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CABINET AGENDA

Date: Wednesday 26th January 2022

Time: 6.00pm NB Time

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

Councillor Sheldon	Chairman - Leader of the Council
Councillor Cutler	Waste & Environmental Health
Councillor Mrs Egan	People – Health & Wellbeing
Councillor Hart	Place – Infrastructure
Councillor Isaacs	People – Community
Councillor Johnson	Resources
Councillor Mrs Thornton	Growth - Economic Environment & Sustainability
Councillor Varker	Special Projects (Deputy Leader of the Council)

Cabinet Enquiries:

**Ann Horgan ext. 2413
ahorgan@castlepoint.gov.uk**

Reference:

8/2021/2022

Publication Date:

Tuesday 18th January 2022

**AGENDA
PART I
(Business to be taken in public)**

- 1. Apologies**
- 2. Members' Interests**
- 3. Minutes**
To approve the Minutes of the meeting held on 17th November 2021.
- 4. Forward Plan**
To review the Forward Plan.
- 5. Improving Life Chances Partnership**
(Report of the Leader of the Council)
- 6. South Essex Parking Partnership**
(Report of the Cabinet Member – Place Infrastructure)
- 7. Migration of Local Land Charges Register (LLC) to HM Land Registry (HMLR)**
(Report of the Cabinet Member – Resources)
- 8. Mid- Year Treasury Management Activity Report**
(Report of the Cabinet Member – Resources)
- 9. Planning Policy Update**
(Report of the Leader of the Council Cabinet Member –Special Projects)
- 10. Transport Strategy for the East Consultation**
(Report of the Leader of the Council Cabinet Member –Special Projects)
- 11. Community Infrastructure Levy Charging Schedule**
(Report of the Leader of the Council Cabinet Member –Special Projects)
- 12. Matters to be referred from /to Policy & Scrutiny Committees**
Climate Action Plan - it is proposed to refer the Climate Action Plan to the Environment Policy & Scrutiny Committee to monitor and keep under review.

At the meeting of the Ordinary Council on 24.11.2021 the following Motion was approved

“Castle Point Borough Council explore the use of an Article 4 direction in relation to relevant permitted development rights to ban the installation of non-porous driveways and hard standing without planning permission to help reduce surface water runoff into local roads in times of heavy rain.”

The Motion is to be referred to the Place and Communities Policy & Scrutiny Committee for examination.

- 13. Matters to be referred from /to the Standing Committees**

PART II

(Business to be taken in private)

(Item to be considered with the press and public excluded from the meeting)

There were no items at time of publication of this agenda.



CABINET



17TH NOVEMBER 2021

PRESENT:

Councillor Sheldon	Chairman – Leader of the Council
Councillor Cutler	Waste & Environmental Health
Councillor Mrs Egan	People – Health & Wellbeing
Councillor Hart	Place – Infrastructure
Councillor Isaacs	People – Community
Councillor Johnson	Resources
Councillor Mrs Thornton	Economic Development Delivery
Councillor Varker	Special Projects – Deputy Leader of the Council

ALSO PRESENT:

Councillors: Acott, Fortt, C Mumford, S Mumford, Mrs Sach and Skipp

42. MEMBERS' INTERESTS:

No declarations were made.

43. MINUTES:

The Minutes of the Cabinet meeting held on 20.10.2021 were approved as a correct record and signed noting the amendment to include a memorial at the beginning of the meeting to the late Sir David Amess MP.

44. FORWARD PLAN:

To comply with regulations under the Localism Act 2011, the Leader presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter of 2020. The Plan was reviewed each month.

Cabinet noted the addition of two reports to be brought to the next Cabinet meeting regarding South Essex Parking Partnership and the Migration of Local Land charges Register to HM Land Registry.

Circulated to Cabinet was a copy of the report to be made to Council on the budget implication to inform the debate on the motion to improve access to council parks.

Resolved – To note and approve the Forward Plan as amended.

45. WELCOME BACK FUND

Cabinet considered a report seeking endorsement from the Cabinet on the Welcome Back Fund programme, that would support the promotion of the Borough's town centres and businesses as they recover from the covid-19 crisis.

Resolved -

1. To note the welcome Back Fund programme.
2. To endorse the branding approach for the town centres.

46. LOCAL COUNCIL TAX SUPPORT (LCTS) SCHEME FOR 2022/23

Cabinet considered a report providing an update to Cabinet in respect of the Proposed Local Council Tax Support scheme for 2022/23.

Resolved:

1. To note the information summarised in Section 5 of this report and the information detailed in Appendices A, B, and C.
2. To recommend to Council that there are no changes to the Local Council Tax Support Scheme for 2022/23.

47. DISABLED FACILITIES GRANTS UPDATE AND POLICY REVIEW

Cabinet considered a report updating Cabinet on the present status of the Disabled Facilities Grants delivered by Environmental Health Services. Cabinet were also requested to approve an amendment to the Council's Disabled Facility Grant policy (DFG policy), to allow additional flexibility in the allocation of discretionary grants to ensure that cases can be processed with the maximum efficiency, to the benefit of customers that we work with.

Resolved -

1. To note the contents of the report and seek further updates from the Head of Environment on a periodic basis.
2. To approve an amendment to the Council's existing DFG policy to allow for an additional type of discretionary grant (Means Test Contribution Assistance) to be offered, for the benefit of disabled persons in need of additional financial help.

48. PUBLIC SPACES PROTECTION ORDER

Cabinet considered a report seeking agreement to a proposed approach to dealing with certain behaviours identified in the report and whether the Council should commence a statutory consultation on the making of a Public Spaces Protection order (PSPO) under Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 ('the 2014 Act').

The purpose of the PSPO would be to assist the Council and its partners to provide an appropriate and robust response to the behaviours taking place in and around the area of Roscommon Way, Canvey Island, that existing enforcement powers have been unable to resolve.

Resolved:

1. That consultation be undertaken into the possibility of the Council making a PSPO under Section 59 of the 2014 Act in respect of the area shown in Appendix 1(attached to Appendix 2) and activities detailed in Appendix 2
2. That the response and findings of the consultation be reported to the Place and Communities Policy & Scrutiny Committee to analyse the response and report to Cabinet with recommendations on the proposed response and the implication of any next steps to be taken.

49. CORPORATE PERFORMANCE SCORECARD QUARTER 2 2021/22

Cabinet considered a report setting out the performance figures for the Corporate Performance Scorecard for quarter 2 2021/22.

Resolved – To note the report and continue to monitor performance

50. FINANCIAL UPDATE

Cabinet considered a report providing Cabinet with the latest 2021/22 forecast in respect of the General Fund (GF); Updating Cabinet on developments of a financial nature, which may impact on the Council's financial plans in respect of either the General Fund, Housing Revenue Account (HRA) or Capital Programme; Updating Cabinet on developments in relation to the impacts of Covid-19 on the Council and the assistance received from Government.

Resolved:

1. That Cabinet note the report and the 2021/22 financial forecast at Appendix 1.
2. That Cabinet note and agree the changes to the Housing Revenue Account Capital Programme at appendix 2 (paragraph 6.2 referred).
3. That Cabinet approve the additional budget of £88k in respect of the Labworth Car Park project, funded from General fund reserves (paragraph 6.5 referred).

51. MATTERS TO BE REFERRED FROM / TO POLICY & SCRUTINY COMMITTEES

Item 8 (Minute 48) Public Spaces Protection Order the response and findings of the consultation were to be reported to the Place and Communities Policy & Scrutiny Committee to analyse the response and report to Cabinet with recommendations on the proposed response and the implication of any next steps to be taken.

52. MATTERS TO BE REFERRED FROM / TO THE STANDING COMMITTEES

There were no matters.

Chairman



Castle Point Borough Council

Forward Plan

JANUARY 2022

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

JANUARY 2022

This document gives details of the key decisions that are likely to be taken. A key decision is defined as a decision which is likely:-

- (a) Subject of course to compliance with the financial regulations, to result in the local authority incurring expenditure which is, or the savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates subject to a threshold of £100,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the area of the local authority.

The Forward Plan is a working document which is updated continually.

Date	<u>Item</u>	Council Priority	Decision by Council/ Cabinet	Lead Member(s)	Lead Officer(s)
December 2021/January 2022	<u>Planning Policy Update</u> - inc. Annual Monitoring Report and Brownfield Land Register Update;	Economy and Growth	Cabinet	Growth – Leader of the Council	Head of Place & Policy
February/March 2022	<u>Notice of Motion examination of Minister' s comments – implications</u>	Economy and Growth	Council	– Leader of the Council /Special Projects /Resources	Interim Chief Executive/ Head of Place & Policy/Section 151 Officer
January 2022	Transport East Transport Strategy Consultation	Economy and Growth	Cabinet	Place Infrastructure - Leader of the Council	Head of Place & Policy
January March 2022	Community Infrastructure Levy Draft Update of the Developer Contributions Guidance	Economy and Growth	Council Cabinet	Growth – Leader of the Council	Head of Place & Policy
January 2022	Climate Action Plan – Quarterly Progress Report – Refer to Environment PSC	Environment	Cabinet	Growth- Economic Environment Sustainability	Head of Environment
January/Feb 2022	Waste Collection Arrangements	Environment	Cabinet	Waste &Environmental Health	Head of Environment
February/March 2022	<u>Housing Management System</u>	Enablers – Resources People	Cabinet	Leader of the Council	Head of Housing

February 2022	<u>Budget and Policy Framework</u> To make recommendations to Council on the Council tax and budget setting.	All	Cabinet/ Council	Resources	Strategic Director (Resources)
February 2022	<u>Council Rent Setting and Capital Programme</u>	Enablers Resources People	Cabinet	Resources	Head of Housing Strategic Director (Resources)
March 2022	<u>Public Space Protection Order – Report from PSC</u>	People	Cabinet/ Council	People	Corporate Services
March 2022	<u>Corporate Performance Score Card Quarter 3</u>	All	Cabinet	Special Projects	Strategy Policy & Performance Manager

CABINET

26th January 2022

Subject: Improving Life Chances Partnership

Cabinet Member: Councillor A Sheldon - Leader of the Council

1. Purpose of Report

To propose to Cabinet the establishment of a partnership to share knowledge and best practice across partners with the aim of improving the life chances for those in areas of the Castle Point Borough who face significant challenges, establishing a range of projects to help address these challenges.

2. Links to Council's priorities and objectives

Initial research indicates that the partnership should focus on projects linked to the Council priority of Economy & Growth, although as the partnership develops over time, other projects may emerge that link to other Council priorities.

3. Recommendations

That Cabinet approves the establishment of the Improving Life Chances Partnership ('the Partnership') as set out in the draft Terms of Reference, included as Appendix 1 to this report.

4. Background

- 4.1 Using the most recent Indices of Multiple Deprivation (IMD)¹, the Castle Point Borough has an overall level of deprivation that places it 182nd out of 317 local authorities included in the measure (where the local authority area in 1st place has the highest level of deprivation). Therefore, in aggregate, Castle Point performs somewhat better than average across England, although noticeably low on the Education, Skills and Training domain with a rank of just 27th out of 317.
- 4.2 However, when looking at smaller areas of the Borough of around 1,500 people (known as Lower Super Output Areas, or LSOAs) the picture is more one of extremes with three LSOAs (in Boyce and St. James' Wards) in the 10% *least deprived* areas in England contrasted with one LSOA (in Canvey Island South Ward) and a further four LSOAs (in Canvey Island Central and Canvey Island Winter Garden Wards) in the 10% and 20% *most deprived* areas in England,

¹ More information about the IMD 2019 can be found at <https://www.gov.uk/government/statistics/english-indices-of-deprivation-2019>

respectively. The relative position of these LSOAs is unchanged in 2019 when compared with an earlier IMD report in 2015.

- 4.3 Furthermore, when looking at the LSOAs in the Borough that fall into the bottom 30% and 40% nationally, LSOAs in all of the wards on Canvey Island are included plus one LSOA in Victoria Ward.
- 4.4 Therefore, this proposal to establish an Improving Life Chances Partnership is driven by data which suggests that without targeted intervention, the areas of the Borough that have scored poorly on the IMD will continue to remain stubbornly towards the bottom end of not just the Borough but the whole of England.
- 4.5 This report is timely as on 6 January 2022, Essex County Council (ECC) launched *Levelling Up Essex* an Essex White Paper which is the first expression ECC's overall approach and rationale in developing levelling up work across the county. The report, a link for which is included under Background Papers below, identifies Canvey Island as a priority place in Essex for levelling up work.

5. Report

5.1 Targeting action

- 5.1.1 As set out in the background to this report, the IMD is a useful set of data which indicates where geographically the Partnership should be focussing its attention. However, the IMD is a weighted index, made up of the following sub-domains with the weighting indicated in parentheses:
 - Income (22.5%)
 - Employment (22.5%)
 - Education, Skills and Training (13.5%)
 - Health and Disability (13.5%)
 - Crime (9.3%)
 - Barriers to Housing and Services (9.3%)
 - Living Environment (9.3%)
- 5.1.2 Already indicated in section 4.1, the Castle Point Borough's position on the Education, Skills and Training sub-domain of the IMD places it in a far lower position than when looking at all of the sub-domains together. This observation plays out in an analysis of the 13 LSOAs in the bottom 40%, 30%, 20% and 10%, shown in Figure 1 at the end of this report on page 5, that indicates for Education, Skills and Training, these LSOAs are all in the bottom 20% or 10% across England.
- 5.1.3 The picture for the Income and Employment sub-domains is not quite as stark although in most cases the relative position of the LSOA is at least as low as the overall position as indicated by the IMD score.
- 5.1.4 Nevertheless, because of the positive relationship between an individual's education, skills and training and their ability to find employment and earn a good income, the Partnership is likely to initially focus its attention on projects that can have the biggest impact on Education, Skills and Training, and subsequently Employment and Income.

- 5.1.5 Over time, and if the opportunity arises, the Partnership may also include projects that are likely to have a positive impact on the other sub-domains of deprivation.

5.2 Membership

- 5.2.1 Initially, the Partnership will be comprised of representatives from a range of organisations, including: local government; the NHS; Essex Police; education and skills providers; and the voluntary and community sector.
- 5.2.2 However, the Partnership is not intended to be exclusive and will welcome membership from any individual or organisation that can further its aims and objectives.

5.3 Supporting bids for funding

- 5.3.1 Whilst some projects emanating from the Partnership will be already funded from respective existing budgets, where there is the opportunity to bid for additional external funding to expand on existing or implement new projects, this will be sought and the Partnership will help to shape these bids (with specific bid lead organisations to be determined on a case-by-case basis).
- 5.3.2 One such opportunity is the Levelling Up Fund (LUF) which allows local authorities to bid for funding of up to £20m (or up to £50m in exceptional cases for large, high value transport projects). The Council has started to explore with Essex County Council areas around which such a bid may be submitted and, although this work is still at an early stage, the Partnership could have a role to play to support the development of this bid using its collective expertise and experience.

5.4 Conclusion

- 5.4.1 Certain parts of the Borough have fallen behind others over time and without targeted action this situation is likely to continue. The Partnership, as set out above and in the draft Terms of Reference in Appendix 1, will be committed to reversing this trend and Cabinet is recommended to approve its establishment.
- 5.4.2 It should be emphasised, that there are already some excellent individuals and organisations working in the parts of Castle Point where the Partnership will focus its efforts. The proposal for the Partnership is in no way meant to lessen the importance of that work. Rather, it is hoped that through collective action the impact of any activity will be amplified and supported through peer-to-peer discussion and the potential for additional external resources.

6. Corporate Implications

a. Financial implications

The Partnership will be supported by existing resources, with the secretariat provided by the Council. Neither the Council nor the other partners are asked to commit resources beyond provision of their time.

