

Statement of Community Involvement

Essex Minerals and Waste Development Framework

**Adopted Version
October 2009**



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Foreword

By John Jowers, Cabinet Member for Localism and Planning

In September 2004, the **Planning and Compulsory Purchase Act** introduced significant changes to the planning system in England. As a result of this, Essex County Council is producing a new set of documents containing the policies which will determine how minerals and waste development is carried out in the county for at least the next fifteen years. One of these documents is this **Statement of Community Involvement (SCI)**, which sets out the standards by which the Council will produce policy documents and through which the people of Essex and adjoining communities can contribute to the preparation of minerals and waste policy documents and to the consideration of planning applications for minerals, waste and the County Council's own developments.



Essex County Council's **Corporate Plan 2008-20011** has as its over-arching priority the aim of: **Putting our customers first**. The Government has also recently published its White Paper, **Strong and prosperous communities**, which describes how local people and local communities can gain more influence and power through a rebalancing of the relationship between central government, local government and local people. I am therefore particularly pleased to introduce at this time the adopted version of this **Statement of Community Involvement**. The document gives a very clear picture of how we can fulfil our statutory responsibilities as the Minerals and Waste Planning Authority for Essex while engaging and involving local communities in decisions relating to planning applications and the policies governing them.

The **Statement of Community Involvement** has been the subject of considerable consultation with the people and businesses of Essex, and was submitted to the **Secretary of State** for consideration in September 2007 after a further period of public consultation. The **SCI** was found to be sound subject to minor amendments and clarifications as set out in the **Planning Inspector's** binding report of April 2008 (see Appendix G).

The **Planning Inspector's** recommendations have been incorporated into this adopted version of the **Statement of Community Involvement**, which also includes permitted minor updates and factual changes. The adopted version also includes changes brought about by the publication of the revised **Planning Policy Statement 12 (PPS12)** in June 2008. The Annex immediately following this Foreword sets out how these amendments to legislation affect our community engagement at each key stage of the consultation process.

This **adopted Statement of Community Involvement** will, I believe, stand as a fine example of how Essex County Council puts its customers first.

Words or phrases in **Bold** text are defined in the Glossary (Appendix A)

Annexe to Essex County Council's Adopted Statement of Community Involvement: New consultation arrangements for Development Plan Documents required by new Regulations and main stages in preparation of

New consultation arrangements for Development Plan Documents required by new Regulations

The Town and Country Planning (Local Development) (England)(Amendment) Regulations 2008 came into force on 27 June 2008. These have changed the requirements for consultation on Development Plan Documents (DPDs) and Minerals and Waste Development Documents (MWDDs).

Paragraph 2.25 of the adopted SCI describes the new stages in preparing MWDDs and how Essex County Council will engage the community and stakeholders. It replaces old Paragraph 2.25 of the Submission SCI of August 2007. Table 7 also sets out a quick reference guide to the process.

Main Stages in preparation of the MWDDs

The new Regulations remove the requirement for the formal Preferred Options consultation stage (former Regulation 26 stage). The new Regulation 25 is a single preparatory phase for DPDs and MWDDs, which should not be regarded as an isolated stage of consultation. There remains the requirement for front-loading, continuous involvement and assessment of reasonable options to inform the final plan.

It is considered that including a Preferred Approach step will demonstrate both front-loading and public engagement. Within Regulation 25, the Preferred Approach step will enable consultation responses to be taken into account to inform the plan to be submitted at the Regulation 27 stage. It should be noted that this step relates solely to the tests of soundness and not to the content and direction of the plan, and this approach would enable all stakeholders to be engaged at the outset of plan preparation.

The minimum requirements of new Regulation 25 are:

- i. That Essex County Council must notify each of the **specific consultation bodies** and appropriate **general consultation bodies** (see Appendix C) which it considers may have an interest in the subject of the proposed MWDD to be prepared.
- ii. That Essex County Council must invite each of these bodies to make representations about what the MWDD ought to contain.
- iii. That Essex County Council must also consider whether it is appropriate to invite representations from people resident or carrying on business in its administrative area.
- iv. In preparing the MWDD, Essex County Council must take into account any representations made in response to its invitation to make representations.

Essex County Council will continue to meet these minimum requirements and to seek early, effective and ongoing engagement with the community and stakeholders on each of the Minerals & Waste Development Documents.

The sustainability appraisal will perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. Sustainability assessment will inform the evaluation of reasonable alternatives and will provide a powerful means of proving both to the public and to decision-takers that the plan is the most appropriate, given reasonable alternatives (see Paragraph 2.13).

Depending on the type and nature of the document being prepared, the method of engagement will vary, as appropriate and proportionate to the scale of the MWDD, and will include encouraging participation on:

1. **Scoping and evidence gathering**

Pre-production scoping and the gathering of evidence will ensure that ECC has an understanding of the main issues to be addressed. Where appropriate, ECC will invite the input of stakeholders depending on the issues concerned.

2. **Consideration of issues and options**

The consideration of issues and options will explore reasonable alternative approaches to the MWDD. The results will help develop and refine its policies and proposals. The community and stakeholders will be encouraged to participate at this stage, and at the Preferred Approach step. A wide range of methods of involvement, consultation and information will be required to attract a broad input:

- i. Information through direct Council communications (email or letter), the media, the Council's website and other forms of publicity outlined in Table 9.
- ii. Online discussions through the consultation website.
- iii. Involvement through focus groups or workshops, links with existing community involvement activities, discussions with statutory consultees and stakeholder groups as well as other interested groups and individuals.
- iv. Targeted work to involve the Seldom Heard (see 3.4 to 3.7).

3. **Consideration of draft MWDD proposals and policies**

In seeking continuous engagement and aiming for optimum consensus on the MWDD, it is likely to be appropriate for ECC to engage the community and stakeholders on draft proposals and policies which follow on from consideration of issues and options, and this will be known as the Preferred Approach step of Regulation 25. Those previously involved in the consideration of issues and options will particularly be encouraged to take part and the following approaches to involve, consult and inform may be used as appropriate:

- i. Information through direct Council communications (email or letter), the media, the ECC website and other forms of publicity outlined in Table 9, as well as making documents available at libraries, district and borough council offices and at County Hall.
- ii. Involvement through the ECC Citizens' Panel, online or questionnaires at public events and exhibitions
- iii. Involvement through public exhibitions

- iv. Links with existing community involvement activities
- v. Discussions with statutory consultees and stakeholder groups as well as other interested groups and individuals
- vi. Targeted work to involve the Seldom Heard (see 3.4 to 3.7).

Table 7 of the adopted SCI sets out the outline Involvement Programme ECC will follow for each of its MWDDs, including specific details on how and when community involvement will take place. The most appropriate techniques for each stage will be selected from this checklist, but will include all statutory requirements.

Following preparation of the MWDD during Regulation 25, new Regulation 27 requires ECC to publish and make available the documents it proposes to submit to the Secretary of State for examination. The publication of the MWDDs at this stage is not considered to be an additional public consultation requirement. It is published so that representations relating to the test of soundness may be made. These will then be taken into account at the Independent Examination (see Stage 4 below).

New Regulation 28 covers the period during which ECC will invite representations to be put forward on the proposed submission MWDD for a period of at least 6 weeks (ECC will continue with its current consultation period of 8 weeks). This does not constitute an additional stage of public participation or consultation.

As this is a statutory stage, formal arrangements will apply:

- i. The MWDD and supporting documents will be made available at public libraries, district and borough council offices and at County Hall, as well as being published on the ECC website.
- ii. Publicity and notification will also take place through direct Council communications (email or letter), the media, the Council's website and other forms of publicity outlined in Table 9.

ECC will consider the representations received at Stage 2. In response, it is allowed (if necessary) to propose what the Government's plan-making manual describes as focused changes to the MWDD.

If ECC wishes to make a focused change, it will:

- i. Prepare an addendum to the proposed submission MWDD, setting out the proposed change.
- ii. Conduct a sustainability appraisal of the implications.
- iii. Consult the community and stakeholders on the addendum for a minimum period of 6 weeks (ECC will continue with its current consultation period of 8 weeks). At the close of this consultation, ECC will submit the proposed submission MWDD, the first representations, the addendum and the responses to the addendum to the Secretary of State.

An examination of the MWDD will be carried out by an independent Planning Inspector to test its soundness, taking into account the representations that have been received. Those who make representations may be invited by the Inspector to attend the parts of the examination held in public.

Following the end of the examination, the Inspector's report will be submitted to the Council. This Report will recommend either that the MWDD is unsound, sound or can be made sound if specific changes are made to it. The recommendations of the report will be binding on the Council.

Provided that the MWDD receives a sound rating in the Inspector's Report, ECC will then adopt the MWDD as part of its statutory Minerals & Waste Development Framework,

Part B) ECC's approach to consulting on planning obligations

ECC's approach continues as set out in Chapters 6 to 9 of the SCI, subject to any minor changes arising from the Annual Monitoring Review (see Table 17).

How you can get involved in planning decisions

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

These are some ways in which you can get involved:

- Read this **Statement of Community Involvement** and other **Minerals and Waste Development Documents** as they are published. Send us your comments:
 - On line during the consultation period via the appropriate link. For the SCI, this is www.essex.gov.uk/SCIconsultation
 - By email to mineralsandwastepolicy@essex.gov.uk
 - By fax to 01245 437213
 - By post to Minerals & Waste Planning, ECC, E3, County Hall, Chelmsford, CM1 1QH
- Check our website at www.essex.gov.uk/Planning for details of new proposals and let us have your views
- Read site notices and newspaper announcements to find out more about local proposals
- Visit your local library, district council offices or County Hall to look at plans for local proposals; ask us any questions about these; feed back your comments (see Appendices D and E for contact details)
- If you get a **Direct Neighbour Notification** letter about proposals close to your property, let us know what you feel about them (see 4.12-4.13 and 7.14-7.17)
- Read your parish newsletter/noticeboard for information about proposals in your area
- Attend public meetings and exhibitions about proposals for your area, and ask questions about what is involved
- **If you're short of time:** Remember you can access our website or email us 24 hours a day, 7 days a week. See www.essex.gov.uk/Planning and email mineralsandwastepolicy@essex.gov.uk (queries on policy) or mineralsandwasteDC@essex.gov.uk (queries on planning applications).
- **If you don't have a computer:** Remember you can use IT facilities for free in all local libraries, including some evenings and weekends (see Appendix E)
- **If you need help to view or understand documents or plans:** Remember that we can make information available in alternative formats or languages (see back cover)

These are just a few ways to get involved. Please look at Table 9 p25 for even more ideas. Ways to input to the planning application process are covered in more detail in Table 11 p46. It's your county and your future – make a positive contribution today!

A Summary of the Statement of Community Involvement

The Statement of Community Involvement sets out how communities can contribute to minerals and waste policy for Essex, and the consideration of planning applications for minerals, waste and the County Council's own developments.

A key objective of the new planning system is to strengthen community involvement. **Statements of Community Involvement (SCIs)** are being produced by all planning authorities, and set out how communities will be involved both in the preparation and revision of **Minerals and Waste Development Documents (MWDDs)** and in the consideration of planning applications, based on the policies set out in the MWDDs and other Development Documents. The Statement must ensure the active, meaningful and continued involvement of local communities and stakeholders throughout both processes.

Our SCI starts by outlining the range of Development Documents being produced (Chapter 2) and where they sit within the **Development Plan** (Figure 1) and within Essex County Council's corporate objectives. We identify what we mean by the community (Chapter 3), defining also whom we regard as the **seldom heard**, and summarise the principles and practice underpinning this SCI (Chapter 4) before detailing the process and timetable to be followed in its production.

In Table 6, we clarify the threefold purpose of our SCI and **Minerals and Waste Development Framework (MWDF)**: to provide information, to encourage consultation and to promote participation in determining the future of our county. This is reinforced in Table 9 (p25-43) by a summary of the methods we propose to use in this process for both the **Minerals & Waste Development Framework** and for planning applications.

Table 9 is the heart of our SCI: it covers not only proposed methods but an analysis of benefits and considerations plus resource implications for each method, together with a review of the stages of each process for which each method is most suited. It can be used in a variety of ways: by planners as a guide when deciding appropriate consultation methods for different stages of the MWDDs; by developers to identify their **Public Involvement Programmes** for planning applications, and by members of the public to see how they might best get involved with the planning process.

In the second half of the SCI (Chapters 5 to 9), we examine how public awareness of the planning application process can be increased at each of its four stages, particularly by encouraging applicants to carry out **public involvement programmes** before submitting an application, and by widening the use of **Direct Neighbour Notification**.

The Statement concludes with details of how we aim to resource the programme of involvement (Chapter 10) and to plan its future monitoring (Chapter 11) before providing further information and useful contact details in a series of appendices (A to G).

Abbreviations used in the SCI

We've tried to avoid abbreviations wherever possible, but some have inevitably crept in. Where the full version is given in **bold** font, more information can be found in the Glossary (Appendix A). Similarly, phrases in the text in **bold** are defined in the Glossary.

	Stands for		Stands for
AMR	Annual Monitoring Report	MDD	Minerals Development Documents
CD-Rom	Compact Disc with Read-only Memory	MWDDs	Minerals & Waste Development Documents
D & R	Development & Regulation	MWDF	Minerals & Waste Development Framework
DC	Minerals and Waste Planning	MWDS	Minerals & Waste Development Scheme
DCLOG	Department of Communities & Local Government	ODPM (obs)	Office of the Deputy Prime Minister (obsolete) – see DCLOG
DNN	Direct Neighbour Notification	PC	Personal Computer
DPD	Development Plan Document	PDC	Planning Development Control
ECC	EssexCounty Council	PDF	Portable Document Format
EIA	Environmental Impact Assessment	PIP	Public Involvement Programme
GPDO	General Permitted Development Order	PPS	Planning Policy Statement
IT	Information Technology	RSS	Regional Spatial Strategy
LDDs	Local Development Documents	SA	Sustainability Assessment
LDF	Local Development Framework	SCI	Statement of Community Involvement
LDO	Local Development Order	SEA	Strategic Environmental Assessment
LPA	Local Planning Authority	SPD	Supplementary Planning Document

	Stands for		Stands for
LTP	Local Transport Plan	SPG	Supplementary Planning Guidance
MCA	Mineral Consultation Area	SPZ	Simplified Planning Zones
MPA	Mineral Planning Authority	WDDs	Waste Development Documents

1 Introduction

Summary of Chapter 1

A key objective of the new planning system is to strengthen community involvement. **Statements of Community Involvement (SCIs)** will be produced by planning authorities, and will set out how communities will be engaged in the preparation and revision of **Minerals and Waste Development Documents (MWDDs)** and the consideration of planning applications. The statement must ensure the active, meaningful and continued involvement of local communities and stakeholders throughout both processes.

1.1 In September 2004 the **Planning and Compulsory Purchase Act** introduced significant changes to the planning system in England. The changes reflect the Government's commitment to providing a planning service which is flexible and responsive to the public's needs, but which also provides opportunity for local people to participate actively in the planning decisions that affect their local area.

1.2 Essex County Council must produce new **Development Documents** (Table 1 p6) which contain policies that control the development of land for minerals or waste in the County. The decisions the **Authority** takes on individual planning applications will be based on the practical application of these policies. We support and endorse the changes brought about by the September 2004 Act, and recognise that it is appropriate for local people to be engaged in the drafting of planning policies and to have even greater opportunity to contribute to the consideration of planning applications.

1.3 The new planning system requires all planning authorities to produce, as part of their **Development Framework**, a **Statement of Community Involvement (SCI)**, written in plain English. This document is the Essex County Council Statement of Community Involvement produced by **Minerals and Waste Planning**. Its aims are to encourage involvement from all sections of the community in the planning process and to show how this might be achieved; the community is defined as including individuals, district and parish councils and organisations and businesses.

1.4 The purpose of this SCI is to set out clearly what we are seeking community involvement upon and why, who specifically will be involved in the consultation and how and when the community will be engaged. We also clarify how the community can be involved in the determination of planning applications (Chapter 5) and assess the resource implications of what we propose (Chapter 10). We describe how both the SCI, the **Minerals and Waste and Development Documents (MWDDs)** and the planning application process will be monitored and reviewed (Chapter 11).

2 Community Involvement and the new Planning System

Summary of Chapter 2

- We are producing a range of documents within the **Minerals & Waste Development Framework** including this SCI and **core strategies** and **Development Control** policies for both minerals and waste, plus strategic site allocations.
- We want to involve the community in decisions about minerals and waste planning applications, and for those relating to development proposals put forward by the County Council such as school extensions, libraries and roads and the policies which affect them all.
- The SCI and MWDDs are not being undertaken just to comply with Government legislation. As the Essex planning authority, our vision is to support the achievement of the Essex **Corporate Plan** by putting our customers first - listening to them and giving them choice and control.

2.1 Under the **Planning and Compulsory Purchase Act 2004**, Essex County Council has retained its role as the planning authority for minerals and waste development, and will continue to determine planning applications for the County Council's own developments such as schools, libraries and roads. It also continues to set the policies for minerals and waste planning according to which all these various types of local application are determined.

What will the community be consulted on?

2.2 The community will be consulted on both planning applications and the minerals and waste policy documents used in determining these applications.

- **Planning applications dealt with by Essex County Council**

2.3 The way in which the community is consulted on planning applications is being extended in line with the new legislation, and this is set out fully in Chapters 5 to 9.

2.4 Essex County Council is responsible for determining planning applications for:

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

2.5 Minerals are the naturally occurring materials which make up the Earth. They are extracted by quarrying companies for use in a wide variety of industries, most notably in the construction and road building industries.

2.6 The geology of Essex dictates both the type of mineral which can be extracted and the location of the quarry sites. The infrastructure of the County, the distribution of population and the sensitivity of the natural environment determine where minerals can be extracted and processed.

- **The management and treatment of waste**

2.7 Many kinds of waste are produced and disposed of in Essex, from household waste to hazardous waste. All of these types of waste require particular facilities to enable them to be re-used, recycled or disposed of in a safe and environmentally acceptable manner. At one time, most types of waste were sent to a **landfill site** for disposal. Today, although **landfill sites** continue to be important, they are viewed as the last resort for waste disposal.

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

2.8 The County Council is responsible for providing a wide range of public services such as transportation and education, and these services generate new developments such as roads or school extensions, which may require planning permission. Where the County Council proposes to carry out operations relating to the functions of the Council, any necessary planning applications would usually be dealt with by the County planning authority, and determined in accordance with current planning policies.

2.9 Essex County Council does not handle planning applications for new houses and home extensions, or for new or extended business premises. These are dealt with by the district, borough or unitary authority in which the proposed development site is situated (see Appendix D for contact details).

2.10 Although the public has always had the opportunity to comment on applications for the above developments, we now want to encourage greater public involvement in the process by raising awareness in a variety of ways discussed in the following chapters.

The policy documents on which we are seeking community involvement: the Minerals and Waste Development Framework (MWDF)

2.11 The latest Planning Act has changed the range and type of planning policy documents that Essex County Council must produce in its role as planning authority. **Structure Plans, Local Plans and Minerals & Waste Plans** are no longer being produced. In their place, we are required by law to produce a number of **Development Documents** for minerals and waste, collectively called the **Minerals & Waste Development Framework (MWDF)** and to consult with the public on their content .

2.12 The **Development Documents** in the MWDF are described in Table 1, page 6. The Framework will establish the approach taken to minerals and waste development in the County for at least the next fifteen years, and will underpin all planning decisions made on minerals and waste planning applications by the County Council **Development & Regulation Committee** and under **Delegated Powers** (Chapter 8). All documents in the Framework will be reviewed regularly to keep them up to date and relevant.

Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA)

2.13 The new planning system requires the **Minerals and Waste Development Documents** to be subject to **Sustainability Appraisal (SA)** and **Strategic Environmental Assessment (SEA)** at each stage of their production. This process will ensure our plans and policies meet

Central Government's sustainability objectives and meet the test of **soundness**. Public consultation on the draft Scoping and SA/SEA Report will be carried out at appropriate times in accordance with the SEA Directive.

What is the relationship between our Minerals & Waste Development Framework and other regional development plans?

2.14 The **East of England Plan** (also known as the **Regional Spatial Strategy**) produced by the **East of England Regional Assembly** (EERA), plus all the **Local Development Documents** produced by District and Borough Councils within Essex are also included within the County's **Minerals and Waste Development Framework**.

2.15 Figure 1, page 5 shows where these documents sit in relation to each other. Importantly, those documents defined in the large shaded sector of Figure 1 constitute the **Development Plan**: the law requires all planning applications for development in the County to be **determined** by reference to this **Development Plan**.

2.16 More information on the East of England Plan and Essex District, Borough and Unitary Authority plans can be found at www.essex.gov.uk/planning then by following either *East of England Regional Assembly* or *Councils in Essex* in the related links.

Supplementary Planning Documents (SPDs)

2.17 **Supplementary Planning Documents** are shown in Figure 1 as contributory documents to the **Minerals and Waste Development Framework**. They are documents which expand policy or provide further details to policies in a **development plan document** and are similar to current **Supplementary Planning Guidance**. They are not a compulsory part of the MWDF, but are produced if considered helpful. At the moment, Essex County Council has no plans to produce **Supplementary Planning Documents** as part of the **Minerals and Waste Development Framework**. However, if produced, an SPD must follow these principles:

- Consistency with national and regional planning policies as well as the policies set out in the **Minerals & Waste DPDs** in the **Local Development Framework**
- Conformity with this SCI, including an accompanying **statement of compliance** which sets out the process by which it has been prepared, and reviewed with the DPDs it supports, as set out in Table 1 below.
- Clear cross-referencing to the relevant DPD policy which it supplements (or to a **saved policy** if before the DPD is adopted)

2.18 If produced, SPDs would form part of the MWDF (see Figure 1), but would not be subject to public examination. The draft document would however be subject to a **sustainability appraisal**.

2.19 If produced, a formal consultation programme would be drawn up for each SPD in compliance with Part 5 of the **Town & Country Planning (Local Development) (England) Regulations 2004**.

2.20 At the pre-production evidence-gathering and scoping stage, it is likely that consultation would be limited to specific consultees (see Appendix C) to help determine the scope of the consultation, using Methods 2 and 7 of Table 9 (see below).

Figure 1 Essex Minerals and Waste Development Framework and its context

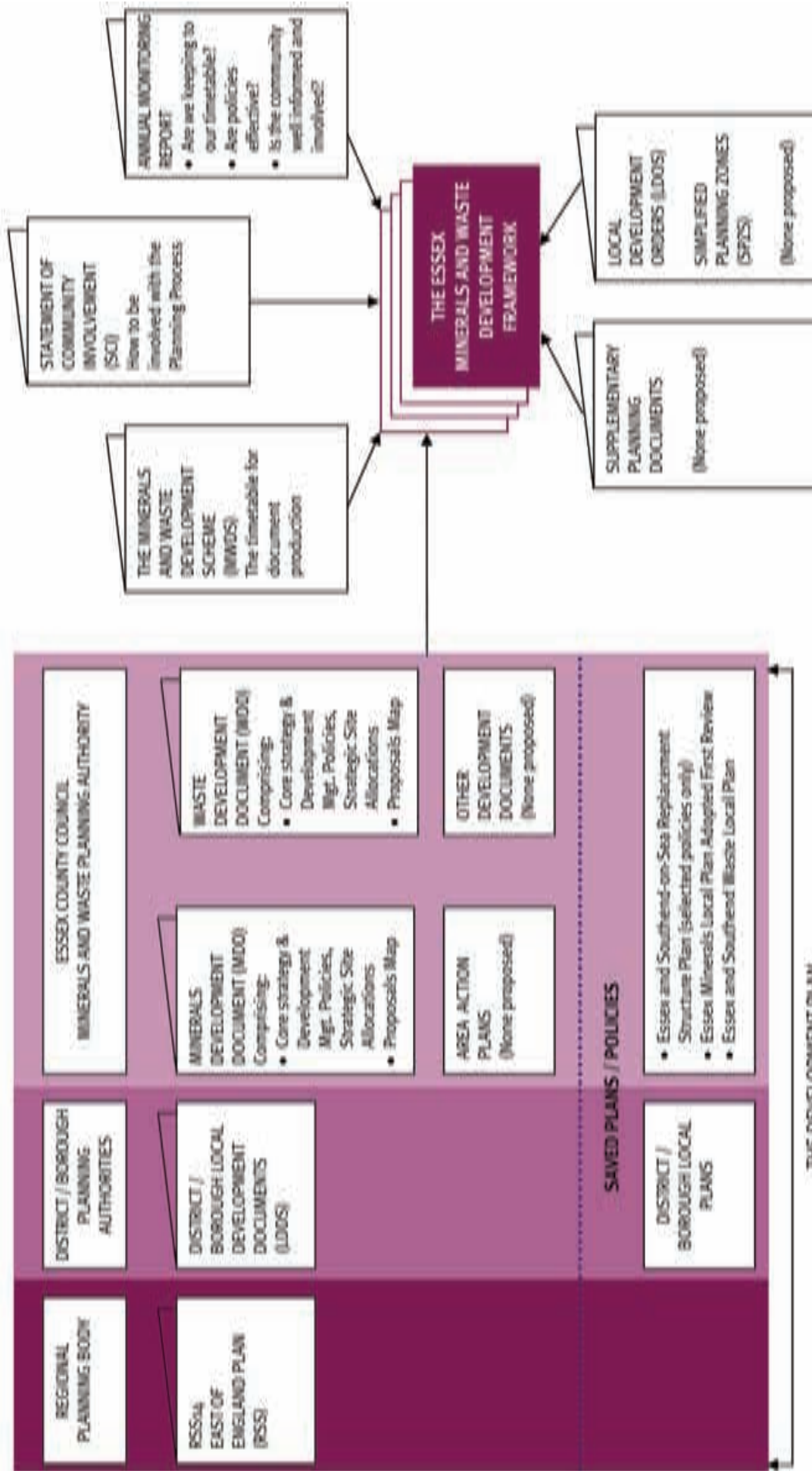


Table 1 Documents in the Minerals and Waste Development Framework

No/ Acronym	Document	Description
1 (MWDS)	Minerals & Waste Development Scheme (see Appendix B)	The timetable for producing all the parts of the MWDF
2 (MDD)	Minerals Development Documents which will replace the current Essex Minerals Local Plan approved Nov 1996 (see www.essex.gov.uk/planning >Minerals and Waste Policy>Minerals Local Plan). These are described more fully in Table 2 below.	Strategy/policies for minerals planning in Essex for at least the next fifteen years, plus allocations of sites for development and a proposals map. Comprises: <ul style="list-style-type: none"> • Minerals Core Strategy • Development Management Policies for Minerals • Strategic Site allocations for mineral-related development • A Proposals Map
3 (WDD)	Waste Development Documents which will replace the current Essex & Southend Waste Local Plan approved Sep 2001 (see www.essex.gov.uk/planning >Minerals and Waste Policy>Waste Local Plan). These are described more fully in Table 2 below.	Strategy/policies for waste planning in Essex for at least the next fifteen years, plus allocations of sites for development and a proposals map. Comprises: <ul style="list-style-type: none"> • Waste Core Strategy • Development Management Policies for Waste • Strategic Site allocations for waste-related development • Non-Strategic Site Allocations • A Proposals Map
4 (SCI)	Statement of Community Involvement – new document, setting out community engagement in the planning process	Document explaining how the public can be involved in the preparation/ revision of MWDDs and contribute to determining planning applications
5 (AMR)	Annual Monitoring Report – another new document in the MWDF, produced each year within 9 months of the end of the financial year (see Chapter 11)	Assessment of progress against the MWDS timetable, the adequacy of MWDD policies and the effectiveness of public consultation set out in the SCI
6 (SPDs)	Supplementary Planning Documents – supplementary guidance to support new policies. None proposed at this time	These are not compulsory but would need to support and be consistent with new planning policy, and the SCI

2.21 Consultation at the draft SPD stage would be likely to involve all appropriate consultees on the database, using Methods 2,7 and 3 from Table 9, plus press notices (Method 4). Depending on the scope and topic of the SPD, workshops and/or focus groups for key stakeholders and interested parties would be considered (Methods 9 and 11). Revisions and consultation responses would be published on the Planning website (Method 3) and respondents notified accordingly.

