



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Marchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

CABINET AGENDA

Date: Wednesday 21st November 2018

Time: 7.00pm NB Time

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

Councillor Smith	Chairman - Leader of the Council
Councillor Stanley	Finance, Policy and Resources
Councillor Mrs Egan	Housing and Council Homes
Councillor Howard MBE	Streets, Waste, Floods and Water Management
Councillor Isaacs	Neighbourhoods & Safer Communities
Councillor MacLean	Health & Wellbeing
Councillor Mumford	Regeneration & Business Liaison
Councillor Sheldon	Commercial Contracts and Commercial Opportunity
Councillor Varker	Environment & Leisure

Cabinet Enquiries:	John Riley Ext 2417/Ann Horgan ext. 2413
Reference:	5/2018/2019
Publication Date:	Tuesday 13th November 2018

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

1. Apologies

2. Members' Interests

3. Minutes

To approve the Minutes of the meeting held on 16th October 2018.

4. Forward Plan

To review the Forward Plan.

5. Health and Community Safety

5(a) Motion referred from Council

(Report of the Cabinet Member for Neighbourhoods and Safer Communities)

5(b) The Essex HMO Amenity Standards

(Report of the Cabinet Member for Health and Wellbeing)

6. Environment

6(a) Response to Public Consultation regarding Possible Banning of Dogs from Canvey Sea Front

(Report of the Cabinet Member for Environment and Leisure)

6(b) Canvey Island Seafront Update

(Report of the Leader of the Council, Cabinet Members for Regeneration and Business Liaison; Environment and Leisure; Streets, Floods, Waste and Water Management)

7. Housing and Regeneration

7(a) Charging Policy for Homeless Temporary Accommodation

(Report of the Cabinet Members for Housing and Council Homes and Finance, Policy & Resources)

7(b) Highways England Lower Thames Crossing Consultation

(Report of the Leader of the Council, Cabinet Member for Regeneration and Business Liaison)

7(c) Joint Strategic Plan Statement of Community Involvement

(Report of the Leader of the Council, Cabinet Member for Regeneration and Business Liaison)

8. A Commercial and Democratically Accountable Council

8(a) Financial Update

(Report of the Cabinet Member for Finance, Policy & Resources)

- 8(b) Local Council Tax Support (LCTS) Scheme for 2019/20**
(Report of the Cabinet Member for Finance, Policy & Resources)
- 8(c) Corporate Performance Scorecard 2018/19 Quarter 2**
(Report of the Cabinet Member for Commercial Contracts and Commercial Opportunity)
- 9. Matters to be referred from /to Policy & Scrutiny Committees**
- 10. Matters to be referred from /to the Standing Committees**
There are no matters.

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

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

INFORMAL
CABINET SESSION

All Councillors are welcome to take part in this informal question time session with Cabinet at the end of the meeting. The session will be time limited and will conclude not later than 9pm.



CABINET

16TH OCTOBER 2018

PRESENT:

Councillor Smith Chairman	Leader of the Council
Councillor Stanley	Finance, Policy and Resources
Councillor Mrs Egan	Housing and Council Homes
Councillor Howard MBE	Streets, Waste, Floods and Water Management
Councillor Isaacs	Neighbourhoods & Safer Communities
Councillor MacLean	Health & Wellbeing
Councillor Sheldon	Commercial Contracts and Commercial Opportunities
Councillor Varker	Environment & Leisure

APOLOGIES: Councillor Mumford.

ALSO PRESENT:

Councillors: Anderson, Blackwell, Mrs Blissett, Campagna, Cole, Greig, Mrs Haunts, Johnson, May, Palmer, J.A. Payne, Mrs Payne, Mrs Sach, Skipp and Taylor.

32. MEMBERS' INTERESTS:

No declarations of interest were made by Cabinet Members. Councillors Campagna and Palmer declared interests regarding Minute 37 Canvey Island Seafront by reason of their connection with Canvey Baywatch. Councillor May declared an interest in regard of Minute 38 Future Proposals for The Paddocks Community Hall, Long Road, Canvey Island by reason of his connection with Age Concern a user of the Paddocks.

33. MINUTES:

The Minutes of the Cabinet meeting held on 19th September 2018 were approved and signed by the Chairman as a correct record.

34. FORWARD PLAN:

To comply with regulations under the Localism Act 2011, the Leader of the Council presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter 2018. The Plan was reviewed each month.

Councillor Howard took the opportunity to provide reassurance that arrangements were being made for the Council to take on the collection of

clinic waste from residents' homes when NHS (England) ceased funding the arrangements from 1.1.2019.

Resolved – To note and approve the Forward Plan.

35. OCCUPATION OF PART OF THE WHITEHOUSE BUILDING, REAR OF COUNCIL OFFICES, THUNDERSLEY, BENFLEET, ESSEX BY THE CASTLE POINT ASSOCIATION OF VOLUNTARY SERVICES (CAVS)

Cabinet discussed a report on the occupation of the Whitehouse Building by CAVs.

Cabinet acknowledged that the presence of CAVs in the building would enhance the establishment of the Whitehouse building as a community resource centre providing a plethora of health and social benefits for the community including increased volunteering activities, befriending, day care, transportation, therapy, respite, individual care and welfare packages and make other accessible community services available to Castle Point residents

Resolved:

To agree to allow CAVs to occupy the Whitehouse on suitable terms and conditions as agreed by the Council.

36. REGENERATION & ASSETS UPDATE

The Cabinet considered a report advising of progress with regard to a number of regeneration initiatives. Members noted that the Thames Estuary Commission on which a report was due to be made to Cabinet that month would now be reported through ASELA given the implications for the whole of South Essex.

Resolved:

To note the progress underway on the initiatives set out in the report.

37. CANVEY ISLAND SEAFRONT

The Cabinet considered a report informing of a proposed programme of works to improve Canvey Island seafront, and seeking approval to appoint suitably qualified and experienced consultants/agents to advise on an appropriate marketing strategy for the Canvey seafront.

The report described proposals for works to improve facilities at Thorney Bay on which the outcome of a bid for funding from the Coastal Communities Fund was awaited. The programme of works included plans to improve the link between Thorney Bay and the main Canvey sea front. The third element of which was to improve facilities at Labworth Green.

At this stage Cabinet's agreement was requested to the planned programme of works in order that a more detailed appraisal of each agreed element could be undertaken and appropriate further discussions undertaken with Canvey Town Council, the Environment Agency and others.

Following discussion during which Members present commented and asked questions regarding the proposals. It was:

Resolved:

1. To endorse the Masterplan for Canvey Island seafront as described and shown in the Appendices to the report;
2. To support in principle the proposed programme of works to improve Canvey Island seafront, subject to each element of the programme being supported by a robust business case;
3. To approve the appointment of suitably qualified and experienced consultants/agents to advise on an appropriate marketing strategy for the Canvey Island seafront;
4. To develop an implementation plan to complete the proposed programme of works subject to funding being available.

38. FUTURE PROPOSALS FOR THE PADDOCKS COMMUNITY HALL, LONG ROAD, CANVEY ISLAND

The Cabinet gave detailed consideration to a report presenting the conclusion of the business case for the provision of a Community Hall at the Paddocks, Canvey Island.

The Cabinet considered two options – options a) to repair & refurbish the Paddocks Community Hall building with remodelling and reconfiguration of the internal layout of the facility to meet current and future requirements, combined with an increased level of occupation and option b) to demolish the existing facility and replace with a new, modern facility specifically designed to meet current and future requirements.

Cabinet acknowledged that while the existing Community Hall was a well-loved landmark on the Island, it was not well used and was a significant financial burden which was currently underwritten by the general council tax payers of the Borough.

Cabinet concluded that financially and operationally, the better option would be to replace the existing facility with a purpose built modern facility. This option would have an ongoing, positive impact on the Council's financial plans whilst having no detrimental impact on users of the facility.

Members of the Cabinet drew attention to the arrangements for consultation. A consultation strategy was being established which would

primarily be a Member led process including residents, existing and potential future users of the facility and other stakeholders.

Discussion took place during which Members present at the meeting commented on the options under consideration. A number of Members expressed preference for option a) to repair and refurbish the hall. Questions were asked regarding the arrangements for consultation.

Resolved:

1. To note the content of this report, particularly the proposal for stakeholder consultation and indicative project timeframes as amended at the meeting to extend the consultation period until the end of January;
2. To pursue option b) to demolish the existing Community Hall facility at the Paddocks and replace with a new, modern facility specifically designed to meet current and future requirements.
3. To approve the engagement of specialist advisors to support delivery of the project; and
4. To note the intention to develop plans for operational service delivery (including resources), marketing and promotions

39. BUDGET AND POLICY FRAMEWORK FOR 2019/20

The Cabinet considered a report setting out the proposed Budget and Policy Framework for 2019/20 which took into account the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

Resolved:

To approve the proposed Budget and Policy Framework for 2019/20.

40. TREASURY MANAGEMENT ACTIVITY MID-YEAR REPORT

The Cabinet considered and scrutinised the mid-year treasury report as required by the Council's reporting procedures. The report summarised the Council's treasury management activity for the first five months of the current financial year. Supporting information was provided within Annexes A and B.

The report met the requirements of both the CIPFA Code of Practice on Treasury Management and the CIPFA Prudential Code for Capital Finance in Local Authorities as required by Regulations issued under the Local Government Act 2003.

This report followed an equivalent report approved by the Audit Committee on 18th September 2018 which also reported performance for the first five months.

Resolved:

That following scrutiny to approve the Treasury Management Activity Mid-Year Report for 2018/19

41. MATTERS TO BE REFERRED FROM/TO POLICY SCRUTINY COMMITTEES:

There were no matters.

42. MATTERS TO BE REFERRED FROM /TO THE STATUTORY COMMITTEES:

There were no matters.

Chairman



Castle Point Borough Council

Forward Plan

NOVEMBER 2018

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

NOVEMBER 2018

This document gives details of the key decisions that are likely to be taken. A key decision is defined as a decision which is likely:-

- (a) Subject of course to compliance with the financial regulations, to result in the local authority incurring expenditure which is, or the savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates subject to a threshold of £100,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the area of the local authority.

The Forward Plan is a working document which is updated continually.

Date	<u>Item</u>	Council Priority	Decision by Council/ Cabinet	Lead Member(s)	Lead Officer(s)
November 2018	<u>Response to Consultation Dog Ban from Canvey Beaches</u>	Environment	Cabinet	Environment & Leisure	Head of Environment
November 2018	<u>Local Council Tax Support Scheme 2019/20</u> Consideration of response to consultation on options and arrangements	A Commercially and Democratically Accountable Council	Cabinet /Council	Finance, Policy and Resources	Revenues& Benefits Transformation Manager Head of Resources
November 2018	<u>Financial Update Charging Policy for Homelessness Temporary Accommodation</u>	A Commercially and Democratically Accountable Council	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)
November 2018	<u>Motion referred from Council re action to discourage anti-social behaviour</u>	Health and Community Safety	Cabinet	Neighbourhoods and Safer Communities	Head of Housing and Communities
November 2018	<u>Response to Consultation Lower Thames Crossing</u>	Housing and Regeneration	Cabinet	Housing and Regeneration	Local Plan and Regeneration Adviser
November 2018	<u>Joint Strategic Plan for South Essex - Statement of Community Involvement amendment</u>	Housing and Regeneration	Cabinet	Housing and Regeneration	Local Plan and Regeneration Adviser

January 2019	<u>Civil Penalties as an Alternative to Prosecution under the Housing Act 2004</u>	Health and Community Safety	Cabinet	Health and Wellbeing	Head of Environment
January 2019	<u>Reference from Environment Policy & Scrutiny Committee re petition use of private Security companies to Enforce Litter etc Fixed penalties</u>	Environment	Cabinet	Environment & Leisure Streets Waste Floods and Water Management	Head of Environment
February 2019	<u>Budget and Policy Framework</u> To make recommendations to Council on the Council tax and budget setting.	All	Cabinet/ Council	Finance, Policy & Resources	Strategic Director (Resources)
February 2019	<u>Treasury Management Report –</u>	A Commercially and Democratically Accountable Council	Cabinet	Finance, Policy & Resources	Strategic Director (Resources)
February 2019	<u>Housing Revenue Account Rent Levels 2018/2019 Housing Capital Programme etc</u>	A Commercially and Democratically Accountable Council Housing and Regeneration	Cabinet	Housing and Council Homes / Finance, Policy & Resources	Strategic Director (Resources) Head of Housing and Communities

CABINET

21st November 2018

Subject: Motion Referred from Ordinary Council

Cabinet Member: Councillor Isaacs - Neighbourhoods & Safer Communities

1. Purpose of Report

To consider the Motion referred from the Ordinary Council meeting held on 26.9.2018.

2. Links to Council's Priorities and Objectives

This report links to the Council's priority: **Health and Community Safety.**

3. Recommendations

To note the range of actions used by the Council including enhanced partnership working with the Police to address anti-social behaviour in the Borough.

4. Background

At the Ordinary Council meeting held on 26.9.2018 a procedure Motion was put and it was agreed to refer to Cabinet the following –

“With the ever present anti-social behaviour throughout the Borough, due to the apparent lack of sufficient police resources, this Council must act on behalf of our residents affected by this poor behaviour.

To explore the use of private security in areas to be identified by residents, and with the assistance of Essex Police, discourage any such anti-social behaviour”.

5. Proposals

To assist Cabinet in their consideration information is set out below regarding the Council's use of private security to protect council land and assets.

At present private security contractors are employed on an ad hoc basis to respond to issues as necessary. Recently private security was employed at Halloween and over the Fireworks weekend. Other examples include increased security patrols at the Paddocks as a targeted response to instances of anti-social behaviour.

The security arrangements for Council owned buildings are kept under review with upgrades planned to CCTV and improved fencing and lighting to protect for example cricket squares.

Where possible every opportunity is being taken to design out crime so for example the location of teen shelters are under review given various incidents of anti-social behaviour. A direct example of this is to move the teen shelter at Wood side currently a hot spot for anti-social behaviour. A number of crime prevention actions recommended by the Police have been implemented the gates installed at King George V Park on Canvey Island being one such example.

Working with partners through the Community Safety Partnership, the Council funds a number of diversionary activities to prevent and discourage anti-social behaviour. Two examples again over Halloween working with the Yellow Door Project an event took place at the skateboard park; free entrance was available at the Megacentre Rayleigh.

The co-location of the Castle Point and Rochford Police hub here at the Council Offices has enhanced the opportunities for joint working to address anti-social behaviour.

7. Conclusion

Any action to be taken needs to be proportionate to the problem. Castle Point along with many other Councils across the country is seeing an increase in problem of anti-social behaviour particularly in their parks and open spaces. Such behaviour will not be addressed by enhanced security patrols but rather by improved security measures.

The Motion referred to Cabinet does not appear to limit the areas to Council owned land and assets. It is not the Council's responsibility to employ private security to patrol the Borough's streets, parks and open spaces to deter anti-social behaviour. That is a Police responsibility. It is also the responsibility of individual owners and occupiers of private land and buildings to take responsibility to protect and secure their own land and assets. The Police will of course provide appropriate advice and guidance to individuals and organisations.

As described above a range of measures not just the use of private security are used to control anti-social behaviour. There are times throughout the year where an increase in anti-social behaviours occurs .Halloween and Fireworks are recent examples and targeted action is appropriate to address this. It would not be proportionate to engage full time security guards to patrol throughout the Borough. Given the current cost of security is £20 per hour per person.

8. Corporate Implications

(a) Financial Implications

The Medium Term Financial Forecast presented to Council in February 2018, indicates a significant funding gap in each financial year from 2019/20.

Whilst at the current time reserves appear healthy, there are very real and significant financial risks which may or may not materialise in future years, particularly around the future funding of local government.

Until each financial year is balanced, the Council should not enter into new and ongoing financial commitments, nor should it take any actions resulting in a significant ongoing reduction in any income streams.

(b) Legal Implications

None are addressed by this report

(c) Human Resources and Equality Implications

None are addressed by this report

(d) IT and Asset Management Implications

This is addressed in the report.

7. Timescale for implementation and Risk Factors

This a preliminary report containing no proposals for implementation.

8. Background Papers

Minutes of Ordinary Council 26.9.2018

CABINET

21st November 2018

Subject: The Essex HMO Amenity Standards

Cabinet Member: Councillor MacLean – Health and Well Being

1. Purpose of Report

This report seeks the approval of Cabinet for the adoption of the new *Essex guide to the minimum standard for amenities and space permitted in a house of multiple occupation* “The Essex HMO Amenity Standards.”

2. Links to Council’s Priorities and Objectives

The new policy links directly to the Council’s Community Safety Priority.

3. Recommendations

That the Cabinet approve the adoption of the attached “Essex HMO Amenity Standards” with immediate effect.

4. Background

- 4.1** The private rented sector is an important part of our housing market, with 4.7 million households in England. The sector has undergone rapid growth over the last ten years. It is the second largest tenure in England, representing 20 per cent of all households in England.
- 4.2** Houses in multiple occupation (HMOs) form a vital part of this sector, often providing cheaper accommodation for people whose housing options are limited. HMOs are known to be commonly occupied by students but there are also a growing number of young professionals and migrant workers sharing houses and flats.
- 4.3** Some HMOs are occupied by the most vulnerable people in our society. These people live in properties that were not built for multiple occupation, and the risk of overcrowding and fire can be greater than with other types of accommodation.
- 4.4** Mandatory licensing of certain types of HMOs came into force in 2006 and originally applied to properties of three stories or more with five or more people

making up two or more separate households living in them. Licensing has largely been successful in helping to drive up standards and make these 60,000 larger HMOs safer places to live in.

- 4.5 As demand for HMOs increases in the decade since mandatory licensing was first introduced, there has been a significant increase in properties with fewer than three stories being used for HMO accommodation, notably two story houses originally designed for families and flats. Some have been used by opportunist rogue landlords who exploit their vulnerable tenants and rent sub-standard, overcrowded and potentially dangerous accommodation. The growth of HMOs has also had an impact on local communities, including where inadequate rubbish storage leads to pest infestation and health and safety problems.
- 4.6 In October 2018 the scope of mandatory HMO licenses was extended to include properties which house 5 or more people in two or more separate households, for the first time to include properties with less than 3 stories. At the same time, the Government has taken the opportunity to amend mandatory conditions to include national minimum sleeping room sizes and waste disposal provision requirements.

