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CABINET AGENDA

Date: Wednesday 15th October 2014

Time: <u>7.00pm – N.B. TIME</u>

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

Councillor Riley Chairman - Leader of the Council

Councillor Sharp Responding to Challenge

Councillor Stanley Resources and Performance

Councillor Skipp Environment &Leisure

Councillor Mrs Egan Homes and Customer Engagement

Councillor Dick Health & Wellbeing

Councillor Howard Canvey Island, Floods and Water Management

Councillor Isaacs Neighbourhoods and Safer Communities

Councillor Smith Waste & Business Liaison

Cabinet Enquiries: Ann Horgan ext. 2413

Reference: 4/2014/2015

Publication Date: Tuesday 7th October 2014

AGENDA PART I (Business to be taken in public)

1. Apologies

2. Members' Interests

3. Minutes

To approve the Minutes of the meeting held on 17th September 2014.

4. Forward Plan

To review the Forward Plan

5. Public Health and Wellbeing

Environment

6 (a) Action on Flooding - Update

The Cabinet will be asked to consider a report (Report of the Cabinet Member Canvey Island, Flood and Water Management)

7. Transforming Our Community

7 (a) London Infrastructure Plan Consultation

The Cabinet will be asked to consider a report (Report of the Leader of the Council)

7 (b) New Local Plan - Evidence Base Update Report

The Cabinet will be asked to consider a report (Report of the Cabinet Member Waste & Business Liaison Chairman of the Draft New Local Plan Task & Finish Group)

7 (c) Government Consultation – Delivering Sustainable Drainage Systems

The Cabinet will be asked to consider a report (Report of the Cabinet Member Canvey Island, Flood and Water Management)

8. Efficient and Effective Customer Focused Services

8 (a) Treasury Management Activity Mid Year Report

The Cabinet will be asked to consider a report. (Report of the Cabinet Member Resources and Performance)

8 (b) Housing Revenue Account (HRA) 2014-2015 Updated Revenue Budget and Capital Plan

The Cabinet will be asked to consider a report. (Report of the Cabinet Member Resources and Performance)

8 (c) Financial Update

The Cabinet will be asked to consider a report (Report of the Cabinet Member Resources and Performance)

- 9. Matters to be referred from /to Policy & Scrutiny Committees
- 10. Matters to be referred from /to the Statutory Committees

PART II (Business to be taken in private) (Item to be considered with the press and public excluded from the meeting)

There were no items known at the time of publication of this agenda





CABINET

17TH SEPTEMBER 2014

PRESENT:

Councillor Riley, Chairman
Councillor Sharp
Councillor Stanley
Council

Councillor Skipp Environment & Leisure

Councillor Mrs Egan Homes and Customer Engagement

Councillor Dick Health and Wellbeing

Councillor Howard Canvey Island, Floods and Water Management Councillor Isaacs Neighbour hoods and Safer Communities

Councillor Smith Waste & Business Liaison

ALSO PRESENT: Councillors: Acott, Bayley, Blackwell, Campagna, Greig, Hart, Harvey, Hurrell, Mrs King, Palmer, Walter Mrs. G Watson and N.Watson.

31. MEMBERS' INTERESTS

Councillor Mrs Egan declared a non pecuniary disclosable interest in respect of item 5(a) Sustainable Community Garden- The Whitehouse.

32. LEADER'S STATEMENT:

The Leader made a Statement following the recent meeting of the Draft Local Plan Task and Finish Group informing of a review to be undertaken by the Task & Finish Group of its Programme of Work.

33. MINUTES

The Minutes of the Cabinet meeting held on 20.8.2014 were approved and signed by the Chairman as a correct record.

34. FORWARD PLAN

To comply with regulations under the Localism Act 2011, the Leader of the Council presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter 2014. The plan was reviewed each month.

Resolved – To note and approve the revised Forward Plan.

35. SUSTAINABLE COMMUNITY GARDEN - THE WHITEHOUSE

The Cabinet considered a report informing about the proposals to develop a Sustainable Community Garden at the rear of the Sustainable Whitehouse

Community Hub, in partnership with SEEVIC, Trust Links, Carer's Choices, Castle Point CAB, CAVs, The Salvation Army and Castle Point & Rochford Clinical Commissioning Group (all collectively members of the Castle Point & Rochford Sustainability Partnership).

Resolved:

To support the proposals for the Partnership's Sustainable Community Garden at the Sustainable Whitehouse Community Hub.

36. UPDATE ON COMMUNITY SAFETY INITIATIVES

The Cabinet considered a report updating the Cabinet on neighbourhood and safer community matters including details of revised dates for the two Canvey Community Forums – Canvey East 11.11.2014 at The Paddocks and Canvey West at the Winter Gardens Baptist Church on 13.11.2014

Resolved:

To note the activities regarding neighbourhoods and safer communities.

37. RECYCLING INITIATIVES - UPDATE ON LETTING A NEW CONTRACT FOR RECYCLING SERVICES

The Cabinet considered an update on the procurement of the new Recycling Services contract for the reception and reprocessing of comingled (pink sack) household waste.

Resolved:

To authorise the Head of Environment following consultation with the Head of Resources, the Cabinet Member for Waste Management and Business Liaison and the Cabinet Member for Resources and Performance to award the new contract

38. SUSPENSION OF EVENING WAITING RESTRICTIONS HART ROAD AND HOMESTEAD ROAD CAR PARKS

The Cabinet considered the suspension of the evening/night time waiting restrictions at all of the Council operated short stay town centre car parks.

Resolved:

To suspend with immediate effect the three hour waiting restrictions at Homestead Road, Essex Way, Oak Road, Rectory Road, Castle Lane, Richmond Hall and Hart Road Car Parks from 6.00 p.m. and 7.00 a.m. each day.

39. TRAVELLERS UNAUTHORISED OCCUPATION LABWORTH RECREATION GROUND

The Cabinet considered a report informing of the unlawful occupation of the Labworth Recreation Ground last month and action taken.

Resolved: To note the report and actions taken.

40. REVISED STATEMENT OF COMMUNITY INVOLVEMENT

The Cabinet received a report seeking approval to adopt the Revised Statement of Community Involvement.

Resolved:

- 1. To approve for adoption the Revised Statement of Community Involvement dated October 2014.
- 2. To agree the revocation of the Statement of Community Involvement Adopted on the 7th March 2006.
- 3. To allow for the publication of statutory notices to agree an adoption and revocation date of the 30th October 2014.

41. CORPORATE SCORE CARD QUARTER 1 2014/15

The Cabinet considered a report setting out the cumulative performance figures for the Corporate Performance Scorecard for quarter 1, 1st April 2014 to 30th June 2014.

Resolved:

To note the reported performance in Appendix 1 to the report.

- 42. MATTERS TO BE REFERRED FROM/TO POLICY SCRUTINY COMMITTEES

 There were no matters
- **43. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES** There were no matters.

Chairman



Castle Point Borough Council

Forward Plan

OCTOBER 2014

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

OCTOBER 2014

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	Lead Officer(s)
October 2014	London Infrastructure Plan	Transforming our Community	Cabinet	Leader	Head of Neighbourhoods & Regeneration
October 2014	New Local Plan – Evidence Base Update	Transforming our Community	Cabinet & Council	Leader	Head of Neighbourhoods & Regeneration
October /December 2014/March 2015	Financial Update	Efficient and Effective Customer Focussed Services	Cabinet	Resources & Performance	Head of Resources
October 2014 /February 2015	Treasury Management Reports	Efficient and Effective Customer Focussed Services	Cabinet	Resources &Performance	Head of Resources
November 2014	Food Safety Enforcement Policy Review	Public Health &Wellbeing	Cabinet	Health & Wellbeing	Head of Environment
November 2014	Notice of Motion referred for Cabinet consideration - 1066 Bar	Transforming Our Community	Cabinet	Environment & Leisure	Head of Environment
November 2014	Notice of Motion referred for Cabinet consideration – contribution to Canvey War memorial	Environment	Cabinet	Environment & Leisure	Strategic Director Corporate Services

Date	<u>Item</u>	Council Priority	Decision by Council/ Cabinet	Lead Member	Lead Officer(s)
November 2014	Car Parking Charge Review	Environment	Cabinet	Environment & Leisure; Resources & Performance	Head of Environment
December 2014	John H.Burrows Report back on investigations from Place and Communities PSC	Environment	Cabinet	Environment & Leisure	Head of Environment
December 2014	Leisure and Recreation Strategy	Public Health & Wellbeing	Cabinet	Environment & Leisure	Head of Environment
February 2015	Budget and Policy Framework To consider and make recommendations to Council on the Council tax and budget setting	All	Cabinet/ Council	Resources &Performance	Head of Resources
February 2015	Housing Revenue Account Rent Levels 2015/2016 etc	Transforming Our Community Efficient and Effective Customer Focussed Services	Cabinet	Homes &Customer Engagement	Head of Housing & Communities Head of Resources
March 2015	Review of Equality Scheme Objectives	Efficient and Effective Customer Focussed Services	Cabinet	Homes &Customer Engagement	Head of Law

Date	<u>Item</u>	Council Priority	Decision by Council/ Cabinet	Lead Member	Lead Officer(s)
April 2015	Resources Strategies : To note revisions	All	Cabinet	Resources &Performance	Head of Resources

AGENDA ITEM NO.6(a)

CABINET

15th October 2014

Subject: Action on Flooding Update

Cabinet Member: Councillor Howard - Canvey Island, Floods and Water

Management

1. Purpose of Report

To provide an update following the meeting of the multi agency meeting which took place on 6th October 2014 and the issue of the Section 19 Flood investigation report for Canvey Island by Essex County Council a Lead Flood Authority under Section 19 Flood and Water Management Act 2010.

2. Links to Council's Priorities and Objectives

This report is linked to the Council's aim for the delivery of the Council's priorities and objectives regarding the Environment.

3. Recommendations

To note the report and endorse the action being taken.

4. Background

Cabinet is well briefed of the impact on the Borough and its residents, both Canvey Island and mainland, of the flooding event of the 20th July 2014. The Environment Agency has confirmed that parts of Borough particularly Canvey Island received up to 100mm of rainfall during the storm, 75mm of which fell in one hour.

As reported to the Council on 23rd July 2014 the Council is working closely with the Environment Agency, Anglian Water and Essex County Council to ensure that action is taken to improve infrastructure, particularly on Canvey Island.

The Secretary of State for the Environment, Liz Truss, visited the area on Friday 25th July 2014 and met with representatives of the Environment Agency, Castle Point Borough Council and Rebecca Harris MP. During the visit the Secretary of State indicated that she would be reviewing what actions had been taken by the various agencies involved.

The Chief Scientific Advisor, Sir Mark Walport has been appointed to investigate the flooding event. His report is expected shortly.

On Monday 28th July 2014 the Chief Executive coordinated a multi agency meeting where all the stakeholders involved in flood risk management and operational matters gathered to discuss the major flood incident.

It was agreed that any evidence should be coordinated by the Borough Council and sent to Essex County Council in their lead flood risk management role providing important information to support the preparation of the Section 19 report.

At the Cabinet meeting on 20th August, approval was given to a Council Tax Discount Scheme to assist residents whose homes were flooded on 20th July 2014.

During September the Chief Executive has met with senior officers of all the agencies and with senior civil servants from DEFRA (Department for Environment Food & Rural Affairs) who are reviewing the flooding events on behalf of the Secretary of State.

On Monday 6th October a further multi agency meeting took place to review the Section 19 Flood Investigation Report.

5. Proposals

On Tuesday 7th October the Section 19 Flood Investigation Report was published. The full Flood Investigation Report, containing a list of 13 recommendations and a full timeline of the flooding event, is available online at: www.essex.gov.uk/flooding.

The Executive Summary is set below

This report on the flooding that occurred on 20th July 2014 in Canvey Island, Essex has been prepared in consultation with the Environment Agency, Anglian Water, Essex Highways and Castle Point Borough Council.

The report assesses the causes of the event and details the responses of the various authorities involved to the flooding, in order to identify potential shortcomings and recommends actions to reduce the impact of flooding in the future. These authorities included Risk Management Authorities detailed in Section 6 of the Flood and Water Management Act 2010 and Category 1 Responders designated in the Civil Contingencies Act 2004 as follows:

- Anglian Water
- Castle Point Borough Council
- Environment Agency
- Essex Civil Protection and Emergency Management
- Essex County Council (Lead Local Flood Authority)
- Essex Fire and Rescue
- Essex Highways
- · Essex Police.