2.22 Once the revised SPD had been approved for adoption by ECC Environment & Waste Policy Development Group and ECC Cabinet, it would go before Full Council for adoption. A notice of adoption would be published in the local press and on the Planning website (Methods 4 and 3). The SPD would be published on the website and all interested parties would be notified by letter of the adoption (Methods 2 and 7).

What's in the Minerals and Waste Development Documents?

2.23 Table 1 above describes which documents make up the **Minerals and Waste Development Framework**, and Figure 1 above relates the MWDF to the larger regional context. For determining minerals and waste planning applications, the new **Minerals and Waste Development Documents** provide the key policy documents in the **Development Plan**. These policies reflect the needs and priorities of the local community which have emerged from the consultation processes described in the **Statement of Compliance** which accompanies this SCI.

2.24 The **Minerals Development Documents (MDDs)** and the **Waste Development Documents (WDDs)** are each made up of a suite of papers covering a different aspect of development. These are described in Table 2 below.

2.25 Each **Development Document now** goes through two key stages during its preparation and production:

- the **Issues and Options** Stage includes 2 steps - an **Issues & Options** Paper and a subsequent **Preferred Approach** Consultation replacing the former mandatory **Preferred Options** Stage
- the **Submission** Stage

2.26 At each of these stages, there is the opportunity for the public to feed back comments on the document, and to influence its contents at the next stage. An explanation of what happens at each of these stages is given in Chapter 4.5 below. The timings for each of the stages are set out briefly in Table 5 below, and in the extract from the revised Minerals and Waste Development Scheme (Appendix B).

2.27 The MDD and WDD were each originally planned to be three individual documents, namely the Core Strategy, Development Control Policies and Site Allocations, all to be published separately

2.28 The purpose of the three elements is set out below:

1. **The Core Strategy** – sets out the long-term direction and spatial framework for minerals developments and waste developments in the County, and the standards for such development. It may contain strategic site allocations essential to the delivery of the strategy.

2. **Development Management Policies** – set out a suite of detailed generic Development Management policies against which all planning applications can be assessed. They will ensure any potentially adverse impacts of development are taken into account, as well as seeking to ensure high standards of development. This may include mitigating potential environmental impacts. Development Management Policies must conform to the respective Core Strategies above.
3. **Site Allocations** – these provide details of the sites identified to meet the County’s future minerals and waste requirements, and include mineral extraction sites and transshipment facilities plus waste management and disposal facilities.

2.29 In light of the new PPS12 and the change in the regulations concerning the form and content of the documents, and in discussion with GO-East, the number of documents to be produced is to be rationalised to one combined Minerals Development Document and two Waste Development Documents, as follows:

Table 2 Documents in the Minerals and Waste Development Plans

1) A Single Minerals Development Document comprising:
<ul style="list-style-type: none"> • A Core Strategy setting out the long-term direction for minerals development and the plan to deliver the strategy • Detailed Development Management policies for minerals and • Preferred Strategic Site Allocations and safeguarding for minerals extraction, transshipment facilities and other related activities.
2) A Waste Development Document comprising:
<ul style="list-style-type: none"> • A Core Strategy setting out the long-term direction for waste management and disposal and the plan to deliver the strategy • Detailed Development Management policies for waste and • Preferred Strategic Site Allocations for waste management and disposal
3) A Non-Strategic Waste Site Allocation Development Document identifying:
<ul style="list-style-type: none"> • Any other preferred sites for waste processing during the lifetime of the plan plus any associated safeguarding required to support the plan.
4) Proposals Maps
<ul style="list-style-type: none"> • These will be produced as the new documents are prepared, and will enable easy identification of any sites and those areas subject to specific geographically-based policies.

The Wider Context of Community Involvement

2.30 As described earlier, community involvement is being actively promoted at every level of government. Central Government has a vision that planning should “*provide opportunities for people, irrespective of age, sex, ability, ethnicity or background, business, the voluntary sector and others, to make their views known and to have their say in how their community is planned and developed.*”⁽¹⁾ This statement underpins many of Essex County Council’s corporate objectives and the SCI is central to the achievement of its aims: the SCI and MWDDs are not being undertaken just to comply with Government legislation, but to support the political pledges of the current administration to the people of Essex and the targets we have agreed to deliver. Our vision as a planning authority sets out our aims in this context.

Our Vision for Community Involvement

Our vision as the planning authority for Essex is to meet the challenges of the Corporate Plan by putting our customers first, listening to them and giving them choice and control. We shall do this by engaging the people of Essex and our neighbours in the development and ongoing review of minerals and waste planning policy and in the consideration of planning applications.

Essex County Council’s Corporate Plan

2.31 The **Corporate Plan 2008-2011** has succeeded the **Essex Approach 2001-2005** whilst reaffirming its values. The over-arching priority of the refreshed Corporate Plan is that of : **Putting our customers first.** This priority has been identified following extensive consultation with partners across Essex (see 2.33 below), and on the opinions of our residents. A range of actions to achieve this priority includes:

- Enabling the users of our services to have more choice and control over what services they receive and when they are delivered;
- Keeping our residents better informed ... and improving our dialogue with our communities, consulting and involving communities in the design and delivery of what we do;
- Using more surveys of Essex residents and service users to measure how we are doing;
- Ensuring residents' priorities are our priorities, making sure we consult service users and Essex residents.

2.32 Other relevant corporate priorities include:

- Ensuring service improvement
- Strengthening community leadership
- Caring for our environment
- Guaranteeing value for money (see Chapter 10 Resources)

1 Community Involvement in Planning: The Government’s Objectives, ODPM 2004

Links to other strategies

2.33 On a broader level, Essex County Council is also a key partner in the **Essex Partnership**, the local strategic partnership of public and private bodies working within Essex. Following wide public consultation entitled **Shaping the Future of Essex**, the partnership produced a **Community Strategy** for the County. The new Sustainable Community Strategy was approved by Cabinet in April 2008, and sets out what the people of Essex have said they want for their futures together with proposals to make this happen. The adopted Essex Partnership Compact provides direction on how partnership members can work together, with effective links to the communities we are seeking to involve through the SCI processes, and the principles and practice underpinning the SCI (see Chapter 4) echo those of the Compact. In preparing the SCI and other documents in the **Minerals and Waste Development Framework** we have also been careful to monitor the standards and principles of other strategies and documents including:

- The **ECC Public Engagement Strategy 2008**
- The emerging **ECC Environment Strategy**, in particular protection of our environment
- The **Joint Municipal Waste Management Strategy**
- The **ECC Local Transport Plan**
- The **Essex Rural Strategy**
- Emerging Essex District, Borough and Unitary Authority **Development Plans** and existing **Community Strategies** and specific plans such as the Dedham Vale ANOB and StourValley Management Plan
- Emerging MWDFs for neighbouring counties and London boroughs to identify issues and objectives which could be addressed through the development of our SCI and minerals and waste policy. A more detailed discussion of the links between the various different documents can be found in the accompanying **Statement of Compliance**.
- Regional Strategies such as the Regional Spatial Strategy and Regional Economic Strategy, plus involvement in initiatives such as Inspire East.

2.34 Details of other relevant local authority websites are given in Appendix D.

Links to e-government strategies

2.35 Essex County Council invested substantially in information and communications technology (ICT) in order to meet Government targets for e-enablement by the end of 2005. The planning service has always been at the forefront of e-government activity, and services available via the Planning homepage at www.essex.gov.uk/Planning include pending applications, summaries of applications and decisions, committee minutes, agendas and reports, downloadable copies of all our documents and the ability to comment online on planning applications and policy consultation documents. Systems are being developed to enable planning applications to be submitted online, and to track applications from validation to decision and aftercare. Corporately, the launch of the new engagement website **EngageEssex** will provide effective information on the issues affecting Essex and co-ordinate the way in which we consult the people of Essex. We remain aware however that not all members of the public have, or wish to use, electronic communication and we continue to ensure that all information is also available in hard copy for those who require it.

2.36 This SCI sets out how we intend to translate our aims into actions.

3 Who will be involved in our consultations?

Summary of Chapter 3

- We aim to involve the whole community in our consultations, and this includes individuals, district and parish councils and organisations and businesses.
- We shall encourage everyone with an interest in planning policy, or who may be affected by the planning application decision-making process to participate. We shall make particular efforts to raise awareness amongst the **seldom heard** and other marginalized groups.
- We want community involvement to be an interesting, rewarding and enjoyable experience for those who get involved, in order to encourage and sustain participation.

Why should the community get involved?

3.1 Everyone in Essex uses minerals and discards waste. We are all therefore stakeholders in these industries and will be affected both by the planning policies agreed in these areas, and by the planning applications determined by the application of these policies.

Our key target groups include:

- Individuals with an interest in planning matters or who will be affected by the decision-making process for the MWDF
- Essex District, Borough, Town and Parish Councils
- Neighbouring Authorities (County, Unitary, District, Borough, Town and Parish Councils)
- Businesses (including minerals and waste operators)
- Interest groups (such as the Wildlife Trust)
- **Residents' Associations** and Action Groups
- Developers, agents and land owners
- **Seldom heard** groups
- **Statutory bodies** (such as the Environment Agency)
- **Statutory undertakers** (such as the National Grid)

Our Database of Contacts

3.2 Essex County Council has an extensive database of organisations and individuals who have previously contributed to consultations on the Essex and Southend on Sea Replacement **Structure Plan**, the **Community Strategy**, The Essex and Southend **Waste Local Plan** and the Essex **Minerals Local Plan**. Everyone on this database was contacted to confirm their continuing interest in minerals and waste issues, and in community involvement. This information was used to create a new database for the MWDD consultation. Government Regulations require that we consult all Specific and General Consultation Bodies we think might have an interest in the matters under consideration, and these are included in the database. Other individuals or organisations wishing to be consulted can request to be added to the database

at any stage by contacting us. Full details of the statutory consultations on this Statement of Community Involvement are given in the accompanying **Statement of Compliance** and a list of generic consultees can be found in Appendix C of this document.

Extending our contacts

3.3 We want also to extend our range of contacts to reach those who have not previously contributed to the development of minerals and waste planning policy or who have not previously commented upon planning applications. The inclusion of a broader range of views will ensure our policies better reflect the wishes of the people and businesses of Essex. Proposed engagement techniques to ensure the heightened level of awareness needed to achieve this are discussed further in Table 9.

Reaching the seldom heard

3.4 Essex County Council has carried out a variety of surveys to identify which are the County's most **hard to reach** groups. As these are the people least likely to make their views known through public consultation, we now prefer to use the term **seldom heard** to describe these categories. We have established that the most under-represented people in Essex are those who do not belong to a recognised organisation or group, and can include:

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

3.5 The suitability of particular methods of involving the seldom heard is discussed in Table 9 below. Representative organisations for the above have already been consulted in preparing our Draft SCI, but we shall ensure that future engagement activities are held at a variety of convenient times and venues to make it easier for the **seldom heard** to get involved. All documents in the MWDF will be available in different languages and formats upon request (see back cover).

3.6 We also need to recognise that people have the right to choose **not** to be involved in consultations, and are more likely to get involved when they feel the preferred site for a proposal will affect their quality of life, for example, or when a planning application is in their immediate locality. For this reason, techniques such as **Direct Neighbour Notification** (see 4.12 and 7.14 to 7.17 below) are likely to be the most powerful in reaching the **seldom heard**. A detailed summary of how we propose to reach each of the identified categories of **seldom heard** appears as Table 8 in Chapter 11 of the accompanying Statement of Compliance.

3.7 In order to monitor whether our community involvement strategy is also reaching the groups identified here, we shall be asking a sample of respondees on both the MWDF and on planning applications to provide information relating to age, sex, ethnic origin and disability when making a representation.

What happens to your consultation comments on the MWDDs?

(Consultation comments in a planning applications context are covered in detail in Chapters 5 to 9)

Your comments are acknowledged on receipt, and given a unique reference number for any future correspondence. Comments are then carefully reviewed, and a summary is drawn up, grouping similar comments together with our response to the issues raised. Summaries can be viewed at www.essex.gov.uk/Planning then by following *Minerals & Waste Policy* and selecting the appropriate summary. These reports will also be made available as paper copies at County Hall, Chelmsford, at District and Borough Council Offices within Essex and at main and branch libraries throughout the County as listed in Appendices D and E of this document.

Consultation comments on the MWDDs are identified by name and reference number only in the summaries. The original written or electronic representation could be made available to the public on request under the terms of the Local Government (Access to Information) Act 1985 and of the Planning & Compulsory Purchase Act 2004. All information would be handled in accordance with the requirements of the Data Protection Act 1998.

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

Other comments are incorporated into our subsequent action plans for improving our services, and are followed through within a stated timescale. These action plans are also published on the Planning website, and regularly updated; the **Annual Monitoring Report** reviews progress against the implementation of these action plans. Our Pre-Submission **Statement of Compliance** for each part of the MWDF will set out exactly how we have acted on the results of community involvement.

Words or phrases in **Bold** text are defined in the Glossary (Appendix A)

4 Principles & Process of Community Involvement

Summary of Chapter 4

The principles and practice underpinning the SCI and other documents of the MWDF are discussed, followed by the various stages required to produce the SCI and the timetable projected to achieve this (Table 4). The production process and timetable for the MWDDs are also outlined (Table 5).

Table 9 is the heart of the SCI, and sets out in detail the various proposed methods of engagement for all the MWDDs, and for planning applications. It looks at the considerations and resource implications of each method, and reviews which techniques might be particularly appropriate in enabling identified **seldom heard** groups to participate.

The Principles and practice underpinning the SCI and the MWDDs

4.1 It is a Government requirement that the County Council demonstrates to all sections of the community that its processes for community involvement are legitimate and timely, and will provide outcomes in the public interest. In **Planning Policy Statements 1 and 12** and the subsequent **Creating Local Development Frameworks**, Government summarises the main principles of community involvement to which we should conform in our SCI, and in consultations on the MWDF and in planning applications. The table below sets out the most important of these principles; further examples against all the principles set out in the above documents are given in the Pre-Submission Statement of Compliance (Chapter 10). These clearly demonstrate that we are not just paying lip service to the principles of public engagement, but are actively seeking to put principles into practice.

Table 3 Principles of public involvement

1) Front-loading of planning processes

Consulting the public early, for example:

- In policy formulation, so that public opinion informs policy rather than amends it. We are consulting the community both before formulating policies in the MWDF (**Issues & Options** stage) and at the **Submission** stages of each document.
- Pre-application involvement in planning applications, so that applicants, wherever possible, consult the public before submitting an application. The advantage for applicants is likely to be swifter determination on applications, as issues can be identified at the pre-application stage; the advantage for Essex County Council is the submission of complete applications and consequent speed of decisions, resulting in improved **Best Value** performance figures. The advantage for the public is the opportunity to shape an application prior to submission.

2) Transparent planning processes

Providing information on our website so that members of the public can follow through the contributions they have made, for example:

- In policy formulation, setting up on-line consultation on policy documents (from April 2007) so that consultee representations and ECC responses can be viewed by all. Publishing the results of policy consultations on our website and via **EngageEssex**, the County's emerging online platform for all public consultation (from April 2007)
- For planning applications, publishing summaries of applications, information on pending applications and decisions, committee agendas and minutes, and **aftercare** and **enforcement** information
- Publishing the Action Plan arising from the SCI and the **Annual Monitoring Report** on the Planning website so that the public can monitor how we are acting in response to the principles described in the SCI and other documents of the MWDF.

3) Choosing appropriate ways to involve people including the seldom heard

In policy formulation, for example;

- Selecting a variety of techniques to reach the maximum number of people including the **seldom heard**: electronic/non-electronic, in various locations at various times according to the type and stage of document under consultation.

In determining planning applications, for example:

- Publishing summaries of planning applications now and ultimately **e-planning** applications on our website so that those interested do not have to travel to view hard copies of documents (in preparation)

For both:

- Using **EngageEssex** and **EssexWorks** (ECC's newsletter for all Essex residents) to disseminate information to ensure the widest possible circulation when appropriate (subject to any publication timing and space constraints)
- Using specifically-targeted **Direct Neighbour Notification**, public meetings and exhibitions, parish newsletters and noticeboards to focus on more local issues

4) Providing effective feedback

For example:

- Publishing our comments on consultation responses on the website
- Giving feedback via the published SCI Action Plan and **Making the Links** newsletter to parishes on successful implementation of actions in response to public opinion, such as the review of public speaking protocols at D&R Committee suggested by a parish council
- Monitoring the range and types of respondees to ensure that the consultation is reaching a cross-section of the community
- Seeking continuous feedback on consultation methods at each stage of plan preparation and publishing results

Table 4 The Statement of Community Involvement Production Process and Revised Timetable

Step	Process	Timescale
1	Preliminary Scoping	2004 – 2005
2	Reg 25 Public Consultation	Summer 2005
3	Production of Draft SCI based on outcomes of Steps 1 and 2	Autumn 2005
4	Publication of Draft SCI and Reg 26 8 week Public Consultation	December 2005 – January 2006
5	Analysis/publication of feedback on Step 4; incorporation into SCI; further consultation on appropriateness of methods used to date	February 2005 – February 2007
6	SCI presented to ECC Cabinet by Portfolio Holder for Planning, Environment & Commerce SCI endorsed by ECC Full Council SCI submitted to Secretary of State	March 2007 May 2007 By Sept 2007
7	Public consultation for 8 weeks on submitted SCI under Reg 28	Thereafter for 8 weeks
8	Pre-Examination meeting with Planning Inspector if required	December 2007
9	Independent Examination of submitted SCI by Planning Inspector, including consideration of any objections raised in Step 7	January 2008
10	Binding Report by Planning Inspector including recommendations which must be included in adopted SCI	April 2008
11	Publication of adopted SCI	April 2009
12	Annual monitoring and review, including public consultation on our effectiveness in implementing policies outlined in the SCI and against the action plan resulting from the SCI and consultations to date (see also Table 3 above)	For 15-year period of MWDDs

Steps involving public consultation	Steps not involving direct public consultation
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Production Process for the SCI and subsequent review

4.2 As stated above, full details of the consultation process up to the Submission stage are evidenced in the Pre-Submission Statement of Compliance and Reg 31 Statement summarising the Reg 28 Consultation and ECC responses. These accompanied the SCI Submission version sent to the Planning Inspectorate. The Submission document was found to be sound by the Planning Inspectorate (see Planning Inspector's Report, Appendix G), subject to minor amendments and clarifications being made to the Adopted version of April 2009. The SCI and the action plan resulting from the SCI are then kept under continuous review on an annual basis as part of the Annual Monitoring Review, further details of which are set out in Chapter 11.

Production Process for Minerals and Waste Development Documents and subsequent review

4.3 The production process for both Minerals and Waste Development Documents is the same, and follows the requirements set out by the Government in PPS12 and the **Town & Country Planning (Local Development) (England) Regulations, 2004** and Amendments of June 2008.

4.4 An outline of the production process and timetable appears as Table 5 below. Work on the MDDs started over a year ahead of that on the WDDs. For the full production timetable, see the extract from the revised **Minerals & Waste Development Scheme (MWDS)** at Appendix B.

The consultation stages

4.5 As mentioned in Chapter 2.25 above, each **Development Document** goes through two key stages of consultation during its production:

- **Stage 1: Issues and Options**

- Step 1: following a period of scoping, evidence gathering and consultation, the Issues and Options paper goes out for public consultation. It seeks views on a range of planning issues, presents a number of alternative ways these could be addressed and asks consultees to identify any other relevant planning issues which should be discussed. The original intention was to produce separate Core Strategy, Development Management Policies and Site Allocation documents, but it was agreed to rationalise the number of documents (see Table 2).
- Step 2: Representations and feedback on the document are then considered in preparing the Preferred Approach, which firms up the direction of the proposed submission document prior to production. Any strategic sites coming forward as a result of the call for sites in the Issues and Options paper would be subject to a targeted consultation before the start of the Preferred Approach consultation.

- **Stage 2: The Submission Stage**

- Once all representations made at the Preferred Options stage have been considered, a further version of each development document is produced for submission to the Secretary of State for approval. Those promoting an alternative site or sites at this stage should indicate how the sustainability appraisal process has been or is to be carried out prior to the consideration of the site(s) at the examination (see below). The documents go out once again for consultation with all consultees, followed by examination against the tests of soundness. The Planning Inspectorate considers any objections and comments received as a result of this consultation before issuing a binding report containing recommendations which must be included in the adopted MWDDs when published.

Table 5 Minerals & Waste Development Document Production Process & Timetable (Revised)

Step	Process	MDD	WDD	WDD Non-Strategic Site Allocs
1	Evidence gathering	From Sep 04	From July 2006	
2	Consultation on Initial Issues & Alternative Options	Starts Dec 04	Nov – Dec 2009	June – July 2010
3	Public consultation on Further Issues & Options (MDD only) for 8 weeks	Jan – March 2009	After Dec 2009	
4	Issues & Options Consultation on any new sites identified for 8 weeks	Aug – Sep 2009	After Dec 2009	
5	Consultation on Preferred Approach for 8 weeks	Feb – March 2010	Sep – Oct 2010	June – July 2011
6	Consultation on Submission version for 8 weeks	Nov – Dec 2010	Sep – Oct 2011	May 2012 – June 2012
7	Additional 6 week consultation period on alternative site allocation representations (if received)			
8	Submission to Secretary of State	March 2011	March 2012	Oct 2012
9	Examination in Public	June 2011	June 2012	Jan 2013
10	Adoption	February 2012	February 2013	July 2013

4.6 As the timetable for the production of MWDDs may vary, please visit our website <http://www.essex.gov.uk/planning> for the latest timetable information.

Subsequent Review

4.7 The MDD and the WDD and any action plans resulting are then kept under continuous review via the **Annual Monitoring Report** for at least the fifteen year period of the MWDD. Further details of the review and monitoring process are set out in Chapter 11. **Planning Policy Statement 10** requires a review of the WDD at least every 5 years. The timetables have been reviewed to take account of the changes brought about by PPS12 and revised Regulations of June 2008. Further details are set out in the Minerals & Waste Development Scheme which is available to view on the website at www.essex.gov.uk/planning and includes Joint Working with Southend on Sea for the preparation of the WDDs, including a Joint Communications Strategy.

Refining our public engagement activities

4.8 For consultations on both the **development documents** and on planning applications, feedback from each consultation exercise will be taken on board to assess the effectiveness of those techniques set out in the following table, and evaluated both in terms of cost-effectiveness and inclusivity. We are very mindful of the fact that repeating the same techniques attracts the same respondees: we need to vary techniques and monitor their success in engaging different sectors of the community. Any activities proposed **above** the minimum statutory requirements will be kept under regular review, and if identified as unsuccessful at the **Annual Monitoring Report** stage, will be refined or replaced at the next consultation stage.

How the consultation process will be rolled out

4.9 The **Town and Country Planning (Local Development)(England) Regulations 2004** set out a framework of engagement methods which we must employ at key stages in the production of **Minerals and Waste Development Documents** and when consulting on planning applications. Feedback was sought from consultees during the Reg 26 consultation on the draft SCI about the best methods to use at each stage in the consultation process, and these suggestions have informed our proposals, set out in Table 9 below. As indicated in 4.7 above, the success of each method will be reviewed via the annual monitoring process, and amended accordingly if required.