5 Local circumstances

- 5.1 The private rented sector in Castle Point has traditionally made up a small proportion of housing stock, although this has increased in recent years. This has risen from 4% to 12% between 2001 and 2011, which is similar to the change of 9% seen in England as a whole.
- 5.2 The type of housing stock in Castle Point and in particular, the high proportion of owner occupation and the lack of larger three storey properties has meant that historically, the Borough has not had any licensable HMOs. However, with the extended scheme, it is estimated that a number of properties will now require licensing. A recent estimate by the Building Research Establishment (BRE) put this figure at up to 58 potentially licensable HMOs within the Borough.

6 The Essex HMO Amenity Standards

- 6.1 HMOs play an important role in the local housing markets across Essex. Increasingly HMOs are becoming more diverse as housing pressures and costs rise and a wider range of residents seek some form of shared accommodation. Essex Councils want to ensure that this growing sector has clear guidance on how to develop suitable accommodation with some flexible options based on an understanding of the housing stock and the need for good quality HMOs across the County.
- 6.2 The Essex Private Housing Liaison Group, comprising primarily of Environmental Health representatives from each authority, responsible for enforcing standards in the private rented housing sector, have recently produced the Essex HMO amenity standards guidance document.
- 6.3 Standards for HMOs are enforced using the Housing Health and Safety Rating System (HHSRS) created by the introduction of the Housing Act 2004. Some

standards are prescribed in the Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006. The Council also has the power to specify other standards to be specified as license conditions and the proposed guidance outlines those standards, to guide landlords as to what the Council is likely to consider to be reasonable and to offer a level of consistency across the County.

6.4 The Essex HMO Amenity Standards clearly sets out what are:

- i) Legal requirements – Contained in national legislation. Non-compliance with the requirement is an offence for which a landlord may face formal enforcement action, potentially including prosecution or civil penalty of up to £30,000. *Example - an HMO without additional shared facilities (i.e. a bedsit with a kitchenette) for one occupant, should be a minimum size of 11m²).*
- ii) Requirements – These are the minimum requirements generally expected by each authority, whilst also considering the individual property itself. Non-compliance with such a requirement may not constitute an offence in its own right, but the Council is likely to require it as a condition of the license which can then be enforced as such. These requirements have been considered and agreed amongst participating Essex authorities. *Example - the above 11m² bedsit (containing kitchen facilities) should contain 5 double electrical sockets.*
- iii) Recommendations – these are suggestions/good practice designed to help minimise issues for tenants in the property and to help create good quality HMO accommodation. These recommendations have been considered and agreed amongst participating Essex authorities. *Example – adequate facilities should be provided for washing and drying clothes, including a washing machine for up to 6 occupants.*

6.5 The guidance covers a range of HMO amenity standards including:

- Minimum room size requirements
- Minimum requirements for kitchen facilities
- Minimum requirements for bathrooms/shower rooms and WC compartments
- Insulation and Heating requirements
- Power supply and Electrical Sockets
- Lighting and Ventilation standards
- Hygiene in Kitchens and Bathrooms
- Clothes Washing and Drying facilities
- Food Storage requirements
- Waste Disposal facilities
- Security standards

6.6 It is intended that the document is subject to review at least every 3 years, or earlier if considered necessary, as a result of any relevant legislation or changes in government policy or guidance.

7 Commentary

- 7.1 The document has been put together by Essex Local Authorities as a guide to stakeholders including landlords and tenants of HMOs, as to the standards that are likely to be expected by the Council in terms of licensing conditions for each relevant property.
- 7.2 This guidance is not binding on the Council, which also has additional power to specify alternative standards that in certain justified circumstances, may be higher than that contained in the guidance, taking into account the property type and layout. As such, landlords would always be advised to discuss their specific property with Council Officers prior to carrying out any renovations.
- 7.3 It is suggested that the document will provide a good source of consistency across local authorities in Essex that choose to adopt the standards. At the same time, still allowing each Council some flexibility in terms of alternative licensing conditions, to take into account the wide variety of housing stock and intended internal layouts throughout the Borough and the wider County.
- 7.4 By providing support for the Essex HMO Amenity Standards, it is felt that Councillors can encourage a consistently high standard of amenities within each licenced HMO within the Castle Point Borough. The existence of the document will help to ensure that rogue landlords, tempted to cut corners, will be unable to use lack of information as an excuse for poor standards, while good landlords will have a valuable information resource to enable them to provide and maintain a high standard of facilities for their tenants.

8 Legal Implications

- 8.1 There are no specific legal implications regarding the adoption of the Essex Amenity Standards. The Council will continue to have the power to vary the guidance contained within the document, where it is justified to do so, with the exception of the nationally set legal requirements, highlighted in bold type.

9 Human Resources

- 9.1 There are no human resources implications associated with this report.

10 Equality Implications

- 10.1 There are no equality implications associated with this report.

11 Timescale for implementation and Risk Factors

- 11.1 It is recommended that any approval of the policy should take place with immediate effect.

12 Background Papers

- 12.1 “The Essex HMO Amenity standards” - *A guide to the minimum standards for amenities and space permitted in a house of multiple occupation*. V1 07/2018 (attached.)

The Essex HMO Amenity Standards

A guide to the minimum standards for amenities and space permitted in a house in multiple occupation

Introduction

[Houses in Multiple Occupation \(HMOs\)](#) play an important role in local housing markets across Essex. Increasingly HMOs are becoming more diverse as housing pressures and costs rise and a wider range of residents seek some form of shared accommodation. Essex councils want to ensure that this growing sector has clear guidance on how to develop suitable accommodation with some flexible options based on an understanding of the housing stock and the need for good quality HMOs across the County.

For the purposes of this guide to amenity standards, we have distinguished HMOs according to whether they are:

HMO with shared facilities (kitchen/ dining/living)	HMO with shared kitchen facilities (but without shared living space)	HMO without shared facilities (i.e. traditional bedsits or studio flats including kitchen facilities)
--	---	--

Status of this Document

Enforcement of amenity standards in HMO's is undertaken using the Housing Health and Safety Rating System (HHSRS) created by the introduction of the Housing Act 2004. In addition, most HMOs occupied by 5 or more people will require a licence under the Housing Act 2004 and in considering an application for such a licence the Authority must be satisfied that the property is reasonably suitable for occupation by the number proposing to live there. Some standards are prescribed in the Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006(SI2006/373). The Authority also has power to specify other standards and this document outlines those standards which should be interpreted as guidance to landlords as to what the local authority is likely to consider reasonable taking account of property type and layout. It should also be noted that a Local Authority may consider, in certain justified circumstances that a higher standard than specified in this guidance is required and landlords are advised to discuss their specific property with council officers prior to carrying out alterations.

This document has been put together by the Essex Local Authorities as a guide on the Standards expected in HMO's within Essex taking account of the aforementioned Regulation and also includes recommendations for good practice. The standards have been widely consulted upon and adopted by each participating Local Authority, giving the standards significant weight behind their application to support enforcement in such properties. Full compliance with the standards contained in this document means that formal enforcement action against an HMO Landlord for amenity-related issues should not be necessary. Conversely, failure to comply with them places a Landlord at heightened risk of enforcement action.

This document will be subject to review at least every 3 years or earlier if considered necessary as a result of any relevant legislation or changes in government guidance or policy.

The structure of this document identifies:

Legal Requirements which are set out in bold type – these are requirements contained within National legislation. Non-compliance with the requirement is an offence for which a Landlord may face formal enforcement action, potentially including prosecution or a civil penalty of up to £30,000.

Requirements which are set out in black standard type – these are the minimum requirements generally expected, whilst also considering the individual property itself. Non-compliance with such a requirement may not constitute an offence in its own right, but a local authority is likely to require it as a condition of the licence which can then be enforced as such.

Recommendations which are set out in blue standard type – these are recommendations agreed upon by the Essex Local Authorities and are suggestions/good practice designed to help minimise issues for tenants in the property and to help create good quality HMO accommodation.

Links to other design and management considerations

At the back of this document Table 5 provides information and links to a range of design and management considerations which need to be considered to ensure that extra legal requirements and the additional responsibilities of running HMO accommodation can be fully demonstrated. Where landlords and managers are not clear about what is required then they should make enquiries with the relevant council.

Table 1: Minimum room size requirements

Room size requirements are given in sq.m. For clarity, a room size of 12sqm is equivalent to a room measuring 4m by 3m and also a room measuring 6m by 2m.

Room use	Number of occupants	HMO with shared facilities (kitchen/ dining/living)	HMO with shared kitchen facilities (no shared living room)	HMO without shared facilities (i.e. bedsits or studios)
Bedroom or Letting	1	6.51sqm	8.5sqm	11sqm
	2	10.22sqm	12sqm	15sqm
Shared Kitchen	Up to 5	7sqm	7sqm	
	6	8.5sqm	8.5sqm	
	7	10sqm	10sqm	
	8 -10	14sqm (or 2 rooms each 7sqm)	14sqm (or 2 rooms each 7sqm)	
Shared Living/Dining Room	up to 5	11sqm	*5sqm	
	6	12sqm	*6.5sqm	
	7	13sqm	*8sqm	
	8	14sqm	*10sqm (or 2 rooms each 5sqm)	
	9	15sqm	*10sqm (or 2 rooms each 5sqm)	
	10	16.5sqm	*10sqm (or 2 rooms each 5sqm)	

Notes:

- From 1 October 2018 National legislation requires that in all HMOs requiring a licence the minimum permitted floor area for any room used for sleeping is as follows:

10.22 sqm	Two people over 10 years old
6.51 sqm	One person over 10 years old
4.64 sqm	One person under 10 years old
Less than 4.64 sqm	Must not be used as sleeping accommodation

2. Bedrooms, living rooms and dining rooms are all classed as habitable rooms and require adequate natural lighting (suitable window) and ventilation (normally by means of an openable window). Dimensions are based on useable room sizes with standard room heights (2.2-2.3 metres) and will not take into account any floor area where the floor to ceiling height is less than 1.5 metres
3. These room sizes do not include space for bathroom/shower room or WC. Where ensuite facilities are provided then this must be in addition to the space indicated above
4. *In HMOs without a shared living room additional shared dining space is required close to a shared kitchen that is more than 1 floor distant from any letting room it serves

Table 2: Minimum requirements for kitchen facilities

Occupants	Kitchen area (sqm)	Work surface (m) (600mm standard depth)	Power sockets above worktop	Hob rings	Ovens	Grills	Sinks/ drainers with hot and cold water	Dry food storage cupboard	Fresh and Frozen food storage	Fire Blanket
All Shared Kitchens										
Up to and including 5	7	2	3 double	4	1	1	1	1 x 500mm base unit or 1 x 1000 wall unit per occupant	1 good sized refrigerator shelf per occupant 1 good sized freezer shelf per occupant	One suitably located fire blanket in accordance with the current BS EN or equivalent standard at the time of application or renewal
6	8.5	2.4	4 double	4	2 ⁺	2 ⁺	2 [#]			
7	10	2.8	4 double	6	2 ⁺	2 ⁺	2 [#]			
8	14 (7 x 2)	4	5 double	8	2	2	2			
9	14 (7 x 2)	4	5 double	8	2	2	2			
10	14 (7 x 2)	4	5 double	8	2	2	2			
Kitchens in individual lettings (Bedsits and Studios)										
1 or 2	4.5	1	2 double	2	1	1	1	1 x 500mm base unit or 1 x 1000 wall unit per occupant	1 good sized refrigerator shelf per occupant 1 good sized freezer shelf per occupant	One suitably located fire blanket in accordance with BS 6575
					or a safely located combination microwave/oven/ grill					

Notes:

- To provide some flexibility where 6 or 7 occupants share a kitchen:
 - a safely located combination microwave/oven/grill is acceptable in place of an additional oven and grill (*)
 - a dishwasher is acceptable in place of an additional sink/drainers (#)
- To clarify, where the requirement is for a space minimum of 14sqm this can be achieved by providing 2 rooms each of 7sqm

3. See Table 4 below for general guidance relating to all HMOs including requirements for mechanical extract ventilation, waste disposal, hygiene and storage

Table 3: Minimum requirements for bathrooms/shower rooms and WC compartments

Occupants sharing	<u>Bathrooms</u> Comprising 1 Bath/Shower Unit (With Hot and Cold Water) and may contain a WC (but see * below)	Separate WC compartment with wash hand basin with H & C	Ventilation (suitable and adequate)	Adequate size and layout: Minimum floor area for safe use of bathroom
Less than 5	1	0	Mechanical ventilation is required in all bathrooms and WC compartments which lack natural ventilation via an openable window. It will also be required, in addition to any natural ventilation, where necessary, to mitigate problems of damp and mould. <i>It is always recommended that where possible, in addition to any natural ventilation, mechanical ventilation is provided in all bathrooms and WC compartments.</i>	Bath only 2.3sqm Bath & WHB 2.5sqm Bath,WC&WHB 2.8sqm Shower only 1.7sqm Shower&WHB 2.0sqm Shower,WC&WHB 2.2sqm WC & WHB 1.2sqm
5	1	1		
6	2*	1		
7	2*	1		
8	2*	1		
9	2*	1		
10	2	2		
Ensuite for 1 or 2	1	0	Comments as above	

Notes:

1. (*) For properties with 6-9 occupants sharing there shall be a minimum of 2 wcs and 2 bathrooms and one of the wcs must be separate.
2. **All bathrooms and toilets must be suitably located in relation to the living accommodation**-where facilities are shared they must be accessible from a common area; a bathroom must be no more than one floor distant in relation to the bedroom and the toilet must be within one floor of living and bedrooms
3. **See Table 4 below for general guidance relating to all HMOs**

Table 4: Guidance relating to all HMOs

Insulation and heating	<p>Each unit of living accommodation in an HMO must be equipped with adequate means of space heating.</p> <p>1 Heating shall be provided in every habitable room, the common parts and bathroom capable of maintaining following internal temperatures when the external temperature is –1°C: Living room, dining room and rooms used for sleeping 21°C Bathroom 22°C Elsewhere 18°C</p> <p>2 The heating provision must be capable of being safely used at any time and be suitably guarded. It must be suitable, affordable to operate, appropriate to the design, layout and construction of the dwelling and be controllable by the occupants.</p> <p>3 In the case of gas central heating, radiators must be fitted with thermostatic valves and a programmable timer clock fitted. 4 An electrical heating system will be acceptable in the form of a combined storage heater/panel heater that can be run on both “off peak and standard day rate” electricity tariffs, together with a fixed electric fan heater, located in the bathroom, powered from a fused spur. It must be capable of providing instantaneous energy efficient heating and controllability, on the optimum electricity tariff available.</p> <p>5 All appliances shall be maintained by a competent person. Gas appliances shall be inspected annually by a Gas-Safe Registered Engineer and certificated in accordance with the Gas Safety (Installation & Use) Regulations 1994 and all applicable British Standards. Work to electrical appliances must be undertaken by an electrician able to certify the work under the one of the following schemes: BRE Certification Limited British Standards Institution (BSI) ELECSA Limited NAPIT Registration Limited NICEIC Group Ltd.</p> <p>6 The use of portable paraffin or oil fired heaters and liquefied petroleum gas heaters (LPG) (bottled gas heaters) are prohibited under any circumstances, whether provided by the landlord or the tenant.</p> <p>All reasonable steps should be taken to insulate HMO accommodation to improve energy efficiency and reduce condensation risk. Particular attention should be paid to basement and attic rooms and conversions must comply with Building Regulations.</p>		
Power supply and Electrical Sockets	<p>HMOs must be designed with adequate electrical power output for their expected loading. Conversion of buildings to large HMOs will require an increased electrical supply, over and above a standard domestic supply.</p>		
	<p>Electrical sockets must be adequate in number and suitably located to minimise the need for use of adaptors and trailing leads which introduce additional hazards. The following is expected as a minimum:</p>		
	<p>Bedrooms in shared houses (separate kitchen facilities and living room)</p>	<p>Bedsit (separate kitchen facilities)</p>	<p>Bedsit or studio flat (containing kitchen facilities)</p>
	<p>2 double sockets</p>	<p>3 double sockets</p>	<p>5 double sockets</p>
Lighting and ventilation	<p>Adequate electrical sockets must be provided to serve all electrical appliances provided by the landlord. In shared kitchens a minimum of 3 double sockets must be suitably located above work surfaces.</p>		
	<p>In shared living rooms, a minimum of 3 double sockets must be provided.</p>		
	<p>All habitable rooms must be provided with natural lighting with a glazed area of window equivalent to 1/10 of the floor area of the room. Bedsit rooms that do not have access to shared communal living space are expected to have an external view, not just a skylight view.</p>		

