

# **CABINET AGENDA**

**Monday, 11 July 2022 at 7:15pm**

Council Chamber, Braintree District Council, Causeway House, Bocking  
End, Braintree, CM7 9HB.

Members of the public will be able to view and listen to this meeting via YouTube.

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**Members of the Cabinet are requested to attend this meeting to transact the business set out in the Agenda.**

**Overall Strategy**

**Innovative Environment**

Finance and Corporate Transformation

Climate Change and The Environment

Operations and Commercialisation

**Connecting People, Places and Prosperity**

Economic Growth

Housing, Assets and Skills

Planning and Infrastructure

**Supporting Our Communities**

Health and Wellbeing

Communities

Councillor G Butland (Leader of the Council)

Councillor J McKee

Councillor Mrs W Schmitt

Councillor R van Dulken

Councillor T Cunningham (Deputy Leader)

Councillor K Bowers

Councillor Mrs G Spray

Councillor P Tattersley

Councillor F Ricci

Invitees: Councillors J Abbott, Mrs J Pell and D Mann are invited to attend as Group Leaders

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by 3pm on the day of the meeting.

A WRIGHT  
Chief Executive

## **INFORMATION FOR MEMBERS – DECLARATIONS OF MEMBERS' INTERESTS**

### **Declaration of Disclosable Pecuniary Interests (DPI), Other Pecuniary Interests (OPI) or Non-Pecuniary Interests (NPI).**

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI 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.

### **Public Question Time – Registration and Speaking:**

The Agenda allows for a period of up to 30 minutes for Public Question Time.

Members of the public wishing to participate are requested to register by contacting the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) by midday on the second working day before the day of the Committee meeting. For example, if the Committee meeting is due to be held on a Tuesday, the registration deadline is midday on Friday, (where there is a bank holiday Monday you will need to register by midday on the previous Thursday). Public Question Time speakers may participate in person or virtually. Speaker preference must be indicated upon registration.

The Council reserves the right to decline any requests to register for Public Question Time if they are received after the registration deadline.

The public may ask questions on any matter listed on the Agenda for this meeting. All questions or statements should be concise and should be able to be read within the 3 minutes allotted for each question/statement.

The Chairman of the Committee has discretion to extend the time allocated for public question time and to amend the order in which questions/statements are presented to the Committee.

### **Public Attendance at Meetings:**

Public attendance is welcomed, but is subject to restrictions due to the Council's arrangements for keeping Causeway House Covid secure and visitors safe.

Public attendance is limited and will be on a first come first served basis with priority given to Public Registered Speakers. In order to maintain safe distances, the Council may have to refuse entry to members of the public. The public may not be able to sit in the Council Chamber, but will be able to observe the meeting from a public gallery through a large screen. Alternatively, the Council meetings are webcast and are available via the Council's YouTube Channel and can be viewed by the public as a live broadcast, or as a recording following the meeting.

Public speakers and public attendees are required to attend on their own, and where possible only one representative of any community group, family household or Company should attend. Members of the public intending to come to Causeway House to observe a meeting are recommended to watch the meeting via the webcast, or to contact the Governance and Members Team to reserve a seat within the public gallery.

**Health and Safety/COVID:**

Causeway House is a Covid secure building and arrangements are in place to ensure that all visitors are kept safe. Visitors are requested to follow all instructions displayed at Causeway House or given by Officers during the course of their attendance.

Anyone attending meetings is asked to make themselves aware of the nearest available fire exit. In the event of an alarm you must evacuate the building immediately and follow all instructions provided by staff. You will be directed to the nearest designated assembly point until it is safe to return to the building.

**Documents:** Agendas, Reports and Minutes can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

**Data Processing:** During the meeting the Council will be collecting performance data of participants' connectivity to the meeting. This will be used for reviewing the functionality of MS Teams/Zoom and YouTube as the Council's platform for virtual meetings and for monitoring compliance with the legal framework for Council meetings. Anonymised performance data may be shared with third parties.

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**Mobile Phones:**

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**Webcast and Audio Recording:**

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**Comments and Suggestions:**

We welcome comments to make our services as efficient and effective as possible. If you have any suggestions regarding the meeting you have attended, you can send these to [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk)

## **PUBLIC SESSION**

## **Page**

### **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 the Cabinet held on 16th May 2022 (copy previously circulated).

### **4 Public Question Time**

(See paragraph above)

### **5 COMMUNITIES**

#### **5a Braintree District Museum Trust**

Cabinet to receive a presentation from the Braintree District Museum Trust.

### **6 FINANCE & CORPORATE TRANSFORMATION**

#### **6a Fourth Quarter and Annual Performance Management Report 2021-22** **6 - 38**

#### **6b Strategic Risk Register** **39 - 67**

### **7 HOUSING, ASSETS AND SKILLS**

#### **7a Horizon 120 Infrastructure** **68 - 71**

This report has a Confidential Appendix which contains exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Any discussion on the contents of the Confidential Appendix will require Cabinet to resolve to move into Private Session and exclude the public from that part of the meeting.

#### **7b Disposal of access rights to land adjoining Horizon 120** **72 - 75**

This report has a Confidential Appendix which contains exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Any discussion on the contents of the Confidential Appendix will require Cabinet to resolve to move into Private Session and exclude the public from that part of the meeting.

**8     HEALTH AND WELLBEING**

**8a     Contract Award for 3G Artificial Grass Pitch at Braintree Sport & Health Club                     76 - 79**

**9     Exclusion of the Public and Press**

To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972.

**PRIVATE SESSION**

There are no Private reports for this meeting of Cabinet.

Cabinet may resolve to move into private session to discuss the contents of the Confidential Appendices to the public reports listed below and exclude the public from that part of the meeting.

7a - Horizon 120 Infrastructure.

7b - Disposal of access rights to land adjoining Horizon 120.

<b>Report Title:</b> Fourth Quarter and Annual Performance Management Report 2021/22	
<b>Report to:</b> Cabinet	
<b>Date:</b> 11 <sup>th</sup> July 2022	<b>For:</b> To Note
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/36
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Tracey Headford, Business Solutions Manager. <a href="mailto:tracey.headford@braintree.gov.uk">tracey.headford@braintree.gov.uk</a> ext 2442	

## **1. Purpose of the Report**

- 1.1 The purpose of the report is to summarise the performance of Braintree District Council (the Council) at the end of the fourth quarter (January 2022 to March 2022) and the end of the financial year.

## **2. Recommendations**

- 2.1 Cabinet to note the performance of the Council for the fourth quarter (January 2022 to March 2022) and the end of the financial year.

## **3. Summary of Issues**

- 3.1 The Council keeps a record of its performance which is reported to Cabinet every quarter for consideration and noting.
- 3.2 The last year has seen the Council respond to the challenges created by the pandemic and focus on delivering key support to residents and businesses enabling the District to recover as quickly as possible. In the last quarter, the Council has again gone above and beyond working with our partners and standing with our communities to offer support to the people of Ukraine.
- 3.3 As at the end of March 2022, there has been an improvement in performance with eight projects now complete and 50 projects on track and progressing well. Five projects have an amber status due to supply chain issues causing delays or due to redirecting resources to deal with organisational demands. One project has been closed and will be reconsidered as part of the budget preparations for a future year.
- 3.4 Targets have not been set for all our performance indicators this year due to the disproportionate impact of the pandemic. For the targets that remain, eight performance indicators have met or exceed target and five performance indicators have missed their target. Two have missed target by less than 5%

and three missed their target by more than 5%. The areas of underperformance are in relation to cumulative number of homes granted planning permission (>5%), recycling rates (>5%), average waiting time for disabled facility grants (>5%), the collection rate for Council Tax (<5%) and the percentage of invoices paid within 30 days (<5%).

3.6 There are a number of key achievements to highlight as follows:

- A high street improvement scheme has been hugely successful with positive engagement and feedback from businesses. 37 businesses improved the aesthetics of their property to create a safe and welcoming environment.
- Street markets returned with a special market held in February ahead of the relaunch with food and drink stalls joining regular traders.
- The new Digital Demand Responsive Transport Service has been launched and the first live outing happened on the 1st April 2022. The service is called DigiGo and is a fully electric shared public transport service which offers on-demand or pre-bookable travel in parts of Essex including linking Horizon 120 to surrounding areas and central Braintree.
- The Council has installed a total of 57 new brightly coloured litter bins at various lay-bys located on the A12, A120 and A131 – this includes seven customised bins that have a large single opening allowing people to dispose of litter without having to leave their vehicle.
- Six units of accommodation became available aimed at supporting rough sleepers or those at risk of rough sleeping to develop independent living skills and improve tenancy sustainment. Five of the six units are now occupied.
- To enable customers to transact with us more easily, residents are now able to sign up to receive their council tax bills electronically.
- A further 116 affordable homes were delivered in the fourth quarter taking the total for the year to 417. In the year, the Housing service also prevented 246 cases of homelessness through various interventions.
- The fourth quarter saw the percentage of people in the district claiming out of work benefits fall to its lowest at 2.9%
- Throughout the year, a total of 1,433 businesses contacted us for business support and we saw 1,011 new business start-ups across the District.

3.7 The financial position for the year is as follows:

- **A positive variance of £480k** after allowing for service carry forwards.
- The **impact of the pandemic** on the council's financial position is estimated around **£1.0m**, which has been contained within Government and other funding received.
- Savings and additional income totalling £401k reflected in the outturn have already been included in the budget approved for 2022/23.
- The change in the **General Fund unallocated balance** is an **increase of £58k**.
- **Spend on capital projects** for the year totalled **£30.6m** with the majority of the spend incurred on the Manor Street development, the Horizon 120

enterprise centre ('The Plaza'), Horizon 120 business park infrastructure, the I-Construct Innovation Centre and Braintree town centre improvement works.

#### **4. Options**

- 4.1 There are no options to consider as a result of this report.

#### **5. Next Steps**

- 5.1 The performance report will go to Performance Management Scrutiny Committee for consideration on the 27<sup>th</sup> July 2022.

#### **6. Financial Implications**

- 6.1 The report provides an update as to the financial position as at the end of March 2022 covering the revenue and capital outturn for this period.

#### **7. Legal Implications**

- 7.1 There are no legal implications arising from this report.

#### **8. Other Implications**

- 8.1 There has been some impact due to the Covid-19 pandemic and the report will include detail of the Council's response. Information is included on how we intend to support residents, communities and businesses moving forward. A summary of complaints received each quarter, analysed by outcome (justified, partially justified or not justified) is provided.
- 8.2 The Enhancing our Environment priority has a number of actions that are designed to have a positive impact on the environment and climate change.

#### **9. Equality and Diversity Implications**

- 9.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 9.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).



- 9.3 Equalities and diversity issues are considered fully in the Council's key projects. Where appropriate, an equality impact assessment is prepared and considered for any key projects identified.

## **10. List of Appendices**

- 10.1 Appendix 1 – Fourth Quarter and Annual Performance Management Report 2021/22

## **11. Background Papers**

- 11.1 Previous performance reports are published on our website once noted by Cabinet. They are published at <https://www.braintree.gov.uk/directory/30/our-performance/category/577>

# Fourth Quarter Performance Management Report

1st January 2022 to 31st March 2022

## And Annual Performance Management Report

2021/2022



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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 fourth quarter and the end of the financial year in relation to the publication of 'Bouncing Back Together', our plan for the district up to March 2023. This sets out the key activities being implemented to deliver our corporate priorities and summarises the measures in place by aligning key performance indicators to our priorities within the Corporate Strategy 2020 – 2024. 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 performance indicators used to measure the outcomes are available upon request.

### Summary of the Corporate Projects current position for the end of the financial year

The following table provides updates for the end of the financial year in relation to our key activities.




Corporate Priorities	Status of projects and actions				
					
Connecting People and Places	2	7	2	0	0
Enhancing our Environment	3	10	0	0	0
Supporting our Communities	1	14	1	0	1
Promoting Prosperity	1	8	2	0	0
Delivering and Innovating	1	11	0	0	0
<b>TOTAL</b>	<b>8</b>	<b>50</b>	<b>5</b>	<b>0</b>	<b>1</b>

#### KEY:




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

## **Summary of the Key Performance Indicators position for the end of the financial year**

The following table shows the performance for the end of the financial year in relation to key performance indicators

Corporate Priorities	Status of indicators			
				Data Only
Connecting People and Places	1	0	1	1
Enhancing our Environment	3	0	1	1
Supporting our Communities	0	0	1	4
Promoting Prosperity	0	0	0	3
Delivering and Innovating	4	2	0	1
<b>TOTAL</b>	<b>8</b>	<b>2</b>	<b>3</b>	<b>10</b>

### **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 last year has seen the Council respond to the challenges created by the pandemic and focus on delivering key support to residents and businesses enabling the district to recover as quickly as possible. In the last quarter, the Council has again gone above and beyond working with our partners and standing with our communities to offer support to the people of Ukraine.

As at the end of March 2022, there has been an improvement in performance with eight projects now complete and 50 projects on track and progressing well. Five projects have an amber status due to supply chain issues causing delays or due to redirecting resources to deal with organisational demands. One project has been closed and will be reconsidered as part of the budget preparations for a future year.

Targets have not been set for all our performance indicators this year due to the disproportionate impact of the pandemic. For the targets that remain, eight performance indicators have met or exceed target and five performance indicators have missed their target. Two have missed target by less than 5% and three missed their target by more than 5%. The areas of underperformance are in relation to cumulative number of homes granted planning permission (>5%), recycling rates (>5%), average waiting time for disabled facility grants (>5%), the collection rate for Council Tax (<5%) and the percentage of invoices paid within 30 days (<5%).