There is scope for the partnership to support the submission of bids for external funding. Any approvals for submitting such bids will be decided on a case-by-case

basis and, where the Council is the lead bidder, according to any approval mechanisms as set out in the Financial Regulations and the Constitution.

b. Legal implications

The Partnership will be established as set out in the draft Terms of Reference, which will be agreed by all partners at their inaugural meeting.

c. Human resources and equality implications

The Partnership will require some resource from the Council although this will be from existing resource. Membership to the Partnership is welcome from any individual or organisation that can further its aims and objectives with the decision over membership taken as set out in the draft Terms of Reference.

d. Minimising our carbon footprint

The following considerations have been given to minimising our carbon footprint:

- Any projects emanating from the Partnership will each give consideration to how the carbon footprint of the project can be minimised;
- The Terms of Reference propose that meetings of the Partnership are held online unless an in-person meeting is considered necessary. This will help to reduce travel to meeting places; and
- Meeting papers will be circulated electronically and members of the Partnership will be encouraged to avoid printing hard copies of these papers

e. Timescale for implementation and risk factors

The inaugural meeting of the Partnership is proposed, subject to approval from Cabinet, for February 2022 with future meetings taking place as set out in the draft Terms of Reference.

7. Background Papers:

[Levelling Up Essex – An Essex White Paper](#)

Report Author: Ben Brook bbrook@castlepoint.gov.uk

Figure 1 – Breakdown of IMD sub-domain scores for the bottom 13 LSOAs in the Borough

Weighting			22.5%	22.5%	13.5%	13.5%	9.3%	9.3%	9.3%
LSOA name (2011)	Corresponding Ward	Index of Multiple Deprivation (IMD)	Income	Employment	Education, Skills and Training	Health Deprivation and Disability	Crime	Barriers to Housing and Services	Living Environment
Castle Point 012E	Canvey Island South	1	1	1	2	2	2	3	8
Castle Point 010E	Canvey Island Central	2	1	2	1	3	4	5	9
Castle Point 010B	Canvey Island Central	2	1	2	1	3	2	6	7
Castle Point 010A	Canvey Island Central	2	2	2	1	4	3	6	8
Castle Point 010C	Canvey Island Winter Gardens	2	2	2	1	4	4	6	9
Castle Point 010D	Canvey Island West	3	3	4	2	5	2	2	8
Castle Point 010F	Canvey Island Winter Gardens	3	3	4	1	4	3	7	7
Castle Point 012B	Canvey Island East	3	3	3	1	6	4	7	9
Castle Point 006D	Victoria	4	3	3	2	4	7	3	8
Castle Point 009D	Canvey Island Winter Gardens	4	3	3	2	5	4	5	8
Castle Point 011B	Canvey Island North	4	5	3	2	5	3	7	7
Castle Point 009C	Canvey Island North	4	4	4	2	4	10	2	6
Castle Point 008E	Canvey Island South	4	4	4	2	4	5	7	6

Priority towards activity that can start to influence the metrics used for these sub-domains of deprivation

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basis and, where the Council is the lead bidder, according to any approval mechanisms as set out in the Financial Regulations and the Constitution.

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Report Author: Ben Brook bbrook@castlepoint.gov.uk

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Priority towards activity that can start to influence the metrics used for these sub-domains of deprivation

Terms of Reference

Improving Life Chances (ILC) Partnership

1. Purpose

The purpose of the ILC Partnership ('the Partnership') is to share knowledge and best practice across partners with the aim of improving the life chances for those in areas of the Castle Point Borough who face significant challenges, as indicated by the Indices of Multiple Deprivation (IMD) and other research, establishing a range of projects to help address these challenges.

The Partnership will also assist in addressing social issues that will have a material cost to the Council and other public sector bodies, such as local NHS organisations.

The Partnership will also support the development of a bid to the Levelling Up Fund (LUF), should such a bid be deemed appropriate and deliverable within the LUF timescales. The Partnership will also keep a watching brief on other funding opportunities that may arise as part of, but not limited to, the Government's Levelling Up agenda, and bid for these as appropriate.

2. Aim and Objectives

- Share knowledge and best practice across partners
- Establish a range of projects in areas of Castle Point that face the biggest challenges
- Support the development of a bid to the LUF
- Bid for other funding as appropriate

3. Membership

The Partnership is open to any partners that operate in the Borough of Castle Point, and specifically in the areas in areas of Castle Point that face the biggest challenges.

Core membership shall include the following individuals and organisations:

[Note: membership to be confirmed but will be comprised of representatives from a range of organisations, including: local government; the NHS; Essex Police; education and skills providers; and the voluntary and community sector]

4. Roles and Responsibilities of Members

Members of the Partnership are expected to show commitment to the aims and objectives through regular attendance and active participation at meetings, sharing resources in respective organisations where appropriate.

Outside of the time commitment to attend meetings – which will be online unless an in-person meeting is necessary – members of the Partnership are expected to find time propose agenda items, produce and read papers in advance, and support the work of the Partnership.

5. Resources

The Partnership will be supported by officer resource from Castle Point Borough Council to ensure that meetings are planned, administered and noted effectively. Castle Point Borough Council will also provide officer resource to support the development of any bids for external funding (although any specialist input into bids may need to be subject to a separate business case).

Other partners should provide support from their respective organisation where possible and where required to deliver any projects arising from the Partnership.

6. Location and Frequency of Meetings

Meetings will initially be every two months whilst the Partnership is established, moving to quarterly at a mutually agreeable point in the Partnership's development.

Agenda items should be submitted no later than two weeks before the meeting with papers submitted no later than one week before the meeting date. Minutes of meetings will be made available no later than two weeks after the meeting date.

Papers will be circulated electronically.

7. Decision Making

The Partnership is not a formal decision-making body although any action to be taken, projects to be implemented, or changes to the membership of the Partnership should be agreed by a majority of partners, with a minimum of half of the core membership present.

Appendix 1

Decisions which require the commitment of any resources from partner organisations will then be confirmed through respective organisation's decision-making governance processes.

8. Governance arrangements

- *Declarations of Interest;*
 - Members of the Partnership will be asked to make a declaration of interest where the agenda being discussed may cause a conflict of interest to arise
- *Accountability;*
 - Members of the Partnership remain accountable to the organisations they work for or represent
- *Performance and Risk Management;*
 - Any work that arises from the Partnership should have SMART objectives and a risk register
- *Financial Arrangements;*
 - It is not expected that any financial resource will sit with the Partnership. In the case that financial resource is committed, a separate (legal) agreement will be drawn up
- *Communication;*
 - The work of the Partnership is expected to be reported through Castle Point Borough Council's Cabinet and/or relevant Policy and Scrutiny Committee
- *Information governance (inc. information sharing);*
 - Any information sharing will be done so in full accordance with GDPR
- *Equality and Diversity*
 - The Partnership is an inclusive one and membership is welcome from any individual or organisation that can contribute to the aims and objectives. Where relevant, projects arising from the Partnership will have an Equalities Impact Assessment.

9. Exit arrangements

- Partners are free to exit the Partnership giving reasonable notice so as not to disrupt any projects in progress
- The Partnership may be dissolved if the majority of members feel that it is no longer serving the purpose for which it was established (see section 7 on decision making)

CABINET

26th January 2022

Subject: South Essex Parking Partnership – Proposed New Working Arrangements for New Term of Partnership Agreement

Cabinet Members: Councillor Hart – Place, Infrastructure

1. Purpose of Report

The current 11-year term of the South Essex Parking Partnership (SEPP) Joint Committee Agreement ends on 31 March 2022. The purpose of this report is to seek approval for a new offer from Essex County Council (ECC) to continue the operation into a new term under a new Joint Committee Agreement, commencing on 1 April 2022.

The proposed Agreement was considered by the SEPP Joint Committee on 28 October 2021. It unanimously supported its proposed terms and recommended that its constituent Councils formally approve them.

2. Links to Council's priorities and objectives

The strategy supports the Council's "Place" priority.

3. Recommendations

It is recommended that Cabinet agrees the proposed terms of the new offer from Essex County Council to enter into a new South Essex Parking Partnership Joint Committee Agreement from 1 April 2022.

4. Background

- 4.1 Essex County Council is the authority responsible for the enforcement of decriminalised on-street parking contraventions. Since 2011, these functions have been discharged via two Joint Committees, the South Essex Parking Partnership and the North Essex Parking Partnership.

- 4.2 The operations delivered by SEPP are governed by a Joint Committee Agreement signed up to by each of the partners – Basildon Borough Council, Brentwood Borough Council, Castle Point Borough Council, Maldon District Council, Rochford District Council, Essex County Council and Chelmsford City Council (the Lead Authority).
- 4.3 The Joint Committee Agreement also provided the scope for the Partnerships to take responsibility for the maintenance of parking related signs and lines and the implementation of new parking related Traffic Regulation Orders. These additional functions have also been accepted by both the Parking Partnerships.
- 4.4 The current Joint Committee Agreement which commenced on 1 April 2011 will expire on 31 March 2022 and a new agreement is required in order for the Partnership to continue delivering the operation from 1 April 2022 into a new term.
- 4.5 When NEPP and SEPP were set up, the on-street parking enforcement arrangements were operating at an unsustainable deficit of around £900,000 with very little investment into the maintenance of parking related signs and lines and limited funds to implement essential traffic management schemes; one of the key aims was to change this outturn position moving to a cost neutral position, and ultimately a surplus position.
- 4.6 The delegation of this function to the two Joint Committees had the benefit of the surplus remaining in the full control of the Joint Committees but also had the added risk of being responsible for any deficit to the account.
- 4.7 To manage this risk, the long-term business aims of SEPP throughout the current term of the Joint Committee Agreement were to:
- Support the core principles of the Traffic Management Act 2004
 - Achieve an overall financial account to operate parking enforcement and the Traffic Regulation Order (TRO) function at zero deficit and to provide an operational fund to invest back into the operation
 - Maintain a reserve fund in the region of £300,000
 - Partnership lead officers take all reasonable steps to ensure individual Partnership areas reduce the level of any individual deficit
 - Maintain signs and lines and TROs to an acceptable level ensuring suitable funding is available
 - Invest in innovation and initiatives to improve service delivery
- 4.8 To date the Partnership has exceeded its aims and ambitions and successfully developed an operational model which fully funds and delivers the core parking enforcement operation. The year on surplus achieved from this operation has enabled suitable funding to cover the cost of the TRO operational costs (£172,000) and provide an annual budget of £200,000 for the essential maintenance of parking related road signs and road markings and for the introduction of new parking schemes which require a new TRO.

- 4.9 The success of the Partnership has also enabled the Joint Committee to invest in new innovations and initiatives to improve the enforcement operation and customer experience. **Appendix B** provides more information on the funding and areas of investment and the benefits of Partnership working.
- 4.10 The operational and financial performance of the Partnership has provided a solid foundation to continue the operation and maintain the essential level of investment into a new agreement considering both the needs of ECC and the Partnership.
- 4.11 In November 2020 the SEPP and NEPP Chairmen received a letter from the Cabinet Member for Highways setting out an initial proposal to set up a project team with the view to providing some recommendations for a new working model to take forward into a new agreement.
- 4.12 ECC acknowledged that the Parking Partnerships had been a great success and were keen to continue this working relationship with a new proposal that would specifically include:
- a surplus sharing model for the new arrangement
 - plans and ideas for innovation and technology
 - how cost efficiencies could be delivered in future
- 4.13 A project team consisting of nominate officers from ECC, NEPP and SEPP in consultation with the NEPP and SEPP Chairmen and the Cabinet Member for Highways, collectively agreed a new working proposal for a new term of a Joint Committee Agreement.
- 4.14 New working proposal – April 2022
- 4.15 The agreed officer proposal is summarised as **Appendix A** to this report.
- 4.16 ECC Decision and formal offer
- 4.17 On 21 September 2021, a report was presented to the ECC Cabinet with a proposal to agree to enter into joint committee agreements under which the Council (ECC) delegates civil parking enforcement to the two area Joint Committees with the same areas as the current joint committees under the terms of the proposal at **Appendix A** for a period of five years with an option to extend for a further twelve months on three consecutive occasions.
- 4.18 A formal letter of offer setting out this proposal was sent to the SEPP Chairman on 17 October 2021.
- 4.19 Partner Authority approval
- 4.20 On 28 October 2021 the SEPP Joint Committee approved the proposed new working arrangements and accepted the formal offer from ECC to enter into a new Joint Committee Agreement under the terms of the proposals contained in **Appendix A**.

- 4.21 The Committee authorised the SEPP Manager to agree the terms of the new Joint Committee Agreement in consultation with each of the SEPP partner authority lead officers and the lead authority (Chelmsford City Council) legal representative.
- 4.22 Each Joint Committee Member is now asking their respective councils to formally approve continued membership of the SEPP under the terms of the new offer; this will also be subject to the new Joint Committee Agreement being signed. These decisions will be taken by each partner council no later than 31 January 2022. Each partner council has been asked to provide written notice of its decision, to the SEPP Manager, no later than 31 January 2022.
- 4.23 Conclusion
The current Joint Committee Agreement which commenced on 1 April 2011 will expire on 31 March 2022 and a new agreement is required in order for the Partnership to continue delivering the operation from 1 April 2022 into a new term.

A project team consisting of nominate officers from ECC, NEPP and SEPP in consultation with the NEPP and SEPP Chairmen and the Cabinet Member for Highways, collectively agreed a new working proposal (Appendix A) for a new term of a Joint Committee Agreement. This Council is requested formally to approve that Agreement.

5. Corporate Implications

a. Financial implications

The SEPP Annual Business Plan for 2022-23 to be presented to the Joint Committee at its next meeting will recommend the allocation of £300,000 of the Joint Committee held reserve fund to mitigate any risk of a deficit position to the Partners and this level of reserve will be maintained throughout the term of the new agreement. The level of reserve will be monitored through the quarterly meetings of the SEPP Joint Committee.

In the unlikely event that an operational deficit presents itself which cannot be contained by the current business plan then the remaining deficit will be supported on an equal basis by each of the seven members of the SEPP Joint Committee.

b. Legal implications

The SEPP Joint Committee will continue to be responsible for the enforcement of decriminalised on street parking enforcement under the terms of this new agreement.

c. Human resources and equality implications

None associated with this report.

d. Timescale for implementation and risk factors

The new agreement will become operational on 1 April 2022.

7. Background Papers:

None

Report Author: Trudie Bragg, Head of Environment

Appendix A



Proposed new working
arrangements for a new term of
the Joint Committee
Agreement.

1: Overview of recommended joint proposal

- 1.1 The proposals reflect a joint officer approach discussed by all partners for taking forward as the recommended approach for the future of on street parking arrangements in Essex.
- 1.2 The proposed operational model has been developed to introduce two financial models for different aspects of the services being provided. The first model applies to the current operational services being delivered by The South Essex Parking Partnership which are covered by the Joint Committee Agreement. The second model is for new Essex County Council (ECC) services that may be added to the Parking Partnership under separate arrangements such as a service level agreement.

2: Term of the new agreement

- 2.1 The proposed term is five years with the option to extend a further twelve months on three consecutive occasions.

3: Business model to deliver the current services covered by the Joint Committee Agreement.

For current services it is proposed that the surplus generated at the end of every financial year will be applied across three key areas split into three parts.

Part 1

- 3.1 The principle in Part 1 ensures the maintenance of a suggested deficit reserve of up to £400,000 per partnership (agreed by the Parking Partnership Managers). This level of reserve must be maintained (and topped up as appropriate) before any surplus is moved into the second and third parts. The level of reserve will be monitored through the quarterly meetings. Provided that this reserve is maintained (which is the priority), this minimises the deficit risk to all members of the partnership, which was an issue at the outset of the original joint committee agreements.