	<p>Artificial lighting must be sufficient to adequately illuminate the room for its intended uses.</p> <p>All habitable rooms must be provided with adequate ventilation, normally by means of an openable area of window equivalent to 1/20 of the floor area of the room. Ventilation of a room through reliance on opening an external door is not permitted.</p> <p>All habitable rooms, kitchens, bathrooms, and toilet compartments shall have a minimum floor to ceiling height of 2130mm. In the case of rooms with sloping ceilings, there shall be a minimum height of 2130mm over half of the floor area of the room. Floor area measurements shall be taken on a plane 1500mm above the floor. Any floor area where the ceiling height is less than 1500mm high shall be disregarded.</p> <p>Mechanical ventilation in kitchens, bathrooms and WC compartments must operate on suitable systems to remove moist air and minimise noise disturbance. Mechanical ventilation must comply with the Building Regulations that are current at the time of application. Any installation shall be fitted with an overrun device usually connected to the lighting circuit of the room unless the fan is humidity controlled, where this may not be possible.</p> <p>All rooms must have controllable trickle vents and/or windows that can be securely locked in the night-latch position to provide background ventilation without losing too much heat.</p> <p>Recommendation/Good practice</p> <p>Positive pressure whole house ventilation systems are becoming increasingly popular with HMO landlords as a way of managing indoor air quality and reducing the risk of condensation and mould growth. All such systems must be installed and serviced in accordance with manufacturers recommendations and have room by room control.</p> <p>HMOs located where air pollution levels are likely to be particularly high should be designed with air intakes that minimise pollution ingress into the building, having regard to the design principles contained in Appendix D of Building Regulation Approved Document F.</p>
Hygiene in kitchens and bathrooms	<p>Floor and wall coverings, kitchen and sanitary fittings must be washable and impervious and be capable of being easily cleaned.</p> <p>Recommendation/Good Practice</p> <p>Floor and wall coverings around baths and showers in particular should be designed to minimise the risk of leaks. Correctly installed specialist flooring and wall-boards can help to reduce this risk. Regular maintenance checks will ensure that facilities are being used correctly and help to identify damage to seals, screens, doors and other fittings.</p>
Clothes washing and drying	<p>Recommendation/Good Practice</p> <p>Adequate facilities should be provided for washing and drying clothes, including a washing machine for up to 6 occupants. Drying</p>

	<p>facilities must be designed for year round use to minimise condensation and mould growth, particularly in bedrooms. In practice this means that unless a whole house, positive pressure ventilation system is installed then either an externally vented or condensing type tumble drier or a suitably heated and ventilated drying room should be provided in addition to any external drying facilities.</p>
Food storage	<p>In addition to the sink base unit and hygienic storage for cooking utensils, cutlery and crockery, a food storage cupboard minimum (500mm wide base unit or 1000mm wide wall unit) must be provided per occupant. In HMOs let under separate tenancies cupboards and a small fridge may be located in bedrooms (if no more than one floor distant from the nearest kitchen) but this must not unreasonably compromise the overall bedroom floor area.</p> <p>Adequate space for the storage of fresh and frozen food must be provided for each occupant. This means space equivalent to one good sized shelf/compartment in a shared refrigerator and a good sized shelf/compartment in a shared freezer.</p> <p>Recommendation/Good Practice</p> <p>In HMOs let under separate tenancies secure storage of dry, fresh and frozen food is desirable, either in lockable cupboards, fridge and freezer compartments or suitably stored in bedrooms (if no more than one floor distant from the nearest kitchen).</p>
Waste Disposal	<p>Adequate and hygienic waste disposal arrangements must be in place within the HMO. In practice this means the provision of suitable bins/receptacles and on-site waste management arrangements having regard to:</p> <ul style="list-style-type: none"> • The number of occupants • The type and size of HMO accommodation • The waste collection and recycling arrangements available either through the local council domestic collection service or a commercial waste contract <p>From 1 October 2018 all HMOs requiring a licence must comply with the local authority storage and waste disposal scheme (if one exists)</p> <p>The adequacy of waste disposal arrangements will also be subject to compliance checks under the HMO management regulations.</p>

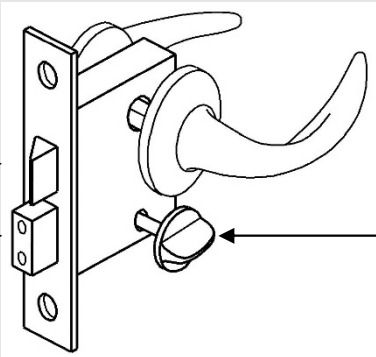
Security	<p>HMO design must adequately control security risks without compromising fire safety. External doors must be openable from inside without the use of a key and securely lockable from the outside with either:</p> <ul style="list-style-type: none"> • A key • A security code • A door entry system <p>In all circumstances other than HMOs which are occupied by a stable, cohesive group of sharers (i.e. a genuine shared house), individual letting rooms must be securely designed. This means doors to individual lettings must be fitted with a combined lock and latch, where the lock is operated from the inside of the bedroom by a thumb-turn or lever, rather than a key. For example a euro cylinder type lockset:</p> <div data-bbox="336 446 1456 798">  <p>The diagram shows a side view of a euro cylinder lockset installed in a door. On the left, a vertical plate contains two bolts: a 'Latch bolt' (top) and a 'Dead bolt' (bottom). To the right of the plate is the lock mechanism, which includes a thumb-turn operated lock. Arrows point from the text labels to the corresponding parts of the lockset.</p> <p>Note. The 'thumb-turn' operated lock should be sited on the room side of the door to facilitate escape without the use of a key.</p> </div> <p>This provides adequate security and ease of escape, and avoids occupants locking themselves out of their rooms.</p> <p>Key operated window locks are required to all accessible windows (ground floor, basement and adjacent to external structures such as fire escapes and flat rooves). Where the window is an escape window that is an integral part of the means of escape from fire then a suitable alternative security feature will be required.</p> <p>(Please also see section above regarding food storage and security)</p>
-----------------	---

Table 5: Other design and management considerations

HMO Licensing	<p>Certain HMOs must be licensed and it is the responsibility of HMO owners and managers to check requirements in the areas in which they operate HMOs. Failure to licence a licensable HMO is an offence which may result in:</p> <ul style="list-style-type: none"> • Prosecution <u>or</u> a civil penalty of up to £30,000 • Rent repayment orders for rent paid when the HMO was required to be licensed • Naming on a national rogue landlord list
Planning permission	<p>Planning permission is required where 7 or more (non-family) residents will share facilities. Also required where a larger building will be divided to create two or more smaller units of self-contained accommodation.</p> <p>In some Council areas, additional controls on the conversion of smaller HMOs (known as Article 4 Direction Orders) have been introduced. In those areas, planning permission will be required in order to create an HMO with less than 7 residents.</p> <p>Check with your local Planning Department to find out whether there are any planning restrictions which could impact on your business plans.</p>
Building Regulations	<p>Approval under the Building Regulations is likely to be required for a range of HMO conversion works including:</p> <ul style="list-style-type: none"> • Installation of additional kitchen or bathroom facilities that require waste connections • Changes in layout including adding or removing walls and or doors and windows <p>Compliance with Building Regulations can be achieved through Local Authority Building Control or alternative providers.</p>
Council Tax	<p>Council tax is charged on any individual unit of accommodation that has its own kitchen facilities. In such circumstances the occupier is liable for payment of the Council Tax bill</p> <p>Liability for Council tax will remain with the HMO owner where kitchen facilities are shared, although HMOs occupied entirely by full time students will be exempt from Council Tax, subject to submission of the documentation required by the local council house.</p> <p>Council Tax fraud is an offence which deprives funding for local services. Check Council Tax liability with the local council.</p>
Fire Safety	<p>National guidance was published in 2008 to address fire safety requirements in certain types of housing including HMOs. It includes examples of how to develop risk appropriate designs having regard to the size and type of HMO proposed. Further guidance is likely to be available through your local council's private sector housing/housing standards team or its website.</p> <p>A fire safety risk assessment is required in all HMOs and shared buildings, except those occupied by a cohesive group of sharers under a single tenancy. The responsible person (normally the HMO owner) must undertake a fire safety risk assessment to identify fire safety risks and controls throughout communal areas of the building. Management arrangements must be put in place to ensure that risks are adequately controlled.</p> <p>There is further guidance on fire safety risk assessment in sleeping accommodation and via Essex County Fire and Rescue</p>

	Service.
HMO Management Regulations	<p>The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all houses which are occupied by three or more unrelated people where one or more basic amenities (WCs, bathrooms, kitchens) are shared. HMO owners and managers must ensure that their accommodation is adequately managed in accordance with these requirements which reflect the additional risks and responsibilities associated with managing this type of accommodation.</p> <p>The Licensing and Management of Houses in Multiple Occupation (Additional Provisions)(England) Regulations 2007 apply to houses converted into self-contained flats, as defined by s257, Housing Act 2004 (known as section 257 HMOs).</p> <p>It is a criminal offence to breach HMO management regulations.</p>
Parking and/or cycle storage	<p>Where required, planning permission is likely to be dependent on the provision of either adequate vehicle parking and/or secure cycle storage for the number of occupants.</p> <p>Regardless of planning requirements, we recommend that you plan these facilities wherever possible to help occupants to address their transport needs, to reduce the potential for conflict with neighbours, and to help avoid management problems such as cycles blocking fire escape routes.</p>
Private Rented Sector Code of Practice	<p>The Private Rented Sector Code of Practice has been produced by the lettings industry to cover the entire private rented sector. It is a useful central source of information and covers many issues relevant to HMOs. The code makes it clear to all members that a professional approach to letting is required and that ignorance and inexperience are no excuse for poor practice.</p>

CABINET

21st November 2018

Subject: Response to public consultation regarding possible banning of dogs from Canvey Seafront

Cabinet Member: Councillor Varker – Environment and Leisure

1. Purpose of Report

To consider the feedback on the public consultation exercise which sought views on the possible banning of dogs from Canvey seafront and to determine how best to proceed in light of the public response.

2. Links to Council's priorities and objectives

The management of the seafront links with the Council's Environment and Community Safety objectives.

3. Recommendations

It is recommended that:

- (1) Cabinet notes the content of this report; and that**
 - (2) No further action is required at this time in light of the responses received.**
-

4. Background

At Ordinary Council on 27th September 2017 a Motion was agreed to investigate the criteria and feasibility for applying for a Blue Flag Beach Award for Thorney Bay Beach and Concord Beach for 2018 and to report back on the findings.

The Environment Policy and Scrutiny Committee (EPSC) met on two occasions before reporting back its findings and recommendations to Cabinet on 21st March 2018.

Whilst the EPSC recommended to Cabinet that the Council did not proceed with applying for a national award such as the Blue Flag Award or Keep Britain Tidy Beach Award, it was recommended that serious consideration should be given to banning dogs from the beach area during the summer period. This recommendation was supported by Cabinet at its meeting on 21st March 2018.

Subsequent to this decision an on line consultation has been carried out to establish the public's view on the extent of the problem on (1) the beach, (2) the walkway seaward side and (3) the walkway landward side, and what further action, if any, they felt was required.

There was an excellent response to the consultation which ran from 20th July until 7th September 2018.

In total 731 responses were received which included 486 from dog owners, 230 from non-dog owners and 15 from respondents who did not state whether they owned a dog or not.

The results of the consultation are detailed in Appendix 1. In addition detailed responses were received from the Dogs Trust (Appendix 2), Friends of Concord Beach (Appendix 3) and the Kennel Club (Appendix 4).

With regard to dogs mess, the most significant problem was perceived to be on the walkway seaward side, with the beach area having the least significant problem.

In terms of dogs being kept on a lead the beach area was marginally perceived to be more of a problem than on the walkways.

However, when asked what action should be taken to resolve the problem of dogs mess and dogs off leads in all three areas, i.e. beach, walkway seaward side and walkway landward side, of the six options, the option to not introduce any further restrictions secured the most support for all three areas.

5. Corporate Implications

a. Financial implications

None associated with this report if no further restrictions are introduced.

b. Legal implications

None associated with this report if no further restrictions are introduced.

c. Human resources and equality implications

None associated with this report if no further restrictions are introduced.

d. Timescale for implementation and risk factors

Not applicable, as no further action is being proposed at this time.

7. Background Papers:

Consultation responses, 2018

Report Author: Trudie Bragg, Head of Environment

PUBLIC CONSULTATION RESULTS

What is the extent of the problem?

	Yes %	No %
Do you think there is a significant problem with dogs mess on the beach?	28% (of which 43% are dog owners, 57% non-dog owners)	72% (of which 77% are dog owners, 23% non-dog owners)
Do you think there is a significant problem with dogs mess on the walkway seaward side?	42% (of which 57% are dog owners, 43% non-dog owners)	58% (of which 77% are dog owners, 23% non-dog owners)
Do you think there is a significant problem with dogs mess on the walkway landward side?	37% (of which 58% are dog owners, 42% non-dog owners)	63% (of which 75% are dog owners, 25% non-dog owners)
Do you think there is a significant problem with dogs not being kept on a lead on the beach?	36% (of which 51% are dog owners, 49% non-dog owners)	64% (of which 77% are dog owners, 23% non-dog owners)
Do you think there is a significant problem with dogs not being kept on a lead on the walkway seaward side?	33% (of which 51% are dog owners, 49% non-dog owners)	67% (of which 77% are dog owners, 23% non-dog owners)
Do you think there is a significant problem with dogs not being kept on a lead on the walkway seaward side?	32% (of which 55% are dog owners, 45% non-dog owners)	68% (of which 74% are dog owners, 26% non-dog owners)

What is the preferred course of action?

For the beach area what would be your preferred course of action?	
Require dogs to be kept on a lead between Good Friday and 30 September each year	14% (of which 83% are dog owners, 17% non-dog owners)
Require dogs to be kept on a lead throughout the year	11% (of which 76% are dog owners, 24% non-dog owners)
Ban dogs from Good Friday to 30 September each year	12% (of which 41% are dog owners, 59% non-dog owners)

Ban dogs throughout the year	11% (of which 47% are dog owners, 53% non-dog owners)
No additional restrictions required	39% (of which 70% are dog owners, 30% non-dog owners)
Better signage /enforcement	13% (of which 78% are dog owners, 22% non-dog owners)
For the walkway seaward side what would be your preferred course of action?	
Require dogs to be kept on a lead between Good Friday and 30 September each year	13% (of which 79% are dog owners, 21% non-dog owners)
Require dogs to be kept on a lead throughout the year	20% (of which 66% are dog owners, 44% non-dog owners)
Ban dogs from Good Friday to 30 September each year	7% (of which 39% are dog owners, 61% non-dog owners)
Ban dogs throughout the year	8% (of which 51% are dog owners, 49% non-dog owners)
No additional restrictions required	39% (of which 71% are dog owners, 29% non-dog owners)
Better signage / enforcement	13% (of which 77% are dog owners, 23% non-dog owners)
For the walkway landward side what would be your preferred course of action?	
Require dogs to be kept on a lead between Good Friday and 30 September each year	12% (of which 72% are dog owners, 28% non-dog owners)
Require dogs to be kept on a lead throughout the year	22% (of which 63% are dog owners, 37% non-dog owners)
Ban dogs from Good Friday to 30 September each year	5% (of which 39% are dog owners, 61% non-dog owners)
Ban dogs throughout the year	5% (of which 52% are dog owners, 48% non-dog owners)
No additional restrictions required	42% (of which 71% are dog owners, 29% non-dog owners)
Better signage / enforcement	14% (of which 74% are dog owners, 26% non-dog owners)

RESPONSE FROM DOGS TRUST

Good afternoon,

Dogs Trust has been made aware that Castle Point Council is considering introducing a series of Public Space Protection Orders. As the UK's largest dog welfare charity, we would like to make some comments for consideration.

1. Re; Fouling of Land by Dogs Order:

- Dogs Trust consider 'scooping the poop' to be an integral element of responsible dog ownership and would fully support a well-implemented order on fouling. We urge the Council to enforce any such order rigorously. In order to maximise compliance we urge the council to consider whether an adequate number of disposal points have been provided for responsible owners to use, to consider providing free disposal bags and to ensure that there is sufficient signage in place.
- We question the effectiveness of issuing on-the-spot fines for not being in possession of a poo bag and whether this is practical to enforce.

2. Re; Dog Exclusion Order:

- Dogs Trust accepts that there are some areas where it is desirable that dogs should be excluded, such as children's play areas, however we would recommend that exclusion areas are kept to a minimum and that, for enforcement reasons, they are restricted to enclosed areas. We would consider it more difficult to enforce an exclusion order in areas that lack clear boundaries.
- Dogs Trust would highlight the need to provide plenty of signage to direct owners to alternative areas nearby in which to exercise dogs.

3. Re; Dog Exclusion Order and beaches:

- With phone calls often being made to the RSPCA and Police alerting to dogs being left in hot cars in coastal areas, we would urge you to consider the danger animals may be put in, and the difficult decisions owners have to make, by not being allowed to take their dogs onto the beach.
- If the Council does choose to implement this order, Dogs Trust would encourage looking into a compromise between beach goers and dog owners, e.g. allowing dogs onto the beach in the evenings or early mornings, or having dog friendly sections on the beaches.
- Strict dog exclusion restrictions can also lead to a decrease in dog friendly tourism for businesses along the coast, which in turn could have a negative impact on the local economy.

4. Re; Dogs on Leads Order:

- Dogs Trust accept that there are some areas where it is desirable that dogs should be kept on a lead.
- Dogs Trust would urge the Council to consider the Animal Welfare Act 2006 section 9 requirements (the 'duty of care') that include the dog's need to exhibit normal behaviour patterns – this includes the need for sufficient exercise including the need to run off lead in appropriate areas. Dog Control Orders should not restrict the ability of dog keepers to comply with the requirements of this Act.
- The Council should ensure that there is an adequate number, and a variety of, well sign-posted areas locally for owners to exercise their dog off-lead.

5. Re; Dogs on Lead by Direction Order:

- Dogs Trust enthusiastically support Dogs on Leads by Direction orders (for dogs that are considered to be out of control or causing alarm or distress to members

of the public to be put on and kept on a lead when directed to do so by an authorised official).

- We consider that this order is by far the most useful, other than the fouling order, because it allows enforcement officers to target the owners of dogs that are allowing them to cause a nuisance without restricting the responsible owner and their dog. As none of the other orders, less fouling, are likely to be effective without proper enforcement we would be content if the others were dropped in favour of this order.

The PDSA's '[Paw Report 2018](#)' found that 89% of veterinary professionals believe that the welfare of dogs will suffer if owners are banned from walking their dogs in public spaces such as parks and beaches, or if dogs are required to be kept on leads in these spaces. Their report also states that 78% of owners rely on these types of spaces to walk their dog.

I would also like to bring your attention to the similar recommendations stated in the Government's '[Anti-social behaviour powers -Statutory guidance for frontline professionals](#)' document, pages 52/53. This section

We believe that the vast majority of dog owners are responsible, and that the majority of dogs are well behaved. In recognition of this, we would encourage local authorities to exercise its power to issue Community Protection Notices, targeting irresponsible owners and proactively addressing anti-social behaviours.