Information, consultation and participation

4.10 All engagement techniques proposed will contribute to the three-fold process of public engagement: providing information, encouraging consultation and promoting participation. The techniques specifically relating to consultation on planning applications are addressed in Chapter 5, and quick reference Tables 7 and 8 below show how the process applies to both the MWDF and to planning applications.

Table 6 How the public engagement process works in the MWDF

Providing Information	<ul style="list-style-type: none"> • Explaining how the planning system works in the MWDDs • Setting out the spatial planning and land use implications of various options • Using straightforward language • Seeking feedback on how we do this
Encouraging consultation	<ul style="list-style-type: none"> • Inviting your comments at each stage • Expanding the range of consultees • Responding to your comments and taking these on board • Making it easier to participate
Promoting participation	<ul style="list-style-type: none"> • Providing opportunities for active involvement at local level • Making it easier for more people to have their say • Making participation an interesting and enjoyable experience • Demonstrating that participation shapes policy

4.11 As suggested above, different methods of public engagement suit different audiences and different stages of the planning process, whether it be in policy formulation or consultation on planning applications. The engagement techniques identified from responsee feedback to the Reg 26 consultation as most appropriate for each stage are shown in Table 9 below. We shall at all stages exceed the minimum engagement requirements prescribed by the Regulations.

4.12 Using the methods outlined in Table 9 below, we shall make particular efforts to involve town and parish councils in the process, as they are potentially the means by which to reach all sections of the community including the **seldom heard**. These councils are democratically elected and offer continuity of representation at very local level, and have existing means of communication within their area which we can seek to access. They have an existing interest in and involvement with **community strategy** and planning applications (as **statutory** consultees). **Parish Meetings** and **Resident Associations** will be engaged in a similar manner as they are identified and added to the consultation database.

Direct Neighbour Notification (DNN)

4.13 **Direct Neighbour Notification** in relation to planning applications is discussed in greater detail in Chapter 7. However, we also believe that there should be additional consultation with residents and businesses located close to potential site allocations in the **Minerals and Waste Development Documents**. We therefore propose to undertake **Direct Neighbour Notification** of all properties within 250 metres of the boundary of any potential Mineral or Waste Site Allocation. DNN would be undertaken at the **Issues and Options, Preferred Approach** and **Submission** Document stages and would involve sending individual letters to occupiers advising where further information can be viewed, and how and within what time period written comments should be made. Details of any public exhibitions or public meetings associated with a particular site, will also, where possible, be included in the neighbour notification letter.

4.14 Although the appropriateness of the 250m radius was queried in the Reg 26 consultation, we are continuing to use this radius as it shows signs of emerging as a national norm; we shall however keep this under review as part of the **Annual Monitoring** process. An analysis of the costs of increasing the DNN radius is included in Section 10.5, and suggests that a greater radius would be too great a strain on limited resources. DNN has generally been warmly welcomed since its introduction, but its purpose should be made absolutely clear:

Direct Neighbour Notification is carried out as an additional and specifically-targeted method of raising public awareness of a proposed development. It is not an indication that we believe those contacted (and only those) will be affected by the proposal.

Proposed engagement techniques at different stages of each MWDD

4.15 We are conscious that different engagement techniques may be appropriate at different stages of each MWDD. This is addressed in detail in Table 9 below, and a quick reference version (Table 7) showing the techniques identified as appropriate for each stage of the MWDDs is set out at the start of the central summary pages, with a cross-reference to Table 9. Techniques shown in italics are additional measures beyond those prescribed by the Regulations, which will be considered if appropriate at the time of consultation on the basis of identified benefit and available resources.

4.16 A similar table (Table 8) is included as a quick-reference guide to the most appropriate engagement techniques for different stages of the planning application process. These are dealt with at length in Chapters 5 to 9 following the central summary pages.

Table 7 Minerals & Waste Development Documents – quick reference guide to the most appropriate engagement techniques for each stage

Stage & Technique	See Table 9 Method
Statutory requirements are shown in regular font; <i>additional techniques in italics</i>	
Issues and Options Paper (Including Preferred Approach step) (Reg 25)	
Inspection copies at County and District offices and in Essex Public Libraries	1
Publish on the ECC website	3
Direct Consultation with Specific and General Consultees as appropriate	2 & 7
Response forms	3
<i>Press Release + newspaper notice</i>	4
<i>Publication of Newsletters and/or Flyers</i>	5
<i>Parish/ward meetings (where required)</i>	9 & 10
<i>Area Forums/Workshops (where required)</i>	10 & 11
<i>Feedback form to assess effectiveness of engagement activity</i>	2, 3 & 7
<i>Information pack (where required)</i>	5
Proposed Submission Stage (Regs 27 to 30)	
Inspection copies at County and District offices and in Essex Public Libraries	1
Publish on the ECC website	3
Direct Consultation with Specific and General Consultees as appropriate including copies of each of the proposed submission documents and a statement of the representation procedures	2 & 7
Newspaper notices on at least one occasion, stating representation procedures and locations and times where and when submission documents are available for inspection	4
<i>Response forms</i>	3
<i>Press Release</i>	4

Stage & Technique	See Table 9 Method
Statutory requirements are shown in regular font; <i>additional techniques in italics</i>	
<i>Publication of Newsletters and/or Flyers as appropriate</i>	5
<i>Feedback form to assess effectiveness of engagement activity</i>	2, 3 & 7
Alternative Site Allocation Consultation (if necessary)	
Inspection copies at County and District offices and in Essex Public Libraries	1
Publish on the ECC website	3
Direct Consultation with Specific and General Consultees as appropriate, including copies of each of the proposed submission documents and a statement of the representation procedures	2 & 7
Newspaper notices on at least one occasion, stating representation procedures and locations and times where and when submission documents are available for inspection	4
<i>Response forms</i>	3
<i>Press Release</i>	4
<i>Publication of Newsletters and/or Flyers as appropriate</i>	5
<i>Feedback form to assess effectiveness of engagement activity</i>	2, 3 & 7
Examination in Public/Post-Submission Stage	
Details of Examination in Public:	
Publish on ECC website	3
Newspaper notice	4
Notify representees	2 & 7
On receipt of Inspector's recommendations/binding report:	
Inspection copy available to view at ECC	1
Publish recommendation/reasons on ECC website	3
Give notice to those registered to receive notification	2 & 7
<i>Press release</i>	4
Adoption of the Development Plan Document: (As soon as reasonably practicable after adoption)	

Stage & Technique	See Table 9 Method
Statutory requirements are shown in regular font; <i>additional techniques in italics</i>	
Inspection copies available to view	1
Publish adoption statement on ECC website	3
Newspaper notice	4
Send adoption statement to those registered	2 & 7
Send DPD + adoption statement to Secretary of State	2
<i>Press release</i>	4

4.17 The new June 2008 Regulations remove the requirement for the formal Preferred Options (Reg 26) stage. However, the requirement for front-loading and continuous engagement prior to the proposed Submission stage remains. To ensure that informed engagement is carried out, ECC proposes to include a formal Preferred Approach consultation step within the Regulation 25 stage, before the Regulation 27 proposed Submission Stage. See also Annexe (pages iv to Xi) which sets out the requirements of the new Regulations.

Words or phrases in **Bold** text are defined in the Glossary

Table 8 Planning Applications – quick reference guide to the most appropriate engagement techniques for each stage

Stage & Technique	Table 9 Method
All Stages	
General information on the planning application process available at all stages on the ECC website, specific information from the application stage. Longer term, a publicly-accessible tracking system from pre-application to post-decision is envisaged.	3
ECC Helpline/Planning Duty Officer service is available throughout the application process, together with an email Contact Us system.	8
ECC encourages site liaison groups to run irrespective of planning applications as a means to understand each others' viewpoints.	11
Pre-Application Stage	
Applicants are encouraged to consult appropriate statutory/non-statutory bodies for early advice.	2
Applicants are encouraged to produce Public Involvement Programme:	
<ul style="list-style-type: none"> • publishing information on their own websites from the pre-application stage onwards, and providing other easily-accessible information eg CD Roms. 	3
<ul style="list-style-type: none"> • using media to raise awareness from pre-application stage onwards. 	4
<ul style="list-style-type: none"> • utilising leaflets, flyers etc as part of their public involvement programme, tapping into the parish newsletter network if appropriate. 	5
<ul style="list-style-type: none"> • setting up public exhibitions/displays etc, particularly for major or potentially controversial sites. 	6
<ul style="list-style-type: none"> • consulting specific and general consultees by letter at this stage to gauge likely issues. 	7
<ul style="list-style-type: none"> • setting up public meetings at local level to address high levels of concern at an early stage. 	10
Application Stage	

Stage & Technique	Table 9 Method
Planning applications available to view in hard copy at County and respective District/Borough offices, also at respective local libraries and some Town/Parish offices. Legal requirement to hold details on respective District/Borough Planning Register.	1
ECC consults appropriate statutory/non-statutory bodies at this stage.	2
Details of pending applications on ECC Planning website, together with consultation dates and summaries, and are published in Making the Links parish newsletter.	3/5
Statutory requirement to advertise some categories of application in local press.	4
Statutory requirement to publicise all applications by site notice.	5
ECC contacts properties within a defined radius of a planning application by letter as an additional method of involvement (statutory alternative to site notices: ECC does both) (DNN).	7
ECC would suggest applicants consider public exhibitions and/or public meetings at application stage for proposals generating greater public interest than anticipated at the pre-application stage.	6/10
Public meetings can also be set up by parishes/districts/local groups at the application stage if high level of public interest is indicated.	10
Determination Stage	
All consultation responses/representations received are taken into account by D&R Committee.	2/7
Committee agendas, reports and minutes are published on ECC website.	3
Public speaking at D&R Committee.	10
Webcasts piloted to bring live debate on applications generating a high level of public interest to a much wider audience.	3
Planning Aid representatives can speak/make representations on behalf of individuals/groups at D&R Committee.	13
Post-decision Stage	
Copies of decision notices available to view in hard copy at respective District/Borough offices and included in Planning Register, also sent to appropriate Town/Parish offices.	1
Environment Agency informed of decision post-determination (if consulted) by letter, other consultees only on request.	2

Stage & Technique	Table 9 Method
Decision notices and enforcement information is published on ECC Planning website, and via the Making the Links parish newsletter.	3/5
Members of public who made representations notified of decision.	7
Applicants are encouraged to consider open days at sites as an ongoing method of engaging public interest.	6
ECC holds industry meetings/workshops to update on general issues approximately every 2 years.	9

Proposed Methods of Informing, Consulting and Promoting Participation on the MWDDs and on Planning Applications

4.18 Table 9 gives Essex County Council's views on how the statutory engagement methods prescribed for the MWDD consultations would be rolled out, and for consultations on planning applications. It also provides information on a range of additional techniques which will be considered at each stage of each **Minerals and Waste Development Document**, and for major planning applications. The list is not prescriptive: additional engagement techniques will be considered where monitoring shows that the proposed techniques need further support, and will be selected on the basis of identified benefits and available resources.

4.19 This central table is a key tool for planners, stakeholders, applicants and the community in identifying which techniques would be appropriate for the various types of consultation, or in monitoring that all methods specified have been used, and it is hoped that it will provide a useful guide for this purpose.

4.20 A list of the main methods appears below and each method is covered in detail in pages 27 - 49.

Table 9

Proposed Methods of Informing, Consulting and Promoting Participation on the MWDDs and on Planning Applications			
Method 1:	Hard copies for inspection	Method 8:	Hotline/Helpline
Method 2:	Letters to statutory bodies/specific consultees	Method 9:	Stakeholder meetings
Method 3:	E-communication	Method 10:	Public meetings
Method 4:	Media coverage	Method 11:	Focus groups/forums
Method 5:	Leaflets, newsletters etc	Method 12:	Interactive workshops
Method 6:	Public exhibitions etc	Method 13:	Planning Aid
Method 7:	Letters inc DNN	Method 14:	Steering groups

Table 9

Method 1: Hard copies of MWDD Documents/copies of planning applications available for inspection during set consultation periods in a) County Hall b) respective local District/Borough planning offices c) all local Parish/Town councils at appropriate locations to be determined by the PTCs d) respective local public libraries

Target Audience: Method is potentially available to all, not just those already on our consultation database or those contacted by **Direct Neighbour Notification**. It does require an individual to be pro-active in seeking information. Appropriate for **seldom heard** groups in terms of accessibility, opening times and on-site facilities. Method has added value if combined with media coverage/press notices, flyers highlighting where documents can be viewed and site notices advertising planning applications.

Minerals & Waste Policy

- Minimum Government requirement for MWDF consultation is to have documents available for inspection at local planning authority offices during consultation period

Planning Applications

- Planning applications are sent to respective District/ Borough/ Town/ Parish councils for comment and public viewing; copies also available in local libraries. Legal requirement is for details of each planning application to be held on each District/ Borough council Planning Register

Benefits/Considerations:

- It should be clear how and when people should respond to both types of consultation. Offices and documents should be accessible to those with disabilities. The great majority of Essex planning authority offices are accessible to the disabled, and alternative facilities are available if not.
- Local planning authority offices are open during normal office hours, Monday to Friday.
- We shall survey Parish/Town Councils to identify which can provide facilities to inspect documents, and at which times, and which have disabled access. This information will be shared with the public.
- Some libraries are open until 19:00 some or every weekday, on Saturdays, and on Sundays from 13:00 to 16:00. We provide information on how to check which these are (see Appendix E). These opening hours are particularly useful to the time-limited, and all Essex libraries are accessible to the disabled. Young people are also regular library users: combining Methods (1) and (5) could raise awareness in this age group
- Following Reg 26 feedback, we are checking the potential of mobile libraries, although lack of space may be an issue here. Mobile libraries are useful options for the time- and mobility-limited, and all now have disabled access. However, these are geographically-based not needs based, and are currently the subject of a service review.

Method 1: Hard copies of MWDD Documents/copies of planning applications available for inspection during set consultation periods in a) County Hall b) respective local District/Borough planning offices c) all local Parish/Town councils at appropriate locations to be determined by the PTCs d) respective local public libraries

- Staff in libraries, planning authority offices and ECC planning offices should be able to direct those requiring alternative formats or translations to obtain what they require, although there might be an unavoidable time-delay in some cases. Consider providing workshop or guidance notes for frontline staff in libraries/council offices to ensure awareness of their role, including limitations.
- For consultations requiring a response, planning authority offices and most libraries can provide response forms in hard copy, or the facility to respond on-line. Facilities in parish offices/mobile libraries will be researched and documented and information shared with the public via the Planning website.

Resource Implications:

- Intensive at outset for staff preparing mail shot.
- Postage costs considerable if large documents involved. Consultees could be encouraged to return hard copy responses via ECC offices to make use of County internal mail networks.
- Activity limited to clearly defined consultation period known ahead, and which can be programmed into project plan.
- If documents to local offices/libraries are sent electronically, print costs devolve (could be budget issue though printing on demand can be cost-effective). Agree standard practice.
- As online consultation is preferred, processing hard copy consultation responses generates additional workload for admin staff

Appropriate for document/stage:

Minerals & Waste Policy

- All documents
- All stages

Planning Applications

- Application stage (see Chapter 7 below)
- Post-determination: copies of decision notices are sent to Parish councils, and to Districts/ Boroughs for inclusion on Planning Register.

Method 2: Letters to statutory bodies (called Specific Consultees for the MWDF, Statutory Consultees for Planning Applications)

Target Audience: See Appendix C – Specific and General Consultation Bodies

Minerals & Waste Policy

- Minimum requirement for MWDF consultation – authorities should identify such bodies as it considers necessary and consult them in writing
- ECC has checked and updated its database of consultees in line with the Specific and General Consultation Bodies set out in revised Regulations of June 2008, and will consult with these at all stages appropriate to the subject matter.

Planning Applications

- Applicants are encouraged at the pre-application stage (see Chapter 6 below) to consult any **statutory** or non-statutory bodies whose early advice would be helpful eg Natural England, Environment Agency
- ECC consults a wide range of **statutory**/non-statutory organisations at the application stage, depending on type of application and nature of proposed development

Benefits/Considerations:

- For the MWDF, ECC will notify specific and general consultees by post or electronically, depending on preference recorded on the database. Feedback from Reg 26 consultation indicated a preference for initial notification to be by post, even if documents were then sent/downloaded electronically. This would therefore be our initial method of alerting consultees unless e-consultation has been indicated.
- Many organisations representing minority groups are represented on the database and will therefore be contacted, and are potentially able to cascade the information they receive. In practice, because of information overload, this is only likely to happen on those issues thought to be particularly relevant
- Although supporting the Government’s desire for e-consultation as the most cost-effective method, we are happy to communicate by post if requested.
- Any other individual or organisation wishing to be included can be added to the database at any time.
- Names and organisations on the database are publicly available in line with the **Freedom of Information Act**.
- For planning applications, applicants can be encouraged though not obliged to contact certain consultees at the pre-application stage as part of a **Public Involvement Programme** (see Table 12 below) to improve their likelihood of submitting an acceptable application. Depends on the nature of the application when and whether this is appropriate.

Method 2: Letters to statutory bodies (called Specific Consultees for the MWDF, Statutory Consultees for Planning Applications)

Resource Implications:	Appropriate for document/stage:	
<ul style="list-style-type: none"> ● Intensive at outset for staff preparing mail shot. ● Postage costs can be considerable if large documents involved ● Activity limited to clearly defined consultation period known ahead, and which can be programmed into project plan. ● If documents are sent electronically, print costs devolve to recipient, which could be budget issue (though printing on demand can be cost-effective) ● Planning applicants will need to allow for additional costs of consultation at pre-application stage; should be counter-balanced by shorter timescales at application stage 	<p><u>Minerals & Waste Policy</u></p> <ul style="list-style-type: none"> ● All documents ● All stages 	<p><u>Planning Applications</u></p> <ul style="list-style-type: none"> ● Applicants can use at pre-application stage if meets criteria ● Planning Authority to use at application stage, also to notify consultees of decision post-determination ● Environment Agency informed of decision post-determination (if consulted), other consultees by request

Method 3: E-Communication eg internet, e-mailshot, e-consultation. ECC is constantly seeking to improve its website to expand content and to improve user-friendliness. ECC Minerals & Waste Planning has purchased an IT system for policy/plan preparation to speed and make easier the consultation process, with the ability to respond on line and to view other responses. ECC corporately is launching a facility called EngageEssex which will co-ordinate consultations across the County and ultimately facilitate on-line discussion groups. A further IT system to track planning applications from validation to determination is being considered. Webcasts are being piloted to enable the community to follow live debate.

Target Audience: All groups, county-wide. Can be particularly attractive to some of the identified **seldom heard** categories, specifically the young and the time-limited as potentially available 24 hrs a day

Minerals & Waste Policy

- **Development Documents** are posted on the Planning website in pdf and Word format. The new interactive website (see above) will enable direct on-line responses to be made without the need to download documents first. CD-Rom versions are also available on request (see back cover).

Planning Applications

- Details of pending minerals, waste and County Council applications appear on the ECC website in pdf/Word format together with consultation dates (see below) and summaries of each application, plus reports, decision notices and enforcement information (post-determination stage)

Benefits/Considerations:

- Should be user-friendly and include all documents in pdf and Word format. Useful means of providing feedback to consultation exercises.
- Internet access available to those without home/work IT access via public libraries where assistance is also readily available in accessing alternative formats and languages, and outside office hours.
- Young people are more likely to access information electronically, particularly if the website is made interesting and easy to navigate
- Possibility of similar access via parish offices to be explored.
- Not everyone wishes to view or respond electronically, and hard copy options will always be available.
- Some consultees may have internet access but with limited capacity (age of PC, PC memory capacity, non-broadband area); again, hard copies will continue to be an option. Large plans accompanying planning applications can be difficult to download.
- Cost of printing hard copy devolves to recipient, who has the choice whether to download or not however.
- Not very appropriate for vision-impaired or those experiencing difficulties reading/reading in English. Again, use of public libraries can assist, using their facility to enlarge text/image size on screen.

Method 3: E-Communication eg internet, e-mails,hot, e-consultation. ECC is constantly seeking to improve its website to expand content and to improve user-friendliness. ECC Minerals & Waste Planning has purchased an IT system for policy/plan preparation to speed and make easier the consultation process, with the ability to respond on line and to view other responses. ECC corporately is launching a facility called EngageEssex which will co-ordinate consultations across the County and ultimately facilitate on-line discussion groups. A further IT system to track planning applications from validation to determination is being considered. Webcasts are being piloted to enable the community to follow live debate.

- Speedy method, quick to update and amend and consistent in the message delivered and in the ability to view archived information. New systems are being introduced to improve consultation on policy documents and tracking of applications.
- **Webcasts** are being piloted to bring live debate (eg D&R Committee) to those interested via the internet; archive version can also be viewed after the event. Good for time and mobility limited participation.

Resource Implications:

- Regular but not excessive time commitment for staff ensuring content/technology are up to date/operational and user-friendly, and in monitoring e-responses to consultations on both MWDF and planning applications. Time element can normally be pre-programmed into project plan for MWDF.
- Otherwise very cost-effective option for both instigator and consultee.
- To expand the IT facility to include on-line consultation, initial outlay is high. High return on investment by efficiency savings is anticipated, especially on large consultations

Appropriate for document/stage:

Minerals & Waste Policy:

Upon implementation of the new interactive IT system:

- All documents, all stages
- All consultations, especially using new e-consultation programme to manage consultation responses

Planning Applications:

- Details of all pending minerals, waste and County Council applications appear on the ECC website at the application stage (see 7 below). Projected tracking system will enable public and applicants to follow application from validation to decision
- Summaries of all applications now appear on the website at the application consultation stage.
- Decisions are published on website (see 9 below)

Method 3: E-Communication eg internet, e-mailshot, e-consultation. ECC is constantly seeking to improve its website to expand content and to improve user-friendliness. ECC Minerals & Waste Planning has purchased an IT system for policy/plan preparation to speed and make easier the consultation process, with the ability to respond on line and to view other responses. ECC corporately is launching a facility called EngageEssex which will co-ordinate consultations across the County and ultimately facilitate on-line discussion groups. A further IT system to track planning applications from validation to determination is being considered. Webcasts are being piloted to enable the community to follow live debate.

such as the **Waste Development Documents**.

- **Webcasts** are an effective way to enable more members of the public to follow live debate such as **D&R Committee**. Pilot stage is resource-intensive, but will quickly become more cost effective as developed.

- Enforcement monitoring information regularly published on website
- Applicants with their own websites can publish their own information at the pre-application stage and as part of their ongoing **Public Involvement Programme** (see Table 12 p48)

Method 4: Media – local press, TV and radio. Press releases can generate articles/interviews; formal newspaper notices appear with classified advertisements when they are a statutory requirement

Target Audience: All groups, county-wide. Can be useful in raising awareness in some of the identified **seldom heard** categories, specifically the time-limited

Minerals & Waste Policy

- ECC regularly uses the media to raise awareness of County issues, and will do so selectively for information on **Minerals & Waste Development Framework** issues.

Planning Applications

- **Statutory** requirement to advertise certain categories of planning applications in the local press (see Table 14, page 54).

Benefits/Considerations:

Method 4: Media – local press, TV and radio. Press releases can generate articles/interviews; formal newspaper notices appear with classified advertisements when they are a statutory requirement

- In addition to **statutory** requirements for advertising planning applications and certain stages of policy documents, can use local media to carry articles about proposals in the MWDF. Can also raise profile of the MWDF, particularly when combined with Helpline (see Method 8 below)
- Minerals and Waste issues may not be sufficiently high profile to attract the media unless particularly controversial, which could result in a distorted view of issues.
- The media are the most powerful means to raise general awareness across all ages and groups within the County, but the way in which they convey information is outside the control of either the planning authority or the applicant.
- We shall explore the possibility of tapping into regular existing slots in the local media at appropriate times when issues of major public interest are identified, working in conjunction with the ECC communications team.

Resource Implications:

- Relatively little time on preparation of press/media releases for amount of impact.
- Short time but high profile for senior manager or Member if interviewed
- If item generates high interest, could be very time-intensive for staff involved in dealing with subsequent queries
- Low cost option for both planning authority and applicant

Appropriate for document/stage:

Minerals & Waste Policy:

- Press release plus newspaper notice at **Issues & Options** stage of MWDDs and at **Submission** Stage of all documents in MWDF
- Newspaper Notices at **Issues & Options**, and **Submission** stages
- Other stages tbd. Press release on receipt of binding report and newspaper notice at time of adoption (see Table 7 above)

Planning Applications:

- ECC will continue to meet **statutory** requirements for press advertisements, with other media coverage if appropriate
- At the pre-application stage, applicants can use media to make their case as part of a PIPs programme if they wish

Method 5: Leaflets, newsletters, site notices, flyers, and information packs. ECC produces a newsletter which goes to every household in Essex called *EssexWorks*, which is now to be published 6 times a year. This is an excellent way to reach everyone in the county when we wish to publicise aspects of the consultation process, particularly for the MWDF –subject to timetabling and space constraints. We also contribute to a monthly ECC newsletter called *Making the Links*, which goes to all parish/town councils in Essex and provides a cost-effective way of updating parishes on progress both on the Development Documents and current planning applications. We shall also consider whether further specific newsletters will be needed in addition to these, including tapping in to any within the local minerals and waste industries. We have produced a leaflet already entitled *SCI:Key Issues* and shall produce others to supplement the MWDF and to make the planning application process clearer, both in hard copy and electronically, as appropriate.

Target Audience: All households via *EssexWorks*; all Parish/Town councils via *Making the Links*. Schools via information packs. For specific local issues – flyers/articles in parish newsletters, flyers on noticeboards in parishes, libraries, schools, particularly if linked to wider media coverage, public meetings/exhibitions etc. Brochures and flyers can be cascaded to gypsy and traveller sites via the ECC Gypsy Management team, particularly if these are near proposed M&W sites.