Any surplus generated after any calls to maintain the Part 1 deficit reserve at the agreed level will be split on the following basis between Part 2 (55%) and Part 3 (45%) subject to the conditions of part 2 below.

Part 2

- 3.2 Part 2 is used for local needs as set out in the annual business plan and specifically;
a) the operational and funding costs for TROs and the essential maintenance of parking related signs and lines and; b) innovation around different ways to manage parking within each partnership. This reflects the existing arrangements within the

joint committee agreement. Any capital / innovation funds required above the level agreed in the annual business plan that cannot be contained within Part 2 can be bid for in Part 3 and will be considered on merit against other county-wide priorities.

3.3 It is recognised that there are fixed and ongoing commitments in relation to ongoing TRO costs therefore any in year surplus must cover the below costs (see **table 1** below, Part 2 Breakdown). Therefore, a priority is to ensure that these costs are always covered within the 55% split.

3.4 In the event that the 55% share does not cover the required costs in the table below, those costs will be covered but the remainder will be allocated to Part 3.

Table 1 -Part 2 breakdown	SEPP
a) TRO delivery (operational and funding costs plus essential maintenance of parking related signs and lines)	*£372,000
b) Innovation to manage on street parking	*£56,000
TOTAL ANNUAL CAP	*£428,000

*These figures will be reviewed on an ongoing basis and any changes will be agreed between ECC and the Lead Authority

Note: The surplus generated in one year will be allocated for spend in the subsequent year.

Part 3

3.5 The principle in **Part 3** is to cover Essex wider strategic highways priorities and is proposed to be governed through a new Strategic Panel. It is proposed the new Panel is led by the ECC cabinet member, with the two chairmen possibly with one other member from each of the three partners. Any surplus achieved in this area from NEPP and SEPP will be directed towards county-wide priorities within the respective areas, still in line with section 55 of the RTRA 1984. ECC will work with the two Lead Authorities to develop the assessment criteria for bids for this funding. Bids will be put forward by officers from both the partnerships and ECC.

4: SEPP Operational surplus - carry forward into new arrangement

4.1 Any surplus remaining at the end of the current Joint Committee Agreement will transfer into the new arrangement but will remain the sole responsibility of the SEPP Joint Committee to determine how this surplus is used and allocated in accordance with Section 55 of the RTRA 1984.

5: Management of deficit under the new arrangement

5.1 In the unlikely event that an operational deficit presents itself, which is not able to be contained by the current business plan (i.e. the deficit reserve or by cessation of spending in part 2 and part 3 or reducing any other part of operational expenditure as appropriate), then the remaining deficit will be supported on an

equal basis by each of the seven members of the SEPP Joint Committee.

5.2 The SEPP Annual Business Plan for 2022-23 to be presented to the Joint Committee at its meeting in December 2021 will recommend the allocation of £300,000 of the Joint Committee held reserve fund to mitigate any risk of a deficit position to the Partners and this level of reserve will be maintained throughout the term of the new agreement.

6: Service delivery of other functions and new initiatives on behalf of ECC

6.1 In addition to the functions covered in the Joint Committee Agreement there is the opportunity for the Partnership to deliver other functions and initiatives on behalf of ECC.

The additional functions that have jointly been agreed in principle with the parking partnerships are:

- the rollout of the Park Safe project (to promote safe parking outside school clearways, monitored in real time by civil enforcement officers (CEOs) viewing cameras located in optimum locations close to the school)
- additional on street Pay & Display (P&D) parking

The model for these projects is detailed in detailed in **Table 2** – these are not included within Parts 1, 2 and 3 above as they will be delivered under a separate arrangement to be agreed.

Table 2

Description	SEPP
On Street P&D Parking:	All expenditure and income remains in the SEPP account and contributes to parts 1,2&3
a) existing sites	
b) additional sites	Equipment investment and on-going maintenance costs funded by ECC
	Income (P&D) to ECC; No SEPP management or operational costs to be charged to ECC but SEPP will retain all PCN income
	Where ECC don't want to pursue any proposed new sites but the Joint Committee do, the Joint Committee will fund the implementation of the schemes and the income contribute to parts 1, 2 and 3 of the new working arrangements.
Park Safe (outside schools):	Camera equipment investment and maintenance cost, plus agreed SEPP management cost for SEPP to operate the function to be funded by ECC. ECC retain PCN income

7: Possible future initiatives

- 7.1 The agreement will also set out a basis for other activities to be incorporated in the future – e.g. discretionary disabled badge holder bays, enforcement on highways outside country parks, Traffic Management Act 2004 Part 6 moving traffic offences and electric vehicle charging points, should ECC wish to pursue any of the above. This list is not intended to be exhaustive and these will be reviewed on a case-by-case basis in line with the appropriate procurement and subject to separate arrangements.

This note provides an update on the benefits of Partnership working since launching on 1st April 2011.

1. Financial aims

- Reduce the 2010/11 £378,000 annual deficit under previous agency agreements
- Achieve an overall financial account to operate parking enforcement and the Traffic Regulation Order (TRO) function at zero deficit, while maintaining a high level of service provision and supporting the core principles of the Traffic Management Act 2004
- Maintain a reserve of £300,000
- Utilize any surplus in accordance with Section 55 RTRA 1984 to create an operational fund to invest back into the enforcement and TRO function and maintain the long-term business plan.

2. Allocation of operational fund to manage the TRO function

- Surplus carefully managed to date ensuring the cost of operating the TRO function could be realistically achieved without the risk of operating the overall function in a deficit position. Since 2015 this has enabled the withdrawal of financial support from ECC for the TRO function.
- Annual TRO operational costs of £172,000 and £200,000 budget allocated annually for the essential maintenance of signs and lines and the implementation of traffic management schemes which require a TRO
- Since 2015 a total of £1,624,000 from the SEPP account has been allocated to cover these costs.
- Level of reserve to be maintained, increased from £200,000 to £300,000 to offset any future risks to the account.

3. Joint Committee approved funding from SEPP operational fund.

- £14,000 for new Response Master System
- £120,000 for new handheld computer (HHC) equipment and printers for CEOs
- £18,000 for new CCTV car and associated equipment for Basildon
- £27,000 for new CCTV body worn cameras to improve CEO safety and wellbeing
- £85,000 for replacement of on-street pay and display
- £80,000 to launch and the on-going delivery of the new School Parking Initiative (3PR) at zero cost to the schools
- £150,000 to complete a review of all existing parking restrictions for compliance and the introduction of a new digital TRO mapping system.
- £76,000 to engage in partnership working arrangements with partner councils to provide additional enforcement coverage in known problem areas outside of normal core working hours.
- £816,000 allocated to the seven partner authorities (£116,000 each) to invest in local highway and car parking schemes within their respective areas in accordance with Section 55 of the RTRA 1984

4. Improvements and projects implemented

- A Partnership working model, ensuring partners maintain an influence on local parking matters.
- Response Master System installed and linked to the Partnership Discretion Policy providing a consistent outcome and response to letters of challenge against a Penalty Charge Notice
- New virtual resident permit system introduced across all Partnership areas, offering a quick, flexible and convenient method for residents to manage their permit allocation via an on-line account.
- Central back office, central TRO team and area-based CEOs - offering consistent working practices, across the Partnership areas
- Central policies providing consistency and transparency on how and why the Partnership operates parking enforcement
- Staff welfare improvements with the introduction of CCTV body worn cameras for CEOs
- New HHC equipment, issued to all CEOs, with built in camera and real time data, streamlining and improving the administration process.
- Good working practices shared between the North and South Partnerships.
- Dedicated staff resource introduced to manage new projects, review current, new and best practice, develop and maintain the website and support the various Partnership IT functions
- Introduction of the award-winning School Parking Initiative called 3PR, the 3 parking rules [3PR UC – Care, Caution & Consideration](#)
- MiPermit cashless payment solution available on all on-street pay and display machines
- New TRO digital mapping system, all TROs across the Partnership are now digital and mapped and checked for compliance and available to view on-line via the Traffweb portal
- Off-street parking enforcement arrangements with Chelmsford, Basildon and Castle Point to deliver enforcement coverage in public car parks offering greater staff resilience and patrol coverage.
- Service level agreements with Brentwood and Maldon to utilise their community safety officers to deliver parking enforcement on behalf of and in partnership with SEPP outside of core operational hours

5. Current enforcement projects

- Enforcement of resident permit zones using Automatic Number Plate Recognition (ANPR) equipment to validate permits
- Exploring the merits of parking bay sensors for a data led enforcement approach
- Implement wave and pay credit / debit card payments on pay and display machines to move to a totally cashless solution

6. Benefits of Partnership working

- Maintaining local influence on parking and enforcement matters
- Achieving an overall financial account to operate parking enforcement and the Traffic Regulation Order (TRO), maintaining a surplus position to invest back into the operation and essential traffic management schemes.
- Maintaining a high level of service provision and supporting the core principles of the Traffic Management Act 2004
- The provision of traffic management schemes which meet the aims and objectives of the Parking Partnership and are fit for purpose
- Greater consistency of the application of TROs across the Partner areas
- A higher level of consistency with maintaining signs and lines ensuring compliance for enforcement purposes.
- Partnership lead officers contributing to the development of the Annual Business Plans, the allocation of the operational fund and the implementation of essential traffic management schemes within their respective areas
- Partnership working with partner authority community safety teams to co-ordinate joint patrols

7. Risk if a partner authority withdraws from the Partnership

One of the key benefits of the Parking Partnership has been the ability for Joint Committee Members and Lead Officers to retain influence and input regarding parking matters within their respective areas. The success of SEPP to date has been the contribution of the Joint Committee Members and Lead Officers, from each partner area, providing valuable input into the development of the Annual Business Plans, formulating high level Risk Assessments and approving policies and procedures which meet the aims and objectives of the Parking Partnership. In addition, all new proposals for new Traffic Management Schemes are subject to local decision by the respective area officers and Joint Committee Members for final decision and approval.

The Joint Committee Members recognise the benefits of this Partnership working model and have indicated support to continue into a new Joint Committee Agreement from 1 April 2021. This will enable the Joint Committee to build on the successes achieved to date and to develop the Partnership further.

Appendix B: South Essex Parking Partnership achievements and benefits of Partnership working

If a Partner Authority decides to withdraw from SEPP at any time, the delegated functions for on-street parking enforcement, TROs and signs and lines maintenance would still be delivered within that geographical area by SEPP but without an elected Member from that Authority being part of the Joint Committee.

CABINET

26th January 2022

Subject: Migration of Local Land Charges Register (LLC) to HM Land Registry (HMLR)

Cabinet Member: Councillor Johnson – Resources

1. Purpose of Report

To advise the Cabinet of the programme for the migration of the Local Land Charges Register (LLC) to HM Land Registry (HMLR).

2. Links to Council's priorities and objectives

The Housing service is explicitly linked to Council's priority of Housing & Regeneration.

3. Recommendations

3.1 That Cabinet notes the programme for the migration of the Local Land Charges Register (LLC) to HM Land Registry (HMLR) and the associated transitional and new burdens payments to facilitate the move.

3.2 That Cabinet agree to request that the programme be either HMLR or Supplier Delivery led, with full Local Authority support.

4. Background

4.1 Every local authority is required to hold a local land charges register that records obligations affecting properties within their administrative area.

4.2 In 2015, HM Land Registry (HMLR) was given the authority under the Infrastructure Act 2015 to create a single, national, digital register of Local Land Charges (LLC) across England and Wales. It is the Government's ambition that the national register becomes a trusted and guaranteed source of LLC information, containing all local authority records in England and Wales by 2025. This is a historic step forward in the ambition to make the home-buying process simpler, faster and cheaper. HMLR is working in partnership with local authorities to standardise and migrate local land charges register information to one accessible place. There are no alternative options to this national programme.

- 4.3 Anyone will be able to access the national register 24/7. Each search result will provide details of entries on the local land charges register relating to the land or property concerned.

The land charges register consists of two parts. The official register itself (LLC1), and then additional questions (CON29 questions). Local authorities will continue to provide replies to CON29 enquiries, such as nearby road schemes or outstanding notices, which may affect a purchaser's decision on whether or not to proceed.

Once the Authority's local land charges data has been migrated to HMLR members of the public will no longer be able to get a LLC1 or personal search of the register from the Authority.

5. Benefits of the register

- 5.1 The benefits of the register will be as follows:
- Guaranteed search results that provide the highest level of due diligence
 - The full spatial extent of every charge appears on the search result
 - Standard fee for each search
 - Consistent process across all LA areas.
 - Instant online search results with 24/7 access to the data, reducing delays in receiving search results
 - Unlimited repeat searches for six months to check for any new charges before completing a transaction
 - Search history dashboard giving access to previous searches at any time.

6. Programme and methods for migration

- 6.1 Castle Point Borough Council (CPBC) has been scheduled to migrate its LLC records in 2023/24. Local Authorities have been advised that they should start preparing for migration at least a year in advance of their migration date. A delivery plan is being implemented by HMLR to ensure a smooth transition and certainty about timelines for the Authority and local residents.

To commence the programme a Collaborative Agreement with CPBC has been entered into. The terms of collaboration allow HMLR to work with the Local Authority and to take data extracts prior to service migration.

HMLR will then undertake work on stakeholder analysis to understand the data currently held, the systems information is held on, the need to digitise and scan records etc. HMLR then provides CPBC with a series of reports, indicating the current condition of their digital data. This allows local authorities to estimate the number and type of amendments required and effectively programme the work.

HMLR offer 4 delivery options to the Local authority as part of the pre migration process;

1. HMLR Delivered:

- HMLR works closely with LA to compile digital dataset HMLR managed migration Full HMLR Delivery Manager resource required

2. HMLR Supplier:

- A single end to end supplier works closely with LA to compile digital dataset. The supplier manages the migration with HMLR support and supervision Moderate HMLR Delivery Manager resource required.

3. LA Delivered:

- LA self-manages delivery and compiles digital dataset HMLR provides support and tools LA has dedicated LA Advocate/Mentor Minimal HMLR Delivery Manager resource required.

4. LA Self-Serve:

- LA self-manages delivery and compiles digital dataset HMLR provides support, tools and suppliers as required Occasional HMLR Delivery Manager resource required

As the Local Authority does not have the capacity to undertake the delivery programme and there is no cost implication for utilising either Option 1 or Option 2, it is proposed that CPBC request that they proceed with either HMLR or Supplier led delivery.

The Local Authority team will then be established, led by the Land Charges Team Leader and comprising of officers from Legal, Finance, IT and Planning where required to ensure the authority fulfils its responsibilities to the agreed timescales.

7. Corporate Implications

a. Financial Implications

The cost of migrating to the central register is fully funded by HMLR and resources are free to all local authorities throughout the migration.

Castle Point Borough Council will receive £60,000 for the initial phase of the programme. Additional costs to the authority are also fully funded with a new LLC burdens fund payable within 3 months of the migration taking place.

The migration to the national programme will result in the loss of all LLC1 income. Transfer of the search of the official register will result in a loss of income to the authority of approximately £68k (based on average income over last 3 financial years).

b. Legal implications

The Land Charges Register, whether operated by Local Authorities or HMLR is a statutory function, and data must therefore be registered in a specific way. CPBC maintains a role in maintaining the register via Land Registry post migration. Whilst there are no legal implications as such, incorrectly registered data could expose CPBC to claims from customers of HMLR.

c. Human Resources and Equality

There may need to be a review of the staffing resources as a result of the transfer and a review of the service so that the fees charged for the work remaining within the authority reflects the cost of the new service.

