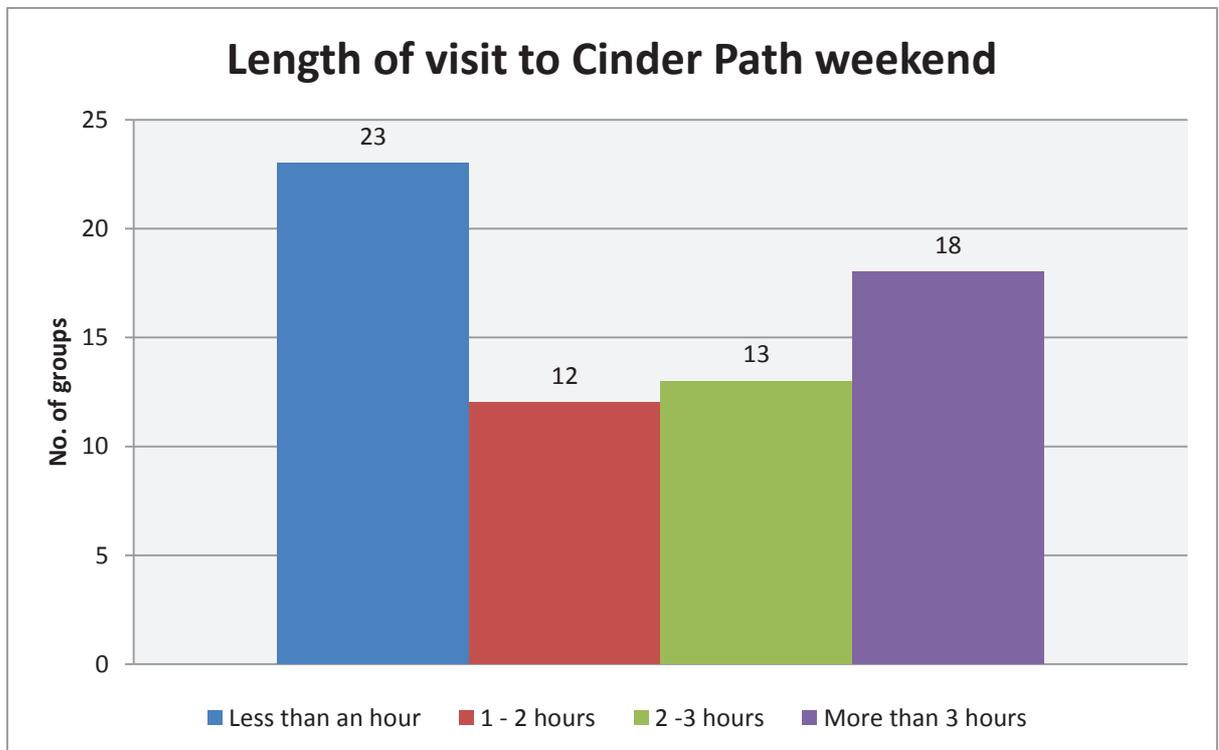
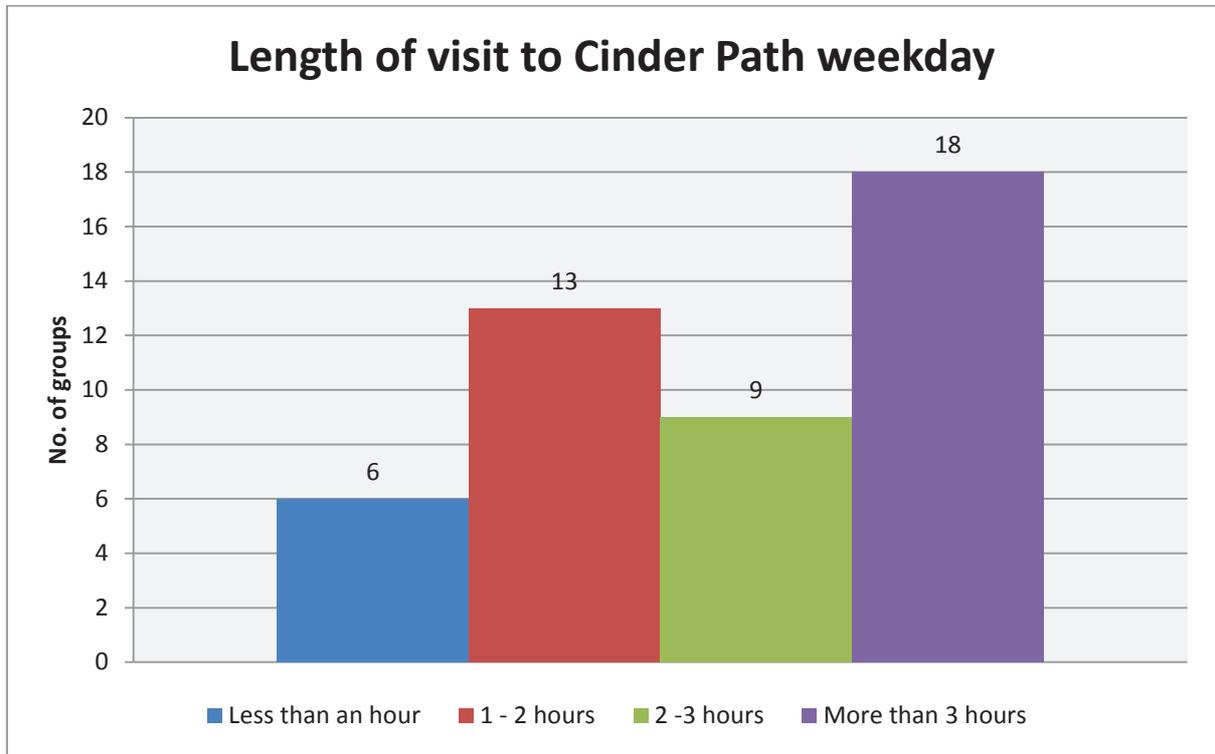
What made you visit?



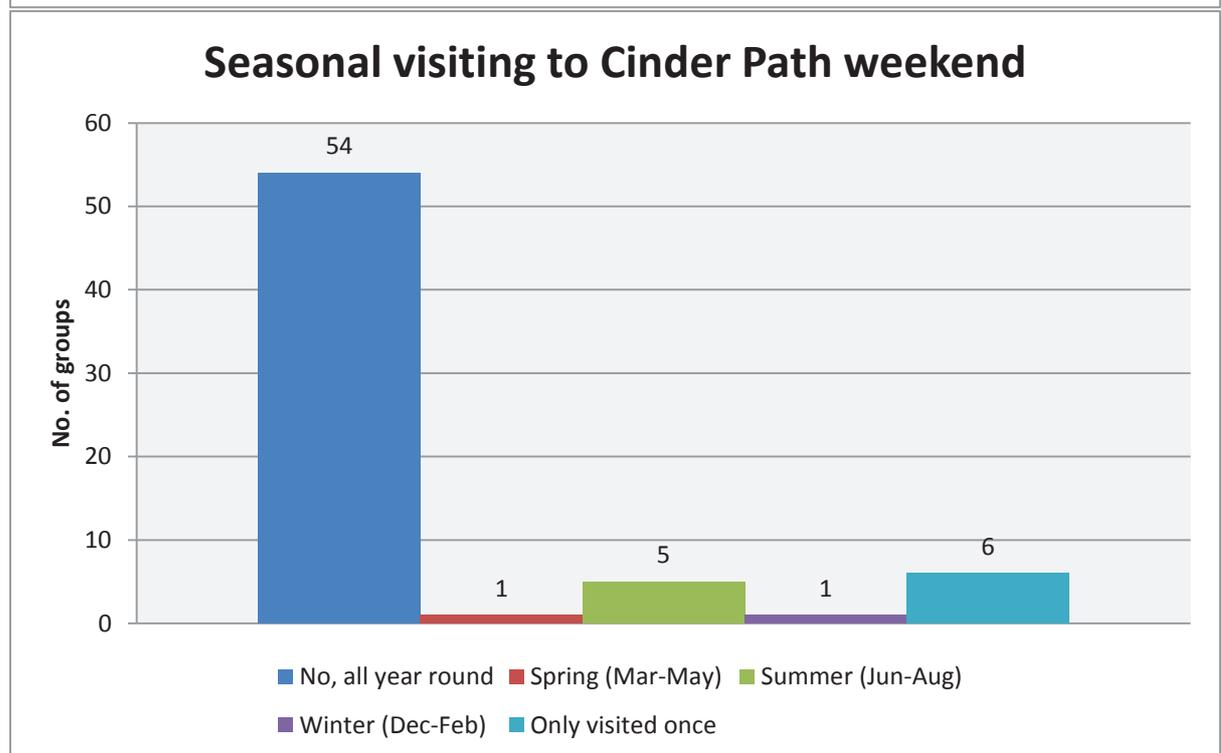
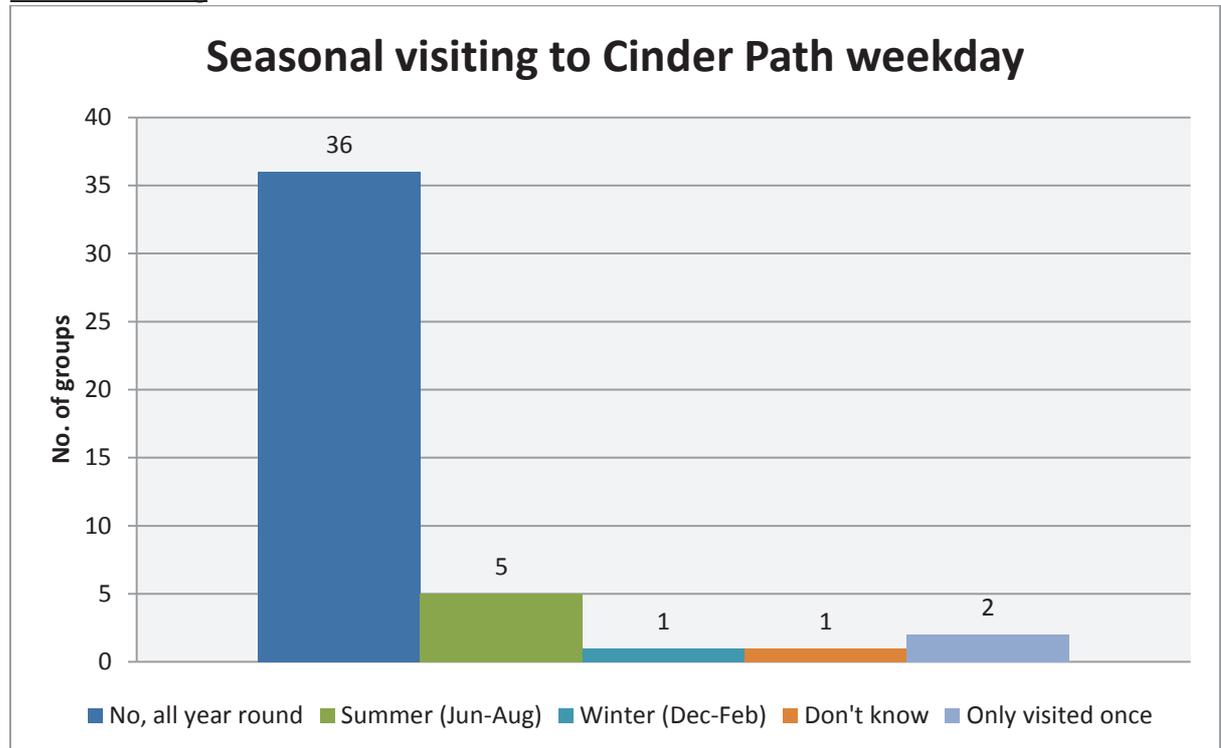
Visiting time



Length of visit

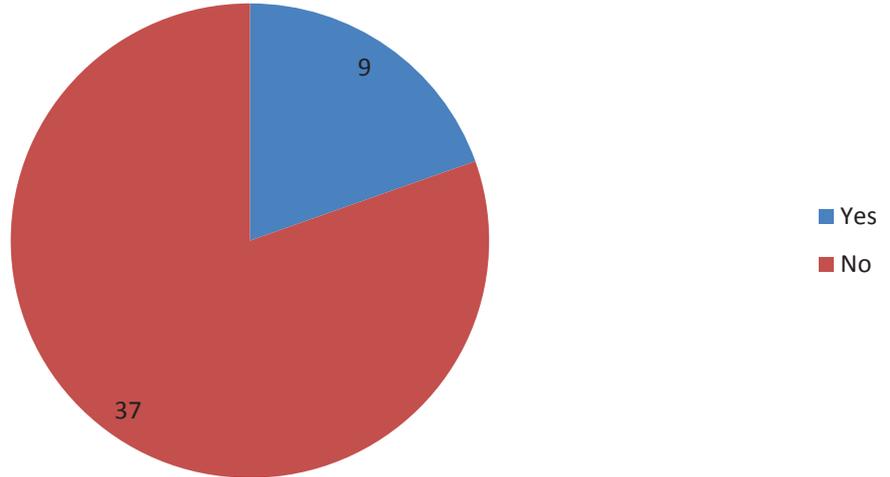


Seasonal visiting

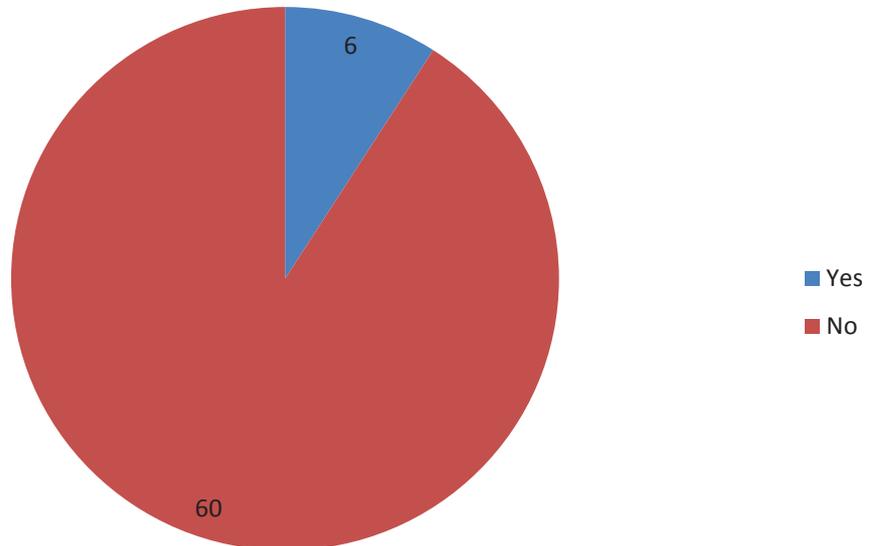


Plan visit in relation to the tide?

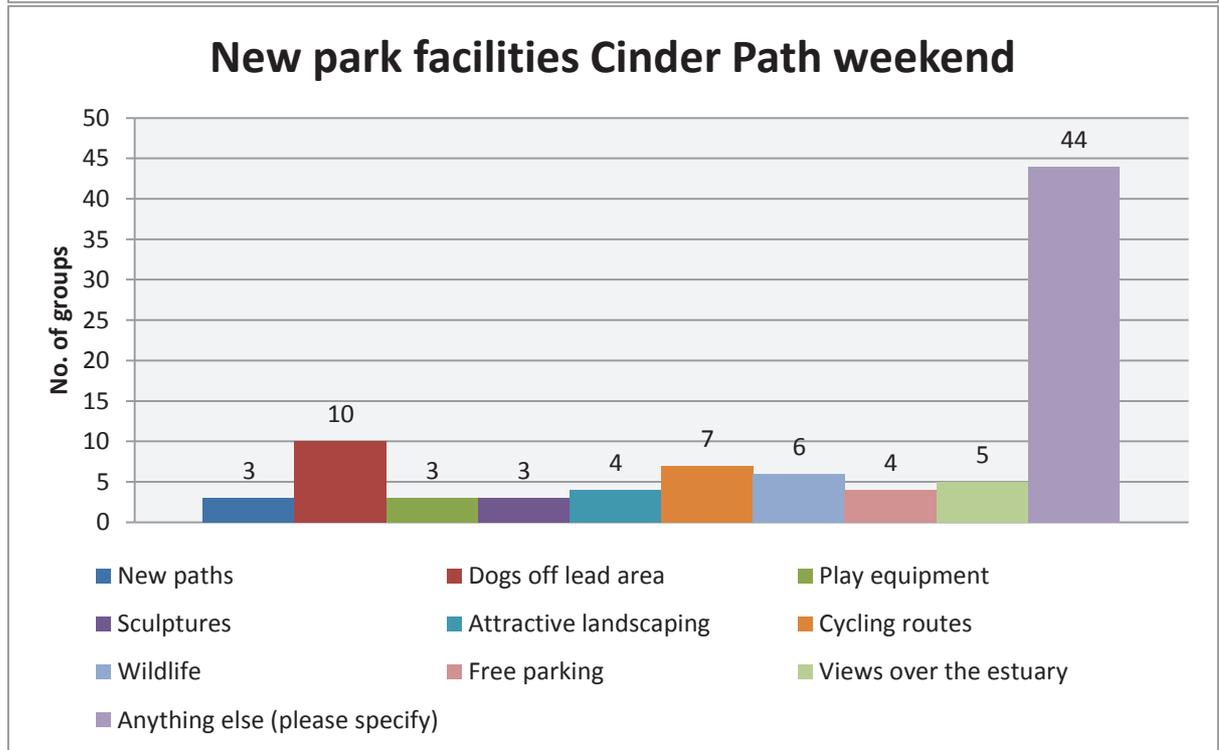
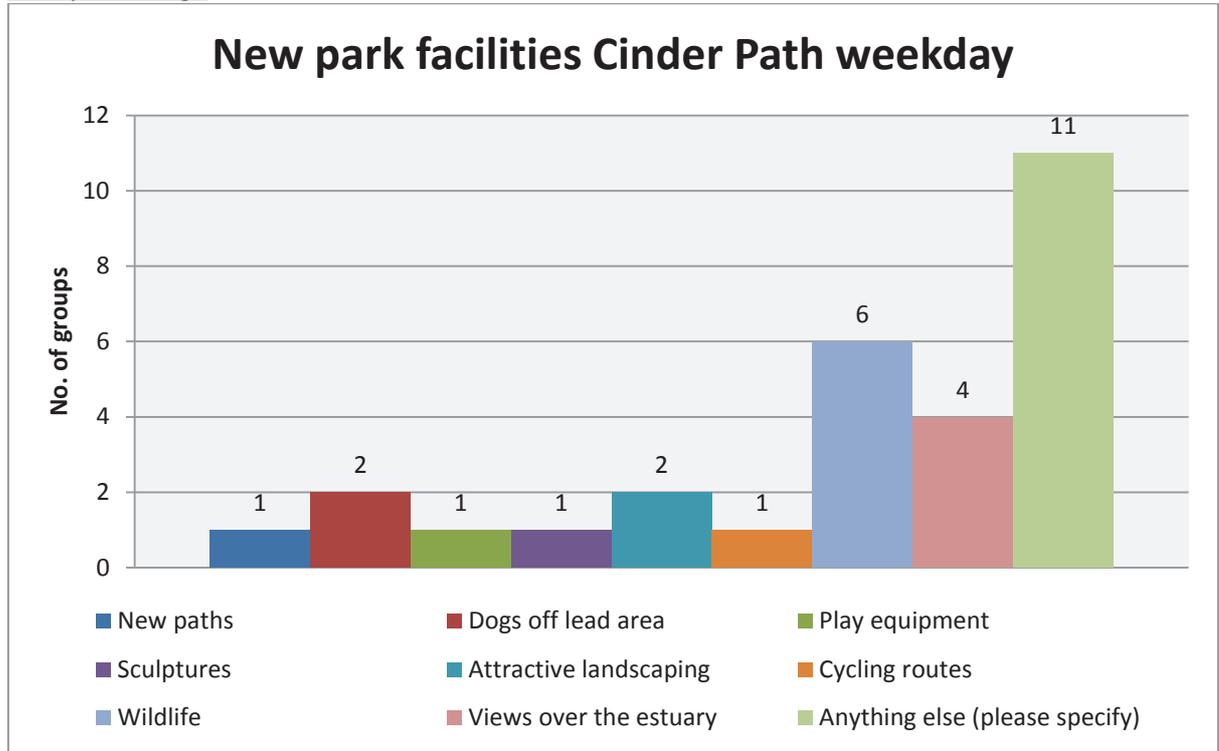
Plan weekday visit to Cinder Path in relation to tide?



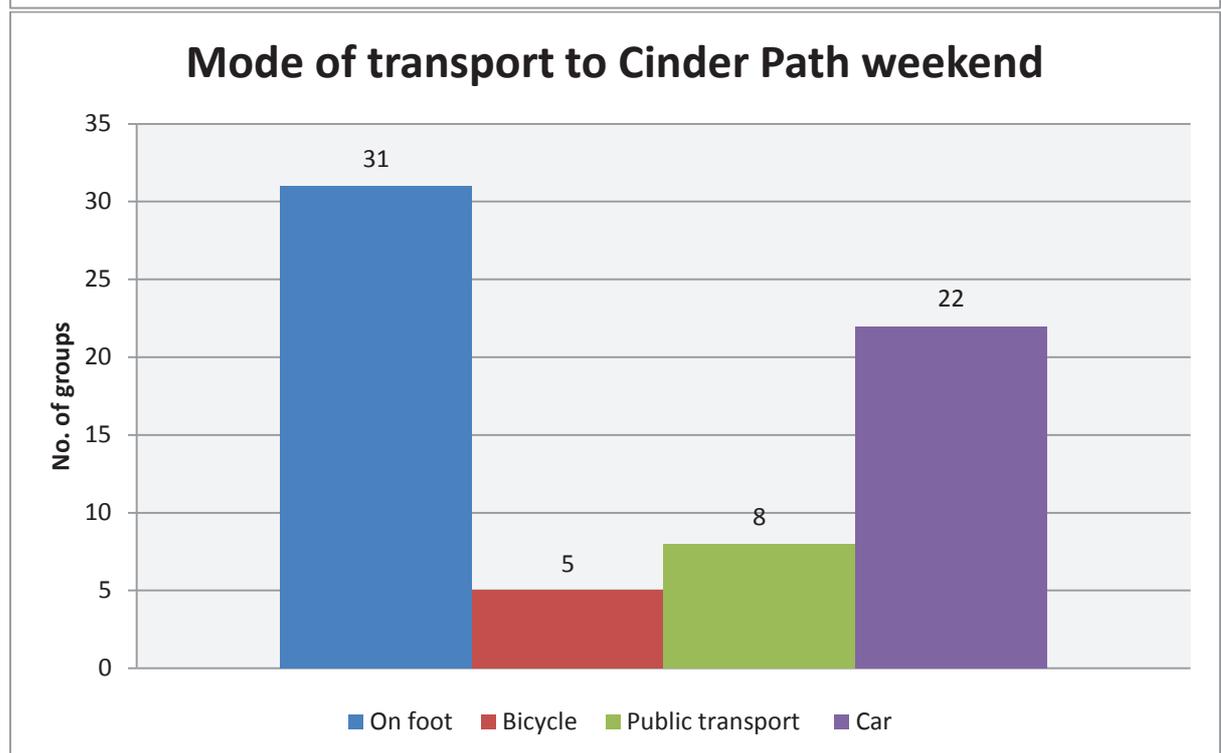
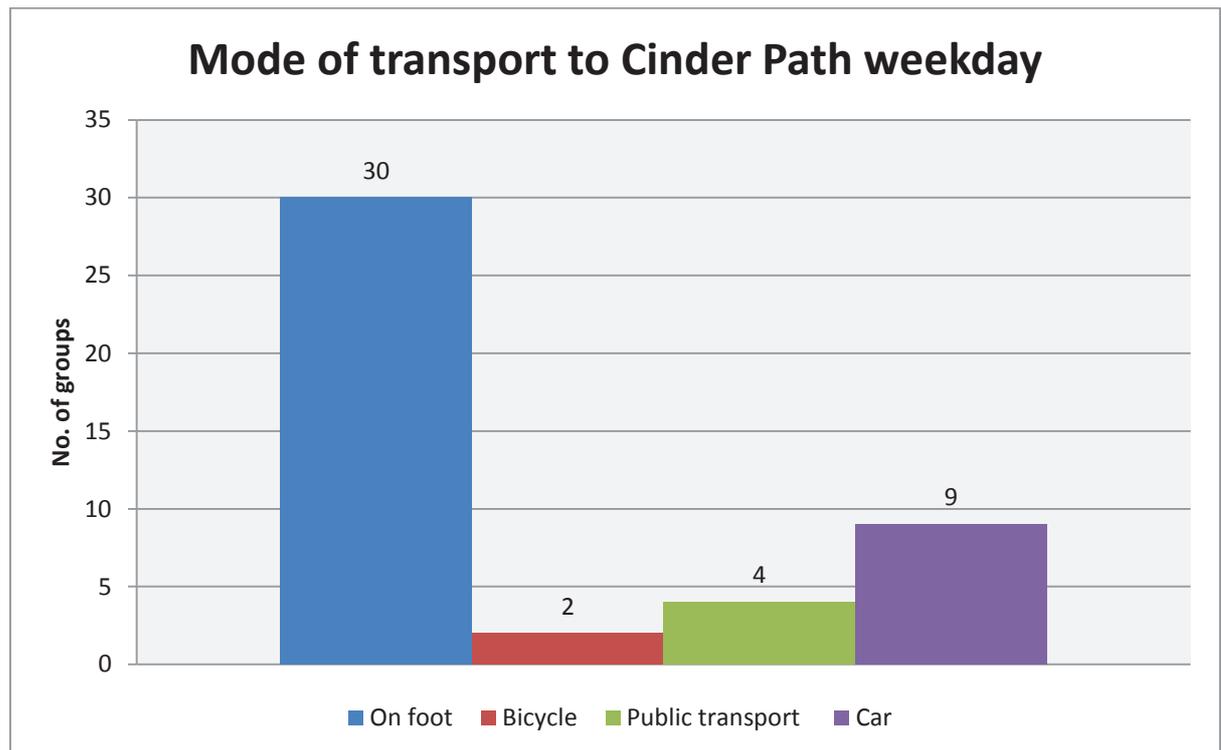
Plan weekend visit to Cinder Path in relation to tide?



New park design

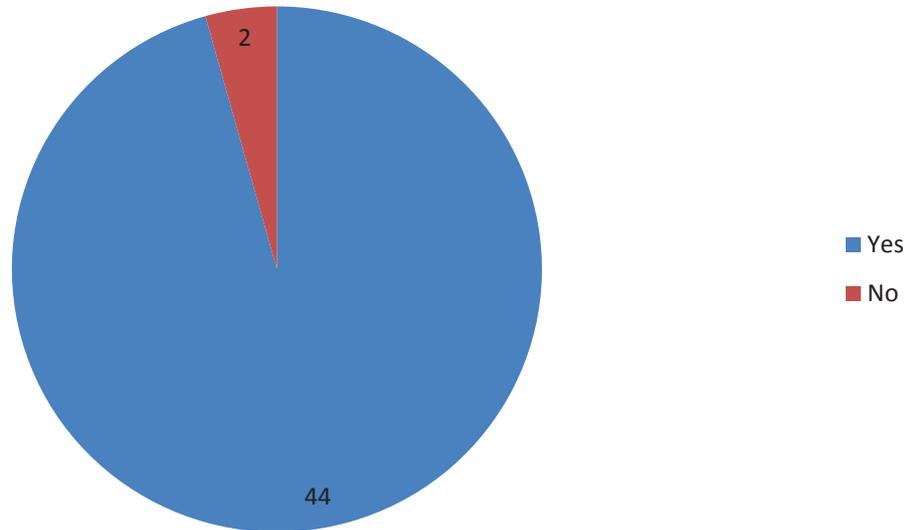


Mode of transport

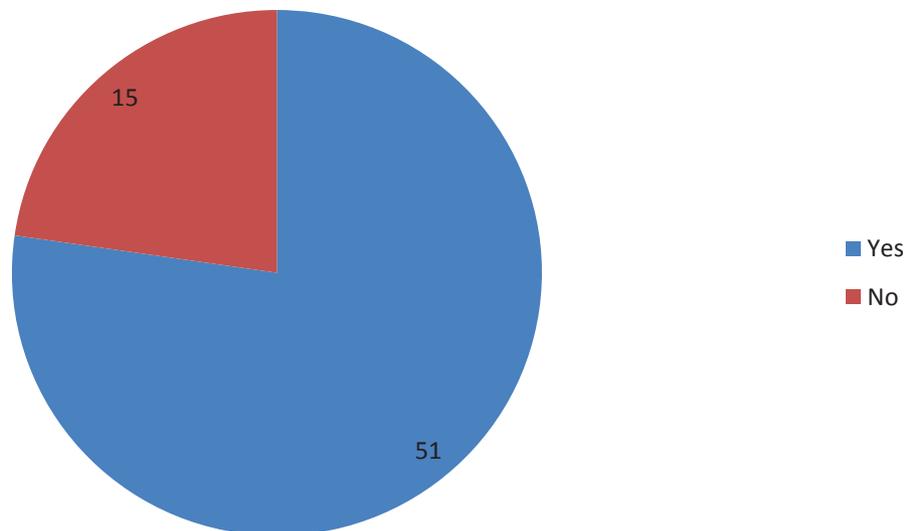


Aware of habitat importance

Aware of habitat importance? weekday

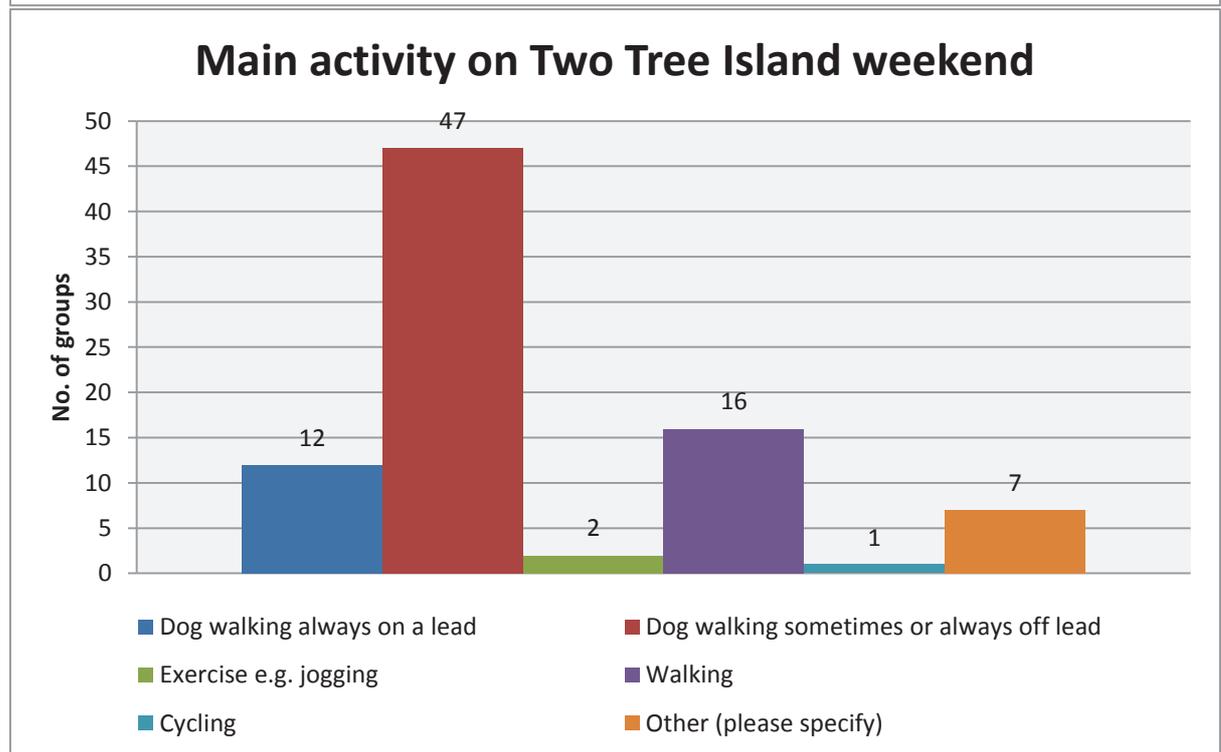
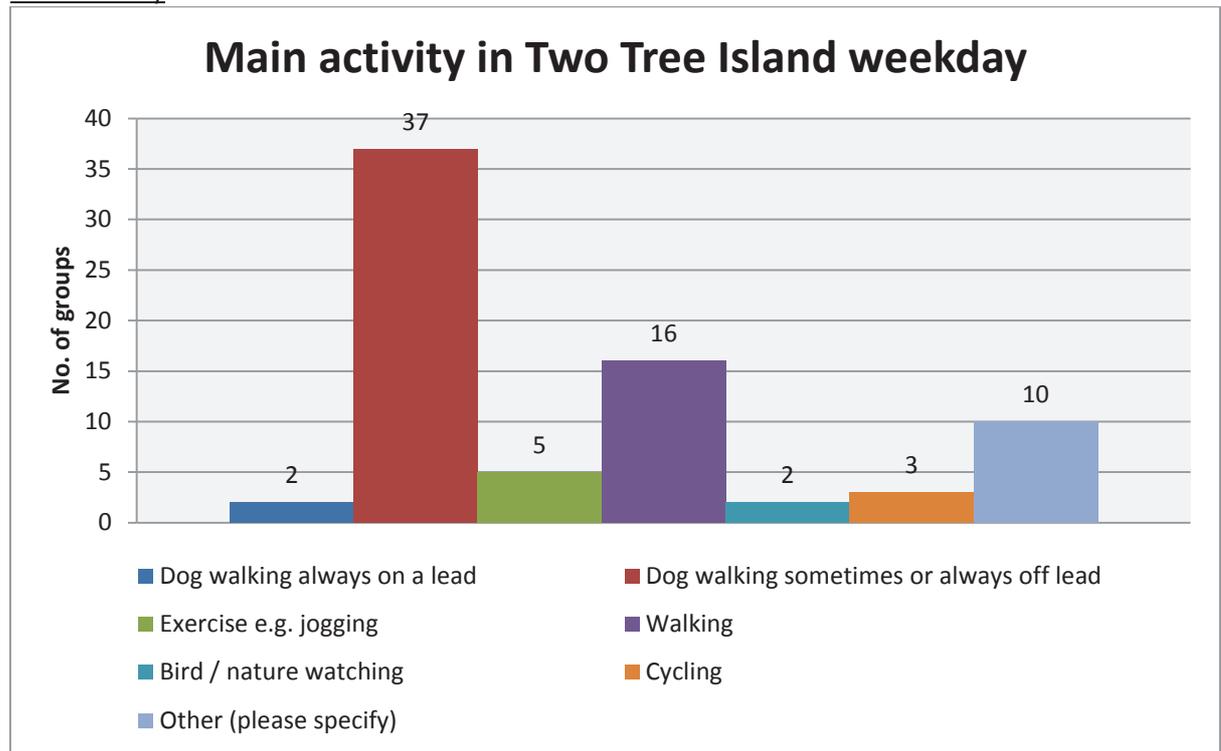


Aware of habitat importance? weekend



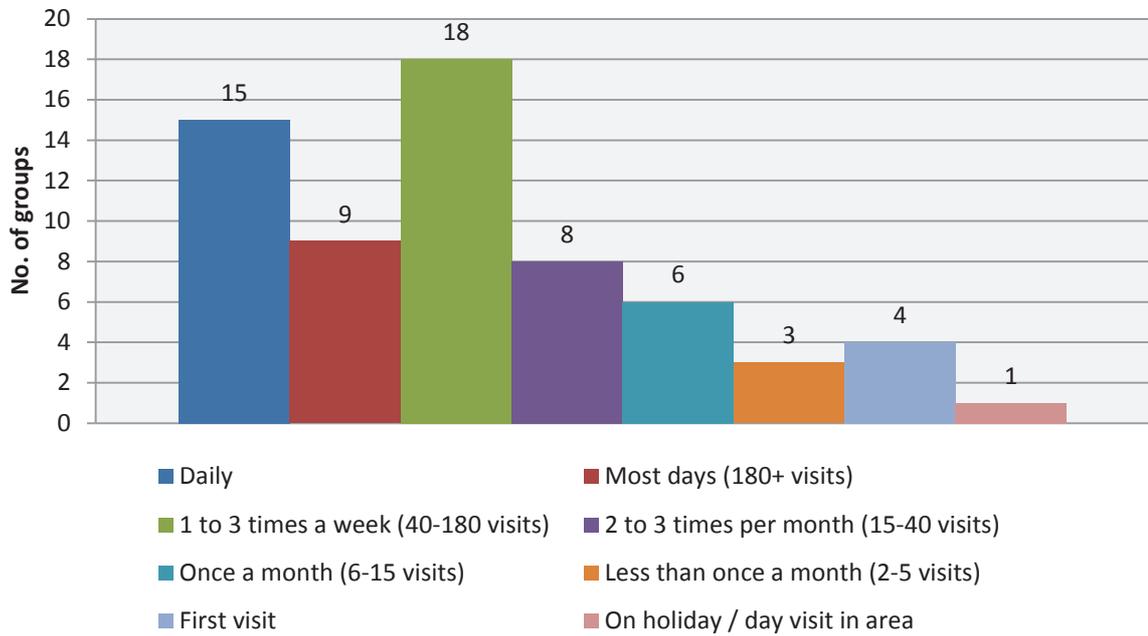
Two Tree Island

Main activity

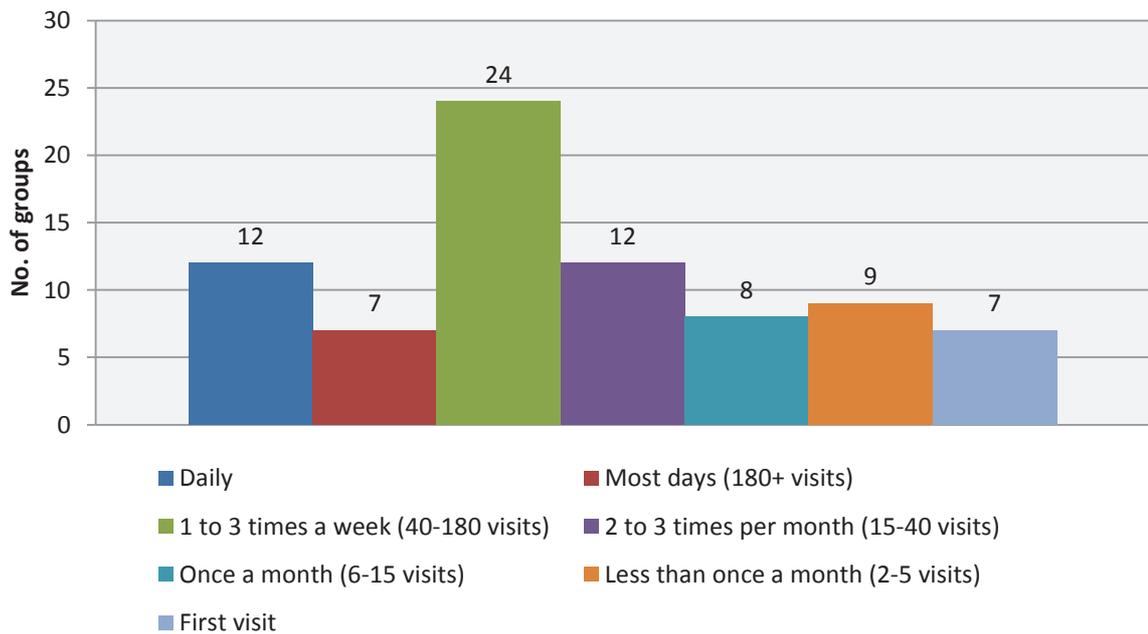


Visit frequency

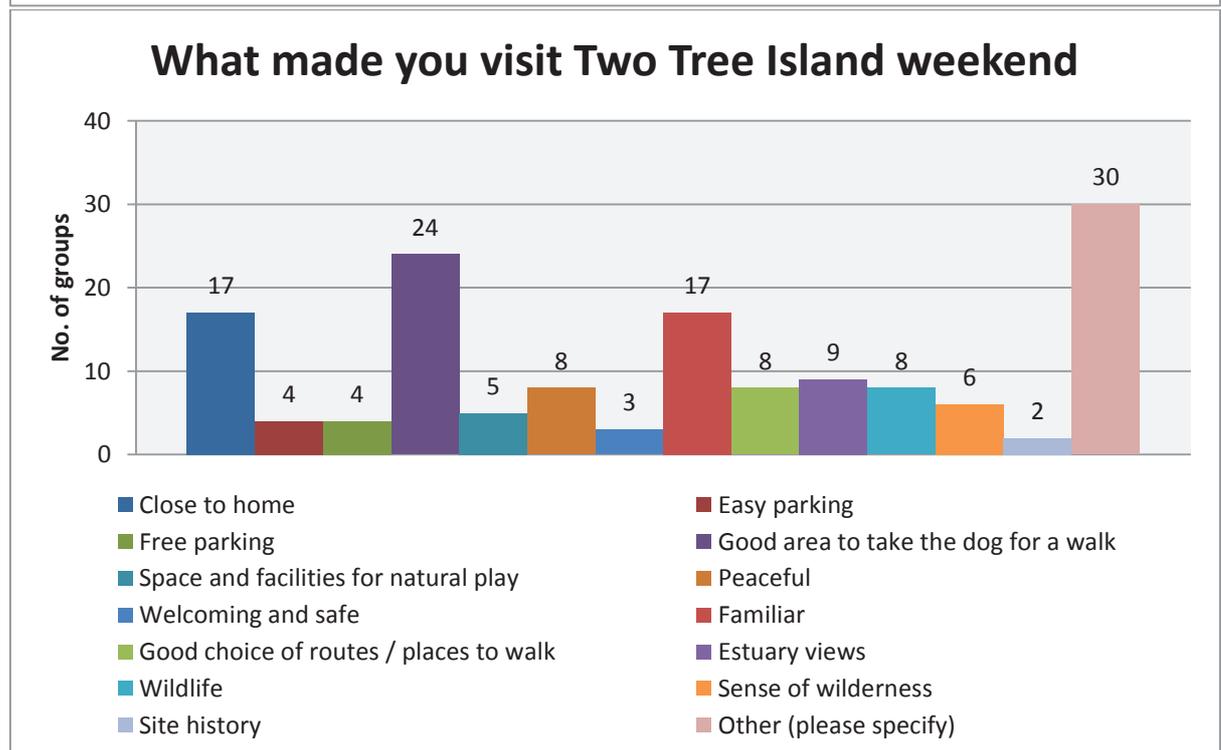
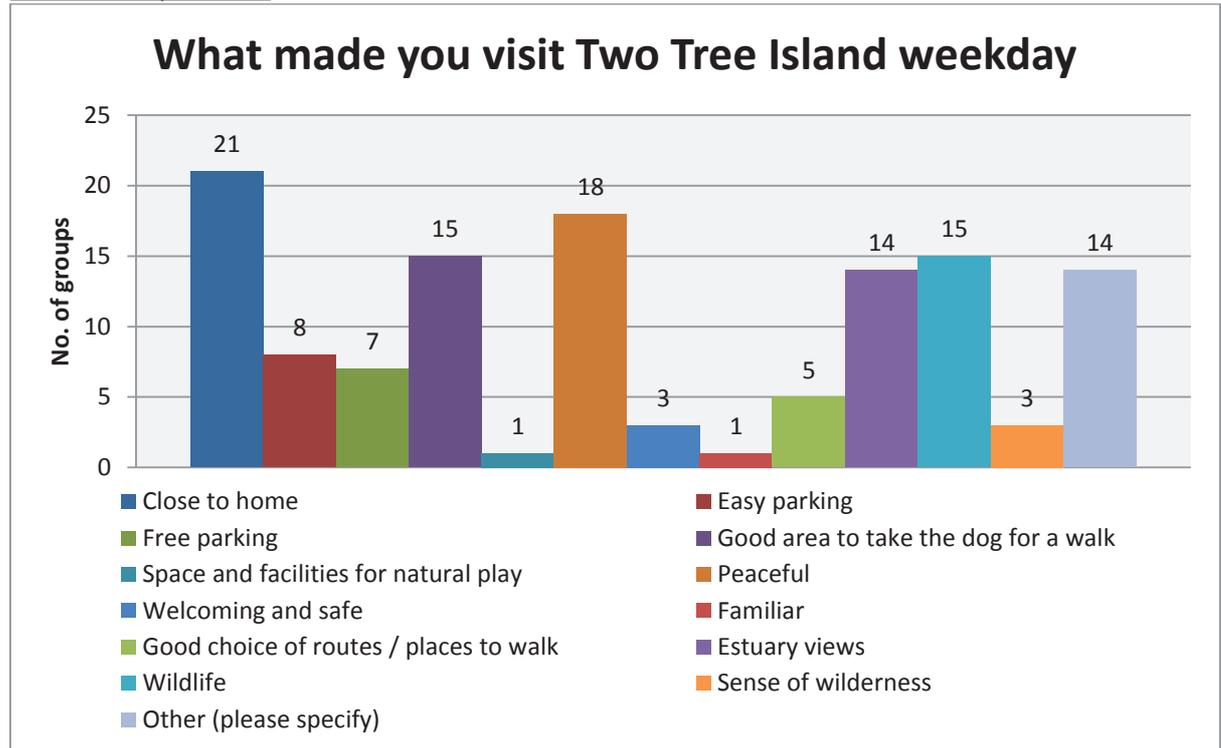
Visit frequency to Two Tree Island weekday



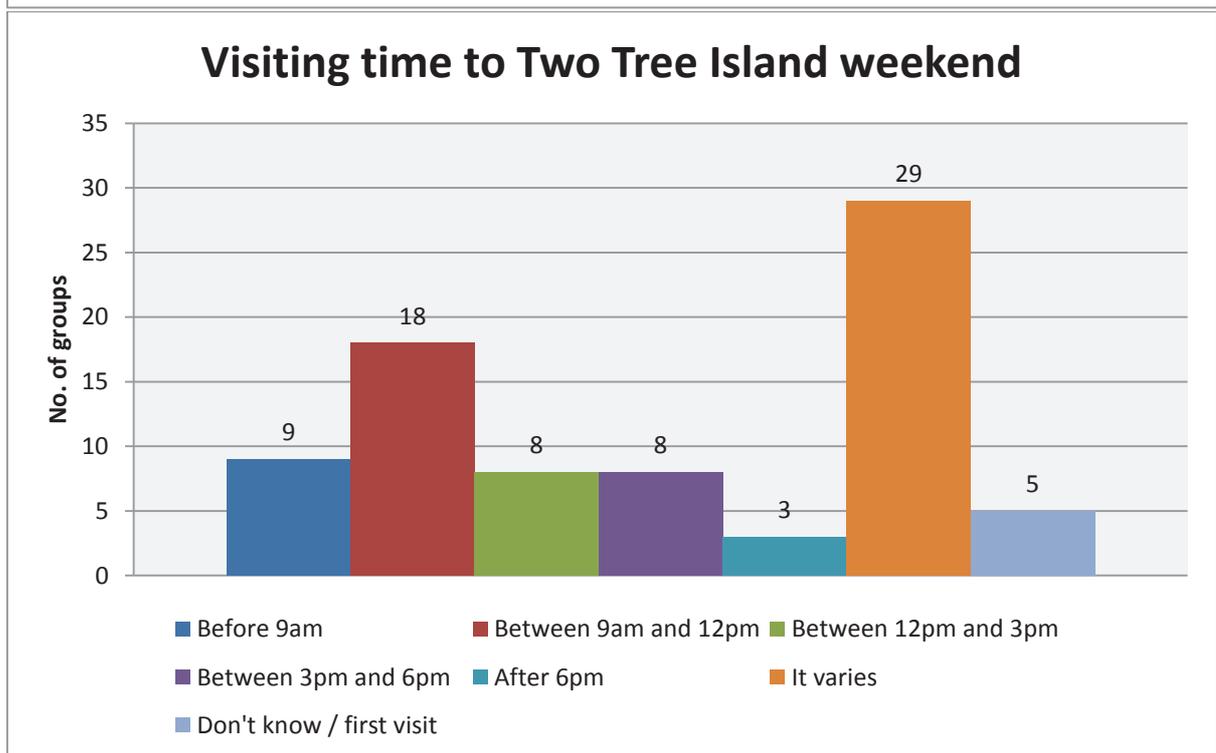
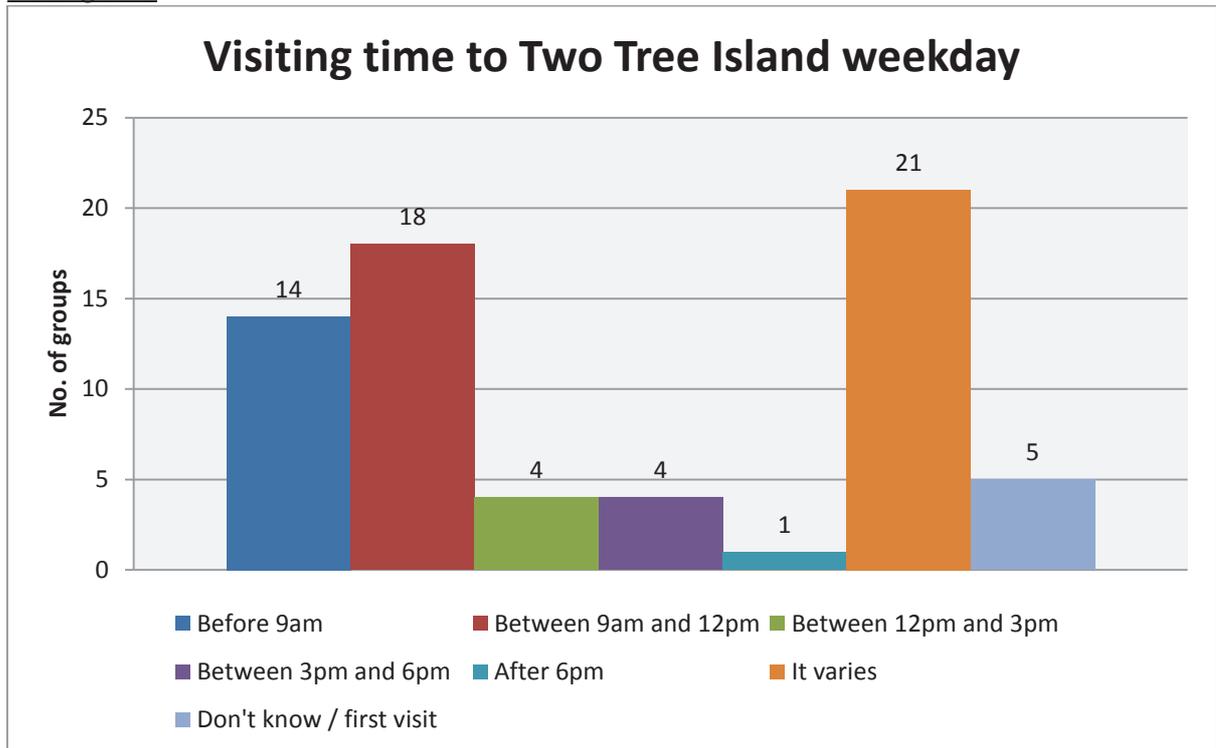
Visit frequency to Two Tree Island weekend



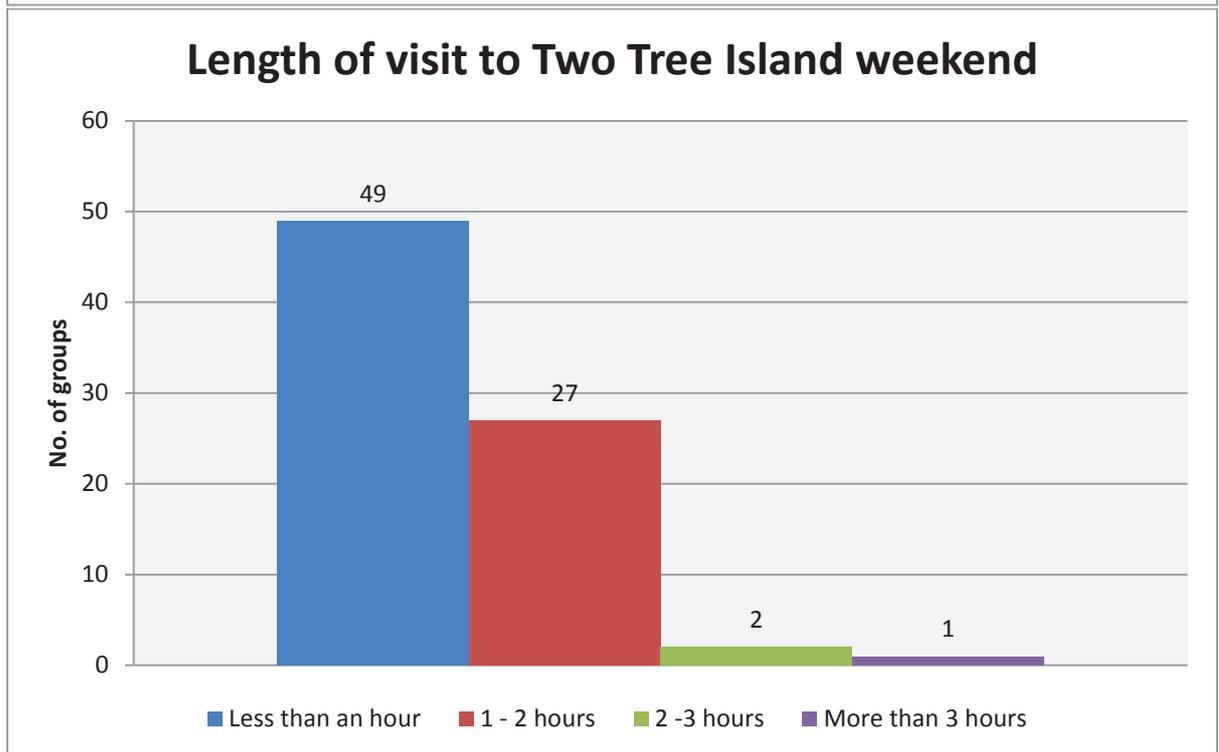
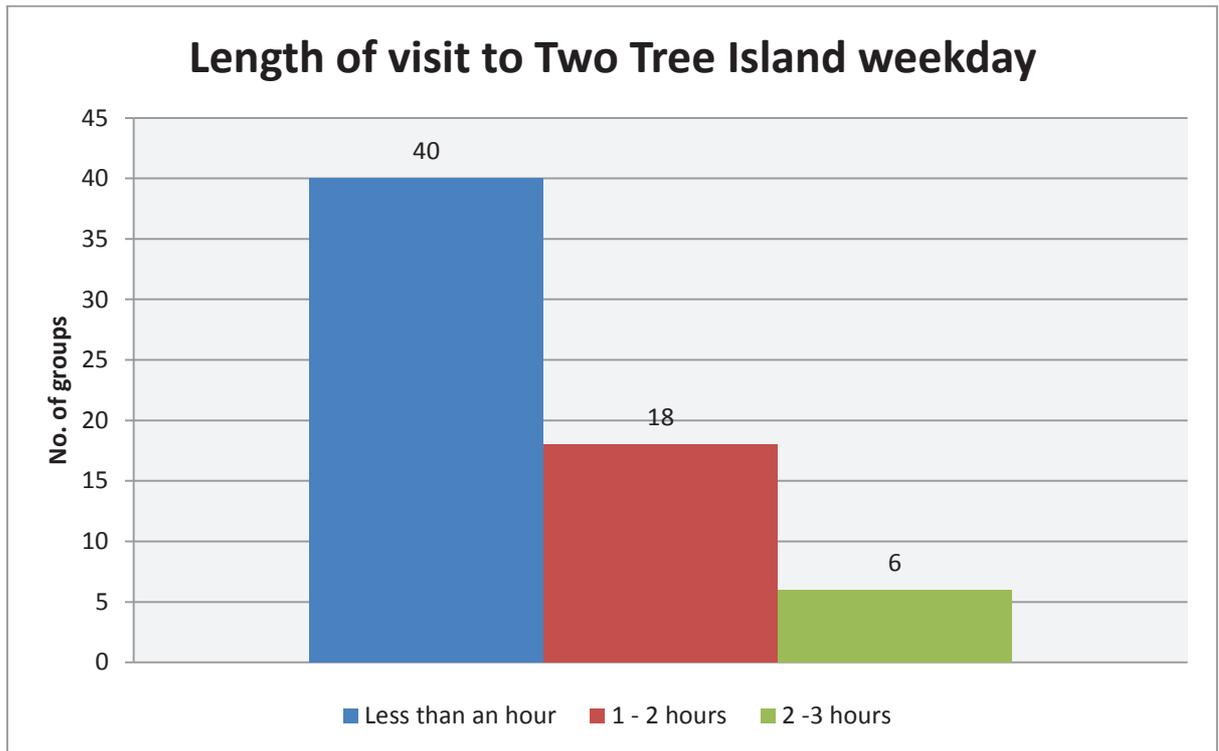
What made you visit?



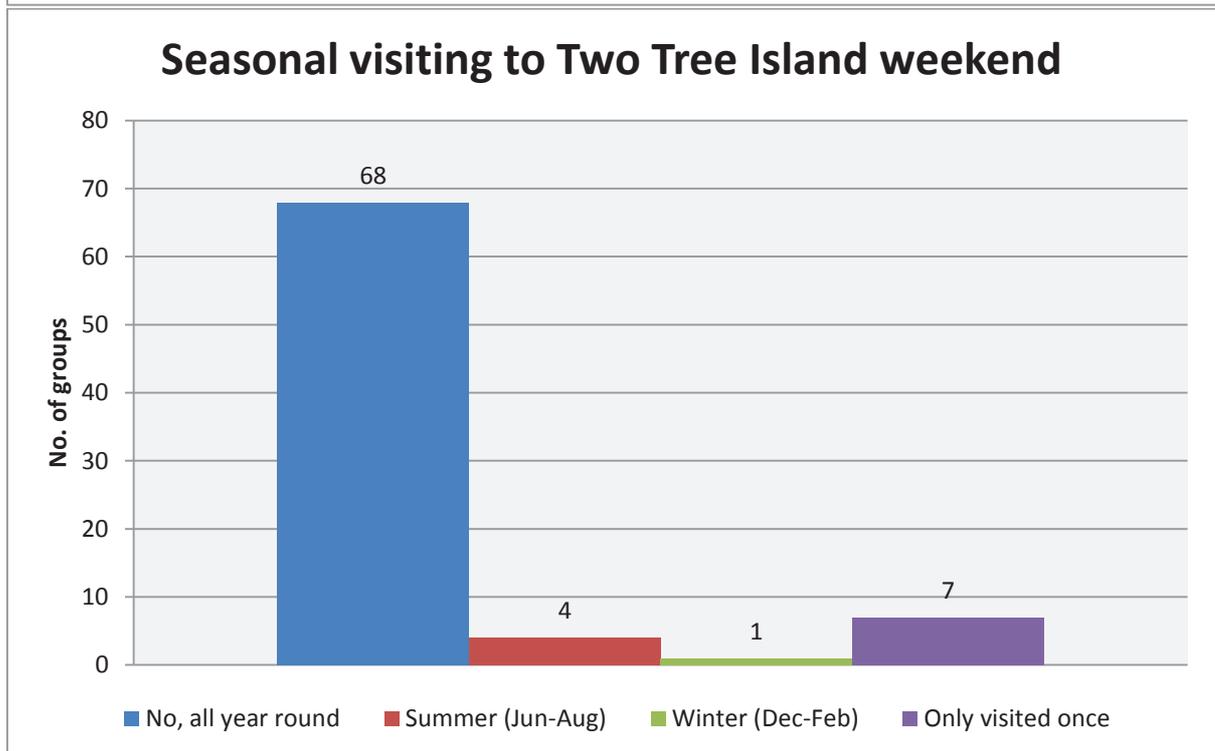
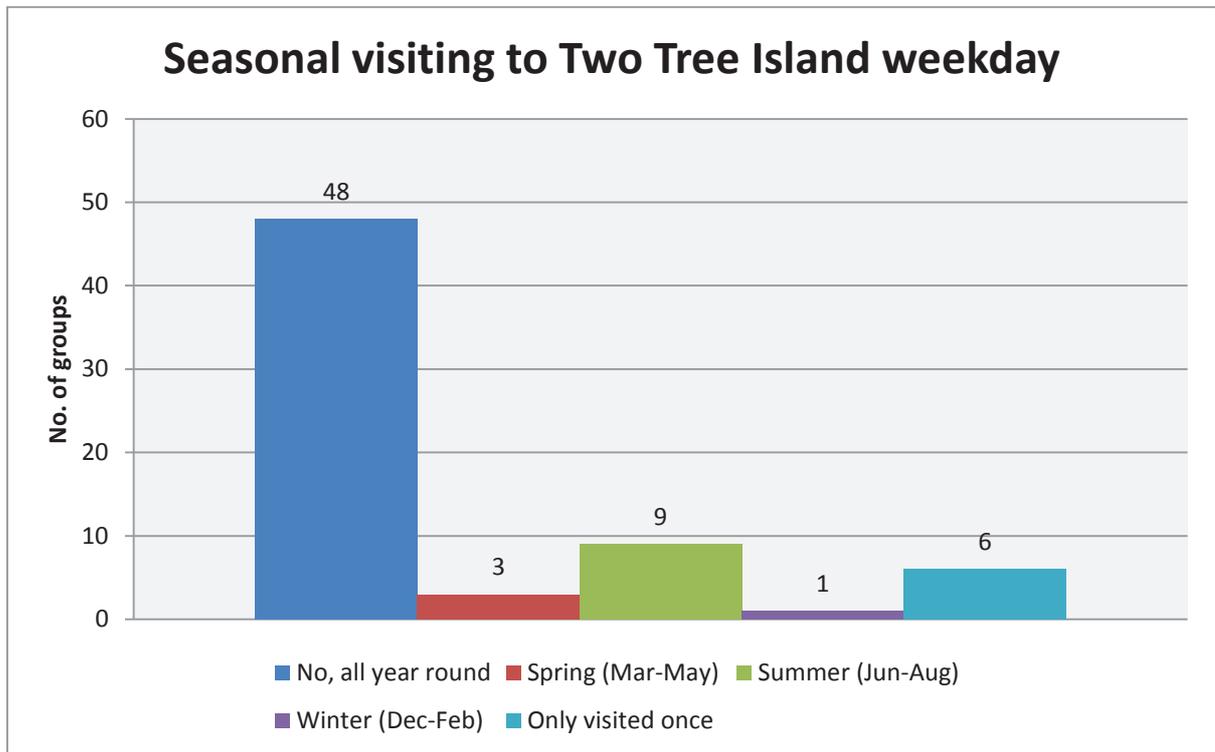
Visiting time



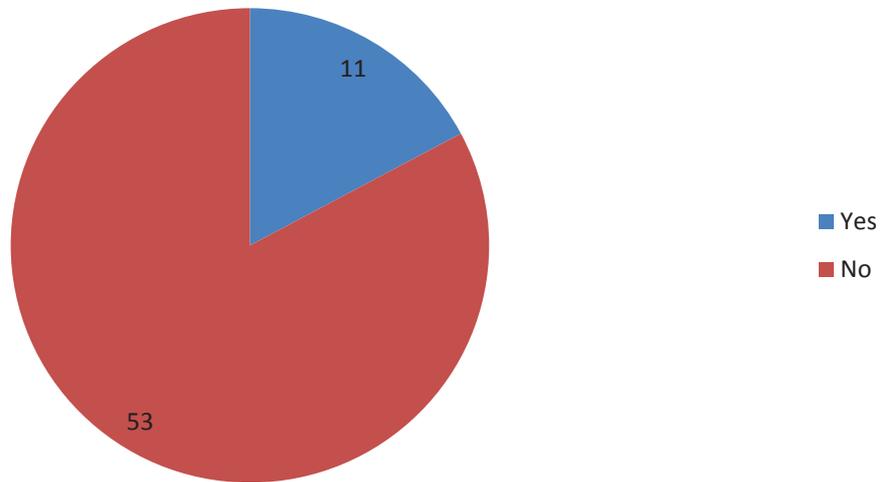
Length of visit



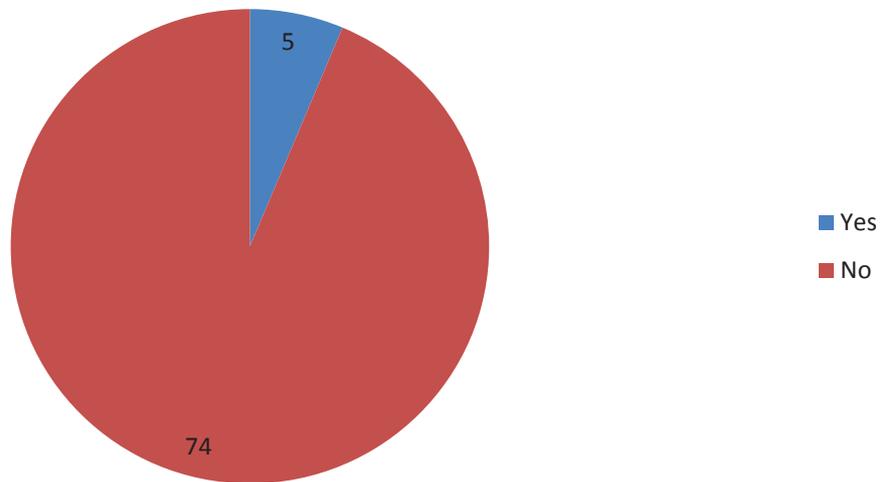
Seasonal visiting



Plan weekday visit to Two Tree Island in relation to the tide?

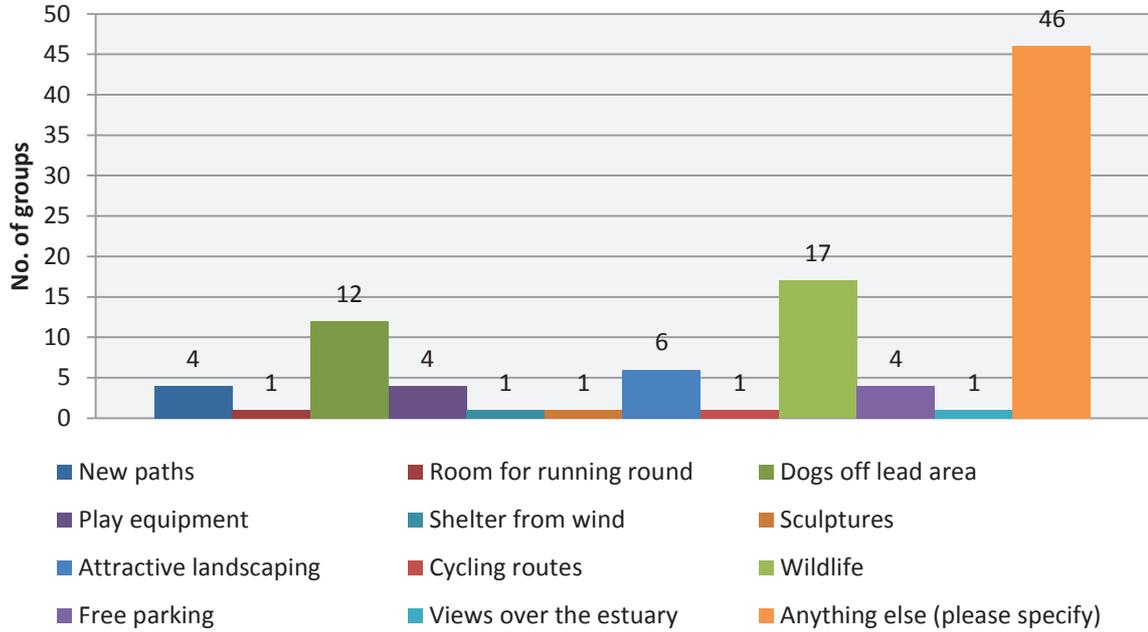


Plan weekend visit to Two Tree Island in relation to the tide?

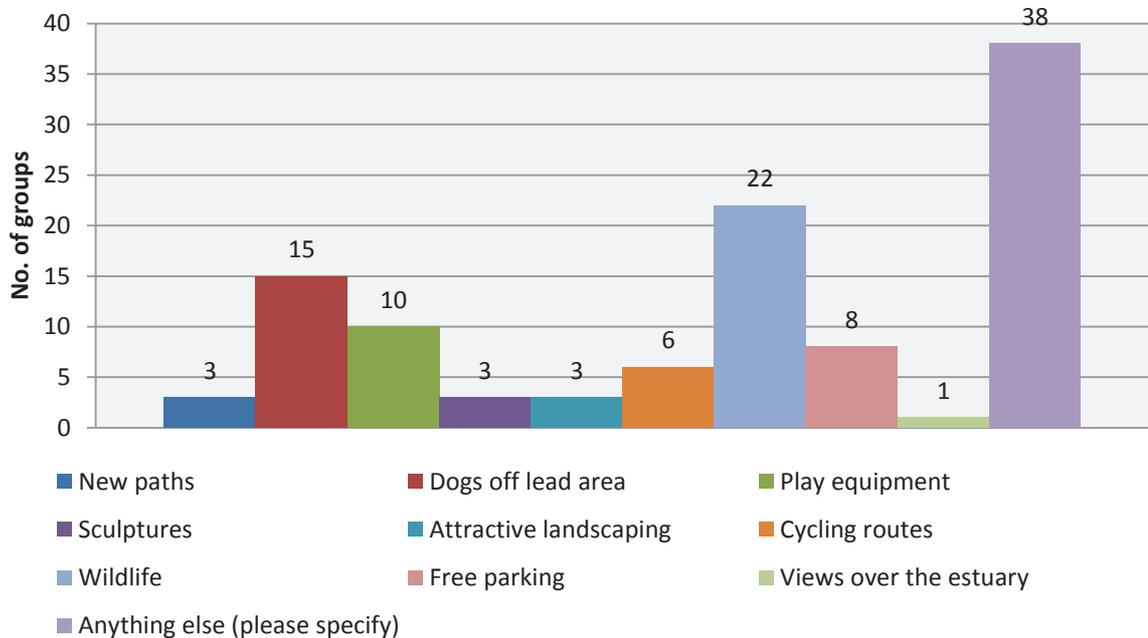


New park design

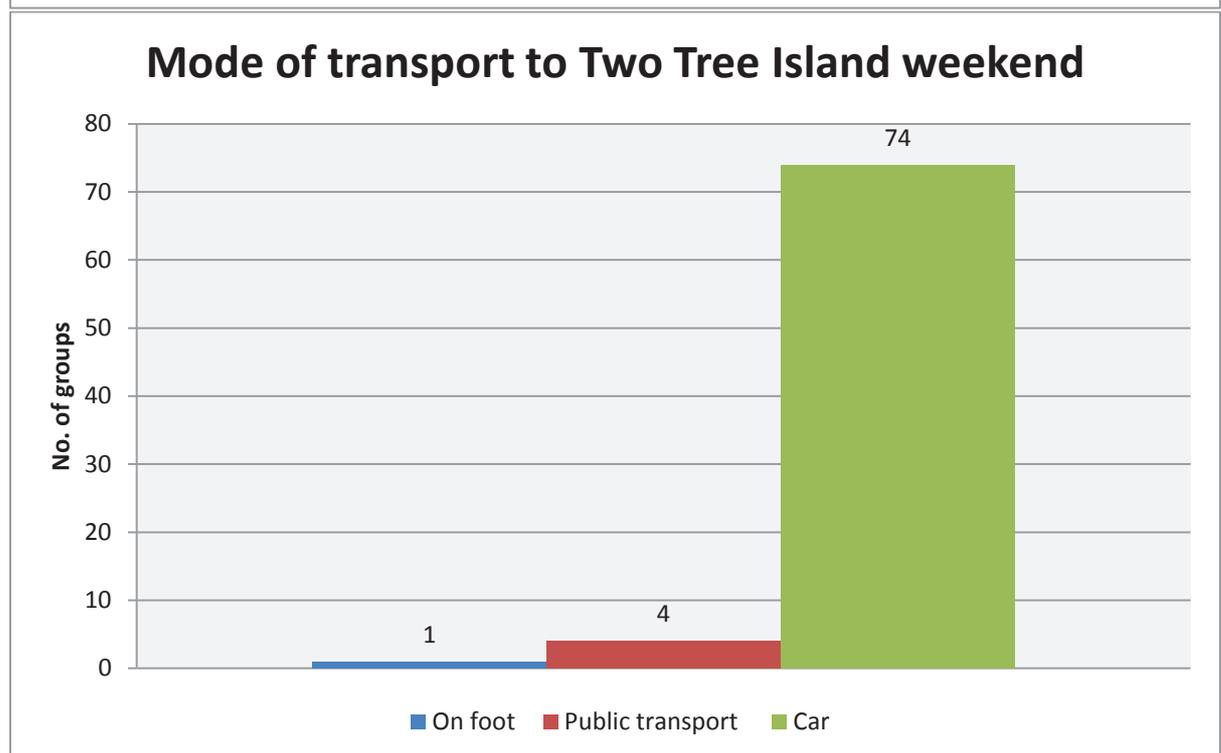
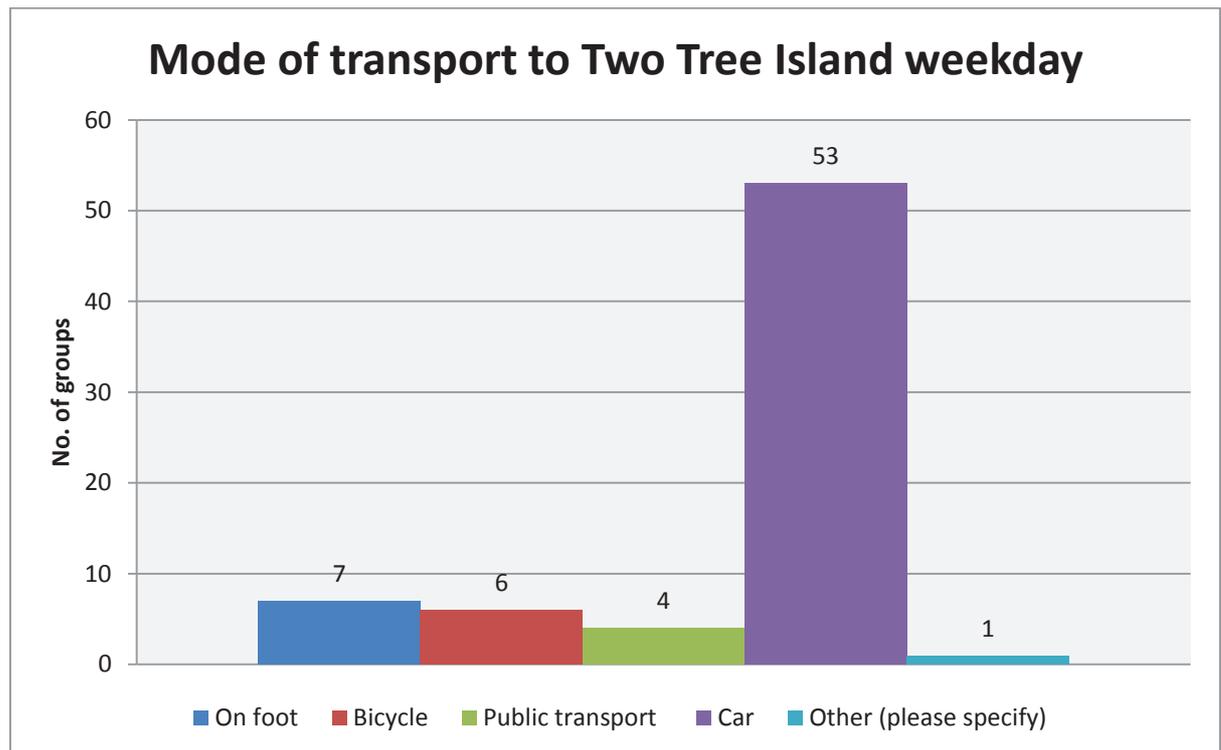
New park facilities Two Tree Island weekday



New park facilities Two Tree Island weekend

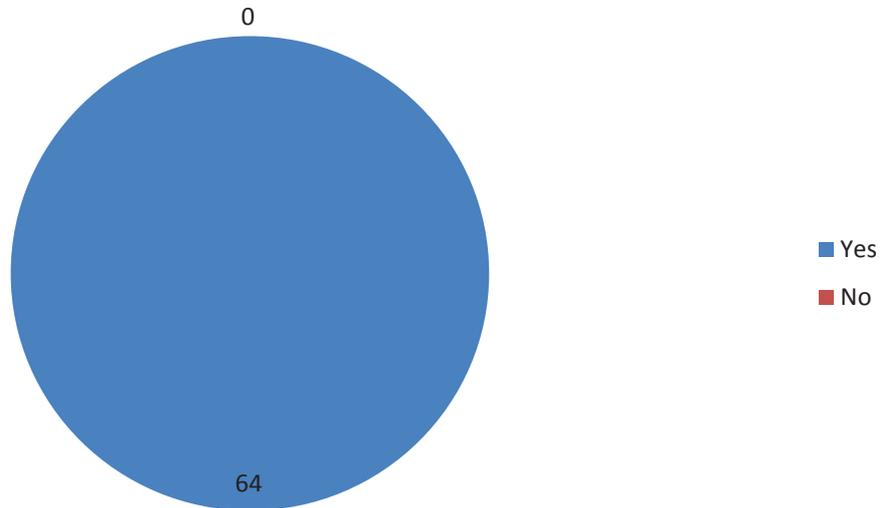


Mode of transport

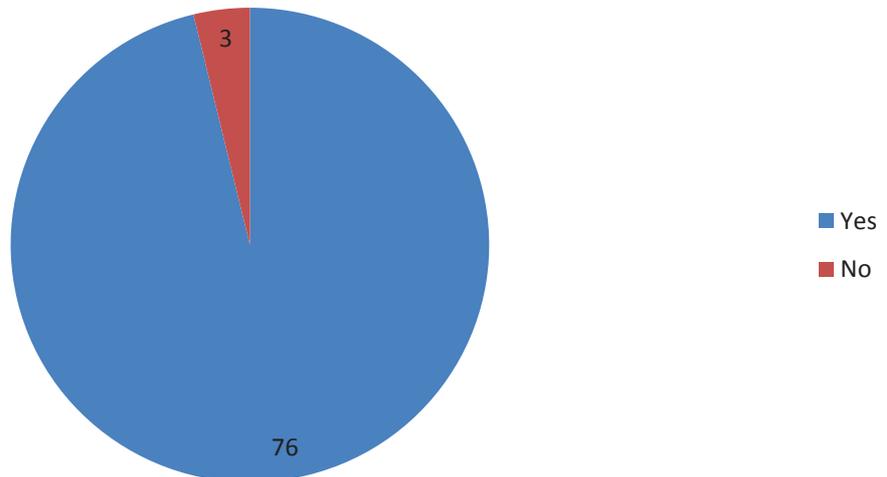


Aware of habitat importance

Aware of habitat importance? Two Tree Island weekday



Aware of habitat importance? Two Tree Island weekend



Appendix 6: Summer Survey Results

Table A6.1: Number of survey responses per survey site

SPA	Site	Weekday	Weekend	Total
Blackwater Estuary	Bradwell Marina	7	19	26
	Tollesbury Wick	16	38	54
	Total	23	57	80

Table A6.2: Passers-by and water activity per survey site

SPA	Site	Weekday		Weekend		Total	
		Passers-by	Water activity	Passers-by	Water activity	Passers-by	Water activity
Blackwater Estuary	Bradwell Marina	17 *	15	13	71	30	86
	Tollesbury Wick	0	7	20	25	20	32
	Total	17	22	33	96	50	118

* includes 12 cyclists

Table A6.3: Dates of summer surveys

Survey site	Weekday	Weekend
Bradwell Marina	24.05.2018	20.05.2018
Tollesbury Wick	31.05.2018	06.06.2018

Type of disturbance and bird responses

Response types

- No Response: no change in behaviour recorded at all
- Alert: birds become alert, changing behaviour (i.e. stopping feeding or standing alert if roosting)
- Walk/Swim: moving away from the source of disturbance without taking flight
- Minor Flight: short flights of less than 50m
- Major Flight: birds flushed and flying more than 50m



- Mobbing: applies to situations where birds believed to be nesting were repeatedly alarm calling and/or mobbing or undertaking distraction displays, suggesting that the disturbance was around the nest and/or chicks.

