



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200



CABINET AGENDA

Date: Wednesday 19th July 2023

Time: 7pm NB Time

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

Councillor Blackwell	Chairman - Leader of the Council
Councillor W. Gibson	Strategic Planning (Deputy Leader of the Council)
Councillor Fuller	Environment
Councillor T . Gibson	Special Projects
Councillor Mountford	Resources
Councillor Palmer	Regeneration & Economic Growth
Councillor Mrs Sach	People, Health Wellbeing & Housing
Councillor Savage	People & Community

Cabinet Enquiries: Ann Horgan ext. 2413

ahorgan@castlepoint.gov.uk

2/2023/2024

Reference: 2/2023/2024

Publication Date: Tuesday 11th July 2023

AGENDA
PART I
(Business to be taken in public)

- 1. Apologies**
- 2. Members' Interests**
- 3. Minutes**
To approve the Minutes of the Cabinet meeting held on 21st June 2023.
- 4. Forward Plan**
This is included for information only it is not a decision item.
- 5. Review of Waste Collection Options**
(*Report of the Cabinet Member – Environment, Leader of the Council*)
- 6. Corporate Score Card Quarter 4 Monitoring**
(*Report of the Cabinet Member – Special Projects*)
- 7. Section 106 Update Report**
(*Report of the Cabinet Member – Strategic Planning*)
- 8. Knightswick Centre Car Park – Change in Operational Arrangements**
(*Report of the Cabinet Member – Environment*)
- 9. 3 G Pitch Replacement at Waterside Farm Leisure Centre - Additional Funding Request**
(*Report of the Leader of the Council, Cabinet Member Special Projects*)
- 10. Extension of The Public Spaces Protection Order – (Castle Point Borough Council) 2017 – Dog Fouling.**
(*Report of the Cabinet Member – Environment*)
- 11. Matters to be referred from /to the Standing Committees**
- 12. Matters to be referred from /to Policy & Scrutiny Committees**

PART 2
(Business to be taken in private)
(Item to be considered with the press and public excluded from the meeting)



CABINET



21st JUNE 2023

PRESENT:

Councillor Blackwell	Chairman – Leader of the Council
Councillor W. Gibson	Strategic Planning – Deputy Leader of the Council
Councillor T. Gibson	Special Projects
Councillor Mountford	Resources
Councillor Sach	Health Wellbeing & Housing
Councillor Savage	People & Community

APOLOGIES:

Councillors, Fuller and Palmer

ALSO PRESENT:

Councillors Acott, Benson, Campagna, Dearson, Howlett, Isaacs, McCarthy-Calvert, Mumford , Skipp

MEMBERS QUESTIONS

Councillor Isaacs gave notice that he may wish to speak or, ask questions on the Agenda.

Councillor Mountford provided some updates for Members information.

1. MEMBERS' INTERESTS:

There were none.

2. MINUTES

The Minutes of the Cabinet meeting held on, 15th March and Special Cabinet on 22nd March 2023 were approved as a correct record.

3. FORWARD PLAN

To comply with regulations under the Localism Act 2011, Cabinet noted the Forward plan circulated with the agenda .

Resolved: To note the forward plan

4. REVIEW OF WASTE COLLECTION OPTION – REPORT BACK FROM ENVIRONMENT PSC

Cabinet were updated on the work of the Environment Policy and Scrutiny Committee ("the Committee") which had been tasked with evaluating potential waste collection options with a view to improving service efficiency/environmental benefits and recommending its preferred collection option for approval. Cabinet was asked to consider and determine whether it wished to endorse the preferred waste collection option recommended by the Committee and to undertake a public consultation exercise to its implementation.

Consideration on how improvements to our environmental impact through waste collection was currently underway between officers and the Cabinet member for Environment.

The Chairman of the Environment Policy & Scrutiny Committee (PSC) Councillor Thomas and all the members on the Committee were thanked for their contributions to the report.

Cabinet members were asked to consider its recommendations as set out in paragraph 3 of the report.

However, as the Cabinet Member for Environment was not present Cabinet was asked to review the recommendations in the context that further work was to be undertaken for report on the return of the Cabinet Member for Environment.

Recommendation 1 was agreed.

It was agreed that recommendations 2, 3 and 4 be noted at this stage, but deferred to a future meeting of Cabinet when the Cabinet Member for Environment could provide information on with his plans for the future of our waste collection arrangements, in the light of the recommendations of the PSC.

Recommendations for 2, 3 and 4 were:

2. Cabinet to endorse option 6b as its preferred collection option
3. Public consultation on the preferred option is undertaken and the results reported back to Cabinet; and that
4. Detailed financial costings are established for the proposed new collection service and reported back to Cabinet.

Resolved:

1. To agree that Cabinet note the work of the Committee and its recommended option for adoption.
2. To agree that recommendations 2, 3 and 4 be noted but deferred to a future meeting.

5. REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA)

Cabinet considered the annual report updating on the current RIPA policy and its use.

The Council has not found it necessary to make any RIPA applications to the Magistrates' Court in the past year. However, should overt means of gathering of information for investigations prove to be insufficient the Council had the necessary policy and procedures in place whether the surveillance is to be unregulated or regulated by the Act.

Members were invited to ask questions. There were none.

Resolved: That Cabinets note the contents of the report.

6. THE PADDOCKS – UPDATE ON PROGRESS OF REFURBISHMENT WORKS

Cabinet considered a report which provided an update on the progress of the Paddocks Refurbishment works programme.

Members were invited to ask questions and during discussion members welcomed the refurbishment works being carried out but expressed concern as to the quality and standard of work.

A discussion was had surrounding the tendering for works. It was felt that not enough effort had been made to engage with local tradesmen. It was explained that there has been a significant amount of engagement on social media and views on the website. Details can be given to anyone interested with the link to the website, there is still opportunity to come forward people and express an interest. It was also explained that contractors that have applied 'expressing an interest' at this stage, has not yet been selected as the tender position has not closed.

Resolved: To note the contents of the report

7. CASTLE POINT PLAN BOARD - UPDATE

Cabinet considered a report on the progress of the Castle Point Plan Board and the Castle Point Plan.

Members were updated that good progress was being made and further updates would be provided every 6 months.

Members were invited to ask questions. There were none.

Resolved:

That Cabinet note the progress of the Castle Point Plan Board and the progress of the Castle Point Plan.

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

There were no matters

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

There were no matters

Chairman



Castle Point Borough Council

Forward Plan

JULY 2023

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

JULY 2023

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	Item	Council Priority	Decision by Council/ Cabinet	Lead Member(s)	Lead Officer(s)
July 2023	<u>Waste Collection Arrangements</u> – to consider recommendations from Environment PSC and progression	Environment	Cabinet	Waste & Environmental Health	Head of Environment
July 2023	<u>3 G Pitch Resurfacing – request for Additional Funding</u>	Place /	Cabinet	Leader Special Projects	Head of Environment
July 2023	<u>Extension of PSPO Dog fouling</u>	Environment	Cabinet	Environment	Head of Environment
July 2023	<u>Update Section 106 Agreements</u>	All	Cabinet	Strategic Planning	Head of Place & Policy
Sept 2023	<u>Essex Parking Standards Consultation response</u>	Place /Environment	Cabinet	Strategic Planning	Head of Place & Policy
Sept 2023	<u>Knightswick Centre Business Case</u>	Place	Cabinet	Strategic Planning /Resources	Chief Executive Strategic Director (Resources)
Sept 2023	<u>Thorney Bay Pavilion – Additional Funding</u>	Place /Environment	Cabinet	Strategic Planning	Head of Place & Policy
Sept 2023	<u>Annual Food Safety and Health and Safety Business Plan – Review</u>	Environment	Cabinet	Environment	Head of Environment
September 2023	<u>Budget Consultation Financial Update –</u>	All	Cabinet	Resources	Strategic Director (Resources)
September 2023	<u>ASELA Joint Committee report back from Scrutiny</u>	All	Cabinet	Leader of the Council	Chief Executive/

					Head of Place & Policy
Sept 2023	<u>Housing Matters: Housing Development Schemes; Stock Condition Survey ;Housing Renovation Update</u>	Place Community	Cabinet	People, Health Wellbeing &Housing	Head of Housing
TBC	<u>Transformation Update</u>	All	Cabinet	Leader of the Council	Chief Executive

AGENDA ITEM NO. 5

CABINET

19th July 2023

Subject: **Review of Waste Collection Options**

Cabinet Member: **Councillor Fuller – Environment**
Councillor Blackwell – Leader of the Council

1. Purpose of Report

This report is in response to the report of the Environment Policy and Scrutiny Committee (“the PSC”) to Cabinet dated 21 June 2023 and the recommendations of that report which were deferred.

The report proposes public consultation in relation to the Preferred Option indicated in the PSC report so that future decisions regarding any change of the waste collection regime can be informed.

The report also proposes undertaking a review of the Waste Collection Service to identify improvements which could provide benefits to the future resilience and financial sustainability of the Service, including, but not limited to, the exploration of the creation of a Joint Venture Partnership with Norse Group

2. Links to Council’s Priorities and Objectives

This report links with the Council’s Environment priority.

3. Recommendations

- (1) **That the Cabinet endorses recommendations (2) (3) and (4) of the Environment Policy and Scrutiny Committee as set out in the Review of Waste Collection Options report to Cabinet on 21 June 2023 and repeated in paragraph 4.2 of this report**
- (2) **That there be public consultation around the options for change to the Council’s waste collection regime with Option 6b as the Preferred Option and that the preparation, commissioning and delivery of that public consultation be delegated to the Head of Environment, in consultation with the Cabinet Member for Environment**
- (3) **That there be a review of the Waste Collection Service to identify improvements which could provide benefits to the future**

resilience and financial sustainability of the Service, including, but not limited to the exploration of the creation of a Joint Venture Partnership with Norse Group

(4) That the Cabinet notes the Outline Proposal has been undertaken and agrees to engage with Norse Group for the purposes of undertaking Stage 2 Detailed Due Diligence.

4. Background

Waste Collection Regime Change

4.1 The Environment Policy and Scrutiny Committee (“the PSC”) was tasked with evaluating potential waste collection options with a view to improving service efficiency/environmental benefits and recommending its preferred collection option to Cabinet for approval. The report produced by the PSC on 21 June 2023 was for Cabinet to consider and determine whether it wished to endorse the preferred waste collection option recommended by the PSC and to undertake a public consultation exercise prior to its implementation.

4.2 The Cabinet noted the work of the PSC and its recommended option for adoption but deferred the remainder of the recommendations in the report for further consideration by the Cabinet Member for Environment. The recommendations which were deferred are:

- (2) Cabinet endorses option 6b as its preferred collection option;
- (3) Public consultation on the preferred option is undertaken and the results reported back to Cabinet; and that
- (4) Detailed financial costings are established for the proposed new collection service and reported back to Cabinet.

Review of the Waste Collection Service

4.3 Implementation of waste collection regime change requires significant people resource, for example:

- Training and development of staff e.g. new handling methods; new fleet requirements
- Design and management of new round configurations
- Procurement of new consumables and fleet
- Delivery of new consumables to the public
- Communications and engagement with public to bed in new arrangements
- Oversight, management and performance of the new regime including legal and regulatory matters

4.4 As currently configured, the Waste Collection Service does not have the capacity to deliver this new functionality. Therefore, implementation of any new waste collection regime will need to be accompanied by investment in the Service to ensure success. The time is right, therefore, to consider how this additionality can be introduced into the Service, how much it will cost and, in

so doing to review how the Service is performing as a whole and identify areas where performance can be improved. This will form an important part of the Council's drive to modernise and ensure investment in future sustainability of services.

5. Proposals

Waste Collection Regime Change

- 5.1 The proposals for waste collection regime change are set out in the PSC report on 21 June. Option 6b was the Preferred Option and it is proposed that the Council begins a public consultation on that basis in order to test the public appetite to make change.
- 5.2 It is likely that there will be a significant response to the public consultation given that Option 6b proposes changes to the collection of residual waste (moving from bagged waste to wheeled bins) and to the collection of recyclate (moving from co-mingled to kerb side separate streams). It is very important that the public is given every opportunity to contribute to the consultation and that quality of responses received is high. It is proposed, therefore, that the Head of Environment, in consultation with the Cabinet Member for Environment will together curate the detail of the consultation process, to include, duration, methodology and content. The results of the public consultation will be formally reported back to the Cabinet in due course and will be analysed in detail before any recommendation about the future waste collection regime is considered.

Review of the Waste Collection Service

- 5.3 Alongside the public consultation, officers will conduct a review of the Waste Collection Service operational model to understand its state of readiness for implementation of any waste collection regime change. This review will comprise a number of options for members to consider as potential ways forward to ensure a successful implementation of any change.
- 5.4 Norse Group has an established Joint Venture Partnership model in working with local authorities in waste collection services. Norse Group is a group of Local Authority Trading Companies ("LATCo") owned by Norfolk County Council. Their business model is to create a jointly owned LATCo with the local authority and using partnership principles, share risk and reward to run the service. Norse Group has recently partnered with Rochford District Council and also has 16 other national partnerships in waste collection.
- 5.5 There are three gateways to accomplish before any partnership with Norse Group can be considered. There is no cost to the Council, but Member support/sign off is needed before each stage is commenced.
 - Stage 1 – Outline Proposal Document
 - Stage 2 – Detailed Due Diligence – Business transformation, this would involve Human Resources and Finance and is costly for them to do so member sign off is particularly important.

- Stage 3 – Full Business Case - 1 month to complete, Member endorsement required on completion if the Council is to progress service transfer.

Mobilisation would take 6 months and there would be a need to establish a client side. Staff would TUPE across to Norse Group. Norse acknowledges that there is no guarantee that a service will transfer to them on completion of stage 3.

5.6 Norse Group has undertaken a limited desk-top evaluation as “stage 1” of their internal governance process. The recommendation for the Council to agree at this stage is to proceed to “stage 2” of the process and to approve officers working closely with Norse Group to conduct detailed due diligence which will determine the necessary resources, costs and pricing of any reconfigured service. This work is at no cost to the Council and it does not bind the Council to working with Norse Group. The detailed due diligence will take approximately 4 months, with the intention being to bring the results of that exercise back to Cabinet in November. It will be a matter for Cabinet at that point to decide whether to proceed to a full business case and recommend to Council to pursue the Joint Venture Partnership or not.