Dogs Trust works with local authorities across the UK to help promote responsible dog ownership. If you are interested, I can send you a copy of our Services Guide, a document listing the ways in which we may be able to help with promoting responsible dog ownership in your community. Please do not hesitate to contact should you wish to discuss this matter.

We would be very grateful if you could inform us of the consultation outcome and subsequent decisions made in relation to the Public Space Protection Order.

Yours faithfully,

Jess Hutton
Campaigns Assistant

Jessica.Hutton@dogstrust.org.uk
Dogs Trust - A Dog Is For Life

Visit our website at <http://www.dogstrust.org.uk>

RESPONSE FROM FRIENDS OF CONCORD BEACH

- The Council should first appoint a full-time beach superintendent to enforce all types of antisocial behaviour on the seafront. (Litter, dog fouling, graffiti etc.) Experience of dog fouling has shown that without enforcement the dog control order has had little effect.
- Dog fouling on the sand is very rarely found by our volunteers, if ever. The sandy beaches at Concord and Labworth are washed twice a day by the tidal sea.
- Dog walkers use the seafront 365 days a year and access to the sea is usually via steps at the beach areas.
- It is inappropriate to have dogs on the beach when it is being used by families. We would support a ban from say 10.00 am to 18.00 pm during the summer holidays and weekends. A beach superintendent could supervise this in the same way a traffic warden supervises limited time parking. Note: During the recent summer season our chairman visited Concord Beach almost every day. He found dogs being kept on the beach (sand) on only 3 occasions.
- We are not aware of any incidents/complaints about dogs.
- We find and receive complaints about the number of used nappies and litter on the beach suggesting this is a bigger problem for the public.
- Many of our volunteers are dog walkers and they pick up litter etc. when walking their dogs at the seafront.
- We are aware of members of the public who regularly walk their dogs at the seafront who also pick up litter. Some even take a carrier bag for litter as well as poo bags for their dog. Banning dogs completely could adversely affect the growing goodwill of local residents on the Island.

Regards

Colin Letchford
Chairman FoCB



THE KENNEL CLUB

Making a difference for dogs

Kennel Club Response to Castle Point Borough Council Public Spaces Protection Order Consultation

Submitted on 7th September 2018 by: The Kennel Club, Clarges Street, Piccadilly, London W1J 8AB, tel: 020 7518 1020, email: kcdog@thekennelclub.org.uk

The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training, whose main objective is to ensure that dogs live healthy, happy lives with responsible owners. As part of its External Affairs activities, the Kennel Club runs a dog owners group KC Dog which was established to monitor and keep dog owners up to date about dog related issues, including Public Spaces Protection Orders (PSPOs) being introduced across the country.

As a general principle, we would like to highlight the importance for all PSPOs to be necessary and proportionate responses to problems caused by dogs and irresponsible owners. It is also important that authorities balance the interests of dog owners with the interests of other access users.

Dog fouling

The Kennel Club strongly promotes responsible dog ownership and believes that dog owners should always pick up after their dogs wherever they are, including fields and woods in the wider countryside, and especially where farm animals graze to reduce the risk of passing Neospora and Sarcocystosis to cattle and sheep respectively.

We would like to take this opportunity to encourage the local authority to employ further proactive measures to help promote responsible dog ownership throughout the local area in addition to introducing Orders in this respect.

These proactive measures can include: increasing the number of bins available for dog owners to use; communicating to local dog owners that bagged dog poo can be disposed of in normal litter bins; running responsible ownership and training events, or using poster campaigns to encourage dog owners to pick up after their dog.

Dog access

The Kennel Club does not normally oppose Orders to exclude dogs from playgrounds, or enclosed recreational facilities such as tennis courts or skate parks, as long as alternative provisions are made for dog walkers in the vicinity. We would also point out that children and dogs should be able to socialise together quite safely under adult supervision, and that having a child in the home is the biggest predictor for a family owning a dog.

The Kennel Club can support reasonable “dogs on lead” orders, which can - when used in a proportionate and evidenced-based way – include areas such as cemeteries, picnic areas, or on pavements in proximity to cars and other road traffic.

However, we will oppose PSPOs which introduce blanket restrictions on dog walkers accessing public open spaces without specific and reasonable justification. Dog owners are required to provide their dogs with appropriate daily exercise, including “regular opportunities to walk and run”, which in most cases will be off lead while still under control.

Their ability to meet this requirement is greatly affected by the amount of publicly accessible parks and other public places in their area where dogs can exercise without restrictions. This section of the Animal Welfare Act was included in the statutory guidance produced for local authorities by the Home Office on the use of PSPOs.

Accordingly, the underlying principle we seek to see applied is that dog controls should be the least restrictive to achieve a given defined and measurable outcome; this is the approach used by Natural England. In many cases, a seasonal or time of day restriction will be effective and the least restrictive approach, rather than a blanket year-round restriction. For instance, a “dogs on lead” order for a picnic area is unlikely to be necessary in mid-winter.

With regard to the proposed dog exclusion orders on the beach, the Kennel Club believes that the dates should be 1st May – 30th September as this coincides with the current bathing season of 15th May to 30th September. We oppose restrictions which commence on Good Friday (or dates linked to Easter) and continue to a set date in the autumn. Over the course of the next three years, Easter varies by up to 17 days.

Taking the example of the proposed restriction from Concord Beach to Thorney Bay, walking your dog would be perfectly legal on the beach before 19 April 2019, but would be an illegal activity, with a potential £1,000 fine, on the same date for the following two years. We are not aware of any evidence that the Easter break is an annual trigger for ongoing anti-social behaviour, which calls into question the need for restrictions to run from Easter to a set date in the autumn. We would question whether such a range in start dates for a PSPO meets the Anti-Social Behaviour, Crime and Policing Act’s defined legal test.

If there is evidence of a spike in detrimental activity over the Easter weekend due to increased usage of recreation spots, then a restriction for the busy Easter period would be justified. A separate restriction could then be introduced to address the busier summer months.

Assistance dogs

We submit the council needs to include an exemption for those who rely on assistance dogs from the restrictions being proposed.

When introducing a dog control PSPO local authorities should consider the potential negative impacts on vulnerable groups and their requirements under the Equality Act 2010. The most obvious potential adverse impact is upon those who rely on assistance dogs and registered blind people, who may either be unable to comply with conditions contained within the Order, or the effect of the Order would be to exclude them from accessing public spaces. Appropriate exemptions from dog fouling and dog exclusion Orders should be included in PSPOs, for registered blind people and those who rely on assistance dogs.

Assistance Dogs UK currently have eight member organisations which can be viewed here - <http://www.assistedogs.org.uk/>. However, the membership of Assistance Dogs UK is not a definitive list of all UK assistance dog organisations and may change during the currency of the PSPO, it also does not provide for owner trained assistance dogs. Therefore, we

would encourage the Council to allow some flexibility when considering whether a disabled person's dog is acting as an assistance dog.

If the local authority is introducing dog on lead restrictions, consideration should be made of the accessibility of alternative restriction free exercise areas for those with limited mobility, be that due to disability, age etc.

We would encourage the Council adopts the definitions of assistance dogs as used by Mole Valley District Council which can be found on page 4 of this document -

https://www.molevalley.gov.uk/media/pdf/1/b/83072_-_Completed_PSPO.pdf

Appropriate signage

It is important to note that in relation to PSPOs the "The Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014" make it a legal requirement for local authorities to –

"cause to be erected on or adjacent to the public place to which the order relates such notice (or notices) as it considers sufficient to draw the attention of any member of the public using that place to –

- (i) the fact that the order has been made, extended or varied (as the case may be); and
- (ii) the effect of that order being made, extended or varied (as the case may be)."

With relation to dog access restrictions such as a "Dogs Exclusion Order", on-site signage should make clear where such restrictions start and finish. This can often be achieved by signs that on one side say, for example, "You are entering [type of area]" and "You are leaving [type of area]" on the reverse of the sign.

While all dog walkers should be aware of their requirement to pick up after their dog, signage should be erected for the PSPO to be compliant with the legislation.

CABINET

21st November 2018

Subject: Canvey Island Seafront Update

**Cabinet Member: Councillor Smith – Leader of the Council/Strategic Partnerships
Councillor Mumford - Regeneration & Business Liaison
Councillor Howard – Streets, Waste, Flood and Water Management**

1. Purpose of Report

This report advises Cabinet of (1) the high level implementation plan which has been drawn up in order to deliver the ambitious improvements identified in the Canvey Island seafront masterplan in a timely manner, and (2) of the feedback the Council has received in respect of its Stage 1 bid for Coastal Communities Funding.

2. Links to Council's priorities and objectives

Development and enhancement of Canvey seafront supports the Council's "Housing and Regeneration" and "Environment" priorities.

3. Recommendations

It is recommended that Cabinet:

Notes the content of this report.

4. Background

At the Cabinet meeting on 16 October 2018 it was resolved to;

- 1) Endorse the Masterplan for Canvey Island seafront as described and shown in the Appendices to the report;**
- 2) Support in principle the proposed programme of works to improve Canvey Island seafront, subject to each element of the programme being supported by a robust business case;**

- 3) Approve the appointment of suitably qualified and experienced consultants/ agents to advise on an appropriate marketing strategy for the Canvey Island seafront; and to
- 4) Develop an implementation plan to complete the proposed programme of works subject to funding being available.

Improved car parking and toilet facilities were the two key issues that the public and stakeholders identified as requiring improvement during the consultation that took place during the development of the seafront masterplan. The importance in particular of progressing the required infrastructure improvements and the long term lease agreements with commercial operators (both existing and new) and the Canvey Island Town Council in a timely manner is acknowledged and to this end a high level implementation plan has been drawn up and is attached as an Appendix to this report.

In respect of the Council's bid in association with the Canvey Island Coastal Team for Round 5 Coastal Communities Funding a letter has been received from Groundwork UK, who have been appointed by the Ministry of Housing, Communities and Local Government to support the management of the Coastal Communities Fund advising that the Council is being invited to progress to stage 2 of the application process. A detailed bid submission will need to be submitted by close of business on Monday 21st January 2019.

All works that are included in the bid to the Coastal Communities Fund will not be able to be progressed until the outcome of the Council's Stage 2 bid is known, or else the Council risks forfeiting any grant funding it is allocated if its Stage 2 bid is successful.

5. Corporate Implications

a. Financial implications

The implementation of the seafront improvements will need to be backed up by robust business cases and will be dependent on securing the necessary funding from both internal and external sources.

The notification that the Council has been invited to progress to Stage 2 of the Coastal Communities Fund application process is good news and if the Stage 2 application is successful, it will help the Council to deliver those elements of the seafront vision much more quickly and to a higher standard than it would otherwise have been able to do.

b. Legal implications

The proposed development of the seafront will require all the relevant consents to be obtained before the works can commence.

Any grant funding will be dependent on the Council fulfilling the specified terms and conditions attached to the funding.

The long term leases which will be offered to commercial operators and the Canvey Island Town Council will provide the security they need in order to invest with confidence in their respective operations and activities.

c. Human resources and equality implications

The proposed improvements to the seafront will make the seafront more accessible to persons with physical disabilities and the anticipated increase in the range of commercial activities on offer will help to encourage more visitors to the seafront thereby making the seafront and the associated business operations more sustainable in the longer term.

d. Timescale for implementation and risk factors

Implementation will be in accordance with the implementation plan appended to this report subject to the Council securing the necessary funding.

The Stage 2 bid to the Coastal Communities Fund will need to be submitted by 21st January 2019. If successful the works funded by the grant will need to be completed by March 2021 in accordance with the grant conditions.

7. Background Papers:

Correspondence from Groundwork UK (on behalf of the Ministry for Housing, Communities and Local Government) – 8 November 2018

Cabinet Report – 16 October 2018

Report Authors: Trudie Bragg, Head of Environment
Mark Evershed, Regeneration Delivery Manager

CANVEY SEAFRONT DEVELOPMENT PLAN

2018/19

Commission architects to create a development style/brand for the seafront; to evolve the sketch proposals for the Labworth Green into a development blueprint and to produce detailed designs for the Labworth Plaza; Thorney Bay Pavilion and the Labworth Green Northern Gateway.

Appoint Surveyors/Agents to seek to negotiate new open market arrangements with the existing operators on the Labworth Green and develop a marketing strategy to seek new inward investors particularly on the Labworth Plaza and Thorney Bay Pavilion.

A planning application is vested with the planning authority for a potential development of a pavilion at Thorney Bay, including a kiosk/café, disabled access to café and beach; enlarged and enhanced car parking; upgrading of the existing footpath between Thorney Bay and Labworth Green including introducing lighting. Produce a detailed business case for this development. Consider obtaining the necessary supporting evidence to take this planning application forward.

Submit Stage 2 Coastal Communities Fund application.

Receive marketing report from Surveyors/agents on the future of the Labworth Green including an indication of anticipated rental levels on each of the commercial sites. Assess impact on future development propositions.

Agree appropriate legal arrangements to ensure the effective operation of the Welcome Hut.

Take action to obtain vacant possession of the land required for the Labworth Plaza.

Review Seafront Car Parking Charges.

Agree long term operational arrangements for the Memorial Gardens consistent with the Labworth Blueprint.

Take back management of Bumble Bee Park from Canvey Island Town Council. Vary contract with Pinnacle to include maintenance of Bumble Bee Park

2019/20

Await outcome of Stage 2 Coastal Communities Fund application.

Develop the Thorney Bay Pavilion and its environs (to include new retail kiosk, public toilets, storage, extended car park, improved pathways/lighting, signage and information boards.

Seek to redevelop and extend the Labworth Car Park dependent upon

- ECC having undertaken drainage work to Western Esplanade in the vicinity of the car park entrance;
- The Environment Agency ramp separating the Labworth car park and Welcome Hut car park being removed;
- Detailed business case
- Planning consent

Introduce new toilets on the Labworth Green consistent with the development blueprint

Design and seek planning consent for new overspill car park off Western Esplanade; revise TRO off Street Order; Install new height barriers/ payment machines. Overspill car park becomes operational.

Either enter into long term lease arrangement with existing operators on market terms or, if unsuccessful, seek proposals from new potential inward investors

Develop plans with the Environment Agency to achieve improved access (including disabled access) from Labworth Green to the seaward side of the seawall

Produce a business case for the redevelopment of the Labworth Plaza. If appropriate, proceed to submit a planning application

Develop the Labworth Plaza subject to the necessary funding being available.

Relocate Bumble Bee sculpture (to Canvey Heights)

2020/21

Implementation of improved footpath on the landward side of the seawall between Thorney Bay and Concord Beach.

Introduce improved access arrangements between the Labworth Green and the seaward side of the seawall.

Detailed proposals and business case for Northern Gateway; planning consent and implementation of scheme if funding available.

CABINET

21st November 2018

Subject: Charging Policy for Homeless Temporary Accommodation

**Cabinet Members: Councillor Mrs Egan - Housing and Council Homes
Councillor Stanley - Finance, Policy and Resources**

1. Purpose of Report

To seek authority from Cabinet to implement a change in the Council's policy for recovering the cost of short-term accommodation from homeless applicants.

2. Links to Council's priorities and objectives

The work is linked to the aim of Housing and Regeneration.

3. Recommendation

That Cabinet agrees to the implementation of a cap on the amount which the Council seeks to recover from homeless applicants for temporary accommodation as set out within the report at para 5.2, ensuring that the amount charged to each applicant is affordable under homelessness legislation.

4. Background

4.1 The provision of temporary or short term accommodation to homeless applicants is expensive. The Council has only limited suitable accommodation itself and therefore the majority of applicants are placed in private sector operated properties. Demand is high and increasing year on year. At the time of writing this report the Council has 117 placements in temporary accommodation excluding its own direct provision. The total number of placements for the year to date is 74.

4.2 The Council incurs the cost of temporary accommodation direct. If the applicant is in receipt of Housing Benefit, this benefit is applied against the cost. The award of Housing Benefit by the Council is largely offset by Government grant (housing benefit subsidy) however, any amount of benefit paid which exceeds the Local Housing Allowance (LHA) is not covered by subsidy and the Council currently seeks to recover that amount from the applicant.

4.3 Table 1 provides a typical example:

Table 1 – Example of weekly cost	£
Weekly Rent paid by the Council	560.00
Less Housing Benefit (HB)	-95.82

Less Applicant Contribution towards services	-20.58
Net rent to be recovered from the applicant	443.60

- 4.4 Accommodation rent costs can typically vary between **£200** and **£600** per week, dependent upon the type and size of accommodation as well as the provider. Before recent welfare reforms, the applicant contribution was typically limited to amounts “ineligible for Housing Benefit” of around **£20.58** per week, which represents the cost of elements for services which are not eligible for housing benefit such as utilities and cleaning. The introduction of Universal Credit and benefit caps (a method of limiting the total amount of benefit payments an applicant can claim) has meant that in some cases, applicant contributions have increased substantially to cover the shortfall in Housing Benefit.
- 4.5 However, whilst the Council will often agree generous payment terms with applicants, these costs can be significant and often arise at a time when the applicant is striving to overcome other financial difficulties and/or settle into new accommodation. Realistically there is often little scope for the applicant to repay the full cost which ultimately results in bad debts and added stress to the applicant. In the example in Table 1, the Council would seek to recover **£443.60** per week from the applicant in addition to the **£20.58** for services, but in reality this full charge is likely to be written off.
- 4.6 Since 1st April 2018 there have been nine requests for amounts to be written off as unrecoverable on closed accounts totalling **£45k**, where the accommodation costs were **£138k**.
- 4.7 As part of each homelessness application, the Housing Options Team undertake affordability assessments which regularly indicate that the weekly rent would be classed as unaffordable under homelessness legislation. This would therefore provide grounds for appeal by the applicant on any decisions made and impact on the Council’s ability to recover any arrears.
- 4.8 Table 2 on the following page provides a summarised example of the Applicant Affordability Assessment currently undertaken by the Housing Options Team which builds on the example shown in Table 1.

