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CABINET AGENDA

Date: Wednesday 28th September 2022

Time: 7pm NB Time

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

Councillor Blackwell	Chairman - Leader of the Council
Councillor Cole	Special Projects (Deputy Leader of the Council)
Councillor Fuller	Resources
Councillor Gibson	Place – Infrastructure
Councillor Mountford	Waste & Environmental Health
Councillor Palmer	Regeneration & Economic Growth
Councillor Mrs Sach	People, Health Wellbeing & Housing
Councillor Savage	People & Community

Cabinet Enquiries: **Ann Horgan ext. 2413**
 ahorgan@castlepoint.gov.uk
Reference: **3/2022/2023**
Publication Date: **Tuesday 20th September 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 20th July 2022.

4. Forward Plan

To review the Forward Plan.

5. Treasury Management Current Investments

(Report of the Cabinet Member – Resources)

6. Council Tax Support Scheme 2023-24

(Report of the Cabinet Member – Resources)

7. Chelmsford Local Plan Review Issues and Options Consultation

(Report of the Leader of the Council)

8. Anglian Water Draft Drainage and Wastewater Management Plan Consultation

(Report of the Leader of the Council)

9. The Paddocks

(Report of the Leader of the Council)

10. Request for Lease Benfleet Football Club

(Report of the Cabinet Member Special Projects)

11. The Levelling Up Parks Fund

(Report of the Cabinet Member Special Projects)

12. Contract Matters:

(a) Update on recent procurement exercise in relation to the construction of new housing developments

(Report of the Cabinet Members – Resources, People – Health Wellbeing & Housing)

(b) Award of Grounds Maintenance, Street Cleansing and Building Cleansing Contract

(Report of the Cabinet Members – Resources, Place – Infrastructure)

13. Christmas Arrangements

(Report of the Leader of the Council)

14. Matters to be referred from /to the Standing Committees

15. Matters to be referred from /to Policy & Scrutiny Committees

16. Exclusion of the Public

Cabinet will be asked to pass the following resolution:

Resolved:

For the purpose of Section 4 Local Authorities (Executive Arrangements) Meetings and Access to Information (England) Regulations as the business contains information relating to the financial or business affairs of any particular person (including the authority holding that information (Exempt Information under Paragraphs 3 Schedule 12A Local Government Act 1972) to exclude the press and public from the meeting to enable the business of the meeting to be transacted in private

PART 2

(Business to be taken in private)

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

12. Contract Matters

(Exempt Information Paragraphs 3 Schedule 12A Local Government Act 1972 as amended)

12 (b) 2 Award of Grounds Maintenance, Street Cleansing and Building Cleansing Contract

(Report of the Cabinet Members – Resources, Place – Infrastructure)



CABINET



20TH JULY 2022

PRESENT:

Councillor Blackwell
Councillor Cole
Councillor Sach
Councillor Gibson
Councillor Savage
Councillor Fuller
Councillor Palmer

Chairman – Leader of the Council
Special Projects – Deputy Leader of the Council
People – Health Wellbeing & Housing
Place – Infrastructure
People - Community
Resources
Regeneration & Economic Growth

ALSO PRESENT:

Councillors Acott, Campagna, Cutler, Hart, Isaacs, Greig, C. Mumford, S. Mumford, Maclean, Riley, Skipp, A. Thornton, J. Thornton, and Walter.

APOLOGIES:

Councillor Mountford

11. MEMBERS' INTERESTS:

There were none.

12. MINUTES:

The Minutes of the Cabinet meeting held on 20.6.2022 were signed and approved as a correct record.

13. 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 2022. The Plan is reviewed each month.

The Cabinet Member for Resources explained that the financial update due to be considered at the meeting had been deferred to allow time to consider the significant impact of the cost-of-living crisis including the impact of national pay award on the Council's budget. A comprehensive report would be presented to Cabinet.

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

14. CORPORATE PERFORMANCE SCORECARD QUARTER 4

Cabinet considered a report setting out the performance figures for the Corporate Performance Scorecard for Q4.

Of the 39 indicators reported, 21 were at or above target, a further 5 were near target and 9 indicators were below target. One indicator on default notices in relation to highways verge cutting had no performance against target as serving of defaults was suspended in winter months. Three of the annual indicators reporting in Q4 did not have a target set. Trend in performance showed that there was improving performance in 14 indicators, declining performance for 15 indicators and performance levels maintained for 4 indicators. The remaining 6 indicators did not have an indication of trend.

The report at Q4 included a number of annual indicators, many which had been calculated from responses to the Council's annual satisfaction and perception survey. The survey ran online over May and June, with hard copies of the survey made available at the main reception in the Council offices and at the four libraries across the Borough. Despite substantial reach across social media channels, the number of responses was disappointing. On a population of 75,000 (discounting those under 14 years old) this sample size exhibited a fairly wide margin of error so some caution should be taken interpreting results. The Council was planning to hold a number of focus groups later in the year which would provide some more insight into residents' views. Nevertheless, the survey gave some indication of residents' satisfaction levels and perceptions.

Members asked questions with regard to performance. Further information would be provided regarding the management plan for Woodside Park and the waiting list and process for allocation of allotment plots. A report would be made later in the year on a new Local Development Scheme following the Council decision to withdraw the local Plan.

Following examination of the reported performance.

Resolved:

To note the report and continue to monitor performance.

15. PUBLIC SPACES PROTECTION ORDER-RESPONSE TO CONSULTATION

Cabinet considered a report back from the Environment Policy and Scrutiny Committee on the response to consultation on the possibility of the Council making a Public Space Protection Order (PSPO) under Section 59 Anti-Social Behaviour Crime and Policing Act 2014 to address activities in the vicinity of Roscommon Way Canvey Island.

Cabinet noted that the committee has considered enforcement of the order. The Council did not have the resources to enforce the order. Enforcement would therefore rely entirely on the Essex Police, within their current capacity and other priorities.

Cabinet agreed that the order should be monitored to monitor its effectiveness.

Cabinet considered whether the statutory criteria were met and if was a necessary and proportionate response to the issues identified to proceed to make a Public Space Protection Order.

Cabinet had regard to the good response to consultation. Cabinet took account of the longstanding nuisance being caused to residents by the noise and antisocial

behaviours which was having detriment impact on the quality of life of residents affected by the activities in the vicinity of Roscommon Way Canvey Island.

Cabinet felt it was a necessary and proper response to make the order.

Cabinet being satisfied that the conditions under Section 59 Anti-Social Behaviour Crime and Policing Act 2014 were met that the:

- i. activities carried on in a public place within the Council's area have had a detrimental effect on the quality of life of those in the locality; or
- ii. it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities:

- i. is or is likely to be, of a persistent or continuing nature;
- ii. is, or is likely to be, such as to make the activities unreasonable; and
- iii. justifies the restrictions imposed by the notice.

Resolved:

1. That the necessary steps should be taken to implement a PSPO to provide an appropriate and robust response to address the behaviours taking place in an around Roscommon Way Canvey Island as defined in the draft order appended to the report.
2. That the Environment Policy & Scrutiny Committee undertake regular review and monitoring of the PSPO once in place.

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

See item dealt with under Minute 15 before.

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

There were none.

18. EXCLUSION OF THE PUBLIC

Resolved:

For the purpose of Section 4 Local Authorities (Executive Arrangements) Meetings and Access to Information (England) Regulations as the business contains information relating to an individual or is likely to reveal the identity of an individual (Exempt Information under Paragraphs 1 & 2 Schedule 12A Local Government Act 1972) to exclude the press and public from the meeting to enable the business of the meeting to be transacted in private

19. SUPPLEMENTARY ESTIMATE - APPROVAL

(Exempt Information Paragraphs 1&2 Schedule 12A Local Government Act 1972 as amended)

The Chairman has agreed to consider this item of special urgency Cabinet Procedure Rule 16 and the Chairman of Scrutiny has agreed to meet the Council's statutory obligations.

Cabinet was requested to approve an unbudgeted spend in excess of £50k to comply with the Council's Financial Regulations.

Resolved:

That Cabinet approves a Supplementary Estimate up to maximum of £144,700 to be funded from the Council's General Fund Reserve as described in the report.

Chairman



Castle Point Borough Council

Forward Plan

September 2022

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

SEPTEMBER 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)
September November 2022	Council Tax Support - Approval of Scheme	All	Cabinet/ Council	Resources	Head of Customer and Digital Services
September 2022	<u>Award of Grounds Maintenance, Street Cleansing and Building Cleansing Contract</u>	Environment	Cabinet	Place - Infrastructure	Head of Environment
September 2022	<u>Request for Lease Benfleet Football Club</u>	Environment	Cabinet	Special Projects	Head of Environment
October 2022	<u>The Paddocks – Report back from Task & Finish Group</u>	People	Cabinet	Leader of the Council	Chief Executive
October 2022	<u>Corporate Performance Score Card Quarter 1 – to monitor</u>	All	Cabinet	Special Projects	Strategy Policy & Performance Manager
October 2022	<u>Canvey Seafront Designation</u>	Place /Environment	Cabinet	Leader of the Council	Head of Place & Policy Head of Environment
October 2022	<u>Application for Designated Bathing Status</u>	Place /Environment	Cabinet	Waste & Environmental Health	Head of Environment
October 2022	<u>Financial Update –</u>	All	Cabinet	Resources	Strategic Director (Resources)
October 2022	<u>Playing Pitch Indoor Built Strategy – to approve</u>	Place /Environment	Cabinet	Place – Infrastructure	Head of Place & Policy
October 2022	Extension to Thorney Bay Car park	Place /Environment	Cabinet	Place Infrastructure	Head of Environment

October 2022	Food Safety/Health & Safety Annual Service Plan		Cabinet	Waste& Environmental Health	Head of Environment
October 2022	<u>Report back from Environment PSC – Motion Article 4 Surface Water Flooding</u>	People	Cabinet	Leader of the Council	Head of Place & Policy
2022	<u>Waste Collection Arrangements</u> – to consider recommendations from Environment PSC	Environment	Cabinet	Waste & Environmental Health	Head of Environment
November 2022	Draft Update of the Developer Contributions Guidance referred from Place & Community PSC	Economy and Growth	Council Cabinet	Growth – Leader of the Council	Head of Place & Policy
Standing item 2022 –	<u>Transformation – Response to Budget Challenge</u>	All	Cabinet	Resources	Chief Executive Strategic Directors Section 151 Officer and Heads of Service

CABINET

28th September 2022

Subject: Treasury Management: Current Investments

Cabinet Member: Councillor Fuller – Resources

1. Purpose of Report

The purpose of this report is to update Members on the current investments held by the Council as part of its treasury management activity, particularly in light of the recent Government intervention at Thurrock Council with whom one of the investments is held.

2. Links to Council's Priorities and Objectives

This report links to the Council priority of: Enabler of Leadership, Democracy, Partnerships and Resources.

3. Recommendations

That Cabinet note the contents of this report.

4. Background

- 4.1 Each year, Audit Committee scrutinise an updated version of the Council's Treasury Management and Investment Strategies. Following scrutiny, the strategies are included within the Policy Framework and Budget Setting report for approval by Council.
- 4.2 The Investment Strategy sets out the counterparty types which the Council can invest with, along with the limits on value and duration. Whilst completing its daily treasury management activities, the Council's Financial Services team has complete regard to the Treasury Management and Investment Strategies.
- 4.3 On any given day, cash flows may create the need for an investment to be made or redeemed. Where investments are to be redeemed, this will typically be the lowest interest earning investment that has instant availability. When making investments, the Financial Services team apply three principles:

- a) First, **security** of capital. This is making sure the sum invested is protect from loss.
- b) Second, the **liquidity** of the investments. This gives consideration to forecast cash flows and ensuring the Council has sufficient funds to meet upcoming expenditure. Based on forecast cash flows, longer term investments may be made.
- c) Third, **yield** is considered once security and liquidity are achieved, seeking out the maximum return available within the constraints of the Investment Strategy.

5. Current Investments

- 5.1 Every year within the Statement of Accounts, the Council lists out the investments held as at 31st March. This enables users of the accounts to understand where the Council's funds are invested.
- 5.2 The Investment Strategy states that during 2022/23 the Council expects to have investment balances ranging between **£34m** and **£52m**. As at 16th September 2022, the investments are as shown in the table below. Yield is not shown as this is commercially sensitive information.

Counterparty	Value £m	End date
Lloyds Bank current account	0.3	Not applicable
Santander 95 day notice account	1.0	Not applicable
Term Deposits:		
Standard Chartered	5.0	March 2023
Lloyds Bank Corporate Markets	4.0	November 2022
Local Authorities:		
Thurrock Council	3.0	May 2023
Slough Borough Council	1.0	March 2023
Debt Management Office:		
Investment 1	1.6	October 2022
Investment 2	6.4	November 2022
Investment 3	5.0	November 2022
Money Market Funds:		
Aviva	5.0	Not applicable
Federated	5.0	Not applicable
Goldman Sachs	2.7	Not applicable
Legal & General	5.0	Not applicable
Morgan Stanley	0.9	Not applicable
State Street	5.0	Not applicable
Total	50.9	

- 5.3 The average rate of return as at 16th September 2022 on the above investments was 1.79%. The average rate has increased significantly since the start of the financial year, driven by increases in the Bank of England base rate.
- 5.4 Investing cash balances does not remove any budget available for delivery of its functions. Cash balances and the Council's budget are two separate and relatively disconnected matters, and the budget is not set simply based on cash that is available. The links between cash investments and the budget are as follows:
- a) First, and perhaps most obviously, the Council has to ensure it has sufficient cash available to be able to meet day to day expenditure incurred in the delivery of its budgeted functions.
 - b) Second, interest received on investments is one of the many income streams (alongside grants, taxation, and fees & charges) which are an income line within the budget and ultimately contributes towards service delivery.
 - c) Third, if there was to be a loss on an investment, that loss would need to be charged to the budget.

6. Thurrock Council

- 6.1 On 2nd September 2022, the Government announced intervention measures at Thurrock Council in response to concerns about levels of financial risk and debt at the Council. Essex County Council has been appointed to the role of Commissioner and has control over the financial functions of Thurrock.
- 6.2 As can be seen in the previous table, Castle Point has invested **£3m** with Thurrock Council, due for repayment in May 2023. Castle Point is just one of several Councils which have invested with Thurrock and inter-authority lending is a standard part of treasury management activity. No council has ever defaulted on its loans.
- 6.3 Local Authorities are not able to declare themselves insolvent and Government will either issue Ministerial Directions or directly intervene if necessary. In essence, investments with other Councils are ultimately backed by the Government.
- 6.4 It remains the case that the **£3m** investment with Thurrock is viewed as being secure and very low risk. There is no ability to recall this investment early and it is expected that this investment will be repaid in full in May 2023. Castle Point's investment has no direct links with and does not rely or depend on any subsequent use of the cash by Thurrock.

6. Corporate Implications

(a) Financial Implications

There are no financial implications arising from this report.

(b) Legal Implications

There are no legal implications arising from this report.

(c) Human Resources and Equality Implications

There are no human resource or equality implications arising from this report.

(d) IT and Asset Management Implications

There are no IT or asset management implications arising from this report.

