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Chief Executive

CABINET AGENDA

Date: **Wednesday 17th September 2014**

Time: **7.00pm – N.B. TIME**

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:
Reference:
Publication Date:

Ann Horgan ext. 2417
3/2014/2015
Tuesday 9th September 2014

AGENDA
PART I
(Business to be taken in public)

Apologies

1. Members' Interests

2. Leader's Statement

The Leader wishes to make a statement following the recent meeting of the Draft New Local Plan Task & Finish Group.

3. Minutes

To approve the Minutes of the meeting held on 20th August 2014.

4. Forward Plan

To review the Forward Plan

5. Public Health and Wellbeing

5(a) Sustainable Community Garden – The Whitehouse

The Cabinet will be asked to consider a report.
(Report of the Cabinet Member Health & Wellbeing)

5(b) Update on Community Safety Initiatives

The Cabinet will be asked to consider a report.
(Report of the Cabinet Member Neighbourhoods and Safer Communities)

6. Environment

6(a) Recycling Initiatives - Update on Letting a New Contract for Recycling Services

The Cabinet will be asked to consider a report.
(Report of the Cabinet Member Waste & Business Liaison)

6(b) Suspension of Evening Waiting Restrictions Hart Road and Homestead Road Car Parks

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

6(c) Travellers unauthorised Occupation Labworth Recreation Ground

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) Revised Statement of Community Involvement

The Cabinet will be asked to consider a report
(Report of the Cabinet Member Homes and Customer Engagement)

8. Efficient and Effective Customer Focused Services

8 (a) Corporate Performance Scorecard Quarter 1 2014/15

The Cabinet will be asked to consider a report.

(Report of the Cabinet Member Responding to Challenge)

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

20TH AUGUST 2014

PRESENT:

| | |
|----------------------------|--|
| Councillor Riley, Chairman | Leader of the Council |
| Councillor Sharp | Responding to Challenge |
| Councillor Stanley | Resources and Performance |
| Councillor Skipp | Environment & Leisure |
| 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 |

APOLOGIES: Councillor Mrs. Egan.

ALSO PRESENT: Councillors: Acott, Barrett, Blackwell, Mrs Goodwin, Mrs. Govier, Hart, Harvey, Hurrell, May, Palmer, Sheldon, Tucker, Varker, Walter Mrs. G Watson and N.Watson.

12. MEMBERS' INTERESTS

There were no disclosures of interest

13. MINUTES

The Minutes of the Cabinet meeting held on 18.6.2014 were approved and signed by the Chairman as a correct record.

14. 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.

15. NOTICE OF MOTION – RUNNING TRACK

The Cabinet considered whether to report on the Notice of Motion deferred from Council on 23.7.2014 requesting the Council to put back in working order the running track behind Waterside Farm. The Cabinet considered data surrounding athletics provision, needs analysis and costs regarding the athletics track at Waterside Farm Leisure Centre.

Cabinet noted that work had already been carried out to ensure that the track was available for informal use by the community for training purposes and this would continue.

The data concerning athletics provision, needs analysis and costs of providing did not support the provision of an up to date facility.

Recommended:

1. To note the data surrounding athletics provision, needs analysis and cost and
2. That the works already carried out on the running track are satisfactory for the needs of the Borough and that the track will continue to be monitored.

16. LEISURE AND RECREATION STRATEGY UPDATE

The Cabinet considered a report on revised proposals for the development of a Leisure and Recreation Strategy. In presenting the report the Cabinet Member took the opportunity to inform Cabinet of the very successful open day which took place on the first anniversary of opening of Waterside Farm following extensive refurbishment.

Resolved:

To note the revised timetable and additional surveys undertaken for the development of the Leisure and Recreation Strategy by December 2014.

17. NOTICE OF MOTION – OAK ROAD CAR PARKING CHARGES

The Cabinet considered whether to report on the Notice of Motion deferred from Council on 23.7.2014 requesting the abolition of car parking charges at the Oak Road car park.

Charges were introduced following a comprehensive review of Council operated car parks by the Policy and Scrutiny Committee (formerly the Policy Development Committee) and endorsement of the new charges and waiting restrictions by Cabinet.

To ensure that car parks were used for their intended purpose and to ensure a consistent charging regime was in place across the Borough, three hour waiting restrictions apply (no return within two hours) in all short stay town centre car parks along with a charge of 40p for up to 1 hour, 80p up to 2 hours and £1.50 for up to 3 hours parking between specified times during weekdays. Parking at weekends is free.

Free off street car parking provision remained in each of the main shopping areas, i.e. Hadleigh (Homestead), Thundersley (Hart Road), Benfleet (Richmond Avenue) and Canvey (The Paddocks).

It was agreed that £240k of reserves would be used in order to avoid any delay in starting the much needed refurbishment programme. The long standing drainage issues at Oak Road car park had been resolved and both Oak Road and Richmond Hall car park had been resurfaced, at a cost of £143K. Phase 2 of the car parks improvement programme would commence shortly.

Cabinet was mindful that the upgrading of the chargeable car parks and increased maintenance budgets were agreed on the basis that these would be funded in the longer term by the additional income secured through the introduction of the new charges.

The impact of the new charges had been closely monitored and to date there have been no significant problems as a consequence of displacement parking.

Cabinet noted that there was a charge for the car park in Canvey Town Centre operated by the Knightswick Centre.

Recommended:

To note the contents of this report and that no change should be made to the charges structure for this car park.

18. WAR MEMORIALS AT HADLEIGH AND SOUTH BENFLEET

The Cabinet considered a report dealing with the conservation works currently being undertaken by the Council to the War Memorials at Hadleigh and South Benfleet to coincide with the anniversary of the start of the First World War (WWI) and commemorate this nationally important occasion and also to recognise other initiatives taking place to remember the War Dead.

Resolved:

1. To agree and support the specialist and skilled works presently being undertaken by the Council to conserve and preserve the War Memorials in this important year.
2. That the other initiatives taken by the Council to mark the start of WW1 are welcomed by the Cabinet

19. MAJOR FLOOD INCIDENT 20TH JULY 2014

The Cabinet considered a report informing of the response of the Council following the major flooding incident on Sunday 20th July 2014. Cabinet noted that the Scrutiny Committee was to review the event and the actions being taken – the first meeting of the Committee was to take place on 26.8.2014.

Resolved: To note and endorse the actions taken.

20. SOUTH EAST LOCAL ENTERPRISE PARTNERSHIP (SELEP) - GROWTH DEAL & STRATEGIC ECONOMIC PLAN

The Cabinet received a report presenting the Government's response to the South East Local Enterprise Partnership's (SELEP) Growth Deal and Strategic Economic Plan (SEP) submitted in March 2014.

Resolved:

1. To note the Government's announcement regarding the SELEP's Growth Deal & Strategic Economic Plan.
2. To welcome the proposals for investment in the Thames Gateway in transport infrastructure and business development
3. To welcome proposals for a business "hub" based at Southend but with opportunities to access Castle Point businesses
4. That Cabinet is disappointed to note that proposals for access to Canvey Island and the Rayleigh Road/Woodman's Arms junction have not been included in the programme at this time.

21. DISCRETIONARY AWARD OF COUNCIL TAX DISCOUNTS TO PROPERTIES AFFECTED BY FLOODING – JULY 2014

The Cabinet considered a report setting out the options for, and implications of, granting discretionary Council Tax discounts in respect of properties affected by flooding on the 20th July 2014.

Resolved:

1. That the Cabinet approves the Council continuing to pursue Government funding.
2. That the Cabinet approves the implementation of a local discretionary scheme as set out in this report.

22. JOB CENTRE PLUS AND CASTLE POINT COUNCIL PARTNERSHIP AGREEMENT

The Cabinet considered a report seeking Cabinet approval to a partnership agreement between Job Centre Plus and the Council.

Resolved:

That Cabinet approve the partnership agreement between Job Centre Plus and Castle Point Borough Council.

23. ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2013/14

The Cabinet scrutinised the annual report on the Treasury Management Service and Actual Prudential Indicators 2013/14 which covered both treasury activity and the actual prudential indicators for 2013.14.

Resolved:

1. That following scrutiny to approve the Treasury Management Activity Report for 2013/14.
2. To approve the actual 2013/14 prudential indicators (shown at Annexe D to the report).

24. FINANCIAL UPDATE

The Cabinet considered a report presenting the latest position in relation to the General Fund financial forecast for the period 2014/19.

Resolved:

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

25. CORPORATE SCORE CARD QUARTER 4 AND PROPOSALS FOR PERFORMANCE INDICATORS 2014/15

The Cabinet considered a report setting out the cumulative performance figures for the Corporate Performance Scorecard for quarter 4, 1st January 2014 to 31st March 2014. The report also set out proposals for performance indicators to be monitored for this financial year.

Resolved:

1. To notes the reported performance in Appendix 1 to the report.
2. To agree the proposed indicators for performance monitoring for this financial year.

