

Cabinet



The Cabinet will meet at Council Chamber , Braintree District Council, Causeway House, Bocking End, Braintree, Essex, CM7 9HB on Monday, 21st March 2016 at 7.15pm.

Membership

Portfolio	
Leader of the Council	Councillor G Butland (Chairman)
Environment and Place	Councillor Mrs W Schmitt (Deputy Leader of the Council)
	Councillor R Mitchell
Planning and Housing	Councillor Lady Newton
	Councillor Mrs L Bowers-Flint
Economic Development	Councillor T Cunningham
Health and Communities	Councillor Mrs J Beavis
	Councillor P Tattersley
Finance and Performance	Councillor D Bebb
Corporate Services and	Councillor J McKee
Asset Management	

Invitees

Other invitees:- Representatives of the Labour Group, Halstead Residents Association Group and Green Party and Chairman of the Overview and Scrutiny Committee.

For enquiries on this agenda please contact:
Governance and Members Team – 01376 552525
e.mail: demse@braintree.gov.uk
This agenda is available on
www.braintree.gov.uk/Braintree/councildemocracy

Nicola Beach
Chief Executive

PUBLIC INFORMATION

Question Time

Immediately after Declarations of Interests, there will be a period of up to 30 minutes when members of the public can speak about Council business or other matters of local concern. Whilst members of the public can remain to observe the whole of the public part of the meeting, Councillors with a Disclosable Pecuniary Interest or other Pecuniary Interest must withdraw whilst the item of business in question is being considered.

Members of the public wishing to speak should contact the Governance and Members Team on 01376 552525 or email demse@braintree.gov.uk at least 2 working days prior to the meeting.

Health and Safety

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Mobile Phones

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Webcast and Audio Recording

Please note that this meeting will be webcast and audio recorded.

INFORMATION FOR MEMBERS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest:-

- To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to paragraphs 6 to 10 [inclusive] of the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.
- Any member with a Disclosable Pecuniary Interest or other Pecuniary Interest to indicate in accordance with paragraphs 10.1(a)(i)&(ii) and 10.2(a)&(b) of the Code of Conduct. Such Member must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

AGENDA

1 Apologies for Absence

2 Declarations of Interest

To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest relating to items on the agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.

3 Minutes of the Previous Meeting

To approve as a correct record the minutes of the meeting of Cabinet held on 4th February 2016 (copy previously circulated).

4 Public Question Time

(See paragraph above)

No	Title and Purpose of Report	Pages
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5	OVERALL CORPORATE STRATEGY AND DIRECTION	
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5a	Leader's Update	
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The Leader of the Council to give a brief update on key issue and activities.

6	FINANCE AND PERFORMANCE	
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6a	Third Quarter Performance Management Report 2015-16	6 - 34
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7	ENVIRONMENT AND PLACE	
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7a	Authorisation to enforce The Redress Schemes for Lettings Agency Work and Property Management Work	35 - 38
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8	CORPORATE SERVICES AND ASSET MANAGEMENT	
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8a	Strategic Risk Management	39 - 62
8b	Proposed Grant of Access Rights to Eastlink 120 Development Land, Great Notley	63 - 70
9	PLANNING AND HOUSING	
9a	Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex. Work by Braintree, Chelmsford, Colchester and Tendring local authorities and Essex County Council.	71 - 77
10	REFERENCES FROM COUNCIL/COMMITTEES/GROUPS There are none.	
11	REPORTS/ DELEGATED DECISIONS/MINUTES TO BE NOTED	
11a	Developing Democracy Group - 13 January 2016	78 - 80
11b	Local Plan Sub-Committee - 17th February 2016	81 - 83
12	URGENT BUSINESS AUTHORISED BY THE CHAIRMAN	
13	EXCLUSION OF PUBLIC AND PRESS TO CONSIDER REPORTS IN PRIVATE SESSION for reasons set out in Paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.	

AGENDA – PRIVATE SESSION

No	Title and Purpose of Report	Pages
14	CORPORATE SERVICES AND ASSET MANAGEMENT	
14a	Proposed Grant of Access Rights to Eastlink 120 Development Land, Great Notley - PRIVATE (Pages included in Private papers only)	84 - 91

Third Quarter Performance Management Report 2015/16	Agenda No: 6a
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Portfolio	Finance and Performance
Corporate Outcome:	A high performing organisation that delivers excellent and value for money services
Report presented by:	Councillor David Bebb
Report prepared by:	Tracey Headford – Performance and Improvement Manager

Background Papers: Third Quarter Performance Management Report 2015/16	Public Report
	Key Decision: No

Executive Summary:

The purpose of the attached report is to summarise the performance of the Council at the end of the third quarter (October to December 2015).

As at the end of December, ten projects have been completed and 30 are on track to meet their target dates. One project has an amber status which is in respect of delivering 75 new business start-ups in conjunction with Ignite. This is under target for the year due to resource issues restricting the delivery and support available and increased competition from other delivery agencies in the District.

For performance indicators at the end of December, twelve have met target and four have not met target. Of the four performance indicators that have not met target, one has missed target by less than 5% and three have missed target by more than 5%.

The collection rates for Council Tax missed target in the third quarter by less than 1% and it is anticipated that the target collection rate of 98% for the year will be achieved.

The processing of planning applications achieved 57.58% against a target of 72%. The lower level of performance is a consequence of a higher than usual level of staff turnover. A successful recruitment exercise and the addition of consultancy support is improving performance but will take about 6 months to feed through effectively in terms of performance as new staff familiarise themselves with the district and deal with a back log of cases.

The number of passenger journeys on the community transport scheme has not met target in the third quarter. There has been a decrease in the number of passenger journeys relating to minibus hire and dial-a-ride for various reasons. However, there is a new demand for school bookings for swimming lessons and they are focussing promotions around new demands on the service.

As stated earlier in the report, delivering 75 new business start-ups in conjunction with Ignite has not achieved target. In the third quarter of the year, there were 14 new

business start-ups against a target of 18. This has not achieved target due to resource issues restricting the delivery and support available and increased competition from other delivery agencies in the District. For the year to date, Ignite have assisted with 52 business start-ups against a cumulative target of 56.

The Council has performed well in the third quarter of the year, improving on the performance achieved in the second quarter and needs to continue to focus resources to deliver and achieve the corporate objectives in the last quarter of the year.

Financial Performance

This part of the report provides an updated review of the financial position for the year. It includes the latest forecast spending on day-to-day service provision compared to the budget for the year. Also included is a summary of treasury management activities; projected movements on the General Fund balance; and a summary of spending to date on capital investment projects.

Summary:

- An overall positive variance is forecast for the year of £938,000 (-6%) against the budget of £15.624 million.
- Income is projected to be overachieved by £911,000, predominantly due to extra income from planning application fees of £578,000.
- The overall projected variance has improved from that reported at the second quarter (Q2) by £200,000, of which £139,000 is due to a net increase in projected income, principally from the Development Control service.
- There is a net underspend of £27,000 predicted on staffing and expenditure.

For a detailed explanation of the financial performance, please refer to page 17 onwards of the full report.

Recommended Decision:

To note and endorse the report.

Purpose of Decision:

To inform the Cabinet of the performance of the Council.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	An assessment of the Council's financial position against the agreed budget for the year is provided and is based on income and expenditure during the year.
Legal:	There are no legal issues raised by this report.
Safeguarding:	There are no safeguarding issues raised by this report.
Equalities/Diversity:	Equalities and diversity issues are considered fully in the Council's key projects, where appropriate.
Customer Impact:	Performance of front line services, including Customer Services, Housing Benefits and Planning, for the quarter is provided. A summary of complaints received in the quarter, analysed by outcome (justified, partially justified or not justified) is provided.
Environment and Climate Change:	The report provides details of progress in the delivery of the Council's key projects, including: installation of solar panels at the sports centres, anti-litter campaigns, expansion of our recycling service and campaigns encouraging recycling, .
Consultation/Community Engagement:	Consultation is considered fully in the Council's key projects, as appropriate.
Risks:	Risks regarding the assumptions used in determining the predicted financial outturn for the year are identified.
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THIRD QUARTER PERFORMANCE MANAGEMENT REPORT

**1ST OCTOBER 2015 TO
31ST DECEMBER 2015**

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Section 1: Introduction and Summary






Purpose of the Report

The purpose of the report is to demonstrate the performance of the Council at the end of the third quarter in relation to the publication of 'Our plans for the District 2015/16'. This sets out the key activities and measures used to check our performance for the year and along with the Corporate Strategy 2012-16 sets out the priorities we are working towards. Further detail is given in relation to a set of business performance indicators covering finances, customer focus, our people and health and safety.






This report does not contain details of the numerous activities ongoing in each service area that also contribute to delivering what is important and will make a difference to all in the District. Full details of all projects and local and national indicators used to measure the outcomes are available upon request.

Summary of the Corporate Projects current position for the end of the third quarter

The following table provides updates for the end of the third quarter in relation to the key activities in 'Our plans for the District 2015/16'




Corporate Priorities	Status of projects and actions				
					
Place	2	7	0	0	1
People	5	4	0	0	0
Prosperity	2	5	1	0	0
Performance	0	4	0	0	0
Partnership	1	10	0	0	0
TOTAL	10	30	1	0	1

KEY:




-  Project completed
-  Project on target
-  Project scope/target date requires attention
-  Project requires amendment
-  Project aborted/closed

Summary of the Performance Indicators position for the end of the third quarter

The following table shows the performance for the end of the third quarter in relation to the quarterly and annually reported Performance Indicators that have targets set as defined in 'Our plans for the District 2015/16'.

Corporate Priorities	Status of indicators			
				Data Only
Place	3	0	0	0
People	2	0	1	0
Prosperity	2	0	1	0
Performance	5	1	1	0
TOTAL	12	1	3	0

KEY:

-  Performance Indicator has achieved target
-  Performance Indicator is up to 5% below target
-  Performance Indicator is 5% or more off target

Summary Position

The performance of the Council in the third quarter indicates that we are continuing to maintain a good position with ten projects now complete and the majority of the remaining projects on track and progressing well.

Performance has also improved in the third quarter with the majority of performance indicators meeting or exceeding targets. Processing planning applications and business start-ups have fallen below the target due to resource issues in the beginning of the year. Although recruitment has taken place, it will be some months before performance targets are achieved.

We will continue to focus our resources to deliver and achieve our corporate objectives in the last quarter of the year.



Our Priorities

- Keep our district clean and tidy
- Protecting our environment
- Provide green space for everyone to enjoy

Project description and comments	Target Date	Status
Continue a seven day cleaning programme in the town centres, including mechanical sweeping and targeted litter picking		
Work continues in all town centres to maintain a high standard of cleanliness and reduce the levels of litter including the use of barrow beats to litter pick, street washing and mechanical sweeping.	March 2016	▶
Maintain a programme of mechanical sweeping in rural areas on a quarterly basis		
The programme of mechanical sweeping is an integral part of the day to day work of the team to maintain a high standard of cleanliness and reduce the levels of litter.	March 2016	▶
Continue to support an anti-litter campaign across Essex		
A new anti-litter campaign was launched in August with over 300 businesses involved across Essex. The campaign ran for 6 weeks and the results have shown a 40% reduction in all litter across Essex. A partnership meeting will be taking place in February to discuss commitments and proposals for 2016/17.	March 2016	▶
As part of the Essex waste partnership, participate in campaigns that aim to reduce waste and boost recycling		
A report will be presented to the Essex Waste Partnership board which sets out the key areas of work to minimise waste, increase recycling and efficiency. Each district has been asked to put forward £15,000 funding for project support and management to carry out any agreed actions.	March 2016	▶
Expand our recycling waste service in flats to an additional 50 sites		
All sites across the district have been surveyed and the roll out of the recycling bins to flats is now in progress.	March 2016	▶
Expand our trade waste recycling service to businesses in rural areas		
Trade waste income has increased by 6.9% in comparison with 2014/15 due to increasing the number of trade waste customers and the sales of sacks and trade recycling. A restructure within the service has been carried out to ensure resources are in place to continue expanding the trade waste service to businesses in rural areas in 2016/17.	March 2016	▶
Install additional solar panels in Witham Leisure Centre and new solar panels on the Discovery Centre and George Yard car park, and replace the wind turbine at the Discovery Centre to improve the energy efficiency of Council assets.		
Due to a change in Government policy, a favourable feed in tariff will not be achieved and it is therefore no longer economically viable to install additional solar panels at Witham Leisure Centre and at George Yard car park.	March 2016	■








Solar panels have now been installed and are generating electricity on the roof of the Discovery Centre and the roof of Unit 9, Lakes Road Due to changes in Government policy regarding the feed in tariff and planning laws for onshore turbines, the wind turbine at the Discovery Centre will not be replaced this year.	March 2016	✓
Working with Essex County Council Highways, install directional signage in Braintree and Witham to increase customer awareness and accessibility to car parks and leisure facilities		
The outcome from the signage audit carried out by Essex County Council was presented to the Economic Development Working Group in October. The Project has been extended to March 2017 as discussions are still taking place with Essex County Council regarding the availability of funds. Essex County Council is putting in a bid for additional funding and Braintree District Council are considering a financial contribution towards the work.	March 2017	▶
Work with Essex County Council on developing a new Adventure Sky Line visitor attraction at Great Notley Country Park that will open this summer		
The skyline visitor attraction opened to the public in July. The 9.5m high rope course and smaller junior course will give visitors the chance to get a unique bird's eye view of the park as they traverse various ropes, bridges and beams.	September 2015	✓



Our Priorities

- Support vulnerable people in our community
- Promote safe and healthy living
- Encourage flourishing communities

Project description and comments	Target Date	Status
Reduce hip fractures amongst older residents by working with Housing Improvement Agency and other agencies to introduce a 'Handyman service' to help frail residents and other partners to build resilience to the community		
The scheme has been successfully launched. Letters have been sent to residents who may benefit from the scheme which will be followed up with a visit from Aaron services to look at energy efficient measures such as draft proofing, cavity wall and loft insulation and replacement boilers as well as carrying out a trip and fall's assessment.	November 2015	✓
Reduce obesity levels across the District by working with Health and Wellbeing panel partners to deliver local activities to enable residents to eat well and increase activity levels		
A targeted takeaway healthy eating project was set up to help tackle obesity issues in the district. 50 takeaways have been visited and were invited to be part of a scheme to ensure positive action is taken to reduce excessive fat, salt and sugar consumption. Disappointingly, there has been a lack of take up by the businesses.	September 2015	✓

A '30 minutes a day' project in partnership with Active Braintree and Fusion has been set up to encourage residents to exercise for 30 minutes a day. All activities are promoted through the Livewell website.	December 2015	
An exercise referral scheme has been launched and promoted on the Livewell website in partnership with Provide, health professionals and Fusion. The scheme provides a 12 week program designed to guide and support individuals wishing to increase activity levels.	June 2015	
Refurbish three play areas at: Rosebay Close, Witham, John Ray Park, Braintree and Tabor Field, Braintree		
The preferred designs have been selected through the recent public consultation and pre-contract site meetings have been held with contractors at all three sites.	February 2016	
Work with 'Active Braintree District' partner organisations to increase access to sports and activities so that the District becomes a place where all individuals and communities have the opportunity to take part in their chosen activity		
A number of activities continue to be very successful with numbers of participants increasing. Instructor led cycling sessions and the walks programme continue to do well in the colder months and funding has been expanded for the walks programme. A number of courses have now completed their periods of funding activity and they are now looking at options to make the sessions permanent. The workplace 8 week challenge was launched in December which aims to promote sport, physical activity and health across the UK's workplaces.	March 2016	
Deliver the second stage start of the Friends Life Women's Tour and follow up Festival to encourage cycling and other physical activities		
A successful start to stage 2 of the race took place on the 18 th June. The tour started in Braintree Town Centre and passed through Halstead, Sible Hedingham, Castle Hedingham, Great Yeldham and the Belchamps before eventually finishing in Clacton. To celebrate the visit of the Aviva Women's Tour, a 'Pedal in the Park' family festival took place on the 20 th June to celebrate cycling, sport and activity.	June 2015	
Deliver an improvement programme to preserve, interpret and promote the unique Archive, Museum and District's heritage for the public benefit through a sustainable partnership with Braintree Museum Trust Ltd		
New directors have been recruited to the Museum Trust including the appointment of Councillor Jo Beavis to represent Braintree District Council. A successful exhibition on the Magna Carta has been held at the museum in the third quarter with a body science exhibition coming to the Museum in February 2016. The number of visitors to the museum is set to exceed targets at the end of the year and events at Warner Archives to be launched in January are already selling well.	March 2016	
Supporting community groups to deliver local projects through the Mi Community fund		
More than £160,000 has been awarded to twenty one local community projects in the fourth round of funding from Braintree District Council's Mi Community programme. Twenty grants have been paid in full and the council remains in contact with the remaining applicant regarding the progress of their grant which should be paid out in the fourth quarter.	March 2016	