Minerals & Waste Policy

- Flyers publicising consultation dates to be posted on parish notice boards, shops, libraries and sent out by maildrop and parish newsletters.
- Information packs could introduce the subject to schools as part of the citizenship curriculum (esp the **Waste Development Framework**) if agreed to be appropriate.

Planning Applications

- Site notices are **statutory** requirement to publicise all planning applications
- Applicants can also use leaflets, flyers etc as part of their **Public Involvement Programme** as an effective way of raising public awareness and engaging the community.

Method 5: Leaflets, newsletters, site notices, flyers, and information packs. ECC produces a newsletter which goes to every household in Essex called *EssexWorks*, which is now to be published 6 times a year. This is an excellent way to reach everyone in the county when we wish to publicise aspects of the consultation process, particularly for the MWDF –subject to timetabling and space constraints. We also contribute to a monthly ECC newsletter called *Making the Links*, which goes to all parish/town councils in Essex and provides a cost-effective way of updating parishes on progress both on the Development Documents and current planning applications. We shall also consider whether further specific newsletters will be needed in addition to these, including tapping in to any within the local minerals and waste industries. We have produced a leaflet already entitled *SCI:Key Issues* and shall produce others to supplement the MWDF and to make the planning application process clearer, both in hard copy and electronically, as appropriate.

Benefits/Considerations:

- Can publicise an outline of the proposed document or application, and inform the public about further opportunities to get involved or signpost where to find more information.
- Using *EssexWorks* is a cost-effective way of reaching every household in Essex; however, space is at a premium and we may not be able to include copy as and when we would wish.
- **Making the Links** is a reliable way of getting more general information to parish councils which could then be cascaded via individual parish newsletters if they wish.
- We shall also look at contributing to specific parish newsletters at certain stages of consultation on very local issues, and of encouraging minerals and waste operators to contact respective parishes as part of their **Public Involvement Programme (PIP)**.
- We shall aim to contribute to any regional Minerals & Waste newsletters also to share useful information with the industry.
- Site notices are one of the **statutory** requirements for publicising all our planning applications – but have limited effectiveness for the time- or mobility-limited, or for those requiring the information in alternative formats and languages. Format will be reviewed, as will ways of raising awareness on site.
- Flyers are inexpensive to produce, and can be used in a variety of ways – within parish newsletters for example, or on notice boards in libraries, shops and parishes.
- We shall have discussions with the appropriate Schools Citizenship curriculum advisor about the feasibility of producing information packs for schools and youth organizations. This would be a good way of involving younger people in Essex, particularly if combined with local public exhibitions and forums especially if held in school halls. Any projects for schools would need a long run-in time.

Method 5: Leaflets, newsletters, site notices, flyers, and information packs. ECC produces a newsletter which goes to every household in Essex called *EssexWorks*, which is now to be published 6 times a year. This is an excellent way to reach everyone in the county when we wish to publicise aspects of the consultation process, particularly for the MWDF –subject to timetabling and space constraints. We also contribute to a monthly ECC newsletter called *Making the Links*, which goes to all parish/town councils in Essex and provides a cost-effective way of updating parishes on progress both on the Development Documents and current planning applications. We shall also consider whether further specific newsletters will be needed in addition to these, including tapping in to any within the local minerals and waste industries. We have produced a leaflet already entitled *SCI:Key Issues* and shall produce others to supplement the MWDF and to make the planning application process clearer, both in hard copy and electronically, as appropriate.

<p>Resource Implications:</p> <ul style="list-style-type: none"> • A certain amount of time plus printing costs in producing and collating text for flyers and newsletters, more for information packs – but valuable in contacting a very large seldom heard group (the young). • Other Council services share the cost of EssexWorks/Making the Links, making this a cost-effective way of reaching the community. • Mail costs can be kept down by using existing delivery networks for EssexWorks, parish newsletters etc – but this would need to be acceptable to the distributor. Parish viewpoint to be sought on this approach. 	<p>Appropriate for document/stage:</p> <p>Minerals & Waste Policy:</p> <ul style="list-style-type: none"> • Newsletters, flyers at a) Issues & Options stage of MWDDs, b) to targeted local residents at all stages c) at Submission stage. • If appropriate, information pack for schools at Preferred Approach step, esp for WDD. 	<p>Planning Applications:</p> <ul style="list-style-type: none"> • Site notices for all applications at application stage. • List of all pending applications in Making the Links at application stage, plus decisions when determined. • Applicants can use similar methods at pre-application stage and for ongoing PIPs.
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<p>Method 6: Public exhibitions/displays/stalls/roadshows/open days. ECC will consider these as a possible option. Developers are encouraged to consider these also as part of a Public Involvement Programme, if appropriate</p>	
<p>Target Audience: Most likely to be used to target specific communities in relation to specific site proposals or planning applications. Can be applicant or planning authority initiated. Catchment will depend on accessibility of venue selected and success of accompanying publicity.</p>	
<p>Minerals & Waste Policy</p> <ul style="list-style-type: none"> Most useful when considering site-specific issues 	<p>Planning Applications</p> <ul style="list-style-type: none"> Applicant-led at pre-application stage, or at application stage if proposal generates greater public interest than anticipated
<p>Benefits/Considerations:</p> <ul style="list-style-type: none"> Good medium for disseminating information, allowing communities to air their views. Attendees are self-selecting. Should be held in accessible locations over a number of days and at various times of day to ensure all sections of the community have opportunity to attend. Explore possibilities of using schools as venues to attract interest from pupils and parents. Operator-led Open Days at sites and quarries are more appropriate as an ongoing method of continuous public involvement than to deal with specific issues. Provide opportunities for local community to see what goes on at local site in open atmosphere and to understand on-site operations better. Material should be in easily-understood format. Reg 26 Feedback suggested use of cartoons and videos to involve some seldom heard groups, which will be explored as a possibility. But see resource implications below. 	
<p>Resource Implications:</p> <ul style="list-style-type: none"> Fairly resource-intensive, particularly if more adventurous methods (cartoons, videos) are used – these would need careful cost benefit analysis before implementing. Exhibitions etc can be manned or unmanned. Former is much more resource-intensive but provides immediate response to queries generated by exhibition. 	<p>Appropriate for document/stage:</p> <p>Minerals & Waste Policy:</p> <ul style="list-style-type: none"> All documents When considering site-specific issues, probably at the Preferred Approach step. <p>Planning Applications:</p> <p>Applicant-led at:</p> <ul style="list-style-type: none"> pre-application stage as part of Public Involvement Programme. application stage if proposal generates greater public interest than anticipated, or as part of ongoing PIPs.

Method 7: Formal written communication/referenda/community surveys. ECC has formally consulted on the SCI and MWDF on a number of occasions already, and consults as a matter of course on planning applications. Results are analysed, published and taken on board in the next stages of both processes. No need as yet identified for other options in this group, but these will be considered as the consultation process evolves. Direct Neighbour Notification has been introduced as an additional and effective method of involvement for consultation on both MWDFs and planning applications.

Target Audience: Direct Neighbour Notification specifically targets properties within a defined radius of a planning application or suggested site in the MWDF. Wider coverage could be achieved by maildrop, or inclusion in *EssexWorks* or parish newsletters if the need were identified.

Minerals & Waste Policy

- **Statutory** requirement to consult all appropriate specific and general consultation bodies plus any other individual or organisation registering a wish to be consulted.
- **Direct Neighbour Notification** (formal written notification) to all properties within 250m of boundary of any potential site allocation for minerals or waste.

Planning Applications

- **Direct Neighbour Notification** is a statutory alternative to site notices for publicising planning applications: we do both.
- Following a pilot exercise, DNN has now started for **all** applications in **all** areas: for County Council applications, all adjacent properties will be consulted; for M&W applications, all properties within 250m of site boundary will be consulted.

Benefits/Considerations:

- Good introduction to main issues. Responses can help to identify key interests and groups.
- Benefit in focusing consultation around number of key issues.
- July 2006 consultation provided feedback on the dangers of over-simplification in consultation questionnaires, and the need to provide enough free fields for comment
- July 2006 feedback has also established the amount of time consultees have spent considering the SCI and MDF documents, and clearly demonstrates the need for shorter documents and summaries.
- Investing in an electronic consultation system (see Method 3 above) will simplify the analysis of feedback, but will not replace professional involvement in responses.
- Radius of DNN consultation will be monitored and benchmarked against national trends. Cost benefit analysis of greater radius produced, and will be monitored (see Chapter 10.5 below).
- Pilot exercise has demonstrated that DNN as a consultation method is effective in involving a greater cross-section of the public, evidenced by number of requests for further information received as a result of DNN.

Method 7: Formal written communication/referenda/community surveys. ECC has formally consulted on the SCI and MWDF on a number of occasions already, and consults as a matter of course on planning applications. Results are analysed, published and taken on board in the next stages of both processes. No need as yet identified for other options in this group, but these will be considered as the consultation process evolves. Direct Neighbour Notification has been introduced as an additional and effective method of involvement for consultation on both MWDFs and planning applications.

<p>Resource Implications:</p> <ul style="list-style-type: none"> Initial outlay to include online consultation is high. High return on investment by efficiency savings is anticipated, especially on large consultations eg WDD. Analysis, summary and response to consultation is resource-intensive but essential. Consultation process is also very time-consuming for consultees. 	<p>Appropriate for document/stage:</p> <p>Minerals & Waste Policy:</p> <ul style="list-style-type: none"> All site-allocation documents Stages: Issues & Options; Submission (see Table 7 above) 	<p>Planning Applications:</p> <ul style="list-style-type: none"> Applicant can consult specific and general consultees at pre-application stage to gauge likely issues. DNN at application stage
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Method 8: Helpline. ECC operates a helpline service called ContactEssex where operators experienced in dealing with planning issues can assist or direct calls to the Minerals & Waste Planning Duty Officer during office hours Monday to Friday, (a professional member of staff who can respond immediately to queries, or ensure that the appropriate person calls back within an agreed timescale).

<p>Target Audience: All groups, county-wide. Already widely-advertised via ECC website, EssexWorks and Essex A-Z.</p>	
<p>Minerals & Waste Policy</p> <ul style="list-style-type: none"> Ongoing but likely to be most used for site-allocation documents from Issues & Options stage onwards, and following media coverage/press releases etc. 	<p>Planning Applications</p> <ul style="list-style-type: none"> Appropriate for all stages of the application process.

Method 8: Helpline. ECC operates a helpline service called **ContactEssex** where operators experienced in dealing with planning issues can assist or direct calls to the **Minerals & Waste Planning Duty Officer** during office hours Monday to Friday, (a professional member of staff who can respond immediately to queries, or ensure that the appropriate person calls back within an agreed timescale).

Benefits/Considerations:

- Particularly useful for those without internet access. For optimum benefit, should be a staffed rather than recorded or automated system. **ContactEssex** staffed 8am-8pm weekdays, 9am-12noon Saturdays.
- May need additional resourcing after media coverage, public meetings etc
- ContactEssex** service operates beyond normal office hours, which can be useful to the time-limited. See above.
- The service provided by **ContactEssex** and duty officers is only as good as the information supplied by us; we need to ensure that information provided is accurate, up to date and consistent.

Resource Implications:

- Can become resource-intensive at times of great public interest and requires careful project management.
- Time needs to be allocated to briefing and updating staff.
- For planning applications, would normally be accommodated by Duty Officer rota; may peak after **Development & Regulation** committee meetings, but this can be foreseen and programmed in.

Appropriate for document/stage:

Minerals & Waste Policy:

- Ongoing but likely to be most used for site-allocation documents from **Issues & Options** stage onwards.

Planning Applications:

- Appropriate for all stages of the application process.

Method 9: Meetings/workshops with selected stakeholders. This method will be used when appropriate

Target Audience: Opportunity for specific audiences (Parish councils/ environmental or amenity groups/ industry representatives) to be clear in understanding issues from their perspective. Mixed meetings may also be appropriate

<p><u>Minerals & Waste Policy</u></p> <ul style="list-style-type: none"> Regular meetings with industry representatives would be beneficial – regular developer panels made up of minerals and waste operators can provide a forum for ECC to disseminate information and canvass professional opinion on proposed documents, processes or applications. 	<p><u>Planning Applications</u></p> <ul style="list-style-type: none"> Not normally appropriate for the planning application process Industry meetings/workshops on general issues are held every 2 years however
<p>Benefits/Considerations:</p> <ul style="list-style-type: none"> Useful means of identifying key issues, getting key people involved and achieving alignment with other strategies/initiatives. For transparency, majority of meetings should include a range of stakeholders/organizations 	
<p>Resource Implications:</p> <ul style="list-style-type: none"> Resource intensive, requiring senior staff involvement, together with expectation that commitments will be made and fulfilled 	<p>Appropriate for document/stage:</p> <p>Minerals & Waste Policy</p> <ul style="list-style-type: none"> Key requirement for early front-loading: Issues & Options stage to identify key issues/options and discuss rationale <p>Planning Applications</p> <ul style="list-style-type: none"> Not normally appropriate

Method 10: Public meetings at area, town or parish level. ECC proposes to hold (and has already held) meetings in parishes and wards where specific mineral or waste sites have been identified, with invitees from adjoining councils as appropriate, or upon request from the parishes concerned for planning applications

Target Audience: Most likely to be used to target specific communities in relation to specific site proposals and planning applications. Can be applicant or ECC led. Catchment will depend on accessibility of venue selected and success of accompanying publicity.

Minerals & Waste Policy

- ECC proposes to hold (and has already held) meetings in parishes and wards where specific mineral or waste sites have been identified, with invitees from adjoining councils as appropriate.

Planning Applications

- Where a high level of public concern is thought likely (as part of applicant's pre-application **Public Involvement Programme**), or at the application stage if greater concern than anticipated becomes apparent

Benefits/Considerations:

- Open and inclusive way for people to engage in robust debate on issues, although attendees are self-selecting.
- Meetings must be carefully prepared and effectively chaired, as these can become confrontational if sensitive issues are involved.
- Planning officers who speak must at all time demonstrate an independent and neutral stance: they can only advise on the planning process and matters of fact which would be taken into account; they cannot comment on the merits or otherwise of a proposal/application. This would be for the developer/applicant presenting the proposal to do.
- Timed speaking may be necessary to ensure maximum numbers have the opportunity to speak, and this could be made known beforehand.

Resource Implications:

- Resource intensive; will need co-ordinating on an area basis.

Appropriate for document/stage:

Minerals & Waste Policy:

- Particularly relevant to core strategies and site allocation documents.

Planning Applications:

- Instigated by developer at pre-application stage, or by parish/local group at application stage if thought appropriate.

Method 10: Public meetings at area, town or parish level. ECC proposes to hold (and has already held) meetings in parishes and wards where specific mineral or waste sites have been identified, with invitees from adjoining councils as appropriate, or upon request from the parishes concerned for planning applications

- May require an external facilitator to ensure transparency.
- If new technology used eg electronic voting buttons, costs would need to be justified – but good way to ensure all views are recorded.

- Where required, Area Forums at **Issues & Options** stage.
- Parish/Ward meetings at **Issues & Options** stage.

Method 11: Focus Groups (selected groups of participants with particular characteristics) or Citizens' Panels (randomly selected groups of volunteers) or pre-existing panels and forums. We shall encourage all developers to set up Site Liaison Groups, usually made up of site representatives, ECC officer and Member representatives plus district, parish and local community representatives. See Appendix F for details of existing groups.

Target Audience: Wide spectrum/cross-section of interested parties coming together to understand the range of concerns and maintain a balanced point of view

Minerals & Waste Policy

- We shall investigate opportunities for focus groups led by independent facilitators where appropriate, and shall tap into existing groups such as the 4 Essex Area Forums, the Essex Citizens' Panel and the Essex Youth Parliament when these seem the best way to gauge public opinion on the MWDFs. Citizens' Panel could be used to gauge County opinion particularly on waste issues.

Planning Applications

- Liaison groups encouraged at all sites, regardless of pending applications as these encourage and promote understanding of each others' roles and viewpoints.

Method 11: Focus Groups (selected groups of participants with particular characteristics) or Citizens' Panels (randomly selected groups of volunteers) or pre-existing panels and forums. We shall encourage all developers to set up Site Liaison Groups, usually made up of site representatives, ECC officer and Member representatives plus district, parish and local community representatives. See Appendix F for details of existing groups.

Benefits/Considerations:

- Useful for area-based discussions and presentation of options. Can help authorities to gain more understanding of widespread public concerns.
- Provides opportunity to explore issues in depths but may need to be complemented by other methods.
- Area Forums (standing groups with a geographical remit) are already in existence, and can provide a ready-made platform to discuss issues relevant to the general area when appropriate.
- Site Liaison groups are very good for developer/community relations by removing normal barriers and enabling site operators and members of the public and local community to gain an understanding of alternative points of view.

Resource Implications:

- Tapping into existing focus groups and forums is a time- and cost-effective option; setting up of new focus groups could be more time intensive but may be more appropriate in some circumstances.
- Use of independent facilitators can be costly, but worthwhile in demonstrating transparency, impartiality and lack of political bias.
- Time-hungry for staff, often at senior level, both in preparing presentations for forums and in attending these.

Appropriate for document/stage:

Minerals & Waste Policy:

- Area Forums may be appropriate for area-based policies or site-specific allocations or proposals plus emerging core strategies.
- Citizens' Panel may be utilised in particular on Waste issues.

Planning Applications:

- Liaison groups more appropriate for active minerals & waste sites regardless of planning application agenda.

Method 12: Interactive workshops such as Enquiry by Design and Planning for Real exercises. ECC would consider using this as an option if difficult issues and major conflict of opinion started to emerge as facilitated workshops of this nature can be an important method of negotiation between opposing opinion groups.

Target Audience: All sections of the community: aim for a cross-section of public and stakeholders to promote debate

Minerals & Waste Policy

- Less likely to be used for MWDF issues

Planning Applications:

- This is more likely to be relevant for district and unitary authorities than counties, but will be borne in mind

Benefits/Considerations:

- Means of engaging local communities on planning applications and developing sense of ownership of proposals.
- Need to involve people and requires significant preparation to allow a structured approach and report back.
- Useful for identifying and focussing discussion around difficult issues and key themes.
- Can be a very stimulating method of public involvement which is highly participative.

Resource Implications:

- Use of independent facilitators can be costly, but worthwhile in demonstrating transparency, impartiality and lack of political bias.
- Time-hungry for staff at all levels, both in preparing for workshops and in attending these.
- Return on investment could be high in terms of public satisfaction with the process.

Appropriate for document/stage:

- Minerals & Waste Policy:**
- Could be used to develop **Issues & Options stages** and to identify **Preferred Approach**.

- Planning Applications:**
- Not appropriate

Method 13: Planning Aid. ECC will publicise the services provided by Planning Aid through this document (see Glossary) and on our website.

Target Audience: Community groups and individuals who cannot afford to pay a planning consultant for advice.

Minerals & Waste Policy

- Assistance in submitting comments, or to speak on behalf of groups/individuals at any **Examination in Public**.

Planning Applications

- To speak on behalf of groups/individuals at **D&R Committee**.

Benefits/Considerations:

- **Planning Aid** can offer free, independent, professional advice on planning issues to community groups and individuals who cannot afford to pay a planning consultant for advice.
- **Planning Aid** volunteers also work with communities to help them understand and play a role in the planning process. May well be worth considering in areas of identified low response rates.

Resource Implications:

- The Government is funding **Planning Aid** so that it can expand its services and become more pro-active in targeting communities which traditionally have not got involved in the planning system.
- Despite this increased capacity, **Planning Aid** is a voluntary resource which may become overstretched through the number of demands upon its service.
- Low resource implications for ECC staff.

Appropriate for document/stage:

Minerals & Waste Policy:

- All consultation documents and **Examination in Public**.

Planning Applications:

- At determination stage (see Chapter 8 below), individuals or groups may appreciate support from **Planning Aid** in making representations on an application and speaking at **Development & Regulation Committee**.

Method 14: Steering/Advisory Groups. ECC has an internal officer/Member working group on the MWDF within the Environment & Waste policy development group.

Target Audience: Policy Development Group and elected Members of Essex County Council	
<p>Minerals & Waste Policy</p> <ul style="list-style-type: none"> ● Involvement with preparation of emerging policy documents 	<p>Planning Applications</p> <ul style="list-style-type: none"> ● Not applicable
<p>Benefits/Considerations:</p> <ul style="list-style-type: none"> ● Mechanism for getting key representatives involved in the production of MWDDs (working groups). ● Role and remit (working or advising) of the group needs to be clear and there should be a transparent approach to selecting members and to keep the policy development group informed. ● Demonstrates a long-term commitment to policy development. 	
Resource Implications:	
<ul style="list-style-type: none"> ● Potentially resource-intensive during the setting-up stage in particular. 	<p>Appropriate for document/stage:</p> <p>Minerals & Waste Policy:</p> <ul style="list-style-type: none"> ● Particularly appropriate for core strategies <p>Planning Applications:</p> <ul style="list-style-type: none"> ● Not applicable

5 Public involvement with planning applications

*(This section is also applicable for similar applications such as those for **listed buildings, conservation areas, established use certificates and trees**)*

The public already has the right to comment on planning applications and there is further potential to increase public involvement in each of the four stages of the application process. **Pre-application discussions** have become more important, and applicants are encouraged to carry out a **public involvement programme** at this stage; the County Council can also raise public awareness, particularly at the application stage, and in the use of **Direct Neighbour Notification**.

Members of the public can also take a pro-active interest at all stages of the application process, including the ongoing involvement process. The intention is to produce what planning authority, applicants and the community all want to achieve: high quality planning decisions in the best interests of Essex.

5.1 The **Planning and Compulsory Purchase Act 2004** requires the County Council to set out in this **Statement of Community Involvement** the approach it proposes to take to involve the people of Essex in the consideration of planning applications. ECC is responsible for determining three types of planning applications (minerals, waste and the County Council's own developments) which are described in Chapter 2. These include, where appropriate, **listed buildings, conservation area consents, certificates of lawfulness and Tree Protection Orders**. Although the public already has the legal right to comment on planning applications, we believe that there is further potential to increase public involvement in the four stages of the planning application process, namely pre-application (see Chapter 6), submission (see Chapter 7), determination (see Chapter 8) and post-decision (see Chapter 9).

5.2 Preliminary scoping and consultation were carried out as part of the joint exercise with scoping and consultation on the SCI and the MWDF (described in detail in the the Pre-Submission **Statement of Compliance**). Proposed methods of consultation are summarised with those proposed for the MWDF in Tables 8 and 9 above, and are discussed further in the following sections.

Factors to be considered

5.3 There are a number of potentially-conflicting factors to be taken into account when considering public involvement with planning applications. These are summarised in the table below:

Table 10 Factors affecting public involvement with planning applications

<p>Legislation</p> <ul style="list-style-type: none"> • ECC must continue to meet the statutory requirements for the handling of planning applications laid down by the Town and Country (General Development Procedure) Order 1995. • The Planning & Compulsory Purchase Act 2004 requires ECC to increase public involvement, BUT • There is no legal mechanism to force developers to undertake pre-application public consultation. We can only propose public engagement initiatives for developers' consideration.
<p>Speed/involvement</p> <ul style="list-style-type: none"> • ECC is committed to improving the speed of decision-making on all planning applications year on year to meet Government targets. • Additional public consultation takes time: to meet the above targets, the most appropriate stage for increased public consultation is pre-application. • If a developer involves the public at the pre-application stage and considers local views and suggestions, a more considered proposal is likely to be submitted.
<p>Confidentiality/Transparency</p> <ul style="list-style-type: none"> • Most pre-application discussions with developers are confidential because commercially sensitive. • The Freedom of Information Act obliges ECC to make available information it holds for public inspection. Pre-application discussions are however excluded as we are bound to respect commercial confidentiality before a developer agrees information can go into the public domain. • Local councillors cannot be involved while discussions remain in confidence. Once a developer agrees to go public, officers will inform the local Member, who then has a key role in representing the interests of constituents. • Written or electronic representations received on planning applications are available for the public to view under the Local Government (Access to Information) Act 1985.
<p>Achievability/Appropriateness</p> <ul style="list-style-type: none"> • ECC wants to involve the public throughout the planning application process and will actively encourage developers to consult local communities from the earliest opportunity on their proposals. • Any public engagement we propose must be both realistic and achievable, and not involve heavy additional costs for either the developer or ECC. • Government guidance advocates a tiered approach to public involvement on planning applications, with higher levels of consultation for large scale or high impact developments. We set out a range of criteria for assessing levels in Table 13 below, but aim to be flexible within these.

Table 11 What you can do to influence the planning application process

Involvement Action	Stage of Development
Keeping Informed	
Monitor information sources about planning applications such as site notices, press advertisements, the Planning website and parish noticeboards and newsletters	Pre-application and application stages
Take opportunities to find out more – attend any exhibitions or meetings offered as part of the applicant’s public involvement programme , or any other local meetings, read summaries of applications and officers’ reports on the ECC website, view hard copy applications at the identified locations	Pre-application and application stages
Where these exist, join a Site Liaison Group (see Appendix F)	Ongoing
Track the application’s progress on the ECC website to know when consultation closes and when the application will be heard at Committee (see below)	Application stage
Check the decision notice issued after the Committee has met to know what the decision is, and what conditions may have been applied (see Chapter 9 below)	Determination and post-decision stages
If you live near a site, be aware whether any conditions imposed (such as operating times) are being complied with (see below)	Determination and post-decision stages
Making Your Views Known	
Respond directly to consultations such as questionnaires, consultation letters to parishes/districts, Direct Neighbour Notification letters (see Chapter 7 below) etc	Pre-application and application stages
Respond to publicity (site and press notices, the website, parish notice boards and newsletters etc) by sending your views in writing (letter, email, fax or on line) to the contact address provided	Pre-application and application stages
Where these exist, join a Site Liaison Group (see Appendix F)	Ongoing
Feed your views in to Parish or District Councils to help them formulate their responses, or to your local County Councillor	Application stage
Make sure that if you raise objections, these are for valid planning reasons (see 7.19 below)	Application stage
If you think that conditions imposed with a decision are being ignored, let the planning authority know, so that we can check this out as part of our ongoing programme of site monitoring (see Table 16.5 and 16.6)	Post-decision stage
Attending Development & Regulation (D&R) Committee	
As an Observer. See 8.5 below	
As a Speaker. See 8.6 below	Determination stage

6 The Pre-Application Stage of a Planning Application

Summary of Chapter 6

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

6.1 Discussion at the pre-application stage is now widely accepted by both local authorities and developers as good practice ⁽²⁾: nearly 80% of business applications now involve pre-application discussions. ECC welcomes early pre-application discussions with developers as a means of improving the standard of a proposal and avoiding delays and requests for further information during the formal application process. Developers recognise the value of early discussion and negotiation which can avoid wasting time. Both parties acknowledge the importance of taking on board local concerns to achieve development which is acceptable to the community at large.