The tables below are the questionnaire results from the sites listed. The questionnaires were recorded both on a weekday and weekend.

Table A6.4: Bradwell Marina weekday

Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Passers by	17 (includes 12 cyclists)	0						
Cycling	12	0						
Motorboat	5	0						
Sailing boat	10	0						
Quad bike	1	0						

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Table A6.5: Bradwell Marina weekend

Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Passers by	9	0						
Jogging	1	0						

Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Cycling	4	0						
Jet ski	10	1					1	
Speed boat	4	0						
Kayaking	2	0						
Sailing boat	21	2				2		
Motorboat	34	11			4	6	1	

Table A6.6: Tollesbury Wick weekday

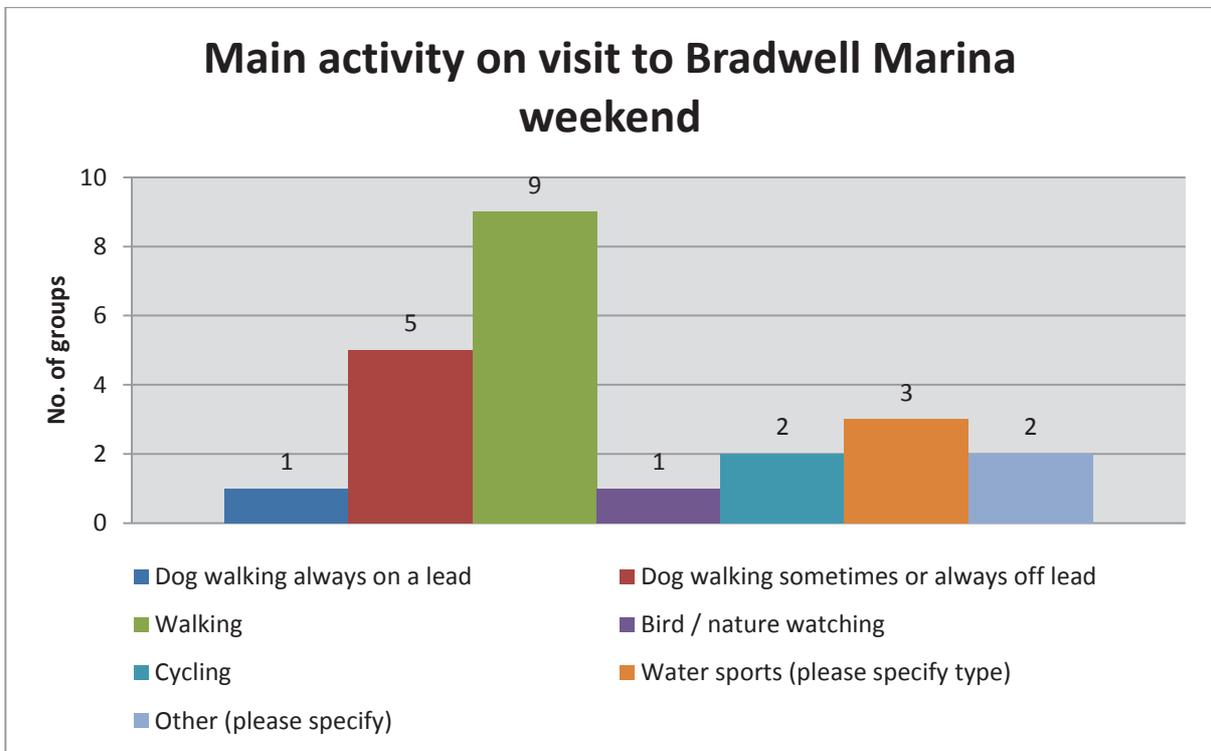
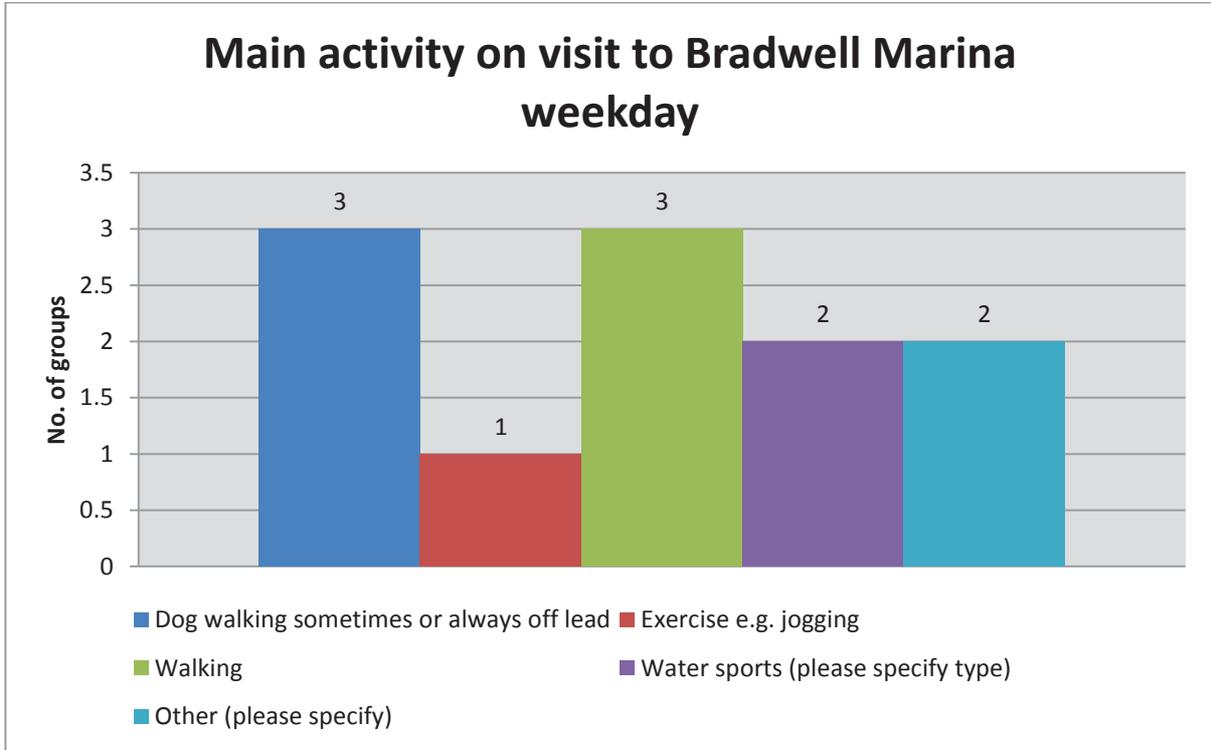
Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Sailing boat	7	0						
Passers by	0	0						

Table A6.7: Tollesbury Wick weekend

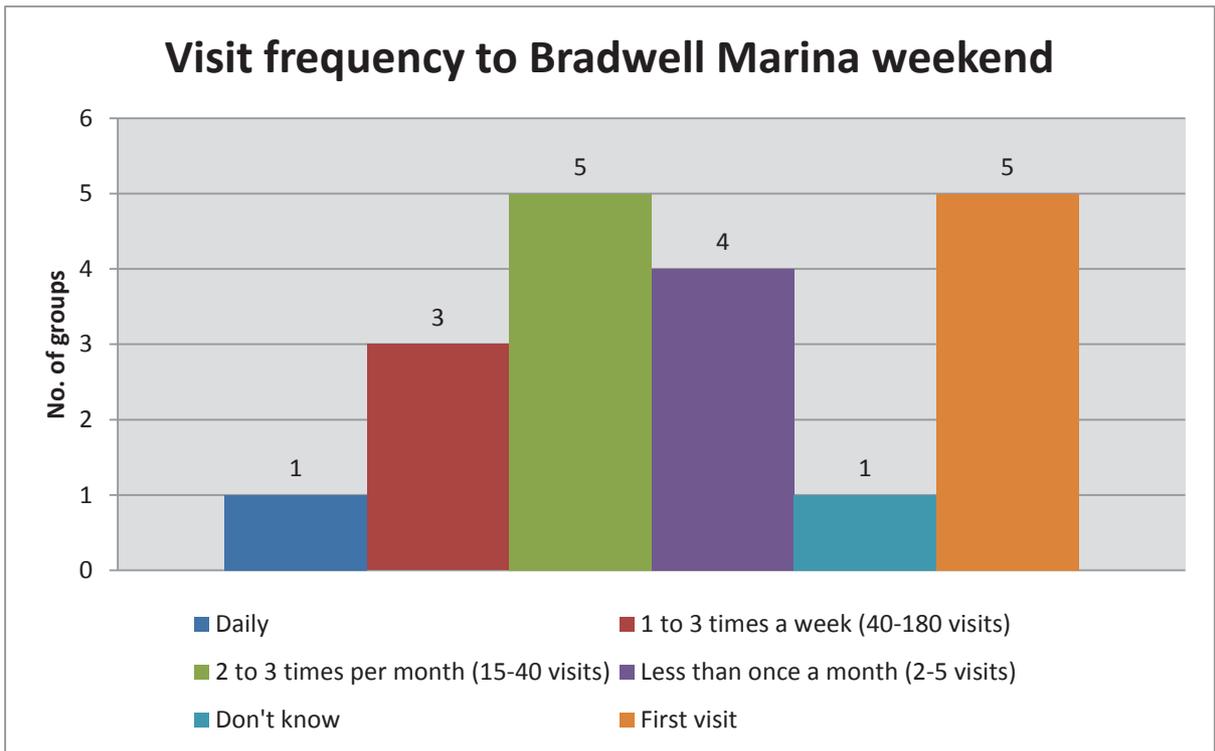
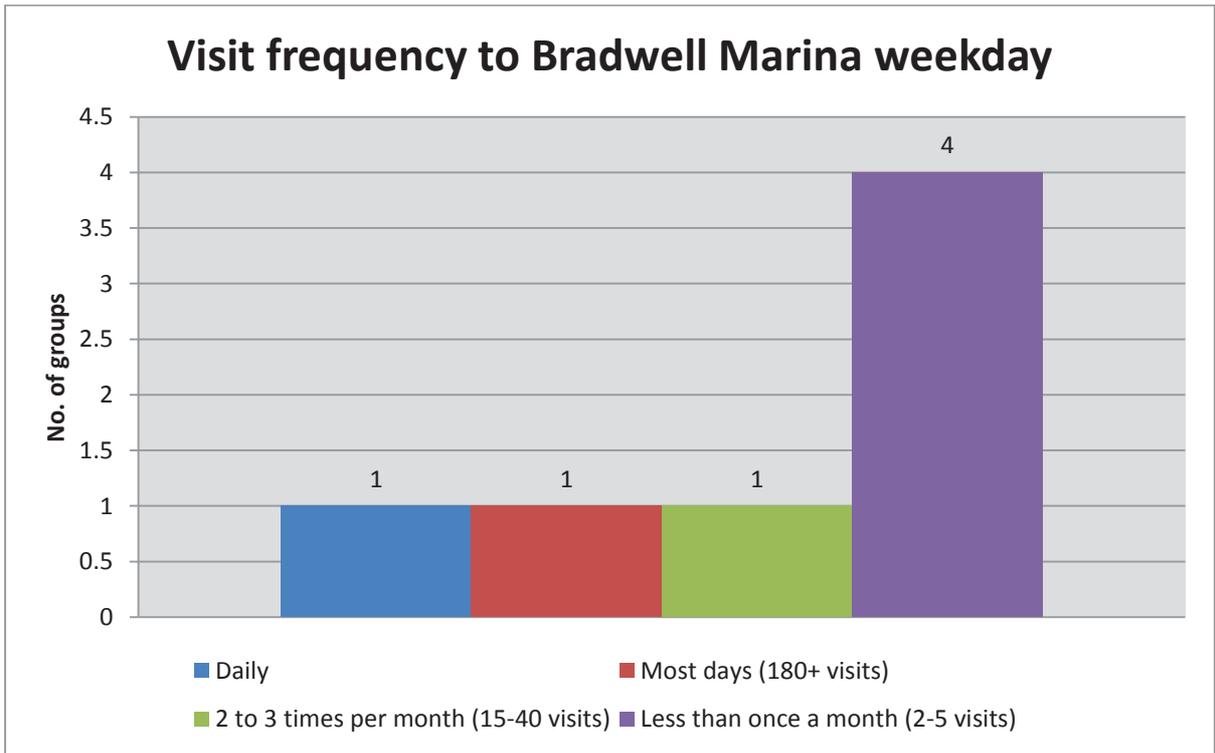
Activity	Amount witnessed	Amount of birds disturbed	Response type					
			No response	Alert	Walk/Swim	Minor flight	Major flight	Mobbing
Yacht	14	0						
Motorboats	8	0						
Kayaks	3	0						
Passers by	20	0						

Bradwell Marina

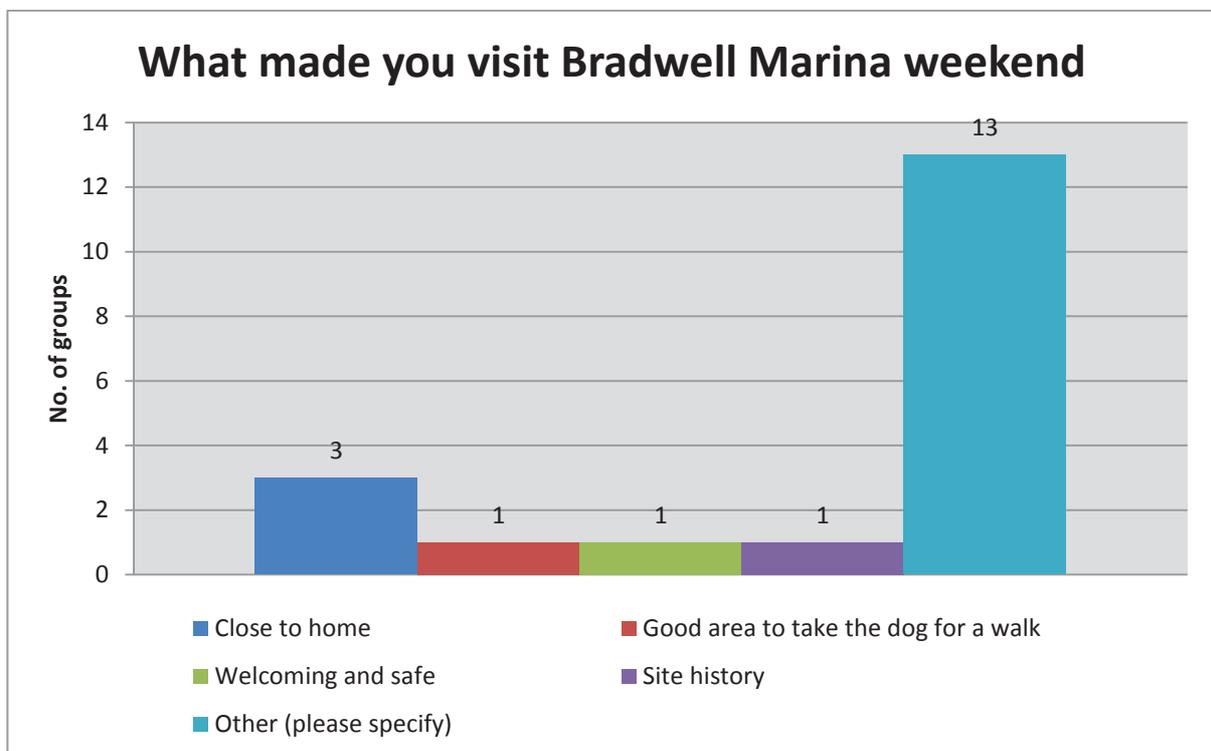
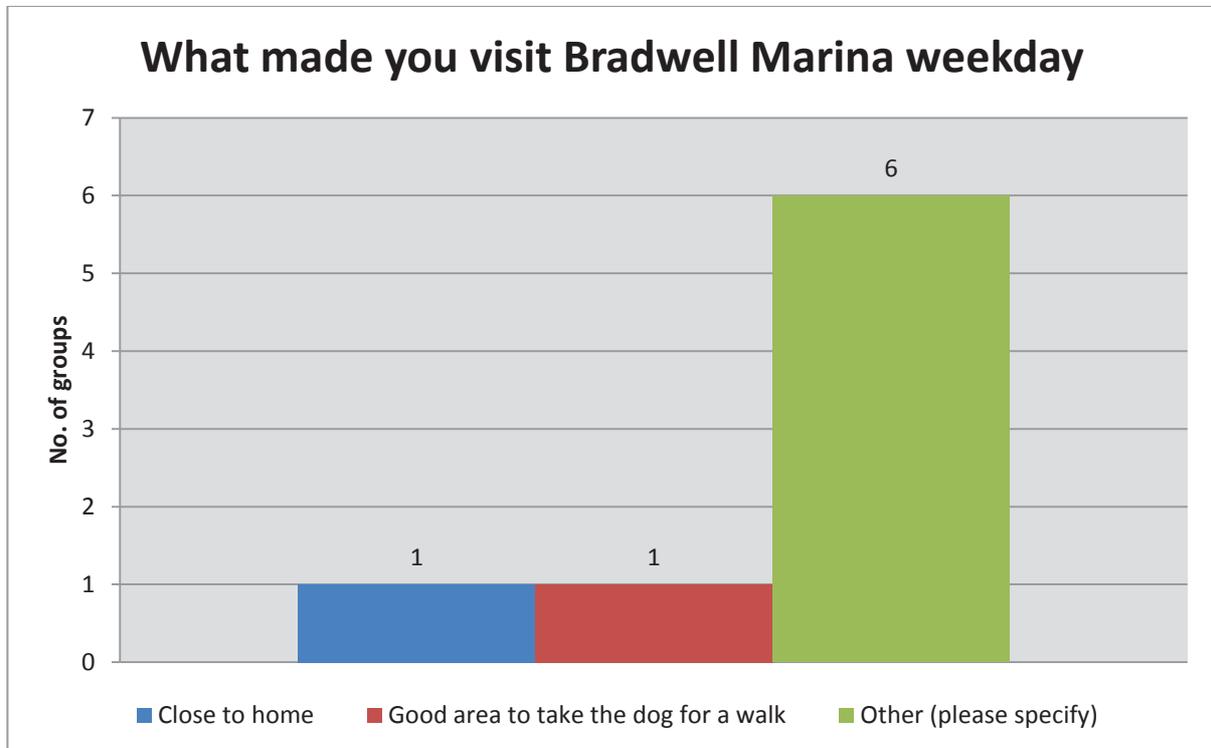
Figures A6.1- A6.2: Graphs showing results for main activity



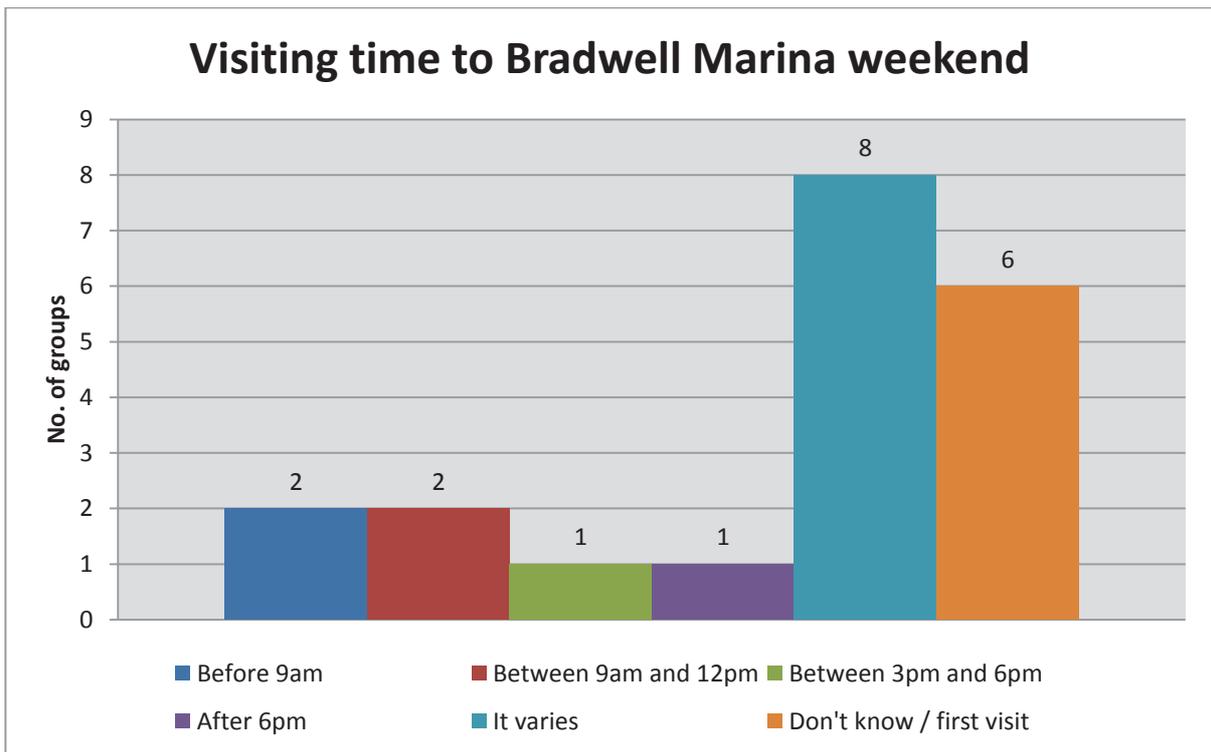
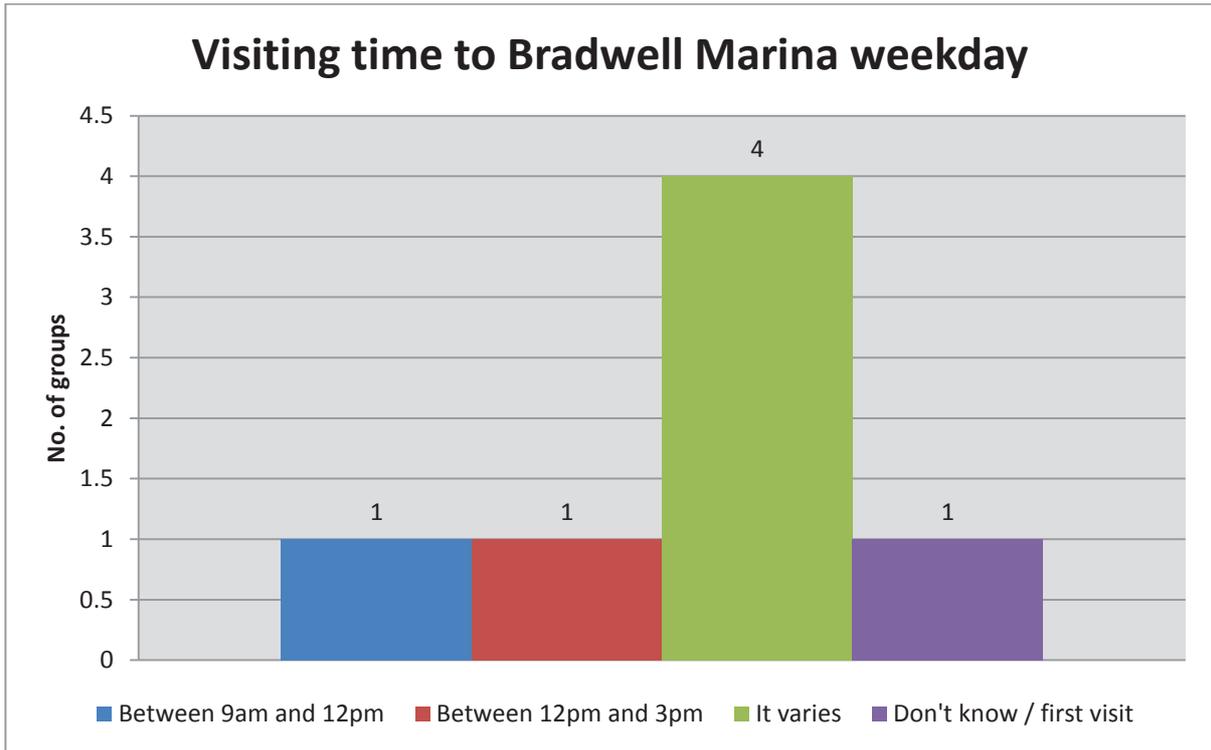
Figures A6.3- A6.4: Graphs showing results for visit frequency



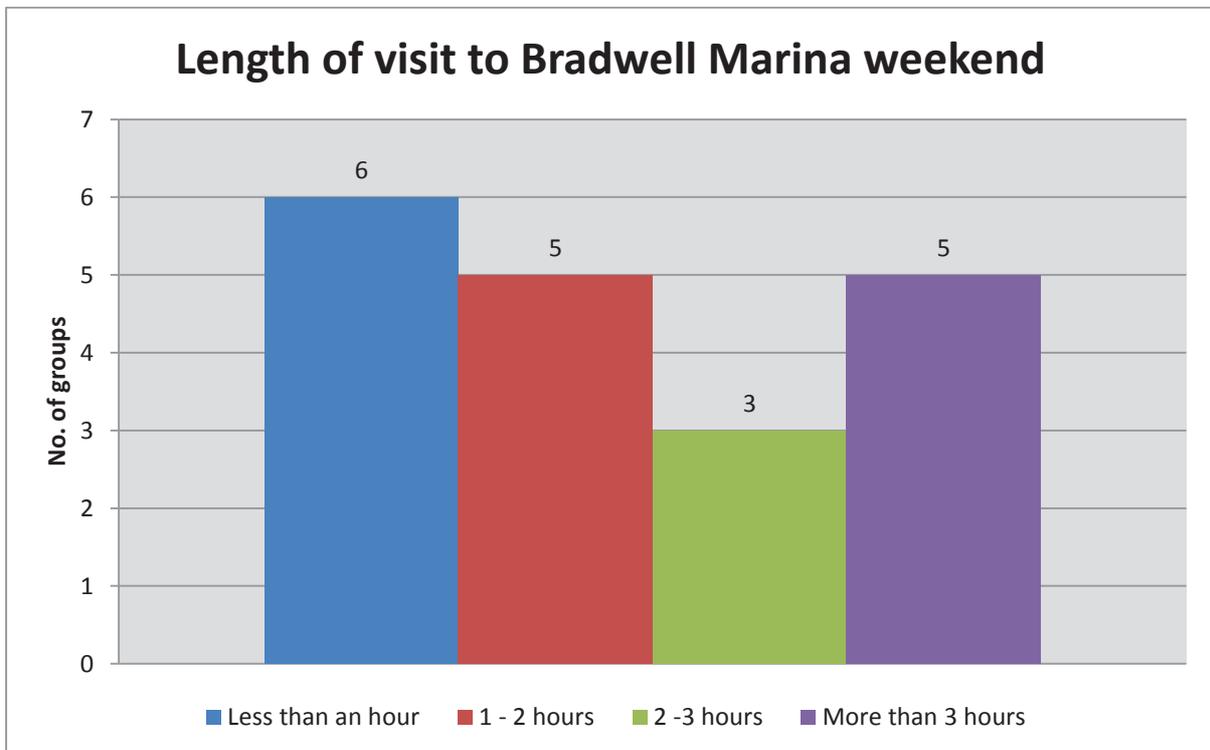
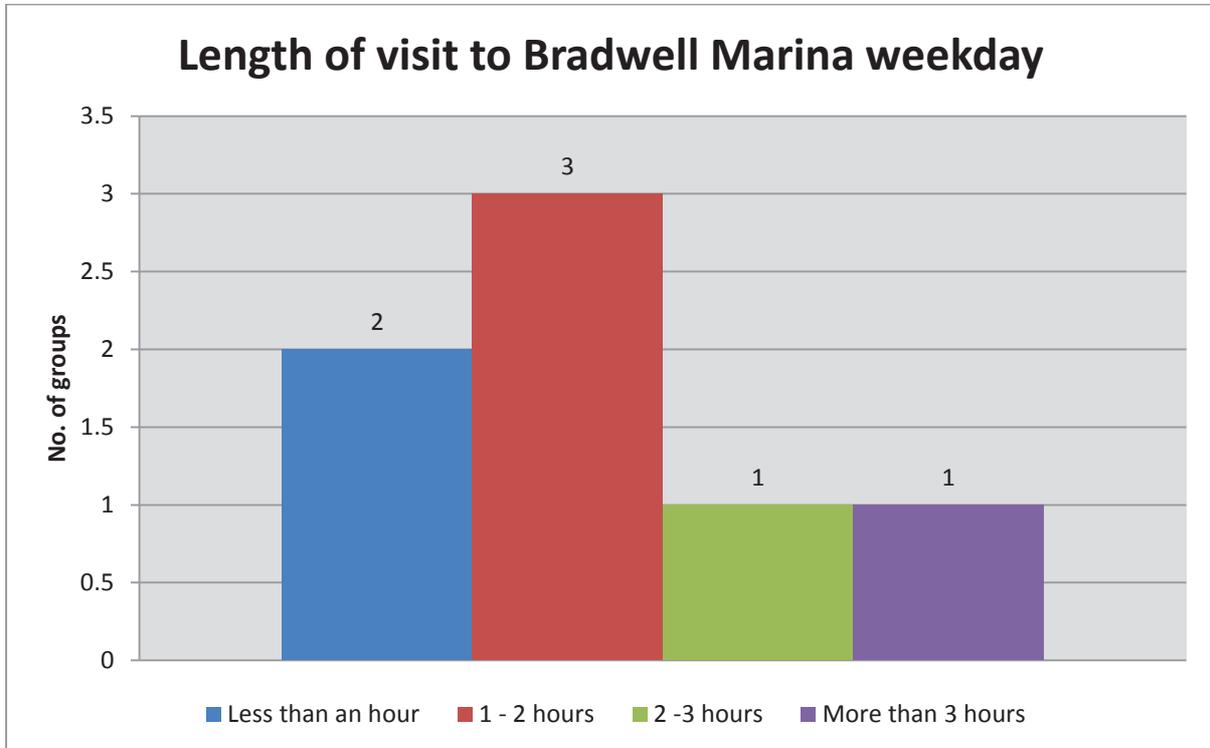
Figures A6.5- A6.6: Graphs showing results for question 'What made you visit?'



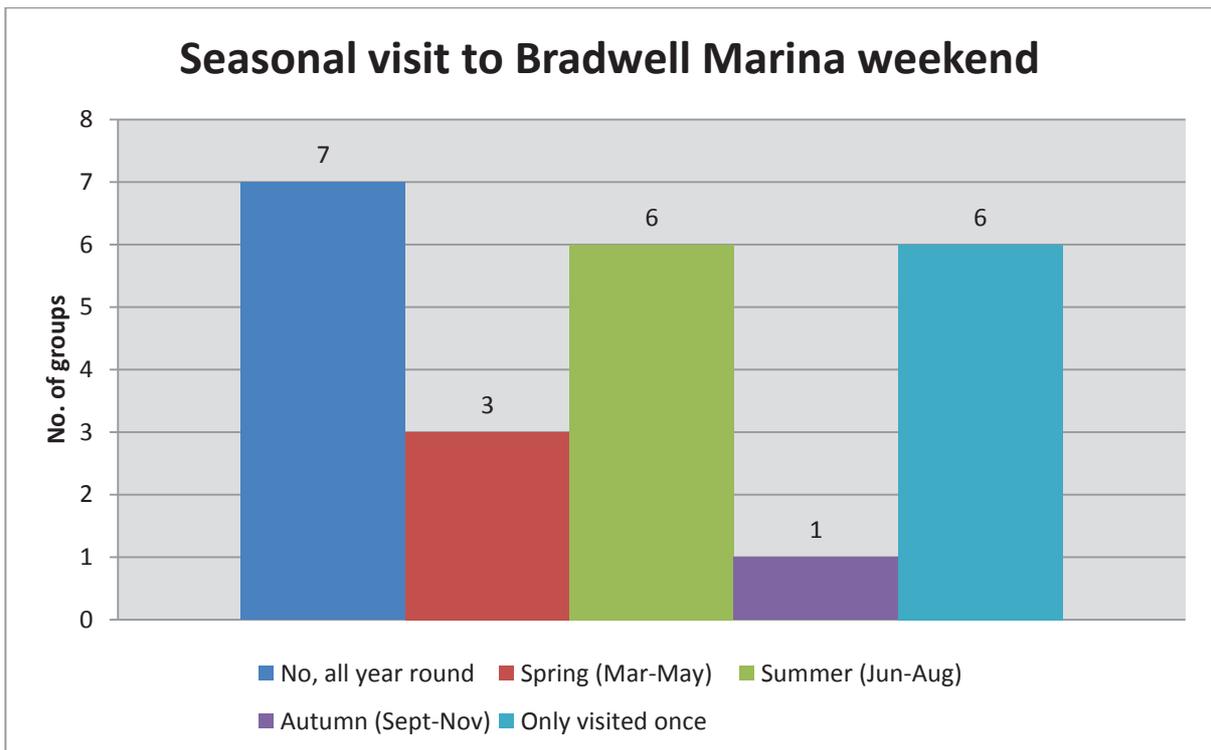
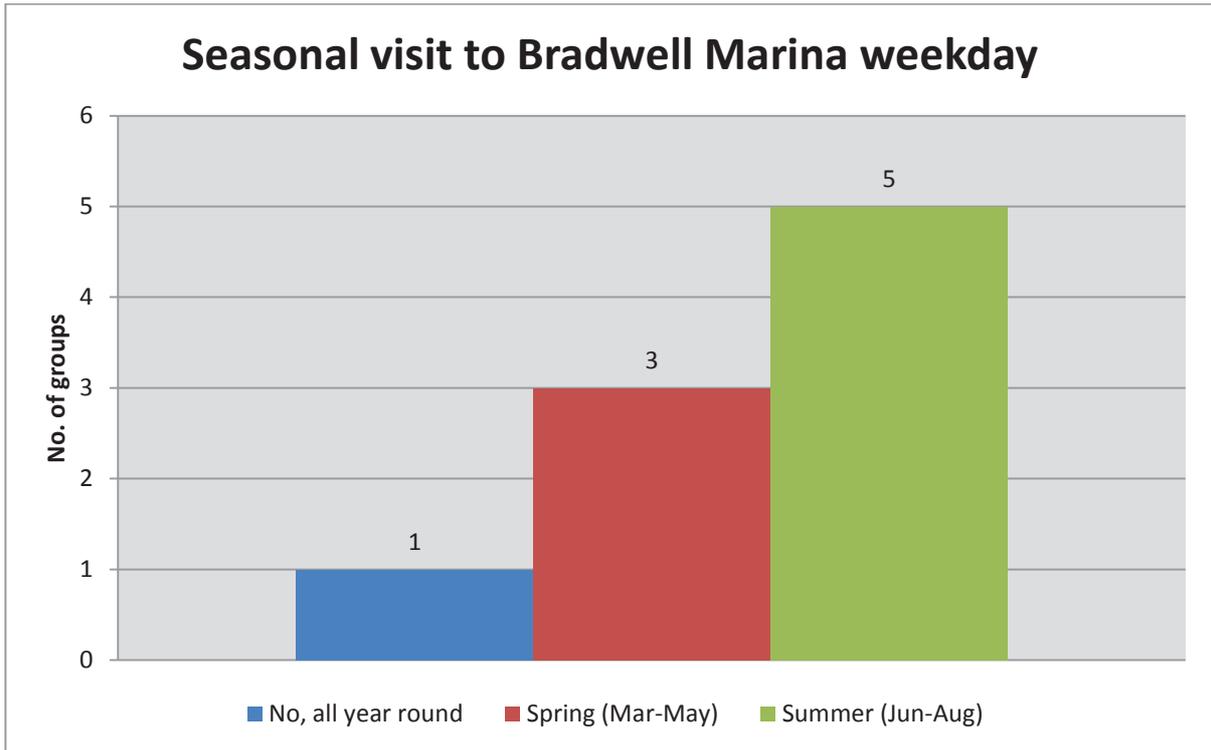
Figures A6.7- A6.8: Graphs showing results for visiting time



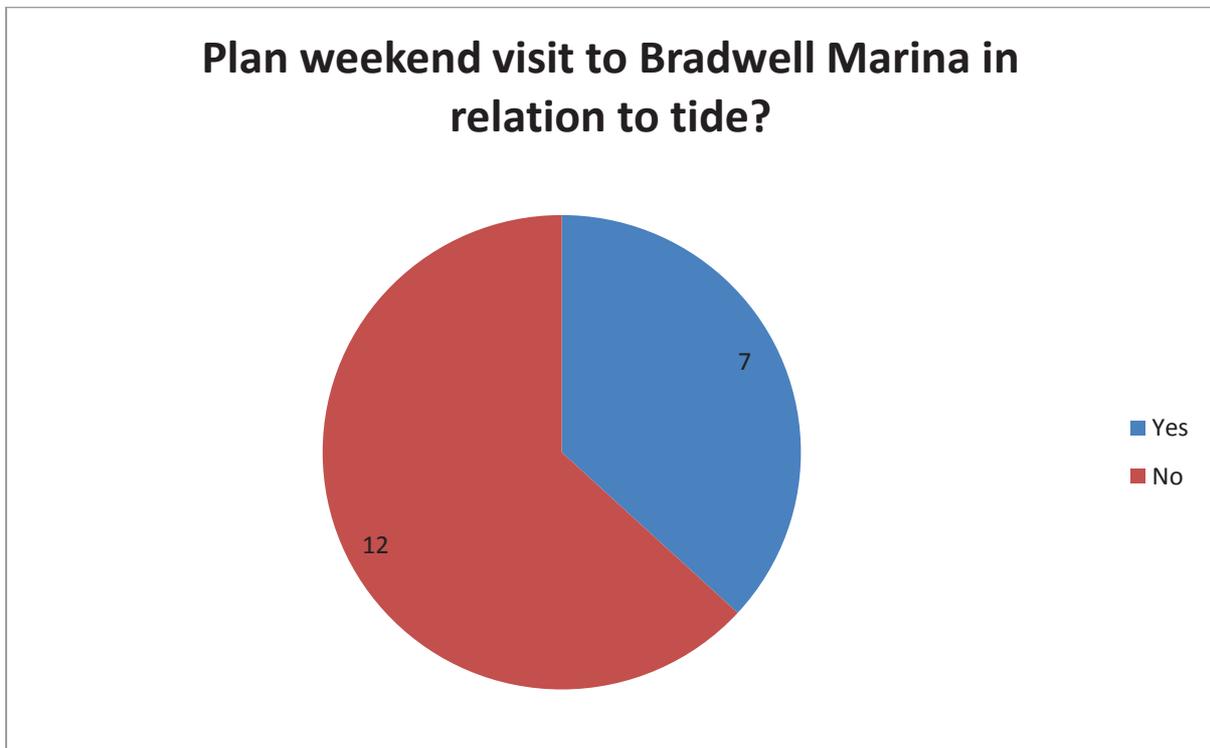
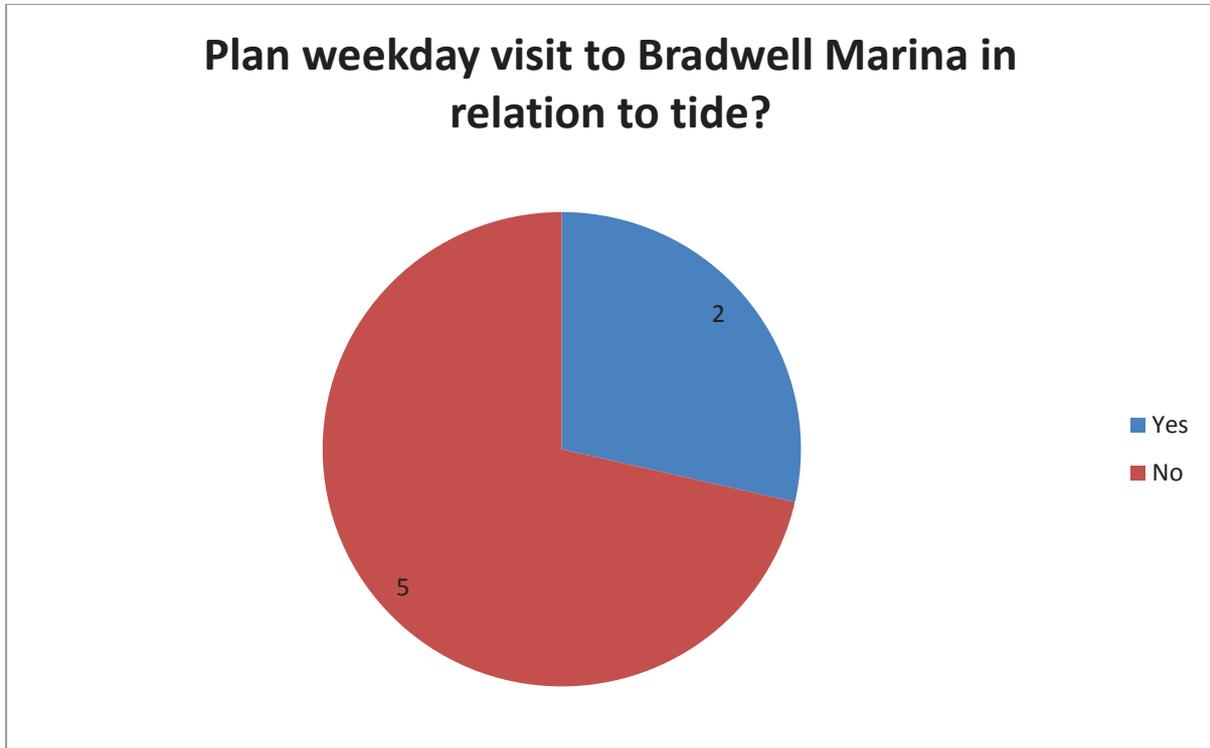
Figures A6.9- A6.10: Graphs showing results for length of visit



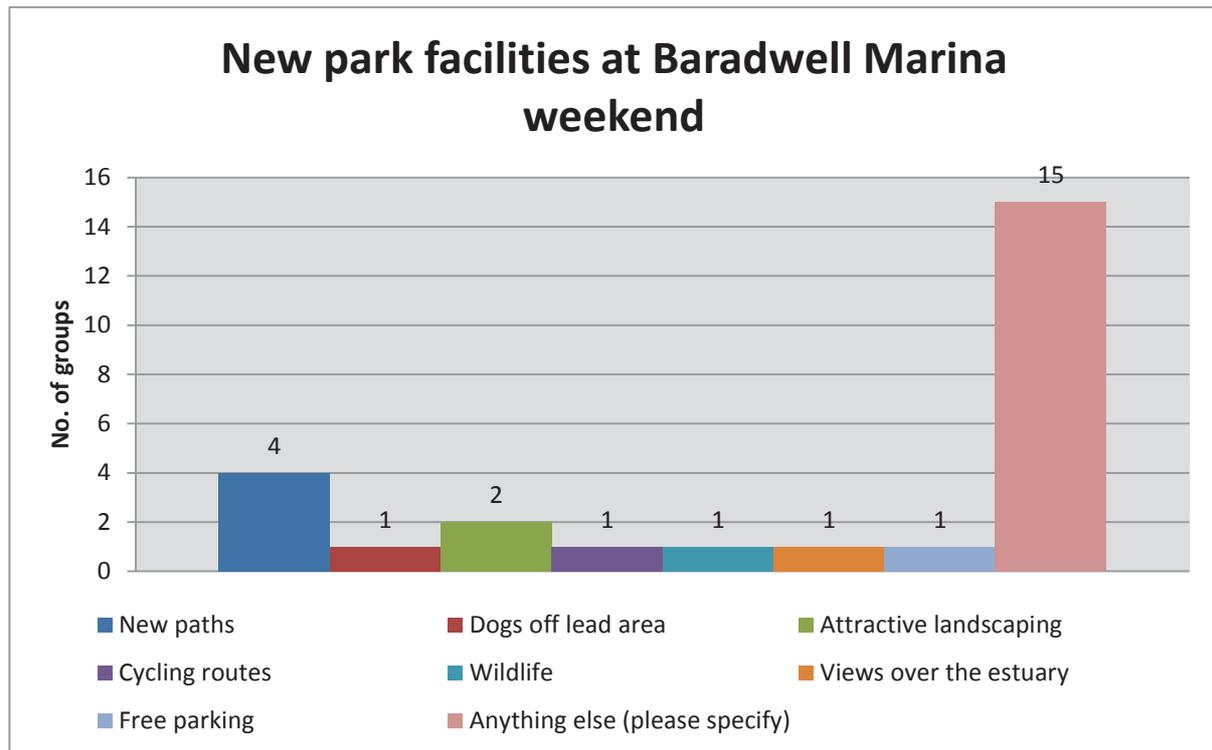
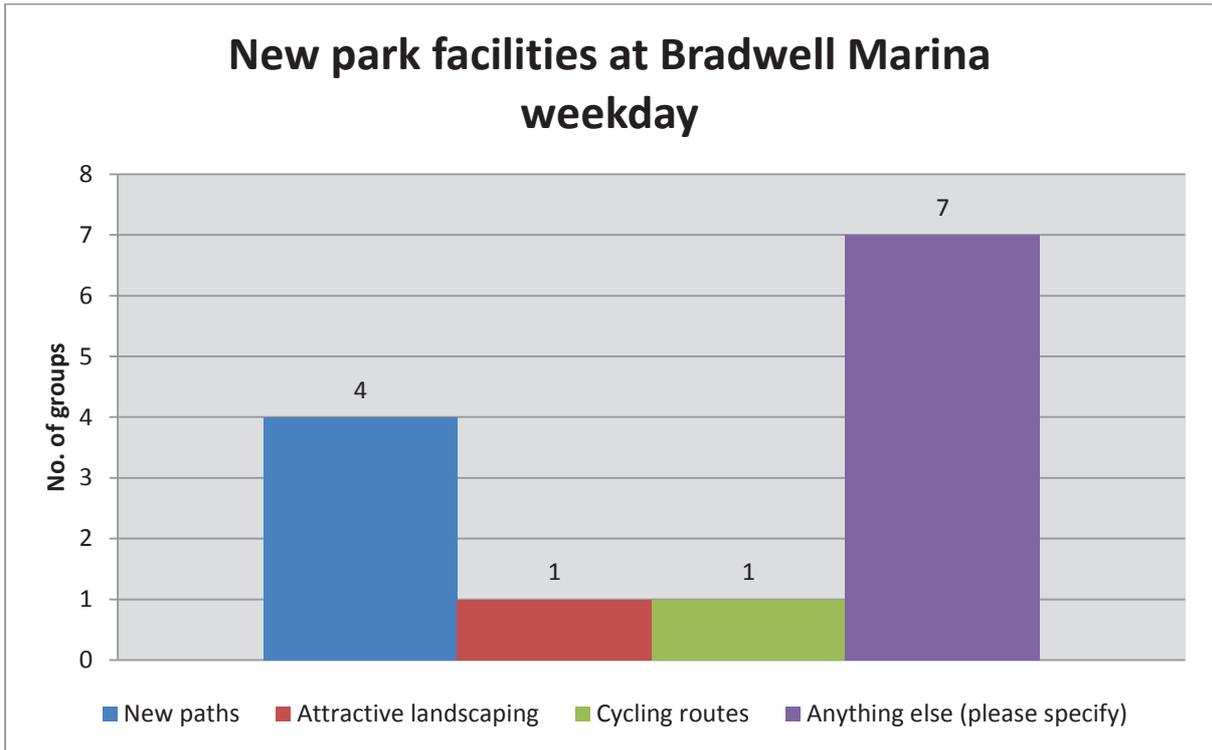
Figures A6.11- A6.12: Graphs showing results for seasonal visiting



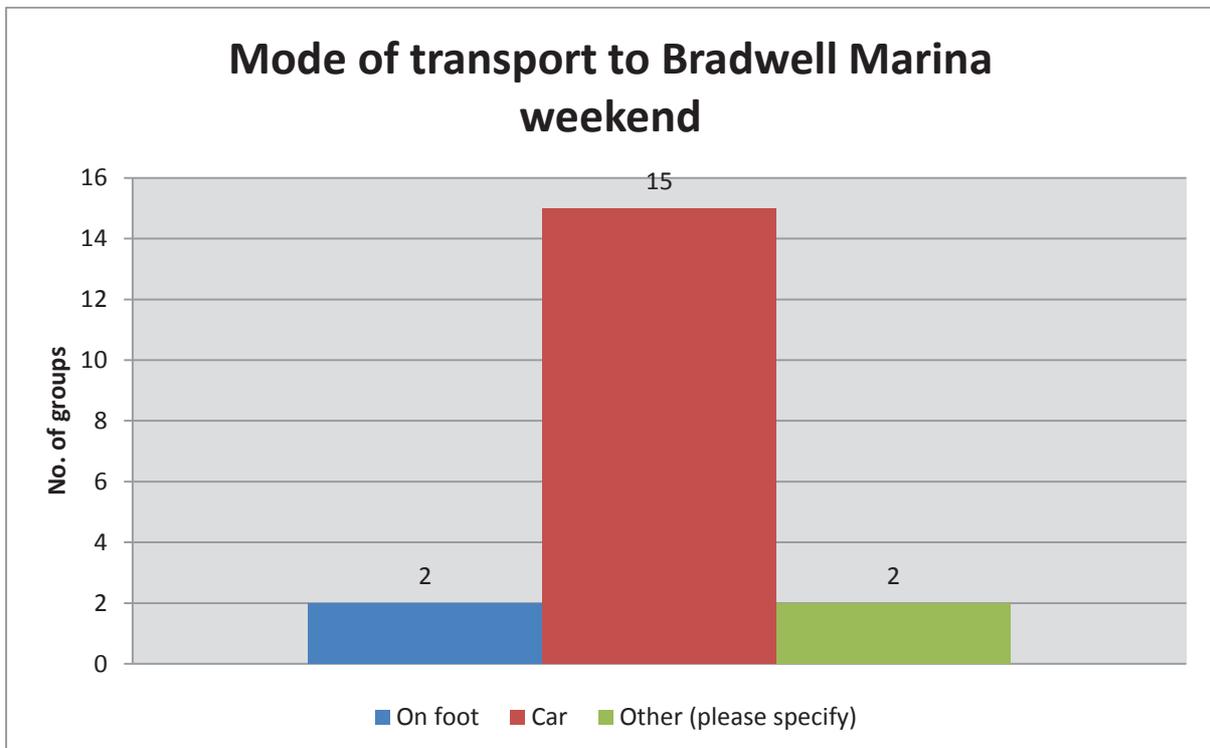
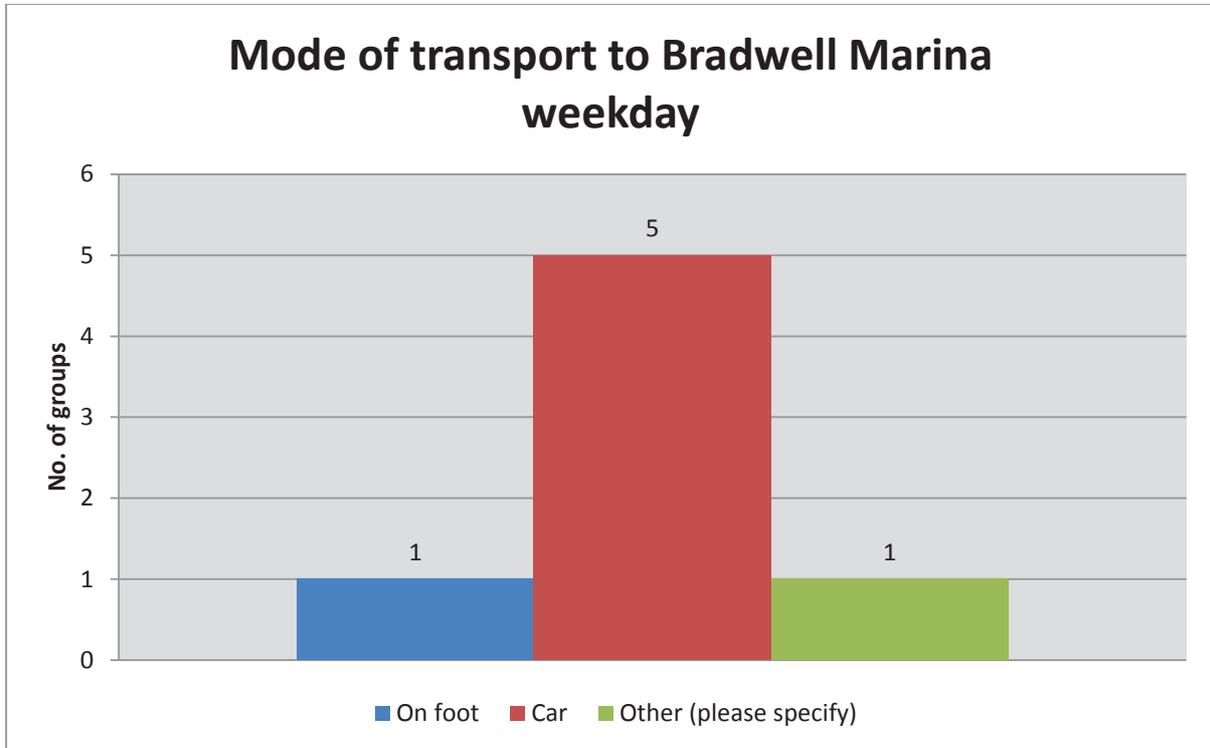
Figures A6.13- A6.14: Graphs showing results for question 'Plan visit in relation to the tide?'



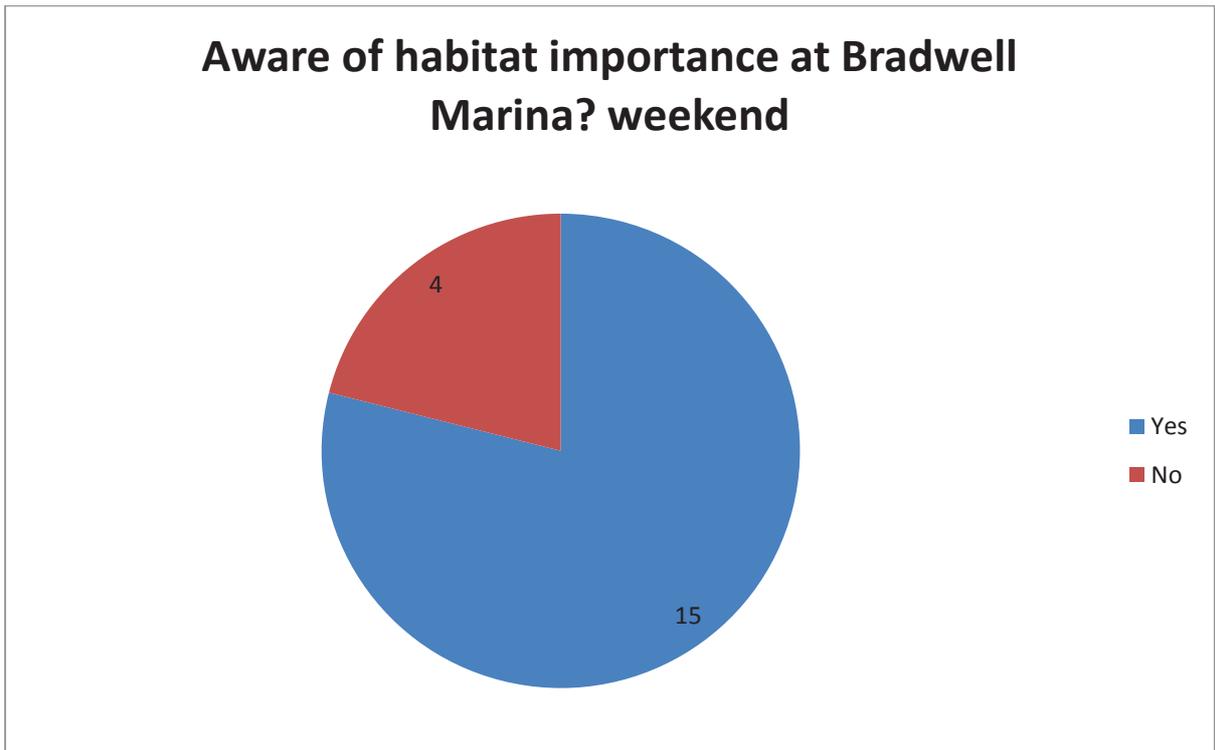
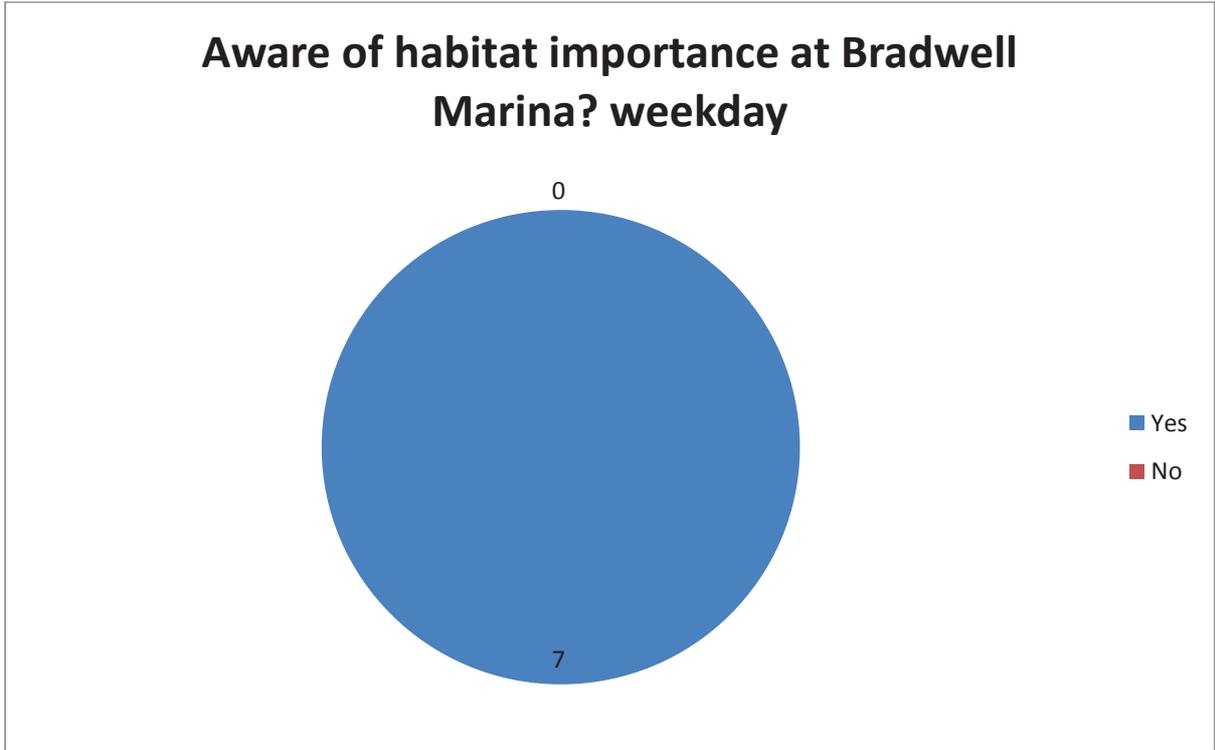
Figures A6.15- A6.16: Graphs showing results for new park design



Figures A6.17- A6.18: Graphs showing results for mode of transport

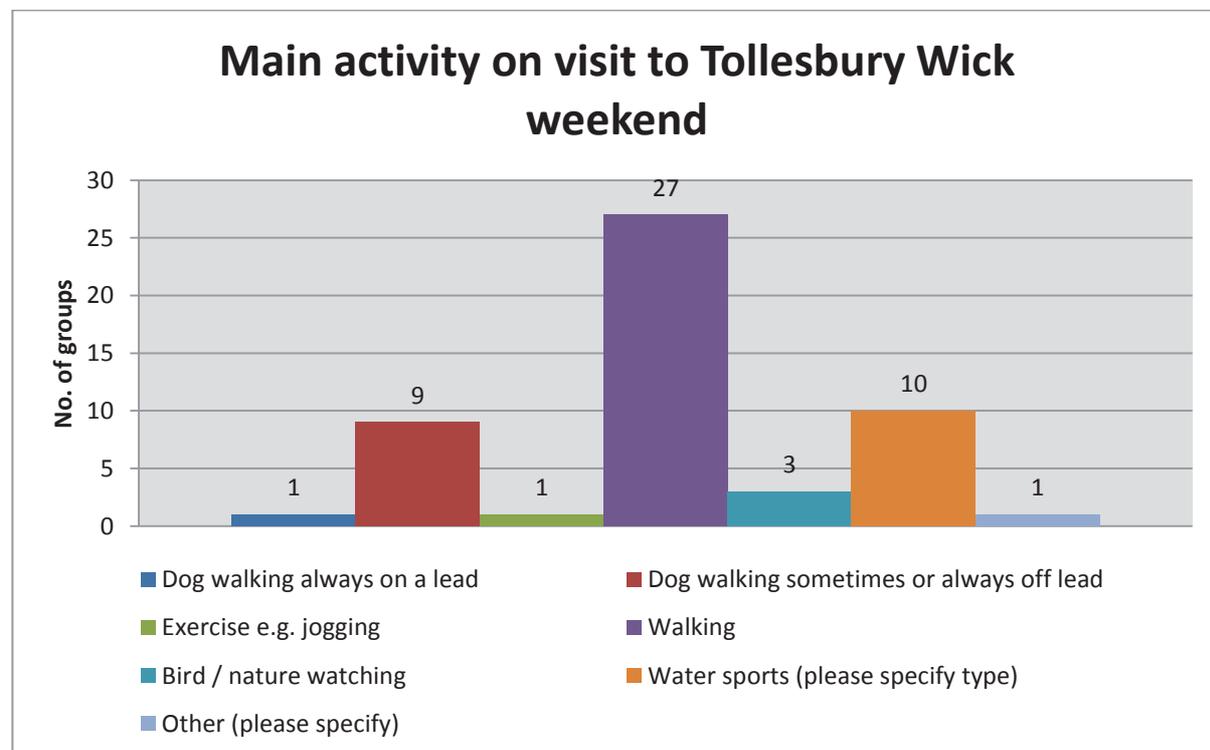
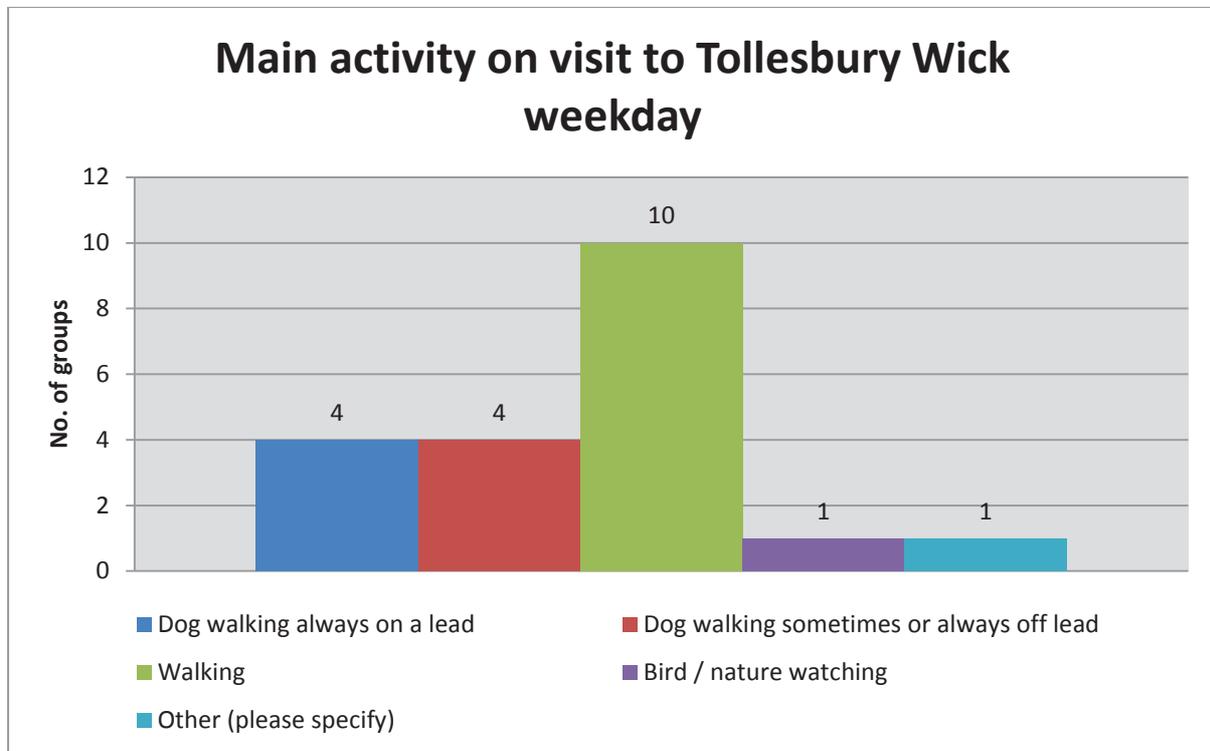


Figures A6.19- A6.20: Graphs showing results for awareness of habitat importance

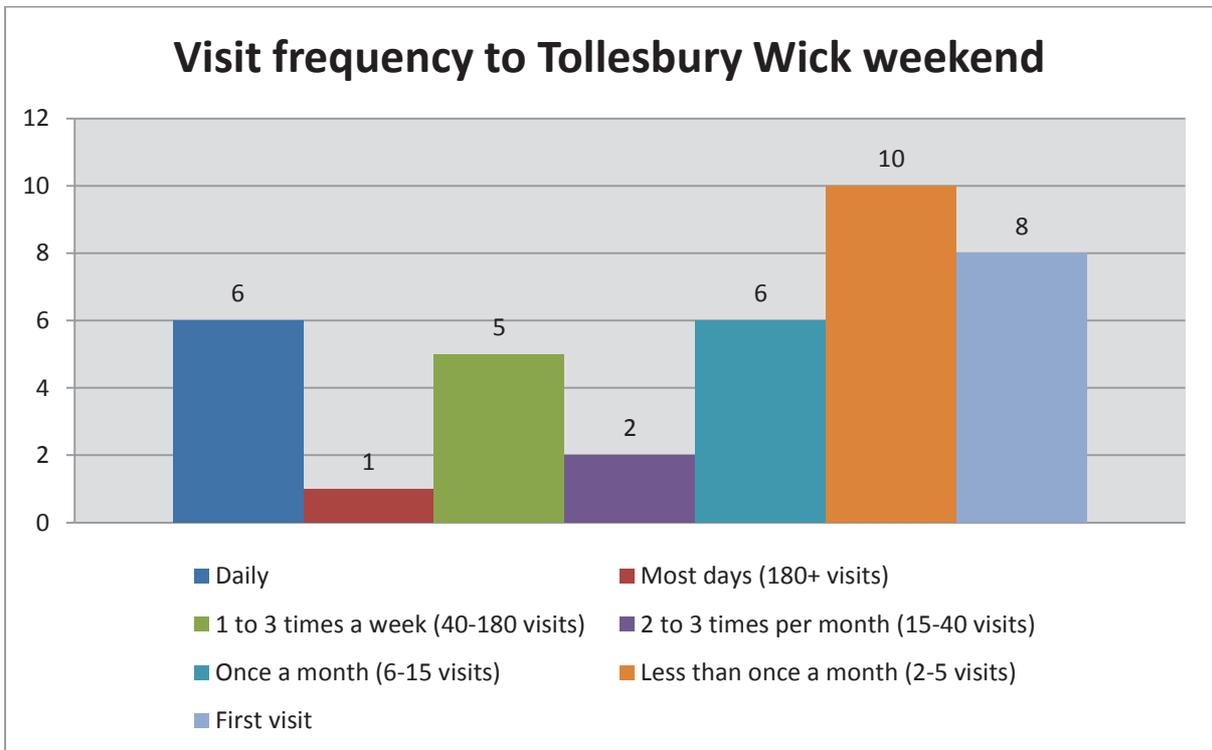
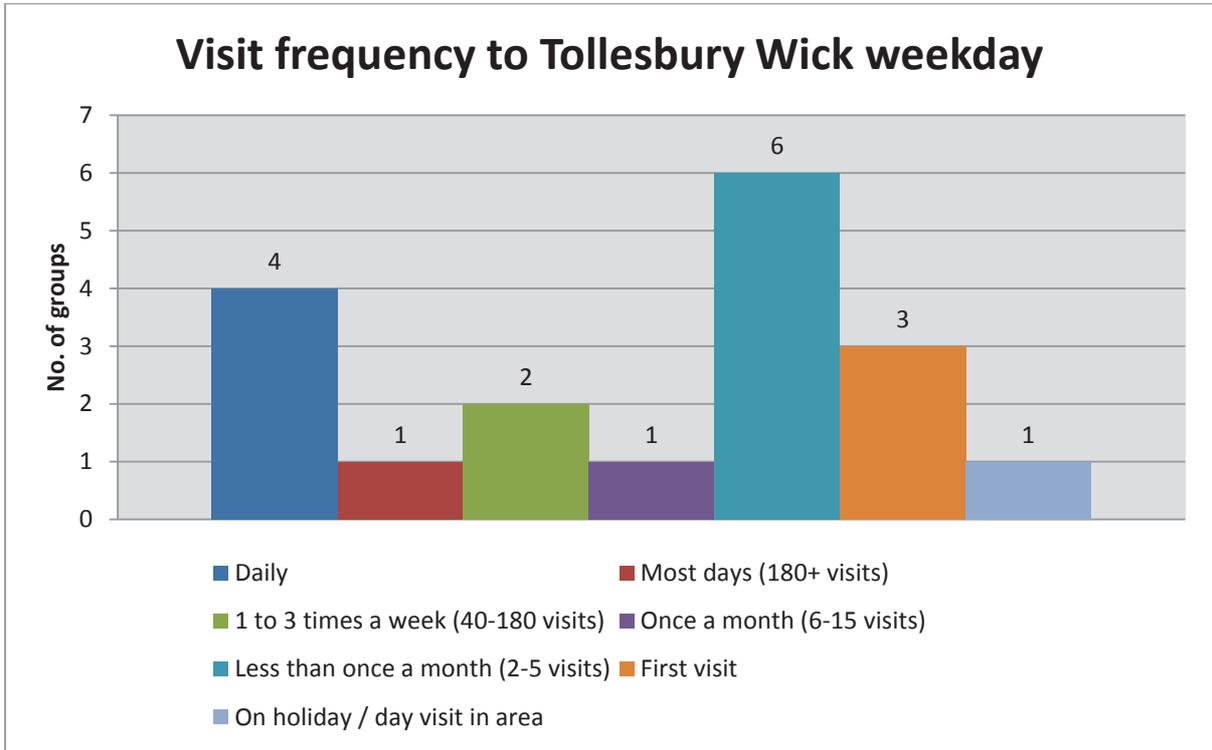


Tollesbury Wick

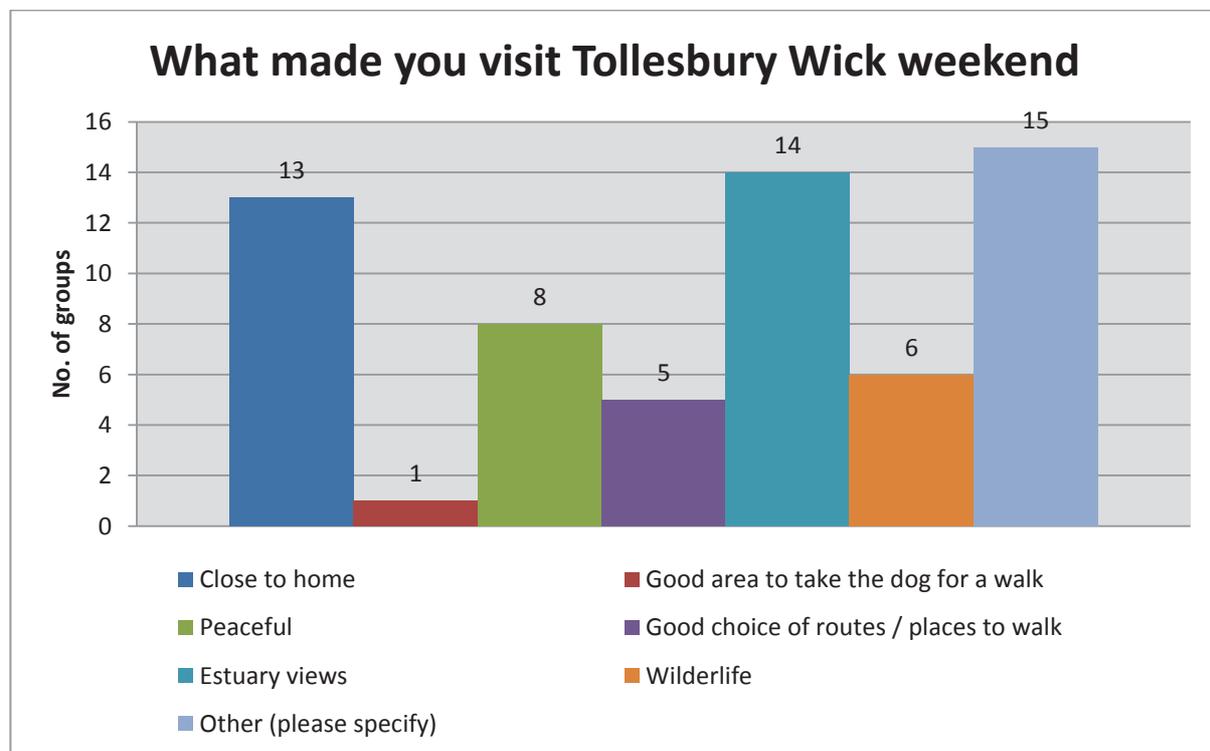
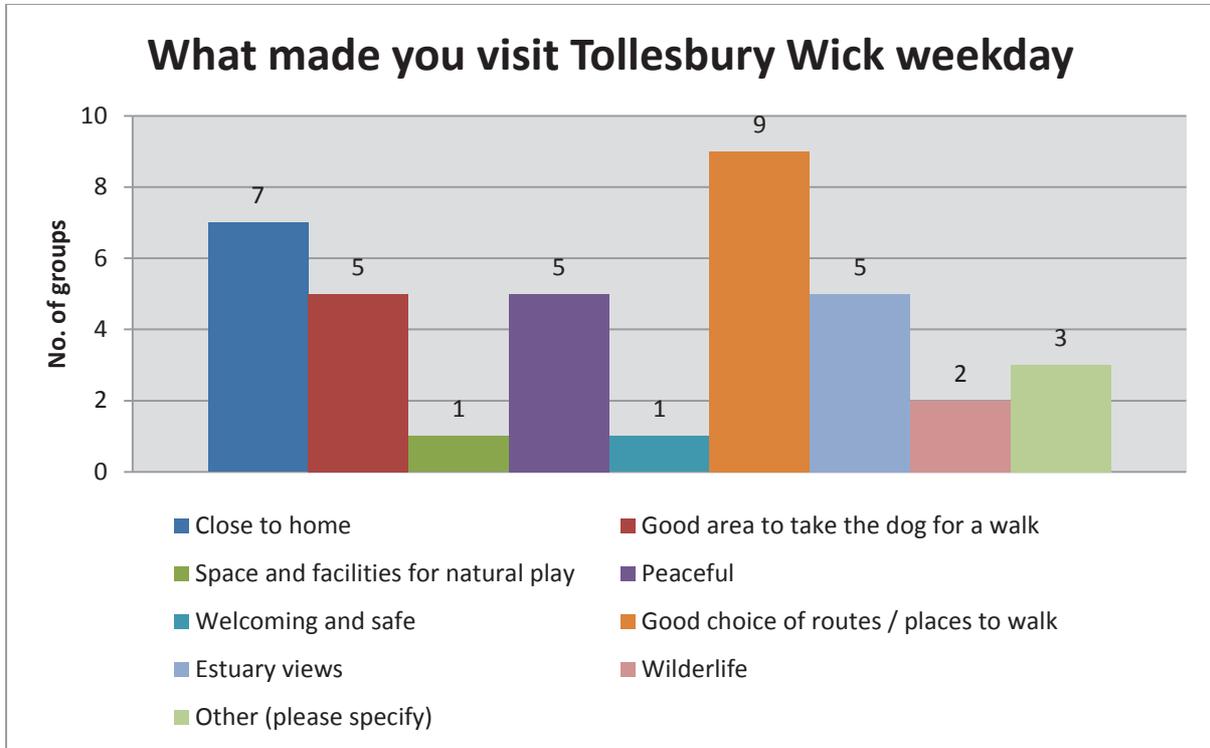
Figures A6.21-A6.22: Graphs showing results for main activity



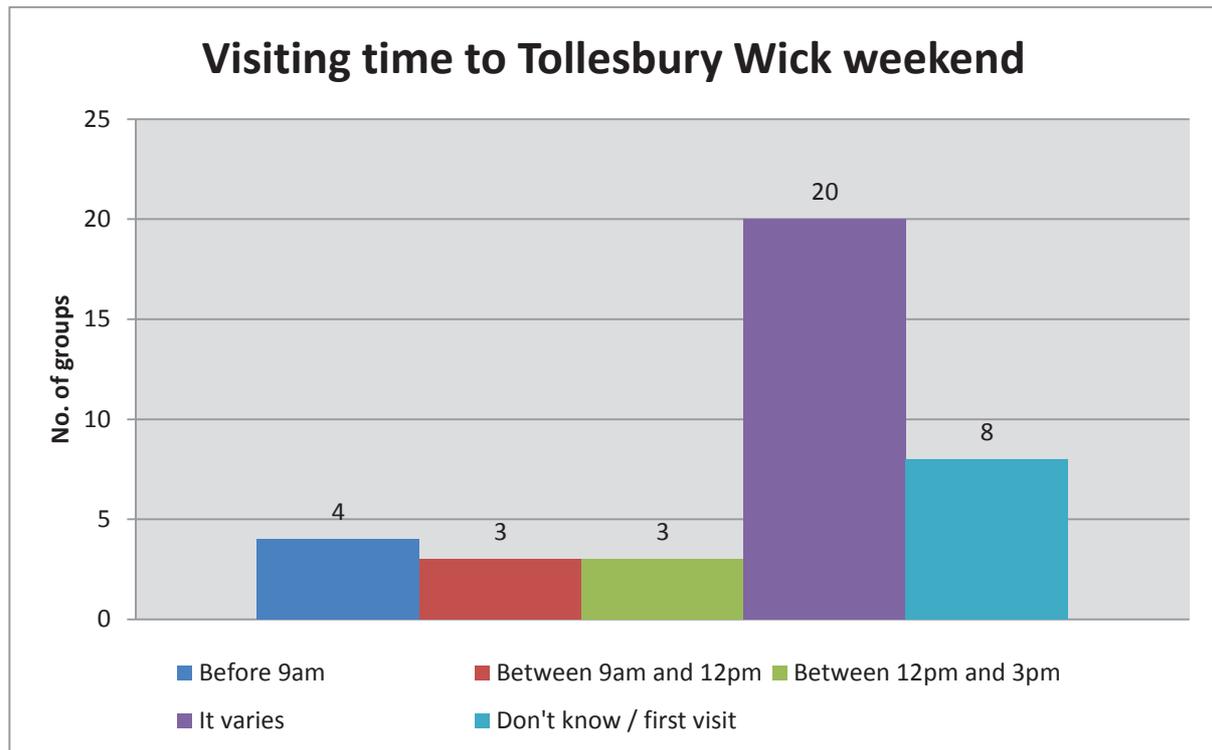
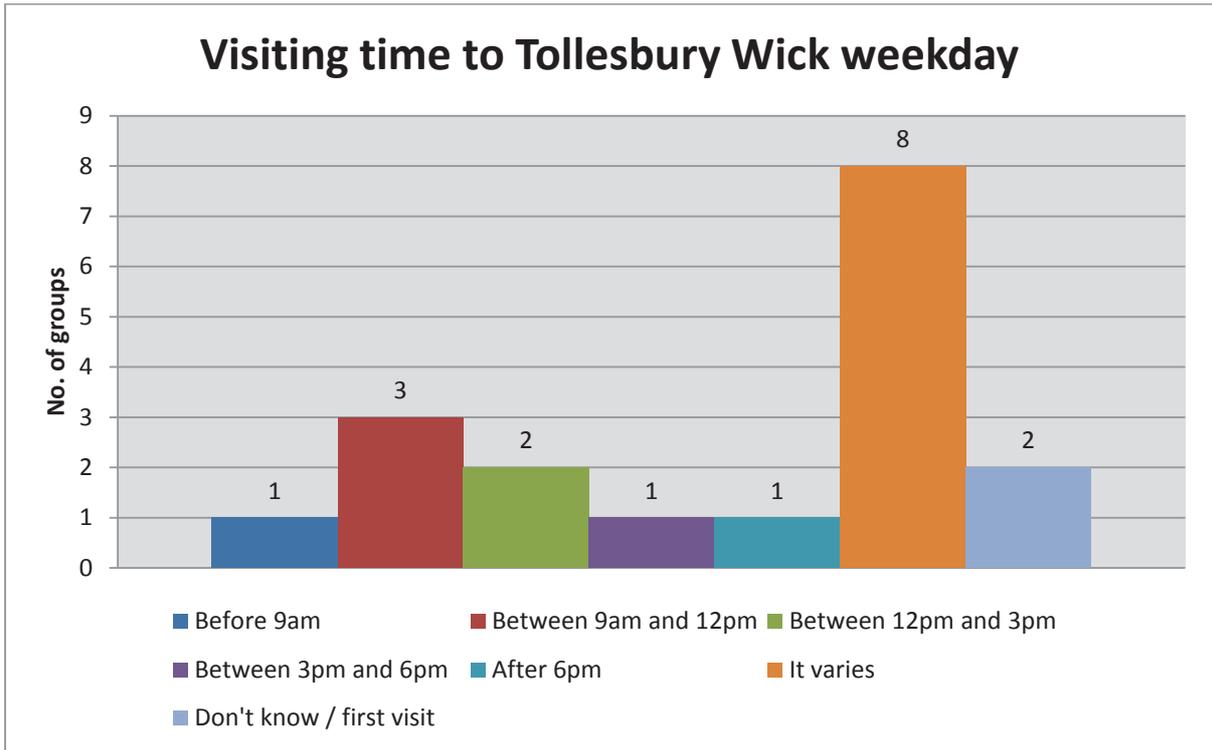
Figures A6.23- A6.24: Graphs showing results for visit frequency



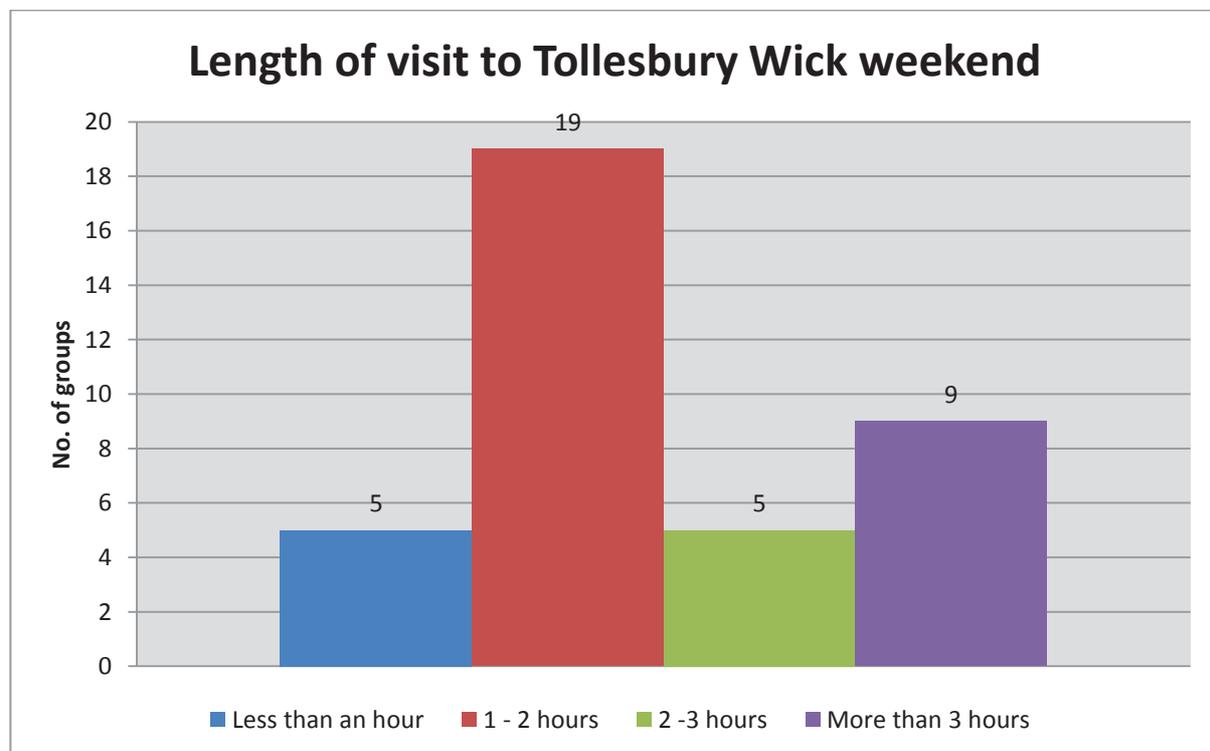
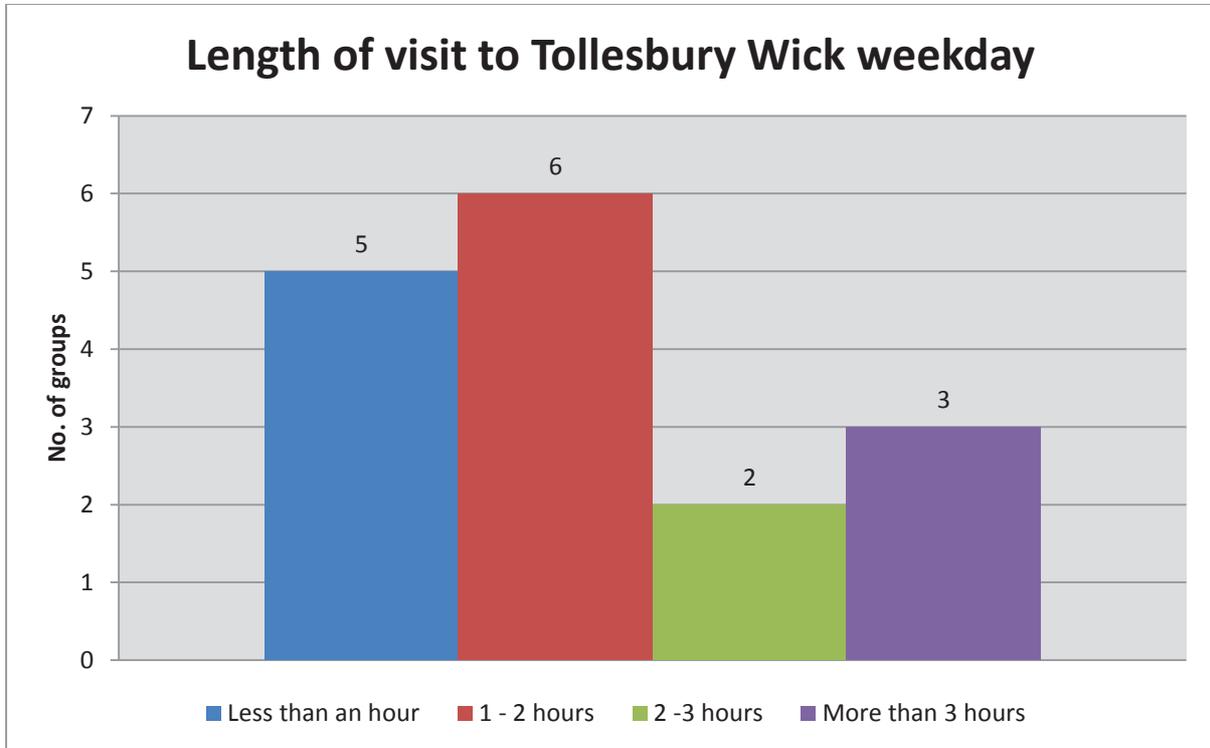
Figures A6.25- A6.26: Graphs showing results for question 'What made you visit?'