Our Priorities

- Boost employment skills and support business
- Promote and improving our town centres
- Securing appropriate infrastructure and housing growth

Project description and comments	Target Date	Status
Complete the Springwood Drive Enterprise Centre extension, improving business start-up and growth support for new businesses in the District		
Construction of the Springwood Drive Enterprise Centre extension continues to make good progress.	February 2016	
Deliver 75 new business start-ups in conjunction with IGNITE		
Since April, IGNITE have delivered 52 new business start-ups and assisted in creating 61 jobs. This is under target for the year due to resource issues restricting the delivery and support available and increased competition from other delivery agencies in the District	March 2016	
Deliver two area business forums providing business support and helping to improve District Council services to businesses		
The first of the business forums took place in October in Braintree. Preparation is currently underway for the February Witham Forum to be held on the 5th February at the Rivenhall Hotel.	March 2016	
Promote inward investment through a dedicated website and increased marketing activities		
A dedicated webpage for businesses has been launched in June to provide more effective service delivery. A further version of the website will be launched later in the year suitable for use on a range of devices.	June 2015	
Deliver an industrial estate improvement scheme supporting business growth across the District		
170 Businesses on the Springwood Industrial Estate were consulted with in November regarding improvement works. Costings of the finalised scheme are being developed and a procurement exercise will be undertaken in January to appoint contractors. Key businesses will be invited to a meeting with Council Officers and partner agencies to discuss the proposed improvements.	March 2016	
Produce a draft District Local Plan providing sustainable housing and employment growth for the future		
The Plan continues to progress towards a preferred options consultation in June and July 2016. Evidence base work is being taken to members as completed and detailed policies are being prepared to be considered by members in January.	September 2016	
Invest £500,000 in a business loan scheme to help the District's businesses expand and grow to create new jobs and support enterprise in town and rural areas		
The Business Growth Loan fund was launched in September with £500,000 made available to businesses across the district to support economic growth across the district.	September 2015	
Work with Housing Associations to enable the delivery of 70 affordable homes as part of our four year target to build 400 affordable homes by March 2016		
The affordable housing completions are on track to meet the expected 70 completions for this financial year.	March 2016	



Our Priorities








- Provide value for money
- Deliver excellent customer service
- Improving our services through innovation

Project description and comments	Target Date	Status
Work with our public sector partners to review the use of property assets across the District to ensure they are providing the best value for money for the taxpayer		
As part of the Governments One Public Estate initiative, the council together with other public sector partners carried out a review of all public sector land and property within the Braintree district. With the assistance of the East of England Local Government Association (EELGA), 291 sites were inspected with a view to identifying underutilised assets, opportunities for sharing or disposing of assets and the potential for developing sites for additional housing. The Asset Management team are continuing to work with partners to identify delivery opportunities in relation to identified sites.	March 2016	▶
Increase income from our services by identifying commercial opportunities that will generate revenue to support us in addressing the District's priorities		
Projects to generate potential income are being developed together with a training programme to ensure staff have the range of skills required to successfully deliver the better at business programme.	March 2016	▶
Continue to use a range of new technologies to improve the way that we deliver services and ensure that they are easier to access for our customers		
Work continues on the redesign of our website due to go live in March to provide a responsive website improving access on a range of devices for our customers. The Council Tax department are continuing to explore how they can provide customers with the option of viewing their council tax bills online.	March 2016	▶
Continue to review our investments to ensure that they are generating the maximum income		
The Council has agreed to increase by £5million the limit on long-term investments, to £15million, and for the maximum amount which can be placed in a pooled fund to be increased from £4million to £5million. In December the recently constituted Investment Strategy group agreed to invest £2million in the existing pooled funds: £1m in the Threadneedle UK Equities Fund and £1m in the Local Authorities Property Fund. Dividends received and declared from the pooled funds for the year to end of December was £387,488: on target to achieve a return of 5% on these investments. Opportunities to purchase property in the District as an investment and/or for employment retention or expansion are considered as and when identified. Bids on two properties were made during the quarter but on both occasions the Council was outbid.	March 2016	▶



The majority of our services and improvements are provided in partnership with others, whether it is with community groups, voluntary organisations, public sector or private sector organisations.









Project description and comments	Target Date	Status
Work in partnership with other Essex Authorities and other public sector organisations to develop a devolution proposal for greater Essex which will enhance local government in Greater Essex with the possible transfer from central Government of powers and funds to a Combined Authority		
Following the letter to Government, work is taking place to drive forward our case for devolution. To support this, works streams have been created with leaders from across Essex working on each. The key aspects of the devolution proposals were presented to the South East Local Enterprise Partnership Board (SELEP) in December emphasising the synergy with the work of SELEP on skills, infrastructure and housing. The proposals were positively received and there will be ongoing engagement with SELEP (and local business groups) in the new year to help shape the deal. Over the coming months Council Leaders will be continuing to refine proposals, with a view to preparing a final draft document which can then be discussed with Government.	March 2016	▶
Continue to work in partnership with key partners such as local business leaders, Haven Gateway Partnership, Essex Local Authorities and Stansted Airport to continue to drive forward economic growth and infrastructure improvements in the District and surrounding area. In particular try to ensure that the South East Local Enterprise Partnership is more responsive to the priorities of the District and surrounding areas		
Essex County Council and their consultants continue to progress the programme for the A120 improvements study, in partnership with Highways England. Technical work will be completed by November 2016 and public consultation will be completed by April 2017 leading to a preferred option being submitted to the Secretary of State by August/September 2017.	March 2016	▶
Bids for the new Rail Franchise were submitted in December and we are awaiting the outcome of the franchise allocation decision. Meetings have been held with all three preferred bidders. Discussions were also held with Essex County Council and Network Rail to explore the potential for bringing forward service improvements.	March 2016	▶
Work with neighbouring Essex (and Suffolk) Districts, Essex County Council and other partners such as the Health and Education sectors on strategically planning for the significant housing and economic growth required in the District with the necessary supporting infrastructure to support the work on the new Local Plan.		
Discussions are continuing between District Council officers, Highways England and Essex County Council on infrastructure improvements, to ensure co-ordination with Local Plan proposals.	March 2016	▶
We will continue to work with health partners, including the mid-Essex Clinical Commissioning Group, and other organisations to create a Living safe and wellbeing partnership. This will support individuals and communities to act for themselves, helping to improve residents health and independence, thereby reducing the pressure on the local NHS system		

The council is piloting a Social Prescribing Model for the residents of the district. The model will connect people to non-medical sources of support including linking them up to activities in the community that they will benefit from to relieve the pressure on the local health and social care system. The official launch will be on 8th February 2016 and will be held in conjunction with the launch of the Museum exhibition.	September 2016	
An IT referral and sign posting portal for 'Mid Essex' is being developed to sign post residents and professionals to the local groups available to provide support. The official launch will be on 8th February 2016 and will be held in conjunction with the launch of the Museum exhibition.	September 2016	
The damp, cold and mould campaign has been incorporated into the project reducing hip fractures by working with agencies to introduce a Handyman service. Aaron services will visit residents to assess their housing conditions and make recommendations.	February 2016	
In partnership with the RCCE, continue to work with Parish and Town Councils to support their local priorities		
The RCCE were appointed on the 1st April 2015 and they continue to work with Parishes and Town Councils on neighbourhood plans. They are currently working on four neighbourhood plans.	March 2016	
Work with ECC and local schools and academies to improve the educational standard and attainment of young people in the District		
Essex County Council has been working with all secondary schools in the District and recent GCSE results have shown an improvement. Discussions are still ongoing with Essex County Council to establish an Education attainment and skills board for the District.	March 2016	
Participate in Business Rates pooling arrangement with nine Essex Authorities. This will increase the amount of business rates retained within Essex, of which the Council will receive a proportion to spend in the District		
Business Rates pooling arrangement approved and established for 2015/16. The financial benefit will not be determined until after year end.	March 2016	
Work with other local authorities in Essex to develop a business case for establishing a building control shared service across the Authority		
Eight Authorities are exploring a shared Building Control service within Essex and Colchester has confirmed their interest as the host Authority.	March 2016	

Section 3: Managing the Business

Our Performance Indicators in Detail

Performance Indicator	2015/16						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Place							
Percentage of land that falls below cleanliness standards for litter	n/a	6%	3%		6%		Recorded 3 times a year – July, November and March
Percentage of household waste sent for reuse, recycling and composting	56.16%	55.10%	52.28%		52.00%		
Percentage of fly tips cleared within 24 hours of being reported	100%	100%	100%		100%		Represents 154 fly tips cleared within 24 hours of being reported.
Public Satisfaction with parks and open spaces	Annually reported indicator				88%	n/a	
People							
Total number of visits to our leisure facilities	246,800	250,421	255,333		245,515		
Number of visitors to our leisure facilities from under-represented groups	210,994	213,173	206,788		192,450		
Number of passenger journeys on the Community Transport Scheme	15,181	13,736	14,057		15,589		Passenger journeys have been lower than predicated however the service is meeting current demand and promotion of the service is on-going
Percentage of Mi Community projects successfully completed	Annually reported indicator				100%	n/a	
Prosperity							
Number of empty homes in the district returned to use	15	14	19		17		The figures provided represent the empty homes returned to use within the district. However, we actively assist in returning empty homes to use outside the district. To date, a total of 63 empty properties have been returned to use including the properties outside the district.
Number of affordable homes delivered	18	0	25		25		There were no affordable homes delivered in the second quarter which is as expected. Completions will be taking place in the third and fourth quarters and is on track to meet the expected 70 completions for this financial year.

Performance Indicator	2015/16						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Number of new business start-ups in the district created in partnership with IGNITE Business	20	18	14		18		This is under target for the year due to resource issues restricting the delivery and support available and increased competition from other delivery agencies in the District
Performance							
Percentage of enquiries resolved at first point of contact within the Customer Service Centre	96.26%	96%	96%		85%		
Time taken to process housing benefit/council tax benefit new claims	16.08 days	16.76 days	16.97 days		18 days		
Time taken to process housing benefit/council tax claim changes	4.78 days	4.88 days	5.09 days		6 days		
Percentage of minor planning applications processed within 8 weeks	71.60%	69.33%	57.58%		72%		Represents 38 out of 66 applications determined within timescales. The lower performance compared to previous quarters reflects significant staff turnover experienced within Development Management during Spring/Summer 2015. A successful recruitment exercise and the addition of consultancy support is improving performance but will take about 6 months to feed through effectively in terms of performance.
Percentage of stage 1 complaints responded to within target	89.40%	90.50%	91.67%		90%		Represents 176 out of 192 stage 1 complaints dealt with in seven working days in the third quarter.
Cumulative collection rate for Council Tax	30.70%	59.24%	87.19%		87.35%		Performance is marginally below that achieved for the same period last year. It is anticipated that the target collection rate for the year will be achieved.
Cumulative collection rate for business rates	30.20%	58.22%	84.89%		84.03%		

Customer Services & Views

The following is a selection of our customer service performance measures:

Customer Service: Indicators of Performance	Q1	Q2	Q3	Q4	Target
Average telephone response time in the Customer Service Centre	16 seconds	13 seconds	10 seconds		15 Seconds
Number of transactions carried out via the Council website	28,698	26,899	25,913		28,750
Number of unique visitors to the Council website	119,136	105,153	102,075		95,000
Percentage of avoidable contacts (collected half yearly)	n/a	9.63%	n/a		Data only

Comments

Performance around answering times continues to improve throughout the third quarter and has exceeded target.

The number of transactions carried out via the website has not met target this quarter. An anomaly has been identified between the way that this year's figures and last year's figures have been calculated to exclude or include particular transaction types. This is currently being rectified and processes put in place to ensure the anomaly is not repeated. When you recalculate like for like between 14/15 and 15/16 we are projecting an overall net increase in the number of transactions carried out via the website.

Complaints

The quarterly complaints analysis for the third quarter of 2015/16 is detailed below. This is compared with 2014/15 figures shown in brackets. The figures represent all three stages of the complaints process.

Complaint Category	Q1 2015/16	Q2 2015/16	Q3 2015/16	Q4 2015/16	TOTAL
Justified	83 (36)	90 (39)	108 (32)	(189)	(296)
Not Justified	45 (48)	65 (105)	70 (44)	(81)	(278)
Partially Justified	17 (12)	30 (22)	21 (13)	(26)	(73)
Not known	0 (0)	1 (2)	1 (0)	(0)	(2)
Total	145 (96)	186 (168)	200 (89)	(296)	(649)

Comments

The number of complaints received in the third quarter of 2015/16 is higher than the number of complaints received in the second quarter of 2015/16.

This is due to receiving a high number of complaints at the beginning of the third quarter relating to missed waste collections from customers affected by the re-routing of the district. Following a period of monitoring, adjustments were made in October to collections on 'narrow access' routes. The number of complaints received has started to reduce as a result of the improvements to service delivery and is expected to continue to reduce.

In the third quarter of 2015/16, of the 200 complaints received:

- 192 are stage one complaints
- 5 are stage two complaints
- 3 are stage three complaints

A summary of Local Government Ombudsman cases: 2

In the third quarter of 2015/16 the LGO received two complaints. One complaint was declined as it was received after the time allowed for the LGO to investigate and elements of the complaint are outside their jurisdiction. The LGO are assessing the other complaint as to whether the complaint is to be formally investigated.

Our Organisation

The following is a selection of our people performance measures:

People: Indicators of Performance	Q1 15/16	Q2 15/16	Q3 15/16	Q4 15/16	Change on previous period	Yearly Target
Total headcount	470	461	469		+ 8	-
Total number of posts	480	473	480		+ 7	-
Number of temporary staff	49	42	45		+ 3	-
Total staff FTE	425.25	416.62	422.20		+ 5.58	-
Level of employee turnover	2.6%	4.6%	3.4%		- 1.2%	-
Number of vacant posts	16	22	25		+ 3	-
Number of leavers	12	21	16		- 5	-
Number of starters	10	12	24		+ 12	-
Working days lost to sickness per employee	2.3 days	2.6 days	2.6 days		-	8.0 days
Percentage of staff with nil sickness	74%	72%	67%		- 5%	-
Number of learning hours	3997.5	7071	11523		+ 4452	-
Number of delegates	125	196	485		+ 289	-
Number of apprentices	14	26	24**		- 2	-

** 22 + 2 members of staff who are now undertaking an apprenticeship at level 4

Year on Year Headcount Analysis	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
	541	503	485	466	478	472

Health & Safety

The following is a selection of our health and safety performance measures. The data is for information purposes only.

Health and safety is a crucial responsibility of everyone within the organisation. This information is used to improve the management of health and safety of staff, our customers, residents and other non-employees we come into contact with. Monitoring is undertaken by the corporate health and safety committee and action plans will be put in place where necessary.

