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CABINET AGENDA

Date: Wednesday 19th October 2022

Time: 7pm NB Time

Venue: Council Chamber

This meeting will be webcast live on the internet.

Membership:

Councillor Blackwell	Chairman - Leader of the Council
Councillor Cole	Special Projects (Deputy Leader of the Council)
Councillor Fuller	Resources
Councillor Gibson	Place – Strategic Planning
Councillor Mountford	Waste & Environmental Health
Councillor Palmer	Regeneration & Economic Growth
Councillor Mrs Sach	People, Health Wellbeing & Housing
Councillor Savage	People & Community

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Reference: 4/2022/2023
Publication Date: Tuesday 11th October 2022

**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 28th September 2022.
- 4. Forward Plan**
To review the Forward Plan.
- 5. The Paddocks – Report back from the Task & Finish Group**
(Report of the Cabinet Member – Resources)
- 6. Policy Framework & Budget Setting 2023/2024**
(Report of the Cabinet Member – Resources)
- 7. Cost of Living Pressures**
(Report of the Leader of the Council)
- 8. Proposed Indicators 2022/23 Corporate Performance Scorecard Quarter 1**
(Report of the Cabinet Member Special Projects)
- 8.(a) Corporate Performance Scorecard 2022/23 Quarter 1**
(Report of the Cabinet Member Special Projects)
- 9. Canvey Seafront - Application for Designated Bathing Status**
(Report of the Cabinet Member Place Environment)
- 10. Food Safety /Health & Safety Annual Service Plan**
(Report of the Cabinet Member Place Environment)
- 11. Report Back Environment PSC Motion Article 4 Surface Water Flooding**
(Report of the Leader of the Council)
- 12. Contract Matters:**
 - (a) Award of Grounds Maintenance, Street Cleansing and Building Cleansing Contract**
(Report of the Cabinet Members – Resources, Place – Strategic Planning)
- 13. Matters to be referred from /to the Standing Committees**
- 14. Matters to be referred from /to Policy & Scrutiny Committees**
- 15. Exclusion of the Public**
Cabinet will be asked to pass the following resolution:

Resolved:

For the purpose of Section 4 Local Authorities (Executive Arrangements) Meetings and Access to Information (England) Regulations as the business contains information relating to the financial or business affairs of any particular person (including the authority holding that information (Exempt Information under Paragraphs 3 Schedule 12A Local Government Act 1972) to exclude the press and public from the meeting to enable the business of the meeting to be transacted in private

PART 2

(Business to be taken in private)

(Item to be considered with the press and public excluded from the meeting)

12. Contract Matters

(Exempt Information Paragraphs 3 Schedule 12A Local Government Act 1972 as amended)

12 (a) Award of Grounds Maintenance, Street Cleansing and Building Cleansing Contract

(Report of the Cabinet Members – Resources, Place – Strategic Planning)



CABINET



28TH SEPTEMBER 2022

PRESENT:

Councillor Blackwell	Chairman – Leader of the Council
Councillor Cole	Special Projects – Deputy Leader of the Council
Councillor Sach	People – Health Wellbeing & Housing
Councillor Gibson	Place – Strategic Planning
Councillor Mountford	Waste & Environmental Health
Councillor Savage	People - Community
Councillor Fuller	Resources
Councillor Palmer	Regeneration & Economic Growth

ALSO PRESENT:

Councillors Ainsley, Anderson, Blissett, Bowker, Campagna, Cutler, T. Gibson, Greig, Hart, Isaacs, Greig, McCarthy-Calvert, Maclean, C. Mumford, S. Mumford, Riley, Skipp, A. Thornton, J. Thornton, and Walter.

20. MEMBERS' INTERESTS:

Councillor Palmer declared an interest in Item 11 Minute 28 The Levelling Up Parks Fund in view of his involvement with the Big Local.

21. MINUTES:

The Minutes of the Cabinet meeting held on 20.7.2022 were signed and approved as a correct record.

22. FORWARD PLAN:

To comply with regulations under the Localism Act 2011, the Leader presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter of 2022. The Plan is reviewed each month.

It was noted that the item concerning the Award of Grounds Maintenance and Street Cleansing Contract had been deferred to the next meeting.

Resolved: To note and approve the Forward Plan as amended.

23. TREASURY MANAGEMENT: CURRENT INVESTMENTS

Cabinet considered a comprehensive report updating Members on the current investments held by the Council as part of its treasury management activity, particularly in light of the recent Government intervention at Thurrock Council with whom one of the investments is held.

Cabinet was reminded of the background. Each year, Audit Committee scrutinised an updated version of the Council's Treasury Management and Investment Strategies. Following scrutiny, the strategies were included within the Policy Framework and Budget Setting report for approval by Council.

The Investment Strategy sets out the counterparty types which the Council could invest with, along with the limits on value and duration. Whilst completing its daily treasury management activities, the Council's Financial Services team had complete regard to the Treasury Management and Investment Strategies. When making investments, the Financial Services team applied three principles:

- a) First, **security** of capital. This is making sure the sum invested is protect from loss.
- b) Second, the **liquidity** of the investments. This gives consideration to forecast cash flows and ensuring the Council has sufficient funds to meet upcoming expenditure. Based on forecast cash flows, longer term investments may be made.
- c) Third, **yield** is considered once security and liquidity are achieved, seeking out the maximum return available within the constraints of the Investment Strategy.

Every year within the Statement of Accounts, the Council listed out the investments held at 31st March. This enabled users of the accounts to understand where the Council's funds were invested.

The Investment Strategy stated that during 2022/23 the Council expected to have investment balances ranging between £34m and £52m. The investments at 16th September 2022, were shown in the table within the report.

The average rate of return at 16th September 2022 on the above investments was 1.79%. The average rate had increased significantly since the start of the financial year, driven by increases in the Bank of England base rate.

Cabinet was reminded investing cash balances did not remove any budget available for delivery of its functions. Cash balances and the Council's budget were two separate and relatively disconnected matters, and the budget was not set simply based on cash that is available. The links between cash investments and the budget were described.

The Cabinet considered the Council's investment with Thurrock Council. Castle Point had invested **£3m** with Thurrock Council, due for repayment in May 2023. Castle Point was just one of several Councils which have invested with Thurrock and inter-authority lending is a standard part of treasury management activity. No council had ever defaulted on its loans. In essence, investments with other Councils were ultimately backed by the Government. The **£3m** investment with Thurrock was viewed as being secure and very low risk. It was expected that this investment will be repaid in full in May 2023

Members were reassured by the report.

Resolved: To note the contents of the report.

24. COUNCIL TAX SUPPORT SCHEME 2023-2024

Cabinet considered a report seeking approval to undertake a public consultation in relation to changes to the Local Council Tax Support (LCTS) scheme for 2023-24 and give approval to adopt the consulted scheme, subject to formal ratification (post consultation) by Ordinary Council.

Each year the Council was required to review the Local Council Tax Support (LCTS) scheme and should the Authority wish to consider implementing changes to the scheme it must undertake, as a minimum, a 6-week public consultation.

The means tested nature of the current LCTS scheme made it a complex and costly scheme to administer – every change to income, no matter how small, results in reassessment of entitlement and the subsequent re-billing of Council Tax.

Since 2012 over 23% of Authorities had moved to Council Tax Reduction Schemes (CTR)

CTR schemes differ from Council Tax Support schemes, in that award levels were generally determined by comparing the claim with a simple table of agreed bands which reflected set income ranges, household types, and the % of liability that would be awarded as support.

Overall, adopting a CTR scheme provided a simpler and more efficient mechanism for supporting residents, than that offered by the current LCTS scheme.

The report described modelling which had been undertaken to identify a preferred scheme on which consultation would be undertaken as described. It was also recommended that the current Exceptional Hardship Scheme and related funding was enhanced to include transitional support to the most vulnerable who might suffer hardship as a direct result of the change during year 1 of the new scheme.

Following questions and discussion.

Resolved:

1. That Members note the proposed scheme and options information provided in sections 5 and 6 and detailed at Appendix A of the report.
2. That Members note and approve (subject to consultation) the recommendations at paragraphs 6.2, 6.3, and 6.4.
3. That Members note and approve the consultation arrangements detailed in section 7 and the consultation questions provided via the link at para 7.6.

25. CHELMSFORD LOCAL PLAN REVIEW ISSUES AND OPTIONS CONSULTATION

Cabinet considered a report on the proposals set out in the Chelmsford Local Plan Review Issues and Options Consultation and were asked to consider and approve the proposed response.

The implications for Castle Point were firstly there were positive implications for Castle Point. Chelmsford City was taking a proactive approach to addressing climate change and biodiversity objectives through its local plan preparation that Castle Point could benefit from both in terms of outcomes related to climate change, but also in relation to learning.

There were implications for Castle Point in terms of the housing growth proposed in the Chelmsford City area. There was scope to ask Chelmsford City Council to accommodate an element of its housing need, which cannot otherwise be met without incursion into the Green Belt.

Thirdly, there were implications for Castle Point in terms of the proposed spatial approaches being considered.

- a. All options include a degree of further growth in Chelmsford City Centre. Given Castle Point Borough Council's own position that town centre capacity should be optimised, it was appropriate to lend a degree of support to the optimisation of capacity in Chelmsford City Centre.
- b. Options D and E both locate higher levels of growth to the south-east of Chelmsford City, and near to the A130, including possibly at Howe Green, Rettendon and additional 500 at South Woodham Ferrers (where 1,200 new dwelling were already planned in the current local plan). This potentially had implications for the A130 and traffic in that corridor. With significant economic growth forecast in South Essex due to the Thames Freeport, this could have an impact on traffic along the A130, A13 and A127.

There were cross-boundary considerations which needed to be reflected in the Chelmsford City Local Plan which were not currently addressed:

- a) Despite Chelmsford City's commitment to securing sustainable transport, sustainable connectivity between South Essex, and in particular Castle Point, and settlements in the Chelmsford City area, including Chelmsford City itself, was poor. There was therefore a need for joint working between South Essex authorities through ASELA, Chelmsford City Council and Essex County Council to improve sustainable travel connectivity. This should be reflected in the Chelmsford City Local Plan.
- b) The implications of Thames Freeport had not been considered or reflected in the Chelmsford City Local Plan Review. Joint working between ASELA and Chelmsford City Council should occur to ensure that these implications and any opportunities arising were adequately reflected in the Chelmsford City Local Plan.

A draft response was before Cabinet. Cabinet was advised that a request for a meeting under the current duty to co-operate arrangements would be made to discuss these issues and identify policies that could be incorporated into the plan to mitigate the consequences of the final strategy.

Resolved:

To note the implications arising from the proposals in the Chelmsford City Local Plan Review Issues and Options Consultation and agrees that these matters should be

highlighted in the consultation response issued to Chelmsford City Council in respect of the consultation underway.

26. ANGLIAN WATER DRAFT DRAINAGE AND WASTEWATER MANAGEMENT PLAN CONSULTATION

Cabinet considered a report updating Members on the consultation response issued in respect of the Anglian Water Draft Drainage and Wastewater Management Plan (DWMP).

In considering the response the Chairman proposed that a cross party Flood Resilience Forum be established for Castle Point which could be used to hold the Agencies to account and ensure effective representation to address flooding issues in the Borough.

Resolved:

1. To note the consultation response issued to Anglian Water in response to the consultation on the draft DWMP.
2. To appoint a cross-party Castle Point Flood Resilience Forum.

27. THE PADDOCKS COMMUNITY CENTRE – URGENT REPAIRS

Cabinet considered a report advising Members that urgent repairs were required to be undertaken at the Paddocks Community Centre and that a budget allocation was required to be made in order to commission those works.

The urgent repair work included replacement fire doors, work to exposed live parts and patch repair to the roof. The cost was estimated at £31,200.

In addition, the report asked Members to convene an urgent Task and Finish Group of members to consider other necessary works identified as required for the Paddocks and to recommend an action plan to the Cabinet in order that a decision for the future sustainability of the Paddocks could be taken by a future meeting of the Cabinet.

Resolved:

1. To approve the release £31k from earmarked reserves to commission urgent repairs.
2. To set up an urgent Task and Finish Group membership to include the Leaders of the three Political Groups on the Council to consider other necessary works identified as required for the Paddocks and to recommend an action plan to the Cabinet in order that a decision for the sustainability of the Paddocks can be taken by a future meeting of the Cabinet

28. BENFLEET FOOTBALL CLUB – REQUEST TO LEASE LAND AT WOODSIDE PARK

Cabinet considered a report seeking approval to a request from Benfleet Football Club to lease an area of public open space at Woodside Park.

Resolved:

That the Council enters into a lease agreement with the Benfleet Football Club for the use of the pitches/adjacent land as shown in the Appendix on the terms set out in the report.

29. THE LEVELLING UP PARKS FUND

Cabinet considered a report bringing to Cabinet's attention the Levelling Up Parks Fund which Government announced on 1 August 2022 and providing details of the funding which this Council was eligible. Cabinet was asked to determine which of the Council's parks and open spaces to improve using the Levelling Up Parks Fund.

Due to potential delivery issues given the complexity of the Gunny project. The Gunny project was not recommended for the funding.

Wooden Park, Thorney Bay was already one of the Council's most popular play areas in the Borough and with the proposed Coastal Communities funded improvements at Thorney Bay, increased visitors to the area and even greater usage of the play area and surrounding public open space was expected. Expansion of the play area and enhancement of the surrounding public open space would fit well with the Council's commitment to improving the facilities at the Thorney Bay end of the seafront. The number of people who would derive benefit and enjoyment from improved facilities at this location was likely to be significant so the grant funding would be well spent if it was used to enhance this area. For this reason, Wooden Park, Thorney Bay was the recommended option.

Resolved:

To note that the Council was eligible for £85,000 Levelling Up Parks Fund and endorses Thorney Bay playground and adjacent public open space as the site which the Council wishes to improve using this funding.

30. CONTRACT MATTERS UPDATE ON RECENT PROCUREMENT EXERCISE IN RELATION TO THE CONSTRUCTION OF NEW HOUSING DEVELOPMENTS

Cabinet considered a report providing an update on the three development projects currently underway at Cedar Road, Linden Way and Link Road. Cabinet was also advised of the increase in the development costs since the previous Cabinet approval in October 2020. The report addressed how this increase could be funded.

Cabinet was requested to authorise to award the contract to the successful contractor and agree the budget changes detailed in the report.

Resolved:

1. To approve the updated budget for the construction costs for the development of the nine homes at Cedar Road, Linden Way and Link Road, as set out in paragraph 5.5.3. of the report.
2. To approve the award of the contract for the construction of new homes.

31. CHRISTMAS OFFICE ARRANGEMENTS

Cabinet considered a report informing Cabinet of the arrangements for the operation of the Council Offices during the Christmas and New Year period. It was proposed that the Council Offices would reopen for business on Friday 30th December 2022.

Cabinet was of the view that the offices should close for the full period between Christmas and New Year.

Resolved:

To note Cabinet's wishes that the Council offices should close for the full period between Christmas and New Year

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

There were none.

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

There were none.

Chairman



Castle Point Borough Council

Forward Plan

October 2022

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

OCTOBER 2022

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 2022	Council Tax Support - Approval of Scheme	All	Cabinet/ Council	Resources	Head of Customer and Digital Services
October 2022	<u>Award of Grounds Maintenance, Street Cleansing and Building Cleansing Contract</u>	Environment	Cabinet	Place - Infrastructure	Head of Environment
October 2022	<u>The Paddocks – Report back from Task & Finish Group</u>	People	Cabinet	Leader of the Council	Chief Executive
October 2022	<u>Corporate Performance Score Card Quarter 1 – to monitor</u>	All	Cabinet	Special Projects	Strategy Policy & Performance Manager
October 2022	<u>Application for Designated Bathing Status</u>	Place /Environment	Cabinet	Waste & Environmental Health	Head of Environment
October 2022	<u>Food Safety/Health & Safety Annual Service Plan</u>	Environment	Cabinet	Waste & Environmental Health	Head of Environment
October 2022	<u>Report back from Environment PSC – Motion Article 4 Surface Water Flooding</u>	People	Cabinet	Leader of the Council	Head of Place & Policy
November 2022	<u>Local Development Scheme</u>	All	Cabinet /Council	Leader of the Council – Strategic Planning	Head of Place & Policy
November 2022	<u>Financial Update –</u>	All	Cabinet	Resources	Strategic Director (Resources)

November 2022	<u>Playing Pitch Indoor Built Strategy – to approve</u>	Place /Environment	Cabinet	Place – Infrastructure	Head of Place & Policy
November 2022	Extension to Thorney Bay Car park	Place /Environment	Cabinet	Place Infrastructure	Head of Environment
November 2022	<u>Big Local -Gun Site Canvey Island</u> – Lease arrangement	Place /Environment	Cabinet	Special Projects	Strategic Director - Corporate Services
2022	<u>Waste Collection Arrangements</u> – to consider recommendations from Environment PSC	Environment	Cabinet	Waste & Environmental Health	Head of Environment
November 2022	Draft Update of the Developer Contributions Guidance referred from Place & Community PSC	Economy and Growth	Council Cabinet	Growth – Leader of the Council	Head of Place & Policy
Standing item 2022 –	<u>Transformation – Response to Budget Challenge</u>	All	Cabinet	Resources	Chief Executive Strategic Directors Section 151 Officer and Heads of Service

CABINET

19th October 2020

Subject: The Paddocks - Report back from the Task & Finish Group
Cabinet Member: Councillor Fuller – Resources

1. Purpose of Report

To provide the feedback of the Paddocks Task & Finish Group.

2. Links to Council's priorities and objectives

This report links to the Council priority of People.

3. Recommendations

- 1. That the Cabinet decision of 16 October 2018 (Minute 38.2 Future Proposals for the Paddocks Community Hall Long Road Canvey Island) be reversed.**
- 2. That the recommendations of the Task & Finish Group set out in paragraph 5.2 of this report are adopted.**
- 3. That a ringfenced reserve of £883,720 (funded from the net sale proceeds of the disposal of the Chapman Sands Sailing Club) is created for the purpose of undertaking capital works at the Paddocks.**
- 4. That the earmarked reserve for Halls be utilised for the purposes of securing dedicated project management resource for creation of the business plan and delivery of the capital works.**

4. Background

- 4.1 On 28 September 2022, Cabinet convened an urgent Task & Finish Group of members to consider repair works identified as required for the Paddocks and to recommend an action plan to the Cabinet in order that a decision for the future sustainability of the Paddocks can be taken by the Cabinet.**
- 4.2 The Task & Finish Group comprised of Cllr Fuller (Chair), Cllr Skipp, Cllr Tom Gibson, Cllr Thomas and the three Group Leaders Cllr Blackwell, Cllr Cole and Cllr Issacs.**
- 4.3 On 4 October 2022, the Task & Finish Group met at the Paddocks. Also in attendance was Cllr Savage as observer, Trudie Bragg (Head of Environment), Shane Williams (Leisure & Community Services Manager), Ian Wringe**

(Corporate Health & Safety Advisor) and Angela Hutchings (Chief Executive). Loretta Hill (Governance Officer) was present as note taker. (Notes appended to the report.

5. Proposals

- 5.1 The Task & Finish Group was firmly of the opinion that the Council should invest in the building to ensure its continued use by the community. If the Cabinet accepts this standpoint, it would be appropriate to formally reverse the previous decision of Cabinet decision on 16 October 2018. Minute 38.2 refers: "*Future Proposals for the Paddocks Community Hall Long Road Canvey Island - 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*".
- 5.2 Following a tour of the building and detailed discussion, the Task & Finish Group agreed that the following recommendations should be made to Cabinet:
- a. That a condition survey be commissioned as soon as possible and that the commission should be undertaken in consultation with representatives of the Friends of the Paddocks Trust so that there is a common understanding of what works needed to be done.
 - b. That a Member Working Group be set up (comprising the members of the Task & Finish Group) to oversee the commissioning of the condition survey, its findings and to agree a prioritised programme of capital works that need to be undertaken in consultation with representatives of the Friends of the Paddocks Trust.
 - c. That a project manager be appointed to work with the Member Working Group and the Friends of the Paddocks Trust in the creation of a business plan for the operation of the building which is aligned to the programme of works to be undertaken.
 - d. That the Member Working Group report bi-monthly to Cabinet on progress.
 - e. That funds be made available for these actions and these works.
 - f. That a procurement mechanism be created to facilitate opportunities for works to be tendered for and undertaken by local contractors wherever possible.
- 5.3 A Member Working Group does not need to be politically balanced, but it is recommended that its composition, like the Task & Finish Group, is cross party. The Cabinet Member for People and Community should also be a member. A Member Working Group should have chairperson, identified membership and a quorum as part of agreed terms of reference. Its primary function is to oversee the delivery of the recommendations set out in paragraph 5.2 above. It will not be a decision-making group so there will be no required delegations under the Council's Constitution.