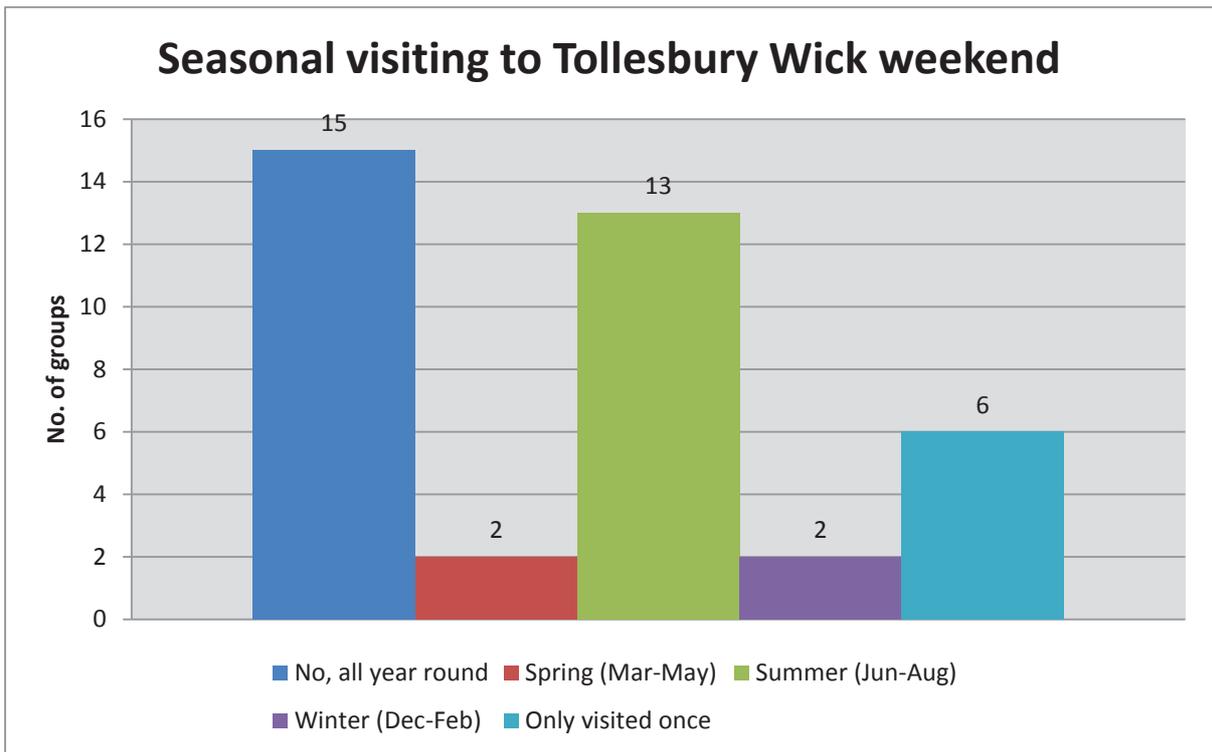
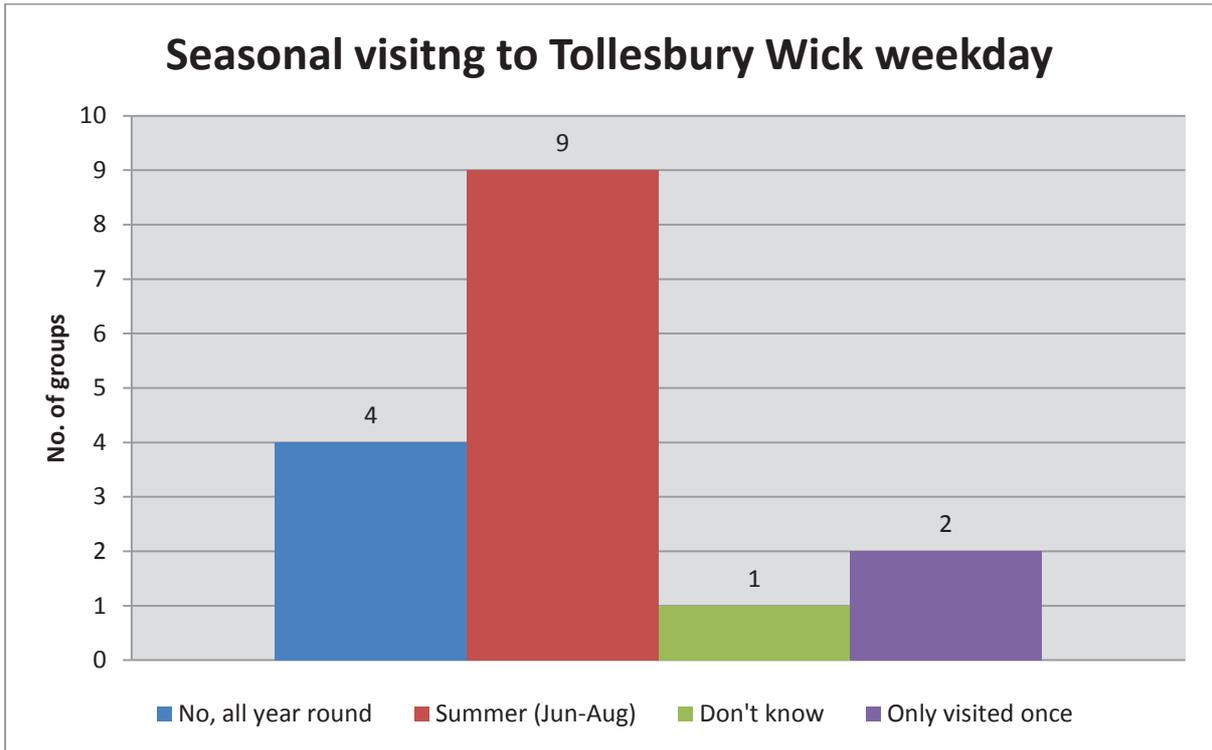
Figures A6.27- A6.28: Graphs showing results for visiting time



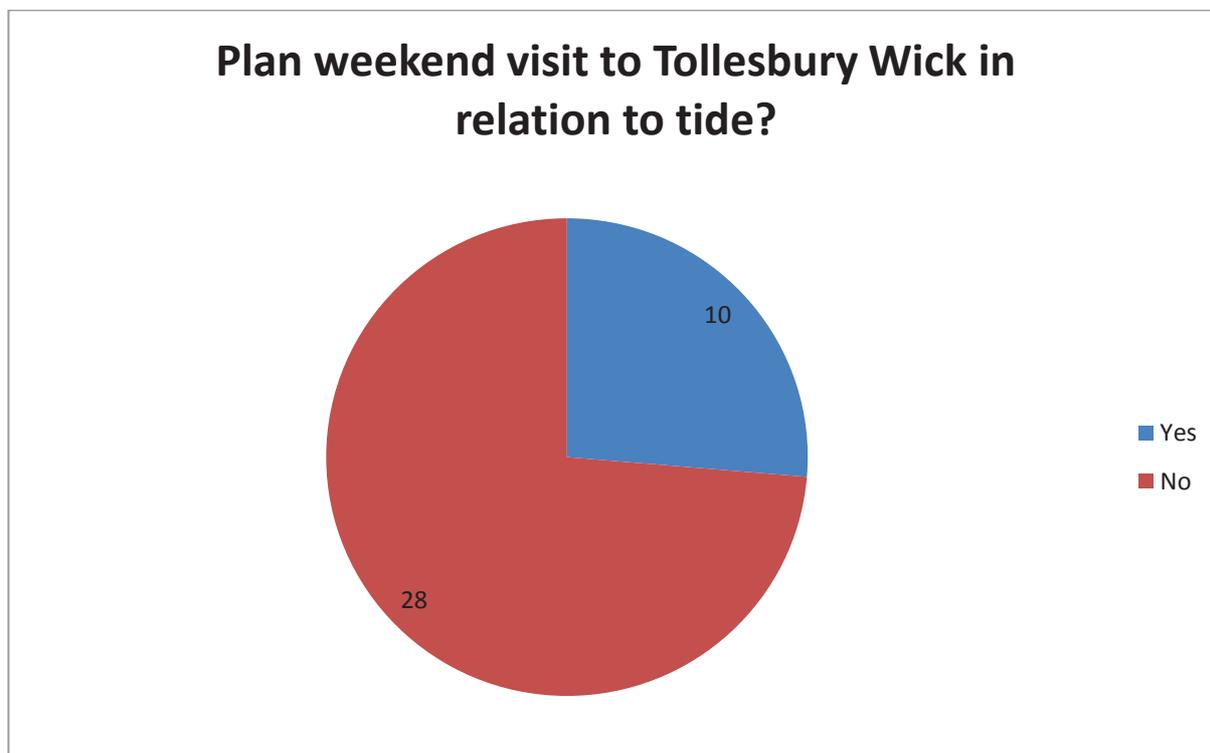
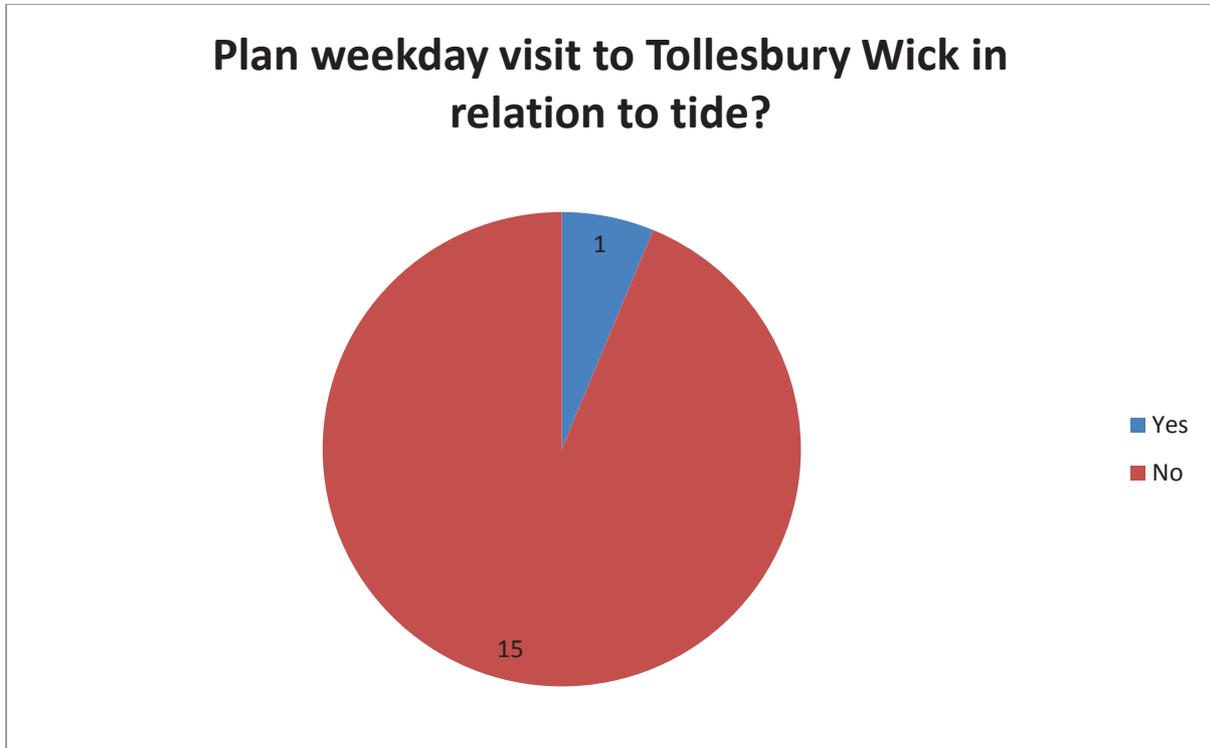
Figures A6.29- A6.30: Graphs showing results for length of visit



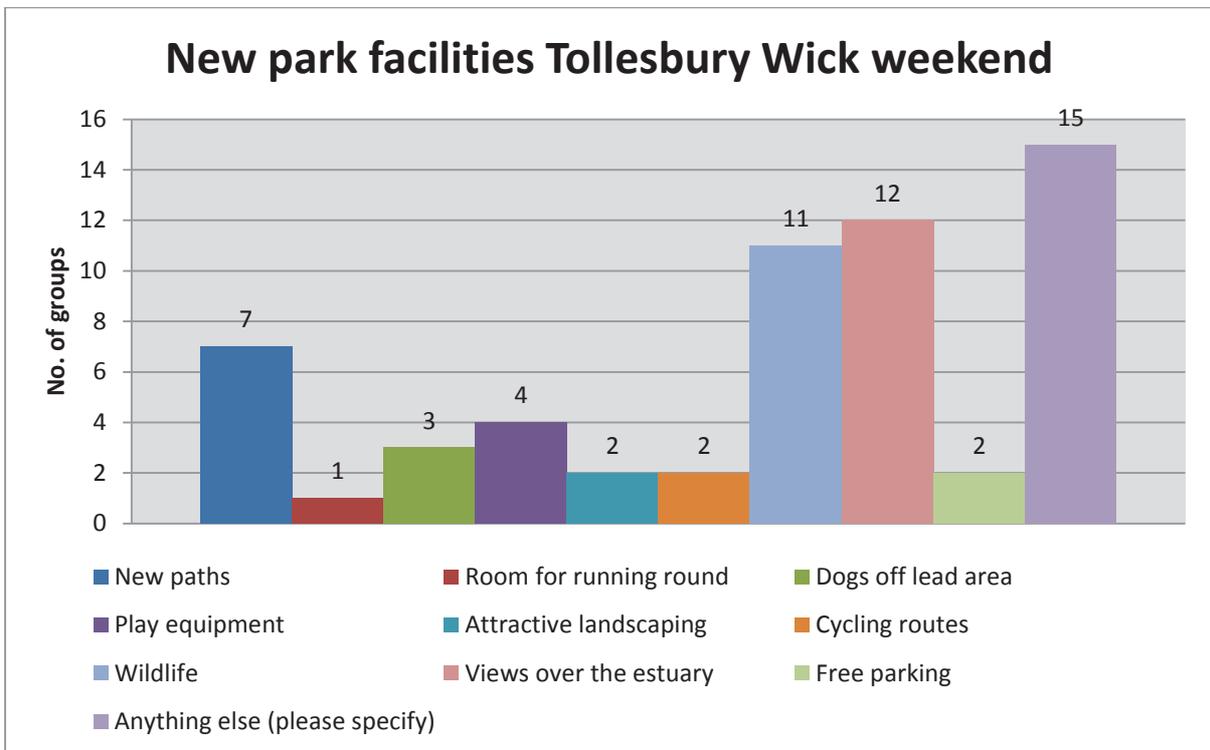
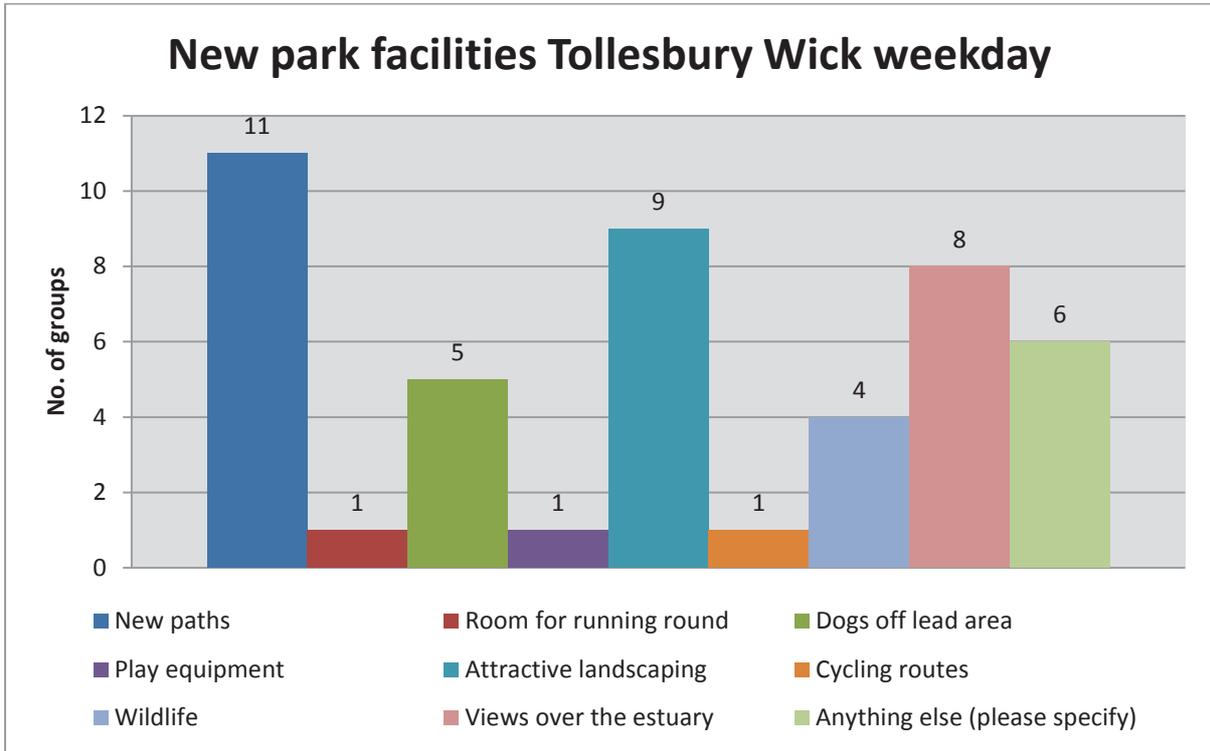
Figures A6.31- A6.32: Graphs showing results for seasonal visiting



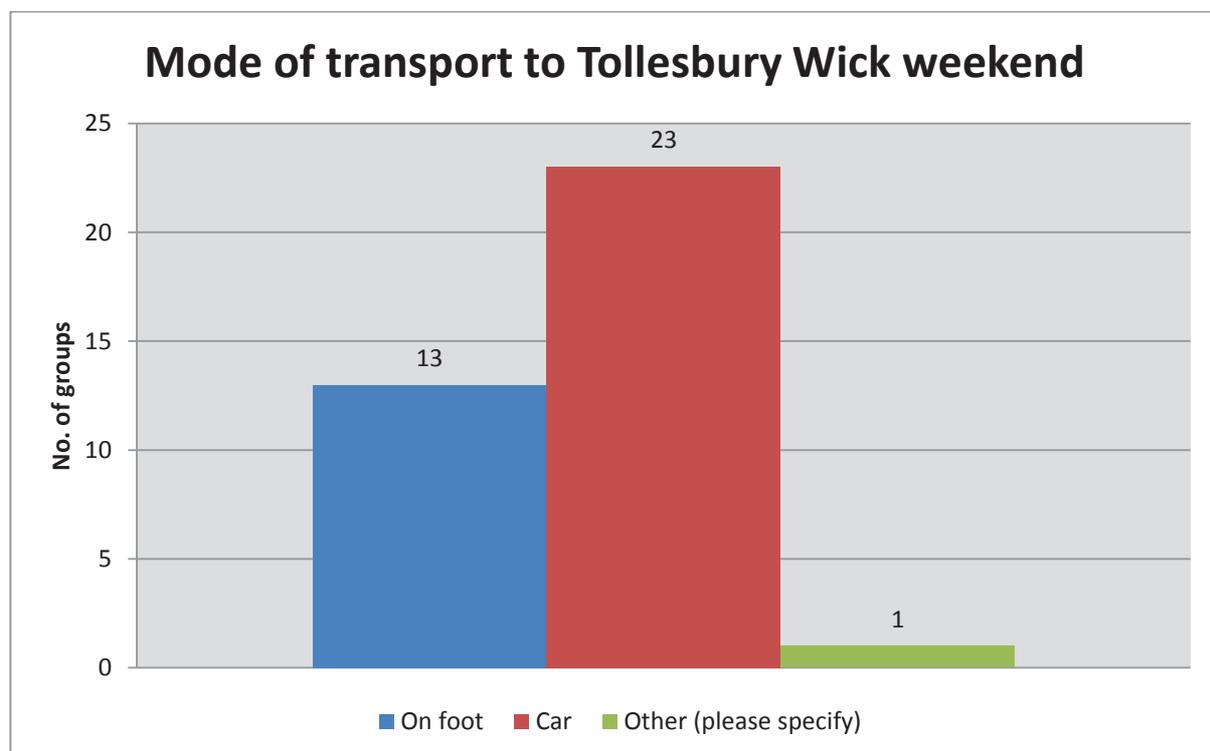
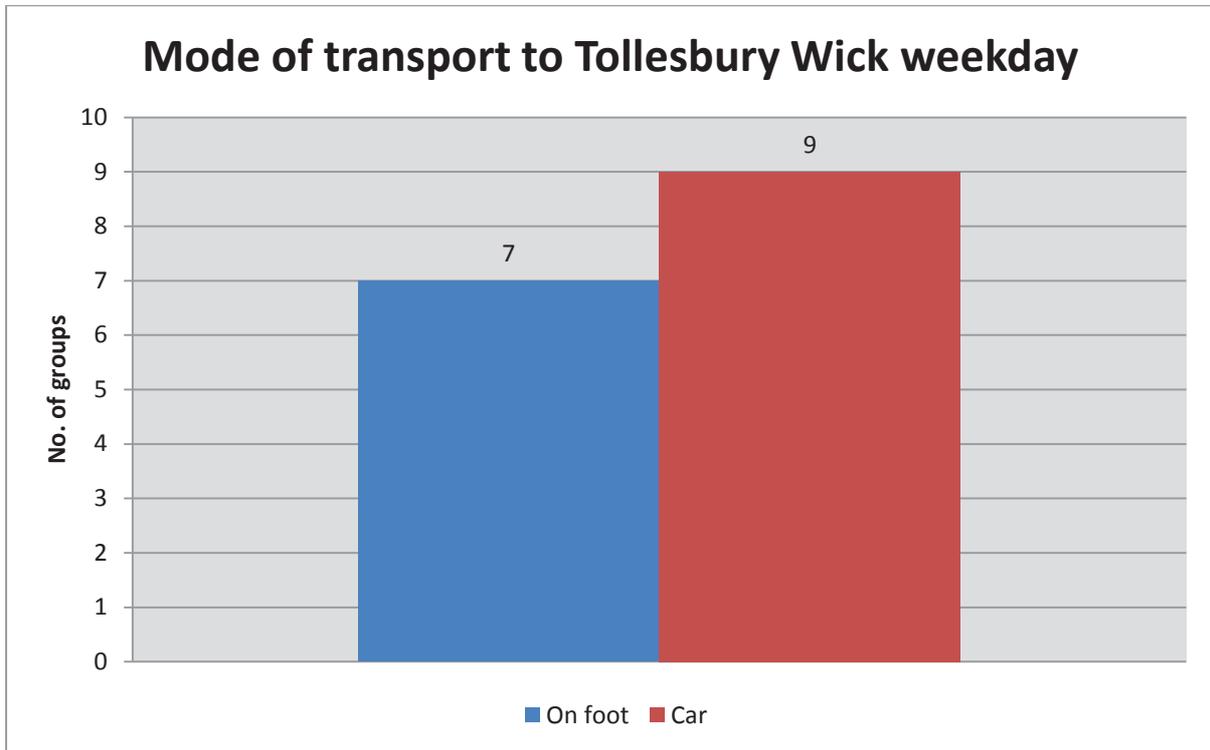
Figures A6.33- A6.34: Graphs showing results to question 'Plan visit in relation to the tide?'



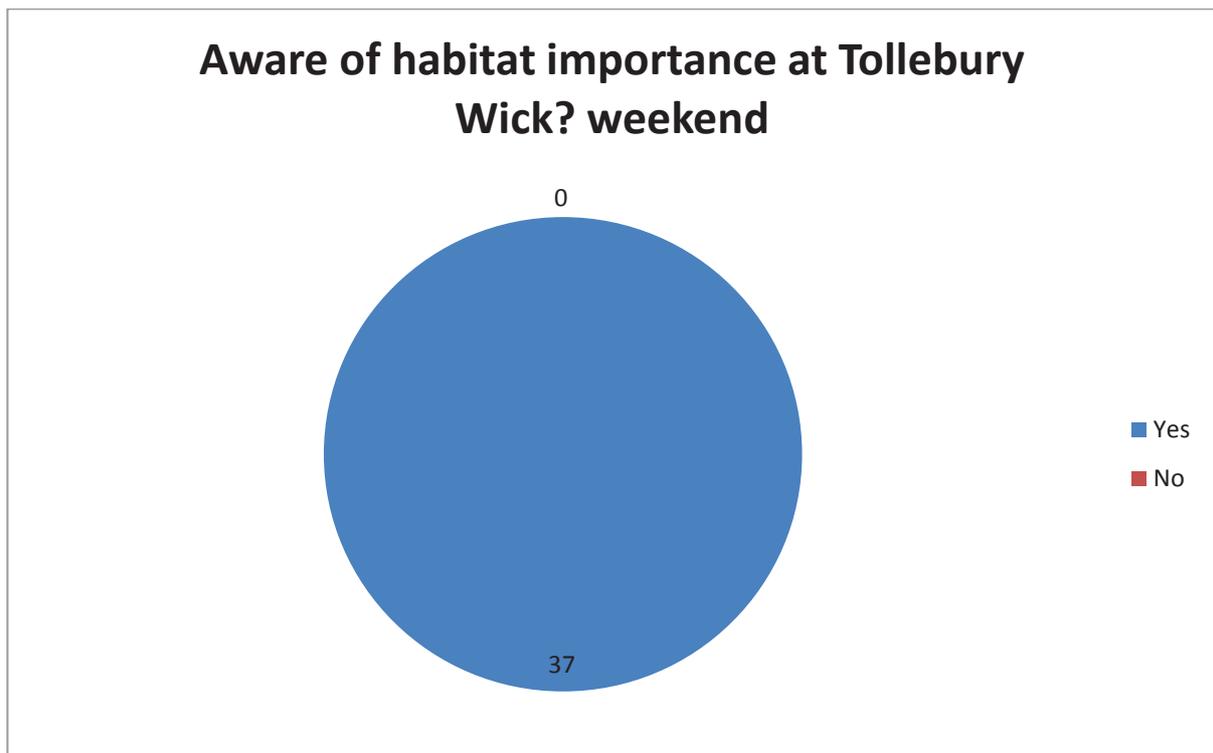
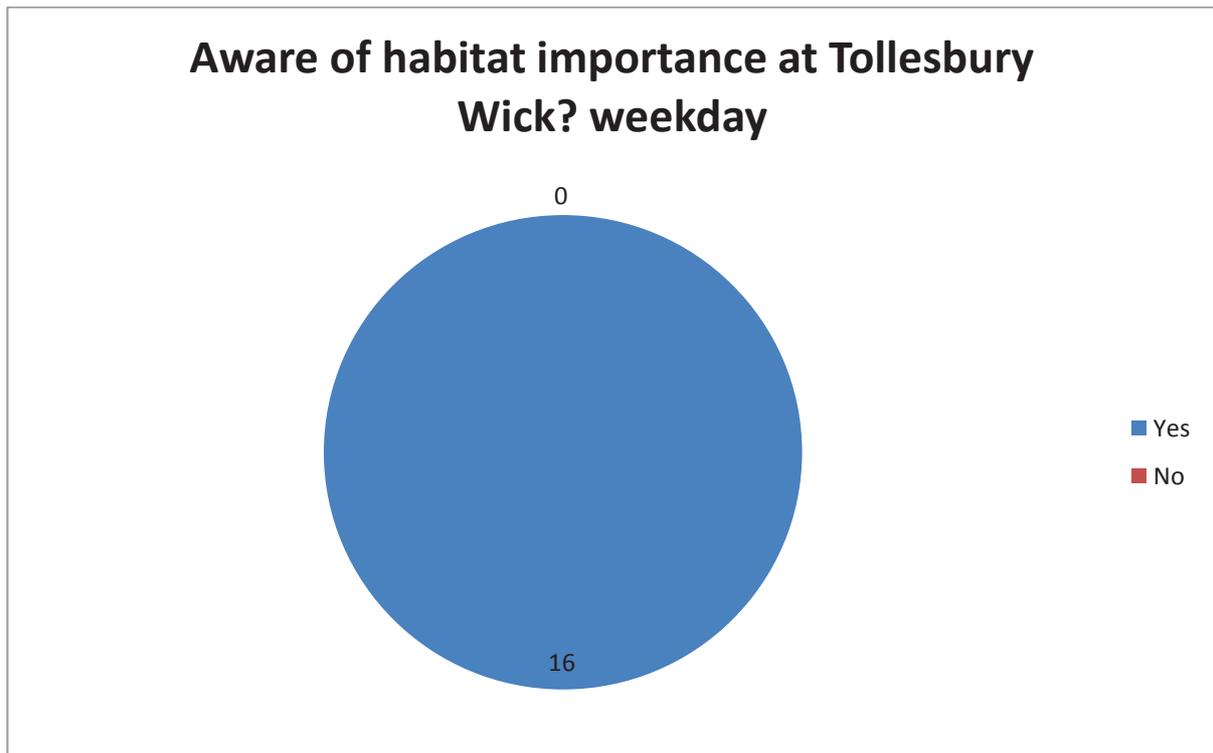
Figures: A6.35- A6.36: Graphs showing results for new park design



Figures A6.37- A6.38: Graphs showing results for mode of transport



Figures A6.39- A6.40: Graphs showing results for awareness of habitat importance



Appendix 7: Initial Stakeholder Workshop Results

The results of these workshops were based on individual attendee's opinions *and suggestions* rather than what mitigation measures will be implemented. A further follow up workshop and technical analysis will inform this.

Attendee List

North workshop	
Name	Organisation
Sue Hooton	Place Services
Lois Crisp	Place Services
Hamish Jackson	Place Services
Jack Haynes	Natural England (NE) – lead on RAMS project and planning team lead for Tendring Council.
Roy Read	NE - England coast path (ECP) representative
Chris Keeling	NE - responsible officer (RO) for Stour and Orwell and Blackwater Estuaries
Michael Parkin	NE - RO for the Dengie
Heather Read	NE – planning lead for Colchester, Maldon, Rochford and Southend-on-Sea councils.
Charlie Williams	NE - RO for the Colne Estuary
Zoe Ringwood	NE - RO for Hamford Water
Gavin Rowsell	Farmer
David Eagle	Farmer
Cllr Andrew St Joseph	Maldon DC

South workshop	
Name	Organisation
Mark Summer	MOD / DIO
Jamie Melvin	NE – planning lead for Basildon, Castle Point and Thurrock councils
James Stack	QinetiQ
Charlie Williams	NE – RO for Crouch and Roach Estuaries
Phil Sturges	NE - ECP representative
Paul Woodford	Farmer
Lynne Main	Basildon Borough Council
Annie Gordon	Essex Wildlife Trust
Rachel Langley	Essex Wildlife Trust
Claire Stuckey	Chelmsford City Council
Mike Sharp	Motor Cruising Club
Steve Plumb	Thurrock Council
Mark Nowers	RSPB
Josey Travell	Southend Borough Council
Paul Jenkinson	Southend Borough Council
Jack Haynes	NE – NE lead for RAMS project
Amanda Parrott	Basildon Borough Council
Sue Hooton	Place Services
Lois Crisp	Place Services
Luke Pidgeon	Place Services
Maria Hennessy	Place Services

Shirley Anglin	Essex Highways
Mark Nowers	RSPB
Beverley McClean	Colchester BC

Comments made below may aid conclusions on what mitigations may be beneficial in certain locations but is not the sole basis for them.

Access management measures currently in place:

All Habitats sites

- Stationary electronic people counters have been used by Essex County Council (Highways) to determine visitor numbers to areas in Essex e.g. Maldon. Could it be possible that this data could be used to determine possible impacts? Could people counters be a viable way of determining visitor numbers to sensitive areas?
- Essex Wildlife Trust has been training volunteers (Coastal Guardians) to promote visitor awareness by talks and management of signs.

Stour and Orwell Estuaries

- There is visual screening and a bird hide on the southern shore of the estuary. This ensures that an area looks more important for overwintering birds, with the aim of causing a better public attitude on how the area is used.

Hamford Water

- Bramble Island has no access and is a quiet area as it is a known area for sensitive wintering and breeding birds.

Blackwater Estuary

- Old Hall Marshes has a Little Tern colony but is managed by restricted access by boat in the summer.

Dengie

- Not so much a mitigation measure but as access to the coast in the south-east Dengie area is poor it means that it is isolated and quiet with only occasional dog walkers, anglers and birdwatchers.

Crouch and Roach Estuaries

- Chelmsford Parks such as Fenn washland and Saltcoats Park are alleviating pressures on Habitats sites. These provide good facilities such as dog walking, car parking, sports facilities, good access points and no access to the sea wall.
- Currently there is signage on the sea walls and public rights of way (PROW).

Foulness Estuary

- Currently 31 SSSI areas that are not touched, so will cause little disturbance.
- There is no public access at MD land in Shoebury, and roughly 3km east of Sutton has no public access to the coastline.



- Foulness Island is roughly 8km long, if a ZOI of 13km was imposed this would mean little contributions from developers as there is little to no residential development on the MOD land.

Thames Estuary and Marshes

- Thameside Nature Park is set to extend further.
- East Tilbury Quarry is anticipated to restore biodiversity and provide recreational facilities/areas away from the coast.
- Lower Thames Crossing and adjacent Nationally Significant Infrastructure Projects (NSIPS) could close the most southerly part of the coast for a few years. This will encourage more people north from Coalhouse Fort to Thameside Nature Park or other areas that may not be on the coast.

Potential mitigation solutions:

All Habitats sites

- Stationary electronic people counters have been used by Essex County Council (Highways) to determine visitor numbers to areas in Essex e.g. Maldon. Could it be possible that this data could be used to determine possible impacts? Could people counters be a viable way of determining visitor numbers to sensitive areas?
- Essex Wildlife Trust has been training volunteers (Coastal Guardians) to promote visitor awareness by talks and management of signs.

Stour and Orwell Estuaries

- Saltmarsh is driven over and trampled at Jacques Bay (accessed via Shove Lane, Bradfield), possible reduction in access to avoid habitat erosion.
- Water skiing is common and speed limits are not kept to at Jacques Bay. This should be enforced to reduce disturbance.
- Unauthorised access along sea wall in front of screen should be managed; this could be through better screening or wardening.
- There are bait diggers at Jacques Bay which should be made seasonal and have location restrictions.
- Access along outer edge of saltmarsh to high tide roosts at Wall Lane causes disturbance as well as recreational water craft particularly kayakers and paddle boarders. Access and locations of activities should be restricted.
- There is easy access to the foreshore at Mistle Wills which impacts the birds that sit close to the path. Possibly reduce the ease of access or divert access point elsewhere.

Hamford Water

- Enforcement should be made to unauthorised quadbikes and motorbikes.
- A bridle path should be created at the western side of Hamford Water, this will draw horses away from the seawalls and give landowners income stream through stabling and grazing.
- Create shorter circular paths off coastal path with particular access from car parks.
- Promote alternative sites for wind surfers and canoeists away from The Naze such as St. Osyth Lake/Jaywick/end of Clacton beach.
- The Naze should have seasonal access rather than 365 day access.
- A main car park on public open space away from The Naze may encourage people to walk their dogs there instead of sensitive areas.
- Need to engage with developers especially national/big developers to see conservation areas as an attraction for selling houses and developers taking responsibility for conservation management.
- Post Brexit; bring access habitat management into subsidy schemes for farmers.
- Consider ideas for the environment bank.
- Walking on the saltmarsh is disturbing birds on the south easterly side of Hamford Water.

Colne Estuary

- Habitat creation is needed bringing birds away from the coast.
- Keep shingle recharge out of spreading room at all times.
- Strandline/sand/shingle vegetation along the south side of Mersea and Cudmore Grove is currently being damaged by trampling and fires, mitigation is required to reduce impact. Current access levels at Cudmore Grove already cause some damage to vegetation and reducing breeding success for ringed plover.
- Power gliders currently take off from a field in Mersea which affects a large area, these occasionally fly low and fly over the Colne and Blackwater SPAs.
- Jet skis and canoes disturbing wader high tide roosts in main channel of the Colne Estuary and Strood Channel.
- Breeding ringed Plover and potentially Little Tern are heavily disturbed by the ferry passenger route from Mersea to Brightlingsea.
- Colne Point is by far the most important area for sand/shingle veg and breeding ringed plover so should be protected. Saltmarsh is vulnerable to increased visitor pressure from the Essex Wildlife Trust (EWT) and National Nature Reserve (NNR).
- Natwurst beach - dune vegetation badly damaged in places.
- The poplar beach by Point Clear commonly has kiteboarding which is disturbing terns and ringed plovers.
- The new play area at Cudmore Grove has increased visitor numbers significantly and in turn increased recreational disturbance, possibly look at

ways of reducing numbers by creating large, high quality play areas away from the coast.

Blackwater Estuary

- Maldon DC jet ski patrols should be supported.
- Keep Northey Island free of spreading room.
- Goldhanger had a former Little Tern colony.
- East Osea is a very popular picnic area which is un-authorised.
- Flying paramotors at Tollesbury.
- Keep shingle spit free from public access at Tollesbury Wick.

Dengie

- Canoeists disturb high tide roosts on the River Blackwater.
- There is often illegal off-roading of motorcycles and quadbikes on the seawalls and saltmarsh beach by Bradwell PowerStation.
- The north east Dengie area is too disturbed for high tide roosts.
- Othona Community and St Peters Church area is known to have walkers cross the saltmarshes in all directions.

Crouch and Roach Estuaries

- Use the foreshore department to enforce byelaws and speed limits for water sports such as jet skis. If this is an option journey times to the coast will need to be considered.
- Encourage more people to use Chelmsford Parks for their recreational activities.
- Increase signage to inform the public.

Foulness Estuary

- Currently there is access to jet skis in the north of Shoebury, this causes disturbance. Possible restrictions to be put in place.

Southend and Benfleet Marshes

- Jet skiers and kite surfers north of Gunners Park are supposed to be ¼ mile out of coast but it is common that they are not. Enforcement should be considered to ensure they stay within their boundary.

Appendix 8: Baseline Visitor Survey Data

Basildon

Basildon Borough Council does not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Braintree

Braintree District Council has funded visitor survey data to support North Essex Shared Section 1 Local Plan. Braintree contributed to a plan level Habitats Regulation Assessment in spring 2013 for the shared local plan, containing relevant survey data for many of the Habitats sites across Essex.

Additionally Braintree has s106 money available to fund further visitor surveys as required by several project level HRAs for developments within easy travelling distance of the coast (Place Services, 2017); however, details for these surveys are currently unknown.

Brentwood

Brentwood Borough Council does not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Castle Point

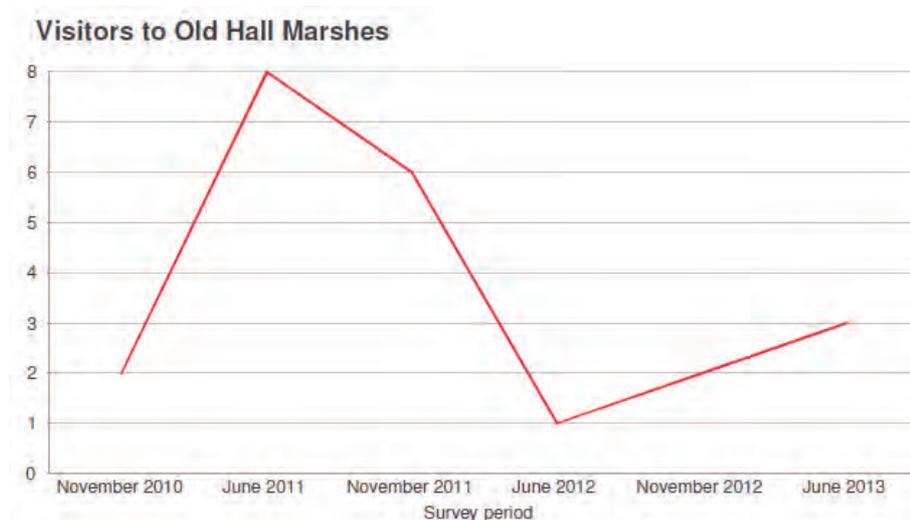
Castle Point Borough Council does not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Chelmsford

Chelmsford City Council do not currently have any visitor survey data for the Habitats sites; future surveys to be undertaken will be outlined in section 3.

Colchester

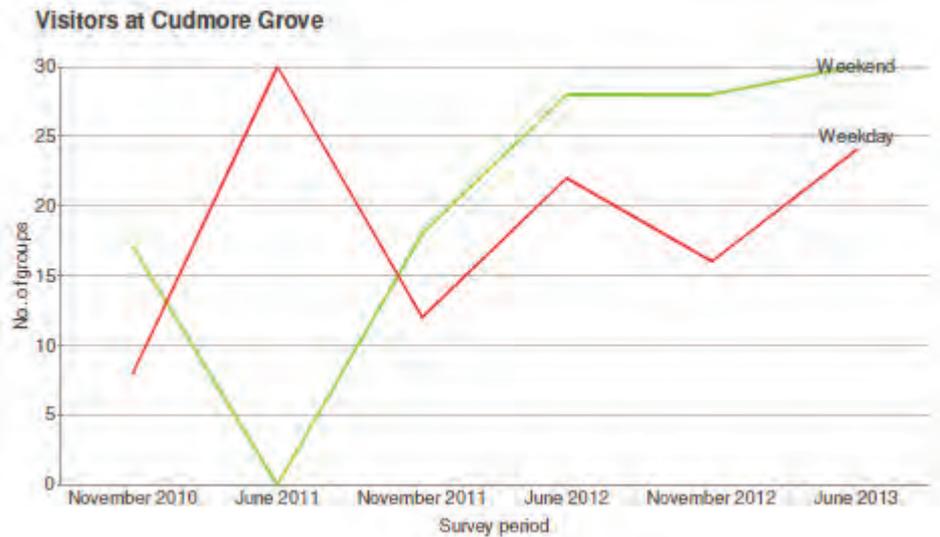
Colchester Borough Council has provided visitor survey data to support North Essex Shared Section 1 Local Plan. Colchester produced a plan level Habitats Regulation Assessment in Spring 2013 for the shared local plan, containing relevant survey data for many of the sites across Essex.



Counts Respondents	Total	Survey period					
		November 2010	June 2011	November 2011	June 2012	November 2012	June 2013
Base	56	12	9	16	5	4	10
SSSI Unit							
Strood Channel	56	12	9	16	5	4	10

Counts Respondents	Base	Survey period					
		November 2010	June 2011	November 2011	June 2012	November 2012	June 2013
Total	310	32	31	54	65	74	54
Weekday or weekend							
Weekday	142	14	15	28	24	25	36
Weekend	168	18	16	26	41	49	18

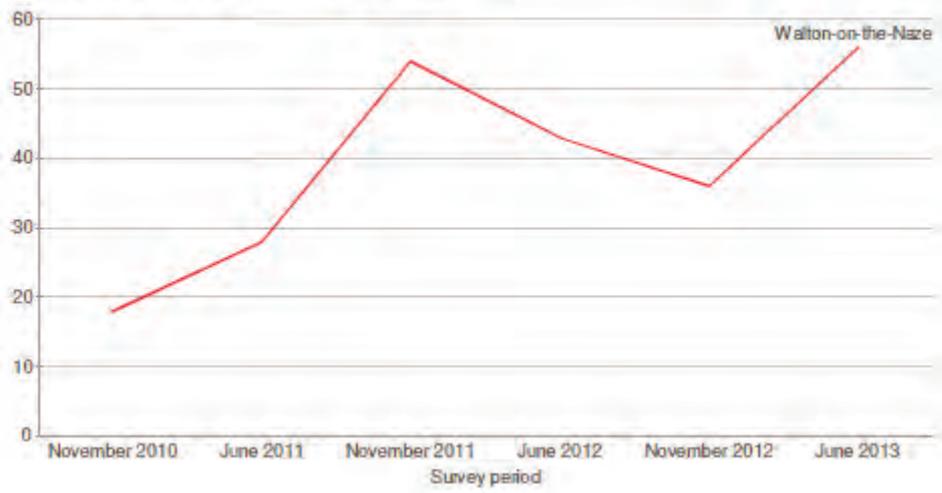
Table 15. Number of visitors at Brightlingsea Marshes over the three year survey period.



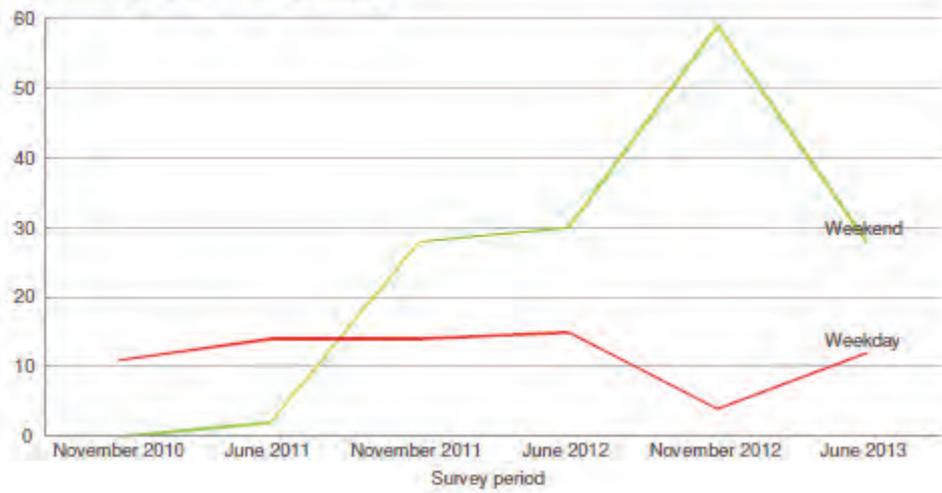
Counts Respondents	Base	Survey period					
		November 2010	June 2011	November 2011	June 2012	November 2012	June 2013
Total	35	6	2	7	4	6	10
SSSI Unit							
Kirby Quay	35	6	2	7	4	6	10

Table 17. Number of visitors at Kirby Quay over the three year survey period.

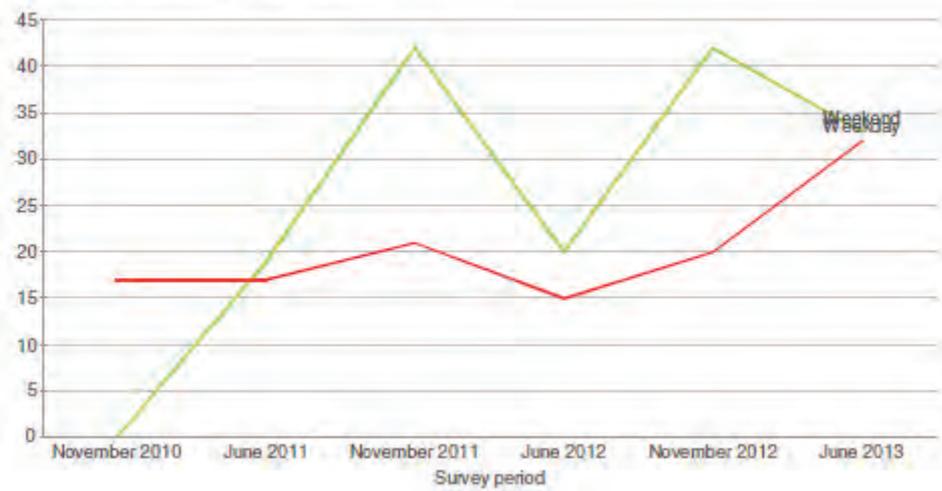
Number of visitors at Walton-on-the-Naze



Visitors at the Stour Estuary



Number of visitors at The Walls



Maldon

Maldon District Council currently has visitor survey data for the Habitats sites

Rochford

Rochford District Council currently has a visitor survey undertaken by the RSPB recording visitor numbers to Wallasea Island.

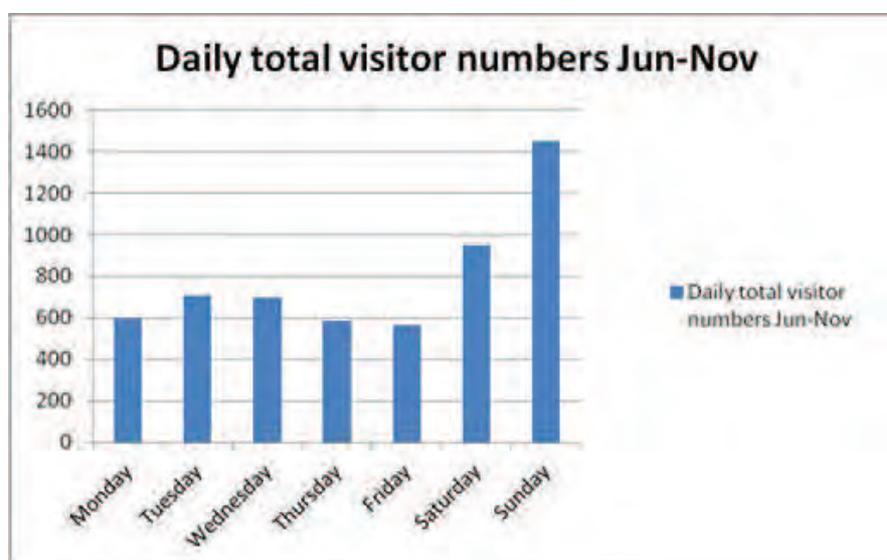
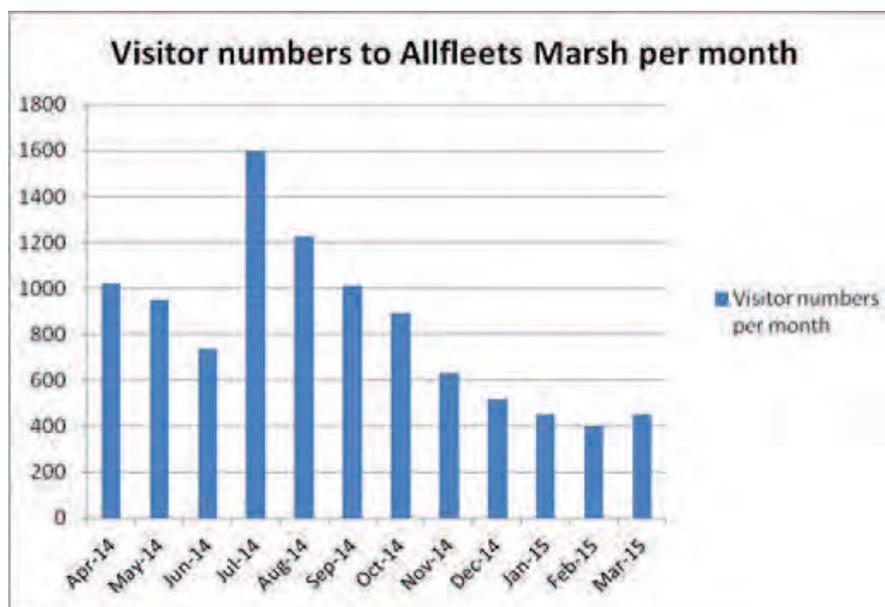
There is visitor number information available for the period 2008-2017 as shown in the tables below.

Table A8.1: Visitor numbers for 2017, including car counter

Date	Visits to seawall	No. of cars
Apr 17	1882	
May 17	1631	
Jun 17	1410	
Jul 17	1617	1442
Aug 17	1824	1720
Sep 17	1359	1239

Table A8.2: Total visitor numbers for period 2008-2016

Year	No. of visits
2008/09	3619
2009/10	4722
2010/11	5200
2011/12	7208
2012/13	7334
2013/14	7270
2014/15	9893
2015/16	11682



Southend-on-Sea

Southend-on-Sea Borough Council has data from visitor surveys undertaken on the main high street although as this location is not in the Natura 2000 site; it is not comparable data for the RAMS. Southend Borough attracts roughly 6 million visitors per annum and because of this, survey data for any area of the Borough is useful in determining impacts upon the natural and built environment, including the Habitats sites.

Table A8.3: Reasons for visiting in March and May (2013)

Reason for Visit	Wed 23 Mar	Fri 25 Mar	Sat 26 Mar	Mon 30 May	Total	%
Work	49	25	19	61	154	18%
Education	44	1	1	6	52	6%
Shopping	64	56	61	49	230	27%
Business	9	3	1	5	18	2%
Leisure	53	86	66	114	319	38%
Night Clubs	2	5	1	0	8	1%
Seafront/Amusements	3	11	5	23	42	5%
Other	12	7	5	2	26	3%
Total	236	194	159	260	849	



The questions were in regard to reasons for visiting. The data provides an insight into visitor habits.

Tendring

Tendring District Council has provided visitor survey data for the Habitats sites to support North Essex Shared Section 1 Local Plan and contributed to a plan level Habitats Regulation Assessment in Spring 2013 for the shared local plan, containing relevant survey data for many of the sites across.

Thurrock

Thurrock Borough Council currently has visitor survey data for the Habitats sites, produced by Essex Wildlife Trust and Coalhouse Fort.

Additionally, Thurrock has s106 money available to fund further surveys within the Thames Estuary SPA area however details for these surveys are currently unknown.

Essex County Council

In 2013 Place Services produced a project level Habitats Regulations Assessment Screening Report on behalf of ECC for Thames Estuary Pathways project. This document contained relevant visitor information for the Thames Estuary Pathways between Tilbury to Leigh-on-Sea.

Table A8.4: Estimated future use of Thames Pathways (2013)

Section	Mean number of path users per day	Winter path users per day	Estimated future mean number of path users per day	Estimated future mean number of winter path users per day
Tilbury to East Tilbury	50.9	15.3	76	22.8
East Tilbury to Stanford Le Hope	28.8	8.6	58	17.4
Stanford Le Hope to Pitsea	13.7	4.1	28	8.4
Pitsea to Benfleet	14.7	4.4	30	9
Benfleet to Leigh-on-Sea	354	106	443	132.9

Appendix 9: Survey postcode data and methodology

Surveyors asked visitors to the coast for their home town postcode data or location in order to calculate the distances travelled. Where a town eg Colchester was given, the distance was generated from this information. The Zones of Influence distances are based on the 75th percentile of postcode data (i.e. the distance where the closest 75% of visitors come from) taken from all surveys undertaken for each Habitats site (winter or winter/summer surveys depending on designation features).

This method was used for a number of strategic mitigation schemes nationally and is considered by Natural England to be best practice.

The tables below include the postcode data provided for all of the visitor surveys undertaken for this project.



Colne Estuary																
Location	co58ue	co58uw	co58uw	co7												
Distance	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4		
Location	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	
Distance	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	
Location	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	co7	
Distance	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4	
Location	co7	co7	co7	co58tn	co79jh	co79bb	co79nu	co58dz	co79ra	co79fe	co58hl	co79ld	co79tb	co58gg	co58rd	
Distance	0.4	0.4	0.4	0.6	0.9	0.9	0.9	1	1	1	1.1	1.1	1.1	1.2	1.6	
Location	co58pr	co78ae	co79qg	co58qh	CO58NA	co20jn	co20ju	co43nb	co12bn	co4	co4	co4	co4	co29dr	co27hw	
Distance	1.6	1.6	1.8	2.3	2.5	4.3	4.6	5.5	5.6	6	6	6	6		6.7	
Location	co33ea	co33ng	colchester	co1	co1	co1	co33uz	co33qp	co34jg	co30rn	co30hp	co3	co3	co3	co3	
Distance	6.7	7.1	7.3	7.4	7.4	7.4	7.5	7.7	8.6	9.2	9.7	9.7	9.7		9.7	
Location	co3	co63ef	co5	c05	co5	co611s	co13									
Distance	9.7	10.6	11	11	11	11	11	11	11	11	11	11	11	12.4	12.4	
															12.5	

nce															
Locati on	co6	co62 dx	co61qz	witha m	cm34 qu	cm79 ua	cm7 9at	cm77 7ux	co93 ps	cm16 qz	cm7 4ra	cm24 8hp	da28 eb	en87he	en14j d
Dist ance	15	16.1	17.4	19.2	24.1	24.7	26	27.1	28.7	29.4	36	50.8	61.8	66.3	69.4
Locati on	n16														
Dist ance	73.9														



Crouch and Roach Estuaries															
Postcode	cm08as	cm08hw	cm08rp	cm08rp	cm08bd	cm08hw	cm08jb	cm08js	cm36dq	cm08as	cm08ha	cm08ll	cm08ja	cm36ls	cm36lu
Distance	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	0.2
Postcode	north fambridge	north fambridge	cm36lu	north fambridge	cm08hb	cm08la	cm08jg	cm08jy	cm08hq	cm08la	cm36lt				
Distance	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.3	0.3	0.3	0.3	0.3	0.3	0.3
Postcode	cm08er	cm08ld	cm36lz	cm36lz	cm36lz	cm08sz	cm08dy	cm08dx	cm08dx	cm08ed	cm08hf	cm08ed	cm08es	burnham	burnham
Distance	0.4	0.4	0.4	0.4	0.4	0.5	0.5	0.5	0.5	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	burnham	burnham	cm36nf	cm36nf	cm08eh	cm08en	cm08bq	cm08ds	cm08bq	cm08ex	cm08sn	cm08bq	cm08dr	cm08rl	cm08dl
Distance	0.6	0.6	0.6	0.6	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.8	0.8	0.9
Postcode	cm08dn	cm08bw	cm08tr	cm08dq	cm08tt	cm08tf	cm08dd	cm08tx	cm36dt	cm08db	cm08tw	cm08ql	ss5	cm36je	cm36hp
Distance	0.9	0.9	1	1	1.1	1.1	1.1	1.2	1.2	1.2	2	2	2.3	2.4	2.6
Postcode	cm36bl	cm36jg	ss69ut	cm07bt	cm36jf	ss118rb	cm07bg	cm36px	cm07rx	cm07ap	cm36tw	cm0	cm0	cm0	cm0
Distance	2.7	2.7	2.8	3	3	3.1	3.5	3.9	4	4	4.1	4.2	4.2	4.2	4.2
Postcode	cm0	cm0	cm0	cm0	cm0	cm0	cm0	cm0	cm07al	cm38dg	cm07dj	cm07dg	ss68py	cm36ap	ss129ea
Distance	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.2	4.3	4.4	4.5	4.7	4.8	4.9
Postcode	cm34hp	cm36te	cm07rt	ss95bs	ss9	cm112uh	cm96ad	cm07pa	cm112ld	cm9	billericay	cm28by	cm120hr	cm129pn	ss156jz
Distance	5.1	5.3	5.5	6.2	6.4	8.9	9	9.2	10.1	10.5	11.2	11.7	11.8	12.2	13.1
Postcode	ss178er	cm40de	cm4	ss178en	cm8	cm3	cm3	cm82xe	cm31rs	rm162tj	rm176dn	rm113nn	cm79ll	se167dr	n41ay
Distance	14.7	14.7	14.7	14.7	16.8	17.9	17.9	18.1	21.1	23	23.7	25.1	26.5	45.5	47.5
Postcode	gu272jw	ireland													
Distance	108	501.8													

Dengie

Postcode	orthona	orthona	cm07pp	cm07pp	cm07qh	cm07px	cm07q	cm07q	cm07px	batedudley	bradwell	bradwell	bradwell	tillingham
Distance	0.1	0.1	1.6	1.6	1.9	2	2	2	2	2.1	3.3	3.3	3.3	3.6
Postcode	tillingham	cm07hs	tillingham	cm07tw	asdeldhamcentre	cm07gr	cm07np	burnham	burnham	burnham	burnham	southminster	southminster	
Distance	3.6	3.7	3.9	4	5	5.5	5.8	7	7	7	7	7.1	7.1	
Postcode	southminster	southminster	southminster	cm0	cm0	cm0	steeple	mayland	althorne	cm36et	maylandsea	heybridge	cm9	
Distance	7.1	7.1	7.1	7.2	7.2	7.2	9	11	11	11.8	12	14	14.3	
Postcode	cm9	latchington	maldon	maldon	colchester	ss12ey	southend	coldnorton	hockley	cm8	ss9	southwoodhamferrers	cm7	
Distance	14.3	14.5	15.6	15.6	16.5	16.5	16.7	17.6	18.1	18.8	20.2	20.8	27.1	



Postcode	cm16nn	wickford	wickford	cm1	chelmsford	cm77	cm13ea	ss177nr	cm31ln	shenfield	ct13	ilford	ip139hn
Distance	27.1	27.3	27.3	29.1	30	30	32.1	33.6	34.3	41	48.5	58.6	59.3
Postcode	london	london	ip199lp	ha4	hp5	ng237nj	cirencester	de222g	cornwall				
Distance	73.6	73.6	77.5	92.1	104.2	192.7	200	211.1	415				

Benfleet and Southend Marshes

Postcode	ss12yt	ss91ea	ss08jj	ss07rl	chalkwell	chalkwell	chalkwell	ss91ed	chalkwell	chalkwell	westcliff	westcliff
Distance	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.2	0.2
Postcode	ss08ht	westcliff	ss91dr	ss92dj	ss91as	ss92dg	ss08pu	ss91hb	westcliff	westcliff	westcliff	ss91as
Distance	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2	0.2

nce												
Postcode	gunners prk	ss39ez	ss91ad	ss9 1ad	ss12xa	ss39hl	ss39ls	ss13nj	ss0 7nn	ss9 2ht	ss9 2ax	ss9 2nq
Distance	0.3	0.3	0.3	0.3	0.4	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Postcode	ss9 2ax	ss0 7nn	ss39jw	ss39fw	ss92au	ss9 1rp	ss0 8pj	ss39by	leigh	leigh	leigh	leigh
Distance	0.4	0.4	0.5	0.5	0.5	0.5	0.5	0.6	0.6	0.6	0.6	0.6
Postcode	leigh	leigh	leigh	leigh	legh	leigh	leigh	leigh	leigh	leigh	leigh	leigh
Distance	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	leigh	leigh	leigh	leigh	leigh	leigh	legh	leigh	leigh	leigh	leigh	leigh
Distance	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	leigh	leigh	leigh	leigh	leigh	leigh	leigh	leigh	leigh	leigh	ss9 1ra	ss9 1sq
Distance	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6	0.6
Postcode	ss9 1rd	leigh	leigh	thorpe bay	thorpe bay	thorpe bay stn	thorpe bay	thorpe bay	thorpe bay	thprpe bay	ss13le	ss13nb
Distance	0.6	0.6	0.6	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.7
Postcode	ss39ja	thorpe bay	ss9 1qx	ss9 2al	ss9 2an	ss9 2an	ss9 1qx	woodgr ange drive	ss9 1nj	ss12ub	ss39lz	ss89rd
Distance	0.7	0.7	0.7	0.7	0.7	0.7	0.7	0.8	0.8	0.8	0.8	0.8
Postcode	ss91ju	ss39qf	ss9	ss9 1st	ss39le	ss13je	ss12xw	ss9	ss9	ss9	ss9	ss9



ode			1nw									
Distance	0.8	0.8	0.8	0.8	0.9	0.9	0.9	0.9	0.9	0.9	0.9	0.9
Postcode	ss9	ss9	ss9	ss9	ss13eh	ss12uf	southchurch	ss08ah	southchurch	ss9 2ta	thorpedean	ss24jp
Distance	0.9	0.9	0.9	0.9	1	1	1	1	1	1	1.1	1.1
Postcode	ss39wb	ss39wb	ss39gb	ss39la	garrison estate	garrison estate	garrison estate	garrison estate	ss07aq	ss9 3pn	ss9 2qp	ss13pp
Distance	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.1	1.2
Postcode	ss25az	ss93pj	ss93ea	ss71pg	ss9 3ea	SS9 3EJ	ss09dd	ss09dd	ss13sr	ss0 7bb	ss3 9pe	ss93db
Distance	1.2	1.2	1.2	1.2	1.2	1.2	1.3	1.3	1.3	1.3	1.4	1.4
Postcode	ss13qp	ss38ag	ss24np	ss39ap	ss93be	ss93fa	ss93dx	SS0 9RD	souyhend	ss25dh	ss13pu	ss24ht
Distance	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.4	1.5	1.5	1.5	1.5
Postcode	ss24nf	southern d	southern d	southern d	westliff southern border	southern d	ss39sg	ss24hp	hadleigh	hadleigh	hadleigh	shoeburyness
Distance	1.5	1.5	1.5	1.5	1.5	1.5	1.6	1.6	1.6	1.6	1.6	1.7
Postcode	shoebury	shoebury	shoebury	shoebury	ss25lu	hadleigh	ss0	hadleigh	ss0	ss0	shoebury rd	ss24rs
Distance	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.7	1.8	1.8

Postcode	ss9 4je	ss2 4dl	ss13nz	ss8 0qf	ss71hg	ss38bh	ss7 5eh	ss38xp	ss24rd	ss9 3tu	ss38yh	ss39yy
Distance	1.8	1.8	1.9	1.9	2	2	2	2.1	2.1	2.1	2.2	2.3
Postcode	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	benfleet	ss7	ss24ay
Distance	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.3	2.4	2.4
Postcode	ss00pz	ss7	ss0 0py	ss9 4tj	thundersley	thundersley	ss7 2uh	ss75st	eastwood	eastwood	eastwood	ss3 0at
Distance	2.4	2.4	2.4	2.7	3.1	3.1	3.1	3.2	3.4	3.4	3.4	3.6
Postcode	ss30wl	ss30dx	ss9 5qx	ss9 5as	gt wakering	wakering	wakering	gt wakering	wakering	wakering	ss30rh	great wakering
Distance	3.7	3.7	3.7	3.8	4	4	4	4	4	4	4	4
Postcode	great wakering	littl wakering	ss3	ss30jn	ss74sb	ss6	ss6 8rb	rayleigh	rayleigh	raighley	raighley	rochford
Distance	4	4.1	4.1	4.3	4.5	4.9	5	5.1	5.1	5.1	5.1	5.3
Postcode	ss30ls	rochford	rochford	ss41nq	ss13 1hz	ss13 1pp	ss54pu	ss54px	ss13 1ph	hockley	ss5	ss5
Distance	5.3	5.3	5.3	5.7	5.9	6.5	6.6	6.6	6.7	6.8	6.9	6.9
Postcode	ss54sj	ss43bj	ss5 4xd	ss141rp	basildon	basildon	basildon	basildon	ss55al	ss120nz	ashingdon	wickford
Distance	7	7	7.2	7.4	7.4	7.4	7.4	7.4	7.5	8.1	8.7	8.8



Postcode	ss14	ss14 2bd	ss154a h	ss178 nr	ramsde n heath	east tilbury	east tilbury	orsett	orsett	cm120 nb	cm3 6ql	rm175rp
Distance	8.8	9.1	11.8	12.3	12.8	12.9	12.9	14.7	14.7	15.6	16.3	18.3
Postcode	grays	cm4 0ad	brentwo od	CM2	cm13bj	upminst er	upminst er	upminst er	chelmsf ord	chelms ford	hornchu rch	hornchur ch
Distance	18.7	19.9	20.7	22.2	22.6	22.8	22.8	22.8	23	23	24.9	24.9
Postcode	rm30ww	rm2 5bu	dartford	romfor d	romford	east london	cm73dp	cm7 9ax	cm19 4eh	n8	north london	north london
Distance	25.1	26.7	27	27.9	27.9	36.1	37.8	38.6	42.5	47.5	47.7	47.7
Postcode	N1	london	west london	cambri dge	gu12 6rb	buckimg ham	norfolk	sheffiel d	ng60ar	devon	yorkshir e	glasgow
Distance	48.1	49	62.6	80.3	96.2	119.4	126.2	247.5	247.6	321	329	577

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Thames Estuary and Marshes

Postcode	ss170eg	rm188pb	east til	east tilbury	east tilbury	east tilbury	ss17	ss17	ss17	ss17	ss17
Distance	0.6	0.7	1	1	1	1	1.5	1.5	1.5	1.5	1.5
Postcode	ss17	station rd	corringham	corringham	ss170nz	linford	linford	linford	linford	linford	ss177rg
Distance	1.5	1.6	1.7	1.7	1.7	2	2	2	2	2	2
Postcode	stanford	stanford	stanford	stanford	stanford	stanford,horndon	stanford le hope	stanford	stanford	stanford	stanford

Distance	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2	2.2
Postcode	stanford le hope	stanford le hope	stanford	stanford	ss178qr	ss179el	ss178ph	horndon	rm18 8dj	rm188dx	chadwell
Distance	2.2	2.2	2.2	2.2	2.5	2.6	3.2	3.5	4	4.4	4.8
Postcode	tilbury	tilbury	tilbury	tilbury	rm187ah	ss16	ss14	rm175rg	rm16	laindon	basildon
Distance	4.9	4.9	4.9	4.9	5.5	6.4	7.1	7.2	7.2	7.6	8
Postcode	basildon	basildon	basildon	rm17	grays	grays	grays	grays	grays	chafford	ss7
Distance	8	8	8	8.1	8.2	8.2	8.2	8.2	8.2	8.9	9.9
Postcode	south ockendon	south ockendon	wickford	rm154bh	ss12	leigh on sea	cm133dq	hockley	ss11et	cm0	cm234es
Distance	10.1	10.1	12.3	12.4	12.6	13.5	15	16.8	17	30.6	45
Postcode	so32										
Distance	128										

Appendix 10: Follow up Stakeholder Workshop Outputs

The results of the follow up workshop will inform which mitigation measures may be effective in certain locations but is not the sole basis for them.

Essex coast RAMS Stakeholder Workshop Outputs 10:00 – 13:00 15th June – Colchester Borough Council Offices

Attendee List

Name	Organisation
Matt Wilson	Coast and countryside Manger (Maldon District Council)
Roy Read	England Coast Path representative (Natural England)
Charlie Williams	Responsible officer for Crouch and Roach (Natural England)
Leon Woodrow	Nature Conservation Officer (Tendring District Council)
Andrew St. Joseph	Maldon Councillor
Zoe Ringwood	Responsible officer for Hamford Water (Natural England)
Annie Gordon	Essex Wildlife Trust
Rachel Langley	Essex Wildlife Trust
David Piper	Blackwater Estuary Lead Ranger (National Trust)
Michael Parkin	Responsible officer for Dengie (Natural England)
Jack Haynes	Planning officer (Natural England)
Heather Read	Planning officer (Natural England)
Josey Travell	Environmental and greenspace officer (Southend Borough Council)
David Eagle	Farmer
Mark Sumner	Access and recreation advisor for Ministry of Defence
Mark Nowers	RSPB
Xavier Preston	Southend Borough Council
Shelley Blackaby	Colchester Borough Council
Karen Johnson	Maldon District Council
Sue Hooton	Place Services
Lois Crisp	Place Services
Hamish Jackson	Place Services
Luke Pidgeon	Place Services
Maria Hennessy	Place Services

Benfleet and Southend Marshes SPA and Ramsar

General Notes

- Two Tree Island, highlighted as key area of disturbance;
- Visitors are concentrated in the West (Two Tree), Centre (Golden Mile) and East (Gunnars Park). Residents are dispersed to the West and East, whereas, Tourists mainly visit the centre of the seafront;
- Thameslink pathway near Two Tree Island is heavily used (Two Tree to Hadleigh CP Loop);
- Leigh Cockle Sheds provide access to mudflats – people take their dogs.
- Bait diggers use a lot of the foreshore, can be seen travelling quite a way out.
- Staffing issues for the shoreline – on busy day's staff are focused in central Southend;
- Old Leigh has high visitor numbers;
- Two Tree Island Wildfowling – agreement is very old, made in the 1950s, wasn't aware of it until recently. Southend waiting for NE input;
- Potential to expand Belhus/Hadleigh Country Park? ;
- The England Coast Path is planned to run along the entire length of the coastline in Southend-on-Sea; and
- There is access by foot onto Canvey Point.