Health & Safety: Indicators of Performance	Q1	Q2	Q3	Q4	
	(2014/15 figure in brackets)				
Total number of reported accidents/ incidents, calculated from:	6 (11)	12 (6)	5 (9)	(14)	There is a wide range of causes for the five accidents. No common trends to follow up upon.
<i>Accidents/ incidents to employees</i>	4 (9)	9 (5)	5 (5)	(13)	Slips trips and cuts are the main reasons for accidents to employees in the third quarter
<i>Accidents/ incidents to contractors</i>	2 (2)	1 (1)	0 (3)	(1)	
<i>Accidents/ incidents to non-employees</i>	0 (0)	1 (0)	0 (1)	(0)	
Time lost in days due to employee accidents/ incidents	3 (5)	76 (27)	42 (17)	(61)	The number of days lost is as a result of just the one accident, where an employee sustained a back injury.
Number of reported verbal/ physical incidents to employees	0 (2)	1 (1)	0 (0)	(0)	
Number of near miss incidents	0 (1)	0 (0)	1 (0)	(2)	A fire in the bulk waste bins sited at the rear of the Town Hall.
Number of Accidents/ incidents registered resulting in insurance/ compensation claim	1 (1)	0 (0)	(0)	(0)	
Number of claims settled	0 (0)	2 (0)	(0)	(0)	

Financial Performance

This part of the report provides an updated review of the financial position for the year. It includes the latest forecast spending on day-to-day service provision compared to the budget for the year. Also included is a summary of treasury management activities; projected movements on the General Fund balance; and a summary of spending to date on capital investment projects.

Summary:

- An overall positive variance is forecast for the year of £938,000 (-6%) against the budget of £15.624 million.
- Income is projected to be overachieved by £911,000, predominantly due to extra income from planning application fees of £578,000.
- The overall projected variance has improved from that reported at the second quarter (Q2) by £200,000, of which £139,000 is due to a net increase in projected income, principally from the Development Control service
- There is a net underspend of £27,000 predicted on staffing and expenditure

Forecast of Revenue Spending by Services

Business Plan Service	Budget £'000	Forecast Spend £'000	Adverse (Positive) variance against budget				RAG Status
			Staffing £'000	Other Expenditure £'000	Gross Income £'000	Total £'000	
Asset Management	(1,809)	(1,891)	-	8	(90)	(82)	-5%
Business Solutions	1,958	1,847	(12)	(99)	-	(111)	-6%
Community Services	558	497	(30)	(18)	(13)	(61)	-11%
Corporate Management Plan	1,319	1,325	(1)	7	-	6	<1%
Cultural Services	264	277	3	-	10	13	5%
Environment	956	867	(72)	(10)	(7)	(89)	-9%
Finance	1,256	1,031	(126)	(43)	(56)	(225)	-18%
Governance	945	943	(4)	2	-	(2)	<-1%
Housing Services	740	714	(4)	(22)	-	(26)	-4%
Human Resources	425	414	(12)	1	-	(11)	-3%
Leisure Services	(25)	(33)	-	(7)	(1)	(8)	-32%
Marketing and Communications	455	420	-	(7)	(28)	(35)	-8%
Operations	3,921	3,956	(5)	36	4	35	1%
Sustainable Development	1,958	1,409	(7)	75	(617)	(549)	-28%
Service Total	12,921	11,776	(270)	(77)	(798)	(1,145)	-9%
Corporate Financing	3,037	2,910	-	(14)	(113)	(127)	-4%
Efficiency target	(334)	0	334	-	-	334	
Total	15,624	14,686	64	(91)	(911)	(938)	-6%

RAG Status: G = favourable or nil variance, A = up to 5% adverse variance or <£50k, R = > 5%

Staffing

Further analysis of the staffing budget variances is provided in the following table:

Business Plan – Staffing Budgets	Budget £'000	Forecast Spend for the year £'000	Adverse/ (Positive) variance £'000	RAG Status
Asset Management	265	265	-	-
Business Solutions	809	797	(12)	-1%
Community Services	398	368	(30)	-8%
Corporate Management Plan	1,125	1,124	(1)	0%
Cultural Services	186	189	3	2%
Environment	1,537	1,465	(72)	-5%
Finance	2,382	2,256	(126)	-5%
Governance	423	419	(4)	-1%
Housing Services	701	697	(4)	-1%
Human Resources	342	330	(12)	-4%

Business Plan – Staffing Budgets	Budget	Forecast Spend for the year	Adverse/ (Positive) variance	RAG Status
	£'000	£'000	£'000	
Leisure Services	137	137	-	-
Marketing and Communications	273	273	-	-
Operations	4,547	4,542	(5)	<-1%
Sustainable Development	1,647	1,640	(7)	<-1%
Service Total	14,772	14,502	(270)	-2%
Efficiency target	(334)		334	
Net Total	14,438	14,502	64	<1%

RAG Status: G = favourable or nil variance, A = up to 5% adverse variance, R = > 5% (Net Total adverse > Efficiency target)

Commentary on staffing variations:

Savings on staffing budgets have been achieved through a combination of vacant posts, staff retirements, reductions in hours worked, and/ or through other service restructures and efficiency reviews.

Based on the information known at the end of the Quarter it is projected that across all business plans there will be an underspend for the year of £270,000 against staffing budgets. The approved budget provided for a corporate efficiency target of £334,000 to be achieved from in-year staffing variances meaning at present it is anticipated that there will be a shortfall in meeting this target by £64,000. However, this is an overall improvement from the position reported at Q2 (a shortfall of £96,000 against the target) and that achieved in recent years.

It is predicted that the balance of the corporate efficiency target will be more than offset by Other Service Expenditure variances. A number of the staffing variances identified are ongoing and have therefore been included as part of the management savings reflected in the proposed budget for 2016/17. Recognising also the reducing size of the organisation's staffing structure the proposed budget for 2016/17 also accommodates a reduction in the corporate efficiency target to be achieved in future.

Other Service Expenditure

Services are currently forecast to underspend against their non-staffing expenditure budgets by a net £91,000, a further improvement of £56,000 over that projected at Q2. Contained within this net position are the following items:

- **ICT Contract and Corporate systems** – an additional underspend of £31,000 from Q2 resulting in an overall forecast underspend against budget for the year of £87,000. Factors contributing towards this position relate to reduced spend on the ICT Capita contract (-£58,000) from lower service volumes and contract variations; and reduced maintenance costs for the voice and data networks. The proposed budget for 2016/17 includes ongoing management savings on the variable elements of ICT spend of £38,000.
- **Council Tax Benefits** – recovery of overpaid benefit that was originally paid prior to April 2013 is retained by the Council rather than been offset against government subsidy. In the current year a credit of £65,000 has been generated which is £30,000 more than was reported at Q2.
- **Parks** – overall spending on repairs and maintenance across the Parks service is forecast to be higher than budget by £42,000 including extra spending on health and safety issues caused by vandalism to equipment at a number of the Council's play areas.
- **Sustainable Development** – A forecast overspend of £41,000 due to the increased number of planning enquiries and applications resulting in the need to increase the level of external support and specialist advice required for Planning Performance Agreements and to provide a pro-active pre-application advice service. This includes a new agreement with Essex County Council with effect from January 2016 for additional

support on highways planning matters. These additional costs are more than covered by the increase in fee income charged for these services.

- **Landscape Services** – settlement of a tree damage claim resulting in a one-off overspend of £24,000.

External Income

A significant proportion of the Council's budget is reliant on external income. Grants and subsidies from government, alongside income from business rates are major elements, totalling over £54 million. These income streams are either fairly predictable as they are determined at the start of the year as part of the annual Local Government Finance Settlement; or variations are largely offset by commensurate changes in expenditure, e.g. housing benefits.

The final amount of business rates retained will depend on the actual amounts collectable (taking into account changes in the Valuation List and exemptions and reliefs). In the current year income is currently higher than originally projected – this extra income has been reflected in the balance on the Collection Fund taken into account when calculating the proposed budget for 2016/17. To manage the year-on-year fluctuations in income arising from variations in the business rate growth levy and other related grants a Business Rates Retention reserve is maintained. As a participant in the Essex Business Rates Pool the Council could receive additional amounts of business rates, the latest estimate of which suggests this could be around £350,000 for 2015/16. The determination and receipt of the actual amount of the Council's share will be made after year-end returns have been collated from each of the participating authorities.

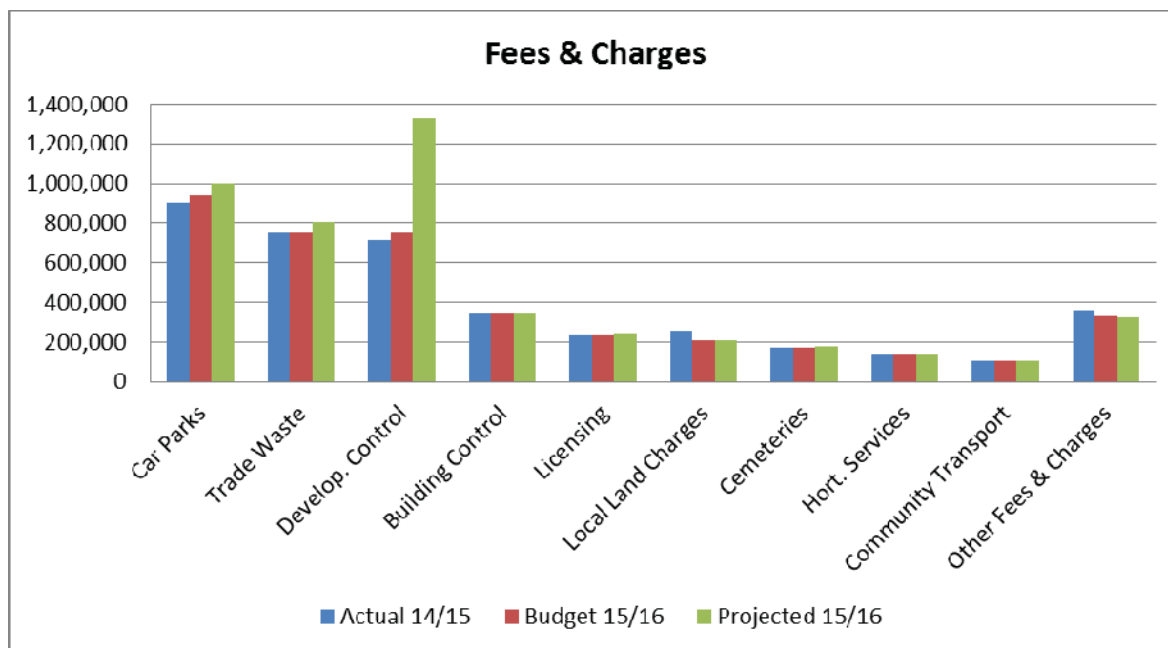
Other external income comes from a variety of sources that are subject to external demands and other influences, meaning these are more susceptible to variations against budget. It is currently forecast that services will over achieve against their income budgets by a net £911,000, as shown in the table below:

Other External Income								
Business Plan	Budget £'000	Adverse or (Positive) variance against budget						RAG Status
		Fees & Charges	Land & Property income	ECC Joint Financing & contributions	Sale of Recycling Materials	Other Income	Total	
		£'000	£'000	£000	£'000	£'000	£000	
Asset Management	(2,607)	5	(84)	-	-	(11)	(90)	3%
Business Solutions	(32)	-	-	-	-	-	-	-
Community Services	(257)	(2)	-	-	-	(11)	(13)	5%
Corporate Management	-	-	-	-	-	-	-	-
Cultural Services	(102)	14	-	-	-	(4)	10	-10%
Environment	(826)	(8)	-	-	-	1	(7)	1%
Finance	(1,453)	-	-	-	-	(56)	(56)	4%
Governance	(34)	-	-	-	-	-	-	-
Housing Services	(56)	(2)	2	-	-	-	-	-
Human Resources	-	-	-	-	-	-	-	-
Leisure Services	(408)	-	-	-	-	(1)	(1)	<1%
Marketing and Communications	(20)	(10)	-	-	-	(18)	(28)	140%
Operations	(5,307)	(125)	20	31	101	(23)	4	<-1%
Sustainable Development	(1,155)	(578)	-	-	-	(39)	(617)	53%
Service Total	(12,257)	(706)	(62)	31	101	(162)	(798)	7%
Corporate Financing	(296)	-	-	-	-	(113)	(113)	38%
Total	(12,553)	(706)	(62)	31	101	(275)	(911)	7%

RAG Status: G = positive or nil variance, A = up to 5% adverse variance or <£50k, R = adverse variance greater than 5% and >£50k at Individual Business Plan level

Fees & Charges

The budget for income from fees & charges is £3.966 million, and is projected to be over achieved by £706,000. The following chart shows the main income streams:

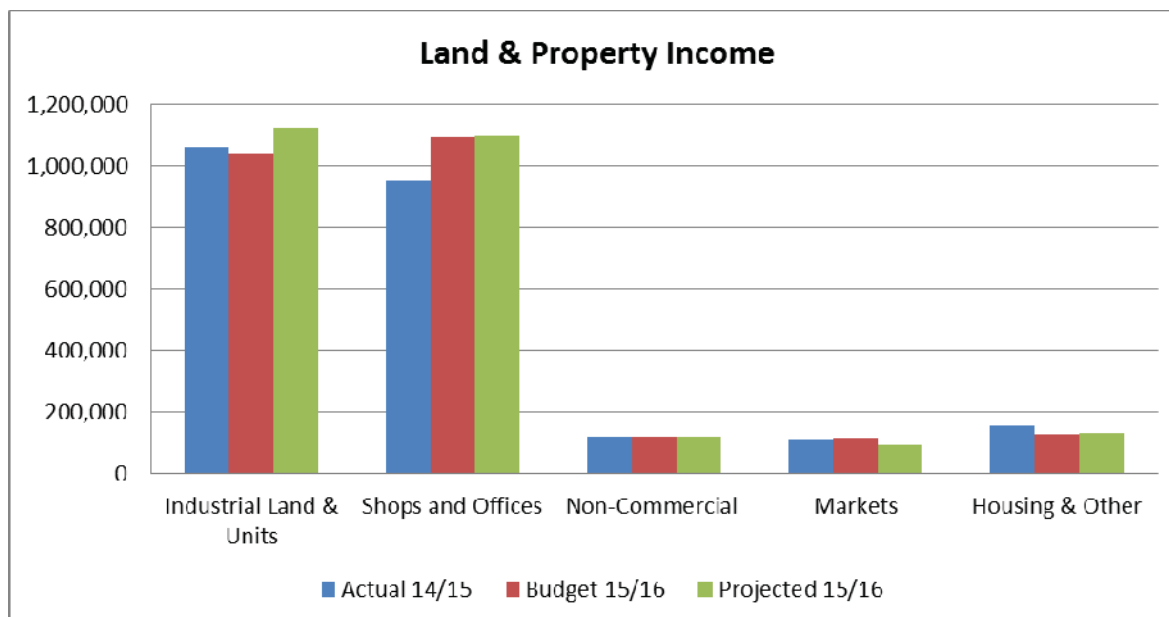


Commentary on Fees and Charges:

- **Car parks** income is projected to be £65,000 higher than budget (and £97,000 higher than that achieved in 2014/15) in line with that forecast at Q2. Changes to tariffs were made last year along with the opening of a new car park at Easton Road, both contributing towards income from pay and display being around 25% higher than the same period last year.
- **Trade Waste** income is predicted to be £53,000 higher than budget based on amounts billed to date, part of which will be offset by higher disposal costs reflected in Other Expenditure. This is a small improvement over the Q2 position. The proposed budget for 2016/17 incorporates an increase in expected income of £50,000.
- **Development Control** – The upturn in income experienced last year prompted an upward revision in budget by £150,000. The strengthening of the market has continued into the current year with a spike in receipts of income meaning the budget of £741,660 had already been exceeded at Q2. Service management have continued to monitor prospective major applications, and combined with a general overall improvement in application income, are now projecting total income for the year of around £1.327 million - £578,000 higher than budget and a further increase of £150,000 over that reported at Q2. A significant portion of this extra income relates to one-off applications, although with indications that some of this growth in budget can be sustained an upward revision has been made to the proposed budget for 2016/17.