7. Timescale for implementation and Risk Factors

- 7.1 The Treasury Management and Investment Strategies exist to define the parameters within which Officers operate. The parameters are set with due regard to risk and as described in paragraph 4.3 the three principles are applied to any cash investment made. This ensures a diversified portfolio of low-risk investments is held.

8. Background Papers

Policy Framework and Budget Setting for 2022/23, incorporating the Treasury Management Strategy and Investment Strategy.
Statement of Accounts

Report Author:

Lance Wosko, Financial Services Manager (Deputy s151 Officer)

CABINET

28th September 2022

Subject: Council Tax Support Scheme 2023-24

Cabinet Member: Councillor Fuller – Resources

1. Purpose of Report

To request that Cabinet give approval to undertake a public consultation in relation to changes to the Local Council Tax Support (LCTS) scheme for 2023-24 and give approval to adopt the consulted scheme, subject to formal ratification (post consultation) by Ordinary Council.

2. Links to Council's priorities and objectives

Efficient and Effective Customer Focussed Services

3. Recommendations

1. That Members note the proposed scheme and options information provided in sections 5 and 6, and detailed at Appendix A.
2. That Members note and approve (subject to consultation) the recommendations at para's 6.2, 6.3, and 6.4.
3. That Members note and approve the consultation arrangements detailed in section 7 and the consultation questions provided via the link at para 7.6

4. Background Information

- 4.1 Council Tax Benefit was replaced by the Local Council Tax Support (LCTS) scheme in April 2013, following the 2010 spending review which introduced localisation of support for Council Tax and a reduction in funding.
- 4.2 The scheme falls into two parts – the pension age scheme which is prescribed by Central Government, and the working-age scheme which is determined by the Council.
- 4.3 The Authorities current means tested scheme is still generally in line with the scheme as originally approved in December 2012, with only minor technical changes having been made in previous years to keep it aligned with Welfare Reform and annual up-rating changes as necessary.

- 4.4 Each year the Council is required to review the scheme and consider whether it wishes to change the scheme or not.
- 4.5 Should the Authority wish to consider implementing changes to the scheme it must undertake, as a minimum, a 6 week public consultation.

5. LCTS versus Council Tax Reduction (CTR)

- 5.1 The means tested nature of the current LCTS scheme makes it a complex and costly scheme to administer – every change to income, no matter how small, results in reassessment of entitlement and the subsequent re-billing of Council Tax.
- 5.2 Since 2012 over 23% of Authorities have moved to Council Tax Reduction Schemes (CTR), including three Essex Authorities (Brentwood, Basildon, and Rochford), with a fourth (Epping) expected to follow suit in 2024/25.
- 5.3 CTR schemes differ from Council Tax Support schemes, in that award levels are generally determined by comparing the claim with a simple table of agreed bands which reflect set income ranges, household types, and the % of liability that will be awarded as support.
- 5.4 The simplified nature of a CTR scheme offers a number of benefits;
 - a) The scheme is far simpler for residents and staff alike to understand – potentially reducing customer enquiries.
 - b) Changes to income or household type do not affect the award level unless the change pushes the claim into a different band – reducing associated admin and costs.
 - c) As changes to entitlement and re-billing are reduced, Council Tax instalments are changed less frequently – making it easier for residents to budget and reducing associated admin and costs.
 - d) It will align Castle Point Borough Council with other Authorities who have already transitioned to similar schemes - creating synergies that support the exploration of future potential shared services or joint working.
- 5.5 Overall, adopting a CTR scheme provides a simpler and more efficient mechanism for supporting residents, than that offered by the current LCTS scheme.

6. Preferred Scheme Option

- 6.1 The number of Basic and Enhanced CTR schemes have been modelled against the 2021/22 LCTS caseload and full details of each option are shown in **Appendix A**.

- 6.2 After detailed analysis and a stage 1 EQiA assessment the preferred option recommended for consultation is Option 2C, which provides the most robust and equitable scheme with minimal impact in terms of changes to award level across the existing caseload.
- 6.3 Regardless of the scheme, there will still be some who lose out from the new assessment structure, so it is also recommended that the current Exceptional Hardship Scheme and related funding is enhanced to include transitional support to the most vulnerable who may suffer hardship as a direct result of the change during year 1 of the new scheme.
- 6.4 It is also recommended that front-end verification be simplified - akin to the approach currently used for Single Person Discounts – with fraud prevention and detection efforts focussed on a back-end targeted review process .
- 6.5 This will make it quicker and easier for customers to claim, will speed up processing times, and will enable skilled resources to be used more effectively.

7 Consultation Arrangements

- 7.1 It is necessary for the Council to approve future year's schemes by 11th March each year, prior to the year in which the scheme is to operate, even if no changes have been made.
- 7.2 Before approving the scheme, the Council is required to consult with;
- a) Major precepting authorities (County, Police, Fire)
 - b) The public
 - c) Relevant stakeholder groups i.e. CAB, voluntary bodies etc.
- 7.3 ECC Finance Officers have attended Pan-Essex LCTS Project group meetings and are therefore considered engaged in this process.
- 7.4 Despite not attending, Essex Police and Fire have been invited to these meetings and have received minutes and documents and are therefore also considered engaged in this process.
- 7.5 The Authority is legally required to consult for a minimum period of at least 6 weeks so to achieve implementation by April 2023 it is imperative (and recommended) that the consultation takes place between 26th September 2022 and 4th November 2022.
- 7.6 Links to the recommended consultation questionnaire;

<https://www.smartsurvey.co.uk/s/CASTLEPOINTCTRDRAFT4/>

which has been developed and will be hosted and managed by a third party provider, will be published on the CPBC website with hard copy forms available at each of the four local libraries and via First Contact.

- 7.7 Alternative format forms will be available on request via First Contact, who will also be available to provide digital assistance to those who need it.
- 7.8 The consultation will be generally publicized via social media, the Council's web site (Latest News), and a Press Release.
- 7.9 All current working age LCTS claimants will receive a letter directly inviting them to take part in the consultation and key partner organisations and local welfare groups will be invited and encouraged to take part in the survey and to publicize it to their customers.
- 7.10 At the end of the consultation responses will be collated and reviewed, with final recommendations reported to Council on 30th November 2022, along with the Stage 2 EQiA, the proposed Exceptional Hardship Scheme Policy, the proposed Review Policy, and the proposed 2023/24 CTR Policy - for approval and adoption.

8. Corporate Implications

a) Financial Implications

- 8.1 The overall cost of the CTR scheme – based on 2021/22 caseload has been estimated at £1.5m. Although this estimate makes no assumptions regarding uplifts to Council Tax or caseload, the overall cost of the scheme is broadly in line with the previously budgeted provision for LCTS.

Costs associated with implementing the simplified CTR scheme are estimated to be £60k 2022/23, with ongoing annual costs of £14.5k. It is impossible at this stage to quantify the level of efficiencies the scheme will deliver. Some efficiencies are expected to be non-cashable (e.g. freeing up skilled resources within the service which can either be used for other skilled tasks or at, very least, will help reduce the current dependency on agency staff. Some cashable reductions in print and postage costs are also anticipated once the scheme has commenced.

Due to the tight implementation timescales, it should be noted that essential services and software required to deliver the scheme will be purchased immediately on approval of the scheme by Cabinet.

As noted in paragraph 6.3, as with any change, there is expected to be some individuals who will receive less support under the new proposed scheme (as well as some who will receive more support). Therefore, transitional support will be put in place via the Exceptional Hardship Scheme for those most vulnerable. The additional demand on the Exceptional Hardship Scheme is estimated to cost £25k.

b) Legal Implications

- 8.2 The Council has a legal responsibility to create, maintain and renew its CTS scheme on annual basis. These powers are contained in Section 13A of the Local Government Finance Act 1992 as amended.

c) Human resources/equality/human rights

- 8.3 Movement to a simpler and less admin-heavy scheme is expected to lift some of the burden on First Contact and Benefit staff – freeing up valuable resources to deliver other key initiatives i.e. Energy Rebate payments and supporting residents through the current Cost of Living crisis.

Since the pandemic the Revenues and Benefits job sector has been under significant strain with specialist skills in increasingly high demand, with low supply and therefore attracting higher costs. The simplified nature of the CTR scheme requires less specialist skills and may therefore be easier to resource.

Due to the issues in the sector, the service is currently reliant on a number of agency staff to cover substantive posts. It may be possible to reduce down the agency requirement once some of the efficiencies start to be realised.

A Stage 1 EQiA has been completed and a full Stage 2 assessment will be undertaken after the public consultation, to help inform any changes to the proposed 2023/24 scheme.

9. Timescale for implementation and risk factors

Key milestones from this point going forward are as follows:

Milestone	Timeframe	Purpose
Cabinet Report	28.9.2022	Approval of scheme for public consultation and adoption (subject to consultation)
Consultation window	3.10.22 – 11.11.22	Residents & Pre-cepting organisations
Purchase, install and test software	Sept '22 – Feb '23	Software fully tested
Report to Council	30.11.22 TBC	Consultation results and Final Scheme approved
Final Scheme in place	11.3.23	Adoption and implementation
Schemes in operation	01.04.2023	Operation

Risks are recorded on the Corporate Risk Register and are reviewed on a monthly basis.

Appendix A – Scheme Options

Report Author:

Edwina Mosuro – Head of Customer & Digital Services

Cabinet Report: Council Tax Support Scheme 2023/24**1.0 Appendix A: Scheme Options**

- 1.1 This document sets out the scheme options that have been modelled against 2021/22 LCTS caseload data.
- 1.2 Figures have not been uplifted to reflect for any Council Tax increases or changes in caseload.
- 1.3 Table 1 (below) shows four basic models, with Option 1 being the Baseline (i.e. spend based on the current LCTS scheme with no changes).

Table 1:

Basic Models	Actual Spend 2021/22	Estimated Spend Based on 21/22 Caseload	Change From Baseline(+/-)
Option 1: No Change. A Local Council Tax Support style scheme with a 70% maximum award level. Restricted to Band D and Child Benefit counted as income.	£1,573,989	£1,573,989	N/A
Option 2: A Council Tax Reduction style scheme with a 70% maximum award level and a £450 maximum income level. Restricted to Band D. Child Benefit fully disregarded	N/A	£1,563,909	-£10,080
Option 3: A Council Tax Reduction style scheme with a 75% maximum award level and a £450 maximum income level. Restricted to Band D. Child Benefit fully disregarded.	N/A	£1,619,414	+£45,425
Option 4: A Council Tax Reduction style scheme with a 75% maximum award level and a £375 maximum income level. Restricted to Band D. Child Benefit fully disregarded.	N/A	£1,571,680	-£2,309

- 1.4 The spend for Options 2 to 4 has been calculated by applying the following banded discount tables against the 21/22 LCTS caseload;

OPTION 2								
Income Band	£0-£75.00	£75.01-£150.00	£150.01-£225.00	£225.01-£300.00	£300.01-£375.00	£375.01-£450.00	£450.01-£500.00	£500.01+
Household Type	Percentage Discount							
single no children	70.00%	70.00%	40%	20%	0%	0%	0%	0%
couple no children	70.00%	70.00%	40%	20%	0%	0%	0%	0%
single one child	70.00%	70.00%	40%	40%	20%	0%	0%	0%
couple one child	70.00%	70.00%	40%	40%	20%	0%	0%	0%
single 2 or more children	70.00%	70.00%	70.00%	40%	40%	20%	0%	0%
couple 2 or more children	70.00%	70.00%	70.00%	40%	40%	20%	0%	0%

OPTION 3								
Income Band	£0-£75.00	£75.01-£150.00	£150.01-£225.00	£225.01-£300.00	£300.01-£375.00	£375.01-£450.00	£450.01-£500.00	£500.01+
Household Type	Percentage Discount							
single no children	75.00%	50.00%	50%	25%	0%	0%	0%	0%
couple no children	75.00%	50.00%	50%	25%	0%	0%	0%	0%
single one child	75.00%	75.00%	50%	50%	25%	0%	0%	0%
couple one child	75.00%	75.00%	50%	50%	25%	0%	0%	0%
single 2 or more children	75.00%	75.00%	75.00%	50%	50%	25%	0%	0%
couple 2 or more children	75.00%	75.00%	75.00%	50%	50%	25%	0%	0%

OPTION 4						
Income Band	£0-£75.00	£75.01-£150.00	£150.01-£225.00	£225.01-£300.00	£300.01-£375.00	£375.01-£450.00
Household Type	Percentage Discount					
single no children	75%	50%	25%	0%	0%	0%
couple no children	75%	50%	25%	0%	0%	0%
single one child	75%	75%	50%	25%	0%	0%
couple one child	75%	75%	50%	25%	0%	0%
single 2 or more children	75%	75%	75%	50%	25%	0%
couple 2 or more children	75%	75%	75%	50%	25%	0%

- 1.5 From analysis of the impact to the various household types, Options 2 and 3 were identified as having the least negative impact to claimants, and these models were enhanced with various mechanisms to mitigate the impact even further.

- 1.6 Table 2 shows the Enhanced Options and the resulting spend for each.

Table2:

Enhanced Models	Description	Estimated Spend	Change +/-
OPTION 2A	Option 2 + Child care disregard applied	£1,567,447	-£6,542
OPTION 3A	Option 3 + Child care disregard applied	£1,623,837	+£49,848
OPTION 2B	Option 2 + Child care disregard applied & UC Limited Capacity To Work element disregarded	£1,573,120	-£869
OPTION 3B	Option 3 + Child care disregard applied & UC Limited Capacity To Work element disregarded	£1,659,214	+£85,225
OPTION 2C	Option 2 + Child care disregard, UC Limited Capacity To Work element disregarded, and no Band Restriction applied.	£1,581,390	+£7,401

- 1.7 Option 2C, with an estimated additional spend of £7,401, provides the least negative impact to residents in terms of changes to levels of entitlement, and contains the most mechanisms to protect children and those with disabilities, this is therefore the recommended scheme for consultation.
- 1.8 From analysis of the caseload the main households losing out under Option 2C are families with children, predominantly due to the removal of applicable amounts (which previously exceeded Child Benefit income and applied to every child under the LCTS scheme) and the level of Tax Credit income they receive.
- 1.9 The level of loss in most cases is minimal but increases where families have two incomes and/or higher than average income levels – which is only to be expected.
- 1.10 The only families who appear to be losing out completely under option 2C are those with very large families (i.e. those with 4 or more children).
- 1.11 It is proposed that the impact of losses to households in Year 1 can be mitigated by enhancing the Exceptional Hardship Scheme to allow discretionary awards. The detail of how this will work is yet to be determined but it is expected to include a pro rata level of protection for LCTS claimants who;
- a) are entitled to LCTS at 31st March 2023, and
 - b) have lost support as a direct result of moving to CTR

Full details of the scheme will be provided to Council in November 2022.

- 1.12 The Exceptional Hardship scheme is subject to a routine annual review as it forms part of the Council Tax Support scheme – Members will therefore have an opportunity to adjust the scheme annually, if required.

CABINET

28th September 2022

Subject: Chelmsford Local Plan Review Issues and Options Consultation

Cabinet Member: Councillor Blackwell - Leader of the Council

1. Purpose of Report

To report on the proposals set out in the Chelmsford Local Plan Review Issues and Options Consultation and seek agreement to the proposed response.