Table A10.1: Mitigation ideas

Location	Mitigation option	Notes
Two Tree Island	Employ new rangers to monitor the site.	Two Tree Island is currently heavily utilised during the busier tourist periods mainly by local residents.
	Habitat regeneration	Paths on the island are currently inadequate, and there are currently many wander lines.
	Implement information boards	The area features habitats which could be seen as unimportant due to their appearance. Inform visitors of the mudflat importance.
	Install buoy markers off of Two Tree Island	Paddle-boarders and Kayakers have the potential to disturb habitats at Two Tree as there is no designation in place.
	Interchangeable car park size	Car park is currently used for car meets, install barriers to prevent misuse of the car park.
Gunnars Park	Provide alternate green space	Southend currently has very little open green space. Provide green space elsewhere, it doesn't

		necessarily have to be a large area.
	Control dog walking in the area more	Despite the MOD designation on the foreshore, dog walkers are still accessing the area.
General	Mitigate disturbance	Employ rangers for the seafront who have the ability to enforce/influence.
	Potentially use County Council land for alternate green space use	The County Council may have land which is suitable for alternative green space to be provided eg former landfill sites.

Crouch and Roach Estuaries SPA and Ramsar

General Notes

- Referring to Burnham-on-Crouch – honey pot site, mostly seaward of coast;
- Referring to Paglesham/East End – Encouraging canoe trips? ;
- Referring East of North Fambridge – Wildfowling;
- Referring to both the rivers Crouch and Roach – Sailing and powerboats currently travelling into creeks, in turn disturbing birds;
- Referring to North Fambridge Marina – new ferry proposed which would travel from north to south of the river; and
- Oyster shell recharge projects are being undertaken to help create habitats for Little Terns.

Table A10.2: Mitigation ideas

Location	Mitigation option	Notes
West of Potton Island	Monitor the permitted use of narrow channels.	Narrow channels with wide areas of mud, boats and water activity cause bird disturbance.

Colne Estuary SPA and Ramsar

General Notes

- Referring to eastern side of Tollesbury Wick – picnicking and swimming popular at spit, potentially little terns nesting at this point, also lots of boating activity;
- Referring to eastern side of Old Hall Marshes – potential little tern nesting site;
- Referring to north-west Mersea Island – Water skiing and canoeing all year;
- Referring to south-west of Seawick – high level of beach activity because of caravan parks;

- Referring to stretch of coast northwards of Brightlingsea – Popular walking route;
- Ray Island has many walkers on Bonner Saltings to the island and boat landing mainly in the summer. The no landing signs that are currently there appear to be ineffective. More recently no access signs, new gates and fence have been implemented onto the landward access through Bonner Saltings; and
- Jet skis at Fingringhoe Wick NR, Geedon Bay and Saltmarsh commonly do not follow the 8 knot speed restriction in that area, ultimately the wash created from the jet skis causing an erosional effect on the saltmarsh.

Table A10.3: Mitigation ideas

Location	Mitigation option	Notes
Strood Channel	Communicate with user group to explain impacts. Provide guided walks and talks.	Canoeing up the channel at high tide
Colne Point	Rangers should identify Little Terns and fence off sites.	A range of measures are needed. Disturbance is adversely affecting birds – Ringed Plover and Little Tern.
	Caravan sites should be educated to understand importance of the spit as a habitat for birds	
	Restrict access at certain times of year to prevent disturbance.	
Eastern side of Tollesbury Wick	Fencing off nesting sites	Little Terns are known to nest at Tollesbury Wick, fencing to prevent access and mitigate disturbance.
South east of Wivenhoe	Managed realignment	Currently heavy disturbance for Little Terns, managed realignment has solved cases like this in other areas.
Ray Island	Enforce no access	Remove the National Trust 'Welcome' sign as it sends the wrong message.
Fingringhoe Wick Nature Reserve	Engagement with local clubs	Clubs could include boating clubs to improve behaviour.
Fingringhoe Wick Nature Reserve, Geedon Bay and Saltmarsh owned by MOD	Rangers and education	Add a warden for these areas and get them to engage with local boat clubs and liaise with the Harbour Master and River Police.

Stour and Orwell Estuaries SPA and Ramsar

General notes

- The Stour has very few access points to the coast. The main points on the Essex coast are Mistley Walls, Bradfield, Wrabness and Stour Wood, Ramsey;
- There is a no access sign to the beach at Wrabness but this is ignored; and
- There are numerous dog users at Wrabness and many do not use leads.

Table A10.4: Mitigation ideas

Location	Mitigation option	Notes
Mistley Walls	Ranger that will encourage people to move to an alternative beach that is located at Manningtree (opposite The Crown pub) which is close by and will have less of an impact.	The alternate beach is better suited for recreational activities but is not well known, once people know the location they could be more likely to use that beach rather than Mistley Walls.
Mistley Walls	Signage educating the public about when they are allowed to use the beach.	This could be a similar method that has been seen in other authorities that uses red, amber and green paw prints to show dog owners when their dog is allowed in certain areas.
Mistley Towers	Educate the user group about what behaviours could impact their surroundings.	There is an unofficial kayaking launch point from this location. Kayakers go into creeks at high tide.
Bradfield	Signage to about when they are allowed to launch boats etc.	Long term discussions to regulate use of launching point
Stour Wood, Ramsey	Rangers to promote positive behaviour and educate dog walkers.	This area has a high presence of dog walkers. There are currently RSPB patrol volunteers that help in that area plus EWT reserve no dogs.
Harwich Haven Authority	Find a water bailiff to enforce speed limits and positive behaviour or work more closely with Essex Marine Police.	It is not uncommon to witness speeding along the Stour, a bailiff would help keep speed limits in check.
Dovercourt	Promote jet ski launch points from Dovercourt.	This will encourage people to launch from here where there will be a lesser impact to birds.
Wrabness NR	Rangers through an Essex Wildlife Trust partnership.	There is an Essex Wildlife Trust ranger at Wrabness Nature Reserve adjacent to the estuary,

		where there is a high presence of dog walkers.
Wrabness NR	Education	Information days aimed at dog walkers on site as this was tried and received well in the past.
Wrabness NR	Behaviour change	Further encourage the public onto concrete paths and discourage from sensitive areas like marsh fields and estuary beach.

Blackwater Estuary SPA and Ramsar

General Notes

- Referring to Caravan Parks, Jet skiing is at present a big issue for the estuaries;
- Swimming within the estuary is gaining in popularity;
- Paddle-boarding is also undertaken in areas which are sensitive to bird interference;
- Aircrafts frequently fly over the estuary at low altitudes disturbing wildlife; and
- Walkers and canoeists regularly cause disturbance on Tollesbury Point and shingle spit.

Table A10.5: Mitigation ideas

Location	Mitigation Option	Notes
Northey Island	Saltmarsh recharge. 10 year project in the South corner.	National Trust is looking at more access to Northey.
Bradwell	Coastal realignment or habitat creation.	Creation of new offshore island.
General	Alteration to byelaws.	Partnership with Essex Marine Police, who have already undertaken work for Colchester.
Blackwater	Expansion of river bailiff services.	Blackwater is main enforcement area – jet ski enforcement in particular.
	New walking routes e.g. Heybridge Lakes.	This location is close to the Blackwater, but could provide a circular route.
	Expansion of ranger numbers.	Employ more rangers/roving rangers at key sites, to enforce
Maldon Promenade	Park extension.	Land available in the east, potential to expand promenade with specific dog walking area.

Blackwater Caravan Parks	Educate park owners and visitors.	Visitors and owners need to be educated about habitat zoning. Review jet-ski zones as they are typically of lesser quality.
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Foulness Estuary SPA and Ramsar

- There are a lot of walkers and dog walkers at Wakering Stairs

Hamford Water SAC, SPA and Ramsar

- John Weston Essex Wildlife Trust reserve has restricted access, with roughly 50% of the land with no access
- Currently there is a volunteer warden at John Weston

Table A10.6: Mitigation ideas

Location	Mitigation Option	Notes
Beaumont Quay	HLS government funded scheme to redirect horse riders from area. Capital works and on-going payments.	Created permissive pathway, around other farm area, to prevent sea wall usage, but is still legal.
Stone Point	Create a friend of the ringed plover group.	Local people provide on-site policing to prevent disturbance from dogs/walkers.
John Weston	Rangers	Hire a new ranger as there is a current vacancy for one.
	Habitat creation / improvement	Look at bird data to see if this would be viable and effective.
	Signs	Improve signs on the accessible entrances.
	Information	Improve the quality of information at The Naze visitor centre.
Skippers Island		
Operating from Titchmarsh Marina	Boat warden	Extend the hours for the boat warden service. Used to be all year round.
Local schools	School talks / education to encourage the love of local wildlife.	Changes behaviour of parent.
Tourist Information Centre – used to exist	Re-open TIC in local area.	Provide info for what they can do to protect the area.
Dog walker policing	Encourage dog-walkers to police other dog-walkers to	Self-policing.

	behave better.	
Hamford Water general	Branding for the protected area.	Put a recognisable logo on coffee cups and stickers. Tell people what is special about an area, and how they can help.
Coastal Path	Orientation boards along key access points.	Provide information, location and code for the area.
General	Warden for the area.	Post for education, policing and habitat management (including Skippers Island and John Weston).
	Create an app for the protected area.	Interactive app shows people more robust areas, 'quiet zones' & 'play zones'.
	Re-direct paddleboarders.	

Thames Estuary and Marshes SPA and Ramsar

General notes

- Referring to the estuary – there is currently no 'obvious' need for water based enforcement of sports/boats;
- Infrequent walkers and fisherman can be found by Mucking Creek;
- It is likely that there will be housing allocations at East Tibury which will increase visitor numbers; and
- Essex Wildlife Trust (Thameside Nature Park) will be expanding and will have restrictions to access as it does currently. This will move visitors away when the reserve is closed.

Table A10.7: Mitigation ideas

Location	Mitigation Option	Notes
Grays	Quarry restoration	Will move people away from the sea wall.
Coalhouse to southern boundary of Thameside NP	Improve surface of track.	Usage of the current track from walking/dog walking has degraded it.
Farmland west of Coalhouse	Potential here for habitat creation.	The option to create & provide high tide roosts.

Dengie SPA and Ramsar

General notes

- Bradwell beach commonly has illegal off road biking and quad-bikes that are disturbing habitats, fencing doesn't always prevent this;
- A lot of the access to the Dengie is limited as a lot of it is private access unless people are walking along the coast;
- Visitor numbers are currently low but are increasing;
- Need to look at the land immediately to rear of sea wall as Little Tern nest there at Bradwell. Need involvement from farmers/landowners as they are best placed to put in measures that will protect species. Could make it easier for birds to nest at high tide;
- There is a popular walking route along from the Nature Reserve car park along the seawall, which disturbs birds and affects the saltmarsh; and
- Illegal off-roading is common on the sea wall and saltmarsh.

Table A10.8: Mitigation ideas

Location	Mitigation Option	Notes
Bradwell	New habitat / coastal realignment	Saltmarsh restoration and re-creation, for example creating a new off-shore island near Bradwell. EWT and RSPB have identified sites where saltmarsh can be recharged. It could be a possibility to work in partnership to deliver these schemes.
Sea wall	Encourage movement of people away from sea wall to alternative locations.	Alternative locations could include Heybridge Lakes.

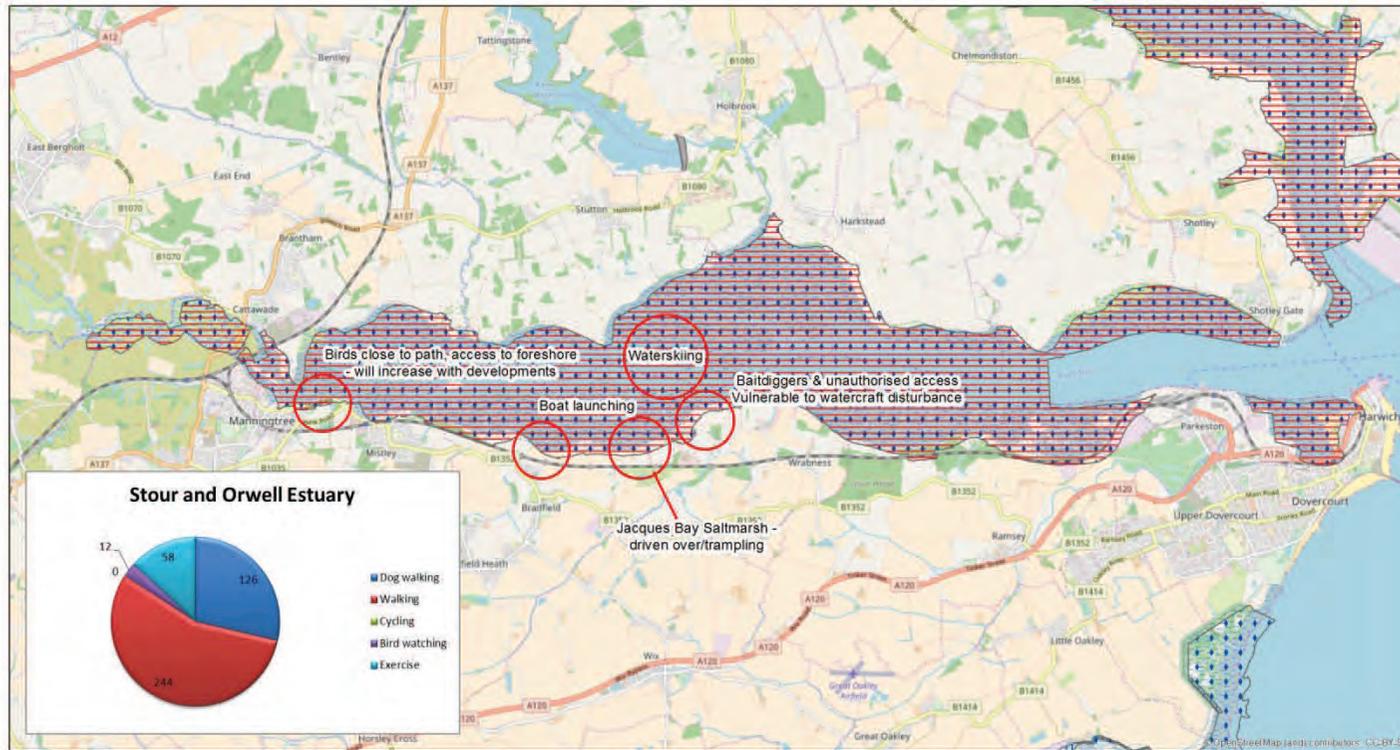
All sites

General Mitigation

- Bird Aware is a scheme used in the Solent that is the same concept as the Essex RAMS; this has a website, leaflets and promotes positive behaviours to recreational users. Essex should use this brand as start-up costs would be less and it could mean that the 'Bird Aware' campaign could become nationally recognised. The name Bird Aware should be the preferred name of the scheme compared to the RAMS as it is a clear cut term and is more user-friendly;
- Create partnerships with organisations such as Essex Wildlife Trust, RSPB and National Trust to help deliver measures with their Rangers; and
- Mitigation should include education/communication projects as well as physical projects.

Appendix 11: Annotated maps of Habitats sites showing recreational disturbance types and locations

Stour Estuary SPA and RAMSAR

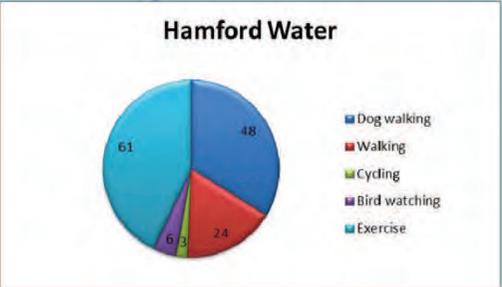
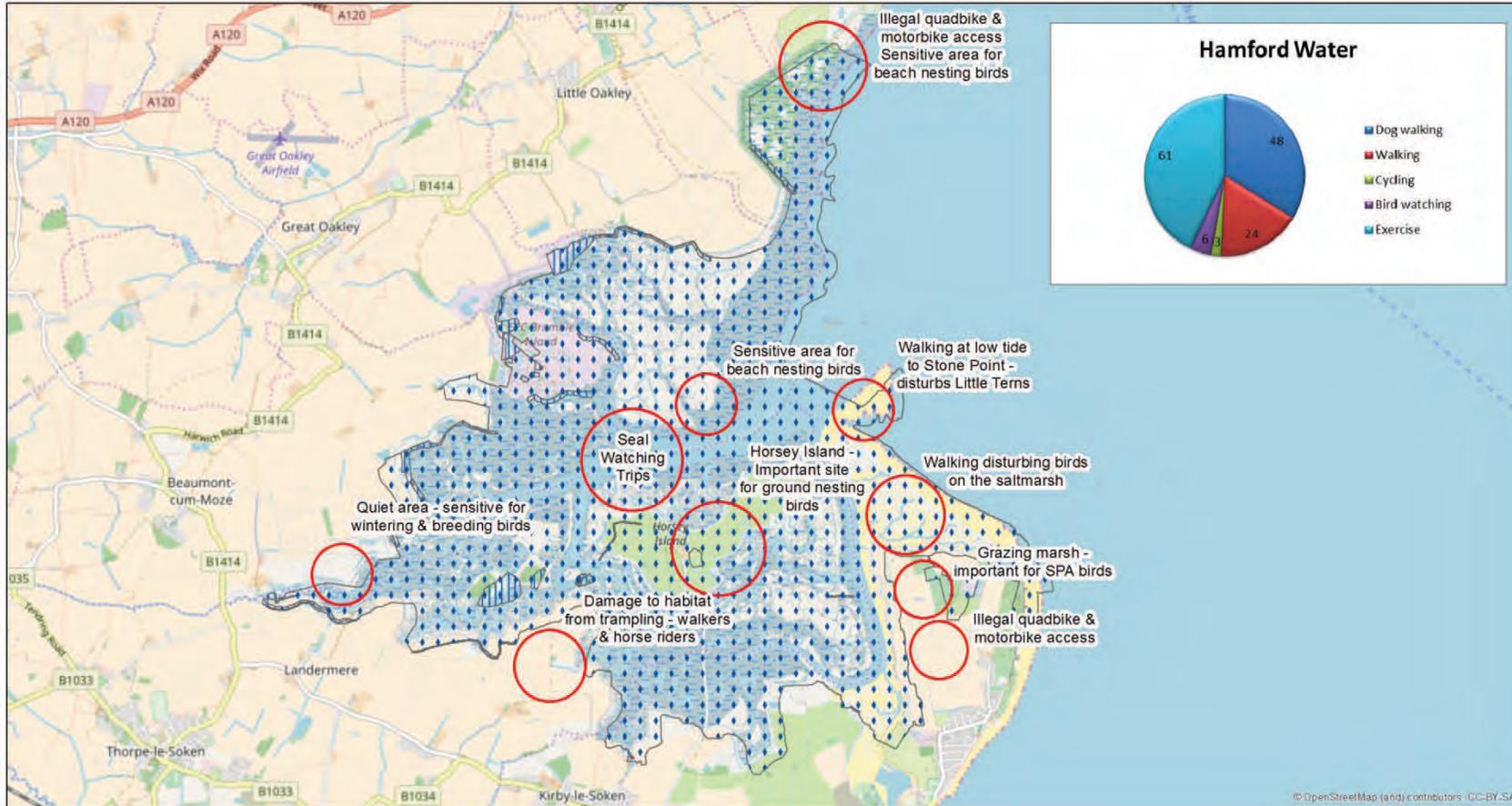


Legend

-  Special Protection Area (SPA)
-  Ramsar
-  Special Area of Conservation (SAC)

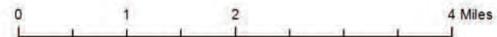


Hamford Water SPA and RAMSAR

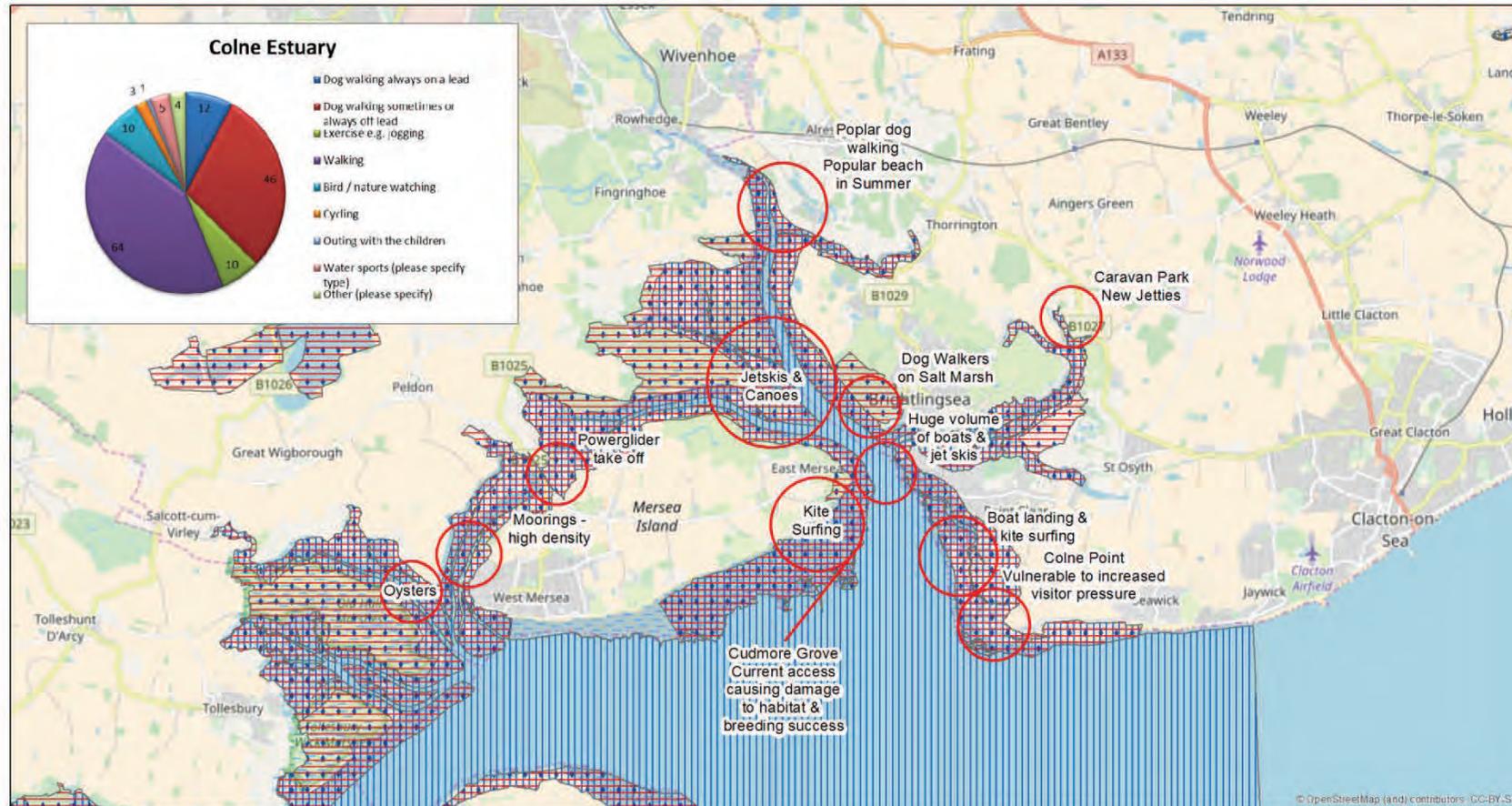


Legend

-  Special Protection Area (SPA)
-  Ramsar
-  Special Area of Conservation (SAC)



Colne Estuary SPA and RAMSAR



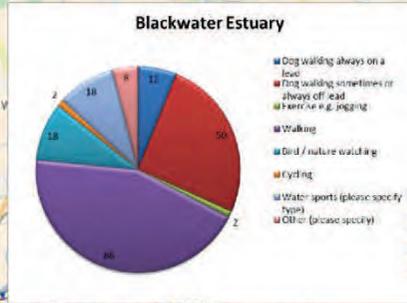
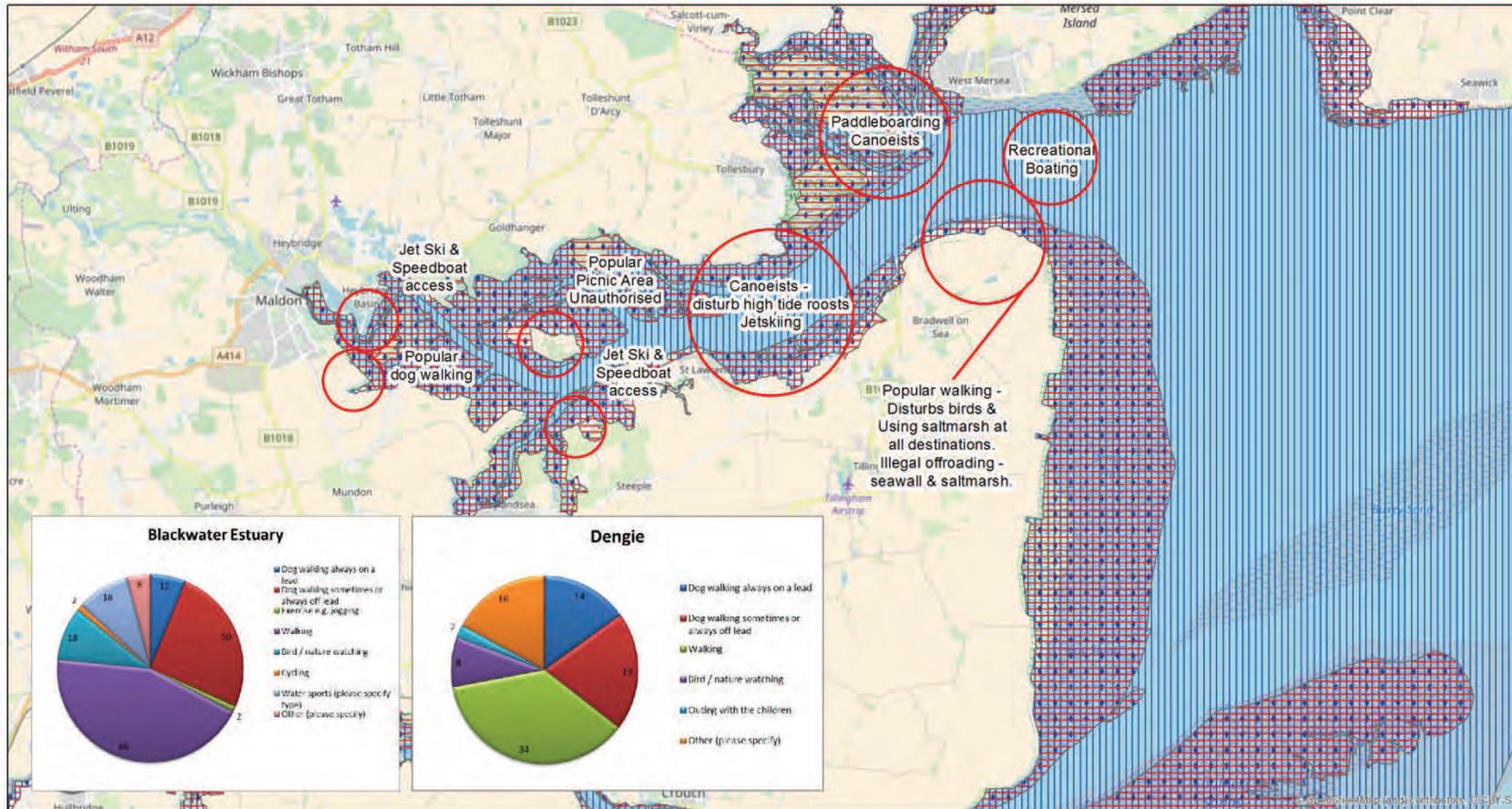
Legend

- Special Protection Area (SPA)
- Ramsar
- Special Area of Conservation (SAC)

Paramotors fly low over entire estuary

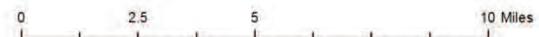


Blackwater Estuary and Dengie SPA and RAMSAR

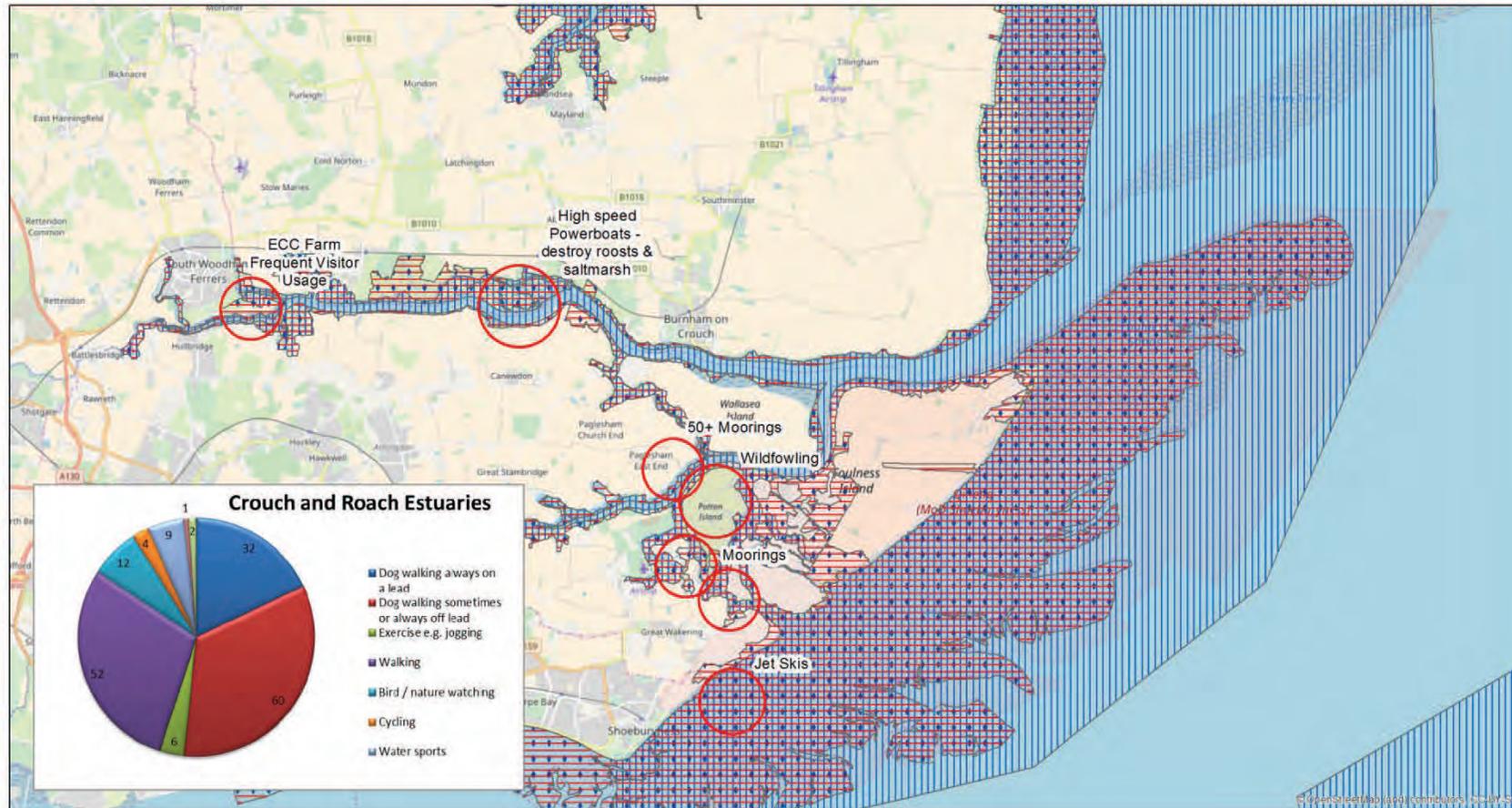


Legend

-  Special Protection Area (SPA)
-  Ramsar
-  Special Area of Conservation (SAC)

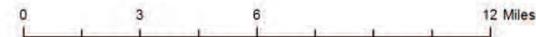


Crouch and Roach Estuaries & Foulness Estuary SPA and RAMSAR

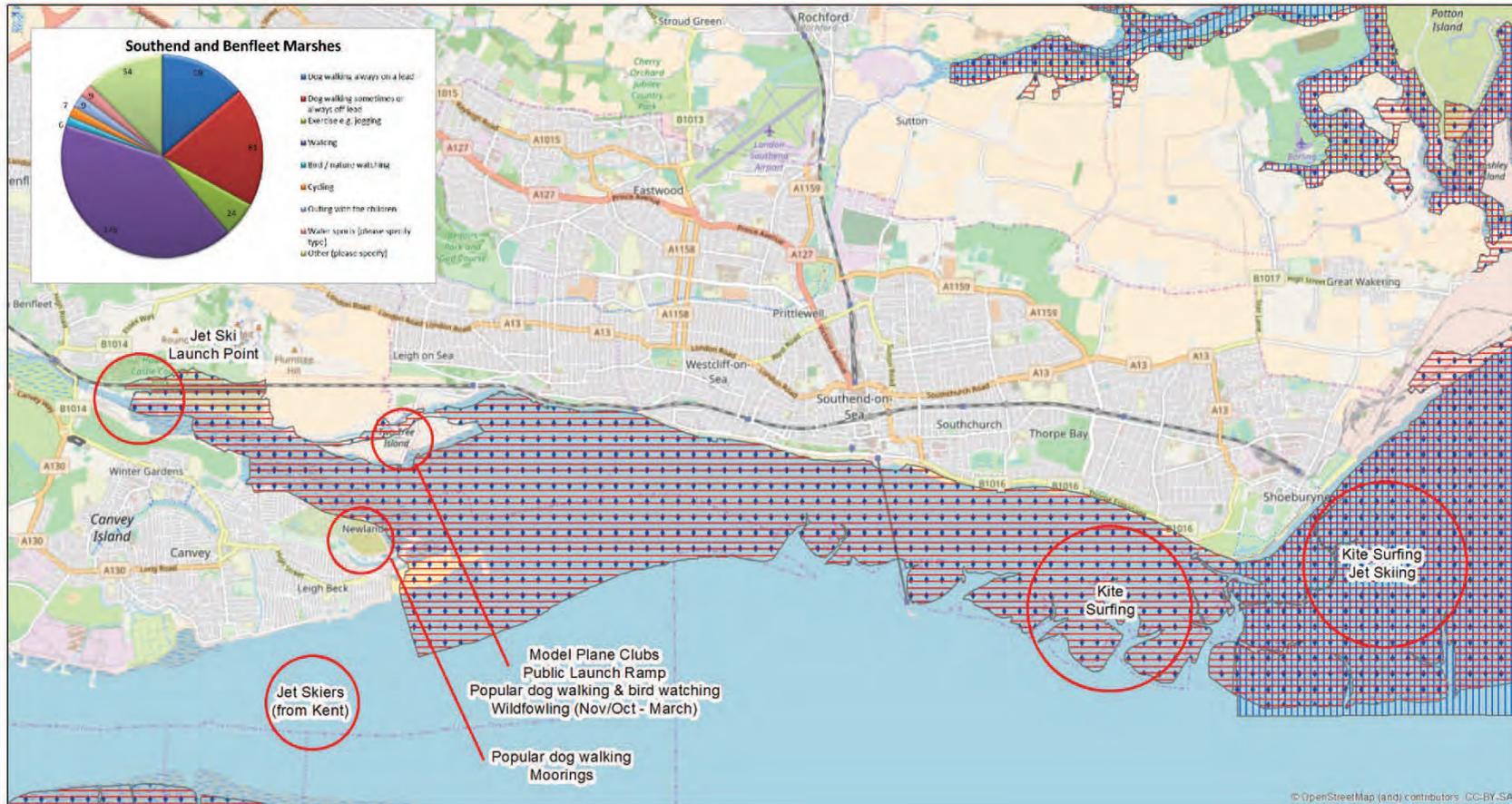


Legend

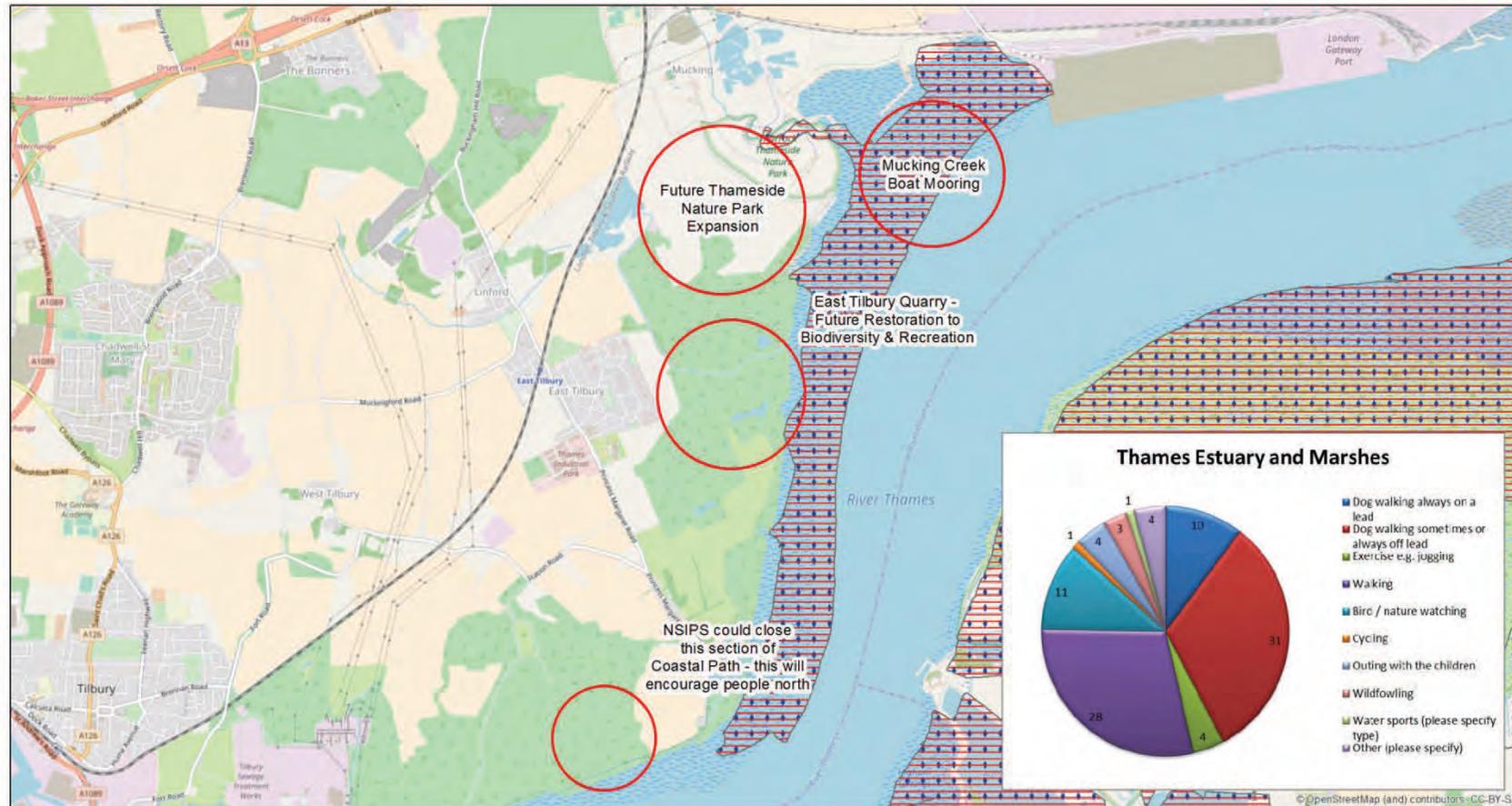
- Special Protection Area (SPA)
- Ramsar
- Special Area of Conservation (SAC)



Benfleet and Southend Marshes SPA and RAMSAR

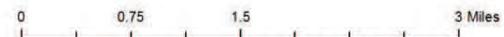


Thames Estuary and Marshes SPA and RAMSAR



Legend

- Special Protection Area (SPA)
- Ramsar
- Special Area of Conservation (SAC)





Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

Supplementary Planning Document (SPD)

You Said We Did - Consultation Report
April 2020

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Glossary

Appropriate Assessment	Forms part of the Habitats Regulations Assessment
Annual Monitoring Report	Provides information on all aspects of a planning department's performance.
Community Infrastructure Levy	A charge which can be levied by local authorities on new development in their area to help them deliver the infrastructure needed to support development.
Competent Authority	Has the invested or delegated authority to perform a designated function.
England Coast Path	Natural England are implementing the Government scheme to create a new national route around the coast of England
General Permitted Development Order	The Town and Country Planning (General Permitted Development) (England) Order 2015 is a statutory instrument that grants planning permission for certain types of development (such development is then referred to as permitted development).
House in Multiple Occupation	A property rented out by at least 3 people who are not from 1 'household' (for example a family) but share facilities like the bathroom and kitchen.
Habitats sites	Includes SPA, SAC & Ramsar sites as defined by NPPF (2018). Includes SPAs and SACs which are designated under European laws (the 'Habitats Directive' and 'Birds Directive' respectively) to protect Europe's rich variety of wildlife and habitats. Together, SPAs and SACs make up a series of sites across Europe, referred to collectively as Natura 2000 sites. In the UK they are commonly known as European sites; the National Planning Policy Framework also applies the same protection measures for Ramsar sites (Wetlands of International Importance under the Ramsar Convention) as those in place for European sites.
Habitats Regulations Assessment	Considers the impacts of plans and proposed developments on Natura 2000 sites.
Impact Risk Zone	Developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals. They cover areas such as SSSIs, SACs, SPAs and Ramsar sites.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Natural England	Natural England - the statutory adviser to government on the natural environment in England.
National Planning Policy Framework	Sets out government's planning policies for England and how these are expected to be applied.

Recreational disturbance Avoidance and Mitigation Strategy	A strategic approach to mitigating the 'in-combination' recreational effects of housing development on Habitats sites.
Ramsar site	Wetland of international importance designated under the Ramsar Convention 1979.
Section 106 (S106)	A mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. S106 agreements are often referred to as 'developer contributions' along with highway contributions and the Community Infrastructure Levy.
Section 278 (S278)	Allows developers to enter into a legal agreement with the council to make alterations or improvements to a public highway, as part of planning approval.
Special Area of Conservation	Land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Special Protection Area	Land classified under Directive 79/409 on the Conservation of Wild Birds.
Supplementary Planning Document	Documents that provide further detail to the Local Plan. Capable of being a material consideration but are not part of the development plan.
Site or Specific Scientific Interest	A Site of Special Scientific Interest (SSSI) is a formal conservation designation. Usually, it describes an area that is of particular interest to science due to the rare species of fauna or flora it contains.
Unilateral undertaking	A legal document made pursuant to Section 106 of the Town and Country Planning Act 1990, setting out that if planning permission is granted and a decision is made to implement the development, the developer must make certain payments to the local authority in the form of planning contributions.
Zone of Influence	The Zol identifies the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation.

Acronyms

AA	Appropriate Assessment
AMR	Annual Monitoring Report
CIL	Community Infrastructure Levy
EA	Environment Agency
EC	European Commission
EEC	European Economic Community
EWT	Essex Wildlife Trust
FAQ	Frequently Asked Questions
GPDO	General Permitted Development Order
HMO	House in Multiple Occupation
HRA	Habitat Regulations Assessment
LPA	Local Planning Authority
NE	Natural England
NPPF	National Planning Policy Framework
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SIP	Site Improvement Plan
SMART	Specific, Measurable, Attainable, Relevant & Timely
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site or Specific Scientific Interest
UK	United Kingdom
UU	Unilateral undertaking
ZoI	Zone of Influence

1. About the RAMS

Background context

- 1.1 The Essex Coast RAMS was initiated by Natural England, the government's adviser for the natural environment in England, in 2017. Natural England identified the Habitats sites and local planning authorities that should be involved in the Essex Coast RAMS based on existing evidence of visitor pressure. Essex County Council provides an advisory role but are not one of the RAMS local authority partners.
- 1.2 The Essex Coast is rich and diverse and has many protected habitats sites (also referred to as European sites and Natura 2000 sites). These sites are protected by the Conservation of Habitats and Species Regulations (2017). Joint working offers the opportunity to protect the Essex Coast from increased recreational disturbance as a result of new housing across Essex. Likely significant effects to habitats sites from non-residential development will be considered, through Habitat Regulations Assessments, on a case by case basis by the relevant local planning authority in consultation with Natural England. A Habitat Regulations Assessment has been/ will be completed for each of the projects that form part of the England Coast Path.
- 1.3 There are numerous examples elsewhere around the country of mitigation strategies that avoid and mitigate the impacts of recreational disturbance on habitats sites, such as Bird Aware Solent, Bird Wise North Kent and Thames Basin Heaths. This is a new and growing area in the conservation community and those working on mitigation strategies regularly share good practice and assist each other.
- 1.4 Visitor surveys were carried out at key locations within each of the Habitats sites. Zones of Influence (Zoi) were calculated for each Habitats site using the survey data and these are used to trigger developer contributions for the delivery of avoidance and mitigation measures.

Development of the strategy

- 1.5 The Essex Coast RAMS Strategy Document was completed in January 2019. Natural England provided advice throughout the preparation of the Essex Coast RAMS Strategy and 'signed off' the RAMS Strategy Document before it was finalised and adopted by local planning authorities. The local planning authority partners are collecting RAMS contributions for development within the Zone of Influence (Zoi), which will be spent on the mitigation measures package detailed in the RAMS Strategy Document. Mitigation measures are listed as: immediate, shorter to medium-term, and longer-term projects. A contingency is included and an in-perpetuity fund will be established. The first measure is staff resources: The Delivery Officer and then two rangers.

- 1.6 Through the provision of a per dwelling tariff, the RAMS enables the achievement of proportionate mitigation measures and enables development proposals of all scales to contribute to necessary mitigation. The RAMS is fully funded by developer contributions.
- 1.7 During development of the Strategy Document workshops were held with key stakeholders with local and specialised knowledge to capture the mitigation measures considered as most effective to avoid the impacts likely to result from increased recreational pressure.

A flexible approach to mitigation

- 1.8 The costed mitigation package (Table 8.2 of the RAMS Strategy Document) includes an effective mix of measures considered necessary to avoid likely disturbance at key locations with easy public access. The package is flexible and deliverable and based on best practice elsewhere in England. A precautionary approach has been adopted, with priority areas for measures identified as those which have breeding SPA birds which could conflict with high numbers of summer visitors to the coast and those with important roosts and foraging areas in the winter. Sensitive habitats have also been identified for ranger visits. The mitigation package prioritises measures considered to be effective at avoiding or mitigating recreational disturbance by Habitats sites managers. For example, Maldon District Council are managing water sports on the Blackwater estuary. Encouraging responsible recreation is a key measure endorsed by land managers of important wildlife sites across the country, including Natural England, RSPB and the wildlife trusts. These bodies regularly provide educational material at sites to encourage visitors to comply with key objectives.
- 1.9 The RAMS is intended to be a flexible project that can adapt quickly as necessary. The rangers will quickly become familiar with the sites and areas that are particularly sensitive, which may change over time, and sites that experience a high number of visitors. The rangers on the ground experience will steer the project and necessary measures.

Monitoring and review process

- 1.10 The Essex Coast RAMS will provide a flexible and responsive approach, allowing it to respond to unforeseen issues. Close engagement will continue with Natural England who will be able to advise if recreational disturbance is increasing at particular Habitats sites and specific locations. Thus, enabling these locations to be targeted by the rangers to have an immediate impact. Updated visitor surveys, which are included in the mitigation package, will enable the Zol to be reviewed and expanded if it is shown that visitors are travelling further than previously found. There is scope to adjust the tariff too if it is shown that contributions are not covering the identified measures, if the Zol is made smaller or to respond to changes in housing numbers across Essex.

- 1.11 The Essex Coast RAMS will be monitored and reviewed on a regular basis by the RAMS project staff. The Essex Coast RAMS will be deemed successful if the level of bird and habitat disturbance is not increased despite an increase in population and the number of visitors to the coastal sites for recreation (paragraph 1.7 of the RAMS Strategy). The baseline has been identified in the RAMS Strategy Document and will be used to assess the effectiveness of the RAMS.
- 1.12 The effectiveness of the Essex Coast RAMS has been considered/examined as part of Chelmsford City Council's Local Plan Examination. Chelmsford City Council's Local Plan Inspector's Report states that: "*Overall, the HRA concludes that there will be no adverse effect on the integrity of European protected sites, either alone or in-combination with other plans or projects, subject to the mitigation set out in the Plan policies. Natural England agrees with these conclusions and I have no substantive evidence to counter these findings. The requirement to undertake an appropriate assessment in accordance with the Regulations has therefore been met.*" The mitigation set out in the Plan policies includes reference to the Essex Coast RAMS. The Inspector states that it is necessary to incorporate RAMS into strategic policies to ensure that all relevant development within the Zol contribute accordingly and reference to RAMS should be incorporated into several site allocation policies. These modifications will be incorporated into the adopted Local Plan.

2. Introduction

- 2.1 The Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) focuses on the mitigation that is necessary to protect the wildlife of the Essex Coast from the increased visitor pressure associated with new residential development in-combination with other plans and projects, and how this mitigation will be funded.
- 2.2 The SPD has been produced by a total of 12 Local Planning Authorities (LPAs) in Essex, which are partners in and responsible for the delivery of the RAMS. These partner LPAs are listed below:

- Basildon Borough Council
- Braintree District Council
- Brentwood Borough Council
- Castle Point Borough Council
- Chelmsford City Council
- Colchester Borough Council
- Maldon District Council
- Rochford District Council
- Southend Borough Council
- Tendring District Council
- Thurrock Borough Council
- Uttlesford District Council

3. Consultation

- 3.1 A draft SPD was published for consultation between Friday 10th January 2020 and Friday 21st February 2020 in accordance with the planning consultation requirements of each LPA.

- 3.2 These consultation requirements require the publication of a 'You Said We Did' report, which outlines details on who and how the public, organisations and bodies were consulted, the number of people, organisations and stakeholders who submitted comments, a summary of the main issues raised in the comments received, and the proposed amendments to the SPD that the LPAs intend to make in response to them.
- 3.3 Following the close of the consultation, all comments have been considered and the main issues summarised within Section 4 of this report. Where amendments have been deemed necessary as a result of any main issues, these will be factored into a new iteration of the SPD, prior to its adoption by each LPA. These amendments are set out in Section 5 of this report.

Who was consulted?

- 3.4 The consultation was undertaken jointly by the 12 Councils and hosted by Essex County Council. The 12 Councils consulted the following bodies and persons:
- Statutory bodies including neighbouring councils, local parish and town councils, utility companies, health representatives and Government bodies such as Highways England, Natural England, Historic England and the Environment Agency;
 - Local stakeholders including the Business Forums, Essex Wildlife Trust, Sport England, and the Police;
 - Developers and landowner and their agents;
 - Local businesses, voluntary and community groups, and
 - The public.
- 3.5 For more details on the bodies consulted please contact the relevant partner council.

How did we consult?

- 3.6 The consultation was available to view and comment on the Essex County Council Citizen Space consultation portal during the consultation period. The consultation material was also available to view on partner council's websites, from their main offices and at a number of local public libraries. Information was also provided on the project Bird Aware website www.essexcoast.birdaware.org.

3.7 For those who do not have access to computers, paper response forms were made available.

3.8 The councils sent direct emails/letter notifications to all consultees registered on their Local Plan consultation databases. A public notice was also included in the Essex Chronicle advising how to respond and the consultation dates. Information on the consultation was also posted on social media.

4. Consultation comments

4.1 The Essex Coast RAMS draft SPD consultation received a total of 146 comments, 87 of these being from Essex residents and 59 being from various organisations. All the comments received can be viewed in full on Essex County Council's Consultation Portal at <https://consultations.essex.gov.uk/place-services/the-essex-coast-rams-spd/>.

4.2 Of the resident responses, the following numbers of responses were received from individual administrative areas:

- 21 were made from residents of Chelmsford;
- 18 were made from residents of Tendring;
- 16 were made from residents of Basildon;
- 14 were made from residents of Braintree;
- 12 were made from residents of Rochford;
- 11 were made from residents of Colchester;
- 8 were made from residents of Maldon;
- 6 were made from residents of Uttlesford;
- 2 were made from residents of Brentwood;
- 2 were made from residents of Castle Point;
- 2 were made from residents of Southend-on-Sea; and
- 0 were made from residents of Thurrock.

5. The main issues raised

5.1 Comments were received on a wide range of themes, relating to the SPD, the RAMS itself and also the format of the consultation exercise.

- 5.2 A number of themes emerge through reviewing the comments received. These themes respond to the comments that were made by a number of respondents, or otherwise pointed out areas of improvement for the SPD as consulted upon.
- 5.3 Table 1 below sets out the main issues received during the consultation. Table 2 (in Section 6) then details the changes to be made to the SPD. A summary of all representations received is included later in this report.

Table 1 – Main issues raised

Main issues raised
Confusion about the purpose and aims of the RAMS – including the need for jargon and acronyms to be explained; the SPD to cover all wildlife on the coast not just birds and to also address sea level rises and coastal erosion caused by climate change; confusion regarding the role of Essex County Council in implementing RAMS; confusion over who pays the tariff; and that mitigation payments should be ring fenced towards care for people not wildlife.
Scope and detail of mitigation measures – only relevant and necessary mitigation should be provided, based upon the scale of the proposal, its use and the site context, to accord with the Community Infrastructure Levy Regulations. SPD could also provide some examples of physical mitigation measures, for instance prevention of powered water sports or exclusions for wind powered watersports, and restrictions on off-lead dogs near areas known for ground nesting birds.
Concern regarding the effectiveness of the RAMS approach – concerns include it's an overly bureaucratic process to collect small sums, there is a lack of scientific evidence to demonstrate provision of alternative green space will detract from visits to SPA/Ramsar sites; question deliverability of mitigation, question provision for enforcement of tariff collection.
Query whether key stakeholders have been involved in the RAMS - including Essex Wildlife Trust, RSPB, Bug Life, Woodland Trust, National Trust, CPRE, British Trust for Ornithology, and local ornithology groups.
Will habitats sites continue to be protected as a result of Brexit?
The RAMS will allow inappropriate development – RAMS will allow harmful development to proceed; will fast track planning applications; no control or scrutiny of cumulative impact of smaller planning applications; does not consider development outside Zones of Influence; total avoidance of disturbance should be an option; should be no more building in Essex, and none on or adjacent to important coastal wildlife sites.
Money should be spent on other projects - funding should not be taken away from essential services to fund the strategy.
Concern with the Zones of Influence – regarded by some as too small and by others as too big; also the zoned tariff should be based upon the number of Zones of

Main issues raised

Influence a site is within and the distance it is away from the Zone of Influence should be applied. In addition, the mapped Zones of Influence for the Blackwater Estuary, Stour Estuary and Hamford Water stretch into the Suffolk Coast RAMS area. This could be confusing for developers of new dwellings in south Suffolk, as it implies that a contribution is required to the Essex Coast RAMS, in addition to the Suffolk Coast RAMS.

The tariff is set too high, or alternatively too low – e.g. not realistic, should be based on a percentage of the purchase price of a property. Also considered that the number of dwellings which are currently identified to be built over Local Plan periods until 2038 does not accurately reflect the number which will actually come forward, so the contributions collected would exceed the overall cost for the mitigation package. The tariff should also reflect the size of the dwelling so that more is paid for larger dwellings. All authorities must also test the level of contribution, alongside all their policy requirements contained in their Local Plans to ensure that the contributions are viable.

Adequacy of proposed budget and staff to deliver project across such a wide area – staff level and costs are too low; alternative view is that funding for personnel is excessive and the work duplicates that of other stakeholders. Also unclear what assumptions have been made in respect of overheads on top of salary costs for the staff identified as being needed.

Concerns about monitoring (the tariff and Zones of Influence) – monitoring should be more frequent.

Other land uses should come within the scope of the tariff - including tourist accommodation and caravan parks/chalets, airport related development, other commercial development.

Perceived conflict of RAMS purpose and aims with the England Coast Path project which will increase access to the coast, and existing and future strategies for tourists and residents to access and enjoy the coast, for economic growth and health and wellbeing.

Alternative to paying into the RAMS should not be allowed, or if it is the process should be clarified - developers may use this alternative as a way of avoiding the payments without showing any real commitment to the alternative. If allowed, the SPD would be more effective if it clearly sets out the process for agreeing bespoke mitigation for strategic sites.

6. Proposed amendments to the Supplementary Planning Document (SPD)

6.1 In response to the main issues summarised in Section 5, this report sets out a number of amendments that will be forthcoming in a new iteration of the SPD. These amendments have been agreed by all of the partner LPAs. The following table outlines this schedule of changes.

Table 2 – Schedule of amendments to the SPD

Amendment	
1	A glossary and list of acronyms and a description of what they mean is included within the Supplementary Planning Document (SPD); however, it is proposed that the Glossary and Acronym sections are moved to the beginning of the SPD. Further amendments to expand the Glossary and list of Acronyms included within these sections to reflect all of those used in the SPD, RAMS and supporting documents.
2	Amendments clearly setting out how overheads and other costs have been identified within the RAMS mitigation package are proposed within the SPD.
3	The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than 'Wildlife' to make it clearer from the outset as to what wildlife the RAMS and the SPD seek to protect.
4	Once approved the South East Marine Plan as well as the East Inshore and East Offshore Marine Plans will become part of the Development Plan for the relevant LPAs. An amendment to recognise these Plans, and their policies, within the SPD is proposed.
5	An amendment to include fishing / bait digging to paragraph 2.2 is proposed.
6	An amendment to refer to the 'Outer Thames Estuary SPA' rather than the 'Thames Estuary SPA' is proposed.
7	Amendments to replace existing maps with higher resolution images are proposed.
8	An amendment introducing additional clarification within Paragraph 3.7 is proposed. This will ensure that the SPD is more explicit regarding proposals for single dwellings being subject to the RAMS tariff.
9	An amendment to the SPD setting out the requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations, is proposed.

Amendment	
10	An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as qualifying within the scope of tariff payments is proposed.
11	Within the 'useful links' section, an amendment to include the National Planning Policy Framework (NPPF) is proposed.
12	It is proposed that the SPD is amended to set out that all non-residential proposals are exempt from the tariff.
13	It is proposed that the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended to reference the Outer Thames SPA designation.
14	Amendments are proposed that reiterate the requirement for project-level HRA/AA of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only.
15	Amendments are proposed to the SPD and the Essex Coast RAMS SPD SEA/HRA Screening Report to clearly set out that the intention of Essex Coast RAMS mitigation to enable the conclusion of no adverse effect on the integrity of the international designated sites.
16	An amendment to the relevant map in the SPD and RAMS is proposed, which will remove all areas of Suffolk from the Zone of Influence.
17	It is proposed that an amendment explaining more clearly the relationship between the effects of a population increase resulting from net new dwelling increases is included within the SPD.
18	An amendment is proposed to include all measurements in miles as well as kilometres.

7. Detailed summaries of the comments received

7.1 Tables 3 to 13 of this report shows a summary of the comments received during the consultation on the Essex Coast RAMS draft SPD. The summaries do not seek to identify all the issues raised in the representations. These tables however show:

- The name and type (resident / organisation) of each respondent;
- A summary of the main issues raised in the comments per section of the draft SPD; and

- The LPAs' response to each main issue and whether actions and / or amendments are considered necessary as a result.

7.2 A number of respondents suggest ideas for how to better manage visitors to the Essex Coast e.g. keep dog on leads, fencing, restore Oyster reefs. These will be reviewed by the project Delivery Officer and Rangers once they are appointed and have not been specifically responded to in tables 3 to 13.



Section One - Introduction

Table 3 – Section One: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	There should be no use of acronyms in the Report.	A list of acronyms and a description of what they mean is included within the Supplementary Planning Document (SPD). It is however proposed that the Acronym section is moved to the beginning of the SPD. No amendment proposed.
2	Mr Alan Hardy	Resident	I believe there is a need for clear policies and regulation and the whole document seems to take that approach. Future policy must support and enhance all Government and legal policies already existing and where necessary provide greater protection than required by statute. I think there should be greater reference to flood risk, management and mitigation and how this can impact or be integrated into recreational use and habitat protection.	The SPD is related only to those 'in-combination' recreational impacts identified through the Local Planning Authorities' (LPAs) Local Plan Habitats Regulations Assessment / Appropriate Assessment. No amendment proposed.
3	Mrs Frances Coulsen	Resident	No comments as this section seems to set out the facts.	Noted. No amendment proposed.
4	Mrs Amy Gardner-Carr	Resident	The building of homes is the threat to the natural habitat. The suggestion of a tariff for avoidance is ridiculous in the face of mounting and current evidence that destruction of habitat is having disastrous effects on wildlife. Move the builds to somewhere else, not the habitats.	The SPD is related only to 'in-combination' recreational impacts and not habitat loss. No amendment proposed.
5	Mr Brian Springall	Resident	Before protecting wildlife, the Council needs to get its housing development plans sorted & improve the district's infrastructure i.e. roads, flood protection etc.	The need for the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and the SPD stems from planned growth. Local Plans have been prepared or are in preparation and set out the housing need and infrastructure requirements for each Council area. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
6	Mr Terry Newton	Resident	No comments. It's an introduction and no information is given, other than to outline how you have set out the sections, and in what format you have set out the document.	Noted. No amendment proposed.
7	Mr Brian Mills	Resident	Cannot see any contingency for enforcement or punitive action, if required results are not obtained / maintained.	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, or if suitable mitigation is not provided, then planning permission should not be given. No amendment proposed.
8	Mr Charles Joynson	Resident	I don't think £8.9 million is enough to cover mitigation over such a long time period. Developers could and should contribute far more than £122.30 per dwelling. I do not believe that this is sufficient funding to fully mitigate the effects of new housing on the Essex Coast.	The Essex Coast RAMS SPD sets out a tariff that will be used to fund mitigation related to 'in-combination' recreational effects only. The tariff is 'evidence based' and has been calculated by dividing the cost of the RAMS mitigation package by the number of dwellings (housing growth) proposed in LPA Local Plans. The tariff will be subject to review during the life of the RAMS project. Other mechanisms and requirements exist outside the scope of the SPD for other required and related mitigation. No amendment proposed.
9	Mr Nigel Whitehouse	Wildlife Defenders	We believe we need to protect all wildlife on our coast not just birds. Protected areas for wildlife should be provided.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. Other forms of mitigation addressing any effects on other designations across Essex are not within the specific scope of the SPD. The first paragraph of the SPD will be amended to state 'birds and their habitats' rather than 'Wildlife'

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				to make it clearer from the outset as to what wildlife the RAMS and the SPD seek to protect.
10	Mrs Mary Drury	Resident	Documents and plans are on paper, and it is only man power that will make any positive outcome for wildlife, wherever it manages to survive. The only change necessary is to stop building on the Green Belt, as it acts as rich habitats and has benefit to humans. It is vital that building on flood plains is stopped. There is a need to stop ignoring local advice and knowledge.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. The tariff is proposed to fund a RAMS Delivery Officer and Rangers. Other forms of mitigation addressing effects on other designations across Essex are not within the specific scope of the SPD. The distribution of new development growth is a matter for individual LPAs through their Local Plans. No amendment proposed. Not all of Essex is within the Green Belt.
11	Mrs Alwine Jarvis	Resident	I agree that changes are necessary although I don't quite follow the costs broken down in Appendix 2.1. The cost of a delivery officer at £45k seems very high and the cost of a ranger at £36k is also high. I am also questioning the table which shows for year 2 - one ranger then on the next line year 2 one ranger again. So is the suggestion we recruit 2 rangers at year 2, or is there a mistake in the table whereby this line has been duplicated?	The mitigation package 'total costs' for the Delivery Officer and Rangers include the salary cost and necessary overheads. Amendments clearly setting out how overheads and other costs have been identified within the RAMS mitigation package are proposed within the SPD. A total of three Rangers are proposed in the mitigation package: two for Year 2 and one additional ranger from Year 5. No amendment proposed.
12	Ms Rachel Cross	Resident	What are the aims of the SPD? Have the Essex Wildlife Trust, RSPB, Bug Life, Woodland Trust, National Trust, CPRE, British Trust for Ornithology, local ornithology groups and Site of Special Scientific Interest (SSSI) councils been involved or consulted? How have other areas like	The SPD sets out a mechanism for funding mitigation, which is outlined in more detail in the RAMS document, a link to which was provided as part of this consultation. The approach is

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			Pembrokeshire approached this? Has the local government association got some best practice examples to benchmark against?	similar to other strategies across the country as endorsed by Natural England; a common stakeholder regarding Habitats sites. Various groups have been invited to respond to this consultation including Essex Wildlife Trust (EWT) and the Royal Society for the Protection of Birds (RSPB). Amendments proposed to the SPD in response to the comments received are set out in section 5 of this Report.
13	Ms Caroline Macgregor	Brightlingsea village councillor	I believe that developer contributions should be more per dwelling to offset the costs of protecting wildlife. I also believe protected areas should be extended.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Protecting wildlife from development is and can be ensured and funded through other mechanisms. The extension of protected areas is not within the scope of the RAMS or the SPD. No amendment proposed.
14	Mr Christopher Marten	Resident	Planners do not necessarily have the appropriate knowledge about understanding the type of habitat required for wading wildfowl. The RSPB must be consulted on every application. If wetland wildfowl are disturbed, they will not return.	The Essex Coast RAMS has been devised and will be managed by specialist ecologists and proposes strategic mitigation regarding in-combination recreational effects only. Habitat creation forms part of the mitigation package, and the Strategy and SPD recognise that there will be a need to work with landowners and the Environment Agency. The RSPB are consulted on relevant planning

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				applications in line with LPA procedures. No amendment proposed.
15	Mr Peter Dervin	Resident	Funding should not be taken away from essential services to fund this.	The funds collected will not take any funding away from essential services. The RAMS funding will help support critical environmental services and initiatives along the Essex Coast. No amendment proposed.
16	Mr Neil Hargreaves	Resident	<p>I am uneasy with creating or extending yet another bureaucracy. This one to collect very small sums from new housing developments, in our case some way from the coast. This is hypothecation which normally is frowned on, because among other things it requires a heavy admin cost. I think these things should be properly funded at a national level. It needs a continuing funding from all of us not one-off payments from landowners / developers with no certainty of income stream and 99.9% of the nation not contributing.</p> <p>And what about the reverse? New developments near the coast will burden for example Stansted Airport. On this same principle Uttlesford should receive payment to mitigate the impacts of surrounding development on our area.</p> <p>Perhaps we should be contributing towards marine conservation?</p>	The Zone of Influence has been justified through visitor surveys at the Essex Coast, determining that existing residents within it travel to the Essex Coast for recreation. The SPD is required to fund the mitigation required of the effects from future housing growth within the Zone of Influence, and it is considered appropriate that these are paid for through a planning contribution. The impacts of development in Uttlesford are a matter for the Uttlesford local plan No amendment proposed.
17	Mr Brian Jones	Resident	The section is clear enough, except the use of jargon is likely to deter people.	Noted. Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear, minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
18	Dr John L Victory	Resident	The proposed England Coast Path will directly affect these areas and should be highlighted in this process of mitigation. Consultation with interested bodies must include that of the Essex Local Access Forum - a	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Members

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			statutory body that advises authorities on strategy for Public Rights of Way.	of the Essex Local Access Forum were consulted where they appear on LPA databases. No amendment required.
19	Mr Andrew Whiteley	Resident	I would like to see less focus on developers' requirements and more focus on Essex residents, wildlife, climate impact and infrastructure support.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Local Plans are dealing with the other impacts of new development. No amendment required.
20	Mr Peter Bates	Resident	No changes required.	Noted. No amendment proposed.
21	Mr Stephen Ashdown	Resident	The document is not written in plain English and is confusing to the reader, especially those not aware of jargon and specific language used. This document is not written with the entire residents of the area in mind and excludes many who would benefit from inclusion, many of whom would be users of the coastal areas supporting wildlife.	Noted. Where technical terminology and acronyms are used, these are defined in a glossary. Efforts have been made to ensure that the SPD is clear, minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
22	Mr Graham Womack	Resident	<p>It is unclear what other 'plan and projects' (in addition to residential developments) are to be considered as within the scope. The Essex County Council's Green Space Strategy (2019), encouraged organisations responsible for managing wildlife sites to become self-funding through commercial activities provided at their sites. This is likely to increase the footfall at these sites (including those on the coast), even before new developments are considered.</p> <p>Has any work been done to estimate the expected visitor numbers to the Essex Coast, both now and for future years?</p>	The Essex Coast RAMS has been developed in response to the recommendations of each partner LPA's HRA/AA work for their emerging or adopted Local Plans. These HRA/AAs set out those other plans and projects that in combination with the Local Plans may have effects on recreational disturbance at the Essex Coast. The Essex Coast RAMS process began with visitor surveys and counts at the Essex Coast to determine the extent of the Zone of Influence. No amendments are proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
23	Mr Kevin Smith	Resident	The Geese overwintering on Hanford Water appear to be greatly reduced this year (2019/20); this would be to wild-fowlers rather than local development, this seems to be too narrow minded to easily blame developers.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only on the Essex Coast. The SPD therefore, does not blame the developers, but assesses the impact of increased visitors to the coast as a result of increased population within most of Essex. No amendment proposed.
24	Mrs Anne Clitheroe	Essex County Council	Essex County Council is satisfied with the content of the Essex Coast RAMS SPD and confirms that it wishes to continue to be engaged in this process.	Noted. No amendment proposed.
25	Mrs Joanna Thornicroft	Resident	It was difficult to locate the RAMS which needed better signposting.	Noted. The RAMS was available as a supporting document during the consultation period and is available at https://essexcoast.birdaware.org/home . No amendment proposed.
26	Mr Mark East	Resident	I do not consider that the proposals in the first instance avoid harm. It appears that the strategy is to fast track planning applications and there is insufficient evidence that alternative site allocation for development outside of the Zone of Influence has been considered. On the contrary it is clear that proposals tend to concentrate development within the Zone of Influence. I believe the intent of the author(s) of the legislation are to avoid harm and if it can't be avoided then to move to mitigation and finally compensate. It is understood that English High Court's ruling that mitigation was acceptable without consideration of avoidance was over-ruled by the ECJ.	The SPD does not promote fast tracking planning applications and makes little difference to the speed of applications or prioritising applications for developments which make a contribution. The impact on habitats is one of many considerations in determining planning applications, and agreement to pay the contribution does not mean that an application will be granted if other factors mean it should be refused. The consideration of alternative site allocation outside of the Zone of Influence represents Stage 3 of the HRA process and if deemed necessary would be applicable to the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				HRAs of the LPAs' Local Plans. The HRAs of the LPAs' Local Plans all considered, at Stage 2 of that process (AA), that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats sites. The RAMS exists to set out that mitigation, and the approach has been endorsed by Natural England as the relevant statutory authority. As such, there was no need for any of the Local Plans to progress to Stage 3 of the HRA process. No amendment proposed.
27	Mrs Michelle Endsor	Resident	Mitigation is purely speculative and unproven. The expansion of London Southend Airport with its added noise and pollution has already done untold damage to wildlife. The Council would rather build on land that may disrupt the habitat of endangered wetland birds and wildlife than utilise urban and industrial sites.	The Essex Coast RAMS toolkit (Table 4.1 of the SPD) sets out monitoring arrangements, amounting to 'birds and visitor surveys, including a review of the effectiveness of mitigation measures.' The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment proposed.
28	Mr David Gollifer	Resident	The outline of proposals are satisfactory to protect wildlife particularly migrating birds.	Noted. No amendment proposed.
29	Mrs April Chapman	Resident	A map of the Zone of Influence would help at this earlier stage.	Noted. An improved map of the Zone of Influence is proposed to be included earlier on in the SPD where it is first mentioned.
30	Mrs Linda Findlay	Resident	Good to see a raise in profile of environmental concerns. Congratulations on work to restore wetlands for the benefit it brings.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
31	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>I feel that disturbance being avoided totally should be stated more clearly as an option. If we are to halt the decline in the UK's wildlife, there are undoubtedly areas where the habitat needs to take a precedence and be left undisturbed.</p> <p>At the moment the introduction appears to immediately be putting forward a message that LPA's have the go ahead to accommodate people disturbing natural areas through mitigation.</p>	The specific scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth. Imposing restrictions on access to areas of the Essex Coast is a possible mitigation measure. No amendment proposed.
32	Councillor Frank Belgrove	Alresford Parish Council	There could be some explanation in this section - so at an early stage in the document - of the type of physical arrangements that could be implemented to mitigate the effects of increased visitor pressure.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Other forms of on-site mitigation will be delivered through other mechanisms and through measures recommended within project-level HRA/AAs, which will still be necessary for individual development proposals. No amendment proposed.
33	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Pollution from sewerage works is a problem. Anglian Water are not keeping pace with the explosion of new housing being built in the south east. There is now a very serious lack of infrastructure, which includes road and fresh water run off. The sea wall, tidal mud flats and salt marshes, etc do make a good natural barrier.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Local Plans take into consideration the wider impacts of new development on infrastructure such as sewerage and water supply. No amendment proposed.
34	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	It would appear that this document thinks that simply raising money will protect the birds and the wildlife on the Essex Coast. There are many other aspects to consider, e.g. The coastal footpath should be abandoned / The Essex Wildlife Trust should cease bringing coachloads of children to the Walton cliffs looking for fossils / The right to roam should be restricted / Planning committees should restrict development in Conservation Areas	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			/ An artist's impression 2019 of a proposal between Crossrail and the RSPB to develop Wallasea Island into a wetland site for birdlife shows a maze of pathways and viewing areas for the public.	The SPD sets out how the tariff, and how the money will be collected and spent. No amendment proposed.
35	Mr Peter Steggles	Resident	There must be allocated areas for similar activities namely jet skis, water skiing, sea kayaking etc and education of the general public too. New homeowners should be included and given the opportunity to take 'pride of ownership' and take part in clean-up projects etc.	The RAMS document outlines and justifies the various strategic mitigation measures proposed. No amendment required.
36	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	First, the BWA supports the principle of preventing an increase to disturbance of wetlands on the Essex coastal area. Secondly, we recognise that some level of visitors to the wetlands is both necessary and unavoidable and would like to consider the current state as a baseline.	Noted. No amendment proposed.
37	Councillor Jenny Sandum	Braintree District Council	Very much welcome the requirements for mitigation.	Noted. No amendment proposed.
38	Mr Mark Nowers	RSPB	Whilst we were an active and willing participant in the workshops that took place in 2018, we were not invited, nor given the opportunity to comment on the Habitats Regulations Assessment for this strategy. Crucial to the success of this strategy is: 1. effective monitoring of recreational activity; 2. effective monitoring and analysis of impacts on waterbird populations (WeBS data is useful but this only covers roosts at high tides and will not cover the impacts on feeding birds on mudflats or functionally-linked cropped lands for foraging dark-bellied brent geese); 3. access management strategies that are tailored to each site; 4. effective coverage of sites by the right number of rangers at key sites and at key times of the week/weekends and the right periods in the day, i.e. early morning dog-walks; 5. rangers should be full-time throughout the year to ensure expertise and site knowledge is retained and face-to-face time with the public is prioritised over administration and other tasks; 6. The strategy must take advantage of the best practice developed elsewhere in the country, i.e. Bird Aware Solent, and seek to continually evolve and avoid re-inventing the wheel.	The Essex Coast RAMS SPD Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA) Screening Report accompanied the SPD as part of this consultation and was separately subject to consultation with the statutory consultees of Natural England (NE), Historic England (HE) and the Environment Agency (EA). It can be considered that the points made may be addressed if appropriate through the actions of the Delivery Officer. The involvement of the RSPB is welcomed and once approved, the Delivery Officer will engage directly with key local stakeholders including RSPB. The effectiveness of the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				mitigation will be monitored as outlined within Section 6 of the SPD. The project is considered best practice elsewhere and in 2019 become part of the Bird Aware brand. No amendment proposed.
39	Mrs Jackie Deane	Great Dunmow Town Council	The Town Council is supportive of the proposals.	Noted. No amendment proposed.
40	Mr Gavin Roswell	Resident	In 1.1, the wording 'is necessary' is alarmist, as it is only the opinion of a relatively small amount of people. There are studies out there that are in complete contradiction to the whole RAMS ethos, but the agenda cloaking has already started, with narrow focus groups promoting their thoughts as fact.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. The RAMS is evidence-based and has been developed in conjunction with Natural England. No amendment proposed.
41	Mr Stephen Tower	Resident	Protecting wildlife is of upmost importance.	Noted. No amendment proposed.
42	Miss Georgie Sutton	Marine Management Organisation (Planning)	<p>Planning documents for areas with a coastal influence may wish to make reference to the MMO's licensing requirements and any relevant marine plans to ensure the necessary considerations are included. In the case of the SPD, the draft South East Marine Plan is of relevance. The South East Marine Plan is currently out for consultation until 6th April 2020. As the plan is out for consultation, it is now a document for material consideration.</p> <p>All public authorities taking authorisation or enforcement decisions that affect or might affect the UK marine area must do so in accordance with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan, in this case the draft South East Marine Plan, or the UK Marine Policy Statement (MPS) unless relevant considerations indicate otherwise. Please see suggested policies from the draft South East Marine Plan that we feel are most relevant. They are provided only as a</p>	Once approved the South East Marine Plan as well as the East Inshore and East Offshore Marine Plans will become part of the Development Plan for the relevant LPAs. An amendment to recognise these Plans, and their policies, within the SPD is proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>recommendation and we would suggest your own interpretation of the South East Marine Plans is completed: MPAs, Tourism and Recreation, Biodiversity, Disturbance, Marine Litter, Water quality, Access.</p> <p>The area in the Stour Estuary Zone of Influence and the Hamford Water Zone of Influence also extend into the East Marine Plan area. Therefore, you may need to consider the East Inshore and East Offshore Marine Plans as well. Please see suggested policies which may be of relevance: Social, Ecology, Biodiversity, MPAs, Governance, Tourism and Recreation.</p>	
43	Ms Liz Carlton	Resident	<p>While we understand the need for more housing, we feel very strongly that mitigation in this area is essential. We are not sure that the tariff of £122.30 per dwelling will suffice to protect the area for wildlife. We believe that it will be imperative to ensure that some areas are restricted and protected as wildlife only areas. There will need to be a budget for ensuring that damage is monitored, and repair is carried out before becoming irreversible.</p>	<p>The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Other forms of mitigation will be delivered through other mechanisms and through measures recommended within project-level HRA/AAs, which will still be necessary for individual development proposals. No amendment proposed.</p>
44	Mr Steve Betteridge	Resident	<p>While we understand the need for more housing, we are not sure that the plan to charge residents for this mitigation will be sufficient to protect the area for future generations.</p>	<p>The tariff is charged to developers not residents. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Other forms of on-site mitigation will be delivered through other mechanisms and through measures recommended within project-level HRA/AAs, which will still be necessary for individual development proposals. No amendment proposed.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
45	Mr Bernard Foster	Resident	Some projects that would mitigate potential damage to RAMS areas flounder for a variety of unnecessary reasons. There should be a specific section, referenced, that would cover areas in and around the Zone of Influence that would assist in protecting various sections within the RAMS format. It should enable LPA's, parish councils etc to support and draw support from governing bodies in areas that they cannot directly control such as Essex Highways. Regulations around unauthorised developments need to be changed for these types of areas to give the planning and enforcement groups some support, stopping the irritating and harmful occupations that can go on for years.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. Essex Highways and LPA planning enforcement are outside the scope of the SPD. No amendment proposed.
46	Mr Mark Marshall	Resident	The consultation is a great step forward for conservation. It may not address all problems, but awareness is the key.	Noted. No amendment proposed.
47	Mr Tim Woodward	The Country Land & Business Association (CLA)	No comments on this introductory section.	Noted. No amendment proposed.
48	Parish Clerk Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
49	Mrs Jenny Clemo	Langford & Ulting Parish Council	Langford & Ulting Parish Council agree that it is necessary to protect the wildlife of the Essex Coast from increased visitor pressure associated with new residential development. There is also a need to protect the wildlife on the rivers and canals in Essex as the increase in population will lead to an increase in the use of them for amenity purposes (walking, boating, fishing, dog walking, cycling etc).	Noted. No amendment proposed.
50	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	It is worth explaining here that Bird Aware Essex Coast is the brand name of the Essex Coast Recreational disturbance Avoidance and Mitigation Partnership.	An amendment is proposed to explain the role of Bird Aware Essex Coast within this section of the SPD.
51	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	The AONB team is not proposing any changes to the Introduction section of the RAMS SPD.	Noted. No amendment proposed.
52	Mrs Cecilia Dickinson	Resident	I don't like this format - section by section.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Two – Summary of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