26. AUTHORITY TO REPRESENT THE COUNCIL

The Cabinet considered a report seeking authorisation to allow a member of the Council's Law Team presently employed by the Council to represent the Borough Council in proceedings before the Magistrates' Court and County Court.

Resolved:

That Mr Gareth Davies – Trainee Solicitor be authorised to appear before the Magistrates' Court and County Courts to

represent the Borough Council in legal proceedings pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984

27. BUDGET AND POLICY FRAMEWORK 2015/2016

The Cabinet considered a report containing the proposed Budget and Policy Framework for 2015/16. It took account of the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

Resolved: To approve the proposed Budget and Policy Framework for 2015/16

28. BUDGET AND POLICY FRAMEWORK 2015/2016

The Cabinet considered a report containing the proposed Budget and Policy Framework for 2015/16. It took account of the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

Resolved: To approve the proposed Budget and Policy Framework for 2015/16

29. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES

There were no matters.

30. POLICE DIVISION ORGANISATION

With the agreement of the Chairman, the Cabinet Member for Neighbourhoods and Safer Communities informed the Cabinet of receipt of the following statement from Chief Inspector Ian Cummings District Commander Essex Police.

‘As a result of Essex Police Evolve programme; from 1st September Response and Patrol Officers will be returned to local Policing teams. They will be located and controlled within the District of Rochford & Castlepoint.’

Chairman



Castle Point Borough Council

Forward Plan

SEPTEMBER 2014

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

SEPTEMBER 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) |
|-------------------------|---|--|-------------------------------------|--------------------------|---------------------------------------|
| September | <u>Recycling Initiatives Update on Procurement</u> | Environment | Cabinet | Waste & Business Liaison | Head of Environment |
| September 2014 | <u>Suspension of Evening Waiting Restrictions – Hart Road Homestead Road Car Park</u> | Environment | Cabinet | Environment & Leisure | Head of Environment |
| September 2014 | <u>Statement of Accounts</u> | Efficient and Effective Customer Focussed Services | Council | Resources & Performance | Head of Resources |
| September/ October 2014 | <u>Revised Statement of Community Involvement</u> | Transforming our Community | Cabinet | Leader | Head of Neighbourhoods & Regeneration |
| October 2014 | <u>London Infrastructure Plan</u> | Transforming our Community | Cabinet & Council | Leader | Head of Neighbourhoods & Regeneration |
| October 2014 | <u>Food Safety Enforcement Policy Review</u> | Public Health & Wellbeing | Cabinet | Health & Wellbeing | Head of Environment |
| October 2014 | <u>New Local Plan – Evidence Base update</u> | Transforming our Community | Cabinet & Council | Leader | Head of Neighbourhoods & Regeneration |

| Date | <u>Item</u> | Council Priority | Decision by Council/ Cabinet | Lead Member | Lead Officer(s) |
|-----------------------------------|---|--|-------------------------------------|-------------------------|--|
| October /December 2014/March 2015 | <u>Financial Update</u> | Efficient and Effective Customer Focussed Services | Cabinet | Resources & Performance | Head of Resources |
| October 2014 /February 2015 | <u>Treasury Management Reports</u> | Efficient and Effective Customer Focussed Services | Cabinet | Resources &Performance | Head of Resources |
| November 2014 | <u>John H.Burrows</u> Report back on investigations from Place and Communities PSC | Environment | Cabinet | Environment & Leisure | Head of Environment |
| November 2014 | <u>Local Council Tax Scheme</u> | Efficient and Effective Customer Focussed Services | Council | Resources &Performance | Head of Housing & Communities Head of Resources |
| December 2014 | <u>Leisure and Recreation Strategy</u> | Public Health & Wellbeing | Cabinet | Environment & Leisure | Head of Environment |
| February 2015 | <u>Budget and Policy Framework</u> To consider and make recommendations to Council on the Council tax and budget setting | All | Cabinet/ Council | Resources &Performance | Head of Resources |

| Date | <u>Item</u> | Council Priority | Decision by Council/ Cabinet | Lead Member | Lead Officer(s) |
|------------------|--|--|---|----------------------------------|--|
| February 2015 | <u>Housing Revenue Account Rent Levels 2015/2016 etc</u> | Transforming Our Community Efficient and Effective Customer Focussed Services | Cabinet | Homes &Customer Engagement | Head of Housing & Communities Head of Resources |
| March 2015 | <u>Review of Equality Scheme Objectives</u> | Efficient and Effective Customer Focussed Services | Cabinet | Homes &Customer Engagement | Head of Law |
| April 2015 | <u>Resources Strategies : To note revisions</u> | All | Council | Resources &Performance | Head of Resources |

CABINET

17th September 2014

Subject: Sustainable Community Garden – The Whitehouse

Cabinet Member: Councillor Dick – Health & Wellbeing

1. Purpose of Report

This report is to inform the Cabinet 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).

2. Links to Council's priorities and objectives

The initiatives described in this report are directly linked to the Council's 'Public Health and Wellbeing' priority.

3. Recommendations

That the Cabinet supports the proposals for the Partnership's Sustainable Community Garden at the Sustainable Whitehouse Community Hub.

4. Background

4.1 The Whitehouse building has been developed and revived over the last few years into a thriving hub for the Community. Partners in occupancy include Carer's Choices, Castle Point CAB, the Castle Point and Rochford CAB 360 lottery funded project, Wyvern Community Transport and most recently and completing the Hub, Marie Curie Cancer Care. Next door to the hub in the Green Rooms are also Groundwork Trust.

4.2 The introduction of Voluntary Sector organisations into the building has brought with it various investments for the building through grants not accessible to public sector organisations. These have included sustainable heating systems, lighting, facilities for people with disabilities and more recently the replacement of all of the building's 124 windows into double glazed sealed units.

- 4.3 As a result of this investment the building is becoming more sustainable and there are further plans for the acquisition of additional grant funding to install solar panels on the roof of the building. In addition there is a fenced and gated garden area that is currently underutilised which could be developed for the hub and the wider community into a sustainable community garden.
- 4.4 The benefits of gardening are well recognised. Gardening can have a positive impact on physical, mental and emotional well-being and is useful in helping people with special needs, along with older people, people with dementia, as well as those who have mental health problems, or who are recovering from physical illness.
- 4.5 Gardening provides a work out for the respiratory and cardiovascular systems and can improve strength, endurance and flexibility, helping to prevent problems such as heart disease, diabetes, obesity and osteoporosis.
- 4.6 In addition, physical exercise releases endorphins, which help to alleviate stress and its negative results. Studies have shown that simply spending time in a garden can help lower blood pressure.
- 4.7 Beyond the physical, there are many other health benefits to gardening: Gardening can also help with the development of social and intellectual skills, including those needed for social inclusion or rehabilitation.
- 4.8 Whilst the partners listed above all have an interest in the project SEEVIC will be the Lead Responsible Partner and have secured funding for the project and are currently in the process of preparing a full business plan for consideration, which will include robust strict management of the project in terms of safeguarding, risk assessment and supervision.
- 4.9 Discussions with appropriate Council departmental managers have taken place and subject to the full and robust business plan it is not considered that the project will have any adverse impacts on other relevant services such as grass cutting of the area proposed for the project.

5. Corporate Implications

5.1 a. Financial Implications

None

5.2 b. Legal Implications

A lease will be drawn up between the Council and SEEVIC subject to a robust business plan.

5.3 c. Human Resources & Equality Implications

None

5.4 d. Timescale for implementation & risk factors

Late 2014 to early 2015

6 Conclusions

- 6.1 The Sustainable Community Garden Project will complement the Sustainable Whitehouse Community Hub providing a plethora of health and social benefits to the community. Residents will be able to utilise the space in a supervised and secure environment. Partners will work together to maximise the potential of the space and create a garden to be valued by the whole community.

Report Author: Mel Harris – Head of Partnerships & Safer Places

CABINET

17th September 2014

Subject: Update on Safer Communities Initiatives

**Cabinet Member: Councillor Isaacs
Neighbourhoods and Safer Communities**

1. Purpose of Report

This report is to update the Cabinet on the position with neighbourhood and safer community matters.

2. Links to Council's priorities and objectives

The initiatives described in this report are directly linked to the Council's Public Health & Wellbeing priority – reducing levels of crime by working with the police and other parties – and the Improving the Council priority by engaging the community in local decision-making.

3. Recommendation

That the Cabinet notes the activities regarding neighbourhoods and safer community matters as set out in the report.

4. Background

- 4.1** The Council is an integral partner in a number of key partnerships across the Borough.
- 4.2** The Local Strategic Partnership (LSP) for Castle Point and Rochford works as an overarching strategic body ensuring the delivery of the Sustainable Community Strategy. In particular the "Feeling Safer" ambition involves the police, probation officers and other partners.
- 4.3** The Community Safety Partnership (CSP) is a statutory partnership established by the Crime and Disorder Act 1998. It is a partnership between the police, local authorities, the probation service, health authorities, the voluntary sector, local

residents and businesses. The Council is a leading partner in the Castle Point and Rochford CSP.