Moving forward, we are committed to enhancing the environment and economic growth as we continue to invest in the future of the district, while balancing the financial challenges faced by the rising costs of inflation, energy and fuel costs and the impact of supply chains. Our Bouncing Back Together document has been reviewed to take account of any changes required and to ensure we remain flexible in our approach to responding to the needs of residents, communities and businesses through to the end of the Plan in March 2023.



## Section 2: Delivering our Corporate Strategy

# CONNECTING PEOPLE AND PLACES








### Actions carried out by Braintree District Council

Project description and comments	Target Date	Status
<b>Adopt the Braintree District Local Plan providing a vision for the future growth of the district</b>		
Public consultation on the main modifications to Section 2 of the Local Plan alongside an updated Sustainability Appraisal and Habitats Regulation Assessment closed on the 25th January 2022. All comments have been published on the Councils consultation portal and we are currently awaiting the Inspectors feedback	August 2022	
<b>Rejuvenate Braintree town centre by completing the Victoria Square development providing a Livewell health hub, 35 apartments, a hotel, bus interchange and public open space</b>		
There have been delays in construction due to covid and continuing supply chain issues impacting on handover dates for the various build phases. The hotel will open in April but negotiations in respect of the lease for the Livewell Hub are ongoing.	June 2022	
<b>Continue to support the safe return to our town centres and help build back together from the pandemic using the Welcome Back fund and other available funding</b>		
Braintree District Council were allocated £268,835 of Welcome Back funding and the completed spend amounted to £268,811.50. One of the main projects delivered in the fourth quarter is in respect of the High Street Improvement Fund. This has been a hugely successful intervention, with positive engagement and feedback from businesses. 37 businesses successfully achieved improvements consisting of labour to improve the aesthetics of the retail/hospitality premises to create a safe and welcoming environment. Promotion of the intervention also provided marketing for the businesses. Repairs to windows, cleaning of awnings, and repairs to woodwork were some of the labour involved. A detailed report is being compiled to showcase all projects delivered within the Welcome Back Fund.	March 2022	
<b>Deliver events in Braintree town centre to increase footfall and support local retailers taking advantage of the newly pedestrianised town centre</b>		
A street market was held in February ahead of the re-launch of our monthly street markets. Food and drink stalls joined traditional traders at Braintree Market creating a food and drink hub utilising the new pedestrianised area of Braintree town centre. The February half term also saw entertainment from Victorian live statues, Alice in wonderland stilt walkers and events to keep families healthy and active. The popular monthly Braintree Street Markets returned in March bringing a selection of food, drink, craft, homeware and gift stalls to the town.	March 2023	

<b>Deliver physical improvements to the town centres of Witham and Halstead</b>		
At Cabinet in March 2022, Councillors agreed to carry out a tender exercise to move forward with appointing contractors to offer final designs and deliver the improvements to both Halstead and Witham town centres. Highway engineers will also be appointed to deliver a feasibility study to provide opportunities for a new highway layout. The improvements to the town centres include the refurbishment of street furniture and street lighting, new cycle parking, road signage, as well as replacement or maintenance of litter bins, benches and bollards to create a more attractive and functional environment.	March 2023	
<b>Develop a new Housing Strategy setting out how the Council will support the availability of good quality homes which best meet the needs of the current and future residents</b>		
The development of the new Housing Strategy has been delayed due to focusing resources on supporting the increased demand on the Housing Service. Resources required to deliver the Strategy are being reviewed.	March 2023	





### **Actions carried out in partnership with others**

<b>Project description and comments</b>	<b>Target Date</b>	<b>Status</b>
<b>Continue to work with our partners on the planning decisions of strategic highway schemes for the A12, A120 and A131 Chelmsford Bypass</b>		
A consultation on the proposed dualling of the A120 between Galleys Corner and Junction 23 south of Kelvedon closed on the 19 <sup>th</sup> December. All feedback received will be reviewed and compiled into a consultation report which will form part of the planning application for a Development Consent Order due to be submitted to the Department for Transport in 2022. National Highways are currently conducting ecological surveys to gain a greater understanding of the ecology in the area and to bring information up to date.	March 2023	
<b>Work with partners including Essex Highways on the delivery of our Cycling Strategy and implementation plan which includes developing integrated, high quality cycle routes that are safe to use and connected across our district</b>		
A communications plan has been launched to encourage residents and businesses to utilise cycling within the district. Cycle maps for the district including family friendly routes and tourist routes have been launched on the Visit Braintree website and will be promoted through district events and school bike ability activities. Funding for business to invest in cycle storage facilities at their workplaces was launched in November 2021 in a bid to encourage more people to cycle to work and so far, there have been five enquiries and 2 successful applications.	March 2023	
<b>Introduce the new Digital Demand Responsive Transport service, linking Horizon 120, with a fleet of electric mini-buses, to surrounding areas and central Braintree</b>		
The new digital demand responsive transport Service has been launched and the first live outing was on the 1st April 2022. The service is called DigiGo and is a fully electric shared public transport service which offers on-demand or pre-bookable travel in parts of Essex including linking Horizon 120 to surrounding areas and central Braintree. There are no fixed routes or timetable and is booked through the 'Travel Essex' journey planning app and operates 7 days a week from 7am until 10pm.	March 2022	
<b>Continue to support and monitor Superfast Essex in the delivery of Superfast Broadband across the district</b>		
The Braintree district is currently at 95% of premises able to access superfast broadband and is forecast to reach 99% coverage within 3 years. The district wide take up of superfast broadband is currently at 30%. Final reach figures will be available by mid 2022 following assurance and approval by BDUK.	March 2023	







Facilitate the delivery of a purpose-built medical centre in Sible Hedingham		
The land transfer to the developer is still ongoing. A planning application for the medical centre has been received. Due to the delays with the land transfer, it is likely that the end date of the project will be revised.	May 2022	




#### Actions carried out by Braintree District Council



Project description and comments	Target Date	Status
<b>Carry out air quality reviews in known air pollution hot spots across the district to improve the knowledge of local air quality and the proposed actions to take</b>		
Additional diffusion tubes have been in place in Head Street to provide extensive monitoring of the air quality and see whether it exceeds the set threshold values. The lab results are currently awaited.	May 2022	
The Council has appointed consultants to undertake a review of air quality in the district. It is expected that a full report will be provided by the end of the summer.	December 2022	
<b>Provide replacement litter bins along the A120 and A12 to keep laybys litter free and our district clean and tidy</b>		
The Council has installed a total of 57 new brightly coloured litter bins along the strategic network within its district, at various lay-bys located on the A12, A120 and A131. The new bins have been match funded by WRAP, allowing the council to invest a total of £30k to give the locations a brand new look. The Council is also trialling seven customised bins that have a large single opening allowing people to dispose of litter without having to leave their vehicle.	March 2022	
<b>Continue to deliver campaigns and work with our communities to</b>		
<ul style="list-style-type: none"> <li>• Reduce litter, keeping our district clean and tidy</li> <li>• Reduce waste and increase recycling</li> <li>• Improve awareness and understanding of climate change</li> </ul>		
The Cleaner Essex Group continue to meet on a regular basis to discuss topics for campaigns in 2022. An Essex wide campaign called 'it's a takeaway, not a throwaway' is being planned along with the final creatives for the campaign which is due to be launched in August.	March 2023	



There have been several campaigns during the fourth quarter to encourage residents to reduce waste and increase recycling including not being able to recycle wet cardboard (soggy and sad), promoting home composting and providing discounted compost bins as well as supporting the national campaign to reduce food waste through love food, hate waste by providing recipes and tips for using up leftovers.	March 2023	
The Council has actively promoted climate change activities such as warm homes, Solar together, green homes grant, ride anywhere as well as sharing the success stories from the community tree and bulbs planting scheme and the creative climate change challenge for schools. Several businesses have also created videos to showcase how they are tackling climate change and these have been shared through our social media outlets including the business newsletter.	March 2023	
<b>Carry out drainage works at Braintree cemetery to eliminate flooding and increase burial capacity</b>		
Due to the original quotes for the drainage works at Braintree cemetery coming back more expensive than anticipated, a more cost-effective solution is being sought. A value engineered design has been drafted and submitted to the Environment Agency. The end date of the project has been revised accordingly.	June 2022	
<b>Carry out refurbishments to eight play areas across the district providing improved facilities for young people to enjoy</b>		
The contract to carry out improvements to play areas at Church Street in Bocking, Acorn Avenue in Braintree, Shaw Road in Witham and De Vere Road in Earls Colne has been awarded. Due to issues with supplies, the improvements are not expected to start until the first quarter in 2022/23 and the end date of the project has been updated to take into account the issues with the supply chain.	May 2022	
<b>Consult with local residents and users of our skate parks at Weavers Park in Braintree and Spa Road in Witham around replacement of facilities</b>		
Head of Operations met with the Councils Senior Landscape Architect to clarify the strategic requirements of the project to ensure the public consultation questionnaire can be designed around this. Public consultation will take place later in the year.	June 2022	
<b>Create a garden of remembrance at Bocking cemetery providing a peaceful environment for families to visit</b>		
The works to create the garden of remembrance at Bocking cemetery have been awarded and a pre-construction meeting will be taking place in May with the landscape architects. It is anticipated that works will start in June 2022.	July 2022	





## Actions carried out in partnership with others






Project description and comments	Target Date	Status
<b>Deliver actions set out in our Climate Change Strategy and Action Plan to achieve our long term aims of being a carbon neutral district</b>		
<p>A scheme to collect unwanted small electrical items such as toasters and hairdryers has been given the go ahead to continue across the Braintree District, following a successful trial last year ensuring that potentially hazardous waste is properly disposed of, preventing harm to the environment. The Council also supported Food Waste Action Week in March by sharing messages about the impact of food waste on climate change raising people's awareness of the huge impact of household food waste on climate change, Practical advice and tips were shared on how food waste can be reduced.</p> <p>The Council is still waiting for updated government guidance in several areas following the Environmental Bill receiving Royal Assent in November 2021 and we continue to review our action plan to ensure it reflects the national picture and partnership working with Essex County Council. The action plan will be taken to Cabinet in July.</p>	March 2023	

<b>Involve residents and communities in tree and bulb planting across the district</b>		
A high number of applications were received for planting packages. In total, 41,600 bulbs and 4,850 tree whips were handed out to Parish and Town Councils, Schools, Colleges, Charities and local community and voluntary groups. Success stories of planting across the district can be seen on our climate change pages of our website at <a href="https://www.braintree.gov.uk/advice-environment/climate-change/6">https://www.braintree.gov.uk/advice-environment/climate-change/6</a> as well as encouraging everyone who has planted trees to plot their location on the Queens Green Canopy Map.	December 2021	
<b>Complete our trial of anti-litter signage and continue to deter people from littering along highway verges</b>		
The trial of the anti-litter signage closed in November 2021 after a year of strategically placing signs along the highway network. During the trial, there was a reduction in the litter discarded along the highway verges and the merits of the signs were clear. The results will be discussed with Essex Highways and discussions will take place to see if the signs are to become a permanent arrangement across the district.	November 2021	










### **Actions carried out by Braintree District Council**


<b>Project description and comments</b>	<b>Target Date</b>	<b>Status</b>
<b>Replace the artificial grass pitch at Braintree Sports and Health Club</b>		
The initial pitch designed has been confirmed and the tender document to procure a project management company drafted. This will be sent out in April via the framework model. The works will be carried out in the summer holidays.	September 2022	
<b>Carry out physical improvements to Braintree Sports and Health club and Halstead Leisure Centre</b>		
The improvements to the sports hall and studio floor at Braintree sports and health club have been postponed for future budget consideration. This project has been closed and will be considered as part of the budget preparations for a future year.	March 2023	
The replacement of the boilers and building plant management systems at Braintree sports and health club were completed in February 2022.	March 2022	
The capital bid to carry out the refurbishments to the wet and dry changing facilities at Halstead Leisure Centre were agreed at Full Council in February 2022. A further bid is being submitted towards payment of the hoist system.	March 2023	