Table 2 - Example of Applicant Affordability Statement		
		£
Temporary Accommodation Cost		
Rent paid by the Council		560.00
Less Housing Benefit (HB)		-95.82
Less Applicant contribution towards services		-20.58
Net rent to be recovered (as per Table 1)	A	443.60
Applicant’s Personal Income & Expenditure		
Non-Housing related benefits		-256.18
Applicant contribution towards services		20.58
Household costs		157.00
Net available Income	B	-78.60
Unaffordable element of rent	A – B	365.00

- 4.9 This is a typical example of a Housing Benefit capped applicant and demonstrates how the existing policy results in clearly unaffordable charges being levied on the applicant, in this case **£365** per week.
- 4.10 Options for a fairer and more realistic charging policy have therefore been explored.

5. Proposed Charging Policy for Applicants in Temporary Accommodation

- 5.1 The proposed new charging policy objective is to enable applicants to leave temporary accommodation in no worse a position than when they sought the Council's help, whilst ensuring that they make a fair and affordable contribution towards the costs incurred.
- 5.2 It is therefore proposed that an upper limit is placed on the weekly amount the applicant is requested to pay towards their accommodation. It is proposed that the upper limit is set at:

- The **£20.58** due for services, plus
- An amount equal to the Local Housing Allowance amount, typically **£115.35** (this amount is then reduced by any HB payable), plus
- The amount assessed by the Housing Options Team as being affordable for the applicant to pay.

- 5.3 Referring to the example in table 1 & 2 this would mean that the applicant would be required to pay **£20.58** plus **£78.60**.
- 5.4 Implementing a system of application contribution caps would not significantly impact on the overall cost to the Council but would benefit applicants. The Council would seek to recover realistically recoverable amounts and avoid the requirement to raise large invoices that are unlikely to be recoverable.
- 5.5 To demonstrate the impact for a full financial year from the Council's perspective, a sample of cases has been taken relating to 2017/18 and Table 3 below compares the annual actual cost to the position if the proposed limits had been applied.

Table 3 – full year impact of proposed new limit (based on sample):		
	Current £	Proposal £
Rent due	757,149	757,149
<u>Less</u>		
Housing Benefit covered by subsidy	-262,723	-262,723
Applicant Top-up (assessed as affordable)	-215,045	-157,676
Cost to the Council:		
Direct cost	279,381	462,169
Unaffordable charge to applicant likely to be written off	182,788	0

- 5.6 This shows that the overall cost to the Council is actually unchanged. What has changed is that applicants are no longer pursued for unaffordable debt. How the Council is required to classify costs within its accounts will change but will have no financial impact. Further examples of the reduction in financial burdens placed on applicants are set out in Annexe A to this report.

6. Corporate Implications

a. Financial implications

There are financial implications which are summarised in this report.

Total temporary accommodation costs across all types are budget in 2018/19 to be **£1.8m**, before rebates from Housing Benefit and applicant payments, of which **£1m** relates to Bed and Breakfast type accommodation.

The proposal is for costs to sit entirely within the homelessness cost centre rather than being recorded as “subsidy loss” within Housing Benefits.

b. Legal implications

As detailed in the report the proposed changes will potentially avoid assessments showing that accommodation provided by the authority is unaffordable in the event of a homelessness appeal.

c. Human resources and equality

None.

d. Timescale for implementation and risk factors

The new charging policy can be implemented upon agreement by Cabinet

7. Background Papers:

None

Report Author: David Randerson, Principal Housing Finance Officer

Below are two examples of the reduction in the financial burdens placed upon applicants if the implementation of the proposals of limiting rent to **£115.35** plus and applicant contribution of **£20.58 (£135.93)** were applied. The applicant is required to pay the applicant contribution plus an amount assessed as affordable.

1. Applicant A

- 1.1 Applicant A is an adult with four children, in receipt of Income Support, Child Benefit and Child Tax Credits. They are accommodated for 29 weeks in temporary accommodation.

Table 1 - Comparison of weekly costs to Applicant A			
		Current £	Proposal £
Temporary Accommodation Cost			
Rent paid by the Council		525.00	135.93
Less Housing Benefit (HB)		-29.73	-29.73
Less Applicant contribution towards services		-20.58	-20.58
Net rent to be recovered	A	474.69	85.62
Applicant's Personal Income & Expenditure			
Non-Housing related benefits		-384.56	-384.56
Applicant contribution towards services		20.58	20.58
Household costs		306.41	306.41
Net available Income	B	57.57	57.57
Unaffordable element of rent	A – B	417.12	28.05

- 1.2 Consequently the amount of weekly debt accrued by the applicant assessed as unaffordable and subject to a future write off reduces from **£417.12** to **£28.05**. It is not proposed to collect the remaining unaffordable element of the rent, as this would prove uneconomic both in terms of the low value to recover and the predetermined inability to pay.

2. Applicant B

2.1 Applicant B is an adult with two children, in receipt of Employment and Support Allowance, Child Benefit and Child Tax Credits. They are accommodated for 72 weeks in temporary accommodation.

Table 2 - Comparison of weekly costs to Applicant B			
		Current £	Proposal £
Temporary Accommodation Cost			
Rent paid by the Council		420.00	135.93
Less Housing Benefit (HB)		-164.21	-115.35
Less Applicant contribution towards services		-20.58	-20.58
Net rent to be recovered	A	235.21	0.00
Applicant's Personal Income & Expenditure			
Non-Housing related benefits		-220.41	-220.41
Applicant contribution towards services		20.58	20.58
Household costs		195.03	195.03
Net available Income	B	4.80	4.80
Unaffordable element of rent	A – B	230.41	0.00

2.2 Consequently the amount of weekly debt accrued by the applicant assessed as unaffordable and subject to a future write off reduces from **£230.41** to nil. The applicant is also able to make a weekly contribution of **£4.80** on top of the **£20.58** applicant contribution.

2.3 It is worth highlighting that, in this example and under the current methodology, the Housing Benefit is capped at **£164.21** which is above the Local Housing Allowance level of **£115.35**. Therefore, **£48.86** of the Housing Benefit paid per week will be funded by the Council. Under the proposal, Housing Benefit would not be paid above this threshold.

CABINET

21st November 2018

**Subject: Highways England Consultation-
Lower Thames Crossing**

**Cabinet Member: Councillor Smith – Leader of the Council
Councillor Mumford – Regeneration and Business
Liaison**

1. Purpose of Report

- 1.1 This report advises the Cabinet of a current consultation exercise conducted by Highways England regarding proposals for a Lower Thames Crossing. This report also seeks the Cabinet's agreement to a suggested response to this consultation.**

2. Links to Council's Priorities and Objectives

- 2.1 Infrastructure planning both in Castle Point and surrounding areas contributes directly towards the Council's priorities of *Transforming our Community* and *Public Health and Wellbeing*.**

3. Recommendations

- 3.1 It is recommended that the Cabinet notes the current consultation from Highways England regarding proposals for a Lower Thames Crossing and agrees to submit a response as set out in Section 5 of this report.**
-

4. Background

- 4.1 On 10th October 2018, Highways England published a Consultation regarding the proposals for a Lower Thames Crossing. It advises;

The Lower Thames crossing is a proposed new motorway connecting Kent, Thurrock and Essex through a tunnel beneath the River Thames. This will provide much needed road capacity across the River Thames east of London and transform journeys through the South East region and beyond.

- 4.2 The Consultation closes on 20th December 2018.

- 4.3 The detailed information associated with the consultation explains:

The Lower Thames Crossing will benefit the Lower Thames area around Kent, Thurrock and Essex. It will:

- *improve journey times along parts of the A127 and M20*
- *cut congestion on approach roads to the Dartford Crossing (including parts of the M25, A13 and A2)*
- *increase capacity across the Thames from four lanes in each direction currently (at Dartford) to seven lanes each way (Dartford plus the Lower Thames Crossing)*
- *allow nearly double the amount of traffic to cross the Thames*

The Lower Thames Crossing will have:

- *approximately 14.5 miles (23km) of new roads connecting the tunnel to the existing road network*
- *three lanes in both directions with a maximum speed limit of 70mph*
- *improvements to the M25, A2 and A13, where the Lower Thames Crossing connects to these roads*
- *new structures and changes to existing ones (including bridges, buildings, tunnel entrances, viaducts and utilities such as electricity pylons) along the length of the new road*
- *two 2.5 mile (4km) tunnels, one for southbound traffic, one for northbound traffic crossing beneath the river*
- *a free-flow charging system, where drivers do not need to stop but pay remotely, similar to that at the Dartford Crossing*

- 4.4 The proposals for a new crossing have emerged following a series of earlier studies and assessments. Previously potential locations were considered at four locations;

- Option A in the vicinity of the existing Dartford Crossing
- Option B in the vicinity of the Port of Tilbury
- Option C to the east of Tilbury
- Option D to the west of Canvey

- 4.5 Cabinet considered these at its meeting on 16th March 2016, when it welcomed the provision of additional capacity to cross the River Thames, supported the

variant of Option C being taken forward, but also sought further additional capacity upstream in Greater London. It also noted that the effect of the proposals as they were designed at that time meant that additional junctions might impair capacity on the existing A13/A127 routes in South Essex, and that widening should be considered. It particularly sought capacity improvements to the A13 east of the A13/A1014 Manorway interchange to avoid this two-lane highway becoming a significant constraint. Finally it suggested that the proposals consider and take into account the potential for the A13/A1014 Manorway interchange for journeys to and from Canvey Island at some future date.

4.6 The current proposals for the Lower Thames Crossing have been formulated from the Option C variant, and this is shown in the Appendix to this report. In brief the proposals now have the following features:

- The route is now three lanes in each direction with hard shoulders
- The Tilbury junction is limited to providing access to a rest area and to a tunnel service facility only, with no connection to the surrounding network
- The junction of the Lower Thames Crossing with the A13 has been re-designed. It will not be possible to access the Lower Thames Crossing route whilst travelling eastbound on the A13, nor will it be possible to connect to the Lower Thames Crossing route directly from the A13/A128 Orsett Cock junction. Furthermore traffic using the Lower Thames Crossing and wishing to access the Port of Tilbury will need to leave the Lower Thames Crossing and travel east along the A13 to the A13/A1014 Manorway interchange to effect a “U-turn” and then access the Port via the A13 junction with the A1089
- The junction of, and link to, the Lower Thames Crossing with the M25 and A127 has also been re-designed. The Lower Thames Crossing will have dedicated slip roads to and from the M25. Improvement works will be carried out between the Lower Thames Crossing junction of the M25 and Junction 29 with the A127, involving 4 lanes plus hard shoulders for the M25, and changes to create three lanes on the roundabout at the junction. A new parallel link road running north alongside the M25 will allow for direct access from the M25 to the Junction

5. Implications for Castle Point

5.1 As Cabinet previously agreed, the provision of additional capacity to cross the Thames in south Essex is welcome. The existing crossing at Dartford is operating beyond design capacity and the performance of the crossing and network when coping with unforeseen incidents is significantly impaired. This in turn has significant consequences for residents and business in south Essex in terms of accessibility in and around the London and the south east.

5.2 Again, however, the provision of additional crossing capacity in South Essex should also be concurrent with the provision of additional capacity further upstream in London. For many years proposals have been advanced, but never progressed, for additional river crossing capacity downstream of the Blackwell Tunnels; for example proposals were advanced for a bridge at Gallions Reach connecting the A406 North Circular Road to the A2. A crossing in this general location could provide capacity to serve journeys either originating or ending in

east London, thereby relieving the existing crossing in Dartford of a proportion of its current traffic.

- 5.3 Turning now to the details of the current consultation, the limited number of additional junctions on the Lower Thames Crossing is a deliberate approach to avoid any localised congestion around such access points. However further additional junctions may improve accessibility in South Essex, and create potential development opportunities; provided that if new junctions were constructed these were simultaneous with a significant improvement to the capacity of the A13 and other local routes; this point should be re-examined.
- 5.4 The provision of additional running lanes on the existing A13 from the A13/A128 Orsett Cock interchange to the A13/A1014 Manorway interchange has already commenced, but consideration should also be given to similar capacity improvements to the A13 east of the A13/A1014 Manorway interchange to provide additional capacity, particularly since traffic modelling appears to show that journey times eastbound on the A13 may increase on the completion of the Lower Thames Crossing.
- 5.5 The Council has for some time supported the concept of an additional access to and from Canvey Island to the A13 using the A13/A1014 Manorway interchange, the A1014 and a fixed link across Holehaven Creek to connect to Northwick Road, and then to the A130 Roscommon Way. Because the current proposals rely on a greater use of the A13/A1014 Manorway interchange for journeys which currently use the A13/A128 Orsett Cock interchange, there could well be significant additional pressure on this interchange which may undermine this Council's aspirations. It is suggested that the proposals consider and take into account the potential for the A13/A1014 Manorway interchange for journeys to and Canvey Island at some future date.
- 5.6 Finally it is recommended that the Cabinet advises the Association of South Essex Local Authorities of its views on the Lower Thames Crossing proposals as set out above, and expresses its support for a joint response to the consultation from South Essex.

6. Corporate Implications

(a) Financial Implications

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

(b) Legal Implications

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

(c) Human Resources and Equality Implications

Human Resources

- 6.3 The recommendations of this report can be actioned within existing human resources.

Equality Implications

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

(d) IT and Asset Management Implications

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

7. Timescale for implementation and Risk Factors

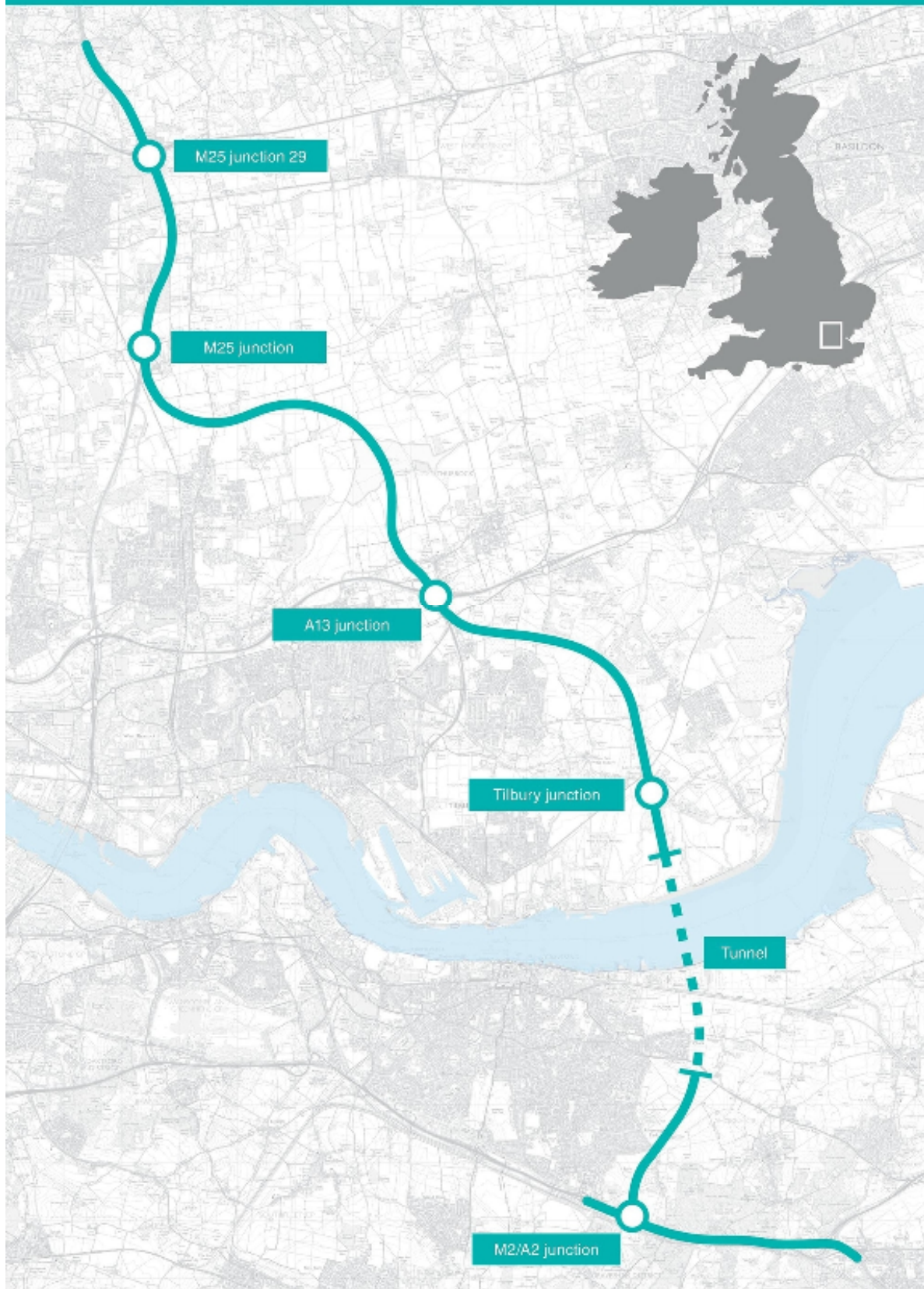
- 7.1 Highways England seeks responses to its consultation by 20th December 2018.

Background Papers

Highways England Lower Thames Crossing Consultation October 2018

Report Author: Steve Rogers Local Plan & Regeneration Adviser

The Lower Thames Crossing



CABINET

21st November 2018

**Subject: Joint Strategic Plan for South Essex -
Statement of Community Involvement**

**Cabinet Member: Councillor Smith
Leader of the Council – Strategic Partnerships**

**Councillor Mumford
Regeneration & Business Liaison**

1. Purpose of Report

- 1.1 This report is to inform the Cabinet of the need to approve a Statement of Community Involvement for the Joint Strategic Plan for South Essex.**

2. Links to Council's priorities and objectives

- 2.1 The initiative described in this report is directly linked to the Council's "Transforming our Community" priority – by putting the right planning framework in place.**

3. Recommendations

- 3.1 That the Cabinet notes and approves the attached draft Statement of Community Involvement, prepared to cover the Joint Strategic Plan for South Essex;**
- 3.2 Agrees that this should be the subject of consultation with the local community for a minimum period of 6 weeks, carried out in conjunction with other South Essex authorities;**
- 3.3 Following consultation and once agreed by all South Essex authorities, it is appended as Part II to the Council's existing Statement of Community Involvement 2014.**

4. Background

- 4.1 All local planning authorities must prepare a Statement of Community Involvement (SCI) as defined by the Planning & Compulsory Purchase Act 2004. Section 18, sub-section 2 of the Act states that

“..a statement of community involvement is a statement of the authority’s policy as to the involvement...of persons who appear to the authority to have an interest in matters relating to development in their area...”