5.7 As a public sector entity, the Council can partner with Norse Group without recourse to procurement. However, before the Council takes any final decision as to whether to enter into a Joint Venture Partnership with Norse Group, it will be important that the Council has assurance that the Norse Group proposals are sound. It follows that it needs to consider other options alongside the Norse Group option in order to be fully satisfied that it has considered other options available before making a final decision. Accordingly, the review of any proposal from Norse Group should be taken in the context of having considered all the options available to the Council and officers should prepare a full options review.

6. Corporate Implications

(a) Financial Implications

Reducing service costs along with improving environmental benefits and service resilience are the main drivers for the proposed change in collection regime and the work being proposed with the Norse Group.

The actual service costs of the Preferred Option 6b, as opposed to the modelled costs, will be presented to Cabinet in due course following completion of the public consultation exercise and a comprehensive assessment of the service costs. It should be noted though that the savings as identified in the modelling cannot be guaranteed as they are primarily income related. However, source separated materials tend to attract a better income and prices are less volatile than comingled materials where price fluctuations are much greater.

There is no cost to the Council in respect of the work proposed to be undertaken by Norse Group. However, before agreeing to any service transfer the Council would need to be satisfied that this option delivers the best

financial and operational benefits for the Council and its residents in the longer term.

(b) Legal Implications

Option 6b, the Preferred Option, is fully compliant with the Resource and Waste Strategy for England and the Environment Act 2021.

Public consultation is not a statutory requirement but because this is a proposed service provision change which will affect every household in the Borough, it is recommended that the Council does so.

If any change to the Waste Collection Service operational delivery model is considered following the completion of the options analysis and Norse Group detailed due diligence, then further Legal Implications will be reported at that point.

(c) Human Resources and Equality Implications

Human Resources

None at this stage.

Following completion of the public consultation, HR issues will need to be considered before any decision is made relating to changes to the waste collection regime.

Similarly, if any change to the Waste Collection Service operational delivery model is considered following the completion of the detailed due diligence, then HR implications will be reported at that point.

Equality Implications

None at this stage.

An Equality Impact Assessment will be undertaken before the details of the public consultation are agreed so that Equalities Act implications are reflected.

The Equality Impact Assessment will also take into account any public consultation feedback.

If any change to the Waste Collection Service operational delivery model is considered following the completion of the detailed due diligence, then Equality Act implications will be reported at that point.

(d) IT and Asset Management Implications

None at this stage.

Following completion of the public consultation, IT and asset management issues will need to be considered before any decision is made relating to changes to the waste collection regime.

Similarly, if any change is to be made to the operational delivery of the Waste Collection Service, then IT and asset management issues will be considered at that point.

7. Timescale for implementation and Risk Factors

Any changes to the waste collection regime will require public consultation. The outcome of the consultation will be reported back to Cabinet in the late autumn/winter for formal decision. Implementation of the new collection service will be dependent on lead in time for new vehicles, public consultation feedback and capacity of the service to make the changes and will be the subject of a further report.

With regards to a potential Joint Venture partnership with the Norse Group, based on the timescales above, and subject to member agreement, mobilisation of the partnership could potentially commence in February 2024 with official operations commencing in July 2024 but will be subject to mutual agreement and progression through each governance gateway.

8. Background Papers

Cabinet Report 21 June 2023
Outline Proposal Norse Group July 2023

Report Author: Angela Hutchings, Chief Executive
Trudie Bragg, Head of Environment

CABINET

19th July 2023

Subject: **Corporate Performance Scorecard Quarter 4 2022/23**

Cabinet Member: **Councillor T Gibson - Special Projects**

1. Purpose of Report

To set out the performance figures for the Corporate Performance Scorecard for Q4 2022/23

2. Links to Council's priorities and objectives

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

3. Recommendations

That Cabinet notes the report and continues to monitor performance.

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 and targets for the corporate performance scorecard for 2022/23 were approved by Cabinet in October 2022.

5. Report

5.1 Summary of performance

- 5.1.1 Appendix 1 sets out the performance achieved by the Council against the measures in the scorecard, together with trend data and commentary on performance.
- 5.1.2 Of the 36 indicators reported, 16 are at or above target, a further 7 are near target and 5 indicators are below target. 8 indicators do not have a target. Trend in performance shows that there is improving performance in 21 indicators, declining performance for 10 indicators and performance levels maintained for 3 indicators. There was no trend for 2 indicators.
- 5.1.3 This Q4 report includes a number of annual indicators, particularly under the Economy & Growth priority.

5.1.4 Performance is set out against the four priorities in the new corporate plan as follows:

Economy & Growth

The indicators reported under this priority do not include a target as they are measures that the Council cannot influence by itself. However, the measures are an important indication of the health of the local economy.

The Gross Value Added (GVA – a measure of economic activity) per head in Castle Point was £12,089 in 2021 (the latest available data), broadly similar to values in 2019 and 2020. This is the lowest in Essex which has an average GVA per head of £23,953.

The number of businesses in Castle Point increased to 3,265 in 2022 from 3,255 in the previous year. 3,000 (92%) of these businesses are “micro businesses” which means between 0-9 employees. 975 (30%) of businesses are in construction.

The average earnings for those working in Castle Point was £572 per week in 2022, an increase from £524 per week in the previous year. The average workplace-based earnings in Essex in 2022 was £622.

The average earnings for those living in Castle Point was £661 per week in 2022, an increase from £621 per week in the previous year. The average workplace-based earnings in Essex in 2022 was £690.

The percentage of the working-age population in Castle Point with at least NVQ Level 4 (equivalent to the first year of a degree) increased to 33% in 2021, up from 31% in the previous year. This compares with 36% on average in Essex and 43% on average across England.

The number of apprenticeship starts in Castle Point fell to 340 in 2022/23, down from 640 in the previous year. Despite this, Castle Point has the highest indicative apprenticeships starts per 100,000 population in Essex. The number of apprenticeship starts across Essex fell from 8,540 in 2021/22 to 4,880 in 2022/23.

People

The Homelessness performance indicator is split into two parts and looks at the success rate of the homelessness team in preventing and relieving homelessness. Year-to-date at the end of Q3, the service secured accommodation for just under 7 out of every 10 households to whom the Council owed a Prevention duty and over 5 out of 10 households owed a Relief duty. Prevention performance is above target and higher than at the same time last year. Relief performance is also above target and higher than over the same period last year. Performance reported here is to the end of Q3 2022/23 as Government-produced statistical tables are not yet available. A verbal update will be given to Cabinet if these are updated in advance of the day of the meeting.

Satisfaction with Leisure Services is measured by a Net Promoter Score which can range from -100 (where everybody is a detractor and would not recommend the service) to +100 (where everybody is a promoter and would recommend the

service). Both Waterside Farm and Runnymede Leisure Centres scored well over the quarter (68 and 69, respectively), although both slightly below target and lower than at the same time last year. Feedback received at both centres indicated some dissatisfaction with parking and how busy centres are at peaks times, especially during the evenings and at weekends. There were additional issues at Runnymede relating to water ingress in parts of the changing village which is currently being addressed. It should be noted that nationally, leisure facilities score around 40-45 for Net Promoter Score.

Despite a fall in Q3 2022/23, the number of leisure memberships recovered strongly in the final quarter of the year, ending at 4,201 memberships which is in excess of the annual target and 500 more memberships than at the same time last year.

97% of rated food premises (466 out of 479) were classified as 'broadly complaint' with food regulations, having been awarded 3 stars or above on the Food Hygiene Ratings Scheme.

In the Essex Residents' Survey for 2022, 46% of respondents indicated that they felt either fairly safe or very safe after dark, an improvement from the same survey in 2020 but still below the Essex average. The Essex Residents' Survey for 2023 is still undergoing quality checks, although early indications suggest a fall in those who feel safe after dark across Essex, including in Castle Point.

In 2021/22 – the latest data available – residents in Castle Point indicated an average of 7.9 out of 10 for Life Satisfaction which is an improvement on 2020/21, and above the Essex average score of 7.7

In the Essex Residents' Survey for 2022, 52% indicated that they either agreed or strongly agreed with the statement about a strong sense of community in their local area, which is above the Essex average, although falling. The Essex Residents' Survey for 2023 is still undergoing quality checks, although early indications suggest further decline across Essex, including in Castle Point.

The latest results of the Sport England "Active Lives Survey" are for the period November 2021 to November 2022, where 61% of adults were "Active" (participating in physical activity for 150+ minutes per week), an improvement from 2021 although still lower than in 2020. Castle Point's position in Essex has fallen from 7th to 8th lowest levels of physical activity out of 12 local authorities.

Place

Tenant satisfaction with repairs and maintenance is reported monthly by the Council's contractor. All jobs are rated out of 10 with anything below 7.5 considered as dissatisfied. At the end of Q4, satisfaction was 96% which is on target, and higher than the same period last year. In the last quarter of the year, 100% of tenants were satisfied. On void turnaround times, at 16.2 days, performance has improved further since Q3 and is comfortably better than target. This performance is also a significant improvement compared with the same period last year, with average void turnaround times in 2022/23 less than half that in 2021/22.

Performance data on planning performance comes from official Government statistics. The percentage of planning applications processed within target times has two measures – one for major and one for non-major applications – and gives a longer-term view of performance, looking over a rolling two-year period. Nationally set standards have been achieved for both major (60%) and non-major (82.5%) application processing times, although both have declined over the year. Staff shortages, particularly at the start of the year, contributed to this drop in performance. The Council successfully recruited five new team members in the autumn and the service continues to focus on addressing the backlog of applications and continuing to process new applications as they are received.

The number of new homes built in the Borough over 2021/22 was 205. There were no new affordable homes over this same time period. The annual monitoring report for 2022/23 will be reported to Cabinet when it is available later in the year.

Environment

The total recycling and composting rate at the end of Q4 2022/2023 is 46.65% (interim calculation, subject to change) which is just below the target and a slight decline in performance compared to last year. Dry recycling was 22.67% and composting (inc. food waste) was 23.98%. Green waste represents a significant percentage of recycling, and the dry summer has impacted the green waste tonnages and the overall recycling rate.

Performance on street cleanliness has declined in Q4 2022/23 with an increase to 15.69% of streets inspected deemed unsatisfactory. However, Q4 was used to test the inspection regime for the new contract which went live on 1 March 2023. The new regime uses local knowledge and service requests to inspect those streets at higher risk of being unsatisfactory and so this increase was expected. The target for 2023/24 will be adjusted to reflect this.

No defaults were served in relation to highway grass verge cutting and the number of service requests were minimal.

100% of fly tips were removed within one working day over the quarter. However, there was an increase in fly tips to 89 in March, compared with 59 in January and 46 in February. Levels will be monitored over the coming months to assess the reasons behind the March increase.

Enablers

The First Contact team continue to deal with queries effectively; 96% of calls received were dealt with at the first point of contact without the need to transfer to the back office. This is above target and maintains a consistently high level of performance.

The number of subscribers to the wheeled bin garden waste collection service was 14,255 at the end of Q4 2022/23, which is an increase on the same period last year, although slightly below target. As flagged last quarter, the number of subscribers does not usually increase between Q3 and Q4 (although there was a modest increase this year).

The sickness absence indicator has been split between short-term and long-term (4 calendar weeks or more). At 5.3 days, short-term absence is just below target although an improvement from the previous quarter and at the same level as year-end 2022/23. Long-term sickness absence is 5.8 days, off target and, whilst improving since Q3, is higher than at the same time last year. Main causes of short-term absence are viral infections (Covid and flu). A very small number of employees are on long-term sickness absence.

The Council is keen to encourage members of the public and businesses to transact with the Council online. The “channel shift” indicators cover the numbers signed up to the e-billing service for council tax and business rates and a measure of Council Tax transactions using online forms (called OPENChannel). The number of customers signed up to the e-billing service was 9,924 which is above target, an improvement since the last quarter and is higher than for the same period last year. The use of OPENChannel is just below target at year end with 1,809 transactions. However, as flagged last quarter, there has been a shift from customers using OPENChannel to using an alternative online form following webpage redesign.

The average time to process housing benefit claims is split into new claims and change of circumstances. For new claims, processing times have improved since the same period last year although the average increased from 20 days in Q3 to 22 days in Q4 because of system issues that required manual intervention and additional work for the team in preparation for the new Council Tax Reduction scheme for implementation from April 2023. Change of circumstances over the quarter were processed in 3 days, better than target and an improvement in performance compared with the same period last year.

6. Corporate Implications

a. Financial implications

Good performance on some indicators can lead to reduced costs.

b. Legal implications

There are no direct legal implications.

c. Human resources and equality

There are no direct human resource or equality implications.

d. Timescale for implementation and risk factors

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

7. Background Papers: None

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

Corporate Performance Scorecard

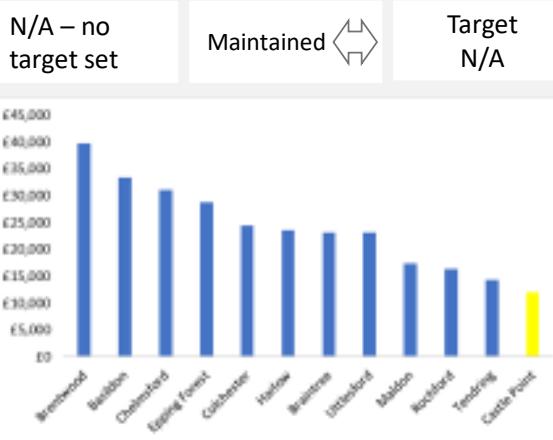
Quarter 4 2022/23

Appendix 1



Economy and Growth

E&G001 (NEW): Gross Value Added per head (ANNUAL)



Maintained 

Target
N/A

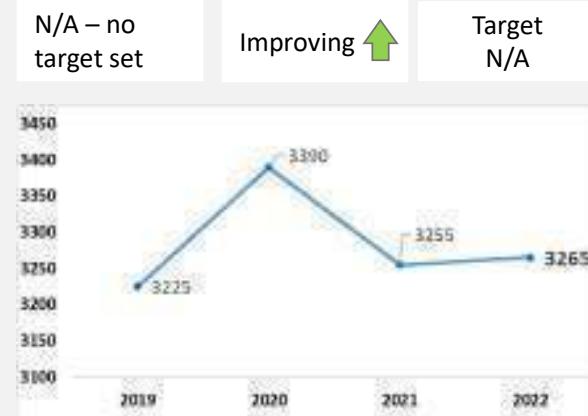
Latest Performance
£12,089*

The Gross Value Added per head in Castle Point was £12,089 in 2021, broadly similar to values in 2020 and 2019.