6. Corporate Implications

a. Financial implications

It is proposed that the net sale proceeds from the disposal of the Chapman Sands Sailing Club site amounting to £883,720 be ringfenced for completion of capital works at the Paddocks identified by the condition survey. Once the totality of the works is known, a budget can be built which will support those works and

Cabinet approval sought to add the scheme to the Council's capital programme, funded by the ringfenced funds.

The cost of the proposed condition survey itself is not a capital cost and cannot be met from the ringfenced funds. With an estimated cost of between £5000 and £10,000, this will instead be funded from earmarked reserves.

The cost of a project manager is unable to be fully funded from the ringfenced funds as these funds can only pay for any work specifically undertaken to directly support the delivery of the capital scheme. Therefore, their work with the Member Working Group on the business plan will need to be funded from earmarked reserves.

Within earmarked reserves, there is currently a 'Halls' reserve of £49,000. Considering the estimated cost of the condition survey, this means there is expected to be between £39,000 and £44,000 remaining in the reserve available for meeting the costs of the project manager.

b. Legal implications

The Council has a legal duty to ensure that the public has access to safe public buildings and public open spaces. Public authorities also have a duty to safely maintain public buildings which are intended to remain open for the benefit of the public and to follow relevant Health and Safety laws.

A failure to follow Health and Safety laws places the Council at risk of civil liability as well as possible criminal prosecution as a corporate body. If it is decided that the building is to remain open and that appropriate funds are spent to overcome the Health and Safety risks identified, then legally, the recommendations of any Health and Safety report and building assessment should be fully carried out in order to avoid or mitigate any liability for the Council should a serious Health and Safety incident occur on the premises.

Criminal liability could include a corporate manslaughter prosecution in the event of death resulting in unlimited fines as well as other orders. Similarly, civil liabilities following death or serious injury are likely to be considerable and may be uninsured if the Council has failed to follow reasonable and appropriate recommendations relating to Health and Safety risks identified in reports as insurers would try and avoid liability and potential litigants would cite contributory negligence as a factor.

The current insurance position places the Council at risk of uninsured claims and liability for high excess payments should an incident or accident occur. Until the Council's insurer has confirmed that it is satisfied regarding the safe condition of the building, closure for public use until sufficient repairs have been made should be considered. The condition of the building should be sufficiently ameliorated to allow for full insurance cover and the standard policy terms.

c. Human resources and equality implications

Human resources

It is proposed that an external project manager is appointed as there is insufficient resources available to second a member of staff into the role.

The role itself is expected to be a part-time role and initially in place until the business plan is agreed and programme of works commissioned. It may be that the project manager needs to be in place until the capital scheme is complete or at least substantially complete to oversee delivery, but this can be considered as part of the formation of that programme of works.

The various options to make the appointment and their pros and cons will be quickly explored by Officers, including consideration of interim contractors paid a day rate, use of fixed fee consultancy or appointment of a fixed term employee. The option chosen will be based on suitability, cost, experience and availability to accommodate the work and its inevitable peaks and troughs.

Equality implications

As this decision is to create a programme of works with an underpinning business plan and set up the project governance to deliver it, an Equality Impact Assessment has not been undertaken at this stage. It is anticipated that an Equality Impact Assessment will be undertaken at the point the business plan is approved and before the works are commissioned.

d. Timescale for implementation and risk factors

It is proposed that the programme of works and the business plan which underpins it is brought back to Cabinet no later than February 2023 for approval.

Activity	Approximate timescale
Commission condition survey and receive back	November
MWG meet and review condition survey and agree prioritisation of works	November/December
Development of business plan	December/January 2023
Approval of business plan and capital works programme by Cabinet	January/February 2023

7. Background Papers:

Draft notes of the meeting on 4 October 2022.

Report Author:

Angela Hutchings, Chief Executive



THE PADDOCKS TASK & FINISH GROUP

TUESDAY, 4th OCTOBER 2022

PRESENT: Councillors Fuller (Chairman), Blackwell, Cole, Gibson, Isaacs, Skipp and Thomas

ALSO PRESENT: Councillor Savage as an observer.

OFFICERS: Angela Hutchinson, Chief Executive
Trudie Bragg, Head of Environment
Shane Williams, Leisure & Community Services Manager
Matthew Lippett, Estates & Asset Manager
Ian Wringe, Corporate Health & Safety Adviser
Loretta Hill, Governance Officer (Notes)

1. The Chairman opened the meeting, welcoming all present and introductions were made.
2. The Group were invited to have a tour of the building. During the tour areas discussed that needed attention were:
 - Corridor leading to the bar: faulty lighting, flooring is lifting due to leakages, which gets worse when it is raining.
 - The bar area: in need of general maintenance and repairs, faulty lighting, ceiling tiles are very worn.
 - Stage: There have been issues with the stage lighting which does not work properly.
 - There are issues with the flat roof at the back of the building
 - Toilets at both ends of the building have a number of problems, some of the cubicles been closed off as they are in a poor state, particularly the men's urinals. There is a bad smell. The flooring is also unsafe. The toilets have not been included in the Keegan's reports.
 - Small side room: The windows are rotten but generally the room is acceptable condition and affordable for groups to hire
 - Civic Room, no issues.
 - Upstairs: windows have been smashed to one of the rooms and they have been boarded up. There is no electricity.
 - The fire alarm is the only thing that works upstairs.
 - The floor in the main hall is tired and in need of revarnishing.
 - Furniture in general need of repair.
 - Outside guttering and some roofing repairs are required
 - The Perspex windows need replacing and the bars across the windows look unsightly.

3. Following the tour, the Chairman gave an overview of the format of the meeting. The Group would have the opportunity to share their views and ideas. Two Reports from Keegan's had been circulated previously. The main focus points for the Group to consider are:
 - What we believe can be done?
 - Responsibilities and who needs to be involved
 - Costs involved
 - Maintenance and Repairs
 - Operation of the hall.
 - Creation of a business case.
 - Solutions for each of the points above

4. Members and Officers were invited to share their first impressions and views following the tour, the main discussion points raised were:
 - The building/rooms are in general need of repair and maintenance, the decoration looking tired, worn and the building smells. The Group was disappointed with the neglected appearance of the building. It was felt and the Group agreed that there was nothing obvious that appeared to be structurally wrong with the building, that it could be brought back to a good standard and that it should not close. The building has historic value and the residents and community do not want to lose it.
 - It was felt that the Keegan's reports were pessimistic.
 - It is important for the Group to decide how best the building can be improved
 - A proper business plan should be created
 - Friends of the Paddocks should be included in meetings as they are well connected to the residents and groups using the premises.
 - Between those involved there is already a lot of information on what needs to be done, how the premises is used and the different groups that use it.
 - Interest has also been shown from the Jewish Community, they would like to use the hall for weddings. The building is very much for all to use, and we would welcome all cultural minority groups making use of the facilities in future.
 - There needs to be engagement with the community and the groups.
 - An ongoing maintenance programme could be put in place.
 - Action to block off, all upstairs and to concentrate on renovating, in phased stages, the ground floor was supported by the meeting.
 - It was important to keep the halls operational and it was felt that the main hall is a good asset for community groups and clubs as a multifunctional entertainment space as opposed to a Theatre and that it would generate a good income.
 - The Group discussed Health and Safety, the main issues being the replacement of the fire doors, the electrics and trip hazards due to the leaks and lifting floors.
 - A Member requested a report be provided on the drainage.
 - It was suggested that the improvement of the Paddocks should be progressed as a project.

- The Group discussed costs involved. They do not want to see money wasted. Members requested that full reports and surveys should be provided showing details as to how much it would cost to do the works and to make the building good again. Members agreed and were keen that procurement arrangements would allow for local builders and carpenters to bid to carry out this work. There is £31k which can be used with immediate effect to commence the works. There is also a pool of money in the region of £600k. Funding could potentially come from the levelling up fund. The Friends of the Paddocks have charity status, and they may be able to seek grants.
- The Group discussed resources going forward. It was suggested that there should be an events officer, or that the Friends of the Paddocks could run the operations. It was recommended that there be a project manager to oversee the works to be carried out.

At the end of the meeting the Chief Executive shared with the Group information concerning insurance.

Actions:

The following actions were identified

- a. Business case to be prepared.
- b. Asbestos, Demolition, Drainage and Condition Reports to be commissioned
- c. Independent Assessor to survey and report on works to be done showing guidance for costings and works that can be prioritised and phased including timescales for work to be carried out.
- d. Following production of the reports the Group to meet to decide on options to be reported to Cabinet.
- e. Work to Fire doors to be done urgently
- f. Meeting to be arranged to include Friends of the Paddocks and cross-party representatives to brief on arrangements.
- g. Report to be prepared to go to the next Cabinet meeting.

CABINET

19th October 2022

Subject: Budget and Policy Framework for 2023/24

Cabinet Member: Councillor M Fuller – Resources (Finances)

1. Purpose of Report

This report sets out the proposed Budget and Policy Framework for 2023/24. It takes account of the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

2. Links to Council's priorities and objectives

The agreement of the Budget and Policy Framework provides the Council with a robust framework to improve services to residents by directing resources towards the Council's priorities.

3. Recommendation

That the proposed Budget and Policy Framework for 2023/24 is approved.

4. The Budget and Policy Framework

4.1 The Council's business planning framework consists of a number of policies, plans and strategies. These provide the mechanism through which the Council establishes its aims and objectives. Each plan or strategy should identify how the aims and objectives will be achieved and delivery monitored, as well as provide the link between Council services and financial plans. A list of the Council's policies, plans and strategies included in this framework is shown in Annexe B to this report.

4.2 The Council's budget framework is set out at Annexe A. It is based on the requirements of the Financial Planning Strategy. The key steps in the budget process can be summarised as follows:

- Draft Service Plans;
- Draft budgets prepared on a no growth basis;
- Identification of growth and efficiency savings (options) linked to Council priorities and plans
- Interpretation of government announcements in respect of acceptable council tax rises and provision of funding;
- Agreement of final Service Plans;
- Budget and Council Tax setting at Full Council.

5. Consultation

- 5.1 The Council will publish the Policy and Budget Framework for 2023/24 (this report and annexes).
- 5.2 The subsequent period up to the February 2023 Council meeting will be available for final policy considerations by Members.

6. Conclusion

- 6.1 Cabinet is requested to approve the proposed Budget and Policy Framework.

7. Corporate Implications

a. Financial implications

This report sets out the Budget and Policy Framework – financial implications as detailed in the report and annexes.

b. Legal implications

This report has been reviewed by the Financial Services Manager in his capacity as the Council's Deputy Section 151 Officer – the officer appointed to have responsibility for the Council's financial administration.

c. Human resources and equality

There are no new human resource or equality implications arising from this report.

d. Timescale for implementation and risk factors

The Cabinet should approve the proposed Budget and Policy Framework so that it can be available for public consultation in accordance with the Council's Constitution. The approval of the framework also ensures that there are clear accountabilities and timescales in place.

8. Background Papers:

Constitution

Policy Framework and Budget Setting for 2022/23

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

The Budget Framework for 2023/24

No.	Activity	Date
1.	Develop Service Plan template and distribute to managers setting out timescale for completion.	October 2022
2.	Formation of savings and investment ideas.	September 2022
3.	Draft budget prepared.	October 2022 - January 2023
4.	Consideration of government announcements in respect of acceptable levels of Council Tax increase and provision of grant funding to the Council.	October 2022 - January 2023
5.	Draft Service Plans reviewed and signed off by the Service Manager and Strategic Director / Head of Service.	January 2023
6.	Discussion of priorities, objectives and project work streams in emerging Service Plans at Leadership Team.	January 2023
7.	Budget option appraisal with Cabinet members.	October 2022 - January 2023
8.	<p>Cabinet makes final recommendations to Council on:</p> <ul style="list-style-type: none"> • Corporate priorities and annual objectives • Capital Strategy • Treasury Management Strategy Statement • Investment Strategy • Prudential Indicators • The robustness of budgets • Adequacy of reserves • The budget (revenue and capital) and Council Tax <p><i>The Cabinet will now make its recommendations on the allocation of financial resources to services</i></p>	February 2023
9.	<p>Cabinet agrees HRA budget and sets rent levels.</p> <p><i>Council to delegate full powers to the Cabinet. HRA budget subject to compliance with legal and prudential guidelines.</i></p>	February 2023
10.	<p>Council makes statutory budget calculations and sets Council Tax.</p> <p><i>Council will consider the recommendations from Cabinet and will make final decisions.</i></p>	February 2023

List of the Council's policies, plans and strategies included in this framework

Policy Title	Brief Description
Acquisition and Disposal of Council Owned Land	Sets the policies, principles and procedures to be followed when considering whether Council owned land should be disposed of or retained for service provision.
Asset Management Plan	Sets out plans and how the Council maintains its corporate assets (land and buildings) in a condition that is fit for the purpose of delivering services to the community and how it will respond to any changes in the way assets need to be used to provide services.
Budget and Policy Framework – see also Constitution	Describes the procedures and principles used by the Council to establish and/or vary a budget and policy framework.
Combined Safeguarding Policy and Strategy for Children Young People and Vulnerable Adults	The Children's Act 2004 Children and Learning Act 2009 The Counter Terrorism and Security Act 2015 The Care Act 2014
Communication Strategy	Shows how the Council will work closely with other organisations in the borough to achieve a free flow of appropriate information between the Council and its stakeholders, including staff, councillors, residents, businesses, partners and other service users. An appendix to the Customer First Strategy
Community Safety Partnership Plan (Strategic Assessment)	<p>Achieving a sustainable reduction in crime within the Borough both by tackling crime and by identifying and addressing its causes.</p> <p>Ensuring crime and disorder does not have a disproportionate impact on vulnerable groups.</p> <p>Tackling specific crime and disorder problems and problem areas.</p>
Complaints Policy	Sets a clear framework so that complaints are dealt with efficiently and effectively to ensure that customers have confidence in the way that complaints will be handled. An appendix to the Customer First Strategy

Policy Title	Brief Description
Constitution	<p>Describes how the Council does business includes:</p> <p>Procedural rules for access to information; budget and policy framework; overview and scrutiny; financial; officer employment and contracts.</p> <p>Protocols for Planning and the Monitoring Officer.</p> <p>Codes of conduct for Planning matters; Staff and Members.</p>
Contract Procedural Rules – see also Constitution	Describes how the Council does business on matters relating to the placing and letting of contracts.
Corporate Business Continuity Plan	Generic guidance on how the Council may manage a major corporate incident which restricts the normal day-to-day running of its business.
Corporate Plan	Sets out the Council's Priorities, objectives, key milestones and targets. Includes an annual report on progress towards achieving aims.
Council Tax Reduction Scheme	Details how the scheme will operate for both pension credit age and working age applicants and, in accordance with S13A of the Local Government Finance Act 1992, specifies the classes of person who are to be entitled to a reduction under the scheme.
Combined Discretionary Hardship Payments (DHP) and Exceptional Hardship Fund (EHF)	<p>DHP Policy to specify how the scheme will be operated by the Council and to indicate the factors that will be considered when deciding if a DHP should be made.</p> <p>Policy about the Exceptional Hardship Fund to assist those claimants most at risk and considered to be the most vulnerable.</p>

Policy Title	Brief Description
Counter Fraud, Bribery & Corruption Policy Statement and Strategy	Sets out how the Council will: <ul style="list-style-type: none"> • acknowledge its responsibility for countering fraud and corruption • identify the fraud and corruption risks • develop an appropriate counter fraud and corruption strategy • provide resources to implement the strategy • take action in response to fraud and corruption.
Counter Money Laundering Policy and Strategy	Sets out the actions the Council will take to mitigate the risk that money could be laundered through its systems.
Cyber Security Strategy	Sets out the actions taken to safely and securely manage and store our data, systems and network
Data Protection Policy	this document sets out Castle Point Borough Council's policy on the retention and process of personal information.
Documentation Retention Policy	This document states Castle Point Borough Council's criteria for the retention of documents containing personal information
Emergency Planning & Business Continuity Framework	The EP/BC framework describes how the Council will go about its duty to be suitably prepared for dealing with emergencies, as well as disruptions to the organisation's ability to deliver its critical services to the public.
Emergency Planning & Business Continuity Policy	The EP/BC policy sets out the principles for the establishment and revision of Emergency Planning and Business Continuity Management
Emergency Response Plan	The Emergency Response Plan outlines the Council's core response to emergencies and major incidents. It is supported by specific plans dealing with particular hazards, functions and statutory responsibilities.
Equality Scheme 2019-23	Describes the way in which the Council deals with equality and diversity in its corporate activities and the delivery of services.