- 4.2 Since planning shapes the places where people live and work it is important that people are able to take an active part in the process and contribute to future planning policy.
- 4.3 The Council has a current up-to-date SCI, approved in October 2014, which covers the means by which the Council consults on all planning matters. Other South Essex authorities have similar SCIs
- 4.4 Legislation is however unclear as to whether the current SCIs in South Essex would cover the preparation of a Joint Strategic Plan (JSP) for South Essex. Legal advice has been obtained and it concludes that each authority should approve an addendum, or Part II, to its individual SCI to cover the preparation of the JSP. The addendum should itself be the subject of public consultation.
- 4.5 The addendum, or Part II, to the SCI, is attached as an Appendix to this report.
- 4.6 Consultation is to be co-ordinated through the JSP Team, and is likely to take place in early 2019; responses to the consultation will be reported to and considered by each Council.
- 4.7 Once the draft JSP is prepared, it will then be subject to full public consultation across all South Essex authorities in accordance with the approved Part II SCIs.
- 4.8 This matter has been considered and agreed by the South Essex Planning Members at their meeting on 30th August 2018.

5. Corporate Implications

a. Financial Implications

- 5.1 The costs associated with the preparation and consultation of the Part II SCI for the JSP are covered in existing approved budgets.

b. Legal Implications

- 5.2 The recommendations in this report follow the legal advice received by South Essex authorities.

c. Human Resources & Equality Implications

- 5.3 There are no implications of this kind arising from the recommendations in this report.

d. Timescale for implementation & risk factors

- 5.4 The consultation on the Part II SCI will take place in early 2019 and run for a period of 6 week. All councils will be advised of the outcome of the consultation and any changes necessary to the SCI in spring 2019.
- 5.5 Should the Part II SCI not be agreed and approved, there is a risk that the JSP may be subject to procedural challenge thereby delaying its progress.

6. Conclusions

- 6.1 The preparation of a JSP for South Essex remains a strong ambition of the Association of South Essex Local Authorities (ASELA), in which the Council plays a leading role.
- 6.2 It is necessary to prepare, consult on and approve this addendum to the Council's existing SCI to allow for future consultation on JSP matters

Background Papers

None

Report Author: Steve Rogers – Local Plan & Regeneration Adviser

Part II Statement of Community Involvement (SCI) South Essex Joint Strategic Plan (JSP) Draft for Consultation

Introduction

This Part II Statement of Community Involvement (SCI) sets out a consistent approach for consultation and involvement on preparing a South Essex Joint Strategic Plan (JSP). This Part II SCI provides an addendum to each of the existing SCI's for the six South Essex authorities working in partnership on the JSP: Basildon Borough, Brentwood Borough, Castle Point Borough, Rochford District, Southend Borough, Thurrock Borough Council.

Important Note

This Part II SCI sets out the consultation approach for the JSP only and not on other planning documents or on planning applications. All six authorities existing Statements of Community Involvement will continue to set out the approach to consultation and involvement for other planning policy documents and planning applications, and these are not affected by this document. Please refer to the individual authority's website for details.

Map of South Essex



Background

The JSP will be a formal statutory Development Plan Document, providing the strategic planning framework for the six Local Planning Authority areas. Essex County Council will assist with preparing the JSP. The JSP will contain strategic allocations and policies, including an overall spatial strategy and amount of housing, employment and supporting infrastructure to be provided. It will cover the period up to 2038.

Consultation is required at various stages during JSP preparation, including "Publication" stage, after which it will be submitted to Government. An independent Planning Inspector then carries out an Examination into the document, considering the views of interested people. The final decision on the soundness of the Plan will be made by that Inspector, after which the plan will be adopted by the six councils. You can find government guidance on preparing local plans here:

www.gov.uk/guidance/local-plans

Consultation General Principles

We will apply some general principles to our JSP consultation.

- Involvement will be open to all regardless of gender, faith, race, ethnicity, disability, sexuality, age and social deprivation.
- We will undertake consultation as the plan is prepared.
- We will choose consultation processes by balancing available resources, cost and time constraints, and our level of discretion on the outcome.
- Consultation publications will be clear and concise and avoid unnecessary jargon, without understating the complexities of any decision.
- Enough time (minimum of 6 weeks) will be given for responses.
- We will inform those who respond to a consultation of later stages in the process, where required.

Who we will Consult

- Statutory organisations including councils, infrastructure providers and government bodies as legally required or otherwise appropriate.
- The general public.
- Groups representing place or interest communities.
- Local business, voluntary and other organisations.
- Planning and development industry and consultants.
- Others who have expressed an interest in the subject matter.

How we will Consult

- We will contact appropriate organisations and individuals directly.
- We will publicise consultations by a combination of methods, as appropriate, such as: website, press release, displays, social media, community groups, community events.
- We will make consultation documents available at council offices and public libraries where appropriate.
- Consultation documents will be made available for download via each Council's website.
- We will consider organising consultation events such as public exhibitions and stakeholder workshops.
- We will publish comments received or a summary as soon as feasible. We will explain how these comments have been taken into account when decisions are made.

When we will Consult

- We will consider the need for targeted engagement with organisations and key stakeholders in developing a preferred option for consultation.
- The first consultation will ask for comments on the Draft South Essex Joint Strategic Plan, which will present the Council's preferred option.
- After considering the initial consultation responses we will formally publish the 'Publication Version' of the Plan for representations in accordance with the relevant regulations before submission to Government.

CABINET

21st November 2018

Subject: Financial Update

Cabinet Member: Councillor Stanley – Finance, Policy and Resources

1. Purpose of Report

This report is intended to:

- **Provide Cabinet with the latest Medium Term Financial Forecast (MTFF) in respect of the General Fund.**
- **Update Cabinet on developments of a financial nature, which may impact on the Council's financial plans in respect of either the General Fund, Housing Revenue Account (HRA) or Capital Programme.**

2. Links to Council's Priorities and Objectives

This report is linked to the Council's priority of a commercially sound and democratically accountable Council. Sound and strategic financial management is essential in order to ensure that resources are available to support the Council's priorities and maintain or improve services.

3. Recommendations

That Cabinet note the report and approve an increase to the General Fund Capital programme for vehicle replacements of £112k (para 5.4 refers).

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 MTFF, enabling the Cabinet to monitor latest estimates of future spending and resources, and take appropriate action to ensure that the Council's financial targets are met.
- 4.2** There is much uncertainty pending the outcome of the review of the business rates funding mechanism, making medium to longer term financial planning difficult. In the meantime, the Council continues to utilise its resources prudently and maintain reserves at a level sufficient to enable it to adjust smoothly to any detrimental change to funding which may arise.

5. Changes to approved budgets

- 5.1 The following budget changes have occurred since the last update report to Cabinet.

	£k	Description
1.	80k	Reduction in budget for costs recovered in respect of court action for recovery of council tax. Not anticipated to be ongoing.

- 5.2 The financial forecast at Annexe A incorporates these changes, budget adjustments funded from earmarked reserves and lower value changes authorised under delegated authority by the Strategic Director (Resources).

Capital Programme – General Fund – Vehicle replacements

- 5.3 The Council has five refuse and recycling vehicles due for replacement during 2018/19 and 2019/20: three freighters and two smaller vehicles.

- 5.4 A tender process has been completed and an additional **£112k** will be required across both financial years, over and above the existing budget provision of **£636k**. These costs are charged to revenue over the life of each vehicle, mostly assumed to be 7 years, referred to as “Minimum Revenue Provision (MRP) charges”. The increased capital cost will result in additional annual MRP charges of around **£16k** per year for 7 years, however, it is intended to offset these additional costs through cost reductions elsewhere within the capital programme. Therefore the net impact to the General Fund will be nil.

Capital Programme - Housing Revenue Account – Replacement Fire Safety Doors – briefing in relation to recent procurement

- 5.5 Following the establishment of an independent testing regime by the Government for fire safety door sets in the summer of 2018, a number of fire door set manufacturers were found to not be compliant. As a consequence of the new regime, the Council’s initial appointed contractor Sovereign announced that they had suspended manufacturing / installation of fire door sets with immediate effect, and were looking to retest next year.
- 5.6 Officers recognised the urgency of beginning a programme for the installation of fire door sets for all Council blocks and consequently attended a presentation by the manufacturer Gerda, along with staff from the Fire Brigade, South Essex Homes, and Southend Borough Council. Gerda were able to assure those present that their fire door sets have been independently tested to comply with all fire safety requirements. Accordingly, the Housing Service requested and received an exemption from the Council’s procurement regulations in order to engage Gerda. The Housing Service has begun to order the installation of fire door sets from Gerda and the programme will continue throughout 2019.

6. Revenue/Capital Budgets “on-watch”

- 6.1 This section of the report highlights revenue or capital budgets, HRA or General Fund, which are identified by the Strategic Director (Resources) as “on-watch”. This term refers to expenditure and income budgets where there is reason to believe that performance may not meet expectations and where the impact on the Council’s overall financial plan is likely to be material.

- 6.2 For the purpose of this report, items will be included if they have a full year financial impact of at least **£50k** and / or are felt to be of particular interest to Cabinet. These items will be addressed through the budget process for 2019/20:

	£k	Description
1.	£40k	Utility Costs - Current indications are that overall utility costs for General Fund sites could be in the region of £40k higher than currently budgeted from 2019/20.
2.	£450k	<p>Co-mingled Waste - The Council is currently in the process of retendering for its contract for the collection and disposal of kerbside co-mingled waste. The Council is working with other Essex Authorities on the procurement process which will result in separate contracts for each authority from May 2019.</p> <p>As previously reported, the market for co-mingled waste material is very volatile and it is anticipated that there may be a significant increase in ongoing cost, up to £450k per annum ongoing.</p>

7. Key Financial Developments

Updates to key financial developments are provided within the following paragraphs. Information reported in earlier financial update reports is not reproduced below.

Budget 2018

- 7.1 The Chancellor of the Exchequer presented his Budget 2018 to the House of Commons on 29 October 2018 which he introduced promising “the era of austerity is finally coming to an end”. With the final terms of the departure of the UK from Europe yet to be settled, the Chancellor has already signalled that a further Budget may be required should this departure be made without a formal deal.

- 7.2 Highlights from the Budget are as follows:

- An additional **£55m** in 2018/19 for Disabled Facilities Grants.
- An additional **£420m** in 2018/19 to tackle potholes, repair damaged roads, and invest in keeping bridges open.
- Changes to business rates, including:
 - Providing upfront support to the business rates system through reducing bills by one-third for retail properties with a rateable value below **£51k**, benefiting up to 90% of retail properties, for 2 years from April 2019, subject to state aid limits;
 - The introduction of 100% business rates relief for all public lavatories with the aim of helping to keep these amenities open; and
 - Continuing with the **£1.5k** business rates discount for office space occupied by local newspapers in 2019/20.

The Government has stated that local authorities will be fully compensated for the loss of income as a result of these measures.

- Housing, including:
 - Confirmation that the Housing Revenue Account cap that controls local authority borrowing for house building will be abolished from 29 October 2018 in England.
- Universal Credit: two further major reforms:
 - That the amount that households with children, and people with disabilities can earn before their Universal Credit award begins to be withdrawn – the Work Allowance – will be increased by **£1k** from April 2019; and
 - A package of additional support for transition worth approximately **£1bn** over 6 years.
- National Living Wage (NLW) will increase by 4.9% from **£7.83** to **£8.21** from April 2019.

7.3 Implications arising from Budget 2018 will be considered as part of the budget setting process for 2019/20.

8. Financial Risk Factors

The budget report presented to the Cabinet meeting in February and Council on the same night indicated some risk areas that the Cabinet should be mindful of until the position and risk relating to each has been clarified.

9. 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 the Council is regularly informed and updated on these matters.

Matters referred to above which require the establishment of agreements between organisations are routinely referred to the Council’s Head of Law and Deputy Monitoring Officer.

b) Human Resources and equality implications

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

c) Timescale for implementation and risk factors

Risk factors inherent in the forecast are set out above.

Report Author: Chris Mills, Strategic Director (Resources)

Background Papers:

- Policy Framework & Budget Setting 2018/19, incorporating the Financial Planning Strategy.
- Financial update reports to Cabinet – 2018/19.

Medium term financial forecast						2018/19	2019/20	2020/21	2021/22	Notes
Line	Current policies and service plans	£'000s	£'000s	£'000s	£'000s					
1	Total net expenditure / estimated exp. for future years	10,367	9,940	12,843	10,691	Fluctuations year to year are predominantly caused by phasing of maintenance spend and other expenditure "offset" by earmarked reserves				
1b	Changes to budget since February 2018	887	120	123	(95)					
1c	Current total net expenditure / estimated exp. for future years	11,254	10,060	12,966	10,596					
	Funding sources									
2	Council Tax	7,628	7,934	8,172	8,418					
3	Formula Grant - Revenue Support Grant / (tariff adjustment)	0	(515)	(528)	(541)					
4	Baseline Funding Level - Redistributed Business Rates	1,808	2,225	2,281	2,338					
5	Business Rates - Levy on retained income	(126)	0	0	0	Offset by a contribution from the NNDR equalisation reserve				
6	New Homes Bonus	691	556	206	0	Legacy payment only				
7	Capital grants and other grants and contributions	1,231	0	0	0					
8	Net Collection Fund(s) surplus / (deficit)	5	0	0	0	NNDR deficit offset by a contribution from the NNDR equalisation reserve				
9	Transfer (to) / from General reserve	502	0	0	0					
10	Transfer (to) / from Earmarked reserves	(485)	(996)	1,886	(1,034)					
11	Total funding sources	11,254	9,204	12,017	9,181					
12	Budget / Funding Gap	0	(856)	(949)	(1,415)					
	General Reserve	£'000s	£'000s	£'000s	£'000s	Minimum recommended balance for General Reserves is £1.9m				
13	Balance at start of year	5,673	4,850	3,795	2,646					
14	Contribution (to) / from General Fund (line 9 & 12)	(502)	(856)	(949)	(1,415)					
15	Potential planning appeals & associated legal costs	(320)	(200)	(200)	(200)					
16	Balance / (deficit) at end of year	4,850	3,795	2,646	1,031					
	Earmarked Reserves	£'000s	£'000s	£'000s	£'000s	The precise timing of the use of earmarked reserves is, due to their nature, generally unknown. Earmarked reserves are reviewed annually to ensure sufficiency and where need has diminished funds will be returned to General Reserves.				
17	Balance at start of year	7,709	6,282	5,017	2,516					
18	Other expected usage of earmarked reserves - not allocated to the detailed budget	(1,912)	(2,261)	(615)	(544)					
19	Balance at end of year	6,282	5,017	2,516	3,006					
	Council Tax					Target increases within Council Tax referendum limits. The tax at band D does not include the amount charged by Canvey Island Town Council.				
20	Tax at band D	250.56	258.03	263.16	268.38					
21	Increase	2.96%	2.98%	1.99%	1.98%					

CABINET

21st November 2018

Subject: Local Council Tax Support (LCTS) Scheme for 2019/20

Cabinet Member: Councillor Stanley – Finance, Policy & Resources

1. Purpose of Report

To provide an update to Cabinet in respect of:

- **Proposed Local Council Tax Support scheme for 2019/20.**

2. Links to Council's priorities and objectives

This report is linked to the Council's priority of a commercially sound and democratically accountable Council. 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 information regarding consultation and review of the scheme, and the Universal Credit Impacts on LCTS at Appendix A.**
- 2. That Cabinet note the Stage 2 Equality Impact Assessment at Appendix B and the Impact of the Proposed 2019/20 LCTS Scheme at Appendix C.**
- 3. That Cabinet recommend to Council that there are no changes to the Local Council Tax Support Scheme for 2019/20.**

4. Background Information

- 4.1 The former Council Tax Benefits scheme was replaced by a discretionary, Local Council Tax Support scheme (LCTS) in April 2013, following the announcement by Government in the 2010 spending review that support for Council Tax would be localised. At the same time, the level of funding provided by Government was reduced nationally by an average of 10% which translated locally to a reduction of 15%.**

- 4.2 In December 2012, Council approved the local scheme for Castle Point. The scheme was designed to be cost neutral and based largely on an Essex wide framework developed over the course of the preceding year by Essex Benefit and Finance Officers working together.
- 4.3 The current scheme is generally still in line with the original 2013/14 scheme approved by Council in December 2012. The only changes made to the scheme since then have been where required to bring it in line with technical and legislative changes made in Housing Benefit.
- 4.4 Key aspects of the current scheme are set out in para 6.1.
- 4.5 The Council is required to approve future year's Local Council Tax Support schemes annually before 31st January, regardless of whether there are proposals to change the scheme or not.

5. Consultation

- 5.1 It is a legal requirement for Local Authorities to consult with residents and other interested parties in relation to the scheme before any changes to the scheme can be imposed.
- 5.2 In previous years consultation has been routinely undertaken even though no subsequent changes, other than technical changes, were made to the scheme.
- 5.3 On 25th July 2018 the Council became a Universal Credit "full service" site. This has, and will continue to have, an impact on the volume of interactions the Council has with working age customers who are in receipt of Universal Credit and also claim Local Council Tax Support.
- 5.4 Given that the Universal Credit migration timetable is still subject to change and the that further evaluation is required in relation to the impact of Universal Credit on our working age customers and their ability to maintain Council Tax payments, no changes to the scheme are being recommended this year and therefore no consultation arrangements have been undertaken.
- 5.5 It is anticipated however that a major review of the Local Council Tax Scheme will be required during 2019/20, with a view to consulting on and recommending changes for 2020/21.