A positive impact of the transfer is that it will make data accessible to all 24/7. An assisted digital process is proposed for anyone who cannot access the HMLR GOV.UK Service. As the Authority moves towards Go-Live, all relevant customers will be informed of the change. At this point targeted solutions will be implemented for any customers who might be digitally excluded.

d. Timescale for implementation and risk factors

Exact migration dates are not yet confirmed but work has commenced and CPBC are fully engaged with HMLR working towards the scheduled for implementation in 2023/24.

8. Background Papers:

None

Report Author: Diane Logue - Head of Housing

CABINET

26th January 2022

Subject: Treasury Management mid-year activity report

Cabinet Member: Councillor Johnson – Resources

1. Purpose of report

The Treasury Management mid-year activity report is a requirement of the Council's reporting procedures. It summarises the Council's Treasury Management activity for the first six months of the current financial year. Supporting information is provided within Annexes A and B.

The report meets the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities. The Council is required to comply with both codes through regulations issued under the Local Government Act 2003.

2. Links to Council's priorities and objectives

This report is linked to the Council's priority as an enabler.

The scrutiny and approval of the Council's Treasury Management activity demonstrates sound and strategic financial management which is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

3. Recommendation

That the Treasury Management mid-year activity report for 2021/22 is noted by Cabinet.

4. Treasury Management activity mid-year report 2021/22

4.1 Introduction

- 4.1.1 Treasury management is: *“The management of the organisation’s cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”*
- 4.1.2 The Code of Practice requires the Council to set annually a Treasury Management Strategy and Investment Strategy. The strategies for the 2021/22 financial year were approved by Council on 24th February 2021.
- 4.1.3 This report confirms that Treasury Management activity during the year to date has been undertaken in accordance with that strategy and in consultation, where appropriate, with the Council’s external adviser, Link Asset Services.
- 4.1.4 This report has been scrutinised and approved by Audit Committee on the 16th November 2021.

4.2 Borrowing

- 4.2.1 A summary of external borrowing at 30th September 2021 is shown at Annexe A.
- 4.2.2 Annexe A shows that interest paid on General Fund borrowings and on HRA borrowings for the year to date is as budgeted.
- 4.2.3 The Council’s policy on capital expenditure and borrowing is set out in the Capital Strategy section of the annual Policy Framework and Budget Setting Report, and as part of this, the affordability of new capital proposals has to be demonstrated. Borrowing can only be undertaken for the purposes of capital expenditure, and not for day-to-day revenue expenditure. The financial impact on the longer-term budget positions for both the General Fund on the Medium-Term Financial Forecast and the Housing Revenue Account on the HRA Business Plan, would need to be taken into account. Any new borrowing would result in additional interest charges to either the General Fund or HRA, as well as the need to set aside sums from those funds for future repayment of the principal.
- 4.2.4 Although borrowing rates are currently low any potential new borrowing would have to be fully justifiable in terms of the need to borrow. Additional borrowing would be considered for individual projects where for example the business case determines repayment of debt is affordable and can prudently be funded by new revenue generated.
- 4.2.5 Periodically officers explore the option to reschedule or repay current loans, however at the current time it is not viable for the Council to reschedule its debt as repayment of all current loans would incur significant premiums to do so.

4.3 Investments

- 4.3.1 The investment activity during the year to date conforms to the approved strategy, and the Council has had no liquidity issues. Investments are managed internally using only

those institutions which meet the Council's strict investment criteria, within a permissible range of periods, depending on the Council's cash flow and the interest rates on offer.

- 4.3.2 The majority of investments to date in 2021/22 continue to be in AAA-rated Money Market Funds. A Money Market Fund is a pooled source of funds invested in a wide range of short-term investments managed by an independent fund management company. Frequently these are well known banks or investment houses. AAA is the highest investment rating available and means that there is very low credit risk in an entity which is awarded that rating.
- 4.3.3 Funds may be deposited with the Debt Management Office (DMO), an executive agency of HM Treasury, with the Council starting to use this more in the current year as a result of more favourable rates being available.
- 4.3.4 With the exception of the DMO, total investments with any one institution do not exceed **£5m**. Internal guidance ensures that at least **50%** of investments at any time are placed with institutions rated AAA (or 40% for up to 5 working days a month).
- 4.3.5 The Council has not made any new investments in Government treasury bills due to very low and, more recently, negative rates of interest.
- 4.3.6 Annexe B summarises the Council's temporary investment activities for the year to date. The amount available for investment varies daily according to the Council's aggregate financial position on all activities. At the end of September 2021, the amount invested was **£39.4m** and the average amount invested for the year to date was **£40.0m**.
- 4.3.7 Annexe B also shows that the amount of interest received on investments to date is **£38k**, exactly in line with budget. The budget for the full year is **£74k**.
- 4.3.8 Investment rates earned are currently below forecast of **0.25%** but are exceeding the benchmark rate. The average rate earned is **0.19%**, and therefore higher than the benchmark 7-day LIBID rate of **-0.08%** (LIBID or the London Inter Bank Bid Rate is the rate at which major banks borrow from each other).
- 4.3.9 As some of the Council's previous investments made at better interest rates mature, the Council will not be able to make new investments at or near the previous rate. Therefore, it is expected that the average rate earned may fall further by year end.
- 4.3.10 Changes required to the interest budgets to reflect any challenges will be addressed in the forthcoming budget cycle.

4.4 Benchmarking

The current position on three benchmark indicators for 2021/22, as explained in the annual Investment Strategy, is reported as follows:

- Security - Weighted Credit Rating Score for the year to date of **6.4** exceeds the target of 4 (the scale goes from 0 to 7)
- Liquidity – Weighted Average Life is at a reasonably liquid level, currently averaging **41 days**
- Yield – interest received on investments is on target as reported above, with higher balances offsetting lower returns

4.5 Economic uncertainty

- 4.5.1 The Bank of England base rate in 2019/20 was **0.75%** and dropped to **0.25%** on 11th March 2020 and eight days later to **0.10%** where it has previously been forecast to stay for another year, although more recent signals have been that a rate increase could be seen in the near future to help control increasing inflation. The average base rate for 2021/22 so far is **0.10%** and consequently interest received is the lowest for at least twenty years. The forecast for the current and future years will be adjusted if required and included in the budget submitted to Council for approval in February 2022.
- 4.5.2 The Council will continue to adhere to strict investment criteria. Security and liquidity remain the priority and once assured the Council will then invest for yield. Officers will continue to monitor interest rates offered and seek to ensure the best return possible, without compromising security and liquidity, and within limits specified in the Investment Strategy and internal guidance.
- 4.5.3 New investments were added to the Treasury Management Strategy in 2019/20 that included deposits with other local authorities longer than one year, which we utilised in 2020/21 to benefit from interest rates considerably better than those now on offer. It is anticipated that in 2021/22 the Council may invest in other new approved investments such as corporate bond and multi-asset funds to enhance returns. Research into these funds has been undertaken in 2020/21 and it is anticipated the Council will invest in multi-asset funds before the end of the financial year.

4.6 Conclusion

- 4.6.1 The results for the six months to 30th September 2021 continue to demonstrate prudent and efficient treasury management. Although it is disappointing that interest receivable, as with other income streams, is lower than previous years this is reflective of wider market conditions. The Council will of course adjust estimates and take the necessary decisions to ensure a balanced budget is set and the Council's finances remain robust over the medium term.

5. Corporate Implications

a Legal implications

The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance, including:

- The Local Government Act 2003, and associated Statutory Instruments;
- The CIPFA Prudential Code for Capital Finance in Local Authorities;
- The CIPFA Code of Practice for Treasury Management in the Public Services.

The Council continues to comply with all of the relevant statutory and regulatory requirements.

b Financial implications

The financial implications are highlighted throughout the report.

c Human resource and equality implications

There are no new implications.

d Timescale for implementation and risk factors

Not applicable.

Report Author: Lance Wosko, Financial Services Manager

Background Papers:

- Chartered Institute of Public Finance and Accountancy: *Code of Practice for Treasury Management in the Public Services*.
- CPBC: *Treasury Management and Investment Strategy Statement for 2021/22*.

CABINET

26th January 2021

Subject: Planning Policy Update

Cabinet Member: Councillor Sheldon – Leader of the Council

1. Purpose of Report

To advise the Cabinet on the findings of the Authority Monitoring Report and Brownfield Land Register.

2. Links to Council's Priorities and Objectives

The Authority Monitoring Report sets out information that helps the Council understand how it is progressing towards achieving elements of the Council's priorities of Economy and Growth, Place and Environment.

The Brownfield Land Register contributes towards the Place priority.

3. Recommendations

- 1. That the Cabinet notes the findings of the Authority Monitoring Report 2020/21.**
 - 2. That the Cabinet notes the updated Part 1 Brownfield Land Register December 2021.**
-

4. Background

Authority Monitoring Report

- 4.1 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) an authority monitoring report has been prepared. As a minimum this should set out:**
 - a) How plan-making is progressing against the milestones in the Local Development Scheme;**
 - b) What activities have been undertaken in accordance with the Duty to Cooperate; and**
 - c) Information about housing delivery in the area, and the future housing trajectory.**

- 4.2 Additionally, authorities are required to include within the Authority Monitoring Report an Infrastructure Funding Statement because of changes made to the Community Infrastructure Levy Regulations in 2019.
- 4.3 The Authority Monitoring Report attached as **Appendix 1** covers the period from the 1st April 2020 – 31st March 2021. To this end it covers a period substantially impacted by COVID-19 and the associated restrictions. (Appendix 1 will be circulated electronically with the agenda and a copy is available in the Member Group Rooms.)
- 4.4 The Authority Monitoring Report includes the necessary minimum requirements outlined above plus additional development monitoring for non-residential forms of development such as industrial units and shops. It also includes the Monitoring Framework from the submitted Local Plan. The Monitoring Framework is set out at Chapter 21 of the submitted Local Plan. The inclusion of this in the Authority Monitoring Report at this time enables a baseline to be established for future years.
- 4.5 Key matters arising from the Authority Monitoring Report are as follows:
- As a consequence of COVID restrictions, which effectively brought a halt to construction activities for around 4 months, there was little by way of industrial development in 2020-2021. Completions are expected to be registered in 2021-2022, however, as activity in this sector has returned to normal.
 - There was a net loss of commercial floorspace in town centres as edge of centre sites and unused or underutilised upper floors have been brought forward for residential purposes, which is a benefit as it increases footfall and local spend power. There was, however, an overall increase in commercial uses within the borough because of new retail provision in the west Canvey area.
 - Town Centre vacancy levels have remained low across Castle Point despite the COVID restrictions. This reflects the strength of the mainly independent retail and leisure sector, and the national grocery sector.
 - 166 homes were provided in the year compared to a requirement for 355 homes. Despite the under provision this represents an uplift on the previous year when only 71 homes were provided.
 - Only 48% of the homes required in Castle Point have been delivered over the last 3 years. This is amongst one of the lowest levels of provision in the Country. Consequently, the presumption in favour of sustainable development applies to housing proposals in accordance with the NPPF, and a Housing Delivery Action Plan is required. A Housing Delivery Action Plan covering the period to April 2022 was put in place in January 2021. The principal action set out within the Action Plan is to put in place the Local Plan. The Local Plan increases land supply and the ability to achieve targets, including affordable homes.
 - 13 Affordable homes were delivered in 2020-21. This is an uplift on previous years. However, all these homes were delivered by the Council. No affordable homes were secured on private development

schemes. Most consents for new dwellings are below the minimum threshold for affordable housing of 10 units.

- 15 Section 106 Agreements/Unilateral Undertakings were entered into in the 2020-21 year with a total value in terms of monetary contributions of £1,086,658.88. Additionally, 17 affordable homes and 4.5ha are included within those agreements.
- At the start of the 2020/21 financial year the Council held £229,374.20 in S106 monies. Over the course of 2020-21 the Council collected a further £4,018.56 in S106 monies but spent £6,533.48. This spend was on the Essex Coast RAMS.
- At the end of the year the Council held £226,859.28. A significant proportion of this money is for healthcare and specific environmental projects. There are time limits associated with the spend of £178,058 of the money held.

4.6 These outcomes highlight the need for the council not only to deliver more homes, but to do so in a way which delivers more affordable homes for local people, and to deliver homes supported by infrastructure and environmental improvements through the more robust use of S106 Agreements and CIL, once adopted.

4.7 It should be noted that S106 monies related to County Council services such as education, libraries and highways are paid and held by the County Council and are not included in the Borough Council's Infrastructure Funding Statement. The County Council has prepared a separate Infrastructure Funding Statement for S106 monies it holds. Essex County Council publish their Infrastructure Funding Statement online at:
<https://www.essex.gov.uk/planning-advice-guidance/guidance-for-developers>

Brownfield Land Register

4.8 In April 2017, the Government published the Town and Country Planning (Brownfield Land Register) Regulations 2017. These require the Council to publish a Brownfield Land Register (BLR) every year. The Register can contain two parts; Part 1 is mandatory and should contain a list of previously developed sites where residential development is considered suitable, available and achievable. Part 2 is optional and can contain a subset of Part 1 which lists those sites where the Council has decided to allocate the land for residential development ("Permission in Principle").

4.9 The Council first approved the Brownfield Land Register in December 2017. This has been updated each year, but to date has only been changed to reflect factual changes in circumstances as follows:

- Updating the planning status of a site already on the list as a consequence of the grant of planning permission;
- Adding new brownfield sites to the list because of the grant of planning permission, or where they were included as an allocation in the Local Plan; and
- Removing sites from the list once development has been completed.

- 4.10 As a consequence of these factual updates, the total number of sites listed in the register has increased from 59 to 60. These sites have the capacity to provide around 970 homes. A list of sites on the Brownfield Register is included as **Appendix 2**.
- 4.11 As with previous registers, it is not proposed to include any sites on Part 2, whereby they would be granted 'Permission in Principle'. The preparation of a Part 2 to the register would require additional work and assessment to determine the appropriate capacity and any conditions for the development of each site. A Part 2 register would require approval by Council if progressed as it would form part of the Council's planning framework.

5. Corporate Implications

(a) Financial Implications

- 5.1 There are no costs arising from the information set out in this report.
- 5.2 There are financial implications for the Council associated with housing delivery. New Homes Bonus is only payable on homes which increase the overall number of houses in the borough by more than 0.4%. The level of housing provision achieved in 2020-21 will not give rise to a significant New Homes Bonus payment for Castle Point.

(b) Legal Implications

- 5.3 The Council is required by legislation to prepare an Authority Monitoring Report which includes an Infrastructure Funding Statement. Both the Authority Monitoring Report and the Infrastructure Funding Statement should be published each year.
- 5.4 The Council is required by legislation to prepare a Brownfield Land Register. Updates to the Brownfield Land Register must be published each year.

(c) Human Resources and Equality Implications

Human Resources

- 5.5 There are no human resource implications arising from this report.

Equality Implications

- 5.6 This report highlights low levels of provision of affordable housing. This has implications for those who are economically disadvantaged in the Borough. Economic disadvantage typically impacts those with protected characteristic to a greater degree. There is therefore a need to recognise and address affordable housing provision if Castle Point is to be a more equitable place.

(d) IT and Asset Management Implications

- 5.7 There are no IT or Asset Management Implications arising from this report.

6. Timescale for implementation and Risk Factors

- 6.1 The Infrastructure Funding Statement must be published by the 31 December as a requirement of legislation. Separately, the Council is required to update its Brownfield Land Register annual, again in line with legislation. There are risks associated with breaching legal requirements.