Land & Property Income

The budget for rental income from land & property is £2.502 million – comprising the investment property portfolio, markets, housing properties, and other let properties. The forecast for the year is an overall over achievement of £62,000.

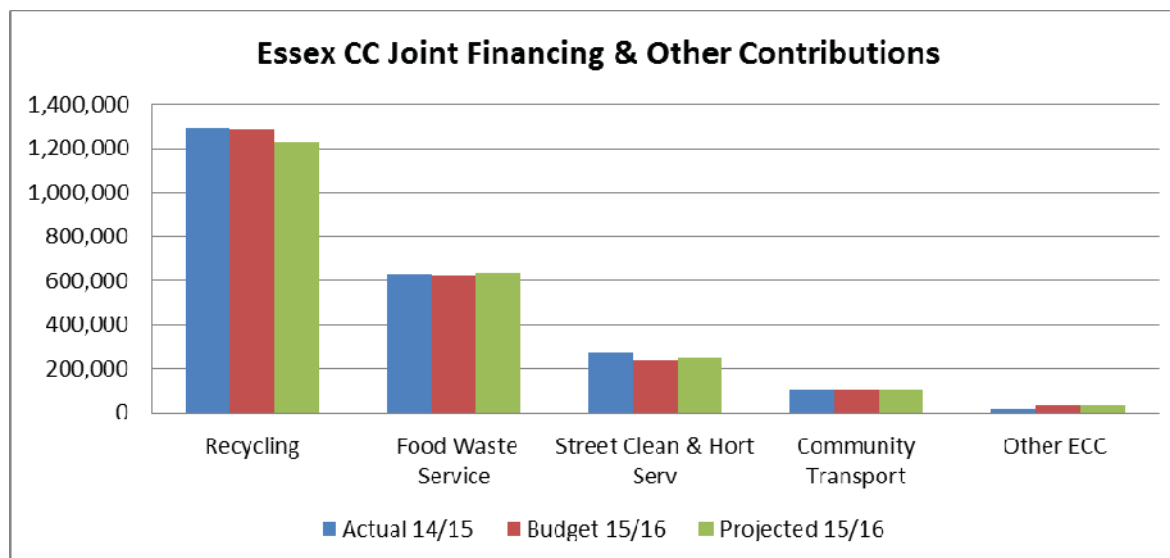


Commentary on Land & Property Income

- **Industrial land and Units** – rental income is forecast to be higher than budgeted by £82,000. This is due in part to the impact of rent reviews (which also includes a backdated one-off element of £10,000) and a lower level of empty units which has reduced the overall void provision required to around 1.5% of expected income:- this is the equivalent of an increase in collectable rent of £49,000. The forecast also takes into account the acquisition of the head lease at 4 Crittall Drive, Springwood Drive, which was completed after the budget was set and has led to a net increase in rental income of £16,000 per annum.
- **Market rents** – income received to the end of the quarter is down on that for the same period last year continuing the downward trend seen over recent years. The current projection is for income to be £93,000 for the year, a shortfall against budget of £24,000. The proposed budget for 2016/17 makes allowance for a reduction in income of £20,000.
- **Shops and Offices** – income is expected to be higher this year (as also reflected in the original budget) due mainly to the full year impact of the additional income generated from the acquisition of 850 The Crescent, Colchester, which is let as offices.

Essex County Council Joint Financing & Contributions

The Council receives a significant amount of income from service arrangements with Essex County Council (ECC). The updated budget for the year is £2.292 million (amended from Q2 to reflect the higher level of unbudgeted income being received for horticultural work undertaken via a sub-contractor arrangement). The current forecast is that this overall income from ECC will be £31,000 under budget.



Commentary on ECC Joint Financing and Other Contributions

- **Recycling** – ECC income from recycling activities is predicted to be lower than originally budgeted by a net £48,000, mainly due to lower tonnages collected for mixed dry and green waste.
- **Horticultural Services** – Net income from maintaining rural highway verges is projected to be higher by £17,000.

Sale of Recycling Materials

The budget for income from the sale of recycling materials is £624,000 against which there is currently a projected shortfall of £101,000, including a prior-year adjustment of £17,000. Income in this area is susceptible to the recycling market and demand/ supply of materials which ultimately influences pricing. Income from sale of glass accounts for £54,000 of this reduction being the combined effect of a 50% drop in price received (£33 per tonne to around £15) coupled with an estimated 5% reduction in the weight of material expected to be collected. The balance of the forecast budget variance is on mixed dry materials resulting from a slight reduction in price received and a predicted reduction in tonnage collected. The level of future income from this activity has been highlighted as a risk in the Council's medium term financial plans.

Other Service & Corporate income

Total budgeted other income is £3.169 million, with a current forecast net over achievement of £275,000. The main income streams budgeted within this category, includes: £661,000 of benefit and local tax recoveries and penalties; £500,000 relating to the Procurement Hub; £339,000 from a sharing arrangement with major precepting authorities where additional council tax is collected as a result of changes in discounts and exemptions; £259,000 from the leisure management partnership and joint-use agreements, including the Council's financial return on past capital improvements; and £393,000 under a number of third party arrangements.

The following areas contribute mainly to the forecast variance:

- **Council Tax Sharing Arrangement:** an over achievement of £130,000 is currently projected. The extra income is anticipated as a result of ongoing proactive reviews of council tax discounts and exemptions, including single person discounts and local council tax support scheme. As the additional income received is dependent on finding discounts

and exemptions which are no longer applicable no provision was made in the original budget, however, once identified the shared benefit is ongoing under the agreement with preceptors.

- **Development Control Pre-Application Advice Income:** Use of this service continues to grow alongside the increase in planning applications being received, and currently income for the year is estimated to be £113,000 which is higher than last year's outturn of £87,000 and £43,000 above the budget. Part of this income will be offset by increased costs incurred on obtaining external support to deliver this service.
- **Department for Work and Pensions (DWP) Universal Credit Delivery Partnership -** The Council has agreed to be a delivery partner supporting both claimants and the DWP during the introduction of the Universal Credit Live Service in the Braintree district. Funding provided is linked to the delivery of agreed services and activities part of which is related to the volume of claimants assisted. Estimated funding to be received is currently £22,000, however, the agreement makes provision for up to £34,000.
- **Other services** – Other additional income includes: recovery of local taxation and housing benefit costs and penalties (£27,000); recoupments of expenditure previously incurred where the Council has acted or intervened under its statutory powers (£19,000); and increased marketing and graphics service income (£20,000).

Treasury Management

The Council's treasury management activity up to the end of the Quarter is summarised in the table below:

Amount Invested at the Start of the Year	Activity up to end of the Quarter		Amount Invested at 31 December
	New Investments	Investments Sold or Matured	
£27.96m	£129.40m	£110.57m	£46.79m
Average amount invested during the period			£46.27m
Highest amount invested			£54.60m

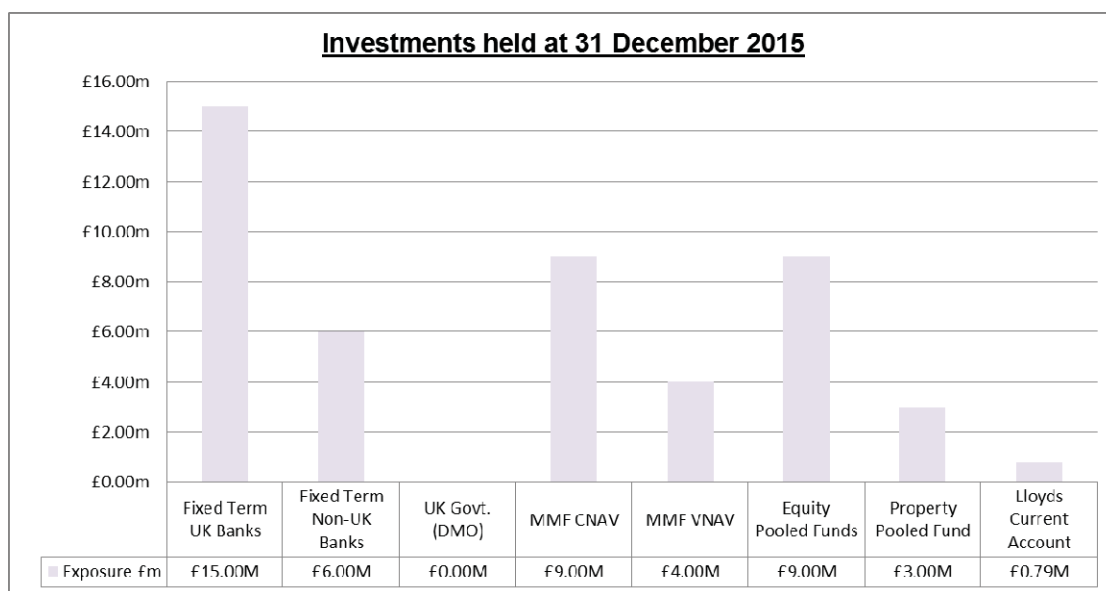
In December £2 million was added to the Council's long-term investments in Pooled Funds with £1 million placed in to the CCLA property fund and £1 million to the Threadneedle UK equity fund. Remaining investments have been in short-term instruments including call accounts and term deposits with UK and Non-UK banks, deposits with the UK Government Debt Management Office (DMO), and Money Market Funds (MMF).

Interest and dividends earned to the end of the Quarter total £544,000, which is equivalent to an annualised rate of return of 1.50%:

Investments	Average amount invested	Interest & Dividends earned	Annualised Return %
Long-Term Pooled Funds	£10.04m	£387,000	5.12%
Short-Term	£36.22m	£157,000	0.50%
Total	£46.26m	£544,000	1.50%

Investment returns have been increased by the dividend income from Pooled Funds, however, where funds are exposed to equity markets these have displayed a high degree of price volatility due to the recent turbulent financial market conditions. At the end of the Quarter the overall valuation of funds was £11.646 million a reduction of £354,000 against the original sums invested, however, this is an improvement over the previous quarter when the market value was down by £596,000.

At the end of the Quarter the Council's investment portfolio comprised the following:



CNAV = Constant Net Asset Value i.e. the Fund value is expected to remain constant

VNAV = Variable Net Asset Value i.e. the Fund value and therefore amounts invested can fluctuate

General Fund Balances

General Fund balances are held for the following reasons:

- As a contingency against unforeseen events that may require funding above that originally provided for in the approved budget
- To meet short-term or non-recurrent one-off costs that are not provided in the base budget and/ or are incurred to achieve future savings and efficiencies.

Based on the forecast set out above, the movement on the General Fund balance is projected as follows:

	£'000
Balance at 1 April 2015	7,829
Less:	
Budgeted withdrawal	(894)
Add:	
Projected variance at this quarter	938
Unbudgeted Government New Burdens grant	203
Est. Balance at 31 March 2016	8,076

Movements shown on the General Fund balance are in respect of:

- The budget approved by Council for 2015/16 included an anticipated drawdown from balances of £894,484.
- Projected full-year variance as per this quarter's review of £938,000
- In April 2015 the Government announced it would be paying a New Burdens grant in respect of property search litigation claims settled by the Council for which provision had been made in prior years' budget outturns. The Council received £102,000 in July and a further £101,000 in November.

Risks and Assumptions

The forecasts reflect the service managers' "best estimate" of the predicted outturn for the year. Previous year outturn and trends in-year has been considered, however, as always, these are subject to changing circumstances and unforeseen events. Directors and service managers continue to scrutinise all expenditure commitments in light of the planned savings set out in the Medium Term Financial Strategy.

Other external income is inherently difficult to predict as it is substantially demand led and impacted by external factors. Planning application fee projections are based on the available information as to when developers may submit plans for the growth locations across the district.

New Burdens grant funding has been received to compensate for costs arising out of the property search litigation with indications that there could be further monies to be received. As provision for these costs had originally been made from corporate resources any contributions are being added back to General Fund balances

Waste management collection tonnages and associated recycling credits and sales income are subject to fluctuation. Green waste is weather dependent and mixed dry materials may alter once recycling is introduced to flats and schools. The introduction of the new integrated commercial and domestic waste collection routes has led to some operational issues and additional collection costs in terms of staffing and vehicle costs being required. However, these costs are partially offset in the current year by the reduction in the price of fuel following the dramatic fall in global oil prices. As this drop in fuel costs may not be sustainable going forward the proposed budget for 2016/17 provides for an increase in base budget to accommodate the higher collection costs.

The Leisure Services budget included a £100,000 allowance for contract variations which has been exceeded in the current year therefore resulting in a drawdown from the Leisure Service earmarked reserve. A number of matters remain to be resolved regarding remedial works at the Braintree Swimming Centre and joint-use agreements against which the balance on the earmarked reserve is held as a contingency.

Capital Investment

In February 2015, the Council approved new capital projects for 2015/16 totalling £3.187 million. Taking into account projects in progress carried forward from earlier years, the in-year approval of new projects, and the estimated timing of delivery of all projects, the overall amount expected to be spent on capital in the current year is £5.816 million. This is a decrease of £1.557 million since Q2 with £662,000 of projects being withdrawn from the programme as they are no longer financially viable following the changes by government to energy feed-in tariffs, combined with £895,000 of projects that have been re-profiled into future years.

The capital investment programme is reported over two themes:

- General Fund Services – Spending on Council owned/ used assets and services.
- Housing investment – mainly spent on partnership schemes with social landlords, and providing disabled facilities grants and home improvements grants.

The current spend against the programme for the year is shown below:

	Programme 2015/16	Actual spend	Grants approved but not yet claimed	Budget Remaining	Spend/ Grants approved at end of Quarter
	£'000	£'000	£'000	£'000	%
General Fund Services	4,096	2,330	-	1,766	57%
Housing Investment	1,363	1,032	123	208	85%
Capital Salaries	357	242	-	115	68%
Total	5,816	3,604	123	2,089	64%

The General Fund Services programme for the year includes:

- The main build phase of new business start-up units at Springwood Drive, Braintree
- A programme of planned maintenance and other refurbishment works to Council owned buildings and community facilities, including parks and open spaces, play areas, and car parks.
- Investment in new technology
- New cycleways and footpaths

The housing investment programme includes spending on provision of disabled facility grants, and financial support to social landlords to develop affordable home schemes.

Capital resources

The main sources of new capital resources anticipated for the year are the sale of assets (£2.415 million), preserved right-to-buy (RTB) receipts (£500,000) and the Council's share of the VAT shelter operating in conjunction with Greenfields Community Housing (£547,000).

The sale of the Forest Road site was completed in July providing a receipt of £500,000. Other anticipated sales totalling £1.4 million which had previously been expected this year are now likely to complete in the 2016/17 financial year.

Greenfields have reported that 15 RTB sales were completed by the end of the Quarter generating £1.362million for the Council. Whilst this represents an over achievement of the amount originally expected this is still lower than the 39 sales and £2.353million recorded for the same period last year. VAT shelter monies due to the Council up to the end of the quarter are £350,000, indicating that the estimated full year income may be lower than anticipated by around £80,000.

Grants received include £418,000 from the Better Care Fund via Essex County Council to part fund the Council's disabled facility grant programme and the receipt of £8,000 of Repair and Renewal grant for flood defence works.

Authorisation to enforce The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014	Agenda No: 7a
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Portfolio	Environment and Place
Corporate Outcome:	A sustainable environment and a great place to live, work and play
Report presented by:	Councillor. Mrs Wendy Schmitt
Report prepared by:	Colin Batchelor Environmental Health Manager (Housing & Pollution)

Background Papers: The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014	Public Report
Enterprise and Regulatory Reform Act 2013	Key Decision: No

Executive Summary:

Background

Under the above legislation it is a legal requirement for all lettings agents and property managers in England to join one of three Government-approved redress schemes. Tenants and landlords with agents in the private rented sector and leaseholders and freeholders dealing with property managers in the residential sector will be able to complain to an independent person about the service they have received via these Government schemes. The requirement is enforced by local authorities who can impose a monetary penalty of up to £5,000 where an agent or property manager who should have joined a scheme has not done so.

