



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



## CABINET AGENDA

**Date:** Wednesday 20th September 2023

**Time:** 7pm NB Time

**Venue:** **Council Chamber**

**This meeting will be webcast live on the internet.**

**Membership:**

<b>Councillor Blackwell</b>	<b>Chairman - Leader of the Council</b>
<b>Councillor W. Gibson</b>	<b>Strategic Planning (Deputy Leader of the Council)</b>
<b>Councillor Fuller</b>	<b>Environment</b>
<b>Councillor T . Gibson</b>	<b>Leisure Assets &amp; Events</b>
<b>Councillor Mountford</b>	<b>Resources</b>
<b>Councillor Palmer</b>	<b>Economic Growth &amp; Climate Action</b>
<b>Councillor Mrs Sach</b>	<b>Health Wellbeing &amp; Housing</b>
<b>Councillor Savage</b>	<b>People &amp; Community</b>

**Cabinet Enquiries:** **Ann Horgan ext. 2413**

**ahorgan@castlepoint.gov.uk**

**3/2023/2024**

**Publication Date:** **Tuesday 12th September 2023**

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

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**1. Apologies**

**2. Members' Interests**

**3. Minutes**

To approve the Minutes of the Cabinet meeting held on 19th July 2023.

**4. Forward Plan**

This is included for information only it is not a decision item.

**5. Car Park Review – Reference from Environment Policy & Scrutiny Committee**

*(Report of the Cabinet Members– Environment, People & Community)*

**6. Corporate Performance Score Card – Proposed Indicators 2023/24**

*(Report of the Cabinet Member – Resources)*

**7. Food Safety Health and Safety Service Plan 2023/24**

*(Report of the Cabinet Member – Environment)*

**8. Construction of New Local Authority Housing Developments**

*(Report of the Cabinet Member Health Wellbeing Housing)*

**9. Transforming Together – Programme Review Board Update**

*(Report of the Leader of the Council ,Cabinet Member Resources)*

**10. Public Realm & Play Spaces Fund**

*(Report of the Cabinet Member Leisure Assets & Events )*

**11. Lawn Tennis Association (LTA) Funding to Improve Tennis Courts**

*(Report of the Cabinet Member Leisure Assets & Events)*

**12. Financial Update**

*(Report of the Cabinet Member Resources)*

**13. Thorney Bay Pavilion Update and Request for Funds**

*(Report of the Cabinet Members Economic Growth & Climate Action and Resources )*

**14. Christmas Office Arrangements**

*(Report of the Leader of the Council)*

**15. Matters to be referred from /to the Standing Committees**

There are none.

**16. Matters to be referred from /to Policy & Scrutiny Committees**

A meeting of the Environment Policy & Scrutiny Committee took place on 23.8.2023 to review the Public Space Protection Order on which a report is attached to update Cabinet.

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

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## CABINET



19th JULY 2023

### PRESENT:

Councillor Blackwell	Chairman – Leader of the Council
Councillor T. Gibson	Special Projects
Councillor Mountford	Resources
Councillor Palmer	Regeneration & Economic Growth
Councillor Sach	Health Wellbeing & Housing
Councillor Savage	People & Community

### APOLOGIES:

Councillor W. Gibson

### ALSO PRESENT:

Councillors Acott, Ainsley, Benson, Bowker, Hart, Howlett, McCarthy-Calvert, Mumford, Skipp and Walter.

### 10. MEMBERS' INTERESTS:

There were none.

### 11. MINUTES

The Minutes of the Cabinet meeting held on 21st June 2023 were approved as a correct record.

### 12. 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

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

Cabinet considered a report in response to the report of the Environment Policy and Scrutiny Committee (“the PSC”) to Cabinet dated 21<sup>st</sup> June 2023 and the recommendations of that report which were deferred.

The report proposed 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 proposed 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.

**Resolved:**

1. That the Cabinet endorsed 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) 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.
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 2 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 noted the Outline Proposal has been undertaken and agreed to engage with Norse Group for the purposes of undertaking Stage 2 Detailed Due Diligence.

**14. CORPORATE SCORE CARD QUARTER 4 MONITORING**

Cabinet considered a report setting out the performance figures for the Corporate Performance Scorecard for Q4 2022/23.

**Resolved:** That Cabinets notes the contents of the report.

**15. SECTION 106 UPDATE REPORT**

Cabinet considered a report which provided an update on the Section 106 Agreements that are currently active.

**Resolved:**

To note the contents of the report

**16. KNIGHTSWICK CENTRE CAR PARK – CHANGE IN OPERATIONAL ARRANGEMENTS**

Cabinet considered a report seeking endorsement of the proposed future arrangements for the management of the Knightswick Shopping Centre Car Park.

**Resolved:**

1. To endorse the adoption of option 2, 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.

**17. 3 G PITCH REPLACEMENT AT WATERSIDE FARM LEISURE CENTRE – ADDITIONAL FUNDING REQUEST**

Cabinet considered a report advising Cabinet that the existing 3G football pitch and light columns at Waterside Farm Leisure Centre had reached their end of life and required replacement and seeking funding over and above that which had already been budgeted for to enable the pitch to be brought up to a FA compliant standard. The feasibility study undertaken by Surface Standards Ltd in May 2023 estimated the replacement cost to be £438,000 which was considerably more than the budgeted sum of £341,000.

The local playing pitch strategy had identified a lack of artificial football pitches within the Borough. The upgrading of the pitch in accordance with new FA guidance would increase the number of small pitches from three to four, in addition to the existing full size 11-a-side pitch. This would increase the number of football teams and players who could 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.

**Resolved:**

- (a) To approve the creation of a capital scheme for resurfacing and upgrading of the 3G pitch to meet current FA guidelines;
- (b) To give 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) To note 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.

**18. EXTENSION OF THE PUBLIC SPACE PROTECTION ORDER – (CASTLE POINT BOROUGH COUNCIL) 2017 – DOG FOULING**

Cabinet considered a report seeking approval to extend the Public Spaces Protection Order – (Castle Point Borough Council) 2017 – Dog Fouling for a further three years. Details of the outcome of consultation was presented to Cabinet which supported the extension.

**Resolved:**

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

**19. MATTERS TO BE REFERRED FROM/TO THE STANDING COMMITTEES**

There were no matters

**20. MATTERS TO BE REFERRED FROM/TO POLICY & SCRUTINY COMMITTEES**

Agenda item 8 Knightswick Centre Car Park Cabinet tasked 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.

**Chairman**



# **Castle Point Borough Council**

## **Forward Plan**

### **SEPTEMBER 2023**

# **CASTLE POINT BOROUGH COUNCIL**

## **FORWARD PLAN**

**SEPTEMBER 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)
October 2023* (Note subject to ECC)	<u>Essex Parking Standards Consultation response</u>	Place /Environment	Cabinet	Strategic Planning	Head of Place & Policy
October 2023	<u>Enforcement Policy Update</u>	Place /Environment	Cabinet	Strategic Planning	Head of Place & Policy
October 2023	<u>Planning Reform Consultation</u>	Place /Environment	Cabinet	Strategic Planning	Head of Place & Policy
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>Public Realm and Play Spaces Fund</u>	Place Community	Cabinet	Leisure Assets Events	Head of Environment
September 2023	<u>Financial Update –</u>	All	Cabinet	Resources	Strategic Director (Resources)
Sept 2023	<u>Housing Matters: Construction of New LA Housing Developments</u>	Place Community	Cabinet	Health Wellbeing &Housing	Head of Housing
October 2023	<u>Asset Strategy</u>	All	Cabinet	Resources	Chief Executive
October 2023	<u>ASELA Joint Committee report back from Scrutiny</u>	All	Cabinet	Leader of the Council	Chief Executive/ Head of Place & Policy
October 2023	<u>Hadleigh Island Site Disposal</u>	Place /Environment	Cabinet	Strategic Planning	Head of Place & Policy

Quarterly	<u>Transformation Review Board Update</u>	All	Cabinet	Leader of the Council	Chief Executive
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**AGENDA ITEM NO.5**

**CABINET**

**20th September 2023**

**Subject:** **Off-Street Parking Review – Update from the Environment Policy and Scrutiny Committee**

**Cabinet Member:** **Councillor Fuller – Environment  
Councillor Savage - People & Community**

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**1. Purpose of Report**

To update Cabinet on the work of the Environment Policy and Scrutiny Committee in respect of its review of the operation of Council owned car parks.

**2. Links to Council's Priorities and Objectives**

The off-street parking review links with the Council's Environment and People priorities.

**3. Recommendations**

It is recommended that Cabinet;

- (1) Endorses the recommendation of the Environment Policy and Scrutiny Committee to proceed with a variation to Schedule 1 & 2 of the Borough of Castle Point (Off Street Parking Places) (General) Order 2013 to incorporate the Knightswick Car Park with its current waiting restrictions and car parking charges so that parking conditions can be enforced when the Council takes over the operation of the car park on termination of the Smart Parking contract; and
- (2) Gives delegated authority to the Head of Environment in consultation with the Cabinet member for Environment to consider any objections that are received in respect of the proposed amendment to the Borough of Castle Point (Off Street Parking Places) (General) Order 2023; and
- (3) Notes the Committee's decision to set up a cross party member task and finish working group to undertake a wider and more detailed review of the operation of all the Council's car parks, including the Knightswick Car Park;

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## 4. Background

- 4.1 At its meeting on 15 March 2023 Cabinet tasked the Environment Policy and Scrutiny Policy with reviewing the operation of Council owned car parks.
- 4.2 At its meeting on 19 July 2023 Cabinet resolved to:
  - (1) Endorse the adoption of Option 2 as set out in the report, 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 to
  - (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.
- 4.3 The Knightswick car park will be managed and operated in the same way that other Council owned car parks are managed on termination of the contract with Smart Parking. The Smart Parking contract terminates in October and it will be necessary to amend the Borough of Castle Point (Off Street Parking Places) (General) Order 2013 so that the parking conditions and terms of use can be enforced in accordance with the Traffic Management Act 2004 and Road Traffic Regulation Act 1984 provisions in the same way that they are in other Council operated car parks.
- 4.4 The legal process requires the proposed amendment to be advertised by way of a Public Notice for 21 days before a Public Notice confirming the Order has been made and the date it comes into force can be issued. In the event of any objections being received to the proposed amendment these will need to be duly considered before the Order can be made. There is a need therefore to commence the legal process as a matter of urgency so that the amendment to the Order can be made ahead of the Council taking over the management of the car park. So that any objections to the proposal can be dealt with expediently it is proposed that delegated authority is given to the Head of Environment in consultation with the Cabinet member for Environment to consider any objections that have been made and to determine whether the proposed amendment to the Order should be made as advertised, modified with less restrictive provisions, or withdrawn.

The Environment and Policy Scrutiny Committee has met on two occasions to review the operation of the Council Car parks. At its first meeting the Committee were provided with details of the current operational arrangements, the Council's charging policy and budgetary information. The impact of Covid and the ongoing reduction in income because of more people continuing to work from home was highlighted.

The Committee then went on to consider possible policy changes, but the meeting was adjourned as members felt they needed more time to consider the options before agreeing its recommendations to Cabinet.

At its second meeting the Committee decided because of the need to get the existing Off- Street Parking Order amended ahead of the termination of the Smart Parking contract, to recommend to Cabinet that the Order should be amended to include the Knightswick Car Park with no change to the existing conditions of use or parking tariffs. It also decided to set up a cross party Task and Finish Working Group to undertake a more detailed review of the operation of all the Council's car parks including the Knightswick car park. The Task and Finish Group will comprise of Councillors David Thomas (Chairman), Sharon Ainsley, John Payne and Jacqui Thornton and members of Cabinet Councillors Fuller and Savage.

The Task and Finish Group will report back to the Environment Policy and Scrutiny Committee who will then make recommendations to Cabinet. Whilst there is no specified deadline for completion of the wider review it is important that it is completed in a timely manner so that any outcomes from the review can be incorporated into the 24/25 budget setting process.

## **5. Corporate Implications**

### **(a) Financial Implications**

None associated with this report, the cost for advertising the Public Notice will be met from existing budgets.

Whilst income from Penalty Charge Notices must be spent in accordance with Section 55 of the Road Traffic Regulations Act 1984, income from car parking charges can be used to fund other Council services which it would not otherwise be able to afford.

The Council's charging policy will need to be reviewed having regard to the budget gap in future years (currently £1.8m).

### **(b) Legal Implications**

The amendment to the Off-Street Parking Order will need to be made in accordance with legislative requirements, which include a Public Notice advertising the proposed amendment and consideration of any objections to the proposed amendment before making the Order.

The amendment to the Order will ensure that the parking charges can be legally applied and Penalty Charge Notices can be issued where conditions of use of the Knightswick Car Park are not complied with.

### **(c) Human Resources and Equality Implications**

There are no human resources or equality implications associated with this report.

## **6. Timescale for implementation and Risk Factors**

The existing Off-Street Order will need to have been amended ahead of the Council taking over the management and operation of the Knightswick car park on termination of the Smart Parking contract.

**Report Author – Trudie Bragg, Head of Environment**

**CABINET**

**20<sup>th</sup> September 2023**

**Subject:** **Corporate Performance Scorecard - Proposed Indicators 2023/24**

**Cabinet Member:** **Councillor Mountford - Resources**

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**1. Purpose of Report**

**To set out the proposed indicators for the corporate performance scorecard for 2023/24.**

**2. Links to Council's priorities and objectives**

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

**3. Recommendation**

**That Cabinet agrees the corporate performance scorecard indicators for 2023/24.**

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**4. Background**

- 4.1 The corporate scorecard reports on performance indicators for important outcomes linked to the Council's priorities.
- 4.2 Each year, the indicators in the scorecard are reviewed to ensure that they remain relevant.

**5. Report**

- 5.1 Appendix 1 details the proposed changes to some of the performance indicators reported on the 2022/23 corporate scorecard, and Appendix 2 details the proposed suite of indicators for the scorecard in 2023/24. These have been developed to reflect the performance of key areas of the Council's business and work planned for the current financial year, alongside some indicators which reflect wider trends across the Borough. The indicators are grouped under the four priority areas in the Corporate Plan 2021-24: Economy & Growth; People; Place; Environment plus some grouped under "Enablers", which includes Leadership; Democracy; Partnerships; and Resources.

5.2 The refreshed scorecard includes quarterly and annual performance indicators. It is proposed that whilst there will be reference to the annual indicators in each scorecard report, the detail will be reported at the end of the financial year.

5.3 The following changes to the 2023/24 suite of scorecard indicators are proposed:

Indicator	Note about proposed change
E&G002: Number of businesses operating in Castle Point	<p>Amend indicator. Whilst useful as an indicator of the health of Castle Point economy, a broader range of indicators would provide more context.</p> <p>Proposal to report the following:</p> <ul style="list-style-type: none"> <li>• Number of businesses</li> <li>• Number of business births</li> <li>• One year survival rate</li> </ul> <p>[Annual]</p>
L001: Leisure memberships	<p>Amend indicator. Add additional context of leisure membership attrition rate.</p> <p>Proposal to report the following:</p> <ul style="list-style-type: none"> <li>• Number of leisure memberships</li> <li>• Attrition rate</li> </ul> <p>[Quarterly]</p>
REV011: Channel shift to online services: use of Open Channel online forms	<p>Amend indicator. Customers have been moving away from using OPENChannel towards an alternative online form following webpage redesign.</p> <p>Proposal to report the following:</p> <ul style="list-style-type: none"> <li>• Use of online forms for Council Tax transactions</li> </ul> <p>[Quarterly]</p>

5.4 The following additional indicators are proposed for inclusion:

***Priority Area: Economy & Growth***

No additional indicators are proposed under Economy & Growth.

***Priority Area: People***

<b>Indicator</b>	<b>Rationale for inclusion</b>
Swimming programme participants	Growth area for Leisure Services and swimming an important life skill for Castle Point residents.  [Quarterly]

***Priority Area: Place***

No additional indicators are proposed under Place.

***Priority Area: Environment***

<b>Indicator</b>	<b>Rationale for inclusion</b>
Residual household waste (kg)	Reported by The Office for Local Government (Oflog). Reporting the amount of residual household waste will allow the Council to better understand resident's waste disposal behaviours alongside recycling behaviours.  [Quarterly]
Recycling contamination rate	Reported by The Office for Local Government (Oflog). Reporting the recycling contamination rate will allow the Council to better understand the degree that contamination impacts on recycling rates as well as the effectiveness of any communication to reduce the amount of contamination of material presented for recycling.  [Quarterly]

**Enablers: Leadership; Democracy; Partnerships; Resources**

Indicator	Rationale for inclusion
<p>NEW: Finance measures</p> <p>Forecast outturn against budget (shown as % variance) for:</p> <ul style="list-style-type: none"> <li>• General Fund - Revenue</li> <li>• HRA - Revenue</li> <li>• General Fund - Capital</li> <li>• HRA - Capital</li> </ul>	<p>Although there are separate, more detailed, financial update reports to Cabinet, forecast outturn against budget is an important indicator of the effectiveness with which the Council manages its budgets.</p> <p>[Quarterly]</p>

**Targets**

5.5 The tables below present the targets for 2023/24, set on the basis of past performance, national targets (where applicable) and known resources within the relevant service area. In some cases, 2023/24 will be used to establish a baseline from which future targets are set.