The conclusion of this report is that the primary cause of the widespread flooding experienced on 20th July 2014 was the exceptional intensity and volume of the rainfall. The magnitude of rainfall experienced was unprecedented and well beyond the national standards for design capacity of sewers and surface water drainage systems, causing the system to be overwhelmed in multiple locations. The evidence provided suggests that this occurred in the early stages of the drainage system, and the operation of the pumps did not contribute to the flooding. The pumps form the final stage of a long and incredibly complex system, and rainfall on the island may flow a substantial distance before reaching them. Additionally, whilst there have been reports by residents that blockages in highway drains may have caused localised flooding, there is no evidence to suggest that any widespread failure of the drainage system occurred due to insufficient maintenance or poor condition of these or any other publicly or privately owned infrastructure. Even with a completely clear drainage system, and substantial and widespread improvements to the capacity it is likely that severe flooding would have occurred during this event and will do in similar events in the future.

The flat topography of the island, combined with the densely developed urban areas and covering of open watercourses has created an exceptional reliance on the designed drainage system. In addition, a large amount of Canvey's drainage system was designed prior to the introduction of national design standards and is therefore likely to be of lesser capacity than new infrastructure. Older drainage systems may have been sufficient at the time of construction, but increased development and subsequent pressure on the already strained drainage system has meant that in some locations the capacity is not sufficient to provide effective drainage and mitigate flood risk. As a result of this, some areas of the island have suffered from a history of surface water flooding in more moderate events than those of 20th July 2014 and 24th August 2013, and flood alleviation options should be investigated.

Based on the evidence provided, the report also identifies that during the event misleading and in some cases incorrect messages were given to the public, and that avenues of communication between Category 1 responders were insufficient to ensure that accurate, effective and coordinated communication took place with local residents.

The report highlights a number of positive steps being taken by authorities before and since the event. In particular, the work being undertaken by the Canvey Island Integrated Urban Drainage (IUD) study is an important step towards increasing the understanding and integrated management of the drainage system on Canvey Island. The outcome of this work will improve understanding of flood risk on the island and encourage partnership working by the infrastructure "asset owners". The IUD will also help speed up the identification and delivery of flood mitigation schemes.

Importantly the report also makes a number of recommendations regarding future actions by all authorities, including recognising that there is a need to bid for national support to fund capital schemes to mitigate flood risk. The report also recognises that this S19 investigation is the start of a process with the next step being the need to establish a multi-agency "task and finish"

group to develop an action plan of initiatives to manage and reduce flood risk on Canvey Island.

The recommendations of the report are:

- 1. All RMAs (Risk Management Authorities) Commit to a multi-agency "task and finish" group to be led by the LLFA, (Lead Local Flood Authority) which will take evidence from all stakeholders and bring forward a plan of action for managing flood risk based on evidence including the results of the IUD study.
- All RMAs Consideration of the feasibility of increasing the design capacity of surface water drainage systems on Canvey Island at problem points and critical drainage infrastructure as identified by the IUD study and other relevant evidence.
- 3. All RMAs Review and improve their maintenance/inspection regimes of drainage infrastructure throughout Canvey Island.
- 4. All RMAs Commit to greater resident involvement in any future study or works to improve drainage systems.
- 5. LLFA Investigate options to provide property level protection to residents where larger flood alleviation schemes are not possible.
- 6. All RMAs Confirm ownership and role of Canvey Lake, take actions to increase storage capacity (e.g. dredging and lower water levels) and investigate options to increase outflow capacity.
- 7. All RMAs Map and confirm ownership and condition for all drainage assets on the island.
- 8. ECC/EA/CPBC Comms Raise public awareness of flood resilience measures to reduce the impact of internal flooding on property and of landowner responsibilities for maintaining private culverts and watercourses.
- 9. LLFA/CPBC/ECPEM Use wider dissemination of information from campaigns such as "Six Steps to Flood Resilience" and "Know Your Flood Risk" to provide information to residents on what to do before, during and after flooding.
- 10. ECC/CPBC Emergency Planning Consider communications before flood events, coordination of emergency response and deployment of available resources.
- 11. Category 1 Responders Improve communication and joint working between responders during events.
- 12.LLFA Support Emergency Planning by providing all information on flood risk available prior to an event.

13. All RMAs – Collectively bid for funding for multi-million pounds of external funding which will be required to fund capital projects to improve the drainage infrastructure, and provide for property level protection on Canvey Island.

Other Matters

Arising from consideration of the recommendations of the report the multi agency meeting recognised that prompt action was required to seek to secure funding to improve the drainage infrastructure. Rebecca Harris MP agreed to make arrangements for a multi-agency delegation to meet with the Secretary of State for the Environment, Liz Truss MP, to lobby for investment to improve the drainage system on Canvey Island.

The meeting was also reminded of the recent announcement by Essex Council of a further £500k in funding to be used to repair and maintain the highways drainage system.

Representatives at the meeting reported on joint working taking place between Essex County Council Highways and Anglian Water on the highways and surface water systems on Canvey Island.

Scrutiny Committee

The Scrutiny Committee is undertaking a review of flooding in the Borough – a meeting of the Committee took place on 26.8.2014 and received background information on the events of 20.7.2014 and the drainage infrastructure.

At the meeting of the Scrutiny Committee held on 15.9.2014, the Committee received evidence from residents directly affected by the flooding both in August last year and on 20th July.

The Scrutiny Committee is to hear evidence from Essex County Council as the Lead Flood Authority and Highways Authority on 21st October 2014 and evidence from the Environment Agency and Anglian Water is to be taken on 3 November.

It is intended that the final report from the Scrutiny Committee will be used to support the request for investment in the drainage infrastructure.

Council Tax Discount Scheme

Since the scheme was approved a total of 231 applications for relief have been approved at a cost of £69.685.99.

6. Corporate Implications

(a) Financial Implications

An update on the Council Tax Discount scheme is included in the report.

(b) Legal Implications

The Borough Council does have powers under the Land Drainage Act and the Council may be required to utilise these permissive powers following publication of the report by Essex County Council. At this stage the extent and consequences are yet to be assessed.

(c) Human Resources and Equality Implications

The resources and knowledge of CPBC staff will be available to all the agencies to resolve questions of ownership of assets should it arise.

7. Timescale for implementation and Risk Factors

This is dealt with in the report.

8. Background Papers

Report to Council 23.7.2014 Report to Cabinet 20.8.2014

Section 19 Flood Investigation report for Canvey Island by Essex County Council a Lead Flood Authority under Section 19 Flood and Water Management Act 2010

Report Author:

Ann Horgan Head of Civic Governance

AGENDA ITEM NO. 7(a)

CABINET

15th October 2014

Subject: London Infrastructure Plan 2050 Consultation

Cabinet Member: Councillor Riley – Leader of the Council

1. Purpose of Report

1 To advise the Cabinet of the proposals set out in the London Infrastructure Plan 2050 Consultation Document, and seek approval for the proposed consultation response.

2. Links to Council's Priorities and Objectives

The proposals set out in the London Infrastructure Plan 2050 Consultation Document will have implications for planning and infrastructure delivery within Castle Point, and the sustainability of communities within Castle Point moving forward. This will impact on the ability of the Council to achieve the objectives set out under the priority of *Transforming our Community*.

3. Recommendations

It is recommended that

- 1. The Cabinet agree to submit the response set out at Section 8 of this report to the London Infrastructure Plan 2050 consultation and
- 2. To support the views expressed by the GLA Strategic Spatial Planning Liaison Group.

4. Background

- 4.1 The Greater London Authority (GLA) is responsible for preparing strategic planning policy for the Greater London area. This provides a framework within which the Local Plan of each London borough should fall within. Since the first London Plan was adopted in 2008, it has been revised twice. The most recent set of revisions, known as *Further Alterations to the London Plan (FALP)*, were the subject of an examination in public at the start of September 2014.
- 4.2 In terms of matters of concern for Castle Point, the FALP primarily revised proposals related to housing growth. The London Strategic Housing Market Assessment (London SHMA) indicated that there was a need for a minimum

of 49,000 homes per annum to be delivered within London to meet the growing needs of the London population. The FALP specifically committed to the delivery of 42,000 homes per annum, and identified additional opportunities to deliver the additional 7,000 homes per annum. It failed however to commit to the 49,000 required, and several of the London Boroughs have expressed concern about their ability to bring forward the additional opportunities identified.

- 4.3 The Thames Gateway South Essex Partnership (TGSE Partnership) wrote in response to consultation on the FALP expressing concerns about the ability of London to meet its housing need, and the implications this may have for out-migration from London and the Green Belt. This was re-iterated throughout the South East and East of England. A group of 51 Local Authorities outside London, including Castle Point, prepared a joint statement seeking the FALP to commit to 49,000 homes per annum. Representatives from these Local Authorities, including a representative from Thurrock, presented these concerns at the examination in public.
- 4.4 During the preparation and consultation on the FALP, the GLA indicated that they were in the process of preparing an Infrastructure Plan for the period to 2050. It indicated that this would provide the basis for a full review of the London Plan to take place in 2016 following the Mayoral elections. It is this London Infrastructure Plan 2050 that is the subject of consultation currently, and is the subject of this report.
- 4.5 The London Infrastructure Plan 2050 is available for consultation until 31st October 2014. A number of evidence documents have been prepared to accompany this plan.

5. The Principle of a London Infrastructure Plan 2050

- 5.1 The London Infrastructure Plan 2050 sets out the GLAs first attempt at planning for the infrastructure needs of the city going into the future. It addresses the need for transport infrastructure, green infrastructure, digital infrastructure, energy supply, water supply, waste management and housing. In doing so it has regard to the potential of technology to change the way infrastructure is delivered and works. It also has regard to the strategic and regulatory environment in which infrastructure is delivered, identifying potential barriers to delivery. It also considers spatial patterns of growth both within the city and also within the greater South East. Consideration is also given to funding infrastructure delivery.
- 5.2 The principle of preparing a long-term infrastructure strategy for London is a sound one having regard to the time it can take to deliver major transport infrastructure projects as an example. The population of London is expected to grow by around 37% to 11 million by 2050, and this will clearly have implications for the capacity of infrastructure as demand increases. Planning for that demand increase now will ensure that infrastructure is delivered in a timely matter and does not lag behind.
- 5.3 However, whilst the principle of preparing a long-term infrastructure strategy for London may be sound, the actual strategy itself includes proposal which

gives rise to concerns for places such as Castle Point which are located within the greater South East.

6. The London Infrastructure Plan 2050 and a Thames Estuary Airport

- 6.1 The key proposal giving rise to concern is the explicit promotion of a Thames Estuary airport, facilitating the redevelopment of Heathrow. This forms a significant element of the spatial strategy. Compared to other proposals in the *London Infrastructure Plan 2050* a considerable degree of detail is provided with regard to this proposal, including details of the wider transport improvements required to accommodate the provision of an airport in this location.
- 6.2 It is understood that the *London Infrastructure Plan 2050* will form the basis of a review of the London Plan in 2016. As such, a spatial strategy based on the premise that there will be a Thames Estuary airport is a concern for Castle Point, given the proximity of this proposal to the borough.
- 6.3 However, the Davies Airport Commission, considering airport capacity and provision in the South East has recently ruled out a Thames Estuary airport due to the potentially significant environmental impacts and the costs associated with providing an airport in this location. As such there is evidence to indicate that the proposals in the *London Infrastructure Plan 2050* are flawed and based on a proposal which is not deliverable and likely to cause significant environmental harm.
- 6.4 The Davies Airport Commission has identified two alternative options for airport growth in the South East, with proposals at London Gatwick Airport and London Heathrow Airport still under consideration. Neither of these two options is considered in the *London Infrastructure Plan 2050*, or associated evidence base documents. The failure of the GLA to consider these options properly as part of the development of the *London Infrastructure Plan 2050* means that the requirements of Strategic Environmental Assessment have not been met. Plans affecting the use of land or provision of infrastructure are expected to be informed by a Strategic Environmental Assessment demonstrating that the least environmentally harmful option has been identified, having tested all reasonable options. There is no evidence that this work has been undertaken.
- 6.5 Additionally, the proposals for a Thames Estuary airport are located close to a number of European sites designated for protection under the Habitats Directive and earlier Birds Directive. The Habitats Directive, as transposed into English law, requires the potential for harm arising from development proposals to European Sites to be assessed and appropriately avoided. Again, there is no evidence that an assessment under the Habitat Regulations has been prepared. Given the lack of such an assessment, and the concerns for the environment expressed by the Davis Airport Commission, based on the evidence they have collected, it seems that the proposals for a Thames Estuary airport would cause harm to European sites.