5. Progress and activities

5.1 Data from Essex Police for April 2014 – July 2014 includes:

- Castle Point has an all crime offence increase of 19.1% (191 offences) April to July 2014 when compared to the same period last year.
- Castle Point has had a 7.9% increase in ASB (62 incidents) compared with last year (April to July).

Areas of improvement include:

- Domestic Burglary 27.5% (33 offences) better
- Vehicle Crime 22.3% (27 offences) better

Areas identified for improvement include:

- Robbery 114.3% (8 offences) worse
- Other Violence Against the Person 49.1% (106 offences) worse

5.2 Current initiatives and areas of partnership working for the CSP include:

- Security works and sanctuary schemes to protect domestic abuse victims and prevent homelessness
- Visits to vulnerable / older peoples groups to advise on personal safety etc
- Support for Neighbourhood Watch – Design and print of quarterly newsletter, promotional events, signage, co-ordinator information events
- ASB Partnership Group to apply a problem solving joined up approach for the most vulnerable and high risk ASB victims.
- Free mediation for neighbour disputes.
- Distribution of personal and home safety resources on visits and at targeted events - personal alarms, property marker kits, window alarms, leaflets, cards and booklets
- Crimestoppers campaigns, printing and targeted distribution of literature
- Community crime prevention and fire safety events such as Electric blanket testing, small appliance PAT testing, cycle tagging
- Hosting of meetings for integrated offender management, MARAC, Community Safety Partnership & other problem solving groups

6. Corporate Implications

a. Financial implications

There are no financial implications arising from the recommendations in this report.

b. Legal implications

There are no financial implications arising from the recommendations in this report..

c. Human resources and equality implications

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

- d. Timescale for implementation and risk factors**
The projects described in this report are on-going matters.

7. Conclusions

- 7.1 The Council continues to carry out regular engagement on a variety of matters to ensure the safety of communities in Castle Point.

Background Papers: None

Report Author: Melanie Harris - Head of Partnerships and Safer Places

CABINET

17th September 2014

Subject: Recycling Initiatives - Update on Letting of a New Contract for Recycling Services

Cabinet Member: Councillor Smith - Waste Management & Business Liaison

1. Purpose of Report

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

2. Links to Council's Priorities and Objectives

This report links with the Council priority Environment .

3. Recommendations

That delegated authority is given to 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.

4. Background

- 4.1 Cabinet at its meeting in June 2014 endorsed the outcome of the technical, economical or environmentally practicable ("TEEP") assessment that demonstrated that it is not technically, economically or environmentally practicable to collect source separated, the comingled material we currently collect in pink sacks, and in so doing endorsed the continuation of the current household waste collection regime.
- 4.2 The Council's current contract with Newport Paper expires in mid October and in response to the published OJEU notice 11 expressions of interest in the new contract were received. The Pre Qualification Questionnaires were sent out once the TEEP assessment had been undertaken and Cabinet had endorsed its outcome and the recommendations therein about the future

collection arrangements. This was so as to ensure that the new contract is tailored to suit our future needs.

- 4.3 Seven Pre Qualification Questionnaires were received and all the companies passed the initial evaluation process and have been invited to tender.

Tender documents were sent out on 13 August 2014 and tender submissions need to be returned by 3pm on Monday 22nd September 2014. Evaluation of the returned tenders is scheduled to take place during the last week of September and it is proposed to award the new contract immediately after that so that the new contract will become effective in October. Before letting the Contract the Council does however need to comply with the mandatory standstill period which is required when letting contracts, due to the value, has to comply with EU procurement legislation.

- 4.4 In order to award the contract in a timely manner, it will be necessary for the Head of Environment to be authorised, in consultation with others, to award the contract.

5. Corporate Implications

(a) Financial Implications

The financial implications of the new contract will not be known until the tenders are received, but recycling markets are notoriously volatile and the value of this type of comingled material is low at the present time. In order to secure best value for the Council a payment mechanism has been introduced which tracks nationally published recycling values and an adjustment to the payment will be made where there is a >10% fluctuation upwards or downwards in the price published in July 2014 for 6 specified materials. This fluctuation in payment will be shared on a 50:50 basis with the contractor.

An update on the budgetary impact of the new contractual arrangements will be provided once tenders have been returned and the new contract has been awarded.

(b) Legal Implications

The Council has a legal duty to ensure that material collected for recycling is reprocessed by reputable companies in a responsible manner. To minimise the risk of legal challenge it is important that the process for letting the contract complies with EU procurement legislation.

(c) Human Resources and Equality Implications

None associated with this report.

6. Timescale for implementation and Risk Factors

Subject to a compliant tender being received, the new contract will become operational in October 2014.

7. Background Papers

Cabinet report 18 June 2014 - The Waste (England and Wales) Regulations 2011 (Amended 2012): Review of waste collection arrangements

Report Author: Trudie Bragg, Head of Environment

CABINET

17th September 2014

Subject: Short Stay Town Centre Car Parks - Suspension of evening waiting restrictions

Cabinet Member: Councillor Skipp – Environment and Street Scene

1. Purpose of Report

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

2. Links to Council's Priorities and Objectives

- Environment
- Efficient and Effective Customer Focused Services

3. Recommendations

It is recommended that the three hour waiting restrictions at Homestead Road, Essex Way, Oak Road, Rectory Road, Castle Lane, Richmond Hall and Hart Road car parks are suspended from 6.00 p.m. and 7.00 a.m. each day with immediate effect.

4. Background

- 4.1 Following a comprehensive review of the management of Council operated car parks The Borough Council of Castle Point (Off Street Parking Places) (General) Order 2013 was made which brought into effect new waiting restrictions and charges. The Order became effective from 1 February 2014.
- 4.2 The changes were brought in to ensure that car parks were used for their intended purpose and as a consequence the additional income generated from the new charges could be used to upgrade the existing car parks.

- 4.3 Five key types of car parks based on intended usage were identified. Namely these are;
- Town Centre Short Stay
 - Long Stay
 - Seasonal
 - Commuter
 - Council Facility
- 4.4 Each of the Council operated car parking facilities has been placed in one of these categories and Cabinet has endorsed the principle that there should be a consistent management approach to each of these car park types, as far as is practicable.
- 4.5 To ensure that car parks are used for their intended purpose three hour waiting restrictions now apply (no return within two hours) in all short stay town centre car parks.
- 4.6 The car parks in Homestead Road, Essex Way, Oak Road, Rectory Road, Castle Lane, Richmond Hall and Hart Road were categorised as short stay town centre car parks, and are therefore subject to the three hour waiting restriction.
- 4.7 The waiting restrictions apply 24/7 but there have been requests for the parking restrictions to be lifted during the evening.
- 4.8 The primary purpose of these car parks is to provide short term parking for visitors to the local shops rather than to provide all day parking for shop workers and others working in the close vicinity. As the majority of shops in these areas close after 6.00 p.m. there is limited demand for the use of these car parks in the evening so suspending the evening waiting restrictions would not compromise the Council's commitment to ensuring car parks are used for their intended purpose..
- 4.9 Suspension of the waiting restrictions, say from 6.00 p.m. until 7.00 a.m. the following morning would also have the positive effect of reducing on-street parking and disturbance caused to local residents as people return to their cars late at night after an evening out.

5. Corporate Implications

(a) Financial Implications

There would be no financial implications if the Council were to suspend the waiting restrictions during the evening/night time.

(b) Legal Implications

The Council could if it so determined suspend the evening waiting restrictions without having to make an amendment to the Order. Signage would be put up in the car parks advising of the revised waiting restrictions.

(c) Human Resources and Equality Implications

(d) Human Resources

None associated with this report.

(e) Equality Implications

The suspended evening/night time waiting restrictions would apply to all users of these car parks.

6. Timescale for implementation and Risk Factors

The suspended evening/night time waiting restrictions could take immediate effect.

Background Papers

Information packs and presentations to EPDG on 18 October 2011, 14 December 2011, 26 January 2012 and 20 March 2012.

Cabinet report - 21 March 2012.

Report and information pack to Environment Policy & Scrutiny Committee on 22 October 2012

Presentation and information pack provided to Environment Policy & Scrutiny Committee on 22 January 2013.

Cabinet report – 20 February 2013

Cabinet report – 23 July 2013

Report Author: Trudie Bragg, Head of Environment

CABINET

17th September 2014

**Subject: Travellers Unauthorised Occupation Labworth
Recreation Ground**
**Cabinet Member: Councillor Howard - Canvey Island , Flood and Water
Management**

- 1. Purpose of Report**
To inform Cabinet of the unlawful occupation of the Labworth Recreation Ground last month and action taken.
- 2. Links to Council's Priorities and Objectives**
This report links to the council priorities Public Health and Wellbeing; Environment.
- 3. Recommendations**
To note the report.