7. Background Papers

Town and Country Planning (Local Planning) (England) Regulations 2012
Town and Country Planning (Brownfield Land Register) Regulations 2017

Report Author: Amanda Parrott – Planning Policy Manager

Appendix 2 - Brownfield Land Register – Schedule of Sites 2021

Site Reference	Site Name Address	Hectares	Planning Status	Permission Date	Deliverable	Net Dwellings Range From	Notes	First Added Date	Last Updated Date	End Date	Planning Application Reference	SHLAA Reference 2018
CP0001	Land at Foksvile Road, Canvey Island	0.14	permissioned	17/09/2018	yes	14	Full planning permission granted. Works have commenced.	08/11/2017	30/11/2021		18/0444/FUL	S0118
CP0002	Vallee Casa, 62 Hill Road, Benfleet	0.28	permissioned	24/04/2020	yes	6	Full planning permission granted. Capacity increased to match permission. Works have commenced.	08/11/2017	30/11/2021		20/0868/FUL	S0165
CP0003	166-168 Kiln Road, Benfleet, SS7 1SU	0.08	permissioned	12/06/2019	yes	7	Full planning permission. Capacity increased to 7 to match permission. Delivery lead in time 1 year.	08/11/2017	30/11/2021		18/1063/FUL	S0247
CP0004	1a Clarence Road, South Benfleet, Benfleet SS7 1DE	0.11	permissioned	11/08/2017	yes	1	Site completed on 05/06/18.	09/11/2017		07/12/2020	17/0524/FUL	S0019
CP0005	Job Centre, 140 Furtherwick Road, Canvey Island	0.13	not permissioned			15	No current planning permission. Delivery lead in time 2.5 years.	09/11/2017	30/11/2021			S0120
CP0006	84 Vicarage Hill, Benfleet SS7 1PE	0.28	permissioned	24/04/2016	yes	2	Full planning permission granted. Existing dwelling has been demolished. Delivery lead in time 1 year.	09/11/2017	07/12/2020		15/0501/FUL	S0011
CP0007	240-244 High Road, Benfleet	0.19	permissioned	08/12/2016	yes	19	Full planning permission. Works have commenced and 18 flats have been completed so far. Final flat under construction.	09/11/2017	30/11/2021		15/0710/FUL	S0012
CP0008	Site adjacent to Pauls Court, Meppel Avenue, Canvey Island	0.07	permissioned	11/12/2020	yes	5	Full planning permission (revised application 2020). Existing dwelling demolished. Lead in time 1 year.	09/11/2017	30/11/2021		20/0664/FUL	S0048
CP0010	20 Haresland Close, Hadleigh	0.56	not permissioned			3	No current planning permission. Lead in time 1.5 years. Existing dwelling would need to be demolished. NPPF applied in terms of suitable capacity for the site.	09/11/2017				S0139
CP0011	109 Long Road, Canvey Island	0.2	permissioned	07/12/2016	yes	7	Site completed 30/10/2020.	14/11/2017		30/11/2021	15/0595/FUL	S0046
CP0012	The Island Site, High Street / London Road, Hadleigh	0.59	not permissioned			54	No current planning permission. Lead in time 2 years.	14/11/2017				S0050
CP0013	88 High Street, Hadleigh	0.02	permissioned	15/12/2016	yes	4	Site completed on 06/11/2017	14/11/2017		07/12/2020	16/0729/FUL 16/0527/CPA	S0063
CP0014	Admiral Jellico Public House, 283 High Street, Canvey Island	0.33	permissioned	23/03/2021	yes	14	Part of the site has resolution to grant full planning permission subject to Section 106 for 8 dwellings. Lead in time 1.5 years. The remaining 6 dwellings will have a lead in time of 2.5 years.	14/11/2017	30/11/2021		21/0059/FUL	S0112
CP0015	Outpatients centre, Long Road, Canvey Island	0.3	not permissioned			10	No current planning permission. Delivery lead in time 2 years.	14/11/2017	07/12/2020			S0108
CP0016	343 Rayleigh Road, Thundersley	0.13	not permissioned			10	No current planning permission. Delivery lead in time 2.5 years.	14/11/2017	07/12/2020			S0232

Appendix 2 - Brownfield Land Register – Schedule of Sites 2021

Site Reference	Site Name Address	Hectares	Planning Status	Permission Date	Deliverable	Net Dwellings Range From	Notes	First Added Date	Last Updated Date	End Date	Planning Application Reference	SHLAA Reference 2018
CP0017	125-127 High Street, Canvey Island	0.19	permissioned	14/07/2014	yes	14	Full planning permission granted at appeal. Works have commenced.	14/11/2017			CPT/490/13/FUL	S0028
CP0018	4-12 Park Chase, Hadleigh, Benfleet	0.27	permissioned	23/11/2015	yes	25	Full planning permission granted. Capacity increased from 21 to 25 to match permission. Works have commenced.	15/11/2017	30/11/2021		CPT/327/11/FUL	S0051
CP0019	Prout Industrial Estate, Point Road, Canvey Island	0.76	not permissioned			27	No current planning permission. Site area reduced to area where landowners permitted site to be included. Delivery lead in time 3 years.	15/11/2017				S0111
CP0020	Benfleet Tavern Public House, High Road, Benfleet	0.25	not permissioned			14	No current planning permission. Site area reduced to area where landowners permitted site to be included. Delivery lead in time 2 years.	21/11/2017				S0173
CP0021	West of Venebles Close, Canvey Island	0.26	not permissioned			24	Outline permission expired on 09/03/2021. Delivery lead in time 2 years.	12/09/2018	30/11/2021		16/0212/OUT	S0118
CP0022	316 London Road, Benfleet	0.22	permissioned	23/09/2016	yes	1	Full planning permission. Works have commenced.	12/09/2018	07/12/2020		16/0573/FUL	S0001
CP0023	87-97 High Street, Benfleet	0.13	not permissioned			14	No current planning permission. Permission sought for 14 flats was withdrawn. Delivery lead in time 2 years.	12/09/2018			CPT/555/13/FUL	S0014
CP0024	Point Industrial Estate (Canvey Supply), Point Road, Canvey Island	1.58	not permissioned			50	Part of policy HO26 in the emerging local plan. Delivery lead in time 3 years.	15/12/2020				S0026
CP0025	Briar Cottage, Leige Avenue, Canvey Island	0.08	permissioned		yes	11	Approval subject to Section 106 Agreement. Delivery lead in time 2 years.	10/10/2018	07/12/2020		19/0492/FUL	S0036
CP0026	Tower Radio, 573-581 London Road, Hadleigh	0.15	permissioned	10/05/2016	yes	14	Site completed 15/12/2020	12/09/2018		30/11/2021	16/0144/FUL	S0052
CP0027	82 High Street, Hadleigh	0.04	permissioned	26/04/2016	yes	6	Site completed 31/03/2021.	12/09/2018		30/11/2021	16/0107/FUL 15/0715/CPA	S0059
CP0028	231 London Road, Hadleigh	0.04	permissioned	12/04/2016	yes	6	Site completed 20/10/2018.	12/09/2018		07/12/2020	16/0069/FUL	S0060
CP0029	Beaver Doors, 211-213 London Road, Thundersley	0.07	permissioned	27/11/2015	yes	10	Site completed 31/03/2020.	12/09/2018		07/12/2020	15/0545/FUL	S0091
CP0030	Rear of 179-181 Church Road, Thundersley	0.31	not permissioned			40	No current planning permission. Permission previously granted for one property on small section of the site. Delivery lead in time 2 years.	12/09/2018			CPT/197/13/FUL	S0095

Appendix 2 - Brownfield Land Register – Schedule of Sites 2021

Site Reference	Site Name Address	Hectares	Planning Status	Permission Date	Deliverable	Net Dwellings Range From	Notes	First Added Date	Last Updated Date	End Date	Planning Application Reference	SHLAA Reference 2018
CP0031	Benfleet Police Station, 90-92 High Road, Benfleet	0.13	permissioned	05/10/2018	yes	13	Full planning permission. Delivery lead in time 1 year. Works have commenced.	12/09/2018	07/12/2020		18/0531/FUL	S0099
CP0032	Haystack car park, Long Road, Canvey Island	0.18	permissioned	09/07/2019	yes	14	Approval subject to Section 106 Agreement. Delivery lead in time 1.5 years.	15/12/2020			18/0638/FUL	S0119
CP0033	Thames Loose Leaf, 289 Kiln Road, Hadleigh	0.18	not permissioned			12	Part of policy HO22 in the emerging local plan. Delivery lead in time 2 years.	15/12/2020				S0228
CP0034	Halfords, 543-557 Rayleigh Road, Thundersley	0.41	not permissioned			32	Part of policy HO21 in the emerging local plan. Delivery lead in time 3 years.	15/12/2020				S0230
CP0035	Glendale International Ltd, 533 Rayleigh Road, Thundersley	0.27	not permissioned			18	Part of policy HO21 in the emerging local plan. Delivery lead in time 3 years.	15/12/2020				S0231
CP0037	320 London Road, Hadleigh	0.13	permissioned	21/09/2010	yes	20	Full planning permission granted. Works have commenced. Phase 1 - 12 dwellings built 2006, 20 with extant permission remain.	12/09/2018			CPT/24/05/FUL	S0249
CP0038	High Road, Tarpots Town Centre, Benfleet	0.38	permissioned	05/10/2021	yes	40	Full planning permission for 40 flats. Delivery lead in time 1 year.	12/09/2018	02/12/2021		21/0809/FUL	S0251
CP0039	286 London Road, Benfleet	0.13	permissioned	29/11/2019	yes	9	Full planning permission. Capacity increased to 9 dwellings to match permission. Delivery lead in time 1 year.	12/09/2018	30/11/2021		19/0637/FUL	S0252
CP0040	Maharaja Restaurant, 358 London Road, Benfleet	0.12	not permissioned			6	No current planning permission. Delivery lead in time 2 years.	12/09/2018				S0253
CP0041	61-69 Hart Road, Thundersley	0.11	not permissioned			2	No current planning permission. 4 existing flats on site. Delivery lead in time 2 years.	12/09/2018				S0399
CP0042	210 & 212 High Road, Benfleet	0.04	not permissioned			5	No current planning permission. Delivery lead in time 2 years.	12/09/2018				S0403
CP0043	191-193 High Road, Benfleet	0.12	permissioned	07/11/2018	yes	14	Full planning permission. Delivery lead in time 1 year.	12/09/2018	07/12/2020		18/0035/FUL	S0406
CP0044	30-32 Essex Way, Benfleet	0.1	permissioned	23/07/2019	yes	14	Full planning permission. Works have commenced.	12/09/2018	07/12/2020		18/1081/FUL	S0423
CP0045	Stafford Court Care Home, Venables Close, Canvey Island	0.33	not permissioned			0	No current planning permission. Delivery lead in time 2 years. 28 existing flats, like for like redevelopment.	12/09/2018				S0426
CP0046	364 London Road, Hadleigh	0.01	not permissioned			9	No current planning permission. Delivery lead in time 2 years.	12/09/2018			14/0525/PREAPP	S0436
CP0047	54 Beech Road, Hadleigh	0.12	permissioned	10/10/2018	yes	14	Outline permission. Delivery lead in time 1.5 years.	12/09/2018	07/12/2020		18/0661/OUT	S0437

Appendix 2 - Brownfield Land Register – Schedule of Sites 2021

Site Reference	Site Name Address	Hectares	Planning Status	Permission Date	Deliverable	Net Dwellings Range From	Notes	First Added Date	Last Updated Date	End Date	Planning Application Reference	SHLAA Reference 2018
CP0050	Walsingham House Lionel Road Canvey Island Essex	1.57	permissioned	22/07/2019	yes	32	Approval subject to Section 106 Agreement. Delivery lead in time 1.5 years. Full planning application (21/0688/FUL) received for phase 1 of the site, this is pending decision)	15/12/2020	01/12/2021		17/0964/OUT	S0441
CP0052	246-250 High Road, Benfleet	0.09	permissioned	19/09/2018	yes	11	Full planning permission. Delivery lead in time 1 year.	12/09/2018	07/12/2020		18/0366/FUL	S0445
CP0053	Garden World Plants Ltd Canvey Road, Canvey Island	0.3	permissioned	07/11/2018	yes	57	Outline permission. Delivery lead in time 1.5 years. Reserved Matters application (21/0922/RES) was refused.	15/12/2020	01/12/2021		17/1063/OUT	S0127
CP0054	6 Merton Road, Benfleet	0.26	permissioned	22/11/2018	yes	5	Site completed 25/03/2021	15/12/2020		01/12/2021	18/0763/FUL	S0159
CP0055	Nashlea Farm, Poors Lane, Benfleet	1.02	permissioned	19/01/2016	yes	7	Full planning permission. Capacity increased to 7 to match permission. Delivery lead in time 1 year.	15/12/2020	01/12/2021		20/0238/FUL	S0069
CP0056	19-27 Kents Hill Road, South Benfleet	0.2	permissioned	26/07/2018	yes	23	Full planning permission. Works have commenced.	15/12/2020	01/12/2021		17/0831/FUL	S0440
CP0057	174 Kiln Road Thundersley, Benfleet	0.06	permissioned	18/10/2019	yes	8	Full planning permission. Site is under construction.	15/12/2020	01/12/2021		19/0483/FUL	S0262
CP0058	Chase Nurseries, The Chase, Thundersley, Benfleet	0.9	permissioned	05/03/2019	yes	19	Full planning permission. Site is under construction.	15/12/2020	01/12/2021		18/0382/OUT	S0392
CP0059	117-123 London Road, Benfleet	0.17	permissioned	10/03/2015	yes	10	Full planning permission. Delivery lead in time 1 year.	15/12/2020			15/0952/FUL	S0022
CP0060	683-687 London Road, Hadleigh, Benfleet	0.08	permissioned	30/04/2020	yes	9	Full planning permission. Boundary increased in size with application. Delivery lead in time 1 year.	15/12/2020	01/12/2021		20/0172/FUL	S0336
CP0061	351-359 London Road, Hadleigh, Benfleet	0.16	permissioned	20/07/2018	yes	19	Prior notice required for change of use. Delivery lead in time 1 year.	15/12/2020			18/0424/CPA	
CP0062	363 London Road, Hadleigh, Benfleet	0.05	permissioned	31/08/2021	yes	6	Full planning permission. Capacity increased to 6 to match permission. Delivery lead in time 1 year.	15/12/2020	01/12/2021		21/0428/FUL	S0057
CP0063	244-258 London Road, Hadleigh, Benfleet	0.32	not permissioned			50	Allocated in the emerging Local Plan as policy HO32. Prior notice required for 6 flats. Delivery lead in time 3 years.	15/12/2020			17/0986/CPA	S0131
CP0064	387 London Road, Hadleigh, Benfleet	0.017	permissioned	09/05/2016	yes	4	Prior approval for change of use. Delivery lead in time 1 year.	15/12/2020			16/0190/CPA	S0062
CP0065	555 London Road, Hadleigh, Benfleet	0.08	permissioned	31/10/2019	yes	6	Full planning permission. Site under construction.	15/12/2020	01/12/2021		19/0242/FUL	S0312

Appendix 2 - Brownfield Land Register – Schedule of Sites 2021

Site Reference	Site Name Address	Hectares	Planning Status	Permission Date	Deliverable	Net Dwellings Range From	Notes	First Added Date	Last Updated Date	End Date	Planning Application Reference	SHLAA Reference 2018
CP0066	124-126 London Road, Benfleet	0.048	permissioned	09/07/2019 14/07/2020	yes	8	Prior notice required for change of use. Based on two separate applications. Capacity increased to 8 to match permissions. Delivery lead in time 1 year.	15/12/2020	01/12/2021		19/0328/CPA 20/0333/FUL	
CP0067	Hollywood, Great Burches Road, Thundersley, Benfleet	0.18	permissioned	06/06/2019	yes	4	Full planning permission. Delivery lead in time 1 year.	15/12/2020			19/0218/FUL	
CP0068	259 and 259A London Road, Hadleigh, Benfleet	0.014	permissioned	07/11/2019 13/01/2020	yes	3	Site completed 31/03/2021.	15/12/2020		01/12/2021	19/0667/FUL 19/0835/FUL	
CP0069	39-43 High Street, Canvey Island	0.09	permissioned	17/09/2021	yes	11	Full planning permission. Delivery lead in time 1 year.	02/12/2021			20/0328/FUL	S0116
CP0070	341-347 London Road, Hadleigh, Benfleet	0.22	permissioned	27/10/2021	yes	34	Full planning permission. Works have commenced.	02/12/2021			19/0697/FUL	
CP0071	599-601 London Road, Hadleigh, Benfleet	0.05	permissioned	16/03/2021	yes	5	Full planning permission. Delivery lead in time 1 year.	02/12/2021			21/0004/FUL	
CP0072	Ash House 340-342 London Road, Hadleigh, Benfleet	0.069	permissioned	11/06/2020	yes	8	Full planning permission. Delivery lead in time 1 year.	02/12/2021			20/0270/CPA	
CP0073	The Monico Bar And Restaurant 1 - 3 Eastern Esplanade, Canvey Island	0.19	permissioned	13/05/2021	yes	8	Full planning permission. Delivery lead in time 1 year.	02/12/2021			21/0190/FUL	S0201
CP0074	Hobson And Sons Ltd Kenneth Road, Benfleet	0.26	pending decision			30	Full application submitted for 30 flats. Delivery lead in time 2 years.	02/12/2021			21/0813/FUL	

CABINET

26th January 2022

Subject: Transport Strategy for the East Consultation

**Cabinet Member: Councillor Sheldon - Leader of the Council
Councillor Hart - Place – Infrastructure**

1. Purpose of Report

To advise the Cabinet on the current consultation being undertaken by Transport East in respect of the draft Transport Strategy for the East, and to seek the Cabinet's views on the proposals it contains, to inform the Council's consultation response.