Policy Title	Brief Description
Financial Procedure Rules and Detailed Financial Regulations – see also Constitution	Describes how the Council does business on financial matters.
Gambling Licensing Policy Statement	Statement of Licensing Policy produced by Castle Point Borough Council under the Gambling Act 2005 and it forms the basis for all gambling related licensing decisions taken by the Council as the Licensing Authority.
Hackney Carriage & Private Hire Policy	This document contains guidance and information for the holders of and applicants for hackney carriage/private hire vehicles and driver's licences and the licences to operate private hire vehicles within the Castle Point Borough Council area.
Health & Safety Policy Statement and Strategy	This is a declaration of the Council's intent to establish a safe and healthy working environment for all of its undertakings.
Homelessness and Rough Sleeping Strategy	Sets out an analysis of issues regarding increasing homelessness in the Castle Point area and a range of actions to prevent and relieve homelessness.
Housing Asset Management Plan	Sets out the policy and plan for capital management of housing stock.
HR Strategy	<p>Establishes workforce planning to ensure adequate staff resources and succession planning.</p> <p>Aims to attract and retain high calibre candidates for employment.</p> <p>Train and develop staff to maximise their potential</p> <p>Offer equality of opportunity to all staff and recognise the benefits of diversity.</p>
Information and Communication Strategy (ICT)	This ensures that the IT systems and infrastructures support the business objectives. It covers the planning of new systems, their procurement, and the management and control of implemented systems. It sets out the organisation and management structures, and where responsibilities lie.
Information Security Policy	Sets out responsibilities in relation to Information Security

Policy Title	Brief Description
Internal Audit Charter, Strategy and Audit Plan	<p>The Charter sets out the purpose, authority and responsibility of the Council's Internal Audit function, in accordance with the UK Public Sector Internal Audit Standards (the Standards) and the CIPFA Local Government Application Note.</p> <p>The Strategy sets out how the service will be delivered and developed in accordance with the Charter and how it links to the delivery of the Council's Aims, Targets and Objectives.</p> <p>The Audit Plan sets out the work to be delivered each year, that will inform the Annual Head of Internal Audit Opinion.</p>
Licensing & Gambling Enforcement Policy	<p>The purpose of the enforcement policy is to ensure compliance with the Licensing Act 2003 and the Gambling Act 2005, and to ensure the promotion of the licensing objectives under these two acts.</p>
Local Code of Governance	<p>This statement explains how the Council has complied with the code and also meets the requirements of the Accounts and Audit (England) Regulations 2015, which requires all relevant bodies to prepare an annual governance statement.</p>
Local Plan 1998	<p>Sets out the policies for achieving a balance between appropriate development opportunities and the protection and enhancement of the built and natural environment.</p>
Private Sector Housing Strategy	<p>The Private Sector Housing Service Plan aims to present some of the key challenges facing the Council regarding maintaining and improving housing conditions in the Borough</p>
Procurement & Commissioning Policy	<p>Defines the Council's policy objectives, the strategy to deliver these and supporting principles. Procurement is defined as the acquisition of goods, services and construction projects from third parties.</p>
RIPA Policy Statement	<p>To reduce the risk of breaching human rights and to assist staff involved in interception and surveillance activity in complying with the requirements of the Regulation of Investigatory Powers Act (RIPA) 2000.</p>

Policy Title	Brief Description
Risk Management (RM) Policy and Strategy	<p>Sets out how the Council will:</p> <p>maintain robust risk management arrangements that make a positive contribution towards the achievement of its corporate priorities and objectives and maximise the opportunities to achieve its vision</p> <p>proactively manages key external and internal risks, promoting the principles of effective risk management throughout the organisation.</p>
Scrap Metal Dealers Act 2013 Policy	This document states Castle Point Borough Council's Policy on the regulation of Scrap Metal Dealers. The Scrap Metal Dealers Act 2013 received Royal Assent on 28 February 2013 and came into force on 1 October 2013
Statement of Licensing Policy	The 2003 Act requires that the Council publishes a Statement of Licensing Policy that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.
Treasury Management and Investment Strategies	Covers the management of the Council's cash flows, its banking, borrowing and investment activities; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
Whistleblowing Policy	Sets out the Council's arrangements whereby any serious concerns that employees, workers or contractors have about any aspect of service provision or the conduct of Officers or Members of the Council or others acting on behalf of the Council can be reported under the Whistleblowing Policy

CABINET

19th October 2022

Subject: Cost of Living Pressures

Cabinet Member: Councillor Blackwell - Leader of the Council

1. Purpose of Report

- 1.1 To advise Cabinet of the local impact of cost-of-living pressures on our communities, our businesses and on the Council.**
- 1.2 To advise Cabinet of the range of measures being taken to support our communities and businesses as well as mitigate the impact on the Council.**

2. Links to Council's priorities and objectives

- 2.1 The issues and actions set out in this report are linked to all of the Council's priorities.**

3. Recommendations

- 3.1 That Cabinet notes the issues and range of measures being taken.**
 - 3.2 That Cabinet directs any further measures to be investigated in response to cost-of-living pressures.**
-

4. Background

The national picture

- 4.1 The cost-of-living pressures at a national level have been well documented. Inflation in July 2022, as measured by the Consumer Prices Index (CPI), was 10.1% and is expected to peak at around 13% by the end of 2022. Much of this inflation has been driven by strong demand from consumers post-pandemic, together with supply chain bottlenecks.**
- 4.2 Energy prices have also been increasing. From July 2021 to July 2022, domestic gas prices increased by 96% and domestic electricity prices by 54%. From the 1 April 2022, the price cap increased by 54% to £1,971 for typical consumption across a year. Further to the announcement made in Parliament on 8 September 2022, energy bills will be frozen at an average of £2,500 per year for two years from 1 October 2022, mitigating the planned further increase in the domestic energy price cap through increased borrowing by Government.**

- 4.3 In response to these inflationary pressures, the Bank of England has raised, in steps, the base rate of interest to 2.25%, up from just 0.25% in January 2022. For those with loans on variable rates of interest – typically mortgages – the cost of borrowing will have also increased in recent months. Rental prices have also grown more steeply in 2022, just over 4% in the East of England in the year to July 2022.
- 4.4 Households across Great Britain have seen their real incomes fall throughout 2022. The Bank of England expects post-tax income to fall by 1.5% in 2022 and a further 2.25% in 2023. Low-income households spend a larger proportion of their incomes on energy and food, and so are experiencing higher inflation, on average, than better-off households. In an ONS study conducted between April and June 2022, 41% of people reported buying less food than usual in the previous two weeks. This percentage increased to 51% among parents with dependent children, 51% among renters, and 49% among households in the most deprived areas in England (top fifth most deprived).
- 4.5 Food bank usage has increased – as reported by The Trussell Trust and the Independent Food Aid Network – with reports of many people using food banks for the first time, including those considered to be middle class, students and those in full-time employment. The charity Carers UK warns that 32% of disabled people face the situation of having to turn to foodbanks because of higher-than-average energy needs.
- 4.6 In a study by the ONS in August 2022, 89% of adults in Great Britain reported an increase in the cost of living. 96% said that this was because of the increased price of food shopping, 82% said because energy bills had increased and 72% because the price of fuel had increased. As a result of the increased cost of living, 60% reported they were spending less on non-essentials, 52% reported using less energy in their homes and 44% reported spending less on essentials. Consumer credit grew at 6.9% in the year to July 2022, with borrowing on credit cards at an annual rate of 13%.
- 4.7 A range of business surveys indicate that business owners are concerned for the survival or growth of their business as a result of cost-of-living pressures with biggest concerns:
- Rising cost of fuel
 - Rising cost of energy
 - Cash flow
 - Employee retention
 - Transportation costs
 - Consumer demand
 - Price of raw materials

The local picture

- 4.8 Many of the cost-of-living pressures reported above at the national level will be experienced by those living in Castle Point.
- 4.9 The Benefits team have reported an increase in the number of people approaching the Council with issues around debt, not just rent and Council Tax arrears but also

with utilities. The service is seeing people who have never had to approach the Council before giving an indication that the cost-of-living pressures are reaching further than before. Discretionary Housing Benefit – used to make up shortfalls between set housing benefit rates and rents in the private sector – is under strain and expected to have been used up by November 2022. Two other support funds are available – the Household Support Fund and the Essential Living Fund – but these, too, are under pressure.

- 4.10 First Contact have been working with residents earlier in the year to ensure that they received the £150 energy rebate (assisting 500 people who had not submitted an online claim) and have been experiencing calls from people wanting to realign Council Tax direct debit payments with the timing of their pay packets.
- 4.11 Representatives from the community and voluntary sector report an increase in demand for their services which is causing backlogs and difficulties referring people across to other organisations for support. Anecdotally, food bank usage is also increasing. There is also concern from those in this sector about the cost of energy impacting on their finances and therefore ability to provide support to residents.
- 4.12 Intelligence about the impact on local businesses is something that the Council wants to improve through further links with local business associations and networks.
- 4.13 The main pressure on the Council budget comes from inflation. Non-pay inflation in the 2022/23 financial year is forecast to be around £200k with a bigger impact in 2023/24 as contract prices linked to inflation are forecast to generate around £600k additional costs. Employees salary increases have been budgeted at 2.5% although the full impact will not be known until later in the financial year as the final increase is subject to ongoing negotiations between the national employers and the unions. On a positive note, Leisure memberships have not yet been impacted by cost-of-living pressures as, although there have been some cancellations, overall levels continue to grow.

5. Report

- 5.1 Appendix 1 sets out a four-point plan in response to cost-of-living pressures to support communities and businesses as well as mitigate the impacts on the Council's budget. A summary of the proposed activity is set out below

Communication and promotion of current support available

- 5.2 Activity planned under this theme includes:

- Re-development and promotion of a cost-of-living webpage
- Communications campaign to raise awareness of the range of support already available from the Council and partners
- Facilitating stronger coordination across community and voluntary sector, including a directory of organisations working in the Borough
- Continued promotion of the “Choose Local” campaign to encourage residents to shop locally

Increase help available

5.3 Activity planned under this theme includes:

- Maximising peoples' income to ensure they are receiving the full range of benefits, discounts, and tax credits available to them
- Supporting people with money and debt advice through working closely with Peabody
- Working with the community and voluntary sector to share information to support consolidation of services and address any gaps in provision from emerging needs
- Improving links with the business community to better understand pressures on local businesses
- Encouraging people to engage with the Council when they find themselves in financial difficulty, including when money is owed to the Council.

Reduce further hardship

5.4 Activity planned under this theme includes:

- Promoting good health and wellbeing through our leisure centres, parks and open spaces and through working with partners on other public health initiatives
- Ensuring good quality housing in the Borough through work with private landlords, provision of Disabled Facilities Grants, energy efficiency advice and improvements to Council-owned housing
- Helping people into employment through working with Job Centre Plus
- Securing (longer-term) opportunities to invest in town centres, community facilities and skills development and training (this activity subject to separate programme development work)

5.5 *Sustainable Council finances*

Activity planned under this theme includes:

- Analysis to fully understand the impact of inflationary pressures on the Council's budget for 2022/23, including contracts which have price increases linked to inflation.
- Focused work across all Council budget lines to identify opportunities for service redesign, cross functionality of roles and wider strategic policy work e.g. asset management and commercialisation
- Mitigating the impact of rising energy costs on the Council's budget

6. Corporate Implications

a. Financial implications

Activity outlined in this report and presented in more detail in Appendix 1 is expected to be delivered within existing resources. Where additional resources are required, they will be subject to presentation of a business case.

b. Legal implications

Activity relating to recovery and enforcement work will require legal advice.

c. Human resources and equality

There are no direct human resource or equality implications at this stage. Any work arising from analysis or exploration that has human resources or equality implications will be subject to consultation and equality impact assessments where required

d. Timescale for implementation and risk factors

Timescales are set out in the cost-of-living action plan included as Appendix 1 to this report.

7. Background Papers:

None

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

Cost of Living Action Plan

Cost of Living Theme	Activity	Lead Officer and Resources	Key Sub-activity / Milestones	Timescales
<i>Communication and promotion of current support available</i>	Cost of Living support webpage	Head of Customer and Digital Services	<ol style="list-style-type: none"> 1. Review of current webpage 2. Develop new content / information links 3. Redesign look of page to include buttons / tiles 4. Promote new webpage to employees, councillors and residents 	End Oct 2022
	Communications campaign to raise awareness of the range of support available	Head of Customer and Digital Services	<ol style="list-style-type: none"> 1. Develop communications plan across all channels, including exploring a cost-of-living street-level campaign 2. Develop a branding specific to cost of living in Castle Point 3. Deliver communications plan 	End Oct 2022 and ongoing
	Facilitate stronger coordination across the community and voluntary sector to establish a network of "No Wrong Door" first points of contact across the Borough	Strategy, Policy and Performance Manager	<ol style="list-style-type: none"> 1. Diarise a monthly meeting open to all community and voluntary organisations to provide a forum for information sharing, coordination and mutual support 2. Design a "No Wrong Door" poster for organisations to display indicated that they can be the first point of contact for support 3. Develop a micro-site for the community and voluntary sector organisations working in the Borough (can also include a map of social supermarkets and food banks) 	<p>Monthly meetings from Oct 2022 onwards</p> <p>End Oct 2022 for micro-site</p>
	Supporting local businesses	Head of Place and Policy	<ol style="list-style-type: none"> 1. Continue to promote the "Choose Local" campaign to encourage residents to shop locally and help businesses on the high streets to thrive 	Promotions built into communications campaign running until Mar 2023
<i>Increase help available</i>	Maximising peoples' incomes	Head of Customer and Digital Services	<ol style="list-style-type: none"> 1. Continue to work with residents to ensure that they are accessing the full range of benefits and tax credits available to them 2. Signposting to the Local Council Tax Support Scheme to those who qualify 3. Signposting to the Council Tax Reduction Scheme for working age applicants 4. Promote the range of options available to residents to pay their Council Tax according to different payment schedules 	Ongoing
	Supporting people with money and debt advice	Head of Customer and Digital Services working with Peabody	<ol style="list-style-type: none"> 1. Work closely with Peabody through the Council's existing SLA to ensure that residents are able to access money and debt advice 2. Work closely with Peabody to get local intelligence on reasons for residents approaching them for advice 	Ongoing

Cost of Living Action Plan

Cost of Living Theme	Activity	Lead Officer and Resources	Key Sub-activity / Milestones	Timescales
	Working with the community and voluntary sector to understand pressures in the system and where gaps in support might exist	Strategy, Policy and Performance Manager	<ol style="list-style-type: none"> 1. Work with the community and voluntary sector to facilitate a whole system approach to consolidate support provision and work collectively to address any gaps / emerging need 2. Work with Essex County Council to understand what work is taking place or is planned across the county and explore opportunities for additional funding / pooling of resources 3. Explore creating a warm spaces network across the Borough 	<p>Monthly meetings with the sector</p> <p>Ongoing engagement through Active Essex</p> <p>End Oct 2022 to explore warm spaces</p>
	Supporting local businesses	Head of Place and Policy	<ol style="list-style-type: none"> 1. Further develop links with local business associations and networks to better understand the challenges faced by local businesses 	Ongoing meetings
	Council Tax, rent arrears and other corporate debt	Head of Customer and Digital Services Head of Housing	<ol style="list-style-type: none"> 1. Encouraging people to engage with the Council when they find themselves in financial difficulty, including when money is owed to the Council, rather than ignoring the problem. 	Ongoing
<i>Reduce further hardship</i>	Promoting good health and wellbeing	Head of Environment Strategy, Policy and Performance Manager	<ol style="list-style-type: none"> 1. Promotion of Castle Point Leisure Centres and continued work with a range of partners to deliver a leisure offer open to all 2. Work with Active Essex to promote and encourage all forms of physical activity 3. Ensure that parks and open spaces in the Borough are well maintained so that they can be used by residents 4. Work with partners to promote other public health initiatives such as smoking cessation, drug and alcohol dependency, healthy eating 5. Explore how social value in Council contracts can support aims around good health and wellbeing 	<p>Ongoing</p> <p>End Dec 2022 to explore social value in contracts</p>
	Good quality private-sector housing	Head of Environment	<ol style="list-style-type: none"> 1. Continue to investigate and enforce standards in private sector housing so that those privately renting are able to live in safe, dry and warm homes 2. Provision of Disabled Facilities Grants (DFGs) to allow for adaptations to properties so that people can continue to live in their homes 3. Provide energy efficiency advice and support to minimise waste and reduce energy expenditure 4. Continue to bid for funds to improve the energy efficiency of the most energy inefficient homes in the Borough 	Ongoing, as per service work programme
	Good quality Council-owned housing	Head of Housing	<ol style="list-style-type: none"> 1. Maintain Council-owned homes to the Decent Homes Standard 2. Use the housing capital programme to implement energy efficiency measures to Council-owned homes 3. Design any new Council-owned homes to be built to the highest environmental standards to minimise tenants' energy needs 	Ongoing, as per capital work programmes

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Cost of Living Action Plan

Cost of Living Theme	Activity	Lead Officer and Resources	Key Sub-activity / Milestones	Timescales
	Helping people into employment	Head of Customer and Digital Services	4. Liaison with Job Centre Plus on Canvey Island to understand referral processes and support on offer to help people find work	End Oct 2022 and ongoing
<i>Sustainable Council finances</i>	Understanding impact of inflation on current budget for 2022/23	Leadership Team Financial Services Manager	1. Analysis to fully understand the impact of inflationary pressures on the Council's budget for 2022/23, including contracts which have price increases linked to inflation.	End Oct 2022 and through to budget setting in Feb 2023
	Budget setting for 2023/24	Leadership Team Financial Services Manager	1. Focused work across all Council budget lines to identify opportunities for service redesign, cross functionality of roles and wider strategic policy work e.g. asset management and commercialisation	Sep 2022 to Feb 2023
	Mitigating the impact of rising energy costs on Council finances	Financial Services Manager Senior Procurement and Resilience Officer Estates and Assets Manager	1. Analysis of current energy agreements and forecast usage to allow for profiling of current and future energy costs 2. Review of estates utilisation and occupation across the Borough to minimise inefficient use of energy	End Dec 2022

CABINET

19th October 2022

Subject: Corporate Performance Scorecard - Proposed Indicators 2022/23

Cabinet Member: Councillor Cole - Special Projects

1. Purpose of Report

1.1 To set out the proposed indicators for the corporate performance scorecard for 2022/23

2. Links to Council's priorities and objectives

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

3. Recommendation

3.1 That Cabinet agrees the corporate performance scorecard indicators for 2022/23.

4. Background

4.1 The corporate scorecard reports on performance indicators for important outcomes linked to the Council's priorities.

4.2 Each year, the indicators in the scorecard are reviewed to ensure that they remain relevant.

5. Report

5.1 Appendix 1 details the proposed changes to some of the performance indicators reported on the 2021/22 corporate scorecard, and Appendix 2 details the proposed suite of indicators for the scorecard in 2022/23. These have been developed to reflect the performance of key areas of the Council's business and work planned for the current financial year, alongside some indicators which reflect wider trends across the Borough. The indicators are grouped under the four priority areas in the Corporate Plan 2021-24: Economy & Growth; People; Place; Environment plus some grouped under "Enablers", which includes Leadership; Democracy; Partnerships; and Resources.

- 5.2 The refreshed scorecard includes quarterly and annual performance indicators. It is proposed that whilst there will be reference to the annual indicators in each scorecard report, the detail will be reported at the end of the financial year.
- 5.3 The following changes to the 2022/23 suite of scorecard indicators are proposed:

Indicator	Notes about proposed change
E&G007: Percentage of businesses that report local skills shortages when recruiting	Remove from scorecard. It has not been possible to use an existing or establish a new data source to provide information on local skills shortages, as reported by local businesses. However, the Council will seek to improve engagement with local businesses and their representatives to understand more about local skills shortages.
PE002: Percentage of useable allotment plots owned and managed by Castle Point that are vacant	Remove from scorecard. Whilst allotments serve a useful purpose for residents both in terms of physical and mental health, the number of vacant allotments is low. Performance will continue to be monitored by the service area.
EH012: Amount of Disabled Facilities Grant allocated as a percentage of overall budget	Remove from scorecard. Over the course of 2021/22, 100% of Disabled Facilities Grant budget was allocated each quarter so there is limited value in continuing to report this at Cabinet. Performance will continue to be monitored by the service area.
BC001: Percentage of Building Control applications processed within statutory time limits	Remove from scorecard. Performance has been 100% for a number of years and will continue to be 100% as these are statutory time limits. Performance will continue to be monitored by the service area.
PP001: Progress of Local Plan against the milestones set out in the Local Development Scheme	Remove from scorecard. This Local Plan indicator as currently defined is no longer relevant following the decision of the Council to withdraw the Local Plan at its meeting on the 15 June 2022.

5.4 The following additional indicators are proposed for inclusion:

Priority Area: Economy & Growth

Indicator	Rationale for inclusion
E&G001: Gross Value Added (GVA) per head [Annual]	Better understanding of the value of the Castle Point economy, measured per head to allow for comparison across Essex
E&G003: Average workplace-based earnings per week [Annual]	Better understanding of the earnings of people working in companies based in Castle Point, to see trends over time and comparison across Essex.
E&G004: Average resident earnings per week [Annual]	Better understanding of the earnings of residents in Castle Point, to see trends over time and comparison across Essex.
E&G005: Percentage of the working-age population with NVQ Level 4+ [Annual]	Better understanding of skills levels in Castle Point, to see trends over time and comparison across Essex.

Priority Area: People

Indicator	Rationale for inclusion
PE006: Life Satisfaction score [Annual]	Office of National Statistics (ONS) measure of life satisfaction to understand overall how people in Castle Point feel about their lives.

Priority Area: Place

No additional indicators are proposed under Place.

Priority Area: Environment

No additional indicators are proposed under Environment

Enablers: Leadership; Democracy; Partnerships; Resources

No additional indicators are proposed under Enablers

Targets

5.5 The tables below present the targets for 2022/23, set on the basis of past performance, national targets (where applicable) and known resources within the relevant service area.