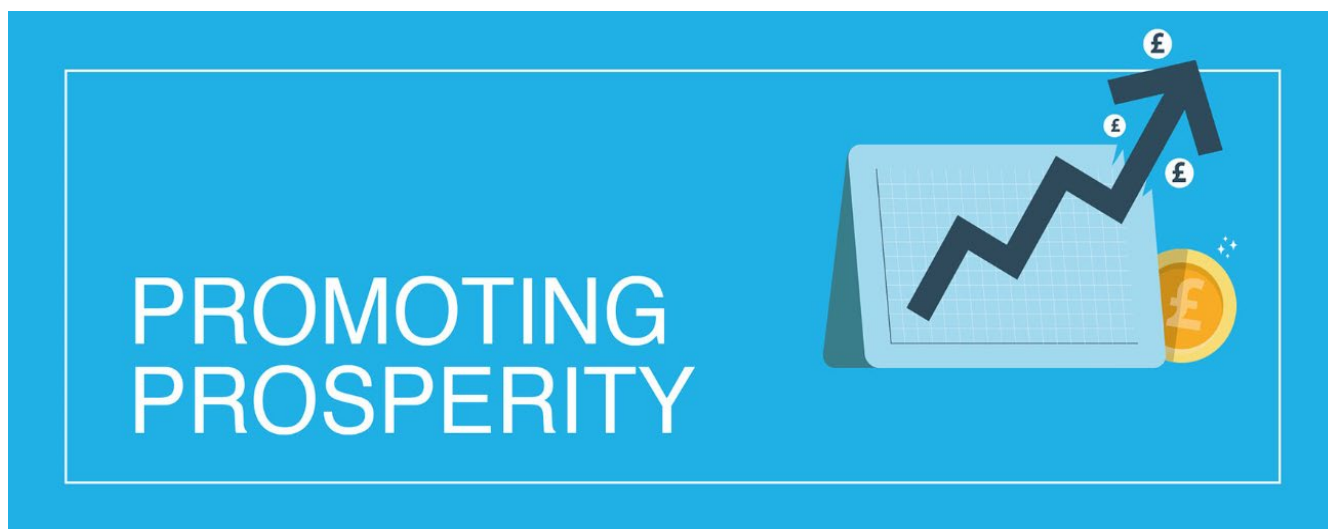
<b>Revitalise our Community Transport scheme and increase the number of volunteers</b>		
A total of 21 volunteer drivers have been recovered across the service including one new volunteer. The Community transport team provided 5,809 passenger journeys in the fourth quarter and a total of 16,523 passenger journeys for the year mainly in respect of transport to vaccinations, food bank parcel deliveries, appointments, shopping and social activities.	March 2023	
<b>Deliver the Braintree District Volunteer Awards to recognise the contribution volunteers make in our district</b>		
The volunteer awards will take place at The Plaza and the date has been moved to August to allow for the completion of the building. Sponsorship work is ongoing and it is expected that the money raised will cover the cost of the event. Nominations for the awards will open in May 2022.	August 2022	
<b>Continue to work with communities to influence the planning of the area in which they live through the development of local neighbourhood plans</b>		
There are five completed plans in the District at Bradwell, Hatfield Peverel and Cressing, The Salings and Coggeshall. The Kelvedon Neighbourhood Plan has completed its examination and went to referendum in March 2022. The Feering Neighbourhood Plan has completed regulation 16 and is currently awaiting the appointment of an examiner. There are a further eight plans underway in the District at Earls Colne, Gosfield, Steeple Bumpstead, Great Yeldham, Great Bardfield, Stisted and Toppesfield, as well as the joint plan at Bures/Bures St Mary.	March 2023	
<b>Set up a young people's panel to encourage more young people to have their say on things that matter to them</b>		
Due to the high levels of Omicron in the district at the beginning of the fourth quarter, schools have been reluctant to have outside visitors into schools and there has not been the level of progress made as expected. We have continued to work with youth groups, Essex Police and the Youth Service to plan some short assemblies for secondary schools for when they can go back into schools.	March 2023	
<b>Continue to deliver our LiveWell programme, focussing on:</b>		
<ul style="list-style-type: none"> <li>• Supporting children and their families to have the best start in life</li> <li>• Supporting older people to age well</li> <li>• Supporting children and adults to have good mental health</li> <li>• Tackling obesity in adults and children</li> <li>• Reducing hip fractures in over 65's</li> </ul>		
The health and wellbeing panel are reviewing the priorities of the health and wellbeing board and information is currently being collated by partners to help understand the changes required. A number of activities continue to be delivered under the Livewell programme including organised walks, fitness classes for people with health conditions, seated exercise classes, dance lessons, weight management sessions and meet up Mondays and Tuesdays.	March 2023	

### **Actions carried out in partnership with others**


<b>Project description and comments</b>	<b>Target Date</b>	<b>Status</b>
<b>Work with Community 360 and Active Essex to provide support to children and families who need it during school holiday periods through the provision of activity sessions</b>		
We continue to work with Active Essex and Community 360 to provide activities and a nutritious meal through the school holiday periods. The half term programme is funded by Essex County Council and Basildon Borough Council in recognition of the support needed through these shorter school holidays and despite the storms in the February half term, six centres provided support across the district providing 620 spaces for children. Preparations for Easter holiday clubs are well underway with eligible families able to book from mid-March.	March 2023	
<b>Continue to work with Community 360 to promote volunteering opportunities and support the voluntary sector</b>		

Plans for a volunteering campaign are still on hold due to resources being moved to support the Ukrainian refugee scheme.	March 2023	
<b>Continue to develop a range of initiatives to address social isolation and loneliness across the district</b>		
A working group has been set up to plan activities for Loneliness Awareness week (13 <sup>th</sup> - 17 <sup>th</sup> June). Activities being considered include Cuppa and Co where coffee mornings or afternoons will be held, pop up lounges for people to sit and have a chat, joining in with jigsaws to encourage people to join in conversations	March 2023	
<b>Continue to work with Essex County Council on the Governments 'Next Steps Accommodation Programme' on initiatives to prevent rough sleepers returning to the streets</b>		
Six units of accommodation became available in February 2022 aimed at supporting rough sleepers/those at risk of rough sleeping to develop independent living skills and improve tenancy sustainment. At the end of March 2022, five of the six units are now occupied.	March 2023	
<b>Continue to raise awareness through the Community Safety Partnership of hidden harms such as exploitation and domestic abuse</b>		
Targeted action, training and awareness continues to take place in two areas of Witham that are causing concern in relation to children & young people going missing and exploitation. Almost 50 representatives across multiple agencies attended a hidden harms awareness session in February, delivered by Children and Young People First to increase knowledge and awareness of county lines, exploitation and modern slavery issues. The Community Safety Partnership have updated their plan around five key priority areas: focusing on protecting the vulnerable, promoting healthy relationships, keeping safe online, building community resilience and promoting safety in our communities. This action will be updated to report against all priorities of the partnership.	March 2023	
<b>Work with the integrated care system and Health and Wellbeing panel to understand local health inequalities and develop the role of Primary Care Networks to support and improve the health of our communities</b>		
Officers from the council continue to attend the Mid Essex Alliance meetings and we are working with them to deliver a PCN workshop in May 2022. At the last PCN workshop in March 2022, the following objectives were discussed: - To consider how PCNs and partners fit within the evolving health and care system in Braintree, the local need and the opportunities for local collaboration. - To think creatively about where we could focus to begin to reduce inequalities in Braintree. - To explore the perspectives of key partners in our systems and communities. - To get to know one another better and think about how we would like to work together in future. - To learn some practical tools and techniques to help us build relationships and lead conversations. - To agree to commitment to continuing this work and monitoring impact for our population. A Members Development session focusing on health was held on 24th February. Presentations from Mid Essex Alliance provided an insight into the newly formed Integrated Care Boards and plans for how the Integrated Care System (ICS) will operate. ECC Public Health also presented on highlighting the need to use an evidence led approach to public health and to look at the wider determinants of health.	March 2023	
<b>Work with our leisure providers to get people back into activity improving their physical and mental health</b>		
Man v Fat Football launched in January at Halstead and has been a great success. Whilst many people have reconnected with their exercise routine since the easing of the Covid restrictions, some are still be nervous about attending large, organised events such as Parkrun. A 5k run is being organised to celebrate the queen's jubilee and will be limited to 99 participants to encourage families to try some light physical activity. Other activities ongoing across the district include Sport for	March 2023	




Confidence (approx. 223 participants), cardiac rehab (56 participants), My Weight Matters (52 participants) and walks (238 participants)		
<b>Engage with school age children and young adults through careers, jobs and apprenticeship fairs to inspire young people to raise their aspirations</b>		
A virtual jobs fair was delivered on the 31st March 2022 in partnership with Essex County Council. The Town Hall was opened to provide an access point for those who do not access to the internet or digital devices. We are currently waiting on the statistics to ascertain how successful the event was	March 2023	






### Actions carried out by Braintree District Council

Project description and comments	Target Date	Status
<b>Continue with the development of Horizon 120 Business and Innovation Park creating up to 2,000 high quality jobs</b>		
The Horizon 120 Business and Innovation Park continues to be developed.	March 2023	
<b>Complete the Horizon 120 Enterprise Centre providing space for conferences and events as well as serviced offices, café and public plaza for start-up companies and SMEs</b>		
The supply chain issues have now been resolved and practical completion is now programmed for the 30 <sup>th</sup> June 2022. The building has been renamed The Plaza.	July 2022	
<b>Develop the Witham Enterprise Centre providing small industrial units for start-up companies and SMEs</b>		
The original architect has been dismissed and an alternative practice is now being considered. This will impact on timescales for the project and a revised end date will be considered when new architects are appointed.	March 2024	
<b>Complete the I-construct innovation centre supporting the development of SMEs in the construction sector</b>		
I-Construct, a £2.3 million centre of excellence for construction innovation, has opened for business. Building work finished in December, 15 months after it began. The two-storey building consist of a technology suite, exhibition space, conference facilities and informal meeting areas. It is home to a team offering one-to-one mentoring, grant schemes and advice to small and medium sized firms connected to the construction industry. The business support programme at the hub will be	December 2021	



run by the Haven Gateway Partnership and will serve businesses across Essex, Kent and East Sussex. The programme will support over 350 businesses and create up to 130 jobs. I-Construct was officially opened by Chairman Councillor Sue Wilson in a ribbon cutting ceremony in February 2022.		
<b>Refresh our Plan for Growth to identify future priorities and deliver the outcomes of the associated Action Plan</b>		
The procurement process has been completed and consultants have been appointed to start in April on this project. A detailed timetable now needs to be agreed.	March 2023	
<b>Deliver campaigns to promote Braintree District as a place to invest in, live in and visit</b>		
Several events have been promoted to encourage families into Town Centres including Food and drink markets, street entertainers, cycling activities, walks and the street markets. Family activities were also promoted in the Visit Braintree District Website for the February half term. Other promotions include the opening of I-construct, local plan consultation, Superfast Essex to explain full fibre, gigaclear broadband and how to access it. A new website called Locate Braintree District was launched in March showcasing reasons why businesses should invest, people should live and visitors should visit the district. The new site links to the existing Visit Braintree District website.	March 2023	
<b>Support individuals back into employment by addressing barriers and providing tailored support and access to training</b>		
As of the end of March we have a caseload of 87 individuals, 6 new starts with 18 social justice outcomes being achieved. We have been invited to submit a funding application for further funding for this role for 2022/23.	March 2023	

## Actions carried out in partnership with others

Project description and comments	Target Date	Status
<b>Rise to the economic challenges by working in partnership with members of the North Essex Economic board to provide support to businesses and create opportunities to boost growth</b>		
A revised pipeline of contacts for businesses in the Braintree District who are from the construction industry or the supply chain to the construction industry is provided regularly to Haven Gateway Partnership to contact businesses directly and promote the offer of I-Construct. A new marketing campaign is being drafted to encourage Springwood Industrial Estate businesses to sign up.	March 2023	
<b>Continue to develop the business support offer for the construction sector as part of the I-construct innovation centre</b>		
A pipeline of contacts for businesses in the Braintree District who are from the construction industry or the supply chain, has been provided to Haven Gateway Partnership to promote the offer of I-Construct. A promotional bag of business support information and an invite to the launch of I-construct was provided to all relevant businesses on Springwood industrial estate and officers in the Economic Development Team have worked with the Asset Management Team to agree a discount for room rentals for springwood industrial estate businesses to access I-construct.	March 2023	
<b>Continue to provide signposting to business support, advice and suitable grants</b>		
All grant funding for 2021/22 has been allocated to Braintree district businesses. Plans are being drafted to roll out future grant funding such as the Shared Prosperity Fund, however until it is made known what the district allocation will be, nothing can be considered for approval to date.	March 2023	
<b>Ensure residents have access to the skills programmes and education they need to access</b>		

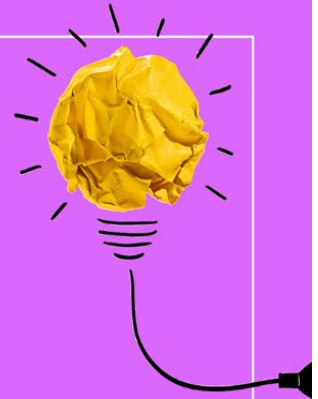
**employment opportunities including in new and expanding sectors**

A meeting for the Essex Skills Plan working group was held on the 25th January 2022 with Essex County Council, skills providers and key stakeholders to discuss how we can identify and fill skills gaps within the County and identify the emerging priorities for change. These keys priorities can be applied to Braintree District and key research has begun to identify skills gaps and education programmes, which will inform both the Essex Skills plan and Braintree plan for growth.