**Priority Area: Economy & Growth**

Indicator	2022/23 Performance	2022/23 Target	2023/24 Target
<p>E&amp;G002: Businesses operating in Castle Point</p> <p>a) Number of businesses</p> <p>b) NEW: Number of business births</p> <p>c) NEW: One year survival rate</p>	<p>a) 3,265 (2022 data)</p> <p>b) 370 (2020 data)</p> <p>c) 93.2% (2021 data)</p>	<p>Increase (interested in direction of travel rather than absolute numbers)</p>	<p>Increase (interested in direction of travel rather than absolute numbers)</p>
E&G006: Number of apprenticeship starts in the Borough	340	<p>Increase (interested in direction of travel rather than absolute numbers)</p>	<p>Increase (interested in direction of travel rather than absolute numbers)</p>
E&G001: Gross Value Added (GVA) per head	£12,089 (2021 data)	<p>Increase (interested in direction of travel rather than absolute numbers)</p>	<p>Increase (interested in direction of travel rather than absolute numbers)</p>
E&G003: Average workplace-based earnings per week	£572	<p>Increase (interested in direction of travel rather</p>	<p>Increase (interested in direction of travel rather</p>

		than absolute numbers)	than absolute numbers)
E&G004: Average resident earnings per week	£661	Increase (interested in direction of travel rather than absolute numbers)	Increase (interested in direction of travel rather than absolute numbers)
E&G005: Percentage of the working-age population with NVQ Level 4+	33% (2021 data)	Increase (interested in direction of travel rather than absolute numbers)	Increase (interested in direction of travel rather than absolute numbers)

### ***Priority Area: People***

<b>Indicator</b>	<b>2022/23 Performance</b>	<b>2022/23 Target</b>	<b>2023/24 Target</b>
HOT21 & HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome: a) prevention b) relief	a) 68% b) 53%	a) 65% b) 45%	a) 65% b) 45%
EH2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme	97%	95%	95%
L1: Leisure satisfaction – Net Promoter Score a) Waterside Farm b) Runnymede	a) 76 (average) b) 75 (average)	a) 75 b) 75	a) 75 b) 75
L3: Leisure Memberships  a) Total number of memberships b) NEW Attrition rate	a) 4,201 b) New indicator	a) 4,000 b) New indicator	a) 4,200 (by year end) b) <8% (average per month)
NEW: Swimming programme participants	New indicator for 2023/24	N/A – new indicator for 2023/24	1,800 (by year end)

Indicator	2022/23 Performance	2022/23 Target	2023/24 Target
PE003: Proportion of people participating in physical activity	61% (Nov 2022 data)	A statistically significant increase (from Sport England analysis)	A statistically significant increase (from Sport England analysis)
LCT13: Proportion of people who feel safe after dark	46% (2022 data)	50%	50%
PE001: Percentage of people who agree that there is a strong sense of community in their local area	52% (2022 data)	60%	55%
PE006 (NEW): Life Satisfaction score	7.9 (out of 10)	7.7 (recognising challenges in 2022/23, inc. cost of living pressures)	8.0

### ***Priority Area: Place***

Indicator	2022/23 Performance	2022/23 Target	2023/24 Target
HOS001: Overall tenant satisfaction with repairs and maintenance	96%	96%	97%
HOS006: Average Void Turnaround Time	16.2 days	20 days	20 days
DC007 & DC008: Percentage of planning applications processed within target time limits for major, minor and other applications	Major 60.0% Non-major 82.5%	Major 60% Non-major 70%	Major 60% Non-major 70%
PP003: Number of new affordable homes in the Borough	0 (2021/22 data)	50 per annum	50 per annum
PP004: Number of new homes built in the Borough	205 (2021/22 data)	353 per annum	353 per annum*

\* In the absence of a new Local Plan, the housing supply target uses the Standard Methodology calculation, which is 353 per annum.

**Priority Area: Environment**

<b>Indicator</b>	<b>2022/23 Performance</b>	<b>2022/23 Target</b>	<b>2023/24 Target</b>
OPS004: Percentage of Household Waste Recycled	46.65%	50.00%	50.00%
OPS005: Percentage of Household Waste Composted (including food waste)			
NEW: Residual household waste	436 kg per household	N/A – new indicator for 2023/24	Reduction
NEW: Recycling contamination rate	17.3%	N/A – new indicator for 2023/24	Reduction
SS002 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology*	15.7% (Q4 2022/23)	<10%	<20% (target adjusted to reflect new inspection regime)
SS003: Percentage of fly tips removed within one working day	99%	90%	90%
SS014: Number of default notices served in relation to highway grass verge cutting	0	<90 per quarter	<90 per quarter
SS013: Number of service requests received in relation to highway grass verge cutting	44 (over the year)	<45 per quarter	<45 per quarter
OPS002: Satisfaction with maintaining parks and open spaces	To develop method of collection in 2023/24	N/A – unable to calculate in 2022/23	Baseline to be established in 2023/24
OPS003: Satisfaction with household waste collection, including recycling and composting	To develop method of collection in 2023/24	N/A – unable to calculate in 2022/23	Baseline to be established in 2023/24
SS001: Satisfaction with Council's efforts to keep public land clear of litter and refuse	To develop method of collection in 2023/24	N/A – unable to calculate in 2022/23	Baseline to be established in 2023/24

E008: Amount of CO2 produced from the Council's buildings and operations	To develop method of calculation in 2023/24	Reduction	Reduction
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***Enablers: Leadership; Democracy; Partnerships; Resources***

Indicator	2022/23 Performance	2022/23 Target	2023/24 Target
FC001: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office	96%	95%	95%
CORP001a & CORP 001b: Average number of days sickness absence per FTE staff for all Council Services (rolling year) a) short term b) long term	a) 5.3 days b) 5.8 days	a) 5.0 days b) 3.5 days	a) 5.0 days b) 3.5 days
OPS016: Number of wheeled bin garden waste subscribers	14,255	14,750	14,700
Channel shift to online services: a) take up of e-billing for Council Tax and Business Rates b) use of online forms for Council tax transactions	a) 9,924 b) N/A – new indicator for 2023/24	a) 9,500 b) N/A - new indicator for 2023/24	a) 10,000 b) Baseline to be established in 2023/24
BEN001 & BEN002: Average time to process benefits claims: a) new claims b) change of circumstances	a) 22 days b) 3 days	a) 21 days b) 7 days	a) 21 days b) 5 days
ENA001: Overall satisfaction with the Council	To develop method of collection in 2023/24	N/A – unable to calculate in 2022/23	Baseline to be established in 2023/24
NEW: Finance measures Forecast outturn against budget (shown as % variance) for: a) General Fund – Revenue b) HRA – Revenue c) General Fund – Capital d) HRA - Capital	a) 0.04% overspend b) 1.68% overspend c) 1.37% overspend d) 0.2% underspend	N/A – new indicator for 2023/24	No variance from budget

5.6 It is further proposed that the scorecard is flexible and considers any new performance issues arising during the year. For example, if performance for a service area is significantly off target, but is currently not on the corporate scorecard, it may be appropriate to include such measures in future scorecard reports during the year. There may also be new local priorities arising from national circumstances that would lead to the addition of further indicators to the scorecard.

## **6. Corporate Implications**

### **a. Financial implications**

Good performance on some indicators can lead to reduced costs or additional income.

### **b. Legal implications**

There are no direct legal implications at this stage.

### **c. Human resources and equality**

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

### **d. Timescale for implementation and risk factors**

Monitoring of the corporate performance scorecard is ongoing throughout the year.

## **7. Background Papers:**

None

Report Author: Ben Brook [bbrook@castlepoint.gov.uk](mailto:bbrook@castlepoint.gov.uk)

## Appendix 1 – Proposed changes to suite of indicators reported in 2022/23

		Corporate Plan 2021-24 Proposed Scorecard Indicator Changes			
		Economy & Growth	People	Place	Environment
E&G2: Number of businesses operating in Castle Point	AMEND A	HOT21 & HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome: a) prevention b) relief	RETAIN Q	HOS1: Overall tenant satisfaction with repairs and maintenance	RETAIN Q
E&G6: Number of apprenticeship starts in the Borough	RETAIN A	EH2: Percentage of food premise awarded a score of at least 3 on the food hygiene rating scheme	RETAIN Q	HOS6: Average Void Turnaround Time	RETAIN Q
E&G1: Gross Value Added (GVA) per head	RETAIN A	L1: Leisure satisfaction Net Promoter Score a) Waterside Farm b) Runnymede	RETAIN Q	DC7 & DC8: Percentage of planning applications processed within target time limits for major, minor and other applications	RETAIN Q
E&G3: Average workplace-based earnings per week	RETAIN A	L3: Leisure Memberships	AMEND Q	PP3: Number of new affordable homes in the Borough	RETAIN A
E&G4: Average resident earnings per week	RETAIN A	PE3: Proportion of people participating in physical activity	RETAIN A	PP4: Number of new homes built in the Borough	RETAIN A
E&G5: Percentage of the working-age population with NVQ Level 4+	RETAIN A	LCT13: Proportion of people who walk after dark	RETAIN A	OPS2: Satisfaction with maintenance & open spaces	RETAIN A
		PE1: Percentage of people who agree there is a strong sense of community in their local area	RETAIN A	OPS3: Satisfaction with household waste collection, including recycling and composting	RETAIN A
		PE6: Life Satisfaction Score	RETAIN A	SS1: Satisfaction with Council's efforts to keep public land clear of litter and refuse	RETAIN A
				E8: Amount of CO2 produced from the Council's buildings and operations	RETAIN A

- Q Quarterly indicator
- A Annual indicator

# Corporate Plan 2021-24

## Proposed Scorecard Indicator Changes



### Enablers: Leadership: Democracy; Partnerships; Resources

- FC1: Percentage of calls taken by First Contact that are dealt with without the need to transfer to the back office RETAIN Q
- CORP1a & CORP 1b: Average number of days sickness absence per FTE staff for all Council Services (rolling year)
  - a) short term
  - b) long termRETAIN Q
- OPS16: Number of wheeled bin garden waste subscribers RETAIN Q
- REV 006 & 011 AMEND
  - Channel shift to online services:
    - a) take up of e-billing for Council Tax and Business Rates
    - b) use of Open Channel online formsQ
- BEN 1 & BEN 2: Average time to benefit claims:
  - a) new claims
  - b) change of circumstanceRETAIN Q
- ENA1: Overall satisfaction with the Council RETAIN A

Appendix 2 – Proposed indicators for 2023/24 (those with a shaded background are new or amended for 2023/24)

<h1 style="text-align: center;">Corporate Plan 2021-24</h1> <h2 style="text-align: center;">Proposed Scorecard Indicators 2023/24</h2>							
<span style="color: #ccc;">(Q) Quarterly indicator</span> <span style="color: #ccc;">(A) Annual indicator</span>							
<b>Economy &amp; Growth</b>		<b>People</b>		<b>Place</b>		<b>Environment</b>	
E&G2 (AMENDED): Businesses operating in Castle Point a) Number of businesses b) Births c) One year survival rate		HOT21 & HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome: a) prevention b) relief		HOS1: Overall tenant satisfaction with repairs and maintenance		OPS4 & OPS5: Percentage of household waste recycled or composted (inc. food waste)	
E&G6: Number of apprenticeship starts in the Borough	(A)	EH2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme		HOS6: Average Void Turnaround Time		NEW: Residual household waste	
E&G1 (NEW): Gross Value Added (GVA) per head	(A)	L1: Leisure satisfaction – Net Promoter Score a) Waterside Farm b) Runnymede		DC7 & DC8: Percentage of planning applications processed within target time limits for major, minor and other applications		NEW: Recycling contamination rate	
E&G3 (NEW): Average workplace-based earnings per week	(A)	AMENDED: Leisure Memberships a) Overall memberships b) Attrition rate		PP3: Number of new affordable homes in the Borough		SS2: Percentage of streets inspected which are deemed to be unsatisfactory using code of practice for litter and refuse methodology	
E&G4 (NEW): Average resident earnings per week	(A)	NEW: Swimming programme participants		PP4: Number of new homes built in the Borough		SS3: Percentage of fly tips removed within one working day	
E&G5 (NEW): Percentage of the working-age population with NVQ Level 4+	(A)	PE3: Proportion of people participating in physical activity				SS14: Number of default notices served in relation to highway grass verge cutting	
		LCT13: Proportion of people who feel safe after dark				SS13: Number of service requests received in relation to highway grass verge cutting	
		PE1: Percentage of people who agree that there is a strong sense of community in their local area				OPS2: Satisfaction with maintaining parks & open spaces	
		PE6: Life Satisfaction Score				OPS3: Satisfaction with household waste collection, including recycling and composting	
						SS1: Satisfaction with Council's efforts to keep public land clear of litter and refuse	
						E8: Amount of CO2 produced from the Council's buildings and operations	

Q Quarterly indicator  
A Annual indicator

# Corporate Plan 2021-24

## Proposed Scorecard Indicator 2023/24



### Enablers: Leadership: Democracy; Partnerships; Resources

FC1: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office Q

CORP1a & CORP 1b: Average number of days sickness absence per FTE staff for all Council Services (rolling year)  
a) short term b) long term Q

OPS16: Number of wheeled bin garden waste subscribers Q

Channel shift to online services:  
a) take up of e-billing for Council Tax and Business Rates  
b) AMENDED use of online forms for Council Tax transactions Q

BEN 1 & BEN 2: Average time to process benefits claims:  
a) new claims b) change of circumstances Q

ENA1: Overall satisfaction with the Council A

#### NEW: Finance measures

Forecast outturn against budget (shown as % variance) for:

General Fund - Revenue  
HRA - Revenue

General Fund - Capital  
HRA - Capital Q

**AGENDA ITEM NO.7**

**CABINET**

**20th September 2023**

**Subject:** **Food & Health and Safety Service Plan 2023/24**

**Cabinet Member:** **Councillor Fuller – Environment**

---

**1. Purpose of Report**

**1.1 This report seeks approval of the Council's Food & Health and Safety Service Plan for 2023/24.**

**2. Links to Council's Priorities and Objectives**

**2.1 The service plan links with the Council's priority areas and objectives, particularly in terms of Economy and Growth (via supporting businesses with proportionate advice and regulation) and People (protecting the public and ensuring healthier lives.)**

**3. Recommendations**

**That the Cabinet:**

**3.1 Approve the Food & Health and Safety Service Plan for 2023/24.**

---

**4. Background**

**4.1** The Food Standards Agency requires every local authority to produce a Food Service Plan in accordance with the guidelines set out in the Agency's Framework Agreement on Local Authority Food Law Enforcement.

**4.2** The Plan provides the basis on which the Council's food service delivery will be monitored and audited by the Food Standards Agency and must be produced in line with the common format set out by the Agency.

**4.3** The Agency states that the Service Plan must be approved by the relevant Member forum to ensure transparency and accountability.

- 4.4 A second section of the service plan covers Health and Safety regulation. Health and Safety Executive (HSE) guidance requires every local authority to publish and make public, a risk-based service plan covering our Health and Safety activities.
- 4.5 This report seeks approval of the 2023/24 Food & Health and Safety Service Plan.

## **5. Corporate Implications**

### **(a) Financial Implications**

There are no financial implications to this report. It is intended that matters referred to in the attached service plan will be met within existing resource.

### **(b) Legal Implications**

Under Section 6 of the Food Safety Act 1990, the Council has a statutory duty to provide a food law enforcement service. The Food Standards Agency takes a pro-active role in setting and monitoring standards and auditing local authorities' enforcement activities to ensure this activity is effective and undertaken on a consistent basis. The attached Service Plan at Appendix 1 meets this requirement.

Section 18 of the Health and Safety at Work etc Act 1974 requires the HSE and Councils to make adequate arrangements for the enforcement of the statutory provisions contained in the Act. The latest version of the National Local Authority Enforcement Code contains guidance on how to ensure compliance with S18, which includes the publication of a risk-based service plan. The attached service plan at Appendix 1 meets this requirement.

### **(c) Human Resources and Equality Implications**

There are no human resources or equality implications associated with this report.

## **6. Timescale for implementation and Risk Factors**

Subject to Cabinet approval, the policy will take immediate effect.

Appendix 1: Food & Health and Safety Service Plan 2023/24

**Report Author – Simon Llewellyn, Environmental Health Operational Manager**



**castlepoint**

benfleet | canvey | hadleigh | thundersley

## **Environmental Health Services**

# **Food Service Plan & Health and Safety Service Plan 2023/24**

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## **SECTION 1 – FOOD SAFETY**

### **1.0 Service Aims and Objectives**

#### **1.1 Aims and Objectives**

The Environmental Health Service is committed to trying to ensure that food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the Borough is safe for the consumer. The Service will use a balance of techniques and approaches including an educative approach to ensure the safety and wellbeing of both employees and members of the Public and will target available resources where they are most effective and at the areas of highest risk.

Environmental Health staff will adopt an approach to enforcement based upon an assessment of the risk to Public Health and will include the investigation of cases of food poisoning and food complaints as well as the inspection of food premises. Staff will abide by the Service enforcement policy and due regard will be had to guidance contained in the statutory codes of practice and to guidance from recognised bodies such as the Office for Product Safety and Standards.

Due regard will also be taken of the Statutory “Regulators Code” produced by the Department for Business, Energy and Industrial Strategy. This code is part of the Governments Better Regulation Agenda to enable a risk-based, proportionate and targeted approach to regulatory inspection and enforcement. Staff will carry out activities in this Service Plan in accordance with the principles of the code.

#### **1.2 Links to Corporate objectives and Plans**

Food Safety is a statutory function of the Council. In addition, the Council priority objectives identified in the Corporate Business Plan (2021-24) are Economy and Growth, People, Place, Environment. This service plan reflects positively on the priorities and contributes towards the objectives of the Council.