This is the lowest in Essex with district-level councils across the county with an average GVA per head of £23,953.

*Latest data is for 2021

E&G002: Number of businesses operating in Castle Point (ANNUAL)



N/A – no target set

Improving 

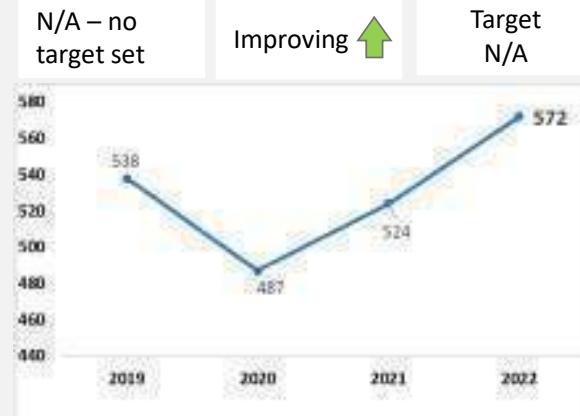
Target
N/A

Latest Performance
3,265

The number of businesses in Castle Point increased to 3,265 in 2022 from 3,255 in the previous year.

3,000 (92%) of these businesses are “micro businesses” which means between 0-9 employees. 975 (30%) of businesses are in construction.

E&G003 (NEW): Average workplace-based earnings per week (ANNUAL)



Improving 

Target
N/A

Latest Performance
£572

The average earnings for those working in Castle Point was £572 per week in 2022, an increase from £524 per week in the previous year.

The average workplace-based earnings in Essex in 2022 was £622.

E&G004 (NEW): Average resident earnings per week (ANNUAL)



N/A – no target set

Improving 

Target
N/A

Latest Performance
£661

The average earnings for those living in Castle Point was £661 per week in 2022, an increase from £621 per week in the previous year.

The average workplace-based earnings in Essex in 2022 was £690.

Economy and Growth

E&G005 (NEW): Percentage of the working-age population with NVQ Level 4+

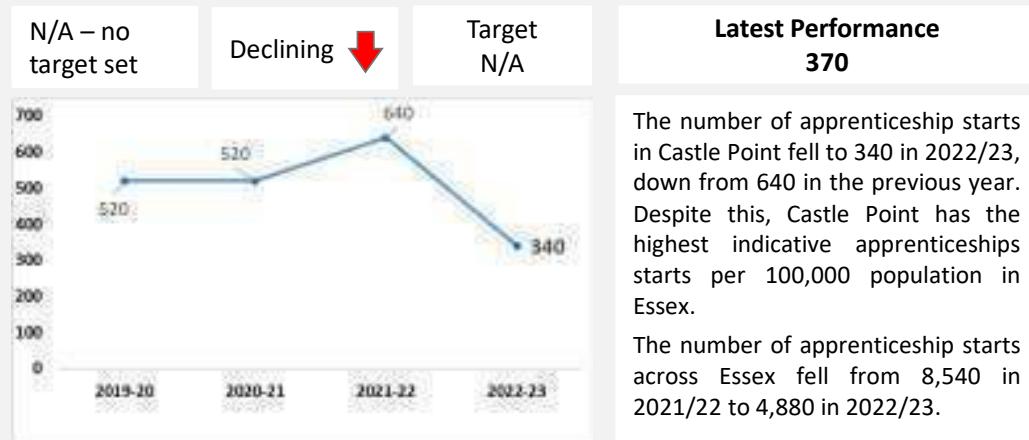


The percentage of the working-age population in Castle Point with at least NVQ Level 4 increased to 33% in 2021, up from 31% in the previous year.

This compares with 36% on average in Essex and 43% on average across England.

*Latest available data is for 2021

E&G006: Number of apprenticeship starts in the Borough



The number of apprenticeship starts in Castle Point fell to 340 in 2022/23, down from 640 in the previous year. Despite this, Castle Point has the highest indicative apprenticeships starts per 100,000 population in Essex.

The number of apprenticeship starts across Essex fell from 8,540 in 2021/22 to 4,880 in 2022/23.

People

HOT021a: Percentage of homelessness *prevention* duties which ended during the quarter with a successful outcome



Up to the end of Q3, the prevention duty ended for 89 households of which we secured housing for 61 households (68.5%) which is above target and higher than at the same period last year.

National average for prevention is around 55%.

Government statistical tables not yet available for Q4 2022/23.

HOT021b: Percentage of homelessness *relief* duties which ended during the quarter with a successful outcome

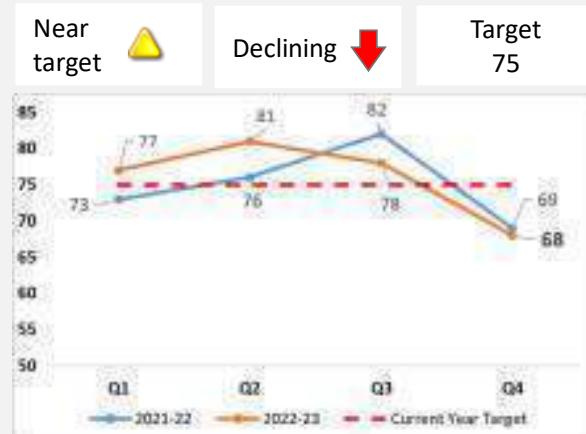


Up to the end of Q3, the relief duty ended for 119 households of which we secured housing for 66 households (55.5%) which is above target and higher than the same period last year.

National average for relief is around 39%.

Government statistical tables not yet available for Q4 2022/23.

L001a: Leisure satisfaction – Net Promoter Score (NPS) Waterside Farm



The NPS at Waterside Farm at the end of Q4 2022/23 was 68, below target and slightly lower than over the same period last year.

Feedback received indicated some dissatisfaction with parking and how busy the centre is at peaks times, especially during the evenings and at weekends. It should be noted that nationally leisure facilities typically score around 40-45 for NPS.

L001b: Leisure satisfaction – Net Promoter Score (NPS) Runnymede



The NPS at Runnymede at the end of Q4 2022/23 was 69, below target and slightly lower than over the same period last year.

In addition to comments about the leisure centre being busy (similar to Waterside Farm), there were additional issues at Runnymede relating to water ingress in parts of the changing village which is currently being addressed.

People

L003: Leisure Memberships



Latest Performance 4,201

Despite a fall in Q3, the number of leisure memberships recovered strongly in the final quarter of the year, ending at 4,201 memberships which is in excess of the annual target and 500 more memberships than at the same time last year.

EH002: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme

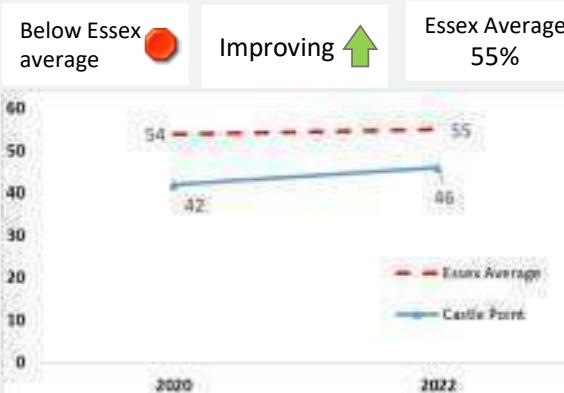


Latest Performance 97%

466 out of 479 rated premises were classified as 'broadly compliant' with food regulations, having been awarded 3* or above on the Food Hygiene Ratings Scheme.

This is a slight drop when compared with the same period last year but comfortably above target.

LCT13: Proportion of people who feel safe after dark (ANNUAL)



Latest Performance 46%

In the Essex Residents' Survey for 2022, 46% of respondents indicated that they felt either fairly safe or very safe after dark, an improvement from the same survey in 2020 but still below the Essex average.

The Essex Residents' Survey for 2023 is still undergoing quality checks, although early indications suggest a fall in those who feel safe after dark across Essex, including in Castle Point.

PE006 (NEW): Life Satisfaction (ANNUAL)



Latest Performance 7.9

In 2021/22 – the latest data available – residents in Castle Point indicated an average of 7.9 out of 10 for Life Satisfaction which is an improvement on 2020/21 and above the Essex average score of 7.7.

Measurement comes from the ONS Wellbeing data series

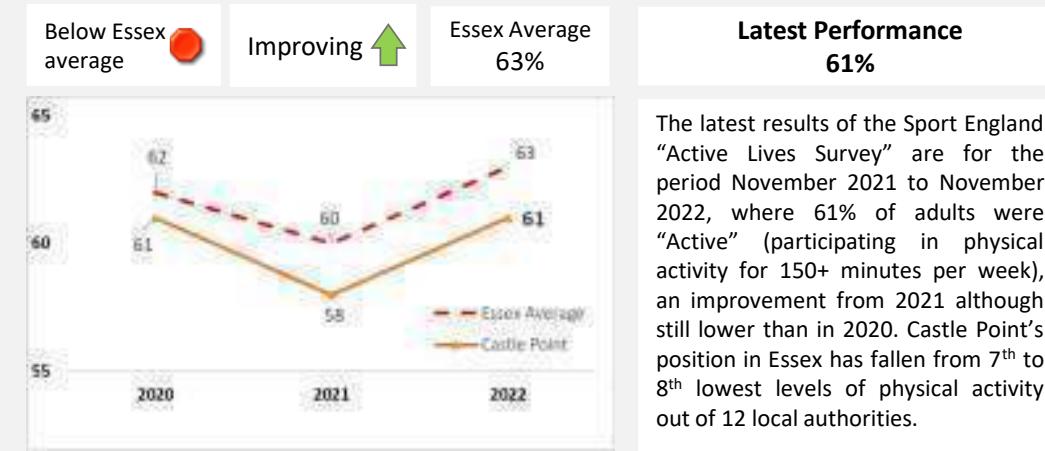
People

PE001: Percentage of people who agree that there is a strong sense of community in their local area (ANNUAL)



In the Essex Residents' Survey for 2022, 52% indicated that they either agreed or strongly agreed with the statement about a strong sense of community in their local area, which is above the Essex average, although falling. The Essex Residents' Survey for 2023 is still undergoing quality checks, although early indications suggest further decline across Essex, including in Castle Point.

PE003: Proportion of people participating in physical activity (ANNUAL)



Place

HOS001: Overall tenant satisfaction with repairs and maintenance



Latest Performance 96%

All jobs are rated out of 10 with anything below 7.5 considered as dissatisfied.

At the end of Q4, satisfaction was 96% which is on target, and higher than the same period last year. In the last quarter of the year, 100% of tenants were satisfied.

HOS006: Average Void Turnaround Time



Latest Performance 16.2 days

At 16.2 days, performance has improved further since Q3 and is comfortably better than target.

This performance is also a significant improvement compared with the same period last year, with average void turnaround times in 2022/23 less than half that in 2021/22.

DC007: Percentage of planning applications processed within target time limits for major applications



Latest Performance 60%

Performance is shown on a two-yearly rolling basis to the end of March 2023. Performance determining major applications is 60%, a drop since the same period last year, although still meeting government set minimum standards.

There were just 10 major application decisions over two years to March 2023; such small number can cause significant fluctuations in percentages.

DC008: Percentage of planning applications processed within target time limits for non-major applications



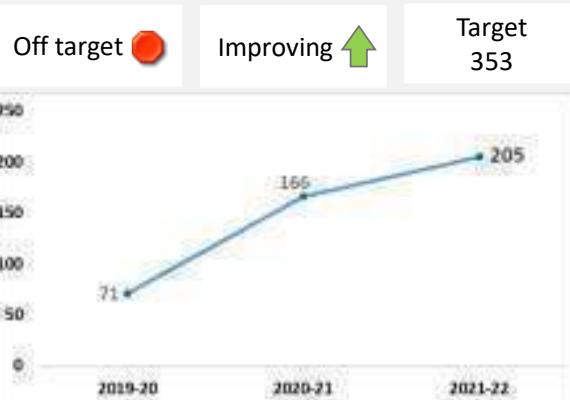
Latest Performance 82.5%

Performance is shown on a two-yearly rolling basis to the end of September 2022. Performance determining non-major applications is 82.5%, a drop since the same period last year, although still comfortably above government set minimum standards.

Performance here is represented by 1,160 non-major planning applications determined over the last two years.

Place

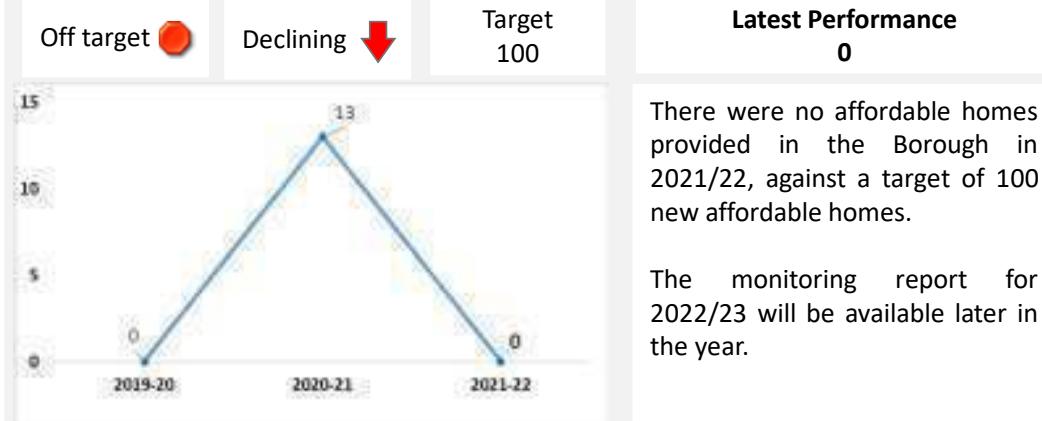
PP004: Number of new homes built in the Borough (ANNUAL)



The net housing completions between 1 April 2021 and 31 March 2022 was 205, below the target of 353.