6. Proposed Local Council Tax Support Scheme for 2019/20

- 6.1 The following elements are already incorporated in the 2018/19 scheme for Castle Point:
 - 1 As directed by central Government, all pensioners are treated as protected, meaning that the financial impact of changes falls on working age households only.

- 2 The scheme is means tested, using many of the principles of the previous Council Tax Benefit scheme, which enables specific protections to be applied to vulnerable groups, households with children, and households with disabilities.
- 3 The scheme incentivises work by disregarding £25 per week of earned income.
- 4 Child Benefit is counted in full as income when calculating entitlement.
- 5 Claims for Local Council Tax Support cannot be back dated.
- 6 As far as possible the scheme allows for expected growth in demand and is easy to claim and administer.
- 7 Second Adult Rebate, previously available under Council Tax Benefit, is not part of the scheme for working age claimants.
- 8 The savings limit is £6,000, meaning that claimants with capital exceeding this value are not entitled to Local Council Tax Support.
- 9 Non-Dependant deductions, previously applicable under Council Tax Benefit, are not included in the scheme for working age claimants.
- 10 In conjunction with the Council's 'Local War Pensioner' scheme, income received in respect of War Pensions for disablement or bereavement is fully disregarded when calculating entitlement.
- 11 Support is capped at Council Tax band D and at 70% of Council Tax liability for working age claimants, meaning all working age Council Tax Payers are required to pay a minimum of 30% of their weekly council tax bill and those living in properties banded E to H will be assessed as though they are living in a Band D property.
- 12 Underlying Entitlement, previously awarded when an overpayment occurred under Council Tax Benefit, is not applicable in the scheme for work age claimants.
- 13 The Family Premium, previously awarded under Council Tax Benefit, no longer applies to new working age claims made from 1st April 2017 onwards.
- 14 The period for which a person can be absent from Great Britain and still receive Local Council Tax Support is limited to a maximum of 4 weeks (subject to specific exceptions).
- 15 The Severe Disability Premium, previously awarded under Council Tax Benefit, no longer applies where another person is paid Universal Credit (Carers Element) to look after them.
- 16 The Work Related Activity Component is no longer included when calculating entitlement for new applicants who receive Employment and Support Allowance (ESA) and who fall within the Work Related Activity Group.

- 17 The number of Dependant Child Applicable Amounts used when calculating entitlement is limited to a maximum of two (subject to specific exceptions).

6.2 It is recommended that the scheme should not be changed for 2019/20.

7. Corporate Implications

a. Financial Implications

Funding

- 7.1 The reduced tax yield arising directly from the council tax support scheme discount was originally compensated for by a Government grant. With the exception of the Town Council, each precepting organisation received their equivalent grant directly and it was specifically identified within the overall finance settlement. An amount was paid over from this Council to the Town Council based on an estimate of the amount relating to them. From 2015/16 the grant has not been specified separately and the scale of reductions applied to Revenue Support Grant (RSG) means that local authorities are now required to fund this scheme entirely from their own resources.
- 7.2 The overall impact on the Council Tax Base for each financial year since introduction of the scheme is shown in the table below:

	Outturn £000s	Projected £000s
2013/14	5,798	
2014/15	5,282	
2015/16	4,874	
2016/17	4,804	
2017/18	4,686	
2018/19		4,663

- 7.3 The number of discounts awarded under the local scheme has steadily reduced throughout the period since the scheme was launched in April 2013. Caseload will be influenced by changes in the local economy.

Collection

- 7.4 On introduction, the scheme resulted in a number of residents receiving full or partial Council Tax bills for the first time and, as expected, some residents have had difficulty in making payment. The Council has seen a reduction in the overall council tax collection rate, and an increase in the number of payment arrangements which extend payment into subsequent financial years.
- 7.5 Financial implications over and above the target cost of the scheme, positive or negative, would be shared with the major precepting organisations.

Council Tax Reserve

- 7.6 The Council has preserved an amount of £100k in an earmarked reserve from scheme underspends in previous years.

b. Legal Implications

- 7.8 The Local Government Finance Act 1992 made provision for local authorities to implement a council tax reduction scheme based on financial need criteria. This legislation also placed responsibility on the billing authority before introducing or implementing changes to their scheme to undertake consultation on the various options enabling consultees to express meaningful views on the proposals. As no changes are proposed since the introduction of the 2018/2019 scheme it is intended that no further consultation be undertaken on the 2019/2020 scheme.

c. Human resources/equality/human rights

- 7.9 A stage 2 Equality Impact Assessment for the proposed 2019/20 scheme has been completed. A copy is attached at Appendix B of this report.

d. Timescale for implementation and risk factors

- 7.10 The 2019/20 Scheme needs to be finalised by 31st January 2019. The new scheme must be operational from 1st April 2019.

Key project milestones are as follows:

Milestone	Timeframe	Purpose
Grant Published	Nov 18 – Dec 18	
Cabinet Report	21.11.18	Proposed scheme to be recommended to Council
Report to Council	12.12.18	Final scheme approval
2019/20 Scheme in place	31.3.19	Adoption and Implementation
2019/20 Scheme in operation	1.4.19	Operation

8. Background Papers:

Appendix A Universal Credit Impacts on LCTS

Appendix B Stage 2 Equality Impact Assessment

Appendix C Impact of the Proposed 2019/20 Scheme

Report Author:

Eddie Mosuro – Revenues & Benefits Transformation Manager

Universal Credit - Impacts on the Local Council Tax Support Scheme

Background

Universal Credit **Live** Service (UCLS) was first introduced in Castle Point in May 2015. UCLS had very little bearing on the LCTS scheme design because it affected only a relatively small number of LCTS customers – mostly non-complex single households.

Universal Credit **Full** Service (UCFS) is the national model of Universal Credit. UCFS was introduced in Castle Point in July 2018. The UCFS model is constantly evolving and being refined by DWP, and this work is expected to continue going forward.

By early December 2018 UCFS is expected to have been rolled out partially to every single Local Authority across the country. DWP plan to then commence the 'managed migration' of existing legacy benefit claims during 2019.

Details of the exact timetable have not yet been published but migration of the entire caseload is expected to be a gradual process which will take several years.

Impacts of UCFS on LCTS

Up until now UCFS has had relatively little influence on the LCTS scheme design, however the following are recognised factors that need careful consideration when designing future schemes;

Increased responsibility for customers

With the migration onto UC many customers now have to take direct responsibility for their finances and learn how to manage a digital account.

For some this will be the first time that they have had to do this. Difficulties in completing tasks which are necessary to receive a UC award may, in some cases, lead to delays or complete failure of the UC payment. This is likely to have an impact on the customers' ability to pay Council Tax, or to maintain agreed payment plans.

Although Personal Budgeting and Assisted Digital Support arrangements are currently in place and under Local Authority control (via Peabody) at the moment, DWP have indicated that they intend to change these arrangements nationally from April 2019, bringing UC Support under the remit of Citizens Advice Bureau's.

Under the current support arrangements in Castle Point, Peabody have to date received 46 referrals for UC Support from Job Centre Plus. 39 of these customers attended their appointments and received UC Support, whilst 7 customers failed to attend their appointments.

The level of Local Authority engagement in the new support arrangement going forward is currently unknown.

Ideally, future LCTS schemes will look to minimise the requirement for customers to complete tasks, beyond that which is absolutely necessary. The Authority will need to ensure it is engaged with whatever support arrangements are adopted by Job Centre Plus going forward.

Declining take up of LCTS

Administration of LCTS is a Local Authority responsibility. There is no automatic entitlement to LCTS for UC customers. UC customers who do not have an existing live LCTS claim must complete an LCTS application form before an LCTS award can be made.

The Authority relies on the Job Centre to inform these customers of the LCTS application process but there is no automatic requirement under UC for them to claim LCTS and it is apparent that customers do not always do so. The current LCTS scheme also does not allow for backdating.

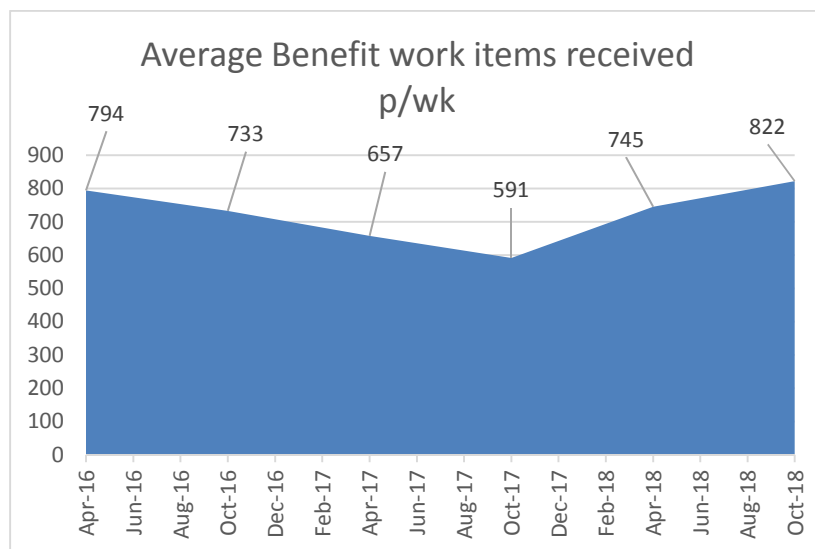
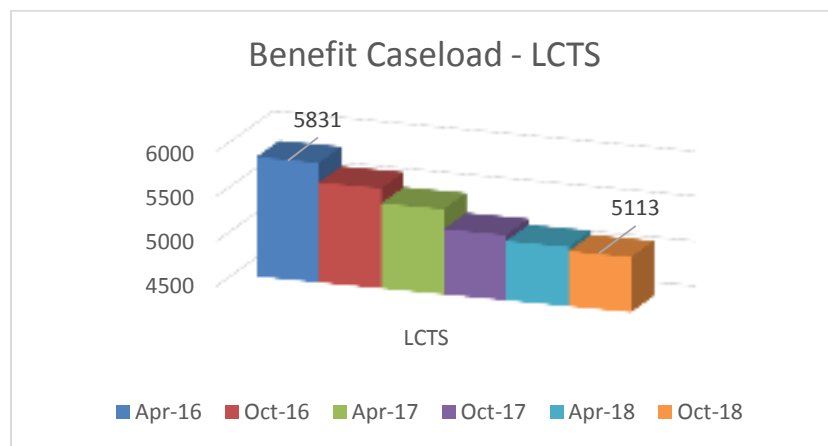
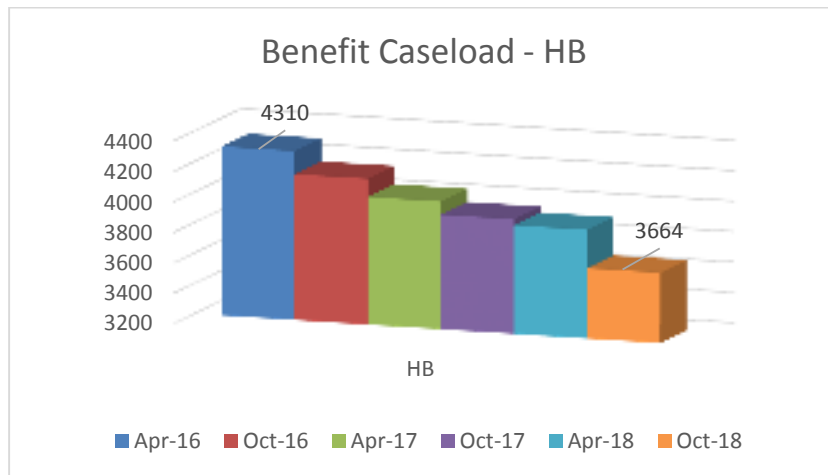
Whilst existing LCTS customers do not need to complete a new LCTS application when they move onto UC, this is sometimes necessary because the Authority needs to collect more detail than that which is provided through shared data or can be completed on a change of circumstances form.

Recent analysis of known UC claims in Castle Point to date suggests that some one third of previous LCTS customers are currently failing to provide sufficient information to enable an LCTS to be made after they move onto UC.

Ideally, future LCTS schemes will look to make the claim process and gateway to LCTS as simple as possible. The Authority could look at ways of increasing take up and removing barriers to claiming, such as simplifying the claim form and information required. It may also wish to reconsider backdating as an option.

Impact on resources & collection

The following graphs show the changes to numbers of Housing Benefit claims, numbers of LCTS claims, and the average number of work items received per week within the Benefit Service since April 2016:



Whilst caseloads appear to be declining across both Housing Benefit and LCTS, the average number of work items received has increased. This is due in part to an increase in the volume of data being shared electronically by DWP.

On average Local Authorities receive 4 notifications each time an existing HB/LCTS claim moves onto UCFS.

UC is a “real time benefit”. This means the UC award can change, on a monthly basis, to reflect changes to the customer’s monthly income. Where the customer receives LCTS the Local Authority will receive notifications for these too each month, so they can adjust the customers LCTS award. In many cases this may only be an adjustment of pennies.

There is no de minimus change value in the current LCTS scheme so all changes, no matter how small, have to be processed. This increases the number of adjustments being made to Council Tax liabilities. This also increases Bill and Notification production, and results in instalments being rescheduled over shorter periods, impacting Council Tax collection.

Ideally future LCTS schemes will look to minimise the number of changes that need to be processed. This could be achieved by setting a de minimus value on changes, or by introducing a fixed award and review period.

Conclusion

Following the recent budget announcement, DWP have declared 2019/20 as a ‘year of consolidation for UC’.

It is therefore recommended that no changes are made to the current LCTS scheme for 2021/20, and that the Authority uses this opportunity to undertake a more in depth review of possible scheme options for 2020/21.

Options being considered by other local authorities currently include;

- a modified and more flexible LCTS scheme with the ability to award fixed award periods and a de minimus change figure,
- a ‘banded scheme’ where claims are assessed based on bands of income and circumstances,
- a discount scheme akin to the single person discount where a simple fixed discount is granted following completion of a very basic claim form.

One key factor in any proposed change to the scheme is the ability of software providers to produce the IT tools necessary to;

- robustly test the scheme design before adoption
- robustly model the financial impacts to the authority and customers
- easily administer the scheme and maintain collection/recovery processes
- produce adequate monitoring reports

Substantial and robust public consultation will need to be undertaken and it should also be remembered that the LCTS scheme only impacts on the working age customers as Pension age customers are still receiving LCTS under the Government Prescribed Scheme.

There is no indication when this might change so any new scheme or IT system would need to ensure that this can still be delivered too.



Local Council Tax Support Scheme 2019-20

Equality Impact Assessment (EqIA)


Nov 2018

Strategy and Policy EqIA

All strategies and policies must be initially screened for their positive and negative equality impacts.

This initial screening will determine whether or not it is necessary to carry out a full EqIA for the strategy or policy.

This template has been designed to help you initially screen your strategy or policy and, if necessary, undertake a full EqIA .

Title of strategy or policy:	Local Council Tax Support Scheme
Person undertaking EqIA:	Eddie Mosuro
Head of Service: 	Craig Watts
Department:	Housing & Communities
Date EqIA completed:	6.11.18

Strategy and policy overview

Strategy and policy overview	
What is the strategy or policy intending to achieve?	To fulfil the Local Authorities legal obligation under the Localism Act to provide a Localised Council Tax Support Scheme with effect from 1.4.19.
What are the summary aims and objectives of the strategy or policy?	<p>Since 1st April 2013, the Council has maintained a Local Council Tax Support (LCTS) scheme. This replaced the national Council Tax Benefit scheme, which ended on 31st March 2013. LCTS helps provide support to council taxpayers who have a low income. It supports the taxpayers by providing a reduction in the actual amount in Council Tax payable.</p> <p>The Council has the ability to determine the level of support given to working age applicants only. The scheme for pension age applicants is determined by Central Government and therefore the ability of the Council to vary that part of the scheme is limited and can only enhance the national scheme in any event.</p> <p>When LCTS was first introduced, Central Government provided a specified level of grant, which was approximately 10% lower than the amounts previously given (pre 1st April 2013). This has now been replaced by a general duty to provide a scheme and funding is not separately identified within the grants given to the Council.</p> <p>After the original consultation, the Council decided to introduce an LCTS scheme that differed from the original Council Tax Benefit in that instead of granting a maximum level of support of 100% it would limit the maximum support to 70%.</p>

<p>Who will benefit from implementing the strategy or policy?</p> <p>What are the links to the Council's corporate priorities?</p> <p>What are the links to other Council strategies and policies?</p> <p>What are the links to other community strategies and policies?</p>	<p>Changes since 2013 Since the introduction of LCTS, the overall scheme adopted by the Council has remained broadly the same, with only applicable amounts for Pension Age and Working Age people being up-rated annually in line with Central Government.</p> <p>Some technical changes were introduced in 2017/18 to mirror changes being made within Housing Benefit legislation.</p> <p>The Proposed Scheme for 2019/20 The Council is minded not to make changes to the working age scheme for 2019/20.</p> <p>The scheme benefits those on low incomes by providing them with support to pay their Council Tax. In particular it provides full protection to Pensioners (as prescribed within the requirements of the Localism Act) and includes locally determined protections for vulnerable groups and incentives to encourage people into work.</p> <p>This Policy supports the Council's corporate priority of 'Efficient & Effective Customer Focussed Services' by ensuring the Council is 'fit for purpose by meeting national and local requirements to agreed timescales and to optimum performance standards'.</p> <p>Corporate Debt Recovery Policy Exceptional Hardship Policy Homelessness Strategy Action Plan</p> <p>National Strategy for tackling child poverty under the Coalition Government: https://www.education.gov.uk/publications/standard/publicationDetail/Page1/CM%208061</p>
--	---

Equality Act 2010

The Equality Act 2010 introduces 2 specific statutory duties on public bodies such as local authorities:

- **Socio-economic duty:**
 - Have due regard when making strategic decisions to the need to reduce inequalities of outcome which result from socio-economic disadvantage
- **Single (integrated) equality duty:**
 - Eliminate discrimination, harassment and victimisation or any other conduct prohibited by the Act
 - Advance equality of opportunity between persons who share a “protected characteristic” and those who do not
 - Foster good relations between people who share a “protected characteristic” and those who do not

The Equality Act 2010 brings together all of the different equality strands and refers to them as “**protected characteristics**”:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

Initial screening

Appendix B

This initial screening template will determine whether or not the strategy or policy requires a full EqIA

If any of the answers to the 6 screening questions is “yes”, then a full EqIA will be required.