## **2. Background**

### **2.1 Profile of the Castle Point Borough**

The Borough of Castle Point is situated on the coastline of South East Essex and has an area of approximately 63 square km. Canvey Island is to the South with the mainland of Benfleet to the North composing South Benfleet, Thundersley, Hadleigh and Daws Heath. The Borough is essentially urban in character with major residential areas and sites for Industry.

The Borough has a population of approximately 90,000

### **2.2 Organisational Structure**

The Environmental Health Operational Manager has overall management responsibility for the Service including food service delivery. The day-to-day work activities are undertaken by a team of Environmental Health Officers and Technical Officers. As a generic service, officers (subject to skills, knowledge, experience, and qualifications,) also deal with other areas of EH including Environmental Protection, Statutory Nuisance and Public Health, Private Sector Housing, Communicable

Disease Control, Occupational Health and Safety and licensing as it applies to our job role.

The Environmental Health Service makes provision for specialist services to be provided by the Public Analyst and Health Protection England whenever the need arises.

### **2.3 Scope of the Food Service**

In addition to undertaking the statutory enforcement responsibilities imposed by food safety legislation, the service adopts an educative approach to food safety through health promotion, coaching sessions, and the provision of advice to business.

The scope of food related services provided by Environmental Health Services are as follows:

- 2.3.1 **Establishing and maintaining an up-to-date **register of all food premises** and mobile food vehicles trading within the district.**
- 2.3.2 **Planned interventions of food premises** – All food premises are currently inspected, or an alternative intervention carried out on a regular basis. The inspection frequency of each food premises is programmed according to the risk rating system prescribed in Food Law Code of Practice (England) which considers potential hazards, level of compliance and confidence in management control systems. Officers advise on good practice and ensure compliance with legal requirements.
- 2.3.3 **A range of ‘interventions’** are available to officers as an alternative to a full inspection, where the business was rated as ‘broadly compliant’ during the previous visit. The interventions are split into ‘official controls’ (such as inspections, audits, sampling visits, verification) and ‘other interventions’ (education, advice, coaching, etc.)
- 2.3.4 **Revisits** – Where the operator of a food business is required to undertake works to comply with the food safety legislation, a revisit (secondary inspection) may be undertaken after the date specified for compliance.
- 2.3.5 **Investigation of Complaints** – The service responds to all justifiable complaints about food premises and food purchased within the Castle Point Borough. Each complaint is investigated to determine appropriate enforcement and to ensure precautions are taken to prevent a recurrence. This often involves contacting manufacturing companies and other local authorities.
- 2.3.6 **Investigation of food borne illnesses** – Notification of cases of food poisoning is received from general practitioners, UK Health Security Agency (UKHSA) and their laboratory services. Notifications are investigated where appropriate, often in partnership with the UKHSA and action taken to prevent spread of infection.
- 2.3.7 **Food Hygiene Promotion and Education** – As part of the services commitment to promoting public health the service undertakes various food safety initiatives. In the past these have included seminars to local businesses, Food Safety Week participation, provision of newsletters and

providing advice and assistance to businesses at the time of inspection and on request.

- 2.3.8 **Incidents** – On notification from the Food Standards Agency in respect of certain foodstuffs, and where necessary the service takes all appropriate measures to ensure foods are withdrawn from sale within the borough.
- 2.3.9 **Food premises approvals** – Certain food operations require prior approval by the local authority. Premises are inspected prior to issuing approvals and systems regularly monitored thereafter to ensure continued compliance with the legal requirements.
- 2.3.10 **Food sampling** – Sampling is undertaken to monitor food safety standards during inspection and as part of national and local microbiological food sampling programmes.
- 2.3.11 **Food Inspection** -Investigate all food found within the borough that might be contaminated or have been illegally imported and take necessary action.
- 2.3.12 **Food Alerts** – Receive and act (as appropriate) on receipt of food alerts from the FSA.
- 2.3.13 **Food Hygiene Rating Scheme** – Operate the national food hygiene rating scheme (FHRS) on behalf of the FSA in the Borough.
- 2.3.14 **Export certification** – provide export certification for businesses in the borough as appropriate.
- 2.3.15 **Private water supplies** – The service is responsible for the identification, risk assessment and monitoring of private water supplies (boreholes, springs, etc) and private distribution networks within the Borough.
- 2.3.16 **Other Services** – Food safety officers are expected to address occupational health and safety matters arising during food safety inspections. They also, where necessary, investigate water borne incidents and infectious disease other than food poisoning, comment on applications for premises licences under the Licensing Act 2003 and on planning and building control applications regarding food premises.

## **2.4 Demands on the Food Service**

- 2.4.1 As at 1<sup>st</sup> April 2023 we have identified that the service is responsible for enforcing Food Safety in **564** food premises within the Castle Point Borough. The risk assessment programme for food safety is set out in the Food Law Code of Practice (England) Inspection Rating Scheme. The criteria provides that all food premises should be subject to a degree of surveillance although the code now allows alternative enforcement methods to be used with the lowest risk premises.

The 564 food premises have been categorised as follows:

Risk Category	Number of Premises	Intervention Frequency
A	0	at least every 6 months
B	13	at least every 12 months
C	67	at least every 18 months
D	257	at least every 2 years
E	227	alternative enforcement strategy – 3 years
UNRATED	10	Inspection due within 28 days

As of 1<sup>st</sup> April 2023, approximately 98% of food premises in the borough are “broadly compliant.” This is a local indicator of the percentage of food premises in Castle Point that score 3 or above using the national Food Hygiene Rating Scheme, when compared against the total number of rated premises. The 2023/24 target is 90%.

**2.4.2** The service is delivered from the Council Offices, Kiln Road, Benfleet and via Officers working remotely. Out of hours inspections are carried out where premises are not open for trade during the daytime.

**2.4.3** Arrangements are in place for contacting senior officers regarding matters arising outside of normal working hours e.g., food poisoning outbreaks, food safety incidents and food alerts.

**2.4.4 Factors likely to have an impact on service delivery this year include: -**

COVID-19 – Work backlog and forward plan

During the COVID-19 pandemic a considerable strain was placed onto the Environmental Health Service due to additional responsibilities for enforcement of regulations relating to Coronavirus being prioritised during the year.

Castle Point along with most other local authorities, reprioritised our work by necessity, a position fully supported by the Food Standards Agency and made in accordance with their published national guidance. During the various national lockdowns, the service was unable to carry out full physical inspections of premises.

Like many authorities, as a result of reprioritisation, the service has a backlog of low risk premises – but plan to have resolved this by the end of the 23/24 financial year.

## **2.5 Enforcement Policy**

The Service has adopted the Government's "Regulators Code" which contains statutory guidance and means that the Council is committed to open and fair enforcement of the law pertaining to food safety. The service has produced a food safety enforcement policy to further clarify how the code/policy applies to food safety enforcement in the Borough, which is also guided by the overarching corporate CPBC enforcement policy.

## **3.0 Service Delivery**

### **3.1 Food Premises Interventions**

3.1.1) The food service carries out programmed interventions of food premises to assess the hygiene of those premises and the public health protection aspects of the law. The service has a documented procedure for food hygiene interventions which is reviewed regularly and revised as and when legislation/guidance changes.

3.1.2) Following all primary food hygiene interventions, officers assess the risk posed by the business with reference to the nature of its operation; the level of compliance with food safety requirements and confidence in its management. The risk rating is used to determine the frequency of inspection.

Intervention programme due 2023/24 – in accordance with FSA code of practice.

<b>Criteria</b>	<b>Programmed interventions due 2023/24</b>
A - rated premises (highest risk)	<b>0</b>
B – rated premises	<b>13</b>
C – rated premises	<b>34</b>
D – rated premises	<b>154</b>
E – rated premises (lowest risk)	<b>42</b>
Unrated premises	<b>10</b>
<b>Total intervention programme 23/24</b>	<b>253</b>

The above programme is subject to change should the Food Standards Agency publish revised guidance at any stage. The Service intends to make full use of the flexibilities offered by the recovery programme.

### Non-programmed interventions

3.1.3) Revisits will be undertaken where significant breaches of hygiene regulations are identified during inspection. Based on the percentage of inspections previously generating revisits, it is estimated that at least **20** will be required in 2023/24

3.1.4) Based on previous year's figures there are estimated to be **80** new businesses (including change of ownership) that will require an intervention in 2023/24. These additional visits will be classified as non-programmed interventions. In addition, we expect **10** additional inspections to be undertaken because of the 'request for rescore' option under FHRs, where businesses that have completed works required by an inspector can request a further inspection to re-score their business.

3.1.5) It is estimated that **1** premises will require formal approval during 2023/24.

<b>3.1.6) Est total non-programmed, revisits, rescore inspections 2023/24 (in addition to intervention programme above)</b>	<b>111</b>
---	------------

3.1.7) Inspections / interventions are undertaken by Environmental Health Officers (EHO's) who also carry out other food safety functions such as investigating food complaints, complaints regarding food business operations, enquiries and requests for advice, food sampling and investigation of poor sampling results. As a generic service, EHO's also cover the full range of Environmental Health disciplines.

3.1.8) All officers have access to the following technical support:

- RIAMS (internet based) suite of EH / Food safety procedures.
- Food Standards Agency (FSA) website, publications and seminars.
- Internet Access.
- Various printed literature and technical documents.

3.1.9) No additional targeted inspection activity will be carried out unless a request is made by the Food Standards Agency as this could require extra resource.

### **3.2 Complaints about Food and Food Businesses.**

3.2.1) Policy and Procedures for responding to and dealing with complaints, enquiries and other requests for service are documented. These are reviewed regularly and revised as and when legislation/guidance changes.

3.2.2) All justified complaints that are investigated are done so in accordance with the services enforcement policy and procedures. Emphasis is placed on those complaints that have the potential to cause most harm to Public Health.

3.2.3) If further investigation is required, the food complaint is sent to the Public Analyst for formal analysis or to the food examiner for microbiological examination. Designated public analysts under S27 of the Food Safety Act are Kent Scientific Services and Hampshire Scientific Services.

**Based on trends over the last three years it is estimated that the following number of complaints will be received during 2023/24**

Category of Service Request	20/21 actual	21/22 actual	22/23 actual	23/24 (est)
Food product complaint	11	9	8	9
Food hygiene complaint	63	31	38	44

### **3.3 Primary Authority**

3.3.1) Castle Point Borough Council has no formal Primary Authority agreements in place for any food business in this area at the present time.

3.3.2) There are an estimated **6** food businesses that originate within this Borough and we are willing to respond to requests from other Local Authorities which have received food complaints originating from businesses in our area and who seek our opinion.

3.3.3) In respect of these premises **2** complaints and referrals are estimated during 2023/24.

3.3.4) Extra resources would be required for meeting and advising those businesses for which we could act as Primary Authority.

3.3.5) The Primary Authority Scheme allows a business, or the Local Better Regulation Office, to nominate a local authority to become a central point of contact on regulatory matters linked to that business. It is not a requirement for the company to be in the nominated authority area. This service would actively consider such an approach but is unlikely to have the resources available to take on a large national organisation, unless funding for additional staff was available from a central source.

### **3.4 Advice to business**

3.4.1) The provision of advice is given to existing or proposed food businesses on request to help them comply with the law and to encourage best practice. This also reflects and contributes towards a major 'Hampton Principle' of providing authoritative, accessible advice easily and cheaply. This is achieved through a range of activities including:

- Advice given during inspections and other visits to premises.
- Provision of advisory leaflets
- Responding to service requests and enquiries
- Through participation in the "Safer Food Better Business" scheme.
- Through information placed on the Council's website.

3.4.2) Officers aim to give advice in accordance with recognised guidance and Codes of Practice and we ensure that on-site visits are made, where necessary, prior to opening of new businesses that we are aware of.

3.4.3) Procedures for responding to and dealing with complaints, enquiries and other service requests are documented. These will be reviewed regularly and revised as and when legislation/guidance changes.

**Based on trends over the last three years it is estimated that the following number of enquiries/requests will be received during 2023/24.**

Category of Service Request	20/21 actual	21/22 actual	22/23 actual	23/24 (est)
Advice requests	55	51	42	49

3.4.4) Extra resources would be required if the service were to have significant input into business partnerships or forums.

### **3.5 Food Sampling**

3.5.1) A procedure for the microbiological sampling of foodstuffs is documented and will be reviewed regularly and revised as and when legislation/guidance changes.

3.5.2) Most of the food sampling carried out by the service is undertaken for monitoring and surveillance purposes, on an informal basis, but occasionally formal food sampling is required.

3.5.3) Public Health England (formerly the Health Protection Agency) produce a regional co-ordinated food sampling programme. Additional sampling will be organised in-house based on local intelligence and previous results.

3.5.4) Other food sampling is undertaken where necessary, as part of food poisoning and complaint investigations or as part of food premises inspections to monitor hygiene standards and confirm adequacy of food processing systems.

3.5.5) Public Health England (PHE) allocates the Council credits for funding examinations of food carried out at the PHE (Food, Water and Environmental Laboratory) London.

3.5.6) The service has appointed Kent Scientific Services and Hampshire Scientific Services as the council's official public analysts, in accordance with section 27 of the Food Safety Act 1990. The public analyst is used by the service when food contaminants cannot be readily identified and require closer examination to discover their true nature.

3.5.7) In addition the department has an allocated budget for sampling purposes.

3.5.8) **17** food samples or food hygiene samples were taken in 2022/23 and it is intended to take approximately **25** food samples for microbiological examination during 2023/24.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease.**

3.6.1) The service assesses all notifications it receives of cases of food poisoning and suspected food poisoning occurring within the Borough and takes appropriate control measures where necessary. When an outbreak is suspected the investigations are carried out either jointly or in close contact with the Consultant in Communicable Disease Control from Public Health England. Outbreak Control will be in accordance with the Control of Communicable Disease Joint Plans of Essex Local Health Protection Team and Essex Local Authorities and following guidance in CDR review.

3.6.2) Procedures for the investigation of food poisoning notifications are documented and are reviewed regularly and revised as and when legislation/guidance changes.

**The table below shows the trend over the past few years. We expect to receive in the region of 80-90 notifications during 2023/24 based on these statistics.**

Previous Year	Number of formal notifications of Food related infectious disease.
2019/20	107
2020/21	75
2021/22	91
2022/23	63

### **3.7 Food Alerts and Food Safety Incidents.**

3.7.1) A food alert is a communication from the Food Standards Agency to the local food authority concerning a food hazard or other food incident. The food alert may or may not require the Food Authority to take action.

3.7.2) Procedures for responding to and initiating food hazard warnings are documented. These will be reviewed annually and revised as and when legislation /guidance changes.

3.7.3) The service receives Food Alerts via e-mail and the via the FSA Smarter Communication platform. This service delivery area is carried out in accordance with the Food Law Code of Practice (England.)

### **3.8 Liaison with other organisations**

3.8.1) Castle Point Borough Council is represented at regular meetings of the Essex Food Liaison Group by an Environmental Health Officer. To encourage consistency of enforcement within the 14 Essex Authorities the group formulates strategies and procedures, liaises with other professional bodies, liaises with the food trade and trade organisations over specific matters arising, liaises with advisory groups e.g., Food Standards Agency over specific enforcement issues and arranges relevant officer training.

3.8.2) This group includes representatives from food authorities, Trading Standards, The Health Authority and Public Health England.

3.8.3) An Environmental Health Officer regularly attends the Essex Health Protection Liaison meeting. These meetings were set up to develop guidelines on infection control measures, act as advisory groups, making recommendations on all aspects of communicable disease (including food poisoning) and to formulate outbreak control plans and where necessary exercises.

3.8.4) This group includes representatives from food authorities, the Health Authority, and a number of water companies.

3.8.5) The service liaises with other services within the Castle Point Borough Council including Street Scene, Partnerships, Community Safety, Building Control, planning and Licensing.

3.8.6) The service is regularly consulted on planning and building regulation applications regarding new and existing Food premises and in respect of Licensing

applications for which we act as a responsible authority. These are used to identify new food business and changes to existing operations.

Category of Service Request	20/21 actual	21/22 actual	22/23 actual	23/24 (est)
Planning/building control consultations	74	69	59	67
Licensing applications	7	54	52	38

### **3.9 Food Safety Promotion**

- 3.9.1) All notified food poisoning cases are sent or given various advisory leaflets.
- 3.9.2) Where appropriate, we plan to send mail shots to food businesses containing food hygiene and safety information. Press releases will also be considered in appropriate circumstances.
- 3.9.3) Substantial information regarding food and infectious disease has been placed on the Environmental Health section of the Council's website.

### **3.10 Safer Food Better Business Coaching sessions**

- 3.10.1) On request and subject to resource, the service offers one to one coaching sessions on "Safer Food Better Business" with caterers within the Borough.
- 3.10.2) Subject to resource it hoped to again offer this service to businesses who require assistance during the period covered by this service plan.

### **3.11 Food hygiene rating scheme**

- 3.11.1) We will continue operate the Food Standards Agency Food Hygiene Rating Scheme and it will continue be an integral part of our food hygiene intervention programme. We believe that the 0 – 5\* scoring system acts as an additional motivator to food business to improve and subsequently maintain high standards of food hygiene.

## **4 Resources**

### **4.1 Financial Allocation**

- 4.1.1) The (nominal) estimated budget allocation for the Food Safety Service for 2023/24 is £134,600. This includes departmental reallocations (i.e. cost of office space, IT equipment and Council support services) in addition to front-line staffing costs.