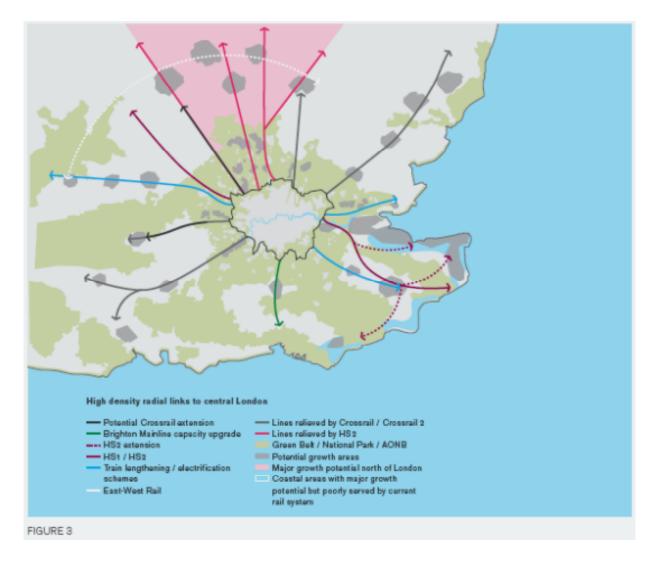
- 6.6 This indicates that the *London Infrastructure Plan 2050* is also procedurally flawed, as statutory assessments required to ensure that development proposals are not environmentally harmful have not been prepared to inform the spatial distribution identified in the plan.
- 6.7 It should be noted that there are a number of proposals for transport connections to the Thames Estuary airport detailed in the *London Infrastructure Plan 2050*. These form part of the wider network of transport improvements proposed for London. As such, these proposals are also flawed on the basis that the growth that they are planned to accommodate will not occur in the location in which they are to be delivered.
- 6.8 It should also be noted that whilst the *London Infrastructure Plan 2050* proposes this significant infrastructure project nearby South Essex, it makes no provision for public transport connectivity from South Essex to the site, with all connectivity focused towards London. As such South Essex would be severely disadvantaged by this proposal, as currently set out in the plan, if it were to be pursued.

7. The London Infrastructure Plan 2050 and Housing Supply

- 7.1 From the Castle Point perspective, the second main proposal set out in the London Infrastructure Plan 2050 giving rise to concern is associated with the spatial distribution of housing growth. Three scenarios have been considered regarding the changes to the London population over time. At 2050 these three scenarios result in a population size ranging from 9.5m to 13.4m. The level of housing proposed (49,000 homes per annum) would accommodate a population increase to around 11m, however no proposals are put in place to accommodate higher levels of demand. As such, the London Infrastructure Plan 2050 does not seek to consider or plan for higher demand scenarios. This has implications for the ability of London to meet its housing needs.
- 7.2 National Population Projections prepared by the Office of National Statistics already indicate that there are and will continue to be significant flows of out-migration from London to the greater South East. The failure of London to plan effectively for its housing need will place additional demand on these out of London areas.
- 7.3 The London Infrastructure Plan 2050 indicates that it expects a proportion of its growth (exact proportion not specified) to be accommodated outside London in the period to 2050. Whilst consideration has been given to purpose built settlements such as the proposed Garden City at Ebbsfleet, the main proposal within the plan focuses on densification of those towns siting on key transport and rail routes.
- 7.4 The plan indicates that densities of 100 dwelling units per hectare (duph) should be achieved in those towns outside London siting on these routes. Whilst it is recognised that this may be possible in some town centres with regeneration ambitions, it appears to be a broad assumption that this density could be achieved in all towns on these transport routes. 100 duph would

represent a substantial increase in density for many out of London towns which currently have a more suburban feel. Such densification would require the wholesale redevelopment of places in a style and character significantly different to their current character. In areas where there is a high level of private home ownership, and modern properties such as those seen in large parts of South Essex, such densification across a wide area is unlikely to be deliverable. It is also questionable as to whether these places should be subject to the level of change proposed, substantially altering their character. The suburban characteristics of out of London towns are favoured by many compared to the dense urban environment of London.

7.5 The plan also identifies potential growth locations outside London's boundary in grey in figure 3 on page 64. This shows that growth is proposed around many towns in Essex, including those towns located in the Metropolitan Green Belt to the south of the County. Throughout the preparation of the FALP, the Mayor has been adamant in his conviction that the London Green Belt will not be revised. However, it would appear that the London Infrastructure Plan 2050 expects other parts of the Greater South East including south Essex and parts of Hertford and Berkshire to accommodate London's un-met housing need within their Green Belt.



- 7.6 Whilst the London Infrastructure Plan 2050 proposed housing growth outside London, including within the Green Belt, it does not put forward any proposals to meet the infrastructure requirements of this displaced growth. The entire plan is London Centric, and assumes that connectivity with London is the only infrastructure requirement. However, there are inter-urban connections between towns outside London that will be impacted on by growth. As an example there are significant flows of people within the TGSE sub-region on a daily basis which already given rise to traffic and congestion issues. These will be exacerbated by additional growth.
- 7.7 The issues with regard to housing provision and the implications for the greater South East highlight the requirement for the GLA to engage with boroughs, districts and counties in the greater South East. The regulations regarding the preparation of the London Plan require the Mayor to inform boroughs, districts and counties in the greater South East with regard to its proposals. However, the Localism Act puts in a place a Duty to Cooperate, with the Local Planning Regulations specifically identifying the Mayor of London as a person that is required to engage in the Duty.
- 7.8 The Planning Practice Guidance expects that where a planning authority cannot meet its need for housing, it should engage constructively with neighbouring areas to seek for any un-met need to be met. Whilst the regulations for the preparation of the London Plan only require the GLA to inform planning authorities outside London of their intentions in relation to that document, as a person required to engage in the Duty to Cooperate, it is essential that the Mayor engages in constructive dialogue with those in the greater South East if London cannot accommodate its own growth, as this has significant implications for these areas and is clearly a strategic cross-boundary issue. Failure to date of the Mayor to engage with those planning authorities outside London has resulted in flawed assumptions surrounding densification being included within the London Infrastructure Plan 2050. It also has implications for the Green Belt and infrastructure that have not been properly considered or addressed.

8. Proposed Consultation Response

8.1 The GLA intend to use the London Infrastructure Plan 2050 as the basis for their review of the London Plan in 2016. Given the issues raised above, it is essential that authorities within the Greater South East respond to consultation on this plan. Failure to do so may result in the proposals in the London Infrastructure Plan 2050 becoming planning policy, with significant implications for Castle Point, South Essex and the wider South East. It is proposed that the following consultation response is issued in relation to the consultation on the London Infrastructure Plan 2050:

Castle Point Borough Council supports the principle of London planning for its long-term infrastructure needs. However, as currently drafted it is considered that the London Infrastructure Plan 2050 is legally deficient, and as such puts forward fundamentally flawed proposals for the accommodation of London's growth in the future.

As a plan affecting the use of land and the provision of infrastructure, it is a legal requirement that the infrastructure plan should be the subject of Strategic Environmental Assessment where all reasonable options have been considered and tested in order to determine their impacts on the environment. There is no evidence to indicate that this statutory assessment work has been undertaken and that reasonable alternatives have been considered.

The London Infrastructure Plan 2050 presents a proposal for the provision of an airport in the Thames Estuary, with no consideration of alternative options. Evidence from the Davies Airport Commission however indicates that an airport in the Thames Estuary would be extremely harmful to the environment, as well as expensive to deliver. The Commission is therefore considering airport growth at alternative locations at Gatwick and Heathrow. The work of the Davies Airport Commission highlights the flaws in the process of preparing the London Infrastructure Plan 2050; insofar as it demonstrates that a Strategic Environmental Assessment considering all reasonable alternatives has not been undertaken.

In addition to the legal failure to prepare a Strategic Environmental Assessment, it should be noted that the proposed location of the Thames Estuary airport would also be in close proximity to a number of European Sites designated under the Habitats Directive. As such there is likely to be impacts on European sites as a consequence of the provision of an airport in this location. There is no evidence that the Mayor has undertaken a Habitat Regulation Assessment, or associated Appropriate Assessment to determine the impacts of the Thames Estuary airport on these sites. As such there is also a legal failure in this regard also.

On the basis of the legal failures, and also the work emerging from the Davies Airport Commission, it is considered that the London Infrastructure Plan 2050 is fundamentally flawed in proposing that London's growth will be driven by the provision of an airport in the Thames Estuary and the associated regeneration of the Heathrow area.

In terms of housing growth, consideration has been given to various scenarios related to population change and the resultant need for housing. However, as currently worded, the London Infrastructure Plan 2050 only plans for 49,000 homes per annum to be accommodated within London's boundaries. Some scenarios indicate that the need for homes in London could be higher. The London Infrastructure Plan 2050 is not therefore seeking to accommodate the whole of London's housing need going forward, and this is acknowledged within both the Plan and the Transport Supporting Paper.

Within both of these documents, there are suggestions that some of London's future housing need will be met outside London, above and beyond those migration flows already identified in nationally prepared household projections. They suggest that there should be a focus on densification of towns on key rail and transport corridors. Figure 3 of the London Infrastructure Plan 2050 shows numerous growth locations outside London's boundary.

There are three key concerns related to this aspect of the proposals. The first of these concerns relates to the legal 'Duty to Cooperate' set out in the Localism Act. The schedule set out in the associated Local Plan Regulations specifically identifies the GLA as an organisation that has a Duty to Cooperate. To date there has been insufficient effort made by the GLA to fulfil this duty, and as such the London Infrastructure Plan 2050 is not a legally compliant document on which to base future plan-making in London. There are clear implications for boroughs and districts in the Greater South East emerging from such proposals, and no consideration of these implications or the associated infrastructure requirements of growth outside London are included within the London Infrastructure Plan 2050. Indeed the London Infrastructure Plan is very 'London Centric' and has absolutely no regard to inter-urban connections for towns outside London which are likely to be affected by the growth proposed.

The second concern relates to the Green Belt. The Mayor has been vocal in his view that the London Green Belt should not be reviewed. However, the Figure 3 of the London Infrastructure Plan clearly shows that growth is proposed in the Green Belt outside London boundaries. There appears to be a particular emphasis on this type of growth in South Essex. It is clearly unacceptable to expect other boroughs and districts in the Greater South East to revise their Green Belt boundaries to accommodate the growth needs of London, when it is unwilling to review its own Green Belt boundaries. The Green Belt in and around towns in South Essex is highly valued by residents for the setting it provides to those towns and for the respite it provides to the urban environment. Additional erosion of this Green Belt to accommodate London's un-met housing need is not appropriate.

The third concern relates to the proposals for densification of towns outside London's boundaries to 100duph. The deliverability and acceptability of this proposal is disputed. Many of the towns within South Essex have grown considerably since the end of WWII, and as such the majority of development is relatively modern. Additionally, there are high levels of private home ownership in South Essex. It is therefore doubtful that significant redevelopment of towns in South Essex could be achieved in order to deliver densities of 100duph. It is also questionable as to whether such high densities are appropriate. Each town outside London has its own character. High density developments would substantially alter such character and in some cases may harm the nature of place and the people who live there. Living outside London is a choice many have made in order to escape what is a dense urban environment. It is not therefore reasonable to seek to make towns outside London more 'London like' in their appearance and feel.

If the GLA believes that it will be necessary to accommodate housing growth in the Greater South East, it should engage in a proper dialogue with districts and boroughs outside London to understand their concerns, and should work with them constructively to plan for any un-met need. As currently written the London Infrastructure Plan 2050 imposes growth on areas outside London with no regard to the implications for infrastructure, people or place. It also proposes growth in the Green Belt which is not considered acceptable, particularly as the Mayor is unwilling to review London's Green Belt.

8.2 The GLA Strategic Spatial Planning Liaison Group acting on behalf of 51 local authorities has similar concerns. Attached is a copy of a letter sent on behalf of that Group which Cabinet may which to endorse.

9. Corporate Implications

(a) Financial Implications

There are no financial implications for Castle Point Borough Council arising from the recommendations of this report.

(b) Legal Implications

There are no legal implications for Castle Point Borough Council arising from the recommendations of this report. It should however be noted that various legal issues associated with the preparation of the London Infrastructure Plan 2050 have been identified within this report.