Priority Area: Economy & Growth

Indicator	2021/22 Performance	2021/22 Target	2022/23 Target
E&G006: Number of apprenticeship starts in the Borough	370	Introduced in 2021/22 – no target set	Increase (interested in direction of travel rather than absolute numbers)
E&G002: Number of businesses operating in Castle Point	3,255 (2021)	Introduced in 2021/22 – no target set	Increase (interested in direction of travel rather than absolute numbers)
E&G001 (NEW): Gross Value Added (GVA) per head	£11,576 [Latest data available is for 2018]	N/A	Increase (interested in direction of travel rather than absolute numbers)
E&G003 (NEW): Average workplace- based earnings per week	£519.20 (2021) [Median average]	N/A	Increase (interested in direction of travel rather than absolute numbers)
E&G004 (NEW): Average resident earnings per week	£605.20 (2021) [Median average]	N/A	Increase (interested in direction of travel rather than absolute numbers)
E&G005 (NEW): Percentage of the working-age population with NVQ Level 4+	32.8%	N/A	Increase (interested in direction of travel rather than absolute numbers)

Priority Area: People

Indicator	2021/22 Performance	2021/22 Target	2022/23 Target
HOT21 & HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome: a) prevention b) relief	a) 67% b) 49%	a) 65% b) 45%	a) 65% b) 45%
L1: Leisure satisfaction – Net Promoter Score a) Waterside Farm b) Runnymede	a) 75 (average) b) 75 (average)	a) 75 b) 67	a) 75 b) 75
L3: Leisure Memberships	3,700	3,000	4,000 (although subject to review during the year)
Eh2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme	98%	90%	95%
PE003: Proportion of people participating in physical activity	57.6%	A statistically significant increase (from Sport England analysis)	A statistically significant increase (from Sport England analysis)
LCT13: Proportion of people who feel safe after dark	48%	50%	50%
PE001: Percentage of people who agree that there is a strong sense of community in their local area	50%	65%	60%
PE006 (NEW): Life Satisfaction score	7.7 (out of 10)	N/A	7.7 (recognising challenges in 2022/23, inc. cost of living pressures)

Priority Area: Place

Indicator	2020/21 Performance	2021/22 Target	2022/23 Target
HOS001: Overall tenant satisfaction with repairs and maintenance	94%	95%	96%

HOS006: Average Void Turnaround Time	35.2 days	20 days	20 days
DC007 & DC008: Percentage of planning applications processed within target time limits for major, minor and other applications	Major 94.1% Non-major 99.3%	Major 80% Non-major 80%	Major 80% Non-major 80%
PP003: Number of new affordable homes in the Borough	0	100 per annum	50 per annum
PP004: Number of new homes built in the Borough	205	353 per annum	353 per annum

Priority Area: Environment

Indicator	2020/21 Performance	2021/22 Target	2022/23 Target
OPS004: Percentage of Household Waste Recycled OPS005: Percentage of Household Waste Composted (including food waste)	47.69%	50.00%	50.00%
SS002 Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology*	8.8%	<10%	<10%
SS003: Percentage of fly tips removed within one working day*	99.5%	90%	90%
SS014: Number of default notices served in relation to Highway Grass Verge cutting*	Default notices suspended in 2021/22)	<90 per quarter	<90 per quarter
SS013: Number of service requests received in relation to Highway Grass Verge cutting*	68	<45 per quarter	<45 per quarter
OPS002: Satisfaction with maintaining parks and open spaces	60%	60%	62%
OPS003: Satisfaction with household waste collection, including recycling and composting	87%	86%	88%

SS001: Satisfaction with Council's efforts to keep public land clear of litter and refuse	56%	63%	60%
E008: Amount of CO2 produced from the Council's buildings and operations	2,050.56 tonnes (2019 baseline)	No target set (baseline established)	Reduction

* Indicators and targets relate to the current grounds maintenance contract which finishes on 28 February 2023. The new contract may have different performance indicators. Cabinet will be advised of any changes in the Q4 2022/23 Corporate Scorecard report.

Enablers: Leadership; Democracy; Partnerships; Resources

Indicator	2021/22 Performance	2021/22 Target	2022/23 Target
FC001: Percentage of calls taken from customers by First Contact that are dealt with without the need to transfer to the back office	96%	95%	95%
CORP001a & CORP 001b: Average number of days sickness absence per FTE staff for all Council Services (rolling year) a) short term b) long term	a) 5.3 days b) 3.6 days	a) 4.1 days b) 3.4days	a) 5.0 days b) 3.5 days
OPS016: Number of wheeled bin garden waste subscribers	13,543	12,750	14,750
Channel shift to online services: a) take up of e-billing for Council Tax and Business Rates b) use of Open Channel online forms	a) 9,054 b) 2,238	a) 9,000 b) 2,000	a) 9,500 b) 2,200
BEN001 & BEN002: Average time to process benefits claims: a) new claims b) change of circumstances	a) 23 days b) 6 days	a) 21 days b) 7 days	a) 21 days b) 7 days
ENA001: Overall satisfaction with the Council	50%	50%	55%

5.6 It is further proposed that the scorecard is flexible and considers any new performance issues arising during the year. For example, if performance for a service area is significantly off target, but is currently not on the corporate

scorecard, it may be appropriate to include such measures in future scorecard reports during the year. There may also be new local priorities arising from national circumstances that would lead to the addition of further indicators to the scorecard.

6. Corporate Implications

a. Financial implications

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

b. Legal implications

There are no direct legal implications at this stage.

c. Human resources and equality

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

d. Timescale for implementation and risk factors

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

7. Background Papers:

None

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

Appendix 1 – Proposed changes to suite of indicators reported in 2021/22

Corporate Plan 2021-24



Q Quarterly indicator

A Annual indicator

Proposed Scorecard Indicator Changes

Economy & Growth	People	Place	Environment
<p>E&G6: Number of apprenticeship starts in the Borough RETAIN</p> <p style="text-align: right; color: red;">A</p>	<p>HOT21 & HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome: a) prevention b) relief RETAIN</p> <p style="text-align: right; color: purple;">Q</p>	<p>HOS1: Overall tenant satisfaction with repairs and maintenance RETAIN</p> <p style="text-align: right; color: orange;">Q</p>	<p>OPS4: Percentage of household waste recycled RETAIN</p> <p style="text-align: right; color: green;">Q</p>
<p>E&G6: Percentage of businesses that report local skills shortages when recruiting REMOVE</p> <p style="text-align: right; color: red;">A</p>	<p>EH2: Percentage of food premises awarded a score of at least 3 on the food hygiene rating scheme RETAIN</p> <p style="text-align: right; color: purple;">Q</p>	<p>HOS6: Average Void Turnaround time RETAIN</p> <p style="text-align: right; color: orange;">Q</p>	<p>OPS5: Percentage of household waste composted (inc. food waste) RETAIN</p> <p style="text-align: right; color: green;">Q</p>
<p>E&G2: Number of businesses operating in Castle Point RETAIN</p> <p style="text-align: right; color: red;">A</p>	<p>L1: Leisure satisfaction Net Promoter Score a) Waterside Farm b) Runnymede RETAIN</p> <p style="text-align: right; color: purple;">Q</p>	<p>DC7 & DC8: Percentage of planning applications processed within target time limits for major, minor and other applications RETAIN</p> <p style="text-align: right; color: orange;">Q</p>	<p>SS2: Percentage of streets inspected deemed to be unsatisfactory using code of practice for litter and refuse methodology RETAIN</p> <p style="text-align: right; color: green;">Q</p>
	<p>L3: Leisure Membership RETAIN</p> <p style="text-align: right; color: purple;">Q</p>	<p>BC1: Percentage of Building Control applications processed within statutory time limits REMOVE</p> <p style="text-align: right; color: orange;">Q</p>	<p>SS3: Percentage of fly tips removed one working day RETAIN</p> <p style="text-align: right; color: green;">Q</p>
	<p>PE2: Percentage of useable allotments owned and managed by Castle Point that are vacant REMOVE</p> <p style="text-align: right; color: purple;">Q</p>	<p>PP1: Progress of Local Plan action milestones set out in the Local Development Scheme REMOVE</p> <p style="text-align: right; color: orange;">Q</p>	<p>SS14: Number of Default Notices received in relation to Highway grass verge cutting RETAIN</p> <p style="text-align: right; color: green;">Q</p>
	<p>EH12: Amount of Disabled Facilities Allowance allocated as a percentage of overall budget REMOVE</p> <p style="text-align: right; color: purple;">Q</p>	<p>PP3: Number of new affordable homes in the Borough RETAIN</p> <p style="text-align: right; color: orange;">A</p>	<p>SS13: Number of Service Requests received in relation to Grass Cutting RETAIN</p> <p style="text-align: right; color: green;">Q</p>
	<p>PE3: Proportion of people participating in physical activity RETAIN</p> <p style="text-align: right; color: purple;">A</p>	<p>PP4: Number of new homes built in the Borough RETAIN</p> <p style="text-align: right; color: orange;">A</p>	<p>OPS2: Satisfaction with maintenance of open spaces RETAIN</p> <p style="text-align: right; color: green;">A</p>
	<p>LCT13: Proportion of people who walk after dark RETAIN</p> <p style="text-align: right; color: purple;">A</p>		<p>OPS3: Satisfaction with household waste collection, including recycling and composting RETAIN</p> <p style="text-align: right; color: green;">A</p>
	<p>PE1: Percentage of people who say there is a strong sense of community in their local area RETAIN</p> <p style="text-align: right; color: purple;">A</p>		<p>SS1: Satisfaction with Council's efforts to keep public land clear of litter and refuse RETAIN</p> <p style="text-align: right; color: green;">A</p>
			<p>E8: Amount of CO2 produced from Council's buildings and operations RETAIN</p> <p style="text-align: right; color: green;">A</p>

- Q Quarterly indicator
- A Annual indicator

Corporate Plan 2021-24

Proposed Scorecard Indicator Changes



Enablers: Leadership: Democracy; Partnerships; Resources

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

Q

CORP1a & CORP 1b: Average number of days sickness absence per FTE staff for all Council Services (rolling year) RETAIN

Q

a) short term b) long term

OPS16: Number of wheeled bin/garden waste subscribers RETAIN

Q

Channel shift to online services RETAIN

Q

a) take up of e-billing for Council Tax and Business Rates
b) use of Open Channel online forms

BEN 1 & BEN 2: Average time to process benefits claims: RETAIN

Q

a) new claims b) change of circumstances

ENA1: Overall satisfaction with the Council RETAIN

A

Appendix 2 – Proposed indicators for 2022/23 (those with a shaded background are new for 2022/23)

<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 0.8em;"> <p>Q Quarterly indicator</p> <p>A Annual indicator</p> </div> <div style="text-align: center;"> <h1 style="margin: 0;">Corporate Plan 2021-24</h1> <h2 style="margin: 0;">Proposed Scorecard Indicator 2022/23</h2> </div> <div style="text-align: right;">  </div> </div>			
Economy & Growth	People	Place	Environment
E&G6: Number of apprenticeship starts in the Borough A	HOT21 & HOT22: Percentage of prevention or relief duties which ended during the quarter with a successful outcome: a) prevention b) relief Q	HOS1: Overall tenant satisfaction with repairs and maintenance Q	OPS4: Percentage of household waste recycled
E&G2: Number of businesses operating in Castle Point A	EH2: Percentage of food premises that are awarded a score of at least 3 on the food hygiene rating scheme Q	HOS6: Average Void Turnaround Time Q	OPS5: Percentage of household waste composted (inc. food waste) Q
E&G1 (NEW): Gross Value Added (GVA) per head A	L1: Leisure satisfaction – Net Promoter Score a) Waterside Farm b) Runnymede Q	DC7 & DC8: Percentage of planning applications processed within target time limits for major, minor and other applications Q	SS2: Percentage of streets inspected which are deemed to be unsatisfactory using code of practice for litter and refuse methodology Q
E&G3 (NEW): Average workplace-based earnings per week A	L3: Leisure Memberships Q	PP3: Number of new affordable homes in the Borough A	SS3: Percentage of fly tips removed within one working day Q
E&G4 (NEW): Average residents earnings per week A	PE3: Proportion of people participating in physical activity A	PP4: Number of new homes built in the Borough A	SS14: Number of Default Notices served in relation to Highway grass verge cutting Q
E&G5 (NEW): Percentage of the working-age population with NVQ Level 4+ A	LCT13: Proportion of people who feel safe after dark A		SS13: Number of Service Requests received in relation to Grass Cutting Q
	PE1: Percentage of people who agree that there is a strong sense of community in their local area A		OPS2: Satisfaction with maintaining parks & open spaces A
	PE6 (NEW): Life Satisfaction Score A		OPS3: Satisfaction with household waste collection, including recycling and composting A
			SS1: Satisfaction with Council's efforts to keep public land clear of litter and refuse A
			E8: Amount of CO2 produced from the Council's buildings and operations A

- Q Quarterly indicator
- A Annual indicator

Corporate Plan 2021-24

Proposed Scorecard Indicator 2022/23



Enablers: Leadership: Democracy; Partnerships; Resources

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

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

OPS16: Number of wheeled bin garden waste subscribers Q

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

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

ENA1: Overall satisfaction with the Council A

CABINET

19th October 2022

Subject: Corporate Performance Scorecard Quarter 1 2022/23

Cabinet Member: Councillor Cole - Special Projects

1. Purpose of Report

1.1 To set out the performance figures for the Corporate Performance Scorecard for Q1 2022/23

2. Links to Council's priorities and objectives

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

3. Recommendations

3.1 That Cabinet notes the report and continues to monitor performance.

4. Background

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

4.2 The indicators and targets for the corporate performance scorecard for 2022/23 are subject to approval by Cabinet in October 2022.

5. Report

5.1 Summary of performance

5.1.1 Appendix 1 sets out the performance achieved by the Council against the measures in the scorecard, together with trend data and commentary on performance.

5.1.2 Of the 23 indicators reported, 19 are at or above target, a further 2 are near target and 2 indicators are below target. Trend in performance shows that there is improving performance in 13 indicators, declining performance for 7 indicators and performance levels maintained for 3 indicators.

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

Economy & Growth

The indicators under this priority area are annual indicators and will be included in the Q4 2022/23 report.

People

The Homelessness performance indicator is split into two parts and looks at the success rate of the homelessness team in preventing and relieving homelessness. Year-to-date at the end of Q1, the service secured accommodation for over 6 out of every 10 households to whom the Council owed a Prevention duty and just under 5 out of 10 households owed a Relief duty. Prevention performance is a fraction below target, although an improvement on the same period last year. Relief performance is above target although lower than over the same period last year.

Satisfaction with Leisure Services is measured by a Net Promoter Score which can range from -100 (where everybody is a detractor and would not recommend the service) to +100 (where everybody is a promoter and would recommend the service). Both Waterside Farm and Runnymede Leisure Centres scored well over the quarter (77 and 76, respectively), both on target and higher than at the same time last year. It should be noted that nationally, leisure facilities score around 40-45 for Net Promoter Score.

The number of leisure memberships stood at 3,893 at the end of Q1 2022/23, significantly higher than at same time last year (although membership levels in the early part of 2021/22 were still recovering post-Covid). Performance at year-end has been set at 4,000 memberships as there is a risk of a drop-off in memberships in Q3 2022/23 because of cost-of-living pressures and in the run up to Christmas, although the target will be reviewed through the year.

98% of rated food premises (502 out of 513) were classified as 'broadly compliant' with food regulations, having been awarded 3 stars or above on the Food Hygiene Ratings Scheme.

Place

Tenant satisfaction with repairs and maintenance is reported monthly by the Council's contractor. All jobs are rated out of 10 with anything below 7.5 considered as dissatisfied. 96.6% of tenants were satisfied, which is above target and an improvement on the same period last year. On void turnaround times, performance has improved to an average of just 16.3 days. It should be noted that any hard-to-let properties in the Council's housing stock can have a negative impact on performance although this has not been the case so far, this financial year.

The percentage of planning applications processed within target times has two measures – one for major and one for non-major applications – and gives a longer-term view of performance, looking over a rolling two-year period. Nationally set standards have been comfortably achieved. However, performance shown is up to the end of March 2022 (because of lag in Government-produced statistics) and Members should note that performance in future quarters is expected to drop off from the current very high levels because of vacancies in the service reducing

capacity to process planning applications. Further details will be given on the impact of this in future scorecard reports.

Environment

The percentage of household waste recycled or composted (including food waste) was 51.04% at the end of the quarter, higher than the same period last year and above target. Recycling was just under 20% and Composting (inc. food waste) was just over 30%.

The good performance for street cleanliness continues this quarter and is on target with just 8.13% of inspected streets deemed unsatisfactory, although higher than over the same period last year where levels of litter were exceptionally low because of Covid restrictions in place at the time.

With only a small amount of highway verge grass cutting undertaken in the quarter, no default notices were served. There were 29 service requests for highway verge cutting over the quarter, lower than over the same period last year.

Fly tipping removal is above target, maintaining high levels of performance with 99% of fly tips removed within one working day. There were 238 fly tips over this period with just one not removed within contractual timeframes.

Enablers

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

At the end of the quarter, there were 13,664 subscribers to the wheeled bin garden waste collection service, an increase on the same period last year and on track to have 14,750 subscribers by the end of the financial year.

The sickness absence indicator has been split between short-term and long-term (4 calendar weeks or more) with targets adjusted upwards to reflect higher levels in 2021/22 compared with 2020/21. At 5.6 days, short-term absence is off target and has increased from the previous quarter. Long-term sickness absence is 4.2 days, off target and has also increased from the previous quarter.

The Council is keen to encourage members of the public and businesses to transact with the Council online. The “channel shift” indicators cover the numbers signed up to the e-billing service for council tax and business rates and a measure of Council Tax transactions using online forms. The number signed up to e-billing at the end of the quarter was 9,281 which is above target and an improvement on last year. In the first quarter of the financial year, there were 560 online form transactions for Council Tax, above target although a slight decrease on the same period in the previous year.

The average time to process housing benefit claims is split into new claims and change of circumstances. For new claims, performance has improved from the same period last year although is just off target (22 days against a target of 21 days). Change of circumstances over the quarter were processed in 5 days, on

target and an improvement in performance compared with the same period last year.

6. Corporate Implications

a. Financial implications

Good performance on some indicators can lead to reduced costs.

b. Legal implications

There are no direct legal implications.

c. Human resources and equality

There are no direct human resource or equality implications.

d. Timescale for implementation and risk factors

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

7. Background Papers:

None

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

Corporate Performance Scorecard

Quarter 1 2022/23

Appendix 1



Economy and Growth

Annual indicators (reported at Q4):

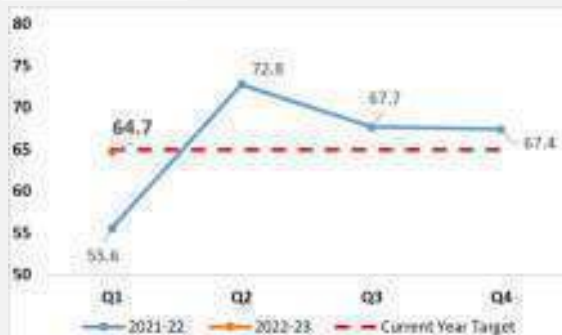
- E&G001 (NEW): Gross Value Added (GVA) per head
- E&G002: Number of businesses operating in Castle Point
- E&G003 (NEW): Average workplace-based earnings per week
- E&G004 (NEW): Average resident earnings per week
- E&G005 (NEW): Percentage of the working-age population with NVQ Level 4+
- E&G006: Number of apprenticeship starts in the Borough

People

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



Near target  Improving  Target 65%

Latest Performance 64.7%



Up to the end of Q1, the prevention duty ended for 34 households of which we secured housing for 22 households (64.7%) which is fractionally below target and significantly better than the same period last year. National average for prevention is 55.9%.

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



On target  Declining  Target 45%

Latest Performance 47.1%



Up to the end of Q1, the relief duty ended for 51 households of which we secured housing for 24 households (47.1%) which is above target although lower than the same period last year. Success on relief is due to the work of a dedicated Resettlement Officer. National average for relief is 38%.

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

On target  Improving  Target 75


Latest Performance 77



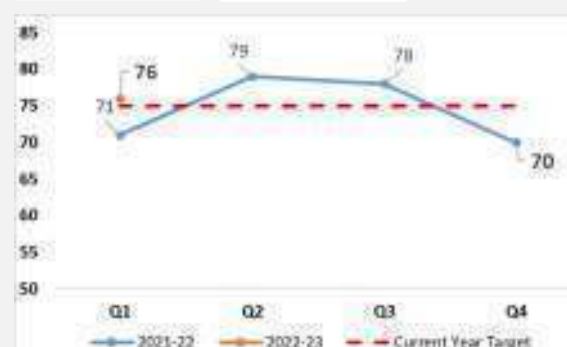
The NPS at Waterside Farm the end of Q1 2022/23 was 77, above target and an improvement on the same period last year.