The monitoring report for 2022/23 will be available later in the year.

PP003: Number of new affordable homes in the Borough (ANNUAL)

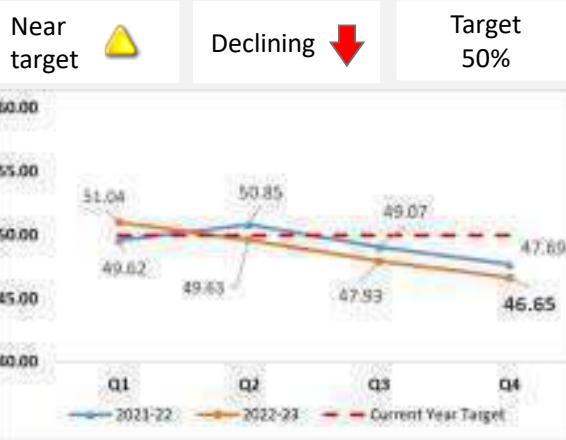


There were no affordable homes provided in the Borough in 2021/22, against a target of 100 new affordable homes.

The monitoring report for 2022/23 will be available later in the year.

Environment

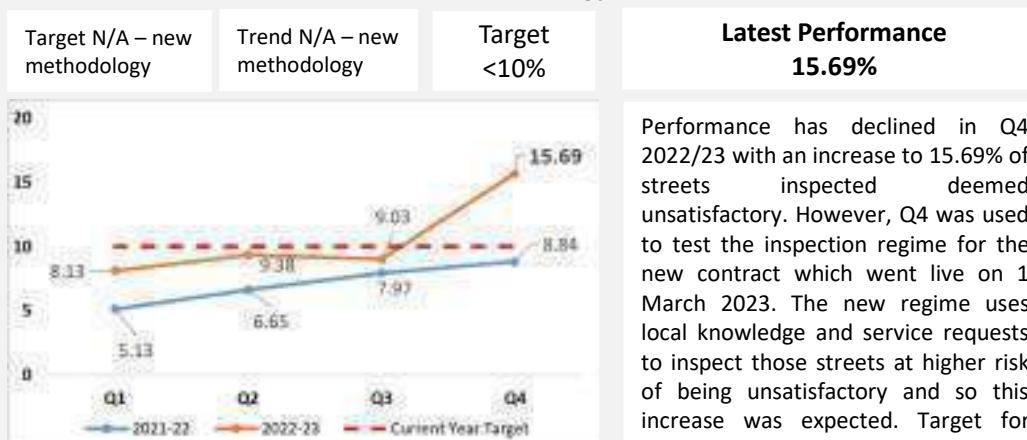
OPS004&OPS005: Percentage of Household Waste Recycled or Composted (inc. food waste)



The total recycling and composing rate at the end of Q4 2022/23 is 46.65% which is just below target and a slight decline in performance compared with last year. Recycling was just over 22.67% and Composting (inc. food waste) was just over 23.98%. The dry summer has impacted on garden waste tonnages.

Note: Figures presented are on a year-to-date basis and are early calculations which may be subject to change.

SS002: Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology



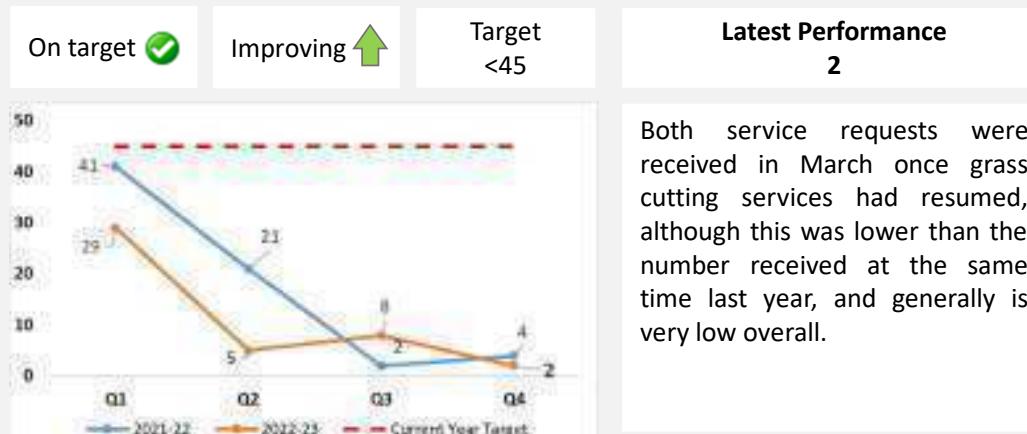
Performance has declined in Q4 2022/23 with an increase to 15.69% of streets inspected deemed unsatisfactory. However, Q4 was used to test the inspection regime for the new contract which went live on 1 March 2023. The new regime uses local knowledge and service requests to inspect those streets at higher risk of being unsatisfactory and so this increase was expected. Target for 2023/24 will be adjusted to reflect.

SS014: Number of default notices served in relation to Highway Grass Verge cutting



No highways grass cutting defaults were served over the quarter.

SS013: Number of service requests received in relation to Highway Grass Verge cutting



Both service requests were received in March once grass cutting services had resumed, although this was lower than the number received at the same time last year, and generally is very low overall.

Environment

SS003: Percentage of fly tips removed within one working day



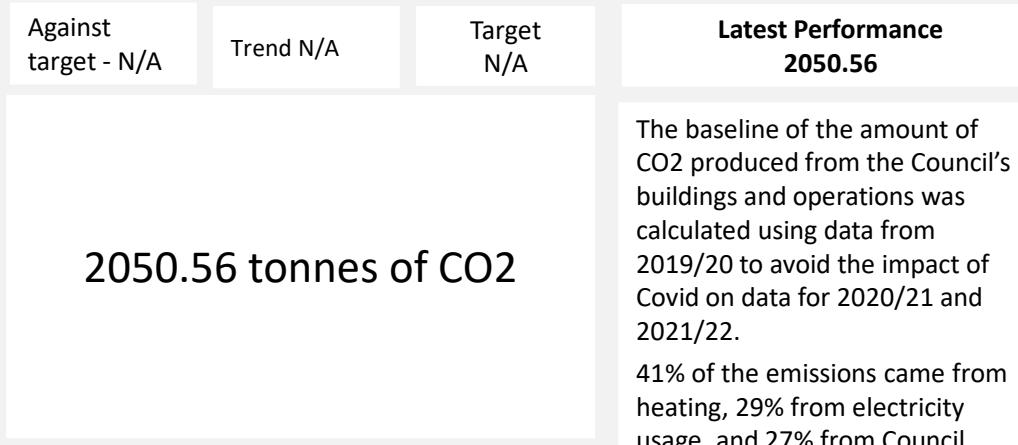
100% of reported fly tips were removed within one working day. However, there was an increase in fly tips to 89 in March, as opposed to 59 in January and 46 in February. Levels will be monitored over the coming months to assess the reasons behind the March increase.

Customer Satisfaction

At Q4 2021/22, the corporate scorecard included measures of satisfaction with a range of services, including : maintenance of parks and open spaces; household waste collection; and efforts to keep public land clear of litter and refuse. However, the response rate to that survey was low with just 125 responses.

Measuring satisfaction with Council services is important – and some areas do this directly as shown by the measures included in this report with the Net Promoter Score for Leisure Centres and satisfaction with repairs to Council-owned homes – so the approach to undertaking a wider survey is being considered as part of the wider work under the *Castle Point Together* engagement brand.

EH013: Amount of CO2 produced from the Council's buildings and operations (ANNUAL)



The baseline of the amount of CO2 produced from the Council's buildings and operations was calculated using data from 2019/20 to avoid the impact of Covid on data for 2020/21 and 2021/22.

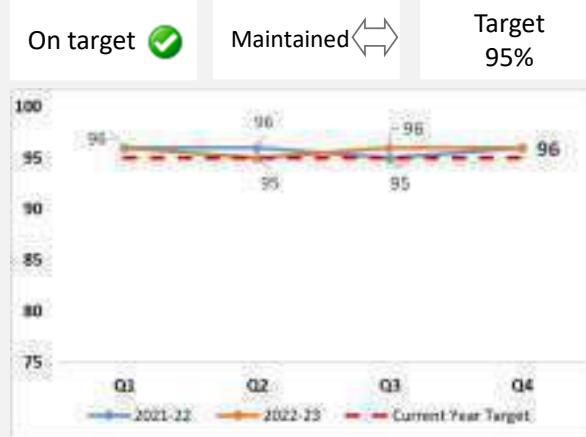
41% of the emissions came from heating, 29% from electricity usage, and 27% from Council fleet.

The calculation as presented in the scorecard at this time last year was based on an LGA online tool which allowed the Council to calculate CO2 produced from its buildings and operations in 2019/20 (to avoid the impact of Covid that would have been reflected in data for 2020/21 and 2021/22). The tool relies on a significant amount of manual processing e.g. adding in all the Council's utility bills into the system, alongside fuel usage etc. to arrive at an approximate figure.

This calculation will be undertaken again to understand the carbon impact of the Council's operations over 2022/23, but this will not be available until the Q2 2023/24 scorecard report.

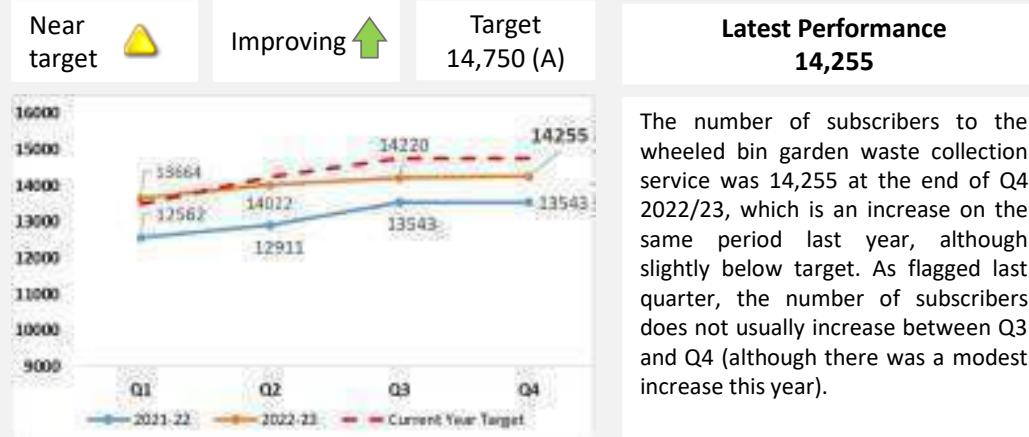
Enablers

FC001: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office

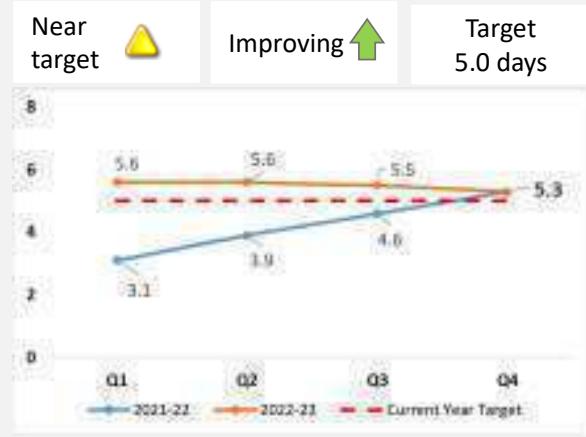


The First Contact team continue to deal with queries effectively; 96% of calls received were dealt with at the first point of contact without the need to transfer to the back office.

OPS016: Number of wheeled bin garden waste subscribers



CORP1a: Average number of days sickness absence per FTE staff for all Council Services (rolling year) short term



Sickness absence is reported on a rolling year basis. Short-term sickness absence is 5.3 days, an improvement on Q3, and at the same level as year-end 2022/23.

CORP 1b: Average number of days sickness absence per FTE staff for all Council Services (rolling year) long term



Enablers

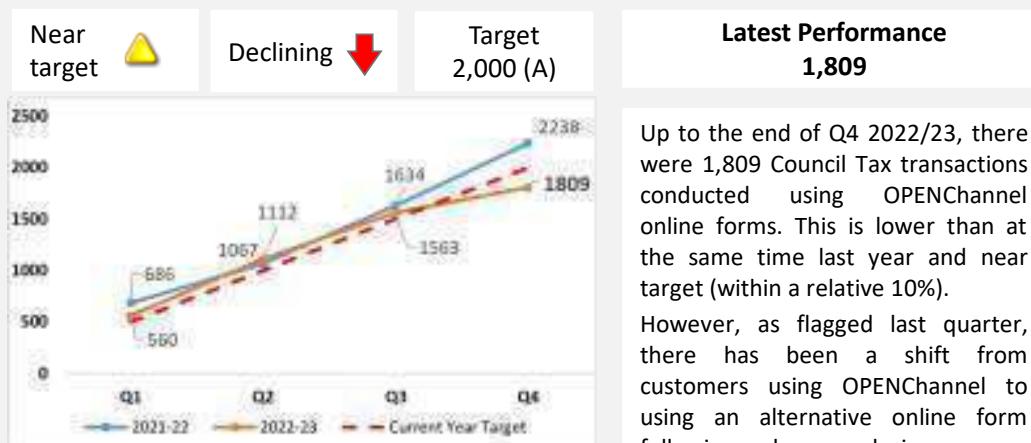
REV006: Channel shift to online services: take up of e-billing for Council Tax and Business Rates



The number of customers signed up to the e-billing service has improved since the last quarter and is higher than at same period last year.