March  
2023




# DELIVERING AND INNOVATING

**Actions carried out by Braintree District Council**

Project description and comments	Target Date	Status
<b>Through our Investment and Development Programme, continue to develop and implement a pipeline of projects focussed on reducing costs, improving efficiency, generating income and becoming more commercially focussed to deliver against the £1.6m financial gap over the next four years.</b>		
In year 1 of the Investment and Development Programme £106,200 was delivered with £84,200 in year 1 and a further £22,000 for years 2 and 3. The pipeline is currently £1,640,720. Of the total four-year programme £157,200 has been included as part of the Mid Term Financial Strategy. The projects delivered in the last year include the renegotiation of the Essex Libraries Service Level Agreement, the embedding of the shared events team and the replacement of the marketplace system.	March 2023	
<b>Refresh our Digital Strategy and action plan to address future demand and improve the way we use technology to deliver services</b>		
An initial internal Digital Strategy Kick off meeting has been scheduled for May 2022, with key dates and resources required for the project to be confirmed by end of May 2022.	September 2022	
<b>Encourage residents to transact with us on line by developing our website to allow customers to make bookings, track requests and sign up to receive council tax bills electronically</b>		
A sports pitch booking form is currently with the service for final sign off before creating the online booking system due to go live in June 2022. The Plaza Meeting Rooms and Hatchery spaces will be added to the Braintree Venues website in readiness for the opening of the Plaza building in the summer.	July 2022	

Residents are now able to sign up to receive their council tax bills electronically and promotion of this will be ongoing.	March 2022	
<b>Develop a plan of community engagement to better understand the needs of our local communities</b>		
Three Community Catch Up Events are being organised in Braintree, Witham and Halstead and will be promoted to local groups. Other opportunities for community engagement are being explored such as Working with Care UK on event in Halstead for Dying Matters week in May, organising a schools 'Forget Me Not' trail for May half term, Little Legs Festival and Armed Forces day in June as well as helping out with the social isolation events	March 2023	
<b>Use customer information and feedback to improve services whilst working towards retaining the accreditation for customer service excellence</b>		
The assessment has been re-arranged for September 2022 as the original dates of the assessment clashed with the recruitment of the Chief Executive. Evidence continues to be pulled together for the assessment.	September 2022	
<b>Review the criteria for the discretionary business rates scheme for charitable and non-profit organisations</b>		
Letters have been sent with annual bills providing notice to relevant businesses that the scheme is being reviewed this year. Businesses will be invited to apply once the scheme (to be applied from April 2023) has been agreed.	March 2023	
<b>Monitor changes to various legislation to understand the impact on services including but not limited to the Domestic Abuse Act 2021, Environmental Bill 2020 and Planning reforms</b>		
A new Domestic Abuse specialist post has been advertised to provide specialist homelessness support to housing officers around domestic abuse and ensure all aspects of casework are carried out in accordance with relevant legislation and guidance	March 2023	
The Council is waiting for the Government to formally announce the policy changes (expected Spring 2022) within the Environment Act. This will enable the Council to understand the impact of the Act in relation to its Waste Collection Service.	June 2022	
Work is underway to consider the implications of the Environment Bill and in particular the biodiversity net gain. The Planning White Paper now appears to be combined into a Levelling Up White Paper but the timing of this are not clear. The Council is still dependent on the timings of government announcements and the content of those announcements.	March 2023	













## Actions carried out in partnership with others





Project description and comments	Target Date	Status
<b>Work with Fusion to recover and develop leisure services following the pandemic ensuring the district has the right type and level of leisure provision to meet resident's needs</b>		
As national restrictions have now been lifted, Fusion are starting to see an increase in participation levels. They are not yet back to pre-pandemic level and Fusion will be reviewing their membership options to ensure they are in line with competitors. Targets for participation levels were removed during the pandemic and the Council will start to look at baseline figures to re-set targets for 2023.	March 2023	



## Section 3: Managing the Business

### Our Performance Indicators in Detail

Performance Indicator	2021/22								
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	Yearly Outturn	Target for the end of the year	Status at the end of the year
<b>CONNECTING PEOPLE AND PLACES</b>									
Number of affordable homes delivered	91	99	111	116	37		417	250	
Percentage of superfast broadband coverage across the district	95%	95%	95%	95%	n/a	n/a	95%	n/a	n/a
Cumulative number of homes granted planning permission (outline and full)	654	709	881	941	1,080		941	1,080	
<b>Comments</b> This indicator reports cumulatively on the outline and full planning applications granted permission. Figures will fluctuate each quarter depending on the size of the applications. In the first quarter, one outline application counts towards 575 homes The breakdown between full and outline permissions since April through to the end of September are as follows: Full – 212 Outline – 729 Whilst the 5 year housing land supply position looking forward from March 2021 has shown just over a 5 year supply within this year, the number of permissions granted has not made the yearly target which could cause issues when the 5 year housing supply is rolled forward to March 2022. However, officers are currently in pre application discussions with the biggest allocated housing site in the Local Plan, which if approved in the year 2022/3, would make up the shortfall in approvals this year.									
<b>ENHANCING OUR ENVIRONMENT</b>									
Percentage of household waste sent for reuse, recycling and composting	54.37%	54.36%	46.82%	41.79%	60%		49.83%	60%	
<b>Comments</b> The recycling target is an aspirational target set by the Essex Waste Partnership. The tonnage of recycling at Qtr. 4 was down by 891 tonnes compared to the same period last year. This quarter includes the suspension of the green waste service. In 2021-22 the total tonnage of waste that was recycled was 1,270 tonnes higher compared to the same period last year. These figures are estimated and are subject to final validation by Essex County Council. We continue with promotional work around waste reduction and increasing recycling to encourage change in attitudes and behaviours.									
Kilograms of residual household waste collected per household	114kgs	116kgs	106kgs	122kgs	117kgs		458kgs	468kgs	
Percentage of land that falls below cleanliness standards for litter	n/a	7%	5%	2%	6%		4.67%	6%	
Number and percentage of accessible non-hazardous fly tips on public land cleared within 24 hours of being reported	100% (198)	100% (205)	100% (172)	100% (200)	100%		100% (775)	100%	
Number of residents assisted in installing energy saving measures	Annually reported						Currently awaiting figures from providers	n/a	n/a

Performance Indicator	2021/22								
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	Yearly Outturn	Target for the end of the year	Status at the end of the year
SUPPORTING OUR COMMUNITIES									
Average waiting time for applicants on the Disabled Facilities Grant (calculated in days from point of referral to approval)	211 days	205 days	180 days	199 days	90 days		199 days	90 days	
<b>Comments</b> Five grants have taken over a year to bring to approval for various reasons relating to covid, the complexity of the grants and the accessibility and wishes of the clients. Removing those 5 outliers reduces the average to 142 days. The team are still clearing the backlog of cases delayed by Covid and the wishes of the clients to delay appointments.									
Participation levels across all our sports centres	91,643	135,223	137,813	177,861	n/a	n/a	542,538	n/a	n/a
Participation of adults being active for 150 minutes per week	Annually reported						56.9%	n/a	n/a
<b>Comments</b> The figure reports from November 2020 to November 2021. The restrictions imposed in response to the pandemic have impacted on people's ability to take part in sport and physical activity with activity levels hit hardest during the first national lockdown. Sports England are working with partners to increase levels through several campaigns and funding opportunities.									
Number of customers using out Handyman scheme	25	19	60	48	n/a	n/a	152	n/a	n/a
Number of homelessness cases prevented	64	54	67	61	n/a	n/a	246	n/a	n/a
PROMOTING PROSPERITY									
Percentage of people in the district claiming out of work benefits rate (aged 16 – 64)	4.3%	3.7%	3.2%	2.9%	n/a	n/a	2.9%	n/a	n/a
Number of new business start-ups across the district	259	217	247	288	n/a	n/a	1,011	n/a	n/a
Number of businesses that have contacted us for business support	191	451	387	404	n/a	n/a	1,433	n/a	n/a
DELIVERING AND INNOVATING									
Percentage of calls resolved at first point of contact in the Customer Service Centre	73%	74%	71%	73%	n/a	n/a	73%	n/a	n/a
Percentage of invoices paid within 30 days of receipt (cumulative)	97.08%	95.77%	96.49%	96.4%	99.25%		96.4%	99.25%	
<b>Comments</b> This indicator is now reported cumulatively to provide a better understanding of the position with paying invoices. Since the start of the financial year, 10,331 payments out of 10,716 have been paid within 30 days of receipt of the invoice. The target will be reviewed considering organisational changes and the emphasis on services receipting goods.									
Number of people transacting with us online	39,311	32,278	29,569	33,861	n/a	n/a	135,019	n/a	n/a

Performance Indicator	2021/22								
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	Yearly Outturn	Target for the end of the year	Status at the end of the year
Time taken to process housing benefit/council tax benefit new claims	16.48 days	14.33 days	14.85 days	16.43 days	20 days	✓	15.75 days	20 days	✓
Time taken to process housing benefit claim changes	5.59 days	4.64 days	3.67%	4.78 days	6 days	✓	4.76 days	6 days	✓
Percentage of Stage 1 complaints responded to within 7 working days	93.51%	94.83%	91.67%	95.16%	90%	✓	93.66%	90%	✓
Collection rate for Council Tax	30.10%	57.48%	84.70%	97.39%	98.30%	⚠	97.39%	98.30%	⚠
<b>Comments</b> <i>The target is based on the pre-Covid collection performance recorded in 2019. The outturn this year is above the average across all Essex Authorities. We were almost ¾% higher than 2020/21 collection.</i>									
Collection rate for Business Rates	25.80%	51.57%	81.77%	98.66%	98.60%	✓	98.66%	98.60%	✓

## **Complaints**

The quarterly complaints analysis for the fourth quarter of 2021/22 is detailed below. This is compared with 2020/21 figures shown in brackets. The figures represent all three stages of the complaints process.

Complaint Category	Q1 2021/22	Q2 2021/22	Q3 2021/22	Q4 2021/22	TOTAL
Justified	51 (43)	67 (51)	39 (53)	49 (50)	206 (197)
Not Justified	82 (55)	68 (56)	49 (43)	60 (73)	259 (227)
Partially Justified	26 (19)	46 (22)	7 (19)	18 (28)	97 (88)
Not known	0 (0)	0 (0)	0 (0)	1 (1)	1 (1)
<b>Total</b>	<b>159 (117)</b>	<b>185 (129)</b>	<b>91 (115)</b>	<b>128 (152)</b>	<b>563 (513)</b>

## **Comments**

There has been an increase in the number of complaints this quarter compared to the previous quarter, however, this is lower than the number of complaints received in the first half of the year. At the time of writing the report, one complaint at stage 3 of the complaints process was still being investigated.

The majority of complaints received are in our Operations service area in respect of missed waste collections with access issues, contaminated waste and missed assisted collections continuing to be the main reasons.

Throughout the year, the Council monitors trends in complaints and uses this information to identify any improvements to processes and the service provided with the aim of reducing the number of complaints received.

In the fourth quarter of 2021/22, of the 128 complaints received:

- 124 are stage one complaints
- 3 are stage two complaints
- 1 is a stage three complaint

### **A summary of Local Government Ombudsman (LGO) cases:**

In the fourth quarter of 2021/22, the LGO has received two new complaint enquiries, both in respect of the Planning service.

The first complaint they declined to investigate as there was no evidence of fault by the Council. The second complaint has temporarily been closed as the complaint to the LGO was premature as the planning application has yet to be determined.

### **Our Organisation**

The following is a selection of our people performance measures:

People: Indicators of Performance	Q1 21/22	Q2 21/22	Q3 21/22	Q4 21/22	Change on previous period	Yearly Target
Total headcount	495	492	494	492	- 2	-
Total staff FTE	446.07	441.97	443.2	443.8	+0.6	-
Level of employee turnover	3.03%	2.24%	2.63%	2.85%	+0.22%	-
Number of leavers	15	11	13	14	+1	-
Number of starters	11	8	15	12	- 3	-
Working days lost to sickness per employee	1.4 days	1.72 days	1.94 days	2.12 days	+ 0.18 days	8.0 days
Percentage of staff with nil sickness	84.8%	71.95%	60.53%	54.88%	N/A Cumulative	-
Number of learning hours	1365.5	1556	2594	160	- 2,434	-
Number of delegates	189	169	152	83	- 69	-
Number of apprentices **	16	14	19	19	0	-

Year on Year Headcount Analysis	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
	464	466	481	492	499	492

\*\* BDC's apprenticeship programme runs throughout the year. The figures reflect various apprenticeships ranging from level 3 through to a degree level 6

## **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.

<b>Health &amp; Safety: Indicators of Performance</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	
	(2020/21 figure in brackets)				
Total number of reported accidents/ incidents, calculated from:	8 (10)	7 (13)	9 (10)	15 (12)	
<i>Accidents/ incidents to employees</i>	6 (8)	6 (11)	8 (8)	11 (9)	<i>Slips, trips and falls make the majority of the accidents</i>
<i>Accidents/ incidents to contractors</i>	2 (2)	1 (2)	1 (1)	0 (3)	
<i>Accidents/ incidents to non-employees</i>	0 (0)	0 (0)	0 (1)	4 (0)	
Time lost in days due to employee accidents/ incidents	0 (0)	10 (5)	22 (18.5)	26 (16)	
Number of reported verbal/ physical incidents to employees	2 (2)	1 (4)	1 (1)	1 (0)	
Number of near miss incidents	0 (0)	0 (0)	0 (0)	2 (1)	
Number of Accidents/ incidents registered resulting in insurance/ compensation claim	2 (0)	1 (2)	3 (3)	3 (2)	
Number of claims settled	1 (1)	0 (1)	3 (1)	2 (1)	

## Financial Performance

### Summary

This part of the report provides a review of the financial position for the year. It examines the provisional outturn spending on day-to-day service provision compared to the budget for the year, including the impact of the pandemic. Also included is a summary of treasury management activities; movements on the General Fund balance; and a summary of spend on capital projects in the year.

The financial position for the year is as follows:

- **A positive variance of £480k** after allowing for service carry forwards.
- The **impact of the pandemic** on the council's financial position is estimated around **£1.0m**, which has been contained within Government and other funding received.
- Savings and additional income totalling £401k reflected in the outturn have already been included in the budget approved for 2022/23.
- The change in the **General Fund unallocated balance** is an **increase of £58k**.
- **Spend on capital projects** for the year totalled **£30.6m** with the majority of the spend incurred on the Manor Street development, the Horizon 120 enterprise centre ('The Plaza'), Horizon 120 business park infrastructure, the I-Construct Innovation Centre and Braintree town centre improvement works.

### Background

The budget approved for expenditure on services was £15.4m. This amount was to be financed from a combination of: general government grants (£0.4m); business rates (£5m); and Council Tax (£10m). During the year service budgets may be updated in accordance with the Council's Budget and Policy Framework Procedure.