(c) Human Resources and Equality Implications

Human Resources

The recommendations of this report can be actions within existing human resources.

Equality Implications

There are no equality implications arising from the recommendations of this report.

(d) IT and Asset Management Implications

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

10. Timescale for implementation and Risk Factors

A response to the London Infrastructure Plan 2050 consultation must be submitted to the GLA by the 31st October to ensure it is considered.

11. Background Papers

Draft Further Alterations to the London Plan – January 2014 London Infrastructure Plan 2050: A Consultation – July 2014 London Infrastructure Plan 2050: Transport Supporting Paper – July 2014

Report Author: Amanda Raffaelli

LONDON INFRASTRUCTURE PLAN 2050

The authorities signatory to this letter appreciate that in the absence of a London Plan with a 2050 time horizon there is a need for the LIP to explore alternative spatial scenarios for how London's future population might be accommodated and what these might mean for infrastructure capacity and provision. However, they have very significant concerns that the LIP and its supporting documentation have made some quite specific assumptions about potential locations of growth beyond London outside the statutory planning process and without the involvement of local authorities beyond the Capital.

It is the London Plan, not the LIP, which is the main vehicle for seeking a consensus on how London should grow in the future. The next main long term review of the London Plan is expected to be complete by 2019/20. Should that process identify a demonstrable need for the wider south east to make a contribution to meeting London's growing population and should there be agreement that that should happen, that would require substantial political and technical collaboration within the statutory planning framework.

In advance of that collaboration the authorities take the view that all references within the LIP and supporting material that point to specific locations outside London other than in a very generic way ('to the north, south, east of west' or broad, indicative arrows) – whether they be text or map-based – should be removed.

Yours sincerely.

Jack Straw

Vice Chair, GLA Strategic Spatial Planning Liaison Group, on behalf of the local authorities listed overleaf

Aylesbury Vale District	Reading Borough
Bedford Borough	Reigate and Banstead Borough
Braintree District	Rochford District
Bracknell Forest	Runnymede
Broxbourne Borough	City and District of St Albans
Buckinghamshire County	Slough Borough
Castle Point Borough	South Bucks District
Central Bedfordshire	Spelthorne Borough
Chiltern District	Stevenage Borough
Colchester Borough	Surrey County
Crawley Borough	Surrey Heath Borough
Dacorum Borough	Tandridge District
East Herts District	Tendring District
Elmbridge Borough	Three Rivers District
Epping Forest District	Thurrock
Epsom and Ewell Borough	Uttlesford District
Essex County	Watford Borough
Guildford Borough	Waverley Borough
Hertfordshire County	Welwyn Hatfield District
Hertsmere Borough	West Berkshire
Horsham District	West Sussex County
Maldon District	Royal Borough of Windsor and Maidenhead
Mid Sussex District	Woking Borough
Milton Keynes	Wokingham Borough
Mole Valley District	Wycombe District
North Herts District	

AGENDA ITEM NO. 7(b)

CABINET

15th October 2014

Subject: New Local Plan – Evidence Base Update

Cabinet Member: Councillor Smith - Waste& Business Liaison

Chairman of the Draft New Local Plan Task & Finish

Group

1. Purpose of Report

To advise the Cabinet on evidence base work undertaken since the beginning of 2014 to inform the preparation of the New Local Plan.

2. Links to Council's Priorities and Objectives

The New Local Plan contributes directly towards the Council's priorities of *Transforming our Community* and *Public Health and Wellbeing*. The way in which it is delivered will contribute towards the priority of *Efficient and Effective Customer Focused Services*.

3. Recommendation

The Cabinet are asked to include the following documents within the evidence base for the New Local Plan, and have regard to them in the plan-making process:

- Castle Point Strategic Housing Land Availability Assessment Update 2014;
- Castle Point Annual Monitoring Report 2013/14;
- Greater Essex Demographic Forecasts Phase 5 Report;
- Greater Essex Demographic Forecasts Phase 6 Report;
- Greater Essex Gypsy and Traveller Accommodation Needs Assessment 2014;
- Census 2011 Travel to Work Data for Castle Point Briefing Note;
- Second Review of the Sustainability Appraisal and Strategic Environmental Assessment of Potential Housing Sites .

4. Background

4.1 The National Planning Policy Framework requires Local Plans to be based on a robust proportionate evidence base. Paragraph 158 states that each local planning authority should ensure that their local plan is based on adequate, up

to date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.

5. Strategic Housing Land Availability Assessment (SHLAA) Update 2014

- 5.1 Paragraph 47 of the NPPF requires local planning authorities to update annually information on the supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirement. It also requires the identification of a supply of developable sites or broad locations for growth for years 6 to 10, and where possible for years 11 to 15.
- 5.2 This document updates and replaces the SHLAA 2013. It assesses the availability of housing land in Castle Point in order to determine a) whether there is a five year housing land supply, as required by the National Planning Policy Framework (NPPF); and b) the capacity of the borough to accommodate growth having regard to the suitability, availability and viability of sites. It has been prepared having regard to the revised methodology for the preparation of land availability assessments set out in the Planning Practice Guidance, first published by the CLG in March 2014.
- 5.3 The SHLAA Update 2014 considered 355 sites within the existing urban area of Castle Point and a further 45 sites within the current extent of the Green Belt.
- 5.4 The SHLAA Update 2014 identified a total of 262 sites that were suitable and likely to become available for housing within the next 15 years. These sites have the capacity to deliver a total of 5,495 homes over a 15 year period. The assessment shows that 102 sites are available now and could contribute 1,871 homes towards the five year housing land supply.
- 5.5 It is unlikely that every site identified within the SHLAA will be redeveloped for housing purposes. Housing land supply is dynamic and aspirations of land owners change with time. The total supply of suitable and available sites for housing has therefore been risk assessed. This has resulted in a reduction in the total capacity available for development within 15 years to 4,937 homes.
- 5.6 Decisions on planning applications for housing development are currently made in accordance with the 1998 Adopted Local Plan. As such sites within the current extent of the Green Belt, and some sites in town centre locations, are not available for residential development in accordance with the policies in that plan. Suitable and available sites that accord with the policies of the 1998 Adopted Local Plan have the capacity to accommodate 1,976 homes over the next 15 years.
- 5.7 The Council has recently consulted on a draft New Local Plan which identified some additional sites for housing, including some sites within the Green Belt. When the draft policies set out in the draft New Local Plan are applied, the capacity of suitable and available sites identified within the SHLAA increases to 5,237 homes.
- 5.8 The Planning Practice Guidance expects the findings of the assessment of sites to be compared against the objectively assessed need for housing.

Where there is no Local Plan in place, and where there is no robust assessment of housing need for an area, it recommends that the starting point for such as assessment should be the most recent CLG Household Projections. The most recent CLG Household Projections were interim projections published with a 2011 base. These indicate a requirement for around 320 homes per annum within the borough. When these are compared against the findings of the scenario testing set out in the Greater Essex Demographic Forecasts, especially those in Phase 6, it would appear that this level of provision is appropriate responding to forecasts built on longer-term migration trends and those that reflect the demands for a labour force also. This is the level of need against which the findings of the SHLAA have therefore been considered.

- This level of need has been applied to the period from 2011 until 2031. This gives rise to a total requirement for 6,400 homes. In the period 1st April 2011 to the 31st March 2014, only 170 homes were delivered in Castle Point. There was therefore under-delivery of the order of 790 homes during this period. The Planning Practice Guidance requires under-delivery to be addressed within the first five years. The annual requirement for the period 2014 to 2019 therefore increases by 158 homes per year to 478.
- 5.10 Paragraph 47 of the NPPF meanwhile requires local authorities that have a historic pattern of under-delivery to role forward an additional 20% from later in the plan period. This increases the five year requirement to 542 per annum (2,710 in total).
- 5.11 In the period from 1st April 2014 to the 30th September 2014, 49 homes were delivered in Castle Point. These are neither counted in past supply as reported in the Annual Monitoring Report or in the SHLAA as they do not represent potential supply. These will need to be added into the calculation of supply.
- 5.11 The SHLAA shows that as local planning policy currently stands (1998 Adopted Local Plan), only 749 homes are suitable and available for delivery within five years.
- 5.12 In addition to this there are two previously developed sites within the Green Belt which benefit from planning consent for additional housing. These have a net capacity of 63 homes.
- 5.13 When this available supply is added to those completed so far in the current year (49), this represents a supply of just 1.6 years. In total, only 32% of the total housing requirement over the period 2011 to 2031 can be met from sites that comply with the 1998 Adopted Local Plan.
- 5.14 The SHLAA also shows that if the proposals in the draft New Local Plan were pursued, the five year housing land supply requirement would not be met. However, it would increase supply to 3.2 years, and deliver 65% of the total housing requirement. This represents a significant improvement in terms of housing supply. The NPPF expects housing supply to be boosted significantly and it is considered that these proposals would achieve this.

5.15 Finally, the SHLAA shows that if further suitable and available sites were brought forward for development, the overall capacity to accommodate growth whilst increasing slightly would fail to meet the need for housing both within five years and in total. Therefore, the capacity to accommodate housing growth in Castle Point is finite in terms of land supply, and a limit on achieving objectively assessed need. Consideration may therefore need to be given to higher density development, particularly on larger sites on the urban periphery, in order to deliver objectively assessed need.

6. Annual Monitoring Report 2013/14

- 6.1 The Town and Country Planning (Local Planning)(England) Regulations requires the production, on an annual basis of a monitoring report setting out information about the delivery of development, in particular housing development, within each local authority area.
- 6.2 The Annual Monitoring Report (AMR) 2013/14 covers the period 1st April 2013 to the 31st March 2014. It reports on a range of matters including the planmaking process and indicators related to employment, retail and the environment as well as housing.
- 6.3 In terms of housing delivery, 40 net additional homes were delivered in Castle Point in the period from 1st April 2013 through to the 31st March 2014. None of those homes were affordable housing, as defined in the NPPF.
- 6.4 This brings total delivery of homes in the period since 2011 to 170 homes. Compared to the need for housing, which as set out in relation to the SHLAA Update is around 320 homes per annum, this represents significant underdelivery. As explained previously this results in the annual need for housing increasing to 542 homes in order to address under-delivery in accordance with the guidance in the NPPF and the Planning Practice Guidance. As the policy situation currently stands there are just 861 homes that are considered deliverable over the next five years. This represents just 1.6 years worth of supply and a deficit of 1,849 homes.
- In terms of affordable housing provision, just 39 affordable homes, as defined in the NPPF, have been delivered in Castle Point since 2011. This represents 23% of the new homes delivered in this period. This is just over half the affordable housing need of 43% for the TGSE area identified in the 2013 SHMA. It should however be noted that there are 74 affordable housing units within the immediate housing delivery pipeline, with an expectation that these will be delivered in 2014/15 or early in 2015/16 at the latest. There is a concern that beyond this immediate supply however there is limited provision in place to provide additional affordable housing thereafter.
- 6.6 Alongside the considerations of housing, the AMR also gives consideration to those residing in caravans. Within Castle Point this requires two streams of analysis. Firstly, the Planning Policy for Traveller Sites 2012 requires specific consideration of the availability of sites for the provision of accommodation for gypsies and travellers. There is currently one authorised site in Castle Point providing two pitches. There is also an unauthorised site, the subject of an appeal, which provides three pitches. The Essex Gypsy and Traveller and

Travelling Showpeople Accommodation Assessment, as detailed in section 9 below requires the provision of 6 additional authorised pitches bringing the total supply in Castle Point to 8 pitches. In the period 1st April 2013 through to the 31st March 2014, no permissions for additional pitches to meet this need were granted, and no sites were identified for meeting this need in the near future.