Performance has exceeded the annual target.

REV011: Channel shift to online services: use of OPENChannel online forms



Up to the end of Q4 2022/23, there were 1,809 Council Tax transactions conducted using OPENChannel online forms. This is lower than at the same time last year and near target (within a relative 10%).

However, as flagged last quarter, there has been a shift from customers using OPENChannel to using an alternative online form following webpage redesign.

BEN001: Average time to process benefits claims: new claims



New housing benefit claims processing times have improved since the same period last year although average time increased to 22 days in Q4 because of system issues that required manual intervention and additional work for the team in preparation for the new Council Tax Reduction scheme for implementation from April 2023.

BEN002: Average time to process benefits claims: change of circumstances



Performance times processing housing benefit change of circumstances has improved when compared with the same period last year and at 3 days is better than the target of 7 days.

CABINET

19th July 2023

Subject: **Section 106 Update Report**

Cabinet Member: **Councillor W. Gibson – Strategic Planning**

1. Purpose of Report

To provide an update on Section 106 Agreements that are currently active.

2. Links to Council's Priorities and Objectives

Section 106(S106) Agreements are intended to mitigate the impact of development. S106 Agreements are therefore enablers for the wider objectives of the Council.

3. Recommendations

The Cabinet notes the update on S106 Agreements active in the Borough.

4. Background

- 4.1 S106 Agreements are legal agreements that accompany planning applications in circumstances where the requirements within them are necessary to make a development acceptable in planning terms, and those requirements cannot be secured through a planning condition.
- 4.2 Not all applications are the subject of S106 Agreements, and typically the Government discourages their use in respect of developments under 10 units in size to secure infrastructure contributions or affordable housing provision.
- 4.3 In Castle Point, and across most Essex districts, contributions are however sought from all new homes towards the [Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy \(RAMS\)](#). This is to ensure compliance with wider legislation set out in the Habitats Regulations. A small payment which currently sits at around £150 per new home is required to off-set the impacts of development on specific designated habitats on the Essex coast. These are pooled and the expenditure of this money is managed by Chelmsford on behalf of each district. Due to the relatively small size of this payment, whilst some developers still use S106 agreements to provide this payment, for most small scheme these payments are made directly to the Council upfront, with the

officer's report detailing the receipt of the payment and discharge of the requirement in respect of the Habitats Regulations.

- 4.4 S106 Agreements are separate to but can still be used alongside the community infrastructure levy (CIL) which was implemented in Castle Point from the 1st May 2023. Details of how S106 Agreements will be used alongside CIL are set out in the Council's [Developer Contributions Guidance](#) which was adopted on the 22nd March 2023.
- 4.5 At the time of preparing this report, CIL liability notices have begun to be issued. However, until such time as development commences demand notices cannot be issued. Payments become due within 60 days of the demand notice, or otherwise in accordance with the payment schedule approved by the Council on the 22nd March 2023. We are not therefore in receipt of CIL payments currently.

Active S106 Agreements

- 4.6 The table at appendix 1 sets out all the active S106 Agreements sitting with the Council. It should be noted that the table does not cover those elements of S106 Agreements that sit with the County Council such as education, highways and libraries. The County Council report on these annually through their [Infrastructure Funding Statement](#).
- 4.7 Whilst the list is quite long, most of the agreements relate to the Essex Coast RAMS. However, there are a small number of other requirements related to larger sites, where affordable housing contributions, health contributions and contributions/management of open space, ecology etc are required.
- 4.8 In the main these have been received where they have become due. However, there are a number that are overdue. It has been indicated within the table where officers are seeking to secure the overdue requirements. It is not however possible to provide details, especially where enforcement or legal action may be required.
- 4.9 Members will note that several affordable housing contributions have been received amounting to £1,024,234. This money is being used to deliver nine new homes across three sites on Canvey, which are currently under construction.
- 4.10 Members will also note that there are contributions amounting to £145,300 for healthcare provision. These all relate to developments in the Benfleet Primary Care Network (PCN) area and officers are in conversations with the NHS and local GP services to implement a project in this PCN area within the next 6-12 months. More details will be provided to the Cabinet at an appropriate stage in the process.

5. Corporate Implications

(a) Financial Implications

There are no direct financial implications arising from this report.

(b) Legal Implications

S106 Agreements are legally binding agreements or planning obligations with all persons with an interest in any land affected by a planning obligation including freeholders, leaseholders, holders of any estate contract and mortgagees attached to the granting of planning permission. Monies received because of them must be spent in accordance with those agreements.

(c) Human Resources and Equality Implications

Human Resources

There are no human resource implications arising from this report.

Equality Implications

There are no direct equality implications arising from this report. However, where S106 Agreements are used to secure affordable housing or improvements to local infrastructure or services this has benefits for the whole community, including those with protected characteristics.

(d) IT and Asset Management Implications

There are no IT implications arising from this report.

There are no direct asset management implications arising directly from this report. However, there may be instances where S106 Agreements are used to enhance Council Assets. S106 Agreements cannot however be used to address existing deficits in maintenance or provision.

8. Background Papers

As highlighted in the report

Report Author:

Amanda Parrott – Planning Policy Manager

S106 Clauses Active with Castle Point Borough Council – Correct at 31st March 2023

(note: ECC manages clauses related to Education, Libraries, Youth Services and Highways separately)

Application	Decision Date	Expiry Date	Site	Clause	Monetary Contribution	Deadline for Spending	Non-monetary Contribution	Status
2011/2012								
CPT/511/10/FUL	19/05/2011	N/A - commenced	Morrisons, High Street, Hadleigh	Air Quality Monitoring	£14,117	-	-	Received but partially unspent
2012/2013								
CPT/697/11/FUL	08/01/2013	N/A - commenced	Ashcroft Place, Kiln Road, Benfleet	Shipwrights Meadow Management Plan	£61,110	No deadline. S106 reviewed – deadline relates to health spend only in para 6.2 as in subparagraph 6.2.2.	-	Received but partially unspent
CPT/697/11/FUL	08/01/2013	N/A - commenced	Ashcroft Place, Kiln Road, Benfleet	Monitoring of Shipwrights Meadow Management Plan	£15,000		-	Received but Unspent
CPT/697/11/FUL	08/01/2013	N/A - commenced	Ashcroft Place, Kiln Road, Benfleet	Healthcare Contribution	£101,023	July 2024	-	Received. Held for NHS
2013/2014								
CPT/358/12/FUL	16/12/2013	N/A - commenced	Brickfields, Great Burches Road, Thundersley	Monitoring of management of woodlands and grassland	£3,500	-	-	Received but Unspent
2015/2016								
14/0602/FUL	02/10/2015	N/A – commenced	r/o 201-219 Kiln Road, Benfleet	Monitoring	£5,875	-	-	Received but Unspent

14/0602/FUL	02/10/2015	N/A – commenced	r/o 201-219 Kiln Road, Benfleet	Healthcare Contribution	£23,300	-	-	Received. Held for NHS
2016/2017								
14/0707/OUT	10/11/2016	N/A – commenced	Land South of Roscommon Way, Canvey Island	Open Space			Provision and Management of open space	OVERDUE – resolution being discussed with developer
14/0707/OUT	10/11/2016	N/A – commenced	Land South of Roscommon Way, Canvey Island	Ecology	-	-	Ecology Mitigation Plan	OVERDUE – resolution being discussed with developer
14/0707/OUT	10/11/2016	N/A commenced	Land South of Roscommon Way, Canvey Island	Drainage	-	-	Surface Water Drainage Management Plan	OVERDUE – resolution being discussed with developer
15/0293/RES	31/03/2017	N/A – commenced	Land Opposite Morrisons, Northwick Road, Canvey Island	Landscape	-	-	Landscape Management and Maintenance Plan	OVERDUE – a resolution will be sought when this proposal is substantially implemented
15/0709/FUL	06/12/2016	N/A – commenced	Solby Wood Farm, Daws Heath Road, Benfleet	Affordable Housing NO LSVR	£1,420,351	-	-	OVERDUE – resolution being explored
15/0709/FUL	06/12/2016	N/A – commenced	Solby Wood Farm, Daws Heath Road, Benfleet	Open space and children's playspace			Provision and management of open space	Received – requirement discharged
2019/2020								
17/0964/OUT	22/07/2019	22/07/2022	Walsingham House, Lionel Road, Canvey Island, SS8 9DE	Affordable Housing		-	12 Homes	Superseded by 21/0688/FUL which has been implemented – will be removed from list

17/0964/OUT	22/07/2019	22/07/2022	Walsingham House, Lionel Road, Canvey Island, SS8 9DE	Essex Coast RAMS	£3,913	-	-	Superseded by 21/0688/FUL which has been implemented – will be removed from list
18/0638/FUL	09/07/2019	09/07/2022	The Haystack Car Park, Long Road, Canvey	Essex Coast RAMS	£2,100	-	-	Received – to be transferred to Chelmsford 2023
18/1016/FUL	19/08/2019	N/A – commenced	359-396 London Road, Benfleet	Essex Coast RAMS	£2,935.20	-	-	Received and Spent – requirement discharged
18/1016/FUL	19/08/2019	N/A – commenced	359-396 London Road, Benfleet	Affordable Housing	£213,797.78	-	-	Received – development of AH underway will be spent in 2023/24
18/1081/FUL	23/07/2019	N/A – commenced	30-32 Essex Way, Benfleet	Essex Coast RAMS	£1,589	-	-	Received and Spent – requirement discharged
19/0549/FUL	31/03/2020	N/A – commenced	Chase Nurseries, The Chase, Thundersley	Affordable Housing	£492,806	-	-	Received – development of AH underway will be spent in 2023/24
19/0549/FUL	31/03/2020	N/A – commenced	Chase Nurseries, The Chase, Thundersley	LSVR	£160,590			OVERDUE – resolution being discussed with developer
19/0549/FUL	31/03/2020	N/A – commenced	Chase Nurseries, The Chase, Thundersley	Essex Coast RAMS	£2,323.70	-	-	Received – to be transferred to Chelmsford 2023
19/0549/FUL	31/03/2020	N/A – commenced	Chase Nurseries, The Chase, Thundersley	Open Space	-	-	Provision and Management of open space	Received – requirement discharged
19/0549/FUL	31/03/2020	N/A – commenced	Chase Nurseries, The Chase, Thundersley	Healthcare	£7,360	-	-	Received. Held for NHS
2020/2021								

14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Affordable Housing NO LSVR	-	-	17 Homes	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Open Space	-	-	4.5ha	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Essex Coast RAMS	£14,257.60	-	-	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Indoor sport & recreation	£238,941.92	-	-	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	CCTV and Public Realm	£40,500	-	-	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Apprentice Scheme			Construction stage apprentices	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Tidal Defence Works	£18,665.92	-	-	Expired – will be deleted from list
14/0620/FUL	29/05/2020	29/05/2023	Land at Thorney Bay, Canvey Island	Pedestrian access to seawall	£73,376.80	-	-	Expired – will be deleted from list
19/0231/OUT	06.08.2020	05/08/2023	Land At London Road And West Of Rhoda Road North Thundersley Benfleet	Affordable Housing NO LSVR	£864,960			Planning permission not implemented
19/0231/OUT	06.08.2020	05/08/2023	Land At London Road And West Of Rhoda Road North Thundersley Benfleet	Healthcare	£8,349			Permission not implemented
19/0231/OUT	06.08.2020	05/08/2023	Land At London Road And West Of Rhoda Road North Thundersley Benfleet	Essex Coast RAMS	£2,762.76			Permission not implemented

19/0686/FUL	02/06/2020	N/A – commenced	19-27 Kents Hill Road, Benfleet	Essex Coast RAMS	£2,954.17	-	-	Received and spent – requirement discharged
19/0686/FUL	02/06/2020	N/A – commenced	19-27 Kents Hill Road, Benfleet	Affordable Housing	£190,552	-	-	Received and spent – requirement discharged
19/0686/FUL	02/06/2020	N/A – commenced	19-27 Kents Hill Road, Benfleet	LSVR	£27,078			Received – development of AH underway will be spent in 2023/24
19/0697/FUL	27/10/2020	N/A – commenced	341-347 London Road, Hadleigh	Affordable Housing NO LSVR	£100,000	-	-	Received – development of AH underway will be spent in 2023/24
19/0697/FUL	27/10/2020	N/A – commenced	341-347 London Road, Hadleigh	Essex Coast RAMS	£4,269.72	-	-	Received – to be transferred to Chelmsford 2023
19/0697/FUL	27/10/2020	N/A – commenced	341-347 London Road, Hadleigh	Healthcare	£13,616	-	-	Received. Held for NHS
19/0764/FUL	02/02/2021	N/A – commenced	Haron Close / Long Road, Canvey Island	Affordable Housing	£135,229.98		-	Requirement not triggered to date
19/0764/FUL	02/02/2021	N/A – commenced	Haron Close / Long Road, Canvey Island	LSVR			-	Requirement not triggered to date
19/0764/FUL	02/02/2021	N/A – commenced	Haron Close / Long Road, Canvey Island	Essex Coast RAMS	£3,013.92	-	-	Received – to be transferred to Chelmsford 2023
20/0655/RES	25/11/2020	N/A – commenced	54 Beech Road, Hadleigh	Essex Coast RAMS	£1,758.12	-	-	Received and Spent – requirement discharged
20/0844/FUL	25/01/2021		592 High Road	Essex Coast RAMS	£251.16			Received and spent – requirement discharged
20/0845/FUL	02/02/2021	02/02/2024	Land Adjacent To 15 Tabora Avenue, Canvey Island	Essex Coast RAMS	£125.58	-	-	Permission not implemented