### General Fund Revenue Spending

Service	Updated Budget £'000	Actual Spend £'000	Adverse (Positive) variance				Total £'000	RAG Status
			Staffing £'000	Other Exp. £'000	Gross Income £'000	Carry forwards £'000		
Asset Management	(2,479)	(2,597)	19	(10)	(127)	-	(118)	G
Community & Leisure	754	975	(71)	92	200	15	236	R
Corporate Management Plan	1,496	1,436	(93)	25	8	-	(60)	G
Economic Development	216	200	1	(17)	-	-	(16)	G
Environment	774	662	(9)	(20)	(83)	94	(18)	G
Finance	1,425	1,368	(142)	133	(48)	35	(22)	G
Governance	1,210	1,088	(25)	(58)	(39)	2	(120)	G
Housing Services	956	861	(6)	39	(128)	111	16	A
Human Resources	351	352	(1)	2	-	-	1	A
ICT & Facilities	1,714	1,698	21	(33)	(4)	-	(16)	G
Marketing & Communications	614	558	(14)	(14)	(28)	-	(56)	G
Operations	6,340	6,018	(105)	209	(426)	409	87	R
Strategic Investment	23	23	-	-	-	-	-	G
Sustainable Development	1,031	1,166	(98)	134	99	58	193	R
<b>Service Total</b>	<b>14,425</b>	<b>13,808</b>	<b>(523)</b>	<b>482</b>	<b>(576)</b>	<b>725</b>	<b>108</b>	<b>R</b>
Corporate Financing	1,308	1,441	147	194	(208)	-	133	R
Efficiency	(300)	-	300	-	-	-	300	
<b>Total Budget Variance<sup>1</sup></b>	<b>15,433</b>	<b>15,249</b>	<b>(76)</b>	<b>676</b>	<b>(784)</b>	<b>725</b>	<b>541</b>	<b>R</b>
<b>COVID-19 general grant</b>					(510)	-	(510)	G
<b>COVID-19 specific grants &amp; income compensation</b>					(511)	-	(511)	G
<b>Net Total General Fund</b>	<b>15,433</b>	<b>14,414</b>	<b>(76)</b>	<b>676</b>	<b>(1,805)</b>	<b>725</b>	<b>(480)</b>	<b>G</b>

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

<sup>1</sup>See Analysis of the Total Budget Variance below

## **Analysis of the Total Budget Variance**

Except where specific expenditure is being incurred, it is difficult to be precise about the extent to which the budget variances set out above have arisen solely as a result of the Covid pandemic, therefore judgement has been used.

Reason for budget variance:	Adverse (positive) variance					RAG Status
	Staffing £'000	Other Expenditure £'000	Income £'000	Carry Forwards £'000	Total £'000	
Covid-19 (before Govt. funding)	194	446	381	-	1,021	R
Base budget	(270)	230	(1,165)	725	(480)	G
<b>Total Budget Variance</b>	<b>(76)</b>	<b>676</b>	<b>(784)</b>	<b>725</b>	<b>541</b>	<b>R</b>

Certain activities required in response to the pandemic have been undertaken by reprioritising the work of services and this element of the resource input is not included in the above analysis.

The position regarding the Base Budget is a net positive variance of £1.2m, before Carry Forwards which compares to the position reported at Q3 of £699k. The main changes during the final quarter relate to the following factors:

- **Council Tax Sharing Agreement (+£237k income)** – The financial gain achieved under this agreement increased in the final quarter due to a combination of reasons: continuous success in the collection of prior year debt; an overall improvement in the in-year collection rate achieved for the year; and recognising the overall collection performance across all billing authorities in the County. Consequently, the percentage of the preceptor's share of the extra Council Tax collected and shared back to the authority increased from an initial 12% to 14%. This improvement is on the back of a significant shortfall in the amount received in 2020/21 as restrictions were in place on seeking recovery through the courts due to the pandemic.
- **Increase in external Income (+£84k)** - In the last quarter, there has been a higher than anticipated increase in income from licensing (£35k), attributable mainly to new business from a large taxi operator; an increase in income from interment ceremonies (£25k); and additional rental income from the commercial portfolio (£24k) as occupation rates remained high.
- **Housing Benefits Net Cost (-£46k)** – A reduction in net cost following receipt of confirmation of the status of a temporary accommodation facility increasing housing subsidy recovery up to 100% of eligible benefits paid.
- **Homelessness & Temporary Accommodation (-£41k expenditure)** - Approval was obtained in the last quarter from DLUHC to allow grant to be applied to a wider range of costs meaning that some base budget expenditure has been funded from grant allowing resources to be carried forward into 2022/23 in anticipation of increased demands on this service.

### **Carry Forwards**

Carry Forwards totalling £725k, including a £361k transfer to a new recycling income reserve, were agreed by the Cabinet Member for Finance and Corporate Transformation on 10<sup>th</sup> May 2022.

### **Net Total for the General Fund**

**After taking into account Government and other funding received in relation to the financial impact from the Covid pandemic, the Net Total for the General Fund is a positive variance of £480k.**

### **Commentary on the impact on the budget due to the Covid-19 Pandemic**

The budget impact from the Covid pandemic is just over £1m, which is mainly as a result of the following:

- Support provided to the Council's leisure operator whilst services were being remobilised after multiple periods of national lockdown and other local restrictions, and recognising the additional measures that had to be put in place to ensure that all facilities continued to operate in accordance with the appropriate guidance and advice. The financial implications of this support is reflected in the reported position for Community & Leisure, which is partially offset by funds received from the National Leisure Recovery Fund.
- Additional grant funded expenditure was incurred aimed at putting in place additional measures to create and promote a safe environment for local trade and tourism, particularly in high streets as local economies reopened; and for helping to reduce the spread of coronavirus and support local public health initiatives.
- Reductions in fees and charges, primarily from off-street car parking, but also other services including Community Transport, the Town Hall Centre, and Markets. The Government committed to continue to provide compensation to local authorities at a rate of 75p in the £ for net losses across certain income streams for the period April to June. A claim was submitted and £108k received under this scheme.

The Government allocated unringfenced grant of £686k for Covid as part of the Local Government Finance Settlement for 2021/22, of which £510k has been utilised in-year towards meeting the £1m impact, with the balance of £176k being transferred to the Covid reserve. A further £511k from various sources of Covid related funding has been applied to meet the remaining balance of the financial impact of the pandemic. New burdens funding received in the final quarter of 2021/22 has been added to the Covid reserve.

It is anticipated that further expenditure will be incurred as a result of Covid, including on capital projects where contractors have indicated that final account claims are likely to include requests for increased costs due to time delays and additional expenditure incurred from complying with government guidance on site operating procedures.

### **Commentary on Base Budget Variances**

#### **Staffing**

Staffing budgets include both directly employed staff, and bought-in/ agency staff, the latter being used where additional resources are required to meet increased service demands and/ or the need for specialist skills; to provide cover in cases of absence (e.g. vacancies, holidays, sickness, maternity etc.); or where in-house staff are assigned to work on other projects and priorities.

Across all service areas staffing budgets were underspent by £523k partially offset by £147k additional expenditure as result of Covid related activities. After allowing for the corporate efficiency factor of £300k, the net underspend was £76k.

The main reasons for the staffing underspends were delays in recruiting to vacant posts, changes in hours and scale points, and other staffing efficiencies.

#### **Other Service Expenditure**

Excluding the additional £446k of costs incurred due to Covid, there is a net overspend against the base budget of £230k, which reflects a combination of variances across service areas:

- **Housing Benefits Net Cost (+£145k)** – a complex area involving significant demand-led expenditure in benefits paid to claimants and subsidy received from government. The level of subsidy receivable is subject to claim types where the rate of compensation to the Council can vary. Although there has been an improvement in the last quarter, a net additional cost was incurred based on pre-audit final claim data.
- **Waste Management** costs arising from the additional cost and replacement of wheelie bins – this is due to a mixture of housing growth where grey and green bins are provided, and replacement of damaged bins (**+£90k**). Higher fleet costs due to a combination of fuel price increases (**+£21k**);



and additional hired vehicles, partly covering new vehicles that were awaiting delivery, and to cover the catch-up period following the extended Christmas/ New-year break in service. **(+£100k)**.

- **Street Cleansing (+£59k)** - Higher fleet operating costs as a result of fuel prices, maintenance charges, and hired vehicle costs.
- **Housing Services (+£69.4k)** – Additional cost of providing B and B accommodation which has been funded by an increase in government funding.
- **Planning Enforcement (Net +£40k)** - Additional costs were incurred including legal costs on pursuing planning enforcement cases through the courts; however, the Council has been awarded costs in a number of cases.
- **Landscape Services (+£54k)** - Unbudgeted fees in relation to externalised landscaping works undertaken by Essex County Council due to staff vacancies. This is offset by a positive variance within salaries.
- **External Audit Fees (+£52k)** – A provision has been made for increased audit fees partially from a new 'Use of Resources' requirement introduced by the National Audit Office, and also to reflect an estimated increase in fees for prior year audits. Final fee levels will need to be requested by the auditor and ultimately agreed with the Public Sector Auditor Appointments body.

Within the overall position there are some areas where positive variances have occurred:

- **Essex Pension Fund (-£58k)** – payments to the fund were lower in relation to prior year discretionary benefits.
- **Housing Services (-£48k)** - Recharges from Eastlight Community Housing for voids and repairs on temporary housing accommodation were lower than budgeted **(-£34k)**, and there was an overall underspend on the rent support scheme used to help people access private rented housing **(-£12k)**.
- **Cordons Farm (-£71k)** - Reduced operating costs part of which was from less frequent emptying of the interceptor tank as a result of improved drainage and favourable weather conditions.
- **Governance Services (-£41k)** - Expenditure on Members' allowances and expenses were less than budgeted; and cost savings were made in Electoral Services, partially offsetting a reduction in Cabinet Office grant for Individual Electoral Registration.
- **Customer Services (-£28k)** – A saving was made on the payment for services provided through Essex Libraries.
- **Highway Verge Maintenance (-£35k)** – Expenditure was less due to a reduction in the number of cuts of rural verges.
- **Causeway House (-£25k)** – Net reduction in running costs (after allowing for service charge adjustments).

## **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. These income streams are normally fairly predictable or fluctuate in response to compensating changes in expenditure. Where uncertainty exists this is managed via earmarked reserves, e.g. the business rate retention reserve. Other income is more susceptible to changes in external factors / service demand and is summarised in the following table.

Service	Updated Budget	Joint Financing & Other Reimburs.	Sales, Fees & Charges	Rents & Service Charges	Other Income	Total	RAG status
		8,440	6,244	3,370	1,682	19,736	
	£000	Adverse (Positive) Variance £000 against Budget :					
Asset Management	3,602	(4)	(1)	(112)	(10)	(127)	G
Community & Leisure	717	(8)	202	-	6	200	R
Corporate Management Plan	10	8	-	-	-	8	A
Economic Development	643	-	-	-	-	-	G
Environment	928	20	(74)	-	(29)	(83)	G
Finance	2,452	63	(1)	-	(110)	(48)	G
Governance	210	(19)	(41)	-	21	(39)	G
Housing	102	-	(93)	7	(42)	(128)	G
Human Resources	6	-	-	-	-	-	G
ICT & Facilities	2	(4)	-	-	-	(4)	G
Marketing & Communications	131	-	(2)	-	(26)	(28)	G
Operations	5,521	(151)	(266)	23	(32)	(426)	G
Strategic Investment	263	-	-	-	-	-	G
Sustainable Development	1,742	(71)	190	-	(20)	99	R
<b>Service Total</b>	<b>16,329</b>	<b>(166)</b>	<b>(86)</b>	<b>(82)</b>	<b>(242)</b>	<b>(576)</b>	<b>G</b>
Corporate Financing	2,721	(239)	-	-	31	(208)	A
<b>Total Budget</b>	<b>19,050</b>	<b>(405)</b>	<b>(86)</b>	<b>(82)</b>	<b>(211)</b>	<b>(784)</b>	<b>G</b>
<b>Attributable to:</b>							
<b>Covid-19 impact</b>		<b>(77)</b>	<b>436</b>	<b>22</b>	<b>0</b>	<b>381</b>	<b>R</b>
<b>Base budget</b>		<b>(328)</b>	<b>(522)</b>	<b>(104)</b>	<b>(211)</b>	<b>(1,165)</b>	<b>G</b>

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

The commentary above on Covid-19 provides an explanation of the income activities that have been most affected by the pandemic.

### Commentary on Base Budget income variances

The reasons for the overachievement of income against the base budget include:

- **Recycling Material Income (+£378k)** - Higher income from the sale of mixed dry recycling material. The price paid to the Council for material is based on a basket of indices which are reviewed each quarter. The budget had assumed a basket price of £29 per tonne based on the position at that time. However, this increased over the year: Q1 to £38 per tonne, rising to £62 for Q2, £76 for Q3 and £84 for Q4.
- **Housing (+£135.2k)** – Additional income in relation to reclaimed temporary accommodation expenses (£93.8k) as well as unspent in-year Housing Protection Grant (£41.4k) which has been agreed to be carry-forward as per the funding body.
- **Council Tax Sharing Agreement (+£237k)** - Variance due to an increase in collection rate in the final quarter; recovery of prior year debt; and the collective performance of councils across the County. This has resulted in a greater proportion of Council Tax share back from the major preceptors, increasing from 12% to 14%. The better than anticipated performance this year follows 2020/21 where collection was lower and therefore the budget significantly under achieved.
- **Green Waste Recycling Credits (+£57k)** - During the summer season the amount of green waste tonnage collected increased over that expected resulting in additional compost credits.
- **Housing Benefits and Local Council Tax Support Administration grants (+£92k)** – final allocations for these grants were not announced by the respective government departments until after the 2021/22 budget was approved.
- **Local Land Charges (+£39k)** - overachieved against budget as demand for the service remained high particularly during the first half of the year as residential buyers were looking to benefit from

savings on stamp duty. Demand for the service has now returned to pre-covid levels.