- Rather more unique to Castle Point is the number of households living within residential caravans. The Census data for 2001 and 2011 showed a significant increase in the number of households living in this type of accommodation with growth of residential use at Kings Park and Thorney Bay being the main drivers. At the 1st April 2011 there were 762 caravans in residential use at Kings Park and 333 caravans in residential use at Thorney Bay. Since this time there has been limited growth at Kings Park, which is now almost full. There has however been substantial growth at Thorney Bay as additional fields have been brought into use. At 1st April 2014 there were 782 caravans in residential use at Kings Park (increase of 20 units 3%) and 498 caravans in residential use at Thorney Bay (increase of 165 units 50%). An increasing proportion of residents living in caravans has implications for the overall health and wellbeing of the community and for service provision; particularly during very cold and very hot weather.
- 6.8 The Annual Monitoring Report also highlights poor outcomes in terms of employment and retail growth. There was a net loss in both employment floorspace (B1c, B2 and B8) and also retail and office floorspace (A1 and B1a) during the period 1st April 2013 through to the 31st March 2014. However, in terms of future supply the outlook is potentially positive for these development types. There exist extant consents for 19.06ha of employment provision and 6,621m² of retail floorspace. The majority of this potential provision is located at west Canvey, close to those parts of the population that experience income and employment deprivation. There is therefore an incentive, both at the borough wide scale and at the local level to encourage the delivery of these projects to boost local employment opportunities, and reduce the need to travel to access shopping provision.
- 6.9 In terms of the environment, the Council has worked closely with the Environment Agency to implement requirement for Flood Risk Assessments and Flood Emergency Response Plans to accompany relevant planning applications. As such there have been no instances in the period 1st April 2013 through to the 31st March 2014 where the Council has approved a planning application contrary to the advice of the Environment Agency. Meanwhile, in terms of nature conservation, the most recent work on Local Wildlife Sites has revealed an increase in biodiversity, with the overall number of Local Wildlife Sites increasing and the overall area qualifying for Local Wildlife Site status due to its assemblage of flora and/or fauna increasing.
- 6.10 The AMR also reports on the outcome of appeals in terms of policies supported or not by Inspectors. There appears to be an issue emerging with regard to Appendix 2 of the 1998 Adopted Local Plan. This sets out the Council's policy on what constitutes a reasonable extension in the Green Belt, and was found wanting on two occasions by Inspectors. There is a need to review this policy as part of the work on the New Local Plan (draft policy GB4)

attempts to address this issue, but cannot be progressed in the absence of other policies). The opening sections of the AMR highlight the progress that has been made in terms of plan-making against the Local Development Scheme. Due to a revision of the Local Development Scheme in January 2014, the targets for plan preparation have been met. However, as 2014 has progressed the programme has slipped and it is unlikely that the 2014/15 AMR will report positively on the plan-making process.

7. Greater Essex Demographic Forecasts Phase 5

- 7.1 Paragraph 47 of the NPPF expects local planning authorities to plan for their full, objectively assessed needs for market and affordable housing. Paragraph 159 states that in determining the need for housing consideration should be given to household and population projections taking into account both migration and demographic change. The Planning Practice Guidance provides additional advice on this matter, establishing the CLG Household Projections as the starting point for consideration of housing need, but also requiring the consideration of labour market drivers and signals in the housing market such as affordability.
- 7.2 The Phase 5 Greater Essex Demographic Forecasts were prepared using the POPGROUP model by Edge Analytics. The Phase 5 work considered the impacts of Census 2011 on previous 'mid-year' population estimates. The Census 2011 enabled the population base for projections of future change to be corrected where necessary, and for migration trends to be re-considered where growth had been higher or lower than it had previously been anticipated.
- 7.3 This re-calculation of the mid-year population estimates has given rise to a component of population change called 'Unattributable Population Change' (UPC). This is change that cannot be tracked through births, deaths, GP registration or known international migration. It may arise where there are large transient populations of internal or international migrants. This report does not address the cause of unattributable change in Castle Point, and further work is required on this matter. However, it is likely that the transient population at Thorney Bay Park is the cause of 'UPC' in Castle Point. Such a population is likely to remain unless or until the park is cleared of caravans, and as such remains a component of population change within Castle Point.
- 7.4 The Phase 5 study, applies the re-based population data to a series of scenarios which project potential population change within Castle Point. These scenarios consider migration patterns and economic growth scenarios. For each scenario two different 'headship rates' were applied. The 2008 headship rate was derived in 2008 having regard to the pre-recessional period from 2003 to 2007. This shows that household size was declining, resulting in the need for more houses. The 2010 headship rate was derived in 2010 and picks up the recessional effects on homeownership in the period 2005 to 2009. The 2010 headship rates therefore show more people per household resulting in the need for fewer houses.
- 7.5 The 2008 headship rates results in a housing requirement which is around 20% higher than housing requirements based on the 2010 headship rates.

The demographers working for Edge Analytics recommend the use of the average between the 2008 and 2010 headship rates because whilst there has and will be some recovery in the housing market, the economics of homeownership have changed as a consequence of the recession, and first time buyers are now less likely to buy a home by themselves. Additionally, there was an increase in the birth rate during the recession, increasing the number of dependent children in the population, and the headship rate as a consequence.

7.6 The population growth emerging from the Office of National Statistics Sub National Population Projections (SNPP) 2010 indicates a need for around 320 homes per annum based on the average of the 2008 and 2010 Headship Rates. This level of growth aligns with the CLG 2011 Interim Household Projections and would also be sufficient to deliver labour supply required to deliver growth in the local economy within an ageing population. This evidence indicates that the Objectively Assessed Need for Housing in Castle Point is around 320 homes per annum. It should however be noted that this has a 2010 base, and the phase 6 work (reported below) is based on more recent 2012 based data.

8. Greater Essex Demographic Forecasts Phase 6

- 8.1 The Phase 6 Greater Essex Demographic Forecasts were prepared using an updated version of the POPGROUP model by Edge Analytics. The updated version of the POPGROUP model is better able to produce alternative migration trend base scenarios by maintaining a relationship with the overall growth in the UK population.
- 8.2 The Phase 6 work was prepared following the publication of the 2012 SNPP. The model was calibrated to reproduce the population outcomes of the 2012 SNPP. It was then used to identify the housing requirement for this, having regard to the 2008 and 2010 headship rates, as previously considered in the phase 5 report.
- 8.3 As with the phase 5 report, the scenarios prepared using the 2008 headship rates gave rise to a higher requirement for housing than those based on the 2010 headship rates. Again, the demographers recommend the use of an average between these two rates at this time. However, they have noted that new headship rates will accompany the publication of the CLG 2012 Household Projections later this year, which may resolve this issue.
- 8.4 The 2012 SNPP shows a housing need that is between 15% and 20% less than the 2010 SNPP depending on the headship rate applied. It should however be noted that the trend period for this projection is 2007 to 2011, and includes a substantial period of the recession. There are widely expressed concerns that the 2012 SNPP may therefore be over influenced by recessional impacts. Therefore, a longer term 10 year projection has been prepared which indicates a need for 282 homes per annum, average. This level of growth would ensure that the housing requirements emerging from economic scenarios were also met.

8.5 The evidence in the Phase 6 report indicates that the objectively assessed housing need for Castle Point may have reduced to around 282 homes per annum (5,640 homes over the period 2011 to 2031). Careful consideration of this reduction is required to ensure that it is appropriate in terms of the requirements of the Planning Practice Guidance. The Council will be working with partners across TGSE South Essex to undertake further work on the matter of objectively assessed housing need having regard to evidence emerging from the Census 2011 and subsequent population projections. This will assist the Council is discharging its Duty to Cooperate.

9. Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment 2014

- 9.1 The purpose of this assessment is to provide an evidence base to enable planning authorities in Essex to comply with their requirements towards Gypsies and Travellers and Travelling Showpeople under the Housing Act 2004, the National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2012. The main objective of the assessment was to provide the planning authorities in Essex with robust, defensible and up-to-date evidence about the accommodation needs of Gypsies and Travellers and Travelling Showpeople in Essex during the period until 2033. It also considered whether or not any of the local planning authorities need to plan for the provision of transit sites or emergency stopping places.
- 9.2 Due to the issues associated with Dale Farm, Basildon commissioned a separate assessment from the same consultants. The findings of the Basildon study have been integrated into the Essex wide study to provide a comprehensive assessment of the need across Essex.
- 9.3 The assessment was carried out having regard to the definition of Gypsy and Traveller set out in the Planning Policy for Traveller Sites 2012. It identified a need for 786 additional pitches for permanent Gypsies and Traveller accommodation across Essex. Within Castle Point a need is for <u>five</u> additional pitches for such purposes was identified.
- 9.4 It also identified the need for 183 yards for Travelling Showpeople. No requirement for Travelling Showpeople yards within Castle Point was identified.
- 9.5 The assessment applied a methodology whereby future needs were likely to be higher in those areas where there were already large populations of gypsies, travellers and/or travelling showpeople. As such, it should be noted that a significant need for permanent Gypsy and Traveller pitches was identified for Basildon (240 pitches) and for Thurrock (104 pitches). Additionally, most of the need for yards for Travelling Showpeople was identified in Thurrock (165 yards). If these neighbouring local planning authorities are unable to meet their needs, they may approach Castle Point under the Duty to Cooperate in order to seek for Castle Point to meet a proportion of un-met need.
- 9.6 Across Essex, two transit sites are recommended to accommodate encampments by those groups of gypsies and travellers pursuing a travelling

lifestyle. The assessment is not clear as to where these should be located, and therefore Essex wide cooperation on this matter is likely to be required.

10. Census 2011 Travel to Work Data for Castle Point Briefing Note

- 10.1 In July 2014, the Office of National Statistics released 'travel to work' data collected via the 2011 Census. Travel to work data is 'multi-variant' i.e. it pulls from information within several of the questions set out in the Census. It is therefore normal for this data to be released some time after the Census has been taken as it is more complex to prepare.
- 10.2 A short 'Briefing Note' has been prepared showing the travel to work data for Castle Point. This revealed that:
 - 9,725 people live in Castle Point and work in Castle Point (29% of the working population);
 - 23,486 people live in Castle Point and work outside the borough;
 - 7,470 people live elsewhere and commute into the borough for work;
 - The net commuting balance is an outflow of 16,016 people i.e. Castle Point exports people for work purposes.
- 10.3 Data was also released on where people commute to, and the method of travel that they employ in doing so. 22% of working residents commute to London. Meanwhile 15% commute to each of Basildon and Southend-on-Sea. The majority of people commute by car 65%. This is high compared to the national average of 54%. However, a higher than average proportion of people also commute by train 15% (national average of 5%). Relatively few people cycle or take the bus (2% and 4% respectively).
- 10.4 The majority of those using the train travel to London. 56% of those travelling to work in London get the train. However, the use of public transport to get to employment in Basildon and Southend is very low. As a consequence the number of people travelling by car is excessively high (83% and 71% respectively). This has implications for the local road networks, and indicates a need to consider how public transport connections within South Essex could be improved to provide a reasonable and attractive alternative. Consideration should also be given to improvements to cycling networks, with number cycling to work also being below average.

11. Second Review of the Sustainability Appraisal and Strategic Environmental Assessment of Potential Housing Sites

- 11.1 The NPPF expects new development to be sustainable, achieving benefits to the economy, the environment and to society. In addition to this, there is a legal requirement that all plans and programmes are informed by a robust process of sustainability appraisal and strategic environmental process that is fully integrated into the plan-making process, and considers all reasonable alternatives.
- 11.2 Throughout the preparation of the New Local Plan, and the previous work on the Core Strategy, work was undertaken to assess the sustainability of sites

being considered for development for housing purposes. This work was initially carried out by Baker Associates in 2011. This was subsequently reviewed in 2013 to capture changes to the affordable housing indicator, to reassess sites where changes had been proposed to their boundaries, size or capacity, and to assess any sites newly identified to the Council.

- 11.3 Following consultation on the draft New Local Plan earlier in 2014, a second review of the Sustainability Appraisal and Strategic Environmental Assessment of Potential Housing Sites has been undertaken. This review concentrates on the following:
 - Review of the flood risk indicator to better reflect surface water flood risk, and a re-appraisal of all sites against this indicator;
 - Review of existing sites where new information has been provided about their boundaries, size, capacity or other elements of their environmental condition; and
 - An appraisal of three newly identified strategic sized sizes promoted through the consultation on the draft New Local Plan for development for housing.
- 11.4 The main outcome of the review of the flood risk indicator was an increased number of sites where flood risk mitigation and sustainable urban drainage is required. These sites were predominantly on the mainland, and moved from being positively scored (green) to requiring mitigation (amber). Sites on Canvey Island typically scored negatively against this indicator in the first instance and therefore there was little change for sites on Canvey Island.
- 11.5 Several sites were reassessed as a consequence of changes to their potential capacity. This resulted in limited change to the outcomes of the sustainability appraisal as location in relation to services and environmental constraints are the most significant factors affecting sustainability. The Triangle Site on Canvey Island was reassessed due to changes to its capacity, changes to the size and boundaries of the site, and as a consequence of additional information provided in relation to the environment. This additional information highlighted risks to ecology that combine with other environmental impacts to reduce the sustainability of this site.
- 11.6 Three new sites were also assessed as part of this appraisal. Land to the East of Manor Trading Estate was generally assessed as having positive sustainability outcomes, although mitigation is required in some areas. The remaining two sites however were not found to be appropriate development locations on the grounds of sustainability. These two sites are Land East of Downer Road North, and Land to the Rear of the Hoy and Helmet Public House. The development of these two sites would have significant environmental impacts that cannot reasonably be mitigated.
- 11.7 Finally, an initial cumulative impact assessment was undertaken of the proposals in the draft New Local Plan. This was prepared to provide a baseline against which any changes to the suite of sites proposed for housing growth can be assessed to determine their positive or negative impacts on sustainability. This cumulative assessment found that subject to mitigation the proposals in the draft New Local Plan were generally sustainable. However,

there is likely to be a cumulative impact on air quality that will require mitigation through more sustainable transport options, and through tree planting. It was however concluded that site H18, as currently included within the draft New Local Plan, would have negative consequences for sustainability due to its scale and location.