6.2 In its response to the Reg 26 consultation on the Draft SCI, the Essex Branch of the Quarry Products Association “strongly supports the principle of pre-application discussions...not least because proposals for new or extended mineral extraction are invariably complex. Through pre-application discussion, much can be done to refine initial draft proposals to ensure the submitted proposals are likely to be acceptable and the final determination period not extended unnecessarily by frequent requests...for more details or revisions”. However, it goes on to urge ECC not to be too prescriptive in the methods of community involvement recommended at the pre-application stage. This point of view is supported by other developers, and by the former ODPM in its publication ***Creating Local Development Frameworks***.

6.3 We shall therefore adopt the practice outlined in Table 12 below for the pre-application stage of the planning application process, which balances the community’s desire for involvement at the earliest possible stage with the developer’s need for appropriate confidentiality and speed, and our own requirement to achieve high quality development for Essex. The level and extent of public involvement at the pre-application stage will vary according to the nature, location and scale of development (see Table 13 below).

2 see *The Private Sector Perspective on Development Control in the context of Planning Delivery Grant*, DCLG, September 2006 at www.communities.gov.uk/index.asp?id=1502895

Table 12 Stages of the Pre-Application Process

1) Confidential discussion
The potential applicant or agent contacts an ECC planning officer in confidence with initial information about the proposal, well in advance of the projected submission date if at all possible. The planning officer carries out a preliminary desktop evaluation of the proposal to assess its likely category for pre-application public involvement, and to identify any potential issues with the proposal. This may lead to a meeting (2 below) to discuss the proposal further. Developers/agents should be aware what planning guidance is available to them ⁽³⁾ .
2) Confidential meeting
<p>This takes place between applicant/agent and nominated planning officer to discuss informally and identify the likely requirements of the planning authority when the proposal is submitted. Depending on the category of development (Table 13), these could include:</p> <ul style="list-style-type: none"> • Whether early advice from bodies such as the Highways Agency or Natural England should be sought by the developer at the pre-application stage. • The range of supporting information or legal documentation which is likely to be needed to accompany the submitted application. This could include a traffic or flood-risk assessment, noise or wildlife surveys, Design & Access Statements and formal screening/scoping opinions. • The most appropriate means of public involvement, taking into account the nature, scale, degree of sensitivity and past history of the development site. This would lead to the applicant producing a public involvement programme (See Step 3 and Table 13 below). • The planning officer will record the advice given and the likely requirements identified at the meeting. <p>This meeting is also in confidence, and is outside the remit of Freedom of Information legislation.</p>
3) Applicant's Next Steps
<p>A developer is not legally obliged to adhere to any of the advice given at the pre-application meeting, and can proceed with submitting the planning application immediately. However, by not obtaining identified advice and information or carrying out identified appropriate consultation, the developer is likely to find that the planning authority needs to come back for further information. This will inevitably lead to delays in determining the application.</p> <p>The planning officer will include details of advice given at the pre-application stage in his or her report to Development & Regulation Committee (see Chapter 8). More considered applications which are in conformity with development plan documents and address all the issues raised at the pre-application consultation will undoubtedly progress faster. The developer is therefore advised to take the following steps before submitting a formal application:</p>

3 eg *Getting It Right* leaflet at www.essexcc.gov.uk/Planning > *Planning applications* > *Getting It Right* from right-hand menu; *Pre-Application Advice* leaflet at www.natplanforum.org.uk > *Documents* > *Good Practice* > *Pre-application advice*; *Constructive Talk* leaflet at www.pas.gov.uk/pas/aio/39020

- Contact identified consultees (eg **Highways Agency, Natural England**) as quickly as possible to give them enough time to provide a considered response and avoid delays.
- Obtain and submit any specialist information identified, eg formal request for an **environmental impact assessment** or screening/scoping opinion.
- Carry out public consultation (if a **Public Involvement Programme** was identified at the pre-application stage) to determine what impact the community believes the proposal will have on the locality.
- Review the proposal before submission to take on board any concerns or issues raised through any of the above steps. Applicants are advised to include a statement with their application detailing what action they have taken in this respect, and what changes they have made to the proposal as a result of issues raised. ECC will produce a form which can be used for this purpose.

Should this informal approach not achieve our aim of a quality public involvement process, ECC would consider implementing a **Supplementary Planning Document** (see 2.17 & 2.18 above) to formalise the process.

4) Going Public and Member Involvement

It is up to the developer to decide exactly when pre-application discussions go into the public domain. Once this decision has been taken, the planning officer will inform the appropriate local County Councillors of the proposals, although the developer can inform a Member earlier if appropriate.

All Members have a key role to play in representing the interests of their constituents on planning proposals, and this role is likely to grow as community engagement grows. All Members are bound by the Members' Code of Conduct as set out in the Council's Constitution and those councillors who are also members or substitutes of the **Development & Regulation Committee**, which determines planning applications, are also bound by the **Committee's** own Protocols.

5) Implications of pre-application community involvement

In Step 1 above, we refer to a preliminary desktop evaluation of the proposal to assess its likely category in terms of pre-application public involvement (see Table 13 for the criteria used). Industry opinion is that public consultation at the pre-application stage may be too soon, but we continue to consider that an early **Public Involvement Programme** (PIP) is beneficial. There are undeniably cost and time implications in consulting the public at the pre-application stage. These can be managed by agreeing the appropriate level of consultation for the scale of the proposal by reviewing the various techniques outlined in Tables 8 (quick reference) and 9 (detailed summary) above at the pre-application meeting: these are not prescriptive, and it should be possible for applicant and planning officer to agree a PIP suitable for each particular application. The great benefit of early consultation is the much-improved public understanding of and input into the proposal. Potential problems and public objections can be identified and addressed at this preliminary stage, enabling a more detailed and thorough application to be submitted. Early feedback from applicants using pre-application community involvement and from the public has been very positive.

Table 13 Categories of Development Proposals – Which are likely to involve public consultation?

<p>High level consultation</p> <p>A high level of public consultation would be required for:</p> <ul style="list-style-type: none"> • Major development in conflict with the adopted Development Plan. • Schedule 1 development – that is, development that requires Environmental Impact Assessment under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999). This includes waste disposal installations for the incineration, chemical treatment, or landfill of hazardous waste. • Schedule 2 developments (EIA Regs 1999) deemed likely to give rise to significant environmental effects and needing to be accompanied by an Environmental Statement, eg a large quarry or major road scheme. • Development proposed on playing fields as set out in the Town and Country Planning (Playing Fields) (England) Direction 1998. This applies to any proposal for development of any playing fields owned by a local authority or used by an educational institution, as specified in the Direction. • Development of Windfall sites. These are sites that have not been previously identified for development in a Mineral or Waste Site Allocations Development Document. It is likely that a policy for windfall sites and borrowpits will be developed for the MDDs. • Development considered to be controversial or of significant local interest. This would be determined at the planning officer's discretion in consultation with the local Member.
<p>Low level consultation</p> <p>A low level of public consultation would be required for:</p> <ul style="list-style-type: none"> • Other developments with significant highway implications which require a Transport Assessment to be submitted with the application • Other development of significant local interest. This would be determined at the planning officer's discretion in consultation with the local Member.
<p>No level of public consultation</p> <p>Development requiring no pre-application public consultation, except statutory requirements:</p> <ul style="list-style-type: none"> • All other development proposals not falling within any of the above categories eg positioning of a relocatable classroom (unless a past history of local interest exists). Normal consultation eg Direct Neighbour Notification, site notices, information to Parish/District Councils etc will always take place.

The above categories are for guidance only; each site will be considered on its own merits, taking into account criteria like locality, area of impact, past history. Minimum statutory requirements* for consultation/ publicity will be met or exceeded.

*** Statutory Requirements (under Article 8 of Town & Country Planning (General Development Procedure) Order (as amended):** The GDPO requires the local planning authority to publicise planning applications, either by site notice or by neighbour notification. An advertisement in local press is required in some cases, eg major development as defined in Art 8.

7 The submission of a planning application

Summary of Chapter 7

Valid planning applications are entered onto the Planning Register, and applications publicised on site and in the local press if appropriate. Hard copies are available to view in council offices and libraries, and on the Planning website, and copies go for consultation to a variety of relevant consultees. We propose to increase public access to and awareness of planning applications in a number of ways by working with applicants on public involvement programmes, and most specifically by using **Direct Neighbour Notification** of all properties within an agreed radius of site boundaries of applications.

7.1 All planning applications submitted to the County Council (for Minerals, Waste and development by the County Council) go through a number of stages in the application process from submission to determination and post decision. The first part of the process up to determination is set out below and the next chapters address the determination and post decision stages.

7.2 Improvements have been made to the process to raise public awareness of planning applications in response to the Reg 26 Consultation and the **Direct Neighbour Notification** pilot exercise in Braintree and Epping Forest Districts. These are incorporated in the processes below:

Validation and Registration

7.3 All planning applications submitted to the County Council are allocated to a specified planning officer, checked to ensure they are complete and valid, then given a unique reference number and registered.

7.4 The law requires that details of every application are entered onto the Planning Register. This is a legal document held by each District and Borough Council in Essex, which also contains details of applications submitted to that District/Borough Council (eg for homes and businesses).

7.5 In addition: a list of all current Minerals, Waste and County Council planning applications and summaries of these applications are posted on the County Council's website and updated on a regular basis. See www.essex.gov.uk/planning then select Pending or Summaries.

Consultation

7.6 A copy of the planning application and covering summary are automatically sent to the appropriate District or Borough Council and Parish or Town Council for comment and for members of the public to view.

7.7 Copies are available to view in the nearby public library, some of which are open outside normal office hours (see Appendix E for details). All Essex libraries have IT facilities which can be used by the public to view and respond to applications on line.

7.8 The County Council's local Members are also notified of the application (see Table 12.4 above).

7.9 A wide range of other **statutory** and non-statutory organisations (including neighbouring authorities where proposals are close to the administrative boundary) may also be consulted by the planning authority, depending on the type and the nature of the application. Some of the most frequently consulted bodies include the **Highways Authority**, the **Environment Agency**, **Natural England** and **English Heritage**.

Advertising Planning Applications

7.10 The application is also publicised in the area where the development is proposed, the extent of advertising depending on the nature of the application

7.11 All applications fall into 3 categories for advertising purposes, as defined under the terms of the **Town and Country Planning (General Development Procedure) Order of 1995**, (as expanded in **Circular 15/92**). The 1995 Order included the option to either display a notice on site OR to serve a notice on the adjoining landowners or occupiers.

7.12 We now propose to do both (to display a notice on site and serve a notice on the adjoining landowners or occupiers in accordance with our **Direct Neighbour Notification** protocol). Full details of our new advertising procedures are set out in Table 14 below.

7.13 In addition to the above formal advertising procedures to be carried out by ECC, the applicants or the local community may wish to raise awareness of an application further. For example: applicants may hold an exhibition in accordance with their **Public Involvement Programme**, or local communities may include the summary in their parish newsletters, display on notice boards or hold a public meeting.

Direct Neighbour Notification Protocol

7.14 The pilot exercise on **Direct Neighbour Notification** demonstrated that this method of expanding public awareness is very successful, given the increased number of requests for further information on planning applications. The concept of **Direct Neighbour Notification** is discussed in 4.12 to 4.13 above in relation to the **Minerals & Waste Development Documents**.

7.15 **Direct Neighbour Notification** letters will be sent to landowners or occupiers on the following basis:

- For County Council applications: all properties adjacent to the application site will receive a neighbour notification letter inviting comments; for more complex applications, a summary of the application with site plan will also be included.
- For Minerals and Waste applications: all properties within 250 metres of the application site boundary will receive a letter including a summary of the application with site plan.

7.16 Please see 4.13 above and 10.5 below for the reasons why 250 metres has been selected as the standard radius for consultation on minerals and waste applications.

7.17 **Direct Neighbour Notification** is carried out as an additional and specifically-targeted method of raising public awareness of a proposed development. It is not an indication that those properties will be directly affected by the development, or that we believe those contacted (and only those) will be affected by the proposal.

Table 14 ECC Formal Advertising Procedures for different categories of planning application

Application Category and Definition (see Town and County Planning (General Development Procedure) Order (GDPO) 1995)	Advertisement by
<p>Category A</p> <p>An application which is</p> <ul style="list-style-type: none"> ● Accompanied by an Environmental Statement (known as an EIA application) ● A Departure, ie does not accord with the Development Plan ● Likely to affect a Public Right of Way under the terms of the Wildlife and Countryside Act (1981), Part 3 	<ul style="list-style-type: none"> ● At least 1 site notice on or near the site for at least 21 days; and ● By Direct Neighbour Notification; and ● Advertised as Notice of Particulars in local press
<p>Category B</p> <p>An application which does not come under (A) above, but is defined as a major development, ie for:</p> <ul style="list-style-type: none"> ● Waste development ● The winning and working of minerals ● Provision of building(s) where floor space created is 1000sqm or more ● Development on a site of 1hectare or more 	<ul style="list-style-type: none"> ● At least 1 site notice on or near the site for at least 21 days; and ● By Direct Neighbour Notification; and ● Advertised as Notice of Particulars in local press
<p>Category C</p> <p>An application covered under neither (A) nor (B) above</p> <p>NB: Additional provisions apply to applications involving listed buildings and conservation areas under Reg 5 of the Planning (Listed Buildings and Conservation Areas) Regs 1990 (as amended) but these are due for amendment under the provisions of the 2004 Act</p>	<ul style="list-style-type: none"> ● At least 1 site notice on or near the site for at least 21 days; and ● By Direct Neighbour Notification

Making Representations

7.18 Anyone wishing to comment on a planning application must submit comments in writing to the County Council by post, fax or email within the times specified. Contact details are provided in the public notice on site or in the local press and DNN letter. Consultation periods are also given on the list of pending applications on the ECC website at www.essex.gov.uk/Planning then following *Planning applications>planning applications* and selecting the appropriate pending list from the right-hand menu.

7.19 All representations will be accepted, provided that:

- They include the sender's full name and address
- They arrive within the consultation period (although we shall try to be as flexible as possible on this)
- Representations are based on valid planning reasons, such as traffic or landscape impact, but not, for example, perceived impact on local house prices. We shall prepare guidelines on these which will be available on the website or in hard copy, and which will accompany future DNN letters.
- The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council.

7.20 All representations are acknowledged within 48 hours, by post or by e-mail, as appropriate. Respondees are advised of the procedure for speaking at Development & Regulation Committee (see 8.5 below) and of the regulations governing written or electronic representations (see Statement Box on page 13).

Re-consultation

7.21 On occasions it may be necessary to receive further information or amendments to applications some of which may require re-consultation. In the case of a minor amendment to an application (one which would not materially change the character of the development) it would not normally result in re-consultation. However, the submission of additional supporting information on which the public and consultees need the opportunity to comment, or the introduction of significant amendments to an application would be subject to a further consultation period.

8 The Determination stage of a planning application

Summary of Chapter 8

After the consultation process on the application stage is complete, the planning officer dealing with the application prepares a detailed report, taking into account all representations made. A decision is then taken whether the application should go before the County's **Development & Regulation (D&R) Committee**, or be dealt with under **Delegated Powers**. A number of possible outcomes may result from either process. Any member of the public can attend D&R Committee as an observer, but public speaking at the Committee is subject to the rules set out in its Protocol.

Table 15 The ways in which a planning application can be determined

<p>1) By Development and Regulation Committee</p> <p><i>D&R Committee consists of a group of Members who meet once a month to consider and determine planning applications, assisted by detailed committee reports presented by planning officers. All Committee Members receive regular training on relevant planning issues.</i></p>	<p>An application would go before D & R Committee when:</p> <ul style="list-style-type: none"> • It is subject to an Environmental Impact Assessment • Letters of objection relating to planning issues have been received and issues remain unresolved or • A Consultation Body has a fundamental objection which cannot be overcome; or • The proposal is a major departure from the Development Plan/MWDD; or • There are other material considerations of concern; or • The application is for a particularly significant development
<p>2) By Delegated Powers</p> <p><i>Council has delegated the power of determining certain applications to the Head of Development Control, assisted by detailed reports presented by planning officers</i></p>	<p>An application is likely to be determined under Delegated Powers when:</p> <ul style="list-style-type: none"> • No letters of representation have been received • Consultation Bodies have no remaining concerns • The proposal accords with the policies of the Development Plan and is otherwise approvable or • The proposal does not accord with policies in the Development Plan and is to be refused

3) By ECC and the Secretary of State for the Department of Communities & Local Government (DCLOG)

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

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

- Is an application for County Council **Listed Building** or **Conservation Area** consent or
- The **Secretary of State** directs that he/she would want to determine the application, or
- The proposal constitutes a **Departure** from the Development Plan AND is being recommended for approval by D&R Committee. * Updated - See Appendix H

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

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

Other post-decision options such as appeal on refusal and enforcement are discussed in Table 16 below

Officer Reports, Committee Agendas and Delegated Reports

8.1 D&R Committee agendas contain Planning Officers’ reports on planning applications. The Agenda is published at least 5 working days before the Committee meeting at <http://comad.essexcc.gov.uk> > *Calendar of Meetings*. Full agendas are no longer sent out in hard copy, but hard copy versions of the relevant reports are available from the Committee Administrator on 01245 430163, as are alternative formats.

8.2 Delegated Reports (see Table 15.2 above) are also available to view following determination at www.essex.gov.uk/Planning then follow *Planning Applications – Delegated Items*, selecting the appropriate district from those listed, or by contacting the Committee Administrator as above.

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

Public Speaking at Development & Regulation Committee

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

8.5 Members of the public who have submitted an application or a written representation on an application are entitled to register to speak at D&R Committee, in accordance with the committee's protocol. There is a requirement that the person or group representative must have submitted a written representation upon the application being determined by Committee, and must have registered to speak with the Committee Administrator **at least two working days** before the date of the meeting.

8.6 Full details of the public speaking procedures are set out in the booklet *Development & Regulation Committee: Public Speaking on Planning Applications* available on the website at www.essex.gov.uk/Planning, then by following *Planning applications> Development & Regulation Committee>Public Speaking Procedure*, or by contacting the Committee Administrator for a copy (01245 430163). Details are also given in the consultation and **Direct Neighbour Notification** letters.

8.7 It is recognised that addressing a public meeting can be a daunting prospect for those not practised at public speaking, and we encourage people in this position to consider the use of **Planning Aid** (see Glossary and Table 9, Method 13).

Words or phrases in **Bold** text are defined in the Glossary (Appendix A, pages a - l)

9 The Post-decision stage

Summary of Chapter 9

Following determination of the application, notification of the planning decision is sent to interested parties and placed on the Planning Register. This decision notice shows whether the application has been granted or refused, and (if granted), whether any conditions have been imposed. Sites are monitored after this on a regular basis: those with high standards of conformity are recognised at an awards ceremony, but any breaches of planning conditions are subject to an enforcement procedure.

Table 16 The post-decision process

1) Notification of the planning decision
<p>The applicant is sent a signed and dated planning decision notice showing whether the application has been granted or refused, and if granted, whether any conditions have been imposed. A copy of the decision notice is also sent to the District/Borough Planning Authority (where it is placed on the Planning Register for public inspection) and the relevant parish council(s). Anyone who submitted a representation on the application will receive a letter detailing the decision made together with any conditions imposed.</p> <p>The decisions and minutes of the Development and Regulation Committee meeting are also posted on the County Council website at www.essex.gov.uk/planning > <i>The Planning Application Process</i> > <i>Committee Minutes and Agendas</i>. Delegated decisions and decision notices can be accessed via www.essex.gov.uk/Planning then following <i>Planning Applications</i> > <i>Delegated Items</i>. We hope shortly to be able to provide the facility via our website to enable the tracking of an application from validation to decision.</p>
2) Submission of Details
<p>Conditions attached to planning permissions can impose restrictions on development before, during and after implementation, eg, applicants could be required to submit detailed information concerning access arrangements to a site before planning permission can be implemented, whereas submission of information regarding planting or screening of the site may be deferred until after the commencement of development.</p>
3) Disposal of Applications
<p>If the planning authority has formally notified an applicant that further information is required to support an application which has been validated but not determined, and no further information has been received from the applicant in the 6-month period specified in that formal notification, the planning authority could dispose of the application with no right of appeal (see 4 below), nor option for the applicant to withdraw or proceed with the application. The application would be deemed no longer to be on the Planning Register, and the applicant would be informed accordingly.</p>

4) Appeals on Decisions

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

Appeals can be held as **Informal Hearings**, **Written Representations** or **Public Inquiries** in accordance with the regulations (Planning Appeals Procedures Circular 05/2000). A good overview of the appeals process can be found at www.planningportal.gov.uk/england/genpub/en/1021020427377.html . Again, **Planning Aid** may be appropriate in certain circumstances (see Glossary for contact details). Section 6 of the recently-published Barker Report ⁽⁴⁾ is likely to have a major effect on the appeals process nationally.

Planning **Appeals** will be carried out in accordance with the regulations with consultees, and third party representations notified accordingly.

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

The creation of formal liaison groups on active minerals and waste sites is actively encouraged. These are an invaluable opportunity for the developer and community to discuss the operations on site, issues and stages of development or initial planning applications (see also Appendix F and Table 9, Method 11).

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

This Authority has recently commenced formal **Site Monitoring** of mineral extraction and landfill sites. There are set monitoring fees for the visits and formal reports are produced for the operator. A separate **Mineral Working Environmental Awards Scheme** has been in operation since 1997 and is carried out in conjunction with the **Quarry Products Association** to recognise those sites which operate in the most environmentally-sensitive manner. Further details can be found at www.essex.gov.uk/Planning then by following *Minerals & Waste Policy>Minerals Working Environmental Awards Scheme*.

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

4 Final Report of the Barker Review of Land Use Planning, TSO, Dec 2006, see www.hm-treasury.gov.uk/media/E/4/barker_review_execsum_91.pdf

6) Enforcement

Where **unauthorised development** appears to have taken place, or it appears that planning conditions/limitations have not been followed, ECC may initiate formal enforcement action in accordance with our Enforcement Concordat. Full details of the Concordat which sets out our principles and procedures to enforcement action are on our web site at:

www.essex.gov.uk/Planning, then follow *Planning Applications>Enforcement & Appeals*.

Initially informal discussions between the operator and the relevant officer would take place to try to resolve issues. Further details on Planning and Enforcement are set out in PPG18⁽⁵⁾

5 Planning Policy Guidance 18: Enforcing planning control, TSO, December 1991, at www.communities.gov.uk/index.asp?id=1144089. For the important role which the public can play in this process, see Table 11 above.

10 Resources

Staff Resources

10.1 The **Statement of Community Involvement (SCI)** is produced from within existing staffing and financial resources allocated to **Minerals & Waste Planning**. The organisational lead for the **Minerals and Waste Development Documents (MWDD)** production process is the Head of **Environmental Planning** with political management responsibility lying with the Cabinet Member for Environment and Waste. Internal resources for the production of the SCI include a Planner and a Service Development Officer plus technical and administrative support. The project has been managed by a Principal Planner and officers from other Council services such as Community Planning and Law and Administration have been consulted for opinion and advice as required during the process.

Budget Resources

10.2 Minerals & Waste Planning has made in-house resources available in the budgets from 2005 to 2010 as follows:

Area	2005-2006	2006-2007	2007-2008	2008-2009	2009-2010
MDD inc SCI	£20,000	£50,000	£120,000	Joint Budget:	Joint Budget :
WDD inc SCI	£0	£20,000	£50,000	£222,000	£250,000

10.3 This will cover the funding of the community and stakeholder involvement proposed in the SCI; funding on a lesser scale will continue to be allocated for the duration of the life of the MWDF, ie for at least the next fifteen years. The sum allocated will be monitored and reviewed each year, and is subject to the Council's overall financial strategy. It will cover costs such as advertising and publicity material, printing, stationery, postage and exhibitions, but not of staff resources which are found from within the existing staffing budget.

10.4 The SCI and the MWDF are being prepared concurrently (although with an earlier start for the SCI and MDD) and the overall process is coordinated by the Head of **Environmental Planning** who is also the budget holder. The County Council will endeavour to select a range of effective consultation techniques from the SCI within the respective budgetary constraints: for example, a preference will be shown for options utilising existing resources and consultation methods such as making best use of public libraries and ECC properties for exhibitions and meetings and using established ECC communication channels such as **EssexWorks** and **Making the Links** to raise public awareness across the widest possible audience.

10.5 The costs of some items, such as statutory newspaper advertising, are beyond our control. Others, such as expenditure on **Direct Neighbour Notification**, is within our remit, and has underpinned our decision to continue with 250 metres as the chosen radius for DNN for the time being: calculations have demonstrated that expanding the radius by a further 50 metres would increase costs by 300%, doubling the radius to 500 metres would increase costs by 700%. Effective use of resources will be monitored as part of the Annual Monitoring Report (see Chapter 11 below).