- **Licensing (+£62k)** - A positive variance in relation to licensing income due to an increase in applications including new business from a large taxi operator. The legal framework for licensing means that income should be ring-fenced to meeting costs associated with the service and therefore a carry forward has been approved.
- **Commercial Property Rents (+£86k)** - A higher level of occupancy within the commercial property portfolio and upward yields from rent reviews.
- **Non-Commercial property Income (+£36k)** – additional income from two residential properties previously held for disposal, and higher rental income at the Braintree Enterprise Centre.

Partially offsetting this increased income:

- **Planning Income (-£129k Net)** - A significant downturn in planning application and pre-application income was experienced in the final quarter creating an adverse variance (-£208k); however, income from Planning Performance Agreements for the year was higher than anticipated (+£79k).

## **Treasury Management**

### **Investment activity**

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

Amount Invested at start of the year	Activity to the end March		Amount Invested at end of the year
	New Investments	Investments Matured	
£35.5m	£194m	£172.7m	£56.8m
Average amount invested for the period			£60.1m
Highest amount invested			£73.7m

At the end of the year the Council still held cash from a number of government grant schemes that will need to be repaid or are committed, including the Energy Rebate grant which was received in March and will be distributed to council tax payers early in 2022/23.

### **Investment income and valuations**

Interest and dividends earned to the end of the financial year totalled £856k, which is equivalent to an annualised rate of return of 1.42%:

Investments	Average Amount Invested	Interest & Dividends Earned	Annualised Return %
Long-Term Pooled Funds	£19.0m	£825k	4.34%
Short-Term	£41.1m	£31k	0.08%
<b>Total</b>	<b>£60.1m</b>	<b>£856k</b>	<b>1.42%</b>

Investment income of £856k has been achieved against a budget of £709k, an overachievement of £147k. The original budget was reduced by £350k due to an expectation of lower returns from a combination of ultra-low interest rates, a fall in dividend income, and lower projected cash balances. This reduction in budget was to be met by using the Treasury Management reserve, therefore, with the improvement in income for the year this has resulted in less being required from the reserve.

The market value of shares and units in pooled funds at the end of March was £21.9m, representing an unrealised gain of £2.9m over the amount invested.

## Investment portfolio

At the end of the financial year the Council's investment portfolio totalled £56.8m and comprised of the following:

- Long-term pooled fund investments £19m (allocated: £3m property fund; £13m equity funds; and £3m in diversified asset funds);
- Low volatility Money Market Funds (MMFs) £20m;
- Variable net asset value MMF £4m;
- Debt Management Office Account Facility £13m
- Lloyds current account £0.8m.

## General Fund Balances

General Fund balances are held for the following reasons:

- As a contingency against unforeseen events
- 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 outturn set out above, the movements on the General Fund balances are:

	£'000
<b>Balance at 1 April 2021</b>	<b>5,999</b>
Addition/(deductions):	
Budgeted reduction	(320)
Funding for one-off investment	(1,139)
Pension Fund triennial payment - repayment	823
Refund of prior year costs	86
Outturn variance (net carry forwards)	480
Earmarked Reserve Review	128
<b>Balance at 31 March 2022</b>	<b>6,057</b>

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

- The approved budget included an anticipated reduction in balances of £320k.
- An allocation from General Fund balances was approved by Full Council to meet one-off budget requirements: £1m to be set aside to deal with the potential impact of Covid on services; £75k for the Councillor Community Grant Scheme; £7k for a Noise Level meter; and a total of £58k as provision for loss of income during the redevelopment of Manor Street.
- A one-off payment was made in 2020/21 to the Essex Pension Fund covering the period April 2020 to March 2023, which was part funded from General Fund balances. A repayment back into balances is being made in 2021/22 and 2022/23.
- A refund of prior year court costs was received in the year from the Ministry of Justice of £86k.
- The outturn variance for the year is an overall positive variance of £480k after allowing for carry forwards and a transfer to a new recycling income reserve.
- During 2021/22 an earmarked reserve review was undertaken as part of the MTFS process identifying a total of £128k that was no longer required for the purpose it was set aside.

## Risks and Assumptions

The outturn is subject to finalisation of the Council's Statement of Accounts which is scheduled to be completed by the end of June. These will then be subject to external audit by BDO LLP. The outcome of the audit could lead to changes in the final outturn.

There are amounts of income included in the outturn that have yet to be confirmed as final in relation to a number of grant and subsidy claims which are subject to post claim assurance reviews and which will not be completed until sometime during 2022/23.

The outturn will be reviewed to ensure that any on-going issues have either been/ will be addressed in the Medium Term Financial Strategy as the financial position is reviewed ahead of setting the budget for 2023/24.

## Capital Investment

The overall planned level of spending in the Council's approved capital programme is currently £43m. Delivery of some of the projects spans a number of years, therefore, the amount profiled to be spent in 2021/22 was £33.2m:

	<b>Profiled Spend 2021/22 £000</b>	<b>Actual Spend at 31.03.22 £000</b>	<b>Actual Spend at 31.03.22 % of Profile</b>
Horizon 120 Business Park infrastructure	3,850	3,371	88%
Horizon 120 Enterprise Centre	9,436	9,213	98%
Manor Street regeneration	13,024	12,290	94%
I-Construct Innovation Centre	1,506	1,366	91%
Town Centre improvements	1,081	1,226	113%
Industrial estate improvements	66	7	11%
Property planned maintenance	396	278	70%
Replacement vehicles and plant	443	443	100%
Information technology systems & equipment	466	66	14%
Play areas, parks and open spaces	262	193	74%
Cemetery improvements	5	7	140%
Paths, cycleways, and other infrastructure	19	14	74%
Operational equipment	258	212	82%
Sports and leisure facilities improvements	422	412	98%
Climate change initiatives	98	78	80%
Housing renovation & disabled facilities grants	898	983	109%
Capitalised interest	413	-	0%
Capital salaries	594	452	76%
<b>Total</b>	<b>33,237</b>	<b>30,611</b>	<b>92%</b>

The profiled spend on the programme increased in the final quarter by £237k mainly due to the purchasing a new refuse vehicle, and an agreed contribution towards a replacement heating system at the Braintree Sports & Health Club under the Joint-Use Agreement.

Total spend for the year was £30.6m was mostly in respect of the major projects for the H120 business park, the H120 enterprise centre ('The Plaza'), the Manor Street regeneration and the I-Construct Innovation Centre.

The programme balance of £2.6m is being carried over as it is committed to ongoing projects.

## Capital resources

New capital resources in the year included:

Receipts that were generated from arrangements with Eastlight Community Housing (Eastlight) which totalled £2.7m from 19 right-to-buy sales.

Receipts generated by the VAT shelter agreement with Eastlight were £342k for the year.

Two serviced land plots were sold on the H120 business park generating a capital receipt of £8.5m. This, together with sale receipts generated last year are being used to repay the internal borrowing used to finance project expenditure.

The development, sale and transfer of dwellings at the Manor Street regeneration scheme has generated receipts of £6.1m to date, of the total agreed sum of £6.6m. A usable capital receipt of £2.4m has been recognised in respect of 12 units (out of 35) that were completed by the end of March, with the balance to be recognised on practical completion of the remaining 23 units, expected in 2022.

The Council received £1.1m from the Better Care Fund, which has been used to fund expenditure on disabled facilities grants in the year with unused balance increasing resources available for this programme in 2022/23.

Staged claims have been made to drawdown approved funding from European Regional Development Funds, which were awarded for the I-Construct project, and from the government's Getting Building Fund (via the South East Local Enterprise Partnership) for the Horizon 120 Enterprise Centre. In total, £7.9m has been received to date, from grant awards totalling £8m.

<b>Report Title:</b> Strategic Risk Register	
<b>Report to:</b> Cabinet	
<b>Date:</b> 11 <sup>th</sup> July 2022	<b>For:</b> Decision
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP2022/13
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Phil Myers, Head of Finance (phil.myers@braintree.gov.uk)	

## **1. Purpose of the Report**

- 1.1 To approve the updated Strategic Risk Register for Braintree District Council (the Council).

## **2. Recommendations**

- 2.1 Cabinet approve the updated Strategic Risk Register and the Management Action Plans, for managing the high rated risks, as detailed in Appendix 1.

## **3. Summary of Issues**

- 3.1 The Strategic Risk Register (the Register) details the risks which have potential to impact on the delivery of the Corporate Strategy over the medium-term. The Register is subject to ongoing review by Management Board, as well as by Members as part of the Member Development Evening programme.
- 3.2 The Register forms one part of the Council's overall approach to risk management. Other facets include:
- Processes for identifying and recording operational risks
  - Risk registers for major projects
  - Business continuity planning; and
  - Emergency Planning.
- 3.3 The Register was previously agreed by Cabinet on 12<sup>th</sup> July 2021.
- 3.4 The Register has recently been reviewed by Management Board with the updated register being considered at the Member Development evening held on 26<sup>th</sup> May 2022.
- 3.5 At the Member Development evening, Members considered each of the eleven risks in the Register: reviewing the vulnerability, triggers, and

consequences and also the risk rating.

- 3.6 Whilst there was extensive debate and comment on each risk at the Member Development evening, Members agreed that the updated register was appropriate including the proposed risk rating attached to each risk.
- 3.7 The number of risks above the Risk Tolerance Line (see Appendix 1) and therefore requiring active management remained at 10, although some individual risk ratings have been amended:

Risk 5 – Service and Project Delivery changed from D2 to C2

Risk 7 – Return on Investments changed from C2 to D2

Risk 8 – Emergency Planning changed from C1 to D1

- 3.8 A summary of the risk ratings are shown in the table below:

<b>Risk Rating</b>	<b>July 2021</b>	<b>July 2022</b>
B2 (High likelihood/ Critical impact)	3	3
C1 (Significant likelihood/ Catastrophic impact)	1	-
C2 (significant likelihood/ Critical impact)	6	6
D1 (Low likelihood/ Catastrophic impact)	-	1
D2 (Low likelihood/ Critical impact)*	1	1
<b>Total number of risks on Strategic Register</b>	<b>11</b>	<b>11</b>

\*Risk below the Risk Tolerance Line

- 3.9 Management Action Plans for managing each of the ten risks above the Risk Tolerance Line are owned and maintained by the relevant Corporate Director. Details of the risks together with the Management Actions Plans are provided in Appendix 1. This ensures that each of the risks are owned and managed appropriately throughout the life of the risk.
- 3.10 The recommendations set out in this report will help the Council to deliver its Corporate Objective: A high performing organisation that delivers excellent and value for money services, by demonstrating that it has robust arrangements in place to manage its strategic risks.

#### **4. Options**

- 4.1 The report invites Cabinet to approve the updated Register as reviewed at the Member Development evening on 26<sup>th</sup> May 2022. However, Cabinet may determine that further amendments are required to the Register as part of their consideration. Those amendments will be incorporated into the Register, as appropriate.

#### **5. Next Steps**

- 5.1 The Strategic Risk Register will be reported to the Governance and Audit Scrutiny Committee at its meeting on 21<sup>st</sup> July 2022. If Cabinet make any changes to the Register in Appendix 1 to this report, the Governance and Audit Scrutiny Committee will be advised of those changes accordingly.

#### **6. Financial Implications**



6.1 There are no new financial implications arising from this report.

## **7. Legal Implications**

7.1 There are no specific legal implications arising out of this report at this time.

## **8. Other Implications**

8.1 Climate control issues, Safeguarding, and Customer impacts, are identified under the specific risks included in the Register.