11.8 Consideration should be given to the outcomes of this appraisal when identifying sites for inclusion in the New Local Plan.

12. Corporate Implications

(a) Financial Implications

The recommendations of this report carry no financial implications.

(b) Legal Implications

The Town and Country Planning (Local Planning)(England) Regulations 2012 require the Annual Monitoring Report to be made publicly available as soon as reasonably practicable.

(c) Human Resources and Equality Implications

Human Resources

The recommendations of this report can be delivered within the capacity of existing resources.

Equality Implications

This report recommends that evidence is made available for consideration in the plan-making process. It does not require a decision to be made in relation to planning policies. Therefore, there are not considered to be equality implications arising from the recommendations of this report.

(d) IT and Asset Management Implications

If the recommendation is agreed, the evidence base documents will be made available upon the Council's website. This can be done without specialist IT support.

13. Timescale for implementation and Risk Factors

Subject to the recommendation being agreed, the completed documents will be made available on the Council's website on the 16th October 2014.

14. Background Papers

- Castle Point Strategic Housing Land Availability Assessment Update 2014
- Castle Point Annual Monitoring Report 2013/14
- Greater Essex Demographic Forecasts Phase 5 Report
- Greater Essex Demographic Forecasts Phase 6 Report
- Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment
- Census 2011 Travel to Work Data for Castle Point Briefing Note

 Second Review of the Sustainability Appraisal and Strategic Environmental Assessment of Potential Housing Sites

Report Author: Amanda Raffaelli

AGENDA ITEM NO.7(c)

CABINET

15th October 2014

Subject: Government Consultation – Delivering Sustainable

Drainage Systems

Cabinet Member: Councillor Howard -

Canvey Island, Floods and Water Management

1. Purpose of Report

To advise the Cabinet of a Government consultation document entitled "Delivering Sustainable Drainage Systems". This consultation proposes an alternative approach to the delivery of sustainable drainage systems for new development. This report seeks approval for the proposed consultation response from the Council.

2. Links to Council's Priorities and Objectives

The proposals set out in Government consultation document will have significant implications for planning and infrastructure delivery within Castle Point, and the sustainability of communities within Castle Point. This will impact on the ability of the Council to achieve the objectives set out under the priority of *Transforming our Community*.

3. Recommendations

It is recommended that the Cabinet agree to submit a response to the Government Consultation Document "Delivering Sustainable Drainage Systems" based on the comments at section 5 of this report.

4. Background

- 4.1 The Departments for Environment, Food & Rural Affairs (DEFRA), and Communities & Local Government (DCLG) have recently issued a consultation document suggesting an alternative approach to the provision, delivery and long term maintenance of Sustainable Drainage Systems (known as SuDS).
- 4.2 The original intention of the Flood & Water Management Act 2010 was to require SuDS for all new development from April 2014. The responsibility for

their adoption and maintenance would be passed to the SuDS Approval Bodies (SABs) created by the Act. Essex County Council is the SuDS Approval Body for the county.

- 4.3 However, concerns have apparently been expressed to Government that this original proposed regime requires consent to be obtained from two different parts of local government first planning permission from the local planning authority, and secondly approval from the SuDS Approval Body for the area. Further issues apparently had been raised with regards to the preparation and readiness of some SABs to assume responsibility for their new duties including the duty to maintain drainage systems that had been approved.
- 4.4 The current consultation now proposes that the planning system should be the means by which SuDS are approved and maintained thereafter.
- 4.5 First it is recommended that planning practice guidance should be changed so that it is clear that major development must provide SuDS. This then becomes a material planning consideration in the determination of any proposal. Proposals which fail to provide SuDS over conventional drainage could then be refused.
- 4.6 Secondly it is suggested that planning conditions be imposed on schemes with SuDS proposals to ensure that these are delivered at the site, and then maintained thereafter for the lifetime of the development. The expectation is that the SuDS scheme will clearly show who is responsible for funding and conducting on-going maintenance, and this should be fair to occupiers.
- 4.7 Thirdly it is suggested that any breach of a planning condition regarding SuDS schemes can be dealt with using existing planning enforcement legislation.
- 4.8 Fourth it is suggested that expert advice should be available to local planning authorities to assist them in dealing with these new responsibilities and duties. These could be provided independently from other public bodies. Planning guidance would also be amended to make clear that certain public bodies (such as the highway authority. Environment Agency and Anglian Water) must be consulted on relevant planning applications.
- 4.9 Finally it is expected that the new regime would be in place by Spring 2015.

5. Implications for Castle Point Borough Council

- 5.1 There are a number of concerns regarding the Government's proposals.
- 5.2 First it is difficult to understand how some SABs (although not Essex CC) are still not in a position to accept the new responsibilities envisaged in the 2010 Act some 4 years after the proposals were first enacted and 6 months after these were to have come into effect.
- 5.3 Secondly to suggest that local planning authorities could be mobilised to accept these new duties and responsibilities within 6 months is unrealistic.
- 5.4 Thirdly these proposals appear designed to repeat the shortcomings found by Sir Michael Pitt in his review of the floods of 2007and undermine his

recommendations in terms of resolving these issues. For example, a key finding of the Pitt Review was that responsibilities for drainage systems were fragmented and unclear. As a result the 2010 Act created a "lead local flood authority" at county level to take overall responsibility for co-ordinated local flood risk management. It is therefore entirely appropriate for duties and responsibilities regarding SuDS to also rest with that body. A proposal to vest these duties and responsibilities with local planning authorities, having no previous responsibilities or expertise in these matters, creates a further level of bureaucracy, which is contrary to the spirit of the Pitt Review and the Act.

- 5.5 Fourth it is likely that the additional demands required of applicants for SuDS schemes will lead to further delays in the processing of related planning applications caused by the need for further and more detailed consultations with expert bodies, as well as the need to consider and assess the suitability or otherwise of proposed long term management arrangements.
- 5.6 Fifth in some cases it may well be the case that in some instances planning conditions are inappropriate to regulate this matter. Current Government guidance states that;

Unenforceable conditions include those for which it would, in practice, be impossible to detect a contravention or remedy any breach of the condition, or those concerned with matters over which the applicant has no control.

- 5.7 Problems will inevitably arise with the detection of breaches, the measures to be taken to remedy them and responsibility for the actions required. It is not impossible to conceive of a situation where occupiers of a recently completed housing development might all have to be served with an enforcement notice to rectify a breach. Furthermore enforcement action may only take place within a certain period of time after a breach has occurred, and this may prevent any further planning action to remedy a maintenance problem.
- 5.8 Sixth, because of the potential difficulties with planning conditions, Section 106 agreements may be necessary in some cases, increasing still further the complexity and time taken to deal with major cases.
- 5.9 This would be particularly unfortunate, given the Government's determination to focus on speeding up the time taken to make decisions on major applications.
- 5.10 Finally it is difficult to envisage how such extra responsibilities duties and burdens could be assumed by local planning authorities in such a short space of time without either;
 - Additional resources to properly discharge these functions; or
 - A reduction in other aspects of the service to accommodate these matters

6. Proposed Consultation Response

6.1 It is recommended that the Council respond to the current Government consultation with the comments set out in Section 5 above.

7. Corporate Implications

(a) Financial Implications

There are no financial implications for Castle Point Borough Council arising from the recommendations of this report, but there may significant implications should the Government decide to proceed with these proposals. These would be the subject of separate report to Cabinet at that time.

(b) Legal Implications

There are no legal implications for Castle Point Borough Council arising from the recommendations of this report. It should however be noted that should the Government decide to proceed with these proposals various legal issues regarding the duties may arise. These would be the subject of a separate report to Cabinet at that time.

(c) Human Resources and Equality Implications

Human Resources

The recommendations of this report can be actioned within existing human resources It should however be noted that should the Government decide to proceed with these proposals human resource issues (numbers of posts, roles, training etc) may arise. These would be the subject of a separate report to Cabinet at that time.

Equality Implications

There are no equality implications arising from the recommendations of this report.

(d) IT and Asset Management Implications

There are no IT or asset management implications arising from this report. It should however be noted that should the Government decide to proceed with these proposals, IT and asset matters nature may arise. These would be the subject of a separate report to Cabinet at that time.

8. Timescale for implementation and Risk Factors

A response to the Government consultation must be submitted by the 24th October to ensure it is considered.

Background Papers

Department for Environment Food & Rural Affairs, and Department for Communities and Local Government Consultation Paper; *Delivering Sustainable Drainage Systems* September 2014.

Report Author: Steve Rogers, Head of Regeneration & Neighbourhoods.

AGENDA ITEM 8(a)

CABINET

15th October 2014

Subject: Treasury Management Activity Mid-Year Report

Cabinet Member: Councillor Stanley – Resources and Performance

1. Purpose of Report

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

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

This report follows an equivalent report submitted to Audit Committee on 22 September 2014 which also reported performance for the first five months.

2. Links to Council's priorities and objectives

The scrutiny and approval of the Council's Treasury Management activity is linked to the Council's objective of Improving the Council through sound financial management.

3. Recommendation:

That following scrutiny, the Treasury Management Activity Mid-Year Report for 2014/15 is approved.

4. Treasury Management Activity Mid-Year Report 2014/15

4.1 Introduction

- 4.1.1 Treasury management is:- "The management of the organisation's cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."
- 4.1.2 The Code of Practice requires the Council to set annually a Treasury Management Strategy and Investment Strategy. The strategies for the 2014/15 financial year were approved by Council on 26th February 2014.
- 4.1.3 This report confirms that Treasury Management activity during the year to date has been undertaken in accordance with strategy and in consultation, where appropriate, with our external adviser, Capita Asset Services.

4.2 Borrowing

- 4.2.1 There has been no change in the Council's borrowing position from that reported at the end of the previous financial year, other than timed and budgeted interest payments and repayment of one small PWLB loan of £75,112. No further General Fund borrowing or repayment is planned for the foreseeable future. No change in HRA debt is expected until the first loan matures in 2021.
 - A summary of external borrowing at 31st August 2014 is shown at Annexe A.
- 4.2.2 Annexe A shows that interest paid on General Fund borrowings for the year to date is £18 (0.0%) more than budgeted and interest paid on HRA borrowings is £21 (0.0%) more than budgeted.

4.3 Investments

- 4.3.1 The investment activity during the year to date conforms to the approved strategy, and the Council has had no liquidity issues. Investments are managed internally using only those institutions which meet the Council's strict investment criteria, within a permissible range of periods, depending on the Council's cash flow and the interest rates on offer.
- 4.3.2 Investments to date in 2014/15 continue to be primarily with AAA-rated Money Market Funds. A Money Market Fund is a pooled source of funds invested in a wide range of short-term investments, and managed by an independent fund management company. Frequently these are well known banks or investment houses. AAA is the highest investment rating available and means that there is very low credit risk in an entity which is awarded that rating.
- 4.3.3 Funds may be placed with the Debt Management Office (DMO), an executive agency of HM Treasury, but the facility has not been used this year due to the very low rate of interest.
- 4.3.4 With the exception of the DMO, no individual deposit with any institution exceeds £2m at any one time and the maximum term for an investment is currently limited to six months. Internal guidance ensures that at least 60% of its investments at any time are placed with institutions rated AAA.