20/0887/CPARR	09.02.2021		125 London Road, Benfleet	Essex Coast RAMS	£125.58			Received – to be transferred to Chelmsford 2023
20/0897/FUL	03/02/2021	N/A – commenced	33 Croft Road, Benfleet	Essex Coast RAMS	£125.58			Received and Spent – requirement discharged
20/0953/FUL	08/02/2021	N/A – commenced	10 Crescent Road, Benfleet	Essex Coast RAMS	£125.58			Received and Spent – requirement discharged
21/0002/FUL	01/03/2021	01/03/2024	7 St Marys Drive, Benfleet	Essex Coast RAMS	£376.74	-	-	Permission not implemented
21/0004/FUL	16/03/2021	16/03/2024	599-601 London Road, Hadleigh	Essex Coast RAMS	£627.90	-	-	Superseded by 21/0854/FUL – To be removed from list
21/0006/FUL	08/03/2021	08/03/2024	Land Adjacent To 10 Elmhurst Avenue, Benfleet	Essex Coast RAMS	£251.16	-	-	Received – transferred to Chelmsford 2022
21/0032/FUL	24/03/2021	24/03/2024	150 London Road, Benfleet	Essex Coast RAMS	£125.58	-	-	Received – to be transferred to Chelmsford 2023
21/0059/FUL	23/03/2021	23/03/2024	44-54 Winterswyk Avenue, Canvey Island	Essex Coast RAMS	£1,018.40	-	-	Received – transferred to Chelmsford 2022
21/0067/FUL	19/03/2021	19/03/2024	Land Adj To 573 High Road, Benfleet	Essex Coast RAMS	£251.16	-	-	Received but permission not implemented
2021/2022								
21/0107/FULCLC	-02/06/21	-01/06/24	Land Adjacent to 2 Cedar Road, Canvey Island	Essex Coast RAMS	£251.16	-	-	Received but permission not implemented
21/0190/FUL;	13.05.2021	12.05.2024	Monico PH Eastern Esplanade, Canvey Island	Essex Coast RAMS	£1018.40			Received but permission not implemented
21/0193/FUL	28.04.2021	27.04.2024	76 Homefields Avenue, Benfleet	Essex Coast RAMS	£125.58			Received – to be transferred to Chelmsford 2023

21/0333/FUL:	27.05.2021	26/05/2024	66 Wavertree Road, Benfleet	Essex Coast RAMS	£509.20			Received but permission not implemented
21/0428/FUL	31.08.2021	30/08/2024	363 London Road, Hadleigh	Essex Coast RAMS	£763.80			Received – to be transferred to Chelmsford 2023
21/0429/FUL	20.08.2021	19.08.2024	85 Furtherwick Road, Canvey Island	Essex Coast RAMS	£127.30			Permission not implemented
21/0452/FUL	25.06.2021	24.06.2024	62 Hill Road Benfleet	Essex Coast RAMS	£753.48			Received and spent – requirement discharged
21/0496/FUL	09/07/2021	08/07/2024	45 Wavertree Road, Benfleet	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0509/FUL	13/07/2021	12/07/2024	Adj. 14 Station Approach, Canvey Island	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0520/FUL	20/07/2021	19/07/2024	4 Fleetwood Close, Canvey Island	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0559/FUL	22/07/2021	21/07/2024	22 Seaview Road, Canvey Island	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0604/FUL	11/08/2021	10/08/2024	R/O 33 Croft Road, Benfleet	Essex Coast RAMS	£509.20			Received – transferred to Chelmsford 2022
21/0605/FUL	13/08/2021	12/08/2024	47 Castle Road, Hadleigh	Essex Coast RAMS	£254.60			Received but permission not implemented
21/0645/FUL	12/08/2021	11/08/2024	42 Zelham Drive, Canvey Island	Essex Coast RAMS	£254.60			Received – transferred to Chelmsford 2022
21/0659/FUL	19/08/2021	18/08/2024	323-325 London Road	Essex Coast RAMS	£254.60			Received but permission not implemented
21/0675/FUL	18/08/2021	17/08/2024	316 Hart Road Thundersley	Essex Coast RAMS	£127.30			Permission not implemented

21/0739/FUL	27/09/2021	26/09/2024	555 London Road, Hadleigh	Essex Coast RAMS	£763.80			Received but permission not implemented
21/0764/FUL	04/10/2021	03/10/2024	43-59 High Road Benfleet	Essex Coast RAMS	£381.90			Received – transferred to Chelmsford 2022
21/0797/FUL	11.10.2021		1a Grafton Road, Canvey Island	Essex Coast RAMS	£127.30			Received – transferred to Chelmsford 2022
21/0817/FUL	08.05.2021	07/05/2024	R/O 171-217 Link Road, Canvey Island	Essex Coast RAMS	£381.90			Received but permission not implemented
21/0854/FUL	03/11/2021	02/11/2024	601 London Road,	Essex Coast RAMS	£254.60			Received – to be transferred to Chelmsford 2023
21/0862/FUL	24/02/2022	23/02/2025r/o	9 High Street, Benfleet	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0872/FUL	26/11/2021	25/11/2024	178 High Road, Benfleet	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0888/FUL	08/11/2021	07/11/2024	2 Elm Road. Canvey Island	Essex Coast RAMS	£381.90			Received – to be transferred to Chelmsford 2023
21/0967/FUL	20/12/2021	19/12/2024	Durham Dene, Merton Road, Benfleet	Essex Coast RAMS	£127.30			Received but permission not implemented
21/0981/FUL	20/12/2021	19/12/2024	50 Westerland Avenue, Canvey Island	Essex Coast RAMS	£254.60			Permission not implemented
21/0984/FUL	20/12/2021	19/12/2024	Adj. 14 Station Approach, Canvey Island	Essex Coast RAMS	£517.00			Received but permission not implemented
21/1085/FUL	02/02/2022	01/02/2025	10 Crescent Road, Benfleet	Essex Coast RAMS	£127.30			Received but permission not implemented
2022/2023								

19/0626/FUL	06.05.2022	05.05.2025	Land at 71 Watlington Road, Benfleet	Essex Coast RAMS	£509.20			Permission not implemented
21/0688/FUL	06/04/2022	05/04/2025	Walsingham House, Lionel Road.	Essex Coast RAMS	£1145.70			Received – transferred to Chelmsford 2022
21/0813/FUL	26.05.2022	25.05.2025	Hobsons, Kenneth Road.	Affordable Housing NO LSVR			3 First Homes	Requirement not triggered to date
21/0813/FUL	26.05.2022	25.05.2025	Hobsons, Kenneth Road.	Healthcare	£11,270			Requirement not triggered to date
21/0813/FUL	26.05.2022	25.05.2025	Hobsons, Kenneth Road.	Essex Coast RAMS	£3,819			OVERDUE – payment being sought
22/0170/FUL	20.04.2022	19.04.2025	5 Tudor Road, Canvey Island	Essex Coast RAMS	£254.60			Received but permission not implemented
22/0223/FUL	20.04.2022	19.04.2025	44 Paarl Road, Canvey Island	Essex Coast RAMS	£127.30			OVERDUE – payment being sought
22/0229/FUL	16.05.2022	15.05.2025	16 Green Road Benfleet	Essex Coast RAMS	£127.30			Received – transferred to Chelmsford 2022
22/0308/FUL	12.07.2022	11.07.2025	27 Green Road, Benfleet	Essex Coast RAMS	£137.71			Received but permission not implemented
22/0461/FUL	07.09.2022	06.09.2025	Rear of 316/320 High Road, Benfleet	Essex Coast RAMS	£936.97			Received but permission not implemented
22/0878/FUL	08.02.2023	07.02.2026	49 Church Road, Thundersley	Essex Coast RAMS	£275.42			Permission not implemented
22/0482/FUL	08.03.2023	07.03.2026	Chapman Sands Sailing Club, Canvey	Essex Coast RAMS	£963.97			Received but permission not implemented
22/0887/FUL	27.03.2023	26.03.2026	Land Adj 6 Herbert Road, Canvey Island	Essex Coast RAMS	£137.71			Received but permission not implemented

22/0914/FUL	29.03.2023	28.03.2026	32 Poors Lane, Hadleigh	Essex Coast RAMS	£137.71			Received but permission not implemented
23/0067/FUL	29.03.2023	28.03.2026	Land corner of Smallgains Avenue and Gifhorn Road, Canvey	Essex Coast RAMS	£137.71			Permission not implemented
22/0871/FUL	30.03.2023	29.03.2026	5 Watlington Road, Benfleet	Essex Coast RAMS	£275.42			Received but permission not implemented

CABINET

19th July 2023

Subject: **Knightswick Car Park – Change in operational arrangements**

Cabinet Member: **Councillor Fuller – Environment**

1. Purpose of Report

To seek Cabinet endorsement of the proposed future arrangements for the management of the Knightswick Shopping Centre Car Park.

2. Links to Council's Priorities and Objectives

This item concerns the Knightswick Centre and generation of revenue income which can support all Corporate Plan Priorities - Economy and Growth, People, Place and Environment.

3. Recommendations

That Cabinet;

(1) Endorse the adoption of option 2 as set out below, whereby enforcement of the Knightswick Car Park parking terms and conditions is included within the scope of the Service Level Agreement with Chelmsford City Council for off-street parking enforcement, and that Cabinet

(2) Task the Environment Policy and Scrutiny Committee with reviewing the car parking terms and conditions for the Knightswick Car Park as part of its wider off street car parking review and to report back to Cabinet with its recommendations.

4. Background

- 4.1 The Council purchased the Knightswick Shopping Centre (the Centre) and its Car Park in October 2019. At that time the car park was operated using Pay and Display, supported by minimal parking enforcement. Whilst the majority of visitors paid for use of the car park, a significant number did not, resulting in an inequitable system and a loss of potential income.
- 4.2 In November 2020 the Council's agent for the Knightswick Centre (Montagu Evans), engaged Smart Parking Limited (Smart Parking) to operate the car park using Automatic Number Plate Recognition (ANPR). The scale of charges

remained unchanged and visitors holding a blue badge were exempt. A 20 minute free “drop off” time was also established. Revenue generated through Parking Charge Notices and all associated enforcement costs in relation to the car park fall to Smart Parking. The use of ANPR effectively enables 100% enforcement meaning it is impossible for visitors to avoid payment.

4.3 The success of the arrangement from a financial perspective is evident from the following table which summarises revenue generated through parking charges (excluding PCNs). This income is retained by the Council and preserved in the Council’s accounts for uses associated with the Knightswick Centre.

Income Receipts		Net £	VAT £	Gross £
2019/20	5 months	41,059	8,212	49,270
2020/21	12 months	47,913	9,583	57,496
2021/22	12 months	113,433	22,687	136,119
2022/23	12 months	120,866	24,173	145,039
ANPR Introduced November 2020				

Table 1 – Fees and Charges Income Knightswick Car Park (excluding PCN revenue)

4.4 However, visitors to the car park have been dissatisfied with the enforcement regime, particularly the aspect relating to PCNs. The contract with Smart Parking is shortly due to come to an end following notice and the Council has considered a number of alternative options which are set out further on in this report.

5. Enforcement – Parking Charge Notices (PCN)

5.1 Under the existing contract income generated from PCNs is collected and retained by Smart Parking. This income offsets the costs incurred by Smart Parking including staffing, cash collection and maintenance of the machines. Once the contract with Smart Parking comes to an end these costs will fall to the Council unless a similar agreement is put in place with a new service provider.

5.2 At the end of June 2023, 15,435 PCNs had been issued by Smart Parking of which 2,917 had been cancelled. Since the start of this calendar year to 27th June, 690 PCNs had been raised of which 155 were appealed resulting in 42 cancellations. PCN income amounts to approximately **£212k** per year.

6. Options for management and enforcement

The following paragraphs summarise the alternative operational options which have been considered, alongside a summary of pros and cons:

6.1 Option 1: Replace Smart Parking with a new external provider.

Same arrangement as with Smart Parking, but with another company. It would likely be possible to introduce some refinements to the agreement based on our experience.

Pros	Cons
Regular users of the car park are now familiar with how the car park operates and many difficulties have been resolved.	The continued use of ANPR may continue the same negative perception from users of the centre.
Management is arms-length with the Council not dealing directly with issues.	Procurement exercise required in order to engage new provider.
Ensures user pays.	If the user inputs the incorrect vehicle registration number or overstays their paid time, this will result in a PCN which will result in negative perception.
No enforcement resource needed on the ground to inspect.	Users can and do get their registration numbers wrong and incur PCN's even if they have paid which will continue to give rise to an additional administrative burden.
No issuing of P&D tickets or need to purchase and replenish of tickets.	Cash collection from machines is costly and low charges ensure machines fill up quickly with small coinage (although this cost would fall to the service provider). Machines can breakdown (e.g. coins jammed or vandalism) with potential loss of income from parking charges
Reduced mechanical breakdown of machines that do not have to issue tickets (ticket jams are a regular occurrence).	Retention of blue badge exemption combined with ANPR will continue to give rise to difficulties.
Contracted to have machines repaired within specific timeframe (through provider).	PCNs are not issued for poor parking (e.g., where vehicles take up two spaces) or if they park in disabled bays.
Allows the customer to make payment through a mobile app, SMS text message, contactless and cash.	

Where no tickets are issued this is more sustainable, both in terms of ticket manufacturing but also waste around the car park in terms of litter of discarded tickets.	
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

6.2 **Option 2: Manage In-house: Enforcement through Chelmsford City Council**

Incorporating the Knightswick car park into the operational arrangements which are in place in respect of the Council's other off-street car parks. Additional costs would be dependent on how much enforcement time would be required.

A Road Traffic Regulation order will need to be made to cover enforcement under the Traffic Management Act (minimal costs).

Enforcement via physical inspection regime.

Pros	Cons
Already in place with staff and back office set up and ready to accept additions.	Chelmsford City Council management fee will be deductible.
Removal of ANPR and boost to public perception.	Removal of ANPR (installation having already been funded).
Chelmsford City Council will deal with enforcement and appeals.	Users can avoid payment between inspections (take a chance etc), tickets can be passed to other users unless registration numbers are needed. Use of registration numbers subject to user error.
Mi Permit option could be introduced (operational in other car parks).	Pay and display will mean new machines and regular purchase and replenishment of tickets (by either Council or Centre Staff). Machines that issue tickets can and do breakdown.
The Council will benefit from income from service of Penalty Charge Notices as set out in the Service level Agreement with Chelmsford City Council.	Cash collection costs.
	Off Street Service Level Agreement with Chelmsford City Council will need to be amended to include the Knightswick car park.