Table 4 – Section Two: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Frances Coulson	Resident	As we cannot stem building unfortunately, this seems to set out the facts.	Noted. No amendment proposed.
2	Mrs Aileen Cockshott	Resident	Apply protective measures for protected areas of the coast - prevent powered water sports and set out exclusion zones for wind powered water sports. Dogs should be kept on lead near areas known for ground nesting birds. If protective measures are broken, then hefty fines should be imposed.	The mitigation proposed within the RAMS does not seek to prevent visitors to the Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
3	Mrs Amy Gardener-Carr	Resident	Do not build here.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
4	Mr Philip Dangerfield	Resident	Ensure that protection of the coast is spread evenly across the whole of Essex. Those who visit areas that are now more populated may visit more remote areas of the coastline home to nesting birds.	This is a principal aim of the RAMS and SPD. No amendment proposed.
5	Mr Bob Tyrrell	West Bergholt Parish Council	Agree and support the SPD.	Noted. No amendment proposed.
6	Mr Brian Springall	Resident	Before protecting wildlife, the Council needs to get its housing development plans sorted & improve the district's infrastructure i.e. roads, flood protection etc.	The need for the Essex Coast Recreational disturbance Avoidance Mitigation Strategy (RAMS) and the SPD stems from planned growth within the LPAs' adopted or emerging Local Plans. Local Plan progression is

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				ongoing within each of those partner LPAs that do not have an adopted Local Plan. No amendment proposed.
7	Mrs Julie Waldie	Resident	Happy to see wildlife taken into consideration.	Noted. No amendment proposed.
8	Mr Terry Newton	Resident	Use counties in the West Country as case studies for successful coastal management.	Elements of RAMS across the country have been considered in the formulation of the Essex Coast RAMS, where relevant to the Essex Coast. No amendment proposed.
9	Mr Brian Mills	resident	I agree with assessment.	Noted. No amendment proposed.
10	Mrs Angela Harbottle	Resident	Include wildlife protection measures such as RAMS within Essex Local Authority Local Planning documents.	The need for strategic mitigation in the form of the RAMS has been included in relevant emerging and recently adopted LPA Local Plans. No amendment proposed.
11	Mr David Kennedy	Resident	Expansion of Southend Airport contradicts Essex RAMS commitments by supporting development that would impact on nesting birds on Wallasea Island. Air traffic collision with bird population could result in disaster.	The SPD is related only to in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
12	Mr Charles Joynson	Resident	Why does the Essex RAMS document not include the protection of seals / seahorses? How will the tariff fund the protection of the coast? Include more manned exclusion zones along the coast to prevent disturbance from dog walkers.	The Essex Coast RAMS SPD relates only to in-combination recreational effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. Other forms of mitigation addressing other effects and on other designations across Essex are not within the specific scope of the SPD. No amendment proposed.
13	Mr John	Resident	Development should not be permitted on or adjacent to important coastal wildlife sites.	Noted. This is matter for individual Local Plans. The RAMS allows for new

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	McCallum			coastal residential development subject to providing appropriate mitigation measures. No amendment proposed.
14	Mrs Mary Drury	Resident	Implement more sets of coastal pathways. Stop speed boat usage along protected coastline. Prevent blocking of PROW. Ensure footpaths are open 24/7 and include more bins and maps. Clear pathways at coastal sites such as Danbury Common – brambles force members of public to overuse specific paths.	Noted. Maintenance of footpaths is not within the scope of the SPD. No amendment proposed.
15	Mrs Alwine Jarvis	Resident	Mitigation package costs should be split across entire borough – including existing households. Free parking for local residents – paid parking for those visiting from afar.	The Essex Coast RAMS SPD is applicable within the Zone of Influence only and the tariff cannot be retroactively applied to consented / existing development. The SPD sets out a tariff that will be used to fund mitigation related to ‘in-combination’ recreational effects relevant to planned growth in Essex. Car parking charges are a matter for individual LPAs and landowners. Local residents should be encouraged to walk or cycle to the coast. No amendment proposed.
16	Ms Rachel Cross	Resident	What is best practice for Ramsars, SPAs and SACs? Any policy must exceed the provisions to protect wildlife and respect the environment. What about representation from the ports?	The SPD is related only to those recreational impacts identified within the LPAs’ Local Plan HRA/AAs and related to residential growth. The RAMS draws on best practice from elsewhere and has been developed in conjunction with Natural England. No amendment proposed.
17	Mrs Joanna Spencer	Resident	Planes release fuel over designated sites.	The SPD is related only to those recreational impacts identified within the LPAs’ Local Plan HRA/AAs and related to residential growth. The

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				impact of aviation on the environment is taken into consideration in local plans which promote airport growth, masterplans for airports, planning applications for airport facilities and regulations on pollution through the environmental and aviation regulatory bodies. No amendment proposed.
18	Ms Caroline Macgregor	Brightlingsea village councillor	Town councils should be given more weight in deciding planning applications for development whereas local councils should be more concerned with preservation and conservation.	The SPD is related only to those recreational impacts identified within the LPAs' Local Plan HRA/AAs and related to residential growth. Decision-making on planning applications is outside the scope of this SPD. No amendment proposed.
19	Mr Christopher Marten	Resident	Development in designated areas is completely inappropriate.	Noted. No amendment proposed.
20	Mr Alan Lycett	Resident	How will BREXIT impact on coastal designations?	The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.
21	Mr Brian Jones	Resident	The SPD is clear and effective if actually put into practice.	Noted. No amendment proposed.
22	Mr Kenneth Dawe	Resident	There needs to be a balance between safeguarding wildlife and providing access for wellbeing.	The mitigation proposed within the RAMS does not seek to prevent visitors to the Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
23	Mr Frederick Ager	Resident	The increase in local housing will increase visitors to this area of the path and in turn increase danger to public with the Wildfowlers Club using this area.	The SPD is related only to the in-combination recreational impacts identified within the LPAs' Local Plan HRA/AAs. The effectiveness of the mitigations will be monitored during the life of the project. No amendment proposed.
24	Mr Aubrey Cornell	Resident	Housing should not be in proximity to designated areas. New residents/visitors will not respect the wildlife/countryside, making the tariff redundant. Existing visitors already disturb birds whether they are children or dogs off lead.	The need for the Essex Coast RAMS and the SPD stems from planned growth within the LPAs' adopted or emerging Local Plans. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
25	Mr Andrew Whiteley	Resident	A similar plan to RAMS could be implemented for inland habitats. Infrastructure should be evenly distributed across Essex to prevent future isolation issues.	Noted. No amendment proposed.
26	Mrs Angela McQuade	Resident	Extend designated areas to create wildlife corridors.	Protecting wildlife from development is and can be ensured and funded through other mechanisms. The extension of protected areas is not within the scope of the RAMS or the SPD. No amendment proposed.
27	MR John Camp	Resident	Exclusion zones for jet skis should be introduced.	Noted. No amendment proposed.
28	Mr Peter Bates	Resident	No. The section seems reasonable.	Noted. No amendment proposed.
29	Mr Stephen Ashdown	Resident	The section should include the benefits for community mental health.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. The mitigation proposed within the RAMS does not seek to prevent visitors to the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
30	Mr Graham Womack	Resident	How will Brexit impact European Directives that the RAMS is based on? The strategy only covers the coast, but some waterfowl species may also rely on inland sites.	The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed. The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. Other forms of mitigation addressing effects on other designations across Essex are not within the specific scope of the SPD. No amendment proposed.
31	Mr Michael Blackwell	Resident	Tourists also visit the coast.	The SPD sets out that tourism related development will be considered on a case-by-case basis through a project level HRA. If adverse effects on integrity are predicted, appropriate mitigation will be required, which could relate to the tariff proposed in the SPD. No amendment proposed.
32	Mr Mark East	Resident	How are the effects of smaller planning applications taken into consideration? It is evident from comments above that visitors travel some distance to SPA/Ramsar sites and whilst Local Plans and major projects consider the cumulative effect there is no objective evidence that I have seen that planning applications are controlled and come under the same scrutiny. This is leading to over development in sensitive areas.	All residential development proposals, including planning permission for an individual net new dwelling within the Zone of Influence will be required to undertake a project-level HRA/AA within which specific and in-combination effects of specific proposals will be considered. The

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Zones of Influence extend beyond local authority boundaries and show that many people travel far to visit the coast. No amendment proposed.
33	Mrs Michelle Endsor	Resident	Mitigation does not guarantee that adverse effects will not occur. The only route to success would be to completely isolate nesting bird species and prevent disturbance altogether. Housing development should seek to be located on areas that would result in the least amount of environmental impact.	Locational criteria for development are a matter for Local Plans / development management at the LPA level and not within the scope or remit of the RAMS or SPD. The mitigation proposed within the RAMS focuses on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
34	Mr. David Gollifer	Resident	The proposals are satisfactory.	Noted. No amendment proposed.
35	Mrs April Chapman	Resident	The RAMS should also consider the future expansion of recreational establishments alongside housing.	The SPD is related only to those recreational impacts resulting from residential development identified through the LPAs' Local Plan HRA/AAs. Any Habitat Site mitigation associated with other types of development (e.g. retail, education, business) would be considered at individual planning application stage by the relevant LPA. No amendment proposed.
36	Mrs Linda Findlay	Resident	Restore oyster reefs alongside emerging coastal wind turbines.	The SPD is related only to those recreational impacts resulting from residential development identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
37	Mr Barrie	Resident	No, looks good and sensible.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Ellis			
38	Mr David Evans	Resident	Hamford Water is a man-made environment and does not fall under the EC Habitats Directive. Protection also needs to be attributed to other wildlife such as shellfish and sea mammals.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. This includes the Hamford Water SPA and Ramsar. No amendment proposed.
39	Mrs Susie Jenkins	Brightlingsea Nature Network	There is not enough focus on situations where mitigation is not possible, too much focus on accommodating development. I find the way this statement has been used misleading "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.' (Principle 15) of Agenda 21, agreed at the Rio Earth Summit, 1992. " My understanding of the precautionary approach is well described here by J. Hanson, in Encyclopaedia of the Anthropocene, 2018, "The process of applying the Precautionary Principle must be open, informed and democratic and must include potentially affected parties. It must also involve an examination of the full range of alternatives, including no action." No action has to be a clear option available to LPA's to enable them to properly consider the genuine disturbance avoidance of vulnerable and valuable habitats.	Alternative means would only need to be considered in Stage 3 of the HRA process of the LPA's Local Plans. Stage 2 of that process (AA) considers that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats sites. As such there was no need for any of the Local Plans to progress to Stage 3 of the HRA process and the RAMS follows the process of the Stage 2 determinations / recommendations. No amendment proposed.
40	Councillor Frank Belgrove	Alresford Parish Council	At this stage in the document the actual "mitigation measures" are not clearly defined. "Alternative means" - needs to be defined.	Section 4.1 details the planned mitigation to be implemented as part of the Essex Coast RAMS. Alternative means would only need to be considered in Stage 3 of the HRA process of the LPA's Local Plans. Stage 2 of that process (AA) considers that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				sites. As such there was no need for any of the Local Plans to progress to Stage 3 of the HRA process and the RAMS follows the process of the Stage 2 determinations / recommendations. No amendment proposed.
41	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Boat movements are declining. Speed boats should be kept to low speeds to prevent disturbance. Main activity is Autumn, Winter and very early spring.	Noted. No amendment proposed.
42	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	Hamford Water area requires the amalgamation of existing organisations managing the area. Hamford Water has seen many signs of degradation: sand dunes at Walton Hall marshes lost, healthy saltmarsh destroyed, Stone Point beach disappeared, cliff erosion, Naze Tower under threat and Walton Navigation channel also threatened.	Noted. The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.
43	Mr John Fletcher	Resident	Wildlife at Hamford Water can be disturbed by boat, despite this the 450 boat Marina has not caused ill-effect on wildlife. Locals do not disturb wildlife, disturbance is caused predominantly by those visiting from out of the area. The England Coast Path and Essex Wildlife Centre encourage disturbance, as do dog walkers and general public.	Noted. No amendment proposed.
44	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	Paragraph 2.2 – add fishing / bait digging and wildfowling. BWA monitors member activity. Litter and effluent also impacts on designated areas.	An amendment to include fishing / bait digging is proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
45	Mr Mark Nowers	RSPB	Paragraph 2.5 – The Outer Thames Estuary SPA should also be included. Impacts will not be limited to terrestrial activities; powered watercrafts will also need to be accounted for.	Natural England initiated the RAMS project and advised on the 10 Essex coastal sites that should be included within this project. The Outer Thames Estuary is included within Table 3.1 of the SPD as 'Thames Estuary and Marshes SPA and Ramsars'. An amendment to include the word 'Outer' is proposed.
46	Mr Gavin Rowsell	Resident	Natural England promoted increased access for public on all foreshores along the England Coast Path. Using this access as a 'land-grab'. RAMS is not seen as fair and uses 'left-wing' principals.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. The RAMS is an evidence-based project and has been produced in conjunction with Natural England. No amendment proposed.
47	Mr Gerry Johnson	Essex Birdwatching Society	In order to reduce disturbance to wildlife: <ul style="list-style-type: none"> - Dogs should be kept on leads - Fencing should be used to protect ground nesting birds - Signage should be erected to warn walkers to take care in areas of nesting birds 	Section 4.1 details the planned mitigation to be implemented as part of the Essex Coast RAMS. No amendment proposed.
48	Mr Bernard Foster	Resident	Online maps should have greater clarity. Both HRA & AA are negative policies. The RAMS project like the NPPF does not carry enough weight to promote areas that would divert footfall from designated areas. More co-operation between LPAs and associated bodies (Highways) would prevent the refusal of mitigation projects. Decisions need to be justified more clearly.	Amendments to replace existing maps with higher resolution images are proposed. The SPD, in conjunction with the RAMS, ensures that mitigation is enshrined / adopted in local policy of all the LPAs. No amendment required.
49	Mr Mark Marshall	Resident	Designated areas need to be protected to prevent irreversible loss.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
50	Mr Tim Woodward	The Country Land & Business Association (CLA)	England Coast Path will increase recreational pressure on the coast by providing access to areas that previously did not. Why should those delivering housing be targeted by the RAMS strategy when a government body is facilitating recreational pressures on the Essex Coast?	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
51	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS	Noted. No amendment proposed.
52	Mrs Jenny Clemo	Langford & Ulting Parish Council	Impacts are unable to be mitigated, developments that are predicted to impact should not be granted planning permission.	Each LPA within Essex has a statutory duty to address housing need in their area. The mitigation proposed in the RAMS ensures that 'no significant effect' on the integrity of the Habitats sites will be realised regarding recreational disturbance. No amendment proposed.
53	Ms Jo Steranka	Resident	<p>RAMS is inadequate to deal with future issues as there are limits to the amount of development that can take place in Essex. There will come a point where further development will have detrimental impact on the quality of the environment. Wildlife is already pressured by inappropriate behaviour; increased visitors will exacerbate these. The habitats are incredibly important as there is so little left across Europe.</p> <p>Essex County Council should provide guidance that restricts recreational development that would act to disturb wildlife populations at the coast, as well as, development that would act to connect undesignated areas to designated sites. Essex County Council should also recognise that continued development will impact on existing international commitments.</p>	The need for the Essex Coast RAMS and the SPD stems from planned growth within the LPAs' adopted or emerging Local Plans. The mitigation proposed in the RAMS ensures that 'no significant effect' on the integrity of the Habitats sites will be realised regarding recreational disturbance. It is the LPAs that are responsible for preparing, adopting, delivering and implementing the RAMS and the SPD, not Essex County Council (ECC). No amendment proposed.
54	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Similar strategies endorsed by Natural England are not tried and tested.	The effectiveness of the mitigation will be monitored as outlined within

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Paragraph 2.6 – Who is the regulatory body that ensures Habitats Regulations are met? Will NE, RSPB and EWT be statutory consultees on all planning applications?</p> <p>Paragraph 2.13 – Requires strengthening – variable tariff required?</p> <p>Paragraph 2.14 – Independent bodies are not endorsing the strategy. Strategy is a ‘soft’ approach, no code of conduct for water sports clubs currently available. By-laws will require updating as they are not directly related to birds or wildlife. Those caught littering should be fined as part of updated by-laws.</p> <p>Paragraph 2.15 – The tariff charged to developers could be passed to home owners – increasing property prices.</p>	<p>Section 6 of the SPD. No amendment proposed.</p> <p>Natural England are the statutory body that ensure the Habitats Regulations are met, as a consultee for HRA/AA documents. Other bodies are permitted to comment on all live planning applications.</p> <p>A variable tariff has not been supported within the RAMS and SPD as overall ‘in-combination’ effects are not variable and distinguishable across the County.</p> <p>The remit of the RAMS and SPD is to ensure the strategic mitigation package is delivered. No amendment proposed.</p>
55	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	<p>For consistency the following text should be added to the notes section:</p> <p>Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds and are designated under the Birds Directive.</p> <p>Special Areas for Conservation (SACs) are sites which support high-quality habitats and species and are designated under the Habitats Directive.</p>	<p>An amendment to move the glossary to front of the SPD is proposed, with added description explained in footnotes where necessary and newly introduced.</p>
56	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	<p>The importance of the Essex coastline for wildlife - as evidenced by the extent of designated Habitats sites - cannot be over emphasised. CPRE very much supports the strategic approach to mitigation measures outlined in this section - not least, for the consistent, pragmatic and fair process which it provides. The provisions of the SPD need to be</p>	<p>Noted. No amendment proposed.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			implementable and effective and this combined approach creates the robust framework to achieve the objectives of RAMS.	
57	Mrs Cecilia Dickinson	Resident	I don't like this format - section by section - my comments are general.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section 3 – Scope of the SPD

Table 5 – Section Three: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	Do not build so many homes.	All of the LPAs have a statutory requirement to plan for new housing growth. How this is achieved is set out in Local Plans. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
2	Mrs Aileen Cockshott	Resident	Tourist accommodation and caravan parks should be within scope.	The effects and subsequent mitigation of tourist related development proposals will be considered on a case by case basis. Section 3.9 of the SPD states that, 'tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an Appropriate Assessment as part of the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Habitats Regulation.' No amendment proposed.
3	Mrs Amy Gardener-Carr	Resident	Instead of building properties, fence this land off and make them sanctuaries.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS SPD does not propose new development. The mitigation proposed within the RAMS focuses on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.
4	Mr Bob Tyrrell	West Bergholt Parish Council	Fully agree.	Noted. No amendment proposed.
5	Mrs Julie Waldie	Resident	Sounds fair.	Noted. No amendment proposed.
6	Mr Terry Newton	Resident	How do you collect post code data from visitors? If property has not been built on these sites, then no data will be available yet. Could it also be that a small number of visitors to the coastal areas of concern are the same repeat visitors, and that the majority of local residents never, or rarely visit most of the coast.	Survey data was collected from the general public who visited the coast prior to the new development to best understand where visitors come from and are likely to come from in the future. The Zones of Influence were then calculated to determine what areas would be required to contribute to the RAMS tariff to provide strategic mitigation across Essex. No amendment proposed.
7	Mrs Angela Harbottle	Resident	I agree with the measures outlined.	Noted. No amendment proposed.
8	Mr David	Resident	The tariff should apply to commercial development as well.	The SPD is related only to recreational impacts identified through the LPAs'

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Kennedy			Local Plan HRA/AAs and as a result of recreational effects caused by new housing. Other effects on Habitats sites from commercial development will be considered through individual project-level HRA/AAs, if such assessment is required. No amendment proposed.
9	Mr Charles Joynson	Resident	This all seems very sensible.	Noted. No amendment proposed.
10	Mrs Mary Drury	Resident	<p>Maldon riverside is becoming a commercial venue- a mock attempt at a seaside, as it is easy to drive to but it is spoilt along the Promenade now and charging for a huge car park is not being returned to improve anything in the way of doing anything to help the wildlife.</p> <p>Hullbridge riverside has many birds but as each new development takes out more hedges and trees where do they go? The once narrow Hullbridge riverside path is now cut right back for public access and tall grass edges mown and that is along a natural riverside walk - why?</p>	<p>The need for the Essex Coast RAMS and the SPD stems from planned residential growth within the LPAs' adopted or emerging Local Plans. Other forms of mitigation addressing effects on other designations across Essex are not within the specific scope of the SPD.</p> <p>No amendment proposed.</p>
11	Mrs Alwine Jarvis	Resident	Mitigation package costs should be split across the entire borough – including existing households. Free parking for local residents – paid parking for those visiting from afar.	The Essex Coast RAMS SPD is applicable within the Zone of Influence only and the tariff cannot be retroactively applied to consented / existing development. The SPD sets out a tariff that will be used to fund mitigation related to 'in-combination' recreational effects relevant to planned growth in Essex. Car parking charges are a matter for individual LPAs and landowners. Local residents should be encouraged to walk or cycle to the coast. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
12	Mr Matt Eva	Resident	The Zone of Influence for Southend and Crouch/Roach estuaries seem too small.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys approved by Natural England. No amendment proposed.
13	Mrs Jane Rigler	Resident	Why is the measurement in kilometres - we still use miles in the UK so I think it should be changed.	An amendment is proposed to include both kilometres and miles within the SPD.
14	Ms Caroline Macgregor	Brightlingsea village councillor	Distance boundaries should be extended.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys approved by Natural England. No amendment proposed.
15	Mr Peter Dervin	Resident	People should at every stage be the number one consideration, while we have people living on the streets and sofa surfing, and a lack of care for the elderly and disabled sorry but wildlife has to come second.	The SPD and RAMS ensures that residential development schemes within the Zone of Influence can come forward with an assurance that there will be no significant in-combination recreational effects on Habitats sites on the Essex Coast. No amendment proposed.
16	Mr Brian Jones	Resident	Ok.	Noted. No amendment proposed.
17	Mr Andrew Whiteley	Resident	No mention of improved infrastructure. Essex roads, trains and buses are already stretched and that's without the impact on social services.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan and infrastructure delivery plans. No amendment proposed.
18	Mrs Angela McQuade	Resident	Regulations should be upheld in all cases.	The SPD provides the robust framework for ensuring the regulations are upheld. Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
19	Mr Peter Bates	Resident	Zone of Influence for both Benfleet and Southend Marshes and Thames Estuary and Marshes should be larger. Commercial development should also be considered within the RAMS.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys approved by Natural England. Other effects on Habitats sites from commercial development will be considered through individual project-level HRA/AAs, if such assessment is required. No amendment proposed.
20	Mr Stephen Ashdown	Resident	Should include Hanningfield Reservoir as this also supports wildlife relevant to this document and has the same pressures as those discussed in the subject matter.	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast in relation to birds. No amendment proposed.
21	Mr Graham Womack	Resident	With regards to para 3.10. What happens if outline permission has already been granted (without consideration of RAMS). Will it become compulsory to add it to the subsequent full application?	The SPD proposes that if in-combination recreational effects have been suitably addressed at the outline stage, in the form of mitigation, then the tariff would not apply at the reserved matters stage. If such effects have not been addressed of individual proposals at the outline stage, then the tariff would be applicable to that proposal at the reserved matters stage. No amendment proposed.
22	Mrs Joanna Thornicroft	Resident	Visitors to the Essex Coast are not just residents, general public from all over the country visit also.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
23	Mr Mark East	Resident	Why do the Zone of Influence distances vary greatly? How were the Zones of Influences calculated from visitor surveys?	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys, such as postcode data of visitors. This exercise helps to determine where and

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				how far residents will travel to the Essex Coast, and has been approved by Natural England. No amendment proposed.
24	Mrs Michelle Endsor	Resident	<p>The wetland areas along The River Crouch also makes the village of Great Stambridge and surrounding areas a flood plain which is at risk of extreme flooding approx. every 50-100 years.</p> <p>Whilst we take this into consideration when insuring our properties and are lucky enough to be surrounded by farmers who will "double ditch" when the rain levels increase, to consider building housing in areas of flooding seems completely irresponsible. Not to mention that increasing the population in an area with no facilities, no doctor's surgery, no bus services, no shops, etc ensures that roads that were not built to take large amounts of traffic are stretched to the limit as road travel is the only way to access work and necessities for a larger population. That larger population and their road travel, as well as visitor influx will again only serve to disrupt the wildlife population further.</p> <p>As long standing residents that have been witness to the wildlife decline in this area over the last 3 generations, we cannot object enough to any development of the wetland areas.</p>	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. Issues raised relate to the distribution of new development and supporting infrastructure as matters for Local Plans. This includes the possible impacts on and mitigations for flooding. No amendment proposed.
25	Mrs Linda Findlay	Resident	More emphasis on environmental impact in the long term. Infrastructure must come before greater demand is generated.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. The impact of the RAMS will be regularly monitored. Infrastructure to support new housing growth is a matter for Local Plans. No amendment proposed.
26	Mr David Evans	Resident	There are significant and important other Statutory Bodies with strong legal and commercial interests in Hamford Water - Harwich Harbour Authority, who has control over the navigation and collect Port Dues for	Noted. Joint working arrangements can be acted upon by the Delivery Officer. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			shipping movements to Bramble Island; Crown Estates, who own most of Hamford Water below the low tide level.	
27	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>Please include the point that certain habitats cannot be mitigated against and are too valuable to have building close by which will increase the disturbance.</p> <p>There should be clear provision and targets to leave some habitat entirely undisturbed.</p>	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. Under the Habitats Regulations each development proposal will need a project-level HRA. This is still the case for proposals within the Zone of Influence, and any resultant AA will set out recommendations to mitigate effects that are directly related to the proposal. No amendment proposed.
28	Councillor Frank Belgrove	Alresford Parish Council	This section is well written and explores the practicalities.	Noted. No amendment proposed.
29	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Yes, South East Essex, is now past breaking point with the recent addition of new dwellings. Release all farmland around London, say a radius of 8 miles. This also would mean less journey times.	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
30	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	<p>Increase the Zone of Influence to include boroughs of London due to weekend visitors to areas of the Essex Coast.</p> <p>The only possible way Recreational disturbance Avoidance can be applied is to control the number of dwellings permitted in designated areas.</p>	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. The Zol were informed by visitor surveys. No amendment proposed.
31	Mr John	Resident	A very unfair and totally unnecessary 'tax'.	The RAMS seeks to mitigate recreational impacts on protected

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Fletcher			Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. The tariff is 'evidence based' and has been calculated by dividing the cost of the RAMS mitigation package by the number of dwellings (housing growth) proposed in LPA Local Plans. The tariff is paid by developers of new houses, not residents, and as a one-off payment. It is not a tax. No amendment proposed.
32	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	The BWA is not planning any building work within the RAMS Zone of Influences. Predatory species such as foxes thrive in urban areas, potentially increasing pressure on ground nesting birds.	Noted. No amendment proposed.
33	Mr Mark Nowers	RSPB	3.4 The Outer Thames Estuary SPA should be added here. Paragraph 2.2 above sets out the coast is "a major destination for recreational use such as walking, sailing, bird-watching, jet skiing and dog walking."	The Outer Thames Estuary is included within Table 3.1 of the SPD as 'Thames Estuary and Marshes SPA and Ramsar'. An amendment to include the word 'Outer' is proposed.
34	Mr Stephen Tower	Resident	No residential housing should be built around this area as it is vital to protect the region and its wildlife. How about using housing that is not currently being used?	Under the Habitats Regulations each development proposal will need a project-level HRA. This is still the case for proposals within the Zone of Influence, and any resultant AA will set our recommendations to mitigate effects that are directly related to the proposal. New housing growth is a matter for Local Plans. No amendment proposed.
35	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	We feel the Zones of Influence are understated.	The Essex Coast RAMS Zones of Influence are based upon data collected through visitor surveys

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				approved by Natural England. No amendment proposed.
36	Mr Bernard Foster	Resident	<p>It is being recognised more and more that the changes to where people live along with other publicity has started to change the way many residents are behaving. In some areas it has already changed the way councils are looking at housing design, road design and development.</p> <p>In these areas, roads are only built where they are needed to feed residents' requirements and earlier designations no longer directly feeding dwellings are changed to paths and cycle ways to develop green links between areas. This is not only important so as to encourage healthier life styles as designated in the NPPF but to give an acceptable alternative to paths within the Ramsar or SPA areas which do not currently exist for the many cyclists, horse riders and strollers within the various communities.</p> <p>This will not happen by chance it needs the legislation adjusted to give greater backing to LPA and parish councils who understand what is needed for their areas.</p>	Noted. These issues relate to Local Plans rather than specifically to this SPD. No amendment proposed.
37	Mr Tim Woodward	The Country Land & Business Association (CLA)	<p>CLA members in the areas and Zones of Influence covered by the SPD may be considering small-scale residential developments on their land, and others may be considering setting up tourism enterprises. These enterprises will provide employment opportunities and will make a valuable contribution to the rural economy. Housing developments on our members' land will help the Government and local authorities to meet housing targets and may include low-cost "starter" units on rural exception sites.</p> <p>These projects will be affected by the financial contributions proposed, when combined with any Community Infrastructure Levy (CIL) contributions additionally levied.</p>	The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from an increase in population associated with housing growth. This includes both allocations in the LPAs' Local Plans and also non-allocated growth that may come forward within Local Plan periods. No amendment proposed.
38	Mr Steven Smith	Comments offered on behalf of Lower Farm,	In line with the NPPF and Local Plan Policy the definition of exclusions within Table 3.2: Planning Use Classes covered by the Essex Coast RAMS, under the Sui Generis Planning Class should be amended to clarify that it applies to: leisure and tourism facilities:	The SPD wording regarding residential caravan sites reflects the permanency of residents, with those associated with tourism (holiday caravans and

No.	Name	Organisation	Main Issues Raised	Response / amendment required
		East End Green, Brightlingsea	<p>Amend: - Residential caravan sites (excludes holiday caravans and campsites) To: - Residential caravan sites (excludes leisure and tourism facilities)</p> <p>In addition, para 3.9 of the SPD states that "... tourism accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure ...". It is proposed that this should be amended to: "... tourism accommodation, could potentially effect protected habitat sites related to recreational pressure ..."</p> <p>It is recognised that any contribution that may result from an Appropriate Assessment of leisure and tourism facilities would be assessed on a "case by case basis" (clarified within footnote *** of Table 3.2). However, the level of contribution should be benchmarked and clarified within the SPD i.e. £5 per facility/unit (similar to an all-day parking fee at an Essex Wildlife Trust site), or in line with the Tourism Sector Deal (November 2018) local Environmental and Tourism Trust Funds could be set up between a developer/operator and the relevant District Authority whereby a contribution of £1 per tourist per day is paid to support the management of the specific habitat site that may be affected by the development.</p>	<p>campsites) being subject to consideration on a case-by-case basis.</p> <p>The wording 'may be likely to have significant effects' is specifically in line with the wording of the Habitats Regulations, and in reference to the test in those regulations to assess 'likely significant effects'. No amendment proposed.</p> <p>Regarding the extent of the tariff that may be applicable to tourist related development, it would be inappropriate to benchmark this per unit, as the level of recreational effect may vary from proposal to proposal. No amendment proposed.</p>
39	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
40	Mrs Jenny Clemo	Langford & Ulting Parish Council	Support the approach.	Noted. No amendment proposed.
41	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Para 3.6 A case could be made for new large business units over a certain square footage contributing to the mitigation strategy here. Large corporate companies, such as Amazon, could help cover the cost of their environmental impact.	The SPD is related only to those recreational effects identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Para 3.9 Tourist accommodation: To stop people flying, we need to encourage "stay locations", Many small businesses like family run B&B's will probably not be able to succeed financially if a tariff or tax for the strategy was imposed on them. Again, larger, corporate entities such as hotel chains need to carry the cost if this is going to be looked at.</p> <p>Para 3.10 We already have experience where HRA's have not been completed as part of a reserved matter planning application where the original outline application is over 2 years old. How will parallel or twin tracked applications be dealt with that exist under one outline application?</p>	<p>Any tariff imposed on tourist related development would not be retroactively sought, and will apply only to new development proposals No amendment proposed.</p> <p>The tariff will be imposed to those proposals at the reserved matters stage that have not considered recreational effects at the outline stage. No amendment proposed.</p>
42	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	<p>The scope of the RAMS SPD is considered appropriate. The AONB team agrees with the Use Classes and the types of developments that will be subject to a RAMS tariff.</p> <p>Paragraph 3.7 of the SPD could be more explicit and state that proposals for single dwellings will be subject to a RAMS tariff.</p>	Noted. An amendment introducing additional clarification within Paragraph 3.7 is proposed.
43	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch (CPRE)	<p>This is a key section of the SPD because it identifies where the RAMS is applicable. The Zones of Influence (Zone of Influence) map is critical. It attempts to show the sphere of influence - based on the postcode of coastal visitors - as roughly concentric circles. The result is nonsensical in that up to 40-50% of some of the Zones is North Sea. A methodology which centres a Zone of Influence on a designated Habitats site is therefore flawed. Instead the Zone should reflect the fact that many visitors come from without a tight circular catchment, often living in major centres of population and close to the main highway network. Linear Zones therefore stretch beyond the immediate local catchment area. In this respect, there is no indication as to how the Zones are defined - i.e. the proportion of total visitor numbers and from which postcodes.</p> <p>This is exemplified by the influence of the main sailing centres - notably on the Stour and Blackwater estuaries but also elsewhere - where considerable numbers of boat owners (regular visitors) live much further</p>	The Essex Coast RAMS project and associated methodology has been recognised and approved by Natural England. The methodology that determined the Zones of influence was also approved by NE. The Essex Coast RAMS is also only concerned with recreational pressures arising as a result of proposed development found within emerging and adopted Local Plans. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>afield. Also, this approach results in high proportions of certain Zones of Influence stretching outside of Essex and there is no indication of the existence or relationship with similar SPDs adopted by the appropriate Suffolk and Kent local authorities.</p> <p>CPRE supports the range of applications, schemes and Use Classes covered by the SPD. However, given the potential for significant and higher impact from proposals for tourist accommodation, CPRE suggests there should be more explicit guidance in the SPD as to how LPAs would make "a different assessment of effects".</p>	
44	Mrs Cecilia Dickinson	Resident	I do not like this format - section by section.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Four - Mitigation

Table 6 – Section Four: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	The per tariff detail seems somewhat irrelevant when I have no idea how much money this will generate per annum and how much money is actually needed per annum.	The mitigation package has been calculated based upon the period of March 2019-2038. Details of this can be found in Section 4.3 which details the overall cost. The RAMS itself includes phasing details of Local Plan housing allocations, and the tariff will be collected for these dwellings. Therefore, the money collected per annum reflects housing growth directly. No amendment proposed.
2	Magister Debbie Bryce	Landlord	The Essex Coast cannot be 'recreated', 'moved elsewhere' or 'compensated for'.	Each LPA within Essex has a statutory duty to address housing need in a way that will not cause significant effects on

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			<p>Birds do not Need People visiting and disturbing them. You should therefore not do anything that would cause this. One example is to build more houses such that this will happen. It is simply a point of logic.</p> <p>A tariff is no use to birds. You have stated that their survival depends on preserving their environment and not disturbing them. How does a 'tariff' assist that?</p> <p>Your reasoning is faulty. Clearly there is conflict in what you say. You cannot mitigate the effects of disturbance. Especially not with money.</p> <p>If, as you say, you want to prevent disturbance to European bird sites, do not create more disturbance by recreation, housing or anything else. You are kidding yourselves if you think you can have your cake and eat it.</p>	Habitats sites. The RAMS and SPD ensures that this can be done. No amendment proposed.
3	Mrs Frances Coulson	Resident	Seems a small financial contribution so long as developers can't fiddle their way out of it as they seem to with social housing commitments.	Section 5.2 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. No amendment proposed.
4	Mrs Amy Gardener-Carr	Resident	Make more actuaries for wildlife.	Noted. No amendment proposed.
5	Mr Bob Tyrrell	West Bergholt Parish Council	The proposals seem reasonable.	Noted. No amendment proposed.
6	Mrs Julie Waldie	Resident	I am glad the developers will foot the bill, sounds right to me.	Noted. No amendment proposed.
7	Mr Terry Newton	Resident	Without doing the sums this figure of 9 million pounds seems a bit vague, as there seems a lot of unknown variables, which are not easy to quantify. Am I right in thinking that this is an annual payment by each household?	The Essex Coast RAMS tariff is a one-off cost that applies to residential developments within the Zone of

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			Also, that the property must be a future build within certain designated zones?	Influence when they are consented. No amendment proposed.
8	Mr Brian Mills	Resident	I see no mention of actual measures to enforce the requirement -- money will not always correct a poor situation.	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. No amendment proposed.
9	Mrs Linda Samuels	Resident	Are the contributions compulsory? What will be consequences of non-payment?	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. No amendment proposed.
10	Mr David Kennedy	Resident	Should apply to commercial development also.	The SPD is related only to recreational impacts identified through the LPAs' Local Plan HRA/AAs and as a result of recreational effects. Other effects on Habitats sites from commercial development will be considered through individual project-level HRA/AAs, if such assessment is required. No amendment proposed.
11	Mr Charles Joynson	Resident	The fact that there may be other site-specific mitigation requirements in respect of Habitats sites and ecology gives me some hope that effective mitigation can be implemented. I still suspect the cash contribution for each dwelling will be far too low.	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigating the effects of 'in-combination' recreational effects only. Other types of effect can be expected to be mitigated in other ways. No amendment proposed.
12	Mr John	Resident	You cannot mitigate for loss of wildlife habitat. I fundamentally disagree that there should be any permitted development in protected zones.	The Essex Coast RAMS SPD addresses development within the

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	McCallum			defined Zones of Influence. Each LPA within Essex has a statutory duty to address housing need in their area. No amendment proposed.
13	Mrs Mary Drury	Resident	Money will not fix the problem - it is care of natural places. All roads should be made with tunnels for animals to cross and all new developments should have to leave wild verges and hedges and trees. Destroying old hedges/trees should be banned, as it takes a whole generation - 50 years to grow a mature tree. Tariffs of £100,000,000 will not fix up a river overnight and meanwhile the animals look for homes to breed where theirs have been destroyed.	The SPD is related only to those recreational effects identified through the LPAs' Local Plan HRA/AAs. The tariff provides the funding to take mitigation measures to address the impacts of increased visitors to the coastal areas. No amendment proposed.
14	Mrs Joanna Spencer	Resident	The Section 106 agreement, is this based on the agreement between the Council and Southend Airport?	Section 106 is a mechanism to secure infrastructure or funding to address the impacts of new development. The Section 106 agreement for Southend Airport is a separate matter. No amendment proposed.
15	Mr Matt Eva	Resident	Need to think about unintended consequences. Will this lead to greater development just outside of the proposed Zone of Influence - which will impact the habitats but lead to no revenue for mitigation.	Zones of Influence (Zols) have been identified based upon visitor surveys conducted to determine the distance at which visitors to the Essex Coast can be expected to travel from. The Local Plans of each Local Planning Authority allocate land to meet required housing growth, and some of this land falls within the Zol. Local Plan allocations are not changed as a result of the Zol and some partner LPAs' Local Plan areas fall entirely within the Zol. No amendment proposed.
16	Ms Caroline Macgregor	Brightlingsea village councillor	Mitigation costs should be vastly increased and also be required to produce sustainable zero carbon footprint buildings to increase protection of areas.	The Essex Coast RAMS SPD sets out a tariff that has been calculated by identifying the costs of mitigation

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				required to address planned housing growth within the LPA's adopted or emerging Local Plans. No amendment proposed.
17	Mr Christopher Marten	Resident	Placing a tax on developers to dissuade them from submitting an application is not a solution in my view. It is not possible to enforce any of these statutes, people cannot be trusted to obey the law. Existing laws are broken on a daily basis, adding new ones would only make policing them more difficult.	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, then alternative mitigation, agreed by Natural England, would be required or planning permission would not be given. The tariff is not designed to dissuade applications, but to ensure that funding is in place to address the impacts of increased visitors to the Essex coastal area. No amendment proposed.
18	Cllr Malcolm Fincken	Halstead, Hedingham and District Branch Labour Party	We agree with these proposals.	Noted. No amendment proposed.
19	Mr Peter Dervin	Resident	The mitigation payments should be ring fenced towards care for people not wildlife. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. It is pure madness to add an additional payment to developers that is not people-centred.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
20	Mr Alan Lycett	Resident	Tariffs should be progressive so that larger properties pay more. Perhaps charge by number of bedrooms?	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. The tariff is evidence based and proportionate so as to not make new development unviable. It is considered inappropriate to apply a

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				'sliding-scale' in regard to the tariff at this stage and a 'blanket tariff' is proposed as the RAMS seeks to mitigate 'in-combination' effects i.e. those identified from accumulated housing growth in the Zol. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.
21	Mr Brian Jones	Resident	OK.	Noted. No amendment proposed.
22	Mr Aubrey Cornell	Resident	Increase the tariff significantly in order to deter the initiation of such developments close to these sites.	The Essex Coast RAMS SPD sets out a tariff that has been calculated by identifying the costs of mitigation required to address planned housing growth within the LPA's adopted or emerging Local Plans. No amendment proposed.
23	Mr Andrew Whiteley	Resident	No mention of improved infrastructure. Essex roads trains and buses are already stretched and that is without the impact on social services.	The SPD is related only to those in-combination recreational effects identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
24	Mrs Angela McQuade	Resident	Payment is not enough.	The Essex Coast RAMS SPD sets out a tariff that has been calculated by identifying the costs of mitigation required to address planned housing growth within the LPA's adopted or emerging Local Plans. No amendment proposed.
25	Mr Peter Bates	Resident	It is essential to ensure that all financial contributions [including for part-projects] meet all costs identified and that they are paid before commencement of the work [or stage of project], and that all funds are held securely and that they are used in the local community directly	The tariff will need to be paid before the commencement of the development in all cases. As effects are related to housing growth in the

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			affected and not in other locations. Funding should only be used for physical measures, not legal advice, administration etc.	entirety of the Zone of Influence, mitigation will be limited to within the Zone of Influence as appropriate. No amendment proposed.
26	Mr Stephen Ashdown	Resident	Developers of larger sites must as well as paying levies make suitable arrangements to integrate the disturbed wildlife. Examples being tunnels under roadways, extra plantations of hedgerows/trees, or sponsorship of a suitable wildlife scheme developed for that zone.	The on-site requirements of large scale housing development proposals are not within the remit of the RAMS or SPD and will be identified through project-level HRA/AAs. Developers of strategic sites are encouraged to engage with the relevant LPA for specific guidance on what is considered appropriate. No amendment proposed.
27	Mr Graham Womack	Resident	<p>I support the concept of requiring the payments to be made at the start of a development phase.</p> <p>I have reviewed several planning documents over the past 12 months. I cannot recall having seen any specific reference to the tariff that is now being proposed.</p> <p>How will the tariff funding be allocated to mitigation work. Who will ensure that the relevant funds are only allocated to RAMS mitigation, and not to other local projects? I can recall several instances where local councils have proposed uses for S106 monies, only to be told that the funds are no longer available.</p>	The SPD, once adopted, will form a planning document that sets out the implications of the RAMS for developers. The Essex Coast RAMS mitigation will be managed by a dedicated RAMS Delivery Officer who will liaise with each LPA's own monitoring officers. Mitigation will be delivered at a strategic level ensuring it is applied to mitigate the effects of housing growth. No amendment proposed.
28	Mr Michael Blackwell	Resident	This seems reasonable.	Noted. No amendment proposed.
29	Mrs Joanna Thornicroft	Resident	I think the tariff is too low. I also have concerns that the buyer actually ends up paying this. I would prefer to see more ecological building material and a focus on sustainability for houses within these zones. If you want to live near a beautiful place that attracts wildlife, then your property and lifestyle should not cause damage. A one-off fee for a house that will	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging

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			last hundreds of years seems pretty insignificant in the great scheme of things. Could building limits be considered? I do agree that something should be put in place.	Local Plans. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
30	Councillor Richard van Dulken	Braintree District Council	I question the acceptability of Section 106 monies generated in Braintree, for instance, being used 20 or 30 miles away for totally unconnected purposes.	The Essex Coast RAMS aims to deliver a strategic approach to mitigation that was recommended within each LPAs' Local Plan HRA/AA, including that of Braintree District Council. Zones of Influence were based upon visitor surveys conducted to determine the distance at which visitors can be expected from new development. The collection of the tariff does not prejudice investment in infrastructure by developers in the locality of the new development. No amendment proposed.
31	Mr Mark East	Resident	The tariff is a drop in the ocean against the margin of profit for developers. The document implies that it is avoiding harm, but it is in fact fast tracking planning applications which are the source of harm. It is inconceivable that the provision of a small green space will deter residents from visiting the sites. Is there any scientific evidence or survey to objectively demonstrate any notable change of movement away from visiting SPA/Ramsar sites when green space is provided?	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. It can be expected that other mitigation requirements and contributions will be expected of developments, to address other effects on Habitats sites identified within project-level HRA/AAs. No amendment proposed.
32	Mrs Michelle Endsor	Resident	As previous stated, these factors are speculative and unproven. Once these "mitigations" fail, which with the delicate wildlife balance in this area, we have no doubt they will, it is too late, and we have lost valuable breeding areas for future generations. It is also stipulated that payments will be charged to fund this gamble with	The Essex Coast RAMS toolkit (Table 4.1 of the SPD) sets out monitoring arrangements, amounting to 'birds and visitor surveys, including a review of the effectiveness of mitigation measures.' The scope of the SPD, and

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			our native wildlife but there is never any guarantee that these monies will not at some point in the future be absorbed into other projects that are deemed more relevant to the climate of the time. The same happened with the funds from council house sales with very little being ploughed back in to finance new social housing at the time. There is always a cause considered more important down the road but in this case, unsuccessful mitigation and cuts in future funding could see the devastation of our wetland wildlife, something which can never be rectified.	the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment proposed.
33	Mrs Linda Findlay	Resident	<p>This must be actioned before development takes place.</p> <p>Too often developers try to reduce their section 106 agreements having built the most profitable part of the development. E.g. reducing number of "Affordable" housing or finding reasons why agreed access changes aren't practical.</p> <p>There need to be realistic penalties for later alterations that reflect loss to the community at large. Too often reneging on commitment remains more profitable, which should never be the case.</p> <p>Use local, possibly smaller companies to develop housing, as these have more stake in the local environment and have a more transparent reputation</p>	Section 4.8 of the SPD sets out that if the tariff is not paid on qualifying proposals, and alternative bespoke mitigation is not forthcoming (and agreed as suitable by Natural England) then planning permission would not be given. The tariff will need to be paid before the commencement of the development in all cases. No amendment proposed.
34	Mr David Evans	Resident	<p>The whole basis of how this income from a tax on new development is to be spent seems skewed to provide resources for semi-police activities and restrictions on human activity.</p> <p>Hamford Water has managed itself and the wildlife present to a very high standard, without draconian legal powers and without constant surveillance.</p> <p>The Hamford Water Management Committee, upon which all statutory bodies, Tending District Council, Essex County Council, the Environment Agency, users of the area, Yacht Clubs, the Royal Yachting Association, Wildfowlers, Riparian Landowners, Marinas plus all the various</p>	The Essex Coast RAMS SPD relates only to the effects on Habitats sites (as defined) which are designated on the Essex Coast. The tariff is proposed to fund a RAMS Delivery Officer and Rangers to address recreational impacts identified through the LPA's Local Plan HRA/AAs, but not to impose restrictions beyond these specific effects. No amendment proposed.

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			commercial interests are all members of this organisation and which supervises the area at nil cost. Anyone except those organisations that willingly contribute, has not been mentioned once in the RAMS documentation.	
35	Mrs Dawn Afriyie	Resident	<p>Essex is already overpopulated, the road network is in a dire state, the sewer systems are old and falling apart, more housing is not needed in Essex, coastal and non-coastal.</p> <p>Our wildlife must be preserved at all costs. How many more natural habitats must be destroyed before Essex council stops building.</p>	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. Each LPA within Essex has a statutory duty to address housing need in a way that will not cause significant effects on Habitats sites. It is the LPAs who are responsible for determining development proposals and delivering and implementing the RAMS and SPD, not Essex County Council. No amendment proposed.
36	Mrs Karen Hawkes	South Woodham Ferrers Town Council	<p>Bullet point 4 states "Information on alternative sites for recreation". Whilst it is appreciated that the area needs to be protected, the preferred message should be with information signage and alternative routes within the same location. This would also support tourism in the area and encourage sustainability and health benefits. If visitors are being sent to alternative locations this would result in increased motor vehicle usage; visitors may be less likely to visit the site which would affect their health and wellbeing.</p> <p>Bullet point 6 "Interpretation and signage". Members would welcome universal / uniform signage throughout all the Essex Coastal Habitats. This would assist visitors when visiting other sites as the signage format would be recognisable which would aid enforcement as visitors would be familiar with the signage.</p> <p>Page 12 Action Area Table Members would request that relevant Town and Parish Council are detailed as partnership organisation.</p>	<p>The message regarding 'alternative sites for recreation' can be expected to apply to future trips for recreation.</p> <p>Noted. Comments regarding uniform signage and additional stakeholders in the partnership organisation can be acted upon by the Delivery Officer, once appointed. The project has the brand: Bird Aware Essex Coast, which Bird Aware Solent is seeking to extend around the country. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. The Delivery Officer, once appointed, will engage</p>

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			<p>Page 13 Budget and Appendix 1 Strategic Mitigation. Whilst members are supportive of the Action Areas identified, there are concerns as to whether they are deliverable within the budget identified. Mitigation package is £8,916,448 from March 2019 – 2038. Members suggest that the toolkit needs revisiting to ensure that the projects can be delivered within the budget available. They also identified that there is excessive funding on personnel and enforcement and insufficient funding on the delivery of actual projects.</p> <p>Members are also concerned that the type of projects proposed are already being delivered by other stakeholders and that this is an unnecessary duplication of work.</p> <p>Page 15 Schemes under 10 dwellings There are concerns that item 4.16 with regard to reasonable costs of completing and checking the agreement is not required and that a more straight forward method would be as a matter of course to charge the £122 a home once the location is identified within a zone as detailed on page 7.</p>	<p>with key local stakeholders. No amendment proposed.</p> <p>The mitigation package costed within the RAMS responds to new initiatives or resources required only, and similarly the tariff will not be used to pay for any existing initiatives. There will therefore be duplication of projects. No amendment proposed.</p> <p>Some LPA partners do not charge a legal fee for minor applications; however these applicants are required to pay the tariff. No amendment proposed.</p>
37	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>I feel it necessary to recognise that the disturbance of some habitats cannot be mitigated with financial payments. It is not clear under which circumstances this would be the case and is therefore more likely to leave habitats open to disturbance to the integrity of the habitat through a planning system weighted towards mitigation.</p> <p>We need clearer thought translated into understanding of when mitigation is not appropriate.</p> <p>Certain areas should be protected from development and disturbance.</p>	<p>The SPD is related only to in-combination recreational effects on Habitats sites as identified within the LPAs' emerging or adopted Local Plan HRA/AAs. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. No amendment proposed.</p>
38	Mrs Lesley Mitchelmore	Danbury Parish Council	<p>Any costs involved in protecting the Coastal Recreational Areas should be funded by legally binding section 106 agreements with developers without impacting on local councils.</p>	<p>Noted. Coastal Protection Areas are outside the scope of the RAMS. No amendment proposed.</p>

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39	Mr Graham Pike	Resident	A flow chart determining your obligations dependent on the development's size would be helpful.	The on-site requirements of large scale housing development proposals are not within the remit of the RAMS or SPD and will be identified through project-level HRA/AAs. No amendment proposed.
40	Councillor Frank Belgrove	Alresford Parish Council	The use of Rangers to enforce / upkeep protected areas is good. In addition, Water Bailiffs could be employed. The £122 levy does seem low as Essex has a long coastline to "police".	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. No amendment proposed.
41	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Planning must not be passed, where new builds increase the lack of ground soak, and will increase flooding to established property in low lying areas	The SPD is related only to in-combination recreational effects on Habitats sites as identified within the LPAs' emerging or adopted Local Plan HRA/AAs. No amendment proposed.
42	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This is just another form of tax which will affect the less well off in society. 1. Who will be responsible for the setting of the tax levels? 2. How will the tax be collected? 3. How will this tax be used? 4. Who will oversee the administration? 5. It will prove to be very unpopular 6. It will affect the housing market and the national economy	The SPD sets out who is responsible for the setting of the tariff, how it will be collected, how it will be used and who will oversee the administration of the project. No amendment proposed.
43	Mr John Fletcher	Resident	How do you mitigate? Here we have a superb Warden who is employed by Tendring District Council. He is experienced and has been doing the job for many years. He patrols Hamford Water and ensures the rules are not broken. I would have thought you would have understood that birds adapt. Apart from the boats, the marina has two helicopter landing sights which cause no problems. Incidentally, at Culdrose in Cornwall, the Royal	The good work of existing wardens / rangers is recognised, and a key part of the mitigation package is the employment of additional coastal rangers to patrol the area and educate visitors. The SPD is related only to

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			Navy has the largest helicopter base in Europe, and they have to keep Lanner hawks to keep the birds away.	those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. Mitigation is set out in the costed mitigation package included within Appendix 1 of the SPD. No amendment proposed.
44	Councillor Jenny Sandum	Braintree District Council	Anything that can be done to strengthen the requirement to avoid adverse impacts on Habitats sites (e.g. strengthened requirements to retain existing hedges, trees and vegetation) would be extremely well received.	The SPD is related only to in-combination recreational effects on Habitats sites as identified within the LPAs' emerging or adopted Local Plan HRA/AAs. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. No amendment proposed.
45	Mr Gavin Rowsell	Resident	£9 million of tax to be spent on telling people how they should not scare birds... just imagine how much that could help change people's lives for the better if spent on making sure ex-servicemen/women had psychological support, jobs training and housing help, or assisting rape victims of grooming gangs, or a multitude of other social issues.	The Habitat Regulations require likely significant effects on Habitats sites to be mitigated. The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
46	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	The mitigation amount as a whole, and the amount per dwelling, seem ridiculously small, considering the cost of housing in this area.	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. No amendment proposed.
47	Mrs Katherine Kane	Rettendon Parish Council	Rettendon Parish Council supports the tariff to fund mitigation measures.	Noted. No amendment proposed.

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48	Mr Bernard Foster	Resident	Before you decide if tariffs work you have to be clear on your goals. If it is to cover the costs of a scheme to reduce harm, then the tariff system with continuous monitoring may well achieve this. This does by definition mean the acceptance of gradual decline of these areas due to increasing human activity with the certainty but hopefully rare occurrence of serious failures being inevitable. Adding 0.03% to the price of a dwelling is unlikely to restrict access except possibly to the less well-paid local residents, so to constrain the developments in these sensitive areas is the only real answer. The pressure and legislation that is being used to drive the mass erosion of the Green Belt needs to be matched by an equal pressure to provide open areas, parks with the roads being balanced with paths, cycle tracks and bridle ways to provide residents an acceptable alternative. The constant erosion of PRoW's due to inadequate protection and enforcement drives walkers, riders etc to the only areas left accessible inflicting unnecessary damage. Localism suggests that listening even to rural locals might on occasion bear fruit when it comes to understanding residents' attitudes and that of those most likely to visit.	The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and planned housing growth contained within the LPA's adopted or emerging Local Plans. Other mitigation on-site will still be required to address effects, as and when identified in project-level HRA/AAs of development proposals. Additionally, the effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
49	Mr Mark Marshall	Resident	Developer tariffs and control should be enforced more. In my area a developer tore out a protected ancient hedgerow with little more than a slap on the wrist. If there was a large fine and enforcement other developers would think twice about flouting the rules.	Payment of the tariff will be required when development is consented. No amendment proposed.
50	Mr Tim Woodward	The Country Land & Business Association (CLA)	CLA members in the areas and Zones of Influence covered by the SPD may be considering small-scale residential developments on their land, and others may be considering setting up tourism enterprises such as camping sites, farm shops, and other retail outlets. These enterprises will provide employment opportunities and will make a valuable contribution to the rural economy. Housing developments on our members' land will help the Government and local authorities to meet housing targets and may include low-cost "starter" units on rural exception sites. These projects will be affected by the financial contributions proposed, when combined with any CIL contributions additionally levied.	The tariff has been calculated based on the level of growth of the LPAs' Local Plans, including allocations and windfall allowances. As the tariff is applicable on a per dwelling basis, it will also apply to unplanned growth that may come forward in the timeline of the project. The tariff is evidence based and proportionate so as to not make new development unviable. This can however be reviewed annually by the Delivery Officer once appointed.

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				No amendment proposed. No amendment proposed.
51	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS	Noted. No amendment proposed.
52	Mr Alasdair Daw	Billericay Action Group (part of Billericay District Residents Assoc)	<p>The Zones of Influence are based on clumsy radii, in the west and north-west of Basildon Borough this excludes (and only just) the source of the Crouch in Billericay and some of the headwaters of the Mid-Blackwater catchment such as the Mountnessing Brook.</p> <p>The Mountnessing Brook will be affected by the development of 1700-2000 new houses (Policy H17 of the Basildon Local Plan). 2000 x £144 amounts to £288,000 so there would be a significant benefit in altering the boundary in this case.</p> <p>The Crouch would also be effected in a similar way, but it is hard to determine whether the edge of the Zone of Influence includes sites such as H18, H19 and H20.</p> <p>So it is proposed that the Zone of Influence be adjusted very slightly to reflect catchments, at least within Basildon Borough. This could apply to the Blackwater, though the arguments for the Crouch would be weaker (smaller draft Zone of Influence) and those for the Thames weaker again (only parts of it a RAMS site).</p>	The Zones of Influence found within the RAMS document have been calculated based upon data collected through visitor surveys and are only relevant to Habitats Site designations. Any future adjustments to the ZoI are required to be data driven and subject of ongoing monitoring proposed. No amendment proposed.
53	Mr James Taylor	Resident	I support the mitigation tariff.	Noted. No amendment proposed.
54	Ms Jo Steranka	Resident	The SPD's current approach to mitigation appears at this stage to be simply one of 'doing something that might help, although the Council accepts that in the long term it will be quite unable to protect these precious habitats'.	Many of the suggested actions are considered relevant for exploration by the Delivery Officer, once appointed. This includes the annual review of both

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			<p>I would suggest the mitigation package is a very defeatist approach to protecting the Designated Sites, particularly since 5 people is an insufficient resource to police public access and environmental degradation on 350 miles of coastline.</p> <p>The mitigations need to include many more pro-active measures giving the County Council powers to manage access in a much more proactive manner. Such measures might include:</p> <ul style="list-style-type: none"> * Bye-laws governing access to and public behaviour specific to each Designated Site. * Periods of site closure at sensitive times such as nesting of ground-nesting birds or seal pupping. * Imposition of significant on-the-spot fines on members of the public caught disturbing wildlife. * Prosecution of members of the public caught damaging Designated Sites, whether through littering and fly-tipping, theft of shingle and sand or other actions which degrade the quality of a Site. <p>Whilst the public education approach is a start, this is too little and ineffectual.</p> <p>There is no attempt to even suggest mitigations for the pollution to the Designated Sites from land-based sources. The Essex coastline is littered with plastics which have escaped from recycling bins.</p> <p>Having set out a minimalist approach to protection of the Designated Sites, the tariff per new dwelling is then calculated by the simple division of total cost for this inadequate programme by the expected number of new dwellings. In February 2020, the average cost of a house in Essex was £377,984. The Tariff therefore represents 0.032% of the average purchase price of the new developments. This is a drop in the ocean compared to the cost of purchasing a newly-built house.</p>	<p>the effectiveness of the mitigation package and the extent of the tariff over the lifespan of the RAMS project. No amendment proposed.</p> <p>The RAMS and SPD are relevant to housing growth at the LPA level. It is the relevant LPAs who are responsible for preparing, adopting, delivering and implementing the RAMS and SPD, not ECC. No amendment proposed.</p> <p>The RAMS toolkit includes many of the proposed mitigations included in the response. The Essex RAMS toolkit includes, within the 'education and communication' Action Area, direct engagement with clubs and relevant organisations. The implementation of this can begin once the Delivery Officer is appointed. Additionally, the effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p>

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			<p>I suggest that the approach to calculating the financial requirements for mitigating the effects of new residential development over the next 20 years needs to be revised. For the reasons above, there is no reason why the Council should not increase the budget to protect the Designated Sites fourfold to £35,661,792 so that a more credible set of mitigations can be implemented. This would increase the tariff on each new dwelling to a mere £489, or 0.13% of the average purchase price.</p>	
55	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	<p>4.3 The cost has been worked out based on figures from February 2019. Before this strategy is accepted, an increase in line with inflation will have to take place.</p> <p>Tariff 4.4: A tariff of £122.30 per new dwelling is being discussed as a way of paying for this mitigation strategy but (as I understand it), it is not currently adopted by all councils and therefore revenue is being lost.</p> <p>4.5: Have pay rises been factored into this cost, or does that come under the tariff being index linked? The contingency is already tight. What happens if not all the homes planned get built? Will fines contribute to the cost of the strategy going forward?</p> <p>4.12 I refer to a previous comment that LPA's are under pressure to provide housing numbers, thus, potentially, the tariff may not be collected if developers push back.</p>	<p>The final SPD will factor in inflation to reflect accurate costs at the time of adoption and index-linked (using Retail Price index (RPI)) to 2038. This includes salary pay rises, which are factored into the mitigation costs and not part of the 10% contingency. Contributions are already being collected by the LPAs. No amendment proposed.</p> <p>The tariff will need to be paid before the commencement of the development in all cases and as a requirement of planning permission, unless alternative bespoke mitigation is delivered and agreed as suitable by Natural England. No amendment proposed.</p>
56	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	<p>The current tariff of £122.30 per dwelling is a minuscule proportion of the development cost of a new home and CPRE questions why the costed mitigation package (and resultant tariff) is therefore not larger. This could be affected by a phased or dual zoning - as evident in the Suffolk approach. It is therefore considered to be too simplistic an approach and dwellings already consented in the Local Plan periods - but where building has not already commenced - could surely be retrospectively included to</p>	<p>The Essex Coast RAMS SPD sets out a tariff that has been calculated using the projected costs of mitigation and specifically in relation to in-combination recreational effects resulting from planned housing growth contained within the LPA's adopted or emerging</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>provide a higher overall level of total contributions.</p> <p>It is reassuring that the RAMS contribution is in addition to the payment of any Community Infrastructure Levy or other form of developer contribution. Similarly, it is right and proper that the LPAs legal costs associated with the drafting and checking of the deed are covered by the applicant and are in addition to the statutory planning application fee.</p>	<p>Local Plans. Other mitigation can be expected to be delivered to address other effects identified on Habitats sites to address the recommendations of project-level HRA/AAs. The tariff payment is in addition to any relevant CIL payments. No amendment proposed.</p>
57	Mrs Cecilia Dickinson	Resident	I do not like this format - section by section.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.
58	Mr Gerald Sweeney	Carney Sweeney on behalf of Seven Capital (Chelmsford)	<p>Whilst the SPD seeks to provide a mechanism for how a RAMS contribution has been calculated and how it is payable, we do not agree with the implementation of a 'blanket tariff' for a RAMS contribution. The SPD proposes the collection of RAMS contribution through a Section 106 Agreement or Unilateral Undertaking.</p> <p>The proposed tariff of £122.30 per dwelling is in our opinion premature, as some developments may have less or more harm than others. As such, the implementation of a 'blanket tariff' does not take into account whether the planning obligation to secure the proposed RAMS contribution is necessary; directly related to the development and fairly and reasonably related to the scale and kind of development as required at Paragraph 56 of the NPPF.</p> <p>It is noted at Appendix 2 that a RAMS contribution in respect of Student Accommodation schemes is proposed to be applied on a 'proportionate basis'. From our reading of Appendix 2, it appears that part of the justification for this approach is due to such uses having an absence of car parking and the inability for students in purpose-built student accommodation to keep pets, and therefore, "... the increase in bird disturbance and associated bird mortality, will be less than dwelling houses...". This approach demonstrates that there is an ability to make some concession for certain types of 'housing developments' depending</p>	<p>The RAMS and SPD applies only to 'in-combination effects' which have been identified within the HRAs of the LPAs' Local Plans. Each Local Plan's resultant AA, and consultation with Natural England, has identified the need for the RAMS to mitigate in-combination effects and enable development.</p> <p>The Essex Coast is unique and cannot be replicated. Evidence shows that residents living within the Zone of Influence visit the coast, thus the tariff is applicable to mitigate the effects of new housing growth.</p> <p>The tariff is evidence based and proportionate so as to not make new development unviable. It is considered inappropriate to apply a 'sliding-scale' in regard to the tariff at this stage and a 'blanket tariff' is proposed as the</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>on the nature of the use, but we would go further as matters relating to the location and sustainability credentials of a site and the proposed scheme should also be taken into account.</p> <p>Therefore, we request that any contribution should be proportionate as to the degree of proven harm from a scheme, and in addition to this, where it is commercially viable for the scheme to make a RAMS contributions (over and above any CIL liability and other requested S106 contributions). As such, Paragraph 4.4. should be amended to include the following:</p> <p>"Contributions from developments towards mitigation and measures identified in the Essex Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) will be sought against the identified harm of that scheme. The level of contribution will also be tested in the context of commercial viability of the overall scheme to avoid non-delivery of allocated sites."</p> <p>The basis for the RAMS contribution is noted as being to "... mitigate the additional recreational pressure in a way that ensures that those responsible for it, pay to mitigate it at a level consistent with the level of potential harm" (Paragraph 2.15 of the draft SPD).</p> <p>The payment of any RAMS contribution prior to commencement of development is therefore not deemed necessary as a scheme during the construction phase would not generate additional population. It is more appropriate that any RAMS contribution should be payable prior to the occupation of the development. and Paragraph 4.6 should be amended accordingly.</p>	<p>RAMS seeks to mitigate 'in-combination' effects i.e. those identified from accumulated housing growth in the ZoI. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>An amendment to the SPD setting out the requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations, is proposed.</p> <p>An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as qualifying within the scope of tariff payments is proposed.</p> <p>Paragraph 4.6 of the SPD justifies that the tariff will be payable prior to commencement as 'this is necessary to ensure that the financial contribution is received with sufficient time for the mitigation to be put in place before any new dwellings are occupied.' Elements of the mitigation package, such as the appointment of staff, can take time to implement. Others, such as surveying work, can only be undertaken at</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				certain times of the year. It is considered important that mitigation relevant to the RAMS is delivered first, rather than potentially retrospectively, in order to ensure there is no possibility of harm resulting from development. No amendment proposed.

Section Five – Alternative to paying into the RAMS

Table 7 – Section Five: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	I am concerned that there is a conflict of interest if the developers are contributing and in return this helps speed up the planning/approval process. Tight measures need to be in place.	Noted. No amendment proposed.
2	Magister Debbie Bryce	Landlord	Mitigation or compensation? Local authorities are not aware of the distinction. Do you want to prevent damage or just feel better and kid yourself that you can recreate Habitat elsewhere? The fact that the Habitat does not occur naturally elsewhere should tell you that you can't mitigate or compensate.	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. The tariff can only legally be utilised to deliver the detailed mitigation included within the RAMS and reiterated within Appendix 1 of the SPD. No amendment proposed.
3	Mrs Frances Coulson	Resident	I would rather trust council visitor data than applicants'.	Noted. No amendment proposed.
4	Mrs Aileen Cockshott	Resident	RAMS seems a more pragmatic solution and we should not offer an alternative.	Although the tariff is introduced, applicants may wish to propose bespoke mitigation as an alternative to the tariff, if it is deemed suitable by

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Natural England and the LPA. No amendment proposed.
5	Mrs Amy Gardener-Carr	Resident	Do not build here.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
6	Mrs Julie Waldie	Resident	Para 5.1 seems more sensible to me. Fairer and more cost effective too.	Noted. No amendment proposed.
7	Mr Terry Newton	Resident	I think a more inclusive survey would be necessary at this time. With the emphasis on what local households would prefer at this time and going forward for future generations. This would be prudent, whoever is paying for mitigation to take place.	Noted. No amendment proposed.
8	Mr Brian Mills	Resident	The proposals look ok.	Noted. No amendment proposed.
9	Mrs Angela Harbottle	Resident	I agree developer contributions are the better option.	Noted. No amendment proposed.
10	Mr Charles Joynson	Resident	It hardly seems likely that the developer will go to all the effort to perform visitor surveys in order to reduce the £122.30 payment. However, if they do attempt to do this before the dwellings are occupied it will under-represent the true figure. Many future residents will discover the full geography available to them and their dogs. So, both before and after occupation visitor surveys will under-represent the true wildlife disturbance situation.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. Alternatives must be equal to or better than a payment of

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				the RAMS tariff. No amendment proposed.
11	Mr John McCallum	Resident	My alternative to paying into RAMS is to not allow the developments in the first place.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
12	Mrs Mary Drury	Resident	Asking for money is not the answer; it will make for resentment as it will not be used properly. Councils waste money.	The tariff can only legally be utilised to pay for the mitigation contained within the RAMS and included within Appendix 1 of the SPD. The RAMS project will be overseen by a working group lead by a newly appointed Delivery Officer. No amendment proposed.
13	Mrs Joanna Spencer	Resident	All residents should be asked for comments on how they feel the wildlife would best be serviced.	A range of stakeholders were engaged during the preparation of the RAMS. No amendment proposed.
14	Cllr Malcolm Fincken	Halstead, Hedingham and District Branch Labour Party	We do not agree that an alternative to paying into the RAMS should be allowed. We consider that some developers may use this alternative as a way of avoiding the payments without showing any real commitment to the alternative.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
15	Mr Peter Dervin	Resident	They could instead build more houses at a cheaper cost, if they did not have to pay an additional tax as this seems to be.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
16	Mr Neil Hargreaves	Resident	For c£100-ish per house no-one is going to bother paying for their own visitor survey.	Noted. No amendment proposed.
17	Mr Aubrey Cornell	Resident	All visitor surveys should be carried out by an independent, unbiased organisation.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
18	Mr Peter Bates	Resident	No. Seems reasonable.	Noted. No amendment proposed.
19	Mr Stephen Ashdown	Resident	Any surveys must be peer assessed to prevent bias by a third party. Evidence must not be solely reliant on private parties and must include studies by relevant educational institutions (e.g. University).	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
20	Mr Graham Womack	Resident	This is a bad idea. The whole idea is to plan mitigation measures at a strategic level. Allowing developers to propose their own measures contradicts this and will be seen as a 'loophole' to include measures that only they will benefit from.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
21	Mrs Joanna Thornicroft	Resident	Individual assessments should have some sort of national recognised certification otherwise unscrupulous developers will be able to bypass the requirements.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
22	Mr Mark East	Resident	The above suggests that the proposals are in place to benefit applicants/developers and not the environment which the population are legally entitled to see protected.	Noted. No amendment proposed.
23	Mrs April Chapman	Resident	I cannot see any need to provide this alternative and see several drawbacks. It will delay schemes, cause court procedures where disputes occur which could add to local councils' costs and will engender resentment. It also encourages the idea that the RAMS mitigation system is flawed.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
24	Mrs Linda Findlay	Resident	Worth and cost needs to be viewed long term. Many possible benefits will be lost when only short-term effects are taken into account.	It can be considered that this may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
25	Mr David Evans	Resident	Use concerned organisations to self-police.	It can be considered that this may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
26	Mrs Karen Hawkes	South Woodham Ferrers Town Council	Section 5 Alternative to paying into RAMS - Para 5.2 should be removed. There should be no option for developers to carry out their own surveys. If the surveyor evidenced that there was no requirement to fund the tariff; this would result in a shortfall in the anticipated income and as a result projects detailed may not be able to be funded. The tariff should be mandatory for all developments as identified and all applicants should be subjected to the same scrutiny.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
27	Councillor Frank Belgrove	Alresford Parish Council	Town and Parish Councils could assist with surveys.	It can be considered that this may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
28	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	<p>I would suggest the mitigation fee should be mandatory or not at all.</p> <p>Any alternative choice would be too difficult to manage and involve long winded negotiations.</p> <p>Mitigation is too big to be 'in house' (i.e. RAMS) Who elects the officers of RAMS? What authority do they have to raise a form of prohibition tax? What will RAMS do with the money raised?</p> <p>Any mitigation scheme should be applied by government taxation for protection.</p>	<p>The RAMS responds to the requirement of the LPAs' Local Plan HRA/AAs, that strategic mitigation is needed to ensure there would be no significant in-combination effects on the integrity of Habitats sites at the Essex Coast as a result of housing growth. The RAMS proposed a suite of mitigation measures that will be funded by the tariff contributions. This satisfies the requirements of the Habitats Regulations and is endorsed by Natural England. No amendment proposed.</p> <p>The provision of mitigation is mandatory for all proposing net new dwellings in the Zone of Influence. Developers have the option to conduct</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
29	Councillor Jenny Sandum	Braintree District Council	I am a bit concerned about applicants conducting their own visitors' surveys. I would prefer if an independent environmental conservation agency such as the Essex Wildlife Trust could be involved.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
30	Mrs Jackie Deane	Great Dunmow Town Council	No objection to the proposals.	Noted. No amendment proposed.
31	Mr Gavin Rowsell	Resident	The alternative in para 5.2 at least gives a slither of hope against this bird tax.	Noted. No amendment proposed.
32	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	We hope this would be very vigorously monitored.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
33	Mr Bernard Foster	Resident	I am not sure there should be an alternative to paying into RAMS as having consistency can often be the best policy as it allows for quicker modification to be introduced should the current adopted standards be proven to fall short of what is required. Is it however currently accepted that paying into RAMS is an entrance fee to build and not an analysis prior to a decision that would ensure the inevitable damage that would occur when evaluated can be justified to future generations?	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				project-level. No amendment proposed.
34	Mr Mark Marshall	Resident	Progress can be positive as long as enforcement and funding is adequate.	Noted. No amendment proposed.
35	Mr Tim Woodward	The Country Land & Business Association (CLA)	<p>We would agree that a "developer contribution" could be more cost-effective for an applicant than carrying out a visitor survey. A properly-conducted survey can be a time-consuming and expensive business, and so applicants might have to engage external consultants to carry out the work.</p> <p>This does not mean, however, that we support the imposition of a developer levy, when extra visitor access (and hence disturbance) to the coast is being actively encouraged by Natural England, and when some local authorities will be imposing a CIL charge on development projects as well.</p>	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. The SPD and RAMS ensures that residential development schemes within the Zone of Influence can come forward with an assurance that there will be no significant in-combination recreational effects on Habitats sites on the Essex Coast. No amendment proposed.
36	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
37	Mrs Jenny Clemo	Langford & Ulting Parish Council	Delete para 5.2. I do not support applicant/developer conducting their own visitor surveys.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				project-level. No amendment proposed.
38	Mr James Taylor	Resident	No alternative route should be provided.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
39	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Why would Natural England not be consulted on both scenarios? Natural England could then undertake an independent review of the HRA and the timings of the surveys.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
40	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	This section is disconcerting, as despite the rigorous and consistent approach provided by the SPD, it also allows an applicant to take alternative action to secure bespoke mitigation to avoid impacts on Habitats sites. In spite of the identified mitigation measures provided by the costed package in Appendix 1, the provision for an applicant to negotiate alternatives to remain in perpetuity will involve considerably more time and cost for the Local Planning Authority (and English Nature). This should be reflected in the level of charge levied by the LPA on the applicant.	Developers have the option to conduct surveys to provide data to support any mitigation options they propose to ensure as an alternative to the tariff, however these must be approved by Natural England and be supported by a legally compliant HRA/AA at the project-level. No amendment proposed.
41	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Six – Monitoring of this SPD

Table 8 – Section Six: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	I think there should be an independent body monitoring the RAMS to ensure there is no conflict of interest and correct measures etc. are actually in place.	The RAMS project will be overseen by a working group and a Delivery Officer once appointed, a Steering Group, Project Board and elected members group. No amendment proposed.
2	Magister Debbie Bryce	Landlord	Monitoring is not conducted. Only enforcement after damage has been done. For example, at Bath & North East Somerset Council, they state they do not monitor mitigation and compliance in S.106 Agreements. What sort of monitoring do you seriously think you can afford? You are an under-resourced small local authority with one tree officer. Try to be realistic.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. Monitoring will be undertaken by the project staff which will include a full-time Delivery Officer. No amendment proposed.
3	Mrs Frances Coulson	Resident	Seems adequate.	Noted. No amendment proposed.
4	Mrs Julie Waldie	Resident	I agree but there is need to check this works. More checks the better.	Noted. No amendment proposed.
5	Mr Terry Newton	Resident	How will visit surveys be carried out? Also, will Essex residents be consulted on what is needed for local recreational needs and green and sustainable wildlife needs? Future generations will not be able to self-monitor if they do not understand their local environment.	Visitor surveys will be carried out by the RAMS delivery team at the Essex Coast. Postcode data will be sought. No amendment proposed.
6	Mr Brian Mills	Resident	What action will be taken if monitoring shows an unacceptable or irreversible situation?	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. This may lead to changes to the mitigation package proposed and possibly changes to the tariff. No amendment proposed.
7	Mrs Linda Samuels	Resident	Will the RSPB have a role within the monitoring process?	It can be considered that the finer details of the monitoring process may be addressed if appropriate through

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				the actions of the Delivery Officer, but it is envisaged that the RSPB will have a role. No amendment proposed.
8	Mr David Kennedy	Resident	Explanation as to how this activity will be funded is needed.	Further monitoring will be funded by the contributions collected through the RAMS project. No amendment proposed.
9	Mr Charles Joynson	Resident	This is good. But what action can they take with limited funds if they find mitigation is not working. Also, what about after 2038? I take it the residents will not be evicted and the houses demolished. Will any mitigations be surrendered, fences removed, and signs left to rust?	As the effects that the RAMS addresses are identified as occurring as a result of LPA Local Plans, the lifetime of the mitigation must reflect that of the Local Plan lifetimes, to 2038. As explained in the RAMS Strategy Document, an in-perpetuity fund will be developed to ensure that mitigation will be delivered in-perpetuity. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. This may lead to changes to the mitigation package proposed and possibly changes to the tariff. No amendment proposed.
10	Mr John McCallum	Resident	The monitoring process should include bodies like Essex Wildlife Trust who already have protected reserves on the coast.	It can be considered that the finer details of the monitoring process may be addressed if appropriate through the actions of the Delivery Officer. No amendment proposed.
11	Mrs Mary Drury	Resident	Monitoring and delivery officers, why? How?	The mitigation package identifies the need of a full-time RAMS Delivery Officer to oversee and manage the RAMS. The effectiveness of the mitigation will be monitored as outlined

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				within Section 6 of the SPD. No amendment proposed.
12	Ms Rachel Cross	Resident	Monitoring of the process needs to happen in year 3 as well or even annually as climate change gains momentum. How will wildlife be monitored?	The Essex Coast RAMS monitoring process, undertaken annually, will be used to inform future reviews of the RAMS and the SPD; therefore, any necessary changes will be made following this process. No amendment proposed.
13	Mrs Joanna Spencer	Resident	An independent wildlife person should be involved.	It can be considered that the finer details of the monitoring process may be addressed if appropriate through the actions of the Delivery Officer. No amendment proposed.
14	Ms Caroline Macgregor	Brightlingsea village councillor	Involvement of local town councils would better express the views of local people rather than district councils.	It can be considered that the finer details of the monitoring process may be addressed if appropriate through the actions of the Delivery Officer. No amendment proposed.
15	Mr Christopher Marten	Resident	Parish wildlife groups and the RSPB must be consulted on any application and the RSPB must be compensated for their involvement.	Natural England are the statutory body that ensure the Habitats Regulations are met, as a consultee for HRA/AA documents. Other bodies are permitted to comment on all live planning applications. No amendment proposed.
16	Mr Peter Dervin	Resident	We do not have enough carers for our old and disabled, nurses in our hospitals, and in almost every other council funded field, but you are now finding the money for monitoring?	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. The SPD proposes a tariff to fund mitigation, and no other sources of funding will be used to