It should be noted that nationally leisure facilities typically score around 40-45 for NPS.

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

On target  Improving  Target 75

Latest Performance 76





The NPS at Runnymede the end of Q1 2022/23 was 76, above target and an improvement on the same period last year.

It should be noted that nationally leisure facilities typically score around 40-45 for NPS.

People

L003: Leisure Memberships

On target  Improving  Target 4,000 (by year end)

Latest Performance
3,893

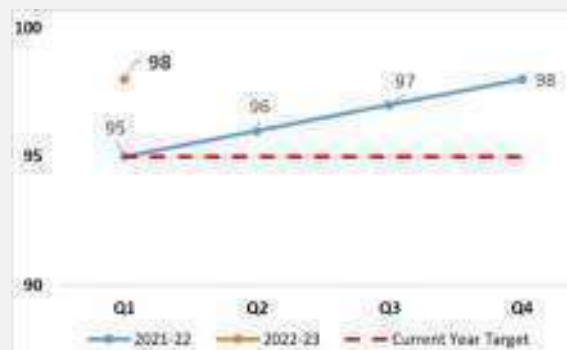


At the end of Q1 2022/23, there were 3,893 leisure members, on target to reach 4,000 members by the year-end.

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

On target  Improving  Target 95%

Latest Performance
98%



502 out of 513 rated premises were classified as 'broadly compliant' with food regulations, having been awarded 3* or above on the Food Hygiene Ratings Scheme.

This is an improvement on the same period last year and above target.

Annual indicators (reported at Q4):

- PE001: Percentage of people who agree that there is a strong sense of community in their local area
- PE003: Proportion of people participating in physical activity
- LCT13: Proportion of people who feel safe after dark
- PE006 (NEW): Life Satisfaction Score

Place

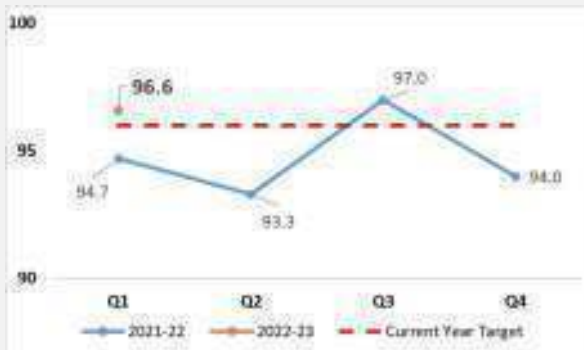
HOS001: Overall tenant satisfaction with repairs and maintenance

On target

Improving

Target
96%

Latest Performance
96.6%



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

At the of Q1, satisfaction was 96.6% which is above target and an improvement on the same period last year.

HOS006: Average Void Turnaround Time

On target

Improving

Target
20 days

Latest Performance
16.3 days



Performance is on target and better than at the same time last year.

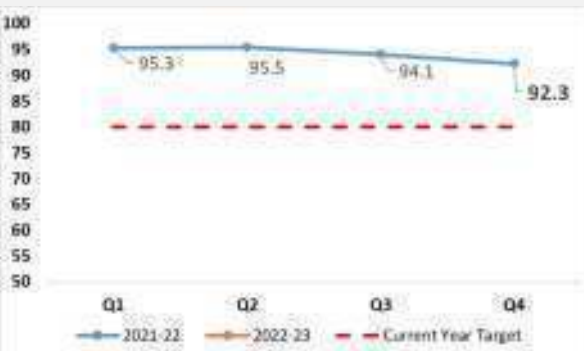
DC007: Percentage of planning applications processed within target time limits for major applications

On target

Declining

Target
80%

Latest Performance
92.3%



Performance is shown on a two-yearly rolling basis. Performance determining major applications is 92.3%, a drop since the same period last year, although comfortably above target.

Note: Figures represent 24 months cumulative performance to the end of March 2022 as Government-produced statistics to the end of June 2022 are not yet available.

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

On target

Maintained

Target
80%

Latest Performance
99.3%



Performance is shown on a two-yearly rolling basis. Performance determining non-major applications is 99.3%, maintaining performance over the same period last year, and is comfortably above target.

Note: Figures represent 24 months cumulative performance to the end of March 2022 as Government-produced statistics to the end of June 2022 are not yet available.

Place

Annual indicators (reported at Q4):

PP003: Number of new affordable homes in the Borough

PP004: Number of new homes built in the Borough

Environment

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

On target

Improving

Target
50%

Latest Performance
51.04%



The total recycling and composing rate at the end of Q1 2022/23 is 51.04% which is above target and an improvement on performance compared with last year. Recycling was just under 20% and Composting (inc. food waste) was just over 30%.

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

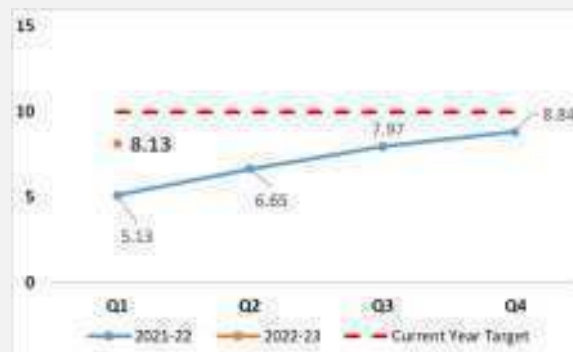
SS002: Percentage of streets inspected which are deemed to be unsatisfactory using Code of Practice for Litter and Refuse methodology

On target

Declining

Target
<10%

Latest Performance
8.13%



The level of litter on streets across the Borough remains low. Although the percentage of streets deemed to be unsatisfactory is higher than at the same time last year, this reflects Covid restrictions in place at the time.

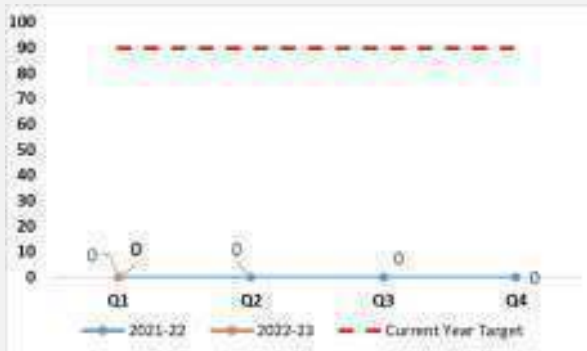
SS014: Number of default notices served in relation to Highway Grass Verge cutting

On target

Maintained

Target
<90

Latest Performance
0



No Defaults were served during this period.

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

On target

Improving

Target
<45

Latest Performance
29




The number of service requests for grass reduced when compared with the same period last year.

June made up for over half of the service requests in Q1 which was down to the increased growth during this month.

Environment

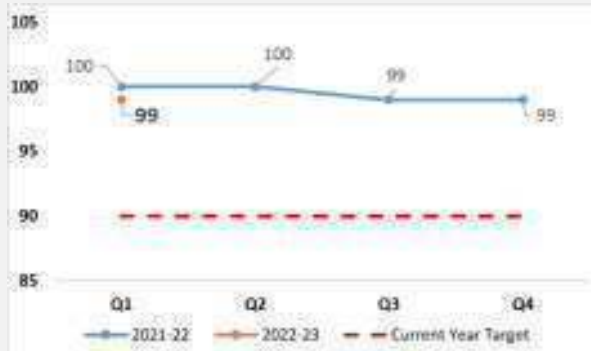
SS003: Percentage of fly tips removed within one working day

On target 

Declining 

Target
90%

Latest Performance
99%



There were 238 fly tips in this period, a drop of around 25% on the previous year.

One fly tip was not removed within the contracted timeframes so a financial default was served.

Annual indicators (reported at Q4):

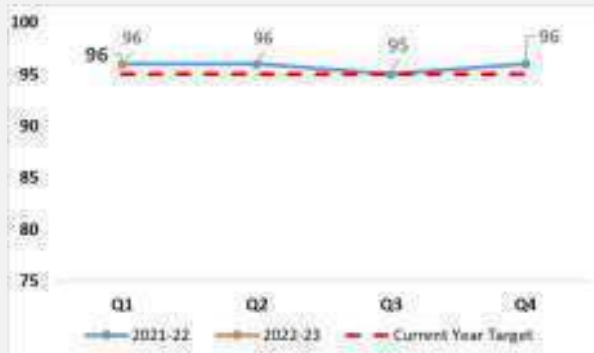
- OPS002: Satisfaction with maintaining parks and open spaces
- OPS003: Satisfaction with household waste collection, including recycling and composting
- SS001: Satisfaction with Council's efforts to keep public land clear of litter and refuse
- EH013: Amount of CO2 produced from the Council's buildings and operations

Enablers

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

On target  Maintained  Target 95%

Latest Performance
96%

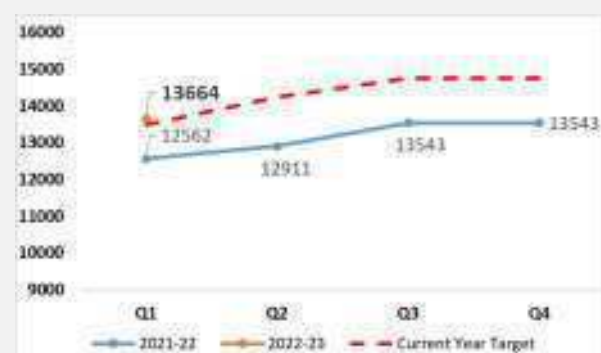


The First Contact team continue to deal with queries effectively; 96% of calls received were dealt with at the first point of contact without the need to transfer to the back office.

OPS016: Number of wheeled bin garden waste subscribers



On target  Improving  Target 14,750 (A)

Latest Performance
13,664

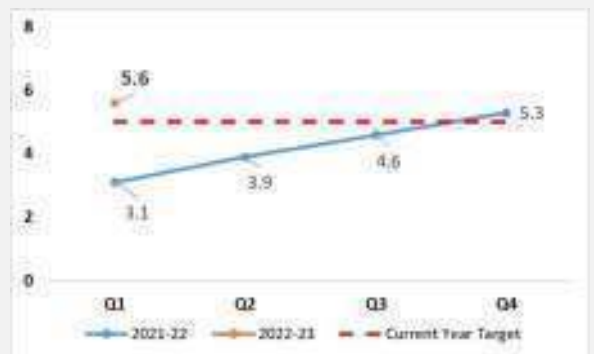


The number of subscribers to the wheeled bin garden waste collection service was 13,664 at the end of Q1 2022/23, which is an increase on the same period last year and on track to have 14,750 subscribers by financial year-end.

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



Off target  Declining  Target 5.0 days

Latest Performance
5.6 days

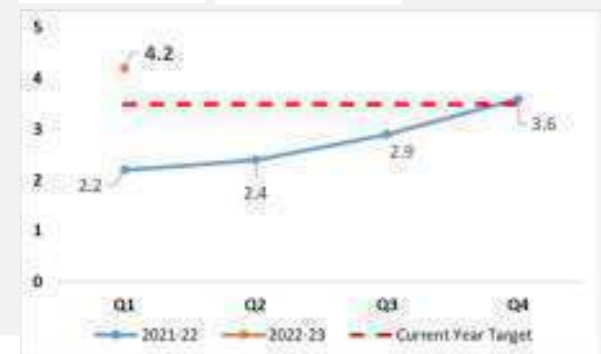


Sickness absence is reported on a rolling year. Short-term sickness absence is 5.6 days, an increase on Q4, higher than at the same time last year and off target.

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

Off target  Declining  Target 3.5 days

Latest Performance
4.2 days



Sickness absence is reported on a rolling year. Long-term sickness is defined as 4 calendar weeks or more.

Long-term sickness absence is 4.2 days, off target, and higher than at the same time last year.

Enablers

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

On target

Improving

Target
9,500

Latest Performance
9,281



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

Performance is on target to achieve 9,500 customers by the year-end.

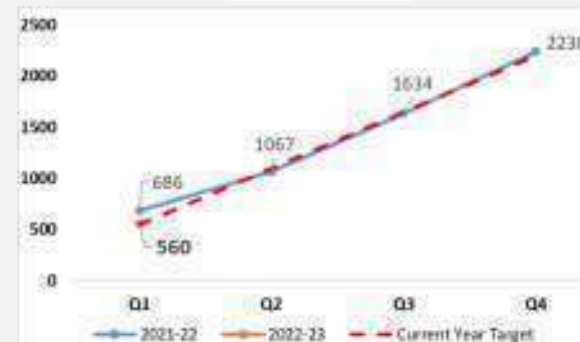
REV011: Channel shift to online services: use of Open Channel online forms

On target

Declining

Target
2,200 (A)

Latest Performance
560



Up to the end of Q1 2022/23, there were 560 Council Tax transactions conducted using OPENChannel online forms.

This is lower than at the same time in the previous year, although is on target.

BEN001: Average time to process benefits claims: new claims

Near target

Improving

Target
21 days

Latest Performance
22 days



New claims processing times have improved since the same period last year and at 22 days is near the target of 21 days.

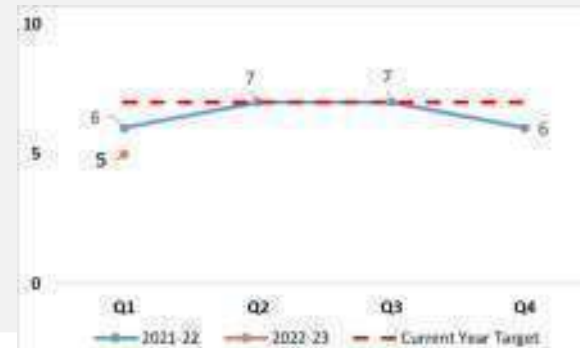
BEN002: Average time to process benefits claims: change of circumstances

On target

Improving

Target
7 days

Latest Performance
5 days



Performance times processing change of circumstances has improved when compared with the same period last year and is on target.

Enablers

Annual indicators (reported at Q4):

ENA001: Overall satisfaction with the Council

CABINET

19th OCTOBER 2022

Subject: Canvey Seafront – Application for Bathing Water Designation

Cabinet Member: Councillor Cole – Deputy Leader, Special Projects, Leisure and Recreation

1. Purpose of Report

To advise Cabinet of the process for applying for designated bathing water status and to seek approval to proceed with an application for designated bathing water status for Canvey seafront.

2. Links to Council's Priorities and Objectives

This proposal links with the Council's Environment priority.

3. Recommendations

That Cabinet confirms its desire for the Council to proceed with an application for designated bathing water status for Canvey seafront.

4. Background

An application to DEFRA for bathing water status must include details of:

- User surveys
- Information about any facilities at the site, and
- Evidence of a consultation with people who will be impacted by the designation

User surveys are required to be undertaken to establish the number of beach/water users during the bathing season. They are required to be carried out during the bathing season (15 May to 30 September) at peak use times (weekends, bank holidays and school holiday periods). They must cover a minimum of 20 days, including 10 weekend or bank holiday days and half of all survey days must be during school holiday periods.

There is no set limit for how many bathers are needed for a site to be identified as a bathing water.

Extensive monitoring was undertaken at Canvey seafront this year throughout the bathing season (15th May to 30th September) at peak times including weekends, school holidays and bank holiday periods.

The monitoring confirmed that the three main beach areas i.e. Concord Beach, Labworth and Thorney Bay beach attract many beach users during times of favourable weather/tides. Users include beach users, bathers and paddle boarders. More detailed information on the monitoring results is provided in the appendix to this report.

If the Council wishes to apply for designated bathing water status it will need to provide evidence of consultation during the bathing season with local groups that may be affected by designation, for example:

- Bathers and other water users
- Owners of beach or waterside facilities
- Owners and operators of beach or waterside businesses
- Local residents
- Canvey Island Town Council

After collating information from the consultations and user surveys the Council would be able to apply to DEFRA for bathing water designation. On receipt of an application DEFRA would consult with several organisations including Anglian Water (the local water company) and the Environment Agency.

If DEFRA approves the application the Environment Agency would be required to develop a bathing water profile and put plans in place to monitor and protect the bathing water.

By law the Council would be required to inform users about water quality and pollution sources at the designated bathing water during the season.

5. Corporate Implications

(a) Financial Implications

None associated with this report.

(b) Legal Implications

Should the Council be successful in its application it will be legally obliged to display clear signage on site of the water quality test results. The Environment Agency will provide the text for the public information sign.

(c) Human Resources and Equality Implications

None associated with this report, the consultations and user surveys will be undertaken using the existing staff resource.

(d) IT and Asset Management Implications

None

7. Timescale for implementation and Risk Factors

Consultation and surveys would be carried out between 15th May to 30th September 2023 with the results being included in the application which would be submitted by 31st December 2023.

Whilst good quality bathing water results would be beneficial in helping to attract more visitors to the seafront, poor bathing water quality sampling results would possibly have the opposite effect and adversely impact on local businesses.

Background Papers

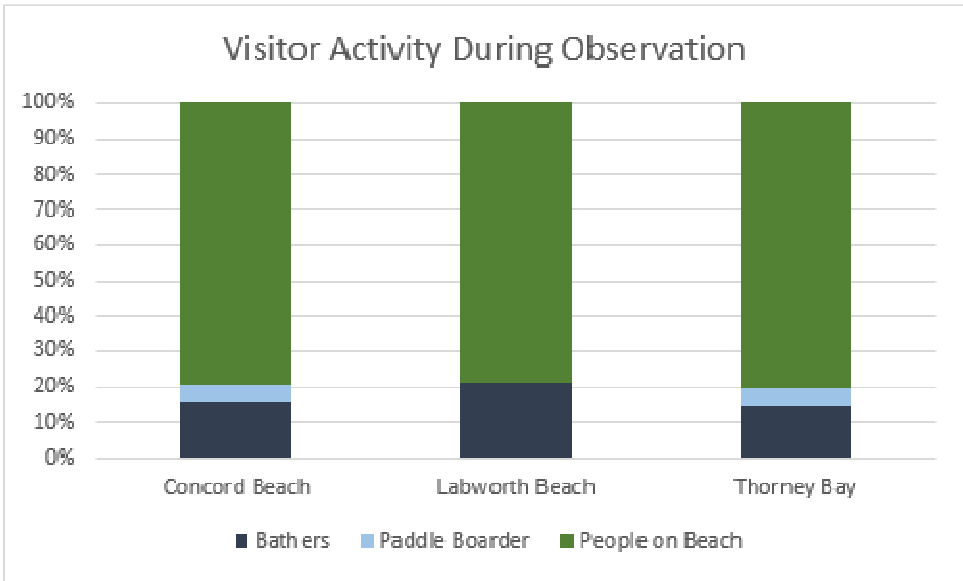
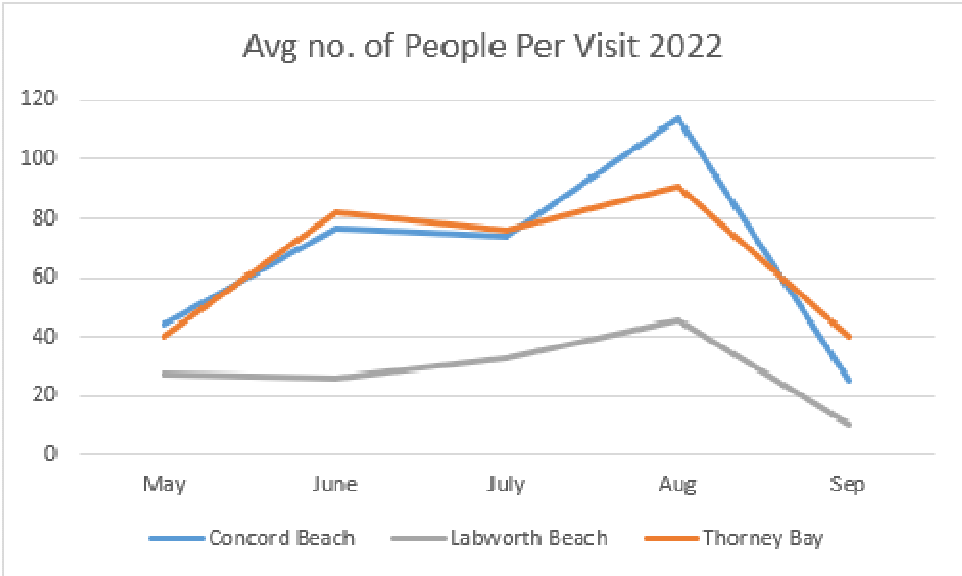
None

Report Author:

Ryan Lynch, Operational Services Manager

Beach Monitoring Results

The tables below show the average number of visitors at each beach area during the months of the surveys and also the percentage of people involved in the main activities (bathers include children/adults paddling)



CABINET

19th OCTOBER 2022

Subject: Food & Health and Safety Service Plan 2022/23

Cabinet Member: Councillor Mountford – Waste and Environmental Health

1. Purpose of Report

This report seeks approval of the Council's Food & Health and Safety Service Plan for 2022/23.