The three schemes are:

- Ombudsman Services Property,
- Property Redress Scheme,
- The Property Ombudsman scheme.

A project undertaken by Essex Trading Standards (who have responsibility to ensure that the details of the redress scheme to which they belong are displayed) has found that amongst our local landlord and agents the compliance rates have been very good. Twenty three were sent guidance on compliance and a further nine were subsequently visited and handed the guidance. All those who were not originally compliant prior to the mail out had complied with the request upon checking. It is not anticipated that there will be a further significant impact on the department but the approval of the scheme of delegation will enable the department to enforce where required.

Recommended Decision:

- i) To approve to amend the Leaders scheme of delegation to authorise the Head of Environment and Leisure to exercise the Council's full enforcement powers under "The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014"
- ii.) To authorise the Cabinet Portfolio holder for Environment & Place to consider any representations and appeals against the issuing of a monetary penalty and take into account any representations received
- iii) To set the monetary penalty at the maximum £5000 for failure to be a member of any Government-approved redress scheme.

Purpose of Decision:

To ensure the Council officers are duly authorised to enforce the regulations.
To set the level of monetary penalty prior to considering any representations from the prospective recipient of the monetary penalty.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	The Regulations will be enforced using the existing resources of the Housing and Pollution team. Funding may need to recover the charge under a court order. It is not expected that there will be the need to issue many penalty charges.
Legal:	The Regulations confer a mandatory duty on the local authority to take action where they have reasonable grounds to believe there has been a breach.
Safeguarding:	None
Equalities/Diversity:	None
Customer Impact:	Improved assurance for tenants and landlords
Environment and Climate Change:	None
Consultation/Community Engagement:	The Authority has promoted the regulations to letting agents and landlords in conjunction with the Trading Standards dept. of Essex County Council.
Risks:	None
Officer Contact:	Colin Batchelor
Designation:	Environmental Health Manager
Ext. No.	2219
E-mail:	colba@braintree.gov.uk

DETAIL

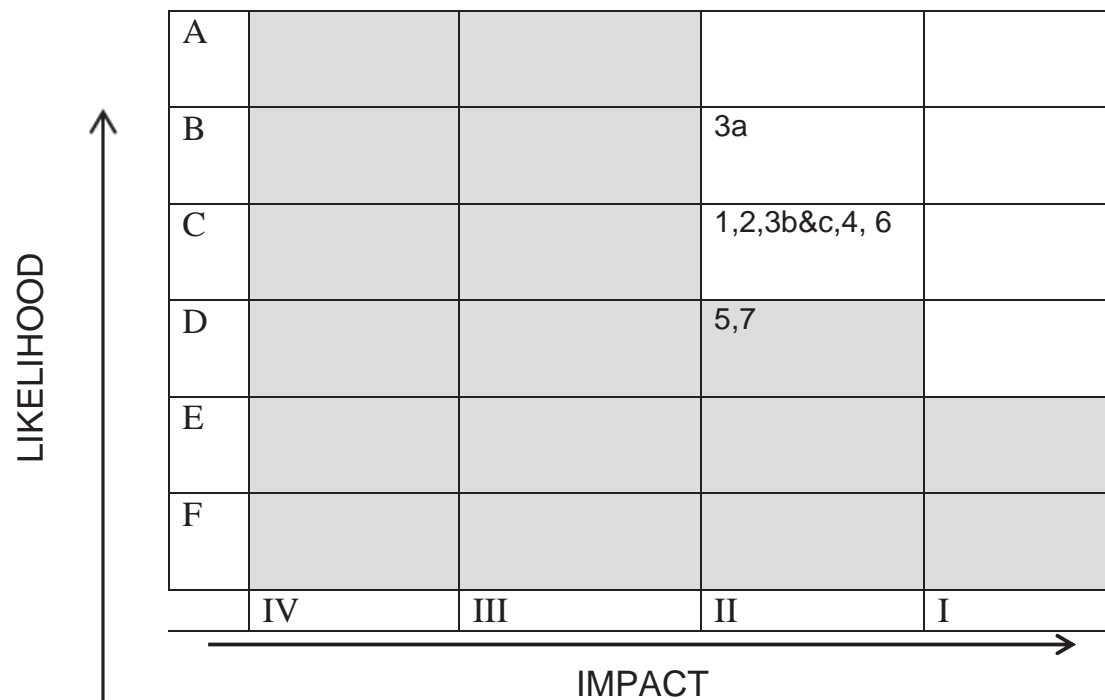
- 1.1 Local authorities can impose a fine of up to £5,000 where a lettings agent or property manager who should have joined one of the three redress schemes has not done so.
- 1.2 The authority must give written notice of their intention to impose a penalty setting out the reasons and the amount of the penalty. The lettings agent or property manager will have 28 days to make written representations or objections to the authority regarding their decision, starting from the day after the date the notice of intent was sent.
- 1.3 Written representations made by the end of the 28 day period must be taken into account by the enforcement authority in deciding, whether or not to impose the fine.
- 1.4 Any representations will be considered by the Cabinet Portfolio Holder for Environment & Place. They will consider the representation and make the final decision on the amount of the fine.
- 1.5 The authority will issue a final notice to the lettings agent or property manager giving at least 28 days for payment to be made.
- 1.6 A lettings agent or property manager can appeal against the penalty to the First-tier Tribunal. The appeal must be made within 28 days of the day on which the final notice was sent.
- 1.7 The local authority can impose further penalties if a lettings agent or property manager fails to join a redress scheme despite already having had a penalty imposed. There is no limit to the number of penalties that may be imposed on an individual lettings agent or property manager if they continue to fail to join a scheme.
- 1.8 Each scheme will publish a list of members on their respective websites, so it will be possible to check whether a lettings agent or property manager has joined one of the schemes.
- 1.9 The contact details of these Schemes are as follows:
 - **The Property Ombudsman Scheme** - www.tpos.co.uk.
 - **The Ombudsman Services:** - www.ombudsman-services.org/property.
 - **The Property Redress Scheme:** - www.theprs.co.uk
- 2.0 There are some exemptions to the requirement to belong to such a scheme including, for example, charities, student accommodation and halls of residence.

Strategic Risk Management		Agenda No: 8a
Portfolio		
Corporate Services and Asset Management		
Corporate Outcome: A high performing organisation that delivers excellent and value for money services Report presented by: Councillor John McKee Report prepared by: Trevor Wilson, Head of Finance		
Background Papers:		Public Report
Risk Policy, Strategy and Implementation Plan – Council 19 th April 2006. Strategic Risk Management report to Cabinet on 28 th September 2015		Key Decision: No
Executive Summary:		
<p>The report provides members with an updated Strategic Risk Register for the Council. The Strategic Risk Register agreed by the Cabinet on 28th September 2015 has been reviewed by Cabinet Members and the Corporate Management Team; the outcome is an updated draft register for approval by Cabinet.</p> <p>The register details the risks which have potential to impact on the delivery of the Corporate Strategy over the medium-term. In addition to undertaking this review of the register the Management Board ensures that the register continues to be current by regularly reviewing and updating the strategic risks, as necessary.</p> <p>The strategic risk register forms one part of the Council's overall approach to risk management, other facets include:</p> <ul style="list-style-type: none"> • processes for identifying and recording operational risks, • risk registers for major projects, • business continuity planning, and • emergency planning. <p>The number of strategic risks identified continues to be nine, although the narrative for each of the risks has been updated. The updated register is attached at Appendix B.</p> <p>The number of risks above the Risk Tolerance Line (See Appendix A) and therefore requiring active management has remained the same at seven.</p> <p>A summary of the changes to the risk ratings made at the reviews are shown in the table below:</p>		

Risk Rating	July 2015	January 2016
B2 (<i>High likelihood/ Critical impact</i>)	1	1
C2 (<i>Significant likelihood/ Critical impact</i>)	6	6
D2 (<i>Low likelihood/ Critical impact</i>)	2	2
Total number of risks on Strategic Register	9	9
<p>Management Action Plans for managing each of the seven risks above the risk tolerance line are owned and maintained by a Corporate Director. Details of the risks together with the Management Action Plans are provided at Appendix B.</p>		
<p>Recommended Decision:</p> <p>Members are asked to agree the updated Strategic Risk Register and the Action Plans, for managing the high rated risks, as detailed in Appendix B to the report.</p>		
<p>Purpose of Decision:</p> <p>To demonstrate that the Council regularly identifies the strategic risks which may affect the achievement of its objectives and that it actively manages them, as appropriate.</p>		

Any Corporate implications in relation to the following should be explained in detail	
Financial:	Risks and associated management action plans concerning the Council's finances are highlighted in risks numbers 1 and 7.
Legal:	There are no specific risks of a legal nature at this time.
Safeguarding:	There are no specific risks regarding safeguarding at this time.
Equalities/Diversity:	The Council's processes and approach to equalities and diversity are well developed and are not regarded as a risk.
Customer Impact:	The potential impact on a proportion of residents in the district, in particular vulnerable groups, of the Government's Welfare Reforms is identified at risk number 4. A management action plan is included detailing the actions taken and planned to reduce the risk.
Environment and Climate Change:	Risk concerning the Council's approach to climate change is identified as an operational risk by the relevant services.
Consultation/Community Engagement:	No specific risk identified concerning consultation and community engagement however these are important elements in a number of the strategic risks on the register e.g. Local Plan and Community Resilience.
Risks:	A robust Risk Management process is an important element of the Council's governance arrangements.
Officer Contact:	Trevor Wilson
Designation:	Head of Finance
Ext. No.	2801
E-mail:	Trevor.wilson@braintree.gov.uk

STRATEGIC RISK PROFILE
Braintree District Council - January 2016



KEY:
Likelihood:
A – Very High
B – High
C – Significant
D – Low
E – Very Low
F – Almost impossible
Impact:
I – Catastrophic
II – Critical
III – Marginal
IV – Negligible

Strategic Risk Register including Management Action Plans (where appropriate)

Medium-Term Financial Strategy – 1

Risk Rating C2 (C2 July 15)

Management Board Owner – Corporate Director (CF)

Vulnerability	Trigger	Consequence
<p>The Council sets a Medium-Term Financial Strategy (MTFS), covering a four-year period, which is reviewed and updated annually.</p> <p>Assumptions are made about anticipated changes on the revenue account e.g. government grant levels, income levels, inflation, pay awards, council tax collection rates, etc. together with planned and anticipated efficiency savings, council tax levels and the use of balances.</p> <p>Assumptions are also made regarding capital resources with a capital programme being planned and agreed against these resources.</p> <p>The Government issued, on 17th December 2015, provisional Settlement Funding Assessment allocations for the Council the four-year period 2016/17 to 2019/20. The reduction on 2015/16 is £2.55million or 44.7%. (Final settlement provided some additional funding and allowed a Council Tax increase of up to £5).</p> <p>The Government has issued proposals to change the New Homes Bonus from 2017/18 which are aimed at reducing the amounts payable to councils.</p> <p>Consultation closed on 10th March 2016.</p>	<ul style="list-style-type: none"> • Other organisations which provide significant contributions to the Council face their own funding pressures and may require greater reductions than expected. • Circumstances change which render the planned savings unachievable. <p>Other financial assumptions prove incorrect. Including income budgets not achieved, particularly interest receivable from the £12m invested in equity and property funds.</p> <ul style="list-style-type: none"> • Economic conditions and market fluctuations cause changes at or before contract renewal e.g. contract for sale of recyclates. • Capital receipts are not received as planned. • Capital resources insufficient to finance capital programme. • Business rates collected are less than expected due to successful appeals being greater than the provision made. 	<ul style="list-style-type: none"> • Priorities and projects are not delivered. • Cuts necessary to services • Rushed decisions to find other savings • Staff unsettled and de-motivated. • Financial savings are not achieved; balances used more than planned. • Assets not fit for purpose • Satisfaction levels with the Council fall

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Robust budget review and setting process involving Management Board and Cabinet members developed over a number of years</p> <p>Unallocated balances significantly exceed minimum level of £1.5million.</p> <p>Regular Budgetary Control and monitoring processes in place, including:</p> <ul style="list-style-type: none"> • Amount of council tax support awarded • awards made from the Exceptional Hardship Fund; and • Business rates and council tax collection rates. <p>Action Plan developed and agreed following Peer Challenge, managed by the Local Government Association, in October 2013.</p>	<p>Continue work to improve financial modelling for business rates income, cashflow and New Homes Bonus grant.</p> <p>Improve monitoring and forecasting of income.</p> <p>Delivery against the workstreams contained in the Action Plan consisting of:</p> <ul style="list-style-type: none"> • Commercialisation and 'Better at Business'; • Grow our economy – increase business rate pot and secure external funds; • Finance and Investment Strategy; • Review contracts and procurement; • Increase our income; • Management and Service Reviews; and • Sharing services or joint work. 	Corporate Director (CF)	<p>Financial savings delivered on time and as budgeted.</p> <p>Setting a balanced base budget and having plans to meet funding shortfalls in subsequent years of MTFS.</p> <p>Service and performance levels delivered as planned.</p> <p>Collection rates of council tax and business rates achieve planned levels.</p>	Monthly	Feb. 2016 – Full Council sets council tax and budgets for 2016/17	<p>MTFS updated with the final financial settlement figure for 2016/17.</p> <p>MTFS provides a plan to provide a balanced base budget with the proposed increase in council tax for 2016/17 at £162.72 (Band D). For planning purposes an increase in council tax of 2% is included for 2017/18 onwards.</p> <p>Estimated unallocated balance as at 31st March 2017 is £8.249million.</p> <p>Investment Strategy reviewed with £12m invested in equity and property funds and utilising borrowed monies, of £6m, to fund investments (e.g. commercial property and solar panels) to achieve improved rate of return over the medium-term.</p>

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
Monitoring of investment counter-parties and returns on investments by Arlingclose, the Council's Treasury Management advisor.			Budget variations reported in timely manner with explanation and action plan, where appropriate			

Infrastructure (formerly Economic Development) – 2

Risk rating C2 (C2 July 15)

Management Board Owner – Corporate Director (JH)

Vulnerability	Trigger	Consequence
<p>The Council has identified Economic Development as a key Corporate priority for the District as set out in the Corporate Strategy.</p> <p>The District is looking for inward investment, job creation, business growth and investment in infrastructure. There is also a programme to sustain/grow our town centres.</p>	<p>Lack of investment in infrastructure prevents business growth and job creation.</p>	<ul style="list-style-type: none">• Reduction in new jobs• Loss of revenue / growth in business rates• Less employment• Lower inward investment• Fewer new businesses being created• Disinvestment by existing businesses creating job losses• Less investment in infrastructure as a result of less development

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Strong working relationship with Essex County Council, Haven Gateway, the South East Local Enterprise Partnership (LEP), and the Essex Business Board on key priorities for economic development.</p> <p>Working with the Haven Gateway Partnership, Essex County Council and Highways England on establishing a business case for improvements to the A120, and supporting technical work on route options</p> <p>District Economic Development Prospectus agreed, setting clear economic priorities</p> <p>District Investment into capital/revenue projects to create business growth in the District.</p> <p>Working in partnership with providers to provide new business start-ups and to grow businesses.</p>	<p>Continuing to develop a strong relationship with strategic businesses and working with them to lobby the South East LEP; Highways Agency; Network rail etc. to invest in the District's economic priorities</p> <p>Developing our inward investment offer through an Investment Prospectus and website</p> <p>Ensuring that we have a realistic delivery plan and maximising the use of available resources to lever investment in delivery, including New Homes Bonus</p> <p>Delivering regeneration programmes in the Districts three Town Centres to support the vitality of those centres and the work of the Town Teams</p>	Corporate Director (JH)	<p>Creation of new jobs</p> <p>New Business starts</p> <p>Business growth in the District</p> <p>Inward Investment in the District</p> <p>Investment into District infrastructure</p>	Quarterly		<p>Business community consulted on District Economic Development Prospectus, which sets clear economic priorities for the period to 2026, and is to be refreshed in 2016/17</p> <p>Work to ensure that key infrastructure projects are included in the Essex and LEP Strategic Plans.</p> <p>Completion of Springwood Drive Enterprise Centre extension Completion of feasibility , specification and business planning studies for Witham Enterprise Centre</p> <p>Delivery of town centre infrastructure improvement projects in Braintree, Halstead and Witham underway</p> <p>Allocation of £5m of New Homes Bonus funds to infrastructure projects agreed.</p>