Initial screening		
Does the strategy or policy aim to reduce inequalities of outcome which result from socio-economic disadvantage?	Yes / No	The Policy fundamentally aims to provide financial assistance in meeting Council Tax costs for those disadvantaged by socio-economic factors.
Does the strategy or policy aim to eliminate discrimination, harassment and victimisation?	Yes / No	The scheme is prescribed for pension age people, however the scheme for working age people is less prescribed. Guidance has been given on treatment of vulnerable groups and work incentives. The design of the working age scheme has sought to eliminate discrimination.
Does the strategy or policy aim to advance equality of opportunity?	Yes / No	The Policy fundamentally aims to provide support with Council Tax for those who are socio-economically disadvantaged whilst also encouraging people into work. It has been recognised that in this regard opportunities for some groups may not be equal and therefore the Policy has been designed to provide protection for those groups where advancement of equal opportunity would be restricted.

Initial screening (continued)		
Does the strategy or policy aim to foster good community relations?	Yes / No	No evidence available – not applicable.
Does the strategy or policy have the potential to make a negative contribution to equality?	Yes / No	The scheme may fundamentally make a negative contribution to equality for certain groups – children, families, lone parents etc.
Does the strategy or policy make a positive contribution to equality?	Yes / No	Pension age people are specifically protected under Government Regulations.
Initial screening outcome	Full EqlA is required	

Full assessment

Information gathering	
What quantitative and qualitative information is there?	<p>The following paper contains information detailing the changing LCTS caseload and impacts of Universal Credit on the caseload:</p> <p>S:\Corporate\LCTS\Reports\2019-20 Scheme Reports\NOV CABINET - DRAFTS\Nov Cabinet Report - Appendix A - Universal Credit Impacts on LCTS V1.docx</p>
What additional information is required?	<p>The following paper sets out the relative financial impact that the proposed scheme will have on Canvey Island Parish Council and non-Parish residents:</p> <p>S:\Corporate\LCTS\Reports\2019-20 Scheme Reports\NOV CABINET - DRAFTS\Nov Cabinet Report - Appendix C - Impact of Proposed 2019-20 LCTS Scheme.docx</p> <p>This is based on the assumption that:</p> <ul style="list-style-type: none"> • Council Tax will increase in line with the 2018/19 increase, • The property is Band D, • A full charge applies, • The customer is entitled to the maximum LCTS award, • No changes are made to the 2018-19 for 2019-20. <p>Caseload and census data was gathered for the 2018-19 scheme as follows:</p> <p>Appendix B - Impact of Proposed 2018-19 LCTS Scheme V1 FINAL.docx</p>

Appendix B

	No further information is required.
What are the outcomes of any internal and/or external consultation with stakeholders?	As no changes are proposed for 2019/20 no consultation was undertaken
What further consultation is required?	No further consultation is required.
What examples are there of existing good practice?	<p>Some elements of the current working age scheme (i.e. Band restriction, % liability reduction, removal of Second Adult Rebate) have been agreed as part of the overarching Pan Essex scheme.</p> <p>Other current scheme elements have been designed to meet specific needs within Castle Point.</p> <p>All of the technical changes introduced in the 2017/18 scheme mirror changes which have been introduced as part of Central Governments wider Welfare Reforms</p> <p>Guidance provided by DCLG, outlining good practice with regards to treatment of vulnerable groups;</p> <p>(http://www.communities.gov.uk/publications/localgovernment/lscvulnerablepeople)</p> <p>and incentives to work;</p> <p>(http://www.communities.gov.uk/publications/localgovernment/lscworkincentives),</p> <p>were considered when designing the scheme.</p> <p>The Local Government Finance Bill: Localizing Support for Council Tax – Updated Impact Assessment is also available here:</p> <p>http://www.communities.gov.uk/publications/localgovernment/lqfblocalisingcounciltax</p>

	Each Local Authority is required to adopt their 2018/19 scheme by 31.1.18.
--	--

Making a judgement	
How will the strategy or policy eliminate discrimination, harassment and victimisation?	<p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>People with disabilities will continue to receive additional premiums as part of the calculation of their award and also may receive additional financial support through the Exceptional Hardship Fund.</p> <p>Without these elements the policy could potentially be discriminatory to those who fall within the 'disability' characteristic group.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy advance equality of opportunity?	<p>The Policy is compliant with prescribed Regulations that protect Pension Age people. This advances equality of opportunity for those who fall within the 'age' characteristic group (specifically those of Pension age) who would otherwise be disadvantaged by the schemes fundamental incentives to work.</p> <p>Parents will continue to receive a Dependant's Applicable Amount (limited to a maximum of two children in line with other</p>

Appendix B

	<p>Welfare Reforms) and working parents will continue to receive an earnings disregard, as part of the calculation of their award.</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>People with disabilities will continue to receive additional premiums as part of the calculation of their award and may also receive additional financial support through the Exceptional Hardship Fund.</p> <p>This advances equality of opportunity for those who fall within the 'disability' characteristic group who would otherwise be disadvantaged and may have less opportunity to improve their financial circumstances through work.</p> <p>No other impacts on protected groups have been identified.</p>
How will the strategy or policy foster good community relations?	No impacts on protected groups identified – not applicable.
<p>Does the strategy or policy have the potential to make a negative contribution to equality?</p> <p>If so, which groups with “protected characteristics” will be affected and what are the reasons?</p>	<p>Working Age people aged over 18 will be required to pay more than those of Pension Age.</p> <p>People with disabilities who are below pensionable age will need to pay more than those above pension age. This is due to the Prescribed Regulations which automatically protect people of Pension Age.</p> <p>The locally funded nature of the scheme that applies to those of working age, compared to the Prescribed Regulations that apply to those of pension age, means it is not financially viable</p>

Appendix B

	to completely protect all protected characteristic groups from the full effects of this scheme.
What can be done to address any contribution to inequality caused by the strategy or policy?	<p>Working Age people aged over 18 will be required to pay more:</p> <p>The Council actively supports customers with information and advice on income maximisation, financial capability, and debt management. The Flat Rate earnings disregard has been maintained in the scheme design to incentivise work.</p> <p>People with disabilities who are below pensionable age will need to pay more:</p> <p>Higher Rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions.</p> <p>A discretionary Exceptional Hardship Fund is available to provide additional financial assistance to those who are particularly vulnerable and suffering exceptional financial hardship.</p>
What can be done to assist understanding of the strategy or policy?	<p>Details of the scheme will be publicised on the council website www.castlepoint.gov.uk , and will be provided in hard copy and alternative formats (i.e. Braille, Large Print, Audio) on request.</p> <p>An on-line 'Calculator' is available to assist those who want to find out if they would be entitled to LCTS.</p> <p>First Contact customer service staff are available to explain the scheme to any individuals or organisations who require assistance.</p>

Appendix B

	Partners, national bodies, and local advice and support agencies are notified of the scheme adopted each year.
--	--

Action plan					
Equality objective	Action(s)	Lead responsibility	Resources	Timescale(s)	Outcome(s)
Assist understanding of the Policy	Refresh website and hard copy information once 2019/20 Final Scheme formally adopted.	First Contact Manager	Staff time & printing costs	Jan – Mar 2019	All affected groups fully aware of the Policy and how it will affect them.
Assist understanding of the Policy	Engage with and raise awareness amongst local advice and support groups.	Benefit Manager	Staff time	Jan – Mar 2019	All local advice and support groups fully aware of the policy and how it will affect their customers.
Advancing equality of opportunity	Proactively identify suitable cases for Exceptional Hardship awards using internal knowledge of debts identified in 2018/19.	Revenues Manager	Staff time, provision of discretionary funding pot	Jan 2019 – Mar 2020	Reduce impact of the scheme on those suffering exceptional financial hardship.
Advancing equality of opportunity	Maintain a range of support services and referral arrangements to provide effective assistance with	Revenues & Benefits Transformation Manager	Staff time, funding pot for services, additional staff resource	Jan 2019 – Mar 2020	Customers adequately supported and equipped with skills to manage financial impact.

Appendix B

	financial capability, budgeting, and/or debt management advice.				
--	--	--	--	--	--

Impact of the Proposed 2019/20 LCTS Scheme

Assuming an overall increase of 4.81% for the mainland properties and 4.75% for the Canvey parish in next year's Council Tax (similar to 2018/19), the minimum impact of a **no change recommendation** for 2019/2020 based on a council tax payer receiving the highest rate of Local Council Tax Support and residing in a band D property on a full charge would be as follows:-

Canvey Island Parish

	2018/19	2019/20	
Property Band D	£1,732.32	£1,814.61	4.75% increase

The tax payer would be liable to pay an increase on the 2018/19 amount of £24.69 for the year 2019/20

Mainland

Property Band D	£1,711.71	£1,794.04	4.81% increase
-----------------	-----------	-----------	----------------

The taxpayer would be liable to pay an increase on the 2018/19 amount of £24.70 for the year 2019/20.

If broken down further this is an increase for customers on full Council Tax Support of an estimated 48 pence per week.

CABINET

21st November 2018

Subject: Corporate Performance Scorecard Quarter 2 2018/19

**Cabinet Member: Councillor Sheldon - Commercial Contracts and
Commercial Opportunity**

1. Purpose of Report

To set out the cumulative performance figures for the Corporate Performance Scorecard for quarter 2, 1st July 2018 to 30th September 2018.

2. Links to Council's priorities and objectives

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

3. Recommendations

That Cabinet notes the report and continues to monitor performance.

4. Background

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

4.2 The indicators for the Corporate Performance Scorecard for 2018/19 were discussed and approved by Cabinet in June 2018.

5. Report

5.1 Summary of performance

5.1.1 The performance summary in Appendix 1 sets out the performance achieved by the Council against the measures in the scorecard. Of the fifteen indicators reported, eight are at or above target and three are near the target. Three indicators did not meet the target. One indicator is new and a target cannot yet be set until a baseline of performance over the year has been established. Trend in performance shows that there is improving performance for three indicators, similar performance for a further five and declining performance in four measures. Two indicators cannot be evaluated as they are new. Also for planning performance, this indicator is split into three different measures and there is improving performance in two of the three measures.

Performance is set out against the priorities in the Corporate Plan as follows:

Environment

Although the recycling figure is a little of target, when combined with composting the combined performance for household waste recycled or composted is 52% and exceeds the target of 49%.

The performance for street cleanliness did not quite meet the target but has improved when compared to the same period last year.

Fly tipping and grass verge cutting Indicators generally demonstrates strong performance and that the contractual arrangements are continuing to be effective.

Housing and Regeneration

Tenant satisfaction with repairs and maintenance at 95.8% was slightly under target but performance is generally strong and has been maintained at over 95% for the year. The rate for voids completion was 27.9 days, which is below target. Some issues arose due to a void in poor condition following an eviction. The Housing Service has analysed the reasons for the delays and are undertaking various actions including additional information for residents at application stage, and putting in place additional cover for respective teams involved in the process.

The percentage of planning applications processed within target times has three measures for this indicator. Performance has exceeded target in two and demonstrates strong improvement. For major applications the performance was only affected by just one application being out of time.

Performance in progress against the milestones set out in the Local Development Scheme is strong at 100% as the Council has met all relevant milestones to date.

The Building Control Service ensured all applications were processed within statutory timescales.

Health and Community Services

The next indicator is a new one to the Corporate Scorecard and measures the relative success of preventing households from becoming homeless. This was recently established following the introduction of the Homeless Reduction Act in April, and was first reported in September for the first quarter.

During the second quarter period, a total of 18 households were prevented from becoming homeless out of 40 households accepted for prevention from becoming homeless, under the new prevent duty. The other households could still be prevented later on. It is currently not possible to develop a target for this measure until performance has been analysed over the year period so the intention is to establish a baseline of performance.

The percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme was 91% and exceeded the target of at least 90% which is strong performance.

A Commercial and Democratically Accountable Council

Although slightly of target, the Council's First Contact team has again been successful in limiting the number of calls that they have to transfer to the back office to be dealt with; just 5.2% of calls received transferred.

The sickness rate of 9.5 days exceeds the corporate target of 8 days. As this measures a rolling year it still includes the higher sickness absence from colds and flu during the winter months. Also there was an unusual rise in absence in August mainly due to 13 absences for gastrointestinal illness.

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

6. Corporate Implications

a. Financial implications

Good performance on some indicators can lead to reduced costs.

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: Craig Watts ext. 2419 crwatts@castlepoint.gov.uk

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

Appendix 1: Corporate Scorecard 2018/19 (Environment)

Quarter 2: 1st July 2018 to 30th September 2018

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

PI Code & Short Name	Q2 Value 2017/2018	Q2 Value 2018 / 2019	Target	Trend	Status	Comments
OPS4 Percentage of Household Waste Recycled Service Manager: Operational Services Manager	23.1%	22.4%	Annual Target 25%			Unaudited estimated figures Recycling slightly below target, following a UK-wide trend of recycling rates going down.
OPS 5 Percentage of Household Waste Composted (including food waste) Service Manager: Operational Services Manager	28.9%	29.6%	Annual Target 24%			Unaudited estimated figure High levels due to Q2 being the main growing season and will reduce as the year goes on.
SS2 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology. Service Manager: Contracts Manager	12.5%	10.5%	Less than 10%			Litter grades for the 2nd quarter at 10.45% is the first time since the 1st quarter of 2017/18 that the percentage has gone below 11%.




PI Code & Short Name	Q2 Value 2017/2018	Q2 Value 2018 / 2019	Target	Trend	Status	Comments
ENV 4 Percentage of fly tips removed within one working day Service Manager: Contracts Manager	100%	100%	90%	↔	✓	There were 76 fly tips in September all of which were removed within 24 hours.
SS4 Number of rectification and default notices served in relation to Highway Grass Verge cutting. Service Manager: Contracts Manager	4	13	Under 50	↓	✓	A total of 12 Rectification Notices and 1 Default Notice were served in the 2nd quarter. The Default Notice was for no litter picking prior to grass cutting.
SS5 Percentage of Rectification Notices served in relation to Highway Grass Verge cutting rectified within 72 hours. Service Manager: Contracts Manager	75%	92.3%	90%	↑	✓	All 12 Rectification Notices served were completed within 72 hours.

Corporate Scorecard 2018/19 (Housing and Regeneration)

Quarter 2: 1st July 2018 to 30th September 2018

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

PI Code & Short Name	Q2 Value 2017 / 2018	Q2 Value 2018 / 2019	Target	Trend	Status	Comments
HOS1 Overall tenant satisfaction with repairs and maintenance. Service Manager: Housing Services Manager	95.9%	95.8%	97%	↔	⚠	Whilst slightly under target performance has been maintained at over 95% for over 1 year. This represents just 5 people who were not satisfied out of 120 surveyed.
HOS6 Average Void Turnaround Time. Service Manager: Housing Services Manager	18 Days	27.9 Days	18 Days	↓	🔴	Analysis of reasons for performance not hitting target indicates a variety of reasons with different parts of the process. Different teams and partners involved are to prioritise elements that contribute to this target and this will be closely monitored.
DC2 to DC4: Percentage of planning applications processed within target time limits for major, minor and other applications Service Manager: Planning & Development Enforcement Manager	100% 92% 100%	66% 99% 100%	Major 60% Minor 65% Other 80%	↓ ↑ ↑	✅	The service continues with strong performance in the processing of planning applications on time.

PI Code & Short Name	Q2 Value 2017 / 2018	Q2 Value 2018 / 2019	Target	Trend	Status	Comments
<p>Progress against the milestones set out in the Local Development Scheme (LDS). Percentage of Milestones delivered within 3 months.</p> <p>Service Manager: Local Plan and Regeneration Adviser.</p>	N/A	100%	80%	N/A		The Council has met the relevant milestones to date as set out in the Local Development Scheme (LDS).
Percentage of Building Control applications processed within statutory time limits.	100%	100%	100%			All applications processed within time limits.

Corporate Scorecard 2018/19 (Health & Community Services)

PI Code & Short Name	Q2 Value 2017 / 2018	Q2 Value 2018 / 2019	Target	Trend	Status	Comments
<p>H Less 10 Percentage of prevent decisions discharged against the number of prevent decisions issued.</p> <p>Service Manager: Housing Options Manager</p>	N/A	45%	TBC	N/A	N/A	<p>Within the 2nd quarter of the new legislation, the Housing Options team issued 40 "prevent" duties of which 18 were prevented. Also during that period the team issued 35 "relief" duties of those, 15 (42%) were relieved as opposed to issuing a full duty under Section 184.</p>
<p>EH2 Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme.</p> <p>Service Manager: Environmental Health Operational Manager</p>	90%	91%	90%	↔	✓	<p>A total of 397 of 435 of premises rated under the FHRS were found to be broadly compliant with food hygiene regulations and rated 3* or above.</p>

Corporate Scorecard 2018/19 (A Commercial and Democratically Accountable Council)

Quarter 2: 1st July 2018 to 30th September 2018

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

PI Code & Short Name	Q2 2017/18 Value	Q2 value 2018 / 2019	Target	Trend	Status	Comments
<p>FC1 Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office</p> <p>Service Manager: Revenues & Benefits Transformation Manager</p>	96%	94.8%	Annual Target 95%	↔	⚠	Although just slightly of target, the First Contact service continues to maintain strong performance in this area.
<p>Average number of days Sickness absence per FTE staff for all Council Services (rolling year)</p> <p>Service Manager: Human Resources Manager</p>	8 Days	9.5 Days	8 Days	↓	🔴	Performance is based on a rolling year, the current 9.49 days is high because of an unusual rise in absence in August mainly due to 13 absences for Gastrointestinal illnesses.