4. Background

Unfortunately in recent years during the summer months it is not unusual for travellers to enter the Borough and setup unauthorised encampments usually on Council owned public open space in the Borough. Public open space by its nature is very difficult to protect.

Last year an unauthorised encampment was set up at the Labworth as it was convenient for travelling families visiting the area for a family celebration. In other years the travellers have occupied the South Benfleet Playing Fields and Waterside Farm.

As a result there are effective procedures in place to make sure that the Council recovers possession of its land as a priority.

(The procedures involve taking immediate steps to instigate proceedings in the County Court for a Court Order for Possession on the earliest available court date. Once the Possession Order is obtained this provides the necessary authority to remove the travellers from the site.

In most cases the travellers leave the site before the court date usually when the court papers are served on them and enforcement of the order is not required.)

5. Report

On the afternoon of Thursday 28th August 2014 reports were received that an unauthorised encampment comprising of 13 motor homes had been established on the Labworth Car Park Canvey Island.

In accordance with procedures to deal with travellers Officers for the Environment Service visited the site for the purpose of gathering evidence to support an application to the County Court to recover possession of Council land.

The necessary evidence was completed on Friday morning and proceedings were issued in Southend County Court.

The travellers had come from Clacton. (There was some suggestion that the travellers had been evicted from Rochford and the Council had failed to act on warning – this was not the case.)

During the course of the weekend – the travellers were responsible for significant disruption and anti social behaviour in the community. There was heavy police presence and eventually on Sunday afternoon the travellers were escorted out of the Borough by the Police.

Immediately the travellers left the land at the Labworth steps were taken to lock the barriers and the cleanup the land. This was completed before 10am on Monday. The clean up was carried out by the Council's contractor Pinnacle PSG – a full litter pick was undertaken large amounts of bulk waste were collected the costs were as follows:

- 6 men and 3 vans for 3 hours - £500.00
 - Tipping costs for 3 tonne - £270.00
- Total £770.00

As is usual following such an incident – Officers are undertaking a review of procedures and a further report will be made to Members.

6. Corporate Implications

(a) Financial Implications

In addition to the cleanup costs a court fee of £280 was incurred.

(b) Legal Implications

This is addressed in the report.

(c) Human Resources and Equality Implications

Officers from the Environment and Legal services were involved in expediting this action.

(d) IT and Asset Management Implications

The possession action was instigated in order to protect the Council's asset

7. Timescale for implementation and Risk Factors

This is set out in the report

8. Background Papers

Report Author:

Ann Horgan Head of Civic Governance

CABINET

17th September 2014

Subject: Revised Statement of Community Involvement

Cabinet Member: Councillor Mrs B Egan – Homes and Customer Engagement

1. Purpose of Report

- 1.1 To seek the approval of the Council's Cabinet to adopt the Revised Statement of Community Involvement.**

2. Links to Council's Priorities and Objectives

- 2.1 The Statement of Community Involvement sets out how the Council will involve residents and other stakeholders in planning matters. Involving residents and other stakeholders in planning matters in an inclusive but effective manner will contribute towards the Council's priority of *Efficient and Effective Customer focused Services***

3. Recommendations

- 3.1 The Cabinet are asked to approve for adoption the Revised Statement of Community Involvement dated October 2014. In doing so, they are also asked to agree the revocation of the Statement of Community Involvement Adopted on the 7th March 2006. To allow for the publication of statutory notices, it is asked that an adoption and revocation date of the 30th October is agreed.**
-

4. Background

- 4.1 When the Planning and Compulsory Purchase Act was originally enacted in 2004, it required local planning authorities to prepare formal statements setting out how local communities and other stakeholders would be involved in planning matters. Initially, these statements were subject to independent examination by a planning inspector. Castle Point Borough Council submitted a draft Statement of Community Involvement for examination in 2005. This was examined by a planning inspector via written representations, and was found to be suitable. It was formally adopted by the Council in March 2006.**
- 4.2 Since that time, there have been considerable changes to the way in which Council's undertake consultation. These changes have largely been driven by**

improvements in technology which have allowed Council's to make documents available for online consultation and for many to respond online or by email with ease. It is now rare to receive a consultation response from a statutory consultee, special interest group or developer by a non-electronic means. It is also now common for residents to use email to contact the Council with regard to planning matters.

- 4.3 Alongside this shift towards online access, the Council has also learnt from past experiences about how residents prefer to engage on planning matters. Whilst many will now email with regard to a planning application, there are still those who write letters. This perhaps reflects the nature of the population which does include older people who may prefer more traditional methods of correspondence. In terms of plan-making, it has become clear that residents like to be informed directly, via mail, of proposals affecting their area. However, such a means of consultation can generate large numbers of responses. Therefore, questionnaires have proved to be a useful tool in terms of eliciting responses that inform the plan-making process.
- 4.4 Additionally, there have been changes to the status of the Statement of Community Involvement. Whilst it is still required by the Planning and Compulsory Purchase Act, the processes surrounding its preparation have been reduced, and it no longer has to be approved by a planning inspector. Therefore, Council's have a greater degree of discretion over the revision of Statements of Community Involvement, and the nature of their content. This better reflects the need of Council's to adopt consultation processes that best suit the nature of their communities.
- 4.5 This change has presented the Council with the opportunity to review the Adopted Statement of Community Involvement. In doing so, the opportunity has been taken to remove unnecessary explanatory text, and prepare a document more focused on what a resident would need to know if they wanted to make a representation on a planning application or on a planning policy document. This revised Statement of Community Involvement is the subject of this report.

5. Consultation on the draft Statement of Community Involvement

- 5.1 A draft of the Revised Statement of Community Involvement was agreed for consultation by the Council at its meeting of January 2014. It was made available for consultation alongside the draft New Local Plan, and was available to view online, and in hard copy at the Council Offices, the Regeneration Shops and at the local libraries. The statutory press advert notified residents that consultation was underway on this document, and letters/emails to consultees informed that this document was available for comment. Additionally, an email notified all past consultees that the revised State of Community Involvement was available for consultation via the online system.
- 5.2 Whilst widely available to view alongside the draft New Local Plan, there was limited response in relation to the draft Statement of Community Involvement. Just four consultation responses were received. Figure 1 summarises these

responses, and where necessary recommends the way in which any concerns should be addressed.

Figure 1: Representations on the Statement of Community Involvement

| Rep No. | Consultee | Summary of Response | Recommendation |
|----------------|-------------------|--|---|
| 1 | NHS England | A schedule of consultees should be included in the SCI and this should include NHS England. | There is a schedule of consultees in the current SCI. This is out of date as a result of changes brought about by the current Government to those organisations and to the planning system. Given that changes could occur in the future, it would appear unwise to include a schedule of consultees in the revised SCI, as it may become out of date also. It is however reasonable to publish a schedule of consultees alongside the SCI, which could be updated more regularly without requiring a review of the SCI. It is reasonable that NHS England are included on this schedule. |
| 2 | Mr Richard Dobson | Residential areas should be leafleted as part of the consultation process for Supplementary Planning Documents | Supplementary Planning Documents can address a range of different matters, some of which are of interest to residents, and some of which are not. A consultation plan is prepared when each SPD is consulted upon, and this identifies who is likely to have an interest in the SPD in order to determine the best means of engaging them. It is recognised that posted information is favoured by residents and where appropriate this approach will be used where residents are key consultees for an SPD. As an example, postcards were sent to all Canvey residents regarding the Canvey Town Centre Masterplan. It is not however appropriate to commit to the leafleting of residents for all SPDs as this will not always be the best means of engaging with those with the most interest. |
| 3 | Anglian Water | No comment – please keep consulting on relevant applications | N/A |
| 4 | English Heritage | No comment – please keep consulting on relevant applications | N/A |

6. Revisions to the draft Statement of Community Involvement

- 6.1 In light of consultation, and also in light of some recent and proposed changes to the planning system in relation to applications and permitted development, it is proposed that the alterations set out in Figure 2 are made to the draft Statement of Community Involvement published for consultation in January 2014.