- 4.3.5 Annexe B summarises the Council's temporary investment activities for the year to date. The amount available for investment varies daily according to the Council's aggregate financial position on all activities. As at the end of August 2014 the amount invested was £15.8m and the average amount invested for the year to date was £16.3m.
- 4.3.6 Annexe B also shows that the amount of interest received on investments to date is £26,853. This exceeds budget by £9,453 (54.3%). Investment rates earned are currently slightly higher than budgeted. The average rate is 0.39%, slightly more than the benchmark 7-day LIBID rate of 0.35% (LIBID or the London Inter Bank Bid Rate is the rate at which major London banks borrow from each other).
- 4.3.7 The Council completed the process of switching banks from Co-operative Bank plc to Lloyds Bank plc when the last Co-op accounts were closed in July 2014. Lloyds has been very supportive and the transition went smoothly with minimal disruption to customers.
- 4.3.8 Any changes required to the interest budgets will be addressed in the forthcoming budget cycle.

4.4 Benchmarking

- 4.4.1 The current position on three benchmark indicators for 2014/15, explained in the Annual Investment Strategy, is reported as follows:
 - Security Weighted Credit Rating Score for the year to date of 6.6 exceeds the target of 4 (the scale goes from 0 to 7).
 - Liquidity Weighted Average Life remains at an extremely liquid level, currently averaging 11days.
 - Yield interest received on investments currently exceeds target as reported above

5 Corporate Implications

a Legal implications

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

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

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

b Financial implications

Any required changes in interest estimates will be implemented as part of the forthcoming 2015/16 budget cycle.

c Human resource and equality implications

There are no new implications.

d Timescale for implementation and risk factors

A mid-year report is now presented to the Audit Committee during September each year and subsequently reported to Cabinet.

6 Conclusion

The results for the five months to 31st August 2014 continue to demonstrate prudent and efficient treasury management.

Report Author:

Ian Stapleton – Financial Services Manager

Background Papers:

Chartered Institute of Public Finance and Accountancy: Code of Practice for Treasury Management in the Public Services.

CPBC: Treasury Management and Investment Strategy Statement for 2014/15.

Audit Committee 22 September 2014: Treasury Management Activity Mid-Year Report

Summary of Loan Transactions and Interest Payable (accrued daily) for the period to 31st August 2014

Loan Transactions Activity for the Period

	Amount o/s 01/04/2014 £	Loans Repaid £	Amount o/s 31/08/2014 £
Public Works Loan Board			
General Fund	5,325,112	75,112	5,250,000
HRA	36,451,000	0	36,451,000
Totals for the Council	41,776,112	75,112	41,701,000

Interest Payable Comparison of Estimate with Actual

Budget for the Year £	Budget Profile to 31/08/2014 £	Actual Interest to 31/08/2014 £	Variance 31/08/2014 £	
208,300 1,087,400	88,600 457,300	88,618 457,321	-18 -21	0.0%
1,295,700	545,900	545,939	-39	0.0%

Interest rates for the period

	Range o	Average	
	From	То	
General Fund HRA	3.70% 2.31%	9.25% 3.49%	4.01% 2.98%
Totals for the Council	2.31%	9.25%	3.12%

Base rate history

1.50%
1.00%
0.50%
0.50%

Summary of Temporary Investments and Interest Received (accrued daily) for the period to 31st August 2014

Type of Borrower	Amount Invested 01/04/2014 £	Made in the Period £	Repaid in the Period £	Amount Invested 31/08/2014 £
Investments by Value:				
Debt Management Office	0	0	0	0
Local Authorities	0	0	0	0
Money Market Funds	12,660,000	39,073,576	37,353,576	14,380,000
Bank deposits	1,000,000	2,000,000	2,000,000	1,000,000
Investments	13,660,000	41,073,576	39,353,576	15,380,000
Lloyds current account	483,134	0	62,910	420,224
Cash equivalents	483,134	0	62,910	420,224
Total	14,143,134	41,073,576	39,416,486	15,800,224
	Number	Number	Number	Number
Number of Investment Transact	tions:			
Debt Management Office	0	0	0	0
Local Authorities	0	0	0	0
Money Market Funds	19	55	53	21
Bank deposits	1	2	2	1
Investments	20	57	55	22
Lloyds current account	1			1
Cash equivalents	1			1
Cash equivalents				•
Total	21	<u> </u>	<u> </u>	23

Interest Received on Temporary Investments for the period to 31st August 2014

	£
Actual Interest Received	26,853
Original estimate	17,400
Variance	9,453 54.3%

Temporary Investments

Average Balance for the Period	16,277,817
Average Interest Rate for the Period	0.39%
Benchmark: Average 7-Day LIBID Rate	0.35%

AGENDA ITEM NO.8(b)

CABINET

15th October 2014

Subject: Housing Revenue Account (HRA) - 2014/15 Updated

Revenue Budget and Capital Plan

Cabinet Member: Councillor Stanley – Resources and Performance

1. Purpose of Report

This report submits for the Cabinet's consideration:

- An updated HRA Revenue budget for 2014/15
- An updated HRA Capital Plan for 2014/15
- 2. Links to Council's priorities and objectives

The approval of the HRA Revenue and Capital budgets supports the corporate priorities of Public Health and Wellbeing, Transforming our Community and Efficient and Effective Customer Focused Services.

3. Recommendations

- 1. That the updated HRA revenue estimates for 2014/15, as set out in Annexes A and B, are approved.
- 2. That the updated HRA capital plan for 2014/15, as set out in Annexe C, is approved.

4. Background

- 4.1 At the Cabinet meeting on 26th February 2014 as part of the annual budget setting process, Revenue and Capital budgets were approved, including Repairs and Maintenance expenditure. Amendments to these budgets are now required for the reasons set out below:
 - 1. Revenue cost implications of recent flood damage to properties, which will largely be recovered through insurance.
 - 2. The purchase of 35 Long Road (flats) subject of earlier reports to Cabinet.
 - 3. New, 2 year external painting/maintenance and internal decorating programme due to commence late in 2014/15.

4.2 The updated estimates have been prepared based upon expenditure to date and forecast for the remainder of the financial year.

5. Proposals

- 5.1 The implications of the items set out in section 4.1 have been incorporated into the revenue and capital programme shown in Annexe A to C which are largely self explanatory.
- 5.2 Annexe B shows the full HRA revenue budget for 2014/15, including amendments for the repairs and maintenance budgets detailed in Annexe A. The annexe also shows the revenue budget impact of the purchase of 35 Long Road (flats). An updated Capital plan is shown at Annexe C and shows the capital cost of the purchase.
- 5.3 This purchase has been funded by contributions from HRA revenue reserves and retained capital receipts from the sale of properties under the Right to Buy scheme. The plan also includes special projects in progress at Gowan Court and Amelia Blackwell House, which were previously included in other subjective lines, but have now been separated out.
- The updated revenue and capital budgets reported in the three annexes are therefore submitted for approval. Each annexe has columns showing:
 - The original approved estimate for 2014/15, as approved in February 2014
 - Updated estimate for 2014/15 now submitted for approval.
- 5.5 All changes detailed above have been tested in the HRA Business Plan and meet the financial guidance of the Head of Resources.

6. Corporate Implications

a. Financial implications

Financial implications are outlined in sections 4 and 5 above.

b. Legal implications

The HRA is "ring-fenced" by legislation and must therefore be self-financing. There is no general power to transfer surpluses to the General Fund or to meet a deficit by contribution from the General Fund.

The Council has a statutory duty to set a budget for the HRA that avoids a deficit. This includes provision for a prudent level of reserves to call upon in the event of unforeseen circumstances, emergency expenditure or major budget variations. Failure to maintain adequate reserves could possibly result in an additional mid-year rent increase; this may push rent levels above limit rents and thus result in the loss of rent rebate subsidy on part of the rental income.

c. Human resources and equality implications

There are no new implications.

However, Members are reminded that the Council has a responsibility to deliver the Government's Decent Homes Standard and to work towards the national provision of 1 for 1 replacement of homes sold through the Right to Buy. The 2014/15 Capital Plan is currently prioritised towards those programmes of repair, maintenance and modernisation which tackle identified non-decency issues in the housing stock, but may be required to support the Right to Buy objective as well in combination with additional funds being allocated from revenue.

d. Timescale for implementation and risk factors

Delivery of the Capital Plan programmes for 2014/15 commenced in April, completion of the purchase of the 25 flats is anticipated for November 2014.

The implications of not approving the proposed programmes would be a failure in the Council's responsibility to tackle known non-decency issues in its housing stock.

7. Background Papers:

Housing Revenue Account Business Plan and associated ODPM/DCLG guidance

Housing Strategy and associated ODPM/DCLG guidance ODPM/DCLG guidance on the delivery of the Decent Homes Standard and options appraisals

Report Author: David Randerson – Principal Housing Finance Officer

Housing Revenue Account - Revenue Repairs

Housing Revenue Account summary	2014/15 Estimate	2014/15 Updated Estimate
Expenditure	£000s	£000s
Budgeted Net Repairs & Maintenance	1,058	1,058
Supplementary expenditure estimate Additional Income due from insurance claim	0 0	211 (178)
Net increase in expenditure	0	33
Total Gross Expenditure	1,058	1,091

Housing Revenue Account - Updated Revenue Budget

No	Housing Revenue Account summary	Note	2014/15 Estimate	2014/15 Updated Estimate
	Income		£000s	£000s
	Income Gross dwelling rents		(6,881)	(6,891)
	Gross one-dwelling rents		(135)	(135)
	Charges for services and facilities		(432)	(432)
1	Total Income		(7,447)	(7,458)
	Expenditure			
	Supervision and management		2,184	2,183
	Repairs and maintenance		1,058	1,091
	Increased provision for bad or doubtful debts Rents rates taxes and other charges		30 213	30 217
	Sheltered housing transitional protection		7	7
	Depreciation and impairment of fixed assets		1,123	1,123
2	Total Gross Expenditure		4,614	4,651
	Net cost of HRA services		(2,833)	(2,807)
3	Total other operating Income and Expenditure	1	1,075	1,060
4	Total Net Statutory Adjustments	2	1,444	1,769
	(Surplus) / deficit on HRA services		(313)	23
	Reserves			
	HRA Main Reserve			
5	Reserve balance brought forward 01/04/14	3	2,394	2,394
6	Surplus/(deficit) for the year		313	(23)
7	Transfer (to) / from HRA Earmarked Reserve		(778)	(778)
	Reserve balance carried forward 31/03/15		1,929	1,593
	HRA Earmarked Reserve	4		
8	Reserve balance brought forward 01/04/14	4	1,556	1,556
9	Provision for loan repayments		778	778
_	Loan Repayments made		0	0
	Reserve balance carried forward 31/03/15		2,334	2,334

Notes

- 1 Various interest payable and receivable and asset valuation adjustments
- 2 Various statutory adjustments and reversals, to ensure that rental income is not affected by income and expenditure relating to non-current assets, such as depreciation, gains and losses on disposals, and other similar items
- The opening HRA reserve balance at 01/04/14 has been updated from the original Cabinet report to reflect the actual amount from the closure of the 2013/14 accounts.
- 4 Earmarked reserve for sums set aside for future repayment of loans taken out in March 2012 under HRA Self Financing

Housing Revenue Account - Capital Plan

Housing Revenue Account summary	2014/15 Estimate	2014/15 Updated
Annual Programmes for replacement and repair	£000s	£000s
Disabled adaptations Central heating	10	
Kitchen improvements	8:	-
Roofing works	60	30
Electrical rewiring	59	20
Bathroom improvements	29	5 10
Common areas	20	10
Water supply and tank replacement	1:	2
Unallocated Provision	55	
Refurbishment - Gowan Court	(3
Refurbishment - Amelia Blackwell	(2
Purchase - Long Road (flats)		2,3
	2,53	3 4,0
		_

Notes:

- 1) All items excluding Water supply and tank replacement and the unallocated provision are supported by specific
- 2) Where budgets have been reduced it is at no detriment to existing tenants/work programmes.

AGENDA ITEM NO.8(c)

CABINET

15th October 2014

Subject: Financial Update

Cabinet Member: Councillor Stanley – Resources and Performance

1. Purpose of Report

This report presents the latest position in relation to the General Fund financial forecast for the period 2014/19 and contains the forecast itself at appendix 1.

This report is intended to:

- Provide Cabinet with the latest information on the future predicted cost of the Council's current spending plans and report on current performance in respect of the current budget.
- Update Cabinet on developments of a financial nature, which may impact on the Council's financial plans.
- 2. Links to Council's Priorities and Objectives

This report is linked to the Council's priority of Efficiency and Effective Customer Focused Services. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

3. Recommendations

That Cabinet note the report and approve the changes to the approved budget as set out in section 5.