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				ensure its delivery. No amendment proposed.
17	Mr Alan Lycett	Resident	What happens to the results of monitoring. If wildlife is to be protected effectively someone needs to have authority to take appropriate remediation.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. This may lead to changes to the mitigation package proposed and possibly changes to the tariff. No amendment proposed.
18	Mr Neil Hargreaves	Resident	This is an example of the bureaucratic cost of this scheme. Please just read how much work and staffing is in the paragraphs above. Add to this the work at LPAs, including putting in Local Plans and doing the s106 requirement and collection and payment!	Noted. No amendment proposed.
19	Mr Andrew Whiteley	Resident	Monitoring should be set for every 2 years	The RAMS sets out that the visitor survey information is updated within the first two years of the Essex Coast RAMS adoption and repeated every 5 years afterwards to maintain postcode evidence of new residents and justifiable Zones of Influence. The Essex Coast RAMS package of measures will need to be prioritised and delivered on several timescales. The initial priorities will be reviewed by the Essex Coast RAMS Delivery Officer, however, once they are in post. No amendment proposed.
20	Mrs Angela McQuade	Resident	Please monitor closely and robustly.	Noted. No amendment proposed.
21	Mr Stephen Ashdown	Resident	Any major structural changes must result in a public consultation process being repeated.	Any fundamental updates or revisions to the SPD resulting from future monitoring will be subject to consultation in line with the requirements of the Statement of

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Community Involvement (SCI) of each LPA. No amendment proposed.
22	Mr Michael Blackwell	Resident	This is a good checking system.	Noted. No amendment proposed.
23	Mrs Joanna Thornicroft	Resident	I would like to see more regular scrutiny than annually.	Noted. A review of the monitoring arrangements proposed will be undertaken by the Delivery Officer, once appointed, as stated in Section 7.19 of the RAMS Strategy. No amendment proposed.
24	Mr Mark East	Resident	This all seems rather vague and lacking detail. The public cannot have confidence in its robust delivery.	Noted. No amendment proposed.
25	Mrs Michelle Endsor	Resident	This is paper pushing, meeting after meeting that is being funded when all that is needed is for proposed housing development to take place elsewhere other than an area of natural beauty that requires wildlife conservation, not destruction, not mitigation. There are many urban areas that have fallen into decay and require refurbishment or rebuilding and we would urge that these be utilised before destruction of the few historic wetlands that England has left.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed. The SPD relates to all residential development resulting in a net increase of new dwellings within the Zone of Influence, extending 22km from the coast. This includes many town centres across the county. No amendment proposed.
26	Mrs Linda Findlay	Resident	Once decision made the committee and its leader need to have the power to enforce or penalise.	Section 5.2 of the SPD sets out that if the tariff is not paid on qualifying proposals, then planning permission would not be given. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
27	Mr David Evans	Resident	<p>If monitoring this process and the sites, is anything like the level of evidence submitted in the report then this will be a worthless activity. I point to the statement about the so-called damage being done to Hamford Water.</p> <p>1) It clearly states that there is Jet-Ski activity in Hamford Water and to contain this, the launching of Jet Skis will be prohibited by legislation at Titchmarsh Marina and in the area around Mill Lane in Walton. I would submit that there is no Jet-Ski activity in Hamford Water, the last one was seen several years ago, the launching of Jet-Skis is not permitted at Titchmarsh Marina or at the Walton & Frinton Yacht Club or at the Walton Town Hard. The only place that Jet-Skis launch in this area is in Dovercourt Bay, which is a Tending District Council designated small craft area. Additionally proscribing Jet-Skis totally is contrary to the United Nations Charter of the Seas and Freedom of Navigation to which the UK is a signatory. This applies to all coastal areas that do not dry out at low-tide.</p> <p>2) It states (without clearly identifying the precise location) that people walking on the salt-marsh in the south-eastern corner of Hamford Water, is causing significant damage. Whilst being unsure quite where this alleged activity is occurring, I visit Hamford Water on a daily basis and have done so for over 55 years, I have not seen any such activity and the only places of access in the south eastern area where the foreshore is accessible are at Island Lane and a very small area in Foundry Creek which is a designated industrial site. Even at these sites you would disappear in soft mud if such activity was tried.</p> <p>3) The document includes the Naze area, and states that this is part of the Nature Reserve and has issues with the effect of people going there especially with dogs off the lead, which is seriously affecting the wildlife. It should be noted that this area is not controlled by Essex Wildlife Trust, it is owned by TDC, and was sold to Frinton and Walton Urban District Council (TDC is the successor Council) by Essex County Council on the condition</p>	<p>Effects have been identified within the HRA/AAs of the LPAs Local Plans, regarding future growth, and the RAMS and SPD deals with recommended mitigation. The Essex Coast RAMS monitoring process will be used to inform future reviews of the RAMS and the SPD; therefore, any necessary changes will be made following the review process. No amendment proposed.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			that it remained a Public Area with the public having complete freedom of access in perpetuity, plus banning dogs off the lead would cause a revolution. There never has been much in way of wildlife up there, a couple of Muntjacs and a few rabbits that have escaped the recent myxomatosis outbreak and a few gulls are about the sum total, nothing has changed there since I first visited the area on the first day it opened to the public in the 1950s after the Ministry of Defence vacated it.	
28	Mrs Karen Hawkes	South Woodham Ferrers Town Council	Page 17, 6.3 Steering Group - This should include relevant partners as detailed in table 4.1 including as proposed previously in this sub-mission in respect of page 12 above. With reference to the steering group, members would welcome a representative from all partnership organisations as detailed on page 13 with the addition of town and parish councils. As currently stipulated in the plan there is no input from RSPB, Essex Wildlife Trust and town and parish councils.	It can be considered that the points made may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
29	Mrs Susie Jenkins	Brightlingsea Nature Network	Will the general public be able to view the monitoring data? Monitoring data should be transparent to enable the community directly affected by the disturbance of their designated habitats to be alerted to oversights or lack of proper data. This section should inform the public where this information will be available to view and where to raise the alert if the data is not sufficient or available.	All monitoring data will be made publicly available. No amendment proposed.
30	Councillor Frank Belgrove	Alresford Parish Council	Town and Parish Councils could be involved in the monitoring process.	It can be considered that this point may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
31	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River	There are plenty of groups who do this such as Essex Wildlife Trust.	It can be considered that this point may be addressed if appropriate through the actions of the Delivery

No.	Name	Organisation	Main Issues Raised	Response / amendment required
		Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch		Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
32	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	RAMS will be yet another organisation on top of the existing 31 organisations. Who monitors the care of the designated areas? The proposed scheme is purely to raise money for mitigating purposes. The scheme is so complicated, layered and requiring a large army of enforcers to be employed, meaning that money raised for mitigation will simply be used up in salaries. This is just creating jobs for the boys.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
33	Mr John Fletcher	Resident	The area is already well monitored by the Environment Agency, Natural England, RSPB and Marine Management Organisation. How many more monitors do we want?	The effectiveness of the specific mitigation proposed will be monitored as outlined within Section 6 of the SPD. The effectiveness of the RAMS is not currently monitored by any other party. No amendment proposed.
34	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	Regarding paragraph 6.4, the BWA maintains a record of all visits by members to its sites. The BWA also places limits on the number of visitors allowed per site, frequency and overall numbers within the organisation. Through this we have managed to maintain a fairly consistent level of activity, which is judged to minimise disturbance while balancing the demands of our members.	Noted. No amendment proposed.
35	Mr Mark Nowers	RSPB	The RSPB would welcome being part of the RAMS Steering Group (section 6.3).	The Delivery Officer and Rangers can explore joint working arrangements, once appointed. No amendment required.
36	Mr Gavin Rowsell	Resident	How can this project have any measurable outcome? Maybe the RSPB will arrange huge catch nets, usually triggered by loud explosives, to tangle up and capture hundreds of birds, then weigh them,	A strategic monitoring process is proposed to be put in place and will be managed by a dedicated RAMS delivery officer in liaison with each

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			tag them, and note down that they seem happy having not been disturbed due to RAMS.	LPA's own monitoring officers. No amendment proposed.
37	Mr Bernard Foster	Resident	<p>It is essential that for the effectiveness of the RAMS and this SPD, a strategic monitoring process is in place and that it will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers.</p> <p>One problem is that it is reactive with monitoring only taking place annually and the report being provided to each LPA to inform their individual Authority Monitoring Report (AMR). Also, I fear it will become another meeting someone has to attend like buses or highways as long as the box is ticked that is OK. Who will be responsible for activating fit for purpose checks and be responsible for the results if less than satisfactory? A lot can happen in five years, once bad habits can become the acceptable norms. It is common to have personnel progress as part of a career path so how do you intend to create a responsive environment within the group. Does responsibility stay within the group or stay with the decision makers? It does not help you build any trust when individuals, communes or travellers move onto a site in a Ramsar area and years later are still there playing the planning system.</p>	It can be considered that this point may be addressed if appropriate through the actions of the Delivery Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. A strategic monitoring process is proposed to be put in place and will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers. No amendment proposed.
38	Mr Mark Marshall	Resident	A lot can happen in a year, 6 monthly monitoring should be considered.	The RAMS sets out that the visitor survey information is updated within the first two years of the Essex Coast RAMS adoption and repeated every 5 years afterwards to maintain postcode evidence of new residents and justifiable Zones of Influence. The Essex Coast RAMS package of measures will need to be prioritised and delivered on several timescales. The initial priorities will be reviewed by the Essex Coast RAMS Delivery Officer, however, once they are in post. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
39	Mr Tim Woodward	The Country Land & Business Association (CLA)	As pointed out above, extra recreational access to the Essex Coast will be encouraged and facilitated by the delivery of the England Coast Path by Natural England. This will inevitably increase disturbance to habitats and resident and migratory bird species, regardless of the extent of any development in the area. In some sections of the coast, there will now be formalised recreational access for walkers and dogs where hitherto there has been no public access. It is hoped that monitoring will have regard to this and will not lay responsibility for the effects of increased access solely at the door of landowners and developers.	The SPD is related only to those in-combination recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
40	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
41	Mrs Jenny Clemo	Langford & Ulting Parish Council	Monitoring should be after 1 year and subsequently every 2 years.	The RAMS sets out that the visitor survey information is updated within the first two years of the Essex Coast RAMS adoption and repeated every 5 years afterwards to maintain postcode evidence of new residents and justifiable Zone of Influences. The Essex Coast RAMS package of measures will need to be prioritised and delivered on several timescales. The initial priorities will be reviewed by the Essex Coast RAMS Delivery Officer, however, once they are in post. No amendment proposed.
42	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	Para 6.1 - Will the RAMS Officer be truly independent of the LPA's?	It can be considered that this point may be addressed if appropriate through the actions of the Delivery

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Para 6.2 - Will the annual report be submitted to independent bodies, such as the RSPB and EWT?</p> <p>Para 6.3 - EWT are not part of the steering group and they are present at Abberton Reservoir which is a key site for birds. General Comment: Similar schemes have been created in other parts of the country, but they haven't been running long enough to ascertain if these schemes actually work.</p>	Officer. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. A strategic monitoring process is proposed to be put in place and will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers. The Delivery Officer will be employed by one of the partner LPAs and engage with key local stakeholders once appointed. The RAMS annual report will be published. No amendment proposed.
43	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Seven - Consultation

Table 9 – Section Seven: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	There is not enough detail to comment at this stage. I need to understand what areas could be affected, what is actually being done to mitigate. If there is a breeding season, then possibly pathways need to be closed off etc.	Noted. No amendment proposed.
2	Magister Debbie Bryce	Landlord	There should be no development that will lead to more disturbance of European protected sites.	The principle of the RAMS and the SPD ensures that in-combination recreational effects will not be realised on the Essex Coast's Habitats sites as a result of residential development. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
3	Mrs Frances Coulson	Resident	It is important to maintain the wildlife. Mitigation of damage is vital, and I think the suggestions are good for a code, designated paths etc.	Noted. No amendment proposed.
4	Mrs Amy Gardener-Carr	Resident	Why is this even being considered with growing flood concerns, destruction of habitat of wildlife.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
5	Rev. Ian Scott-Thompson	Resident	These consultations seem designed for planning professionals. The language and response format are difficult for ordinary residents to use.	Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear and minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
6	Mr Charles Joynson	Resident	I wonder what the environmental charities Royal Society for the Protection of Birds, Essex Wildlife Trust etc have to say about this plan. The excessive use of acronyms makes these documents hard to read.	The RSPB and EWT have been invited for comment as part of the consultation. Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear and minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
7	Mrs Mary Drury	Resident	The subject of ecology/environment care should be started as soon as a child starts to read.	Noted. No amendment proposed.
8	Mrs Alwine Jarvis	Resident	I think it is great that the general public are consulted for their views. However, the papers are extensive to read and not many people will find the time to read them. I would have felt it would have been better to do this as a survey with suggestions and tick boxes to obtain people's' view, with a section at the end for additional comments.	Where technical terminology and acronyms are used, these are defined in the SPD. Efforts have been made to ensure that the SPD is clear and minimises the use of jargon. An abbreviations list is also provided. No amendment proposed.
9	Mrs Joanna Spencer	Resident	This consultation should have been widely advertised in papers and local communities.	Noted. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
10	Ms Caroline Macgregor	Resident	This consultation should have been more widely publicised by alerts and newspaper and radio articles.	Noted. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
11	Mr Alan Lycett	Resident	The SPD is a very high-level document. It needs to be converted into a more detailed document so that important features such as metrics can be added.	Noted. Further detail is provided in the RAMS. No amendment proposed.
12	Mr Brian Jones	Resident	All sections are clear but it seems likely that outside pressures to ignore some of the rules will occur.	The RAMS and SPD will be subject to annual monitoring regarding effectiveness, as outlined in Section 6 of the SPD. No amendment proposed.
13	Mr Peter Bates	Resident	I consider that the letter informing residents about this consultation is designed not to encourage responses: it was not written with anyone except planners or solicitors in mind. It is necessary to scroll down to see the entire text - many people will not realise the full extent of the document they are answering questions on.	Noted. LPAs will seek to ensure that future consultation notifications are as clear as possible. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
14	Mr Graham Womack	Resident	When is the SPD expected to be implemented? How will it be applied retrospectively to the Local Plans that are currently out for consultation?	The SPD is expected to be adopted by each authority by Summer 2020. The collection of the tariff by partner LPAs has been ongoing since the emergence of the RAMS document in 2018/19.
15	Mrs Joanna Thornicroft	Resident	The consultation did not seem to be too well advertised. It has also asked me for a lot of personal information, and I cannot see anything telling me how data will be used as per the General Data Protection Regulation.	Noted. The consultation was undertaken in accordance with each authority's Statement of Community Involvement (SCI) and was advertised accordingly. No personal information will be published and it will be kept by Place Services only for the purposes of notifying respondents on the progression of the SPD. The 'Statement of Representations' includes details on how comments will be used and GDPR. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
16	Councillor Richard van Dulken	Braintree District Council	Local Authority and related documents never seem to have summaries of the contents, to avoid the need to plough through page after page, and in the case of this consultation, document after document.	Sections 2 and 3 of the SPD provide summaries of the RAMS and scope of the SPD. Additionally, the SPD signposts a 'frequently asked questions' (FAQ) document' which is available on the Bird Aware Essex Coast website. No amendment proposed.
17	Mr Mark East	Resident	The consultation lacks evidence of data collected to date to formulate the RAMS. This should be made available for transparency purposes.	The RAMS document, signposted within the SPD and linked within the consultation portal, includes the data

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				collected in formulating the RAMS. No amendment proposed.
18	Mr. David Gollifer	Resident	Satisfactory.	Noted. No amendment proposed.
19	Mrs Linda Findlay	Resident	Give feedback. Justify decision made relating to consultation points. Do not allow repeated consultations to delay positive decisions.	This 'You Said We Did' report intends to justify decisions made related to points raised during the consultation. No amendment proposed.
20	Mr Barrie Ellis	Resident	No amendments proposed. The document is clear.	Noted. No amendment proposed.
21	Mr David Evans	Resident	We believe the spending of tax-payers money to impose restrictions on the lawful and peaceful use of this very unique area is totally unwarranted and may even prove to be counterproductive. If it is bird life you are concerned about, I strongly suggest that you look at the Hamford Waters Bird surveys conducted by the Warden, these show consistent healthy increases. It should also be questioned why the EA licence the blowing of eggs of the Lesser Black Backed Gull on Hedge End Island, or is it that only certain parts of the natural world are to be allowed to blossom?	The RAMS and SPD relate to future planned growth, and the recreational impact that housing can be expected to have across the 12 partner LPAs. Current conditions act as a baseline against which future effects and mitigation can be identified. No amendments proposed.
22	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This Essex Coast RAMS Supplementary Planning Document was not sufficiently promoted. It was only by word of mouth that this document has been circulated. This scheme is unnecessary, unworkable and dictatorial.	The RAMS and SPD have been identified as required through compliance with EU law, namely the 'Habitats Directive' and 'Birds Directive'. The consultation was conducted in line with national Regulations and LPA Statements of Community Involvement. A Public Notice was placed in the Essex Chronicle. No amendment proposed.
23	Mr Hugh Toler	Blackwater Wildfowlers Association	In principle we support the objectives of the SPD. We limit disturbance in two ways first by limiting the numbers in our organisation and secondly by minimising public access to our wetlands by appropriate signs.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
24	Mr Gavin Rowsell	Resident	I look forward to my comments being considered properly, as at every stage of the process so far, concerns of anyone other than those with a vested interest in the project, have fallen on deaf ears.	Noted. All comments received to the consultation will be considered and used to inform the final SPD. More details will be set out within a 'You Said We Did' document. No amendment proposed.
25	Mr Bernard Foster	Resident	The consultation system is reasonably easy to work through.	Noted. No amendment proposed.
26	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
27	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	<p>Will the comments taken from the NEGC Inspector Review Workshops in January 2020 also be taken into account? Points that were made include: Other RAMS that exist in the country are new and mitigation measures have not been tried and tested due to their infancy / The RAMS are based on soft measures / The bye-laws will need to be updated as they are out of date as they look at things like vessel speeds / There is no code of conduct at present for clubs that organise water sports such as paragliding / Rangers will need to interact with users and the zones of interest are under-estimated / Paragliding, one of the worst offenders for bird disturbance, is a niche activity and it can be tourists to the area that have the worst impact, not the housing itself.</p> <p>Natural England wanted to be an independent body for wildlife, but the last coalition government told them they could not be truly independent and thus mitigation strategies were born rather than protecting areas of interest from development. RSPB has not endorsed this particular scheme, although it has been asked to be part of the steering group. What if not all the housing supply comes forward and the strategy is left in a deficit position? You cannot replace what is lost. The Essex Coast RAMS</p>	<p>The Essex Coast RAMS has been accepted by the Inspector who examined the Chelmsford Local Plan. It can be considered that the points made may be addressed if appropriate through the actions of the Delivery Officer. The SPD sets out a funding mechanism for the delivery of the mitigation included within the RAMS.</p> <p>Regarding effectiveness of the mitigation, Section 6 of the SPD outlines monitoring arrangements of the SPD and the RAMS. This will, alongside other monitoring requirements of the LPAs, cover housing delivery. The tariff may be liable to change over time to ensure effective mitigation can be delivered.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			may take time to implement and thus developers will get their planning permission through before they have to contribute. The tariff per dwelling may need to change.	The RSPB are not members of the Steering Group. No amendments proposed.
28	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Eight – Useful Links

Table 10 – Section Eight: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	Useful links are not enough. I want to see a summary which details the current issue, what the high-level mitigation proposals are, what they are going to cost, how long it is going to take etc. A simple excel spreadsheet/some visual aid would be very helpful.	It is considered that RAMS Strategy and SPD sufficiently summarises the issue, outlines strategic mitigation and its cost, and the timelines for the delivery of the mitigation. No amendment proposed.
2	Mrs Frances Coulson	Resident	Remember horse riders. We share access with those who do not understand horses and risk (loose dogs - also a risk to wildlife but no enforcement on requirement for leads). There is a concern that the RAMS would lead to a loss of places to ride.	Noted. There are no proposals in the RAMS to remove bridleways. No amendment proposed.
3	Mrs Aileen Cockshott	Resident	Are the RSPB involved in this process?	The RSPB were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.
4	Mr Charles Joynson	Resident	The Bird Aware website is useful.	Noted. No amendment proposed.
5	Mrs Mary Drury	Resident	Ensure nature awareness in schools.	Noted. This can be considered by the Delivery Officer once in post. No amendment proposed.
6	Mr Christopher Marten	Resident	As a bird watcher I visit these areas on a regular basis and population levels have already reached unsustainable levels. At certain times of the day, roads in and out of these areas are impassable and restricted areas of parking mean an increase in traffic noise and pollution to local residents.	Noted. No amendment proposed.
7	Mr Gary Freeman	Resident	RSPB should be on the list.	<p>The RSPB were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents.</p> <p>The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England,</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.
8	Mr Alan Lycett	Resident	I suggest you consider including other stakeholders involved in the protection of wildlife. For example, Royal Society for the Protection of Birds; do not stop with the obvious local stakeholders.	The Royal Society for the Protection of Birds (RSPB) has been added to the list of useful links in the SPD.
9	Mr John Camp	Resident	Essex Wildlife Trust and Royal Society for the Protection of Birds should be added.	The Essex Wildlife Trust (EWT) and Royal Society for the Protection of Birds (RSPB) have been added to the list of useful links in the SPD.
10	Mr Stephen Ashdown	Resident	Should also contain details of Essex County Council and how the problem can be escalated.	Essex County Council sit on the Steering Group of the RAMS to provide advice and guidance. ECC are not a partner in the RAMS as it is the LPAs who are responsible for preparing, adopting, delivering and implementing the RAMS. No amendment proposed.
11	Mr Mark East	Resident	The links are top level perhaps they should link to RAMS elements.	Noted. No amendment proposed.
12	Mrs Linda Findlay	Resident	Utilise environmentalist knowledge and advice, e.g. Tony Juniper author of 'What has nature ever done for us?' This includes positive practical action to protect coasts.	Noted. No amendment proposed.
13	Mrs Susie Jenkins	Brightlingsea Nature Network	Very helpful links.	Noted. No amendment proposed.
14	Councillor Frank Belgrove	Alresford Parish Council	Link to the Environment Agency?	The Environment Agency has been added to the list of useful links in the SPD.
15	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River	These sites are easy to find.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
		Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch		
16	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	The wildlife of the Essex Coast is threatened by the increase in population in the Zone of Influence and this aspect is controlled by the Planning Committees of these links.	Planning Officers from each LPA within the Zone of Influence have been involved within the process of the RAMS and the SPD through attendance of a RAMS Steering Group. It is expected that the SPD will be adopted by each authority by Summer 2020. No amendment proposed.
17	Mr Gavin Rowsell	Resident	I could not readily see any link to any empirical justification of the whole RAMS idea. Also, no link to studies by people like Professor John Goss-Custard whose talks and papers titled Mud, Birds and Poppycock make enlightening reading.	Justification to the RAMS and the SPD can be found within the Local Plan HRA/AAs of each partner LPA. No amendment proposed.
18	Mr Bernard Foster	Resident	Very useful both for this consultation and future reference.	Noted. No amendment proposed.
19	Mr Steven Smith	Comments offered on behalf of: Lower Farm, East End Green, Brightlingsea	Reference should be made to the England Coast Path (ECP). Natural England have started to investigate how to improve coastal access along an 81 km stretch of the Essex Coast between Salcott and Jaywick. This new access is expected to be ready in 2020. Officers from Essex County Council have provided Natural England with expert local advice and helped to make sure there is full consultation with local interests during the development of the route which is expected to be published later this year.	The Essex Coast Path proposal, and any effects on recreational disturbance, are not within the scope of the mitigation proposed in the RAMS and the SPD. No amendment proposed.
20	Parish Clerk for West Horndon Parish Council	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Kim Harding			
21	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	National Planning Policy Framework (NPPF) is not listed here.	The content of the NPPF is effectively covered in the 'Planning Practice Guidance' link, however an amendment to include the NPPF within this section is proposed.
22	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	The Department for Environment Food & Rural Affairs (Defra) Magic Map tool is slow to load, difficult to navigate and functionally complex. It was not possible to find the definitive Zones of Influence mapping - as indicated in section 3 of the consultation document - despite several attempts.	It is proposed that the RAMS, SPD and this 'You Said, We Did' report are offered to Defra. No amendment proposed.
23	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Nine - Glossary

Table 11 – Section Nine: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	This section does not add any substance and could be shown as another "link"	Noted. No amendment proposed.
2	Mr Bob Tyrrell	West Bergholt Parish Council	Ok.	Noted. No amendment proposed.
3	Mr Terry Newton	Resident	I suspect that national guidelines and certain bodies could override local concerns and needs. Has Essex now become linked to the National Coast Path, and is it widely published, and the route signposted? It is correct to have all interested organisations to monitor the mitigation, but it could generate conflicts of interest.	The SPD is related only to those recreational impacts identified through the LPAs' Local Plan HRA/AAs. No amendment proposed.
4	Mr	Resident	Looks good	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Brian Mills			
5	Mrs Mary Drury	Resident	High schools and colleges should be given charts and information.	Noted. No amendment proposed.
6	Mrs Alwine Jarvis	Resident	I wished you had not used the abbreviations throughout the document as there are many abbreviations which makes it harder to follow reading the documents.	An amendment to move the glossary and list of abbreviations to front of the SPD is proposed, with added description explained in footnotes where necessary and newly introduced.
7	Mrs Joanna Spencer	Resident	Aircraft fuel dumping and fumes and shooting of birds needs to be looked at, you are trying to make a better place but at the same time killing birds and also harming them with aviation fuel.	Noted. No amendment proposed.
8	Ms Caroline Macgregor	Brightlingsea village councillor	Local people do not wish to see the further development of rural Essex as a part of the Haven Gateway to accommodate London overspill. The impact on human health as well as birds and wildlife from pollution will be catastrophic. Local monies would be better spent on conserving our coastline and preparing for rising sea levels.	Noted. No amendment proposed.
9	Mr Alan Lycett	Resident	Presumably this is a living document so additional information may be added to this and other sections. Need to ensure document management standards are visible on each section/ page.	The RAMS is a living document and will be reviewed annually and updated accordingly. Should any subsequent amendment to the RAMS lead in turn to a need for an amendment to the SPD, this will be forthcoming. An amendment to move the glossary and list of abbreviations to front of the SPD is proposed, with added description explained in footnotes where necessary and newly introduced. No amendment proposed.
10	Mr Stephen	Resident	The section needs to be written in plain English, wording again is not inclusive of people of every educational level.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Ashdown			
11	Mr Mark East	Resident	This section appears to be ok.	Noted. No amendment proposed.
12	Mr. David Gollifer	Resident	Satisfactory.	Noted. No amendment proposed.
13	Mrs Dawn Afriyie	Resident	Many rare bird species have been seen in the last few months on the Essex Coast. These birds will disappear when our coastal land is built on, having an impact on all the other wildlife. No more building.	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
14	Mr Graham Pike	Resident	Very useful.	Noted. No amendment proposed.
15	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Let nature take its own course, it always wins.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
16	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	Now the UK is no longer a member of the EU it will no longer have to comply with the E.U directives and can now take back control to suit its own requirements?	The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.
17	Mr Hugh Toler	Blackwater Wildfowlers Association	Might it be worth noting 'A Site of Special Scientific Interest (SSSI) is a formal conservation designation' within the UK. Activities within SSSIs are subject to regulatory control.	An amendment to include SSSIs within the Glossary is proposed.
18	Mr Gavin Rowsell	Resident	The list of designations is not complete.	An amendment to include SSSIs within the Glossary is proposed.
19	Mr Bernard Foster	Resident	It is always useful to have a reference.	Noted. No amendment proposed.
20	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
21	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	The Zones of Influence are defined in the Glossary as "the distance within which new residents are likely to travel to the Essex Coast Habitats sites for recreation". Given the comments provided in Section 3 and 4 above, perhaps a more subtle graded Zone of Influence framework is more appropriate (such as Zones A & B in the equivalent Suffolk model). This would better reflect proximity to coast, centres of growing population and accessibility variables rather than a simplified single Zone.	The RAMS sets out how the Zone of Influence was calculated, including using visitor surveys. Questions asked of visitors to the SPA locations were designed to collect data on the reasons for visits as well as postcodes to evidence Zones of Influence. Additional surveys will improve the robustness of the datasets and repeat surveys of visitors will be undertaken at the earliest opportunity to review the postcode data and Zone of Influence. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
22	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Section Ten - Acronyms

Table 12 – Section Ten: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	Put your acronyms at the beginning of this consultation not at the end. Also, a search button would probably be more useful or an icon to click on for the acronym, glossary etc. This needs to be made easier for residents to read and fully understand.	It is proposed that the Acronym section is moved to the beginning of the SPD.
2	Magister Debbie Bryce	Landlord	SPA, SAR, SSSI, Ramsar - all apply to the Essex Coast. Why damage it further?	All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. No amendment proposed.
3	Mr Terry Newton	Resident	Acronyms are ok if they are known by the people who need to access the information. Most of the general public would not now what they represent.	It is proposed that the Acronym section is moved to the beginning of the SPD.
4	Mr Charles Joynson	Resident	No acronyms should be used if you want to engage the public. They are only useful for the writers.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
5	Mrs Mary Drury	Resident	The acronym 'AA' means many things to many people. Instead of the acronym 'RAMS' why not just say care of environment? The 'Zone of Influence' is a zone -not an area.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.
6	Mr Christopher Marten	Resident	RSPB must be consulted.	<p>The RSPB were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents.</p> <p>The RAMS toolkit states that, for the 'Habitat based measures' Action Area, partnership working may include such organisations as 'Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies.' No amendment proposed.</p>
7	Mr Brian Jones	Resident	It is general practice to explain new terms and afterwards use an abbreviation, but this does not make complex documents easy to read.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.
8	Mr Mark	Resident	They appear to be fine. I have noted that this document does not appear to deal with compensation. I do not share the view that these measures will	The Essex Coast RAMS SPD sets out a tariff that will be used to fund

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	East		reasonably mitigate against harm let alone avoid harm. I do accept that these are challenging times with housing targets set by central Government, but I am not convinced that these measures will ultimately prevent the deterioration in numbers of our protected species and eventual end of some.	mitigation related to 'in-combination' recreational effects only. Other mechanisms and requirements exist outside the scope of the SPD for other required and related mitigation. No amendment proposed.
9	Mr. David Gollifer	Resident	All OK.	Noted. No amendment proposed.
10	Councillor Roy Martin	Resident	Acronyms should never be used.	Acronyms have been used throughout the SPD for the purposes of conciseness. It is proposed that the Acronym section is moved to the beginning of the SPD.
11	Mr Graham Pike	Resident	Very useful.	Noted. No amendment proposed.
12	Councillor Frank Belgrove	Alresford Parish Council	Very good to see the acronyms defined.	Noted. No amendment proposed.
13	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	I have seen many surveys in the past, and I am sure there will be more in future.	Noted. No amendment proposed.
14	Mr Gavin Rowsell	Resident	The list of acronyms is not complete.	It is proposed to expand the list of Acronyms included within this

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Section to reflect all of those used in the SPD and RAMS.
15	Mr Bernard Foster	Resident	I am sure many people will have found them useful as the same groups of letters re-occur in many different disciplines relating to different policies, documents etc.	Noted. No amendment proposed.
16	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	NPPF not detailed here and the list seems short.	It is proposed to expand the list of Acronyms included within this Section.
17	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Appendix One - Strategic Mitigation

Table 13 – Appendix One: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	This does not seem like a lot of people for such a large area. Maybe you should consider asking for volunteers in those areas. Also, selling some merchandise around the protection of the birds etc. to re-coup costs. Also, you mention the per tariff cost, but I have no idea how that supports the above table of costs.	Volunteers may be sought, and other enterprises explored, if deemed necessary by the Delivery Officer. The tariff cost per dwelling has been calculated by dividing the costed mitigation package by the number of unconsented dwellings earmarked for delivery in Local Plan periods by each LPA. No amendment proposed.
2	Magister Debbie Bryce	Landlord	There is research showing that mitigation does not work.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
3	Mrs Frances Coulson	Resident	What about holiday/maternity cover etc? Is one ranger enough to cover a wide area and deal with enforcement?	Holiday and maternity cover will be funded by the competent authorities and their terms of service. A total of three rangers are proposed within the lifespan of the RAMS. No amendment proposed.
4	Mrs Aileen Cockshott	Resident	Think there is more to this than signage. Admiralty charts and OS maps will require an update.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
5	Mrs Anne Wild	Resident	I have been impressed with all I have read so far. However, would it be possible to create - with the agreement of landowners where applicable - new bird reserves, with access only available through membership? Membership revenue could be divided between the organisation/rangers etc needed (also funded by RAMS) and the landowner.	A total of £500,000 is included within the packaged costs for habitat creation in key locations where it would provide benefits and work up projects. No amendment proposed.
6	Mr Terry Newton	Resident	Whilst some form of mitigation officers are needed, value for money must be monitored.	Noted. No amendment proposed.
7	Mrs Angela Harbottle	Resident	Not qualified to comment but seems to be a great deal of money.	Noted. No amendment proposed.
8	Mr David Kennedy	Resident	Salary of water bailiffs appears to be high, this should be explained.	Salaried costs have been identified by exploring the costs of similar existing roles. The costs for the water rangers also include training, maintenance and byelaws costs. No amendment proposed.
9	Mr Charles Joynson	Resident	Too little overall to mitigate such a long coastline.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
10	Mrs Mary Drury	Resident	This is a total waste of money and energy. I will need to ask our MP to look at this.	Noted. No amendment proposed.
11	Mrs Joanna Spencer	Resident	Explain how these figures are arrived at.	The RAMS gives more detail regarding the costed mitigation package. No amendment proposed.
12	Mr Peter Dervin	Resident	Please put the money in to employing people in positions that are so much more needed, for example health care assistants and nurses.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
13	Mr Neil Hargreaves	Resident	Does the package include the cost of each LPA's own monitoring officers?	The mitigation package does not include the staffing costs of each LPA's monitoring officers. No amendment proposed.
14	Mr Brian Jones	Resident	I am pleased to see an annual training budget.	Noted. No amendment proposed.
15	Mrs Angela McQuade	Resident	Surveys are too expensive.	Noted. No amendment proposed.
16	Mr Stephen Ashdown	Resident	The package does not include possible income streams to assist in payment.	The mitigation package is itemised to ensure mitigation is in conformity to Regulation 122 of the CIL Regulations. No amendment proposed.
17	Mr Mark East	Resident	Costs and staffing levels seem inadequate.	The RAMS gives more detail regarding the costed mitigation package. The effectiveness of the mitigation will be monitored as

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				outlined within Section 6 of the SPD. No amendment proposed.
18	Mrs April Chapman	Resident	Has use of drones been considered? One ranger is not enough. Two should be a minimum from the start of the scheme to ensure daily cover.	Two rangers have been included from Year 2 of the project. The RAMS seeks to mitigate future growth and does not directly seek to address the baseline position as it would not be appropriate. The use of drones may be considered by the Delivery Officer, if appropriate, and once in post. No amendment proposed.
19	Mrs Karen Hawkes	South Woodham Ferrers Town Council	Whilst members are supportive of the Action Areas identified, there are concerns as to whether they are deliverable within the budget identified. Mitigation package is £8,916,448 from March 2019 – 2038. Members suggest that the toolkit needs revisiting to ensure that the projects can be delivered within the budget available. They also identified that there is excessive funding on personnel and enforcement and insufficient funding on the delivery of actual projects. Members are also concerned that the type of projects proposed are already being delivered by other stakeholders and that this is an unnecessary duplication of work.	The RAMS gives more detail regarding the costed mitigation package. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
20	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>The statement, "some of the survey costs may be absorbed into the budget for the HRAs needed for Local Plans. This could reduce the amount of contributions secured via RAMS which could be used for alternative measures" is a worrying statement. This money should not be available for the HRA's as it will diminish the good work that can be done.</p> <p>Regarding work with landowners, Habitats site managers & partner organisations - I hope you will also be working with the local community and empowering them to get involved and learn more about the habitats they live near, thereby fostering the love of nature required for the future.</p> <p>I am concerned that giving planning permission for inappropriate development in the wrong place could now be seen as a way to make this mitigation</p>	The statement quoted is intended to be interpreted that Local Plan HRA work could cover the costs of the survey should there be any need to undertake such survey work as part of those processes. This would not lead to a shortfall in RAMS mitigation, as the survey work has been costed for in the package. It would however lead to a small reduction in the tariff as the survey work would already have been undertaken.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			package money for local councils. How will you stop this happening? How will over enthusiastic planning granting be avoided and mitigated against?	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
21	Mr Graham Pike	Resident	A very helpful breakdown of the project, costs and ambitions.	Noted. No amendment proposed.
22	Councillor Frank Belgrove	Alresford Parish Council	It may have been appropriate to mention some of these strategies earlier in the document as examples as to what types of mitigation - in practical terms - will be required.	Noted. No amendment proposed.
23	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	This money could really be spent on other projects, such as roads and sheltered housing for the homeless.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. No amendment proposed.
24	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	The mitigation package is totally unmanageable and must be the biggest waste of public money ever designed. What is a delivery officer? What does a ranger do? Who / what organisation is going to do training? What is the Partner Executive Group to do? What are new interpretation boards? How can visitor numbers be recorded? Who are Rangers? Who is / or how many delivery officers are required? Where will there be a Water Ranger? Is the Tendring District Council Warden to be axed to make savings for the rate payer?	The SPD sets out a funding mechanism for the RAMS in the form of a tariff to be paid by developers proposing net new dwellings in the Zone of Influence. The RAMS will not be funded by any other means. The RAMS sets out the roles of the newly created posts that are required to deliver mitigation. The precise nature and location of certain mitigation

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				measures e.g. interpretation boards and training will be decided by the Delivery Officer and project Steering Group who have day to day responsibility for delivering the project. Existing forms of mitigation such as the role performed by wardens currently employed by Tendring District Council will not be undermined or replaced by the RAMS project; instead the skills and expertise of existing wardens can be utilised. No amendment proposed.
25	Mr John Fletcher	Resident	The whole scheme is a diabolical waste of money. It serves no useful purpose. To say that people living within the Zone of Influence cause a problem is salacious. Why should they be asked to pay for all when most visitors come from outside the Zone? Maybe you should spend some money to encourage your 'experts' to come and actually live at the coast for a prolonged period. They may then know what they are talking about. We, who live and work on the coast appreciate and work with nature on a daily basis. Every day we note increases in wildlife on the coast - all this takes place without interference from human bureaucrats.	The SPD sets out a funding mechanism for the RAMS in the form of a tariff to be paid by developers proposing net new dwellings in the Zone of Influence. It is concerned with the effects of new housing development only. The RAMS sets out strategic mitigation to ensure no significant effects regarding recreational disturbance are realised on Habitats sites on the Essex Coast. No amendment proposed.
26	Mr Hugh Toler	Blackwater Wildfowlers Association (BWA)	The BWA notes the employment of Rangers for monitoring and briefing clubs on codes of conduct. Has consideration been given to using trained volunteers from Clubs such as ours with a knowledge of wetlands, wildfowl and habitat protection?	Volunteers may be sought if deemed necessary by the Delivery Officer but no itemised cost has been identified. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
27	Mr Mark Nowers	RSPB	<p>The ten SPAs around the Essex Coast support approximately half a million wintering waterbirds and important assemblages of breeding birds. Over 72,000 dwellings are due to be built before 2038.</p> <p>The Bird Aware Solent project covered three SPAs supporting 90,000 birds. 64,000 dwellings are due to be built before 2034. In the Solent Recreation Mitigation Strategy, Bird Aware Solent has identified that a team of rangers is the top priority followed by:</p> <ul style="list-style-type: none"> • Communications, marketing and education initiatives • Initiatives to facilitate and encourage responsible dog walking • Codes of conduct • Site-specific visitor management and bird refuge projects • New/enhanced strategic greenspaces • A delivery officer (called 'Partnership Manager' from here on) • Monitoring to help adjust the mitigation measures as necessary <p>To that end, they employ a team of 5-7 Rangers. To make the best use of resources, the RSPB recommends that Bird Aware Essex re-evaluates the number of rangers currently being considered here given the scale of importance of the Essex Coast outlined above.</p>	Noted. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
28	Mr Gavin Rowsell	Resident	The only positive is that within the £9 million you 'may' employ 5 people.	The plan is to provide lasting benefits to habitats of national and international importance in Essex. No amendment proposed.
29	Mr Bernard Foster	Resident	It would have been easier to read if the box could have been expanded instead of just the contents. Information useful as a guide or expectation.	Noted.
30	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	£1,000 for signage seems a small budget given the area of coverage and the potential Essex Coast Path. I do not understand the £5,000 cost associated with the visitor numbers and recreational activities. Communication: What about website updates? Is there no cost associated with updating the by-laws? Contingency seems small.	The RAMS gives more detail regarding the costed mitigation package. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
31	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	<p>Proposals in the Essex Coast RAMS proposes signage at Mistley Walls. Mistley Walls lie within the proposed extension area to the Suffolk Coast & Heaths Area of Outstanding Natural Beauty (AONB). The extension to the Suffolk Coast & Heaths AONB is currently awaiting sign off by the Secretary of State. The AONB team are not objecting to the use of new signage in principle but we would like to be involved in discussions on the design of any new signage to be introduced in this area. Any new signage or interpretation boards introduced into the AONB extension area will need to be a high-quality design to reflect the high-quality landscape into which they are to be introduced.</p> <p>As part of the England Coast Path, Natural England is also proposing new signage along the following stretches of the south bank of the Stour: Ray Lane, Ramsey to Stone Point, Wrabness, Stone Point, Wrabness to Hopping Bridge, Mistley. It will be important to co-ordinate the installation of all new signage/ interpretation boards being proposed along the south bank of the Stour to avoid clutter within the extension area to the nationally designated landscape. The AONB team will be happy to provide any further advice on I'm a Good Dog Project if necessary when the RAMS Dog Project is being developed/expanded.</p>	Noted. The Delivery Officer will engage with key local stakeholders on implementation of the project once in post. No amendment proposed.
32	Mr Michael Hand	Campaign to Protect Rural England - Essex Branch	With reference to comments provided in Section 4 above, CPRE questions why the total package budget is not higher and funded through additional revenue from the inclusion of already consented dwellings within the provisions of the SPD.	The RAMS gives more detail regarding the costed mitigation package. There is no mechanism that can lawfully ensure retroactive costs are recouped once full planning permission is granted. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
33	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Appendix Two – Essex Coast RAMS Guidelines for proposals for student accommodation

Table 14 – Appendix Two: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	For supporting and monitoring the Zones of Influence the LPA's and other LPA's outside of Essex coming into the area could look at providing educational courses in the Zones of Influence helping the volunteers and full-time equivalents (FTEs). This could be another way to re-coup some money and also gain some etc. support.	Volunteers may be sought if deemed necessary by the Delivery Officer but no itemised cost has been identified. No amendment proposed.
2	Magister Debbie Bryce	Landlord	Students and Wildlife - stupid idea.	Noted. No amendment proposed.
3	Mrs Frances Coulson	Resident	I disagree. Most student accommodation these days is commercially built and run and charged at vast cost to students or their parents. They should also pay.	Appendix 2 of the SPD outlines that proportionate costs will be applicable to student accommodation in the majority of circumstances. No amendment proposed.
4	Mrs Aileen Cockshott	Resident	Regarding Colchester and Southend, student accommodation should be sited away from the coast.	Noted. The location of new student accommodation is outside the scope of this SPD. No amendment proposed.
5	Mr Terry Newton	Resident	It seems to make sense, but any increase in student impact will need to be monitored, as this can change according to many variables, such as nearby facilities frequented by students.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
6	Mrs Angela Harbottle	Resident	Not qualified to comment.	Noted. No amendment proposed.
7	Mrs Mary Drury	Resident	Not wasting any more time.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
8	Mrs Alwine Jarvis	Resident	Not sure I agree with the logic used. The document seems to miss out on how many people of the new dwellings will actually have pets. Dogs being the animal which disturbs the birds. I did not see this taken into consideration.	Many examples of student accommodation do not allow dogs to be kept on the premises, hence the different tariff approach proposed for student accommodation, no amendment proposed.
9	Ms Rachel Cross	Resident	Record number of dogs using the space and have rules for dogs and their owners such as those at Essex Wildlife Trust e.g. seen at Langdon nature reserve Dunton.	Noted. No amendment proposed.
10	Mrs Joanna Spencer	Resident	Affordable accommodation and parking needs to be provided.	Noted. No amendment proposed.
11	Mr Matt Eva	Resident	I do not think student accommodation should be made a special case - if you do this then what about nursing homes or any other housing for private rental where pets are not allowed? Keep it simple, if you are building then you pay.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
12	Mr Christopher Marten	Resident	Dogs must be kept on leads at all times and ownership of cats should be outlawed because cats can have a devastating effect on bird populations.	Noted. No amendment proposed.
13	Mr Peter Dervin	Resident	Put people first, we need to educate our young people and then maybe they might have a better understanding of the problem instead of taxing them. Every cost in the end is paid for by the end user so it will be our young people that will be put off becoming educated if the costs get too much.	The tariff is paid by the developers of new housing, not residents. It is a one off payment and does not affect investment made by other sources in general education. However, part of the mitigations will be to provide a better understating of the habitats and visitors responsibilities when visiting the coast. No amendment proposed.
14	Mr Neil Hargreaves	Resident	'So, a scheme for 100 student accommodation units would be considered 40 units. 40 units would then be halved providing that future occupiers are prevented from owning a car and keeping a pet: ' This seems overly complex.	The effectiveness of the mitigation will be monitored as outlined

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			What happens if pets are banned but cars are not? How does anyone know if a student keeps a car off site and says nothing? Will there be a restrictive covenant to stop a future management changing the rules? What about holiday use when conferences are in? The payment would be £24.46. Is it worth all the form filling to collect this? I suggest make a flat rate for student accommodation	within Section 6 of the SPD. No amendment proposed.
15	Mr Brian Jones	Resident	Students often have societies that lead to visits to the coasts, e.g. Birdwatching, geology, botany etc. Such visits may be made by coach and can cause serious disruption to the habitats.	The SPD is related to new residential development only. No amendment proposed.
16	Mrs Joanna Thornicroft	Resident	I can understand a reduced fee per unit as each one would only house a single individual, but there is no reason to believe that students will not visit these areas as much as any other individual.	The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.
17	Mrs Susie Jenkins	Brightlingsea Nature Network	Good points.	Noted. No amendment proposed.
18	Mr Graham Pike	Resident	Nicely explained and detailed.	Noted. No amendment proposed.
19	Councillor Frank Belgrove	Alresford Parish Council	The evidence that dogs are the major threat in causing wild bird flight is interesting.	Noted. No amendment proposed.
20	Mr Roy Hart	Skee-tex Ltd Local Councillor, Head of the River Crouch Conservation Trust & owner of 1.5 miles of river banks of the Crouch	Wildlife is thriving.	Noted. No amendment proposed.
21	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This is more taxation by the RAMS and will be difficult to apply.	The effectiveness of the mitigation will be monitored as outlined

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				within Section 6 of the SPD. No amendment proposed.
22	Mr John Fletcher	Resident	This is a waste of money.	Noted. No amendment proposed.
23	Mrs Jackie Deane	Great Dunmow Town Council	No objections to the proposals.	Noted. No amendment proposed.
24	Mr Bernard Foster	Resident	To start building student dwellings in vulnerable areas will raise a few eyebrows. Remembering that all forms of encroachment - light, noise, vibration - can have an impact over varying lengths of time. To encourage a generation to have environmental insight should be seen as proactive. If the correct balance is struck it will be proven in the future.	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
25	Mr Mark Marshall	Resident	Universities and developers make plenty of money from student accommodation. Why should they be exempt from costs others have to pay? If they do not pay their share, then others pick up the tab and that is not fair.	Appendix 2 of the SPD outlines that proportionate costs will be applicable to student accommodation in the majority of circumstances. The number of student accommodation proposals have not been used to calculate the scale of mitigation needed in the RAMS. Therefore, developers proposing other residential development schemes will not be charged a higher rate to compensate for a lower tariff for student accommodation. No amendment proposed.
26	Mrs Christa-Marie Dobson	Feering & Kelvedon Wildlife Group	A decision is needed for student tariffs.	Appendix 2 of the SPD outlines that proportionate costs will be applicable to student accommodation in the majority of

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				circumstances and sets out methodology. No amendment proposed.
27	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	The AONB team welcome that a tariff is being considered for proposals for new student accommodation. The approach proposed and the tariff proposed are considered fair and proportionate. Some areas e.g. Colchester have large amounts of both on campus and private student accommodation built or planned within the Zone of Influence of the Colne Estuary. It is therefore appropriate that these developments contribute towards the cost of mitigating the impacts of increased recreational pressure linked to this type of development.	Noted. No amendment proposed.
28	Mrs Cecilia Dickinson	Resident	The more I see of this format the more irritating it becomes - section by section is unnecessary, off-putting and boring.	Noted. The SPD seeks to be as clear as possible and easy to follow. No amendment proposed.

Other Comments

Table 15 – Other Comments: Summary of consultation responses and actions

No.	Name	Organisation	Main Issues Raised	Response / amendment required
1	Mrs Sharron Amor	Resident	I am glad that this is being looked into however developing more homes in Essex outside of the coastal areas is also an issue. I live in Billericay and am extremely concerned about the wildlife that would be affected if my LPA goes ahead with its housing plans.	The RAMS and SPD proposes a tariff within a Zone of Influence that extends 22km from coastal areas. No amendment proposed.
2	Magister Debbie Bryce	Landlord	European protected site is of international importance.	Noted. No amendment proposed.
3	Mrs Alwine Jarvis	Resident	This is important work to preserve the environment for birds and for us residents to be part of this. However, this needs to be summarised so more people will be able to actively read everything and get involved as it is so important for our future generations.	Summaries are provided in Sections 2 and 3 of the SPD, which also includes links to a 'Frequently Asked Questions' page on the Bird Aware website. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
4	Mrs Joanna Spencer	Resident	Too much of the countryside is being built on, not enough thought goes into road structures or new roads being produced, road designs. Residents are never consulted enough or given enough time to object to planning. Southend airport is damaging to peoples' health in the area and the culling of birds to support the airport is not acceptable.	Locational criteria for development, and supporting infrastructure, is a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. The same applies to consultation of planning proposals and Local Plans. No amendment proposed.
5	Mr Matt Eva	Resident	There does not appear to be any consideration of negative impacts of the proposal, e.g. encouraging development elsewhere whilst not reducing impact on sites, and moving problems elsewhere.	Locational criteria for development are a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
6	Mr Bill Sedgwick	Resident	There will be no wildlife or green spaces if the various councils continue to concrete Essex. All that us being built is new estates that does nothing for the county or environment. There is an abject failure of house builders and councils to look at roads, schools, buses, railway capacity and hospitals.	Locational criteria for development, and supporting infrastructure, is a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
7	Mr Terry Wallace	Resident	Does not view the consultation as important.	Noted. No amendment proposed.
8	Heather Read	Natural England	Support for the determination of the Essex Coast RAMS, SPD, HRA and SEA Screening.	Noted. No amendment proposed.
9	Mr Richard Carr	Transport for London	Confirmation that we have no comments to make on the draft SPD.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
10	Mr Colin Holbrook	Blackmore Village Heritage Association	<p>I support this initiative. When Brentwood Council must consider Bird welfare that is 22 kilometres away from its boundary, it is a shame that more effort is not put into protecting the habitat of people when considering new build habitation. Brentwood Local Development Plan has been adversely impacted and damaged by new development approved by neighbouring Epping Forest District Council.</p> <p>I would urge that all planners are required to afford the same consideration to human neighbours they are legally bound to give to birds.</p>	Locational criteria for development, and supporting infrastructure, is a matter for Local Plans and development management at the LPA level and not within the scope or remit of the RAMS or SPD. No amendment proposed.
11	Ms Margaret Carney	Resident	Unsure what kind of response is required from the consultation and the subject matter.	Noted. No amendment proposed.
12	Mr Edward Harvey	Resident	Is there a document that explains what "Recreational disturbance Avoidance and Mitigation Strategy" actually means in plain English?	Summaries are provided in Sections 2 and 3 of the SPD, which also includes links to a 'Frequently Asked Questions' page on the Bird Aware website. No amendment proposed.
13	Mr Matthew Breeze	County Planning, Minerals & Waste, Cambridgeshire County Council	Confirmation that the County Council, in its role as a Minerals Planning Authority, has no comments on this document.	Noted. No amendment proposed.
14	Mr Stewart Patience	Anglian Water Services Limited	We note that the expectation is that all housing development located within the Zones of Influence as defined would be expected to make strategic contributions to the RAMS. Reference is also made to tourism accommodation potentially having significant effects on protected habitats sites and being required to provide a Habitats Assessment and potentially mitigation measures. However, there is no guidance provided for non-housing development which would not be expected to give rise to recreational disturbance. For the avoidance of doubt, we would ask that it made clear that other types of development including infrastructure provided by Anglian Water would not be expected to make contributions to RAMS.	Effects on Habitats sites from non-residential development proposals will be addressed in project-level HRAs of proposals, where relevant. It is however proposed that the SPD is amended to set out that all non-residential proposals are exempt from the tariff.
15	Mr John	Resident	It is important to take a detailed look at all adjacent waters to our estuaries as they are a vital link in the chain of protecting wildlife. All rivers feeding estuaries	The scope of the RAMS and SPD is specific to Habitats Site

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Parish		need careful management. A prime example is a new vast housing project next to River Blackwater Braintree Essex which is going to be far too close to the river corridor. With increasing population, sensible management of coastal areas is even more important. Dogs are a menace on sensitive areas and banning them may be necessary to protect nesting birds. Environment Agency will need to be aware and work with all other agencies etc to achieve improvement for future generations.	designations only. The need for project-level HRAs and where necessary AAs still applies to development proposals, and pathways to Habitats sites regarding non-recreational effects can be expected to be explored as part of those processes. No amendment proposed.
16	Unknown	CLH Pipeline System Ltd	We would ask that you contact us if any works are in the vicinity of the CLH-PS pipeline or alternatively go to www.linesearchbeforeudig.co.uk , our free online enquiry service.	Noted. No amendment proposed.
17	Ruth & David Burgess	Landowner	As land owners in the Thundersley, Benfleet area, we are interested to learn when the new draft Local Plan is likely to be introduced.	Section 8 of the SPD provides links to all partner LPA websites where updates to Local Plan progress can be found.
18	Mr Frank Last	Badger Rescue	I do not seem to be able to find any mention of Wat Tyler Country Park or Fobbing Marshes in your report. Can I ask why this is? especially due to the large amount of flora & fauna there is at both places.	The scope of the RAMS and SPD is specific to Habitats Site designations only. No amendment proposed.
19	Mr David Dunn	Resident	I feel far more representation on the issue of the effects of the ensuing climate crisis should be at the top of the agenda in all thinking. This along with more heat and new species of birds and marine life a whole new approach has to be adopted to cater for all the habitats they all use alongside our enjoyment of them. Surely to not maintain many of the sea defences is folly, when the already degraded marshes, saltings and cliffs are being wasted and not properly managed mainly due to lack of finances. There have been monies available from the EU in the past for various schemes but this has failed to materialise.	The scope of the RAMS and SPD is specific to Habitats Site designations only. No amendment proposed.
20	Mrs Anne Clitheroe	Essex County Council	Essex County Council is satisfied with the content of the Essex Coast RAMS SPD and confirms that it wishes to continue to be engaged in this process.	Noted. No amendment proposed.
21	Mr Derek T.	Resident	With so many problems currently confronting the UK, I am very surprised that the subject matter heading, justifies any consideration by central and local	The scope of the SPD, and the tariff proposed, is relevant to 'in-

No.	Name	Organisation	Main Issues Raised	Response / amendment required
	Park		government whatsoever. Furthermore, if pursued, it will incur costly resources, again defrayed by taxation at public expense. The disturbance of coastal bird habitats should be dealt with directly by the charities or trusts responsible for such nature reserves. Whoever is responsible for the reserves, could be required to secure boundaries with a single controlled gated access, enabling admission numbers to be limited and a fee charged for entry. Similarly, any erected viewing hides inside or outside the curtilage of sites, could have a charge machine installed to allow entrance. Any marine entry to reserves should be licensed, authorising where appropriate, limited pre-agreed scheduled frequency of visitation. Otherwise ban with a penalty such disturbing access. I am fascinated by the composition of the somewhat bureaucratic expansive subject heading.	combination' recreational effects from future housing growth only and to deliver the mitigation proposed in the RAMS. Charities and trusts cannot be expected to generate sources of funding to pay for the mitigation at the scale required. No amendment proposed.
22	Mr John H Bayliss	Hilbery Chaplin	I believe that this is a very important subject to be considered because there is no doubt that the Essex Coast and adjoining landscape is of vital importance for the protection of wildlife and the future of this unique part of the United Kingdom.	Noted. No amendment proposed.
23	Mr Mark East	Resident	I have a concern that there could be a legal challenge as no consideration has been given to whether alternative development sites outside of the Zone of Influence are appropriate to reduce the level of development within the Zones of Influence. Development is being encouraged to boost the economy without adequate care for the harm to our fragile environment. I feel more time and thought is necessary to find a pragmatic solution and one that delivers protection rather than a source to generate income.	Alternative site allocation outside of the Zone of Influence would only need to be considered in Stage 3 of the HRA process of the LPA's Local Plans. Stage 2 of that process (AA) considers that mitigation is possible to ensure that development proposals would not have any in-combination recreational effects on the Essex Coast's Habitats sites. As such there was no need for any of the Local Plans to progress to Stage 3 of the HRA process. No amendment proposed.
24	Mrs Linda Findlay	Resident	On any development look at the long-term impact and always ask how can we tweak this to improve our natural environment.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
25	Mr Barrie Ellis	Resident	I hope this level of support goes ahead to protect our coastal areas for birds, whilst taking into account our need for more affordable housing. It is good to see.	Noted. No amendment proposed.
26	Nicola Sirett	Resident	There is no mention of what the money would pay for, beyond a few wardens. Surely there should be some physical infrastructure to manage higher visitor numbers. The report only talks about the impact of visitor numbers. No mention of the pressure on water quality along the coast which comes from managing the increased sewage and storm runoff (due to increased percentage of impermeable surfaces). This is a significant threat to wildlife and local fishing / shell fish (oyster) production. Where can I read the plans to mitigate against these issues?	The RAMS provide more information of the mitigation measures to be funded. The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. The need for project-level HRAs and where necessary AAs still applies to development proposals, and water quality can be expected to be explored as part of those processes. No amendment proposed.
27	Mr Graham Farley	Resident	<p>The plan covers the period to 2038 and yet there is no mention of The National Infrastructure Project (NIP) at Bradwell in the form of new nuclear power station. Such a build will restrict new housing in particular on Mersea and around Bradwell for evacuation reasons then of course there will be the environmental issues, building issues and restrictions on movement to allow such a build to go ahead.</p> <p>You are costing charges and its admirable to support the numerous environmental protections but if this NIP goes ahead the damage caused to protected areas will completely undermine the Essex Coast RAMS.</p>	<p>The need for project-level HRAs and where necessary AAs still applies to development proposals, and other non-residential effects can be expected to be explored as part of those processes.</p> <p>The SPD does not apply to Nationally Significant Infrastructure Plans (NSIPs), which are dealt with under the 2008 Planning Act rather than the Town and Country Planning Acts for applications for planning permission. Engagement has not yet gone into sufficient detail however it is expected that the</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				Bradwell B Project would follow the SPD's advice that the 'applicant can provide information for a project level HRA/AA and secure bespoke mitigation to avoid impacts on Habitats sites in perpetuity'. We consider that the nuclear power station, and associated development including the proposed 4,500 temporary workers accommodation would be dealt with via the Development Consent Order. No amendment proposed.
28	Mrs Natasha Hurley	Savills On Behalf of Thames Water Planning Policy	The area affected does not include land served by Thames Water.	Noted. No amendment proposed.
29	Mrs Karen Hawkes	South Woodham Ferrers Town Council	<p>Throughout the SPD there are references to EU Legislation. What will happen after Brexit: will these laws be enshrined in UK Law?</p> <p>Bullet point 4 (Table 4.1) states "Information on alternative sites for recreation". Whilst it is appreciated that the area needs to be protected the preferred message should be with information signage and alternative routes within the same location. If visitors are being sent to alternative locations this would result in increased motor vehicle usage; visitors may be less likely to visit the site which would affect their health and wellbeing.</p> <p>Bullet point 6 "Interpretation and signage" - Members would welcome universal / uniform signage throughout all the Essex Coastal Habitats.</p> <p>Page 12 Action Area Table - Members would request that relevant town and parish councils are detailed as partnership organisation.</p> <p>Page 13 Budget and Appendix 1 Strategic Mitigation - Whilst members are</p>	<p>The content of the relevant EU Directives related to birds and habitats have been transposed into UK law and will continue to apply. No amendment proposed.</p> <p>The message regarding 'alternative sites for recreation' can be expected to apply to future trips for recreation.</p> <p>Noted. Comments regarding uniform signage and additional stakeholders in the partnership organisation can be acted upon by the Delivery Officer, once</p>

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			<p>supportive of the Action Areas identified, there are concerns as to whether they are deliverable within the budget identified. Members suggest that the toolkit needs revisiting to ensure that the projects can be delivered within the budget available. They also identified that there is excessive funding on personnel and enforcement and insufficient funding on the delivery of actual projects. Members are also concerned that the type of projects proposed are already being delivered by other stakeholders and that this is an unnecessary duplication of work.</p> <p>Page 15 Schemes under 10 dwellings - There are concerns that reasonable costs of completing and checking the agreement is not required and that a more straightforward method would be as a matter of course to charge the £122 a home once the location is identified within a zone as detailed on p7.</p> <p>Page 16 Section 5 Alternative to paying into RAMS – Para 5.2 should be removed. There should be no option for developers to carry out their own surveys. If the surveyor evidenced that there was no requirement to fund the tariff this would result in a shortfall in the anticipated income and as a result projects detailed may not be able to be funded.</p> <p>Page 17 Para 6.3 Steering Group - This should include relevant partners as detailed in table 4.1.</p> <p>With reference to the steering group, members would welcome a representative from all partnership organisations as detailed on page 13 with the addition of town and parish councils. As currently stipulated in the plan there is no input from RSPB, Essex Wildlife Trust and town and parish councils.</p>	<p>appointed. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>Some LPA partners do not charge a legal fee for minor applications, they are solely required to pay the tariff. Schemes under 10 dwellings have been identified as requiring to pay for legal costs as no mechanism currently exists for smaller proposals to pay through a Section 106 agreement. No amendment proposed.</p> <p>Alternatives to paying developer contributions to the RAMS would only be acceptable where bespoke mitigation addressing recreational effects on the Essex Coast can be delivered. To identify and justify other forms of mitigation as suitable, visitor surveys would have to be produced by the applicant.</p>
30	Mrs Susie Jenkins	Brightlingsea Nature Network	<p>This strategy encourages LPAs to grant planning permission as a way to accrue money for this fund. How will this be avoided? Also, there is no mention throughout this strategy that there should be no development near the habitats due to disturbance. LPAs should feel supported in turning down inappropriate development.</p>	<p>The tariff is proportionate to the in-combination effect each new dwelling will have on the Essex Coast's Habitats sites and monies collected will not be used to fund</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				<p>anything other than the strategic mitigation of the RAMS. No amendment proposed.</p> <p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p>
31	Mr PC Paul Rawson 2858	Essex Police Marine Unit	As part of Essex Police Marine unit, we would be very grateful to discuss potential outcomes for the future and any possibility of joint working.	Noted. Joint working requests can be acted upon by the Delivery Officer, once appointed. No amendment proposed.
32	Mr Edward Harvey	Resident	Is there a document that explains what "Recreational disturbance Avoidance and Mitigation Strategy" actually means in plain English?	Sections 2 and 3 of the SPD provide summaries of the RAMS and scope of the SPD. Additionally, the SPD signposts a 'Frequently asked Questions' (FAQ) document' which is available on the Bird Aware Essex Coast website. No amendment proposed.
33	Mrs Diane McCarthy	Billericay Town Council	The document makes no mention of any sustainable methods of transport.	Each partner LPA's Local Plan contains policies regarding sustainable transport. No amendment required.
34	Ms Diane Jackson	MAG London Stansted Airport	We have no aerodrome safeguarding objections to the proposals.	Noted. No amendment required.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
35	Councillor Roy Martin	Resident	The consultation has been badly designed, extremely lengthy and not user friendly, so it is not practical for everyone to respond in full. The main area of major concern in Hockley and the District of Rochford is the volume of massive new builds being allowed which impacts on every aspect of life including transport systems. Developers should be held responsible for the impact on infrastructure and protection of the environment with penalties applied for failure to comply. Local knowledge and views must be satisfactorily resolved to give the government a better understanding of the consequences of their decisions before planning is approved.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment proposed.
36	Mr Graham Pike	Resident	I found this a very interesting exercise. The documentation was laid out well. Lots of useful data included. Findings very sound.	Noted. No amendment required.
37	Mrs Helen Waterfield	Black Notley Parish Council	<p>Black Notley Parish Council support the strategy. We generally agree on the action/examples given however we strongly feel that there should be no newbuilds at all in close proximity to sensitive sites. Development of recreational facilities must not impact on the character and charm of the very areas this is setting out to protect. Footpaths/access and parking facilities must only be developed in keeping with the existing location and area.</p> <p>In the more outlying locations diverting footpaths away from the waterside areas and installing screening is also unfair to ramblers and wildlife watchers who want to appreciate the estuary views.</p> <p>We look forward to more and better access to Footpaths along this special coastline and footpath maps should be provided. There should be separate routes for cyclists.</p> <p>Access to Sites of Special Scientific Interest should be limited only during the breeding season of birds and wildlife, and dogs must be kept on a lead at these times.</p>	<p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p> <p>The Essex Coast RAMS toolkit (Table 4.1 of the SPD) includes 'Provision of information and education' as an Action Area. This could include 'maps with circular routes away from the coast on alternative footpaths.' No amendment required.</p>
38	Mr Vincent Titchmarsh	Titchmarsh Marina (Walton-on-the-Naze) Ltd	This scheme is totally undemocratic and dictatorial. It is obvious that this consultation document is circulated purely in order to comply with necessary regulations.	Noted. High-level oversight of the project is undertaken by the Essex Coastal Forum which

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			RAMS is an unmanageable, unnecessary proposed organisation, to be run by un-elected, un-regulated members with the power to raise money, at the expense of the housing market; mostly affecting the less well off in society who need affordable council or private sector housing.	included locally elected Members. No amendment proposed.
39	Mrs Jacqueline Smith	Resident	<p>I generally agree on the action/examples given, however strongly feel that there should be no newbuilds at all in close proximity to sensitive sites. Development of recreational facilities must not impact on the character and charm of the very areas this is setting out to protect. Footpaths/access and parking facilities must only be developed in keeping with the existing location and area.</p> <p>In the more outlying locations diverting footpaths away from the waterside areas and installing screening is also unfair to ramblers and wildlife watchers who want to appreciate the estuary views.</p> <p>I look forward to more and better access to Footpaths along this special coastline and Footpath Maps should be provided. There should be separate routes for cyclists.</p> <p>Access to Sites of Special Scientific Interest should be limited only during the breeding season of birds and wildlife, and dogs must be kept on a lead at these times.</p>	<p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p> <p>The Essex Coast RAMS toolkit (Table 4.1 of the SPD) includes 'Provision of information and education' as an Action Area. This could include 'maps with circular routes away from the coast on alternative footpaths.' No amendment required.</p>
40	Mr Mark Nowers	RSPB	Regarding the 'Essex Coast RAMS SPD SEA/HRA Screening Report' - further to our comments regarding the Outer Thames SPA, we note that in Appendix 2 (Broad illustration of the Zone of Influence of the RAMS) that red line extends over the Outer Thames SPA designation, but it is not identified as such.	It is proposed that the map in Appendix 2 of the Essex Coast RAMS SPD SEA/HRA Screening Report be amended.
41	Mrs Jackie Deane	Great Dunmow Town Council	The Town Council is generally supportive of the proposals.	Noted. No amendment proposed.
42	Mr Gavin Rowsell	Resident	I think I have put my point across.	Noted. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
43	Mrs Angela Faulds	Brentwood and Chelmsford Green Party	We feel the area is already overdeveloped and the expectation of nearly a quarter of a million more people living alongside the coastal areas of Essex, with their priceless wildlife habitats is unsustainable.	Noted. No amendment proposed.
44	Mr Julian Novorol	Hamford Water Management Committee	We would like to request that when rangers are appointed for the coast/ Hamford Water area that we have the opportunity to meet with them to discuss the management/ problems that we experience in the Backwaters.	The Delivery Officer and Rangers can explore joint working arrangements, once appointed. No amendment required.
45	Mrs Jane Taylor	North East Essex Clinical Commissioning Group	<p>On behalf of the Health system in North East Essex namely;</p> <ul style="list-style-type: none"> - North East Essex Clinical Commissioning Group - East Suffolk North Essex Foundation Trust - Anglian Community Enterprise - Essex Partnership University Trust - East of England Ambulance Service <p>We have reviewed the above and acknowledge the content, we have no formal feedback to provide.</p>	Noted. No amendment proposed.
46	Mrs Kelly Holland	Canewdon Parish Council	Canewdon Parish Council support the aims of the document particularly the requirement that all developments would have to take the document into account especially those that do not go through the formal planning process.	Noted. No amendment proposed.
47	Mr K. Randall	Resident	<p>I feel the most important matter to consider in this Planning Document is the predicted rise in water levels caused by climate change. Another concern is coastal erosion which is extremely difficult to contain and resolve. As for developments, the Authorities should consider arranging for proposals to be based further inland and, if possible, on higher ground due to the threat of rising water levels. Also, the Authorities should mitigate the over development and instead concentrate on improving the environment, services and infrastructure in these coastal areas. No development should be allowed on Green Belt land. Due consideration should be given to building new housing in a manner that negates the effects of climate change in the future. Perhaps the Local Authorities could request that some trees are planted on new housing development estates.</p> <p>I feel that the priority of all the Local Authorities involved is to protect our</p>	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Decisions on the distribution of new housing growth is outside the scope of this SPD. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			valued coastline areas from flooding and that any new housing proposals should be curtailed until this protection has been put in place.	
48	Mr Bernard Foster	Resident	If you want to sell what can only be seen by the general public as restrictions, you need to show that you support realistic alternatives away from the sensitive areas. Interact with local infant and junior schools in a positive way, children remember best what they enjoy, so make it fun to learn.	Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. Engagement with local schools will be considered by the Delivery Officer once in post. No amendment proposed.
49	Mr Tim Woodward	The Country Land & Business Association (CLA)	We are very concerned that members, who may be considering a development on their land which will help local authorities meet their housing targets, or a visitor facility or commercial development which will help to boost tourism to the area or provide rural employment, could face CIL charges as well as the charges proposed in the SPD. It seems unfair that they will be held responsible for increased recreational access to the Essex Coast, and consequent disturbance to habitats and bird species, at a time when extra access is being actively encouraged and facilitated by the delivery of the England Coast Path by Natural England.	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only and enables housing growth to continue in line with the requirements of the Birds Directive and Habitats Directive. No amendment proposed.
50	Parish Clerk for West Horndon Parish Council Kim Harding	West Horndon Parish Council	West Horndon Parish Council supports the broad principles of the RAMS.	Noted. No amendment proposed.
51	Ms Jo Steranka	Resident	The Essex coastline, and therefore the Designated Sites are low-lying. The highest land point is at Walton-on-Naze, which is a mere 20 metres above sea level. This means that they are highly vulnerable to erosion and sea-level rise. The only mitigation for climate-induced habitat loss in the future is to minimise	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>the carbon emissions from residential dwellings.</p> <p>Whilst not specifically commenting on the section on student residential development, I note that it is considered that the Tariff for these developments should be reduced because students are not generally car or dog owners.</p> <p>The Strategy has missed an opportunity to use the residential planning process to control the availability of parking in new developments and household energy efficiency (for example) to mitigate against damage to the Designated Sites from climate heating. It might be argued that 73,000 new homes is a fraction of the carbon emissions threatening the planet, but on an annual basis those emissions will still make a contribution.</p>	<p>The type of new dwellings built within the Zones of Influence and parking standards for new dwellings is outside the scope of the SPD.</p> <p>Each development proposal within the Zone of Influence will need to undertake an HRA and where appropriate an AA to assess other non-recreational effects on Habitats sites. This will include development near to the Habitats sites themselves. No amendment proposed.</p>
52	Ms Beverley McClean	Suffolk Coast & Heaths AONB team	Please see the map for the Suffolk Coast & Heaths AONB extension area which may be useful for future discussions.	Noted. No amendment required.
53	Mrs Cecilia Dickinson	Resident	<p>The LPAs, Essex County Council and Natural England want to charge property developers per unit to mitigate potential disturbance to bird/coastal habitat, yet Natural England want to build a Coast Path – an invitation to people to trek the Coast Path causing the disturbance that mitigation is being planned for.</p> <p>One or the other. Either protect the coastal sites - or build a Coast Path and the wildlife can take its chances. The Habitats Regulations already require these sites to be protected. Use the collections to fund on-the-ground mitigation as well as digital media that should be provided by the LPAs and Essex anyway. Nobody asked us if we want all these residential units built - we are told we are going to get thousands. Do not build on greenfield sites, do not build near the coast, designate some sites as people sites. Natural England will have to reroute the path.</p>	The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. Natural England have been involved in the development of the RAMS and SPD. The distribution of new housing growth is outside the scope of this SPD. No amendment required.
54	Ms Jessica Ferguson	Martin Robeson Planning Practice	The Regulations require an assessment of whether a project i.e. a development proposal, is likely to have a significant effect either alone or in-combination with other plans or projects. Planning permission should not be	Under the Habitats Regulations each development proposal will need a project-level HRA. This is

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			<p>granted for such unless appropriate mitigation is provided. It would seem appropriate, since development has to be assessed based upon the likelihood of significant effects arising from the development alone and relevant mitigation provided, that the same approach is also taken to assess 'in combination' effects. Relevant and necessary mitigation should only be provided, based upon the scale of the proposal, its use and the site context, rather than this being prescribed for every development. The SPD however takes a more generalised approach, requiring the same contribution from every development regardless of its context or specific use.</p> <p>Requiring a site-specific assessment takes a similar approach to that by an Inspector into a recent appeal in Chelmsford (Appeal Reference APP/W1525/W/19/3236158). He stated that he could "not be satisfied that the suggested mitigation measures within the planning obligation would be sufficient to mitigate the harm to the Blackwater Estuary SPA and Ramsar site and the Essex Estuaries SAC" (paragraph 19). This is suggestive that an approach to determining whether there is likely to be a significant effect should be determined on a case by case basis. This then raises a question as to whether Regulation 122 of the CIL Regulations is met, particularly in terms of whether such a contribution could be directly related to the development and fairly and reasonably related in scale and kind. Whilst the SPD seeks to justify the contribution against Regulation 122 at paragraph 4.12, this is tenuously linked.</p> <p>The SPD does not take into account other mitigation proposed or in place on site or in the vicinity of the site, which is aimed at ensuring that residents do not travel to Habitats sites. Whilst it is acknowledged that paragraph 5.2 of the SPD identifies that an alternative to such a contribution would be for applicants to conduct their own visitor surveys and secure bespoke mitigation, this is not particularly advocated by the SPD and does not specify other considerations that would have a bearing on the mitigation that might be required e.g. on site spaces and local facilities etc.</p> <p>The generalised approach taken also has implications for the applications to</p>	<p>still the case for proposals within the Zone of Influence, and any resultant AA will set our recommendations to mitigate effects that are directly related to the proposal. This will include other mitigation proposed or in place on site or in the vicinity of the site, which is aimed at ensuring that residents do not travel to Habitats sites No amendment proposed.</p> <p>The tariff is evidence based and proportionate. It is considered inappropriate to apply a 'sliding-scale' in regard to the tariff at this stage and a 'blanket tariff' is proposed as the RAMS seeks to mitigate 'in-combination' effects i.e. those identified from accumulated housing growth in the Zol. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>The appeal referred to was dismissed in January 2020. The Inspector states at paragraph 19 that a copy of the completed obligation towards mitigation measures at Blackwater Estuary SPA and Ramsar site and the</p>

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			<p>which the SPD applies which at paragraph 3.8 is identified to include residential care homes, boarding schools, military barracks along with Houses in Multiple Occupation. Realistically the recreational impacts of each of these will be significantly different from say a family home. However, the approach taken in the SPD is the same for all residential development listed. It is acknowledged that the RAMS tariff of £122.33 would not be a 'fair and proportionate contribution' as it is recognised that any recreational disturbance will not be dog related. The SPD also recognises that in Chelmsford, purpose-built student accommodation, given its distance from Habitats sites and the restrictions generally preventing students from owning a car or a pet, would mean that such developments will not lead to likely significant effects on Habitats sites from increased recreational disturbance. Thus, if it is recognised that a standard approach is not appropriate in some situations, it should equally be applied to others where there will be differing recreational impacts.</p> <p>Paragraph 3.12 of the SPD acknowledges that reserved matters applications will be considered on an individual basis having regard to whether the potential effects of the proposal were fully considered when the existing outline was granted. However, when developing Local Plans and when considering any new applications that come forward, these should have already taken into account any outline applications that had been determined at that time. Such proposals then risk double consideration and the requirement for a contribution towards 'in-combination' effects has the risk of being unrelated to the impacts of the development on the basis that it's 'in-combination' effects would already have been considered by other developments. Therefore, in such situations, when considering the application at the reserved matters stage it should instead be looking at the effects of the development alone.</p> <p>The SPD confirms that the requested contribution is to go towards funding measures set out in Table 4.1. Some measures may not however be relevant to all development proposals and others could be directly provided by the applicant themselves i.e. provision of information and education. This again indicates that a more tailored approach to each application is required. Having reviewed the mitigation package as costed at Appendix 1 we similarly note</p>	<p>Essex Estuaries SAC was not provided so the Inspector could not be satisfied that the suggested mitigation measures would be sufficient. The principle of the RAMS was not addressed further by the Inspector in the report.</p> <p>The RAMS and SPD applies only to 'in-combination effects' which have been identified within the HRAs of the LPAs' Local Plans. Each Local Plan's resultant AA and consultation with Natural England, has identified the need for the RAMS to mitigate in-combination effects and enable development.</p> <p>An amendment to the SPD setting out the requirements of development proposals in regard to statutory HRA procedures and on-site mitigation, and the specific effects the RAMS will mitigate in accordance with Regulation 122 of the CIL Regulations, is proposed.</p> <p>An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as</p>

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			<p>items included which would not be relevant to every development, for instance, not every new residential unit will be for a household with a dog or one which undertakes water sports.</p> <p>There is also a concern with respect of the way in which the figure has been calculated. Whilst it is appreciated that the mitigation package cost has been identified as set out at Appendix 1, the division of this total cost by the total number of dwellings which are currently identified to be built over Local Plan periods until 2038 does not necessary accurately reflect the number which will come forward in the next 18 years. It is likely that, given the Government’s emphasis on building new homes, in response to consistent demographic change, that this number will increase. Consequently, this would mean that the contributions collected would exceed the overall cost for the mitigation package. It thus needs to be ensured that, should such an approach to mitigation be adopted (notwithstanding the concerns highlighted above), there are adequate reviews and adjustments to the unit charge accordingly to ensure such figures are fairly and reasonably related in scale and kind to the development. Thus, we endorse, without prejudice to our view that the approach is of itself too generalised, the suggestion at paragraph 6.4 that the monitoring process be “fit for purpose”.</p>	<p>qualifying within the scope of tariff payments is proposed.</p> <p>Regarding reserved matters applications, the quantum of development has been considered in regard to quantifying effects of Local Plan growth, where identified within those Plans. This justifies the tariff being applicable to reserved matters applications, however separate consideration should be given due to the findings of their project-level HRA/AAs where they may have been published prior to the emergence of the RAMS. No amendment proposed.</p> <p>Development proposals within the Zone of Influence will still need to undertake project-level HRA/AA. Proposals may also include bespoke mitigation, and the SPD includes details on this within sections 5 and paragraph 3.14. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed. Adequate reviews and adjustments to the</p>

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				tariff are included within the SPD. No amendment proposed.
55	Mrs Charlotte Bailey	Resident	<p>Natural England is a partner in RAMS, which is hypocritical as they will inflict the England Coast Path on to the river. More publicity means more people walking in the fragile countryside and disturbing birds. Notices warning dog owners to keep dogs on leads are currently ignored and notices are removed from fences.</p> <p>Attempts to try to 'educate the public' will not work and the RAMS will not be able to avoid disturbing birds. Essex has been destroyed with over development. Perhaps included in Information Packs for new home owners a guide could be enclosed to try and educate people on how to behave in the countryside, and how to behave amongst birds & animals.</p>	<p>The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. The mitigation proposed within the RAMS does not seek to prevent visitors to the Essex Coast, rather its focus is on raising awareness of issues at the coast and to foster positive behaviours. No amendment proposed.</p>
56	Mrs Jane Black	The Wivenhoe Society	<p>The calculated tariff does not appear to make any allowance for the need to set aside funding to cover costs in perpetuity but is set at a rate which just covers costs over the period 2019 to 2038 (plus 10% contingency)</p> <p>The proposed tariff is set at the same level regardless of dwelling size. The potential for recreational disturbance will depend on the increase in population so it would be fairer to relate the contribution to dwelling size.</p> <p>In table 3.2 the use class C2 is included. In Appendix 2 there is discussion of how student accommodation should be treated but there is no similar discussion for care homes. Care homes for the elderly are unlikely to generate much recreational disturbance, particularly water based. Consideration should be given to this use class and how an appropriate tariff, if any, should be calculated.</p> <p>Holiday caravan/chalet developments are not included in the list of use classes. Nor is other tourist accommodation. This is discussed in paragraph 3.11 but it is not made clear whether a financial contribution to the scheme will be required.</p>	<p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>The per dwellings tariff is evidence based and proportionate to the 'in-combination' effects identified i.e. those identified from accumulated housing growth in the Zol. Each individual proposal is still required to address the specific effects on Habitats sites through project-level HRA/AA within the Zone of Influence, including recreational effects. At this stage effects resulting from dwelling size be addressed and mitigation recommended where necessary. This can however be</p>

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				<p>reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>Adequate reviews and adjustments to the tariff are included within the SPD. As explained in the RAMS Strategy Document, an in-perpetuity fund will be developed to ensure that mitigation will be delivered in-perpetuity. No amendment proposed.</p> <p>An amendment justifying the inclusion of C2 Residential Institutions and C2A Secure Residential Institutions as qualifying within the scope of tariff payments is proposed.</p> <p>Section 3.9 of the SPD states that, 'Other types of development, for instance tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an Appropriate Assessment as part of the Habitats Regulations. As part of this assessment any mitigation proposals (including those which address any</p>

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				recreational pressure) will need to be considered separately from this strategy and taken into account by the appropriate authorities.' No amendment proposed.
57	Mrs Heather Archer	Highways England	Having examined the consultation documents, we are satisfied that its policies will not materially affect the safety, reliability and / or operation of the Strategic Road Network. Highways England does not offer any comments on the consultation at this time.	Noted. No amendment required.
58	Mr Phill Bamford	Gladman	<p>We welcome the proactive and strategic approach that the 12 authorities have taken to addressing this issue and we support the tariff approach to developer contributions which will hopefully simplify the S106 process and ensure a fair and transparent process. However, in introducing the tariff approach, it is essential that all authorities test the level of contribution, alongside all their policy requirements contained in their Local Plans to ensure that the contributions are viable. The level of contribution has been tested through some of the Essex Authorities Local Plan Viability Assessments, but to ensure that the level of contribution is acceptable and will not affect the overall viability of sites, it must be tested through all of the emerging Local Plans for the remaining affected authorities. Should it be found through this process that the level of contribution would cause any of the Essex authorities viability issues, then amendments need to be made to either the specific Local Plan policy in the relevant Local Plan or to the Essex Coast RAMS SPD, to review the level of contributions so that sites remain viable.</p> <p>This issue also applies to the comment made in Paragraph 4.4 of the Draft SPD which states that the tariff will be reviewed periodically and republished as necessary. If the tariff is to be amended, then the proposed revised tariff cost must be below the top of the range of figures tested through the viability assessments of the various Essex authorities Local Plans. If it is proposed that the tariff would increase above the range of costs tested in those viability assessments, then this would trigger a review of the Local Plans affected.</p>	Planning Policy Officers from each of the 12 LPAs have been involved in the progression of the RAMS and SPD since its inception and are thus aware of the tariff introduced. The subject of viability in regard to the tariff can be explored within Local Plan examinations, where deemed relevant. No amendment proposed.