Other Resources

10.6 Reference has been made in this SCI to additional IT systems to support the development of a consultation database for the **Minerals and Waste Development Document** consultation process and a tracking system for planning applications from validation to decision. £55,000 was set aside in 2006/2007 for the purchase of online publishing and consultation software, and £150,000 in 2007/2008 to replace and upgrade the planning application case management system. Both of these initiatives are partly funded from **Planning Delivery Grant**, allocated by the **Department of Communities and Local Government** in recognition of previous good performance against targets.

11 Monitoring and Review

11.1 The SCI will be monitored through the **Annual Monitoring Report**, which reviews the implementation and effectiveness of the SCI and the **Minerals and Waste Development Plans** against the MWDS and respective policies. Any subsequent review of this **Statement of Community Involvement** will be consulted upon according to the process set out below.

Table 17 Monitoring and Subsequent Review of the SCI

Essex County Council will be bound by the contents of the SCI once it has been formally adopted, subject to the implementation of the action plan as set out in the Pre-Submission Statement of Compliance .
The SCI will be subject to regular review as part of the Annual Monitoring Report in accordance with the timetable set out in the Minerals and Waste Development Scheme.
The SCI will be monitored against ECC corporate policies, including the emerging Public Engagement policy and Environmental Strategy , and reported in the Annual Monitoring Report .
As a result of the procedures and statements set out in this SCI and as a result of feedback received from consultees and the general public, an action plan will be prepared, implemented and published on our website. Progress against this action plan will be monitored as part of the Annual Monitoring Process . This will be done normally by monitoring against the action plan timescales and Minerals & Waste Development Scheme for quantitative data, and through feedback forms and questionnaires to a cross-section of recipients from our database of consultees for qualitative data.
Feedback from each consultation exercise will be taken on board to assess the effectiveness of the various techniques used, and evaluated in terms of cost-effectiveness. Any activities proposed above the minimum statutory requirements will be kept under regular review, and if identified as unsuccessful at the Annual Monitoring Review stage, will be refined or replaced at the next consultation stage.
The results will continuously inform the preparation of the Development Documents and the consideration of planning applications.

12 Appendices

Appendix A: A Glossary of Planning Terms

This glossary of terms used in the SCI is not intended as a source for statutory definitions, and should not be used as such. A more comprehensive planning glossary can be found at www.planningportal.gov.uk. Also listed are links to some of the main legislation and guidance documents relevant to this SCI.

Adopted SCI	See Statement of Community Involvement
Aftercare (in terms of minerals and waste operations)	The steps to be taken to bring land to the required standard for its intended use once mineral working or landfill has taken place, and its subsequent maintenance.
Annual Monitoring Report (AMR)	A report submitted to the government by local planning authorities or regional planning bodies assessing progress with and the effectiveness of a Local Development Framework . See also Table 1, page 6.
Appeal	<p>The process whereby a planning applicant can challenge an adverse decision, including a refusal of permission. Appeals can also be made against the failure of the planning authority to issue a decision within a given time, against conditions attached to permission, against the issue of an enforcement notice and against refusals of listed buildings and conservation area consent.</p> <p>In England and Wales, appeals are processed by the Planning Inspectorate.</p>
Authority	Used in the sense of “local authority” or “ local planning authority ” (LPA), this normally refers to the district, unitary or county council which has direct decision-making responsibilities for planning matters.
Best Value	The way an authority measures, manages and improves its performance with regard to government targets.
Borrow Pit	A temporary mineral working to supply material for a specific construction project.
Certificate of Lawfulness	See Lawful Development Certificate
Committee Protocols	The way in which Development & Regulation Committee conducts its business in relation to the consideration of planning applications. View the Committee Protocols at www.essexcc.gov.uk/planning then follow <i>Planning application process</i> > <i>Development & Regulation Committee</i> , then select <i>Protocol</i> from related documents on the right-hand menu.

Community Strategy	A strategy prepared by a local authority/local strategic partnership to improve local quality of life and aspirations, under the Local Government Act 2000.
Conservation Area	Areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
ContactEssex	Essex County Council's helpline service, available 8am-8pm Monday to Friday, 9am-12noon Saturday. See back cover for details.
Core Strategy(Minerals Core Strategy, Waste Core Strategy)	Sets out the long-term spatial vision for the local planning authority area and the strategic policies and proposals to deliver that vision. See also Table 2, page 8.
Corporate Plan 2006-2009	Essex County Council's strategic objectives and key priorities until 2009. Replaced the EssexApproach 2001-2005.
County Council	The local authority that is responsible for waste and minerals planning functions in non-unitary, and non-national park, local authority areas. A county council may provide advice and proposals on strategic planning issues to the Regional Planning Body .
Creating Local Development Frameworks	Government publication issued as a companion guide to Planning Policy Statement 12 and intended to assist local planning authorities in the preparation of local development documents. View at www.communities.gov.uk/index.asp?id=1165525
Data Protection Act	Requires those who handle personal information to comply with a number of important principles, and gives individuals rights over their personal information.
Delegated Powers	A power conferred to designated planning officers by councillors so that the officers may take decisions on specified planning matters on behalf of the council. See Table 15.2, page 59.
Department of Communities & Local Government (DCLOG)	Government department since 2006, with responsibilities, amongst others, for Planning and Sustainable Communities (formerly the responsibility of the Office of the Deputy Prime Minister (ODPM)).
Departure	A proposed development that is not in accordance with the adopted Development Plan .
Design & Access Statement	Requirement for new development, setting out how elements of design such as character and disability access have been considered.
Determination	The process by which a local planning authority reaches a decision on whether a proposed development will be granted planning permission. If a decision cannot be reached for whatever reason, this is called non-determination.

Development & Regulation Committee(D&R Committee)	The Development and Regulation Committee exercises the Council's powers and duties in respect of development control, registration of common land or town and village greens, rights of way and certain licensing and registration matters.
Development Control	The process whereby a local planning authority receives and considers the merits of a planning application and whether it should be given permission having regard to the development plan and all other material considerations .
Development Documents including Minerals Development Documents (MDD's) and Waste Development Documents (WDD's)	<p>Development Documents are prepared by local planning authorities and outline the key development goals of the local development framework.</p> <p>Development Documents include the core strategy, development control policies, site-specific allocations of land and, where needed, area action plans. There will also be an adopted proposals map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all MDDs and WDDs. All must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise. MDDs and WDDs form an essential part of the Local Development Framework.</p>
Development Plan	A document setting out the local planning authority's policies and proposals for the development and use of land and buildings in the authority's area. It includes Unitary, Structure , and Local Plans prepared under transitional arrangements. It also includes the new-look Regional Spatial Strategies and Development Plan Documents prepared under the Planning & Compulsory Purchase Act of 2004 .
Direct Neighbour Notification (DNN)	Practice of contacting properties within a certain radius of a proposed site or planning application by letter to increase public awareness.
Draft SCI	See Statement of Community Involvement
E-government/ E-planning	Government initiatives helping local authorities provide planning services online and accessible via the internet and email, for example, the Planning Portal website at www.planningportal.gov.uk/
East of England Plan	See Regional Spatial Strategy
ECC Environment Strategy	Emerging strategy based upon the ECC Corporate Plan objective <i>Caring for our environment</i> and its 4 key priorities.
ECC Local Transport Plan (LTP)	Plan submitted to central government identifying wide-reaching schemes to improve the transport network for the whole county.

ECC Public Engagement Strategy	Emerging ECC corporate strategy aiming to increase involvement of the people of Essex in the policy making and decisions of the County Council, and the Council's own engagement with the community by continuous dialogue and shared decision-making.
Enforcement	Procedures by a local planning authority to ensure that the terms and conditions of a planning decision are carried out, or that development carried out without planning permission is brought under control.
English Heritage	Government advisors with responsibility for all aspects of protecting and promoting the historic environment. English Heritage is responsible for advising the government on the listing of historic buildings.
Environment Agency	A government body that aims to prevent or minimise the effects of pollution on the environment and issues permits to monitor and control activities that handle or produce waste. It also provides up-to-date information on waste management and deals with other matters such as water issues including flood protection advice.
Environmental Impact Assessment (EIA), and Environmental Statement (EA)	Applicants for certain types of development, usually more significant schemes, are required to submit an environmental statement accompanying a planning application. This evaluates the likely environmental impacts of the development, together with an assessment of how the severity of the impacts could be mitigated.
Essex Approach 2001-2005	Essex County Council's strategic objectives and key priorities until 2005, replaced by the Corporate Plan 2006-2009 .
Essex A-Z	An alphabetical list of services provided by Essex County Council. A copy has been provided to each household in the County, or it can be viewed at www.essexcc.gov.uk by selecting <i>Services A-Z</i> at the top left hand side of the homepage.
Essex Matters	ECC magazine sent to all households in Essex every two months and covering ECC news and items of general interest to Essex residents.
Essex Partnership [Compact]	Local strategic partnership of public and private bodies working within Essex. The partnership Compact provides direction on how partners can work together, and with local communities.
Essex Rural Strategy	Document setting out the partnership priorities for the future of Rural Essex. To view a copy, see www.essexcc.gov.uk/planning then <i>Partnerships>Essex Rural Strategy</i> .
Established use certificate	See Lawful Development Certificate
Examination in Public (EIP)	A term given to the examination of Structure Plans under transitional arrangements.
Flood Risk Assessment	An assessment of the flooding risk in a particular area so that development needs and mitigation measures can be carefully considered.

Freedom of Information Act	Government legislation defining what information public sector organisations are obliged to provide on request. See www.opsi.gov.uk/Acts/acts2000/20000036.htm
Habitat Directive	European legislation aiming to protect wild plants, animals and habitats making up our natural environment. For further information, see www.environment-agency.gov.uk/subjects/conservation/295641
Hard to Reach	See Seldom Heard
Highways Agency	An executive agency of the Department of Transport. The Highways Agency is responsible for operating, maintaining and improving the motorway and trunk road network of England.
Informal Hearing	A planning appeal hearing undertaken in a structured way, but without the full formality of a local inquiry .
Inquiry	See Public Inquiry
Inspire East	Regional centre of excellence to promote ideas and actions for sustainable communities
Issues & Options/Preferred Options	The pre-submission stages of Development Plan Document production.
Joint Municipal Waste Management Strategy	Document prepared jointly by Essex County Council and the 12 Districts/Boroughs of Essex, setting out how municipal waste will be managed in future. See www.essexcc.gov.uk >Living>Waste & Recycling, then select <i>Waste Strategy for the Future</i> from the left-hand menu.
Landfill	The permanent disposal of waste into the ground, by the filling of man-made voids or similar features.
Lawful Development Certificate (LDC)	A certificate issued by a local planning authority, on application, stating that an existing or proposed use or other forms of development, can be considered as lawful for planning purposes.
Listed Building	A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. English Heritage is responsible for designating buildings for listing in England. See also Planning (Listed Buildings & Conservation Areas) Act 1990 at www.opsi.gov.uk/acts/acts1990/Ukpga_19900009_en_1.htm
Local Development Documents (LDDs)	These include Development Plan Documents (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.

Local Development Framework (LDF)	The Local Development Framework (LDF) is a non-statutory term used to describe a folder of documents, which includes all the local planning authority's local development documents including the RSS, other relevant authorities development documents, the Annual Monitoring Report and the SCI. See Table 1, page 6.
Local Development Order (LDO)	An order made by a local planning authority extending permitted development rights for certain forms of development, with regard to a relevant Local Development Document .
Local Government (Access to Information) Act 1985	Requires local authorities to provide public access to Council meetings and the agendas, reports and other papers of those meetings. The Act applies to meetings of the full Council, the Cabinet, Committees, or other formal meetings involving Councillors.
Local Plan	An old-style development plan prepared by district and other local planning authorities . These plans will continue to operate for a time after the commencement of the new development plan system, under transitional arrangements.
Local Planning Authority	The local authority or council that is empowered by law to exercise planning functions. Often the local borough or district council. National parks and the Broads authority are also considered to be local planning authorities . County councils are the authority for County Council development and waste and minerals matters.
Making the Links	Project of partnership working between ECC, parish and town councils in Essex and the Essex Association of Local Councils (EALC), including a monthly bulletin of news and information also entitled <i>Making the Links</i> .
Material Consideration	A matter that should be taken into account in deciding a planning application or on an appeal against a planning decision.
Mineral Consultation Area	An area identified in order to ensure consultation with the relevant minerals planning authority, on applications for non-mineral development in that area.
Mineral Development	Any activity related to the exploration for or winning and working of minerals, including tipping of spoil and ancillary operations such as the use of processing plant.
Mineral Planning Authority (MPA)	The planning authority responsible for planning control of minerals development. Essex County Council is the MPA for Essex.
Mineral Working Environmental Awards Scheme	Event set up every 2 years by ECC in conjunction with the Quarry Products Association , recognising sites judged to operate in the most environmentally-sensitive manner. See www.essex.gov.uk/planning >Minerals & Waste Policy>Mineral Workings Environmental Awards Scheme.

Minerals & Waste Development Framework	See Table 1, page 6
Minerals Development Documents (MDDs)	See Development Documents
Minerals & Waste Development Scheme	See Table 1, page 6 and Appendix B. The programme for producing minerals and waste development documents.
Minerals Plan	A statutory development plan prepared by a minerals planning authority setting out policies for the control of development constituting of the winning and working of minerals or the deposit of mineral waste. Now being superseded by the MWDF.
Natural England	Body formed by bringing together English Nature, the landscape, access and recreation elements of the Countryside Agency and the environmental land management functions of the Rural Development Service. For further information, see www.naturalengland.org.uk/about/default.htm
Non-determination	See Determination
Office of the Deputy Prime Minister	See Department of Communities & Local Government
Parish Meeting	For those parishes without a parish council, a parish meeting of the local government electors of that parish must assemble at least twice a year.
Planning & Compulsory Purchase Act 2004	<p>The Act updates elements of the 1990 Town & Country Planning Act. The Planning and Compulsory Purchase Act 2004 introduces:</p> <ul style="list-style-type: none"> • a statutory system for regional planning • a new system for local planning • reforms to the development control and compulsory purchase and compensation systems • removal of crown immunity from planning controls. <p>See www.opsi.gov.uk/acts/acts2004/20040005.htm</p>
Planning Aid	<p>Planning Aid provides free and independent advice and support to community groups and individuals unable to employ a planning consultant.</p> <p>Contact for Essex : Christine Flittner, PO Box 289, Redgrave, Diss, Norfolk, IP22 1WZ.</p> <p>Tel : 0870 850 9801</p>

	<p>Email : eecw@planningaid.rtpi.org.uk</p> <p>Web : www.planningaid.rtpi.org.uk</p> <p>(Tues, Wed, Thurs & Fri mornings, or leave a message)</p>
Planning authority	See Local Planning Authority
Planning Delivery Grant	<p>PDG is providing about 605m over six years (2003-2008), to resource and incentivise regional planning bodies and local authorities to improve the planning system and deliver sustainable communities. Allocations are based on assessment of performance across a range of planning functions.</p>
Planning Development Control	<p>The Essex County Council service group which deals with planning applications for minerals, waste and the County Council's own developments. See also Development Control.</p>
Planning for Real	<p>A consultation method involving creative exercise (for example, the use of maps and model buildings) designed to engage the public in plan making.</p>
Planning Inspectorate	<p>The Planning Inspectorate is the government body responsible for:</p> <ul style="list-style-type: none"> • the processing of planning and enforcement appeals • holding inquiries into local development plans • listed building consent appeals • advertisement appeals • reporting on planning applications called in for decision by the Secretary of State. • examinations of development plan documents and statements of community involvement • various compulsory purchase orders, rights of way cases; and cases arising from the Environmental Protection and Water Acts and the Transport and Works Act and other highways legislation are also dealt with. <p>The work is set in agreement with Department for Transport, the Department for Communities and Local Government and the National Assembly for Wales.</p>
Planning Policy Statement (PPS)	<p>Issued by central government to replace the existing Planning Policy Guidance notes in order to provide greater clarity and to remove from national policy advice on practical implementation, which is better expressed as guidance rather than policy. See www.communities.gov.uk/index.asp?id=1143846</p>

Playing Fields Direction 1998	Direction issued by Government as a result of concern about the continuing loss of playing fields to development, especially where their loss would result in a shortage of playing fields in a local area, whether for schools or for the wider community.
Preferred Options	See Issues & Options ; the stage of development document production following the Issues & Options stage.
Public Inquiry	In English law, a legal investigation where witnesses are called and evidence is produced in a similar fashion to a court of law. Inquiries may be held as part of legal procedure, or into a matter of public concern. Inquiries that are part of certain legal procedures, such as where planning permission is disputed, are headed by an inspector appointed by the Secretary of State concerned, who then makes a decision based on the inspector's report.
Public Involvement Programme	Developer-led activity raising community awareness of local development proposals before a planning application is submitted.
Public Right of Way	A public right of way is a highway over which the public have a right of access along the route.
Putting our customers first	Over-arching priority of ECC's Corporate Plan 2006-2009, used as the title of the refreshed plan for 2007-2008.
Quarry Products Association	National trade association for companies involved in the supply of minerals such as sand and gravel. See www.qpa.org for more information.
Regional Assembly /Regional Planning Body (RPB)	Each of the English regions outside London has a regional chamber or Regional Assembly , responsible for developing and co-ordinating a strategic vision for improving the quality of life in a region. The assembly is responsible for setting priorities and preparing certain regional strategies, including the Regional Spatial Strategy . For the counties of Essex, Hertfordshire, Bedfordshire, Cambridgeshire, Suffolk and Norfolk, the regional assembly is EERA, the East of England Regional Assembly.
Regional Spatial Strategy (RSS)	A strategy for how a region should look in 15 to 20 years time and possibly longer. The Regional Spatial Strategy identifies the scale and distribution of new housing in the region, indicates areas for regeneration, expansion or sub-regional planning and specifies priorities for the environment, transport, infrastructure, economic development, agriculture, minerals and waste treatment and disposal. Most former Regional Planning Guidance is now considered RSS and forms part of the development plan. Regional Spatial Strategies are prepared by Regional Planning Bodies . The RSS which covers Essex is the East of England Plan.

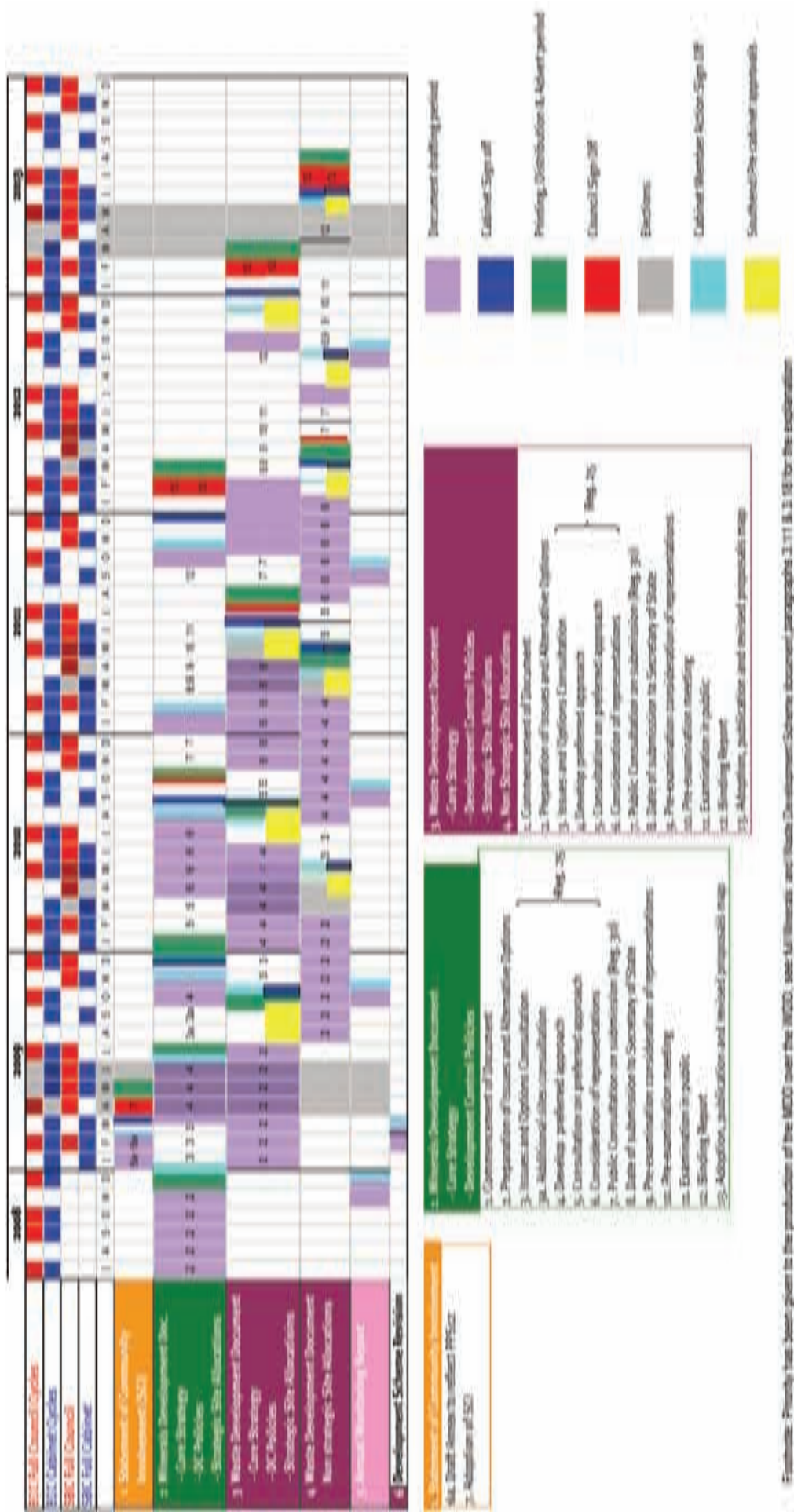
Resident associations/resident forums	Groups of residents who get together on a regular basis to discuss common issues or concerns about their local area. Residents' Associations (RA) tend to be self-organising and Residents' Forums (RF) are usually convened by the local authority.
Restoration (in terms of minerals operations)	Steps to return land to its original or former condition.
Saved Policies / Saved Plan	Policies within unitary development plans, local plans and structure plans that are in force until such time as Local Development Documents are adopted.
Secretary Of State	The lead Minister for all policies relating to Town & Country Planning, having powers of intervention on Development Plans and Planning Casework under certain circumstances.
Seldom heard	Those who are least likely to make their views known through public consultation, often described as the hard to reach. See Section 3.4, page 12 for those identified as seldom heard in Essex.
Simplified Planning Zone	An area in which a local planning authority wishes to stimulate development and encourage investment. It operates by granting a specified planning permission in the zone without the need for an application for planning permission and the payment of planning fees.
Site awards	See Mineral Working Environmental Awards Scheme
Site liaison groups	See Appendix F and Method 11, page 42
Soundness	A Development Plan Document is considered sound if it is based upon good evidence and has been prepared in accordance with all the necessary procedures including the measures set out in the authority's Statement of Community Involvement.
Spatial (Planning)	Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function.
Statement of Community Involvement (SCI)	The Statement of Community Involvement sets out the processes to be used by the local authority in involving the community in the preparation, alteration and continuing review of all local development documents and development control decisions. The Statement of Community Involvement is an essential part of the new-look Local Development Frameworks . The SCI passes through three stages; the Draft SCI, the Submission SCI and the Adopted SCI. See also Statements of Community Involvement & Planning Applications at www.communities.gov.uk/embedded_object.asp?id=1145416 and Development Plans Examination – a guide to the process of assessing the soundness of Statements of Community Involvement at www.planning-inspectorate.gov.uk/pins/appeals/local_dev/develop_plan_docs.pdf

Statement of Compliance	A report or statement issued by local planning authorities explaining how they have complied with their Statement of Community Involvement during consultation on Local Development Documents .
Statutory	Required by law (statute), usually through an Act of Parliament.
Statutory Body	A government-appointed body set up to give advice and be consulted for comment upon development plans and planning applications affecting matters of public interest. Examples of statutory bodies include: Countryside Agency, English Heritage, Environment Agency, Health & Safety Executive, Natural England, Regional Development Agency, and Sport England.
Statutory Undertakers	Bodies carrying out functions of a public character under a statutory power. They may either be in public or private ownership such as Post Office, Civil Aviation Authority, the Environment Agency or any water undertaker, any public gas transporters, suppliers of electricity etc.
Strategic Environmental Assessment (SEA)	An environmental assessment of certain plans and programmes, including those in the field of planning and land use, which complies with the EU Directive 2001/42/EC. The environmental assessment involves the: <ul style="list-style-type: none"> • preparation of an environmental report • carrying out of consultations • taking into account of the environmental report and the results of the consultations in decision making • provision of information when the plan or programme is adopted • showing that the results of the environment assessment have been taken into account
Strong and prosperous communities	Government White Paper published October 2006, proposing to give local people and communities more influence and power to improve their lives. See www.communities.gov.uk/index.asp?id=1503999
Structure Plan	An old-style development plan , which sets out strategic planning policies for the County and forms the basis for detailed policies in local plans . These plans will continue to operate for a time after the commencement of the new development plan system, due to transitional provisions under planning reform.
Submission Document	A Development Plan Document submitted to the Secretary of State for independent examination by a government-appointed planning inspector.
Submission of Details	See Table 16.2, page 62. The formal submission of a scheme/information for the approval of the planning authority in order to address the requirements of a planning condition.
Submission SCI	See Statement of Community Involvement

Supplementary Planning Document (SPD)	A Supplementary Planning Document is a Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a parent Development Plan Document .
Supplementary Planning Guidance (SPG)	Supplementary Planning Guidance may cover a range of issues, both thematic and site specific and provide further detail of policies and proposals in a development plan .
Sustainability Appraisal (including Environmental Appraisal)	An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development .
Sustainable Communities	Places where people want to live and work, now and in the future.
Sustainable Communities Plan/Strategy	A programme issued by the government to set the framework for delivering sustainable communities over the next 15-20 years. The main areas of focus are housing supply, new growth areas, decent homes and the countryside and local environment
TalkEssex	New ECC public engagement website which aims to co-ordinate consultations within the County Council in one location and to provide effective information on the issues currently affecting Essex.
Town & Country Planning (General Development Procedure) Order 1995	See www.opsi.gov.uk/si/si1995/Uksi_19950419_en_1.htm
Town & Country Planning (Local Development)(England) Regulations 2004	The formal regulations setting out the scope of local development documents and the process for preparing them, including consultation, the examination of DPDs, publication and notification arrangements. See www.opsi.gov.uk/si/si2004/20042204.htm
Traffic Assessment (TA)	A technical assessment of the effects upon the surrounding area of traffic generated by a proposed development.
Tree Preservation Order (TPO)	A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority.
Unauthorised Development	Development that has taken or is taking place without the benefit of planning permission. It may then risk being the subject of enforcement action.
Waste Development Documents (WDDs)	See Development Documents

Waste Plan	A statutory development plan prepared (or saved) by the waste planning authority under transitional arrangements, setting out policies in relation to waste management and related developments.
Webcast	Broadcast via the Internet, enabling people to follow live action and debate as it happens by selecting a specified microsite.
Waste Planning Authority (WPA)	The local authority responsible for waste development planning and control. Essex County Council is the WPA for Essex.
Wildlife & Countryside Act (1981)	Mechanism for the legislative protection of wildlife in Great Britain. See www.jncc.gov.uk/page-1377 for more information.
Windfall Site	A site not specifically allocated for development in a development plan, but which becomes available for development during the lifetime of a plan.
Written representations	A procedure by which representations on planning appeals, development plans and Development Plan Documents can be dealt with without the need for a full public inquiry or informal hearing .