Figure 2: Proposed Amendments to the Statement of Community Involvement

| Page Number | Amendment | Reason |
|--|---|--|
| Front Page | Delete 'CONSULTATION DRAFT' and replace with 'ADOPTED' | Progression from draft to adoption |
| Front Page | Delete 'December 2013' and replace with 'October 2014) | Progression from draft to adoption |
| Page 1 | Replace '8' with '9' and replace '9' with '10' | Reflect alteration to page numbering resulting from other changes |
| Throughout | Insert paragraph numbering | Ease of reference |
| Page 3 Paragraph 5 Last sentence | Replace '...be direct to...' with '...be directed to...' | Typographical error |
| Page 4 Paragraph 2 Bullet 1 | Replace this bullet point with the following: 'Prior approval applications for agricultural development and demolition work. These must be decided within 28 days. Therefore publicity is restricted to the Council's list of planning applications which is available for inspection on the Council's website.' | New Prior Approval Categories have been added where consultation is now required. |
| Page 4 Paragraph 2 | Add a third bullet point which reads: 'Condition discharge applications seek for conditions attached to a planning consent to be discharged. The Council only consults on these where the condition under consideration was requested by a consultation body i.e. the Council would consult English Nature where they have requested an Ecological Management Plan and this is the subject of the condition discharge application.' | This reflects the practice of the Council, and is appropriate given that there are Government proposals to reduce the decision time for condition discharge applications to 6 weeks. |
| Page 6 Paragraph 2 Last sentence | Replace '...at alternative locations.' with '...at alternative locations.' | Typographical error |
| Page 7 Paragraph 6 Last sentence | Replace '...householder appeals where there is be no opportunity...' with '...householder appeals there is no opportunity...' | Typographical error |
| Page 9 Paragraph 4 2 nd Sentence | Replace '...at stages 1 and 2, where policies...' with '...at stages 1 and 2, when policies...' | Grammatical error |
| Page 12 paragraph 2 2 nd Sentence | Replace 'This sets out the Council progress...' with 'This sets out the Council's progress...' | Typographical error |
| Page 15 Paragraph 2 2 nd Sentence | Replace 'This sets out the Council progress...' with 'This sets out the Council's progress...' | Typographical error |

- 6.2 Alongside these changes it is also proposed that a schedule of consultees is published alongside the Statement of Community Involvement. This schedule of consultees will be updated periodically to reflect any changes.

7. Next Steps

- 7.1 If the Cabinet agree the adoption of the revised Statement of Community Involvement, it will be necessary to:

- Publish an adoption statement online;
- Publish a revocation statement for the current Statement of Community Involvement online;
- Write to consultation respondents, and all other consultees advising of adoption of the revised Statement of Community Involvement, and revocation of the current Statement of Community Involvement.

- 7.2 It is anticipated that this work could be undertaken with relative ease allowing for the adoption and revocation to take effect from Friday 31st October 2014.

8. Corporate Implications

(a) Financial Implications

There are some minor costs associated with the publication of notices of adoption and revocation. These costs can be met from existing budgets.

(b) Legal Implications

It is a requirement that consultation on planning matters is carried out in accordance with the Statement of Community Involvement.

(c) Human Resources and Equality Implications

Human Resources

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

Equality Implications

The purpose of the Statement of Community Involvement is to improve accessibility to the plan-making and development control process for residents and other stakeholders by making it clear how and when they can be involved. Additionally, the Statement of Community Involvement specifies how people with accessibility issues (including older people, younger people and people with disabilities) will be assisted to ensure that they have the opportunity to be involved. The equality implications of the Statement of Community Involvement are therefore positive.

(d) IT and Asset Management Implications

If the recommendation is agreed, the Statement of Community Involvement will be made available upon the Council's website. This can be done without specialist IT support.

9. Timescale for implementation and Risk Factors

Subject to the recommendation being agreed, statutory notifications will be sent in time to allow for adoption and revocation to occur on the 31st October 2014. The Revised Statement of Community Involvement will be made available to view online by this date also.

10. Background Papers

- Castle Point Statement of Community Involvement Adopted March 2006
- Castle Point Draft Statement of Community Involvement December 2013

Report Author: Amanda Raffaelli



castlepoint

benfleet | canvey | hadleigh | thundersley

**Revised Statement of Community
Involvement
October 2014**

Contents

| | |
|---|----|
| Introduction | 2 |
| Community Involvement and Planning Applications | 3 |
| Community Involvement and Planning Enforcement | 9 |
| Community Involvement and Planning Policy | 10 |

1. Introduction

1.1 *What is a Statement of Community Involvement?*

- 1.1.1 The Statement of Community Involvement (SCI) sets how Castle Point Borough Council, as the local planning authority, intends to engage and involve residents, businesses and all other stakeholders during the process of considering planning applications and planning enforcement matters, and when preparing planning policy documents.

1.2 *Why prepare an SCI?*

- 1.2.1 All local planning authorities are required to produce a Statement of Community Involvement (SCI), under Section 18 of Part 2 of Chapter 5 of the Planning and Compulsory Purchase Act.
- 1.2.2 The purpose of the SCI is to ensure that residents, businesses and other stakeholders can clearly understand the Council's approach to engagement and community involvement on planning matters. This ensures that they have all the information they need to engage effectively the Council and the planning system.

1.3 *Why consult?*

- 1.3.1 **Legal Duties:** As the planning authority, the Council has a legal responsibility to consult on planning applications, and also to consult at various stages throughout the plan-making process. The Council, as a public body, also has a responsibility to ensure that it has full regard to any negative impacts any decisions it takes may have on particular groups within the community. One of the best ways to identify whether such negative impacts may occur is through engagement with the community.
- 1.3.2 **Benefits to the consultee:** Consultation provides the opportunity for consultees to influence the way a planning proposal progresses. Whilst responding to a consultation may not prevent a proposal being approved or progressed through the local plan, it may result in the design or layout being altered, or specific conditions being applied to prevent negative impacts from occurring.
- 1.3.3 **Benefits to the decision-maker:** Consultation provides the decision maker with local information about the locality in which a development is proposed, or specialist information on a particular matter such as highway capacity or nature conservation as examples. This will enable the decision maker to take a more informed decision on the development or policy proposed.

2. Community Involvement and Planning Applications

2.1 *What is a planning application?*

- 2.1.1 In the United Kingdom, new development requires planning permission. Development, as defined by law consists of any building, engineering or mining operation, or the making of any material change of use in any land or building. Certain types of operation such as routine maintenance of an existing building are specifically excluded from the definition of development. Additionally, specified categories of minor or insignificant development are granted automatic planning permission by law, and therefore do not require planning permission. These categories are referred to as permitted development.
- 2.1.2 A planning application is an application for planning permission for a form of development that is not permitted automatically by law. Such applications are made to the local planning authority. In the case of Castle Point, the local planning authority is Castle Point Borough Council.

2.2 *Pre-application consultation by the developer*

- 2.2.1 It is considered that pre-application consultation by the developer has the significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community by enabling as many issues as possible to be addressed before an application is submitted to the Council.
- 2.2.2 Where an applicant wishes to carry out such consultation they are advised to discuss this matter with the Council in advance, so that it can be undertaken in a manner that is sensitive to the community's concerns.
- 2.2.3 Whilst the Council is often aware that pre-application consultation is being undertaken by the developer as a consequence of providing advice on such matters, it is done so independently of the Council. Therefore comments on pre-application consultations should be directed to the developer at the address provided by them, and not to the Council.

2.3 *When does the Council consult on planning applications?*

- 2.3.1 The Council is required to consult on most planning proposals once it has received a valid planning application. The consultation period is normally a minimum period of 21 days from the date of issue of the consultation notice.
- 2.3.2 Occasionally, consultation responses will prompt an applicant to seek to amend a planning application to address issues raised. Where these amendments are minor, such as alterations to the design of extensions or

individual properties, or where an amendment would result in a smaller form of development re-consultation does not occur. However, where more significant alterations are proposed, such as altering the siting of extensions or buildings closer to neighbouring properties, or the re-siting of roads, re-consultation will occur. The re-consultation period is normally a minimum period of 21 days from the date of issue of the consultation notice.

2.3.3 There are some types of planning applications on which the Council does not consult. These are:

- Prior Approval applications for agricultural development and demolition work. These must be decided within 28 days. Therefore publicity is restricted to the Council's list of planning applications which is available for inspection on the Council's website.
- Certificates of lawfulness of existing or proposed use of development must be determined solely on the basis of evidence and the law. As a result there is no requirement to carry out third party consultation. However the Council may enter into correspondence with surrounding occupants, where it considers that they may have factual information which could assist in the determination of the case.
- Condition discharge applications seek for conditions attached to a planning consent to be discharged. The Council only consults on these where the condition under consideration was requested by a consultation body i.e. the Council would consult English Nature where they requested an Ecological Management Plan and this is the subject of the condition discharge application.

2.4 Who does the Council consult with on planning applications?

2.4.1 In all cases where the Council consults on a planning application, it will notify any adjoining owner or occupier of the planning application site by letter or email and invite them to inspect the application and make any written observations by a specified date. As a general rule adjoining owners or occupiers include those who live opposite a site, however such properties will not be consulted where a proposed development is not visible to such properties and is not likely to have an impact on such properties. Examples include:

- Not consulting properties to the rear of an application site when the development is a small front porch; and
- Not consulting properties opposite a site when the development is a small rear conservatory or single storey rear extension.

2.4.2 Where a planning application is submitted for a similar form of development on a site, following a refusal of planning permission or a revised scheme to

one previously approved, the original consultees and all respondents regardless of their address will be re-notified.