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
Close engagement with strategic businesses in partnership with Essex Chambers, through a range of activity including Business Forums, the District Business Leaders Board, and direct contact with businesses						<p>Creation of a £500,000 Business Growth Loan Fund</p> <p>£250,000 investment in the Superfast Essex programme to provide additional connectivity for premises</p>

Local Plan – 3

Risk Ratings: a) – B2 (B2 July 2015) and b) & c) – C2 (C2 July 15) Management Board Owner – Corporate Director (JH)

Vulnerability	Trigger	Consequence
<p>Braintree District Council has an adopted Core Strategy and is in the process of preparing a new Local Plan. In line with government policy this will need to deliver a substantially higher target for housing numbers than is currently set out in the Core Strategy, as set out at Local Plan Committee in September 2014, this is likely to be in the range of 750-950 new homes each year.</p> <p>The Local Plan will be subject to an examination in 2016/17 and if found sound will hold full weight in planning decisions, up till this point it will hold limited weight based on its progress and the level of unresolved objections.</p> <p>Whilst the Local Plan is being produced, the Council may be at risk of being challenged by developers on its housing numbers.</p>	<p>a) Land owners submitting planning applications on unallocated sites.</p> <p>b) Lack of housing or economic growth leading to failure of allocated sites to deliver.</p> <p>c) Local Plan being found unsound when submitted for examination by the Planning Inspector.</p>	<p>a) & c)</p> <ul style="list-style-type: none"> • Council may have to approve planning applications on sites outside of those proposed resulting in development which conflicts with the agreed spatial strategy • Loss of appeals on planning applications for development on unallocated sites outside of development boundaries. <p>b) & c)</p> <ul style="list-style-type: none"> • Infrastructure requirements of new developments may not be sufficiently met. • Lack of new jobs in the District and failure to deliver job target • Inability to attract inward investment or business growth • Inability to attract skilled workers to the District • Council not able to meet its objectively assessed need for housing including affordable housing

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Engaging at a regional level.</p> <p>Joint working with other authorities.</p> <p>Good working relationships with Town and Parish Councils and community groups.</p> <p>Infrastructure implications will be a key part of the new Plan.</p> <p>Programme of reporting and decision making through Local Plan Sub Committee.</p> <p>Strong working relationship with major developers on key housing/commercial sites in the District.</p> <p>An Interim Planning Policy Statement which supports the development of proposed allocated sites in the Site Allocations and Development Management Plan and removes the phasing from the Core Strategy growth location sites.</p>	<p>Work programme keeps to timetable to ensure adoption of the Local Plan in line with the project plan.</p> <p>Close working relationship with major landowners and agents in the District to work together on delivery rather than in opposition.</p>	<p>Corporate Director (JH)</p>	<p>Ensuring Local Plan process is adopted/ approved on target.</p> <p>Outcome of appeal decisions relating to non-allocated sites.</p>	<p>Quarterly</p>	<p>Ongoing</p>	<p>Core Strategy adopted 2011 pending adoption of new Local Plan</p> <p>Statement of Community Involvement adopted</p> <p>Approval of Interim Planning Policy Statement September 2014</p> <p>New Local Plan Issues and Scoping document consultation completed March 2015</p> <p>Local Plan evidence base commissioned</p> <p>Sustainability Appraisal underway</p> <p>Development Management Policies approved by Council</p> <p>Site selection process underway</p> <p>The District Council is working in partnership with 3 other Authorities to explore Garden communities options as a possible solution to delivering the Districts growth. DCLG has recently awarded £640,000 of funding to carry out this work.</p>

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>A specific Local Plan budget of £480,000 has been agreed for 2015/16 to ensure the funds are available to provide the necessary evidence base documents and other work required to produce the Local Plan in the timescales proposed.</p> <p>An Appeals reserve fund of £300,000 has been agreed in the budget for 2015/16 to ensure the Council has sufficient funds to refuse applications which we consider unacceptable.</p>						

Community Resilience – 4

Risk Rating C2 (C2 July 15)

Management Board Owner – Corporate Director (CF)

Vulnerability	Trigger	Consequence
<p>There is a small proportion of the district's population that is affected by the recent changes to welfare reforms. The Summer Budget 2015 outlined the Government's intention to make further reforms to Welfare payments with the aim to achieve £12billion of savings by 2019/20. These changes will commence in 2016 and are in addition to a number of the previously notified changes some of which are still working through and the impacts are uncertain. Universal Credit was introduced under a phased approach in the Braintree District from October 2015 and we expect it to be operational for all single claimants in 2017/18. The role out to families is also expected to commence in 2017/18 with introduction of the digital system.</p> <p>We expect the Total Benefit Cap to be implemented in 2016/17, outside London the benefit cap for people under pensionable age will be £20,000 for couples/families and £14,000 for single person.</p> <p>In the 2015 Autumn Statement there were a number of announcements that impact on social/affordable housing:-</p> <ul style="list-style-type: none">- Local housing allowance rates will apply to social housing tenants from April 2018 if they became social housing tenants after April 2016. This also impacts on supported housing schemes.- Local housing allowance is frozen from 2016/17 for four years. <p>There are a number of deprived areas in the district with children in poverty, health inequalities, lack of skills and higher unemployment.</p>	<p>Demand for services from the Council and other public sector organisations increases which exceed supply.</p>	<ul style="list-style-type: none">• Some people do not receive the help they need.• Increase in homelessness, increased demand for temporary and potential use of bed & breakfast accommodation.• Increased demands on the Council's Housing and Customer Services.• Increased health inequalities.• Increase in number of households in fuel poverty• Increase in number of children in poverty.• Requests for Discretionary Housing Payments and/or Exceptional Hardship Fund payments exceed resources allocated.

Vulnerability	Trigger	Consequence
<p>A number of the schools in the district are low rated and educational attainment in the district (based on English and Maths GCSE results) is low compared to the rest of the county.</p> <p>There is a growing population of elderly people, within the district and nationally, a proportion of whom will require public services.</p>		

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Additional staff taken on in Housing, Revenues and Benefits and Customer Services to meet increased demand for services and assistance as a consequence of welfare reforms.</p> <p>Increased partnership working with Citizens Advice Bureau, Greenfields CH, Department for Work and Pensions and Fusion to assist those affected by the welfare changes.</p> <p>Discretionary Housing Payments allocation from the Government of £162,654 in 2015/16. This is intended as short-term assistance available to tenants facing difficulty with their rent.</p>	<p>Revised action plan to be prepared by Officer Welfare Reform group.</p> <p>Regular reviews of the impact the changes are having on those affected.</p> <p>Work jointly with Job Centre Plus to agree a formal partnership agreement regarding Universal Credit.</p>	Corporate Director	<p>Services able to meet increased demand</p> <p>Funding sufficient to support those residents in extreme financial difficulties with council tax and/or rent.</p> <p>Increased number of residents in employment.</p>	Quarterly		<p>Service Level Agreement with Citizens Advice Bureau to provide money advice service to residents, extended to 31st March 2017.</p> <p>Discretionary Housing Payments – allocation of £207,638 for 2016/17.</p> <p>Exceptional Hardship Fund of £14,200 for 2016/17. Short-term support available to council tax support claimants facing financial hardship.</p> <p>Health and Wellbeing Panel for the District established and working with a range of partners.</p> <p>Meetings held with Job Centre plus regarding the working arrangements for the roll-out of Universal Credit in the Braintree District.</p>

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
						<p>Issuing Essential Living Fund pay cards to claimants in the District on behalf of Essex CC.</p> <p>Jobs Fair to be held at Causeway House 12th February 2016.</p>

Service Resilience and Workforce planning – 5

Risk Rating D2 (D2 July 15)

Management Board Owner – Corporate Director (CF)

Vulnerability	Trigger	Consequence
Reduced resources impact on the Council's ability to deliver good quality services. Service delivery and resilience requires a well managed and motivated workforce. The Council has recognised the important challenges around workforce planning and talent management for the future.	<p>Key people leave or are unavailable for work (small teams or specialist areas are most vulnerable).</p> <p>Competitive recruitment markets particularly in relation to the growth agenda.</p> <p>The organisation is stretched too far and resulting in service delivery failure</p>	<ul style="list-style-type: none">• Service failure or performance declines• Mistakes made and corners cut• Customer satisfaction falls• Employees are demoralised.• Loss of good people.• Increased key person dependency• Loss of corporate memory• Failure to deliver Council's priorities and Annual Plan• Remaining staff fail to cope• Change programmes difficult to implement

Affordable Housing – 6

Risk rating C2 (C2July 15)

Management Board Owner – Corporate Director (JH)

Vulnerability	Trigger	Consequence
<p>Although the number of new homes is likely to be significant over the next Local Plan period, there are a number of issues that may limit the number of new affordable homes we can deliver:</p> <ul style="list-style-type: none"> • There are no large-scale developments with affordable homes currently on site, apart from Premdor, Sible Hedingham (which is progressing very slowly). • The 1% rent cut for social housing has reduced the available resources for providers and led to reduced offers to developers. • Developers are becoming more and more likely to challenge the provision of affordable housing on the basis of viability. • The Housing and Planning Bill is likely to give greater discretion to developers to increase the proportion of 'starter homes'. • The HCA is likely to divert funding from new rented housing schemes to forms of shared ownership. <p>In addition a number of other changes are putting pressure on LAs and providers. These include:</p> <ul style="list-style-type: none"> • Right to Buy entitlement to assured tenants of Housing Associations. • The benefit cap reduced from £26,000 to £20,000 means that most providers are unwilling to consider building or buying new 4 bed homes. 	<p>Potential number of affordable houses not provided</p>	<ul style="list-style-type: none"> • Affordable housing need not met • Homeless households remain longer in temporary accommodation as fewer rented homes become available for letting through 'Gateway to Homechoice' • Cost to the Council of temporary accommodation increases • Young people/key workers leave the district • Some housing associations withdraw from higher-risk accommodation, such as supported housing schemes • Inability to find suitable affordable accommodation for larger families

Vulnerability	Trigger	Consequence
<p>Local Housing Allowance (LHA) rates and conditions will apply to social housing from 2018 but will apply to all tenants who took up residence after April 2016. We expect to struggle to provide supported housing as a result (as rents are normally above LHA rates). The change will also affect under 35s, who will not receive enough benefit to cover the rent for self-contained accommodation.</p>		

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>New Housing Strategy drafted and adopted early in 2016/17</p> <p>Up-to-date viability assessment and updated 'toolkit' to undertake individual assessments.</p> <p>Work with Greenfields to make best use of Community Housing Investment Partnership (CHIP) fund to support affordable housing development in the district.</p> <p>Work with a range of housing associations to ensure that we can meet the varied needs of local residents and make sure we do not miss out on affordable housing opportunities.</p> <p>Underwriting schemes and purchase of land for affordable housing developments as opportunity and finance allow.</p> <p>Working with other providers.</p>	<p>Housing Research and Development Team continue to look for innovative ways of increasing affordable housing with developers and Registered Social Landlords.</p> <p>Use of Stat Nav toolkit to help identify need across the District.</p> <p>Build working relationships with developers to deliver affordable housing through S.106 agreements.</p>	Corporate Director (JH)	Local target for an average 100 dwellings per annum	Quarterly		<p>Local Plan in progress. Affordable Housing Viability Study has been completed.</p> <p>Housing Strategy update completed and ready for consultation</p> <p>Meetings arranged with Greenfields to consider use of resources, including terms of transfer agreement.</p> <p>Regular meetings with all housing associations with local development programmes.</p> <p>StatNav data updated each year</p> <p>84 completions of new affordable homes expected in 2015/16. We expect low levels of completions in 2016/17 (54-68 homes expected) but over 100 starts expected on Greenfields sites in Braintree, Kelvedon and Hatfield Peverel.</p>

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
						Authority delegated to Cabinet Members for Planning and Property and Performance and Efficiency to agree acquisitions and funding commitments within the overall affordable housing budget in order to allow timely decisions to be taken and prevent opportunities being lost.

Investment Strategy (formerly Investment of Surplus Monies) – 7

Risk Rating D2 (D2 July 15)

Management Board Owner – Corporate Director (CF)

Vulnerability	Trigger	Consequence
<p>The Council has an Investment Strategy which seeks to optimise use of available resources by investing in property, housing and other assets as well as investing surplus monies with financial institutions to achieve a reasonable rate of return.</p> <p>The security of the money invested is paramount but the Investment Strategy distinguishes between the investment of monies available only in the short-term due to cashflow requirements and monies (core funds) which are available for investment over the medium to long-term.</p> <p>£10million of the Council's core funds were invested in pooled funds (equities and property) in October/November 2014 with the aim of achieving higher rates of return and capital growth over the medium term (3 to 5 years).</p> <p>The limit on investments in pooled funds was increased to £15million (Council 19th October 2015). An additional sum of £2million was invested in pooled funds in December 2015.</p>	<p>Failure of investment counterparty.</p> <p>Tenant ceases trading leading to void period and requirement to find a new tenant.</p> <p>Collapse in the equity market at a time when the Council needs to release money by selling the equity pooled funds.</p> <p>Funds are needed to be recalled at short notice.</p>	<ul style="list-style-type: none"> • Loss of the principal sum and / or interest due • Loss of rental income and increased costs (e.g. unoccupied business rates) • Unplanned service cuts and / or use of balances • Decline in Council reputation

Vulnerability	Trigger	Consequence
<p>The impact of the current economic climate on financial institutions makes the selection of: a strong counterparty, with which to invest; the selection of an asset, to purchase, and the tenant, to occupy and rent property, crucial.</p> <p>Regular monitoring of investment counterparties is essential and this is currently undertaken by Arlingclose, our Treasury Advisors.</p>		

Proposed Grant of Access Rights to Eastlink 120 Development Land, Great Notley		Agenda No: 8b
Portfolio		
Corporate Services and Asset Management		
Corporate Outcome:		A prosperous district that attracts business growth and provides high quality employment opportunities
Report presented by:		Councillor John McKee
Report prepared by:		Andrew Epsom Head of Asset Management
Background Papers:		Public Report
Core Strategy 2011		Key Decision: Yes
Executive Summary:		
<p>Countryside Properties (UK) Limited is seeking to bring forward Eastlink 120, a development site situated to the west of the A131 at Great Notley (as shown outlined in black on the attached plan at Appendix 1). The Employment Site is allocated in the Council's adopted Core Strategy and Countryside Properties has an option to purchase the Eastlink 120 land. As on public record, an application under the Local Plan Review "Call for Sites" process to bring forward a further 98.5 acre site has also been made.</p> <p>The Council owns the land shown hatched black on the plan attached at Appendix 1 between the "Tesco Roundabout" on the A131 and Countryside Properties' development site. Countryside Properties has been seeking to formalise the access arrangements into the site and access terms have now been agreed.</p> <p>The purpose of this report is to provide Members with details of the access terms agreed to formalise the access arrangements across the Council's land and obtain Members approval for the completion of a Deed of Grant of Access. This will enable Countryside Properties to submit a planning application with a view to bringing forward the development of this site.</p>		
Recommended Decision:		
<ol style="list-style-type: none"> 1) That Members approve the access terms agreed with Countryside Properties Limited and completion of a Deed of Grant to formalise the access arrangements into Eastlink 120 development site at Great Notley subject to the consultation under s123 Local Government Act 1972. 2) That powers be delegated to the Director of Sustainable Development in consultation with the Cabinet Member for Corporate Services to agree any amendments or variations to the access terms set out in this report. 		

- 3) That powers be delegated to the Cabinet Member for Corporate Services in consultation with the Director of Sustainable Development to consider any representations made further to the consultation under s123 Local Government Act 1972.