Appendix B: Summary of the MWDS Timetable



Footnote: Priority has been given to the production of the MDO over the MWDS, see M10/18/18 and M10/18/18/18 for the explanation

12.1 www.essex.gov.uk/MWDS

Appendix C: Consultees on the Minerals and Waste Development Documents

Essex County Council is required to consult:

- Each of the Specific Consultation Bodies listed below which we think will be affected by the proposed subject matter of documents in the MWDF and
- Such of the General and other Consultation Bodies as we consider appropriate in accordance with the requirements set out in Appendix E of **Planning Policy Statement 12** (see www.communities.gov.uk/index.asp?id=1143846).

At each stage in the production of the MWDF, ECC will consider whom to consult from its database of consultees, based on the extent to which the proposed subject matter affects the body. Full details of consultees for this **Statement of Community Involvement** can be found in the accompanying **Statement of Compliance**.

12.2 Please note this list is not exhaustive and also relates to successor bodies where re-organisations occur.

Specific Consultation Bodies

Must be consulted in accordance with the **Planning & Compulsory Purchase Act 2004** and the **Town & Country Planning (Local Development)(England) Regulations 2004**

<ul style="list-style-type: none"> • The regional planning body, in this case the East of England Regional Assembly (EERA) • Relevant authorities any part of whose area is in or adjoining Essex, namely: <ul style="list-style-type: none"> • Essex District or Borough Councils • Essex Parish or Town Councils • Essex County Council internal consultees • Neighbouring County Councils • Neighbouring Unitary Authorities • Neighbouring London Boroughs • Neighbouring Districts or Boroughs • Neighbouring Parish or Town Councils • Natural England (now incorporating English Nature, Countryside Agency, Rural Development Service) • Environment Agency • Highways Agency • Historic Buildings & Monuments Commission for England • Secretary of State for Transport (previously Strategic Rail Authority) 	<ul style="list-style-type: none"> • Regional development agencies whose area is in or adjoining Essex, namely: <ul style="list-style-type: none"> • East of England Development Agency (EEDA) • South East England Development Agency (SEEDA) • London Development Agency (LDA) • Thurrock Thames Gateway Development Corporation • Any person to whom the electronic communications code applies (under Section 106(3)(a) of Communications Act 2003) • Any person who owns or controls electronic communications apparatus situated in Essex • Any of the following exercising functions in Essex: <ul style="list-style-type: none"> • Strategic Health Authority, NHS Primary Care Trust and Mental Health Foundation/Trust • Persons to whom licence has been granted under Section 7(2) of Gas Act 1986
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<ul style="list-style-type: none"> • Coal Authority • Police Authorities including Metropolitan Police Authority 	<ul style="list-style-type: none"> • Sewage undertakers • Water undertakers
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Government Departments

Which should be consulted, in particular the Government Office for the Region and any Government Departments or agencies with large land holdings in Essex:

<ul style="list-style-type: none"> • The Government Office for the Region, in this case GO-East • Home Office • Department for Education & Skills • Department for Environment, Food & Rural Affairs • Department for Transport 	<ul style="list-style-type: none"> • Department of Health • Department of Trade & Industry • Ministry of Defence • Department for Work & Pensions • Ministry of Justice • Department for Culture, Media & Sport • Office of Government Commerce
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General Consultees

12.3 General and Other Consultees have been merged into one category under the terms of the June 2008 Regulations, and include the following bodies, agencies and organisations

<ul style="list-style-type: none"> • Voluntary bodies some or all of whose activities benefit any part of Essex • Bodies which represent the interests of different racial, ethnic or national groups in Essex • Bodies which represent the interests of different religious groups in Essex • Bodies which represent the interests of disabled persons in Essex • Bodies which represent the interests of persons carrying on business in Essex • Age Concern • Airport operators • British Chemical Distributors and Traders Association • British Geological Survey • British Waterways, canal owners and navigation authorities • Centre for Ecology and Hydrology • Chambers of Commerce, Local CBI and local branches of Institute of Directors • Church Commissioners • Civil Aviation Authority • Coal Authority 	<ul style="list-style-type: none"> • Equal Opportunities Commission • Fire and Rescue Services • Friends, Families & Travellers • Forestry Commission • Freight Transport Association • Gypsy Council • Health and Safety Executive • Help the Aged • Housing Corporations • Learning and Skills Councils • Local Agenda 21 including: <ul style="list-style-type: none"> • Civic Societies • Community Groups • Local Transport Authorities • Local Transport Operators • Local Race Equality Councils and other local equality groups • National Playing Fields Association • Network Rail • Passenger Transport Authorities • Passenger Transport Executives • Police Architectural Liaison Officers/Crime Prevention Design Advisors
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<ul style="list-style-type: none"> • Commission for Architecture and the Built Environment • Commission for New Towns and English Partnerships • Commission for Racial Equality • Crown Estate Office • Dedham Vale AONB/Stour Valley Management Plan • Diocesan Board of Finance • Disability Rights Commission • Disabled Persons Transport Advisory Committee • Electricity, Gas, and Telecommunications Undertakers, and the National Grid Company • Environmental groups at national, regional and local level, including: <ul style="list-style-type: none"> • Council for the Protection of Rural England • Friends of the Earth • Royal Society for the Protection of Birds • Wildlife Trusts 	<ul style="list-style-type: none"> • Port Operators • Post Office Property Holdings • Rail Companies and the Rail Freight Group • Regional Development Agencies • Regional Housing Boards • Regional Sports Boards • Road Haulage Association • Sport England • The House Builders Federation • Transport for London • Water Companies • Women's National Commission
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Appendix D: Contact details for Essex Authorities

Basildon District Council	The Basildon Centre St Martin's Square Basildon SS14 1DL	Tel	01268 294155
		Fax	01268 294162
		E-mail	planning@basildon.gov.uk
Braintree District Council	Causeway House Bocking End Braintree CM7 9HB	Tel	01376 557783
		Fax	01376 557787
		E-mail	planning@braintree.gov.uk
Brentwood Borough Council	Town Hall Ingrave Road Brentwood CM15 8AY	Tel	01277 312620
		Fax	01277 312743
		E-mail	planning@brentwood.gov.uk
Castle Point Borough Council	Kiln Road Thundersley Benfleet SS7 1TF	Tel	01268 882200
		Fax	01268 882455
		E-mail	info@castlepoint.gov.uk

Chelmsford Borough Council	PO Box 7544 Civic Centre Duke Street Chelmsford Essex CM1 1XP	Tel	01245 606826
		Fax	01245 606526
		E-mail	town.planning@chelmsford.gov.uk
Colchester Borough Council	PO Box 889 Town Hall Colchester CO1 1FL	Tel	01206 282424
		Fax	01206 282598
		E-mail	planning.services@colchester.gov.uk
Epping Forest District Council	Civic Offices High Street Epping CM16 4BZ	Tel	01992 564000
		Fax	01992 564229
		E-mail	contactdc@eppingforestdc.gov.uk
Harlow Council	Civic Centre The WaterGardens Harlow CM20 1WG	Tel	01279 446655
		Fax	01279 446767
		E-mail	contact@harlow.gov.uk
Maldon District Council	Princes Road Maldon CM9 5DL	Tel	01621875864
		Fax	01621 852575
		E-mail	customer.services@maldon.gov.uk
Rochford District Council	Council Offices South Street Rochford SS4 1BW	Tel	01702 318191
		Fax	01702 318181
		E-mail	planning.applications@rochford.gov.uk
Southend-on-Sea Borough Council	PO Box 5557 Southend on Sea SS2 6ZF	Tel	01702 215329
		Fax	01702 339607
		E-mail	ete@southend.gov.uk
Tendring District Council	The Council Offices Thorpe Road Weely Essex CO16 9AJ	Tel	01255 686161
		Fax	01255 256114
		E-mail	planning.services@tendringdc.gov.uk
Thurrock Council	Civic Offices New Road Grays RM17 6SL	Tel	01375 652291
		Fax	01375 652787
		E-mail	development.control@thurrock.gov.uk
Uttlesford District Council	Council Offices London Road Saffron Walden CB11 4ER	Tel	01799 510467
		Fax	01799 510499
		E-mail	planning@uttlesford.gov.uk

Appendix E: Libraries in Essex

- Copies of planning applications are placed in the most appropriate local library on this list, and details are also published on site notices, newspaper advertisements and in Direct Neighbour Notification letters
- Copies of the documents in the Minerals and Waste Development Framework are placed in libraries as they are published

Libraries have varying opening hours depending on their size. All offer internet/email access to the public which can be pre-booked and provides the facility to respond on line.

To check exact opening times/facilities for each library, look on www.essex.gov.uk/libraries or phone **Answers Direct**, the central enquiry service, open 7 days a week on 0845 603 7628. Libraries are all accessible to the mobility-limited, and can assist those who need information in languages other than English.

District	Library	Late	Saturday	Sunday	Internet
Basildon District	Basildon	Tuesday	Yes	Yes	Yes
	Billericay	Yes	Yes	Yes	Yes
	Fryerns	No	Yes	No	Yes
	Laindon	Thursday	Yes	No	Yes
	Pitsea	Friday	Yes	Yes	Yes
	Vange	Tuesday	Yes	No	Yes
	Wickford	Yes	Yes	Yes	Yes
Braintree District	Braintree	Yes	Yes	Yes	Yes
	Coggeshall	Yes	Yes	No	Yes
	Earls Colne	No	Yes	No	Yes
	Halstead	Tuesday	Yes	No	Yes
	Hatfield Peverel	No	Yes	No	Yes
	Kelvedon	No	Yes	No	Yes
	Sible Hedingham	Yes	Yes	No	Yes
	Silver End	No	Yes	No	Yes
	Witham	Yes	Yes	Yes	Yes
Brentwood District	Brentwood	Yes	Yes	Yes	Yes
	Ingatestone	Thursday	Yes	No	Yes
	Shenfield	Yes	Yes	No	Yes

District	Library	Late	Saturday	Sunday	Internet
Castle Point District	Canvey	No	Yes	Yes	Yes
	Great Tarpots	No	Yes	No	Yes
	Hadleigh	Yes	Yes	No	Yes
	South Benfleet	Wednesday	Yes	No	Yes
Chelmsford District	Broomfield	Yes	Yes	No	Yes
	Chelmsford	Yes	Yes	Yes	Yes
	Danbury	No	Yes	No	Yes
	Galleywood	Yes	Yes	No	Yes
	Great Baddow	Wednesday	Yes	No	Yes
	North Melbourne	Tuesday	Yes	No	Yes
	South Woodham Ferrers	Tuesday	Yes	No	Yes
	Stock	No	Yes	No	Yes
	Writtle	Yes	Yes	No	Yes
Colchester District	Colchester	Yes	Yes	Yes	Yes
	Greenstead	No	Yes	No	Yes
	Prettygate	Yes	Yes	No	Yes
	Stanway	No	Yes	No	Yes
	Tiptree	Thursday	Yes	No	Yes
	West Mersea	Tuesday	Yes	No	Yes
	Wivenhoe	Yes	Yes	No	Yes
Epping Forest District	Buckhurst Hill	Tuesday	Yes	No	Yes
	Chigwell	No	Yes	No	Yes
	Chipping Ongar	Yes	Yes	No	Yes
	Debden	Thursday	Yes	No	Yes
	Epping	Tuesday	Yes	No	Yes
	Loughton	Yes	Yes	Yes	Yes
	North Weald	Yes	Yes	No	Yes
	Waltham Abbey	No	Yes	No	Yes

District	Library	Late	Saturday	Sunday	Internet
Harlow District	Great Parndon	Tuesday	Yes	No	Yes
	Harlow	Yes	Yes	Yes	Yes
	Mark Hall	Tuesday	Yes	No	Yes
	Old Harlow	No	Yes	No	Yes
	Tye Green	No	Yes	No	Yes
Maldon District	Burnham-on-Crouch	Yes	Yes	No	Yes
	Maldon	Yes	Yes	Yes	Yes
	Southminster	No	Yes	No	Yes
	Wickham Bishops	No	Yes	No	Yes
Rochford District	Great Wakering	Tuesday	Yes	No	Yes
	Hockley	No	Yes	No	Yes
	Hullbridge	No	Yes	No	Yes
	Rayleigh	Thursday	Yes	Yes	Yes
	Rochford	No	Yes	No	Yes
Tendring District	Bishops Park	No	Yes	No	Yes
	Brightlingsea	Yes	Yes	No	Yes
	Clacton	Yes	Yes	Yes	Yes
	Frinton	Yes	Yes	No	Yes
	Harwich	Yes	Yes	No	Yes
	Holland	No	Yes	No	Yes
	Jaywick	No	Yes	No	Yes
	Manningtree	Thursday	Yes	No	Yes
	Walton	Monday	Yes	No	Yes
Uttlesford District	Dunmow	Yes	Yes	No	Yes
	Saffron Walden	Yes	Yes	Yes	Yes
	Stansted	No	Yes	No	Yes
	Thaxted	No	Yes	No	Yes

Appendix F: Site Liaison Groups in Essex

Site Liaison Groups are usually made up of site representatives and ECC officer and Member representatives plus district, parish and local community representatives.

Name	Operator	Frequency
Essex Regiment Way	Mid Essex Gravels	3 monthly
Roxwell Quarry	Lafarge Aggregates	6 monthly
Harlow Mill	Foster Yeoman/ Aggregate Industries	6 monthly
Colchester Quarry	Tarmac/ Cory Environmental	4 monthly
Ongar Landfill	Waste Recycling Group	4 monthly
Bulls Lodge Quarry	Hanson Aggregates	6 monthly
Bradwell Quarry	Blackwater Aggregates	6 monthly
Widdington	Carr and Bircher	To be agreed
Royal Oak	Aggregate Industries	6 monthly
Sandon	Brett Waste Management	6 monthly
Elsenham	Brett Waste Management	6 monthly
Stambridge Sewage Treatment works	Anglian water Services	4 monthly
Pitsea	Cleanaway	To be arranged

Appendix G: Planning Inspector's Report

Essex County Council Statement of Community Involvement (August 2007).

INSPECTOR'S REPORT

Introduction

1. An independent examination of Essex County Council's Statement of Community Involvement (SCI) has been carried out in accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (the Act), as applied by s18(4) of the Act.
2. Section 20(5) indicates the two purposes of the independent examination in parts (a) and (b). With regard to part (a) I draw the Council's attention to the fact that their Minerals and Waste Development Scheme (MWDS) indicates adoption of the SCI in December 2007. As this is not possible I suggest that in order to comply with s19(1) of the Act it may be necessary for the Council to revise the MWDS before the SCI is adopted.
3. Part (b) is whether the SCI is sound. Following Paragraph 3.10 of Planning Policy Statement 12: Local Development Frameworks, the examination has been based on the 9 tests set out (see Annex A). The starting point for the assessment is that the SCI is sound. Accordingly changes are made in this binding report only where there is clear need in the light of the tests in PPS12.
4. A total of 33 representations were received, all of which have been considered. The Council proposed a number of amendments to the SCI in response to representations received and these have been taken into account in the preparation of this report.

Test 1

1. The Council has undertaken the consultation required under Regulations 25, 26 and 28 of the Town and Country Planning (Local Development) (England) Regulations 2004.
2. This test is met.

Test 2

1. Paragraph 2.30 recognises the links between the Minerals and Waste Development Framework (MWDF), the SCI and the Community Strategy, 'Shaping the Future of Essex', which is to be replaced by the Sustainable Community Strategy in 2007-8. This paragraph also acknowledges that the MWDF is a way of delivering the aims of the Community Strategies of Essex District, Borough and Unitary Authorities and states that the Council will work with the Essex Partnership to make sure that the content of these documents complement each other.

2. The SCI also makes reference to other strategies in this paragraph, such as the Essex County Council Public Engagement Strategy and the Joint Municipal Waste Management Strategy and states that consideration will be given to how these will be linked in terms of objectives and consultation.
3. I am satisfied that the Council recognises the links between the strategies, the Minerals and Waste Development Documents (MWDDs) and the associated consultation exercises.
4. This test is met.

Test 3

1. The Council has set out in Appendix C of the SCI those groups which will be consulted. This list includes the statutory bodies from PPS12 Annex E. It is stated in Paragraph 3.2 of the SCI that the Council holds a database of consultee details and that this will be updated as necessary.

4.2 The re-organisation of certain consultation bodies, such as the Strategic Rail Authority, should be acknowledged in the SCI and I recommend an additional sentence be added to this effect.

(R1) Insert the following to the beginning of Appendix C:

"Please note, this list is not exhaustive and also relates to successor bodies where re-organisations occur."

Also as the organisation no longer exists, remove the reference to the Traveller Law Reform Coalition from Appendix C and replace this with Friends, Families and Travellers

4.3 Subject to the recommendation above, this test is met.

Test 4

1. Paragraphs 4.3 – 4.15 and specifically Tables 5 and 7 of the SCI show that the Council will involve and inform people from the early stages of MWDD preparation and Table 9 sets out the range of methods the Council will employ to do this. The Council clarifies in Table 5 and Table 7 the stages at which consultation will take place and who will be consulted at those stages. It shows that consultation will take place with the key stakeholders during the issues and options stage of MWDD production in accordance with Regulation 25.

2. However, Table 5 and Table 7 omit a key stage in the MWDD process if a document is concerned with allocations of land (Regulation 32). I therefore have the following amendments to make to the SCI.

(R2) Add the following as a new entry, number 8, (shaded to indicate public involvement at this stage) to Table 5 to read:

“Additional six week consultation period on alternative site allocation representations (if received).”

Subsequent entries in this table should be re-numbered accordingly.

Additionally, add the following to Table 7 immediately after the Submission Stage section of this table:

“Alternative Site Allocation consultation (if necessary)”

Beneath this entry, duplicate the consultation techniques used for the Submission Stage.

As the timetable for the production of MWDDs may vary, the Council should add the following beneath Table 5:

“As the timetable for the production of MWDDs may vary, please visit our website www.essex.gov.uk for the latest timetable information.”

3. There is an error in the Council’s description of the Regulation 32 consultation, (the third bullet point of Paragraph 4.5) in that the SCI states that:

‘Any representations proposing new sites not previously identified at the Preferred Options stage would not be accepted for consideration at the Submission Stage unless accompanied by a full Sustainability Appraisal ‘

This should be replaced by the wording used in PPS12 Annex C and I recommend accordingly below:

(R3) Replace the sentence quoted above from the third bullet point of Paragraph 4.5 of the SCI with the following:

“Those promoting an alternative site or sites should indicate how the sustainability appraisal process has been or is to be carried out prior to the consideration of the site(s) at the examination.”

1. As a result of these amendments, I am satisfied that providing these stages are followed the consultation proposed will be undertaken in a timely and accessible manner.
2. Subject to the recommendations above, this test is met.

Test 5

1. Table 9 of the SCI sets out the methods that the Council proposes to use to involve the community and stakeholders. These cover a variety of recognised consultation techniques that will present information via a range of different media. The Council acknowledges the benefits and disadvantages of the different methods and indicates in this table at what stages of MWDD preparation the various methods might be employed.
2. The SCI acknowledges at Paragraphs 3.4 -3.7 that the Council may have to provide extra support to facilitate consultation with certain groups or individuals and proposes in these paragraphs, Table 3 (3) and Table 9 how it might do this. This information explains how the Council will make its information accessible to all members of society thus meeting the requirements of the Race Relations Act 2000 and the Disability Discrimination Act 1995.
3. I am satisfied that the methods of consultation proposed in the SCI are suitable for the intended audiences and for the different stages in MWDD preparation.
4. This test is met.

Test 6

1. Section 10 of the SCI explains how the Council will seek to ensure that sufficient resources are put in place to achieve the scale of consultation envisaged. Further information on the resource implications of the various consultation methods is given in Table 9.
2. I am satisfied that the Council is alert to the resource implications of the SCI.
3. This test is met.

Test 7

1. The blue text box after Paragraph 3.7 and Table 3 (4) explain how the results of community involvement will be taken into account by the Council and used to inform decisions. The Council also proposes to prepare reports at the end of the consultation period explaining how views have been considered and documents changed in light of the community involvement. The SCI states in the blue text box referenced above where these will be made publicly available.
2. However, this text restricts the availability of these reports to electronic communication via the Council's website which is potentially exclusive. I therefore have the following recommendation to make.

(R4) Add the following to the end of the first paragraph in the blue text box following Paragraph 3.7:

“These reports will also be made available as paper copies at the Council Offices, Chelmsford, at District and Borough Offices within Essex and at main and branch libraries throughout the County as listed in Appendix D and E of this document.”

3. Subject to the recommendation above, this test is met.

Test 8

1. Section 11 of the SCI explains that the Council continuously monitors and reviews all consultation documents and that the SCI will be formally reviewed as part of this process and reported on through the Annual Monitoring Report.
2. I am satisfied that the Council has mechanisms for reviewing the SCI and has identified potential triggers for the review of the SCI.
3. This test is met.

Test 9

1. Sections 5 – 9, Table 8, Table 9 and Table 14 of the SCI describe the Council's policy for consultation on planning applications. Table 14 meets the minimum requirements and provides information on additional methods of consultation. Table 14 also distinguishes between procedures appropriate to different types and scale of application.
2. The SCI does not adequately deal with the question of how the results of consultation will be reported and how the results will be used to inform the decision making process and I recommend a change to rectify this.

(R5) Insert the following as a fourth bullet point to Paragraph 7.19:

“The results of any such consultation will be reported and taken into account in decisions made by, and on behalf of, the Council.”

3. Subject to the recommendation above, this test is met.

Conclusions

1. The Council has set out in Appendix K of its Regulation 31 Statement (which is given as Annex B to this report) a number of proposed changes to the SCI in response to representations received on the submission document. These suggested amendments do not affect the substance of the SCI but they do improve the clarity and transparency of the submission SCI. I therefore agree that they be included.

(R6) Implement the changes to the submission SCI as proposed in Annex B to this report.

2. In the event of any doubt, please note that I am content for such matters as any minor spelling, grammatical or factual matters to be amended by the Council, so long as this does not affect the substance of the SCI.
3. Subject to the implementation of the recommendations set out in this Report, Essex County Council's SCI (August 2007) is sound.

INSPECTOR

Keith Holland

Keith Holland BA (Hons) DipTP MRTPI ARICS

Regulation 31 Statement - Appendix K: Detailed Summary and Response, Chapter by Chapter

In accordance with Regulation 31(2)(c)(iii) of the Regulations, a detailed summary of the issues raised follows below on a chapter by chapter basis, together with the ECC response to these and any amendments to the SCI proposed as a result of the representations. It should be noted that several of the comments made do not appear to be relevant to the Soundness or Unsoundness of the SCI. However, as the consultation is not just about proving the Soundness of the SCI but also about improving public engagement and involvement in the planning process, we identify appropriate and positive action which can be undertaken as part of the SCI Action Plan under the individual representation in Appendix H. The updated SCI Action Plan will shortly be available to view at www.essex.gov.uk/SCIconsultation.