- 2.4.3 However where subsequent planning applications are submitted for ancillary forms of development, such as an extension to a dwelling, air conditioning ducts for a supermarket, or advertisements for a fast food outlet, only the adjoining owners or occupiers, as originally consulted, will be notified.
- 2.4.4 A range of public and private bodies known as 'statutory bodies' are also notified of planning applications. These will vary depending on the nature of the planning application and its location but include the Highways Authority and the Environment Agency.

2.5 *How does the Council consult on planning applications?*

- 2.5.1 As explained above, adjoining owners and occupiers are normally notified of a planning application by letter or email. However, there are a number of applications which are likely to create wider interest and as a result require further publicity in the form of:

- Site notice displayed in at least one place on or near the application site for not less than 21 days
- Press advertisement in a newspaper circulating in the locality in which the application site is situated

- 2.5.2 The types of application where these additional measures are taken include:

- Environmental Impact Assessment (EIA) applications accompanied by an environmental statement;
- Developments which do not accord with the provisions of the development plan in force;
- Developments which would affect a right of way designated under the Wildlife and Countryside Act 1981;
- 10 or more dwellinghouses;
- Dwellinghouses on an area of land of 0.5 hectares or more where the number of dwellinghouses is unknown;
- Building or buildings creating a floorspace of 1,000 square metres or more;
- Development on a site of 1 hectare or more; and
- Development affecting a listed building and/or conservation area.

- 2.5.3 Copies of the planning application can be viewed online. Alternatively, hard copies of the planning application can be viewed at the Environment desk at the Council Offices at Kiln Road in Thundersley.

- 2.5.4 Where it is not possible for a consultee to visit the Council Officers or access the Council's website, due to circumstances such as disability, then a planning officer could exceptionally visit the consultee.

2.6 *How does the Council ensure that consultation on planning applications is inclusive?*

2.6.1 In order to ensure that consultation on planning applications is as inclusive as possible all letters are produced in serif free font size 12. Additionally, information relating to consultation can be made available in alternative formats, such as:

- Larger print (standard)
- Braille (on request)
- Audio tape (on request)
- Different languages (on request)

2.6.2 The Council Offices are also provided with a hearing induction loop at public counters and the Council chamber, and an officer of the Council is qualified in BSL signing and can provide general assistance in certain circumstances.

2.6.3 It is recognised that some residents may find it difficult to access the Council Offices to view planning applications. The Council therefore provides all information related to an application online to be viewed at alternative locations.

2.7 *How can you respond to a consultation on a planning application?*

2.7.1 Whether you have been notified of a particular planning application directly, or not, you may respond to the consultation. Your response should be in writing and can be submitted by email, by post, or handed in directly at the Council Offices. Your response must be made within the timeframe indicated on the consultation letter, site notice or advert, and should ideally set out the planning application number so that it can be allocated quickly and easily to the correct case.

2.8 *How is your response used when determining a planning application?*

2.8.1 Following the close of a consultation the Council will consider the responses it receives as part of the determination process for the planning application. When determining planning applications the Council can only take into account responses relating to material planning considerations, such as:

- Loss of residential amenity, privacy, overlooking & dominance
- The character of the area and the site
- Increase in traffic, highway and pedestrian safety
- Lack of on-site car parking and increase in on street parking
- Noise and disturbance to adjoining properties
- Effect on wildlife, their habitats and other natural amenities and resources
- National and local planning policies and land use issues

2.8.2 The following issues cannot normally be considered in making planning decisions:

- Non-planning matters
- Loss of value of property
- Loss of view from a property
- Financial benefits of proposal to applicant
- Business competition issues
- Neighbour disputes
- Comments about applicants which are personal in nature

2.8.3 Where a decision is delegated to the officers of the Council, the case officer will prepare a report taking into account all consultation responses, and reach a determination based on the Council's planning policies and the National Planning Policy Framework. This will be reviewed and as appropriate signed off by the Chief Development Control Officer.

2.8.4 Where a decision is to be reported to the Development Control Committee for determination, the case officer will again prepare a report taking into account all consultation response, and reach a recommendation based on the Council's planning policies and the National Planning Policy Framework. This will be presented to the Development Control Committee for determination.

2.8.5 Members of the public, who responded to the consultation on a planning application to be determined at the Development Control Committee, will be advised of the date of the meeting, and there is the opportunity for one objector and one supporter to speak in relation to a planning application at the Committee meeting.

2.9 *How can you find out what decision was reached on a planning application?*

2.9.1 Anybody who commented on a planning application will be notified in writing of the decision reached, and advised of knowing their rights under the Party Wall Act 1996 if an application is approved, and advised that an applicant may appeal against a refusal.

2.9.2 You can also monitor the progress of planning applications online. Alternatively, you can telephone or visit the Council Offices during normal office hours to find out the decision reached. In order to access the information you require quickly and easily it is recommended that you make a note of the planning application number.

2.10 *What happens when a developer appeals a planning decision?*

2.10.1 An applicant may submit an appeal to the Planning Inspectorate where planning permission has been refused, or granted with conditions which the applicant considers to be unacceptable. There is no third party right of

appeal. The decision notice provides all the relevant details on how, where and when applicants can appeal against a decision.

- 2.10.2 All those who were originally notified or responded to the planning application will be informed if an appeal is made, and any responses received, as part of the application process, will be forwarded to the Planning Inspectorate. Respondents have the opportunity to make further written comments to the Planning Inspectorate, except in the case of householder appeals where there is no opportunity to make further representations.
- 2.10.3 For appeals decided by an informal hearing or public inquiry, interested parties such as neighbours are given the opportunity to present their views before an Inspector as part of a hearing or inquiry process.
- 2.10.4 All documentation received in respect of an appeal, including the Inspector's decision, will be made available to view on the Council's website and also at the Council Offices during normal office hours.

3. Community Involvement and Planning Enforcement

- 3.1.1 Many cases of planning enforcement arise as a consequence of concerns expressed by members of the community. The Council is pleased to assist residents by addressing their concerns through the planning enforcement function of the Council and welcomes non vexatious correspondence from the community related to breaches of planning control.
- 3.1.2 However, it should be noted that consultation is not normally undertaken on enforcement cases, as the process is mainly investigative. The Council may however on occasions enter into correspondence by post, electronically or verbally with surrounding occupants, in order to assess the potential impact a form of development may be having, particularly when considering amenity issues.
- 3.1.3 Residents can keep abreast of planning enforcement activity within the borough by viewing the Planning Enforcement Register at the Council Offices during normal office hours. This details all formal planning enforcement action that has been taken.

4. Community Involvement and Planning Policy

The New Local Plan

4.1 What is the New Local Plan?

4.1.1 The New Local Plan will replace the 1998 Adopted Local Plan. It will set out an overall vision for their borough and puts in place a strategy for delivering growth and regeneration that meets the needs of local people. The new Local Plan for Castle Point will comprise of the following elements:

- Spatial Strategy
- Allocations and Designations
- Development Management Policies
- Policies Map

4.2 When will the Council consult on the New Local Plan?

4.2.1 The programme for preparing the New Local Plan is set out in a document called the Local Development Scheme. This details more specifically when consultation is due to take place on the New Local Plan. As a general rule, the Council will carry out formal consult on the New Local Plan, and any subsequent review thereof, using a three stage approach:

- 1) **Issues:** At the start, to determine the issues that need to be addressed by the New Local Plan, or any subsequent review;
- 2) **Draft Policies:** Once policies and proposals have been developed to determine whether the policies and proposals are responding to the concerns of consultees; and
- 3) **Submission:** Prior to submission of the final document, consistent with the requirements planning regulations. This provides a planning inspector with the basis for his examination.

4.2.2 There may be occasions where additional consultation is carried out between stages 1 and 3 to focus in on specific issues, or to deal with significant revisions to the policies and proposals before submission.

4.3 Who will the Council consult on the New Local Plan?

4.3.1 Planning Policy matters affect everyone who lives in, works in, or has an interest in the Borough. The Council will therefore seek to ensure that all residents and all local businesses are directly consulted on the New Local Plan, at stages 1 and 2, when policies are being developed and they have the greatest opportunity to influence change. Additionally, a range of public and private bodies with a specific interest in Castle Point, or a specific set of expertise will also be directly consulted at these stages to ensure that their interests and expertise are fully reflected in the plan. Details of those

organisations that the Council must consult are set out in the regulations, but the Council intends to consult far wider than this by contacting all those organisations that have provided their information to the Council for this purpose.

- 4.3.2 At stage three the plan will be finalised ready for submission to the Planning Inspector, and the opportunity to affect change limited to the examination process. Therefore, the Council will directly consult with all those residents, businesses and public and private bodies who have responded to earlier consultations on the New Local Plan. Additionally, it will directly consult with those bodies specified in the regulations. Wider consultation will be undertaken by non-direct means such as press adverts.