## **9. Equality and Diversity Implications**

9.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

9.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

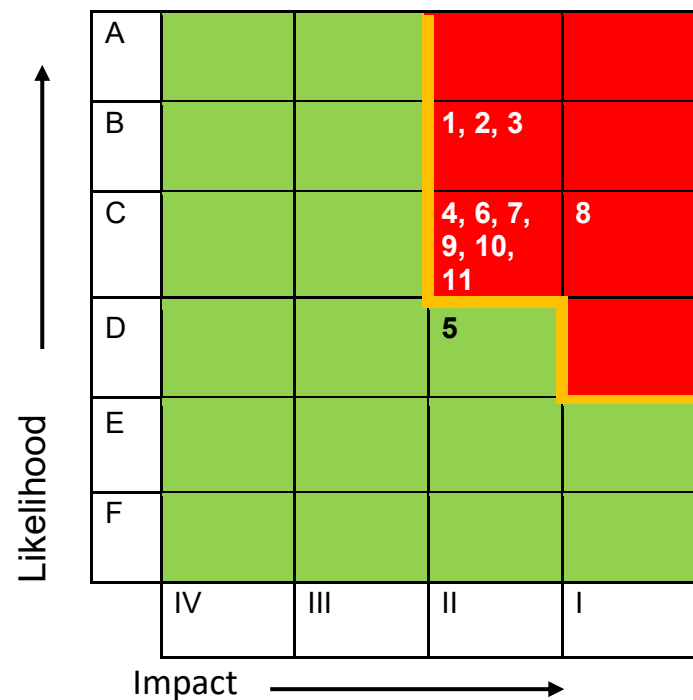
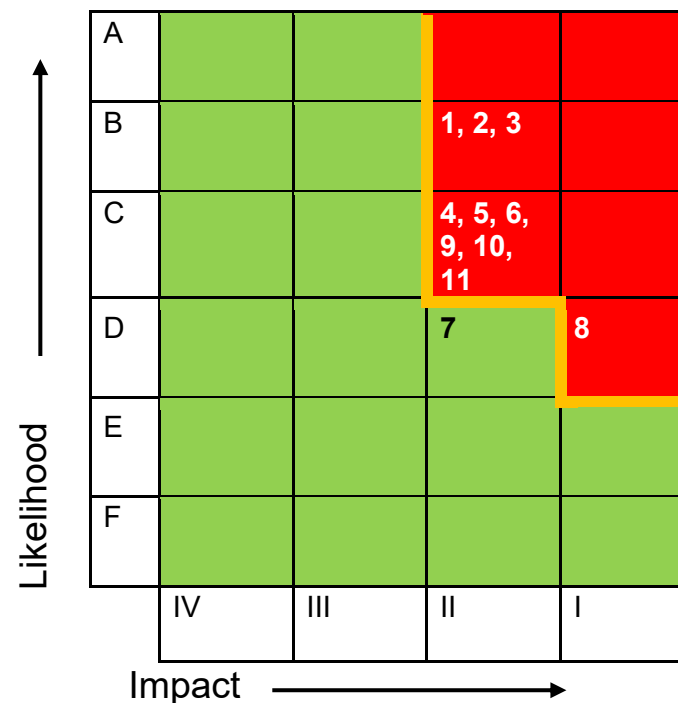
9.3 The Council's processes and approach to equalities and diversity are well developed and are not regarded as a risk. Where appropriate, each project arising out of the management of a risk will consider a Equality Impact Assessment where appropriate.

## **10. List of Appendices**

10.1 Appendix 1 – Schedule of the Strategic Risk Register, including an outline for each risk of the vulnerability, triggers and consequences, together with a risk rating; a Management Action Plan for each risk categorised above the Risk Tolerance Line; a summary table of the ratings of risks.

## **11. Background Papers**

11.1 Strategic Risk report to Cabinet – [Agenda item 7a of meeting held on 12th July 2021](#)

**STRATEGIC RISK PROFILE**(As considered by Members at the Member Development Evening held on 26<sup>th</sup> May 2022)**JULY 2021****July 2022**

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

## Strategic Risk Register including Management Action Plans (where appropriate)

### Medium-Term Financial Strategy – 1

Risk Rating: **B2** (B2 July 2021)

Cabinet Member Owner: Councillor John McKee

Management Board Owner: Corporate Director (SB)

Vulnerability	Trigger	Consequence
<p>The Council is unable to set a balanced Budget for the forthcoming financial year and have a deliverable Financial Strategy over the Medium-Term.</p> <p>Local authorities' finances continue to put under increasing pressure. Whilst the immediate primary response to the pandemic has now largely ceased there are ongoing secondary impacts of the public health measures to the wider economy. The large scale shift to digital for work, leisure and retail impacts both the public and private sectors. It is not yet clear whether this shift is permanent in all areas which makes forecasting behaviours and demand difficult. For example, it is not clear whether use of leisure centres will return to pre March 2020 levels nor is apparent what impact a move to home working and digital retail will have on local businesses and therefore any business rate income.</p> <p>We are now in high inflation environment which, despite bringing some increases in income, mainly affects our cost base adversely. It is not known how long this period will last nor how much higher prices will rise. The impact of the sanctions on Russia and Belarus will continue to be felt throughout the global supply chain as long as the sanctions are in place and likely for a significant period following.</p> <p>Forecasting future costs is now very difficult due to the complex nature of supply chains and the economy and the volatile nature of global events.</p> <p>The Government has been proposing fundamental change to Local Government funding: planning to introduce 75% Business Rates Retention and implement the outcomes of the Fair Funding Review and the Spending Review. Although originally planned for 2020/21 this has been delayed again until 2022/23, although there are fears this will be further delayed due to a lack of capacity within Central Government Departments due to the</p>	<ul style="list-style-type: none"> <li>• Circumstances change rendering planned cost reductions/additional income unachievable, including increasing inflationary pressures</li> <li>• Pay award agreed by the NJC is considerably higher than budgeted for</li> <li>• Excessive numbers of staffing vacancies due to staff leaving for better paid jobs as cost of living crisis bites plus inability to recruit due to pay rates below market value</li> <li>• Other financial assumptions prove incorrect. Including significant income budgets not being achieved e.g. interest receivable on the investments in equity, multi-asset and property funds.</li> <li>• Other organisations which provide significant contributions to the Council face their own funding pressures and may require greater reductions than expected.</li> <li>• Economic conditions and market fluctuations cause changes at or before contract renewal.</li> <li>• Capital receipts not received as planned and capital resources insufficient to finance capital programme.</li> <li>• Business rates collected less than expected due for example to appeals being greater than the provision made and inflationary costs impacting on businesses' ability to pay, particularly as Covid support is reduced or withdrawn.</li> <li>• Business Rates baseline reset, as determined by the Fair Funding Review, does not enable the Council to retain business rates growth achieved prior to reset (estimate of £1.7m in 2022/23).</li> <li>• Future Spending Reviews and Autumn Statement(s) require further savings.</li> <li>• There are legislative changes that will result in changes to the Council's services such as the Environment Act and there is likely to be a financial impact. At this stage it is</li> </ul>	<ul style="list-style-type: none"> <li>• Shortfall in resources both in year and following years.</li> <li>• Financial savings are not achieved; balances used more than planned.</li> <li>• Priorities and projects are not delivered.</li> <li>• Cuts necessary to services</li> <li>• Rushed decisions to find other savings</li> <li>• Staff unsettled and de-motivated.</li> <li>• Assets not fit for purpose</li> <li>• Satisfaction levels with the Council fall</li> <li>• The designated Section 151 officer, issues a Section 114 notice that it appears to them that the expenditure of the Council incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.</li> </ul>

<p>Ukrainian refugee crisis. The 2022/23 settlement made in December 2021 was again a single year settlement and a further single year settlement is expected this year.</p> <p>The Government had previously announced that the New Homes Bonus (NHB) scheme was to be reviewed but this has also been postponed until 2022/23, again there are fears that this will be further delayed.</p>	<p>not clear what the exact financial implications might be until further proposals are released by Government.</p>	
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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>Unallocated balance significantly exceeds minimum level of £1.5m - estimated £5.9m as at 31<sup>st</sup> March 2022.</p> <p>Earmarked reserves to meet potential fluctuations: Estimated Business Rate Retention reserve and Treasury Management.</p> <p>Regular Budgetary Control and monitoring processes.</p> <p>Council policy to use New Homes Bonus to fund infrastructure project delivery and affordable homes.</p> <p>Strategy to increase income including investments (e.g. commercial property and solar panels) to achieve improved rate of return over the medium-term.</p> <p>Monitoring of investment counter-parties and returns on investments by Arlingclose, Treasury Advisors.</p>	<p>Revised budget setting process required to ensure that volatility and risk exposure is properly understood and managed</p> <p>The minimum level of balances to be reviewed in light of the increased uncertainty caused by inflationary and other cost pressures; and also reflecting the increase in risk exposure through a number of capital projects now becoming operational</p> <p>Working with partners and other organisations to identify potential issues with supply chains and gain greater intelligence on price and cost increases</p> <p>A clear strategy on meeting the projected funding shortfall estimated in the MTFS over the medium-term.</p> <p>Monitor financial viability of key contract partners and commercial property tenants.</p> <p>Participate in consultation as proposals for the new 75% Business Rates Retention scheme and the Fair Funding Review are published.</p> <p>Monitor the disposal of assets against planned timescale for receipt of sale proceeds.</p> <p>Continue work on development of financial resilience indicators.</p>	Corporate Director (SB) and Section 151 Officer	<p>Cost reductions and income 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 targets.</p> <p>Budget variations reported in timely manner with explanation and action plan, as appropriate.</p>	Monthly	<p>Dec. 2022 – Provisional funding settlement for 2023/24 announced by Gov't</p> <p>Feb. 2023 – Full Council sets council tax and budgets for 2023/24</p>	<p>Budget and MTFS provide a balanced base budget for 2022/23 with council tax at £189.63 (Band D) and a withdrawal from balances of £93K.</p> <p>For planning purposes council tax increases in future years are at the core referendum threshold of 2% for 2023/24 onwards.</p> <p>Planned approach to addressing the estimated shortfalls across the period of the MTFS</p> <p>An Investment and Development Programme Steering Group established to consider all potential investments.</p> <p>Investment Evaluation Tool used to assess all investment opportunities.</p>

## Economic Development – 2

Risk rating: **B2** (B2 July 2021)

Cabinet Member Owner: Councillor Tom Cunningham

Management Board Owner – Corporate Director (DC)

Vulnerability	Trigger	Consequence
<p>The Council has identified Economic Growth as a key Corporate priority for the District as set out in the Corporate Strategy.</p> <p>The impact of COVID-19 on the economy of the district has been substantial, particularly on those in the retail and leisure sectors, mitigated in part by the delivery of government grant support delivered by the Council over the past 2 years. However the long term impact of Covid on businesses and how they operate, including how people work, is not yet clear and this could have both a negative impact and be an opportunity for the District.</p> <p>Another impact on the economy has been the UK's withdrawal from the European Union, impacting on some businesses trade and disrupting the supply chains of others.</p> <p>The impacts of Covid and 'Brexit' have combined with international market issues and international socio/political disruption to effect national and international supply chains. This has impacted both in terms of cost as well as product availability and delivery timescales. This has caused considerable cost price inflation in several sectors, most noticeably on construction and transport costs, which has affected many businesses short and medium term plans. Coupled with recent increases in energy costs, businesses in several sectors are under intense pressure. This has led some, including the Bank of England, to warn of potential recession in 2022/23.</p> <p>The Council's 'Plan for Growth' was agreed by Cabinet in 2017. This plan included examination of various economic factors, including infrastructure, business support and skills development projects. The Plan needs reviewing and updating in light of the change in economic (and social) circumstances over the past two years.</p> <p>Most of the priorities in the Plan for Growth action plan require work with partners who may or may not have the same level of commitment to a project as BDC.</p> <p>Funding from other partners or government may not be available to support the action plan priorities. Existing or new funding channels may be re-directed or re-focussed to other parts of the UK in support of the governments Levelling Up agenda.</p> <p>UK departure from the EU may have a long term impact on the economy and business decision making.</p>	<p>Lack of investment in infrastructure prevents business growth and job creation.</p> <p>Widescale redundancies linked to particular sectors or businesses due to the impacts of Covid 19, Brexit, supply chain issues, cost price inflation and any potential recession.</p> <p>Shortage of required skills to meet the need of businesses in the District</p> <p>Businesses are not provided with the support necessary to support them through difficult times or to maximise opportunities for growth and development</p> <p>Increasing unemployment rate in the District</p> <p>Decreasing opportunities for education, training and apprenticeships with employers</p>	<ul style="list-style-type: none"> <li>• Reduction in jobs</li> <li>• Increase in resident reliance on Universal Credit and other benefits</li> <li>• Fewer business operating in the District</li> <li>• Fewer new businesses being created</li> <li>• Jobs left unfilled due to lack of skilled employees</li> <li>• Disinvestment by existing businesses</li> <li>• Less investment in infrastructure</li> <li>• Empty premises and lack of visitors to town centres</li> <li>• Businesses feel disengaged and cannot access support networks</li> <li>• Falling productivity rates in the District</li> <li>• Falling Gross Value Added (GVA) in the District</li> <li>• Loss of revenue / growth in business rates</li> <li>• Rising unemployment rates</li> <li>• Amount of business rates collected reduced</li> </ul>

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>BDC COVID-19 Recovery Plan included an Economic Recovery plan, led by the portfolio holder and Corporate Director, in partnership with key stakeholders.</p> <p>Strong working relationship with stakeholders, education providers and partner local authorities on projects, priorities and strategies.</p> <p>District Plan for Growth being reviewed and new Plan will be delivered in 2022/23 to set clear economic priorities.</p> <p>Braintree Education and Skills board has been established and will be reviewed as part of the Plan for Growth refresh.</p> <p>Strategic Business Engagement Strategy approved by members and is being implemented.</p> <p>Strong engagement with local businesses.</p> <p>"Locate Braintree District" inward investment website launched to promote Braintree as a place to live and locate businesses alongside the districts tourism offer and the VisitBraintreeDistrict website</p>	<p>Continuing to develop our relationship with key stakeholders to ensure shared goals and priorities are met</p> <p>Marketing and promotion of BDC/Partner business support services.</p> <p>Effective implementation of skills projects agreed by the Education and Skills Board</p> <p>Continue to provide appropriate levels of support to the Town Centre Partnership and other business led groups.</p> <p>Continue to source local and national funding sources which could provide grants for key projects</p> <p>Continuous review of business engagement programme, alongside the refresh of the Plan for Growth, to ensure it is meeting the requirements of businesses.</p> <p>Consultants to be appointed to refresh the NEEB strategy.</p>	Corporate Director (DC)	<p>Creation of new jobs</p> <p>New Business start-ups</p> <p>Business growth in the District</p> <p>Inward Investment in the District</p> <p>Investment into District infrastructure</p> <p>Unemployment rate</p> <p>Business funding opportunities explored</p> <p>Empty commercial premises</p> <p>Readership of the Business Bulletin and other social media posts.</p> <p>Number of Apprenticeships</p>	Quarterly		<p>Subscribers to the business newsletter and Facebook page have substantial increased</p> <p>Funding for infrastructure has been secured from ECC and Highways England.</p> <p>Young Entrepreneurs Programme continues.</p> <p>Industrial estate and shop front improvement funds were launched.</p> <p>Provided numerous Business Support Grants schemes to businesses in the District on behalf of the Gov't.</p> <p>Awarded 100% Business Rate Relief to relevant businesses over the past two years.</p> <p>ShopLocal ShopSafe campaign launched to encourage people to use local businesses as they reopen</p> <p>Business adaptation grants to allow businesses to respond to covid were awarded and distributed on behalf of ECC</p> <p>Consultants have been commissioned to work with officers to update the Plan for Growth</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>The North Essex Economic Board has agreed a strategy and funding has been secured to deliver projects, initially as a response to Covid and through spending Additional Restrictions Grant (ARG) Covid grant funding.</p> <p>The governments Levelling Up agenda, and primarily the launch of the Shared Prosperity Fund and other funds such as the Levelling Up Fund, offer the Council an opportunity to bid for funding and spend allocated funds to support economic growth projects as identified within the refreshed Plan for Growth</p>		Corporate Director (DC)		Quarterly		Funding secured to deliver an agreed action plan with partners from the North Essex Economic Board to support skills, inward investment and business support.