2. Links to Council's Priorities and Objectives

The proposals in the Chelmsford Local Plan Review Issues and Option Consultation have been reviewed to understand their implications for Castle Point in terms of the Council's Corporate Plan objectives - Economy and Growth, People, Place and Environment.

3. Recommendations

The Cabinet notes the implications arising from the proposals in the Chelmsford City Local Plan Review Issues and Options Consultation, and agrees that these matters should be highlighted in the consultation response issued to Chelmsford City Council in respect of the consultation underway.

4. Background

- 4.1 The Chelmsford City Local Plan was adopted in May 2020 and sets out proposals for growth and development in the Chelmsford City area until 2036. This can be found at:

<https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/local-plan-review-2022/>

- 4.2 Chelmsford City Council is now in the process of reviewing its Local Plan to extend its period of coverage to 2041, and to ensure it reflects new national policy and changes in local circumstances. A consultation is underway until the 6th October on the Chelmsford Local Plan Review Issues and Options.

- 4.3 Chelmsford City Council is proposing changes to the strategic principles that underpin its Local Plan to reflect national policy. These include a response to the Environment Act, and the aim of securing net zero.
- 4.4 This means that the strategic principles they are proposing to embed in the review of the Chelmsford City Local Plan include:
- *Net Zero development*
 - *Planting of 3 tree for every new home developed*
 - *Securing 20% biodiversity net gain*
- 4.4 It is also intended to strengthen the requirement within Chelmsford City for sustainable transport. This was however already required under the current adopted plan, and 30km of cycle lane provision has already been made. Funding for a new station to the North-East of Chelmsford has also been secured.
- 4.5 In terms of rolling forward the Chelmsford City Local Plan to 2041, the Issues and Options consultation sets out proposals for housing growth.
- 4.6 The Adopted Local Plan made provision for 805 homes per annum across the City's area to 2036. The standard method, as set out in the Planning Practice Guidance, has been used to determine the requirement going forward. It identifies a need for Chelmsford City for 953 homes per annum, based on a calculation prepared in April 2022.
- 4.7 To meet this target Chelmsford City Council is proposing to deliver 1,000 homes per annum for the period 2022 – 2041 and has also applied a 20% buffer to this requirement to address any supply issues that may arise. This results in a requirement of 22,800 homes. Due to the existing plans in place under the Adopted Local Plan, there is a supply of 14,834 homes already existing in the Chelmsford City area. The Council is therefore looking to identify additional provision for 7,966 homes through the plan review.
- 4.8 Chelmsford City Council are seeking to provide one new job for every new home created.
- 4.8 The south-west of the Chelmsford City area is Green Belt. No additional development is proposed in that area. However, within the five spatial approaches proposed for meeting this growth requirement, between 5,500 and 7,000 new homes will be located on greenfield sites within the countryside. A copy of the consultation newsletter summarising the five spatial approaches is included at Appendix 1 to this report.

5. Implications for Castle Point

- 5.1 Firstly, in respect of the changes to the strategic principles, there are positive implications for Castle Point. Chelmsford City is taking a proactive approach to addressing climate change and biodiversity objectives through its local plan preparation that Castle Point can benefit from both in terms of outcomes related to climate change, but also in relation to learning. Chelmsford City Council will

need to adequately evidence its approach and policy requirements in relation to these objectives. We can learn from this, in terms of what is needed, what works and what doesn't work. This will help Castle Point avoid unnecessary expenditure in seeking to develop similar policies for this area through its own local plan preparation.

- 5.2 Secondly, there are implications for Castle Point in terms of the housing growth proposed in the Chelmsford City area. The growth proposed in Chelmsford City is more than the standard method requirement. Chelmsford City is planning for 4,826 homes in addition to the standard method requirement. There is scope for Castle Point to ask Chelmsford City Council to accommodate an element of its housing need, which cannot otherwise be met without incursion into the Green Belt.
- 5.3 Thirdly, there are implications for Castle Point in terms of the proposed spatial approaches being considered. There are two considerations under this point.
- a) All options include a degree of further growth in Chelmsford City Centre. However, only option B seeks to fully optimise growth in this location with the aim of securing 2,500 additional homes, as opposed to 1,000 additional homes under all other options. Given that it is Castle Point Borough Council's own position that town centre capacity should be optimised, it is appropriate to lend a degree of support to the optimisation of capacity in Chelmsford City Centre.
 - b) Options D and E both locate higher levels of growth to the south-east of Chelmsford City, and near to the A130, including possibly at Howe Green, Rettendon and additional 500 at South Woodham Ferrers (where 1,200 new dwelling are already planned in the current local plan). This potentially has implications for the A130 and traffic in that corridor. With significant economic growth forecast in South Essex due to the Thames Freeport, this could have an impact on traffic along the A130, A13 and A127.
- 5.4 Fourthly, and related to the above, there are cross-boundary considerations which need to be reflected in the Chelmsford City Local Plan which are not currently addressed:
- a) Despite Chelmsford City's commitment to securing sustainable transport, sustainable connectivity between South Essex, and in particular Castle Point, and settlements in the Chelmsford City area, including Chelmsford City itself, is poor. This results in high levels of movements between the two being undertaken by car for work, shopping and leisure purposes. This has implications for employment and for economic growth. There is therefore a need for joint working between South Essex authorities through ASELA, Chelmsford City Council and Essex County Council to improve sustainable travel connectivity. This should be reflected in the Chelmsford City Local Plan.
 - b) The implications of Thames Freeport have not been considered or reflected in the Chelmsford City Local Plan Review. The Freeport is likely to create demands for labour and for employment land that extend beyond the freeport itself into South Essex and mid-Essex. Joint working between ASELA and Chelmsford City Council should occur to ensure that these

implications and any opportunities arising are adequately reflected in the Chelmsford City Local Plan.

- 5.5 Having regard to the implications arising, a draft consultation response is attached as Appendix 2 to this report.
- 5.6 The Constitution allows for the Head of Place and Policy (formally the Head of Regeneration and Neighbourhoods) in consultation with the Leader of the Council to respond to planning policy consultations by other local planning authorities. This matter has been brought to the attention of the Cabinet due to the extent and nature of the implications outlined above.
- 5.7 As this is an early stage in the local plan, a request for a meeting under the current duty to cooperate arrangements will be made to discuss these issues and identify policies that could be incorporated into the plan to mitigate the consequences of the final strategy.

6. Corporate Implications

(a) Financial Implications

There are no financial implications arising from this report. A consultation response to Chelmsford City Council can be issued within existing resources.

(b) Legal Implications

The Duty to Cooperate is a legal duty upon the Council under the Localism Act. Consideration of the implications of the proposals in the Chelmsford City Council Issues and Options Consultation and responding to the consultation n raising any concerns and seeking further discussions, enables the Council to demonstrate that it has met the Duty to Cooperate in respect of its own plan-making requirements.

(c) Human Resources and Equality Implications

Human Resources

There are no human resource implications arising from this report. A consultation response to Chelmsford City Council can be issued within existing resources.

Equality Implications

It is for Chelmsford City Council to undertake an Equality Impact Assessment of its Local Plan proposals under the requirements of the Equalities Act and the Public Sector Equality Duty. An Integrated Impacts Assessment including an Equality Impact Assessment accompanies the Issues and Options Consultation.

(d) IT and Asset Management Implications

There are no IT or Asset Management implications arising from this report.

7. Background Papers

As highlighted in the report

Report Author:

Amanda Parrott – Planning Policy Manager

Local Plan Review Newsletter

NUMBER 1 August 2022

What is a Local Plan?

The Local Plan will shape future growth and development of the City Council's area. It sets out a positive vision, identifies where and how new development should take place in the future as well as areas and land uses that will be protected.

Why are we reviewing the adopted Chelmsford Local Plan?

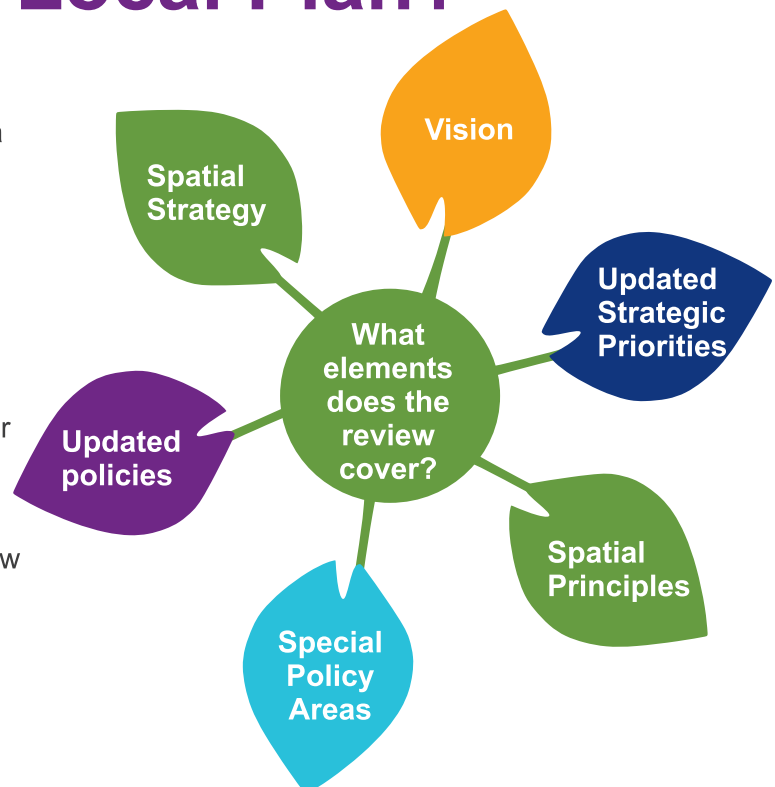
The Government requires all councils to review their Local Plan every five years. This will ensure that it remains up to date and continues to meet changing needs of our current and future residents. As we adopted the Local Plan in May 2020, we must review it by May 2025 and so the process is starting now.

This consultation, known as Issues and Options, is the first stage towards updating the adopted Local Plan and provides a starting point for engagement with our communities.

What is included in the consultation?

The main areas we are consulting on are:

- Updated draft Strategic Priorities
- New draft Vision
- The approach to future development numbers, including homes and jobs
- Spatial Strategy Approaches for accommodating additional future growth to 2041
- The approach to reviewing our planning policies.



We think that many parts of the adopted Local Plan and its policies are still up to date and generally performing well, so may require no or only partial changes. Other parts, however, will need updating alongside additional new policies that are required to reflect the latest national planning policy requirements, the Council's latest ambitions and aspirations and to meet new development growth to 2041. Therefore, the review process is expected to result in changes to the adopted Local Plan – but we are not working on a completely new plan from scratch. It is also not a reopening of any debates about already allocated sites.

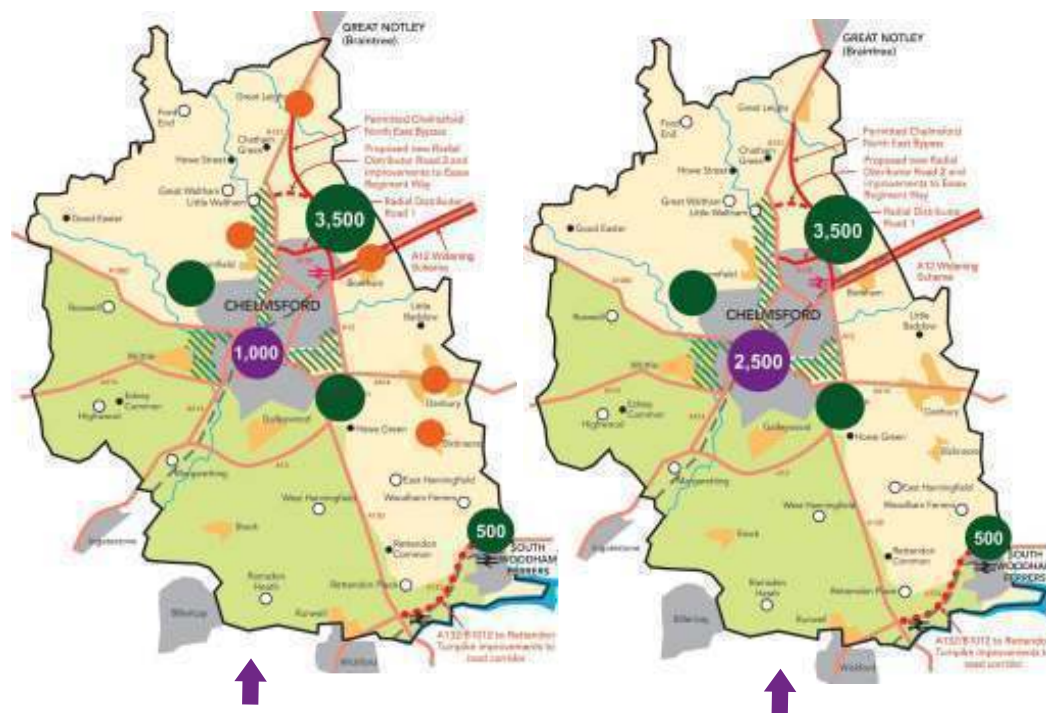


What are the Spatial Strategy Approaches?

In reviewing the Local Plan, we propose to accommodate the growth needed until 2041. The consultation proposes we plan for an additional 7,966 homes over and above those allocated in the adopted plan - but our aim is to get the right type of development in the right places to meet the growing needs of local people and businesses while protecting our environment.