4.4 *How will the Council consult on the New Local Plan?*

- 4.4.1 A consultation plan will be prepared for each stage of consultation setting out how the consultation will be undertaken. The consultation plan will address:

- 1) How the consultation will be promoted;
- 2) How people will be able to access information;
- 3) How people will be engaged directly by the Council; and
- 4) How data will be managed.

- 4.4.2 Each consultation will last a minimum of 6 weeks, and the consultation plan will be agreed by the Council's Cabinet before consultation commences.

- 4.4.3 Methods of consultation that have proved successful in the past and are likely to feature in future consultation plans include, but are not limited to, letters, information leaflets and questionnaires to residents, businesses and stakeholders, community meetings and electronic access to information.

4.5 *How will the Council ensure consultation on the New Local Plan is inclusive?*

- 4.5.1 As part of the consultation planning process, consideration is given to ensuring inclusive access to consultation.

- 4.5.2 Evidence has indicated that a significant proportion of Castle Point's population favour hard copy forms of communication, and therefore it is the Council's intention to use posted letters/leaflets wherever possible.

- 4.5.3 However, it is recognised that working aged people and young people need to be able to access information electronically due to busy schedules. Therefore, information is also available online as standard, and a special system is used to enable responses to be made online also.

- 4.5.4 In order to access hard to reach groups such as young people and the very elderly, additional consultation events will be planned to ensure these groups

are also able to participate. Businesses are also engaged in this way via the business forum.

4.5.5 As with all planning work all consultation materials are produced in serif free font size 12. Additionally, information relating to consultation can be made available in alternative formats, such as:

- Larger print (standard)
- Braille (on request)
- Audio tape (on request)
- Different languages (on request)

4.5.6 The Council Offices are also provided with a hearing induction loop at public counters and the Council chamber, and an officer of the Council is qualified in BSL signing and can provide general assistance in certain circumstances.

4.6 *How can you respond to consultation on the New Local Plan?*

4.6.1 Due to the nature of the matters addressed through the New Local Plan, a high level of response to consultations is normally achieved. The Council would therefore ask residents to use the consultation forms provided as part of the consultation to respond. This assists with the data management process, and ensures everyone's response can be given equal consideration. The Council will make forms available in hard copy and to download. These can be returned by post, by hand or by email. Additionally, an e-form will be available for online completion.

4.6.2 Responses should be returned to the Council within the timeframes indicated in the consultation material. It may not be possible to take responses returned late into account, particularly if data processing is complete.

4.7 *How will your response be used when preparing the New Local Plan?*

4.7.1 Responses received at each consultation stage will be stored in the Council's consultation database.

4.7.2 Responses received in respect of stage 1 will be analysed to identify what issues need to be addressed in the New Local Plan, or a subsequent review. An Issues Consultation Report will be prepared, and presented to Members for consideration via the Council's Cabinet. This will form the basis for policy development going forward.

4.7.3 Responses received in respect of stage 2 will be analysed to identify the level of support or concern in respect of policies and proposals set out in a draft New Local Plan, or subsequent review. A Policies Consultation Report will be prepared, and presented to Members for consideration via the Council's Cabinet. This will form the basis for finalising the New Local Plan.

4.7.4 Responses received in respect of stage 3 will be provided to the Planning Inspector appointed to examine the Council's New Local Plan. This will provide the basis for identifying the matters to be considered during the Examination in Public.

4.8 *How can you find out what progress is being made on the New Local Plan?*

4.8.1 The Council's Local Development Scheme sets out the programme being followed for the preparation of the New Local Plan. This can be viewed online, or at the Council Offices during normal office hours. Progress against this programme is reported periodically to the Council's Cabinet. Cabinet Meetings can be viewed online, and Cabinet Agendas are available to view on the Council's website.

4.8.2 Each year, the Council prepares a document called the Annual Monitoring Report. This sets out the Council's progress against the programme in the Local Development Scheme. Again, this can be viewed online, or at the Council Offices during normal office hours.

4.9 *What happens when the New Local Plan is submitted for examination?*

4.9.1 Following the stage 3 consultation, the final New Local Plan and associated documentation, and all the consultation responses received will be sent to the Planning Inspectorate.

4.9.2 The Planning Inspector appointed to examine the New Local Plan, will then use the consultation responses and his or her own professional expertise to identify matters to be considered through the examination process. It is most likely that the examination will take the form of an Examination in Public, whereby stage 3 consultation respondents may be invited to participate in various public round table sessions of the examination to explain their particular point of view.

4.9.3 The timetable associated with the examination, including any pre-examination meeting, will be made publicly available in accordance with regulations. Additionally, any documentation related to the examination prepared by the Inspector, the Council or by other participants at the examination will be made available in hard copy during the examination, and also online.

4.9.4 The Inspector's report will be completed sometime after the close of the examination in public. This will be reported to the Council for consideration, and will be made available to view online and at the Council Offices during normal office hours. It will be for the Council to decide whether to adopt the New Local Plan having regard to the Inspector's Report.

Supplementary Planning Documents

4.10 What are Supplementary Planning Documents?

4.10.1 Detailed guidance on planning matters is normally set out in supplementary planning documents (SPDs). The requirement for additional guidance on a topic determines the need for such documents to be prepared. SPDs can take the form of a guidance document e.g. Residential Design Guidance or a development brief/masterplan e.g. Canvey Town Centre Masterplan.

4.11 When will the Council consult on Supplementary Planning Documents?

4.11.1 The programme for preparing SPDs is set out in a document called the Local Development Scheme. This details more specifically when consultation is due to take place on SPDs. As a general rule, the Council will carry out formal consult on a SPD once an initial draft has been completed. There may however be occasions where some initial consultation is undertaken to identify issues that need to be addressed.

4.12 Who will the Council consult on Supplementary Planning Documents?

4.12.1 This depends very much on the matters addressed by the SPD. As a rule, the whole community will be advised of consultation on an SPD via non-direct means such as a press advert. Beyond this, the consultation plan prepared for the consultation will identify if and which residents will be contacted directly. For example, as part of the consultation for the Canvey Town Centre Masterplan, all residents of Canvey Island received a mail-out advising them of the consultation.

4.12.2 Additionally, direct consultation will take place with those organisations identified in the regulations which the Council must consult with. The consultation plan meanwhile will identify other organisations with which the Council will engage directly. For example, as part of the consultation for the Residential Design Guidance, representatives of the local development industry were specifically engaged.

4.13 How will the Council consult on Supplementary Planning Documents?

4.13.1 A consultation plan will be prepared for the consultation setting out how the consultation will be undertaken. The consultation plan will address:

- 1) How the consultation will be promoted;
- 2) How people will be able to access information;
- 3) How people will be engaged directly by the Council; and
- 4) How data will be managed.

4.13.2 Each consultation will last a minimum of 6 weeks, and the consultation plan will be agreed by a Cabinet Member before consultation commences.

4.13.3 The methods of consultation employed will depend largely on the matter being considered but may involve localised mail-outs, local community meetings or targeted workshops for specific interest groups.

4.14 *How will the Council ensure consultation on Supplementary Planning Documents is inclusive?*

4.14.1 As part of the consultation planning process, consideration is given to ensuring inclusive access to consultation. The approach employed to ensure inclusive access will vary depending on the matter being considered. However, as a minimum, all consultation materials are produced in serif free font size 12. Additionally, information relating to consultation can be made available in alternative formats, such as:

- Larger print (standard)
- Braille (on request)
- Audio tape (on request)
- Different languages (on request)

4.14.2 The Council Offices are also provided with a hearing induction loop at public counters and the Council chamber, and an officer of the Council is qualified in BSL signing and can provide general assistance in certain circumstances.

4.15 *How can you respond to consultation on a Supplementary Planning Document?*

4.15.1 To assist with data management, and to ensure everyone's response can be given equal consideration, consultees are asked to use the consultation forms provided as part of the consultation to respond. The Council will make forms available in hard copy and to download. These can be returned by post, by hand or by email. Additionally, an e-form will be available for online completion.

4.15.2 Responses should be returned to the Council within the timeframes indicated in the consultation material. It may not be possible to take responses returned late into account, particularly if data processing is complete.

4.16 *How will your response be used when preparing a Supplementary Planning Document?*

4.16.1 Responses received in respect of a SPD will be analysed to identify the level of support or concern in respect of proposals or guidance it contains. A Consultation Report will be prepared, and presented to Members for consideration via the Council's Cabinet. This will form the basis for finalising the SPD.

4.17 *How can you find out what progress is being made on a Supplementary Planning Document?*

4.17.1 The Council's Local Development Scheme sets out the programme being followed for the preparation of SPDs. This can be viewed online, or at the Council Offices during normal office hours.

4.17.2 Each year, the Council prepares a document called the Annual Monitoring Report. This sets out the Council's progress against the programme in the Local Development Scheme. Again, this can be viewed online, or at the Council Offices during normal office hours.