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59	Mr Michael Atkins	The Port of London Authority (PLA)	<p>It is noted that table 4.1. (The Essex Coast and RAMS toolkit) identifies several mitigation measures. Of these mitigation measures the 'provision of information and education' action area includes a requirement to provide information on the sensitive wildlife and habitats. Although we would encourage education to improve awareness, it must be done in such a way as to not encourage people to visit to see the features of designation such as the populations of overwintering birds.</p> <p>Also, within table 4.1, under the 'habitat creation' and 'monitoring' action areas; to note any habitat creation schemes and/or surveys taken place on the River Thames may require a River Works License with the PLA. The PLA requests to be contacted at an early stage with regard to any habitat restoration proposals within the PLA's jurisdiction. The PLA should also be included under the list of potential partners under the 'partnership working' action area.</p> <p>Within appendix 1 (Strategic Mitigation) it is noted that the mitigation packages for habitat creation and ground nesting bird projects are not proposed to start until year five of the timeline. The PLA considers that these types of projects should be identified at an earlier stage to ensure opportunities for such projects are not lost before any assessments take place.</p> <p>With regard to monitoring of the SPD, it is noted that an annual report will be provided to each LPA to inform individual Authority Monitoring Reports (AMR). The PLA requests to also receive the annual report to be kept update on the progress on the actions contained in the SPD.</p>	The suggested actions are considered relevant for exploration by the Delivery Officer, once appointed. No amendment proposed.
60	Ms Alexa Burns	Emery Planning on behalf of the Williams Group	A blanket tariff does not seem to be a fair approach given that some locations within the Zone of Influence are up to 22 kilometres away from the relevant estuary and only within one Zone of Influence, whereas other locations are within a few kilometres of one or more estuaries and within the Zone of Influence of 5 estuaries. It is considered that a zoned tariff, based upon the number of Zones of Influence a site is within and the distance it is away from the Zone of Influence should be applied. Sites with a greater likely impact on the Zones of Influence will therefore pay a greater tariff and sites on the periphery of the Zones of Influence will pay less.	The RAMS sets out how the Zone of Influence was calculated, including using visitor surveys. Questions asked of visitors to the SPA locations were designed to collect data on the reasons for visits as well as postcodes to evidence Zones of Influence. Additional surveys will improve

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			<p>In addition, the 72,907 dwellings upon which the tariff figure is calculated appears to be an uncertain basis upon which to base the tariff. The reference to the fact that this figure is not definitive and will be subject to review requires clarification. When and how will these reviews take place and how will they be reflected within the SPD?</p>	<p>the robustness of the datasets and repeat surveys of visitors will be undertaken at the earliest opportunity to review the postcode data and Zone of Influence. No amendment proposed.</p> <p>The tariff is evidence based and proportionate to the 'in-combination' effects identified i.e. those identified from accumulated housing growth in the ZoI. Each individual proposal is still required to address the specific effects on Habitats sites through project-level HRA/AA within the Zone of Influence, including recreational effects. At this stage, effects resulting from a proposal's proximity to the Habitats sites can be addressed and mitigation recommended where necessary. This can however be reviewed annually by the Delivery Officer once appointed. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. Adequate reviews and adjustments to the tariff are included within the SPD and will</p>

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				<p>be undertaken annually in line with each LPA's requirement to publish an Annual Monitoring Report (AMR). No amendment proposed.</p>
61	Heather Read	Natural England	<p>Essex Coast RAMS Supplementary Planning Document (SPD) - As mentioned, we understand that the aim of the SPD is to set out the procedures to facilitate the collection of financial contributions towards the identified mitigation measures. On this basis Natural England does not wish to offer substantive comments on SPD and the mechanisms outlined and generally supports its aims.</p> <p>Nevertheless, we would highlight the need for the SPD (and accompanying assessments) to accurately approach the requirements of the Habitats Regulations, such as the hierarchy of avoidance, mitigation and compensation, but also the terminology in terms of impacts. For example, paragraph 2.14 of the SPD refers to the delivery of mitigation to avoid likely significant effects, however the intention of Essex Coast RAMS mitigation is to enable the conclusion of no adverse effect on the integrity of the international designated sites and we would advise clarification on this point. Natural England would also draw your attention to our previous advice on the provision of avoidance measures, such as well-designed open space/green infrastructure, within development boundaries for larger scale schemes (as per our letter reference 244199). We would continue to promote this approach and would suggest this is reflected within the framework of the SPD.</p> <p>Finally, we note the intentions of Appendix 2 which refers to the proportionate assessment for student accommodation. Whilst Natural England does not wish to comment specifically on this approach, we would emphasise the need for consistency with the housing figures used to calculate the tariff to ensure that there is no shortfall in overall funds of the mitigation package, which is otherwise the responsibility of the Competent Authority.</p> <p>Essex Coast RAMS SPD Habitats Regulations Assessment and Strategic</p>	<p>Amendments are proposed that reiterate the requirement for project-level HRA/AA of development proposals which will explore the hierarchy of avoidance and mitigation, and that the SPD is relevant to 'in-combination' recreational effects only.</p> <p>Amendments are proposed to the SPD and the Essex Coast RAMS SPD SEA/HRA Screening Report to clearly set out that the intention of Essex Coast RAMS mitigation to enable the conclusion of no adverse effect on the integrity of the international designated sites.</p>

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			<p>Environmental Assessment Screening - In summary Natural England notes the undertaken assessment and we are generally satisfied with the conclusions of the SEA and HRA Screening report (August 2019), in that the SPD can be screened out for its requirement of Strategic Environmental Assessment and the conclusion of the Habitats Regulation Screening that no further assessment is necessary at this time. As above, we would emphasise the recognition of the aims of the Essex Coast RAMS mitigation in ensuring no adverse effect on integrity, rather than avoiding likely significant effects.</p>	
62	Mr Mark De Roy	Landowner	<p>Because of 'Natural England's' 'Coast Path scheme (my land is 5 miles from the 'Coast') I now have to fence and subdivide my land to protect a multiple of commercial interests and personal garden and amenity areas. I have been told some simple signage may be made available? I will witness a massive increase in the disturbance by 'walkers', 'visitors' to important designated sites of wildlife protection and previously privately protected 'Semi Natural Ancient Woodland' with protected wildlife habitats.</p> <p>A new 'tax/charge' on new dwellings is doubling up on an existing 'Community Infrastructure Levy' further dissuading philanthropic land owners to undertake the provision of village low cost housing provision to help the locally born working in the countryside to live in it. If this is to go ahead, I would only support it if the fund is administered by my 'Local Authority' who have to answer to the residents of this area as to how that money is accounted for and used. I would not support this levy if unaccountable 'Agencies' and dubious 'Charities' are handed yet more landowners money to be mis-spent and wasted yet again.</p>	<p>The scope of the SPD, and the tariff proposed, is relevant to 'in-combination' recreational effects from future housing growth only. No amendment required. The England Coast Path is outside the scope of the SPD.</p> <p>The tariff will be collected and administered at the LPA level and development applications will continue to be determined by the LPA also. No amendment required.</p>
63	Mr Gary Guiver	Tendring District Council on behalf of various key stakeholders with an interest in this project	<p>I am writing on behalf of Tendring District Council in response to the consultation exercise for the Essex Coast Recreation Avoidance Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) to express some of the comments, issues and concerns raised to me by various key stakeholders with an interest in this project.</p> <p>Fundamental concerns have been expressed locally about any strategy or intervention that curtails or restricts the potential for residents and visitors to access and enjoy the coast and which would therefore diminish Tendring's</p>	<p>In ensuring that residential development can be permitted without the determination that there would be resultant significant effects on the integrity of Habitats sites due to recreational disturbance, the tariff can enable growth in Tendring. Many development proposals</p>

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			<p>potential for tourism, economic growth and a healthy resident population.</p> <p>Examples of the more specific concerns and suggestions raised by local stakeholders with unquestionable knowledge of their area (particularly Hamford Water) are summarised as follows:</p> <ul style="list-style-type: none"> • That the money raised through RAMS contributions should not dissuade philanthropic land owners wishing to release land for the provision of low-cost housing for people born locally to live and work in the countryside. • That the RAMS contributions secured from developments in the Tendring area should be controlled and administered only by Tendring District Council as the local authority directly answerable to the landowners, businesses and residents affected. They should not be handed to a potentially unaccountable and faceless body. • The area termed Hamford Water is not, as the documentation suggests, a natural habitat. Instead it is a largely man-made environment that requires constant maintenance, dredging and management to avoid siltation caused by the grass and seaweeds growing in the water, which would otherwise rapidly turn into dried out marsh – as can already be witnessed at Hamford Water. • Whilst the emphasis of the documentation seems to major on birds, the whole chain of natural life requires far closer investigation – e.g. shellfish in Hamford Water (which have been poisoned by human e-coli through the release of sewage from Kirby and Bath House Meadows pumping stations); and sea mammals including seals and porpoises. • There are significant and important other Statutory Bodies with strong legal and commercial interests in Hamford Water including the Harwich Harbour Authority (who has control over the navigation and who collect Port Dues for shipping movements to Bramble Island); and Crown Estates, who own most of Hamford Water below the low tide level. 	<p>related to tourism, economic growth and health are exempt from the tariff.</p> <p>Tendring District Council, as one of the partner LPAs, will be accountable for the collection of the tariff and implementation of the mitigation measures in the Tendring District Council area. Section 6.3 of the SPD states that, 'A representative from each of the partner LPAs, together forming 'The RAMS Steering Group', shall work with the Essex Coast RAMS team...'</p> <p>The RAMS and SPD are related only to the effects of recreational disturbance on those wildlife designations that are classified as 'Habitats sites' of which some of the most significant are within Tendring District, such as Hamford Water and the Stour Estuary. At the Essex Coast these are predominantly designated due to birds. Other effects from development proposals would be explored at the development management stage, in line with requirements for project-level HRA/AA, ecology assessments and Environmental Impact</p>

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			<ul style="list-style-type: none"> • Hamford Water has been able to manage itself and the wildlife present to a very high standard, without the need for draconian legal powers and without constant surveillance. The Hamford Water Management Committee already supervises the area at nil cost to anyone except the organisations that willingly contribute – however this body nor any of its members are mentioned once in the RAMS documentation. • The level and nature of monitoring being proposed in the documentation are likely to have little worth, if it is anything like the level of evidence in the report. For example, it is said that the launching of Jet-Skis will be prohibited by legislation at Titchmarsh Marina and in the area around Mill Lane in Walton – yet there is no Jet-Ski activity in Hamford Water and launching is already not permitted at Titchmarsh Marina, Walton & Frinton Yacht Club or at the Walton Town Hard. Jet-Skis do launch from Dovercourt Bay. • Additionally proscribing Jet-Skis totally is contrary to the United Nations Charter of the Seas and Freedom of Navigation to which the UK is a signatory; applying to all coastal areas that do not dry out at low-tide. • It is suggested that people walking on the salt-marsh in the south-eastern corner of Hamford Water is causing significant damage, but without any evidence or detail of the alleged activity. In the last 55 years, little if any such activity has occurred and the only places of access in the south eastern area where the foreshore is accessible are at Island Lane and Foundry Creek where one would sink into soft mud if any such activity was tried. • The documentation states that the Naze are part of the Nature Reserve where wildlife is being affected by people walking there with dogs off their leads – but this area is owned by Tendring District Council having been sold to its successor (the Frinton and Walton Urban District Council) by Essex County Council on the condition it remained a public area with unrestricted public access in perpetuity. There is little wildlife to be found on the Naze other than 	<p>Assessments (EIA) where relevant and required of proposals at the LPA level.</p> <p>The Essex RAMS toolkit includes, within the ‘education and communication’ Action Area, direct engagement with clubs and relevant organisation. The implementation of this can begin once the Delivery Officer is appointed. The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>Moreover, all measures will be actioned meaning that contributions will fund this project. Because contributions are from within the zones of influence, there is no prospect of funding being diverted away from areas that require the greatest protection.</p>

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			<p>Muntjac, a few rabbits and various gulls.</p> <ul style="list-style-type: none"> • Imposing restrictions on the lawful peaceful use of the area around Hamford Water is unwarranted and could prove to be counterproductive. Bird surveys conducted by the local Warden show consistent healthy increases in the bird population. • It should be questioned why the Environment Agency licence to the blowing of eggs of the Lesser Black Backed Gull on Hedge End Island – as this is clearly a man-made intervention that favours certain forms of biodiversity over others and supports the view that Hamford Water is man-made, as opposed to a natural, environment. 	
64	Ms Emma Wreathall	Bradwell Power Generation Company Limited	<p>Given the position of national policy, it is considered appropriate that the Essex Coast RAMS SPD recognises Bradwell as a potentially suitable site for a new nuclear power station. Essex County Council and Maldon District Council both recognise the Bradwell B power station (BRB) as a significant infrastructure project within Essex county and which reaffirms the need to take the Project into account within the new Essex Coast RAMS SPD.</p> <p>The spatial extent of the Zone of Influence for the Essex Coast RAMS (Figure 3.1) includes the Bradwell B nomination site boundary. It therefore follows that BRB GenCo has an interest in the RAMS proposals which may be of relevance in the context of the Environmental Impact Assessment (EIA) and HRA studies that it will need to complete to support a Development Consent Order application (and other regulatory consents) for a proposed nuclear power station.</p> <p>BRB GenCo has initiated a programme of baseline surveys to characterise the abundance distribution and behaviour of birds within a potential Zone of Influence of the proposed power station site. In due course, the results of these surveys will inform the EIA and HRA for the development. This survey work can make a contribution to the evidence base that is available to inform the targeting and deployment of mitigation measures to ensure that they are</p>	Noted. The implementation of specific communication and any joint-working can begin once the Delivery Officer is appointed. No amendment proposed.

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			<p>proportionate and appropriate given the range of pressures that may be prevalent as a result of new development proposals (either alone or in-combination).</p> <p>BRB GenCo looks forward to the opportunity to continue working with key stakeholders to ensure that effects arising from other developments can be taken into account during the forthcoming EIA and HRA studies for the Bradwell B Project.</p>	
65	Mr Matt Verlander	Avison Young on behalf of the National Grid	We have reviewed the above document and can confirm that National Grid has no comments to make in response to this consultation.	Noted. No amendments proposed.
66	Ms Michelle Curtis	Tollesbury Parish Council	<p>It is difficult for the Parish Council to be brought in at this late stage. Especially as we are not even listed under partnership working whereas 'local clubs and societies' are. Had we been included we would have shared our local knowledge which would have shown you that 'aerial disturbance' (page 38) was not the only form of disturbance present in the parish.</p> <p>On page 44 (also page 102 A10.5) we feel that the discussion of mitigation options is rather limited and your concentration on Maldon should possibly be reviewed. Has not the District Council established Tollesbury as an access hub for the estuary?</p> <p>On page 52 under Habitat Creation, your comment that artificial islands 'may' fit in the Shoreline Management Plan (SMP). From our experience, having the largest artificial island in the Blackwater in the Parish, they do fit in with the SMP so we suggest the word 'may' is removed.</p> <p>It is of concern to the PC that the governance of this whole project is still being discussed (page 68) with no reference to any feedback from local sources of information. This project is apparently to run until 2038. Might there not be some value to some two-way communication and representation with Parish Councils to ensure that the project remains fit for purpose?</p>	A consistent approach was adopted in collecting information to establish the RAMS baseline. The suggested actions are considered relevant for exploration by the Delivery Officer, once appointed, as is the implementation of the RAMS in practice. No amendment proposed.

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67	Ms Heather Biner	Resident	The new Local Plan is unsound. The congestion around this area is already unacceptable. The roads cannot handle an increase in traffic especially at rush hour. The pollution levels in some places are already at dangerous levels. Some parts of the area are already at risk of flooding. The GPs, hospitals, schools and other services are already stretched to breaking point. The infrastructure is not in place, nor is the space to add it. As well as the detrimental affect it would have on our wildlife and precious natural spaces.	Noted. The Maldon Local Plan was found to be sound in 2017 and was approved by the Secretary of State in July 2017. These comments are related to the Local Plan in question rather than the SPD. No amendments proposed.
68	Mr Shane Robinson	The British Association for Shooting and Conservation (BASC)	<p>The Birds Directive fully recognises the legitimacy of hunting of wild birds as a form of sustainable use. Wildfowling is an activity that provides significant social, cultural, economic and environmental benefits in the UK. Wildfowling clubs also have a longstanding reputation for their conservation activities. Their understanding of the sites they manage and willingness to work together to the greater good of the site should be embraced.</p> <p>BASC is concerned that the creation of new residential development along the Essex Coast will lead to increased visitor pressure on designated sites. Wildfowling clubs own and lease saltmarsh and foreshore along the Essex Coast.</p> <p>Wildfowling along the Essex Coast is consented by Natural England and has already been approved as having no likely significant effect on the features of designated sites. We are concerned that the proposed mitigating measures in the consultation documents will not address increased visitor pressure associated with new residential development along the Essex Coast.</p> <p>We are concerned that when new residential development inevitably leads to increased visitor pressure that regulated activities such as wildfowling will be targeted as a means of addressing failures with RAMS. Bye-laws restricting walking and walking with dogs could mitigate increased visitor pressure.</p> <p>Preventing or restricting any further residential development along the Essex Coast is the most appropriate means of mitigating increased visitor pressure.</p>	The suggested actions are considered relevant for exploration by the Delivery Officer, once appointed, as is the implementation of the RAMS in practice. Distribution of housing growth is a matter for LPA Local Plans. No amendment proposed.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			We would like to meet with the RAMS team as soon as possible to discuss our concerns and those of wildfowling clubs with you.	
69	Ms Annie Gordon	Essex Wildlife Trust	<p>We wish to register our concern that neither Essex Wildlife Trust, the RSPB or the National Trust were included in the steering group for the development of the RAMS project. All three Non-Governmental Organisations have significant coastal landholdings either including, or directly adjacent to, Habitats sites.</p> <p>While we accept that this strategy is now widely advocated, there is a notable lack of evidence to support the assertion that the strategy is effective. It remains unclear and uncertain as to whether the proposed mitigation will be deliverable and whether it can be guaranteed for the long term. Using a precautionary approach, we therefore cannot agree with the HRA conclusion of no 'Adverse Effects on Integrity' (AEOI) of Habitats sites and their features of interest. There is no basis in evidence to support this conclusion. Endorsement of the strategy by Natural England is not, in itself, a guarantee of its effectiveness. Natural England is subject to the "Growth Duty" under Section 108 of the Deregulation Act 2015. This means it is required to have regard to the desirability of promoting economic growth and must consider "the importance for the promotion of economic growth of exercising the regulatory function in a way which ensures that regulatory action is taken only when it is needed, and any action taken is proportionate."</p> <p>We wish to point out that the precautionary principle needs to be applied as one of the three tests of the Habitats Regulations. There is no reference to this fundamental principle in the Essex RAMS document. Instead the strategy refers to pragmatism; we have serious concerns that economic "pragmatism" may be used to undermine the protection of internationally important habitats and species. The Essex RAMS should be based on a precautionary approach; to do otherwise risks facilitating development that does not meet the criteria for sustainability.</p> <p>In respect of personal watercraft we are of the opinion that a published Code of Conduct will fail to deliver the much-needed change in behaviour. We do not accept the claim that this strategy will be an effective measure against</p>	<p>The RSPB and EWT were invited to both of the preliminary workshops essential to devising the RAMS and the RSPB provided valuable support for the RAMS and Bird Aware. Only the partner LPAs and Natural England were involved in the steering group as the RAMS and SPD are considered technical Local Plan documents. No amendment proposed.</p> <p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>The need for and focus of the Essex RAMS has stemmed from the recommendations of the LPAs' Local Plan HRA/AAs and is not a document that needs to meet the Habitats Regulations Assessment regulations in and of itself. Section 2.15 of the SPD sets out that, 'the RAMS approach is fair and seeks to mitigate the additional recreational pressure in a way that ensures that those responsible for it, pay to mitigate it</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>personal watercraft misuse. A much more robust package of enforcement measures is needed to address this issue.</p> <p>Table 6.2 Potential for disturbance of birds in Hamford Water states that: "Skippers Island has regular visits by a volunteer warden who speaks to visitors" - We wish to point out that the current Skipper's Island warden is a volunteer who is only onsite occasionally (once a month on average).</p> <p>"The Colne Point is wardened and as such is likely to be resilient to increased visitor impacts" - Once again, the warden of Colne Point is only onsite occasionally; for most of the time the site is not patrolled. It is false to claim that Colne Point has resilience to increased visitor impacts.</p> <p>"St Osyth Stone Point and Brightlingsea Creek is another area where potential conflict could take place, however these areas are relatively remote" - St Osyth Stone Point is not remote, it is the pick-up point for the Brightlingsea Foot Ferry and therefore has a relatively high footfall when the ferry is running during the Spring and Summer season.</p> <p>In conclusion, while we recognise the need for the RAMS, we are of the opinion that the current iteration of the strategy is flawed and does not fully accord with the principles underpinning the Habitats Regulations. In its current form there are unsubstantiated claims of effectiveness, a failure to adopt the precautionary approach and a lack of robustness in some of the mitigation measures proposed. We would urge that these matters are addressed, and the revised version subjected to further consultation.</p>	<p>at a level consistent with the level of potential harm. It also obeys the 'precautionary principle'. Existing visitor pressure at Habitats sites would be mitigated through alternative means and any pressure that would arise from different types of development would be addressed through the project HRA'. No amendment proposed.</p> <p>Once appointed, the Delivery Officer will engage with local key stakeholders on the implementation of the project. No amendment proposed.</p>
70	Mr Barrie Stone	Resident	Wildlife mitigation on Wallasea Island has already been done.	Noted. No amendment proposed.
71	Ms Anna Roe	Ipswich Borough Council	Regarding Figure 3.1 which shows the Zones of Influence for the Blackwater Estuary, Stour Estuary and Hamford Water stretching into the Suffolk Coast RAMS area. I am concerned that this could be confusing for developers of new dwellings in south Suffolk, as it implies that a contribution is required to the Essex Coast RAMS, in addition to the Suffolk Coast RAMS. Can I please	An amendment to the relevant map in the SPD and RAMS is proposed, which will remove all areas of Suffolk from the Zone of Influence.

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			request that figure 3.1 is amended to clarify that the Essex Coast RAMS tariff area stops at the Essex border, I attach a map of the Suffolk Coast RAMs Zone of Influence to illustrate my point.	
72	Mr Sam Hollingworth	Strutt & Parker on behalf of the Chelmsford Garden Village Consortium	<p>The RAMS SPD does not appear to acknowledge the difference between the delivery of homes, and population increase. All three of the tests within Regulation 122 of the CIL Regulations must be met when requesting contributions. As such, it is essential that the RAMS SPD will only require contributions to be made where they are to mitigate impacts which inter alia are directly related to the development in question. They cannot be used simply to address an existing situation, or a situation that would arise irrespective of the development in question. It is therefore necessary to distinguish between the impacts of development and those that are simply of population increase which would have occurred regardless.</p> <p>The total number of new homes planned within the combined Zone of Influence does not reflect the total number of new homes required to meet the projected population growth. A number of Essex Local Planning Authorities' strategic housing policies are out-of-date, and do not meet current projection and household projections. By formulating a strategy based on mitigating population growth, but then introducing a per-dwelling charge to fund this based on current allocations which are not sufficient to meet this population growth, the current allocations will be required to make a disproportionately large contribution to the mitigation.</p> <p>We note reference in Table 2.3 to the brief for the preparation of the RAMS that this included identifying measures that have already been funded and providing details in respect of current funding mechanisms. Separately, we note reference at paragraph 6.6 of the RAMS the potential for Local Planning Authorities to identify mitigation measures to be provided through separate funding streams, citing the Local Growth Fund and Local Enterprise Partnership. However, the RAMS appears to conclude that full costs of the mitigation strategy (plus a further 10% contingency allowance) be borne by new developments, without explaining how alternative sources of funding have been explored.</p>	<p>It is proposed that an amendment explaining more clearly the relationship between the effects of a population increase resulting from net new dwelling increases is included within the SPD.</p> <p>The extent of each Local Plan's housing growth has been identified consistently, for the purposes of the RAMS and SPD, for all LPAs in determining a total number of new dwellings. The cost of mitigating the impact of 72,907 homes is £8,916,448.00. Section 4.7 of the SPD acknowledges that 'this figure is not definitive and likely to change as more Local Plans progress. As such the figure will be subject to review.' If more homes are built there will be a greater impact and so additional mitigation, funded by developer contributions, will be required. If less homes are built there will be less of an impact that that expected and so less mitigation will be required.</p> <p>The Chelmsford Local Plan 2013-2036 which includes the policy</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>The PPG2 confirms that policies on planning obligations should be set out in plans and examined in public, and informed by a proportionate assessment of viability. It goes on to expressly state that Supplementary Planning Documents should not be used to set out formulaic approaches to planning obligations, as these would not be tested through examination. We consider that the RAMS SPD should take a far less negative stance in respect of alternatives to simply making a financial contribution, and it would benefit from providing further guidance and/or flexibility to those wishing to implement alternatives. Furthermore, by addressing such alternatives, this will help ensure that it is consistent with emerging Local Plan policies which, as already discussed, acknowledge there may be situations where it would be inappropriate to require financial contributions to RAMS.</p> <p>There is a concern, as a matter of principle, that seeking contributions from developers to mitigate the impact of activity being actively promoted by others is questionable.</p> <p>In terms of how costs have been calculated, it is unclear what assumptions have been made in respect of overheads on top of salary costs for the staff identified as being needed. We suggest that, in the interests of transparency, this should be clearly set out. We suggest that the RAMS SPD needs to carefully consider whether it is indeed actually the case that all items proposed to be funded through developer contributions are necessary to make development acceptable in planning terms.</p>	<p>requirement for the RAMS, has been found 'sound' by an independent Planning Inspector.</p> <p>The tariff can only be applied to applications from a base date and cannot be collected retroactively on consented proposals despite some proposals being included within Local Plans. Consented proposals help define the baseline position, and the suite of mitigation costed and included within the SPD in Appendix 1 is suitable to both address these effects as well as those of unconsented proposals without exponentially increasing the costs of the mitigation package. A proposed amendment setting out this position more clearly is proposed.</p> <p>Bespoke alternatives to the tariff approach will be considered at the development management stage to ensure they are proportionate and suitable on a case-by-case basis. Alternative sources of funding for the mitigation package have not been explored as it is not considered appropriate for funds to be diverted from other sources when the HRA/AAs of the</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				<p>LPA Local Plans has associated the significance of the in-combination effects the RAMS seeks to mitigate directly to new housing growth. No amendment proposed.</p> <p>It is a requirement of the Habitats Regulations Assessment Regulations that 'in-combination' effects are considered. Other schemes not related to Local Plans growth will be subject to their own HRA/AA requirements if relevant. No amendment required.</p> <p>Amendments clearly setting out how overheads and other costs have been identified within the RAMS mitigation package are proposed within the SPD.</p>
73	Hannah Thomas-Davies	DWD Property + Planning on behalf of Countryside	<p>We consider that the SPD should provide more detailed wording to confirm the process for defining an alternative to paying into the RAMS. We consider that the SPD would be more effective if it clearly set out the process for agreeing bespoke mitigation for strategic sites. The SPD seeks the mitigation to the Essex Coast SPAs by one method, the payment towards a mitigation fund, however, strategic sites offer alternative methods to attain the protection of the Coastal SPAs from recreational use.</p> <p>Paragraph 3.9 make reference to tourist accommodation and states it 'may be likely to have significant effects on protected habitat sites. We do not consider this is an acceptable description of the potential impacts of tourist accommodation on the coastal SPAs. Rather than leaving this to a case-by-case assessment, the SPD should include measures to mitigate tourist</p>	<p>Bespoke alternatives to the tariff approach will be considered at the development management stage to ensure they are proportionate and suitable on a case-by-case basis. Appropriate alternatives could take various forms and are likely to differ from case to case. For this reason, developers of strategic sites are encouraged to engage with the relevant LPA for specific guidance on what is considered appropriate.</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>development on the coastal habitat as well as the recreational pressure posed by residential development.</p> <p>Further clarification is required detailing how the total number of dwellings figure of 72,907 was calculated. Appendix 1 provides a transparent breakdown of the mitigation package costed for 2018-2038, however the calculation used to determine the number of homes to be delivered is not clear. We are concerned that the 72,907 figure underestimates the potential number of homes delivered by the 12 LPAs within the period to 2038. By using a correct, much higher, figure of additional housing this would have the effect of reducing the tariff per property levied.</p> <p>The cost of mitigation has not been included as a planning policy requirement in recent Local Plan viability assessments. This additional cost burden brought forward by the councils late in the Local Plan process will mean that viability assessments of individual applications may become necessary to demonstrate whether or not the additional cost burden can be viably delivered.</p> <p>We consider that the calculation of housing numbers should be made more transparent, providing a description for each local authority of how the total housing figure has been calculated. This should include references to adopted and emerging development plan documents which have formed the figure.</p>	<p>The RAMS and SPD has been devised specifically to address the effects of Local Plan growth within the LPA areas. As ensuring a sufficient supply of dwellings through Local Plan periods is a requirement of Local Plans, including tourist accommodation proposals is not. As such, the effects of mitigating tourist accommodation, within the remit of the SPD, is considered best addressed on a case-by-case basis as and when applications for such proposals are submitted. No amendment proposed.</p> <p>The extent of each Local Plan's housing growth has been identified consistently, for the purposes of the RAMS and SPD, for all LPAs in determining a total number of new dwellings. Section 4.5 of the SPD acknowledges that 'this figure is not definitive and likely to change as more Local Plans progress. As such the figure will be subject to review.' No amendment proposed.</p> <p>The subject of viability in regard to the tariff can be explored within Local Plan examinations, where</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
				deemed relevant. No amendment proposed.
74	Unknown	The British Association for Shooting & Conservation (BASC)	<p>The proposed mitigating measures will not address increased visitor pressure associated with new residential development along the Essex Coast. Please provide BASC with evidence of how the proposed mitigation measures will be successful in mitigating the impact of increased visitor pressure.</p> <p>Please provide information to BASC on the areas that have been identified and permissions granted to allow this work to be undertaken prior to planning consent being granted.</p> <p>Any new car parks must be located away from sensitive areas and local byelaws must be introduced to restrict the public from walking and walking with dogs. Adequate regulation and enforcement must be in place prior to planning being approved.</p> <p>No evidence has been provided on how the employment of a ranger will be sufficient mitigation for the impact of increased visitor pressure on breeding and overwintering wildfowl. Please provide BASC with information on the inclusion of the ranger's work in the HRA process.</p> <p>Please provide BASC with written confirmation that when increased visitor pressure is caused by new residential development that this will not result in additional "in combination" effects with existing wildfowling consents. We are concerned that when new residential development inevitably leads to visitor pressure increases that regulated activities such as wildfowling will be targeted as a means of addressing failures with RAMS.</p> <p>Representatives of wildfowling clubs along the Essex Coast must be included in the proposed partnership approach. Merely stating that there will be some creation of salt marsh etc. will not be sufficient for an HRA process. Please provide information to BASC on the actions that would need funding.</p>	<p>The effectiveness of the mitigation will be monitored as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>All partner LPAS have approved the RAMS. Relevant committee reports can be found on LPA websites.</p> <p>The employment of Rangers follows best practice established by existing RAMS projects and verified by Natural England through their input into the RAMS thus far. It can be considered that many of these points made can be considered by the Delivery Officer, once in post. This will include monitoring of the effectiveness of the mitigation as outlined within Section 6 of the SPD. No amendment proposed.</p> <p>'In-combination' effects are those that are identified through exploring the individual effects of those HRA/AAs undertaken for any plan or project in the area that would require compliance with the Habitats Regulations Assessment. This would include</p>

No.	Name	Organisation	Main Issues Raised	Response / amendment required
			<p>Permissions must be sought, projects must be highlighted, and plans put in place to ensure they are able to meet the conservation objectives required to mitigate the original issue.</p> <p>The HRA must include maximum permissible occupancy of those dwellings as it is the individuals within the dwelling that will increase the visitor pressure, not the dwelling itself. A precedent has been set that every application needs to be looked at on its individual merit. A blanket policy would be unlawful.</p> <p>Wildfowling actively warden the area's they manage along the Essex Coast. Funding from RAMS should be allocated to wildfowling clubs to employ club representatives to assist with direct engagement with the public. Please add wildfowling clubs as key partners in the RAMS.</p> <p>A severe weather policy must be drafted to use bye-laws to restrict the public from walking or walking with dogs during periods of severe weather. See the Joint Nature Conservation Committee Severe Weather Policy as a reference point.</p> <p>Preventing or restricting any further residential development along the Essex Coast is the most appropriate means of mitigating increased visitor pressure.</p>	<p>qualifying planning applications or development plans. Should an 'in-combination' effect be identified, it would be the responsibility of the new proposal to provide mitigation, not existing consented developments or activities.</p> <p>It is not considered possible to calculate, or appropriate to assume, dwelling occupancy with any degree of accuracy; hence the proposed blanket tariff being applicable per net new dwelling. The tariff as proposed, will ensure that the required mitigation can be delivered to enable housing growth. No amendment proposed.</p> <p>All of the LPAs have a statutory requirement to plan for new housing growth. The RAMS seeks to mitigate recreational impacts on protected Habitats sites on the Essex Coast arising from the increase in population associated with these housing growth requirements. Each LPA Local Plan will include locational criteria-based policies to determine where growth will be permitted. No amendment proposed.</p>





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Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

Supplementary Planning
Document (SPD)
May 2020



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Acronyms

AA	Appropriate Assessment
AMR	Authority Monitoring Report
CIL	Community Infrastructure Levy
EA	Environment Agency
EC	European Commission
EEC	European Economic Community
EWT	Essex Wildlife Trust
FAQ	Frequently Asked Questions
GPDO	General Permitted Development Order
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
LPA	Local Planning Authority
NE	Natural England
NPPF	National Planning Policy Framework
RAMS	Recreational disturbance Avoidance and Mitigation Strategy
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SIP	Site Improvement Plan
SMART	Specific, Measurable, Attainable, Relevant & Timely
SPA	Special Protection Area
SPD	Supplementary Planning Document
SSSI	Site of Specific Scientific Interest
UK	United Kingdom
UU	Unilateral undertaking
ZoI	Zone of Influence

Glossary

Appropriate Assessment	Forms part of the Habitats Regulations Assessment
Authority Monitoring Report	Provides information on all aspects of a planning department's performance.
Community Infrastructure Levy	A charge which can be levied by local authorities on new development in their area to help them deliver the infrastructure needed to support development.
Competent Authority	Has the invested or delegated authority to perform a designated function.
England Coast Path	Natural England are implementing the government scheme to create a new national route around the coast of England
General Permitted Development Order	The Town and Country Planning (General Permitted Development) (England) Order 2015 is a statutory instrument that grants planning permission for certain types of development (such development is then referred to as permitted development).
House in Multiple Occupation	A property rented out by at least 3 people who are not from 1 'household' (for example a family) but share facilities like the bathroom and kitchen.
Habitats sites	Includes SPA, SAC & Ramsar sites as defined by NPPF (2018). Includes SPAs and SACs which are designated under European laws (the 'Birds Directive' and 'Habitats Directive' respectively) to protect Europe's rich variety of wildlife and habitats. Together, SPAs and SACs make up a series of sites across Europe, referred to collectively as Natura 2000 sites. In the UK they are commonly known as European sites; the National Planning Policy Framework also applies the same protection measures for Ramsar sites (Wetlands of International Importance under the Ramsar Convention) as those in place for European sites.
Habitats Regulations Assessment	Considers the impacts of plans and proposed developments on habitats/Natura 2000 sites.
Impact Risk Zone	Developed by Natural England to make a rapid initial assessment of the potential risks posed by development proposals. They cover areas such as SSSIs, SACs, SPAs and Ramsar sites.
In-combination effect	The cumulative effect of that a number of plans, policies, activities and developments can have on the coastal region.
Local Planning Authority	The public authority whose duty it is to carry out specific planning functions for a particular area.
Natural England	The statutory adviser to government on the natural environment in England.

National Planning Policy Framework	Sets out government's planning policies for England and how these are expected to be applied.
Recreational disturbance Avoidance and Mitigation Strategy	A strategic approach to mitigating the 'in-combination' recreational effects of housing development on Habitats sites.
Ramsar site	Wetland of international importance designated under the Ramsar Convention 1979.
Section 106 (S106)	A mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. S106 agreements are often referred to as 'developer contributions' along with highway contributions and the Community Infrastructure Levy.
Section 278 (S278)	Allows developers to enter into a legal agreement with the council to make alterations or improvements to a public highway, as part of planning approval.
Special Area of Conservation (SAC)	Land designated under Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora.
Special Protection Area (SPA)	Land classified under Directive 79/409 on the Conservation of Wild Birds.
Supplementary Planning Document (SPD)	Documents that provide further detail to the Local Plan. Capable of being a material consideration but are not part of the development plan.
Site of Specific Scientific Interest (SSSI)	A Site of Special Scientific Interest (SSSI) is a formal conservation designation. Usually, it describes an area that is of particular interest to science due to the rare species of fauna or flora it contains.
Unilateral undertaking	A legal document made pursuant to Section 106 of the Town and Country Planning Act 1990, setting out that if planning permission is granted and a decision is made to implement the development, the developer must make certain payments to the local authority in the form of planning contributions.
Zone of Influence (Zol)	The Zol identifies the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation. This is based on visitor surveys.

1. Introduction

- 1.1 This Supplementary Planning Document (SPD) focuses on the mitigation that is necessary to protect the birds of the Essex coast and their habitats from the increased visitor pressure associated with new residential development in combination with other plans and projects, and how this mitigation will be funded.
- 1.2 This SPD accompanies the strategic approach to mitigation which is set out in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (the 'RAMS'). The RAMS provides a mechanism for Local Planning Authorities (LPAs) to comply with their responsibilities to protect habitats and species in accordance with the UK Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations').
- 1.3 This SPD distils the RAMS into a practical document for use by LPAs, applicants and the public and provides the following information:
- A summary of the RAMS;
 - The scope of the RAMS;
 - The legal basis for the RAMS;
 - The level of developer contributions being sought for strategic mitigation; and
 - How and when applicants should make contributions.
- 1.4 A 'frequently asked questions' (FAQ) document has also been produced to provide further information about the RAMS project. This is available on the Bird Aware Essex Coast website¹.

¹ Bird Aware Essex Coast: <https://essexcoast.birdaware.org/home>

2. Summary of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy

The importance of the Essex coast

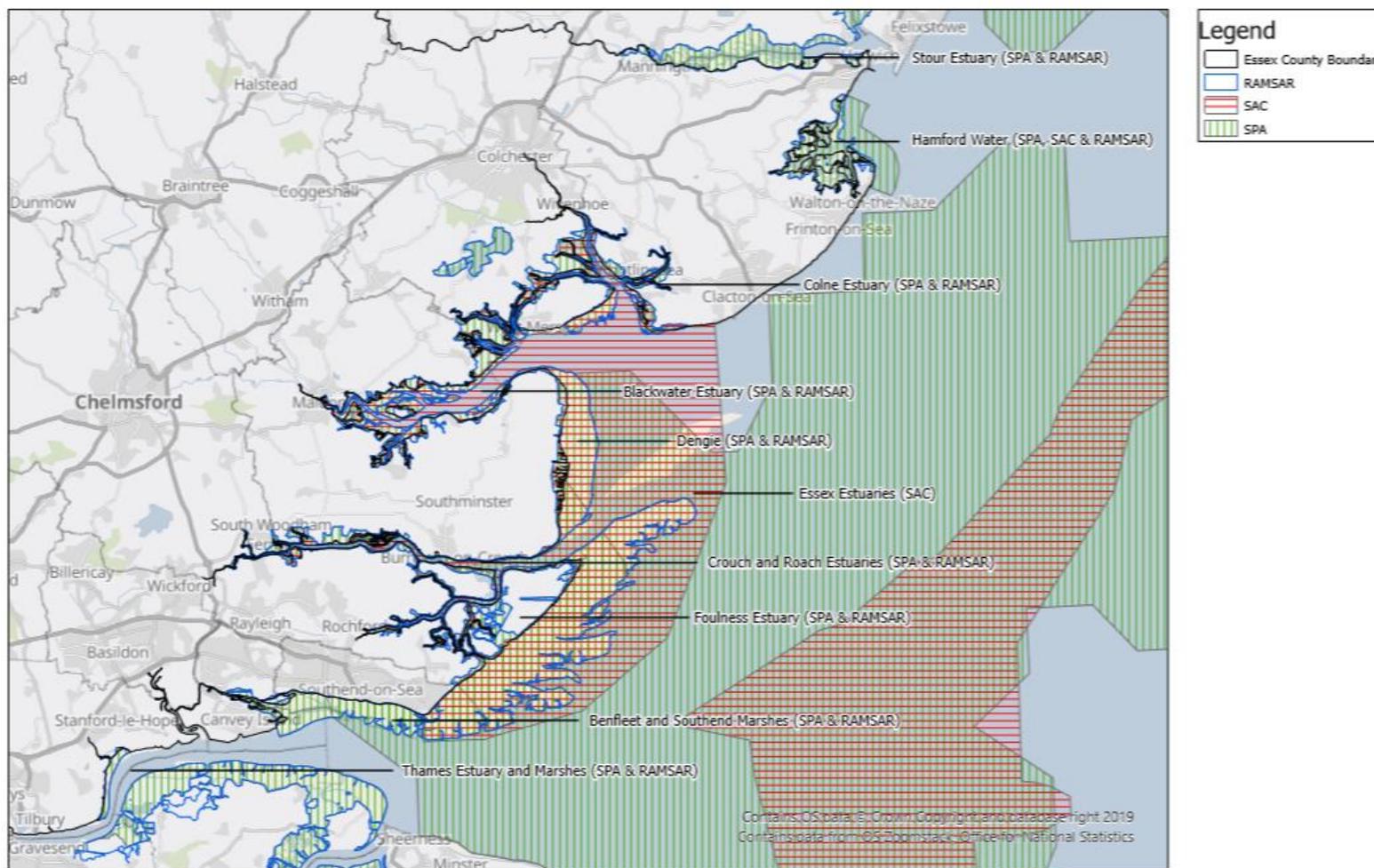
- 2.1 The Essex coastline is one of importance for birds and their habitat. It is home to internationally important numbers of breeding and non-breeding birds and their coastal habitats.
- 2.2 The coast is a major destination for recreational use such as walking, sailing, bird-watching, jet skiing, dog walking and fishing, including bait-digging. Evidence, described in detail in the RAMS, suggests that the majority of this activity is undertaken by people who live in Essex.
- 2.3 Although only Tendring District, Colchester Borough, Chelmsford City, Maldon District, Rochford District, Southend-on-Sea Borough, Castle Point Borough and Thurrock Councils lie on the coast, research has shown that residents from, Basildon Borough, Brentwood Borough, Uttlesford District and Braintree District are also likely to travel to the coast for recreational use.
- 2.4 A large proportion of the coastline is covered by international, European and national wildlife designations. A key purpose of these designations is to protect breeding and non-breeding birds and coastal habitats. Most of the Essex coast is designated under the Habitats Regulations as part of the European Natura 2000 network: for the purposes of this SPD these are Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar sites. These sites are also defined as 'Habitats Sites' in the National Planning Policy Framework (2019).
- 2.5 The Habitats Sites to which this SPD applies are as follows and these are shown overleaf on Figure 2.1:
 - Essex Estuaries SAC
 - Stour and Orwell Estuaries SPA and Ramsar
 - Hamford Water SPA and Ramsar
 - Colne Estuary SPA and Ramsar
 - Blackwater Estuary SPA and Ramsar
 - Dengie SPA and Ramsar
 - Crouch and Roach Estuaries SPA and Ramsar
 - Foulness Estuary SPA and Ramsar



- Benfleet and Southend Marshes SPA and Ramsar
- Outer Thames Estuary and Marshes SPA and Ramsar

Figure 2.1: Habitats sites covered by the Essex Coast RAMS

Habitats (European) sites covered by the Essex Coast RAMS



Notes:

- Ramsar sites are areas of wetland which are designated of international importance under the Ramsar Convention (1971).
- Special Protection Areas (SPAs) are sites which support rare, vulnerable and migratory birds.
- Special Areas of Conservation (SACs) are sites which support high-quality habitats and species.

The duties of Local Planning Authorities (LPAs)

- 2.6 LPAs have the duty, by virtue of being defined as ‘competent authorities’ under the Habitats Regulations, to ensure that planning application decisions comply with the Habitats Regulations. If the requirements of the Habitats Regulations are not met and impacts on Habitats sites are not mitigated, then development must not be permitted.
- 2.7 Where a Habitats site could be affected by a plan, such as a Local Plan, or any project, such as a new hospital/housing/retail development, then a Habitats Regulations Assessment (HRA) screening must be undertaken. If this cannot rule out any possible likely significant effect either alone or in-combination on the Habitats site prior to the implementation of mitigation, then an Appropriate Assessment (AA) must be undertaken. The AA identifies the interest features of the site (such as birds, plants or coastal habitats), how they could be harmed, assesses whether the proposed plan or project could have an adverse effect on the integrity of the Habitats site (either alone or in-combination), and finally how this could be mitigated.
- 2.8 The aim of the HRA process is to ***'maintain or restore, at favourable conservation status, natural habitats and species of wild fauna and flora of Community interest'*** [The EC Habitats Directive, 92/43/EEC, Article 2(2)].

The requirement for delivery of strategic mitigation

- 2.9 The published Habitats Regulations Assessments (HRAs) for the relevant Local Plans have identified recreational disturbance as an issue for all of the Essex coastal SPAs, SACs and Ramsar sites.
- 2.10 Mitigation measures have been identified in the HRA (screening and/or AAs) for many of the Local Plans. There are similarities in the mitigation measures proposed, reflecting the identification of ‘in-combination’ effects resulting from planned and un-planned growth in LPA areas. In recognition, this SPD and the RAMS are relevant to these ‘in-combination’ effects only, and do not focus on any other mitigation measures, such as those on-site, that might be required of development proposals in response to other types of effects on Habitats sites.

- 2.11 Natural England² recommended a strategic approach to mitigation along the Essex coast to enable the conclusion of ‘no adverse effect on the integrity of the international designated sites’ regarding in-combination recreational effects. Each Habitats site or complex of sites in England has a Site Improvement Plan (SIP), developed by Natural England. Recreational disturbance is identified as an issue for all ten of the Habitats sites considered in this strategy.
- 2.12 Mitigation measures are therefore necessary to avoid these likely significant effects in-combination with other plans and projects. Mitigation at this scale, and across a number of LPAs, is best tackled strategically and through a partnership approach. This ensures maximum effectiveness of conservation outcomes and cost efficiency.
- 2.13 Some housing schemes, particularly those located close to a Habitats site boundary or large-scale developments, may need to provide mitigation measures to avoid likely significant effects from the development alone, ***in addition to the mitigation*** required in-combination and secured for delivery through the RAMS. This would need to be assessed and, where appropriate, mitigated through a separate project level AA. The LPA, in consultation with Natural England, would advise on applicable cases. Therefore, the implementation of this SPD does not negate the need for an AA for certain types of development.
- 2.14 The Essex coast RAMS aims to deliver the mitigation necessary to avoid the likely significant effects from the ‘in-combination’ impacts of residential development that is anticipated across Essex; thus, protecting the Habitats sites on the Essex coast from adverse effect on site integrity. This strategic approach has the following advantages:
- It is endorsed by Natural England and has been used to protect other Habitats sites across England;
 - It is pragmatic: a simple and effective way of protecting and enhancing the internationally important birds and their habitat of the Essex coast and will help to reduce the time taken to reach planning decisions;
 - It provides an evidence based and fair mechanism to fund the mitigation measures required as a result of the planned residential growth; and
 - It provides applicants, agents and planning authorities with a comprehensive, consistent and efficient way to ensure that appropriate

² An executive non-departmental public body and the government’s adviser for the natural environment in England

mitigation for residential schemes within the Zone of Influence (see paragraph 3.2 below) is provided in an effective and timely manner.

- 2.15 The RAMS approach is fair and seeks to mitigate the additional recreational pressure in a way that ensures that those responsible for it, pay to mitigate it at a level consistent with the level of potential harm. It also obeys the ‘precautionary principle’³. Existing visitor pressure at Habitats sites would be mitigated through alternative means and any pressure that would arise from different types of development would be addressed through the project HRA.
- 2.16 The majority of the HRAs produced by Essex LPAs as part of the production of their respective Local or Strategic Plans identified that the level of ‘net new’ planned housing growth may lead to disturbance of birds in coastal Habitats (European) sites within and beyond each individual LPA boundary.

³ 'In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.' (Principle 15) of Agenda 21, agreed at the Rio Earth Summit, 1992.

3. Scope of the SPD

Where does the RAMS apply?

3.1 The 12 LPAs which are partners in and responsible for the delivery of the RAMS are listed below:

- Basildon Borough Council
- Braintree District Council
- Brentwood Borough Council
- Castle Point Borough Council
- Chelmsford City Council
- Colchester Borough Council
- Maldon District Council
- Rochford District Council
- Southend Borough Council
- Tendring District Council
- Thurrock Borough Council
- Uttlesford District Council

3.2 The SPD applies to new residential dwellings that will be built in the Zone of Influence (Zol) of the Habitats sites. It does not apply to any non-residential schemes, and all non-residential schemes are therefore exempt from the tariff. The Zol identifies the distance within which new residents are likely to travel to the Essex coast Habitats sites for recreation.

3.3 The Zol was calculated by ranking the distances travelled by visitors to the coast based on their home town postcode data. Not all postcode data is used as this can skew the results and therefore the Zol is based on the 75th percentile of postcode data. This provides the Zol distance.

3.4 This method has been used for a number of strategic mitigation schemes and is considered by Natural England to be best practice. The distances used to create the Zol are illustrated in Table 3.1 (below).

Table 3.1: Zones of Influence for the Essex Coast RAMS

European designated site	Final distance to calculate RAMS Zol (km/miles)
Essex Estuaries SAC	-*
Hamford Water SPA and Ramsar	8.0 km / 4.9 miles
Stour and Orwell Estuaries SPA and Ramsar	13.0 km / 8.1 miles
Colne Estuary SPA and Ramsar	9.7 km / 6.0 miles
Blackwater Estuary SPA and Ramsar	22.0 km / 13.7 miles
Dengie SPA and Ramsar	20.8km / 12.9 miles
Crouch and Roach Estuaries Ramsar and SPA	4.5 km / 2.8 miles
Foulness Estuary SPA and Ramsar	13.0 km / 8.1 miles
Benfleet and Southend Marshes SPA and Ramsar	4.3km / 2.7 miles
Outer Thames Estuary and Marshes SPA and Ramsar	8.1km / 5.0 miles

* The Essex Estuaries SAC overlaps with the Blackwater Estuary, Colne Estuary, Crouch and Roach Estuaries, Dengie, Foulness and Outer Thames Estuary SPA and Ramsar sites.



- 3.5 The Zol can be accessed via Magic Maps⁴, where you will find the definitive boundaries. Broad illustrations of the extent of all the individual Habitats sites' Zones of Influence and the overall Zol for the RAMS are shown below in Figure 3.1 and Figure 3.2 respectively.

⁴ MAGIC website: <https://magic.defra.gov.uk/MagicMap.aspx>

Figure 3.1: Illustration of the individual Zones of Influence for the Essex Coast Habitats Sites

Essex Estuaries Zones of Influences

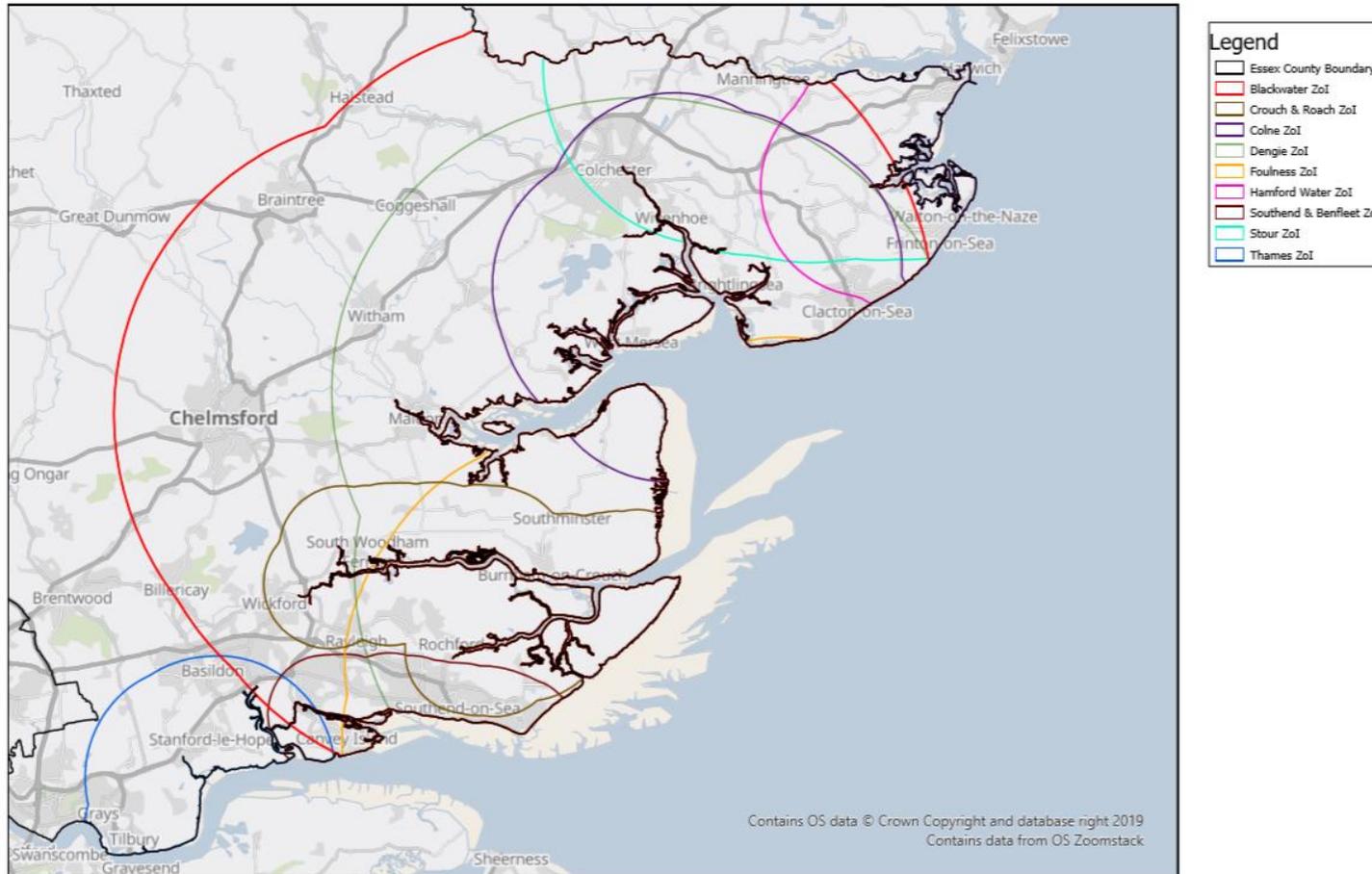
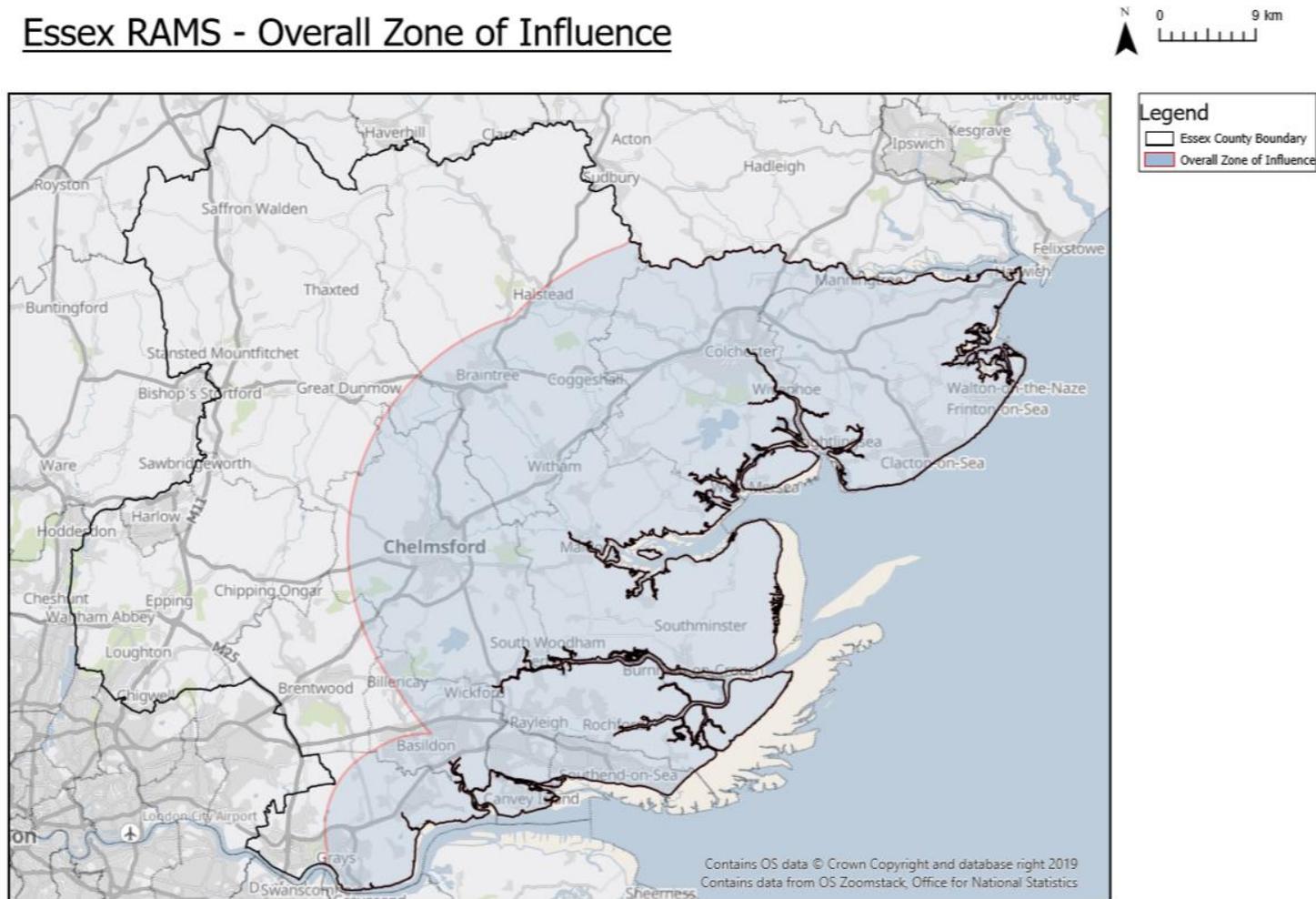


Figure 3.2: Illustration of the Zone of Influence for the Essex Coast RAMS

Essex RAMS - Overall Zone of Influence



What types of dwellings does this apply to?

3.6 Only new residential developments where there is a net increase in dwelling numbers are included in the RAMS. This would include, for example, the conversion of existing large townhouses into smaller flats, or the change of use of other buildings to dwellings. It excludes replacement dwellings (where there is no net gain in dwelling numbers) and extensions to existing dwellings including residential annexes. Applicants are advised to contact the LPA if in any doubt as to whether their development is within the scope of the RAMS.

Does it apply to all schemes?

3.7 The effects of recreational disturbance on the integrity of the Habitats Sites on the Essex coast are associated with the increase in population that new dwellings will ensure. This is because new residents can be expected to visit the coast, as evidenced by the visitor surveys undertaken. For this reason, the RAMS applies to all schemes regardless of size where there is a net gain in dwellings.

3.8 The contribution to RAMS is a simple way of allowing the AA of residential developments, including single dwelling schemes, to conclude that the in-combination effect will be mitigated. National Planning Practice Guidance⁵ confirms that local planning authorities may seek planning contributions for sites of less than 10 dwellings to fund measures with the purpose of facilitating development that would otherwise be unable to proceed because of regulatory requirements. This means that the tariff proposed in this SPD will still apply for those residential proposals that are normally exempt from paying planning contributions under the Community Infrastructure Regulations, such as affordable housing proposals and single dwelling self-builds. These types of development are not exempt from the requirement under the Conservation of Habitats and Species Regulations 2017.

3.9 Natural England's revised interim advice to the Essex LPAs (ref: 244199, 16 August 2018) set out those relevant development types to which the tariff should apply. The RAMS and this SPD apply to the following Planning Use Classes:

Table 3.2: Planning Use Classes covered by the Essex Coast RAMS

Planning Use Class*	Class Description
C2 Residential institutions	Residential care homes**, boarding schools, residential colleges and training centres.

⁵ Planning Practice Guidance: <https://www.gov.uk/government/collections/planning-practice-guidance>

Planning Use Class*	Class Description
C2A Secure Residential Institution	Military barracks.
C3 Dwelling houses (a)	- covers use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child.
C3 Dwelling houses (b)	- up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems.
C3 Dwelling houses (c)	- allows for groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.
C4 Houses in multiple occupation	- Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom
Sui Generis ***	- Residential caravan sites (excludes holiday caravans and campsites) - Gypsies, travellers and travelling show people plots

Notes:

* This table is based on Natural England advice (244199 August 2018, which was advisory, not definitive.

** Care homes will be considered on a case-by-case basis according to the type of residential care envisaged.

*** Sui Generis developments will be considered on a case-by-case basis according to the type of development proposed.

A guide on student accommodation and RAMS is included as Appendix 2.

3.10 As included above, C2 Residential Institutions and C2A Secure Residential Institutions are notionally included within the scope of the RAMS and tariff payments. This is due to an increase in population that would arise from any such developments, in the same vein as any other new residential development. It is proposed however that consideration as to whether such

developments qualify for the full extent of tariff payments should be done on a case-by-case basis. This is because some C2 and C2A proposals may provide a specific type of accommodation that would not result in new residents visiting the coast.

- 3.11 Other types of development, for instance tourist accommodation, may be likely to have significant effects on protected habitat sites related to recreational pressure and will in such cases need to be subject of an AA as part of the Habitats Regulations. As part of this assessment any mitigation proposals (including those which address any recreational pressure) will need to be considered separately from this strategy and taken into account by the appropriate authorities.

What types of application does this apply to?

- 3.12 The RAMS applies to all full applications, outline applications, hybrid applications, and permitted development (see 3.14 below). This includes affordable housing. Reserved matters applications will be considered on an individual basis having regard to whether the potential effects of the proposal were fully considered when the existing outline was granted or where information more recently provided would make for a different assessment of effects.
- 3.13 In order to consider RAMS contributions at the outline application stage, the application should indicate a maximum number of dwelling units.
- 3.14 The General Permitted Development Order (GPDO) allows for the change of use of some buildings and land to Class C3 (dwelling houses) without the need for planning permission, with development being subject to the prior approval process. However, the Habitats Regulations also apply to such developments. The LPA is therefore obliged by the regulations to scope in those GPDO changes of use to dwelling houses where these are within the Zol.
- 3.15 In practice, this means any development for prior approval should be accompanied by an application for the LPA to undertake an HRA on the proposed development. The development will need to include a mitigation package which would incorporate a contribution to the RAMS to mitigate the 'in-combination' effects.
- 3.16 The alternative is for the applicant to provide information for a project level HRA/AA and secure bespoke mitigation to avoid impacts on Habitats sites in perpetuity.

4. Mitigation

- 4.1 Measures to address adverse impacts on Habitats sites are statutory requirements and each proposal for residential development within the Zol will still be required to undertake a 'project-level' HRA/AA. These project-level HRA/AAs will explore the hierarchy of avoidance and mitigation. The recommendations of these project-level HRA/AAs may include measures to mitigate effects 'on-site' such as through open space provision or accessible alternative natural recreational green spaces which are relevant to individual developments only.
- 4.2 The RAMS seeks to mitigate 'in-combination' recreational effects only, to enable the conclusion of no adverse effect on the integrity of the international designated sites. Mitigation measures to address in-combination effects, which are required for any residential development within the areas of the LPAs that falls within a Zol, are identified in this SPD.
- 4.3 As the in-combination effects identified within the LPAs' Local Plan HRA/AAs are directly related to a cumulative increase in housing growth, the mitigation identified within the RAMS and this SPD is proportionate to that accumulation and necessary to make development acceptable in planning terms. The tariff is applicable to all residential development that will lead to a net increase in dwellings, as each new dwelling will lead to an increase in population and therefore an increase in the effects associated with recreational disturbance. This means that the mitigation is directly related to the development, as the source of the effects, and the requirement for the tariff to provide the mitigation is justified in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.
- 4.4 The RAMS identifies a detailed programme of strategic mitigation measures which would be funded by contributions from residential development schemes. These measures are summarised in Table 4.1



Table 4.1 – The Essex coast RAMS toolkit

Action area	Examples
Education and communication	
Provision of information and education	<p>This could include:</p> <ul style="list-style-type: none"> • Information on the sensitive birds and their habitats • A coastal code for visitors to abide by • Maps with circular routes away from the coast on alternative footpaths • Information on alternative sites for recreation <p>There are a variety of means to deliver this such as:</p> <ul style="list-style-type: none"> • Through direct engagement led by rangers/volunteers • Interpretation and signage • Using websites, social media, leaflets and traditional media to raise awareness of conservation and explain the Essex Coast RAMS project • Direct engagement with clubs e.g. sailing clubs, ramblers' clubs, dog clubs and local businesses
Habitat based measures	
Fencing/waymarking/screening	<ul style="list-style-type: none"> • Direct visitors away from sensitive areas and/or provide a screen such that their impact is minimised
Pedestrian (and dog) access	<ul style="list-style-type: none"> • Zoning • Prohibited areas • Restrictions of times for access e.g. to avoid bird breeding season

Action area	Examples
Cycle access	<ul style="list-style-type: none"> Promote appropriate routes for cyclists to avoid disturbance at key locations
Vehicular access and car parking	<ul style="list-style-type: none"> Audit of car parks and capacity to identify hotspots and opportunities for “spreading the load”
Enforcement	<ul style="list-style-type: none"> Establish how the crew operating the river Ranger patrol boat could be most effective. It should be possible to minimise actual disturbance from the boat itself through careful operation Rangers to explain reasons for restricted zones to visitors
Habitat creation	<ul style="list-style-type: none"> Saltmarsh recharge, regulated tidal exchange and artificial islands may fit with Environment Agency Shoreline Management Plans
Partnership working	<ul style="list-style-type: none"> Natural England, Environment Agency, RSPB, Essex Wildlife Trust, National Trust, landowners, local clubs and societies
Monitoring and continual improvement	<ul style="list-style-type: none"> Birds and visitor surveys, including a review of the effectiveness of mitigation measures. Outputs of the review may include the introduction of new ways to keep visitors engaged

4.5 Appendix 1 contains details of the full mitigation package. The overall cost for the mitigation package is £8,916,448.00 in total from March 2019 until 2038.

What is the tariff?

4.6 The current tariff is £125.58 per dwelling as of 2020/21. This will be indexed linked, with a base date of 2019. This will be reviewed periodically and re-published as necessary.

4.7 In order to arrive at a per dwelling contribution figure, the strategic mitigation package cost (including an additional 10% for contingency purposes) was divided by the total number of dwellings (72,907 dwellings) which are currently identified to be built in the Zol over Local Plan periods until 2038. This includes dwellings which have not received Full/Reserved matters consent. Any dwellings already consented in the Plan periods are not included in this calculation. This figure is not definitive and likely to change as more Local Plans progress. As such the figure will be subject to review.

When will the tariff be paid?

4.8 Contributions from residential development schemes will be required no later than on commencement of each phase of development. This is necessary to ensure that the financial contribution is received with sufficient time for the mitigation to be put in place before any new dwellings are occupied.

4.9 Where development is built in phases this will apply to each phase of house building. A planning obligation will generally be used to ensure compliance.

How will the tariff be paid?

4.10 The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended) and Regulations 122 and 123 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). In addition, paragraphs 54 to 57 of the National Planning Policy Framework (NPPF) 2019 sets out the Government's policy on planning obligations. The obligation can be a 'Unilateral Undertaking'⁶ or a multi-party agreement, referred to as a 'Section 106 agreement'⁷. The applicant will be required to enter into a formal deed with the LPA to secure the payment of the required financial contribution. The RAMS contribution may form a clause within a wider S106 agreement.

⁶ An offer to an LPA to settle obligations relevant to their planning application.

⁷ A legal agreement under Section 106 of the Town and Country Planning Act 1990 made between local authorities and developers, and often attached to a planning permission, to make acceptable development which would otherwise be unacceptable in planning terms.

- 4.11 This contribution is payable in addition to any other contributions such as Community Infrastructure Levy liability or other S106 or S278 contributions and there may be other site-specific mitigation requirements in respect of Habitats sites and ecology as outlined above.
- 4.12 The mitigation measures identified in this SPD are specifically sought to avoid additional recreational pressures on Habitats sites and can be secured through Section 106 agreements (Regulation 123 of the Community Infrastructure Levy regulations). This approach is consistent with the views of other local authorities across the country in dealing with mitigation requirements for other Habitats sites and has been accepted by Planning Inspectors at appeal/examination.
- 4.13 Please contact Planning Officers at the relevant LPA at the earliest opportunity to discuss your application and the most appropriate method of paying your RAMS contribution as methods vary between authorities.

Section 106 (S106)

- 4.13 Planning obligations are legally binding on the landowner (and any successor in title). They enable the LPA to secure the provision of services (or infrastructure), or contributions towards them, which is necessary in order to support the new development i.e. by making an otherwise unacceptable development acceptable in planning terms.
- 4.14 Where S106 is used legal agreements for planning purposes should meet all the following tests in order to be taken into account when determining a planning application:

- They are necessary to make a development acceptable in planning terms;

'LPAs, as competent authorities under the Habitats Regulations, have the duty to ensure that planning application decisions comply with regulations.'

- They are directly related to the development;

'Evidence in the RAMS demonstrates that visitors come mainly from within the Zol indicated above to the Habitats sites. The 'in-combination' impact of proposals involving a net increase of one or more dwellings within this Zol is concluded to have an adverse effect on Habitats site integrity unless avoidance and mitigation measures are in place.'

- They are fairly and reasonably related in scale and kind to a development.

The measures put forward in the RAMS represent the lowest cost set of options available which will be both deliverable and effective in mitigating the anticipated increase in recreational pressure from new residential development within the Zol. The costs are apportioned proportionately between all developments dependent on the scale of development. The contributions will be spent on both project-wide mitigations such as Rangers, and specific mitigations within the Zol in which the contribution was collected. This contribution is therefore fairly and reasonably related in scale and kind to the development.

4.15 Applicants are expected to meet the LPA's legal fees associated with any drafting, checking and approving any deed. These legal fees are in addition to the statutory planning application fee and the contribution itself and must be reasonable. Details of the LPA's current legal fees can be found on the LPA's website. The website addresses for each LPA are included within Section 8 of this SPD.

Schemes under 10 dwellings

4.16 Applicants for schemes which will create up to 10 new units of residential accommodation can use a Unilateral Undertaking (UU). This should be submitted when the planning application is submitted.

4.17 Applicants will need to provide the following documents as part of their planning application where payment will be made through a UU:

- The original UU committing to pay the total RAMS contribution (index linked) before commencement of house building on the site/in accordance with the phasing of the development. This must be completed and signed by those who have a legal interest in the site including tenants and mortgagees;
- A copy of the site location plan signed by all signatories to the UU and included as part of the undertaking;
- Recent proof of title to the land (within the last month) which can normally be purchased from the Land Registry. Please note there are two parts to the proof of title: a Register and a Title Plan, both of which must be submitted;
- If the land is unregistered, the applicant must provide solicitors details and instruct them to provide an Epitome of Title to the LPA.

- 4.18 A payment for the LPA's reasonable costs of completing and checking the agreement will be necessary. The LPA will only charge for the actual time spent on this matter if the applicant follows the guidance. These legal fees are in addition to the statutory application fee and any contributions themselves. A separate payment for this fee should be submitted. This may be increased if the matter is particularly complex.
- 4.19 The LPA will require a payment towards the LPA's legal costs of completing and checking the UU. Current fees can be found on the respective LPA's website.

Schemes for 10 or more dwellings

- 4.20 In the case of larger or more complicated developments which include planning obligations beyond RAMS contributions, an appropriate route for securing contributions will be via a multi-party Section 106 Agreement.
- 4.21 Applicants must submit a Heads of Terms document for the Section 106 Agreement, identifying these requirements and specifying their agreement to enter into a planning obligation. Heads of Terms should be provided at the point of submission of the planning application.
- 4.22 Please contact Planning Officers at the relevant LPA at the earliest opportunity to discuss your application and the most appropriate method of paying your RAMS contribution.

5. Alternative to paying into the RAMS

- 5.1 The 12 RAMS partner LPAs encourage mitigation to be secured via the strategic approach and prefer developer contributions to the RAMS. This approach will help to ensure planning applications are quicker and simpler to process and the adequate and timely delivery of effective mitigation at the Habitats sites. It is also likely to be more cost effective for applicants.
- 5.2 As an alternative, applicants may choose to conduct their own visitor surveys and provide information to support the LPA in preparing project level Habitats Regulations Assessment (HRA) Screening Reports (in order to ensure that they can demonstrate compliances with Regulation 63 of the Habitats Regulations) and secure the bespoke mitigation specified within. Where applicants choose to pursue this option, the LPA will need to consult Natural England on the effectiveness of the mitigation proposed.

6. Monitoring of this SPD

- 6.1 To monitor the effectiveness of the RAMS and this SPD, a strategic monitoring process is in place and will be managed by a dedicated RAMS delivery officer in liaison with each LPA's own monitoring officers.
- 6.2 Monitoring will be undertaken annually and a report will be provided to each LPA to inform their individual Authority Monitoring Report (AMR). As competent authorities under the Habitats Regulations, the delivery of the Essex Coast RAMS is the responsibility of each partner LPA needing it to ensure their Local Plan is sound and legally compliant.
- 6.3 A representative from each of the partner LPAs, together forming 'The RAMS Steering Group', shall work with the RAMS Delivery Officer to establish a monitoring process, which will include SMART targets⁸ to effectively gauge progress. The work of the Steering Group will be overseen by the Essex Planning Officers Association Chief Officers Group (the Project Board). The Essex Coastal Forum which comprises Officers and Members from partner LPAs, will also discuss the Essex Coast RAMS at their meetings.
- 6.4 To ensure the monitoring process is fit for purpose, various monitoring activities will be undertaken at different times and at an appropriate frequency. The monitoring process will be used to inform future reviews of the RAMS and the SPD and details of the proposed monitoring framework are to be agreed on appointment of the delivery officer.
- 6.5 In addition to the monitoring of specific indicators, the progress of other relevant plans will be considered where they may require the consideration of a change to the RAMS or this SPD. At the time of writing, this includes the emerging South East Marine Plan, the East Inshore Marine Plan and the East Offshore Marine Plan. Once approved these plans will become part of the Development Plan for the relevant LPAs.