## **4.2 Staffing Allocation**

4.2.1) The resources available to undertake food law enforcement during 2023/24 are 1.0 full time equivalent officers as detailed below: -

<b>Officer</b>	<b>Full time equivalent (FTE)</b>
EH Operational Manager	0.1
Environmental Health Officers	0.8
Additional contract inspections	0.4
<b>TOTAL</b>	<b>1.3</b>

4.2.2) We aim to complete the work listed in the 2023/24 service plan within the staffing resource that has been allocated to this area of the service.

## **4.3 Staff Development Plan**

4.3.1) Officers authorised to undertake inspections and other enforcement duties must be suitably qualified, experienced, and competent as set out in Chapter 1:2 of the Food Law Code of Practice.

4.3.2) As part of the personal performance and development appraisal scheme all food safety officers undergo annual appraisal interviews which include review of their training requirements and personal development objectives. Regular team meetings are organised to discuss matters and issues of consistency.

4.3.3) The staff covering this service will continue to be encouraged, motivated, and trained to develop their potential and use their talents for the benefit of the people of the district.

4.3.4) All officers that are members of the CIEH are required to undergo at least 20 or 30 hours of continuing Professional Development (CPD) each year (depending on grade) of which 10 hours must be food related if the officer is authorised for food safety work.

4.3.5) Officers whose knowledge in relation to food matters has lapsed or has become out of date must undergo structured revision training before resuming food law enforcement duties. Records of ongoing training are kept by the Environmental Health Department.

4.3.6) To fulfil training needs, officers attend seminars and courses arranged by the Essex Food Liaison Group, Central Government advisory bodies, other local authorities and external training organisations.

## **5. Quality Assessment**

5.1) The quality of service provided by the unit is assessed by:

- Monitoring performance against service and officer targets.
- Monitoring actual working practices against procedures and protocols for:
- Inspection of food businesses
- Investigation of complaints and food poisoning notifications
- Enforcement

5.2) Performance monitoring will be undertaken by generating monthly reports from the UNIFORM database on:

- inspections, for comparison against the annual programme and
- Complaints and other service requests to monitor progress.

5.3) Working practices will be monitored routinely through close contact between the food safety officers and Operational Manager and by monitoring:

- Submission of inspection reports including copy letters for scrutiny of at least 5%
- Referral of contentious issues and formal enforcement to Environmental Health Operational Manager for confirmation of action being taken.
- At least one annual joint food hygiene inspection between Environmental Health Officers authorised to carry out food hygiene work.

## **SECTION 2 – HEALTH AND SAFETY**

### **7. Introduction**

7.1) The format of this Plan meets the requirements laid down by the Health and Safety Executive and is designed to ensure that local people and residents can clearly see what we do, how our services are delivered and what resources we have available to do this. It also allows the Health and Safety Executive to assess the services that we offer, so that they can ensure that our services meet the standard required under Section 18 of the Health and Safety at Work etc Act 1974.

7.2) The council is committed to improving health and safety outcomes across the Borough and will commit the necessary resources and capacity to deliver its priorities and plan of interventions for the current year.

7.3) The primary function of the Service is to provide education and advice to businesses in Castle Point to help them comply with the requirements of the legislation.

7.4) Inspections and investigations are undertaken at premises that are classified as either high risk, or where concerns have been raised about working practices or the safety of premises.

7.5) Where businesses fail to comply with the advice given and fail to provide a safe working environment for employees and the public, the Service will use its enforcement policy and the Regulators Code to take appropriate enforcement action.

7.6) Health and Safety is sometimes seen as a burden on business. In fact the opposite is true. Poor health and safety standards will result in accidents and poorer health which results in extensive time off work, and this impacts directly on the business and ultimately on the economy of Castle Point. It also potentially gives an unfair economic advantage to those who might ignore the law.

7.7) Where appropriate, we will co-operate with other organisations including the Inland Revenue; Fire Service; Police Service; Trading Standards; UK Border Agency and Non-Domestic Rates, to maximise intelligence gathering. This will assist in targeting action against poor performing businesses. We will also investigate the possibility of reviewing and updating data, by using data held by other sections within the council to minimise the burden between the council and local businesses.

7.8) In keeping with government reforms over health and safety, the Service will continue to plan and target health and safety interventions having regard to the range of interventions available, the risk profile of the business/sector, national information (accident statistics, national priorities, Lead Authority/Primary Authority inspection plans) and local intelligence and knowledge.

7.9) Proactive inspections will be reserved for the highest risk premises and other forms of interventions, including targeted visits and awareness raising interventions, will be used for other businesses. Reactive work such as accident and complaint investigations will continue to be undertaken and prioritised according to the level of risk identified. Only accidents which meet the HSE accident investigation criteria or are linked to the county work plan as a high priority area will be investigated, unless local intelligence suggests that an appropriate investigation intervention will be beneficial.

## 8) H&S Service Aims and Objectives

8.1) The overall **aim** of the Service is to work with others to protect people's wellbeing, and health and safety by ensuring risks in the changing workplace are managed properly.

8.2) Our key delivery **priorities** are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses. (Targeted approach to risk in line with Better Regulation agenda.)
- To proactively inspect businesses identified as being at the highest level of risk
- Investigating major injury incidents and fatalities. (National guidelines are used to assess and target poor management in line with Better Regulation agenda.)
- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSE's Enforcement Policy Statement and the Enforcement Management Model. This ensures proportionate, consistent, transparent and accountable enforcement - part of the Better Regulation agenda.
- Train and develop our staff to ensure competence. This encourages staff retention/recruitment and ensures credibility with local business.

8.3) The key **objectives** of the service this year are to:-

- Reduce the number of accidents and illnesses associated with the workplace in the district and within Castle Point Borough Council
- Increase awareness of health and safety in the organisation and the wider Borough
- Work in partnership with others to deliver the HSE strategic programme wherever possible.

## 9) H&S - Links to Corporate Objectives

9.1) Occupational Health and Safety is a statutory function of the Council. In addition, the current corporate priority objectives of CPBC (21-24) are Economy and Growth, People, Place, Environment and this service plan reflects positively on the priorities and contributes towards the objectives of the Council.

## 10) Scope of the Health and Safety Service

The Service provides two broad areas of work, which can be classified as either pro-active or reactive.

### 10.1) *Pro-active*

- Inspections (programmed interventions) at premises subject to local authority enforcement and in accordance with HSE prioritisation guidance.
- Education of proprietors and employees through guidance, information, and training
- Undertaking issue specific targeted interventions
- Liaising with other Council departments and external organisations including Planning, Building Control, Licensing, corporate health and safety, Trading Standards, HSE, Essex Health and Safety Liaison Group, Care Quality Commission and OFSTED
- Assessing ASB5 notifications (Asbestos removal works)
- Devising material to help businesses comply with the law and good practice
- Website maintenance and design

#### *10.2) Reactive*

- Investigating reported accidents, diseases, and dangerous occurrences
- Responding to complaints and requests for service
- Planning/ building control applications

### **11) Quality Assessment**

11.1) Castle Point Borough Council recognises the need to measure the effectiveness of its health and safety enforcement duties. Auditing, peer review and monitoring are seen as parts of this process to ensure that its procedures result in high quality, consistent interventions. The interpretation and action taken by Officers following an intervention should also be consistent within the authority.

### **12) Setting priorities**

12.1) The regulatory activities of the service are planned in line with the principles of the National Local Authority Enforcement Code and HSE circular LAC 67-2 (rev 12.) Interventions are focussed on outcomes and play an important role in ensuring the effective and proportionate management of risk, supporting businesses, protecting their communities, and contributing towards the wider public health agenda.

### **13) Targeting interventions**

13.1) The service uses a range of techniques to increase its impact on H&S and to influence behaviours and improve the management of risk. The service has and will continue to maintain a deterrent by ensuring that it can take suitable action against those businesses who fail to meet their H&S obligations.

### **14) Primary authority inspection plans**

14.1) If issues are identified with a business forming part of a primary authority as a result of local intelligence, contact will be made with the relevant local / enforcing authority to share any relevant information on the organisation. The service will

ensure that inspection plans are referred to prior to taking any proactive intervention work with organisations forming part of a PA agreement.

## **15) Data capture and reporting performance**

15.1) The service will continue to ensure that it maintains a database to monitor, capture and share health and safety intervention data enforcement and prosecution activity. This information is shared with the HSE on an annual basis and also forms information held in public registers.

## **16) Qualifications and Training**

16.1) The Authority will ensure that it only appoints appropriately qualified and experienced personnel to health and safety enforcement duties. The level of authorisation given will be appropriate to the training and experience of each individual officer.

16.2) The training needs of officers are identified during the appraisal process known as Personal Performance and Development Plan (PPDP.) An individual training programme is developed once this process is complete. It is the policy of the Council to ensure that officers receive adequate training to fulfil their development needs. This will be provided through a combination of commercial courses, those provided by the HSE, Essex Health and Safety Liaison Group and internal training.

16.3) The Authority will have regard to competencies when assessing the competency of its Officers. Where an Officer cannot be shown to achieve the standard in some areas, the Authority will ensure that that Officer is supervised by an Officer who does possess these competencies.

## **17) Procedural Documents and Statutory Codes.**

17.1) Environmental Health Services operates a system of procedural documents for key areas of health and safety enforcement and refers to national codes produced by the Health and Safety Executive and other government bodies.

17.2) The **National Local Authority Enforcement Code** sets out the risk-based approach to targeting health and safety interventions to be followed by LA regulators.

17.3) The Code provides a principle-based framework that recognises the respective roles of business and the regulator in the management of risk, concentrating on four objectives:

- Clarifying the roles and responsibilities of business, regulator and professional bodies
- Outlining the risk-based approach to regulation that LA's should adopt
- Setting out the need for training and competence of LA health and safety regulators
- Explaining the arrangements for collection/publication of LA data and peer review to give assurance on meeting the requirements of the Code.

17.4) The **Regulators' Code** came into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006, replacing the Regulators' Compliance Code. It provides a clear, flexible and principles-based framework for how regulators

should engage with those they regulate. Local authority enforcement officers must have regard to it when developing policies and procedures that guide their regulatory activities.

17.5) Environmental Health Service maintains a local **Enforcement Policy** which is written in compliance with, and has regard to, relevant national codes and the Castle Point Borough Council corporate enforcement policy.

17.6) Government reforms over health and safety, will be kept under review and incorporated into practice as required. The Service is committed to improving health and safety standards in accordance with this strategy.

## **18) Resource allocation**

18.1) Environmental Health Services operate a generic system of work, where each officer (where skills, knowledge, experience, and qualifications allow) undertakes the full range of Environmental Health activities, the main groupings being Public Health and Nuisance, Pollution / Environmental Protection, Food Safety, Health and Safety, Private Sector Rented Housing and Licensing.

18.2) Resource allocated to Health and Safety Work has been reduced over the past few years to consider the requirements of the HSE, who no longer allow routine proactive inspections to take place for many workplaces in the Borough.

18.3) Estimated allocation of officer resource required for the 2023/24 financial year is as follows:

Officer type	FTE equivalent
EH Operational Manager	0.05
Environmental Health Officers	0.25
<b>TOTAL</b>	<b>0.3</b>

## **19) Service Delivery**

19.1) The service is delivered both in and out of normal office hours to ensure premises are inspected whilst they are operational and out of hours visits will be undertaken where this is required.

19.2) The Environmental Health Service has a general enforcement policy approved by the council. All enforcement action will be taken in line with this policy. In addition, there are comprehensive procedures available to ensure consistency of service.

## **20) Legal requirements upon the Service**

20.1) Section 18 of the Health and Safety at Work Act 1974 requires a Local Authority to 'make adequate arrangements for enforcement' of the Act. Guidance relevant to S18 is now incorporated into the National Local Authority Enforcement Code.

## **21) Better Regulation / Regulatory Delivery**

21.1) The Government has made a commitment to cut red tape to lift the regulatory burdens on businesses. Efficient and effective local regulation will play a key role in ensuring that the reduction of regulation really does translate into a reduction in the burden on businesses at a local level. The government department responsible for this function is the Office for Product Safety and Standards.

## **22) H&S Interventions**

22.1) Interventions are targeted on activities that give rise to higher risks or where the hazards are least well controlled, with the aim of maximising their impact on improving health and safety outcomes. Interventions are also designed to stop those that seek economic advantage from non-compliance (e.g. rogue traders.)

22.2) The Health and Safety Executive in association with Local Authorities have agreed a set of national priority topic areas that are considered when targeting interventions at appropriate activities.

22.3) Local priorities have also been identified which represent areas of local concern. These topic areas are chosen to ensure that high risk activities are prioritised for attention by the service.

22.4) When deciding on which complaints to prioritise, which accidents to investigate and which interventions to complete during the year, full account will be taken of relative risk in all cases.

## **23) Presumptive work programme 2023/24**

The following highlights the Health and Safety Activities planned for the 2023/24 financial year:

- Accident investigations to be undertaken, where necessary in accordance with HSE guidelines and Environmental Health Services Enforcement Policy.

2023/24 work estimate	<b>20</b> reported accidents / incidents processed.
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- Provision of information or mail-shots specific to risks associated with the main work activity

2023/24 work estimate	Specific information provision to <b>50</b> higher risk businesses.
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- Investigations of complaints made to the service regarding the Health and Safety Standards of workplaces in the Borough

2023/24 work estimate	<b>25</b> H&S service requests processed
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- Environmental Health Officers to undertake H&S hazard spotting as a routine part of Food Safety Interventions.

2023/24 work estimate	<b>25</b> premises checked as part of food premises interventions.
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- Proactive full inspections of H&S premises

2023/24 Work estimate	In accordance with HSE requirements, the service will not routinely undertake any proactive full H&S premises inspections of businesses in the Borough, unless the risk history, local /national intelligence or priorities highlight that an inspection would be the most suitable form of intervention.
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- Cooperation with partners, such as Essex Health and Safety Liaison Group Members to undertake project-based interventions based on national, regional and/or local priorities.

2023/24 work estimate	As decided throughout the year, taking account of resource available at the time.
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**AGENDA ITEM NO. 8**

**CABINET**

**20th September 2023**

**Subject:** **Construction of New Local Authority housing developments**

**Cabinet Members:** **Councillor Sach – Health Wellbeing & Housing**

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**1. Purpose of Report**

- 1.1 To update Cabinet on the progress against previously approved housing development projects.
- 1.2 To seek authority to progress schemes at Linden Way, Benderloch and Carlton Drive.
- 1.3 To note further investigation of proposed schemes sites within the Borough.

**2. Links to Council's priorities and objectives**

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

**3. Recommendations**

- 3.1 **That Cabinet approves the following recommendations as shown in the attached outline business cases.**
  - **Construct three 1 bedrooned homes at a former Garage site in Linden Way Canvey Island with a budget of £50k allocated to fund initial professional fees and investigation works.**
  - **Construct two 3 bedrooned homes at a former Garage site in Benderloch, Canvey Island with a budget of £50k allocated to fund initial professional fees and investigation works.**
  - **Construct two 2-bedroom homes on a former garage site at Carlton Drive, Benfleet with a budget of £50k allocated to fund initial professional fees and investigation works.**
- 3.2 **That Cabinet notes progress on schemes at Cedar Road, Linden Way and Link Road**

#### 4. Background

4.1 There is a significant shortage of properties for temporary accommodation and ongoing affordable housing in the Castle Point Area.

4.2 The Housing Service Development Project Team examines available sites and look to develop more housing on suitable sites.

4.3 There are a number of sites that have been subject to initial evaluation or where projects are underway or recently completed spread around the borough. Further sites are currently under review.

4.4 The Council continues to receive funds from the sale of properties under the Right to Buy which it can retain for a period of 5 years before it having to be repaid to the treasury. The Council as at 31<sup>st</sup> March 2023 had received £4.2m in replacement housing receipts of which £1.5m was received in 21/22 due to increased Right to Buy sales, this dropped to £335k in 22/23. These receipts equate to a spend requirement on new homes of £11.7m, with expenditure of £7m having been made by 31<sup>st</sup> March 2023 and a further budgeted amount for 2023/24 of £1.7m making a total of £8.7m. Based on this without further schemes totalling £2.1m the first repayment to the Treasury would be in March 2027, whilst a further £1m of expenditure would be required by March 2028.

4.5 Demand for social housing remains high and there are currently 470 households on the housing needs waiting list, of which 249 are in Band A and B from which predominately lettings are made. During 2022/23 we let 83 void properties, detailed below are the housing needs register figures as at 15<sup>th</sup> August 2023:

Breakdown of Housing Need						
Band	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom	Total
A	45	53	27	2	2	129
B	33	35	47	5	0	120
C	82	73	62	4	0	221
<b>Total</b>	<b>160</b>	<b>161</b>	<b>136</b>	<b>11</b>	<b>2</b>	<b>470</b>

  

Dwelling type need as a percentage of total need						
Band	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom	Total
A	35%	41%	21%	2%	2%	
B	28%	29%	39%	4%	0%	
<b>Overall</b>	<b>34%</b>	<b>34%</b>	<b>29%</b>	<b>2%</b>	<b>0%</b>	

4.6 In the table above the highest priority are bands A and B, Band A would be predominately households with homeless priority need, severely overcrowded or those in unsuitable accommodation. Whilst Band B are households who have lower need homeless cases, those with medical needs and lower level overcrowding. The applications in band A are reviewed every 6 months, all other bands annually.

## **5. Report on previously agreed schemes**

5.1 The Housing Service have three developments previously approved by Cabinet currently in construction which will provide 9 new homes.

### **5.2 Link Road**

5.2.1 This was a garage site in poor condition that was identified by the Housing Development Team, we are currently developing two 3 bedroom and one 2-bedroom homes on this site and also creating a large surface parking area.