4. Background & basis of the financial forecast

- 4.1 The Financial Planning Strategy is incorporated within the Policy Framework and Budget Setting report which is approved by Council in February each year. The strategy requires the submission of a financial forecast, enabling the Cabinet to monitor latest estimates of future spending and resources and take appropriate action to ensure that the Council's financial targets are met.
- 4.2 The forecast shown at Appendix 1 is based on the budgets approved by Special Council on 26th February 2014, updated for subsequent necessary changes identified within earlier financial update reports and section 5 of this report. The forecast shows:

- Line 8 A balanced budget for the current financial year meaning that the Council is not reliant on the identification of savings or use of general reserves to support expenditure in that year.
- Line 4 That for years 2015/16 (and beyond) there is a need to identify cashable efficiency savings in order to balance the budget and maintain reserves at the minimum level recommended by the Head of Resources (£2.4m).
- Line 26 A Council Tax increase of 0% for 2014/15 and an assumption of a 2% increase for subsequent years. Whilst the forecast remains out of balance it is not financially viable to indicate lower council tax increases. 2% reflects the level at which Government set the referendum limit for council tax increases for 2014/15.
- Line 20 General Reserves at around £3.7m, at the end of 2014/15.
- 4.3 Detailed estimates have been produced for years 2014/15 through to and including 2016/17, based on the level of external funding allocated to the Council.

5. Changes to approved budgets

5.1 The following table summarises material changes which have been incorporated into the forecast shown at appendix 1, since the last update report.

	Description	£k	Explanation
1	Refuse and Recycling – other reimbursement	55	The current co-mingled waste recycling contract has been retendered in line with the Council's contract and procurement procedures. Six tenders were received and the contract has now been awarded.
			The recycling market is notoriously volatile and historically terms have varied between payment of £15 and receipt of £35 per tonne. The new contract will be a neutral position and is index linked. A change in price of +/- 10% will trigger a change in payment terms to/from the Council.
			The new contract will operate from October 2014 to September 2018.
			The current budget is based on the previous contract of £15 receipt per tonne. The change in terms to a neutral position has given rise to a budget pressure of £55k in the current financial year and £111k ongoing, based on current prices.

5.2 The financial forecast at Appendix 1 also includes changes resulting from the 2013/14 closure process and statement of accounts which were presented to and approved by Council in September 2014.

6. Revenue/Capital Budgets "on-watch"

- 6.1 The following table highlights revenue or capital budgets, HRA or general fund, which are identified by the Head of Resources as "on-watch". This term refers to expenditure and income budgets where there is reason to believe that performance may not meet expectations and where the impact on the Council's overall financial plan is likely to be material.
- 6.2 For the purpose of this report, items will be included if they have a full year financial impact of £50k and/or are felt to be of particular interest to Cabinet.

Description	Predicted year end budget variance £	Background and action being taken
No items to report.		

7. Key Financial Developments

Updates are provided to key issues below. Please also see earlier reports.

Business Rates Pooling

- 7.1 A report on pooling for 2015/16 was considered by the Essex Strategic Leaders and Finance Officers group at its meeting on 2nd October 2014. The meeting concluded that a pool for 2015/16, on the basis of the report presented, would be viable.
- 7.2 The establishment of an Essex Region pool could mean the retention within Essex of some £4.5m which would otherwise be paid to central government. However this does not come without risk. In an un-pooled arrangement, where an authority experiences a reduction in Business Rates greater than 7.5%, they will receive a "safety net" payment from central government which will largely compensate for the lost revenue. Under a pooled arrangement this mechanism does not exist and any significant reduction in Business Rates will fall to the overall pool.
- 7.3 Expressions of interest to establish a pool are to be made to DCLG by the 31st October. Authorities who decide not to remain in the pool after this date, have until 28 days after the settlement announcement to withdraw. The withdrawal of one or more authorities after the expression of interest has been made effectively collapses the entire pool.
- 7.4 Work will now be undertaken by the Essex Finance Officers group to:
 - Establish pooling and governance arrangements including the basis for sharing proceeds between authorities.
 - Each Authority's s151 Officer is to confirm that the business rates position for their authority going forward is sound and that they are not predicting to fall into the safety net position (see 7.2 & 7.3 above).
- 7.5 Cabinet gave approval in principle at its meeting in July 2013 to the Council joining a pool for non domestic rates. The Cabinet Member for Resources and Performance will be consulted going forward on all key decisions.

Tax Compliance Business Case

- 7.6 This is an Essex Wide initiative. The business case is focused on methods and working practices which will maximise each authority's tax base by ensuring that discounts and exemptions awarded against Council Tax remain legitimate and accurate on an ongoing basis.
- 7.7 Essex County Council, the Fire Authority and the Police and Crime Commissioner (PCC) for Essex have confirmed willingness to share the costs of the initiatives in proportion to their council tax charge.
- 7.8 Billing authorities are further incentivised through the operation of a council tax revenue shareback agreement which means that the precepting organisations will repay to billing authorities a proportion of additional revenue collected as a direct result of the activities within the business case.
- 7.9 Essex Finance Officers are currently finalising details of the share back agreement.

Housing Revenue Account – Purchase of Property Long Road Canvey Island

- 7.10 Cabinet considered a report in April 2014 in relation to the purchase of a block of flats at Long Road Canvey Island, for incorporation into the Council's housing stock. The purchase is progressing at a sum of £2.36m (net of s106 agreement) which will be funded fully by the Housing Revenue Account.
- 7.11 The Council has now paid a deposit of £118k and is awaiting completion of works before making the full payment. The deadline set for completion is early November.
- 7.12 Please refer to the April Cabinet report for background information.

Financial Forecast/Funding Gap 2015/16

- 7.13 The Medium Term Financial forecast indicates a significant funding gap in each financial year from 2015/16 which the Council must address in order to maintain existing service levels.
- 7.14 The Council is already effectively committed beyond its means in future years i.e. spending funds it does not have, and will need to identify reductions to existing services and/or efficiencies.
- 7.15 The position with regard to Council reserves is also serious. Whilst at the current time reserves appear healthy, there are very real and significant financial risks which may or may not materialise in future years, particularly around planning appeals and associated legal costs. These risks, coupled with the projected budget gap, will result in a complete depletion of general reserves within the next four financial years.
- 7.16 A programme of work is currently underway which it is hoped will contribute towards closing the funding gap. However, until each financial year is balanced, the Council should not enter into new and ongoing financial commitments or take action which would reduce budgeted income.

8. Financial Risk Factors

8.1 The budget report presented to the Cabinet meeting on 26th February and Special Council on the same night indicated some risk areas that the Cabinet should be mindful of until the position and risk relating to each has been clarified. These are shown in the table below.

Description							
Insurance Related Risks	Potential liabilities arising from insurance claims which may arise.						
Equal Pay Review	A full job evaluation exercise has not been carried out. No equal pay claims have been received by the Council.						
Potential for incurrence of legal costs	The Council anticipates an increase in the number of planning applications submitted. There is potential for a proportion of these applications not to be approved resulting in an appeals process. The appeals process will necessitate the Council incurring legal costs and, should the outcome of the appeal not be favourable to the Council, there is potential for the Claimant's legal costs to be awarded against the Council. The outcome of litigation in relation to property searches —						
	subject to strict confidentiality and outlined in the financial update report to Cabinet in August 2014.						
Local Council Tax Support Scheme	This is the second year of the locally determined, replacement scheme for Council Tax Benefits, which sees all financial risk (arising from changes in caseload and debt collection) falling to the Borough Council and its precepting organisations (excluding the Town Council).						
Impact of Welfare Reforms on demand for Council Services	It is not possible to predict the full direct or indirect impact of the various welfare reforms.						
Pension Fund Revaluation	The next valuation of the pension fund is to be undertaken by the actuary in March 2016, and will be effective for contributions from 2017/18 onwards.						
Potential for withdrawal of external or third party revenue income	The financial forecast currently assumes the continuation of a number of revenue streams from external organisations or third parties. These relate to service level agreements, fees for services or other contributions towards costs incurred by the Council. It is known that many of these organisations are striving to reduce their costs and it is possible that one or more of the aforementioned revenue streams may be lost.						
	Additionally, there is a real threat that where another organisation (such as the County Council) discontinues or reduces delivery of a particular service, the Borough Council will be expected to bridge the service gap at its own cost.						

Government Funding	As recent years have shown, there is a continuous threat of reduced funding from central government. This includes RSG, New Homes Bonus and other service specific revenue grants.
	Certainty from one financial year to the next is not enabled through the current annual settlement process.

9. Corporate Implications

a) Legal implications

This report is presented by me in my role as "section 151 officer" – the officer appointed to have responsibility for the Council's financial administration. It is my duty to ensure that the Council is regularly informed and updated on these matters.

b) Human Resources and equality implications

There are no Human Resource or equality implications arising directly from this report.

c) Timescale for implementation and risk factors

Risk factors inherent in the forecast are set out above.

Report Author: Chris Mills, Head of Resources

Background Papers:

- Policy Framework & Budget Setting 2014/15, incorporating the Financial Planning Strategy.
- Budget monitoring statements for the period April to August 2014.
- Business rates pooling Cabinet report 17th July 2013.

Medium term financial forecast		2014/15	2015/16	2016/17	2017/18	2018/19	Notes Appendix 1
Ref 1 2	Current policies and service plans Detailed estimates Budgets rolled forward from previous financial year	£'000s 13,234 1,219	£'000s 10,792	£'000s 11,647	£'000s	£'000s	
3	Total net expenditure b/f	1,219			13,102	13,458	
4	Budget/Funding Gap		(369)	(934)	(2,481)		Required in order to deliver a balanced budget and maintain reserves at the minimum level recommended
5	Changes to base since budget set in Feb 2014	237	111	111			
6	Total net expenditure	14,690	10,534	10,824	10,621	10,495	
7	Contribution to/(from) Earmarked reserves	(2,247)	778	425	(151)	0	
8	Contribution to/(from) General reserves	50	0	0	0		A balanced budget was set for 2014/15. See also line 4 in relation to future years
9	Net Budget before funding	12,493	11,312	11,249	10,470	10,495	
10	Collection Fund adjustment - Council Tax	(133)	0	0	0	0	
11	Collection Fund adjustment - Business Rates	0	0	0	0	0	Proposed to offset any deficits arising on business rates, through application of funds currently set aside in an Earmarked Reserve
12	Capital and other grants and contributions	(1,695)	(1,114)	(1,123)	(1,132)	(1,140)	
13	New Homes Bonus (NHB)	(686)	(719)	(751)	0	0	Includes taxbase growth and assumes continuation of funding for initial six years of scheme
14	Council Tax support grant	(259)	(258)	(75)	(75)	(75)	Assumes council tax freeze grant remains in place indefinitely
15	Formula Grant & Retained Business Rates	(2,994)	(2,326)	(2,232)	(2,018)	(1,854)	Levels advised by Govt for 2014/15 & 2015/16. Future years assume reductions in formula grant element of 20%
16	Council Tax Requirement	6,726	6,895	7,068	7,245	7,426	
Ref	Reserves	£'000s	£'000s	£'000s	£'000s	£'000s	
17	General Reserves at start of year	3,839	3,720	2,271	1,337	(1,142)	
18	Contribution (to)/from General Fund	50	(369)	(934)	(2,481)		Line 18 will fluctuate in line with the revenue budget
19	Planning appeals & associated legal costs	(169)	(1,080)	0	0		Rephased in line with revised information - 30th September
20	General Reserves at year end	3,720	2,271	1,337	(1,142)	(4,107)	Minimum recommended year end balance for General Reserves is £2.4m
21	Earmarked reserves at start of year	4,038	151	151	151	0	
22	Contribution (to)/from General Fund	(2,247)	778	425	(151)	0	
23	Other movements on earmarked reserves	(1,640)	(778)	(425)	0	0	
24	Earmarked reserves at year end	151	151	151	0	0	
Daf	Council Tax						Deced on 00/ in 2011/45 and torget increases of approximately 20/ in figure
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25 26	Tax at band D Increase	234.09 0.00 %	238.77 2.00 %	243.54 2.00 %	248.40 2.00%	253.35 1.99%	Based on 0 % in 2014/15 and target increases of approximately 2 % in future years (assuming a 2.0 % referendum limit remains in place). The tax at band