	Off Street Parking Order will be required to allow enforcement under the Traffic Management Act
--	-------------------------------------------------------------------------------------------------

6.3 Option 3: Manage In-house: Pay at machine / on exit.

As operated at The Royals Shopping Centre, Southend.

Pros	Cons
Easily understood concept of payment for the time used.	Council / centre staff dealing with issues (machinery / ability to raise a barrier).
Ensures user pays.	Removal of ANPR (installation having already been funded).
No ANPR or enforcement necessary and therefore minimal staffing impact.	Need to ensure perimeter of the car park is secure.
Pay on exit ensures visitors can't overstay etc and only pay for their time in the car park. Allows users to extend their stay.	Installation of Barriers will be required and set back into the car park (e.g., two entry and exit barriers to cover mechanical breakdowns). Would result in a loss of car parking spaces (to be quantified).
Users don't have to input car registration numbers and as PCNs are not issued there is limited administration.	Staff will need to be onsite to ensure breakdowns and lost ticket issues are addressed quickly.
	Cash collection required.
	Initial set up cost in terms of capital expenditure being required.
	Unable to continue with free parking for disabled users.
	Potential loss of car parking income if barrier is damaged/not operational

6.4 Option 4: Provision of free parking.

Pros	Cons
No enforcement.	Significant revenue foregone.
Would assist in attracting shoppers to the centre and the town as a whole and for a longer period.	No control or management of usage.

	No control over how long cars stay in the facility or where they stay (disabled bays) - unless ANPR remains for maximum stay.
	Likely to attract antisocial use of the car park which could detract and discourage shoppers. Potential detrimental impact on Oak Road car park – currently a chargeable Council car park.
	Potential detrimental impact on businesses and shoppers if car park is used for all day parking by town centre workers

6.5 **Option 5: ANPR and pay on exit.**

ANPR logs the vehicle registration number on entering the car park. User puts registration number in machine on the way out and is charged for their stay.

As operated at Basildon multi-storey.

Pros	Cons
No enforcement resource needed on the ground to inspect.	Need to ensure perimeter of the car park is secure.
Easily understood concept of payment for the time used.	Cash collection costs.
Ensures user pays and cannot overstays.	Potential issues with free disabled parking.

6.6 Option 2 is the preferred option and is expanded below.

7. Knightswick Centre car park – fees and charges

7.1 The fees and charges structure at the Knightswick car park has remained unchanged since the Council took ownership with existing charges being significantly different to those in operation at the Council's other car parks.

Existing Parking Charges			
		Knightswick Centre	Other CPBC Chargeable Car Parks
Up to:	1 hour	30p	£1.00
	2 hours	50p	£1.60
	3 hours	60p	£3.00
	4 hours	80p	>3 hours (daily charge) £3.50 - £6.50
	5 hours	£1.50	-
	Over 5 hours	£10.00	£3.50 - £6.50 (Daily Charge)

Table 2 – Comparison of Knightswick Centre charges with CPBC charges

7.2 It is proposed that the Environment Policy and Scrutiny Committee be requested to consider future charging options and conditions of use when undertaking its wider review of Council operated car parks and to report back to Cabinet with its recommendations.

8. Recommended option

8.1 The enforcement option felt to be the best fit for the needs of the centre and to be compatible with the operation of the council's other car parks is option 2 above.

8.2 It is not proposed to make changes to the fees and charges structure at the car park at the current time.

8.3 The existing Off Street Parking Enforcement Service Level Agreement with Chelmsford City Council will need to be amended to include the Knightswick Car Park and the number of enforcement hours required each week. A Management fee will be payable to Chelmsford City Council but this Council will benefit from all income from Penalty Charge Notices.

8.4 This Council will be responsible for the maintenance of the car park and associated equipment and signage, as well as for setting car parking charges and arranging cash collection from the machines. However the cost of this should be mitigated by income from the Knightswick Centre and the detail of

this will need to be considered by the PSC as part of their overall review of the car parking terms and conditions.

9. Corporate Implications

(a) Financial Implications

The anticipated implications of the recommended option are set out in the table(s) below. All costs and predicted income are prudent estimates based on specific assumptions and have been expressed as full year equivalent costs / revenues. In the event, the first year costs and revenues will likely relate to a part financial year.

COSTS	Year 1	Year 2	Year 3	Year 4	Year 5
Total current and future estimated costs	64,400	26,900	27,400	27,900	28,500
Implementation Costs (one-off)	38,000				
- Four parking machines including installation	36,000				
- Replacement signage	1,000				
- Other costs	1,000				
Ongoing Operational Costs (including inflation in later years)	26,400	26,900	27,400	27,900	28,500
- Cash collection	5,000	5,100	5,200	5,300	5,400
- Machine maintenance	3,800	3,900	4,000	4,100	4,200
- Purchase of tickets	2,000	2,000	2,000	2,000	2,000
- Chelmsford City Council	12,000	12,200	12,400	12,600	12,900
- Officer time	2,600	2,700	2,800	2,900	3,000
- Lighting / electrical	1,000	1,000	1,000	1,000	1,000

To contrast, these costs (or equivalent) are currently absorbed by Smart Parking and offset against the revenue generated by PCNs. The cost of the Chelmsford City Council (SLA) is an additional cost.

Purchase and installation of new machines and signage is necessary to support the proposed option as existing machines cannot be adapted and signage will require updating.

The table above assumes 2 hours a day patrolling presence through the service level agreement with Chelmsford City Council but this will be kept under review.

The following table summarises the potential net income using costs set out in the table above and assuming fluctuations in income, which may arise due to the change in enforcement regime.

	£	Year 1	Year 2
10% positive impact on income	117,780	(53,380)	(90,880)
5% positive impact on income	112,427	(48,027)	(85,527)
No change (modelled outcome)	107,073	(42,673)	(80,173)
5% negative impact on income	101,719	(37,319)	(74,819)
10% negative impact on income	96,366	(31,966)	(69,466)

“No change” shown in the table above is the current (modelled) level of income generated by the Knightswick Car Park assuming the existing charging structure. Year 1 costs include one-off costs of £38k (as shown in the table above), and therefore the net gain in the first year would be expected to be lower than in subsequent years.

The table shows that a 5% increase in income would result in an overall net income of £85.5k in year 2 (full year without implementation costs). This would represent an increase of c£5k over the existing income. Conversely a 5% reduction in income would result in a net reduction of £5k.

Changes in income levels would also have an impact on cash collection costs, and changes in usage of the car park would impact on the volume of tickets required. These costs are not significant and modelling variations is not particularly meaningful. The largest cost is in relation to the use of Chelmsford City Council for patrolling / enforcement. A reduction in patrolling time from two hours per day to one hour per day would reduce costs by £6k but a lower level of patrolling may also impact on income generated through PCNs. Patrolling also ensures a visible enforcement and minimises visitors “taking a chance” on non-payment of parking fee.

Given the significant change in level of enforcement it is not possible to determine with any precision what level of PCN revenue the Council may receive. For that reason none has been assumed.

(b) Legal Implications

The Knightswick car park is currently operated as a private car park and any parking contraventions are dealt with by way of the service of Parking Charge Notices (PCNs). However, under this preferred option an Off Street Parking Order will need to be made under the Traffic Management Act so that Chelmsford City Council can undertake the enforcement of the parking restrictions and issue Penalty Charge Notices for any contraventions of the Off Street Parking Order. Public consultation will be required before the Order can be made.

The existing Off Street Parking Order which covers the Council’s other car parks will require amendment to reflect the need to make parking in electric vehicle charging bays an offence and to reflect any other changes to the Council’s Car Parking Policy recommended by the Environment and Policy Scrutiny Committee which are subsequently endorsed by Cabinet. It is proposed that the inclusion of the Knightswick car park is dealt with at the same time that any other amendments to the Order are made.

Smart Parking has been given notice that the existing contract will be terminated in October 2023, but in order to ensure continuity of service Smart

Parking has agreed that it will continue to provide the enforcement service on a rolling basis until such time that the Council has all the necessary arrangements in place to take over the enforcement of the parking terms and conditions.

(c) Human Resources and Equality Implications

Human Resources

Some cost has been allowed for in the financial modelling for CPBC officer time. The Knightswick car park will be managed alongside the council's other car parks and be overseen ultimately by CPBC officers.

Equality Implications

Parking for blue badge holders will be simplified and they will be able to continue to park free of charge providing they prominently display their blue badge. Unlike the current regime, no other action will be required of them.

(d) IT and Asset Management Implications

The existing ANPR equipment will be removed. Existing machines will be replaced with traditional pay and display machines.

10. Timescale for implementation and Risk Factors

The target date for implementation coincides with the termination of the Smart Parking contractual agreement. However, implementation of the proposed new arrangements will be dependent on having the new Off Street Parking Order and the revised Service Level Agreement with Chelmsford City Council in place. The removal of ANPR will potentially have a detrimental impact on income which the Council will receive from parking charges and Penalty Charge Notices.

11. Background Papers

None

Report Author: Chris Mills – Strategic Director
Trudie Bragg – Head of Environment

AGENDA ITEM NO. 9

CABINET

19th JULY 2023

Subject: **3G Football Pitch replacement at Waterside Farm Leisure Centre**

Cabinet Member: **Councillor Blackwell – Leader of the Council**

1. Purpose of Report

- a) To advise Cabinet that the existing 3G football pitch and light columns at Waterside Farm Leisure Centre have reached their end of life and require replacement; and**
- b) To seek funding over and above that which has already been budgeted for to enable the pitch to be brought up to a FA compliant standard.**

2. Links to Council's Priorities and Objectives

This proposal links with the Council's Environment priority.

3. Recommendations

That Cabinet

- (a) Approves the creation of a capital scheme for resurfacing and upgrading of the 3G pitch to meet current FA guidelines;**
- (b) Gives the s151 Officer delegated authority to approve the necessary drawdown from reserves to cover the anticipated budget shortfall once the tendered price is known; and**
- (c) Notes that once the new pitch is in place, net income generated above budgeted levels will be placed in an earmarked reserve to contribute towards future replacement costs.**

4. Background

The 3G pitch at Waterside Farm was resurfaced in 2012 and the budget to replace this popular facility after ten years, i.e. its anticipated life expectancy, was set based on costs at that time. However, recent increases in inflation and changes in FA guidance mean that costs have increased and there is an

anticipated budget shortfall. The feasibility study undertaken by Surface Standards Ltd in May 2023 estimated the replacement cost to be £438,000 which is considerably more than the £341,000 which has been budgeted for.

Numerous patch repairs have been undertaken to the pitch in recent years, but this is no longer a viable option and maintenance costs are increasing with age. The existing facility and light columns have now reached their end of life and require replacement or decommissioning.

The Council has the option to replace the pitch with a like for like replacement, however the existing pitch does not comply with FA guidelines. As such the pitch is not maximising participation and is unusable for many grass roots football teams. A like for like replacement would save £38,000 albeit it would still be £59,000 over the budget approved by Council for the pitch replacement. In addition to not complying with FA guidance, the pitch would not maximise the social value of the facility and the future marketability of the pitch would be reduced because of its non-compliance with FA guidance.

The local playing pitch strategy has identified a lack of artificial football pitches within the Borough. The upgrading of the pitch in accordance with new FA guidance will increase the number of small pitches from three to four, in addition to the existing full size 11-a-side pitch. This will increase the number of football teams and players who can use the facility at any one time, and address demand from local football teams as evidenced in the Playing Pitch Strategy. Increasing the number of pitches also increases the potential income the Council can get from pitch hire.

It is not possible to accurately predict the potential additional income as a consequence of having four smaller pitches as opposed to three or of having better scheduling of pitch hire particularly during off peak periods but a 30% increase on current net income would be a reasonable expectation.

The Council has the option to decommission and not replace the pitch. This option will save resources however the costs to demolish the pitch are unknown at this moment in time and it would not be consistent with the Playing Pitch Strategy which has identified the need for more, not fewer pitches. Demolition of the pitch and the loss of pitch hire income would also impact adversely on the revenue budget. Therefore this option is not recommended. Simply closing the pitch because it is no longer safe to play on is also not an option as from experience people will still try to access it and the Council would potentially be liable for any insurance claims for injuries incurred whilst on the pitch.

To future proof the venue the preferred option is to replace the pitch in line with FA guidance to maximise participation. In accordance with FA guidance the refurbished facility will have a new small standing spectator zone and additional storage will be installed on site.

The existing light columns will be upgraded to energy efficient LED technology to reduce the carbon footprint the facility has on the local environment.

To minimise disruption to existing users the Council is seeking to complete the works this financial year, and ideally as soon as possible to prevent as much disruption as possible during the forthcoming new football season.

The Council with the support of the Essex FA is in the process of exploring various operating models with a view to maximising usage of the football pitch by better pitch programming and reducing the anti-social behaviour and vandalism which unfortunately the facility is prone to.

Any new operating arrangement would need to ensure continued availability of the pitch for community use and be supported by a robust business case.

5. Corporate Implications

(a) Financial Implications

Whilst the Council has allocated £341,000 for the resurfacing of the pitch and replacement of the lights this financial year, a budget shortfall of £97k is envisioned if the Council were to proceed with the fully FA compliant option, or £59k if the Council were to replace the pitch on a like for like basis. A full tender exercise will be required to determine the exact costs.

A drawdown from the general reserve will be required to cover the budget shortfall if the resurfacing/upgrading works are to proceed. The Council's Financial Regulations stipulate that Cabinet approval is required sought for any drawdown from the general reserve in excess of £50k. Therefore, it is proposed to give delegated authority to the s151 Officer to draw down to cover the shortfall once the tendered price is known to avoid any delays in decision making which could impact on users of the facility. Should the tendered price vary significantly from the £438k estimate, the s151 officer will first consult with the Leader of the Council prior to agreeing a drawdown from reserves.