### **5.3 54-60 Linden Way**

5.3.1 We are constructing four 2-bedroom homes on this site using land cleared due to an unsafe block of bungalows and an adjoining garage site.

### **5.4 Cedar Road**

5.4.1 A plot was identified on a former garage site where we are constructing two 2-bedroom properties.

## **6. Projects being proposed for Cabinet Approval**

### **6.1 Linden Way former garage site**

6.1.1 A garage site which was in poor condition with limited use, which due to the demolition being undertaken at 54-60 Linden way in close proximity, the Council took the opportunity to reduce overall costs by demolishing the garage site at the same time.

6.1.2 It is proposed to develop three 1-bedroom houses on the former garage site.



6.1.3 An outline business case for this project providing greater detail on the proposed scheme is attached in a Confidential Appendix for agreement by Cabinet.

## 6.2 Benderloch

6.2.1 This is a garage site that has been reviewed for a number of schemes, it is proposed to develop two 3-bedroom homes on this site that addresses previous concerns over development of the area.



6.2.2 An outline business case for this project providing greater detail on the proposed scheme is attached in a Confidential Appendix for agreement by Cabinet.

## 6.3 Carlton Drive

6.3.1 This is a garage site combined with land previously leased to a neighbouring property, it is proposed to develop two 2- bedroom homes on this site.



6.3.2 An outline business case for this project providing greater detail on the proposed scheme is attached in a Confidential Appendix for agreement by Cabinet.

6.4 All the schemes proposed in the report, as well as existing developments under construction, are being constructed to appropriate standards of thermal comfort to minimise the energy consumption within the properties for future tenants. This is provided alongside the use of air source heat pumps, rather than conventional gas or electric boilers, with underfloor heating. This is further augmented by the use of photo voltaic panels to feed energy to the property. Each property will also have a dedicated Electric Vehicle charging point in one of their parking spaces.

## 7 Funding options

7.1 The Total cost of the schemes identified in the outline business cases is estimated to be at current prices **£2.184m**, all the proposed schemes would be part funded by Right to Buy 1 for 1 receipts up to the 40% limit meaning a contribution of **£874k** would be required, currently £1.352m is being held, thus this funding is available. The balance to be funded by the Housing Revenue Account from sources as determined by the Council's S151 officer, for the purpose of the report this has been assumed as external Loans.

7.2 Currently reduced rates are available from the Government for the development of new homes at 40 basis points discount on PWLB rates, these would vary upon length of the loan. Details of the proposed funding of the schemes are detailed in the attached business cases, but it is anticipated that a loan period of 20 years would enable the schemes to be financially viable within the HRA Business Plan and provide annual surpluses from year 14 and a surplus over 25 years of **£329k** to the HRA. Savings would also occur within the General Fund as it would reduce the need for temporary accommodation, this is estimated at **£70k** per annum.

## 8. Corporate Implications

### a. Financial implications

There are significant financial implications which are summarised in this report and the attached business cases. These are in respect of the future viability of the projects and the sustainability of the HRA Business Plan and the Councils General Fund. As detailed in the Financial Annex there is an impact on the General Fund due to reduced numbers of households in temporary accommodation, it is estimated that the net cost of one household in temporary accommodation is £10k per annum, thus the estimated saving would be £70k. Within the HRA there needs to be a long-term balance between the income generated and the costs of repairs and maintenance and financing any borrowing incurred. The total costs will be met by a 40% contribution from Right to Buy receipts whilst the balance can be funded by any other capital receipts held, such as S106 or borrowing. Amounts to be borrowed could be via external sources such as the Public Works and Loan Board, other Local Authorities or internal borrowing from balances held by the General Fund. The financial Annex is prepared based on external borrowing from the PWLB at current market rates, clearly these will fluctuate throughout the coming months as these are set on a daily basis. Based on the current position over a 25 year period the proposal proves to be economically viable.

### b. Legal implications

The key legal implications surround:

- compliance with the council's procurement guidelines.
- compliance with any contractual arrangements and monitoring
- compliance with Planning and Building Control requirements.
- compliance with statutory requirements in relation to the use of capital receipts
- Compliance with any land rights regarding access and rights of way

### c. Human resources and equality

There may be human resource implications as any potential development may result in the appointment of additional or changes in staffing. There will also be positive equality implications as people currently living in unsuitable accommodation due to overcrowding, poor condition, location, excessive rent levels creating poverty and unable to access housing will be provided with housing to meet their needs and that of their family.

### d. Timescale for implementation and risk factors

The schemes identified above represent a pipeline of future developments, with larger schemes taking a number of years to complete. Risks exist in terms of both financial and non-financial resources to deliver the projects. Whilst non-delivery of future schemes risks the handing back of money to the treasury that could have been used to deliver much needed accommodation.

Due to the nature of the sites there are frequently utilities running through the plots that need to be identified and addressed either by designing around these or by requesting a diversion, Link Road is significantly impacted by this.

## 9. Background Papers:

Outline Business cases as detailed above

Report Author: David Randerson, Housing Development and Finance Manager

### Financial Annex - Temporary Accommodation Costs

Typical Room Cost Weekly	£331.82
7 properties for 52 weeks	£ 120,783.42
Net of Applicant Contribution	£ 111,788.98
HB Cases	80%
LHA	£ 130.80
Applicant Contribution	£ 24.71
Less: HB due	-£ 89,431.18
Rebated	-£ 35,252.57
Not Rebated	-£ 54,178.61
	£ 89,431.18
Balance to be recovered	£ 31,352.24
Applicant income (49% recovery)	-£ 15,362.60
Unrecovered	£ 15,989.64
Not rebated	£ 54,178.61
<b>Net cost</b>	<b>£ 70,168.25</b>

This shows that based on eight households being in temporary accommodation for 1 year the cost to the council would be £138k. Typically 80% of cases receive Housing Benefit, but the council only receives funding (rebate) up to the Local Housing Allowance rate of £130.80, meaning that £54k has to be found from the Council's own resources, this is reflected in the cost of Homelessness. The unrecovered cost then needs to be added to ongoing arrears on applicant contributions estimated at £15k, to make a total net cost of £70k to the General Fund.

Until the properties are constructed and an accurate assessment of rent can be made the above estimates the weekly rent due based on the number of bedrooms. This results in an annual estimated income of £90k being generated by the properties once constructed.

## **Financial Annex - Combined Development sites - 20 year loan**

Cost element	£000's
Development costs	1,716
Resurfacing & Parking	112
Utilities	75
Drainage	22
Professional fees	120
<b>Sub-total</b>	<b>2,045</b>
Contingency (at 7.5%) excl Utilities, Demolition and Prof. fees	139
<b>Total estimated cost</b>	<b>2,184</b>
Financed by:	
“1 for 1” right to buy receipts	874
To be funded from other sources	1,310
<b>Total funding</b>	<b>2,184</b>

## Rent Calculation

8-10 Church Close  
Affordable rent 23/24 £ 220.47

	Avg Social rent 23/24	% adj to 2 bed
Bedsit	81.43	77%
1 bed	93.01	88%
2 bed	105.38	100%
3 bed	116.45	110%
4 bed	128.41	122%

<b>Estimated Income</b>	3 bed house	£	244
	2 bed house	£	220
	1 bed House	£	195

Per week based on 2 x 3 bed, 3 x 1 bed and 2 x 2 bed £ 1,512

**Annual £ 78,620**

**Cashflow Forecast with 2.5% inflation**

**EIP Loan**

Year	Annual Loan		Total	Income	Net Balance	Cumulative
	cost	Repairs				
1	132,179	-	<b>132,179</b>	78,620	<b>53,559</b>	53,559
2	128,845	10,707	<b>139,552</b>	80,586	<b>58,966</b>	112,524
3	125,511	10,974	<b>136,485</b>	82,601	<b>53,885</b>	166,409
4	122,177	11,249	<b>133,426</b>	84,666	<b>48,760</b>	215,169
5	118,843	11,530	<b>130,373</b>	86,782	<b>43,591</b>	258,760
6	115,509	11,818	<b>127,327</b>	88,952	<b>38,376</b>	297,136
7	112,175	12,113	<b>124,289</b>	91,176	<b>33,113</b>	330,249
8	108,841	12,416	<b>121,258</b>	93,455	<b>27,803</b>	358,052
9	105,507	12,727	<b>118,234</b>	95,791	<b>22,443</b>	380,494
10	102,173	13,045	<b>115,218</b>	98,186	<b>17,032</b>	397,527
11	98,840	13,371	<b>112,211</b>	100,641	<b>11,570</b>	409,096
12	95,506	13,705	<b>109,211</b>	103,157	<b>6,054</b>	415,151
13	92,172	14,048	<b>106,220</b>	105,736	<b>484</b>	415,634
14	88,838	14,399	<b>103,237</b>	108,379	<b>5,142</b>	410,492
15	85,504	14,759	<b>100,263</b>	111,089	<b>10,826</b>	399,666
16	82,170	15,128	<b>97,298</b>	113,866	<b>16,568</b>	383,099
17	78,836	15,506	<b>94,342</b>	116,712	<b>22,370</b>	360,728
18	75,502	15,894	<b>91,396</b>	119,630	<b>28,234</b>	332,494
19	72,168	16,291	<b>88,459</b>	122,621	<b>34,162</b>	298,332
20	68,834	16,699	<b>85,533</b>	125,686	<b>40,154</b>	258,178
21	-	17,116	<b>17,116</b>	128,829	<b>111,713</b>	146,465
22	-	17,544	<b>17,544</b>	132,049	<b>114,505</b>	31,960
23	-	17,983	<b>17,983</b>	135,351	<b>117,368</b>	85,408
24	-	18,432	<b>18,432</b>	138,734	<b>120,302</b>	205,710
25	-	18,893	<b>18,893</b>	142,203	<b>123,310</b>	329,020

**EIP Loan**

Loan Amount £ 1,310,000  
 Rate 5.09  
 Number of years 20  
 Year commencing 1  
 New/Replacement Loan

Year	Bal bfwd	Principal	Interest	Total	Bal Cfwd
1	1,310,000	65,500	66,679	132,179	1,244,500
2	1,244,500	65,500	63,345	128,845	1,179,000
3	1,179,000	65,500	60,011	125,511	1,113,500
4	1,113,500	65,500	56,677	122,177	1,048,000
5	1,048,000	65,500	53,343	118,843	982,500
6	982,500	65,500	50,009	115,509	917,000
7	917,000	65,500	46,675	112,175	851,500
8	851,500	65,500	43,341	108,841	786,000
9	786,000	65,500	40,007	105,507	720,500
10	720,500	65,500	36,673	102,173	655,000
11	655,000	65,500	33,340	98,840	589,500
12	589,500	65,500	30,006	95,506	524,000
13	524,000	65,500	26,672	92,172	458,500
14	458,500	65,500	23,338	88,838	393,000
15	393,000	65,500	20,004	85,504	327,500
16	327,500	65,500	16,670	82,170	262,000
17	262,000	65,500	13,336	78,836	196,500
18	196,500	65,500	10,002	75,502	131,000
19	131,000	65,500	6,668	72,168	65,500
20	65,500	65,500	3,334	68,834	-
21	-	-	-	-	-
22	-	-	-	-	-
23	-	-	-	-	-
24	-	-	-	-	-
25	-	-	-	-	-

The cashflow forecast shows the cost of servicing the assumed loan of £1.31m over a 20 year period. Alongside this the ongoing costs of maintenance of the properties based on the costs contained within the HRA Business Plan, whilst these have been assumed to be spread evenly throughout the period, they are more likely to be incurred in the latter part of the period. These are then set against the estimated income from the properties showing that from year 14 onwards income will exceed expenditure and within 5 years of completing the loan payments they will have generated a net income to the council's HRA of £329k.

CABINET

20th September 2023

**Subject: Transforming Together – Programme Review Board Update**

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**1. Purpose of Report**

**To provide a quarterly update report from the Transforming Together Programme Review Board.**

**2. Links to Council's Priorities and Objectives**

**The Transforming Together (TT) Programme has links to all Council priorities and objectives.**

**3. Recommendations**

**That the contents of this report are noted.**

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**4. Background**

- 4.1. Details of the Transforming Together Programme's ("the TT Programme") vision and strategic objectives to enable the modernisation of the Council were shared at a meeting of Special Council on 31<sup>st</sup> May 2023.
- 4.2. Robust and effective programme governance has been put in place to provide confidence that the TT Programme is being well managed, with sufficient reporting and control activities to ensure that members and other stakeholders are kept informed of progress.
- 4.3. Forming part of the TT Programmes agreed governance, the Programme Review Board "owns" the Programme activity and oversees its delivery to time and to budget, with this report providing an update on its activities to date in line with the agreed quarterly reporting governance.

**5. The TT Programme Review Board**

*Purpose and Key Responsibilities*

- 5.1. The Programme Review Board is the forum where elected councillors may gain oversight of all aspects of the TT Programme, so that assurance may be provided to the Council through its existing corporate governance routes.

5.2. The main responsibilities of the Programme Review Board include:

- Promoting, endorsing and supporting the TT Programme and its objectives, including communicating information to agreed stakeholders;
- Receiving reports from the Programme Delivery Team as to progress of the TT Programme;
- Agreeing when individual project activity is ready to take forward to formal decisions through existing corporate governance, e.g. approval of invest to save or invest to earn business cases to support the development of transformative digital solutions as part of the New Ways of Working Workstream within the TT Programme;
- Noting the outcome of Organisation Redesign Tier 3/Assistant Director led service reviews approved by the Head of Paid of Service, that will enable the creation of the right roles and skills needed to achieve a successful transformation.

#### *Membership and Meetings*

5.3. The Programme Review Board comprises the Leader, the Deputy Leader, the Cabinet Member for Resources, the Cabinet Member for Environment, TT Programme Senior Responsible Officer and the Chief Executive Officer, (who is also the TT Programme Sponsor and Programme Review Board Chair).

5.4. Established in April 2023, the Programme Review Board meets quarterly and has held two meetings to date, on 27<sup>th</sup> April 2023 and 31<sup>st</sup> July 2023, with its next meeting scheduled for 26<sup>th</sup> October 2023.

5.5. The main focus of the Programme Review Board meetings to date has been as follows:

- 27<sup>th</sup> April 2023 – kick off meeting:
  - TT Programme overview, key roles and responsibilities
  - TT Programme governance - Terms of Reference agreed (standing agenda item for all PRB meetings going forward)
  - TT Programme update, including risk management and budget/resourcing (standing agenda item for all PRB meetings going forward)
  - New Ways of Working and agreed process for invest to save business cases (standing agenda item for all PRB meetings going forward)
- 31<sup>st</sup> July 2023 – in addition to standing agenda items:
  - TT Programme Glossary of Terms

- TT Programme governance – reporting
- New Ways of Working – presentation of an early scoped invest to save project with a verbal update by the service lead provided on potential benefits and alignment with TT Programme principles.

## **6. Corporate Implications**

### **(a) Financial Implications**

The Council has earmarked reserves totalling £1.14m which are available to fund the TT Programme. In addition, there is a separate £100k per annum within the revenue budget as a contingency for implications arising from the proposed NJC single status job evaluation scheme.

The s151 officer has delegated authority to withdraw funds from earmarked reserves. However, the s151 will only do so where the proposed spend is in line with the purpose of the earmarked reserve and there is clear rationale or a business case which supports the withdrawal. Where a business case and/or invest to save project funding request exceeds £100k, approval of such drawdown will be sought from Cabinet in line with agreed governance.

As the TT Programme progresses, should the scale and cost of change indicate that the funding available will be exceeded, additional funding could be made available either from the General Reserve or by repurposing other earmarked reserves. Such action would need to be supported by robust business cases clearly demonstrating the benefits of the proposal and the appropriate governance being undertaken at the time.

### **(b) Legal Implications**

The Programme Review Board is not a formal decision-making body. Formal decision making remains within the auspices of the Council's Constitution and cannot take effect until it has been approved through the Council's relevant corporate governance processes.

### **(c) Human Resources and Equality Implications**

#### **Human Resources**

There are no Human Resources implications as a result of this report.

#### **Equality Implications**

An Equality Impact Assessment has been carried out for the TT Programme and the impact of the proposal is neutral.

### **(d) IT and Asset Management Implications**

These will be reviewed as part of service reviews (see paragraph 5.2 above).

## 7. **Timescale for implementation and Risk Factors**

- Tier 2 Director reorganisation: May – July 2023 – internal appointments completed with one role currently out to external advertisement.
- Tier 3 Assistant Director reorganisation: July – October 2023
- New Target Operating Model go live - 1 November 2023
- Development of New Ways of Working business cases – From October 2023
- Service reviews aligned to implementation of the new Target Operating Model – From November 2023

## 8. **Background Papers**

- Equality Impact Assessment
- Updated TT Methodology Document
- TT Programme Review Board Terms of Reference

### **Report Author:**

Angela Hutchings Chief Executive

**AGENDA ITEM NO.10**

**CABINET**

**20th September 2023**

**Subject:** **Public Spaces and Play Spaces Fund**

**Cabinet Member:** **Councillor Tom Gibson – Leisure Assets & Events**

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**1. Purpose of Report**

**To seek Cabinet endorsement of the proposed improvements using the remainder of the Public Realm and Play Spaces Fund.**

**2. Links to Council's priorities and objectives**

**The proposed improvements link to the Council's Environment objective.**

**3. Recommendations**

**It is recommended that Cabinet endorses the proposed projects as set out in this report.**

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**4. Background**

- 4.1 The Council has allocated £140,000 for improvements to the public realm and play spaces on the mainland during this financial year, i.e., 2023/24
- 4.2 Following an invitation to local groups, clubs, etc to submit applications for grant funding of up to £1000 (more in exceptional circumstances) a total of £6,060 has been paid to successful applicants leaving £134,000 still to be allocated.
- 4.3 One of those projects was for the provision of a water fountain in Richmond Park but following further investigation, it transpired that it would cost approximately £15,000 to install which the Cabinet Member for Leisure Assets & Events believes would not offer good value for money, and on that basis, recommends that this project not be taken forward.
- 4.4 Following consultation with the Deputy Leader, the Cabinet Member for Leisure Assets & Events and the Cabinet Member for Resources, officers have sought

indicative costs for a range of projects on which the balance of the Fund could be spent.