Purpose of Decision:

To formalise access across the Council's land into the Eastlink 120 site to enable this land to come forward for development purposes.

Any Corporate implications in relation to the following should be explained in detail	
Financial:	It is estimated that the Council will receive phased access payments over the development period of the Eastlink 120 site together with 30 full size allotment sites. The running and management of these allotments will go to either the Parish Council or an Allotment Association. This level of consideration is based on the currently approved Masterplan for the site which comprises 45 acres (18.5 ha) of employment and a minimum price per gross acre.
Legal:	The Council's Legal Service and Asset Management Service will seek to ensure the provisions of the Deed of Grant, which formalises the access arrangements, satisfactorily protect the Council's interest.
Safeguarding:	N/A.
Equalities/Diversity:	The construction of new business premises on the Eastlink 120 site will be required to comply with all disabled access requirements and the employment of staff therein will need to comply with all equalities and diversity legislation.
Customer Impact:	The development of the Eastlink 120 site will provide employment opportunities to residents of the District and also realise valuable business rates revenue to help fund Council services.
Environment and Climate Change:	Any newly constructed buildings will need to comply with current environmental and climate change requirements.
Consultation/Community Engagement:	Management Board and Cabinet Members have been consulted on the principle of granting access rights over the Council's land. Appropriate public consultation will take place when the planning application is submitted.
Risks:	<p>1) Economic conditions decline. 2) Build costs increase. 3) Financial soundness of Countryside Properties declines. 4) Countryside Properties or the landowner fail to complete the Deed of Access agreement.</p> <p>See detailed Risk Matrix in the main body of the report.</p>
Officer Contact:	Andrew Epsom
Designation:	Head of Asset Management
Ext. No.	2921
E-mail:	andrew.epsom@braintree.gov.uk

1.0 Background

- 1.1 Countryside Properties (UK) Limited is looking to develop an innovation and enterprise business park on the Eastlink 120 site at Great Notley. The development of the site originally comprised 25.5ha of which 18.5ha was developable for B1, B2, B8, C1 (hotel) and D2 (cinemas/halls/leisure) uses with the remaining 7ha required for structural landscaping (as shown on the plan attached at **Appendix 2**).
- 1.2 This development site was included in the Core Strategy (2011) under Policy CS4 – Provision of Employment. The level of B8 use was, however, restricted to no more than 40% of the total floor area and the largest unit size was restricted to 7500sq.m.
- 1.3 At the Local Development Framework Sub-Committee meeting on the 6th February 2012, the Masterplan (Item 5) for the site was approved subject to the approval of an allotment provision within the site (30 allotments).
- 1.4 The Council owns part of the ransom strip into the Eastlink 120 development site (as shown hatched black on the plan attached at **Appendix 1**) between the “Tesco roundabout” on the A131 and the development site. Countryside also owns part of the ransom strip (as shown shaded black on the plan attached at **Appendix 1**). Countryside has an option agreement over the Eastlink 120 site (as shown edged black and edged black with black dots on the plan attached at **Appendix 1**).

2.0 Current Position

- 2.1 The Council and Countryside Properties have now agreed Heads of Terms for the Grant of a Deed of Access into the Eastlink 120 site. The agreed Heads of Terms are set out below and are subject to Cabinet approval.

3.0 Proposed Heads of Terms for the Grant of Access Rights

- 3.1 A Deed of Grant will be entered into between Mr & Mrs Wheaton (the Wheatons) who own the Eastlink 120 development site and Braintree District Council (BDC) and Countryside Properties (UK) Limited (CPL) who jointly own the access land.
- 3.2 Under the terms of the Deed of Grant BDC and CPL will grant a right of way to the Wheatons or their successor in title over the access land subject to the payment of an access sum in respect of each part of the land for which planning permission is granted.
- 3.3 Access rights will be granted for employment uses falling in Use Class B1, B2 and B8, C1 and D2 of the Use Class Order or such other uses as may be granted planning permission subject to the approved development delivering not less than 65,000 square meters of

employment floorspace.

- 3.4 Should the landowner submit a subsequent planning permission for a more valuable use then an overage payment will need to be made to BDC and CPL.
- 3.5 The access sum is subject to a minimum payment per gross acre. Otherwise the access payment due to BDC will be an agreed percentage of the market value of the fully serviced land less infrastructure and promotion costs. The Council's legal and surveyor's incurred in connection with completing this Deed of Grant (these fees are subject to a cap) will also be deducted from the access payment.
- 3.6 The access payment will be payable to BDC prior to the implementation of the planning permission for the relevant phase of the scheme.
- 3.7 Based on the gross site area of 63 acres detailed in the original Masterplan for the site, the minimum sum that the Council would receive would be the agreed percentage of the minimum payment over the development lifecycle of this site.
- 3.8 The Wheaton's or their nominated developer will be required to submit a planning application in accordance with the Master Plan within 12 months of completion of the Deed of Grant.
- 3.9 The Master Plan will also be required to deliver 30 full size allotments.
- 3.10 CPL to meet BDC's reasonable surveyors and legal costs incurred in connection with the Deed of Grant of Access Rights subject to a cap.
- 3.11 The Heads of Terms are Subject to Contract, Wheaton's approval, BDC Cabinet approval and CPL Board approval.

4.0 Risks

Item:	Issue:	Action:
4.1 Economic conditions decline	Countryside would review its development proposals to assess if viable to proceed. This could result in delays in bringing forward development.	Economic conditions are currently very positive and there is a shortage of available employment land and buildings. Countryside has received positive interest from potential occupiers and therefore need to be encouraged to submit a planning application as soon as possible.

4.2	Build costs increase	There are currently skills and materials shortages in the construction industry which is pushing up build costs.	Countryside has carried out its due diligence and viability appraisals and will have included a contingency provision for potential costs increases.
4.3	Financial soundness of Countryside Properties declines	Countryside unable to progress development of Eastlink 120 due to financial difficulties.	Countryside Properties has an option agreement over the Eastlink 120 development site. This agreement can be assigned and, therefore, could be acquired by another developer. Alternatively, the option agreement would expire and the landowner could re-market the land to secure another development partner.
4.4	Countryside or the landowner fails to complete Deed of Access agreement	The Eastlink 120 development site would not be accessible and would not come forward for development.	The Eastlink 120 site could not come forward for development without access from the public highway to the site. The Council would continue to liaise with the landowner and developer to formalise the access rights.





5.0 **Next Steps**

- 5.1 The Council owned land is currently designated as public open space. The Council will be required, under S.123(2A) of the Local Government Act 1972, to advertise the Council's intention to change the use of this land by granting access rights across it and consider any representations received.
- 5.2 Cabinet considers the Heads of Terms for the grant of access rights over the Council's land into the Eastlink 120 development site at its meeting on the 21st March 2016.
- 5.3 Should Members be minded to approve the grant of access rights, Solicitors to be instructed to prepare and complete the draft Deed of Grant.

APPENDIX 1



Key

- | | |
|---|--|
|  Braintree District Council Ransom Strip |  Countryside Ransom Strip |
|  Countryside Land |  Wheaton Land |

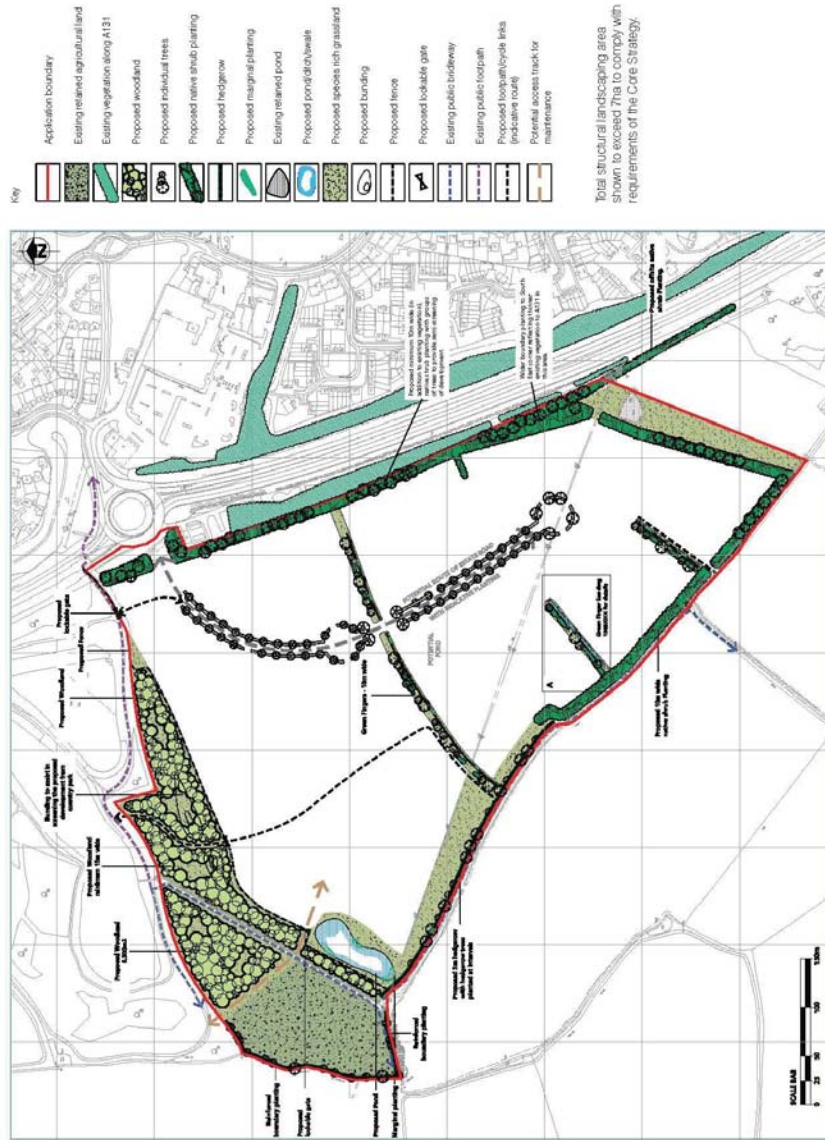
Preferred Masterplan Framework

In summary, we believe the proposed masterplan and indicative plans provide:

- a guiding vision and coherent framework for any future development;
- a clear statement of the physical and other parameters, constraints and restrictions to which the design of the infrastructure and structural landscape must adhere under the terms of the planning permissions sought in future; and
- a flexible framework which is capable of responding to the needs of the scheme and the aspirations of any future owners in line with its boundaries, in alignment with the boundaries contained within the Environmental Statement that will accompany any future outline planning applications;

If approved the masterplan will form the basis for any future proposals and will be a material consideration when considering any further development of the site.

The wider design and sustainability credentials of the scheme will be addressed through a subsequent outline planning application.



Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex. Work by Braintree, Chelmsford, Colchester and Tendring local authorities and Essex County Council.		Agenda No: 9a
Portfolio: Planning and Housing		
Corporate Outcome: A well connected and growing district with high quality homes and infrastructure		
Report Presented by: Councillor Lady Newton, Portfolio holder for Planning and Housing		
Report Prepared by: Emma Goodings, Planning Policy and Land Charges Manager		
Background Papers:		Public Report
<ul style="list-style-type: none"> Localism Act (2011) National Planning Policy Framework (NPPF) 		Key Decision: No
Executive Summary: Members and officers from Braintree, Chelmsford, Colchester, Essex, Maldon and Tendring have been working together on a variety of projects around the formation of new Local Plans. As part of this work a Memorandum of Co-operation (MOC) has been produced identifying broadly the key strategic priorities across the region and will provide a strong message of co-operation and establish a framework within which further collaborative work can take place. Further work is now being progressed on a strategic part of each Local Plan which will reflect and provide further detail on the strategic priorities in the region and how they can be addressed within the Local Plans.		
Recommended Decision: To recommend that Councillor Lady Newton sign the Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex on behalf of Braintree District Council.		
Purpose of Decision: To agree that Braintree District Council sign a Memorandum of Co-operation which would provide strong evidence of Duty to Co-operate and provide a framework in which future collaborative working will take place.		

Corporate implications	
Financial:	The preparation of the Plans set out within the Local Development Scheme will be a significant cost which will be met through the Local Plan budget.
Legal:	To comply with Government's legislation and guidance.
Equalities/Diversity:	The Council's policies should take account of equalities and diversity.
Safeguarding:	None.
Customer Impact:	There will be public consultation during various stages of the emerging Local Plan.
Environment and Climate Change:	This will form part of the evidence base for the emerging Local Plan.
Consultation/Community Engagement:	There will be public consultation during various stages of the emerging Local Plan.
Risks:	The Local Plan examination may not take place. The Local Plan could be found unsound. Risk of High Court challenge.
Officer Contact:	Emma Goodings
Designation:	Planning Policy and Land Charges Manager
Ext. No.	2511
E-mail:	emma.goodings@braintree.gov.uk

1 Background

- 1.1 As part of the work on the new Local Plan, officers and Members as appropriate have been working with our neighbouring local authorities, particularly those within our identified strategic housing market area (Chelmsford, Colchester and Tendring) and Essex County Council, as well as Maldon District Council on key cross border issues.
- 1.2 Chelmsford, Colchester, Tendring and Braintree have worked together to commission a number of pieces of evidence base to support the new Local Plans, particularly in relation to housing need across the strategic market area. Work has also been undertaken with Braintree, Colchester, Tendring and Essex County Council on the exploration of the potential for new garden communities across the area.
- 1.3 A group of senior officers and leaders of the authorities met several times in late 2014 and 2015 with a view to ensuring closer working across the region on planning matters. At these meetings it was agreed to produce a Memorandum of Co-operation (MOC) which could be signed by all the authorities and provide a framework within which individual Local Plans could be progressed. An officer working group was set up, with support from John Williamson, the manager of the Cambridgeshire and Peterborough Joint Planning Unit, to undertake this piece of work.
- 1.4 As part of work on the Local Plans, local authorities have a Duty to Co-operate with others on cross border strategic issues. This is a legal duty which must be demonstrated at the examination into the Local Plan, or it is not able to succeed. This MOC will help to demonstrate that this duty has been met and provide a framework for future co-operation.
- 1.5 Maldon District Council have been engaged in this process and have attended both Member and officer groups. However given the current stage of preparation of their Local Plan, officers have suggested at this time that they will not be a signatory to the MOC or Local Plan 'Part 1'. However as the outcome of the Maldon Local Plan examination becomes clearer, there is opportunity for them to join later.

2 Contents of the Memorandum of Co-operation

- 2.1 The MOC is titled Collaborative Working on Strategic Priorities in North and Central Essex. It starts with a general introduction and context of the location of the authorities involved and why they have chosen to carry out this piece of work.
- 2.2 The MOC then goes on to identify 4 key objectives of the MOC which are to provide evidence on the Duty to Co-operate, to identify major strategic issues, to articulate the process and outcomes from the collaboration and to ensure the alignment of strategic investment priorities and work together on the funding for such projects.
- 2.3 The MOC identifies the key strategic issues that need to be tackled across the local authority area, grouped into themes around transport, infrastructure and

connectivity, providing sufficient new homes, providing employment, addressing education and healthcare needs and ensuring high quality outcomes.

- 2.4 The MOC also identifies the governance arrangements for the monitoring of the document, through a joint Member Group and that the MOC should be in place until the final Local Plan has been adopted, or if it is replaced by a new version. A full copy of the MOC is set out in **Appendix 1**.

3 A Local Plan 'Part 1'

- 3.1 Within the MOC there is reference to the production of some strategic cross border policies which would build from the issues and objectives identified in the MOC. This is being called a 'Part 1' of a Local Plan by officers, although there is no formal name for this part of the process.
- 3.2 The Local Plan Part 1 is expected to include a small number of strategic policies on for example housing numbers, strategic employment and infrastructure which are cross boundary issues. Each local authority will produce its own Local Plan but it is intended that each Plan will have the same part 1 section within it. A draft of this 'Part 1' is currently being finalised by the officer working group and John Williamson with a view to it being part of the draft Local Plans when they are published later this year.