2. Links to Council's Priorities and Objectives

The proposals in this report contribute towards the Council's priorities of Economy and Growth and Place.

3. Recommendations

- 1. The Cabinet note the draft Transport Strategy for the East, and the proposals contained within it.**
 - 2. The Cabinet approve the draft response to the consultation, subject to any comments arising from the Cabinet. The Cabinet authorise the Head of Place and Policy in consultation with the Leader of the Council to finalise the response to incorporate any comments arising from the Cabinet, and issue that response by the 30th January 2022 consultation deadline.**
-

4. Background

- 4.1** Transport East was established in March 2018 as a new Sub-National Transport Body to deliver a collective vision for the future of Transport in Essex, Norfolk, Suffolk, Southend-on-Sea and Thurrock. It is one of several sub-regional transport bodies established across the Country - <https://www.transporeast.org.uk/>
- 4.2** Transport East is a partnership that brings together local transport and planning authorities, and business leaders with Network Rail and National Highways. It allows the East of England to speak with one voice on the transport investment needed to drive growth and improve the quality of life for

those who live and work in region. The Chairman of Transport East is County Councillor Kevin Bentley, the Leader of Essex County Council.

- 4.3 Transport East has been working since 2018 to develop a Transport Strategy for the East using evidence and through engagement with partners and with the public. A draft of this Strategy was published on the 2nd December 2021 for public consultation. The consultation runs until the 30th January 2022.
- 4.4 Section 5 of this report summarises the Strategy and the proposals set out in the associated Investment and Delivery Programme. Section 6 of this report proposes a response to the consultation.

5. Transport Strategy for the East

- 5.1 The East of England region covers a large area with no major hub city. This means that local transport networks are important to the economy, enabling people and goods to travel about the area, and connecting the East to major transport hubs and economic centres, such as London and the Midlands. Overall, there are 140,000 businesses employing 1.67m people in the East of England.
- 5.2 The East of England is also a gateway for goods and people into the UK with 3 airports, 5 major ports, 6 regional ports and 2 new freeports. The transport networks within and through the region are therefore critical to the economic success of the country as a whole.
- 5.3 There are challenges that need to be addressed when planning for transport networks in the East. Transport is responsible for 42% of all carbon emissions in the region. Managing these emissions is critical to the achievement of climate change targets. However, sustainable transport options are not always viable with 38% of the region's population living in rural locations. Furthermore, the region comprises of 75 towns and cities meaning that people move about the place to access work and leisure opportunities. This creates congestion which exacerbates climate change emissions and local air quality issues.
- 5.4 In response to these challenges and the opportunities that the East of England has as a gateway to the UK, the draft Transport Strategy for the East has been prepared looking at the needs of transport investment across Essex, Norfolk, Suffolk, Southend-on-Sea and Thurrock up until 2050 with the vision of:

A thriving economy for the East, with fast, safe, reliable and resilient transport infrastructure driving forward a future of inclusive and sustainable growth for decades to come.

- 5.5 It has the specific aims of a region which will have:
- *Better public transport connections accessible to everyone*
 - *Places that make it easy and attractive for people to move around sustainably*

- *More reliable business and freight journeys, due to less congestion and fewer incidents*
- *A healthier, more active population – by making it easier to walk and cycle more often*
- *Cleaner, greener transport, helping to protect our local environment and the world for future generations*
- *People needing to make fewer journeys, partly due to better online connections bringing services into our homes*

5.6 In order to achieve these aims, the strategy sets out four priorities under which there are 15 goals. These priorities and goals are as follow:

Priority 1: Decarbonisation to net zero

Goal 1: Zero carbon growth – Support authorities and developers to plan new development that reduces the need for people to make carbon-intensive transport trips

Goal 2: Reduce demand for carbon intensive trips – Make it easier for people to access services locally or online

Goal 3: Shift modes – Support people to switch their journeys from private car to walking, cycling and passenger transport

Goal 4: Switch fuels – Support residents and businesses to switch all private passenger transport, fleet and freight vehicles to net zero carbon fuels as quickly as possible.

Priority 2: Connecting growing towns and cities

Goal 5: Enhanced sustainable transport – Improved access and connectivity for walking, cycling and passenger transport to enable sustainable travel for education, training, employment, leisure and access to services.

Goal 6: Faster and more reliable transport connections – Deliver improved transport connections between our growing towns, cities and corridors, and the rest of the UK to support business growth, skills development, and employment.

Goal 7: Fully integrated transport – Fully integrate transport networks, services and operations through a customer-focused approach, enabling seamless and safe end-to-end journeys by sustainable modes of transport.

Priority 3: Energising coastal and rural communities

Goal 8: Increase access to education, training, services and employment for rural communities – Support residents and businesses travelling in rural areas to switch modes or fuels. Support communities to make more local trips by encouraging goods and services to be provided locally. Support partners to provide alternative options to travel through better access to ultrafast broadband and digital communications.

Goal 9: Improve connectivity along our coastline – Connect our coastal communities to the rest of the region and the UK to support levelling up and boost our coastal industries, such as energy, shipping and tourism.

Priority 4: Unlocking international gateways – Ports

Goal 10: Better access – Improve road and rail capacity, journey times and reliability for freight and passengers accessing our ports.

Goal 11: Alternative fuels – Support our ports and freight sector to increase their use of alternative fuels.

Goal 12: Shift modes – Modal shift of freight from road to rail or short sea shipping and increase the use of sustainable transport by port employees and passengers.

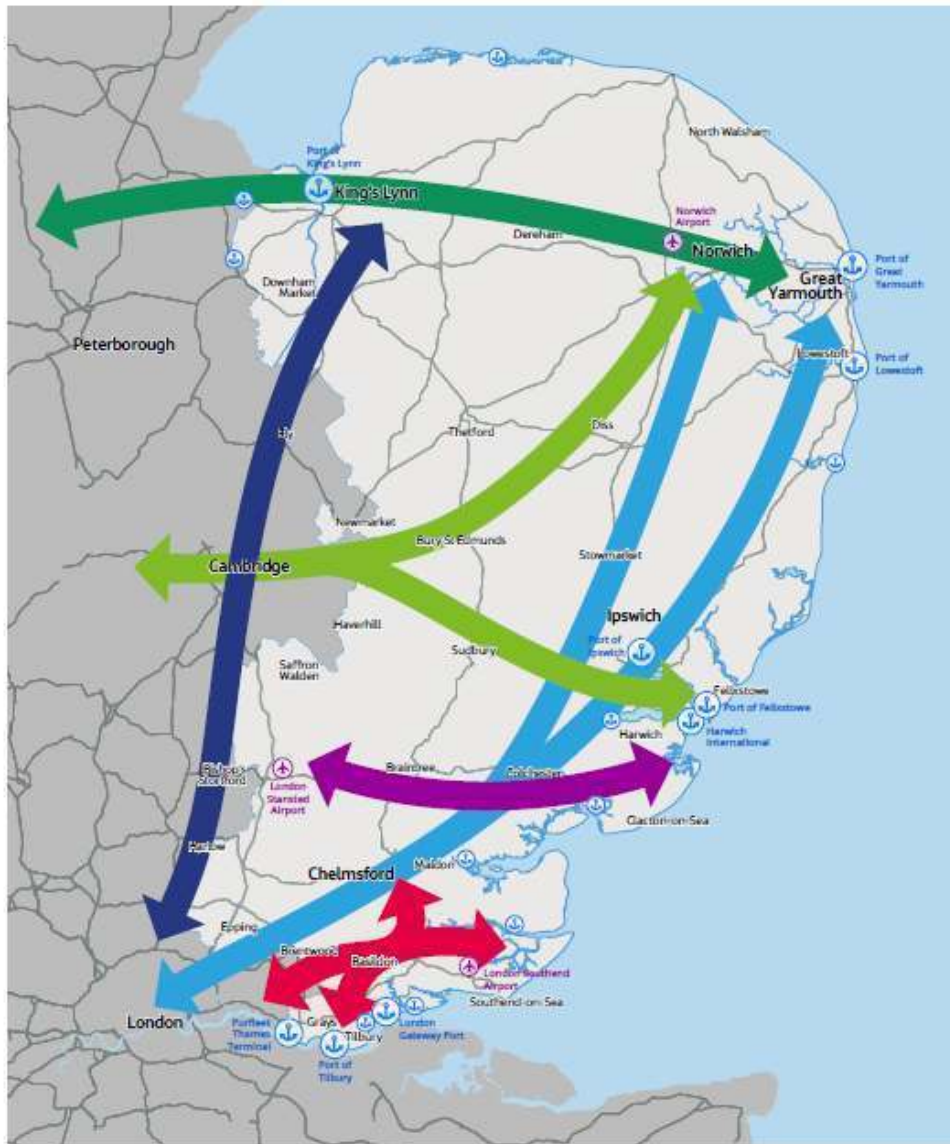
Priority 4: Unlocking international gateways – Airports

Goal 13: Enhanced connectivity to airports – Improve connectivity to airports for passengers and employees through better connected and more sustainable transport options.

Goal 14: Net Zero aviation emissions – Support the Government and aviation industry to deliver net zero emissions by 2050.

Goal 15: Shift modes – Support passengers and employees to access our airports by sustainable transport, such as by bus or train.

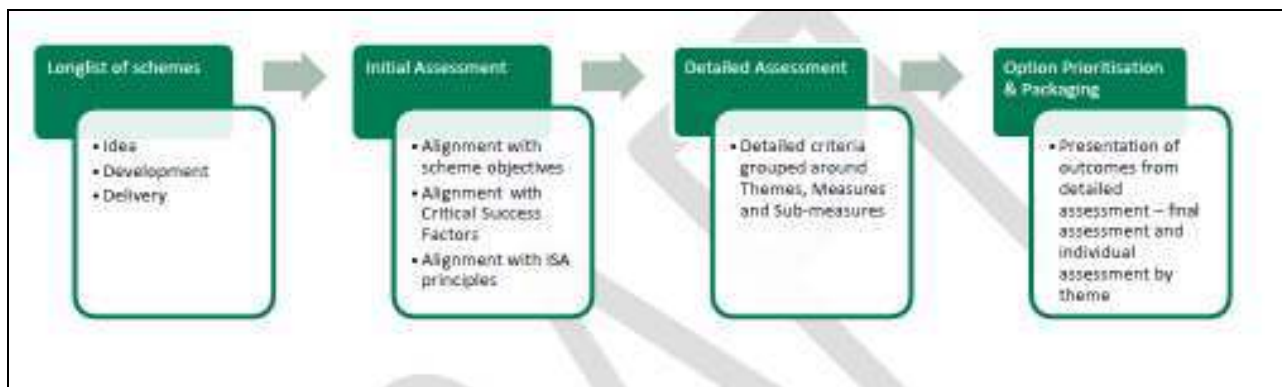
- 5.7 These priorities and goals are underpinned by key actions and a framework within which individual transport projects/schemes can come forward whilst delivering the priorities of the strategy. The transport projects/schemes intended to deliver the strategy are organised around 6 key corridors, as shown in the map below. Castle Point is located within the South Essex Corridor to the south of the Region.



5.6 The Investment and Delivery Programme which accompanies the Strategy identifies 56 priority projects/schemes to be delivered in order to achieve the visions and aims of Strategy. These have been put in one of three categories:

- 'Ideas Pool' – projects that could deliver identified strategic priorities but are not yet sufficiently advanced.
- 'Development Pool' – projects that are in development and have already been subject to a feasibility study
- 'Delivery Pool' – projects where the development of a business case has achieved programme entry for delivery funding.

5.7 It is expected that projects/schemes will go through an options assessment approach to progressing from the 'Ideas Pool' to the 'Delivery Pool' over the lifetime of the Strategy, consistent with the approach taken by the Department for Transport in terms of business case development for transport funding. The Options Assessment process is as follows:



5.8 A schedule of the projects/schemes currently included within the strategy is set out in appendix C of the Investment and Delivery Strategy. An extract setting out the schemes in South Essex is provided below. Of relevance to Castle Point is the inclusion of *Improved Access to Canvey*, the *A127*, *South Essex bus metro-rapid transit* and *Southend Rapid Transit* in the schedule.

E South Essex Corridor				
Ref	Priority Project	Stage	Timescale	Brief Description
E1	A1306 improvements and bus priority	Development	0 - 5	Reducing congestion and rat-running on local roads. Providing bus priority and walking and cycling infrastructure
E2	M25 junction 30 capacity enhancements	Idea	5 - 10	Major capacity enhancements at J30, potentially a grade separated link from the A13 to the M25 north, to address current congestion and enable future growth in Thurrock, South Essex and the Thames Estuary areas.
E3	Essex Thameside improvements (identified in Essex Thameside study)	Idea	5 - 10	A number of passenger and freight improvements were identified in the Essex Thameside Study. These include signalling enhancements, train lengthening, increased standing density on trains through fleet reconfiguration, improvements to stations and electrical power and capacity upgrades for freight services
E4	A127 strategic package	Development	5 - 10	Capacity and safety improvements including sustainable options and potential re- trunking of the A127 and schemes to address local pinch points linked to the delivery of growth along the corridor.
E5	A127 Outer Relief Road - Southend and Essex	Idea	5 - 10	New link from Southend Airport to Rettendon Turnpike.
E6	A127 Northern Relief Road - Southend and Rochford	Idea	5 - 10	New and upgraded A127 between A127 / B1013 Tesco junction towards Shoeburyness.
E7	Southend Congestion Relief	Development	0 - 5	Reduce congestion on local roads thereby improving journey times

	Package			on key routes in Southend and to London Southend Airport
E8	South Essex bus metro - rapid transit	Idea	5 - 10	Rapid transit linking existing settlements and destinations alongside providing flexibility to extend to new areas being planned in the sub-region. Picking up Havering, Thurrock, Brentwood, Basildon, Southend and Chelmsford.
E9	Upgrade Wickford to Southminster line	Idea	5 - 10	Provision of passing loops and/or twin tracking to enable increased frequency of services to two trains per hour between Wickford and Southminster encouraging modal shift.
E10	GEML Rail Link to London Gateway	Idea	10+	Long term proposal to remove rail freight from London.
E11	Southend Airport Access Package	Idea	0 - 5	Integrated package to support access to Southend Airport – could be linked into local growth proposals. Potential to develop airport as a transport hub.
E12	Harp House roundabout improvements	Development	0 - 5	Pinch point Scheme to improve congestion and access to Southend Airport. Delivery timescale March 2024
E13	Improved access to Canvey	Idea	0 - 5	Improved or new access to Canvey Island including improved sustainable transport links.
E14	Southend Rapid Transit	Idea	5 - 10	Tram network linking to Rochford, Rayleigh, Shoeburyness and Hadleigh.
E15	A13/A126 east facing slips	Development	0 – 5	The scheme aims to achieve a step-change in connectivity, improve the operation of the highway network by reducing congestion, achieve environmental improvement for local communities and to provide capacity for planned growth. The scheme seeks to address the lack of a direct east facing connection from the strategic A13 towards the major Lakeside Basin commercial and retail area in West Thurrock. Access is currently along congested local roads, or by using the west facing access at the A13/A126 interchange and U-turning at M25 Junction 30, increasing congestion at that location.