4.5 Accordingly, it is proposed that the following projects are progressed;

Proposed Project	Indicative Cost
Conversion of two tennis courts at JH Burrows into a Multi-Use Games Area (MUGA) to include low level wooden panelling around the perimeter fencing	£50,000
Upgrading of the remaining two tennis courts at JH Burrows	£10,000
Additional lights for the Christmas tree at Hart Road	£1000
Accessible path at Thundersley Recreation Ground	£10,000
Sensory garden at Richmond Park	£15,000
Up to 30 additional composite picnic benches to be sited at various locations within Council owned parks and open spaces (otherwise to be used as contingency for other projects)	£45,000
External lighting to entrance to Castle Point Bowling Club	£1,600
<b>TOTAL</b>	<b>£132,600</b>

4.6 Improvements to other recreational areas are also being looked into and will be progressed if funding permits following completion of the projects listed in 4.5 above.

## 6. Corporate Implications

### a. Financial implications

All the proposed works will need to be completed this financial year as any unspent funding will not be carried forward to the new financial year.

The proposed projects are based on indicative costs provided by suppliers. It will be necessary to secure quotations/go out to tender for the works in accordance with the Council's Financial Regulations and procurement rules to demonstrate value for money.

### b. Legal implications

None associated with this report.

### c. Human resources and equality implications

There are no additional human resource implications as the proposed works will be commissioned and overseen by existing staff.

The provision of a path at Thundersley Recreation Ground from the site entrance to the playground will make the playground more accessible for everyone but especially for wheelchair and pushchair users.

**d. Timescale for implementation and risk factors**

The proposed works will need to be completed by end of this financial year.

**7. Background Papers:**

None

**Report Author:** Trudie Bragg, Head of Environment

**CABINET**

**20th September 2023**

**Subject:** **Lawn Tennis Association(LTA)funding offer to improve Council owned tennis courts.**

**Cabinet Member:** **Councillor T.Gibson – Leisure Assets & Events**

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**1. Purpose of Report**

- 1.1 This report provides Cabinet with details of the opportunity to work with the Lawn Tennis Association (LTA) to improve the provision and sustainability of park tennis courts; and
- 1.2 Seeks Cabinet approval to enter into a legal agreement with the LTA to secure the proposed improvements to the tennis courts at King George V Recreation Ground.

**2. Links to Council's Priorities and Objectives**

- 2.1 This proposal links with the Council's people and environment priorities.

**3. Recommendations**

- 3.1 It is recommended that Cabinet:

1. Notes the contents of the report.
2. Endorses the Council entering into a legal agreement with the LTA in accordance with its terms and conditions, to secure the proposed improvements to the tennis courts at King George V Recreation Ground.
3. Agrees the principle of charging at specified times for the use of the tennis courts at King George V Recreation Ground.
4. Delegates authority to the Head of Environment in consultation with the Portfolio Holder for Leisure Assets & Events to determine the pricing framework for the use of the courts at King George V Recreation Ground for 2024/25, subject to recommendation three being approved; and
5. Supports the discussions which are taking place with Yellow Door regarding the delivery of a community-based tennis programme and requests that further information on the proposals is provided to Cabinet in due course.

#### **4. Background**

- 4.1 Ready to Rally is an initiative by the LTA to engage residents, increase usage and raise income for investment in park tennis courts. It is seen as a great opportunity to achieve multiple health and social targets whilst being sustainable and providing an improved sporting option for players.
- 4.2 Nationwide research by the LTA indicates that the key barriers to use are:
  - Not knowing where the closest courts are
  - Not knowing how to book or play on the courts.
  - Poor condition of tennis facilities.
- 4.3 Pilot projects in locations across the country have seen a significant increase in participation and income generation which can be used to invest in the courts as well as opportunities to develop initiatives such as free family coaching sessions.
- 4.4 The Council does not currently make a charge for the use of its tennis courts and players can turn up and play without booking subject to the courts not already being used by anyone else.
- 4.5 The LTA has surveyed the park tennis courts in Castle Point and has classified them as average in the case of the four courts at JH Burrows and unplayable in the case of the 3 courts at King George V Recreation Ground. It concluded that within the next 2-3 years all the courts will be in a critical condition. It also noted that there is no opportunity for players to book courts and that the courts are susceptible to misuse, vandalism and anti-social behaviour.
- 4.6 Subject to the Council entering into a legal agreement with the LTA it is proposing to fund the renovation of the park courts and provide gate access systems and an on - line court booking system.
- 4.7 In the case of King George V Recreation Ground the refurbishment would include resurfacing/lining of the three courts and provision of new nets and posts, new perimeter fencing, new Smart access gate. The potential LTA investment is £79K.
- 4.8 in the case of JHB the proposed refurbishment includes the re-colouring/re-lining of the four courts, new nets and posts and a new Smart access gate. The potential LTA investment is £30K.
- 4.9 The improvements would be delivered through the LTA procurement framework.
- 4.10 In return for the investment the LTA will require that all venues are connected to the LTA Play on-line booking system for courts and activities, have a sustainability plan in place and have an established operating model in place to improve participation. Provision of the gate access system and the on-line booking system are non-negotiable requirements as far as the LTA is concerned.

4.11 The sustainability plan will need to demonstrate how the routine maintenance of the courts and resurfacing/upgrading of the courts will be funded to ensure the quality of courts does not deteriorate in the longer term. Experience from the LTA has been that charging for the use of park courts is not a barrier to participation and once facilities are improved to a good standard and booking is in place overall participation and use of the facilities increases significantly. The revenue generated then allows a sustainable model to be established with a sink fund which will fund the future replacement and upgrade of facilities. This is seen as essential to ensure that the Council can manage and maintain high quality facilities and is a requirement of the funding from the LTA.

4.12 Alongside the paid enhanced provision for residents, the LTA require a programme of free sessions and coaching.

4.13 The electronic Gate Access enables a local authority to set a pricing structure that is flexible, creating free and affordable sessions to target audiences with an appropriate offer, whether through a court booking, household passes or activity booking. It also ensures those accessing free courts/activities can have the same customer journey to court as any customer and that specific audiences are provided with the right charging options. Making a charge for a court limits courts being booked and not used. It is proposed that the court hire charges will be set having regard to advice from the LTA based on their experience of working with other local authorities.

4.14 The LTA require an operating model which will encourage increased participation. This can be provided in-house or by an external provider such as a tennis operator, club or community organisation. Preliminary discussions have been taking place with Yellow Door who in turn have been liaising with Hadleigh Tennis Club regarding them potentially assisting with managing the courts and coaching sessions at King George V Recreation Ground.

4.15 The offer by the LTA to upgrade the Council's park tennis courts is extremely welcome but given the proposed conversion of two of the tennis courts into a multi-use games area and the member desire to retain the existing free turn up and play regime at JH Burrows it is proposed to only accept the funding offer for the King George V Recreation Ground.

4.16 This scenario will result in the number of park tennis courts which are of a playable standard increasing from four to five. Operating a chargeable regime in accordance with the LTA requirements alongside a free turn up and play scheme will enable the Council to compare participation and court usage for the two schemes. If the LTA approved scheme proves successful the Council may wish to use the same operating model at JH Burrows in the future but funding for the gate access system, on-line booking system etc, will no longer be available from the LTA.

## **5. Corporate Implications**

### **(a) Financial Implications**

The LTAs proposed investment at King George V Recreation Ground will increase usage and the ongoing income generation will help to sustain the funding needed to protect the park facility in the longer term.

Maintenance requirements for the three courts and gate access system are minimal and equate to £1k per annum.

The LTA recommends a contribution of £1,200 per annum per court towards the costs of court renovation (re-lining and resurfacing) to ensure the long-term sustainability of the courts.

The charging regime will need to generate the income required to cover the required court maintenance and renovation costs.

### **(b) Legal Implications**

The terms and conditions of the LTA funding require the Council to meet specified maintenance and renovation requirements, have a gate access system, on-line booking system and sustainability plan in place to ensure the long-term sustainability of the courts. They also require the provision of free sessions and activities and an operating model which increases court usage.

### **(c) Human Resources and Equality Implications**

There are no human resources or equality implications associated with this report.

## **6. Timescale for implementation and Risk Factors**

It is a requirement of the grant funding that the improvement works to the tennis courts are completed by the 31 March 2024. Failure to adhere to the terms and conditions of the grant funding could result in the LTA recovering the grant funding from the Council.

**Report Author – Trudie Bragg, Head of Environment**

**CABINET**

**20<sup>th</sup> September 2023**

**Subject:** **Financial Update**

**Cabinet Member:** **Councillor Mountford - Resources**

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**1. Purpose of Report**

This report is intended to provide Cabinet with the:

- 2022/23 provisional outturn in respect of the General Fund (GF) and Housing Revenue Account (HRA).
- 2023/24 forecast outturn position in respect of the GF and HRA as at the first quarter stage.

**2. Links to Council Priorities and Objectives**

Finance and resources are considered an 'Enabler' within the Corporate Plan.

Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

**3. Recommendations**

1. That Cabinet note the GF Revenue 2022/23 provisional outturn position, an overspend of £35k (0.04% of gross budget), as detailed in paragraph 5.
2. That Cabinet note the GF Capital 2022/23 provisional outturn position, an overspend of £40k, as detailed in paragraph 6.
3. That Cabinet note the HRA Revenue 2022/23 provisional outturn position, an overspend of £304k, as detailed in paragraph 7.
4. That Cabinet note the HRA Capital 2022/23 provisional outturn position, an underspend of £6k, as detailed in paragraph 8.
5. That Cabinet approve for the following appropriations to earmarked reserves to be made, as detailed in paragraph 5.6.
  - a. £2.83m to the Priority Initiatives reserve
  - b. £927k to the Castle Point Plan reserve
  - c. £462k to the Improvement reserve
  - d. £400k to the Vehicle Replacement reserve
  - e. £285k to the Knightswick reserve
  - f. £200k to the Carbon Reduction reserve
  - g. £70k to the New Burdens and General Items reserve

6. That Cabinet note
  - a. the GF revenue carry forwards totalling £379k as detailed in paragraph 5.4
  - b. the GF capital carry forwards totalling £466k as detailed in paragraph 6.3
  - c. the HRA capital carry forwards totalling £540k as detailed in paragraph 8.2

all of which have been approved by the Section 151 Officer and either added to the 2023/24 budget or appropriated to an earmarked reserve as needed.
7. That Cabinet note the GF Revenue 2023/24 forecast outturn position as at the first quarter stage, an underspend of £503k, as detailed in paragraph 9.
8. That Cabinet note the GF Capital 2023/24 forecast outturn position as at the first quarter stage, a balanced position, as detailed in paragraph 10.
9. That Cabinet note the HRA Revenue 2023/24 forecast outturn position as at the first quarter stage, an underspend of £17k, as detailed in paragraph 11.
10. That Cabinet note the HRA Capital 2023/24 forecast outturn position as at the first quarter stage, a balanced position, as detailed in paragraph 12.

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#### **4. Background & basis of the financial forecast**

- 4.1. The Financial Planning Strategy is incorporated within the Policy Framework and Budget report which is approved by Council in February each year. The strategy requires the submission of a Medium Term Financial Forecast (MTFF), enabling the Cabinet to monitor latest forecasts of future spending and resources and take appropriate action to ensure that the Council's financial targets are met.
- 4.2. The full Statement of Accounts for 2022/23 are in the process of being created and will be published in draft once available. The accounts will then be audited by our external auditor, EY, and once that audit is complete the final Statement of Accounts will be published.
- 4.3. Due to the above process, it is possible the figures within this report may change. Should any changes be made, Cabinet will be informed via a future Financial Update report.
- 4.4. The forecast for 2023/24 as at the first quarter stage is only a best estimate at that moment in time, taking into account the latest known information. It will be the case that figures will change as the year goes on and clarity is obtained on favourable and unfavourable items which can impact the position shown. It is typically the case at this early stage that whilst it is known items will have an impact at some point during the year, quantifying that impact is not yet possible. The key example of this at the present time is the Transforming Together programme and changes that will be made once the required processes have been completed.

## **5. General Fund Revenue 2022/23 Provisional Outturn**

- 5.1. The provisional outturn for the General Fund 2022/23 on the face of it looks very close to the budgeted position. However, there are a number of adjustments within the figures which are explained in the following paragraphs.
- 5.2. The net expenditure after adjustments is a small overspend of £35k (0.04% of gross budgets). The budgeted position was a contribution to the General Reserve of £329k but a contribution of only £294k will be made. This small variance has no impact on the Council's future plans.
- 5.3. Within this position, there are some significant variances. Prior to adjustments being made, the underlying position is an underspend of £5.079m. The material variances causing this underspend are shown in Table 1 on the following page.

**Table 1 – General Fund Revenue 2022/23 Provisional Outturn**

Service Area	Variance Over/(Under) £	Narrative
<b>Corporate Services</b>		
All Corporate Costs	(262)	<p>The significant underspends are as follows:</p> <ol style="list-style-type: none"> <li>1) £145k on pension technical adjustments as the budget was ultimately found to not be required</li> <li>2) £62k on the improvement fund (quasi contingency budget) which will be taken into the earmarked reserve</li> <li>3) £26k in relation to repairs and maintenance where work wasn't undertaken</li> <li>4) £22k of unbudgeted income notified and received from Government in March relating to additional costs arising in external audits.</li> </ol>
Estates Management	(26)	There was a £24k underspend against estimated electricity costs.
Partnerships & Licensing	(125)	The most significant variance is £113k of additional licensing income achieved, of which £70k will be held in an earmarked reserve ringfenced to the taxi industry and used to offset any deficit arising in 2024/25. There were also minor underspends of £6k on staffing, £2k on Taxi vehicle testing and £2k on training costs.
Internal Audit	(42)	The budget was set prudently based on the 2021/22 cost but as fewer resources were required the fee came in lower.
<b>Housing</b>		
Homelessness and Housing Advice	(92)	<p>There was a £136k underspend caused by a reduced contribution towards the bad debt provision as rather than needing to add to the provision it was found the provision can be reduced. In addition, there were further underspends caused by receipt of additional Housing benefit (£6k) and additional government grant (£19k). These underspends are offset in part by:</p> <ol style="list-style-type: none"> <li>1) £37k shortfall of income from tenant contributions</li> <li>2) £24k additional costs of homelessness prevention and temporary accommodation</li> <li>3) £7k additional utility costs in owned temporary accommodation</li> </ol>

Land Charges	(31)	The £31k is comprised of additional income achieved of £7k, an underspend on third party search costs of £17k and expenditure on IT and insurance being lower than budget by £7k.
<b>Environment</b>		
Environmental Health	14	The overspend on this service has predominately been caused by 1) a staffing overspend of £8k due to backpay for member of staff on incorrect salary for 3 years and 2) licence income under achieved by £3k.
Street Scene & Operational Services	(168)	Net impact of cumulative underspends and additional income at School Lane and higher than budgeted PCN income in Other Car Parks (£168k) and underspends on public convenience water and maintenance costs (£14k). Both partially offset by an overspend on vehicle workshop (£7k) and building cleaning agency costs (£12k).
Refuse & Recycling Collection	(406)	<p>There are numerous factors driving this underspend, broken down by service type as follows:</p> <p>Domestic Waste (£92k): £48k salary/agency underspend as less overtime used than budgeted for and £50k additional income from ECC received in relation to our extended Waste Transfer Service (WTS) contract.</p> <p>Trade Waste has a £102k underspend due to tonnages ultimately being lower than budgeted as well as the price per tonne also being lower than budgeted.</p> <p>Kitchen &amp; Garden Waste has a £167k underspend, comprised of 1) £66k additional income as green bin and Compensation for Haulage of Organic Waste (CHOW) income was higher than budgeted, offset slightly by lower than budgeted income on food and garden sacks, 2) a £62k saving as less was spent on materials including liners and bins, 3) a £28k underspend on agency and staffing and 4) a £12k underspend on the Environmental Initiatives budget.</p> <p>Other Recycling, Bulky Waste &amp; Glass Collections collectively underspent by £46k, comprised of 1) £31k on co-mingled (pink sack) waste where disposal costs were lower than budgeted along with there being a small underspend on</p>

		agency and salaries, offset in part by additional costs of materials, 2) a £6k underspend on bulky waste collections as forecast contract costs came in under budget and 3) £10k net underspend due to additional glass recycling income received offset by an overspend on agency staffing.
Leisure and Halls	(113)	The most significant underspends in the service are on staffing (£50k), utilities (£14k) and maintenance at Waterside (£23k). In addition to the underspends on expenditure, there was also additional membership income of £52k achieved and additional income at Waterside of £14k. This additional income was offset in part by income at Runnymede being £29k lower than budgeted.
<b>Customer &amp; Digital Services</b>		
Information Technology	(72)	There are two main causes of the underspend in IT. First, after a review of expenditure, the £39k cost of a server has been transferred into capital expenditure. Second, there was a £30k budget for depreciation which ultimately was not required.
Revenues and Benefits	11	This small overspend was caused by a £7k overspend on postage costs and a £8k overspend on card processing charges.
<b>Place &amp; Policy</b>		
Planning and Regeneration	(125)	There were underspends across the service, broken down by team as follows: Planning Admin was £16k underspent, comprise of a £10k staff saving due to staff turnover in the last quarter of the year along with an underspend of £6k on advertising costs. Building Control was £31k underspent, predominately due to £18k of additional income above the level expected. In addition, there was a £7k saving on staff costs as less overtime was undertaken and there was £4k of savings on mileage and other small saving across the team. Development Control was £46k underspent, of which £13k was caused by additional income achieved and £29k was a staff saving as upon review it was determined it could be funded by PPA income. Regeneration was £34k underspent as budget allocated for projects remained unspent at the end of the year.
Knightswick	(278)	The most significant item here is £285k of income relating to the Sinking Fund held (a pot of money that has been held since the purchase of the centre to

		fund improvements). This will be held in an earmarked reserve to be used towards the cost of the refurbishment.
<b>Other Operating Income and Expenditure (Non-Service)</b>	(3,125)	This £3.1m underspend is formed by a number of variances. The most significant is £2.8m relating to the Council's claim to HMRC for a refund of VAT paid on leisure services following the successful challenge to the VAT treatment. This will be held in reserves to fund the costs incurred in achieving the refund, with the remainder then available to support future priorities. In addition to the VAT refund, net interest receivable was £299k higher than budgeted as a result of the continued increases in the Bank of England base rate, income from Council Tax and Business rates was £67k and finally the funding of capital expenditure was £17k lower than budgeted. Offsetting these favourable variances was a £59k overspend on the Council's investment properties (e.g. the Whitehouse) due to maintenance costs.