2. Links to Council's Priorities and Objectives

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

3. Recommendations

That the Cabinet approve the Food & Health and Safety Service Plan for 2022/23.

4. Background

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

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

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

4.4 A second section of the service plan covers Health and Safety regulation. Health and Safety Executive (HSE) guidance requires every local authority to

publish and make public, a risk-based service plan covering our Health and Safety activities.

- 4.5 This report seeks approval of the 2022/23 Food & Health and Safety Service Plan.

5. Corporate Implications

(a) Financial Implications

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

(b) Legal Implications

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

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

(c) Human Resources and Equality Implications

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

6. Timescale for implementation and Risk Factors

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

Appendix 1: Food & Health and Safety Service Plan 2022/23

Report Author – Simon Llewellyn, Environmental Health Operational Manager



Environmental Health Services

Food Service Plan & Health and Safety Service Plan 2022/23

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SECTION 1 – FOOD SAFETY

1.0 Service Aims and Objectives

1.1 Aims and Objectives

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

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

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

1.2 Links to Corporate objectives and Plans

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

2. Background

2.1 Profile of the Castle Point Borough

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

The Borough has a population of approximately 90,000

2.2 Organisational Structure

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

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

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

2.3 Scope of the Food Service

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

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

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

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

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

2.4 Demands on the Food Service

- 2.4.1 As at 1st April 2022 we have identified that the service is responsible for enforcing Food Safety in **579** food premises within the Castle Point Borough. The risk assessment programme for food safety is set out in the Food Law Code of Practice (England) Inspection Rating Scheme. The criteria provides that all food premises should be subject to a degree of surveillance although the code now allows alternative enforcement methods to be used with the lowest risk premises.

The 579 food premises have been categorised as follows:

Risk Category	Number of Premises	Intervention Frequency
A	0	at least every 6 months
B	2	at least every 12 months
C	96	at least every 18 months
D	240	at least every 2 years
E	231	alternative enforcement strategy – 3 years
UNRATED	10	Inspection due within 28 days

As of 1st April 2022, approximately 98% of food premises in the borough are “broadly compliant.” This is a local indicator of the percentage of food premises in Castle Point that score 3 or above using the national Food Hygiene Rating Scheme, when compared against the total number of rated premises. The 2022/23 target is 90%

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

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

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

COVID-19 – Work backlog and forward plan

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

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

This ongoing national situation was been recognised by the Food Standards Agency, who produced a ‘COVID Recovery Plan’ across all local authorities, to cover the period from April 21 – Mar 23, which highlights their renewed expectations of the food safety work that is expected to be completed during this period of time.

For the next year, our food safety interventions will be based on the Food Standards Agency COVID Recovery Plan, as illustrated in the below chart:



As of 1st April 2022, our current priority is to prioritise interventions covering new business and of any urgent reactive / enforcement / surveillance work that is required during this period. We will also complete all programmed inspections for the risk categories highlighted in phase 2 of the above plan, which will take us to the end of the current financial year.

2.5 Enforcement Policy

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

3.0 Service Delivery

3.1 Food Premises Interventions

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

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

Intervention programme originally due 2022/23 – using FSA code of practice (for reference)

Criteria	Programmed interventions due 2022/23
A - rated premises (highest risk)	0
B – rated premises	2
C – rated premises	87
D – rated premises	185
E – rated premises (lowest risk)	138
Unrated premises	10
Total intervention programme 22/23 (non - adjusted)	422

Revised intervention programme 2022/23 – March 2023 produced in accordance with the Food Standards Agency COVID recovery plan:

Criteria	Current programmed interventions due 2022/23 – Mar 23.
A - rated premises (highest risk)	0
B – rated premises	2
C – rated premises	87
D – (non-compliant) – rated premises	6
D (complaint) – rated premises	No expectation of routine intervention prior to April 23
E – rated premises (lowest risk)	No expectation of routine intervention prior to April 23.
Unrated premises	10
Total intervention programme. 22/23 – to Mar 23 (as per FSA recovery plan)	101

As can be noted, the revised intervention programme still leaves many lower risk premises which remain 'due.' The Service will await further guidance as to how they wish us to proceed with these going forward into 23/24.

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

Non-programmed interventions

3.1.3) Revisits will be undertaken where significant breaches of hygiene regulations are identified during inspection. Based on the percentage of inspections previously generating revisits, it is estimated that at least **20** will be required in 2022/23

3.1.4) Based on previous year's figures there are estimated to be **80** new businesses (including change of ownership) that will require an intervention in 2022/23. These additional visits will be classified as non-programmed interventions. In addition, we expect **15** additional inspections to be undertaken because of the 'request for rescore' option under FHRS, where businesses that have completed works required by an inspector can request a further inspection to re-score their business.

3.1.5) It is estimated that **1** premises will require formal approval during 2022/23.

3.1.6) Est total non-programmed, revisits, rescore inspections 2022/23 (in addition to intervention programme above)	116
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3.1.7) Inspections / interventions are undertaken by Environmental Health Officers (EHO's) who also carry out other food safety functions such as investigating food complaints, complaints regarding food business operations, enquiries and requests for advice, food sampling and investigation of poor sampling results. As a generic service, EHO's also cover the full range of Environmental Health disciplines.

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

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

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

3.2 Complaints about Food and Food Businesses.

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

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

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

Based on trends over the last three years it is estimated that the following number of complaints will be received during 2022/23

Category of Service Request	19/20 actual	20/21 actual	21/22 actual	22/23 (est)
Food product complaint	6	11	9	9
Food hygiene complaint	64	63	31	53

3.3 Primary Authority

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

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

3.3.3) In respect of these premises **2** complaints and referrals are estimated during 2022/23.

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

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

3.4 Advice to business

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

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

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

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

Based on trends over the last three years it is estimated that the following number of enquiries/requests will be received during 2022/23.

Category of Service Request	19/20 actual	20/21 actual	21/22 actual	22/23 (est)
Advice requests	84	55	51	63

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

3.5 Food Sampling

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

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

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

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

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

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

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

3.5.8) **6** food samples or food hygiene samples were taken in 2022/22 and it is intended to take approximately **25** food samples for microbiological examination during 2022/23, subject to COVID resource issues.

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

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

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

The table below shows the trend over the past few years. We expect to receive in the region of 80-90 notifications during 2022/23 based on these statistics.

Previous Year	Number of formal notifications of Food related infectious disease.
2018/19	81
2019/20	107
2020/21	75
2021/22	91

3.7 Food Alerts and Food Safety Incidents.

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

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

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

3.8 Liaison with other organisations

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

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

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

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

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

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

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

Category of Service Request	19/20 actual	20/21 actual	21/22 actual	22/23 (est)
Planning/building control consultations	67	74	69	70
Licensing applications	101	7	54	54

3.9 Food Safety Promotion

3.9.1) All notified food poisoning cases are sent or given various advisory leaflets.

3.9.2) Where appropriate, we plan to send mail shots to food businesses containing food hygiene and safety information. Press releases will also be considered in appropriate circumstances.

3.9.3) Substantial information regarding food and infectious disease has been placed on the Environmental Health section of the Council's website.

3.10 Safer Food Better Business Coaching sessions

3.10.1) On request and subject to resource, the service offers one to one coaching sessions on "Safer Food Better Business" with caterers within the Borough.

3.10.2) Subject to resource it hoped to again offer this service to businesses who require assistance during the period covered by this service plan.

3.11 Food hygiene rating scheme

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

4 Resources

4.1 Financial Allocation

4.1.1) The (nominal) estimated budget allocation for the Food Safety Service for 2022/23 is £120,900. This includes departmental reallocations (i.e. cost of office space, IT equipment and Council support services) in addition to front-line staffing costs.

4.2 Staffing Allocation

4.2.1) The resources available to undertake food law enforcement during 2022/23 are 1.0 full time equivalent officers as detailed below: -

Officer	Full time equivalent (FTE)
EH Operational Manager	0.1
Environmental Health Officers	0.7
Additional contract inspections	0.3
TOTAL	1.0

4.2.2) We aim to complete the work listed in the 2022/23 service plan within the staffing resource that has been allocated to this area of the service.

4.3 Staff Development Plan

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

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

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

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

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

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

5. Quality Assessment

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

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

- Undertaking customer satisfaction surveys of local businesses receiving inspection.

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

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

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

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

SECTION 2 – HEALTH AND SAFETY

7. Introduction

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

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

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

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

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

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

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

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

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

8) H&S Service Aims and Objectives

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

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

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

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

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

9) H&S - Links to Corporate Objectives

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

10) Scope of the Health and Safety Service

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

10.1) *Pro-active*

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

10.2) Reactive

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

11) Quality Assessment

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

12) Setting priorities

12.1) The regulatory activities of the service are planned in line with the principles of the National Local Authority Enforcement Code and HSE circular LAC 67-2 (rev 11.) Interventions are focussed on outcomes and play an important role in ensuring the effective and proportionate management of risk, supporting businesses, protecting their communities, and contributing towards the wider public health agenda.

13) Targeting interventions

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

14) Primary authority inspection plans

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

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

15) Data capture and reporting performance

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

16) Qualifications and Training

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

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

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

17) Procedural Documents and Statutory Codes.

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

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

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

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

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

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

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

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

18) Resource allocation

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

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

18.3) Estimated allocation of officer resource required for the 2022/23 financial year is as follows:

Officer type	FTE equivalent
EH Operational Manager	0.05
Environmental Health Officers	0.25
TOTAL	0.3

18.4) The service is currently undertaking additional H&S duties due to the global COVID-19 pandemic. Environmental Health Officers are ensuring businesses that must close, remain closed and that social / safe distancing is maintained by businesses operating in the Borough.

19) Service Delivery

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

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

20) Legal requirements upon the Service

20.1) Section 18 of the Health and Safety at Work Act 1974 requires a Local Authority to 'make adequate arrangements for enforcement' of the Act. Guidance

relevant to S18 is now incorporated into the National Local Authority Enforcement Code.

21) Better Regulation / Regulatory Delivery

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

22) H&S Interventions

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

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

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

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

23) Presumptive work programme 2022/23

The following highlights the Health and Safety Activities planned for the 2022/23 financial year.

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

2022/23 work estimate	20 reported accidents / incidents processed.
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- Provision of information or mail-shots specific to risks associated with the main work activity

2022/23 work estimate	Specific information provision to 50 higher risk businesses.
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- Investigations of complaints made to the service regarding the Health and Safety Standards of workplaces in the Borough

2022/23 work estimate	25 H&S service requests processed
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- Environmental Health Officers to undertake H&S hazard spotting as a routine part of Food Safety Interventions.

2022/23 work estimate	25 premises checked as part of food premises interventions.
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- Proactive full inspections of H&S premises

2022/23 Work estimate	In accordance with HSE requirements, the service will not routinely undertake any proactive full H&S premises inspections of businesses in the Borough, unless the risk history, local /national intelligence or priorities highlight that an inspection would be the most suitable form of intervention.
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- Cooperation with partners, such as Essex Health and Safety Liaison Group Members to undertake project-based interventions based on national, regional and/or local priorities.

2022/23 work estimate	As decided throughout the year, taking account of resource available at the time.
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CABINET

19th OCTOBER 2022

**Subject: Contract Matters – Award of Grounds Maintenance,
Street Cleansing & Building Cleansing Contract**
Cabinet Member: Councillor Gibson – Place – Strategic Planning

1. Purpose of Report

To provide Cabinet with detailed information about the procurement and tender evaluation process which has been undertaken for the new Grounds Maintenance, Street Cleansing & Building Cleansing Contract

2. Links to Council's priorities and objectives

The provision of high quality and efficient grounds maintenance, street cleansing & building cleansing services which ensure a clean and attractive local environment and facilities links with the Council's Environment priority.

3. Recommendations

That Cabinet notes the information provided in this report and approves the award of the contract for Grounds Maintenance, Street Cleansing and Building Cleansing Services to the successful tenderer.

4. Background

This report should be read in conjunction with agenda item 12(a) which provides commercially sensitive information about the tenders received.

The Council currently has a contract with Pinnacle PSG for the provision of grounds maintenance and street cleansing services. This contract expires on the 28th February 2023 and a procurement exercise has been undertaken to ensure the provision of grounds maintenance, and street cleansing services from 1st March 2023. To improve the quality and resilience of building cleansing services there is also the option to include building cleansing in the contract.

The following points provide further information about the procurement process:

- Following the tender and award of the current contract with Pinnacle PSG an analysis was undertaken to identify the strengths, weaknesses, opportunities and threats that would need to be considered for the next tender process.
- Out of this analysis a draft Project Initiation Document (PID) in line with the Council's Procurement procedure was produced.

- Work on producing the relevant specifications and associated schedules started in early 2020
- A meeting was held with the incumbent Contractor, Pinnacle PSG, to review the current contract and discuss lessons learnt; this was undertaken at the same time as a Soft Market Testing exercise in which eight potential service providers were approached.
- As a result of the meeting with the incumbent Contractor and the Soft Market Testing a further review of the specification and schedules was undertaken to ensure the information coming out of these was included.
- Following discussions with the relevant departments and the Executive Management Team it was decided to include the Council's Building Cleaning provision in the contract, and as such those departments drew up their relevant specifications and schedules to be included alongside the Grounds Maintenance and Street Cleansing specification and schedules.
- The contracting out of the Council's Building Cleansing provision would require the transfer of the relevant Building Cleansing staff to the winning contractor, and as such appropriate consultation was held with those staff and the relevant trade unions.
- Engagement with the Essex Procurement Hub who would advertise the tender started in early 2021 and a number of meetings were held to ensure that all the tender documents were correct including how the tenders would be evaluated and scored. A tender timeline was also produced in line with the draft PID.
- The splitting of the tender into lots was investigated, but following discussions within the Council's Executive Management Team the decision was made not to pursue this due to contract management, operational, resilience and site capacity / availability issues
- The PID was presented to the Executive Management Team on the 12th July 2021 and agreed.
- The Contract will be for an initial five years starting 1st March 2023 with the possibility of extending up to a further five years.
- On the 11th May 2022 the tender was advertised as an Open Tender on the Delta procurement system. All those companies contacted via the Soft Market Testing were sent the opportunity directly and the tender was also advertised via Contracts Finder.
- The tender submission deadline was initially set for the 5th July 2022, however following a number of clarification requests this deadline was extended to the 13th July 2022.
- Whilst several suppliers accessed the tender opportunity only a small number remained actively engaged with the clarification process.

Tender Evaluation

The Evaluation Team consisted of Trudie Bragg, Head of Environment (and project sponsor), Diane Logue, Head of Housing, Claire Dowdall, Senior Resilience and Procurement Specialist, Ryan Lynch, Operational Services Manager and Stuart Jarvis, Street Scene and Contracts Manager. Evaluations took place between the 18th and 29th July 2022 with the Essex Procurement Hub overseeing the process.

- Submitted tender documentation was checked to ensure it had passed the Standard Selection Questionnaire and met the minimum levels of suitability. Those tenders that met the minimum levels of suitability were then checked to ensure that all questions had been answered and all documents had been uploaded.
- Tenders were then evaluated and assessed using defined evaluation criteria. The Council reserved the right to seek confirmation or clarification of the tenderers proposals, including those relating to price
- The evaluation scores took into account price and quality with 60% of the scores potentially being awarded for price and 40% for quality.
- The results of the evaluation process were presented to the Leadership Team (formerly EMT) who agreed that it would be beneficial to include building cleansing services in the contract.

Conclusion

A robust procurement exercise has been undertaken to ensure that the most economically advantageous tender for the Council is awarded the contract.

5. Corporate Implications

a. Legal implications

The Council has a duty under section 89 of the Environmental Protection Act 1990 to ensure so far as is practicable, land that it is responsible for, and public highways are kept clean and free from litter and refuse. The Code of Practice on Litter and Refuse sets out the service standards and response times for different land types and uses. The Council will be seeking to discharge its responsibility through the letting of the new street cleansing contract.

The procurement procedure must be undertaken in a fair and transparent manner in order to avoid the possibility of a legal challenge.

b. Financial Implications

There will be no annual uplift for the first two years of the contract and thereafter the contract will be subject to an annual review process. This review process will look to implement identified savings and also any increase in contract costs. Any such increase will be required to be justified by the contractor, will be subject to

approval by both parties and will be capped at the percentage of Consumer Price Inflation (CPI) set in January of the year of the Annual Review meeting and will be effective from the 1st April in each calendar year after the first two (2) years of the Contract.

Tenderers were required to set out in a method statement how they intend to implement improvements in service provision including the provision of Social Value and achieve on-going efficiency savings over the lifetime of the contract. It is expected that the successful tenderer and the Council will work together in a mature and flexible manner in order to overcome the challenges that will inevitably present themselves during the life of the contract. Any savings will be required to be shared 50/50 between the contractor and the Council.

There is a Default mechanism in the contract which has financial penalties for unsatisfactory performance.

The Farmhouse depot and yard will be used by the contractor under the terms of a lease which will require payment of an annual rent as well as contributions towards the cost associated with the use of the building, such as business rates and utilities. The lease will expire at the end of the initial five year period of the contract but will be able to be extended for up to a further five years if the Council decides to extend the contract.

Essex County Council make an annual contribution of £28,000 towards the cost of verge cutting; this contribution has not increased since 2005. This equates to the equivalent of just over half of the adopted highways for which Essex County Council is responsible for receiving 1 cut per year. This Council subsidises the cost of verge cutting in order to maintain the height of grass to less than 100mm which it believes is more appropriate for the nature of the borough and more acceptable to local residents.

There are further financial implications set out within agenda item 12(a) Part 2.

c. Human resources and equality

The transfer of the Council's Building Cleansing staff to the new contractor will be undertaken in line with TUPE regulations. If, and when, a decision is made to outsource the service both the Council and the new employer will by law be required to have genuine and meaningful consultations with affected staff, their recognised trade union or employee representatives.

Any transfer of Pension rights will be undertaken in conjunction with Essex Pension Fund.

d. Timescale for implementation and risk factors

After the decision to award the contract there will need to be further consultation with housing leaseholders advising them of the outcome of the procurement process and the Council's intentions. The new contract will take effect from 1st March 2023.

As with any procurement exercise there is potential for a legal challenge from an unsuccessful tenderer but the Council has done all that it reasonably could of to mitigate against such an eventuality.

Report Authors: Trudie Bragg, Head of Environment / Stuart Jarvis, Street Scene & Contracts Manager

CABINET

19th October 2022

**Subject: Report Back Environment PSC Motion Article 4
Surface Water Flooding**

Cabinet Member: Councillor Blackwell - Leader of the Council

1. Purpose of Report

To receive a report from the Environment Policy & Scrutiny Committee which had been asked to examine the Notice of Motion approved by Council on 24 .11 2021 to explore the use of an Article 4 Direction in relation to relevant permitted development rights to ban the installation of non-porous driveways and hard standing without planning permission to help reduce surface water runoff into local roads in times of heavy rain.

To note progress on the action identified to develop advice to householders and businesses on the drainage requirements of hard surfaced areas within residential properties in Castle Point.