The financial modelling in relation to this project suggests that over an expected 10-year life span, the replacement pitch should more than cover its costs. The first option is a like for like replacement not to FA specification. As can be seen in Table 1 below, the budgeted income for the pitch under this option is £81k per annum. There are then direct costs of maintaining the pitch, staffing to manage the pitch and bookings and other overheads associated with running the pitch. Once these assumptions are factored in, the surplus is forecast to be £61k per annum.

Table 1 Like for Like Replacement	2024/25	10 Years
	£	£
Income	(80,800)	(808,000)
Assumed maintenance	8,000	80,000
Assumed direct staffing cost	6,000	60,000
Assumed other overheads	6,000	60,000
Annual Surplus	(60,800)	(608,000)
Cost of pitch		400,000
Net (Surplus)/Deficit		(208,000)

Once the assumed £400k cost of replacing the pitch has been taken into account, it is estimated that over a 10-year period the pitch could make a surplus of £208k (ignoring any inflationary impacts) which will be reinvested in the Council's leisure services.

The next option is to consider the impact of spending more to make the replacement pitch compliant with FA guidelines. It has been assumed that income levels could increase by 30% as a result of having an additional small pitch as well as the facility being more attractive due to its higher specification. Table 2 below demonstrates the impact of a 30% change to income and applies the same percentage to the assumed costs.

Table 2 FA Compliant Pitch	2024/25	10 Years
	£	£
Income	(105,000)	(1,050,000)
Assumed maintenance	10,400	104,000
Assumed direct staffing cost	7,800	78,000
Assumed other overheads	7,800	78,000
Annual Surplus	(79,000)	(790,000)
Cost of pitch		438,000
Net (Surplus)/Deficit		(352,000)

As can be seen, the annual surplus would increase to £79k, whilst the surplus over 10 years, once the higher cost of the pitch has been taken into account, would be £352k (which is £144k than the first option). Again, this ignores any inflationary impacts.

As it is difficult to ascertain the increased income level that would be achievable from having a FA guideline compliant pitch (an assumption of 30% is demonstrated above), it is important to understand what the risk would be of agreeing the higher cost pitch. It is calculated that the additional £38k cost would be covered by an increase in income of just 6.3% and these figures are demonstrated in Table 3 below.

Table 3 Income Risk	2024/25	10 Years
	£	£
Income	(85,900)	(859,000)
Assumed maintenance	8,500	85,000
Assumed direct staffing cost	6,400	64,000
Assumed other overheads	6,400	64,000
Annual Surplus	(64,600)	(646,000)
Cost of pitch		438,000
Net (Surplus)/Deficit		(208,000)

The Council is discussing with the Essex FA the potential for a contribution towards the costs of this project. However, at present there is no agreement and therefore no outside funding can be assumed towards this project.

As is typical on such projects, the costs include a 5% contingency on the construction cost estimate. Consequently, the forecast shortfall may not be as high as shown above but given the current uncertain financial climate the 5% could equally prove insufficient.

Currently, any surplus generated from the existing pitch is held in leisure services and reduces the net cost of the service to the general fund. Going forward, additional net income generated over and above the budgeted level will be paid into the leisure planned maintenance earmarked reserve and be available to contribute towards the cost of replacing the pitch at the end of its life (or will otherwise be available for spend on maintenance within leisure services as required).

(b) Legal Implications

The Council has a statutory duty to ensure that the pitch, if it available for public use, is maintained in a safe condition. Its poor and deteriorating condition means that unless it is resurfaced in the near future it will soon become unplayable. The Council would be potentially liable for any injury related insurance claims if the pitch was deemed to be unplayable but remained in situ.

The upgrading of the pitch to meet current FA guidelines will require planning consent.

(c) Human Resources and Equality Implications

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

(d) IT and Asset Management Implications

As above.

7. Timescale for implementation and Risk Factors

The project proposal requires planning consent and a full tender exercise. It is envisaged that the project will be delivered within the next 6 months. Supply chain shortages and escalating costs due to rising inflation are risk factors which could impact on the delivery of the project. A decision to not replace the pitch or delays in its replacement will inevitably attract negative publicity.

Report Author:

Shane Williams, Leisure and Community Services General Manager

AGENDA ITEM NO.
10

CABINET

19th July 2023

Subject: **Extension of The Public Spaces Protection Order – (Castle Point Borough Council) 2017 – Dog Fouling.**

Cabinet Member: **Councillor Fuller – Environment**

1. Purpose of Report

To seek approval to extend the Public Spaces Protection Order – (Castle Point Borough Council) 2017 – Dog Fouling for a further three years.

2. Links to Council's priorities and objectives

Extension of the Public Spaces Protection Order supports the Council's Environment objective.

3. Recommendations

It is recommended that:

The Cabinet notes the responses to the consultation and proceeds with the extension of the borough- wide Public Spaces Protection Order for a further three years.

4. Background

- 4.1 In October 2017, the Council utilised the powers available to it in The Anti-Social Behaviour, Crime and Policing Act 2014 and adopted a Borough wide Public Spaces Protection Order for dog fouling.
- 4.2 This Public Spaces Protection Order makes it an offence for any person in charge of a dog which defecates on any land which the public have access to, with or without charge within the Borough of Castle Point, not to remove the faeces from the land forthwith.

4.3 A person who fails to comply with any obligation imposed by this Order is guilty of a criminal offence by virtue of Section 67(1) of the Anti-social Behaviour Crime and Policing Act 2014 and liable to a fine on summary conviction not exceeding level 3 on the standard scale. A Fixed Penalty Notice for £100.00 for the offence can also be served where an Authorised Officer witnesses a person not complying with the requirements of the Order.

4.4 Public Spaces Protection Orders are in place for an initial period of three years but at any point before expiry of an Order it can be extended for up to a further three years if it is considered that it is necessary to prevent the original behaviour from occurring or recurring, the Order was extended on the 1st October 2020. There is a requirement to consult with the local police and any other community representatives felt appropriate regarding a proposed extension to an Order.

4.5 A consultation letter was sent to the following persons on the 22nd May 2023 requesting a response by the 16th June 2023

- The Chief Executive – Essex County Council
- The Police and Crime Commissioner for Essex
- The Police District Commander for Castle Point and Rochford
- The RSPB Senior Sites Manager, South Essex and Wallasea Island Reserves
- The Town Clerk – Canvey Island Town Council

4.6 Responses supporting the extension of the Order were received from the Chief Executive, Essex County Council, via Essex Highways Network Assurance Team, The Town Clerk, Canvey Island Town Council and the Police, Fire and Crime Commissioners for Essex. These responses are attached to this report. There were no other responses.

4.7 Since the introduction of the Order in 2017 dog fouling complaints have been fairly low and no Fixed Penalty Notices have been served. However, evidence of dog fouling is still regularly observed during the course of routine inspections. The problem tends to be worse in the winter months when the daylight hours are shorter and there are less people around.

4.7 If Cabinet agrees to proceed with the extension of the Order a public notice is required to be placed in prominent areas of the Borough for the period of one month from the 1st September 2023, these would include the Council's notice boards, its website and entrances to its public open spaces.

6. Corporate Implications

a. Financial implications

Whilst the Council can keep any income it receives through the service of Fixed Penalty Notices the primary purpose of this Public Spaces Protection Order is to deter offences from being committed and promote responsible dog ownership.

All costs in respect of advertising the public notice will be met by existing budgets.

b. Legal implications

The Council will need to extend the existing Public Spaces Protection Order if it wishes to take enforcement action against a person who does not clean up after his/her dog has fouled on land which the public can access.

To avoid legal challenge the Council will need to satisfy itself extending the Order is necessary and proportionate to the dog fouling problems in the Borough. The proposed Order would not prohibit dogs but would require that owners clean up after their dog has fouled.

The Order would be enforced by existing Borough Council staff who will be authorised and trained to ensure that correct procedures are followed. The Town Council could also if it so wished authorise officers to enforce the Order provided that certain conditions linked to training are satisfied.

Payment of the fixed penalty fine is required within fourteen days to discharge the offence. Failure to pay the fine could result in the offender being prosecuted. There is scope within the legislation to offer a discount for early payment and the guidance recommends that this should not be more than ten days. It is not proposed to offer a discount for early payment as it is likely to cause confusion and offer little benefit to the Council.

c. Human resources and equality implications

There are no additional human resource implications. Enforcement action will only be taken against the small number of irresponsible dog owners.

d. Timescale for implementation and risk factors

A public notice is required to be placed at prominent locations around the Borough from the 1st September 2023 for 1 month. The extension of the Order will take effect from 1 October 2023.

7. Background Papers:

None

Report Author: Stuart Jarvis, Street Scene and Contracts Manger.

Stuart Jarvis

From: TrafficManagement <TrafficManagement@essexhighways.org>
Sent: 19 June 2023 11:35
To: Stuart Jarvis; TrafficManagement
Subject: RE: Ecc14910209 06 23

Good morning

Apologies I was on holiday last week and only returned today.

We would not have an issue with this.

Regards

Olive Porter CIHT, IHE | Network Assurance – Senior Engineer
Highways



SAFER / GREENER / HEALTHIER

Telephone 07548 775739

Olive.Porter@essexhighways.org

Chat with me on Teams

www.essex.gov.uk/highways

For information - My working days are from Monday - Thursday



From: Stuart Jarvis <SJarvis@castlepoint.gov.uk>

Sent: Monday, June 12, 2023 7:22 AM

To: TrafficManagement <TrafficManagement@essexhighways.org>; Stuart Jarvis <SJarvis@castlepoint.gov.uk>

Subject: FW: Ecc14910209 06 23

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir / Madam

Further to the e-mail below, please can I draw your attention to the attached letter

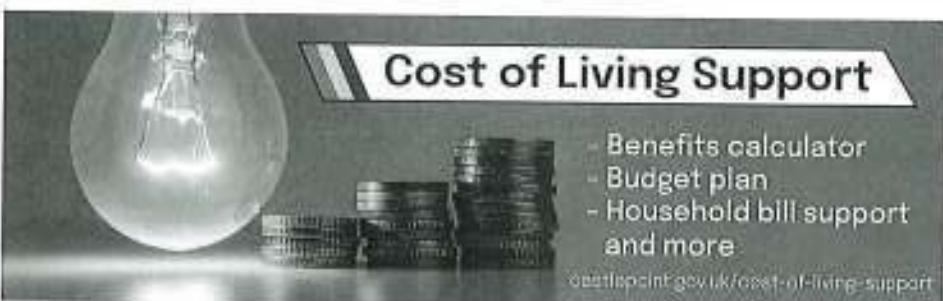
Kind Regards

Stuart

Stuart Jarvis MinstLM
Street Scene & Contracts Manager
Environment Directorate

Keep up to date: Follow on [Twitter](#) / Like on [Facebook](#) / Subscribe on [YouTube](#)

Find out more about our Cost of Living Support



From: Donotreply ECCCustomerServices <Donotreply.ECCCS@essex.gov.uk>

Sent: 09 June 2023 15:55

To: Stuart Jarvis <SJarvis@castlepoint.gov.uk>

Subject: Ecc14910209 06 23

Dear Mr Jarvis

Thank you for your letter dated 22 May 2023 regarding the proposed extension of the Public Spaces Protection Order (Dog Fouling).

Please liaise directly with the Network Assurance team regarding this matter:
Trafficmanagement@essexhighways.org

If you wish to contact us further, please do so via our [online form](#).

Kind Regards

Compliance and Complaints

Customer Services

Essex County Council

www.essex.gov.uk

CEC/CS/CC/EB/RCO

If you would like full details on how ECC uses personal data, please go to www.essex.gov.uk/privacy

Please consider the environment before printing this e-mail. This email (including any attachments) is intended only for the recipient(s) named above. It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person unless express permission is given. If you are not a named recipient, please contact the sender and delete the email from your system. It is the recipient's responsibility to ensure that appropriate measures are in place to check for software viruses. All communications sent to or from the Council may be subject to recording and / or monitoring in accordance with relevant legislation. Castle Point Borough Council does not accept service of documents by email.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



Stuart Jarvis
Street Scene & Contracts Manager
Castle Point Borough Council
Council Offices, Kiln Road
Thundersley, Benfleet
Essex SS7 1TF

23rd May 2023

Dear Stuart,

Castle Point Borough Council - Consultation letter in relation to the Public Spaces Protection Order – 2017 – Dog Fouling

Thank you for your letter dated the 22nd May 2023 in relation to the consultation to extend the Public Spaces Protection Order for a further 3 years.

The Town Council fully support the extension of the Public Spaces Protection Order to ensure that the Council is able to continue to encourage responsible dog ownership and enforce dog fouling contraventions on the public highway and public open spaces.

Yours sincerely,

Mrs E. De Can
Town Clerk



Kelvedon Park

London Road

Rivenhall

Essex

CM8 3HB

Telephone: 01245 291600

Fax: 01245 291601

E-mail: pfcc@essex.police.uk

Date: 16th June 2023

Mr Stuart Jarvis

Street Scene & Contracts Manager

Castle Point Borough Council

Council Offices, Kiln Road,

Thundersley Benfleet

Essex, SS7 1TF

By email: sjarvis@castlepoint.gov.uk

Dear Mr Stuart Jarvis

The PFCC is supportive of the existing PSPO for borough wide dog fouling.

To encourage responsible dog ownership and enforce dog fouling contraventions on land to which the public have access within the Castle Point district the three-year PSPO extension is required.

The PFCC recognises the substantial benefits of utilising powers under The Anti-Social Behaviour, Crime and Policing Act 2014 and the proportionate enforcement to be taken by those who breach it.

This PSPO clearly outlays the activities in question, definitions, and outcomes. It is an effective tool in managing borough wide dog fouling.

Consideration of how to communicate the extension of this PSPO should be given.

Overall, we feel that the PSPO seems proportionate to the detrimental effect of dog fouling within the Castle Point district, and appropriate to prevent it from continuing or occurring in the first instance.

Yours faithfully,

Claire Hanrahan

Community Safety and Criminal Justice Manager

Police, Fire and Crime Commissioner for Essex

Email: Claire.Hanrahan@essex.police.uk

Web: www.essex.pfcc.police.uk