5.4. The figures within Table 1 above take into account the carry forwards requested by services and approved by the Section 151 Officer in accordance with the Council's Financial Regulations. They total £379k, of which £63k is unspent grant funding being taken forward to continue delivering the various programmes the grants are funding. The full list of General Fund carry forwards are as follows:

**Table 2 – General Fund Revenue 2022/23 Carry Forwards**

Item	£	Narrative
Vehicle Maintenance Staff Training	1,900	HGV training delayed from January 2023 to 2023/24
Car Parks	17,600	Existing policy is for underspends arising on car parks to be placed in an earmarked reserve to fund future works
Highways Rangers	2,600	A small underspend which will be used to offset the cost now being picked up by the Council rather than funded by ECC
Paddocks repairs	10,400	Spend on urgent repairs to the Paddocks did not reach the forecast level, therefore the underspend is carried forward for future works
Waterside Leisure Centre flooring repairs	35,000	Work was expected to be completed towards the end of 2022/23 but the tender exercise was unsuccessful so works will now be completed in 2023/24
Food Safety Inspections	1,600	A small underspend will be taken forward to support the Food Standard Agency's recovery plan and deliver additional inspections
Environmental Health staffing	1,800	A small underspend arising due to a timing difference between the vacant position and the agency backfill, required to part fund the agency appointment in 2023/24
Safer Communities and Public Health	32,800	Funding received from ECC to be spent on these specific areas
Benefits – Occupational Health	1,100	Spend in relation to a specialist equipment which was not delivered before the end of March
IT – Cybersecurity	30,500	Grant funding from DLUHC to be spent on Cybersecurity
Planning Performance Agreements	30,300	Timing difference between income received from the applicants and the Council's spend delivering the service
Planning appeals	21,800	Appeals in progress as at the end of March for which budget was allocated in 2022/23
Castle Point Plan	169,800	Spend to now be incurred in 2023/24 rather than 2022/23
Regeneration Projects	16,600	Spend on Canvey Island Town Centre to now be incurred in 2023/24

Planning staffing	5,400	Underspend on one post being used to cover backfill in 2023/24
<b>Total</b>	<b>379,200</b>	

5.5. Given the level of underspend in 2022/23, there is an opportunity to make decisions which will ease the burden on the General Reserve in the future or which will contribute towards closing the budget gaps in future years.

5.6. The Section 151 Officer believes is it reasonable to utilise the General Fund underspend to make the following appropriations to earmarked reserves:

**Table 3 – General Fund Appropriations to Earmarked Reserves**

Earmarked Reserve	£k	Narrative
Priority Initiatives	2,830	The Council was successful in securing a refund of VAT dating back over 10 years in relation to Leisure Services. Whilst a portion of this is required to fund the costs incurred securing the refund, the remainder will be available to fund future priorities.
Castle Point Plan	927	This will fund the forecast cost of the CPP in 2024/25 and 2025/26, saving the need to resort to using the General Reserve
Improvement	462	The Council's transformation programme is ongoing and one-off costs will be incurred to realise future savings
Vehicle Replacement	400	It is known the refuse freighters require replacement, and part funding from reserves will reduce the need for external borrowing
Knightswick	285	The underspend on Knightswick is to be appropriated to the reserve and will partially fund the refurbishment
Carbon Reduction	200	It is expected that initiatives to reduce the Council's carbon footprint will be costly and therefore making additional provision now will reduce the future cost pressure
New Burdens & General Items	70	There was an underspend on Taxi Licensing which needs to be held and ringfenced to offset any deficit arising in 2024/25
<b>Total</b>	<b>5,174</b>	

## 6. General Fund Capital 2022/23 Provisional Outturn

6.1. The net expenditure after adjustments is a small overspend of £40k (1.37%). The budgeted position was for spend of £2.921m but the actual spend was £2.961m. This small variance has no impact on the Council's future plans as it is funded from earmarked reserves and external funding.

6.2. The material variances are as shown in the following table:

**Table 4 – General Fund Capital 2022/23 Provisional Outturn**

Scheme	Variance Over/(Under) £k	Narrative
ICT Software	(11)	Savings against budget for new Virtual Private Network software
Disabled Facilities Grant	39	Budget was reduced in February based on the latest available information but spend increased more than expected. This overspend is funded from the grant funding held in reserves.
Replacement gym equipment	(25)	Fewer items were deemed in need of replacement
Knightswick	35	Planning costs have been incurred and will be funded from the earmarked reserve
Total of other variances	2	Minor variances on remaining schemes
<b>Total</b>	<b>40</b>	

6.3. The figures within Table 4 above take into account the carry forwards requested by services and approved by the Section 151 Officer in accordance with the Council's Financial Regulations. The Carry Forwards requested total £466k, of which £444k relates to the externally funded Home Upgrade Grant, with the remaining £22k relating to the Council's vehicle replacement programme.

## 7. HRA Revenue 2022/23 Provisional Outturn

7.1. The HRA Revenue provisional outturn is an £304k (1.68%) overspend after adjustments. This is due to making an early repayment of external debt, taking advantage of a discount available for doing so. The debt was budgeted to be repaid in later years. The overspend is contained within the HRA reserves and has no impact on future plans. The material variances on the HRA are as follows:

**Table 5 – HRA Revenue 2022/23 Provisional Outturn**

Area of Spend	Variance Over/(Under) £k	Narrative
Income from Service Charges	(15)	Recharges to leaseholders for services provided, such as Repairs and Maintenance, cleaning, utilities and insurance were higher than anticipated

		due to higher levels of expenditure on the council housing stock
Supervision & Management	(27)	Legal fees and compensation payments combined are £34k over budget due to ombudsman and disrepair claims. Additional income from a tax refund and sale of land (£18k) and a new burdens grant (£7k) has helped offset this, as have underspends on IT costs (£19k) and salary costs (£18k).
Repairs and Maintenance	106	Reactive and cyclical repair costs were higher than budgeted (£161k) offset by a reduction in planned and void works (£36k). Insurance payments received (£14k) also offset the overspend.
Other Service Expenditure	83	Contributions to bad debt provisions were higher than anticipated (£17k) as were payments for utility and council tax bills (£66k).
Other Operating Income and Expenditure	2,161	Revenue contributions to capital made to fund an early loan repayment (£2.5m).
Other minor variances	(3)	
<b>Total</b>	<b>2,304</b>	

7.2. The table above shows the underlying overspend is £2.3m before adjustments to and from HRA reserves. Taking the movements on HRA reserves into account, which total £2m, this brings the overspend down to £304k.

## 8. HRA Capital 2022/23 Provisional Outturn

8.1. The HRA capital provisional outturn position is an underspend of £6k (0.2%) after adjustments. Whilst very close to the budgeted position, this does hide a number of larger variances which mostly offset each other. The material variances are as follows:

**Table 6 – HRA Capital 2022/23 Provisional Outturn**

Scheme	Variance Over/(Under) £k	Narrative
Central Heating	(12)	Tenant refusals and lower than anticipated breakdowns
Kitchen Improvements	24	Increase in requirements for void replacement and increase in material prices
Environmental Improvements	42	Additional works due to health and safety concerns in relation to garages
Roofs	38	Additional works due to roof issues on a block of flats

Electrical Rewiring	(18)	Tenant refusals to have work undertaken
Chimneys	(12)	Anticipated works were deferred
Bathroom Improvements	(16)	Tenant refusals and lower than anticipated breakdowns
Common Areas	(11)	Flooring works delayed
UPVC Fascia's and Soffits	18	Additional works required in near future were undertaken whilst scaffolding was in place for exterior decoration work
Wall Finishes	(22)	Anticipated level of work not required following inspections
Unallocated Provision	(40)	Provision utilised to offset overspends
Other minor variances	3	
<b>Total</b>	<b>(6)</b>	

8.2. Also within the provisional outturn position are a number of carry forwards which total £540k and are required where work has slipped into 2022/23. The list of carry forwards are as follows:

**Table 7 – HRA Capital Carry Forwards**

Item	£
Doors	193,800
New Build@ 54-60 Linden Way	100,500
Disabled Adoptions	99,200
New Build: Link Road	63,400
New Build: Cedar Road	60,400
Insulation	22,500
<b>Total</b>	<b>539,800</b>

## 9. General Fund Revenue 2023/24 Forecast Outturn – First Quarter Stage

9.1. Whilst the forecasts within this report are based on known information only three months into the new financial year, many of the budgets were finalised based on the best information available at the end of December in preparation for Council in February. Therefore, six months or more have passed already since budgets were set and inevitably some variances have materialised.

9.2. As at the first quarter stage, the General Fund 2023/24 forecast outturn is an underspend of £503k. There are four material variances causing this variance, with all other services areas currently forecasting to be online as would be expected at this early stage.

9.3. The first and most significant variance is an underspend of £629k against the Council's net interest receivable budgets. When the interest budgets were set, projections for the Bank of England base rate were used along with a projection for the Council's average cash balance. The situation has changed significantly, with the base rate now higher than the projections at that time and forecast to go

higher still. Additionally, the Council's average cash balance has been higher than forecast.

- 9.4. Offsetting the above underspend and a forecast overspend on car parking. The budget at School Lane was held once again at pre-pandemic levels as it was still felt to be too early when the budget was set for the 'new normal' to be established. Whilst utilisation of the car parked has increased, the significant shift to hybrid working appears to be becoming a permanent consideration. The current projection is for School Lane income to be £166k lower than budgeted.
- 9.5. Whilst the overspend on School Lane was to be expected, it was anticipated that the variance would be funded from the Covid-19 earmarked reserve. However, it is now proposed that it is funded from the Council's current year forecast underspend for as long as the underspend remains. At the second quarter stage, a virement will be requested to realign budgets based on the forecasts at that time.
- 9.6. Offsetting in part the lower than budgeted income on School Lane is higher than budgeted income across the other car parks operated by the Council. Income is currently forecast to be £65k higher than budgeted.
- 9.7. Finally, two minor overspends are forecast. One for £11k relates to a drop in the forecast income on Trade Waste arising from contract cancellations, whereas another for £14k on the Legal Fees budget reflects the fees incurred on seeking expert advice on a potential challenge to the Boundary Commission review.
- 9.8. At the present moment in time, it is recommended that the £503k underspend is kept under review. As the year goes on, it is inevitable that other unavoidable overspends will arise particularly given the current inflationary and volatile climate.

## **10. General Fund Capital 2023/24 Forecast Outturn – First Quarter Stage**

- 10.1. At the first quarter stage, no schemes are forecasting a variance from budget. However, a high risk exists in relation to the Thorney Bay Pavilion scheme and the likelihood that tender returns exceed available budgets. Should this be the case, a separate report will be made to Cabinet in relation to the scheme and its funding.

## **11. HRA Revenue 2023/24 Forecast Outturn – First Quarter Stage**

- 11.1. At the current moment in time, a small underspend of £17k is forecast. This is being caused by net interest receivable being £32k higher than budget, offset by £10k of additional cleaning costs incurred and provision of £5k being made in respect of disrepair claims.

## **12. HRA Capital 2023/24 Forecast Outturn – First Quarter Stage**

- 12.1. Currently no schemes are forecasting a variance, meaning a balanced outturn position is expected. As schemes progress during the year, timings and delivery will be confirmed and it is expected variances will occur.

**13. Corporate implications**

**a) Legal implications**

This report is presented on behalf of the “section 151 officer” – the officer appointed to have responsibility for the Council’s financial administration. It is their duty to ensure that Cabinet and Council are regularly informed and updated on these matters.

**b) Human Resources and equality implications**

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

**c) Timescale for implementation and risk factors**

The position shown within this report is a forecast. Forecasts take into account the known information at any given moment in time and estimates are made for the period to the end of the year. However, unexpected items can and will arise, whilst it is likely that actual experience between now and the end of the year will differ to the estimates made.

**Report Author: Lance Wosko, Financial Services Manager (s151 Officer)**

**Background Papers:**

- Policy Framework & Budget Setting 2023/24, incorporating the Financial Planning Strategy. (February 2023)

**AGENDA ITEM NO. 13**

**CABINET**

**20th September 2023**

**Subject:** **Thorney Bay Pavilion**

**Cabinet Member:** **Councillor Palmer (Economic Growth & Climate Action)**  
**Councillor Mountford (Resources)**

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**1. Purpose of Report**

**This report is to inform the Cabinet on progress with the Thorney Bay Pavilion project part funded by Coastal Communities Fund (“CCF”) from the Department for Levelling-Up, Housing and Communities (“DLUHC”); to agree the Castle Point Borough Council contribution; and approve the appointment of the lead contractor.**

**2. Links to Council’s Priorities and Objectives**

**The regeneration of Canvey Seafront supports the following Council Priorities from the Corporate Plan:**

- People: We want to lead long and healthy lives with access to leisure facilities and organised activities that encourage us to keep active and feel good about ourselves.**
- Environment: From the beaches and the foreshore to the “green lungs” of our parks and open spaces – we want to protect and enhance these.**
- Place: We want to ensure that new development is designed to help to deliver great public spaces, which are safe.**

**3. Recommendations**

- That the Cabinet note the progress on the project and the appointment of T.J. Evers Ltd., as lead contractor for this project.**
- That Cabinet agree to increase the scheme and payments approvals by £301k, funded by £160k from South Essex Parking Partnership and £141k from the Council’s Priority Initiatives earmarked reserve.**

**4. Background**

**4.1** In 2016, the Council identified the Coastal Communities Fund as a potential source of funding for a range of activities on Canvey Island. A draft master plan

for Canvey Island Sea Front was created in 2018 which identified the need for a facility at Thorney Bay to support the increasing number of visitors to that area and in particular, provide new café/hub and toilets.

In late 2018, the government invited applications for funding from round five of the CCF. The Council put forward a successful outline bid to create, what was at that time, a new Art Deco style pavilion at Thorney Bay with public toilets, a retail kiosk, storage space to support local volunteers, and a viewing terrace. Other proposals in the bid included enlargement of the car park, lighting, footpath and signage improvements, provision of an outdoor water tap and rinsing shower.

Preliminary designs for the scheme were agreed and the full funding application was submitted by the Council in January 2019; seeking £1.52M for a £1.72M scheme. The Council's revenue contribution was estimated at £200K and was offset by income from the pavilion and additional car parking revenue.

- 4.2 In March 2019, the Council was notified by the MHCLG that it had been successful in securing the £1.52M in funding from CCF for the project. At the Cabinet meeting of the 17 April 2019, the Chief Executive was authorised to enter into a funding agreement with the MHCLG.
- 4.3 Ingleton Wood (IW) a Colchester based firm of Architects were procured using the Braintree Procurement Framework in July 2019 to support with the development of the project. Their role includes architectural services, technical services, cost consultancy and project / contract management.
- 4.4 In late 2019, delays to planning permissions caused by Environment Agency (EA) that were linked to their proposals to undertake the revetment work (and consequent use of heavy plant and machinery, which would have destroyed elements of the proposed Thorney Bay scheme). Therefore, elements of the scheme relating to improvements to the sea wall were dropped.
- 4.5 The original scheme design was well-progressed with approvals in place and the tender for construction was ready to be issued when the first Covid lockdown was implemented in March 2020. This had the impact of delaying the tender during a period of uncertainty as to whether construction projects could proceed, greater risk to contractors, a reluctance to tender from contractors and increased construction cost inflation. At that time the project was subject to an open tender. However, when the tender was issued later in 2020, only a single response was received which was significantly above the project budget. As a result, a full cost analysis was undertaken which concluded that a more fundamental redesign was necessary.
- 4.6 Although the costs were increasing, on 20th June 2020, the MHCLG advised that they were withholding contingency funding of £71,700 that had been included in the original award. The revised award was therefore, reduced to £1,450,300.
- 4.7 Between March and September 2022, a new design was created that reduced the complexity of works required whilst retaining the main elements of the

scheme and the quality. The new design offered a very different design to the original and reduced construction costs.