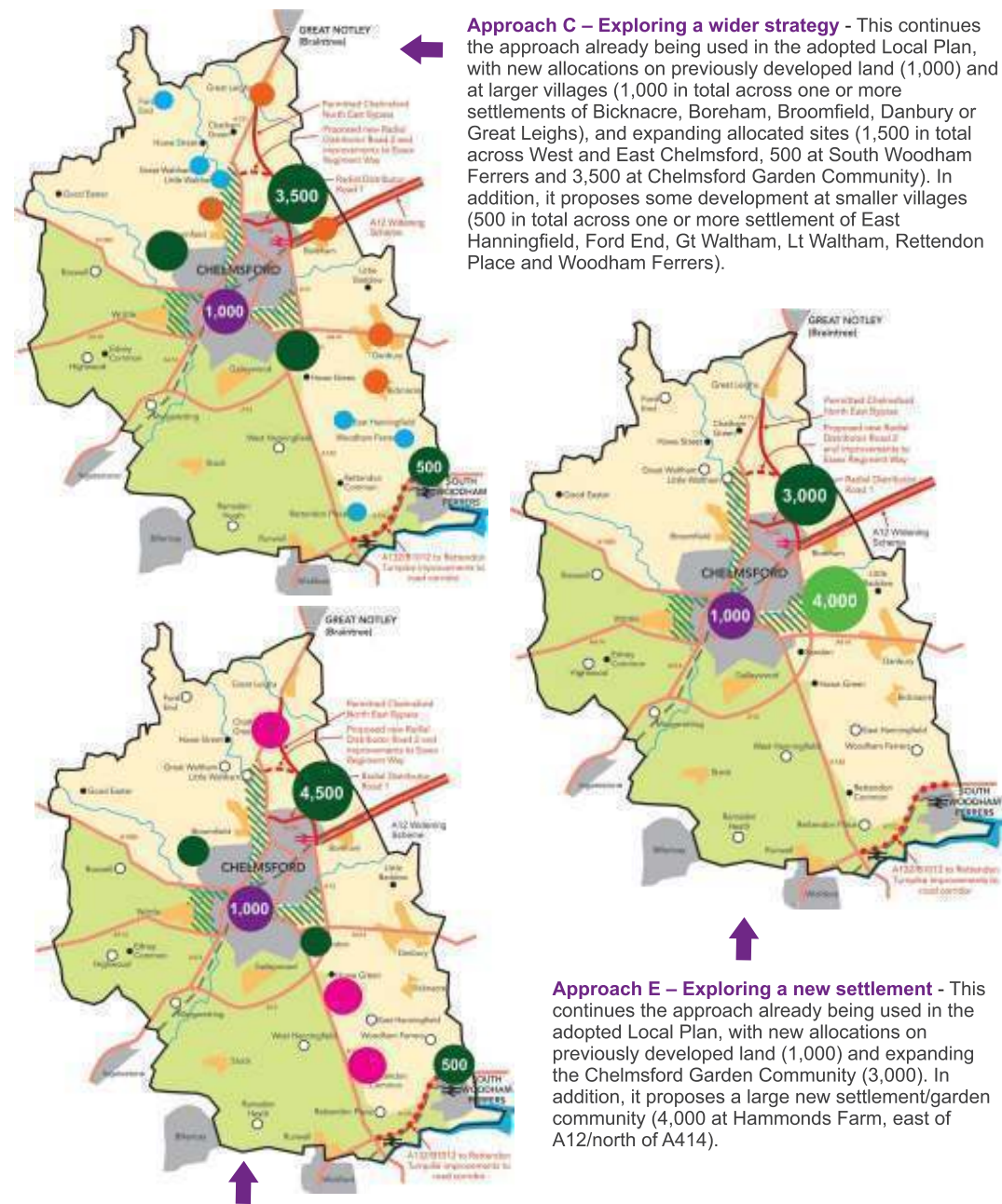
The consultation document sets out five approaches for accommodating the additional development growth needed. The approaches all set out the same amount of development overall, but use different elements of the locations for potential growth, which could also include new employment development. We are not considering growth in the Green Belt, which is the light green shading on the plans below.

This consultation does not identify any preferred options or specific development sites. The preferred approach will be informed by the outcome of this consultation and future evidence gathering.



Approach A – Growing the existing strategy - This continues the approach already being used in the adopted Local Plan, with new allocations on previously developed land (1,000) and at larger villages (1,500 in total across one or more of the settlements of Bicknacre, Boreham, Broomfield, Danbury or Great Leighs) and expanding allocated sites (1,500 in total across West and East Chelmsford, 500 at South Woodham Ferra and 3,500 at Chelmsford Garden Community).

Approach B – Concentrating growth in urban areas - This continues the approach already being used in the adopted Local Plan, but maximises development in the City Centre and urban area (2,500) and expands allocated sites (1,500 in total across West and East Chelmsford, 500 at South Woodham Ferra and 3,500 at Chelmsford Garden Community).



Approach C – Exploring a wider strategy - This continues the approach already being used in the adopted Local Plan, with new allocations on previously developed land (1,000) and at larger villages (1,000 in total across one or more settlements of Bicknacre, Boreham, Broomfield, Danbury or Great Leighs), and expanding allocated sites (1,500 in total across West and East Chelmsford, 500 at South Woodham Ferra and 3,500 at Chelmsford Garden Community). In addition, it proposes some development at smaller villages (500 in total across one or more settlement of East Hanningfield, Ford End, Gt Waltham, Lt Waltham, Rettendon Place and Woodham Ferra).

Approach E – Exploring a new settlement - This continues the approach already being used in the adopted Local Plan, with new allocations on previously developed land (1,000) and expanding the Chelmsford Garden Community (3,000). In addition, it proposes a large new settlement/garden community (4,000 at Hammonds Farm, east of A12/north of A414).

Approach D – Exploring growth along transport corridors - This continues the approach already being used in the adopted Local Plan, with new allocations on previously developed land (1,000), expanding allocated sites (500 in total across West and East Chelmsford, and 500 at South Woodham Ferra), and maximising growth at Chelmsford Garden Community (4,500). In addition, it proposes some growth along main transport corridors (1,500 in total across one or more settlement of Chatham Green, Howe Green and Rettendon Common).

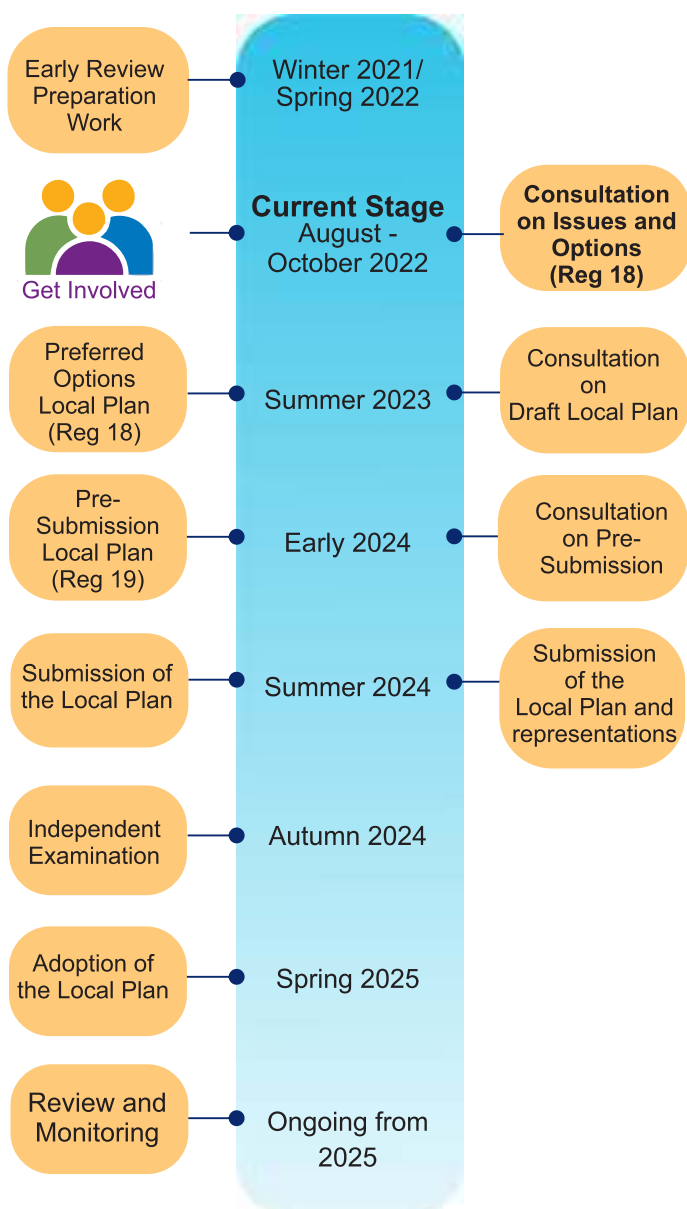
What is the Integrated Impact Assessment (IIA)?

The IIA identifies the key sustainability issues for the review of the Local Plan. These feed into a framework against which the proposals will be assessed. It will cover the potential environmental, social, economic and health performance of the Local Plan and any reasonable alternatives. The IIA will assess the following aspects of sustainable development:

- Sustainability Appraisal (SA)
- Strategic Environmental Assessment (SEA)
- Habitats Regulations Assessment (HRA)
- Health Impact Assessment (HIA)
- Equality Impact Assessment (EqIA)

We will be consulting on the IIA as part of the Issues and Options consultation.

What is the Local Plan timetable?



Where can I view the consultation documents?

The consultation documents will be available to view and comment on the Council's planning policy consultation portal

www.chelmsford.gov.uk/planningpolicyconsult.

They will also be available to read during normal opening hours at the Council's Customer Service Centre in Chelmsford.

There is an online exhibition available during the consultation period – this can be found at www.chelmsford.gov.uk/lp-exhibition.

We will also be holding in-person exhibitions at the Civic Centre. These exhibitions will provide an opportunity for you to find out more and discuss the consultation with a Planning Officer.

In-person exhibition dates are:

- Thursday 8th Sept 6pm – 9pm
- Friday 9th Sept 10am – 1pm
- Friday 9th Sept 2pm - 5pm
- Saturday 10th Sept 10am – 1pm

Consultation dates and how to have your say

The consultation on the Issues and Options document runs for an extended period of eight weeks from 10am on Thursday 11 August to 4pm on Thursday 6 October 2022.

You can respond:

- Via our consultation portal at www.chelmsford.gov.uk/planningpolicyconsult.
- By email to planning.policy@chelmsford.gov.uk
- By post to Spatial Planning Services, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, CM1 1JE.

All comments will be used to inform the next stage of the process, the Preferred Options Review Plan.



Appendix 2
Place and Policy
Castle Point Borough Council
Council Offices, Kiln Road,
Thundersley, Benfleet
Essex SS7 1TF
Tel: 01268 882200

planningpolicy@castlepoint.gov.uk

By email: planning.policy@chelmsford.gov.uk

x September 2022

Dear Mr Potter,

Chelmsford Local Plan Review Issues and Options Consultation August 2022

I am writing on behalf of Castle Point Borough Council in response to the consultation underway on the Chelmsford Local Plan Review Issues and Options Consultation.

Firstly, I would like to offer the Council's support to you in pursuing strategic objectives related to the achievement of net zero development, enhanced tree planting and 20% biodiversity net gain. These policies will make an important contribution towards managing climate change and supporting nature recovery and we are therefore supportive of their inclusion in your reviewed Local Plan. We would be interested in understanding how you intend to evidence and justify these policy objectives with the intent of aligning our policies with yours when we bring forward a new Local Plan for Castle Point.

Secondly, we note that you intend to make provision for 1,000 homes per annum in the period to 2041, with a 20% buffer. In total you are looking to make provision for 22,800 homes against a standard methodology requirement for 17,974 homes. Given the extent of over-provision you are intending to make, Castle Point Borough Council would ask that you consider accepting some of the housing requirement for Castle Point.

The settlements in Castle Point are surrounded by the Green Belt, and like Chelmsford, we do not intend to develop in the Green Belt. The capacity of Castle Point is therefore constrained to the urban area. It is anticipated that the urban area has capacity for around 2,200 homes. The standard method would indicate that the need in Castle Point is around 355 homes per annum. There is therefore only around 6 years' worth of supply in Castle Point, although this is likely to be delivered over a 10-to-15-year period due to the mix and existing use of the sites available. There are therefore unmet needs arising which we would ask that you consider accommodating.

On a third point, we would wish to comment on the spatial approaches proposed. We note that all options include a degree of further growth in Chelmsford City Centre. However, it is unclear as to why only option B seeks to fully optimise growth in the City Centre location by aiming to securing 2,500 new homes there, when all other options only seek to secure an additional 1,000 homes in this location. Castle Point Borough Council supports the optimisation of brownfield sites in town centre locations and would support an approach in Chelmsford which seeks to optimise such land.

Furthermore, Castle Point has some concerns regarding spatial approaches D and E which seek to locate development near the A130 corridor to the south-east of Chelmsford city. There are existing capacity challenges at the junctions along this route, and if either of these options were to be pursued, Castle Point Borough Council would wish to understand how these issues have been considered and addressed as a part of the spatial approach.

Finally, it is considered that there are cross-boundary considerations which need to be reflected in the Chelmsford City Local Plan which are not currently addressed. These are:

- a) **Sustainable connectivity with South Essex** – sustainable transport connectivity is poor between South Essex and Chelmsford. This is particularly the case for Castle Point which has no rail connectivity with Chelmsford and where it takes around 2 hours to get to Chelmsford by bus. The consequence of this is a high proportion of movements being by car, and those who do not have a car being excluded from employment opportunities in Chelmsford. In the reverse this has a stifling effect on Chelmsford's economy. There is therefore a need for joint working between South Essex authorities through ASELA, Chelmsford City Council and Essex County Council to improve sustainable travel connectivity north-south. This should be reflected in the Chelmsford City Local Plan. This would be especially critical if spatial options D or E were pursued.
- b) **Thames Freeport** – whilst other national infrastructure projects have been considered in the preparation of the Chelmsford Local Plan Review Issues and Options consultation, no consideration has been given to the Thames Freeport. Initial indications are that the Freeport will generate a substantial level of economic activity driving the need for labour and employment floorspace across the wider area. This will most certainly impact on South Essex authorities and is expected to have a wider effect extending into mid Essex along key transport corridors. Joint working between ASELA and Chelmsford City should therefore occur to ensure that these implications and nay opportunities arising ae adequately reflected in the Chelmsford City Local Plan review.

I trust this response is of assistance to you in progressing the review of the Chelmsford Local Plan, and I look forward to discussing the matters raised above with you in due course.

If you have any questions regarding the matters set out in this letter, please do not hesitate to contact the Planning Policy Manager, Amanda Parrott – aparrott@castlepoint.gov.uk

Yours sincerely,



Ian Butt

Head of Place and Policy

CABINET

28th September 2022

Subject: Anglian Water Draft Drainage and Wastewater Management Plan Consultation

Cabinet Member: Councillor Blackwell - Leader of the Council

1. Purpose of Report

To update Members on the consultation response issued in respect of the Anglian Water Draft Drainage and Wastewater Management Plan (DWMP).

2. Links to Council's Priorities and Objectives

The proposals in the Anglian Water DWMP have been reviewed to understand their implications for Castle Point in terms of the Council's Corporate Plan objectives - Economy and Growth, People, Place and Environment.

3. Recommendations

The Cabinet notes the consultation response issued to Anglian Water in response to the consultation on the draft DWMP.

4. Background

- 4.1 All water companies in England have been tasked by the Government with preparing a Drainage and Wastewater Management Plan (DWMP). This requirement ensuring that there is a long-term adaptive plan for managing drainage and wastewater in the areas they serve over the next 25 years.**
- 4.2 Anglian Water is the largest drainage and wastewater management company in England and is currently consulting on its draft DWMP. This plan covers the area shown in the map below. Anglian Water has almost 7 million customers in this area, and manage over 76,000km of sewers. It covers most of Essex, including Castle Point.**



4.3 The DWMP provides a framework for the preparation of Asset Management Plans (AMP) that set out the programme of investment for each water company. Water companies are required to prepare AMPs which cover a five-year period, and they must be approved by OFWAT. Anglian Water is due to prepare their next AMP for the period 2024-2029. The DWMP will inform that AMP, and future AMPs required up until 2050.