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
1.0	General Comments not relating to specific chapters of the SCI plus comments relating to Foreword, Summary and Chapter 1 (Introduction)			
1.1	Sixteen consultees made general comments not relating to specific chapters of the SCI; the remaining 17 made comments on specific chapters below	General: H1, 2, 3, 4, 8, 9, 10, 12, 13, 17, 18, 23, 24, 27, 30, 34 Specific: H5, 6, 7, 11, 14, 16, 19, 20, 21, 22, 25, 26, 28, 29, 31, 32, 33	See below www.essex.gov.uk/SCIconsultation	See below
1.2	Of the consultees making general comments, eight had no observations to make on the SCI and did not indicate whether they thought the document was Sound or Unsound	H1 H8 H9 H13 H17 H23 H24 H34	Noted. Many respondees do not wish to get more deeply involved with the MWDF until site-specific issues are raised	No further action

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
1.3	Of the consultees in 1.2, four specified that they wished to be kept informed of progress with the MWDF	H8 H9 H24 H34	Noted – details remain on the stakeholder database for future consultations	No further action at this stage
1.4	Three further respondees did not express views on Sound/Unsoundness but indicated they were happy with the document	H4 H12 H18	Noted	No further action
1.5	Two did not express views on Sound/Unsoundness and made comments not directly relating to the SCI but to possible sites in the MDD	H10 H30	Noted – details remain on stakeholder database for future consultations.	No further action at this stage
1.6	Three found the document Sound and had no further observations, apart from H27 who supported a possible site in the MDD, and H3 who had concerns about a possible minerals site – the remaining three who found the SCI Sound had comments (see 1.7)	H2 H3 H27 H5, H21, H22 – see 1.7 below	H2, H3, H27 – Noted. Additional consultee has been added to database and H3's concerns noted for future consultations H5, H21, H22 – see 1.7 below	H2, H3, H27 – no further action H5, H21, H22 – see 1.7 below

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
1.7	<p>Title –</p> <p>Three consultees had issues with the SCI title, either because it hindered accessibility (H5) or was not a true reflection of the content (H21, H22)</p>	<p>H5</p> <p>H21</p> <p>H22</p>	<ul style="list-style-type: none"> For full response to each consultee, see Appendix H (H5) The title Statement of Community Involvement is nationally used and needs to be identified as part of the suite of documents making up the MWDF. No amendment is therefore proposed to document title which is in conformity with PPS12 (H21 & H22) Not all counties deal with Reg 3 applications (schools etc) and so there is no statutory requirement to refer to these. We propose to add to the Foreword and Summary pages to address these points however (see Actions) 	<ul style="list-style-type: none"> Proposed amendment to Foreword (page i, para 1): <p><i>“...to the consideration of planning applications for minerals, waste and the County Council’s own developments”</i></p> <ul style="list-style-type: none"> Proposed amendment to Summary (page iii, before Summary Box): <p><i>“The Statement of Community Involvement sets out how communities can contribute to minerals and waste policy for Essex, and the consideration of planning applications for minerals, waste and the County Council’s own developments”</i></p>
1.8	<p>Two consultees felt that although the SCI was Sound and its processes robust, the</p>	<p>H21</p> <p>H22</p>	<ul style="list-style-type: none"> For full response to each consultee, see Appendix H Noted. The SCI covers a wide range of issues 	<ul style="list-style-type: none"> For actions included in the SCI Action Plan, see Appendix H No further action for SCI

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
	document was still too long and complex		in detail. A 17-page Summary has been produced for ease of reference, and a Summary of the Adopted SCI will also be available	
2.0	Comments relating to Chapter 2 (Community Involvement and the new Planning System)			
2.1	Two consultees made comments on the credibility of the Vision Statement in 2.27, giving this as a reason for believing the SCI to be Unsound, but with no indication as to which Test of Soundness applied	H25: Vision to put customers first not matched by practice – too reliant on web, which is complex and unreliable H29: web should be more user-friendly	<ul style="list-style-type: none"> For full response to each consultee, see under H25 and H26 of Appendix H (Reliance on website). Disagree. Hard copies of SCI and other policy documents have been, and will continue to be, sent to each District Council, library and parish council in Essex. Hard copies of all documents are available to anyone upon request, and this fact was advertised not only on the website but in the letters which went to all 250 metre consultees. We also emphasize that every Essex library provides free access to 	<ul style="list-style-type: none"> For actions included in SCI Action Plan, see H25 and 29 of Appendix H (Reliance on website) No further action proposed. SCI states in Table 9, Method 3 that info will continue to be readily available in hard copy and on the website

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>the internet, including some evenings and weekends, which enables those without ready access to IT to view the documents easily. We provide details of opening times and facilities for all Essex libraries (Appendix E of SCI)</p> <ul style="list-style-type: none"> • (Web too complex). The layout and maintenance of the website are in accordance with stringent Government web standards and are independently monitored. A corporate business case is currently in preparation (January 2008) to gain approval for a major programme of work to transform the ECC online presence. See Appendix J 5.0 for full response • (Web unavailable). Data confirms that in late March 2007 (the time 	

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>specified) there was a dip in availability from the standard 99.8% to 95%. This was due to an essential update of the web server; availability standards have since returned to 99.8%.</p> <ul style="list-style-type: none"> • (User-friendliness). In Minerals & Waste Planning, we have already acted on the results of a pilot study on e-consultation with parish & town councils, resulting in the upgrading of the consultation system to make it more user-friendly and accessible. 88% of those completing the user survey on the latest SCI consultation online found it easy to use (see www.essex.gov.uk/consult) 	
2.2	The same two consultees felt that the credibility of the Vision Statement in 2.27 was compromised	H25: D&R meetings not directly notified to representees and	<ul style="list-style-type: none"> • For full response to each consultee, see under H25 and H26 of Appendix H 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
	<p>because of issues with Development & Regulation Committee public involvement procedures. This was given as another reason for believing the SCI to be Unsound, but with no indication as to which Test of Soundness applied</p>	<p>speaking practices are restrictive. Webcasting is not enough.</p> <p>H29:</p> <p>Write to representees before meetings and improve representation at D&R Committee</p>	<ul style="list-style-type: none"> • <i>(Issues with D&R Committee Procedures).</i> Partly correct in that not everyone who makes a representation is notified when an application comes before committee. Because of the high numbers of written representations received, it is thought to be too expensive to do so, and representees are asked to monitor the website for information. However, those who register to speak at D&R Committee are notified of the date an application is to come before Committee (see response from Committee Services team at Appendix H). A monthly list of pending applications and decisions has also been published for the last year in <i>Making the Links</i>, the newsletter for 	<p>H25 and 29 of Appendix H</p> <ul style="list-style-type: none"> • No further action proposed • No further action proposed • No further action proposed

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>Essex parish & town councils at the request of local councillors.</p> <ul style="list-style-type: none"> <li data-bbox="815 443 1118 1317">• (Webcasting). The practice of webcasting major applications coming before D&R Committee has recently been introduced to enable a greater number of interested people to view proceedings, and is particularly helpful to the time- and mobility-limited. It does not change public speaking protocols in any way. <li data-bbox="815 1323 1118 2092">• (Review). It has already been agreed by D&R Committee (Dec 06) as a result of the SCI Reg 26 consultation that a review of current practices will be carried out, benchmarked against national best practice and reported back to the Committee for further discussion and a decision on the way forward. 	

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			Currently (Jan 08) the benchmarking phase is drawing to a close, and the review is work in progress	
2.3	<p>Four consultees had suggestions for expanding paragraph 2.30 – <i>Links to other strategies</i></p> <p>H6 – links to regional strategies</p> <p>H16 – surprised no ref to Parish Plans, Village Design Statements</p> <p>H32 – add ref to Dedham Vale AONB</p> <p>H33 – opportunity missed to promote waste hierarchy</p>	<p>H6</p> <p>H16</p> <p>H32</p> <p>H33</p>	<ul style="list-style-type: none"> For full response to each consultee, see Appendix H Section 2.30 was not intended to be all-inclusive (H6): Noted. ECC believes that the SCI conforms to best practice guidance in EEDA's letter (see SCI Chapters 2, 3 and 4) and proposes to further strengthen this by refs to RES and Inspire East in Adopted SCI (H16 & H33): The links given in the SCI were intended as examples rather than to be all inclusive. Given the space limitations of the SCI, it is thought that H16's suggestion will be more appropriately addressed via District & 	<ul style="list-style-type: none"> For actions included in SCI Action Plan, see Appendix H (H6): Proposed addition to Para 2.30, additional bullet: “Regional Strategies such as the Regional Spatial Strategy and Regional Economic Strategy, plus involvement in initiatives such as Inspire East” (H16 & H33) No further action in SCI (H32): Proposed amendment to 2.30, bullet 6 of SCI: <i>“Emerging Essex District, Borough and Unitary Authority Development Plans, existing Community Strategies and specific plans such as the Dedham Vale AONB and Stour Valley Management Plan”</i>

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			Borough LDPs, and H33's via the WDD <ul style="list-style-type: none"> <li data-bbox="815 398 1114 551">• (H32): Will propose H32's amendments for Adopted SCI 	
3.0	Comments relating to Chapter 3 (Who will be involved in our consultations?)			
3.1	<p>Three consultees had issues with Chapter 3. H20 stated that the SCI was Unsound against Test 4 in that the table of key target groups in 3.1 did not list adjacent county councils and unitary authorities and proposed amended wording. H25 and H29 gave no indication of which Test of Soundness they objected under; H25 welcomed the principle of involving the whole community but felt that the Reg28 250m letter had confused and alarmed some. H25 and H29 recommended that the wording of consultations be simplified.</p>	H20 H25 H29	<ul style="list-style-type: none"> <li data-bbox="815 645 1114 869">• See individual responses to H20, H25 and H29 in Appendix H for full responses <li data-bbox="815 875 1114 1249">• (H20): The key target groups listed under 3.1 of the SCI were intended as examples only. We propose to amend the wording of Para 3.1 as suggested <li data-bbox="815 1256 1114 2056">• (H25 & H29): Noted. <i>(This refers to the standard SCI Reg28 consultation letter sent to those living within 250m of a proposed minerals site)</i>. It was assumed that those who had received similar letters during the SCI Reg 26 consultation would remember the consultation. Instead, many 	<ul style="list-style-type: none"> <li data-bbox="1141 645 1428 1019">• For actions included in SCI Action Plan, see Appendix H <li data-bbox="1141 1025 1428 1995">• (H20): Proposed amendment to wording of Para 3.1 text box of SCI: <i>“Our key target groups include:</i> <ul style="list-style-type: none"> <li data-bbox="1198 1151 1428 1599">• <i>Individuals with an interest in planning matters or who will be affected by the decision-making process for the MWDF</i> <li data-bbox="1198 1606 1428 1830">• Essex District, Borough, Town and Parish Councils <li data-bbox="1198 1836 1428 1995">• Neighbouring authorities (County, Unitary,

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>were concerned by the reference to compulsory purchase in the heading of the letter, and future consultation letters will not include this reference in the heading. Instead it will be in the body of the letter with a sentence of explanation</p> <ul style="list-style-type: none"> • A considerable number of 250m consultees did phone us for clarification of their particular circumstances as a result of the letters. The great majority were then pleased to have been involved from the very start of the process, which supports our DNN policy for both the MWDF and for planning applications. In future consultations, it will spell out whether a letter refers to general policy or is site-specific 	<p><i>District, Borough, Town and Parish Councils)</i></p> <ul style="list-style-type: none"> • <i>Businesses etc as previously”</i>

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
4.0	Comments relating to Chapter 4 (Principles & Process of Community Involvement)			
4.1	Chapter 4 generated a variety of responses from eight consultees. H11 and H33 supported the principle of front-loading the planning process and of community involvement	H11 H14 H16 H25 H28 H29 H31 H33	<ul style="list-style-type: none"> • See individual responses in Appendix H • (H11 & H33): Support noted. 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H
4.2	H25 and H29 commented less favourably on the use of the website and DNN set out in Table 3.2 and 3.3 respectively, and felt that the DNN 250m radius was too restrictive	H25 H29	<ul style="list-style-type: none"> • See individual responses in Appendix H • (Website): See response at 2.1 above, and full responses in Appendix H • (DNN radius): Noted. We make clear in the SCI that the 250m radius will be kept under review via the Annual Monitoring Review, and this will be considered in the Review for 07-08 together with other suggestions received • DNN is carried out as an additional specifically-targeted method of raising 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H • (DNN radius): As stated in SCI (see 4.13 and 10.5), we shall ensure proposals and costs are considered regularly as part of AMR and results shared via website and <i>Making the Links</i>. No amendments to SCI proposed

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>public awareness. It is not an indication that we believe only those contacted will be affected by a proposal</p>	
4.3	<p>H31 felt, in relation to Test of Soundness 7, that paragraphs 4.5 to 4.7 did not emphasise how much weight will be placed on responses from the public, and felt that the public need to be convinced consultation is not just a cosmetic exercise</p>	H31	<ul style="list-style-type: none"> • See individual response in Appendix H • All consultation responses will be taken into account in drafting the next stage of plan preparation, and points raised addressed. It is not possible to state what weight will be given to individual responses, as this depends both on the nature of the comment and on material planning considerations eg legislation, regulations • A detailed response to this query giving examples of how we have taken on board public consultation responses to date in the MWDF was published in <i>Making the Links</i> of November 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
4.4	<p>Consultees H14 and H16 commented on the way in which DNN had been and could be rolled out. H14 felt that consultation letters should be more user-friendly, and H16 suggested a wider DNN radius for larger applications, with the possibility of developer finance</p>	<p>H14 H16</p>	<p>2007 (see Appendix H31)</p> <ul style="list-style-type: none"> • See individual responses in Appendix H • Both comments were noted, and would be taken on board for future consultations. See also Section 7.0 below. • DNN is carried out as an additional specifically-targeted method of raising public awareness. It is not an indication that we believe only those contacted will be affected by a proposal. Other cost-effective methods of raising public awareness will continue to be explored and reviewed 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H
4.5	<p>Table 7 – H33 sought clarification on status of additional involvement techniques set out in Table 7 – optional, desirable, recommended or on request?</p>	<p>H33</p>	<ul style="list-style-type: none"> • See individual response in Appendix H • In the preparation of MWDDs, ECC will identify which additional techniques are appropriate for each document in its 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H • No proposed changes to SCI – this will be addressed as appropriate for individual development documents

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>communication strategy, which will vary for each document according to circumstances and resources available. ECC has already been responsive however to requests for parish meetings, for example. See 4.14 of SCI</p>	
4.6	<p>Table 9 – Three representees commented on Table 9. H28 welcomed the range of consultation methods proposed, whereas H25 and H29 had issues with several of these, again without specifying particular Tests of Soundness.</p> <p>Method 1 – all PTCs should have hard copies of all consultations. ECC should not try to micro-manage relationship between parish/residents by restricting</p>	<p>H25 H28 H29</p>	<ul style="list-style-type: none"> • See full responses at H20, H28 and H29 of Appendix H • (H25 & H29): Method 1 - It appears that the wording of the heading to Method 1 of Table 9 has been misinterpreted by the consultees: the method refers to the availability for inspection by members of the public of hard copies at parish or town council facilities, not to the sending of hard copies, which is done automatically as part of the consultation 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H • (Method 1) - Proposed rewording of Table 9, Method 1 heading, page 26: “Hard copies in all local Parish/Town councils at appropriate locations to be determined by the PTCs”

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
	<p>hard copies to those with facilities</p> <p>Method 5 – ECC publications such as <i>Essex Matters</i> should be used in a consistent, factual and non-political way</p> <p>Method 7 – written consultation is restrictive and omits key stages of public involvement</p> <p>Method 10 – proposal for public meetings welcomed, but should not be developer-led, should be independently chaired</p> <p>Method 14 – Officer/ Member groups have been closed affairs with little or no wider involvement</p>		<p>process.</p> <p>Propose rewording of heading to remove ambiguity</p> <ul style="list-style-type: none"> • Agree that parishes should have discretion as to how they consult their residents re applicants and documents. It is an obligation upon PTCs to make plans and documents available for public inspection if requested, but we make no assumptions about how or where a PTC will make these documents available, nor would ECC seek to influence the process in any way. We have however undertaken via the Parish Facilities Questionnaire (April 07) to record information supplied by parishes on facilities available (Method 1, p26 of SCI) 	

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<ul style="list-style-type: none"> <li data-bbox="850 284 1150 853">• The word facilities was deliberately used as we are aware that not all PTCs have a designated office; some parish clerks work from home and make their own arrangements for public viewing of documents <li data-bbox="850 860 1150 2042">• (Method 5) - Not thought to be directly relevant to the Soundness of the SCI, but has been noted. <i>Essex Matters</i> is a cost-effective county-wide communication delivered to all households of Essex several times a year. It has only been used in connection with the MWDF to raise awareness at the outset of work on the WDD. As work on the MWDF escalates, we intend to cascade more factual information on progress to the people of Essex 	

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>via <i>Essex Matters</i>.</p> <ul style="list-style-type: none"> • (Method 7) – see our response in 2.2 above • (Method 10) – Agreed. See benefits/ considerations set out in Method 10/ Table 9 • (Method 14) - A cross-party working group has been set up for the MWDF and is intended to assist the Portfolio Holder to develop ECC corporate ownership of the MWDF. This group reports to the Planning Enterprise & Culture Policy Development Group which meets publicly, and minutes of which are published on the website. ECC is currently updating the PDG format, which is likely to be replaced by an Overview & Scrutiny Committee, minutes of which would again be in the public domain 	

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
5.0	Comments relating to Chapter 5 (Public Involvement with Planning Applications)			
5.1	<p>Three consultees commented on this chapter. H16 liked Table 11 and felt that it could be published more widely, whereas H25 and H29 stressed again their issues with confidential and committee processes</p>	<p>H16 H25 H29</p>	<ul style="list-style-type: none"> • See full responses at Appendix H • (H16) – suggestion will be considered • (H25 & H29) – see 2.2 and 4.6 above 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H
6.0	Comments relating to Chapter 6 (The Pre-Application Stage of a Planning Application)			
6.1	<p>Five consultees had comments relating to Table 12, two of whom supported the principle of pre-submission consultation:</p> <p>H11 wished to be consulted on applications which may affect National Grid assets</p> <p>H19 asked to be consulted on all applications within 200m (minerals) and 250m (waste) of railway property</p>	<p>H7 H11 H19 H21 H22 H11 H19</p>	<ul style="list-style-type: none"> • See full responses at Appendix H • (H11) – noted. Already consulted as a matter of course • (H19) – noted. Already consulted as a matter of course 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H • (H11 & H19) – no further action at this stage

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
6.2	<p>Of the 5 consultees identified in 6.1 above, three, all parish councils, had varying degrees of concern relating to developer autonomy/ confidentiality, and one of these (H7) felt that these were grounds for declaring the SCI Unsound</p> <p>H21 & H22 proposed an identical change to Table 12.3:</p> <p>“Developers shall consult prior to application”</p>	<p>H7</p> <p>H21</p> <p>H22</p>	<ul style="list-style-type: none"> See individual responses to H7, H21 and H22 in Appendix H for full responses (H7) Although Stock PC indicated that it believed the SCI failed all Tests of Soundness, no evidence was put forward against Tests 1 to 8. We consider that no valid objection has therefore been made under Tests 1 to 8, and that we have supplied sufficient evidence under these tests in the Statement of Compliance, Chapter 12. (H7) Stock’s objection that there is no public involvement required at the pre-application stage of planning applications would appear to relate to Test 9 (<i>Does the SCI clearly describe the LPA’s policy for consultation on planning applications?</i>). 	<ul style="list-style-type: none"> For actions included in SCI Action Plan, see Appendix H Proposed rewording of Summary of Chapter 6 to remove ambiguity/ misunderstanding: <p>From:</p> <p><i>“The pre-application stage...should involve a partnership approach with the planning authority, developer and interested parties working together...”</i></p> <p>To:</p> <p><i>“The pre-application stage...requires planning authority, developer and interested parties to work together to achieve a considered application addressing relevant planning matters and</i></p>

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<ul style="list-style-type: none"> <li data-bbox="850 286 1153 1659">• (H7) We consider that this is not a valid objection to the Soundness of the SCI: Stock is expecting ECC to act in a way which we are not legally empowered to do (see Tables 10 and 12 of the SCI). There is no legislation by which ECC (or any LPA) could require a developer to engage the public at the pre-application stage. The law makes clear that pre-application discussion between developer and planner is entirely confidential and outside the remit of Freedom of Information legislation – (see Table 12 of SCI). <li data-bbox="850 1666 1153 2080">• (H7, H21 & H22). It is not legally possible for ECC to determine when a developer puts information into the public domain: all we can do is advise, encourage and 	<p data-bbox="1249 286 1468 394"><i>taking into account public opinion</i>".</p>

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>point out the advantages of early public involvement and the potential disadvantages of non-involvement (see SCI Table 12.3). Our proposed non-prescriptive approach (6.2-6.3 of SCI) is in line with best practice.</p> <ul style="list-style-type: none"> • (H7, H21 & H22). We do however note comments and will consider any improvement action which can be achieved within our legal remit (see forthcoming SCI Action Plan). • We propose to amend specific text in the Summary of Chapter 6 to which Stock objected to avoid any ambiguity. 	
7.0	Comments relating to Chapter 7 (The submission of a planning application)			
7.1	Six consultees made comments relating to Chapter 7, mostly relating to DNN covered in 7.14-7.17	H14 H16 H20 H25 H29	<ul style="list-style-type: none"> • See individual responses to H7, H21 and H22 in Appendix H for full responses • (H14 & H16) – see comments and response 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
		H33	<p>made re DNN under 4.4</p> <ul style="list-style-type: none"> • (H25 & H29) – see response under 3.1 	
7.2	Of these six, H20 felt that the SCI failed Test 9 as it did not fully describe ECC's policy for consultation on planning applications and that all LPAs should be consulted on applications close to the administrative boundary	H20	<ul style="list-style-type: none"> • See individual response in Appendix H • Consultee's suggestion is in fact our standard practice, although not specifically spelt out in the SCI. We propose to amend the wording of Para 7.9 (see Actions) as suggested 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H • Proposed amendment to wording of Para 7.9: <i>Delete existing paragraph</i> <i>and replace with:</i> <i>“Neighbouring County, Unitary, District, Borough, Town and Parish Councils will be consulted by planning officers on a non-statutory basis, as appropriate, on all applications where proposed developments are situated close to the administrative boundary. This will depend on characteristics of the development and its magnitude and proximity to the administrative boundary”.</i>

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
7.3	Of these, H33 suggested the provision of an advice/ support service for DNN consultees	H33	<ul style="list-style-type: none"> • See individual response in Appendix H • Agreed. Duty Officer and/or Service Development Officer phone nos are given on all letters, but this could be given a higher profile in future consultations and offered as a helpline instead. A considerable number of 250m consultees did phone us for clarification of their particular circumstances. The great majority were then pleased to have been involved from the very start of the process, which supports our DNN policy for both the MWDF and for planning applications 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H
8.0	Comments relating to chapter 8 (The Determination stage of a planning application)			
8.1	One representee was not clear who decides how an application is determined, and sought clarification on the use of the	H33	<ul style="list-style-type: none"> • See individual response in Appendix H • Planning applications are predominantly determined by ECC, and only 	<ul style="list-style-type: none"> • For actions included in SCI Action Plan, see Appendix H

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
	word <i>material</i> (both in Table 15)		<p>occasionally by the Secretary of State, with the exception of listed buildings. The route for determination by Committee or Delegated Powers depends on the nature of the application, planning issues, consultee responses and whether or not an application accords with the Development Plan</p> <ul style="list-style-type: none"> Material considerations are defined in Appendix A (Glossary) of the SCI 	
9.0	Comments relating to Chapter 9 (The post-Decision stage)			
9.1	Two parish councils suggested expanding processes to include quality management of implementation/ delivery post approval	H21 H22	<ul style="list-style-type: none"> See individual responses in Appendix H If conditional approval is granted, sites, implementation and compliance with conditions are monitored thereafter at site visits and liaison meetings. Conditions are recorded on our database, and copies of conditions 	<ul style="list-style-type: none"> For actions included in SCI Action Plan, see Appendix H

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			published to all those who objected. We also respond to information received re compliance (see Table 16.6 and Table 11 (Making your views known) of SCI)	
10.0	Comments relating to Chapter 10 (Resources)			
10.1	One consultee commented on resource implications of extending DNN and proposed offsetting costs with developer finance	H16	<ul style="list-style-type: none"> See individual response in Appendix H See response at 4.4 	<ul style="list-style-type: none"> For actions included in SCI Action Plan, see Appendix H
11.0	Comments relating to Chapter 11 (Monitoring & Review)			
11.1	No representations made			
12.0	Comments relating to Appendices			
12.1	Four consultees had comments on the Appendices	H6 H20 H26 H32	<ul style="list-style-type: none"> See individual responses in Appendix H (H6 & H20) – suggested amendments to Glossary (Appendix A) appropriate (H26) – noted that consultee was pleased to be named as an Other Consultee 	<ul style="list-style-type: none"> For actions included in SCI Action Plan, see Appendix H Proposed addition to Glossary (Appendix A): <i>“Inspire East: Regional centre of excellence to promote ideas</i>

No	Summary	Representees	ECC Response	ECC Proposed Amendment to SCI
			<p>in Appendix C, and areas when consultation with British Waterways would be appropriate</p> <ul style="list-style-type: none"> • (H32) – will propose suggested amendments to emphasize role of Dedham Vale AONB/ Stour Valley Project 	<p><i>and actions for sustainable communities”</i></p> <ul style="list-style-type: none"> • Proposed amendment to Glossary (Appendix A): <i>“Local Planning Authority: County Councils are the authority for County Council development and for waste and mineral matters”</i> • (H32) – proposed amendment to Appendix C: <i>Add to Other Consultees – Dedham Vale AONB/ Stour Valley Management Plan</i>

Appendix H: Subsequent Updates after April 2009

In future, these will be added as identified in the Annual Monitoring Report (AMR). They will be updated annually in the electronic version of this document, which is available on the Essex County Council website (www.essex.gov.uk/SCI), following the publication of the AMR.

Table 31 Subsequent Updates after April 2009

Page Number	Previous Text	Amended Text/ Date of Change	Reason
Page 62, Table 15, No.3 Col.2	<ul style="list-style-type: none"> The proposal constitutes a departure from the Development Plan AND is being recommended for approval by D&R Committee or 	<ul style="list-style-type: none"> The proposal requires referral under Planning Circular 02 of 2009 <i>(Updated June 2009)</i> 	Change in legislation April 09

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