4 Conclusion and Next Steps

- 4.1 The MOC: Collaborative Working on Strategic Priorities in North and Central Essex, is a strong piece of collaborative working which demonstrates the Council's ongoing commitment to working together and meeting the Duty to Co-operate and it is therefore recommended that Cabinet give approval to Councillor Lady Newton as portfolio holder for Planning and Housing, to sign it on behalf of Braintree District Council.
- 4.2 The other local authorities in the group are also considering the MOC in the coming weeks. A completed and signed document will be published on the website.

Recommendation:

To recommend that Councillor Lady Newton sign the Memorandum of Co-operation: Collaboration on Strategic Priorities in North and Central Essex on behalf of Braintree District Council

A Memorandum of Co-operation: Collaborative Working on Strategic Growth Priorities in North and Central Essex

Introduction

Essex is a large county made up of some 12 city and district authorities together with the county council. Despite its size the authorities have a strong track record of working collaboratively on growth issues through regional and structure plans; and, more recently, as part of the South East Local Enterprise Partnership.

In Essex as elsewhere, economic and demographic growth pressures cut across administrative boundaries, reflecting functional and spatial geographies. Settlement patterns, migration flows, commuting and strategic infrastructure needs all have significant influences within and between local authority areas.

The Localism Act 2011 places a Duty to Co-operate on local planning authorities and county councils¹, requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. The National Planning Policy Framework encourages authorities to prepare joint, non-statutory documents, particularly where this provides evidence of having effectively cooperated to plan for issues with cross-boundary impacts².

This Memorandum of Co-operation (MOC) seeks to meet this requirement and to go further in setting out a range of common challenges and opportunities across the area and how these will be addressed.

Parties to the Memorandum

This Memorandum is agreed by the following Local Authorities:

- Braintree District Council
- Chelmsford City Council
- Colchester Borough Council
- Essex County Council
- Tendring District Council

This group of neighbouring authorities historically have made a significant contribution to Essex's growth. They have agreed to come together because of their shared desire to continue to promote sustainable growth; and the particular need to articulate the strategic priorities within the wider area and how these will be addressed. Central to this is the effective delivery of planned strategic growth, particularly housing and employment development, with the necessary supporting infrastructure. The authorities will continue to engage with the South East Local Enterprise Partnership in developing their growth priorities.

¹ Localism Act 2011, section 110.

² National Planning Policy Framework, paragraph 181.

Objectives

Against this background, the main aims of this MOC are to:

- provide a high level statement of intent under the Duty to Co-operate to collaborate on strategic issues;
- to identify the key strategic issues that will have a bearing across the wider geographic area;
- to articulate the process for and outcomes from this collaboration, principally through the statutory planning process; and
- to ensure appropriate integration and alignment of strategic investment priorities in support of sustainable growth, and to use this to make the case collectively for the necessary funding.

Strategic Issues

Future population growth will be driven largely by net migration rather than natural change. This will require an appropriate response from the local authorities to ensure that sufficient houses, employment premises and supporting social and other infrastructure are provided. The ageing profile of residents also requires a proactive response to provide the right type of housing and supporting facilities.

Past under-investment in transport infrastructure and increased demand for road and rail use has placed significant strain on the network. Future planned growth provides the opportunity to address these infrastructure needs as well as to ensure that sustainable travel modes are promoted, although there will be significant challenges in funding what is required.

Against this background, the key strategic issues the authorities need to address collaboratively are:

- **Transport Infrastructure and Connectivity** – Focused on addressing capacity constraints on the A12, A120, A130 and A414; together with upgrades to the Great Eastern Main Line rail line and services; and provision of upgraded broadband infrastructure and services.
- **Providing Sufficient New Homes** - To meet the needs of a growing and ageing population; through ensuring the availability of developable land in appropriate locations and that the market delivers a suitable mix of housing types.
- **Providing for Employment** - To strengthen and diversify local economies to provide more jobs; and to achieve a better balance between the location of jobs and housing, which will reduce the need to travel and promote sustainable growth.
- **Addressing Education and Healthcare Needs** - A range of good quality educational opportunities will need to be addressed as part of a sustainable growth strategy, including practical vocational training and apprenticeships linked to local job opportunities. The authorities will need to work with the NHS and local health partnerships to ensure adequate provision of healthcare facilities to support new and growing communities.
- **Ensuring High Quality Outcomes** – Strategic collaboration provides the opportunity for greater ambition in planning and delivering high quality sustainable new communities; particularly, for example, through new garden communities. More generally, new

development must be functional and viable, but also reflect high standards of urban and architectural design. Major new developments will be planned carefully with the use of masterplans and design codes where appropriate.

Collaborative approach and outcomes

With the removal of the statutory requirement to produce a strategic plan, local plans are the main vehicle for delivering an area's growth requirements and how these will be accommodated. However, as these are necessarily limited in their geographic scope, individual local authorities cannot fully reflect strategic influences and issues within them.

The authorities' agreed response to this is to produce a common strategic section for the current reviews of each of their Local Plans. This 'Part 1' of their Plans will provide the evidence to support their strategic approach to the key issues outlined above, and a spatial strategy and policies responding to these issues in a proactive manner. The separate 'Part 2' for each plan will then address local issues and policies within each authorities' area.

Governance

The work required to deliver the necessary outcomes from this strategic collaboration will be overseen by a Joint Member Group with representation from each of the participating authorities. This will be supported by an Officer Group which will report to the Joint Member Group. Terms of Reference for these Groups will be developed and agreed. Other sub-regional groupings and partners will be engaged as necessary as work progresses.

Timing

This Memorandum has immediate effect and will remain in place until adoption of the last of the authorities' local plans, unless this version is reviewed and replaced before this.

Signature	Role	Authority

Minutes

Developing Democracy Group



13th January 2016

Present:

Councillors	Present	Councillors	Present
Councillor J E Abbott	Yes	Councillor Mrs J Pell	Yes
Councillor Mrs J Beavis	Yes	Councillor C Siddall	Yes
Councillor G Butland (Chairman)	Yes (from 5.40pm)	Councillor Mrs G Spray	Apologies
Councillor D Mann	Yes		

Officers in attendance: Nicola Beach, Chief Executive, Ian Hunt, Head of Governance, Emma Wisbey, Governance and Member Manager, Trevor Wilson, Head of Finance, Dominic Warren, Procurement Manager, Steve Daynes, Democracy Manager, Adam Hill, Governance Service Apprentice

47 MINUTES

DECISION: That the Minutes of the meeting of the Developing Democracy Group held on 6th October 2015 be approved as a correct record and signed by the Chairman.

48 CONTRACT PROCEDURE RULES

INFORMATION: The Council's Contract Procedure Rules were detailed within Chapter Two 'Council Procedure Rules' of the Constitution. The rules had been reviewed and amendments proposed to reflect the changes to the Public Sector Procurement Contract Regulations that came into force in 2015.

The key changes in the Public Contract Regulations (PCR) were:

- The removal of Pre-Qualification Questionnaires (PQQs) for contracts with a value less than the Official Journal of the European Union (OJEU) contract thresholds;
- The thresholds at which opportunities should be advertised; and
- The phasing in of the usage of e-tendering systems for all procurement exercises.

The proposed key changes to the Council's Contract Procedure Rules were:

Simplification of thresholds

It was proposed that there should be four procurement thresholds reduced from the current six. These proposed thresholds are:

- up to £1,499 (2 quote),

- £1,500 - £24,999 (3 Quotes),
- £25,000 to OJEU thresholds (advertise), and
- OJEU thresholds and above (advertise).

All requirements with an estimated value of over £25,000 would be advertised on Contracts Finder. This was a single Government portal for ease of supplier access to opportunities.

Waivers of Standing Orders / Exemptions

It was intended that waivers of standing orders / Contract exemptions would be kept to a minimum, but, where required, these would continue to be sought via permission from the Section 151 Officer, or the Head of Governance.

Bidding Process

It is proposed to add a bidding procedure for external opportunities that the Council may wish to bid for in order to provide a procedure for responding to external opportunities effectively.

DECISION: That Council be **RECOMMENDED** to adopt the Contract Procedures Rules attached to the report.

REASON FOR DECISION: To seek agreement to changes to the Council's Contract Procedure Rules required to meet the Public Sector Procurement Contract Regulations 2015 and to establish procedure rules to be used when the Council wishes to bid for works or services.

49 **REVIEW OF APPOINTMENTS TO OUTSIDE BODIES**

INFORMATION: At its meeting on 6th October 2015, the Developing Democracy Group had agreed to conduct an interim review of Councillor appointments to outside bodies in order to establish the level of engagement between the Council appointed representative and outside bodies.

Appointed Members had been contacted and asked to answer a series of questions.

Lead Officers had also been contacted in order to carry out the review and they had been asked if they had received any feedback from organisations or from Members with regards to outside appointments.

DECISION:

Members considered the information provided and discussed various grounds for considering the prioritisation of appointments. Officers were asked to review potential criteria for making decisions on continuing appointments and to report to the next meeting.

REASON FOR DECISION: To update Members on the review of Member appointments to external organisations made by Council and to consider the next step in the review.

INFORMATION: Following the introduction of Individual Electoral Registration (IER) in June 2014, Electoral Registration Officers had been following a prescribed programme of transition. During this time, existing electors had been data-matched against trusted Government and local records. Where no match could be made, Personal Identifiers (National Insurance number and Date of Birth) had been sought. The Minister of State for Constitutional Reform has concluded that this phase has now achieved its original purpose and that it would conclude on 30th November 2015.

Running alongside IER transition, the first IER Annual Canvass had required householders to either confirm those identified as being registered or adding and deleting electors as appropriate. New electors were held as pending until the Registration Officer had verified applications using personal identifiers.

From an Elector's perspective, the new prescribed registration forms and processes had taken time to embed. Whilst the actual rate of household registration was broadly in line with previous years, the added requirement of collecting personal identifiers had proved more challenging for Electoral Administrators across the country.

Whilst the Electoral Commission had traditionally viewed overall household response levels as an indicator of the overall accuracy of the Register, they had concluded that with IER this could no longer be considered as an accurate indicator given that pending electors cannot be added to the Register until full verification has been completed.

Members were advised that at the conclusion of the Canvass 57,321(90.07%) of households had responded to the various enquiries made by the Registration Officer, and the overall "match rate" using other Council data sources was 59,757(93.58%).

In discussing this item, a Member questioned the number of residential addresses where no registrations were held.

The Democracy Manager agreed to provide Members with the exact number.

The Democracy Manager agreed also to inform Members of the number of applications to register which had been completed online.

Members wished to record their praise and thanks to the Democracy Manager and the Electoral Services team.

DECISION: Members noted the completion of transition to Individual Electoral Registration and the publication of the 2016 Electoral Register following the Annual Canvass.

REASON FOR DECISION: To update and advise Members on the status of the Electoral Register.

The meeting commenced at 5.30pm and closed at 6.30pm.

G BUTLAND
(Chairman)

Minutes

Local Plan Sub-Committee

17th February 2016



Present:

Councillors	Present	Councillors	Present
D Bebb	Yes	Mrs J Money	Yes
Mrs L Bowers-Flint (Chairman)	Apologies	Lady Newton	Yes
G Butland	Yes	J O'Reilly-Cicconi	Yes
T Cunningham	Yes	Mrs W Scattergood	Yes
D Hume	Yes	Miss M Thorogood	Yes

Councillors Bowers, Horner, Mitchell, Ramage and Schwier were also in attendance.

35 **DECLARATIONS OF INTEREST**

INFORMATION: The following interests were declared:

Councillor G Butland declared a non-pecuniary interest in Agenda Item 5 – Garden Communities Update as a Member of Essex County Council.

Councillor Lady Newton declared a non-pecuniary interest in Agenda Item 5 – Garden Communities Update as a Member of Essex County Council.

36 **MINUTES**

DECISION: The Minutes of the meeting of the Local Plan Sub-Committee held on 14th January 2016 were confirmed as a correct record and signed by the Chairman.

37 **QUESTION TIME**

INFORMATION: There were no questions asked, or statements made.

Principally, these Minutes record decisions taken only and, where appropriate, the reasons for the decisions.

38 **GARDEN COMMUNITIES UPDATE**

INFORMATION: Braintree District Council was in the process of preparing a new Local Plan to help shape, enhance and protect the economic, social, natural and built environments within the District. Tendring and Colchester Councils were producing their Local Plans to a common timetable with Braintree. Together with

Essex County Council the local authorities had committed to plan for current and future growth needs in North East Essex to 2032 and beyond. To aid co-ordination and the legal requirement of the Duty to Co-operate, the Councils were working on a Memorandum of Understanding and a joint approach to strategic plan-making. This included exploring the concept of Garden Communities to potentially deliver part of the growth required within the North East Essex area. In addition, as part of the Local Plan processes, a common evidence base had been developed. This included evidence on housing, the economy, transport and the natural environment.

In accordance with this strategic approach, each Council's Local Plan Issues and Options consultations had included the potential for new settlements. To aid the consideration of Garden Communities, the local authorities had jointly appointed Garden City Developments CIC (GCD), a not for profit community interest company, to promote and establish partnerships with third party landowners and option holders to investigate the feasibility of Garden Communities.

A Garden Community may contribute to achieving a proportion of the assessed housing needs of the District. However, it was not the only solution and other sites would also be required to make the Council's 'preferred options' consultation robust. A Garden Community would need to be of sufficient scale to be viable and therefore development was likely to extend throughout and beyond the emerging Local Plan period.

Each local planning authority had committed considerable expenditure for their plan making processes; supported as appropriate by Essex County Council. However, the strategic scale and specialist nature of Garden Communities required dedicated resources and specialist advice to investigate and potentially develop proposals. In recognition of this and in promotion of the Garden Communities movement, the Government had awarded the North East Essex authorities dedicated funding of £640,000 to explore the potential of such settlements. This funding would not commit the Council to including a Garden Community in its preferred options consultation.

DECISION: That the progress made in relation to the consideration and assessment of Garden Communities as part of the Local Plan process be noted.

That the award of £640,000 of grant assistance from the Department of Communities and Local Government be noted.

39 **DRAFT TREE STRATEGY DOCUMENT**

INFORMATION: The Tree Strategy aimed to provide a comprehensive approach to the management and maintenance of trees in the geographical area administered by Braintree District Council.

The strategy had been prepared as a two part document.

Part 1 provided a policy framework which supported the Council's Core Strategy and Part 2 detailed practical guidance and implications of trees and development.

A draft version of the document had been subject to consultation with comments by Town and Parish Councils, community tree wardens and specialist interest groups during October 2015. This Agenda report provided a summary of the salient points within the strategy and the responses to the consultation.

DECISION: That the Tree Strategy be approved as a planning guidance document.

40

**BRAINTREE DISTRICT COUNCIL – STRATEGIC HOUSING MARKET
ASSESSMENT UPDATE - AFFORDABLE HOUSING NEEDS**

INFORMATION: As part of the new Local Plan, Braintree together with the local authorities within its Strategic Housing Market Area (Chelmsford, Colchester, and Tendring) had commissioned an update to the assessment of affordable housing need. Whilst the previous work undertaken had been relatively recent, new Government guidance on the assessment of housing need had been released and the latest assessment had taken into account new methodology, producing a robust assessment of affordable housing need.

For Braintree District, the findings of the assessment were that there should be 218 new affordable homes in the District per year. Based on the figure for objectively assessed housing need of 845, this represented 25.8% of the total new homes. Of the 218 homes, the assessment suggested that 216 of these should be affordable/social rent and two should be shared ownership. The assessment also provided evidence on the size requirements of homes for both the open market and affordable sectors.

DECISION: That the Strategic Housing Market Assessment update on affordable housing need be approved as part of the evidence base for the Local Plan.

The meeting commenced at 6.00pm and closed at 6.54pm.

Councillor Mrs W Scattergood
(Vice-Chairman in the Chair)