4.4 The DWMP has four long term strategic ambitions, which are:



- 4.5 There are 10 objectives identified within the DWMP. Six of these objectives were identified by the Water UK DWMP Steering Group and are therefore common to DWMPs across the whole of the UK. These are:
1. Water Recycling Centres (WRC) Quality Compliance
 2. Storm overflow performance
 3. Sewer collapses
 4. Internal sewer flooding
 5. Risk of flooding in a 1 in 50-year storm
 6. Pollution risk
- 4.6 In addition to the nationally set objectives, Anglian Water have identified four additional objectives for the Anglian Water region in consultation with stakeholders. These are:
7. WRC Dry Weather Flow compliance
 8. External sewer flooding
 9. Green Infrastructure
 10. Amenity Value
- 4.7 Standard processes are in place nationally to assess these planning objectives. Modelling techniques and historic data has been used to identify what is happening today in relation to each of these objectives. This technology and information has been used alongside assumptions about growth and climate change to predict what the risk in relation to each planning objective will be in 2050.
- 4.8 It should be noted that in April 2022, Defra published a consultation on new approach to storm overflow performance. The results of the consultation are due in September 2022, and the DWMP will need updating in that regard before it can be finalised. A consultation specifically on storm overflow performance will therefore occur in the autumn.
- 4.9 To create best value, a plan that would be adaptive over the period to 2050 and offer best value for money for bill payers, 13 different scenarios were tested in the development of the draft DWMP. These were:
1. Low growth (ONS projections)
 2. High growth (Local Plan provision)
 3. Least cost.
 4. Scalability - least regret solutions.
 5. Recreational amenity.
 6. Natural capital.
 7. Pollution reduction.
 8. Flooding reduction.
 9. Stakeholder preference.
 10. Overall best value plan for growth.
 11. Increase in capacity.
 12. Maximising WRC performance.
 13. Maximising WRC DWF compliance.

- 4.10 Consideration was also given to climate change, and whether to start planning for its implications now. Consideration was given to planning for a 2°C rise in temperatures now; planning for a 4°C rise in temperatures now; or not making provision for temperature rises until they happen.
- 4.11 This scenario testing gave rise to four different plan options, of which **option 3** was selected as it offers the best value for money. The selected plan option has a cost of £3.5bn. The additional costs of options 1 and 2 did not provide additional benefits to the same scale and these options were not therefore selected. A table showing the four plan options follows:

Plan	Number of catchments	Climate change	Green solutions	Modelled flooding (m3)	Modelled pollutions	Scalability	Benefits (higher better)	Benefits (lower better)
1. £5.1 billion	283	Highest CC including some 4 degree	75%	360,000	82	802	3.49	-12.71
2. £4 billion	270	2 degree	74%	310,000	73	775	3.15	-12.22
3. £3.5 billion	259	Mostly 2 degree	71%	306,000	69	720	3.21	-11.99
4. £2.4 billion	236	Least CC resilience	68%	240,000	64	646	2.85	-11.27

- 4.12 The DWMP sets out the types of interventions that will be delivered to manage drainage and wastewater across the Anglian Water region during the period to 2050. The interventions proposed for each catchment vary depending on the nature of the challenge in relation to the planning objectives. Key interventions that emerged through the process of preparing the DWMP are:

- Surface water removal
- Nature based solutions
- Wetland habitat creation
- Water Recycling Centre Investments
- Partnership opportunities
- Customer education

- 4.13 In some cases, other interventions such as network capacity increases are proposed, but not frequently.
- 4.14 It is expected that green solutions such as the provision of SUDs at various scales will make up 71% of the interventions across the region.
- 4.15 There are 1,130 catchments in the Anglian Water region. Of those, 618 met the very minimum requirements for screening during the preparation of the plan although the plan only makes provision for investing in 259 catchments.
- 4.16 All catchments covering Castle Point are identified for the purposes of investment through the DWMP.

- 4.17 Rayleigh East and Southend are in the Essex Rivers Catchment, which covers the majority of Essex. These Water Recycling Centres (WRC) have catchments which include Daws Heath, Hadleigh and parts of Thundersley. Anglian Water is planning to spend up to £836m within the Essex Rivers Catchment. The specifics for the aforementioned are as follows:
- Rayleigh East – 10% surface water removal by 2050
 - Southend – WRC capacity increase by 2035; 25% infiltration reduction by 2050
- 4.18 Benfleet and Canvey are in the South Essex Catchment which covers part of Basildon, part of Castle Point and Thurrock. Anglian Water is planning to spend up to £151m within the South Essex Catchment. The specific improvements proposed for the Benfleet and Canvey WRCs are as follows:
- Benfleet – network capacity increased by 2035; 25% infiltration reduction by 2050
 - Canvey – 10% surface water removal by 2050.

5. Consultation on the DWMP

- 5.1 Consultation on the draft DWMP took place over the summer period and closed on the 16 September 2022. The consultation comprised specific questions that stakeholders were asked to consider.
- 5.2 Under the Constitution, the Head of Place and Policy (Formally the Head of Regeneration and Neighbourhoods) has the delegation to respond to consultations such as this in consultation with the Leader of the Council.
- 5.3 Recognising the importance of the issue of drainage and wastewater management to the Council, a draft response to the consultation was prepared in August 2022 and shared with all Members alongside a briefing note. An all Members Briefing took place on the 7 September 2022. That briefing was attended by 9 Members. As a consequence of the discussions that took place during that briefing, the consultation response was amended before being finalised by the Head of Place and Policy, in consultation with the Leader, and submitted in the week commencing the 12 September 2022.
- 5.4 A copy of the submitted response is attached in Appendix One.

6. Next Steps

- 6.1 The consultation response highlights the challenges faced with drainage and wastewater infrastructure across the borough, but primarily on Canvey Island and in South Benfleet.
- 6.2 It calls upon Anglian Water to work in partnership with the borough Council and others to address those challenges to the benefit of public health and wellbeing, and to create an attractive and ecologically favourable environment.
- 6.3 The Council is in the position to facilitate this partnership working through its existing partnership arrangements such as the Regeneration Partnership and will report back on this matter in due course.

7. Corporate Implications

(a) Financial Implications

There are no financial implications arising from this report. The consultation response to Anglian Water was prepared and issued within existing resources. The inclusion of Anglian Water in the Regeneration Partnership does not impact on the resources expended to manage and facilitate that partnership.

(b) Legal Implications

There are no legal implications for the Council associated with this report.

(c) Human Resources and Equality Implications

Human Resources

There are no human resource implications arising from this report.

Equality Implications

It is for Anglian Water to undertake an Equality Impact Assessment of its DWMP proposals under the requirements of the Equalities Act.

(d) IT and Asset Management Implications

There are no IT or Asset Management implications arising from this report.

8. Background Papers

As highlighted in the report

Report Author:

Amanda Parrott – Planning Policy Manager

APPENDIX ONE

Consultation response (submitted online)

Investment Priorities

What are your highest priorities for future drainage investments over the next 25 years?
(select up to 3)

- Asset condition ☐
- Enhancing the environment ☐
- Pollution ☒
- Sewer flooding ☒
- Storm overflows ☒
- WRC compliance ☐
- Don't know ☐

Why do you think this?

Different parts of Castle Point have experienced surface water flooding over the past 10 years. In 2013 and 2014 there were severe surface water flooding events on Canvey Island which inundated properties across the Island. In the Autumn of 2021, there were surface water flooding events across the Borough, in the Benfleet, Southend, Rayleigh East and Canvey catchments where properties were inundated.

Sewer flooding and network capacity were components of these events. The inundation of property can have very significant health and wellbeing impacts for residents and resultant loss of property, and hardship, including excessive insurance premiums.

The prevention of sewer flooding must be a priority. Investment in the maintenance of and extension to the sewage network has not kept pace with demands. Consequently the risk of flooding is not just as a result of excessive rainfall, but can occur at any time when there is a fault in the system.

Pollution arising from storm overflows and pollution of watercourses more generally are critical issues due to the impact these can have on amenity, the quality of the environment and on biodiversity.

There are specific local concerns about the discharge of sewerage from the Benfleet WRC during both dry and storm conditions into the South Benfleet Playing Fields and the risk this poses to health and amenity that must be addressed by Anglian Water in this respect.

There are further concerns about untreated discharges from this WRC into Benfleet Creek which is nearby the Benfleet and Southend Marshes SPA. Similarly, there are concerns about untreated discharges from the Canvey WRC and the proximity of that to Thorney Bay and Concord beaches.

It should be a key priority for Anglian Water to ensure that highly polluting discharge events are avoided, and the pollution of water courses is avoided to ensure public

health and to also ensure that nutrient and contaminant levels are kept low and do not harm the environment or biodiversity.

What are your highest priorities for future drainage investments over the medium term (to 2035)?

(select up to 3)

- Asset condition ☐
- Enhancing the environment ☐
- Pollution ☐
- Sewer flooding ☐
- Storm overflows ☐
- WRC compliance ☐
- Don't know ☐

Why do you think this?

As above

Climate Change

We've prioritised planning for a 2 degree increase in temperature due to climate change, where it is cost beneficial to do so over the whole 25 years of the dDWMP. Do you think this is the right assumption to plan against? Should we plan for:

- No climate change ☐
- 2 degree temperature rise ☒
- 4 degree temperature rise ☐
- Not sure ☐

Why do you think this?

It is appropriate to make provision for climate change. Given the very large expense and approvals processes for future investment to respond to the impacts of climate change, it would be irresponsible to not consider such an approach. The impacts of climate change are happening now, and infrastructure providers need to ensure that the adaptations and investment is planned and in place ahead of further impacts.

It is agreed that it is appropriate to make provision for a 2-degree temperature rise at this time. However, through its adaptive planning approach Anglian Water should be prepared to periodically review climate change evidence and adjust upwards their assumptions if the evidence indicates that this is needed over the 25-year plan period.

What level of climate change should we be planning to invest against in the medium term (to 2035)?

- No climate change ☐
- 2 degree temperature rise ☒
- 4 degree temperature rise ☐
- Not sure ☐

Why do you think this?

It is appropriate to make provision for climate change now, as it is already happening as is evident from the extreme rainfall events that have been experienced more frequently across the UK including in Castle Point. In addition, the uncertainty of weather events, including drought, which creates its own pollution issues, means that infrastructure must be able to cope with rapidly changing weather events of variable impacts. Over engineering the system now will help mitigate climate change impacts.

Managing our Investment Approach

We've used local authority data to align our growth forecast with the Water Resources Management Plan (WRMP). Our preferred dDWMP option takes a mid-range view of future growth, between a local plan and Office for National Statistics (ONS) forecast. Do you agree with this approach?

Use full local plan ☒

Right approach ☒

Use ONS ☐

Not sure ☐

Why do you think this?

The Castle Point Local Plan was withdrawn in June 2015. That plan proposed a housing target in accordance with the standard methodology.

Although a new plan may propose a lower than standard methodology housing target, in the absence of a plan, the standard methodology requirement should be used as a default, and this is the level of growth expected by Government.

If the new local plan proposes lower growth, then the use of the standard methodology requirement guarantees that growth is adequately catered for. The Council will engage with Anglian Water in the preparation of a new plan.

Where it is shown to be cost beneficial we're promoting green solutions, such as sustainable drainage (SuDS) and wetlands. When they are a feasible solution, how much of our plan do you think should implement these green solutions?

Where cost beneficial (%)

Not sure ☐

Regardless of cost benefit assessment (%)

Not sure ☐

Why do you think this?

In principle, if a green solution is the most appropriate and feasible solution it should always be selected as it will form part of the green infrastructure network in an area and have multi-functional environmental benefits in terms of shading, heat absorption, carbon absorption, biodiversity, amenity, and recreation, as well as drainage management. The Council in particular is supportive of tree planting, provided that any such planting is maintained especially whilst the trees are establishing.

Where green solutions are not the most cost-effective option but would be an appropriate means for addressing the drainage issue at hand, consideration should be given to the wider benefits of green infrastructure as part of the decision making process. It is noted that Anglian Water is seeking for 71% of the solutions it delivers to be green solutions, and the Council would encourage Anglian Water to deliver against this target.

The Council expects that Anglian Water will consider the ongoing management and maintenance of green solutions that are provided in order to ensure that they are effective over the longer term in delivering drainage and wastewater management.

It is also expected that Anglian Water will think carefully about the design of any such solutions to ensure that pollutants are managed and do not give rise to harm to ecology. All new development will be expected to provide separate sewerage and surface water drainage and it will be wholly unacceptable to the council for a green solution to in anyway act as a mitigation for sewerage waste products either on site or off site.

The majority of our long-term strategies involve removing surface water from our sewerage system, to reduce the number of flood events, pollutions and overflow spills. Do you agree with this approach?

Yes ☒

No ☐

Maybe ☐

Not sure ☐

Why do you think this?

The solutions selected for each catchment need to be appropriate to the hydrology and topography in each area. Local stakeholders need to be satisfied that the creation of larger scale surface water storage areas will not place homes or property at risk.

There also need to be a consideration of amenity impacts. The creation of large surface water storages areas may prevent recreational activities such as football occurring in some locations, especially if these areas are needed more frequently for storage due to climate change. There needs to be clear modelling and effective stakeholder engagement, including with existing users of any open spaces affected, before such proposals are progressed.

Furthermore, the current experience in the Benfleet catchment is that the attenuation area at South Benfleet playing fields also receives foul water discharges. Given the amenity use of this area, these discharges are not acceptable due to the risk to human

health. The Council will not support any continuation of this practice or any proposals which risk such discharges occurring more frequently.

We believe that we can achieve more collective benefits by working with partners and have identified catchments to discuss further. On a scale of 1-5 (with 5 being high), how much do you support a partnership working approach?

Not sure ☐

Why do you think this?

Locally, there is a Multi-Agency Partnership for Canvey Island which has developed a Six Point Plan for improving the drainage and surface water flooding situation on the Island.

This was in response to surface water flooding events in 2013 and 2014 which caused inundation to properties across the Island.

Anglian Water alongside the Environment Agency, the LLFA and the borough council, has a key role to play in delivering that strategy and therefore partnership working is very much supported by the Council.

At a wider level, the Association of South Essex Local Authorities has prepared a Green and Blue Infrastructure Strategy and its partners are working together to deliver SEE-Park, a regional park across South Essex that provides environmental benefits and recreational opportunities for communities. Anglian Water is encouraged to work in partnership with ASELA to identify where the DWMP and proposals for SEE-Park overlap, and where the objectives of all parties can be maximised through joint working.

As the Council prepares a new local plan, a firm partnership with Anglian Water is more crucial than ever. The Council will commit to continue its engagement with Anglian Water and other partners. This will be to ensure that Anglian Water fully understand the issues, constraints and opportunities in the borough; that we can work proactively to find the most effective and appropriate solutions; that we share local and technical knowledge; that we can plan the infrastructure requirements to meet future demands together; and we are able to raise concerns and issues with greater transparency.

Protecting the environment is important to us. To support our Get River Positive commitment we're re-assessing all of our storm overflows in line with the recent Storm Overflow Action Plan consultation. The costs for managing storm overflows are not in this draft. Where would you expect us to focus first?

Protecting bathing waters ☒

Protecting river habitats ☐

Both ☒

Not sure ☐

Other (please explain below) ☐

Why do you think this?

Storm Overflows which release raw sewerage into the environment should be avoided in all instances, with both bathing waters and river habitats protected equally in this respect. If it does occur adequate water quality monitoring should be in place so risks and harm can be clear accounted for, and Anglian Water held to account.

It is noted that at this time, the River's Trust report that 70% of the discharge points in Castle Point are not monitored. This is not an acceptable situation, and the Council would welcome feedback on the timetable in place for getting monitoring equipment in place in advance of the legal requirement to do so in 2023.

Concluding considerations

We've identified and shared the risks and proposed solution strategies over the next 25 years. On a scale of 1-5 (with 5 being high), how confident are you that the plan sufficiently addresses the risks we face between now and 2050?

And how confident are you that the plan addresses the risks at the right time?

Our Purpose is to bring environmental and social prosperity to the region we serve through our commitment to love every drop. Do you believe the draft DWMP meets our purpose?