⁸ Targets that are Specific, Measurable, Attainable, Relevant and Timely (SMART)

7. Consultation

- 7.1 A draft SPD was published for consultation between **Friday 10th January to Friday 21st February 2020** in accordance with the planning consultation requirements of each LPA.
- 7.2 Following the close of the consultation all comments were considered and a 'You Said We Did' Consultation Report published which outlined a response to each comment and suggested several amendments to this SPD. Where amendments were deemed necessary as a result of any comments, this SPD has factored them in prior to adoption by each LPA.

8. Useful Links

- Essex Coast Bird Aware - <https://essexcoast.birdaware.org/home>
- Basildon Borough Council (planning and environment) - <https://www.basildon.gov.uk/article/4622/Planning-and-environment>
- Braintree District Council (planning and building) - https://www.braintree.gov.uk/homepage/22/planning_and_building
- Brentwood Borough Council (planning and building control) - <http://www.brentwood.gov.uk/index.php?cid=531>
- Castle Point Borough Council (planning) - <https://www.castlepoint.gov.uk/planning>
- Chelmsford City Council (planning and building control) - <https://www.chelmsford.gov.uk/planning-and-building-control/>
- Colchester Borough Council (planning, building control and local land charges) - <https://www.colchester.gov.uk/planning/>
- Maldon District Council (planning and building control) - https://www.maldon.gov.uk/info/20045/planning_and_building_control
- Rochford District Council (planning and building) - <https://www.rochford.gov.uk/planning-and-building>
- Southend Borough Council (planning and building) - https://www.southend.gov.uk/info/200128/planning_and_building
- Tendring District Council (planning) - <https://www.tendringdc.gov.uk/planning>
- Thurrock Borough Council (planning and growth) - <https://www.thurrock.gov.uk/planning-and-growth>
- Uttlesford District Council (planning and building control) - <https://www.uttlesford.gov.uk/article/4831/Planning-and-building-control>
- Natural England - <https://www.gov.uk/government/organisations/natural-england>
- MAGIC (Map) - <https://magic.defra.gov.uk/MagicMap.aspx>
- Planning Practice Guidance - <https://www.gov.uk/government/collections/planning-practice-guidance>



- The National Planning Policy Framework (NPPF) - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- Natural England - <https://www.gov.uk/government/organisations/natural-england>
- The Environment Agency - <https://www.gov.uk/government/organisations/environment-agency>

Appendix 1: Strategic Mitigation

Mitigation package costed for 2018-2038

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
Immediate - Year 1/2	Staff resources	Delivery officer		£45,000	19	£1,027,825	Salary costs include National Insurance (NI) and overheads* & 2% annual increments
		Equipment and uniform		(small ongoing cost)		£5,000	Bird Aware logo polo shirts, waterproof coats and rucksacks, plus binoculars for Rangers
	Year 2	1 ranger		£36,000	18	£770,843	Salary costs include NI and overheads* & 2% annual increments
	Year 2	1 ranger		£36,000	18	£770,843	Salary costs include NI and overheads* & 2% annual increments
		Staff training		£2,000	19	£38,000	£500 training for each staff member

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
		Partnership Executive Group		(LPA £1,000)	19	£0	This would need to be an 'in kind' contribution from the Local Planning Authority (LPA) as this is a statutory requirement of the competent authorities. NB This is over and above the requirement for S106 monitoring.
		Administration & audit		(LPA £1,000)	19	£0	As above.
	Access	Audit of Signage including interpretation	£1,000			£1,000	Undertaken by Delivery officer/rangers but small budget for travel.
		New interpretation Boards	£48,600			£48,600	£2,700 per board, based on Heritage Lottery Fund guidance. Approx. nine boards, one per Site. Cost allows for one replacement in the plan period.
	Monitoring	Levels of new development				£0	No cost as undertaken as part of LPA work in Development Management and S106 or Infrastructure officers.

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
		Recording implementation of mitigation and track locations and costs				£0	No cost as delivered as part of core work by delivery officer.
		Collation & mapping of key roosts and feeding areas outside the SPA	£10,000			£10,000	Initial dataset to be available to inform Rangers site visits.
		Visitor surveys at selected locations in summer (with questionnaires)	£15,000			£15,000	Focus on Dengie, Benfleet & Southend Marshes and Essex Estuaries saltmarsh; estimated cost £5,000/Habitats site. Liaise with Natural England & Essex County Council Public Rights of Way team regarding England Coast Path.
		Visitor numbers and recreational activities	£5,000 (£500 / Habitats site / year)			£5,000	Rangers, partner organisations, LPAs.
		Consented residential development within Zol.	£0 / Habitats site / year)			£0	S106 officers to Track financial contributions for each development for all LPAs; liaise with LPA contributions officers

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
	Communication	Website set up for Day 1				£0	Essex Coast Bird Aware webpage set up costs £3k to be covered by LPAs.
		Walks and talks to clubs and estuary user groups				£0	Covered by salary costs for Delivery officer
		Promotional materials				£5,000	Use Bird Aware education packs, stationery, dog bag dispensers, car stickers etc.
Short to Medium term	Dog related	Set up/expand Dog project in line with Suffolk Coast & Heaths AONB "I'm a good dog" and Southend Responsible Dog Owner Campaign	£15,000			£15,000	Use Bird Aware design for leaflets & website text, liaison with specialist consultants (Dog focussed), liaison with dog owners, dog clubs & trainers.
	Water sports zonation		£10,000			£10,000	Approx. costs only to be refined when opportunity arises.

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
Year 5	Staff resources	1 additional ranger		£36,000	13	£456,567	Salary costs include NI and overheads* & 2% annual increments.
		Staff to keep website & promotion on social media up to date		£1,000	19	£19,000	Update/refresh costs spread over the plan period and include dog and water borne recreation focussed pages on RAMS/Bird Aware Essex Coast website plus merchandise e.g. dog leads.
	Monitoring	Update visitor surveys at selected locations in summer (with questionnaires)	£45,000			£45,000	Estimated cost £5,000 / Habitats site/year for nine sites. Liaise with Natural England & Essex County Council Public Rights of Way team regarding England Coast Path and LPAs regarding budgets as some of the survey costs may be absorbed into the budget for the HRAs needed for Local Plans. This could reduce the amount of contributions secured via RAMS which could be used for alternative measures.

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
		Signage and interpretation	£13,500			£13,500	£13,500 allows for 3 sets of discs - 3 designs, £1,500 each; e.g. paw prints in traffic light colours to show where no dogs are allowed, dogs on lead and dogs welcome. This may link with a timetable e.g. Southend with dog ban 1 st May to 30 th September.
	Water based bailiffs to enforce byelaws	Set up Water Ranger	£50,000	£120,000	15	£2,029,342	Costs need to include jet ski(s), salary & on costs, training and maintenance plus byelaws costs. Priority is recommended for at least 1 Ranger to visit locations with breeding SPA birds e.g. Colne Estuary, Hamford Water and other locations e.g. Southend to prevent damage during the summer. Explore shared use at different times of year e.g. winter use at other Habitats sites, given increased recreation predicted.
		Additional River Ranger where needed		£120,000	15	£2,029,342	
	Codes of conduct	For water sports, bait digging, para motors/power hang gliders & kayakers	£5,000			£5,000	Use Bird Aware resources with small budget for printing. Talks to clubs and promotion covered by Delivery officer and rangers

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
	Habitat creation - Alternatives for birds project – and long term management	Work with landowners & EA to identify locations e.g. saltmarsh creation in key locations where it would provide benefits and work up projects	£500,000			£500,000	Approx. costs only to be refined when opportunity arises for identified locations in liaison with EA and landowners via Coastal Forum and Shoreline Management Plans.
	Ground nesting SPA bird project – fencing and surveillance costs - specifically for breeding Little Terns & Ringed Plovers	Work with landowners & partners to identify existing or new locations for fencing to protect breeding sites for Little Tern & Ringed Plover populations	£15,000			£15,000	Check with Royal Society for the Protection of Birds, Natural England & Essex Wildlife Trust when project is prioritised.
Longer term projects	Car park rationalisation	Work with landowners, Habitats site managers & partner organisations	£50,000			£50,000	Approx. costs only to be refined when opportunity arises

Priority	Theme	Measure	One off cost?	Annual cost	No. of years	Total cost for developer tariff calculations	Notes
	Monitoring	Birds monitoring for key roosts & breeding areas within and outside SPAs		£5,000	10	£50,000	Costs for trained volunteers; surveys every 2 years
		Vegetation monitoring		£5,000	4	£20,000	Costs for surveys every 5 years
Year 10, 15 & 20	Monitoring	Update visitor surveys at selected locations in summer (with questionnaires)	£45,000			£135,000	Estimated cost £5,000 / Habitats site. Liaise with Natural England & Essex County Council Public Rights of Way team regarding England Coast Path.
	Route diversions	Work with PROW on projects	£15,000			£15,000	Approx. costs only to be refined when opportunity arises.

*Staffing costs and overheads have been based on similar projects to the RAMS and existing HRA Partnership Ranger provision elsewhere in the UK, including a review on travel time / mileage provided by Habitats Site managers.

TOTAL MITIGATION PACKAGE COSTS

£8,104,862

+10% contingency

£810,486

TOTAL COST

£8,915,348

Appendix 2: Essex Coast RAMS Guidelines for proposals for student accommodation

Introduction

A2.1 The Essex coast Recreational disturbance Avoidance and Mitigation Strategy (the “Essex coast RAMS”) aims to deliver the mitigation necessary to avoid significant adverse effects from in-combination impacts of residential development that is anticipated across Essex; thus, protecting the Habitats (European) sites on the Essex coast from adverse effects on site integrity. All new residential developments within the evidenced Zones of Influence where there is a net increase in dwelling numbers are included in the Essex Coast RAMS. The Essex Coast RAMS identifies a detailed programme of strategic mitigation measures which are to be funded by developer contributions from residential development schemes.

A2.2 This note includes guidance for proposals for student accommodation to help understand the contribution required. It has been agreed by the Essex Coast RAMS Steering Group. The purpose of this note is to ensure that a consistent approach is taken across Essex when dealing with proposals for student accommodation within the Zones of Influence of the Essex Coast RAMS.

Student Accommodation

A2.3 In their letter to all Essex local planning authorities, dated 16 August 2018, Natural England included student accommodation as one of the development types that is covered by the Essex Coast RAMS.

A2.4 It would not be appropriate to expect the full RAMS tariff for each unit of student accommodation. This would not be a fair and proportionate contribution. Nevertheless, Natural England has advised that there needs to be a financial contribution towards the RAMS as there is likely to be a residual effect from student accommodation development even though it will only be people generated disturbance rather than dog related. Natural England has advised that the tariff could be on a proportionate basis. It may also be possible for the on-site green infrastructure provision to be proportionate to the level of impact likely to be generated by the student accommodation, particularly as one of the main reasons for having on site green infrastructure is to provide dog walking facilities, which wouldn't be needed for student accommodation. The general model for calculation, set out below, explains how to obtain a fair and proportionate contribution for student accommodation.

A2.5 In the first instance, 2.5 student accommodation units will be considered a unit of residential accommodation.

A2.6 Secondly, it is recognised that due to the characteristics of this kind of residential development, specifically the absence of car parking and the inability of those living in purpose built student accommodation to have pets, the level of disturbance created, and thus the increase in bird disturbance and associated bird mortality, will be less than for dwelling houses (use class C3 of the Use Classes Order a).

A2.7 Research from the Solent Disturbance Mitigation Project showed that 47% of activity which resulted in major flight events was specifically caused by dogs off a lead. As such, it is considered that level of impact from student accommodation would be half that of C3 housing and thus the scale of the mitigation package should also be half that of traditional housing.

So, a scheme for 100 student accommodation units would be considered 40 units. 40 units would then be halved providing that future occupiers are prevented from owning a car and keeping a pet:

$$\begin{aligned}100/2.5 &= 40 \\40/2 &= 20 \\20 \times \text{£}125.58^9 &= \text{£}2,511.60\end{aligned}$$

A2.8 Please note that the calculation outlined above is to be used as a guide. The level of contribution would also need to consider the proximity of the accommodation to the Habitats sites in question and the total number of units being built.

Chelmsford City Council

A2.9 Proposals for student accommodation in Chelmsford will have a de minimis effect. Unlike Colchester and Southend, Chelmsford only has a small area of Habitats sites in the far south-eastern part of its administrative area. Purpose built student accommodation generally includes restrictions preventing students from owning a car or a pet. These restrictions will make it extremely unlikely that a student will visit a Habitats site, owing to the difficulty in accessing Essex coast Habitats sites from Chelmsford by public transport. Consequently, proposals for purpose-built student accommodation in Chelmsford will not lead to likely significant effects on Habitats sites from increased recreational disturbance. Therefore, for the avoidance of any doubt, the RAMS tariff does not apply to student accommodation in Chelmsford.

⁹ 2020/21 tariff



This publication is available in alternative formats including large print, audio and other languages.

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Document published by © Place Services 2019

Date: 06 July 2020
Our ref: 321455



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Braintree District Council
Brentwood Borough Council
Castle Point Borough Council
Chelmsford Borough Council
Colchester Borough Council
Maldon District Council
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BY EMAIL ONLY

Dear All,

Strategic approach for the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) – Updated advice relating to the adoption of the Supplementary Planning Document and subsequent ‘delivery’ phase of the strategic solution.

This letter provides Natural England’s updated position, further to the strategic correspondence on the interim period of the Essex Coast RAMS, dated 16th November 2017 and 16th August 2018. Natural England’s advice during the development of the strategic solution has been to ensure that any residential planning applications coming forward ahead of the Essex Coast RAMS which have the potential to impact on coastal European designated sites are compliant with the Habitats Regulations.

In light of the recent preparation of the Supplementary Planning Document (SPD), to facilitate the planning mechanisms of the strategic solution and collection of financial contributions, Natural England understands that the next phase of the strategic solution is the ‘delivery phase’, whereby the work to establish the solution has been completed and adopted by all participating authorities. We want to take this opportunity to thank you all for your work on the project so far, and we look forward to working with you to make the project as successful as possible.

Natural England is pleased with the approach and cooperation between the planning authorities within Essex to establish the strategic solution and welcome the delivery of this work, which seeks to establish a consistent approach towards mitigation of the ‘in-combination’ recreational impacts on the Essex Coast designated sites. It is nevertheless still important for certain projects closest to the designated sites to carefully consider whether their effect may be significant ‘alone’, for which additional measures may be required.

Natural England continues to endorse this strategic approach and it is our intention to continue supporting the Essex Coast RAMS and the work of the planning authorities, moving forwards, through the Essex Coast RAMS steering group or other such meetings and we welcome the

continued discussion of these issues and the establishment of on-the-ground mitigation as a result of the scheme.

We would like to take this opportunity to reiterate the importance of embedded ongoing monitoring for the Essex Coast RAMS, to ensure the evidence at hand remains the most up to date and best available, but also as a mechanism to ground truth and measure success of the mitigation in place. We would be happy to support the Planning Authorities as necessary.

Finally, as per our previous advice to your Authorities, Natural England would remind all participating Local Planning Authorities of the need to consider suitable avoidance mitigation measures as part of individual planning applications, alongside the RAMS tariff contribution. Annex I of our previous advice letter (dated 16th August 2018, NE reference 244199), set out our advice on the incorporation of well-designed open space/green infrastructure for larger scale developments. This is because such provisions can help minimise any predicted increase in recreational pressure through containing recreational uses away from the European sites and within or around the development site boundaries.

We have also become aware throughout the interim period that developments within built up or more densely populated areas may not always be able to provide the recommended open space measures on site, often due to site constraints. We would therefore suggest where this is the case, that planning authorities integrate the need for such avoidance measures through strategic plans where possible, such as relevant Green Infrastructure Strategies, to allow for strategic provision of GI as an avoidance mitigation measure.

In summary, Natural England is pleased to offer our endorsement to the Essex Coast RAMS SPD and we anticipate that the Councils will be happy to support the project formally through the necessary processes.

For any queries relating to the specific context in this letter only, please contact Heather Read at heather.read@naturalengland.org.uk.

Yours sincerely,
Heather Read

Essex Area Delivery Team

DATED

2020

CHELMSFORD CITY COUNCIL

and

BASILDON BOROUGH COUNCIL

and

BRAINTREE DISTRICT COUNCIL

and

BRENTWOOD BOROUGH COUNCIL

and

CASTLE POINT BOROUGH COUNCIL

and

COLCHESTER BOROUGH COUNCIL

and

MALDON DISTRICT COUNCIL

and

ROCHFORD DISTRICT COUNCIL

and

SOUTHEND-ON-SEA BOROUGH COUNCIL

and

TENDRING DISTRICT COUNCIL

and

THURROCK COUNCIL

and

UTTLESFORD DISTRICT COUNCIL

RAMS PARTNERSHIP AGREEMENT

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THIS AGREEMENT is made the day of 2020

BETWEEN:

1. **CHELMSFORD CITY COUNCIL** whose office is at Civic Centre, Duke Street, Chelmsford, Essex, CM11JE
2. **BASILDON BOROUGH COUNCIL** whose office is at The Basildon Centre, St. Martins Square, Basildon SS14 1DL
3. **BRAINTREE DISTRICT COUNCIL** whose office is at Causeway House, Bocking End, Braintree, Essex CM7 9HB
4. **BRENTWOOD BOROUGH COUNCIL** whose office is at Town Hall, Ingrave Road, Brentwood,
5. **CASTLE POINT BOROUGH COUNCIL** whose office is at Kiln Road, Thundersley Benfleet Essex SS7 1TF
6. **COLCHESTER BOROUGH COUNCIL** whose office is at Rowan House, Sheepen Road, Colchester, Essex, CO3 3WG
7. **MALDON DISTRICT COUNCIL** whose office is at Council Offices, Princes Rd, Maldon CM9 5DL
8. **ROCHFORD DISTRICT COUNCIL** whose office is at Council Offices South Street, Rochford, Essex, SS4 1BW
9. **SOUTHEND-ON-SEA BOROUGH COUNCIL** whose office is at Civic Centre, Victoria Avenue, Southend on Sea SS2 6ER
10. **TENDRING DISTRICT COUNCIL** whose office is at Town Hall, Station Road, Clacton on Sea, Essex C015 1SE
11. **THURROCK COUNCIL** whose office is at Civic Offices, New Road, Grays, RM17 6SL
12. **UTTLESFORD DISTRICT COUNCIL** whose office is at Council Offices, London Road, Saffron Walden, Essex, CB11 4ER

(hereinafter referred to individually as a "Party" and collectively as "the Parties")

RECITALS

- (A) The Parties to this Partnership Agreement are all Local Authorities who have joined together to continue certain activities as a partnership for the purposes set out in this Partnership Agreement.
- (B) The Parties wish to co-operate over the implementation of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) as described in more detail in Schedule 1 ("the RAMS Mitigation Strategy")
- (C) This Partnership Agreement sets out the relationship between the Parties and the organisation of the work.

IT IS HEREBY AGREED AS FOLLOWS:-

1. DEFINITIONS

1.1 In this Partnership Agreement, the following terms shall have the following meanings:

"Accountable Body"	will be Chelmsford City Council or such other Council being a party to this Partnership Agreement as nominated by the Parties following a review.
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“Background IPR”	means all patents, designs, copyright (including copyright in software), database rights, and any other intellectual property rights excluding Foreground IPR, owned by any of the Parties, in the field and which are necessary for the exploitation of Foreground IPR in accordance with this Partnership Agreement.
“Business Day”	means any day other than a Saturday or Sunday or a public or bank holiday in the United Kingdom.
“Commencement Date”	means the2020.
“Confidential Information”	means all information that is marked as Confidential and that is disclosed by one Party to the others for the purpose of conducting the Project, including, without prejudice to the generality of the foregoing, any ideas; finance; financial, marketing, development or manpower plans; computer systems and software; products or services, including but not limited to know-how and information concerning relationships with other parties and all records, reports, documents, papers and other materials whatsoever originated pursuant to this Partnership Agreement.
“Delivery Officer”	means the person appointed by Chelmsford City Council as Lead Institution to run the day-to-day operation of the Project and thereafter appointed by subsequent Lead Institutions.
“Effective Date”	means the date when all Parties have signed this Partnership Agreement.
“EPOA Chief Officers Group”	means the regular meeting of the heads of the planning departments (or their nominated substitute) of the Parties who will govern and oversee the overall direction of the RAMS of such group as shall succeed it as the Project Board.
“Essex Coast RAMS”	means the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy which expression may be abbreviated to “RAMS”.
“Foreground IPR”	means all patents, designs, copyright (including copyright in software), database rights and any other intellectual property rights arising as a direct result of and in the performance of this Partnership Agreement.
“Developer Contribution”	means a payment for every new qualifying dwelling to its Local Planning Authority. a payment a developer is required to make to its Local Planning Authority (in compliance with Conservation of Habitats and Species Regulations 2017/1012) in respect of consent for each new dwelling which is likely to have a significant impact on a natural habitat, the amount of which is set out in clause 6.2.3.5 of this Agreement.
“Intellectual Property Rights”	means patents, trademarks, trade names, design rights, copyright (including rights in computer software and moral rights), database rights, rights in know-how and other intellectual property rights, in each case whether registered or unregistered and including applications for the grant of any of the foregoing and all rights or forms of protection having equivalent or similar effect to any of the foregoing which may subsist anywhere in the world which expression may be abbreviated to “IPR”.
“Lead Institution”	means Chelmsford City Council or such partner local authority nominated to the role of Lead Institution in accordance with terms of this Partnership Agreement.
“Local Planning Authority”	means the local authority whose duty it is to carry out specific planning functions for a particular area.
“Nominated Representative”	means a member/s of staff appointed by a Partner to attend the

	Steering Group meetings
“Partner”	means a party to this Agreement and shall include the expression “Party”.
“Partnership”	means the Parties collectively.
“Personnel”	means any employee, director, agent, subcontractor or other person engaged by a Party.
“Project”	means the method by which Essex Coast RAMS and proposed Supplementary Planning Document (SPD) aims to deliver the mitigation necessary to avoid adverse effects on integrity from the impacts of residential development which will result in an increase of recreational disturbance to Habitats sites anticipated across the County of Essex thus protecting Habitats sites on the Essex coastline from adverse effects on integrity from new residential developments as set out in Schedule 1.
“Project Deliverables”	means the output of mitigations to be carried out by the Partnership as set out in Schedule 1.
“RAMS”	means the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy which expression may be used interchangeably with East Coast RAMS.
“RAMS contribution”	means the sum of all Developer Contributions received by a Partner payable to the Lead Institution in accordance with clause 6.2.3.7 which may also be described as a “RAMS tariff”.
“RAMS tariff”	means a RAMS contribution.
“RAMS Delivery Flowchart”	means the flowchart setting out how the project is to be delivered at Schedule 3 to this Partnership Agreement.
“Section 106 Agreement”	means an Agreement pursuant to section 106 of the Town and Country Planning Act 1990, as amended.
“Steering Group”	means the Essex Coast RAMS Steering Group which is the committee appointed to be responsible for managing the Project whose individual members are set out in Schedule 2.
“Steering Group Terms of Reference”	means the terms of reference for the Essex Coast RAMS Steering Group as set out in Schedule 2 to this Partnership Agreement.

- 1.2 Headings contained in this Partnership Agreement are for reference purposes only and shall not be deemed to be an indication of the meaning of the clause to which they relate.
- 1.3 Where the context so implies, words importing the singular number shall include the plural and vice versa and words importing the masculine shall include the feminine and vice versa.

2. LEAD INSTITUTION

- 2.1 The Parties agree that Chelmsford City Council will be the lead institution ("Lead Institution") and Accountable Body responsible for the Partnership funds and authorises it as their agent to sign agreements in their name and on their behalf in relation to the Project. Without prejudice to its authority to contract on behalf of the Parties in relation to the Project the Lead Institution agrees to take all reasonable steps on every occasion to seek and obtain prior consent of each of the other Parties before signing agreements for the benefit of the Project and other Parties. The Lead Institution will provide financial systems and processes to enable the efficient and transparent operation of the Essex Coast RAMS activities. The Delivery Officer will provide the Steering Group with regular business plans and financial statements, including a year-end statement of account.
- 2.2 The Lead Institution, in consultation with the Parties, will determine an investment strategy and an allocation formula for the RAMS contributions for the benefit of the Partnership based on financial information provided by the Partners.
- 2.3 Every three years (3) years of this Partnership Agreement the Parties agree to elect one of the Partner local authorities to serve as Lead Institution for a further period of three years (3) years.

3. PURPOSE OF THE PARTNERSHIP

The purpose of the Partnership is:

- to specify the organisation of the work between the Parties in carrying out the Project and to set out the rights and obligations of the Parties;
- carry out the Project in accordance with the RAMS Delivery Flowchart at Schedule 3 and the RAMS Mitigation Strategy at Schedule 1 to produce the Project Deliverables as described in Schedule 1; and
- establish and adhere to the governance structure set out in this Partnership Agreement to ensure the Project is delivered.

4. COMMENCEMENT AND DURATION

- 4.1 This Partnership Agreement shall commence on the Effective Date and shall continue until the completion of the Project in 2038 subject always to the termination provisions at clause 14 of this Partnership Agreement.
- 4.2 The duration of this Partnership Agreement may be extended beyond 2038, at any time prior to that date, by written agreement of the Parties, for such period or periods as are deemed appropriate.

5. OVERRIDING CONDITIONS

- 5.1 All Partners have a responsibility to contribute towards and properly perform their roles and responsibilities in accordance with this Partnership Agreement.
- 5.2 It is the intention that the Lead Institution and the Partnership shall be responsible and liable in equal shares for all legal advice procured under this Partnership Agreement.
- 5.3 Should a Party become aware of a material change in its' annual income forecast for the RAMS contributions in any one financial year owing to a reduced number of developer schemes put forward for that financial year or a developer bespoke mitigation scheme is submitted then that Party will immediately notify the Accountable Body and Steering Group.
- 5.4 With regard to responsibility and liability for shared costs, the Lead Institution (Chelmsford City Council) and each Party will contribute 9.1% save for Brentwood Borough Council and Uttlesford District Council who will contribute 4.5%. If Parties leave or join the Partnership, costs will be recalculated, with the amount/s to be determined at that time.

6. PROJECT MANAGEMENT

6.1 Steering Group

The details of the Steering Group including purpose, membership, governance, functions and procedures are set out in the Steering Group Terms of Reference at Schedule 2 to this Partnership Agreement.

6.2 Responsibilities of the Steering Group

6.2.1 Project Oversight

The Steering Group shall be responsible for the delivery of the project outcomes and to this end will keep the project plan, and progress towards meeting it, under review.

6.2.2 Appointment of Delivery Officer

- 6.2.2.1 The Steering Group and Partner Authorities shall be able to support the Lead Institution as Accountable Body in the recruitment and appointment of a Delivery Officer. Once appointed the Delivery Officer will have responsibility for the day to day management of the Project together with the delivery of Project Deliverables and will report to the Steering Group.
- 6.2.2.2 The Lead Institution as Accountable Body shall be responsible for recruiting, hosting and managing the day to day activities of the Delivery Officer at the offices of the Lead Institution or such other Partnership local authority offices as the Lead Institution considers appropriate.
- 6.2.2.3 The cost of appointing and funding the post of Delivery Officer will be primarily met by the RAMS tariff contributions such costs to include salary of the Delivery Officer, the provision of IT equipment, Personal Computer, laptop, mobile phone, uniform and on the job training. Except for the Lead Institution each Party will contribute ten percent (10%) of the annual cost of line managing the Delivery Officer save for Brentwood District Council and Uttlesford District Council who will contribute five per cent (5%) of the annual cost with such percentages to be reviewed on an annual basis. The annual cost to the Lead Institution as Accountable Body for line managing the Delivery Officer will be c£13,000 and subject to an annual review. Fees for the first six months will be c£8,370 based on an October 2020 commencement date.
- 6.2.2.4 For the avoidance of doubt the Lead Institution as Accountable Body will have the power to purchase / procure for the Delivery Officer such equipment and training as it deems necessary without obtaining prior approval from other Partnership authorities.
- 6.2.2.5 Following the appointment of the Delivery Officer the annual cost of maintaining the post of Delivery Officer will be met by the RAMS tariff contributions with the exception of certain employment costs related to the recruitment of the Delivery Officer such as redundancy, long term sickness and maternity pay as set out in clause 6.2.2.3 of this Agreement. Each Party will contribute 9.1% save Brentwood Borough Council and Uttlesford District Council who will contribute 4.5% towards any costs for the Project Delivery Officer should certain employment costs such as redundancy, long term sickness or maternity situation occur during the period of this Partnership Agreement. The draft duties of the Delivery Officer in pursuance of this Partnership Agreement are set out in Schedule 4.
- 6.2.2.6 Subject to clause 6.2.2.2 the Delivery Officer will be based at the offices of the Lead Institution who will agree and devise a work programme and pattern for the Delivery Officer.
- 6.2.2.7 The Lead Institution as Accountable Body will not be responsible for the employment of ancillary and associated members of staff such as project wardens / rangers.

6.2.3 Financial Management

- 6.2.3.1 The Lead Institution and Accountable Body shall be responsible for holding and administering the RAMS contributions.
- 6.2.3.2 The annual costs to the Lead Institution as Accountable Body for holding and administering the RAMS contributions will be c£2,400 and subject to an annual review. Fees for the first six months will be c£1,200 based on an October 2020

commencement date. Except for the Lead Institution each Party will contribute ten percent (10%) of the annual cost to the Lead Institution for holding and administrating the RAMS contributions save for Brentwood District Council and Uttlesford District Council who will contribute five per cent (5%) of the annual cost with such percentages to be reviewed on an annual basis. The RAMS contributions must be available to spend on Project Deliverables and will be sent quarterly from each Party to the Accountable Body. Each Partner will be responsible for monitoring contributions received and forecasting their future tariff income.

- 6.2.3.3 Requests for any RAMS contribution refunds already made to the Lead Institution as Accountable Body must be made as soon as possible by the Partner Local Planning Authority but any contribution will only be refunded where the Lead Institution as Accountable Body has sufficient funds available to make such refund.
- 6.2.3.4 The Steering Group may choose to take financial advice from third parties as required.
- 6.2.3.5 For Financial Year 2019 – 2020 (1st April 2019 to 31st March 2020) the RAMS Tariff will be One Hundred and Twenty-Two Pounds and Thirty Pence (£122.30) and for Financial Year 2020 – 2021 (1st April 2020 to 31st March 2021) the RAMS Tariff will be One Hundred and Twenty-Five Pounds and Fifty Eight Pence (£125.58) and thereafter such figure to be increased in line with the Retail Prices Index (RPI) published for the month of February. The increase in the RAMS Tariff will be agreed and set in March of each year to enable the mitigations budget programme to be agreed and implemented from the 1st April of each year.
- 6.2.3.6 The Partners agree to levy a RAMS Tariff in accordance with clause 6.2.3.5 of this Partnership Agreement on all residential dwellings which qualify for the imposition of the RAMS Tariff.
- 6.2.3.7 The Partners agree that they will pay the RAMS tariff to the Lead Institution upon being satisfied that the qualifying development, dwelling or dwellings will be constructed in accordance with the Planning Permission and legal agreements such as Section 106 Agreement and Unilateral Undertaking.
- 6.2.3.8 Where there is a shortfall / deficit in the RAMS Tariff contribution it will be the responsibility of the individual Partner Authority whose LPA has not enforced the contribution against the planning obligations which has resulted in the deficit to make good such shortfall and not the Lead Institution as Accountable Body or other Partner Authorities.
- 6.2.3.9 In the event the RAMS Tariff contribution is not spent correctly by the Project and a refund is required then Partners will be liable to repay the monies in line with the percentages set out in clause 6.2.2.3.

6.2.4 Publications and Press Releases

- 6.2.4.1 The Steering Group shall decide procedures for dissemination of publications and press releases relating to the Project through the Bird Aware website <https://essexcoast.birdaware.org/home>
- 6.2.4.2 The annual maintenance cost of the website will be funded by the RAMS tariff contributions and the responsibility of the annual maintenance cost of the website shall be Colchester Borough Council and the cost of responding to the enquiries shall be Braintree District Council until such time as the Delivery Officer has been appointed.

6.2.5 Commercial Exploitation Strategy

- 6.2.5.1 The Steering Group shall hold two Special Meetings, the first twelve months prior to the end of the Project, and the second at the end of the Project, whose business shall be exclusively to discuss the potential for the continued maintenance and development of the Project Deliverables. At these meetings the

Steering Group shall review the Project Deliverables, discuss the potential for maintenance and development of mitigation strategies produced from the Project Deliverables, and develop a strategy for such development.

6.2.6 Exit Strategy

6.2.6.1 The Steering Group shall establish a Sustainability Sub-Group to plan for the future maintenance and development of the Project Deliverables'.

6.2.6.2 The Steering Group shall hold two special meetings, the first twelve months prior to the end of the Project, and the second at the end of the Project, whose business shall be exclusively to develop a suitable strategy or strategies for future development of the Project Deliverables, including the pursuit of additional funding from appropriate sources.

6.2.6.3 In the event that additional funding is secured for future development of the Project Deliverables, the Steering Group shall be responsible for making such financial and administrative arrangements as are necessary to secure the effective and efficient continuation of the Partnership including any necessary revisions of this Partnership Agreement, for approval by the Parties.

6.3 Steering Group Meetings

6.3.1 The Steering Group shall meet on a monthly basis in accordance with the Steering Group Terms of Reference at Schedule 2 but the frequency may be reduced at any time in accordance with the Steering Group Terms of Reference and upon the appointment of a Delivery Officer whereby Steering Group Meetings will be reduced to four times per year. Meetings will operate under the following rules:

6.3.2 At each meeting, the Steering Group will agree the date for the next meeting otherwise the Chair or his/her nominee, shall call meetings, giving notice that is reasonable in the circumstances.

6.3.3 The Chair shall circulate an agenda before the meeting. Each Party shall take it in turns to produce meeting minutes, until such time at the Delivery Officer has been appointed by the Partnership, who will then carry out this task.

6.3.4 Each Party (excluding any co-opted members) will have one vote, except the Chair who has a casting vote. A Party may not vote on matters concerning a dispute with the Partnership where the Party is the subject of the dispute. Where a Party has more than one member/officer present at a meeting, they will only be entitled to one vote.

6.3.5 The quorum for a meeting will be five (5) voting Parties.

6.3.6 With the approval of the Chair, Steering Group Parties may nominate a representative to attend meetings and vote on their behalf.

6.3.7 Votes, with the exception of a vote to terminate a Party's membership of the Partnership, which will be by two-thirds majority of the full Steering Group in accordance with clause 10.1 will be decided on the basis of a majority vote of those attending and eligible to vote.

6.4 Responsibilities of Individual Members of the Steering Group

6.4.1 In addition to the Steering Group's collective responsibility, individual members of the Steering Group will have specific responsibilities as determined by the Steering Group from time to time as set out in the Terms of Reference at Schedule 2.

7. **PROJECT RESOURCES**

7.1 Allocation

The total RAMS tariff contributions to be paid by the Parties to the accountable body is anticipated to be as follows:

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(To be inserted prior to signing)

7.2 Distribution

- 7.2.1 RAMS tariff contribution payments to each Party made by developers shall be provided to Chelmsford City Council at the end of each quarter namely the 1st day of July, October, January and April. Thereafter the nominated Lead Institution will pool all of the RAMS tariff contributions received and shall apportion the budget to the agreed mitigation measures on the basis of financial plans prepared by the Project Delivery Officer and approved from time to time by the Steering Group and Project Board.
- 7.2.2 Each Partnership Local Planning Authority will provide the Delivery Officer with a quarterly report detailing the total contributions collected and for which Habitat Site so that the Delivery Officer will be able to identify the mitigation measures required to be undertaken for each Habitat Site, such reports to be delivered on the 1st January, April July and October of any one year.

7.3 Invoicing / Claims

- 7.3.1 Where claimable costs and expenses (that is, approved by Delivery Officer or Steering Group) are incurred, claims should be passed to the Delivery Officer as soon as they have been paid with supporting evidence of the expenditure attached. The Delivery Officer will be required to make financial reports to the Steering Group and Project Board from time to time.
- 7.3.2 To optimize the function of the Partnership the Parties shall permit the Lead Institution to procure external services in accordance with the Public Contracts Regulations 2015 and the Lead Institutions internal Contract and Procurement Rules.

8. RESPONSIBILITIES OF THE PARTIES

Performance

- 8.1 Each Party undertakes to each other Party to perform and fulfil on time the tasks assigned to it by the Steering Group and all other of its obligations under this Partnership Agreement.
- 8.2 Towards the Steering Group and the Delivery Officer, each Party hereby undertakes to supply promptly to the Delivery Officer all such information or documents as the Delivery Officer and the Steering Group need to fulfil obligations pursuant to this Partnership Agreement.
- 8.3 Towards each other, each Party undertakes to:
- 8.3.1 notify each of the other Parties as a Party becomes aware of any significant delay in performance; or a significant change in a Parties ability to meet its funding and other commitments under this Partnership Agreement.
- 8.3.2 inform other Parties of relevant communications and planning decisions it receives from third parties in relation to the Project e.g. planning appeals and Local Plan examination Inspector correspondence.
- 8.4 Each Party shall use all best efforts to ensure the accuracy of any information or materials it supplies hereunder and promptly to correct any error therein of which it is notified.
- 8.5 Subject to clause 6.2.4 of this Partnership Agreement each Party agrees not to issue any press releases or other such publicity materials relating to the work of the Partnership without obtaining prior approval from the other Parties.

Warranties and Undertaking

- 8.6 Each Party warrants that under its contractual relationships with each of its Personnel, any intellectual property rights arising out of or relating to work done by the Personnel for the Party will vest in such Party and that the Personnel will have no right, title or interest,

whether legal or beneficial, in any such intellectual property rights. A Party shall, if so required by the Steering Group, produce written evidence of this to the Steering Group signed by its Personnel.

- 8.7 Each Party acknowledges that it is and shall remain liable for the consequences of any failure on its part or on the part of its Personnel to fulfil the tasks and work packages assigned to it under this Partnership Agreement and shall accordingly:
- 8.7.1 Procure and maintain its own insurance, with insurers of good repute, to cover its own liabilities and those on behalf of its Personnel;
 - 8.7.2 Comply and assist the Partnership, the Steering Group and the Delivery Officer in complying with all relevant statutes, laws, regulations and codes of practice relating to its tasks and work packages from time to time in force;
 - 8.7.3 Comply with all recommendations and requirements of its insurers; and
 - 8.7.4 Indemnify, keep indemnified and hold harmless the other Parties from and against all costs (including the costs of enforcement), expenses, liabilities, injuries, direct, loss), damages, claims, demands, proceedings or legal costs (on a full indemnity basis) and judgments which they incur or suffer as a result of a breach of this Agreement or negligent acts or omissions or willful misconduct of the Party and/or its Personnel including without limitation any resulting liability the Partnership has to the funder or to any third party.
- 8.8 Each Party agrees and undertakes at its own expense to make the Nominated Representative available to attend the Steering Group.
- 8.9 Each Party shall provide the Steering Group with quarterly statements of RAMS tariff contributions received.

Employment Liabilities:

- 8.10 All claims, including claims without limitation for redundancy payments, unlawful deduction of wages, unfair, wrongful or constructive dismissal compensation, compensation for sex, race, disability, age, religion or belief, gender reassignment, marriage or civil partnership, pregnancy or maternity, or sexual orientation discrimination, claims for equal pay, compensation for less favourable treatment of part-time workers, and any claims (whether in tort, contract, statute or otherwise), demands, actions, proceedings and any award, compensation, damages, tribunal awards, fine, loss, order, penalty, disbursement, payment made by way of settlement and costs and expenses reasonably incurred in connection with a claim or investigation (including any investigation by the Equality and Human Rights Commission or other enforcement, regulatory or supervisory body), and of implementing any requirements which may arise from such investigation, and any legal costs and expenses.

9. ADDITION OF PARTIES TO THE PARTNERSHIP

- 9.1 Other local authorities may be invited to join the Partnership following any reviews of the project Zones of Influence only by the unanimous decision of the Steering Group and Project Board and on the condition that the new local authority becomes a party to this Partnership Agreement.

10. REMOVAL OR WITHDRAWAL OF PARTIES FROM THE PARTNERSHIP

Removal of Parties

- 10.1 Without prejudice to any other rights or remedies open to the Partnership, the Steering Group may, after a two-thirds majority vote of the full Steering Group meeting in favour of termination, ratified and via a written notice served on the Party, terminate a Party's membership of the Partnership, if the Party:
- 10.2 Is in material breach of any of the terms of this Partnership Agreement and, where the breach is capable of remedy, the Party fails to remedy such breach within 30 days' service of a written notice specifying the breach and requiring it to be remedied; or
- 10.3 In the opinion of a majority of the Steering Group, is incompetent, commits any act of gross or persistent misconduct and/or neglects or omits to perform any of its duties or obligations under this Partnership Agreement; or

- 10.4 Fails or refuses after written warning from the Steering Group to carry out the duties or obligations reasonably and properly required of it under this Agreement; or
 - 10.4.1 ceases to operate its business or undertaking;
 - 10.4.2 provides the Steering Group with any false or misleading information with regard to its ability to perform its duties or obligations under this Partnership Agreement; or
 - 10.4.3 has done anything which brings or might reasonably be expected to bring the Parties or the Project into disrepute or otherwise damage other contractors, employees, agents, customers, other business associates or the general public including, but not limited to, committing an act of fraud or dishonesty, whether or not connected with the Project.

Conditions Consequent on Removal or Withdrawal

- 10.5 Without prejudice to any other rights or remedies open to the Partnership, any Party may withdraw from the Partnership for any reason provided they serve written notice to the Steering group at least six months prior to the date of their withdrawal. The withdrawing Party will still be bound to the terms of the Partnership up until the date of their withdrawal. In the event of withdrawal or expulsion of a Party, the Partnership will be liable to meet only the cost of any work undertaken up to the point at which a Party ceases to be a member of the Partnership. The balance of any payments made to the Party will be returned to the nominated representative of the Lead Institution within 30 days of withdrawal or expulsion. Any repayment to a Partner will only be made in the event that no works have been undertaken to the dwelling or development to which the RAMS tariff applies. In all cases, the Partnership reserves the right of access to any work produced in the course of the Party's work as part of the Partnership.

11. DATA MANAGEMENT

Data Collection

- 11.1 In the course of the Project, each Party may be involved in the production and collection of data such as surveys or questionnaires. Data relevant to all partners are to be sent the Delivery Officer and stored in the project SharePoint site. Each Party agrees to ensure that all data submitted to the Delivery Officer are accompanied by documentation detailing the origin of the data, together with any necessary consents.

Data Maintenance

- 11.2 Chelmsford City Council hereby undertakes to set up and maintain a new project SharePoint site for the duration of the Project to replace the existing site hosted by Colchester Borough Council.

Data Protection

- 11.3 Each Party agrees to sign a Data Controllers Agreement and a Data Processing Agreement prior to processing personal data for the purposes of the Project in the event that any personal information needs to be shared or processed between Parties.

Freedom of Information

- 11.4 The Partnership acknowledge that the Lead Institution and the Parties are all subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR) and shall assist and cooperate with the Lead Institution and with each other to enable them to comply with their information disclosure obligations.
- 11.5 A Party in receipt of a request for information shall be responsible for determining in its absolute discretion and notwithstanding any other provision in this Partnership Agreement or any other contract whether the confidential and /or any other information is exempt from disclosure in accordance with the (FOIA) or the (EIR).

12. CONFIDENTIALITY

- 12.1 Each Party hereby undertakes to the other Parties that it shall procure that its employees, agents and sub-contractors shall:

- 12.1.1 Keep confidential all information of a confidential nature (whether written or oral) concerning this Partnership Agreement and the business affairs of another Party that it shall have obtained or received as a result of the discussions leading up to or entering into or performance of this Partnership Agreement (the "Information");
- 12.1.2 Not without the prior written consent of the relevant other Party disclose the Information either in whole or in part to any other person save those of its employees, agents and sub- contractors involved in the implementation or evaluation of the Project who have a need to know the same for the performance of their duties;
- 12.1.3 Use the Information solely in connection with the implementation of the Project and not otherwise for its own benefit or the benefit of any third party.
- 12.1.4 These provisions above shall not apply to the whole or any part of the Information to the extent that it can be shown by the receiving Party to be:
 - 12.1.4.1 Known to the receiving Party prior to the date of this Partnership Agreement and not obtained directly or indirectly from any other party; or
 - 12.1.4.2 Obtained from a third party who lawfully possesses such Information which has not been obtained in breach of a duty of confidence owed to any party by any person; or
 - 12.1.4.3 In the public domain in the form in which it is possessed by any other party other than as a result of a breach of a duty of confidence owed to such other party by any person; or
 - 12.1.4.4 Required to be disclosed by legal process, law or regulatory authority.

12.2 Each Party hereby undertakes to the other Parties to make all relevant employees, agents and sub-contractors aware of the confidentiality of the Information and provisions of this clause and without prejudice to the generality of the foregoing to ensure compliance by such employees, agents and sub-contractors with the provisions of this clause.

13. INTELLECTUAL PROPERTY

13.1 IPR Warranties

Each Party shall obtain the necessary assignments of Intellectual Property Rights or licences from all staff, agents, or sub-contractors involved in the development and production of the Project Deliverables on its behalf. Each Party warrants to the other Parties that it is the owner of the Intellectual Property Rights in the Project Deliverables, or that it is duly licensed to use the Project Deliverables, and that the use of the content of the Project Deliverables as contemplated in this Partnership Agreement does not infringe any Intellectual Property Rights or other proprietary or rights of any natural or legal person.

13.2 Background IPR

All Background IPR used in connection with this Partnership Agreement shall remain the property of the Party introducing the same or any other third parties. Each Party shall take responsibility for ensuring that all necessary permissions have been sought to use Background IPR.

13.3 Foreground Rights

All Foreground IPR arising from this Partnership Agreement shall belong to the Party generating the same.

13.4 Accuracy

Each Party shall use reasonable endeavours to ensure the accuracy of any information or materials that it supplies to the other Parties under this clause and shall promptly correct any error therein of which it is notified. The donating Party will provide no warranties to recipient Parties in respect of the information and materials, and the recipient Parties shall be entirely responsible for the use to which they put such information and materials.

13.5 Access Rights

- 13.5.1 Each Party hereby grants to the other Party a royalty-free, non-exclusive, worldwide, irrevocable, assignable, perpetual licence to use its (and third parties) Background IPR and Foreground IPR for the purpose of performing their part of the Project.

- 13.5.2 Each Party hereby indemnifies the other Parties against any liabilities, loss, claims or expenses brought against or incurred as a result of its use of and/or sale of products containing the other Parties' Background IPR and/or Foreground IPR.
- 13.5.3 After completion of the Project all Parties shall continue to have the right to use their Foreground IPR at no cost for the purposes of exploiting the materials in the carrying out of their usual educational activities.
- 13.5.4 After completion of the Project the Partnership shall provide on request, to any educational institution (as defined by s.65 (5) of the Further and Higher Education Act 1992), a free copy of the Project Deliverables subject to a royalty free non-exclusive perpetual licence to use the Project Deliverables for non-commercial purposes.
- 13.5.5 Use of Background IPR and/or Foreground IPR by third parties other than Parties, and by educational institutions (as defined by s.65(5) of the Further and Higher Education Act 1992) for commercial purposes, shall be at the discretion of the Parties owning such Background IPR and/or Foreground IPR.
- 13.5.6 Each Party hereby grants to the Lead Institution a royalty-free, non-exclusive, worldwide, irrevocable, assignable, perpetual licence to use all Background IPR and Foreground IPR of the Parties for the purpose of performing its obligations under Clause 2 and in order to licence to the Higher Education Funding Council for England (HEFCE) the rights as set out in the (HEFCE) Licence.
- 13.5.7 Each Party hereby indemnifies (HEFCE) against any liabilities, loss, claims or expenses brought against or incurred as a result of its use of the Deliverable in accordance with the (HEFCE) Licence.

14. TERMINATION

- 14.1 This Agreement may be terminated at any time by the unanimous written agreement of the Parties:
- 14.1.1 By serving six months' written notice on Partner Authorities.
 - 14.1.2 There is a material change in circumstances, policy, legislation which renders the Partnership unworkable.
- 14.2 Chelmsford City Council may terminate this Partnership Agreement at any time by serving Partner Authorities sixth month's written notice or in the event Chelmsford City Council as Accountable Body are unable to recruit a person suitable to carry out the role of Delivery Officer.
- 14.3 The termination of this Partnership Agreement, howsoever arising, is without prejudice to the rights, duties and liabilities of the Parties accrued due prior to termination. The provisions in this Partnership Agreement which expressly or impliedly have effect after termination shall continue to be enforceable notwithstanding termination.

15. GOVERNING LAW AND DISPUTE RESOLUTION

- 15.1 This Partnership Agreement shall be governed by and construed in accordance with English law and the parties irrevocably agree that any dispute arising out of or in connection with this Partnership Agreement will be subject to and within the jurisdiction of the English courts.
- 15.2 All Parties shall each be under a general obligation to use all reasonable endeavours to negotiate in good faith and to settle amicably any dispute of whatever nature arising in connection with this Partnership Agreement. If the Parties are unable to resolve a dispute(s) in an informal manner the dispute will be escalated by referring to the EPOA Chief Officers Group (Project Board) for resolution.
- 15.3 Having followed the procedure set out in clause 15.2 and the dispute in question has not been resolved where the Parties agree that a dispute arising out or in connection with this Partnership Agreement would best be resolved by the decision of an expert, they will agree upon the nature of the expert required and together appoint a suitable expert by agreement.
- 15.4 Any person to whom a reference is made under Clause 15.3 shall act as expert and not as an arbitrator and his decision (which shall be given by him in writing and shall state the reasons for his decision) shall be final and binding on the parties except in the case of manifest error or fraud.

- 15.5 Each party shall provide the expert with such information and documentation as he may reasonably require for the purposes of his decision.
- 15.6 The costs of the expert shall be borne by the Parties in such proportions as the expert may determine to be fair and reasonable in all circumstances or, if no determination is made by the expert, by the Parties in equal proportions.

16. GENERAL PROVISIONS

16.1 Sole Agreement

Subject to Clause 5 of this Partnership Agreement contains all the terms which the Parties have agreed in relation to the subject matter of this Partnership Agreement and supersede any prior written or oral agreements, representations or understandings between the Parties relating to such subject matters. No Party to this Partnership Agreement has been induced to enter into this Partnership Agreement by a statement or promise which it does not contain save that this clause shall not exclude any liability which one party would otherwise have to the other in respect of any statements made fraudulently by that party.

16.2 Schedules

The Schedules shall have the same force and effect as if expressly set in the body of this Partnership Agreement and any reference to this Partnership Agreement shall include the Schedules.

16.3 Waiver

No failure or delay by any Party to exercise any right, power or remedy will operate as a waiver of it nor will any partial exercise preclude any further exercise of the same, or of some other right, power or remedy.

16.4 Severability

If any clause or part of this Partnership Agreement is found by any court, tribunal, administrative body or authority of competent jurisdiction to be illegal, invalid or unenforceable then that provision shall, to the extent required, be severed from this Partnership Agreement and shall be ineffective without, as far as is possible, modifying any other clause or part of this Partnership Agreement and this shall not affect any other provisions of this Partnership Agreement which shall remain in full force and effect.

16.5 Force Majeure

No Party will be deemed to be in breach of this Partnership Agreement, nor otherwise liable to the other for any failure or delay in performance of this Partnership Agreement if it is due to any event beyond its reasonable control other than strike, lock-out or industrial disputes but including, without limitation, acts of God, war, fire, flood, tempest and national emergencies and a Party so delayed shall be entitled to a reasonable extension of time for performing such obligations.

16.6 Assignment

Save as permitted for under this Partnership Agreement, neither this Partnership Agreement nor any of the rights and obligations under it may be sub-contracted or assigned by any party without obtaining the prior written consent of the other parties. In any permitted assignment, the assignor shall procure and ensure that the assignee shall assume all rights and obligations of the assignor under this Partnership Agreement and agrees to be bound to all the terms of this Partnership Agreement.

16.7 Variation

This Partnership Agreement may be amended at any time by written agreement of the Parties. No variation to this Partnership Agreement shall be effective unless in writing signed by a duly authorised officer of each of the written Parties.

16.7 Notice

Any notice in connection with this Partnership Agreement shall be in writing and may be delivered by hand, pre-paid first class post or Special Delivery post (but not by e-mail), addressed to the recipient at its registered office or its address or as the case may be (or such other address, or as may be notified in writing from time to time).

The notice shall be deemed to have been duly served:

16.8.1 if delivered by hand, when left at the proper address for service;

16.8.2 if given or made by prepaid first-class post or Special Delivery post, 48 hours after being posted or in the case of Airmail 14 days after being posted (excluding days other than Business Days);

provided that, where in the case of delivery by hand, such delivery occurs either after 4.00 p.m. on a Business Day, or on a day other than a Business Day, service shall be deemed to occur at 9.00 a.m. on the next following Business Day (such times being local time at the address of the recipient).

16.9 Rights of Third Parties

It is agreed for the purposes of the Contracts (Rights of Third Parties) Act 1999 that this Partnership Agreement is not intended to, and does not, give to any person who is not a party to the Agreement any rights to enforce any provisions contained in this Partnership Agreement except for any person to whom the benefit of this Partnership Agreement is assigned in accordance with clause 16.6 (Assignment).

16.10 Counterparts

This Partnership Agreement may be executed in one or more counterparts and any party may enter into this Partnership Agreement by executing a counterpart. Any single counterpart or set of counterparts executed in either case by all the parties shall constitute one and the same agreement and a full original of this Partnership Agreement for all purposes.

IN WITNESS whereof the Parties hereunto have affixed their Common Seal the day and year first before written

THE COMMON SEAL of CHELMSFORD CITY COUNCIL

Was hereto affixed in the presence of:

Executed as a Deed by affixing
THE COMMON SEAL of
BRAINTREE DISTRICT COUNCIL
In the presence of:-

Authorised Signatory

.....
Mayor

.....
Authorised Officer

THE COMMON SEAL of OTHER LOCAL AUTHORITIES

SCHEDULE 1 – RAMS Mitigation Strategy

Attachment to be embedded on page.

DRAFT

SCHEDULE 2 - Essex Coast Recreational disturbance Avoidance & Mitigation Steering Group

TERMS OF REFERENCE

July 2020

1. Purpose of the Steering Group

1.1 The purpose of the Steering Group is to facilitate joint working by the partner local authorities to the Essex Coast Recreational disturbance Avoidance & Mitigation Strategy (the Essex Coast RAMS).

1.2 The Steering Group will work together to:

- Publish, monitor and update the completed Recreational disturbance Avoidance and Mitigation Strategy (RAMS)
- Adopt, monitor and update an Essex Coast RAMS Supplementary Planning Document (SPD)
- Implement and monitor the necessary mitigation measures, and
- Facilitate liaison and information sharing between the partners.

1.3 The Steering Group will liaise with other organisations which are undertaking related activities in order to exchange information and best practice and avoid duplication of work including Natural England, Essex Wildlife Trust and the RSPB.

2. Steering Group Membership

2.1 The Steering Group comprises the following local authority (LA) partners:

- Basildon
- Braintree
- Brentwood
- Castle Point
- Chelmsford
- Colchester
- Maldon
- Rochford
- Southend-on-Sea
- Tendring
- Thurrock
- Uttlesford

2.2 An officer representative from each of the organisations will attend meetings of the Steering Group. Each LA will notify the Chair of any substitute in advance of Steering Group meetings and that will be eligible to cast that partners vote. The Chair will be rotated from July 2020. The Chair will circulate an agenda before the meeting. Each LA partner shall take it in turns to produce meeting minutes until the Delivery Officer is in post. Each LA partner will have one vote, except the Chair who has a casting vote. A LA partner may not vote on matters concerning a dispute with the Partnership where the Party is the subject of the dispute. Where a Party has more than one member/officer present at a meeting, they will only be entitled to one vote.

2.3 Representatives from Natural England and Essex County Council will also attend the meetings to provide guidance and advice. Representatives from Places Services involved in the production of the RAMS and SPD will also attend the meetings until these documents are adopted by all partner LPAs. Any representatives from Natural England, Essex County Council and Places Services will not be eligible to vote. The quorum for a meeting will be five (5) voting LA partners.

2.4 At the discretion of the Steering Group Chair, any staff and contractors employed to undertake the work of the Partnership may be invited to attend meetings of the Steering Group where appropriate. Any representatives will not be eligible to vote.

3. Governance

3.1 The work of the Steering Group will be overseen by the EPOA Chief Officers Group (the Project Board) which will approve the annual work programme and priorities. EPOA Chief Officers Group will invite the Delivery Officer and Chair of the Steering Group to attend meetings where the work of this Partnership is to be discussed. The Essex Coastal Forum which comprises Officers and Members from partner LAs, will also discuss the Essex Coast RAMS at bi-annual meetings.

4. Steering Group functions and procedures

4.1 The Steering Group shall have the following functions:

- To promote, monitor and update (as appropriate) the Recreational disturbance Avoidance and Mitigation Strategy (RAMS) as the technical strategy to support the RAMS Supplementary Planning Document (SPD)
- To adopt, promote, monitor and update (as appropriate) the RAMS Supplementary Planning Document (SPD)
- To provide a single point of contact for information and advice on the project
- To receive regular reports from the Delivery Officer on the implementation and monitoring of the RAMS and SPD and the effectiveness of the necessary mitigation measures and, where appropriate, to recommend appropriate action to the EPOA Chief Officers Group
- To facilitate liaison and information sharing between the partners
- To appoint and manage staff employed to undertake the project activities, including the project Delivery Officer and Rangers, subject to verification by the EPOA Chief Officers Group
- To approve studies and works relating to the delivery and implementation of the RAMS and SPD
- To receive from the Accountable Body and Project Delivery Officer half yearly accounts relating to the collection and administering of developer contributions received and the allocation and expenditure of funds
- To receive from the appointing Partner and Project Delivery Officer reports as appropriate relating to the management of other staff employed to deliver the RAMS (e.g. Rangers)
- To report on the Steering Group's activities and seek approval of the future work programme and expenditure, as necessary and at least annually, to the EPOA Chief Officers Group and Essex Coastal Forum Officer and Members Group
- To approve and publish documents relating to the RAMS
- To keep these terms of reference under review and make appropriate amendments as necessary.

4.2 The Steering Group will meet monthly until the Project Delivery Officer has been appointed (anticipated in mid-2020). The Steering Group will then meet quarterly. The Chair will be elected annually from amongst the nominated representatives of the partner LAs.

4.3 The Steering Group may establish small project or working groups, resourced as necessary, to progress particular aspects of its work. Representatives of organisations who have a recognised interest in the planning or management of the RAMS but are not Steering Group members may be invited to join such groups.

5. Accountable Body

5.1 The Steering Group shall recommend the appointment of one of the partner local authorities to hold and administer the RAMS contributions and to employ and manage the Delivery Officer.

5.2 The RAMS contributions will be sent quarterly from each LA to the Accountable Body. Invoices will be paid as advised by the Delivery Officer. Each LA will be responsible for monitoring contributions received and forecasting their future tariff income. Each partner LA will be responsible for ensuring that only RAMS contributions that are available to spend are sent to the Accountable Body and for arranging any requests for refunds.

5.3 The LA Partners will nominate a single point of contact for the accountable body e.g. their S106 monitoring officer.

5.4 The Accountable Body will be rotated between the partners LPAs every 3 years.

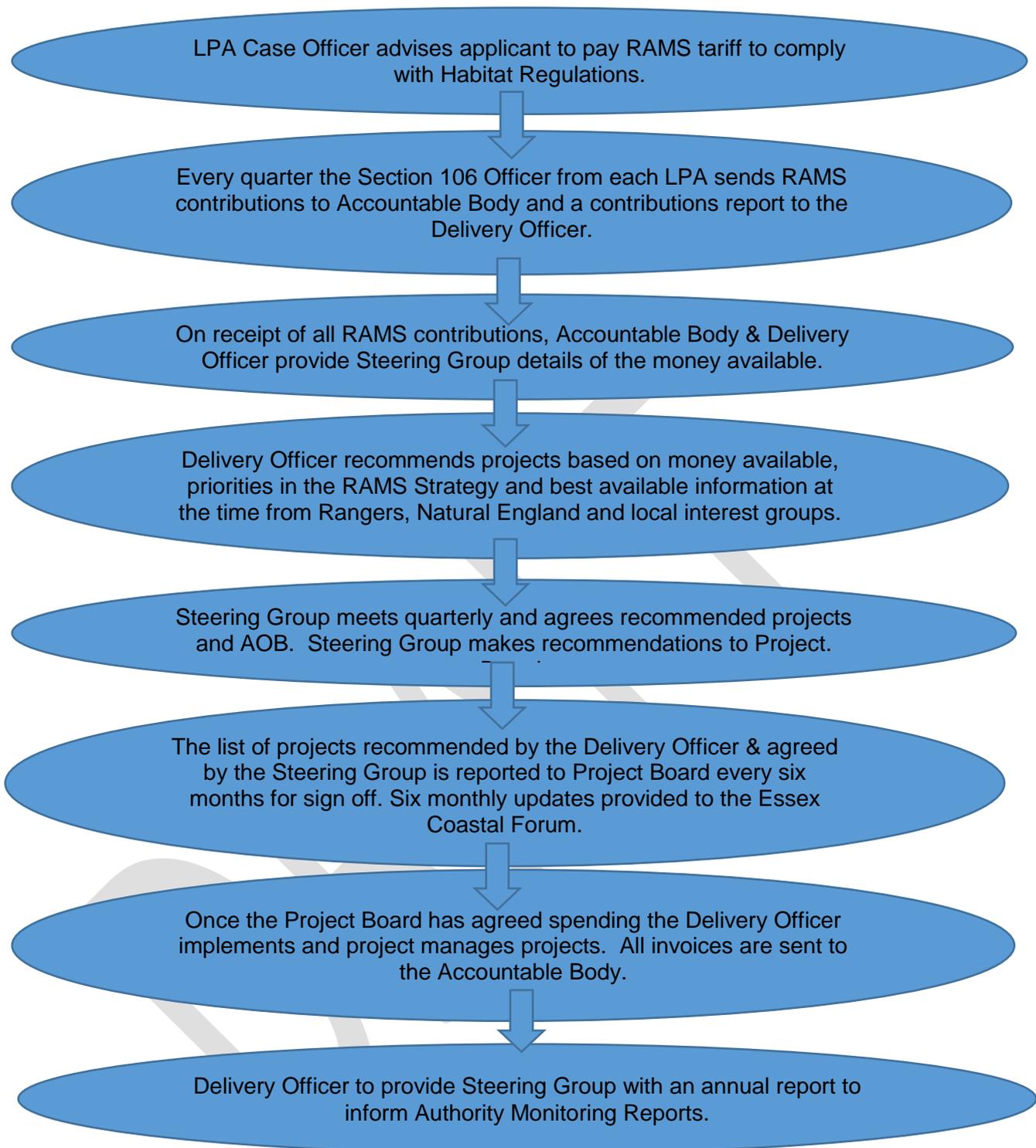
6. Communications

7.1 The Steering Group shall appoint one of the partner local authorities to oversee the project communications until a project Delivery Officer is appointed.

SCHEDULE 3 – RAMS Delivery Flow Chart

The flowchart overleaf sets out the steps for the governance and delivery of the Essex Coast RAMS. Some of the terms referred to in the flowchart are defined, below.

- **Accountable Body:** One Local Authority (LA) who sets up the governance & delivery arrangements, holds and administers the RAMS contributions, provides advice and guidance on financial matters, and employs and manages the Delivery Officer. The RAMS contributions will be sent quarterly from each LA to the Accountable Body. Invoices will be paid as advised by the Delivery Officer. Each LA will be responsible for monitoring contributions received by Habitat Site and for forecasting their future tariff income.
- **Delivery Officer:** A full time Officer employed to project manage the implementation of the RAMS. To be based at the Accountable Body offices although other LAs can request that they spend time working from their offices if desired. The Delivery Officer will manage two part-time Rangers. Project staff salaries including NI, overheads and annual increments will be paid out of RAMS contributions. Line management costs, maternity cover long-term sickness and redundancy costs (if incurred) will be shared between the LAs. Rangers can be employed by any partner LA.
- **Steering Group:** The existing Steering Group is made up of a Nominated Representative from each LA. The Steering Group will meet quarterly to discuss and agree the projects recommended by the Delivery Officer. The Steering Group will continue to include representative(s) from Natural England and Essex County Council. Sub-groups may be formed at any time as desired and could include local conservation groups.
- **Project Board:** This will govern and oversee the overall direction of the RAMS. The Project Board will be asked to agree recommended projects proposed by the Delivery Officer and Steering Group every six months. The Project Board will comprise the Lead Officers who are currently the EPOA Chief Officers Group. The Project Board shall determine its own membership during the term of this Agreement ensuring that the interests of each current Partner are at all times represented by a Lead Officer.
- **Essex Coastal Forum:** This will provide a high-level Elected Member oversight into the project. The Forum will receive project reports every six months. The Forum has been in existence for some time and has expanded its terms of reference to include representatives from all partner LAs.



CHELMSFORD CITY COUNCIL

DRAFT JOB DESCRIPTION

Job Title	Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Delivery Officer
Service	Town Planning
Directorate	Sustainable Communities
Grade	9
Responsible to	Spatial Planning Services Manager
Responsible for	Project Rangers x 2 and Volunteers

1. Main Purpose of the Job

To coordinate the implementation and monitoring of the Essex Coast RAMS.

2. Duties and Responsibilities

2.1 Coordinating strategy implementation, including:

- Coordinate all the Essex Coast RAMS Partnership's workstreams to ensure they are working towards the same overall vision and timetable
- Line manage, steer and coordinate the work of project rangers and other staff that may be employed by the project in the future
- Initiate and facilitate meetings of the Essex Coast RAMS Steering Group and meetings with external bodies to ensure coordination including preparing meeting agenda and papers
- Report progress on implementation of the Essex Coast RAMS at the Project Board and Essex Coastal Forum
- Prepare and issue tender documentation for consultancy support, evaluate tenders received, steer the work of the appointed consultancy and ensure satisfactory outputs
- Prepare and issue for agreement an annual programme of mitigation projects
- Prepare and actively manage the programme of mitigation projects to ensure that allocated money is spent, by regularly monitoring project progress and bringing forward reserve schemes if necessary
- Produce regular quarterly reports on progress with their implementation and costs
- Investigate potential new funding sources for projects as they arise and prepare bids for funding where appropriate.

2.2 Monitoring strategy implementation, including:

- Maintain an overview of authorities' implementation of the Strategy
- Report any divergences from the Strategy to the Steering Group and/or Project Board
- Set up and manage a system for collating information quarterly from partner local authorities on the number of planning permissions granted subject to a developer contribution, developer contributions received against each Habitats Site and forecast future income
- Work with CCC Accountancy to ensure contributions are received quarterly from partner local authorities
- To set up in-perpetuity arrangements and to create an in-perpetuity investment fund to fund mitigation measures beyond 2038
- To prepare and issue guidelines on criteria for Suitable Alternative Natural Greenspaces (SANGs).

2.3 Monitoring the effectiveness of the strategy, including:

- Prepare and issue an Essex Coast RAMS Monitoring Strategy and annual monitoring statement for use by partner councils in their Authority Monitoring Report
- Ensure the timely commissioning of consultants to undertake a review of the Essex Coast RAMS Strategy and Supplementary Planning Document (SPD)
- Ensure the timely commissioning of consultants to undertake monitoring surveys

- Prepare and issue tender documentation for those surveys, evaluate tenders received, steer the work of the appointed consultancy and ensure satisfactory outputs.

2.4 Partnership coordination, including:

- Prepare agendas and papers for, and minutes of, all meetings of the Steering Group. Provide advice at the meetings and initiate the necessary follow-up actions.
- Prepare agendas and papers on the Essex Coast RAMS for relevant meetings of the Project Group. Provide advice at the meetings and initiate the necessary follow-up actions.
- Prepare the Partnership's Annual Report
- Prepare twice-yearly reports to the Essex Coastal Forum (which provides the political governance for the Partnership)
- Keep the Project Board and Steering Group Chairs briefed on progress and significant events between meetings
- Establish and keep under review relevant procedures, protocols and other key documents for the Steering Group to ensure that it operates on a sound legal and administrative footing.

2.5 Budget and financial monitoring, including:

- Prepare the draft annual budget in consultation with the Partnership's accountant (CCC)
- Approve expenditure proposals and validate claims for payment by the Partnership's accountant (CCC).

2.6 Communication, including:

- Maintain and when necessary update the Partnership's website (Bird Aware)
- Deal with and monitor requests from external organisations and the media for information about the project and its activities
- Organise and implement seminars/events for officers and/or Members of partner organisations
- Deliver presentations on the project work at project events and to external forums.

3. Work Location

You will normally be based at the Civic Centre, Chelmsford, but may be required to work from other locations should circumstances make it necessary, including other partner council main offices.

4. General Conditions

- A. This Job Description is subject to your conditions of Employment, which, in the event of conflict, shall take precedence. The post holder will carry out the duties specified above and such other duties as may be required from time to time. The Job Description may be reviewed and amended in the light of any changes that are made.
- B. It may be necessary, from time to time, for you to work hours in excess of, or differing from, your normal working hours.
- C. It may be necessary for you to be trained in, and use, new technology as it is introduced into the Council's activities.
- D. It is a condition of employment that you may be required to assist in the organisation and running of elections or referenda that take place in the City, relating to Parish Councils, the City Council, the County Council, Parliament and the European Parliament, or other similar bodies. You will normally only be required to carry out election and referenda duties when there are insufficient experienced volunteers from within the Council's service who are available for and able to carry out such duties.
- E. You will carry out your responsibilities with due regard to the Council's Equal Opportunities Policy.
- F. You will be aware and undertake training as required in line with your responsibilities set out in the Council's Safeguarding children and vulnerable adults' policy.

Job Title: Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) Delivery Officer

	ESSENTIAL	DESIRABLE
<p>Education/Qualifications A degree or higher level/further qualification in a relevant discipline (e.g. planning, geography, environmental management, urban development, urban economics, law) or an equivalent level of previous experience gained through working in a related field</p>	E	
<p>Knowledge A high level of numeracy, and the ability to undertake financial planning, costing and preparation of budgets and letting of contracts</p>	E	
<p>A good understanding of mainstream computer packages such as Microsoft Word, Outlook etc</p>	E	
<p>Knowledge/ experience of the planning system and the relevant regulations, including those relating to CIL, Section 106 agreements, unilateral undertakings, and other potential sources of funding</p>		D
<p>Knowledge of European and UK legislation and policies which apply to the coast, and of the Habitats Regulations and Habitats Regulations Assessments</p>		D
<p>Experience Experience of partnership working with senior officers at a policy/strategic level</p>	E	
<p>Experience in managing staff</p>	E	
<p>Experience of making presentations to large audiences</p>		D
<p>Knowledge/ experience of the planning system and the relevant regulations, including those relating to CIL, Section 106 agreements, unilateral undertakings, and other potential sources of funding</p>		D
<p>Experience of working with elected members</p>		D
<p>Experience in a similar role</p>		D
<p>Experience of complex project management</p>	E	
<p>A working knowledge of health and safety legislation and undertaking risk assessments</p>	E	
<p>Possessing Project Management skills</p>	E	

Personal Qualities and Attributes

Candidates will be expected to demonstrate the following qualities and attributes in relation to the job:

Excellent written and verbal communication skills E

The ability to present technical information to a non-technical audience, both in writing and orally E

The ability to undertake financial planning and to write reports, tender documents, funding bids, and business plans E

The ability to build and maintain relationships with and be trusted by other team members, and by officers and members of partner authorities E

The ability to work under own initiative and organise own time to meet deadlines E

Proven abilities in diplomacy, negotiation and mediation E

D

Circumstances

The ability to work flexibly and willing/able to travel E

DRAFT

Committee:	Cabinet	Date:	9th September 2020
Title:	Council House Development Sites		
Report Author:	Roz Millership – Assistant Director for Housing, Health and Communities rmillerhsip@uttlesford.gov.uk	Key decision:	No
Portfolio Holder:	Councillor Lees, Portfolio Holder for Housing		

Summary

1. This report provides Cabinet with detail relating to the development of various sites across the District.
2. These sites have been identified as having potential for the development of council owned homes, as part of the council's on-going development programme.

Recommendations

3. That Cabinet approves this report and agrees that these identified sites and other suitable sites out of those currently being investigated, are progressed through the planning application stage.

Financial Implications

4. The indicative costs for the developments have been estimated by our consultant Quantity Surveyor. These costs are currently estimates which will be updated as further detailed information becomes available. They do, however, take account of known site constraints and prevailing market conditions. The final cost will only be known following the tender process for the selection of a building contractor.
5. Should planning permission be gained a separate business case for each development will be brought to Cabinet for formal approval at the appropriate time.

Background Papers

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

[Housing Strategy 2016 – 2021](#)

[HRA Business Plan 2016 – 2046](#)

- 7.

Communication/Consultation	Existing tenants, local residents, Parish and Town Councils and external agencies
Community Safety	Appropriate precautions would be taken during works
Equalities	Equality and diversity is a key issue for the Council with regards to housing provision
Health and Safety	During the management of the project all risks will be constantly reviewed, revised and managed
Human Rights/Legal Implications	Legal team have been consulted
Sustainability	An opportunity to construct new thermally efficient homes for people in housing need.
Ward-specific impacts	Various
Workforce/Workplace	There are sufficient resources in the housing team to manage the development projects identified in this report

Situation

8. Officers have been working on developing a new 3 year development programme with an objective of achieving 200 properties over this period.
9. Opportunities have been identified to source and deliver new housing as follows:
 - Using existing council owned sites within the district – where we own land such as garage sites that have potential to be developed
 - The acquisition of land if economically viable
 - The acquisition of Rural Exceptions Sites if economically viable
 - The acquisition of s106 opportunities with developers and housebuilders in partnership with our registered provider partners
 - The acquisition of existing dwellings that would provide a value for money option and meet an identified need.

HRA Business Plan

10. The Council's HRA Business Plan is a key document in relation to the development and redevelopment of the housing stock. It considers the financial viability of investment in new homes and the numbers to be developed as well as their locations in the short to medium term. The plan is currently being updated to include new borrowing opportunities.

11. To ensure that the Council can continue to fund the development of Council housing it is important that each scheme identified has been properly assessed for viability. There must be an acceptable relationship between the cost of delivering the housing, taking all costs into account, and the rental income that will be received. It is necessary to ensure that the impact of each scheme on the HRA Business Plan is calculated and properly understood. The cumulative effect of the development programme must be affordable in the context of the wider HRA Business Plan.
12. Only schemes that are viable will be progressed and a business case will be brought to Cabinet for consideration.

Development Opportunities

13. Development provides good value for money if it takes place on Council owned land. As such it is important to explore the potential of the Council's land holdings to contribute towards improving the supply of new Council housing.
14. As well as sites that are already being progressed, as detailed in the development programme, the sites below have been identified as development opportunities on council owned land:
 15. **Parkside, Saffron Walden** - This site is currently a Sheltered Housing Scheme, which was identified in the Sheltered Housing Review as providing accommodation that does not conform to modern standards. It has therefore been identified for redevelopment. The existing tenants have been consulted, and suitable alternative accommodation will be identified for them all. Having looked at refurbishment or demolition and re-build, it has been concluded that the later is the better option. Therefore the proposal is to demolish the existing building to provide a new self-contained independent living development of self contained apartments, for residents aged 60 years old and over. Architects have been appointed and are consulting with Planners through a Pre-Planning Application. The current proposal is to construct 21 new apartments on the site, with a mixture of 1 and 2 bedrooms, and also including 2 wheelchair standard flats. The current budget estimate is £3.5 million, and this will be continually reviewed as our proposal for the site is developed further.
 16. **Gold Close, Elsenham** - This site is a small parking area at the above location. It is under-utilised as a parking area because the properties in that locality have their own in curtilage parking provision and some also have garages. Residents were notified regarding the closure of the parking area and it has been closed off since February 2020. The proposal for the site is to construct a 3 bedroom fully wheelchair compliant bungalow for an identified family in housing need. The bungalow has been designed in partnership with the family and their Occupational Therapist to ensure that it meets their requirements now and into the future. On this basis, a Planning Application has been submitted. The construction estimate for the property is £220,000.

17. **Auton Croft, Saffron Walden** - This site is an area of open space in the ownership of UDC. It is accessed via the affordable housing development at Auton Croft. Architects have been appointed and planning colleagues have been consulted via a Pre-Planning Application. Planners are supportive of the development of this site, and plans have been developed to construct 14 new dwellings. The homes will consist of 1, 2 and 3 bedroom houses, and a 2 bedroom wheelchair compliant bungalow. The homes will be heated by Air Source Heat pumps and PV panels will be provided on the roofs where appropriate. The current estimated build cost is £2.1 million.
18. **White Roding** - This Council owned site is an area of disused open space on an existing Council House development. Architects have yet to be appointed to progress this site, but we estimate that it has capacity to deliver up to 12 new rented Council homes. At this stage, we have not undertaken a cost estimate, but subject to site constraints and any abnormal costs, we are budgeting the build cost to be in the region of £2 million. When progressing the site, the necessary surveys will be undertaken, and we will consult with planning colleagues and all local stakeholders.
19. **Alexia House, Great Dunmow** - As with Parkside above, this is a Council owned sheltered housing complex that was identified in the Sheltered Housing Review as not conforming to modern standards. The proposal is to demolish the existing building to provide new self-contained apartments for older people.. The existing tenants have been consulted, and suitable alternative accommodation will be identified for them all. We have yet to instruct an architect for this site, but anticipate, subject to constraints, that it could provide 16 new homes. A budget estimate of £2.5 million has been proposed for this scheme.
20. **Takeley** - The Day Centre in Takeley, owned by the council's General Fund, is now closed as the building is no longer fit for purpose. The proposal under investigation is to develop the site occupied by the day centre, along with an adjacent area of land currently occupied by garages that are in need of demolition due to their poor condition. It is thought that up to 8 council rented homes could be delivered on this site. There is another parking area with garages in the vicinity of this site, so there is also the possibility to extend this row of garages, to replace some of those being demolished. This would have the added benefit of resolving an area that is subject to fly tipping of abandoned cars etc.

Unidentified Sites

21. The Council must consider acquiring land on the open market or by negotiation where practical in order to ensure that homes can be provided where they are needed as our existing land holdings are limited.
22. Housing Officers are currently working with their strategic planning colleagues to identify land already earmarked for potential housing development or stalled sites, that could provide further development opportunities for the

HRA. The intention is to identify 2/3 sites that would bring the number of new council rented homes identified for development by the HRA over the next 3 years, to approximately 200 properties. Further detail of these sites will be brought before members as they are identified.

Development Programme:

23.

Location	Number of Properties
Great Chesterford	13
The Moors, Little Dunmow	16
Thaxted Road, Saffron Walden	14
Walden Place, Saffron Walden	3 (New)
Parkside, Saffron Walden	21
Alexia House, Great Dunmow	16
Gold Close, Elsenham	1
White Roding	12
Auton Croft, Saffron Walden	14
South Road, Takeley	8
S106 site – currently negotiating with a developer	14
Unidentified sites	71
Total	200

Risk Analysis

24.

Risk	Likelihood	Impact	Mitigating actions
Insufficient sites identified for development	2	2	Look at all options available to ensure delivery target is met

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.