- 5.8 Due to the need for many of the proposals for South Essex to pass through the options appraisals process, the timescale for delivery in the main is 5-10 years.
- 5.9 The Cabinet will note that Improved Access to Canvey is identified as a proposal to be progressed in the first five years. This not only reflects the

challenges faced by Canvey in terms of accessibility, but also reflects the employment opportunities related to the new Freeport being created in Thurrock. The Freeport presents a unique opportunity to accelerate proposals and secure improved access to Canvey Island under the priorities set out in the Transport Strategy for the East.

6. Proposed Consultation Response

- 6.1 The Transport Strategy for the East is one of several transport strategies being created for regions in England, with earlier strategies prepared in this way having been successful at securing funding for projects and schemes. It is therefore recommended that the Council welcomes the regional approach to transport planning which allows all the different parties in the East of England to speak with one voice when securing funding.
- 6.2 It is also recommended that the Council welcomes the identification of South Essex as a distinct transport corridor with its own transport investment needs, and the inclusion of the 15 priority projects within South Essex set out in the Investment and Delivery Plan.
- 6.3 It is further recommended that specific support for projects that will benefit Castle Point in particular is expressed, namely Improved Access to Canvey, the A127 strategic package, the South Essex bus metro -rapid transit, and the Southend Rapid Transit.
- 6.4 In terms of the strategy itself, Castle Point is an area which experiences transport congestion, and some communities, especially on Canvey Island are isolated from opportunities for employment and learning. Furthermore, there are parts of Castle Point which are more susceptible to the impacts of climate change. It is therefore recommended that the vision, aims, priorities and goals of the strategy are supported by the Council, as over the medium to long term decarbonisation and better connectivity by a variety of transport means will be critical to the success of the communities and towns in the Borough.
- 6.5 A draft of the intended response based around these considerations is provided at Appendix 1.

7. Corporate Implications

(a) Financial Implications

- 7.1 There are no financial costs associated with responding to this consultation.

(b) Legal Implications

- 7.2 There are no legal implications associated with responding to this consultation.

(c) Human Resources and Equality Implications

Human Resources

- 7.3 There are no human resource implications associated with responding to this consultation. The response has been prepared and will be finalised and issued by existing personnel.

Equality Implications

- 7.4 An Integrated Sustainability Appraisal (ISA) has been prepared to accompany the Transport Strategy for the East. This incorporates an Equality Impact Assessment pursuant to section 149 of the Equality Act 2010, as amended.
- 7.5 Equalities is an assessment objective within the ISA, and the Strategy has been assessed and modified to ensure that consideration has been given to those who are economically disadvantaged or otherwise have the potential to be disadvantaged by protected characteristics.

(d) IT and Asset Management Implications

- 7.5 There are no IT implications associated with responding to this consultation.

8. Timescale for implementation and Risk Factors

- 8.1 The consultation closes on the 30th January 2022. To have an influence over the final Transport Strategy for the East it is important that the Council responds to the consultation by that date.
- 8.2 There are no significant risks associated with responding to this consultation. There is however a risk to reputation if the Council fails to respond to this consultation. The Strategy includes proposals such as Improved Access to Canvey Island which are important for residents, and the Council should be working with partners to secure such improvements and will be subject to criticism if it does not.

9. Background Papers

Draft Transport Strategy for the East - www.transporeast.org.uk/wp-content/uploads/TransportEastStrategy.v6.pdf

Draft Investment and Delivery Programme - www.transporeast.org.uk/wp-content/uploads/202111-Final-IDP-1.pdf

Integrated Sustainability Appraisal - www.transporeast.org.uk/wp-content/uploads/ISA-Main-Report-Final-Update-v.2.pdf

Report Author: Amanda Parrott, Planning Policy Manager



Place and Policy
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Thundersley, Benfleet
Essex SS7 1TF
Tel: 01268 882200

By email: transporteastconsultation@jacobs.com

27th January 2022

Dear Sir or Madam,

Consultation response in respect of the Draft Transport Strategy for the East

Please accept this response to the consultation on the draft Transport Strategy for the East on behalf of Castle Point Borough Council.

The Council welcomes the production of this Transport Strategy as a means by which to secure infrastructure investment in the regions transport networks.

In particular, Castle Point Borough Council is pleased that a Transport Strategy for the East of England has been developed which recognises the role that the transport network in the region plays in terms of both the local and national economies.

It is also good to see that the Transport Strategy recognises that the East of England is made up of many towns and cities between which people travel for work and leisure. The nature of the East of England means that the transport network is key to the lives of local residents, and it is critical that congestion within and between places is managed to both improve the quality of life for residents, and to contribute to better environmental outcomes both locally and in tackling climate change.

The Council has reviewed the vision, aims, priorities and goals of the Transport Strategy and is supportive of its approach to delivering transport improvement within the East of England to make a marked difference by 2050 both in terms of how people move but also in terms of the environmental impacts of such movements.

The Council has also reviewed the associated Implementation and Delivery Programme, noting the criteria for the selection of projects to achieve the priorities of the Transport Strategy, and the schedules of projects included with the appendices. The Council welcomes the schedule of projects identified for South Essex, in particular the proposals for improved access for Canvey Island, the A127 Strategic Package, the South Essex bus metro and the Southend Rapid Transit.

The Council itself considers improved access to Canvey Island a key priority and has incorporate this proposal in its emerging Local Plan. Canvey Island is peripheral to public transport services and experiences severe peak time congestion due to the existing access arrangements. It is also a coastal community where employment deprivation and economic deprivation is higher than elsewhere, and participation in post-16 education is lower than the Essex average. It is therefore critical to the wellbeing of residents and their outcomes that opportunities to access education and job opportunities are improved. The new Thames Freeport provides these types of opportunities and improved access to Canvey Island would enable more direct access to the training and employment opportunities that this development creates.

The Council is also highly supportive of the inclusion of the A127 Strategic Package, and other improvements to the A127, within the schedule of prioritised projects. The A127 is a key strategic route linking places and employment opportunities in South Essex, including the Basildon Enterprise Corridor and London Southend Airport. This key route carries large volumes of traffic every day and is subject to peak time congestion which has resulted in parts of the route being identified as an Air Quality Management Area as part of the national plan to manage Nitrogen Dioxide levels. A package of improvements which eases congestion and improves the environmental quality of this route is therefore welcomed and aligns strongly with the priorities of the Transport Strategy related to connecting growing towns and cities and unlocking international gateways.

Another component of the priority projects that the Council is supportive of is the South Essex bus metro rapid transit and the Southend Rapid Transit. Castle Point finds itself on a through-route for some services, however parts of Castle Point such as South Benfleet and Canvey Island are peripheral to public transport services. Furthermore, the services which do extend into Castle Point currently do not connect to key employment locations along the A127 Corridor in Basildon and Southend, to the ports in Thurrock or to Chelmsford. There is scope for the South Essex bus metro rapid transit to substantially increase the ability of residents in Castle Point to travel to work by public transport contributing towards modal shift and the priority of securing decarbonisation.

To conclude, Castle Point is supportive of the Transport Strategy for the East and its associated Investment and Delivery Programme. The Council is particularly supportive of those priority projects identified above and is prepared to work with Transport East and partner organisations to help ensure their timely delivery.

Castle Point is, with partner authorities in the Association of South Essex Authorities, including Essex, Southend-on-Sea and Thurrock as local transport authorities, preparing development frameworks and delivery plans for investment in local strategic transport infrastructure that will achieve the aims of the Transport East strategy.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'Ian Butt', is written over a light grey rectangular background.

Ian Butt

Head of Place and Policy

CABINET

26th January 2022

Subject: Community Infrastructure Levy Charging Schedule

Cabinet Member: Leader of the Council

1. Purpose of Report

- 1.1 In [November 2019](#), the Cabinet resolved to put in place a Community Infrastructure Levy (CIL) for Castle Point ([minute no. 58](#)). A draft Charging Schedule was reported to the Cabinet in [October 2021](#). At that meeting it was agreed to undertake consultation on the draft Charging Schedule ([minute no. 34](#)).
- 1.2 This report sets out the outcomes of that consultation and recommends that the CIL Charging Schedule, attached as appendix 2, is approved for examination and is approved for publication and to come into effect in accordance with the Planning Act 2008, if the examination finds the proposed rates appropriate and does not recommend modifications.

2. Links to Council's priorities and objectives

- 2.1 CIL contributes directly to the Council's **Place** priority by delivering the financial resources necessary to deliver infrastructure projects. There are potential overlaps with the Council's **People** and **Environment** priorities as CIL can be used on a variety of infrastructure types including education, health, community and sport facilities and open spaces. CIL is an enabler under the **Resources** heading.

3. Recommendations

1. The Cabinet notes the outcomes of the consultation carried out pursuant to Regulation 16 of the CIL Regulations 2010.
2. The Cabinet recommends to Council that it:
 - a. Approves the submission of the Community Infrastructure Levy Charging Schedule attached as Appendix 2 to the Planning Inspectorate for the purposes of examination in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) and the Planning Act 2008.

- b. **Authorises the Head of Place and Policy, and suitably qualified officers and consultants as he approves, to represent the Council in the examination of the Community Infrastructure Levy Charging Schedule, and undertake any work deemed necessary for that examination.**
 - c. **In the case that the examiner does not recommend changes to the rates proposed in the submission Community Infrastructure Levy Charging Schedule, the CIL Charging Schedule attached as Appendix 2 is Approved for publication and to come into effect. The Chief Executive and Head of Place and Policy, in consultation with the Leader and Deputy Leader, are authorised to publish and set a date on which the Community Infrastructure Levy will come into effect, as soon as is practical after the receipt of the examiner's report.**
 - d. **In order to enable the Chief Executive and Head of Place and Policy to implement recommendation c, they are authorised, in consultation with the Leader and Deputy Leader, to make minor editorial changes to the Community Infrastructure Levy Charging Schedule as necessary to indicate that it is the final version and will come into effect on a specified date.**
 - e. **In the case that the examiner does recommends changes to the rates proposed in the submission Community Infrastructure Levy Charging Schedule, require the Chief Executive and Head of Place and Policy to report back to Council on the examiners recommendations as soon as practical after its receipt, so that a further decision can be taken on the implementation of the Community Infrastructure Levy.**
- 3. The Cabinet requests the Place and Communities Policy and Scrutiny Committee to review in detail the Governance options for the expenditure of CIL monies and report back on a recommended arrangement.**
-

4. Background

- 4.1 The Community Infrastructure Levy (CIL) was first introduced by the Planning Act 2008, as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. For the purposes of CIL, infrastructure is defined at section 216 of the Planning Act 2008 to include:
- Roads and other transport facilities
 - Flood defences
 - Schools and other education facilities
 - Medical facilities
 - Sporting and recreation facilities

- Open spaces
- 4.2 The CIL is a charge which can be levied by local authorities on new development in their area. The levy rates are set out within a CIL Charging Schedule, where the local authority can set various rates for a range of different development types and locations.
- 4.3 Local authorities can choose to introduce a CIL depending on the local circumstances of the area. At its meeting on the [20th November 2019](#), Cabinet resolved:
- 1) That the Cabinet confirms the process to introduce CIL
 - 2) That further reports are made to Cabinet on progress, and to Council to approve the draft Charging Schedule and Section 123 (Planning Act 2008) Schedule prior to public consultation.
- 4.4 The regulatory process for producing a CIL Charging Schedule is set out within the CIL Regulations (as amended) 2010, which came into force on 6th April 2010. Regulation 16 of the CIL Regulations requires public consultation to be undertaken on the draft CIL Charging Schedule. This is the only public consultation required prior to its submission for independent examination.
- 4.5 The CIL rates should be set at a level which ensures that they will not render new development in the area financially unviable, and once adopted the rates set are non-negotiable. Exemptions and discretionary relief can be applied in certain circumstances. Funding obtained through the Levy should be used to deliver infrastructure needed to support development in the area. To charge a CIL the Council must be able to demonstrate that there is an infrastructure funding gap in the area.
- 4.6 In [October 2021](#), the Cabinet received a report setting out the evidence of need for, and potential to charge a CIL. The evidence comprised:
- Infrastructure Delivery Plan (IDP) 2020 which identifies an infrastructure funding requirement of £96m and a funding gap of £38m
 - CIL Viability Study 2021 which identifies the potential to charge CIL on residential and retail developments, albeit at different rates without rendering those forms of development unviable.
- 4.7 Based on that evidence the following CIL Charging Schedule was recommended to the Cabinet, for the purposes of undertaking consultation in accordance with Regulation 16 of the CIL Regulations.

Table 1: Proposed CIL Rates at Regulation 16

Development type	CIL rate per sqm
Residential housing within the Mainland (including Benfleet, Thundersley and Hadleigh)	£250
Residential housing within Canvey Island	£120
Residential flat within the Mainland (including Benfleet, Thundersley and Hadleigh)	£90

Residential flat within Canvey Island	£30
Sheltered / Retirement and extra care housing	£0
Convenience ¹ retail for the first 800 sqm gross internal area	£200
Convenience retail for each sqm metre over 800 sqm gross internal area	£50
Comparison ² retail outside of the town centre boundaries	£200
All other development	£0

- 4.8 At the meeting of the Cabinet in October 2021, it was agreed to undertake consultation on the proposed CIL rates set out above.
- 4.9 The CIL rates for Canvey Island are lower than for the rest of the Borough. This reflects the differences in viability between the two areas. The soundness test for CIL is, like a local plan, based on evidence that justifies the rates that have been set.
- 4.10 The viability assessment tested a wide range of development typologies (i.e. flats or houses) and locations. The conclusions were clear that development values on the Canvey Island could not support a higher rate of CIL. Therefore, the dual rate is required.
- 4.11 To proceed with the same rate as is currently proposed for Benfleet, Hadleigh and Thundersley on Canvey Island would put CIL for the whole borough at risk, thereby, causing significant delay in introducing CIL and securing infrastructure investment.
- 4.12 The Council could choose to apply the same rates across the borough by using the lowest viable rates i.e. charging the rates proposed for Canvey across the whole of Castle Point. This would however result in the Council missing out on higher receipts from sites in Benfleet, Hadleigh and Thundersley. Where the Council misses the opportunity to optimise CIL, the money that is not collected becomes part of the developers' profits, at the expense of local infrastructure provision.
- 4.13 CIL can be reviewed, and officers will monitor viability, and if the position changes, then a further report can be made to Cabinet or the Scrutiny Committee which could trigger a review.