Completely ☒

Mostly ☒

A little bit ☐

Not at all ☐

Not sure ☐

Why do you think this?

Whilst Castle Point Borough Council, in principle welcomes the decision taken by Anglian Water to proposed investments in the catchments covering the borough's area, some concerns remain:

- 1) Would the additional investment needed for options 1 and 2 leave other areas dealing with significant challenges? Castle Point experiences significant issues associated with drainage and supports and has sympathy for those areas where investment may be denied through this plan if they experience similar issues. It is noted that 11 additional catchments would benefit from investment under option 2.*
- 2) There is a concern that the interventions identified for the Canvey catchment are insufficient to deal with the modelled surface water flooding issues within the catchment. Following flooding in 2013 and 2014, a Multi-Agency Partnership was formed, and an integrated urban drainage model of Canvey Island was prepared. This allowed partners to identify a six-point plan for Canvey Island.*

Action 2 of the six-point plan relates to Canvey Lake. This is a significant component of the drainage infrastructure network for the central part of Canvey Island, providing storage capacity for surface water. During the flood event in 2014, this part of the network was overwhelmed. The responsibilities in relation to the lake are complex and involve several organisations including the Environment Agency, the County Council, the Borough Council and the Town Council. Anglian Water surface water drains feed into the lake and backed up during that event as capacity was exceeded. There is a need for all the relevant agencies to work together to ensure that there is sufficient capacity in the lake to accommodate future flood events. Partnership working is critical to overcome the complexity of responsibilities and it is therefore considered that the DWMP should include a commitment to partnership working on Canvey Island.

Furthermore, Action 3 of the six-point plan is 'increasing the capacity of the drainage network'. As the six-point plan is a non-statutory plan, the DWMP provides Anglian Water as a member of the Multi Agency Partnership the opportunity to confirm their commitment to the six-point plan and assign the resources necessary to deliver their component of the capacity increases needed.

In the absence of the investment identified through the six-point plan being delivered, the Council is concerned that surface water flood events including flooding from sewers will occur with greater frequency on the Island causing blight to those homes that are inundated. The Council would therefore ask for Anglian Water to consider the need for network capacity increases to be included within the DWMP for the Canvey Island catchment in the medium term.

The Council sought to raise this matter with Anglian Water during the consultation period and was provided with assurance that Anglian Water were committed to partnership working in terms of delivering the six-point plan. However, the amended words provided were too vague to be considered sufficient by Castle Point Borough Council and it seeks specific reference to **'partnership working through the Multi Agency Partnership to deliver the six-point plan'** included within the DWMP.

It is noted that the DWMP does include surface water removal for Canvey in the period to 2050. It is noted that Anglian Water may consider this sufficient to provide the network capacity required, however we would seek a specific presentation and discussion of the evidence for Canvey in order to be able to support that position.

Furthermore, it is noted that surface water removal aligns with action 6 of the six-point plan, which seeks investment in green infrastructure, and is welcomed. The Council would welcome conversations with Anglian Water as proposals for this are prepared in order to ensure that they align with the wider green infrastructure proposals for Castle Point.

- 3) The proposals included for the Benfleet are welcomed in principle. However, there are a number of outstanding matters that need to be addressed. The Benfleet WRC discharges foul sewerage into the South Benfleet Playing Fields both during storm events and also during dry conditions. There are no

proposals in place within the DWMP to address that issue, which places peoples' health and the environment at risk from pollution. It also brings into question the capacity of that WRC to receive additional flows from a network with improved capacity.

In terms of the network capacity improvements proposed, it is unclear what these are and the impact these improvements would have on alleviating the local issues, or on resident's amenity and movements during their delivery. Benfleet has a many combined sewers and capacity improvements would potentially give risk to significant disturbance in the local area. Again, we would seek a specific presentation and discussion of the evidence for Benfleet to be able to support these proposals, notwithstanding the issues associated with the WRC itself.

In terms of the longer-term ambition to achieve a 25% infiltration reduction, it is not clear as to how this will be delivered what that will look like in practical terms, and again a presentation and discussion on that matter is also welcomed.

The proposals included for Rayleigh East and Southend catchments are welcomed in principle. Again, the Council would welcome discussions with Anglian Water to understand what these improvements will look like in practical terms and then again when proposals for these catchments are prepared to ensure that they will be effective in delivering better drainage and wastewater outcomes, and any proposals for green solutions align with local proposals for green infrastructure enhancements in those areas.

Effective ongoing engagement will be essential in developing local confidence in the ability of the DWMP to address risks in a timely manner.

Do you have any further comments about our draft DWMP?

The Council notes that a key intervention proposed by Anglian Water is customer education. The Council has some views on matters to be addressed through that intervention which are set out below:

- There is a need for signage to be placed in South Benfleet Playing Fields to explain the use of the area as a flood water attenuation area;*
- There is a need for additional signage to be placed in South Benfleet Playing Fields to explain the risks associated to people and their dogs with regard to the foul water discharges that occur;*
- There is a similar need for such signage on Canvey seafront at Thorney Bay and Concord Beaches;*
- Signage should be placed around WRCs providing contact details if residents spot an issue with such a facility that needs addressing;*
- There should be greater promotion to residents across the Anglian Water catchment of reducing water consumption; and*
- There should be a drive to encourage the installation of water butts at properties, potentially through the free or discounted provision of water butts.*

As a Borough Council we are also working on education pieces around surface water drainage. We are in the process of preparing information with the LLFA on driveways

and how these should be designed and constructed to manage surface water runoff. Anglian Water's support for this would be welcomed.

Further, the Council wishes to raise the need for Anglian Water to engage more with residents when surface water flooding events do occur. The floods which occurred on Canvey in 2013 and 2014 affected properties across the Island including many more vulnerable residents. Whilst it is acknowledged by the Council that it was difficult to access the Island when the flooding was occurring, it was possible to access later that day. The Council feels that Anglian Water could have done more that day and the following day in terms of ensuring the wellbeing of vulnerable customers as part of the multi-agency approach. The Council would be happy to discuss with Anglian Water about how their involvement in future emergency responses can be incorporated into the emergency plan.

Finally, the Council appreciates that the DWMP is a long-term investment plan. However, there are critical issues that need to be addressed now – such as sewerage discharge into open spaces. We would welcome a discussion with you on these.

CABINET

28th September 2022

Subject: Paddocks Community Centre – Urgent Repairs

Cabinet Member: Councillor Blackwell – Leader of the Council

1. Purpose of Report

The purpose of this report is to advise Members that urgent repairs are required to be undertaken at the Paddocks Community Centre and that a budget allocation is required to be made in order to commission those works.

In addition, this report asks Members to convene an urgent Task and Finish Group of members to consider other necessary works identified as required for the Paddocks and to recommend an action plan to the Cabinet in order that a decision for the future sustainability of the Paddocks can be taken by a future meeting of the Cabinet.

2. Links to Council's Priorities and Objectives

This report links to the Council priority of People.

3. Recommendations

- 1. To release £31k from earmarked reserves to commission urgent repairs.**
 - 2. To set up an urgent Task and Finish Group to consider other necessary works identified as required for the Paddocks and to recommend an action plan to the Cabinet in order that a decision for the sustainability of the Paddocks can be taken by a future meeting of the Cabinet**
-

4. Background

- 4.1** The Paddocks Community Centre was constructed and opened in 1973. Since that date it has been at the heart of its community and used by residents to support numerous social and recreational uses. It performs an important civic function also, most recently providing accommodation from which the NHS has administered COVID-19 inoculations.

- 4.2 The building has been subject to a degree of vandalism with many of the high-level windows boarded up. The general appearance of the building is poor. Little investment has taken place in the building since it was built, with only cosmetic repairs undertaken in around 2012 and 2014.
- 4.3 The building has been subject to an ongoing debate regarding its repair and maintenance for many years and the question of whether to refurbish or demolish and replace remains unsettled. This has resulted in a considerable period of inertia during which time the condition of the building has deteriorated significantly, and now urgent repair works must be undertaken, for which there is no established budget.

5. Proposals

- 5.1 Six sets of double fire doors require urgent replacement with new door sets if the building is to remain open. Continued use of the property with the existing doors in situ is considered to be a serious risk to users. In addition a fuse carrier or circuit-breaker is missing from a consumer unit and a blanking piece is not fitted in its place. This has resulted in exposed live parts and is a serious safety issue. Appropriate risk mitigations have been put in place in the short term to allow the building to remain open safely but these works must now be rectified.
- 5.2 A risk assessment will be carried out to ascertain whether closure of the community centre, in whole or in part, will be needed whilst these works are carried out. All users and stakeholders will be communicated with. A risk assessment is in place for current users. No new bookings are being taken for the Paddocks. Hirers of Hall 3 are being moved to the main hall. Additional personnel are being employed to assist with the management of the hall for large bookings. Wiring defects have been isolated where possible to protect staff and users of the facility.
- 5.3 The cost of the urgent repair works is set out below:

Works	Cost (£)
Replacement fire doors	£29,000
Works to exposed live parts	£200.
Patch repairs to roof	£2,000
Total	£31,200

- 5.4 These works have been identified as immediately necessary through external professional expert opinions provided to the Council. Unfortunately there is no allocated budget for these works and so Members are asked to approve release of funds from reserves so that these repairs can be carried out.
- 5.5 Under the previous administration, the Friends of the Paddocks Group was invited to submit a business case to support a proposal that the Group should take over the building. The Group has undertaken its own fire risk report which it has shared with the Council. That report comes to a different conclusion regarding the replacement fire doors compared to that put forward

by the Council's own expert advisors but in many other aspects is accepted by them.

- 5.6 In addition to the works set out in paragraph 5.3 above, further works have been identified as being required to be undertaken as soon as possible and in any event within the next 12 months. These works are estimated to cost in the region of £500,000. Accordingly, it is now imperative for the Council to address all of the issues relating to the state of repair of the building. Given the complexity of the issues and the history of the situation, it is proposed that a Task and Finish Group of Members be convened to urgently review the matter with relevant officers.
- 5.7 The objective of the Task and Finish Group will be to recommend to Cabinet a high-level action plan which will enable Cabinet to address the issue of repairs and make a decision about the future sustainability of the building and ensure that proper budgetary allowance is made for the action plan to be delivered.
- 5.8 It is proposed that the Task and Finish Group be cross party; led by the Cabinet Member for Finance (because of the budgetary implications) and be no more than 4 members in number. It is not recommended that membership of the Task and Finish Group is extended beyond elected members as the objective of the Group is to simply recommend a high-level action plan at this stage.
- 5.9 It is proposed that as part of any future decision of the Cabinet should take into account the way in which stakeholders such as the Friends of the Paddocks can be engaged in the delivery of the action plan and be part of any decision regarding the future sustainability of the building.

6. Corporate Implications

(a) Financial Implications

It would not ordinarily be value for money to invest in significant repairs and maintenance until the future of the building has been decided. However, it is now the case that urgent works are required for the safety of users and for that decision as to the building's future to be made including the option of potentially retaining the building.

The immediate works required, totalling **£31,200**, will be funded from earmarked reserves.

In addition to the immediate works, additional costs are being incurred on staffing as a result of needing additional resources for large bookings and income is being lost whilst new bookings are not being taken. The impacts of these are being met from within the Community Halls budget, although there is a risk that this budget will overspend by the end of the year. Officers will keep a watching brief on this and report any adverse variances via the usual financial update reports.

With a significant value of works required in the near future for which there is no budget provision made, the Task and Finish Group should move forwards rapidly with determining the high-level action plan for the Cabinet to consider.

(b) Legal Implications

The Council has a legal duty to ensure that the public has access to safe public buildings and public open spaces. Public authorities also have a duty to safely maintain public buildings which are intended to remain open for the benefit of the public and to follow relevant Health and Safety laws.

A report was commissioned by the Council to look at urgent Health and Safety requirements at the Paddocks Community Centre and to highlight any urgent Health and Safety works that were required in order to enable the continued operation of the facility in the short term.

A failure to follow Health and Safety laws places the Council at risk of Civil liability as well as possible Criminal Prosecution as a Corporate Body. If it is decided that the building is to remain open and that appropriate funds are spent to overcome the short-term Health and Safety risks identified, then legally, the recommendations should be fully carried out in order to avoid or mitigate any liability for the Council should a serious Health and Safety incident occur on the premises.

Criminal liability could include a Corporate Manslaughter conviction in the event of death resulting in unlimited fines as well as other orders. Similarly, Civil liabilities following death or serious injury are likely to be considerable and may be uninsured if the Council has failed to follow reasonable and appropriate recommendations relating to Health and Safety risks identified in reports as insurers would try and avoid liability and potential litigants would cite contributory negligence as a factor.

(c) Human Resources and Equality Implications

Additional staff resources are being employed to assist management of the building for large bookings of the hall. (An Equality impact Assessment will be undertaken before a decision on the future building.)

(d) IT and Asset Management Implications

This report addresses the asset management implications.

7. Timescale for implementation and Risk Factors

- 7.1 A meeting of the Task and Finish Group has provisionally been set for Tuesday 4th October 2022 and it is anticipated that the action plan can be reported back to Cabinet for its next meeting on 19th October.
- 7.2 The alternative to Members accepting the recommendations in this report is that the Paddocks Community Centre must be closed.
- 7.3 The Council's insurers have been made aware of the state of the building and mitigations currently being put in place. They have not yet imposed any additional conditions, restrictions or premiums but it remains a possibility that they could do this at any time. The longer the future of the building remains undetermined, the more likely it is that the insurers opt to restrict their liability

or impose additional premiums. The resolution of this outstanding issue is a priority for the Task and Finish Group and may affects its options regarding the future use of the building in the short or longer term.

8. Background Papers

Referred to in the report.

Report Author:

Ms Angela Hutchings - Chief Executive

CABINET

28th September 2022

Subject: Benfleet Football Club – Request to lease land at Woodside Park

Cabinet Member: Councillor Cole – Cabinet Member responsible for parks and open spaces

1. Purpose of Report

To consider a request from Benfleet Football Club to lease an area of public open space at Woodside Park.

2. Links to Council's Priorities and Objectives

This proposal links with the Council's Environment and People priorities.

3. Recommendations

It is recommended that the Council enters into a lease agreement with the Benfleet Football Club for the use of the pitches/adjacent land as shown in the Appendix on the terms set out in the report.

4. Background

Benfleet Football Club has for many years had a lease agreement with the Council for the building it uses as its clubhouse. Under a separate licence agreement, the Club maintains the land and football pitches on the field immediately in front of the clubhouse and on the field beyond.

The Club, under a new committee, has gone from strength to strength in recent years and membership is currently growing at a rate of 20% each year. It now has fifteen youth teams ranging from age 5 to age 17 and six senior teams including its first team which following a significant promotion is now a member of the non-league pyramid. This promotion requires some improvements to the main pitch in order to meet the standards required of non-league football. These include provision of a small spectator stand and railings/barrier around the pitch perimeter.

As the pitch does not meet the required standards the club is currently unable to play its first team matches at home and instead is having to play them at Canvey Island Football Club. This is less than ideal from the Club's perspective because as well as having to pay for the use of the Canvey pitch it is losing out on income from food and drink sales at its clubhouse on home match days.