CABINET

17th September 2014

Subject: Corporate Performance Scorecard Quarter 1 2014/15

Cabinet Member: Councillor Sharp - Responding to Challenge

1. Purpose of Report

To set out the performance figures for the Corporate Performance Scorecard for quarter 1, 1st April 2014 to 30th June 2014.

2. Links to Council's priorities and objectives

The scorecard is explicitly linked to all the Council's priorities.

3. Recommendations

That Cabinet notes the reported performance in Appendix 1.

4. Background

4.1 The corporate scorecard reports on performance indicators for important service outcomes that are relevant to the Council's priorities.

4.2 The indicators for the corporate performance scorecard for 2014/15 were discussed and approved by Cabinet in August, and include consideration of Council aims and objectives as well as indicators that are important in areas such as customer service and contractor performance.

5. Report

5.1 Summary of performance

5.1.1 The performance summary in Appendix 1 sets out the performance achieved by the Council against the measures in the scorecard. Of the 14 indicators reported, 10 are at or above target, a further 2 are near target and 2 have not met target, although action has been or is being undertaken in both of these indicators.

Performance is set out against the priorities as follows:

Public Health and Wellbeing

The Council's investment in and refurbishment of Leisure facilities demonstrates tangible results and the Council is retaining the highest level of memberships ever at 2,669 as at end of June 2014.

The Housing Options service continues to maintain strong performance despite the challenges and ongoing pressure from the impact of Welfare Reforms, with only 59 households on average in temporary accommodation at any one time during quarter 1 of 2014/15.

Environment

The overall percentage of Household waste recycled or composted was 63%, significantly above the target of 56%. This was primarily due to increased composting which is affected by weather conditions. This compares well to national statistics which for the year period up until December 2013 was an average of 44.2% for all local authorities in England.

The performance information for street cleanliness, fly tipping and grass verge cutting Indicators generally demonstrates strong performance and that the contractual arrangements are proving effective. There is one area where performance was not on target where 4 rectification notices were issued for highway grass verge cutting, they were not rectified within 72 hours incurring a financial penalty. Performance will continue to be monitored in this area.

Transforming our Community

Tenant satisfaction with repairs and maintenance at 96.6% has significantly improved and demonstrates that the new contractual arrangements are proving to be effective.

The contractor performance for voids completion is also strong at 23.7days compared to an average of 27 days for 208 benchmarked local authorities, which again demonstrates effective arrangements with the new contractor.

The percentage of planning applications processed within target times did not meet target but is expected to improve. Since June the service has re-focussed its staff resources to help deal with the backlog, and as a result the August data reveals that this has been reduced by 69%. The service will continue its focus to improve performance.

The building control service ensured all applications were processed within statutory timescales.

Efficient and Effective Customer Services

The Council's First Contact team has again been very successful in limiting the number of calls that they have to transfer to the back office to be dealt with; just 6% of the calls received transferred.

Whilst the sickness absence rate for staff did not meet the target, this was affected by several staff on long term sickness absence which is currently being managed and performance is expected to improve.

5.1.2 Further commentary on performance is set out in the table in Appendix 1.

6. Corporate Implications

a. Financial implications

Good performance on some indicators can lead to reduced costs (e.g. higher recycling leads to a reduction in payments for sending waste to landfill)

b. Legal implications

There are no direct legal implications at this stage.

c. Human resources and equality

There are no direct human resource or equality implications at this stage.




d. Timescale for implementation and risk factors

Monitoring of the Corporate Performance Scorecard is ongoing throughout the year.

7. Background Papers:

None

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| Key | |
|---|-------------------------------------|
|  | More than relative 10% below target |
|  | Less than relative 10% below target |
|  | On or above target |



Appendix 1

Corporate Scorecard 2014/15 (Public Health & Wellbeing)

Quarter 1: 1st April 2014 to 30th June 2014



Note: All performance values are cumulative (i.e. from 1st April to end of June/September/December/March) unless otherwise stated



| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|---|----------|--------|---|---|
| L3 Number of Leisure Memberships Service Manager: Leisure Services Manager | 2,669 | 2,000 |  | The refurbished facilities at Waterside Farm have been well received by the community and the number of memberships has increased significantly. It is too early to say whether this level of membership will be sustained over time. |
| HLess 3 Number of Households in Temporary Accommodation Service Manager: Community Support Manager | 59 | 60 |  | The Housing Options service continues to maintain strong performance despite ongoing pressure from the impact of Welfare Reforms. |



Corporate Scorecard 2014/15 (Environment)



Quarter 1: 1st April 2014 to 30th June 2014



Note: All performance values are cumulative (i.e. from 1st April to end of June/September/December/March) unless otherwise stated

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|---|----------|-------------------|---|---|
| OPS4 Percentage of Household Waste Recycled Service Manager: Operational Services Manager | 29.22% | Annual Target 30% |  | Figure is estimated Combined recycling and composting rate = 63% which represents strong performance. |
| OPS 5 Percentage of Household Waste Composted (including food waste) Service Manager: Operational Services Manager | 33.81% | Annual Target 26% |  | Figure is estimated. Composting rate will be affected by weather conditions but performance in this quarter period has been strong. |

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|--|----------|---------------|---|---|
| <p>SS2 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology.</p> <p>Service Manager: Contracts Manager</p> | 6.95% | Less than 10% |  | Only 341 of the 4917 roads inspected in the 1st quarter were below grade, this indicates that the Street Cleansing Contract is working well. |
| <p>ENV 4 Flytips removed within one working day</p> <p>Service Manager: Contracts Manager</p> | 100% | 90% |  | Whilst we have seen an increase in fly tips over the 1st quarter period, 262 in total, the Street Cleansing Contract has been removing these within 24 hours. |

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|--|----------|----------|---|---|
| SS4 Number of Rectification Notices served in relation to Highway Grass Verge cutting. Service Manager: Contracts Manager | 4 | Under 50 |  | Rectifications served for non strimming and falling to clear cut grass back onto the verge. No Notices served for grass height as rain fall delayed the start of the cutting season, it was decided that the contractor should be allowed to get into the cutting regime without the disruption of Notices. |
| SS5 Percentage of Rectification Notices served in relation to Highway Grass Verge cutting rectified within 72 hours. Service Manager: Contracts Manager | 0 | 90% |  | The four Rectification Notices served were not rectified within 72 hours. This resulted in 4 Default Notices being served for which there are financial penalties to the contractor. |



Corporate Scorecard 2014/15 (Transforming our Community)

Quarter 1: 1st April 2014 to 30th June 2014



Note: All performance values are cumulative (i.e. from 1st April to end of June/September/December/March) unless otherwise stated

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|---|-----------|---------|--------|--|
| HOS1 Overall tenant satisfaction with repairs and maintenance. Service Manager: Tenancy Services Manager | 96.6% | 95% | | This is a very significant improvement in performance and demonstrates that the new contract for repairs and maintenance is operating effectively. |
| HOS6 Average Void Turnaround Time. Service Manager: Tenancy Services Manager | 23.7 Days | 25 Days | | The new contract and associated working practices have been successfully implemented and are proving to be effective. |

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|---|---------------------------------|---|---|--|
| DC2 to DC4: Percentage of planning applications processed within target time limits for major, minor and other applications Service Manager: Chief Development Control Officer | 66.6% 14.3% 30.8% | Major 60% Minor 65% Other 80% |  | <p>Three major applications were determined in the period and in two of those cases the applicants had agreed to extend the period for determination.</p> <p>The service has focussed to improve performance in this area and additional staff resources were re-assigned to applications work since June. This has resulted in improved performance, with for example, a 100% of major applications processed within the target time limit in August and a reduction in the backlog of cases by 69% since 10th June.</p> <p>Further work is still required to improve overall performance and the service will continue to focus in this area and performance in the second quarter period is expected to demonstrate further improvement.</p> |
| Percentage of Building Control applications processed within statutory time limits. | 100% | 100% |  | All applications processed within the required timescales. |


Corporate Scorecard 2014/15 (Efficient & Effective Customer Services)



Quarter 1: 1st April 2014 to 30th June 2014

Note: All performance values are cumulative (i.e. from 1st April to end of June/September/December/March) unless otherwise stated

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|--|----------|-------------------|--------|--|
| <p>FC1 Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office</p> <p>Service Manager: Community Support Manager</p> | 94% | Annual Target 90% | | The First Contact service continues to maintain strong performance in this area. |

| PI Code & Short Name | Q1 Value | Target | Status | Comments |
|--|----------|--------|---|--|
| <p>Average number of days Sickness absence per FTE staff for all Council Services (rolling year)</p> <p>Service Manager: Human Resources Manager</p> | 7.7 Days | 7 Days |  | <p>There have been several staff affected by long term illness which has had a significant impact on the overall sickness absence figure. However, effective processes are being applied and performance is expected to improve.</p> |