5. CIL Consultation

- 5.1 Consistent with the national Planning Practice Guidance regarding the preparation of a CIL and the requirements of the Council's Statement of Community Involvement the consultation on the Draft Charging Schedule took place for a period of just over 4 weeks, from the 3rd November until 3rd December 2021.
- 5.2 The consultation was undertaken in accordance with the details set out in section 9 of the report to Cabinet in [October 2021](#). In summary:

¹ Convenience retail provides lower value good purchased regularly to meet day to day needs such as food, newspapers, petrol etc.

² Comparison retail provides higher value goods purchased less often, such as household items, electrical goods, clothes, shoes etc.

- The draft CIL Charging Schedule and an explanatory information booklet was made available online and in hard copy format at the Council Offices.
 - The consultation was promoted on all of the Council's social media outlets, and through an advert in the local press.
 - Statutory consultees were written to directly notifying them of the consultation. Additionally, service providing organisations, including third sector organisations, and those involved in the local construction/development sector were written to directly.
- 5.3 A Consultation Statement comprising details of the approach taken to consultation is included as appendix 1.
- 5.4 A total of 20 separate responses were received to the consultation. This included one representation that was signed by an additional 55 people. Based on experience elsewhere in Essex, this is consistent with the level of response seen in other areas. Those responding were generally involved in the construction/development sector and are likely to be impacted financially through the introduction of CIL.
- 5.5 Each of the consultation responses has been reviewed by officers. Additionally, where matters related to the Viability Assessment were raised the Council's viability consultant has been engaged to review the comments and provide specialist advice. The responses and a response to each of the comments is included within the Consultation Statement.
- 5.6 The following key issues were raised through the consultation:
- How the Viability Study (VS) has considered the impacts of Covid-19, Brexit, and the recent Stamp Duty holiday, and the approach to sensitivity testing associated with these issues.
 - How the VS has considered the potential impacts arising from recent national planning policy and legislation changes, including the Future Homes consultation regarding changes to Part L and Part F of the Building Regulations.
 - Taking into account existing section 106 infrastructure costs upon development in the area, in addition to a Levy.
 - Consideration of an appropriate benchmark land value within the VS.
 - The size of the financial viability buffer included.
 - Queries relating to calculations within the VS included:
 - Housing type and sizes considered.
 - Approach to assessing sales values.
 - The level of external costs, site opening up costs, and abnormal costs to be considered.
 - Overall building costs considered, particularly relating to recent increases in the costs of labour and materials.
 - The amount of professional fees included.
 - Comments specifically relating to the proposed CIL rates included the following:
 - Concern that the proposed CIL rates were too high.
 - Concern that the proposed rates would reduce the delivery of new housing in the area.

- Concern regarding the difference in proposed rates between Canvey Island and the Mainland.
 - Approach to considering Levy rates for greenfield and brownfield sites.
 - Inclusion of CIL rates for different types of development.
 - Support for the draft Instalments Policy.
 - Support for the inclusion of a discretionary relief policy.
- 5.7 As a consequence of the consultation on the CIL and the additional work undertaken to review those comments, it is considered that there is no need to amend the proposed CIL Rates. It is recommended that the CIL rates proposed in October 2021 remain unchanged and are progress for submission for independent examination. The CIL Charging Schedule recommended to the Cabinet is included as Appendix 2.
- 6. Next Steps in Progressing the CIL**
- 6.1 Having carried out consultation on the draft charging schedule and considered the matters raised in the response to the consultation, the Council is now able to progress the proposed CIL charges to independent examination. The independent examination process typically takes between 3 and 6 months.
- 6.2 The purpose of the examination is to ensure that the CIL charges proposed are reasonable having regard to the evidence of need for a CIL and the evidence of the impacts on viability of introducing the CIL charges proposed.
- 6.3 The examination is carried out independently of the Council typically by an Inspector from the Planning Inspectorate. The Inspector will consider the representations made at Regulation 16 and will hear statements from any of those parties who made representations at Regulation 16 on matters related to their concerns regarding the proposed CIL charges.
- 6.4 To conclude their examination, the Inspector will produce a report which sets out their findings and recommends whether the charges proposed are appropriate or should be modified in any way.
- 6.5 Subject to any modifications proposed by the Inspector, the final CIL Charging Schedule needs to be published with an effective date. The effective date is the date on which the CIL comes into effect. Any applications decided from that date are CIL liable, subject to any specified exemptions in the Regulations.
- 6.6 To progress these next steps, the Cabinet is asked to recommend the draft Charging Schedule at Appendix 2 to the Council. The Council will be asked to:
- Authorise the submission of the draft CIL Charging Schedule for examination.
 - Authorise the Head of Place and Policy, and appropriate officers as he appoints, to undertake all tasks as necessary to represent the Council in the examination of the CIL Charging Schedule.
 - Approve the CIL Charging Schedule for publication and to come into effect, assuming that the examiner's report does not recommend modifications to the proposed CIL Charging rates.

- Authorise the Head of Place and Policy to set an effective date for the implementation of CIL, assuming the Inspector's report does not recommend modifications to the CIL Charging Rates.

6.7 The above assumes that the Inspector does not recommend modifications to the proposed CIL Charging Rates. Seeking these authorisations at this time will allow the CIL to come into effect as quickly and as seamlessly as possible.

6.8 However, if modifications are proposed by the examiner, resulting in the rates set out in the CIL Charging Schedule changing, it is proposed that the amended Charging Schedule be reported to Council for approval for publication and effect to ensure appropriate oversight by Members. Whilst officers will endeavour to do this as soon as possible after the receipt of the examiners report, it is inevitable that any modifications will delay the implementation of the CIL by a short period.

7. The implementation of the Community Infrastructure Levy

7.1 Setting the CIL charging rates is but the start of the process. The way in which CIL is implemented is critical to how successful it is in delivering infrastructure within the local area.

Monitoring and Collection

7.2 When CIL comes into effect, the Council will need to monitor development carefully, issuing liability notices to all developments that need to pay CIL, and demand notices when CIL payments become due. Inevitably it will have to take enforcement actions against those who do not pay what is due.

7.3 To this end, the Council will need to implement new operational processes to ensure that it is ready to monitor development and collect CIL as soon as it comes into effect, effectively and efficiently.

7.4 To allow for councils to implement CIL, they are permitted to keep up to 5% of CIL receipts for implementation purposes. The Head of Place and Policy is seeking to use a proportion of this resource to put the IT systems and officers in place to enable the effective collection, monitoring and expenditure of CIL on infrastructure projects in the Borough.

Relationship with S106 Agreements

7.5 The introduction of CIL does not prevent the Council from using S106 Agreements to secure elements of infrastructure provision and funding. Indeed, this is assumed in the viability assessment work that has been undertaken, and so have been factored into the setting of the proposed CIL Charging Rates.

7.6 Regulation 122 of the CIL Regulations 2010 (as amended) set out the criteria that apply for using S106 Agreements, which are as follows:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

- 7.7 It is recommended that the Council continues to seek S106 Agreements for infrastructure provision which can be directly linked to the development and is proportionate in scale. For example, school place funding. It is also the intention of the County Council to continue to use agreements under S278 of the Highway Act to secure direct delivery of highway improvements arising from developments.
- 7.8 The table below provides an indication of where S106 contributions will continue to be sought and where CIL could be used, subject to the prioritisation of CIL spending by the Council.

Section 106 Contributions	CIL Contributions
Schools and other education facilities	
<ul style="list-style-type: none"> • Education – Early Years and Child Care • Education – Primary • Education – Secondary • Education – Post 16 (in schools) • Hadleigh Library – redevelopment and enhancement 	<ul style="list-style-type: none"> • Education – Post 16 (non-school providers) • Adult employment, skills and training facilities in Castle Point • Other Library provision and/or enhancements in Castle Point
Medical Facilities	
<ul style="list-style-type: none"> • On-site provision of healthcare facilities • Contributions towards off-site facilities that would serve the proposed development 	<ul style="list-style-type: none"> • NHS Estates Plan for Castle Point where not secured through S106
Open Spaces	
<ul style="list-style-type: none"> • On-site open space provision, management and maintenance • Local off-site open space in lieu of on-site provision 	<ul style="list-style-type: none"> • South East Essex Park (SEEPARK) delivery in Castle Point where not secured through S106
Sport and Recreational Facilities	
<ul style="list-style-type: none"> • Local Football Facilities Plan (Appleton School, Deanes School, Waterside Leisure Centre, King George's playing field) • On site indoor sports provision • Reprovision or compensatory provision of lost playing pitches 	<ul style="list-style-type: none"> • Playing Pitch Strategy – non football elements • Built Facilities Strategy where not secured through S106 • Community space provision and/or enhancements in Castle Point
Flood Defences	
<ul style="list-style-type: none"> • On-site SUDS and other measures to deliver site level drainage strategy 	<ul style="list-style-type: none"> • Surface Water Management Plan Projects in Castle Point
Roads and other transport facilities	
<ul style="list-style-type: none"> • Any transport schemes required to deliver any site • Any public transport schemes required to deliver any site • On-site cycle and walking network infrastructure, and connections into wider network • Other measures as identified as necessary through a site level Transport Assessment 	<ul style="list-style-type: none"> • Strategic Transport Projects • Sustainable Transport Projects
Other matters – list is not exclusive but is indicative of common requirements	

<ul style="list-style-type: none"> • Biodiversity Net Gain • Essex Coast RAMS • Landscaping provision, maintenance and management • Heritage Assets – enhancement, protection, maintenance and management 	
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- 7.9 In order to ensure that there is clarity around the use of S106 Agreements in Castle Point, particularly in light of the implementation of CIL, it is recommended that the Council's Developer Contributions Guidance SPD is updated. This will be reported separately to Cabinet for consideration in due course.

Spending CIL

- 7.8 Whilst it is the aim to get CIL in place as soon as possible, it is unlikely that the Council will have much by way of CIL receipts for 12 to 18 months, and a rather limited pot of monies for around 3 years. This is because only those developments approved after CIL comes into effect are liable, and they only become liable at the point at which development commences. Whilst this delay may seem frustrating, it provides the opportunity to ensure that there is good governance in place around how the spending of CIL will be prioritised and how CIL monies will be allocated to specific projects.
- 7.9 In the summer of 2021, the Planning Advisory Service published a handbook entitled *Improving the Governance of Developer Contributions*. This advocates a model for delivering developer contributions, including CIL, which builds on strong leadership and resourcing to deliver a policy and evidence led approach to deciding how CIL should be spent in a controlled and integrated way, ensuring all parts of the Council and relevant partners are involved.
- 7.10 Of course one size doesn't fit all, and the policy and evidence in Castle Point is likely to give rise to a need for different governance arrangements to those needed in other areas. Given the good amount of time available to ensure that strong governance arrangements are put in place for the expenditure of CIL, it is recommended that the Place and Communities Policy and Scrutiny Committee are asked to consider this matter. It is recommended that they are asked to make recommendations to the Cabinet as to how CIL should be governed at Castle Point to ensure that it is effective in delivering the infrastructure needed across the borough, alongside other funding sources including S106 Agreements.

8. Conclusion

- 8.1 The draft CIL Charging Schedule has been the subject of consultation. Those consultation responses have been reviewed and it remains the case that the proposed CIL rates for the Borough are appropriate and will help to maximise the potential for new development to generate income for the delivery of new infrastructure in Castle Point without rendering new development financially unviable. The Cabinet is therefore asked to recommend to Council that the CIL Charging Schedule be approved for examination, and approved for publication and to come into effect, assuming no modifications are recommended by the examiner regarding the rates proposed.

- 8.2 At the same time, the Cabinet is recommended to request that the Place and Communities Policy and Scrutiny Committee consider the governance arrangements for spending CIL in order that the Council is well placed to maximise the opportunities that CIL presents in terms of infrastructure provision. The Head of Place and Policy will make the necessary operational arrangements for the implementation of CIL.

9. Appendices

Appendix 1 – Draft Castle Point Borough Community Infrastructure Levy Charging Schedule Consultation Report

Appendix 2 – Draft Castle Point Borough Community Infrastructure Levy Charging Schedule

10. Corporate Implications

a. Financial implications

The Council has an agreement with Essex County Council to fund £60,000 towards the cost of preparing the Community Infrastructure Levy in return for them being able to access the first £60,000 worth of CIL receipts for a county led project or projects in Castle Point.

The CIL Regulations allow for the remaining costs for preparing the CIL, of the order of £50,000, to be recovered from CIL income in later years. Therefore, whilst the preparation of CIL carries an in-year cost, it will be cost neutral to the Council overall if it chooses to recover the investment.

Separately, there is a cost associated with implementing and managing CIL. Experience from elsewhere indicates that this requires at least one CIL Officer and a computer system/data base.

It is estimated that the cost of an officer will be of the order of £55k per annum, whilst the cost of the computer system, based on the one used in around 150 Council's across the Country already, is around £30k for set up and around £15k per annum thereafter. It is estimated that the total annual cost for implementing the CIL will be of the order of £70k per annum at current costs.

The Council can use up to 5% of its CIL income to administer CIL. Over the period 2022-2033 the cost of administering CIL will be of the order of £800k at current costs. Over the same period, 5% of the projected income from CIL would amount to £1.75m at current rates meaning that there will be sufficient resources to implement CIL.

Meanwhile, the CIL will raise around £33.25m to be spent on Local Infrastructure projects. Around £400k of this will need to be assigned to local spend at the ward level, based on current costs. The remainder will be available for infrastructure projects across the borough.

b. Legal implications

The Council must ensure that the approach to progressing the CIL Charging Schedule is in accordance with the CIL Regulations and guidance in the PPG, otherwise there could be a risk of legal challenge.

Following the adoption of a CIL in an area, there would be a legal requirement on a developer to pay the levy for liable development. The adoption of a CIL could reduce the use of Section 106 agreements in the area. Arrangements will need to be put in place in respect of the transfer and use of CIL funds to third parties – i.e. ECC, the Town Council or NHS.

c. Human resources and equality implications

Human resources

Experience from other authorities who have implemented CIL indicates that its administration whilst generating a great source of funding for infrastructure projects is administratively burdensome. It requires the monitoring, enforcement and the constant tracking of the numerous development projects that may be underway across the area to know when to issue notices and expect (or otherwise chase) receipts.

It also requires the preparation of a statement setting out how CIL, alongside S106 receipts have been spent in any given year, meaning that there is an imperative to be pushing funds out to those services within the organisation or other organisations such as Essex County Council or the NHS to deliver projects, and ensuring that those projects are being delivered.

A CIL Officer will therefore be required to implement CIL, alongside an appropriate computer system.

Equality implications

There are no identified negative equality implications.

CIL provides the opportunity for the Council and its partners to deliver the infrastructure needed to support the community in Castle Point, including those with protected characteristics.

d. Timescale for implementation and risk factors

Delays in progressing a Community Infrastructure Levy could result in a lack of funding, and therefore a failure to deliver, new infrastructure projects in the Borough. Ideally, the Council would seek to get a CIL in place before or alongside the adoption of the Local Plan to maximise the receipt from allocated sites.

11. Background Papers:

- [Infrastructure Delivery Plan \(2020\)](#)
- [Castle Point CIL Viability Report \(2021\)](#)
- [Community Infrastructure Levy Regulations 2010](#) (see amendment regulations also)
- [Cabinet Meeting Agenda 20th November 2019](#) (resolution to prepare a CIL)
- [Cabinet Meeting Agenda 20th October 2021](#) (resolution to consult on CIL Charging Schedule)
- [PAS Guidance – Improving Governance of Developer Contributions](#)

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