2. Links to Council's priorities and objectives

Priorities
Environment
People

Enablers
Resources

3. Recommendations

- 1. To continue with actions to work with the Lead Local Flood Authority Essex county Council provide advice to householders holders and businesses to educate and inform householders and businesses to manage surface water run off to mitigate the risk of flooding.**
 - 2. To extend the terms of reference of the Castle Point Flood Resilience Forum to encourage and promote to inform and educate householders and businesses to manage surface water run off to mitigate the risk of flooding.**
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4. Background

On 24 November 2021 Ordinary Council approved a Motion to explore the use of an "Article 4 Direction" to ban the installation of non-porous driveways and hard standing without planning permission to help reduce surface water runoff into local roads in times of heavy rain.

Environment Policy & Scrutiny Committee was commissioned to undertake the examination of the proposition. A meeting took place on 13 July 2022.

The Committee considered a comprehensive report providing advice on the options available to the Council in respect of managing surface water in new developments or in the creation or replacement of new driveways in existing properties. See appendix attached.

The Committee was asked to review the contents of this report, and following discussion and debate make recommendations to the Cabinet as to:

- a. Whether, as sought by the motion, an Article 4 Direction in relation to Class F of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order should be pursued; and/or
- b. Whether any other measures as detailed in the report should be pursued in respect of the management of surface water runoff and flood risk arising.

Consideration of this Motion had been triggered by a number of heavy rainfall events which had triggered flooding of homes across the Borough. (The events referred to were August 2013, July 2014 and more recently September and October 2021.

Causes of surface water flooding were addressed in the report. These were a combination of an interplay between weather, climate change; geology; topography; hydrology and drainage capacity.

The Committee considered the options available to assist with the management of surface water run-off.

5. Proposals

The options considered in detail included:

- Improved advice to householders
- Increased regulation
 - Remove Permitted Development Rights through condition
 - Enforcement of Conditions
 - Increase enforcement of permitted Development Rights
 - Impose an Article 4 Direction

Improved Advice to Householders

The Committee felt that this option was the best option to pursue. This would be voluntary, engaging with the community and encouraging people to take proportionate steps to manage their own risks wherever possible. The provision

of advice could encourage and promote householders to undertake retrospective improvements which would not be possible with imposing regulation. The solution is low cost and could be delivered using existing resources. It was felt that advice can encourage best practice. The Committee asked officers to explore this with Essex County Council which is the lead local flood authority.

Increased Regulation

The Committee's view was that because regulation is obligatory, it would require enforcement which could be antagonistic and cause ill-will within the community, neighbourhoods and the Council.

Imposing Conditions and Article 4 Direction would only apply to future developments and can only require compliance with Permitted Development Rights i.e. permeable surface or water storage area. Increased enforcement could only require retrospective improvements going back four years. All regulations would require additional enforcement with increased enforcement costs.

The procedure for making an Article 4 Direction is time consuming and potentially very expensive, not only in terms of the need to secure the robust evidence required to justify the making of the Direction, but also in terms of the consultation process and compensation provisions.

Actions since the meeting of the Environment and Policy & Scrutiny committee.

The Planning Policy team has engaged with representatives from Essex County Council, the lead local flood authority. Essex County Council has funding set aside to provide leaflets giving advice and guidance. Work is being undertaken to development information relevant to Castle Point in order to share best practice for householders and businesses to manage surface water run off which in turn will go some way to mitigate the risk of flooding.

Flood Resilience Multi Agency Group

At the last meeting of the Cabinet, the Leader proposed, and it was agreed to establish a cross party multi agency group specifically to look at flood resilience in the Borough and to ensure that Essex County Council is brought into ongoing discussions about flood risk mitigation across the whole of Castle Point on a proactive basis. This Flood Resilience Multi Agency Group for Castle Point would ensure all relevant agencies were proactively engaged, held to account and able to ensure effective representation to address flooding issues in the Borough. It is proposed that the Group could be used to monitor action being taken to educate and inform householders and businesses to manage surface water run off to mitigate the risk of flooding.

6. Corporate Implications

a. Financial implications

The advice to householders is being prepared in conjunction with Essex County Council as the Lead Local Flood Authority. They have a small budget set aside for this type of work, so there will be limited cost to the Council in developing the advice. There may however be a cost to the Council in distributing the advice to

households once it has been developed. It is intended that this cost will be managed within existing budgets.

b. Legal implications

c. Human resources and equality implications

The development of advice to householders is being undertaken within existing resources.

d. Timescale for implementation and risk factors

The Policy and Scrutiny meeting asked that a report on progress with delivering the education piece was made after one year.

7. Background Papers:

Report options to manage surface water run off Environment Policy & Scrutiny Committee.

**Policy Scrutiny
Committee Meeting:** **ENVIRONMENT**

Date: **13th July 2022**

Subject: **Options to Manage Surface Water Runoff**

1. Purpose of Report

The purpose of this report is to provide the Committee with advice on the options available to the Council in respect of managing surface water in new development or the creation or replacement of new driveways in existing properties.

This report has been prepared following the agreement of a motion at the Council meeting of the 24th of November 2021 which sought for *Castle Point Borough Council to explore the use of an Article 4 direction in relation to relevant permitted development rights to ban the installation of non-porous driveways and hard standing without planning permission to help reduce surface water runoff into local roads in times of heavy rain.*

2. Links to Council Priorities and Objectives

Priorities
Environment
People

Enablers
Resources

3. Recommendation

The Policy and Scrutiny Committee review the contents of this report, and following discussion and debate make recommendations to the Cabinet as to:

- a) Whether, as sought by the motion, an Article 4 direction in relation to Class F of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order should be pursued; and/or
- b) Whether any other measures as detailed in the report should be pursued in respect of the management of surface water runoff and flood risk arising.

4. Background

Storm events that occurred in September and October 2021 have resulted in a number of residents and businesses experiencing flood waters within their

premises, gardens and homes. This is highly upsetting for the victims as well as being potentially costly to remediate.

The cause of the flooding are complex, but there is growing concern that the gradual replacement of front garden areas with hardstanding for the parking of private vehicles and in some instances the use of impermeable mortar jointed or tarmac material or the non-installation of adequate drainage, is a factor in the increased risk of property.

5 Report

5.1 What is Surface Water Flooding?

5.1.1 Surface Water, or pluvial flooding, occurs when rainwater does not drain away through the normal drainage systems or soak into the ground, but lies on, collects or flows over the ground surface creating hazards or causing damage to structures and features.

5.2 What are the causes?

5.2.1 Surface water flooding arises as a consequence of a complex interplay of factors including:

- climate change;
- geology;
- topography;
- hydrology and the capacity and management of the surface water drainage system.

Each of these factors is considered in turn.

5.3 Climate Change

5.3.1 Monitoring undertaken by the Meteorological Office and the BBC (the United Kingdom Climate Projections – 2018) has identified that within south east Essex temperatures have risen over the last thirty years and that we now experience hotter, drier summers and warmer winters.

5.3.2 A warmer climate means the atmosphere can hold more water, so we may have fewer wet days, but those wet days have the potential to be more extreme in terms of the quantity of water deposited.

5.3.3 Castle Point has already seen examples of such extreme rainfall – such as in 2014 when during a five-hour period over 1 million cubic metres of water fell on Canvey Island, which overwhelmed large parts of the drainage system and causing widespread flooding, including the inundation of 330 homes.

5.3.4 More recently in September and October 2021 heavy rain caused significant flooding and damage throughout the Borough. In the weeks 29th September to

5th October and 20th to 26th October, more than 40mm of rain fell on the Borough (Source: Met Office © Crown Copyright, 2021) causing widespread flooding.

- 5.3.5 The Chelmsford Weather Station records annual rainfall trends. This identifies that in the last 12 months rainfall in Essex was 758.6mm, compared to the average rainfall since 2013 which is 632.7mm for a 12-month period. The last year has therefore been, on average, almost 20% wetter.
- 5.3.6 Nationally, Summer 2021 was the wettest in a decade.
- 5.3.7 The Royal Meteorological Society suggests that wetter winters are likely to become the norm.

5.4 Geology

- 5.4.1 Much of the Borough presents a heavy clay soil. Clay is characterised by a small particle size and very small pore space. As a consequence, whilst clay is good at holding water, it has a slow absorption rate. Therefore, during extreme downfalls it is not as effective in soaking up water as other soil types.
- 5.4.2 Once clay soil is saturated it is no longer able to absorb water and can take several days to dry out. For this reason, prolonged periods of rain, or intermittent heavy rain over several days can be problematic.
- 5.4.3 Furthermore, due to its slow absorption rate, when clay soil becomes dry, it does not rapidly absorb water when it rains. Initially water will run off dried clay soils increasing surface water runoff during drier months.
- 5.4.4 The absorption capacity of clay is also adversely affected by compaction, so runoff will be greater from heavily worked fields than from more natural areas.

5.5 Topography

- 5.5.1 The Strategic Flood Risk Assessment (2018) identified that within Castle Point surface water flooding is particularly driven by local topography which predominantly slopes down towards water course channels and their tributaries including Benfleet Creek and Prittle Brook. Localised flooding can be attributed to topographic depressions, insufficient capacity in ordinary water courses and culverts and obstructions to surface water flow paths.
- 5.5.2 The SFRA also considers that surface water flooding may be associated with failures in the management of drainage network during high rain fall events.
- 5.5.3 The SFRA concludes that there is a high probability of surface water flooding on Canvey and several high-risk fluvial flow paths in Benfleet and Thundersley. Most of the risk extends along the courses of Hadleigh Ray and ordinary watercourses in the Borough.

5.6 Hydrology

- 5.6.1 The absorption capacity of soil is significantly influenced by the level of the water table. The higher the water table, the less capacity there is within the soil to absorb further water.
- 5.6.2 Rising sea levels is a consequence of global warming and can result in raised water table levels. Canvey Island is below sea level and has a naturally high water table. This is similarly the case in lower lying parts of South Benfleet. Elsewhere the retention of water in clay and the increase in rainfall increases the risk of surface water flooding.
- 5.6.3 Given the high-water table, permeable surfacing is not necessarily the most appropriate approach to managing surface water in all parts of Castle Point as quite simply excess water cannot be sufficiently absorbed. The provision of areas to which surface water can drain i.e. grassed areas, flower beds, rainwater gardens etc, and technologies such as eco-drains allow for excess water to be stored and enter the drainage system more slowly, preventing a deluge and overflow.

5.7 Drainage system capacity

- 5.7.1 The South Essex Surface Water Management Plan identifies the following ordinary watercourses and unnamed drainage ditches in Castle Point:
- Prittle Brook (upper reaches);
 - Tributary of Benfleet Brook;
 - Tributary of Rawreth Brook;
 - Janette Avenue; and
 - East of Haven Road.
- 5.7.2 In addition to these, there are more than 16 watercourses and dykes that form the drainage system for Canvey Island, which is partly pumped and with different sections operated and maintained by Castle Point Borough Council, Anglian Water and the Environment Agency. Flooding from this system is possible due to the flat and low-lying topography of the Island and the restrictions on flow caused by sea defences and pump drains at the downstream end of these watercourses. If water were to overtop these dykes, the flat topography of the Borough could cause it to disperse over large areas. The maintenance of ordinary watercourses that are not owned by Essex County Council (as the LLFA) or Castle Point Borough Council is the responsibility of the riparian owner.
- 5.7.3 Anglian Water is responsible for the cleaning and maintenance of nearly all private sewers and most drains outside property boundaries that connect to the public sewer network. This is the case for both residential and commercial properties and foul and surface water systems.
- 5.7.4 As with most places across the UK, much of the surface water drainage system dates to the original development of the area, most of which occurred in Castle Point during the period from the 1940's to the 1980's. The manmade elements of

the drainage system were not consequently designed to accommodate increased flows arising from the level of climate change we are experiencing.

- 5.7.5 During periods of heavy or prolonged rainfall the capacity of water channels, culverts and surface water pipes may be exceeded causing water to pool or flow in other directions, on the path of least resistance.
- 5.7.6 Capacity may also be exceeded because of blockages within the network caused by siltation in low-lying areas and also because of improper use.

5.8 Development

- 5.8.1 The construction of buildings will usually result in some land being covered by an impermeable surface.
- 5.8.2 Intuitively one might expect such development to adversely impact on the capacity of sites to absorb rainwater and thus contribute to surface water flooding. This however is not necessarily the case.
- 5.8.3 Paragraph 159 of the NPPF requires that development does not increase flood risk elsewhere. Consequently, all proposals considered by the planning authority must demonstrate that they can accommodate surface water runoff generated by the proposed development within the site. This will preferably be in the form of a sustainable drainage system (SuDS) incorporating natural features or, where this is not possible due to constraints on plot size, topography or geology, in the form of water retention and attenuation systems which allow for the storage of water on site, usually in underground cisterns, before allowing it to flow into the surface water drainage system at a controlled rate, when capacity within the wider system is available.
- 5.8.4 The corollary of such systems is that they can result in a reduction in previous levels of runoff onto neighbouring land (particularly run off from fields) as a consequence of managing and controlling the flow of water and thus can contribute towards a reduction in surface water flood risk.
- 5.8.5 A further advantage of proposals considered by the Planning Authority is that even in smaller proposals, such as extensions, the Planning Authority can seek to secure the provision of further surface water control mechanisms such as the provision of rainwater butts and rainwater harvesting schemes. Whilst individually the quantities collected may be relatively limited, collectively the impact can be significant.
- 5.8.6 However, a significant amount of development can occur under permitted development rights where planning permission is not required and therefore, the Council cannot seek the provision of measures to reduce flood risk through a planning application. However, in some cases such works do nonetheless require approval under the Building Regulations, where provisions with regard to the control of surface water runoff are separately imposed.

5.8.7 However, some development can be undertaken in the absence of planning permission and Building Regulations approval. Significant amongst which in terms of surface water runoff is the provision of hard surfaces and private drives.

5.8.8 Class F of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order states that planning permission is not required for:

'Development consisting of—

- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse as such; or*
- (b) the replacement in whole or in part of such a surface.'*

'Development is permitted by Class F subject to the condition that where –

- (a) the hard surface would be situated on land between a wall forming the principal elevation of the dwelling house and a highway, and*
- (b) the area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,*

either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.'

5.8.9 To summarise, hard surfaces are permitted to the side and rear of most residential properties without restriction. However, hard surfaces typically to the front of properties where driveways are normally located can be provided if they are made of porous materials or drain to a porous area where that driveway is more than 5 square metres. Most single drives are at least 3m wide and 6m deep in order to accommodate the dimensions of a car. This equates to 18m². Therefore, all non-porous or impermeable drives which do not direct water towards a permeable or porous area or surface within the curtilage therefore require planning permission.

5.8.10 In theory the provision of a permeable or porous driveway or a driveway which directs water towards a permeable or porous area or surface within the curtilage, should not have significant adverse implications for surface water runoff.

5.8.11 However, there are a number of factors which can combine to result in surface water runoff arising from driveways provided under part F:

- (i) Because of the general perception that hard surfaces do not require planning permission people assume that all hard surfacing is permitted development and that consent is not required. Residents are unaware of the restrictions imposed by the conditions within the legislation. Permeable and porous surfaces are not therefore always provided when they should be.
- (ii) Where a permeable or porous surface is provided, the substrate may be formed of materials that are not sufficiently porous or permeable and do not therefore allow the percolation of water.

- (iii) The provision of permeable surfacing may not be appropriate to the location due to hydrological factors, affecting its effectiveness at preventing surface water run-off.
- (iv) Poor maintenance of the surface can result in dirt build up and the growth of weeds which can clog the available channels within the surface resulting in run off.
- (v) Where water is directed from impermeable and non-porous surfaces to other areas within the curtilage, these are of insufficient capacity to accommodate run off flows.

5.8.12 The result can be significant run off contributing to surface water flooding.

5.8.13 Further it should be noted that there is no conditional restrictions on the provision of hard surfaces within rear gardens or any other area of a site which is not located between the principal elevation of the dwelling and the highway. These can go ahead without the provision of permeable surfacing or drainage areas and can add significantly to run-off.

5.8.14 It should be noted that artificial grass is not a particularly efficient or effective permeable surface and even wooden decking can restrict absorption.

5.8.15 The provision of hard surfaces within curtilages has other implications for the environment, other than just contributing to increased run off.

5.8.16 Non permeable surfaces are not effective at absorbing pollutants and any deposits on the surface such as spilt fuel or other contaminants are likely to be washed off during rainfall, potentially resulting in pollutants entering the drains and potentially watercourses to the detriment of wildlife.

5.8.17 The paving of gardens has another adverse impact on wildlife and biodiversity as it can remove habitat and food sources for birds, insects and other small organisms.

5.8.19 Furthermore, in an almost self-fulfilling prophecy, hard surfaces soak up heat during the day and then release it at night. This contributes to the overall warming of the environment, which is thought to be at least partly responsible for the increase in cloud cover in the UK and the recent heavy storms.

5.9 What can we do about surface water flooding?

5.9.1 The fundamental conditions underlying the cause of local surface water flooding, namely climate change, geology, topography and the water table are matters over which the local authority and Lead Local Flood Authority can have little influence or control, albeit the Council is seeking to do its part to help manage and reduce climate change through its Climate Change Action Plan.

5.9.2 The Council has a limited role regarding surface water flooding. Essex County Council is the designated Lead Local Flood Authority for Essex with a duty to investigate, reduce and mitigate surface water flooding.

- 5.9.3 However, through joint working the Council is participating in schemes which seek to identify issues within, and improve the capacity of, the public surface water drainage system.
- 5.9.4 Following the storm of July 2014, which overwhelmed the drainage capacity of Canvey Island, this Authority, together with Essex County Council, Anglian Water and the Environment Agency engaged in a major study of the drainage system of the Island to identify capacity and areas most at risk of surface water flooding. Following this £1.7m was spent on infrastructure maintenance and a bid for £24.5m of Government funding for improvements was made. This was to secure:
- Property level protection from surface water flooding.
 - Improvements to drainage infrastructure at recognised pinch points to take excess rainwater from the centre of the island to the pumps located around the island.
 - Increased storm water storage area on the island providing areas where excess rainwater can be stored.
 - Increased storage capacity in Canvey Lake and re-profiling the surrounding area to provide additional storm water storage capacity.
 - Utilisation of new technology to enable a more reactive approach to deal with heavy rainfall, and
 - Enhanced education, awareness and local volunteer programmes to increase community resilience.
- 5.9.5 The full funding requirements have not yet been secured. However, elements of the improvements have begun to be delivered. A scheme is in place for property level protection from surface water with over 200 properties having already received funding towards measures which prevent inundation. Separately, a scheme called Thames21 has also commenced to develop community resilience.
- 5.9.6 Work has also commenced in terms of infrastructure improvements with a retrofit SUDS scheme on Park Avenue having been delivered to help manage surface water in that location through the creation of a rainwater garden. This was delivered by ECC in conjunction with Anglian Water and was a test case for further investment. Efforts to secure funding for the remaining elements will continue, and it may be the case that where a scheme is in an area where development is also occurring the Council could in the future use CIL to fund or part fund schemes.
- 5.9.7 Further as a Planning Authority the Council can influence development either through advice or regulation.
- 5.9.8 In the context of proposals which require planning permission, the ability to influence design and layout to secure no off-site flooding is relatively easy and can be administered through the Development Management process.
- 5.9.9 For proposals which do not require the formal consent of the Planning Authority potentially two avenues are available: advice and regulation.