The Club wishes to apply for funding to bring the pitch up to the required standard, but it needs to have a legal interest in the land before it is able to do so. It has therefore approached the Council to see if, rather than allowing the club use of the pitches/land under licence, it would be willing to lease the land to them instead. Leasing all the pitches to the football club would enable them to potentially apply for funding to improve the playing surface of the other pitches.

The lease agreement would have no impact on the actual use of the fields, the Club would maintain both fields which would be open to the public in the same way they are currently, in use at the same times as they are already and available to the general public for the remainder of the time. The only other user of the backfields is the horse-riding club that hires the field three times a year, and the Club has worked hard to build good relations with that organisation over the last two years, and the horse-riding club would continue to enjoy the same use of the facilities as they have historically.

A lease agreement with the football club would provide some cost benefits to the Council as it would no longer incur the costly ongoing maintenance costs of cutting and marking out the back field pitches every week as it does currently, Benfleet Football Club would take responsibility for doing this as part of the lease.

5. Corporate Implications

(a) Financial Implications

The proposed annual rent for the lease for the land on which the pitches are situated is £6k.

(b) Legal Implications

As the land is designated public open space, the Local Government Act 1972, s123 (2a) requires the Council to advertise the disposal of the land (via lease) by way of a Public Notice for a continuous two-week period.

The existing lease for the clubhouse runs until 2040 and it is proposed to draft a lease agreement for the pitches/adjacent land which will expire at the same time as the existing lease for the clubhouse.

The new lease agreement will replace all existing licence agreements Benfleet Football Club has with the Council in respect of use of the football pitches.

The Club would be responsible for applying for any necessary planning consent in respect of the necessary pitch enhancements to meet the.

(c) Human Resources and Equality Implications

The land, except for the first team pitch would remain available to the public when not being used by the club.

(d) IT and Asset Management Implications

None associated with this report.

7. Timescale for implementation and Risk Factors

If Cabinet is supportive of a lease agreement with the club, the intention would be to progress the lease agreement with immediate effect but there is a legal process that the Council must follow as the land in question is public open space.

Background Papers

None

Report Author:

Trudie Bragg, Head of Environment

CABINET

28th September 2022

Subject: The Levelling Up Parks Fund

Cabinet Member: Councillor Blackwell – Leader of the Council

1. Purpose of Report

- a) To bring to Cabinet's attention the Levelling Up Parks Fund which Government announced on 1 August 2022 and details of the funding which this Council is eligible for; and
- b) To determine which of the Council's parks and open spaces to improve using the Levelling Up Parks Fund.

2. Links to Council's Priorities and Objectives

This proposal links with the Council's Environment priority.

3. Recommendations

That Cabinet notes the £85,000 Levelling Up Parks Fund which the Council is eligible for and endorses Thorney Bay playground and adjacent public open space as the site which the Council wishes to improve using this funding.

4. Background

The Council received a letter dated 1 August 2022 from the Department of Levelling Up, Housing and Communities advising that it is eligible for funding under the £9m Levelling Up Parks Fund.

If the Council decides to accept the funding it will receive up to £85,000 for the creation of a new or significantly refurbished urban green space.

The purpose of the fund is to increase:

- Access to quality green space in deprived urban areas
- Tree-planting in urban areas
- Pride in our local places

The fund consists of:

1. Up to £47,500 capital for creation or improvement of the park
2. Up to £18,500 revenue for project preparation, creation and maintenance
3. Up to £19,000 'tree uplift' for tree planting and related costs

Eligible Councils will also receive an initial site assessment by Green Flag Awards, which the department has paid for to the value of £450.

Eligible Councils are required to "opt in" for the funding and the "opt in" form was submitted ahead of the 5 September 2022 deadline. The Council now has to provide DLUHC officials with a project proposal and agree a Memorandum of Understanding for how this grant will be used by 3 October 2022.

The funding must be spent in neighbourhoods that need it the most, and there is an expectation that Councils consult and engage with these communities in the project design and delivery whenever possible.

There is no competitive bidding process required to obtain this funding. It has been allocated to local authority areas which rate highly on the Index of Multiple Deprivation and have limited access to green space. Three Lower Layer Super Output Areas (LLSOAs) have been identified in Castle Point which are in the top 2 deciles of the 2019 Index of Multiple Deprivation (IMD) and have less than 5% of the total LSOA area covered by, or within 200m of, an accessible green space of at least 0.5Ha. This includes public or country parks, local nature reserves and playing fields, and access land.

The 3 LLSOAs are 010E, 010B and 012E and their location is shown edged red in the appendix to this report. The Labworth Recreation Ground and Wooden Park at Thorney Bay are situated in 012E. There are no parks within 010B or 010E but the Gunny site is close by and improvements to this area would benefit residents living in 010B or 010E.

Choice of site for improvement using the levelling Up Parks Fund

The Big Local has already undertaken extensive consultation with local residents about site improvements/ facilities they would like to have on the Gunny Site and planning consent has been given for the proposed improvements. Unfortunately, due to escalating costs the Big Local funding is not sufficient to enable all the proposed improvements to be undertaken at this time so potentially the Levelling Up Parks Fund could be used for the provision of the play equipment and some of the other site improvements which the Big Local is unable to fund. However, there could be potential delivery issues given the complexity of the Gunny project and the need to spend the Levelling Up Fund by end of March 2023. For this reason, the Gunny site is not the recommended option.

Wooden Park, Thorney Bay is already one of the Council's most popular play areas in the Borough and with the proposed Coastal Communities funded improvements at Thorney Bay, increased visitors to the area and even greater usage of the play area and surrounding public open space is expected. Expansion of the play area and enhancement of the surrounding public open space would fit well with the Council's commitment to improving the facilities at the Thorney Bay end of the seafront. The number of people who would derive benefit and enjoyment from improved facilities at this location is likely to be significant so the grant funding would be well spent if it was used to enhance this area. For this reason, Wooden Park, Thorney Bay is the recommended option.

5. Corporate Implications

(a) Financial Implications

Whilst this additional funding is welcome it is not sufficient to completely transform one of our parks. It will however enable the Council to make improvements to one of its open spaces which it otherwise would not have been able to afford. Whilst the Levelling Up Park Fund can be used for capital costs associated with the improvements, tree planting and some revenue costs, the Council will be responsible for the ongoing maintenance costs of the enhanced facility once the revenue element of the grant funding has been fully utilised.

(b) Legal Implications

The funding is dependent on the Council agreeing a Memorandum of Understanding with DLUHC and it being spent this financial year. There is also a requirement to provide regular update reports to DLUHC.

(c) Human Resources and Equality Implications

None associated with this report, the scheme will be managed using the existing staff resource.

(d) IT and Asset Management Implications

As above.

7. Timescale for implementation and Risk Factors

The project proposal has to be submitted to DLUHC by 3 October 2022 and the project needs to be completed this financial year. Supply chain shortages and escalating costs due to rising inflation are risk factors which could impact on the delivery of the project.

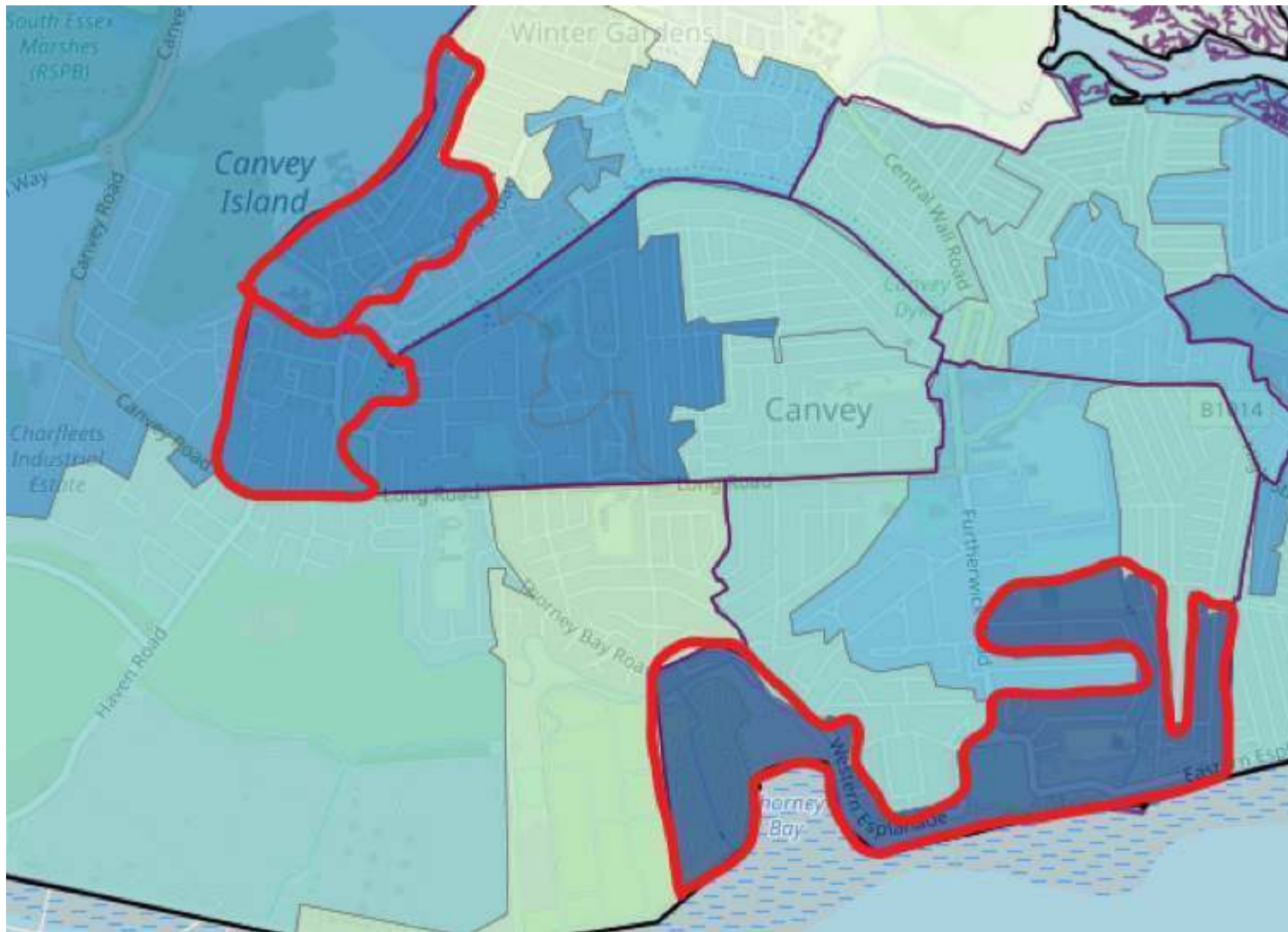
Background Papers

Levelling Up Parks Fund: Prospectus (Published 1 August 2022)

Report Author:

Trudie Bragg, Head of Environment

APPENDIX: Lower Level Super Output Areas which meet the Levelling Up Park Fund criteria



CABINET

28th September 2022

Subject: Update on recent procurement exercise in relation to the construction of new housing developments

**Cabinet Members: Councillor C Sach - People, Health, Wellbeing & Housing
Councillor M Fuller - Resources**

1. Purpose of Report

- 1.1 To update Cabinet on the three development projects currently underway at Cedar Road, Linden Way and Link Road.**
- 1.2 To advise Cabinet of the increase in the development costs since the previous Cabinet Approval in October 2020.**
- 1.3 To seek authority to award the contract to the successful contractor and agree the budget changes detailed in the report.**

2. Links to Council's priorities and objectives

- 2.1 The work is linked to the priority of Housing and Regeneration.**

3. Recommendations

- 3.1 That Cabinet approves the updated budget for the construction costs for the development of the nine homes at Cedar Road, Linden Way and Link Road, as set out in paragraph 5.5.3.**
- 3.3 That Cabinet agrees to the award of the contract for the construction of new homes.**

4. Background

- 4.1 There is a significant shortage of properties for temporary accommodation and ongoing affordable housing in the Castle Point Area.**
- 4.2 The Housing Service has a Development Project Team to examine available sites and look to develop more housing on suitable brownfield sites.**
- 4.3 The sites currently identified, with projects underway, are at Cedar Road, Link Road and Linden Way. Further sites are currently under review.**

- 4.4 Agreement to the development of the sites was received from Cabinet in October 2020, with Planning consent received for individual schemes during 2021.

5. Report

- 5.1 Since the Cabinet report in October 2020 all the developments have continued to progress, below is an outline of the current position of the schemes

5.2 Cedar Road

- 5.2.1 Works to connect drainage to the site have been undertaken ahead of commencement of the scheme.

- 5.2.2 Below is detailed the original estimates presented in the October 2020 report to Cabinet, with a comparison to the revised costs.

Original Budget		Revised forecast	Variance
Cost element	£000's	£000's	£000's
Development costs inc Contingency	447	532	85
Market contingency 10%	0	53	53
Utilities	15	15	0
Professional fees	40	47	7
Total estimated cost	502	647	145
Financed by:			
"1 for 1" right to buy receipts	150	259	108
To be funded from other sources	352	388	36
Total funding	502	647	145

- 5.2.3 The increase in forecast costs is due to the tender for the work coming in higher than expected and is due to a significant increase in development costs. These were calculated on a square metre basis, but these have increased substantially over the 2-year period, by way of example market rates published by RICS show an increase from £1,525 to £2,250 per sqm. Cost have further been increased due to the addition of a market contingency discussed in section 5.5.2

5.3 Link Road

- 5.3.1 Demolition of the garages on the site has been completed and applications made for the diverting of utilities under the former garage site.

- 5.3.2 Below is detailed the original estimates presented in the October 2020 report to Cabinet, with a comparison to the revised costs.

Original Budget		Revised forecast	Variance
Cost element	£000's	£000's	£000's
Development costs	554	959	405
Market Contingency 10%	0	93	93
Garage Purchase	0	42	42
Demolition costs	18	24	6
Utility costs	23	23	0
Professional fees	40	40	0
Total	635	1,181	546
Financed by:			
"1 for 1" right to buy receipts	191	473	282
To be funded from other sources	445	709	264
Total funding	635	1181	546

5.3.3 Following the outcome of the tender there is a significant increase in development costs as detailed in 5.2.3. The original estimate for this scheme was also slightly lower than the market rate at the time of the report (by £50 per sqm), estimates for the schemes shown vary slightly, which may have been due to the varying dates of preparation of estimates for business cases and movements in the construction prices and this not being picked up at the time of the report. Costs have further been increased due to the addition of a market contingency discussed in section 5.5.2.

5.3.4 Due to ongoing review of the plans the property sizes also increased by a total of 60 sqm during the planning phase increasing over all costs. Finally, we were also required to re-purchase a garage on the site to allow any redevelopment to be undertaken rather than construct a replacement as was envisaged.

5.4 Linden Way

5.4.1 Demolition of 4 bungalows that were subject to subsidence as well as garages on the site has been completed.

5.4.2 Below is detailed the original estimates presented in the October 2020 report to Cabinet, with a comparison to the revised costs.