- 4.8** Planning permissions for the revised proposals were secured on 7th February 2023. A package of drawings and documentation was sent to a cost-consultant for a pre-tender estimate which was received on 1st March 2023 and valued the work at £1.825M, which showed a funding deficit of circa £315K.
- 4.9** The latest design allow scope for modification for value engineering which can be applied post contract award. The estimates had also planned in budget contingency to manage the risk of supply chain inflation.
- 4.10** A competitive tender process using the Braintree iProcurement e-Tendering System was launched on 18th May 2023. The Essex County Council managed Essex Construction Framework, with eight potential Contractors was used to help increase the potential number of bidders for the project. Of the eight Contractors, five confirmed their intention to submit bids for the work. Following a request by a tendering contractor, the tender return date was extended from 29th June 2023 to 14th July 2023.
- 4.11** Two contractors withdrew from the competition prior to the deadline owing to commercial conditions and resource constraints. On the 14th July, three bids were submitted, however, one of those was not full and compliant and therefore rejected by the Council. The remaining two bids were submitted for further analysis.
- 4.12** Use of the framework increased the potential number of was considered to offer better potential to increase the number of bidders, with better a proven track record on quality and an opportunity for more local bidders (see para. 4.5 above).

Contractor	Bid price £
Contractor A	£1,654,927.00*
Contractor B	£1,700,574.81*

*\*All figures exclude Value Added Tax*

- 4.13** The bids were subjected to a tender evaluation assessment process of the best price (80%) / quality (20%) ratio. The evaluation criteria included quality and a strong emphasis on social value which highlighted potential use of local sub-contractors and apprentices which will be monitored by the Council as well as Ingleton Wood during the contract.
- 4.14** The evaluation of the Quality score was carried out separately to the evaluation of the Price score, with the final scoring being mediated by Braintree District Council.
- 4.15** Following the scoring panels and moderation work, Contractor A T J Evers of Colchester were selected as the main contractor, subject to Cabinet approval. It is worth noting that TJ Evers are the main contractor. They indicated in their tender that they will use where they can local contractors within the Borough or south Essex. Whilst the use of local contractors is always sought, that is subject

to price and quality, and the ability to deliver to the timetable of the main contractor.

## **5. Proposals**

- 5.1** This proposal seeks to create a new pavilion building within an area currently used as Public Open Space. This project will support the regeneration of Canvey Seafront by providing improvements to facilities and the visitor experience. The focus will be on young families and older people who enjoy Canvey and represent our point of difference to other seafront areas in Essex. The main measure of success will be increased visitation to the area and sustained/increased economic activity.
- 5.2** The project is for construction of a new build pavilion, associated external works, mains services and car park extension at Thorney Bay, Canvey Island. Planning permission for the revised scheme is in place.
- 5.3** In our funding application to DLUHC, we committed to contributing match funding of £200K to the scheme together with £63K additional in-kind staff time for project oversight. Revenue is forecast to come from the pavilion rental and additional car parking spaces because of increased visitor and vehicle numbers. Once the contract is let, the next step, the Council will appoint letting agents to market the pavilion to potential occupiers. When it was first soft marketed in 2020, there was interest. The pavilion provides a unique opportunity for a food and drink business with a large catchment of visitors, in a stylish building and panoramic sea views.
- 5.4** It is proposed that the project be added to the Capital Programme

## **6. Corporate Implications**

### **(a) Financial Implications**

- 6.1** Total funding required for the project is £1.651m removing the professional / statutory fees and surveys of £302k reduces the sum for construction of £1.349m. The project is primarily funded by a grant of £1.45m from the DLUHC Coastal Communities Fund.
- 6.2** T J Evers were selected on price with a net tender price of £1.651m, which includes a £4k reduction following qualifications and clarifications. Submissions evaluation was based on 20% Quality and 80% on price.
- 6.3** The funding deficit is calculated as follows:

<b>Contractor</b>	<b>Estimate / Adjusted Tender sum</b>	<b>Funding remaining for construction</b>	<b>Funding deficit</b>
T J Evers	£1.651m	£1.349m	£301k

**6.4** To address the funding gap of £301k it is proposed to utilise funding as follows:

- i. Utilise £160k from the Council's South Essex Parking Partnership fund. This will contribute to the additional costs of the parking spaces and associated other related works.
- ii. It is proposed that the remaining £141k balance is funded from the Council's Priority Initiatives earmarked reserve. This figure will reduce should any of the following mitigations materialise.

**6.5** Additional options to reduce / limit project costs include:

- i. IW has forecast it will secure a further £50k reduction in costs through Value Engineering with the selected contractor but the negotiation process cannot be carried out before the award of contract without delaying the project and jeopardising DLUHC support for future projects.
- ii. Additional Value Engineering may be secured during the lifetime of the project to deliver additional savings which would reduce the need to draw upon reserves. The Council's project officer will liaise with IW and report to the Cabinet when additional reductions are secured.
- iii. The Council has appealed to DLUHC to pay £32k of the funding they withheld in 2019 to cover the cost of the steel screw deep piling required by the EA. Although outside the original deadline of November 2019 we consider the withholding of the funds unfairly penalises the Council given the unique problem we face with Canvey Island flood management risks.

**6.6** The external funding will be utilised fully prior to the Council's own funding being used. It is envisaged that the payments approval for each year will now be as follows:

Funding source	2022/23 and earlier £k	2023/24 £k	2024/25 £k	Total £k
CCF	160	430	860	1,450
SEPP	0	160	0	160
Council's own funds	0	0	341	341
<b>Total</b>	<b>160</b>	<b>590</b>	<b>1,201</b>	<b>1,951</b>

**(b) Legal Implications**

**6.7** The Council received funds from the Ministry of Housing, Communities & Local Government under Section 31 of the Local Government Act 2003 to support this regeneration project to build a new pavilion and public toilets at Thorney Bay.

**6.8** The project is for construction of a new build pavilion, associated external works, mains services and car park extension at Thorney Bay, Canvey Island, SS8 0AG. Planning permission for the revised scheme is in place.

**6.9** The employer will be Castle Point Council with design and contract administration the responsibility of Ingleton Wood, a Colchester based firm of Architects.

**6.10** The EA has been engaged with the scheme design process to date, however it is expected that the building will be required to be sacrificial in the event of a major flood.

**(c) Human Resources and Equality Implications**

**Human Resources**

None

**Equality Implications**

**6.11** The Thorney Bay Pavilion is a community asset that will be of benefit to all, including those with protected characteristics as defined under the Equality Act 2010. The Initial Screening Equality Impact Assessment suggests that the project has the potential to reduce inequalities of outcome which result from socio-economic disadvantage. It could also help to foster good community relations. The new building has been designed to BS8300 standards to be an accessible and inclusive environment and to ensure that it is DDA compliant.

**(d) IT and Asset Management Implications**

No IT implications are foreseen.

The scheme involves works on public land owned by CPBC, construction of the facilities will result in a new facility for the Council to manage and has asset management implications.

**7. Timescale for implementation and Risk Factors**

**(a) Timeline**

**7.1** The tender documentation was uploaded to the Delta e-tendering portal on the 18th May 2023 under the Essex Construction Framework 2 and five bidders indicated their intention to bid. Following an extension, the deadline was extended to 14 July 2023 at which time three bids were submitted, however, one of these bidders was not compliant. Therefore, only two bids were offered for evaluation.

**7.2** Evaluation of the Quality score was carried out on 1st August and separately from the evaluation of Price score. T J Evers were selected as the successful bidder.

Tender issued	Tender returns	Evaluation		Cabinet approval	Contract award	<b>Stage 1 Start</b> Piling design, planning condition discharge / EA approval	<b>Stage 1 End</b>	<b>Stage 2 Start</b> Construction of the pavilion building	<b>Stage 2 complete.</b> All work completed and Pavilion commissioned
18/5/23	14/7/23	1/8/23		<b>20/9/23</b>	Oct23	Oct 23	Dec 23	Jan 24	Sep /24

### (b) Risks

**7.3** A key risk linked to this project is that of CPBC's ability to deliver on central government funded schemes. It is, therefore, essential that we deliver this project to ensure we maintain our reputation as a reliable delivery partner of the DLUHC.

**7.4** The project is due for completion by 27 September 2024. The main risks to the project relate to construction and financial risks. Both risks have been mitigated with the appointment via the procurement framework of experienced Essex based architects and construction professionals. Financial risks have been mitigated by a redesign of the original proposals, but upward inflationary pressures remain and are being closely monitored and managed.

A full risk register is being developed and maintained as part of the project delivery, but the following items have initially been identified:

<b>Risk</b>	<b>Mitigating actions</b>
• Cabinet approval for capital works	Briefings and discussions satisfy Cabinet members and approval to proceed granted.
• EA permit for pilings due to the building's location and proximity to the flood defence.	This cannot be done until a contactor is appointed as it requires a bespoke method of work and risk assessment to be completed by the contractor. IW to hold pre-applications with the EA
• Contractor procurement inadequate to control costs	IW as Project Managers, will work closely with the Contractors and continue to secure further value engineering savings during a project. We will work closely with IW to ensure the contractors control costs, achieve savings and secure maximum value for money.

## 8. Background Papers

Previous reports to Cabinet

**Report Author:** Mike Simmonds, Interim Senior Economic Development Officer

**AGENDA ITEM NO.14**

**CABINET**

**20th September 2023**

**Subject:** **Christmas Office Arrangements**

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

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**1. Purpose of Report**

**To inform Cabinet of the arrangements for the operation of the Council Offices during the Christmas and New Year period.**

**2. Links to Council's Priorities and Objectives**

**This relates to all.**

**3. Recommendations**

**To note the closure arrangements for the Christmas and New Year period and that the Council Offices will reopen for business on Tuesday 2<sup>nd</sup> January 2024**

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**4. Background**

- 4.1 In recent years the practice has been to close the Council Offices between the Christmas and New Year period with the Council Offices closing from close of business on Christmas Eve and reopening on the first working day after New Year's Day.
- 4.2 Residents that need assistance during the Christmas holidays contact the emergency out of hours line run by Southend Careline.
- 4.3 The employees who are able to benefit from the closure of the offices are required to book two statutory days which are part of their contractual leave entitlement. In addition an extra day, taken at the discretion of the Chief Executive, known as the "Chief Executive's day" is awarded annually to facilitate the closure. (Where the Chief Executive's day is not taken at that time the day is added to the employee's annual leave entitlement.)
- 4.4 The Chief Executive's day comprises of the traditional half day Maundy Thursday and half day Christmas Eve leave that used to be granted to local government employees.

4.5 Services which continue to operate, e.g. the Refuse service and the Leisure service do not benefit from this practice and nor do front line services which operate on a standby or shift rota basis such as Sheltered Housing. However, they are able to take the two statutory days and Chief Executive's Day later in the leave year.

## 5. **Proposals**

5.1 If the customary practice was followed the Council Offices would close for business at the end of the normal working day on Friday 22<sup>nd</sup> December 2023 and reopen on Tuesday 2nd January 2023 inclusive which is a total of 3 business days but because of how the dates fall, a total of 10 calendar days.

5.2 The Christmas closure is a time for staff to rest and recuperate while spending time with their families, the Chief Executive is of the view that the 27<sup>th</sup> and 28<sup>th</sup> December should be taken as the two statutory days and the discretionary Chief Executive's day should be awarded on the 29<sup>th</sup> December.

5.3 Going forward given the changes to ways of working with the increase in flexible working and the occupation of the building the Chief Executive intends to review the future business arrangements for Christmas closure.

## 6. **Corporate Implications**

### (a) **Financial Implications**

There are none

### (b) **Legal Implications**

There are none.

### (c) **Human Resources and Equality Implications**

These are addressed within the report

### (d) **IT and Asset Management Implications**

This is addressed in the report.

## 7. **Timescale for implementation and Risk Factors**

Dealt within the report.

## 8. **Background Papers**

Annual Leave HR Procedure

### **Report Author:**

Ann Horgan – Head of Governance

**AGENDA ITEM NO.16**

**CABINET**

**20th September2023**

**Subject:** **Matter referred from Policy & Scrutiny Committee  
Review of Public Space Protection Order**  
**Cabinet Member:** **Councillor Savage – People &Community**

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**1. Purpose of Report**

**To inform Cabinet of the review undertaken by the Environment Public Space Protection Order (Roscommon Way)(PSPO)**

**2. Links to Council's priorities and objectives**

**This report is linked to the Council's Priority: People**

**3. Recommendations**

**To note the outcome of the review to establish Task & Finish Group to work to improve the effectiveness of the Public Space Protection Order (Roscommon Way).**

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**4. Background**

The Public Spaces Protection Order (PSPO) was granted and implemented in the Roscommon Way area of Canvey Island on 5 September 2022 for a period of 3 years. A caveat in the granting of the order stated that the PSPO will be reviewed at any point it was felt necessary at the Environment Policy and Scrutiny Committee.

The PSPO was implemented to tackle the following:

1. Driver engaging in, promoting, encouraging or assisting in the carrying out of any activity connected to the use of a motor vehicle which causes:
  - (i) Excessive noise
  - (ii) Danger to other road users (including pedestrians)
  - (iii) Damage or risk of damage to private property
  - (iv) Any public nuisance to another person
2. Congregating or loitering as part of a group in one or more stationary vehicles.

3. Engaging in, promoting, encouraging or assisting in activities or other vehicle related nuisance causing or likely to cause a danger to the public.
4. Causing or permitting excessive amplified music or other noise from vehicles.

**Area Covered by the PSPO**

The PSPO covers Roscommon Way and surrounding areas. Penalties for breaching the PSPO result in the issue of a fixed penalty notice not exceeding £100 to anyone he or she has reason to believe has committed an offence.

Failure without reasonable excuse, to comply with the prohibitions or requirements imposed by this Order is a summary offence under section 67 of the Antisocial Behaviour Crime and Policing Act 2014. A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000).

The Committee was reminded that one of the considerations in making this Order was that it would be a useful additional measure to tackle the persistent and unreasonable activities taking place in and around Roscommon Way.

Enforcement of the order could be undertaken by

- Police Constables
- Police Community Support Officers and
- Council Officers.

Council staff and Police Community Support Officers do not have powers to stop vehicles. Therefore, only the police can enforce any breach of the PSPO at the roadside. If criminal offences have been committed, the police will follow the criminal law and report offenders for pre-existing criminal offences, for example, excessive speed, careless driving and excessive exhaust noise (which is a construction and use offence) under existing Road Traffic legislation.

The Committee was aware that the Council does not currently have officers to carry out enforcement of the order. The enforcement of the PSPO therefore falls entirely to Essex Police, within their current capacity and is subject to other policing priorities.

The Police had issued 23 Fixed Penalty Notices to date. However there continued to be complaints from members of the public at approximately the same level as before the Order was in place.

There have been calls for larger signs to be placed in and around the area in an attempt to further deter the racing. The committee was informed that arrangements were being made to put in place improved signage .

## **5. Review**

Chief Inspector Paul Hogben, Castle Point and Rochford District Commander Essex Police had accepted an invitation to attend the meeting of the Committee to assist the review. The Chief Inspector was present together with two

residents Mr J. Stone and Mr B Baxter directly affected by the racing on Roscommon Way. Both Mr Stone and Mr Baxter addressed the Committee sharing their experience of the nuisance an annoyance caused by cruising taking place on Roscommon Way commenting on the effectiveness of the PSPO.

Residents indicated that immediately after the order was in place there was significant improvement. Signs proved effective.

Members present also shared their direct experience of the impact of the PSPO. Residents and members spoke of their experience of difficult of getting a response through the non-emergency police number 101. However Members and residents acknowledged that if contact was made the police did respond to the call.

It was suggested that use of Section 59 powers available to the Police could be more effective than the fixed penalty in overcoming the anti-social behaviour taking place.

Chief Inspector Hogben had only recently taken up his post. However he was aware and appreciated the problem being caused as a result of this anti-social behaviour and shared his experience of the police action which had been effective in addressing this antisocial activity. The Chief Inspector in responding to matters raised at the meeting recognised that this was a priority issue to be addressed in Castle Point.

In drawing matters together there was consensus that while the impact of the PSPO has resulted in some reduction in the antisocial behaviour and nuisance caused by gathering and racing on Roscommon Way work needed to be undertaken to improve the effectiveness of the order.

It was agreed that a Task and Finish Group including members of the Committee and residents be established to work with the Police to improve the effectiveness. (Council membership to be Councillors Thomas, John Payne, Lillis together with Cabinet Member Councillor Savage). The Task and Finish Group to report back to environment Policy & Scrutiny Committee in keeping under review the effectiveness of the PSPO Order.

## **6. Corporate Implications**

### **a. Financial implications**

There are no financial implications arising directly from this report. Any proposals from the Committee to change how the PSPO is enforced or its existence is advertised will need to be individually costed and funding identified either through exploration of and securing grant funding or as a separate growth bid which will be considered in the context of the Council's financial position and priorities at that time.

### **b. Legal implications**

The Solicitor to the Council is authorised in all appropriate cases and subject to being satisfied as to the evidence which is obtained to institute legal proceedings in respect of any matters relating to the functions undertaken by the Council,

including those powers falling under the PSPO, where such legal action is necessary to protect the Council's interests or to achieve the objectives of the Council.

**c. Human resources and equality implications**

The Task and Finish Group will be supported from existing resources.

**d. Timescale for implementation and risk factors**

There are no new risk factors. The Task and Finish Group will report back to Environment Policy & Scrutiny Committee in keeping under review the effectiveness of the PSPO Order.

**7. Background Papers:**

Environment Policy & Scrutiny Committee 23.8.2023

**Report Author:**

Ann Horgan – Head of Governance.