5.10 Advice

- 5.10.1 The Planning Authority is not the Flood Authority and it is not therefore within the Council's remit to provide detailed advice and guidance on the mitigation of surface water flood risk.
- 5.10.2 It can however signpost and make accessible the guidance that does exist and there is a wealth of information available in respect of the provision of permeable surfaces.
- 5.10.3 The document '*Guidance on the permeable surfacing of front gardens*' published by the Government in 2009, is an excellent source of information however it only deals with hard surfacing within front gardens, is limited in terms of practical advice in clay areas or on detailed matters such as the use of appropriate materials within substrates, the relationship between impermeable and permeable surfaces and alternative means of achieving off street parking and would not appear to be widely known.
- 5.10.4 Information is also provided by suppliers of permeable and porous surfacing, but again often lacks consideration of detailed matters such as permeable: impermeable ratios and maintenance or alternatives to hard surfacing.
- 5.10.5 Essex County Council as the Lead Local Flood Authority published in 2020 '*The Sustainable Drainage System Design Guide for Essex*,' which recognises that the different parts of Essex will require different types of sustainable drainage approaches to reflect local geology, topography and hydrology. However, the guidance is focused on the types of development which typically require planning consent and does not deal specifically with driveways or other areas of hard surfacing.
- 5.10.6 It is therefore considered that advice, which addresses the circumstances in Castle Point, covering the provision of hard surfacing both of driveways and in garden areas, including advice on construction and appropriate approaches to drainage and alternatives to hard surfacing could be locally beneficial. If appropriately distributed, such advice would help to overcome the general lack of awareness identified as a key barrier to the successful implementation of the conditional requirements of the permitted development right in relation to driveways.

5.11 Next Steps on Advice

- 5.11.1 In partnership with the Lead Local Flood Authority, the Council could prepare advice on the drainage requirements of hard surfaced areas within residential properties in Castle Point. This could be published on the Council's website and distributed through a social media campaign in the first instance. Leaflets containing the advice could be produced which could be distributed by the Council and its partners and community groups at points of contact, and then distributed more widely alongside another Council mailout e.g. alongside Council Tax notifications. This is a low-cost option that could be achieved within existing Council resources.

5.11.2 A separate mailout of leaflets on this matter would cost of the order of £20k and would require additional resources which are not currently budgeted for.

5.11.3 If Members were supportive of providing additional advice to residents in relation to hard surfacing and managing the flood risk arising, consideration should be given to the following matters:

- (i) Is the advice to be aimed solely at residents or is it also going to advise businesses?
- (ii) Will it focus just on the hard surfacing of front gardens or will it deal with all hard surfaced areas?
- (iii) How should the information be disseminated?
- (iv) How will its effectiveness of the advice be monitored?

5.12 Regulation

5.12.1 There are three potential avenues to explore under the title of regulation: the wider use of conditions, the better enforcement of current regulation or the introduction of new regulation.

5.13 The wider use of conditions

5.13.1 The Council could choose, as standard practice, to impose a condition on the grant of planning consent for relevant proposals, removing the permitted development rights under Class F of Part 1 of Schedule 2 of the Town and Country Planning General Permitted Development Order.

5.13.2 Conditions may be attached to the grant of any planning permission. However, conditions must be:

- necessary;
- relevant to planning;
- relevant to the development to be permitted;
- enforceable;
- precise; and
- reasonable in all other respects.

5.13.3 Conditions cannot be applied retrospectively, cannot be applied to development to which they have no relevance and cannot be applied to development which does not require planning permission. The capacity to secure the stated objective of limiting surface water run off therefore appears limited.

5.13.4 Even when applied, it should be noted that conditions are not registered as a land charge and will not be revealed in a standard land registry search. Purchasers may therefore be unaware of the condition and even when originally known, there is a tendency for conditions to be forgotten over time with the potential for unintentional breaches to occur.

5.13.5 It is considered likely therefore that the imposition of conditions could result in a heavy enforcement liability that cannot be met from existing resources.

5.13.6 The Planning Authority cannot refuse to determine applications for hard surfaces and any applicant receiving a refusal will have the right to appeal such a decision. This again has potentially significant resource implications for the Planning Authority. It should be noted that award of costs can be made against the Council if its action in refusing such applications is considered unreasonable. Given that there is a right to provide some hard surfaces without the need for planning permission, in the absence of very clear and robust evidence to support the decision, it is considered likely that cost awards against the Council could be made.

5.14 Better enforcement of current regulation

5.14.1 Only certain forms of development are permitted development. Any hard surfacing works that are undertaken and which do not comply with the provisions of the General Permitted Development Order constitute unauthorised development in respect of which the planning authority may take enforcement action.

5.14.2 The difficulty is however that the planning authority is not usually notified of this type of work and is currently inadequately resourced to undertake speculative reconnaissance trips around the Borough seeking it out. Therefore, it is considered likely that many private drives may, in fact, represent unauthorised development either as a consequence of being impermeable or inadequately drained.

5.14.3 As such work is not normally notified it is not currently possible to determine the scale of unauthorised activity being undertaken.

5.14.4 In order to determine the level of staff resource needed to appropriately enforce proper provision of permeable or porous hard surfaces at the front of dwellings, detailed analysis of the number installed each year is required. Once the scale of the issue is determined it will be possible to determine the resources required to police provision more effectively.

5.14.5 It must be remembered that only hard surfacing within front gardens would be considered under this provision and that action against any unauthorised development must be taken within four years. Under the Levelling Up and Regeneration Bill, this time limit may be extended to 10 years, although this is not certain at this time.

5.15 The introduction of new regulation

5.15.1 The provision of advice acknowledges that there will be circumstances where the Planning Authority's ability to control development is limited or non-existent.

5.15.2 It is however possible, under certain circumstances, to secure control where none previously existed. This is primarily through the imposition of an Article 4 Direction.

5.15.3 At this time, there are no examples of Article 4 Directions having been used in England to control this particular permitted development right for the purpose of managing local surface water flood risk. This does not mean it cannot be done, however there is no precedent to follow.

5.16 What is an Article 4 Direction?

5.16.1 An Article 4 Direction is a direction under article 4 of the General Permitted Development Order which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area. Such directions can be of temporary or permanent effect.

5.16.2 As a consequence of the imposition of an Article 4 Direction, an application for planning permission would be required for operations the subject of that Direction.

5.16.3 In determining such applications the Planning Authority will be able to influence design and construction and can actively monitor installation.

5.16.4 As an Article 4 Direction removes a right, the National Planning Policy Framework advises that they should be applied in a measured and targeted way, based on robust evidence and applied to the smallest geographical area possible.

5.16.5 In all cases, Article 4 Directions should be limited to situations where it is necessary to protect local amenity or the well-being of the area.

5.16.6 The potential harm that the Article 4 Direction is intended to address will need to be clearly identified and there will need to be a particularly strong justification for the withdrawal of permitted development rights relating to a wide area (e.g. those covering a large proportion of, or the entire area of, a local planning authority).

5.17 What is the process?

5.17.1 In procedural terms there are two main types of Article 4 Direction:

- Non-immediate Directions (permitted development rights are only withdrawn upon confirmation of the Direction by the local planning authority following local consultation); and
- Immediate Directions (where permitted development rights are withdrawn with immediate effect but must be confirmed by the local planning authority following local consultation within six months, or else the Direction will lapse).

5.17.2 Immediate Directions can only be used to withdraw a small number of permitted development rights, which relate to development within the curtilage of a dwellinghouse, minor operations, changes of use, temporary buildings and uses,

and demolition of buildings. These are permitted by Parts 1-4 and 31 of Schedule 2 to the General Permitted Development Order (GPDO).

5.17.3 The provision of a hard surface falls within Part 1 and can therefore be the subject of an Immediate Direction.

5.17.4 The immediacy of the threat and potential compensation liability are considerations in determining whether to use a non-immediate or immediate Direction.

5.17.5 Article 4 Directions cannot be used in relation to any type of development other than those explicitly granted permitted development rights through the GPDO, nor can they be applied retrospectively to development undertaken before a Direction comes into force, or to development that has been commenced at the time that a Direction comes into force.

5.17.6 Thus, any Article 4 Direction introduced now would only control future proposals and would have no impact on the current situation the remediation of which will require alternative action.

5.17.7 It should further be noted that whilst the introduction of an Article 4 Direction removing permitted development rights for hard surfaces is likely to generate a significant increase in workload with such applications only generating a modest application fee of £206 each.

5.18 Making an Article 4 Direction

5.18.1 If it was determined that an Article 4 Direction is appropriate, consideration would need to be given as to whether the Direction should come into force immediately or following consultation.

5.18.1 Given the compensatory provisions it is critical that any Article 4 Direction is carefully drafted to include all relevant information.

5.18.2 Annex A (of revised Appendix D) of Circular 9/95 provides model templates to assist in this matter. A copy is attached at Appendix 1

5.18.3 Regardless of the type of Article 4 being progressed, the procedure is that, as soon as practicable after the Direction has been made, the Local Planning Authority should give notice by,

- local advertisement (as defined in Article 1(2) of the GPDO)
- by site display at no fewer than two locations within the area to which the Direction relates for no less than 6 weeks
- by serving the notice on every owner and occupier affected by the Direction
- by notifying Essex County Council

- the notice must specify a period of at least 21 days in which any representations may be made.

5.18.4 In the case of an immediate Direction, it takes effect on publication and service of the notice.

5.18.5 Following this, the Local Planning Authority must decide whether to confirm the Direction within 6 months of its being made, having taken into account any representations received.

5.18.6 A non-immediate direction will come into force on the date specified in the notice.

5.18.7 The Secretary of State should be notified on the same day that the notice of an Article 4 Direction is first published or displayed locally, and as soon as practicable after the Direction has been confirmed.

5.18.8 Once confirmed both non-immediate and immediate directions are permanent (unless cancelled by the local planning authority or Secretary of State).

5.19 Role of the Secretary of State

5.19.1 Before April 2010 the Secretary of State confirmed certain Article 4 Directions, but it is now for local planning authorities to confirm all Article 4 Directions (except those made by the Secretary of State) in the light of local consultation.

5.19.2 The Secretary of State has the power to make a Direction modifying or cancelling most Article 4 Directions at any point. The Secretary of State cannot, however, modify Directions related to permitted development rights under Parts 1-4 and 31 of Schedule 2 to the GPDO that apply exclusively to listed buildings, and cannot cancel or modify Directions related to development specified in paragraphs 3(a) to (j) of Article 6 of GPDO which deals with changes of use from commercial, business and service uses to dwellings.

5.19.3 An Article 4 Direction controlling hard surfaces within the curtilage of a dwelling could be modified or cancelled by the Secretary of State but this power would only be exercised if there were very clear reasons why intervention at this level was considered necessary.

5.20 Compensation

5.20.1 Local planning authorities may be liable to pay compensation to those whose permitted development rights have been withdrawn if they:

- Refuse planning permission for development which would have been permitted development if it were not for an Article 4 Direction: or
- Grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an Article 4 Direction being in place.

5.20.2 Compensation may be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.

5.20.3 All claims for compensation must be made within 12 months of the date on which the planning application for development formerly permitted is rejected (or approved subject to conditions that go beyond those in the GDPO).

5.20.4 Additionally, for certain permitted development rights withdrawn by an Article 4 Direction, compensation may only be claimed if an application for planning permission is submitted within 12 months following the effective date of the Direction.

5.20.5 Compensation is not payable in the case of a non-immediate Article 4 Directions where they do not come into effect until 12 months after publication.

5.21 Next Steps on Article 4

5.21.1 As can be seen from the above, the procedure for making an Article 4 Direction is time consuming and potentially very expensive, not only in terms of the need to secure the robust evidence required to justify the making of the Direction, but also in terms of the consultation process and compensation provisions.

5.21.2 It is critical therefore that before embarking on the process the Authority is clear on the matters to be controlled, the outcomes to be achieved and the evidence to support imposition.

5.21.3 The following questions must be considered in determining next steps:

- (i) What is the robust evidence to demonstrate that hard surfacing is a significant contributory factor to surface water runoff?
- (ii) What is the scale of development occurring under this permitted development right?
- (iii) What is the robust evidence to support the contention that controlling hard surfacing within the curtilages of dwellings will have a measurable positive impact on surface water flooding? It should be borne in mind that the Article 4 Direction will not enable the planning authority to refuse planning permission for development which would have been permitted development if it were not for an Article 4 Direction. Furthermore, the Council will not be able to grant planning permission subject to more limiting conditions than the Permitted Development Order would normally allow, as a result of an Article 4 Direction being in place and will not be capable of retrospective application.
- (iv) Given that all impermeable surfacing has the capacity to contribute to increased surface water runoff and thus surface water flooding, are Members seeking to regulate just the hard surfacing of front gardens or the control of all hard surfacing within the curtilages of dwellings?
- (v) Is hard surfacing within commercial curtilages also to be considered?
- (vi) What geographical area is to be covered by the Direction?
- (vii) What is the desired outcome?
- (viii) How will this be measured and monitored?

(ix) What are the resource implications?

5.21.4 At the present time there is no known available local evidence on the extent to which hard surfacing delivered under permitted development rights contributes towards the borough's surface water flooding issues.

5.21.5 Whilst Essex County Council is responsible for the investigation of surface water flooding, it is not adequately resourced to actively investigate and extrapolate data from local flood events, relying instead on models to inform decisions on large scale development proposals. Any research on this matter would therefore need to be commissioned and considered by the Authority before a Direction could be drafted.

5.21.6 Essex County Council advises that to understand how an element affects the water environment, it would need to be studied for an extended period. In addition, the character and surface conditions for the area will need to be surveyed in a lot of detail, taking into account the extent of hard landscaping, drainage capacity, porous and non-porous surfaces, drainage within curtilages, run-off space etc. Other causes of flooding will need to be considered, so that a reasonable assessment can be made as to the risk posed by hard standing in driveways.

5.21.7 Given the variables involved in each case achieving robust evidence is considered likely to be problematic, and require the expenditure of time and costs that cannot be accommodated within existing resources and would require additional staff and budget.

6.0 Conclusion

6.1 The fundamental conditions underlying the cause of local surface water flooding, namely climate change, geology, topography and the water table are matters over which the local authority and LLFA can have little influence or control.

6.2 However, there are opportunities available to the Council to help ensure that local residents are able to manage their exposure to surface water flood risk. The principal opportunity available to the Council is around raising awareness of the risk posed to residents around the choices they make in terms of hard surfacing at their homes. The provision of advice about hard surfacing and how it can be appropriately drained will not only bring the matter to their attention but also help them to make informed decisions about how they can improve their homes in ways that will keep them safe. This is a low cost option for the Council but is also an option that best engages the community.

6.3 There are also opportunities to improve enforcement of existing controls and the introduction of new controls. However, there are challenges around the introduction of these measures related to their justification, implementation, and outcomes. Furthermore, as detailed below, the resource requirements are significant and not capable of being met from existing resources. The use of regulations can also be adversarial and may not best engage residents in managing their own risks.

7.0 Financial implications

- 7.1 A review of existing advice and the preparation of improved advice will have implications in respect of staff resources and the cost of making the public aware of the advice. A project plan would be required to determine the costs associated with this approach, although initial thoughts are that this would be an approach with the lowest costs that could most likely be met from existing resources.
- 7.2 The better enforcement of existing regulation will, depending on the scale of the issue, be likely to generate a need for additional staff resources, in terms of both inspection and enforcement. Indicatively, an additional enforcement officer would cost circa £53,000 per annum.
- 7.3 The preparation of a new Article 4 Direction will have significant costs associated with evidence gathering, notification, implementation and compensatory provisions, the extent of the costs associated with this cannot currently be determined.
- 7.4 It should be noted that to support the imposition of an Article 4 Direction there must be clear and robust evidence of a link between hard surfacing and surface water flood events. Given that the Article 4 Direction is intended to address local events, the evidence for imposition should similarly be local. Starting from the basis of no empirical evidence, the achievement of a sufficiently robust body of evidence to support the imposition of an Article 4 Direction may take many months to collect and analyse. This could have significant financial implications.
- 7.6 It is estimated that evidence gathering, and notification alone would cost around £80,000. The scale of any compensation provision would be determined through evidence base gathering work but could be minimised using a non-immediate Article 4 Direction.
- 7.5 In terms of implementation, this again depends on the evidence, the scale of the issue and the geographical area of any article 4 direction. It is likely that there would be an increase in planning applications received because of the removal of permitted development rights which is likely to generate a need for additional staff resources. However, any standalone applications for such development would generate only a modest fee of £206 each. Unless there were substantial numbers of such applications this would not be sufficient to generate enough income to fund an additional post. As an estimate around 170 applications per year would be needed to fund a junior level post.
- 7.6 An Article 4 Direction is also likely to generate additional enforcement work, as people will not necessarily be aware of the need for planning permission, whilst some others will not necessarily implement those permissions granted in accordance with the agreed plans. The indicative cost of an additional enforcement officer is set at paragraph 7.2.

8.0 Legal Implications

- 8.1 The preparation, notification and implementation of Article 4 Directions is closely constrained by legislation. Any errors in drafting, notification or implementation could have significant legal implications and cause reputational damage.
- 8.2 Unless supported by a robust body of evidence it is considered likely that the Secretary of State would cancel the Direction.

9.0 Human Resources

- 9.1 The consolidation of existing and preparation of new advice on the provision of hard surfacing will have implications for staff resources within the Planning Policy Team. At this time there are limited resources to support this project alongside work currently underway or programmed, and a project plan would be required to determine how this work could be delivered.
- 9.2 The preparation of an Article 4 Direction would also have implications for the Planning Policy Team. Again, there are insufficient resources to support the preparation of the evidence for an Article 4 Direction and a project plan would be required to determine how this work could be delivered.
- 9.3 The Council has insufficient capacity within the Planning Service regarding planning enforcement work. Any proposals for enhanced enforcement of the permitted development rights related to driveways, or the implementation of an Article 4 Direction would require an additional dedicated enforcement officer. This is in addition to any need for additional resources already existing.
- 9.3 Any increase in the number of applications arising from operation of an Article 4 Direction will be likely to require additional staff resources within the Development Management team.

10.0 Equality Implications

- 10.1 There are no equality implications arising from this report currently. However, there is the potential for the consolidation or introduction of new advice or the imposition of an Article 4 Direction affecting driveway provision to have implications for disabled parking. An Equality Impact Assessment may therefore be required at a later stage.

11.0 IT and Asset Management Implications

- 11.1 The consultation process associated with the making of an Article 4 Direction and the potential increase in applications will make use of existing IT resources.

12.0 Background Papers

- Guidance on the permeable surfacing of front gardens DCLG/EA (2008)
- South Essex Surface Water Management Plan(2011)
- General Permitted Development Order (2015) as amended

- Canvey Island Integrate Urban Drainage Study (2015)
- Strategic Flood Risk Assessment (2018)
- Royal Meteorological Society: Met Matters: Wettest day on record. 2020
- National Planning Policy Framework (2021)
- Rainfall and River flow: Weekly Reports for England GOV.UK (2021)
- Building Resilience in Flood Disadvantaged Communities (2021)

13.0 Appendix

Models for Immediate and Non-immediate Article 4 Directions

Report Authors:

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Model for a non-immediate article 4 direction

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995 AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5 APPLIES

WHEREAS (insert council name here) being the appropriate local planning authority within the meaning of article 4(4) of the GPDO, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged/coloured on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended,

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below:

SCHEDULE

1.To be completed when making the article 4 direction. Made under the Common Seal of (Insert council name here)..... thisday of.....20..... The Common Seal of the Council was affixed to this Direction in the presence of Chief Executive Officer

2.To be completed when confirming the article 4 direction. Confirmed under the Common Seal of (Insert council name here) thisday of.....20..... The Common Seal of the Council was affixed to this Direction in the presence of Chief Executive Officer

Model for an immediate article 4 direction

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995, AS AMENDED**

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 6 APPLIES

WHEREAS (insert council name here) being the appropriate local planning authority within the meaning of article 4(4) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged/coloured on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with article 6(7), shall remain in force until (insert date) (being six months from the date of this direction) and shall then expire unless it has been confirmed by the appropriate local planning authority in accordance with paragraphs (9) and (10) of article 5 before the end of the six month period.

SCHEDULE

- 1.To be completed when making the article 4 direction. Made under the Common Seal of (Insert council name here)..... thisday of.....20..... The Common Seal of the Council was affixed to this Direction in the presence of Chief Executive Officer
- 2.To be completed when confirming the article 4 direction. Confirmed under the Common Seal of (Insert council name here)..... thisday of.....20..... The Common Seal of the Council was affixed to this Direction in the presence of Chief Executive Officer