Original Budget		Revised forecast	Variance
Cost element	£000's	£000's	£000's
Development costs	835	928	92
Market Contingency 10%	0	92	92
Utilities	45	45	(0)
Demolition	11	58	47
Garage Purchase	0	14	14
Professional fees	40	40	0
Total	931	1,176	245
Financed by:			
"1 for 1" right to buy receipts	279	471	191
To be funded from other sources	652	706	54
Total funding	931	1,176	245

5.4.3 Following the outcome of the tender there is a significant increase in development costs as detailed in 5.2.3. We can also see the addition of a market contingency discussed in section 5.5.2.

5.4.4 We were also required to re-purchase a garage to allow redevelopment on the site to be undertaken, this was originally proposed to be replaced, the purchase though has enhanced the development and parking available. The cost of demolition works were underestimated in the business case and also more complicated than anticipated as it involved demolition of dwellings, this has been noted for future business cases.

5.5 Tender Results

5.5.1 The tenders were received w/c 18 July and evaluated w/c 25 July with two companies submitting tenders for the work, but only one passing the initial evaluation.

5.5.2 The outcome of the tender evaluation after taking into account estimates for the completion of associated works is a total cost of **£3m** for the completion of the project, including **£273k** already incurred to August 2022 for preparatory work not covered by the contract for approval. This is an increase in overall cost of **£946k** but includes an additional contingency of **£238k** to reflect the uncertainty within the construction sector and the economic situation currently faced by the country in terms of inflation and the costs of goods and services.

5.5.3 In the absence of a second tender the winning tender is for **£2.38m**, updating our original estimates with the RICS recommended cost per square metre of £2,250 the tender price would be **£2.69m**, which puts the cost of the work on a par with market expectations.

5.5.4 A table illustrating the funding of the projects is detailed below.

Funding

Budgeted

	Link Road (2x3 & 1x2 bed homes)	54-60 Linden Way (4x2 bed homes)	Cedar Road (2x2 bed homes)	Total
	(£)	(£)	(£)	(£)
Estimated cost	634,987	931,031	502,012	2,068,030
HRA Revenue Contributions	317,640	104,048	-	421,688
HRA S106 funds	-	190,552	-	190,552
HRA debt reduction portion	63,387	263,991	301,212	628,590
HRA Replacement housing portion (time and % limited)	253,960	372,440	200,800	827,200
Total Funding	634,987	931,031	502,012	2,068,030

Revised

	Link Road (2x3 & 1x2 bed homes)	54-60 Linden Way (4x2 bed homes)	Cedar Road (2x2 bed homes)	Total
	(£)	(£)	(£)	(£)
Estimated Cost	1,181,349	1,176,387	656,173	3,013,909
HRA Revenue Contributions	-	-	70,177	70,177
HRA S106 funds	624,497	376,783	-	1,001,280
Other HRA non-RTB receipts	-	-	10,000	10,000
HRA debt reduction portion	84,347	329,022	313,492	726,861
HRA Replacement housing portion (time and % limited)	472,505	470,582	262,504	1,205,592
Total Funding	1,181,349	1,176,387	656,173	3,013,909

5.5.5 This tables demonstrates that despite the increase in costs the developments can still be funded without additional borrowing and with a reduction in contributions from the HRA. It is budgeted to contribute **£422k** in 22/23 to fund these, it is now only necessary to contribute **£70k**, this is due to utilising higher than anticipated receipts from Right to Buy and Section 106 receipts. But this does consequently reduce the available resources for future developments and mean we would need to seek alternative funding sources.

5.5.6 The revised cost of the development of seven 2 bed homes and two 3 bed homes would equate to an average of **£335k** per property. This compares to the last development completed at Church Close in November 2020 where 2 bed properties were valued at **£300k**. The average new build property value according to the Land registry within Castle Point increased from **£353k** to **£462k** between November 2020 to April 2022, an increase of 35% which would increase the value of 2 bedroom new build properties to **£405k**. This would make the average build cost viable in terms of asset values and allows significant room between the average cost and estimated value to offset any skewing of figures by any changes in the types of new build properties built over this period, for example a greater proportion of larger homes.

6. Corporate Implications

a. Financial implications

There are significant financial implications which are summarised in this report.

b. Legal implications

There are legal implications surrounding compliance with procurement guidelines to ensure that tender exercises have been fairly undertaken in terms of

- publication,
- timescales to complete documents,
- equal access to information,
- being reviewed fairly and consistently

These are to avoid challenges from unsuccessful contractors.

c. Human resources and equality

The human resource implications will be monitored throughout the development to ensure the project is adequately resourced. There should be some positive equality implications as people in need will be allocated housing.

d. Timescale for implementation and risk factors

It is anticipated that development could commence at the end of October 2022, an update to members on the three projects will be provided at regular intervals and direct to ward Councillors.

There are a number of risks faced with this development, a key risk is the current economic situation, delays to the construction supply chain could add to development timescales. This would put increasing pressure on the construction costs due to the current level of inflation, whilst this is a fixed price contract, spiralling costs will impact on the construction company if the level of these have not been foreseen in their tendered price. This has been partly mitigated with the inclusion of an additional provision within the budgeted costs.

We had a limited choice of contractor, partly as a result of issuing a fixed price contract, but we are satisfied with suitable contract management that the project can be delivered with the chosen contractor. To potentially obtain a greater number of contractors we would need to rerun the tender process, which will likely result in increased costs due to inflation and further price risk as contractors would be looking for contracts that would share inflation risks.

7. Background Papers:

Cabinet 21st October 2020

Development Control Committee 5th October 2021 (Linden Way)

Development Control Committee 7th December 2021 (Link Road)

Development Control Committee 1st June 2021 (Cedar Road)

Report Author: David Randerson, Housing Development and Finance Manager

**CABINET
28th September 2022**

Subject: Award of Grounds Maintenance, Street Cleansing & Building Cleansing Contract
Cabinet Member: Councillor Gibson - Place, Infrastructure

1. Purpose of Report

To provide Cabinet with detailed information about the procurement and tender evaluation process which has been undertaken for the new Grounds Maintenance, Street Cleansing & Building Cleansing Contract

2. Links to Council's priorities and objectives

The provision of high quality and efficient grounds maintenance, street cleansing & building cleansing services which ensure a clean and attractive local environment and facilities links with the Council's Environment priority.

3. Recommendations

That Cabinet notes the information provided in this report and approves the award of the contract for Grounds Maintenance, Street Cleansing and Building Cleansing Services to the successful tenderer.

4. Background

This report should be read in conjunction with agenda item 12(b) 2 which provides commercially sensitive information about the tenders received.

The Council currently has a contract with Pinnacle PSG for the provision of grounds maintenance and street cleansing services. This contract expires on the 28th February 2023 and a procurement exercise has been undertaken to ensure the provision of grounds maintenance, and street cleansing services from 1st March 2023. To improve the quality and resilience of building cleansing services there is also the option to include building cleansing in the contract.

The following points provide further information about the procurement process:

- Following the tender and award of the current contract with Pinnacle PSG an analysis was undertaken to identify the strengths, weaknesses, opportunities and threats that would need to be considered for the next tender process.
- Out of this analysis a draft Project Initiation Document (PID) in line with the Council's Procurement procedure was produced.

- Work on producing the relevant specifications and associated schedules started in early 2020
- A meeting was held with the incumbent Contractor, Pinnacle PSG, to review the current contract and discuss lessons learnt; this was undertaken at the same time as a Soft Market Testing exercise in which eight potential service providers were approached.
- As a result of the meeting with the incumbent Contractor and the Soft Market Testing a further review of the specification and schedules was undertaken to ensure the information coming out of these was included.
- Following discussions with the relevant departments and the Executive Management Team it was decided to include the Council's Building Cleaning provision in the contract, and as such those departments drew up their relevant specifications and schedules to be included alongside the Grounds Maintenance and Street Cleansing specification and schedules.
- The contracting out of the Council's Building Cleansing provision would require the transfer of the relevant Building Cleansing staff to the winning contractor, and as such appropriate consultation was held with those staff and the relevant trade unions.
- Engagement with the Essex Procurement Hub who would advertise the tender started in early 2021 and a number of meetings were held to ensure that all the tender documents were correct including how the tenders would be evaluated and scored. A tender timeline was also produced in line with the draft PID.
- The splitting of the tender into lots was investigated, but following discussions within the Council's Executive Management Team the decision was made not to pursue this due to contract management, operational, resilience and site capacity / availability issues
- The PID was presented to the Executive Management Team on the 12th July 2021 and agreed.
- The Contract will be for an initial five years starting 1st March 2023 with the possibility of extending up to a further five years.
- On the 11th May 2022 the tender was advertised as an Open Tender on the Delta procurement system. All those companies contacted via the Soft Market Testing were sent the opportunity directly and the tender was also advertised via Contracts Finder.
- The tender submission deadline was initially set for the 5th July 2022, however following a number of clarification requests this deadline was extended to the 13th July 2022.
- Whilst several suppliers accessed the tender opportunity only a small number remained actively engaged with the clarification process.

Tender Evaluation

The Evaluation Team consisted of Trudie Bragg, Head of Environment (and project sponsor), Diane Logue, Head of Housing, Claire Dowdall, Senior Resilience and Procurement Specialist, Ryan Lynch, Operational Services Manager and Stuart Jarvis, Street Scene and Contracts Manager. Evaluations took place between the 18th and 29th July 2022 with the Essex Procurement Hub overseeing the process.

- Submitted tender documentation was checked to ensure it had passed the Standard Selection Questionnaire and met the minimum levels of suitability. Those tenders that met the minimum levels of suitability were then checked to ensure that all questions had been answered and all documents had been uploaded.
- Tenders were then evaluated and assessed using defined evaluation criteria. The Council reserved the right to seek confirmation or clarification of the tenderers proposals, including those relating to price
- The evaluation scores took into account price and quality with 60% of the scores potentially being awarded for price and 40% for quality.
- The results of the evaluation process were presented to the Leadership Team (formerly EMT) who agreed that it would be beneficial to include building cleansing services in the contract.

Conclusion

A robust procurement exercise has been undertaken to ensure that the most economically advantageous tender for the Council is awarded the contract.

5. Corporate Implications

a. Legal implications

The Council has a duty under Section 89 of the Environmental Protection Act 1990 to ensure so far as is practicable, land that it is responsible for, and public highways are kept clean and free from litter and refuse. The Code of Practice on Litter and Refuse sets out the service standards and response times for different land types and uses. The Council will be seeking to discharge its responsibility through the letting of the new street cleansing contract.

The procurement procedure must be undertaken in a fair and transparent manner in order to avoid the possibility of a legal challenge.

b. Financial Implications

There will be no annual uplift for the first two years of the contract and thereafter the contract will be subject to an annual review process. This review process will look to implement identified savings and also any increase in contract costs. Any such increase will be required to be justified by the contractor, will be subject to

approval by both parties and will be capped at the percentage of Consumer Price Inflation (CPI) set in January of the year of the Annual Review meeting and will be effective from the 1st April in each calendar year after the first two (2) years of the Contract.

Tenderers were required to set out in a method statement how they intend to implement improvements in service provision including the provision of Social Value and achieve on-going efficiency savings over the lifetime of the contract. It is expected that the successful tenderer and the Council will work together in a mature and flexible manner in order to overcome the challenges that will inevitably present themselves during the life of the contract. Any savings will be required to be shared 50/50 between the contractor and the Council.

There is a Default mechanism in the contract which has financial penalties for unsatisfactory performance.

The Farmhouse depot and yard will be used by the contractor under the terms of a lease which will require payment of an annual rent as well as contributions towards the cost associated with the use of the building, such as business rates and utilities. The lease will expire at the end of the initial five year period of the contract but will be able to be extended for up to a further five years if the Council decides to extend the contract.

Essex County Council make an annual contribution of £28,000 towards the cost of verge cutting; this contribution has not increased since 2005. This equates to the equivalent of just over half of the adopted highways for which Essex County Council is responsible for receiving 1 cut per year. This Council subsidises the cost of verge cutting in order to maintain the height of grass to less than 100mm which it believes is more appropriate for the nature of the borough and more acceptable to local residents.

There are further financial implications set out within agenda item 12(b)2

c. Human resources and equality

This is set out within agenda item 12(b)2 under Part 2 of the agenda.

d. Timescale for implementation and risk factors

After the decision to award the contract there will need to be further consultation with housing leaseholders advising them of the outcome of the procurement process and the Council's intentions. The new contract will take effect from 1st March 2023.

As with any procurement exercise there is potential for a legal challenge from an unsuccessful tenderer but the Council has done all that it reasonably could of to mitigate against such an eventuality.

Report Authors: Trudie Bragg, Head of Environment / Stuart Jarvis, Street Scene & Contracts Manager

CABINET

28th September 2022

Subject: Christmas Office Arrangements

Cabinet Member: Councillor Blackwell – Leader of the Council

- 1. Purpose of Report**
To inform Cabinet of the arrangements for the operation of the Council Offices during the Christmas and New Year period.
 - 2. Links to Council's Priorities and Objectives**
This relates to all.
 - 3. Recommendations**
To note the arrangements for the Christmas and New Year period and that the Council Offices will reopen for business on Friday 30th December 2022.
-

4. Background

- 4.1 In recent years the practice has been to close the Council Offices between the Christmas and New Year period with the Council Offices closing from close of business on Christmas Eve and reopening on the first working day after New Year's Day.
- 4.2 Residents that need assistance during the Christmas holidays contact the emergency out of hours line run by Southend Careline.
- 4.3 Services which continue to operate, e.g. the Refuse service and the Leisure service do not benefit from this practice and nor do front line services which operate on a standby or shift rota basis such as Sheltered Housing.
- 4.4 The employees who are able to benefit from the closure of the offices are required to book two statutory days which are part of their contractual leave entitlement. In addition an extra day, taken at the discretion of the Chief Executive, known as the "Chief Executive's day" is awarded annually to facilitate the closure. (Where the Chief Executive's day is not taken at that time the day is added to the employee's annual leave entitlement.)

- 4.5 The Chief Executive's day comprises of the traditional half day Maundy Thursday and half day Christmas Eve leave that used to be granted to local government employees. To that end, it has contractual status.

5. Proposals

- 5.1 If the customary practice was followed the Council Offices would be closed for business from Friday 23rd December 2022 until Tuesday 3rd January 2023 inclusive which is a total of 4 business days but because of how the dates fall, a total of 10 calendar days. (As Christmas Day falls on Sunday there is a Bank Holiday on Tuesday 27th December and New Year's Day Bank Holiday falls on Monday 2nd January 2023.)
- 5.2 Mindful of the pressures on Council services likely to result this coming winter, the Chief Executive is of the view that it would be inappropriate to close the offices for business for the whole of the Christmas and New Year period.
- 5.2 For this year, therefore, the Council offices will close for two days on 28th and 29th December and reopen for business on Friday 30th December 2022. The Chief Executive's Day will be added to employees' annual leave entitlement, to be taken before the end of the financial year and will be managed through standard working practices.
- 5.3 Going forward given the changes to ways of working with the increase in flexible working and the occupation of the building the Chief Executive intends to review the future business arrangements for Christmas closure.

6. Corporate Implications

(a) Financial Implications

There are none

(b) Legal Implications

There are none.

(c) Human Resources and Equality Implications

These are addressed within the report

(d) IT and Asset Management Implications

This is addressed in the report.

7. Timescale for implementation and Risk Factors

Dealt within the report.

8. Background Papers

Annual Leave HR Procedure

Report Author:

Ann Horgan – Head of Governance