### Planning – 3

Risk Ratings: **B2** (B2 July 2021)

Cabinet Member Owner: Councillor Mrs Gabrielle Spray

Management Board Owner – Corporate Director (DC)

Vulnerability	Trigger	Consequence
<p>Government policy continues to focus on the delivery of housing and the Council is now in a position where it must deliver a substantially higher number of homes. There is a requirement on the Council to show a deliverable 5 year supply of housing land at this new higher target and to pass a new Housing Delivery Test. At present the Council has a 5 year housing supply but this is only marginal and has been challenged by Planning Inspectors and private developers through planning appeals.</p> <p>The publication of the Levelling Up and Regeneration Bill (May 2022) illustrates that considerable changes will be made to the planning system. Whilst these are not as extensive as the previous White Paper suggested, they are substantial. Numerous consultations and legislation on the detail will need to take place before many of the proposals can be enacted and this will need to be carefully considered to judge the impact on Braintree District and its residents. Major sites in the Local Plan not coming forward in line with the projections previously supplied by the private owners/developers could lead to a shortfall in the Council's housing delivery in the next 5 years, or in the cases of the largest sites across the Plan period.</p> <p>The Council is now subject to 4 separate Nationally Significant Infrastructure Projects with a further 2 projects in the pipeline. These are major developments for the District with the potential to have extremely significant impacts on the residents, environment and infrastructure of the District. They are incredibly time consuming for officers to deal with and follow a set statutory timescale and formal process in their later stages. Dealing with these appropriately within existing resources is a major concern.</p>	<p>Government changes to national policies, guidance or methodologies which have implications for Plan or decision making and Council resource requirements.</p> <p>Land owners submitting speculative planning applications.</p> <p>Planning Inspectors concluding that the local authority does not have a 5 year housing supply.</p> <p>Failure of the Council to pass the Housing Delivery Test when results are published each November.</p> <p>Council being notified of new NSIP projects and stages of consultation and engagement which it is not able to adequately resource.</p>	<ul style="list-style-type: none"> <li>• Council may have to approve planning applications on sites outside of those proposed in the Local Plan which would result in development which conflicts with the agreed spatial strategy</li> <li>• The Council failing to meet its requirements for housing need, including the needs for affordable housing.</li> <li>• Infrastructure requirements of new developments may not be sufficiently met.</li> <li>• Loss of appeals on planning applications for development on unallocated sites outside of development boundaries.</li> <li>• A presumption in favour of sustainable development may need to be implemented if the Council substantially failed the Housing Delivery Test.</li> <li>• The Council failing to meet its requirements for economic development land.</li> <li>• The Council is unable to engage as proactively as it would expect on major site proposals including NSIPs</li> </ul>

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 communications Plan with all information published on the website and communicated to residents and stakeholders through social media, traditional media and leaflets delivered directly to all households at key points.</p> <p>Strong working relationship with major developers on key housing/commercial sites in the District.</p> <p>Good working relationships with key stakeholders in the District.</p> <p>Planning Performance Agreements (PPAs) are being increasingly used on major sites and NSIPs to secure resources to enable us to cover some staff costs and hire specialist consultees.</p> <p>Housing Growth team created to deal with the most complex cases and concentrate resources</p> <p>Career grade roles, training and mentoring programme all in place to support less experienced planners gain experience and opportunities.</p>	<p>Matters for information and decision continue to be reported to the relevant committee or Full Council.</p> <p>Continued communication on the next steps of the Local Plan process and on key planning applications and appeals.</p> <p>Continue to hold regular meetings with developers, partners and key stakeholders.</p> <p>Internal resources kept under review to ensure they are fit for purpose.</p>	Corporate Director	<p>Outcome of appeal decisions relating to non-allocated sites.</p> <p>Outcome of the Housing Delivery Test</p> <p>Development Management Performance Data</p>	Quarterly		<p>A series of SPD updates are planned for 2022/23 which will support the delivery of a new Local Plan.</p> <p>Press releases and regular bulletins issued throughout and at key points in the process.</p> <p>The Development Management team continues to perform well according to quarterly performance data.</p> <p>The delivery of the approved new Scheme of Delegation is assisting the Development Management team in processing a greater proportion of planning applications under delegated powers. The delivery of the Members Forum in 2022/23 will support the engagement of Members with developers to assist in submission of good applications for large schemes.</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>The Development Management Improvement Plan has implemented a series of improvements and efficiencies to the DM service. A second phase of this improvement plan is progressing to continue to embed improvement across the service.</p> <p>The Head of Economic Growth and Planning is the Chairman of the Essex Planning Officers Association, offering them the opportunity to engage in national debate and influence on planning issues.</p> <p>Strong and effective engagement in place between the Council and Essex County Council, as key infrastructure planning and delivery partner, both through senior officers and Cabinet Members.</p>	<p>Officers will maintain a watching brief on the governments proposed changes to the Plan making system through professional networks in order to assess the impact on the district and to consider whether any lobbying or other positions should be considered in response.</p>					

## Community Resilience – 4

Risk Rating: **C2** (C2 July 2021)

Cabinet Member Owner: Councillor Frankie Ricci

Management Board Owners – Corporate Director (CR)

Vulnerability	Trigger	Consequence
<p>The community may not have the resilience to support itself and requires significant intervention. People are not able to support themselves, and inequalities prevent people from having the opportunities to live a good quality life.</p> <p>There are residents in the district living with food, child and food poverty, health inequalities, lack of skills and lower paid employment. This has been exacerbated by the pandemic and more recently through the cost of living issues. Risk areas around the price of fuel are having a larger impact due to the large and rural nature of the district. There is a higher reliance on private transport and a large number of properties with inefficient heating systems or not on gas.</p> <p>This, combined with the impact of welfare changes and the potential loss of significant roles in specific economic sectors, could have a further impact on those who are struggling financially.</p> <p>Mental and Emotional Health and Wellbeing decreases and there are an increasing number of people who suffer from mental health issues.</p> <p>Domestic Abuse charities report increased calls relating to domestic abuse. The new Domestic Abuse Act 2021 includes new duties for Councils.</p> <p>There is a growing population of older people, within the district and nationally, a proportion of whom will require public services.</p> <p>Charities have been affected financially and through restrictions around volunteers are unable to continue in the role that they have been in supporting communities over the last two years. This has had an impact on longer term volunteering. Informal volunteering has increased during the pandemic.</p> <p>Some people will have lost confidence and feel unable to go out shopping or to meet other people, decreasing their independence and increasing their social isolation and loneliness.</p> <p>People do not take opportunities to live an active lifestyle and are more susceptible to physical and mental health issues as a result.</p> <p>DHP allocations for 2022-23 have been reduced for all local authorities, including BDC which has seen a reduction of over 30% from the 2021-22 allocation to £174,853.</p>	<p>Demand for services from the Council and other public sector organisations increases which exceed our capacity to meet.</p> <p>Funding from the government to support duties reduces/ceases.</p> <p>The impact of higher unemployment and/or reduced hours of employment is not yet clear but is likely to impact on many Council services.</p>	<ul style="list-style-type: none"><li>• Potential increase in people seeking the Council's assistance with problems.</li><li>• Reduction in community confidence</li><li>• Increased demand for temporary accommodation due to homelessness.</li><li>• Increased demands on the Council's Services.</li><li>• Increased health inequalities.</li><li>• Increase in number of households in fuel poverty and increase in number of children in poverty.</li><li>• People feel more socially isolated and lonely</li><li>• People have an increased risk of suffering from physical or mental health issues</li><li>• Charities are less able to support communities and there are less volunteers</li><li>• Requests for Discretionary Housing Payments and/or Exceptional Hardship Fund payments exceed resources allocated.</li></ul>

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 Community Recovery Workstream has been a key theme in the COVID recovery plan. As this work stream is being completed, ongoing projects are being moved into business plans for ongoing delivery.</p> <p>Work with Braintree Halstead and Witham Citizens Advice and; Eastlight Community Housing; Dept. for Work and Pensions to assist those affected by income and welfare changes.</p> <p>Supporting residents to be healthy and live well working with a range of partners through the Livewell Boards and the Health and Wellbeing Panel.</p> <p>A fuel poverty working group has been created to respond to emerging issues. This will be broadened to include wider cost of living issues.</p>	<p>Ensure continued work with the Health and Wellbeing Panel and other partners to identify and respond to community needs.</p> <p>Regularly update on the Community Recovery Workstream through the Recovery Co-ordination Group which reports into Cabinet.</p> <p>Regular reviews of the impact the welfare changes are having on those affected by reforms and work with key partners.</p> <p>Support Community 360 to provide assistance to charities and community groups across the district.</p> <p>The Council is working with key partners to respond to the levelling up white paper and key missions. This will seek to tackle a number of highlighted vulnerabilities and triggers identified in the community resilience risk.</p>	Corporate Director	<p>Services able to meet the increased demand for services.</p> <p>Community confidence and resilience measures remains stable</p> <p>Customer satisfaction with their quality of life and place to live remains stable</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		<ul style="list-style-type: none"> <li>We have a Community Employment Support Officer who is working to support those with barriers to employment. Funded by DWP but embedded in BDC to ensure support can be given to those who most need it.</li> <li>Schools engagement had been ongoing since the return following the pandemic to respond to any health &amp; wellbeing issues identified</li> <li>Successful bids and implementation of move on accommodation via Next Steps Accommodation Programme to help those rough sleeping</li> </ul> <p>Community grants:- BDC's Councillors' Community Grant Fund Programme continues in 22/23.</p> <p>BDC Grant Funding continues to be provided to Community360 to help support the voluntary sector and also the Braintree, Halstead, Witham Citizen's Advice to provide advice.</p>

<p>Key partnerships exist across public sector and the community and voluntary sector to support community and population issues, including:</p> <ul style="list-style-type: none"> <li>• Community Safety Partnership</li> <li>• Health and Wellbeing Board</li> <li>• Local Cultural Education Partnership</li> </ul>						<p>The Braintree District and Eastlight Community Fund provides grants totalling approx. £100,000 annually to projects that help improve health and well-being, increase aspirations and opportunities, or develop skills through training.</p> <p>Our Health and Wellbeing Panel continues to deliver a range of projects to support people to LiveWell across the district, tackling priority areas of health. There are specific sub groups to deal with key issues, including:</p> <ul style="list-style-type: none"> <li>• Mental Health Forum</li> <li>• Dementia Action Alliance</li> <li>• Social Isolation and Loneliness Forum</li> <li>• Active Braintree Network</li> </ul> <p>Our Community Safety Partnership delivers an annual plan to respond to current and emerging priorities.</p>
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## Service and Project Delivery – 5

Risk Rating: **C2** (D2 July 2021)

Cabinet Member Owner: Councillor John McKee

Management Board Owner – Corporate Director (SB)

Vulnerability	Trigger	Consequence
<p>Reduced resources impact on the Council's ability to deliver good quality services. Service delivery and resilience requires a well-managed and motivated workforce with the capacity and capability to deliver. With an aging workforce the Council has recognised the important challenges around workforce planning and talent management for the future.</p> <p>The ability of the organisation to be able to keep up with pay rate inflation could also impact on resources. Market rates paid by the private sector or other public sector organisations not within the national pay agreement may increase staff turnover, especially for those staff who are being more impacted by the cost of living crisis</p> <p>Current recruitment market is very difficult. This has been compounded by a move to hybrid working that has effectively widened the number of potential employing organisations to those looking for jobs as geographical location is less important than previously.</p> <p>Continued instability in the general socio-economic and political environment nationally and internationally limits our ability to plan and apply resource proactively.</p> <p>Health &amp; Safety - Breach in processes/ procedures leading to a health and safety or security incident (including an act of terrorism).</p> <p>We are increasingly reliant on the use of technology, particularly in a hybrid working environment. Whilst this increase offers significant opportunities to improve service delivery and communication, the impact that losing access to technology would have on the organisation has increased</p> <p>The Council has approved a number of significant projects. It is essential that there is the capability and capacity available to deliver.</p> <p>Financial resources are strained as a result of spiralling costs from supply chain and other inflationary pressures leading to service and project resources being eroded in real terms and unable to deliver on the outcomes originally expected.</p>	<p>Key people leave or are unavailable for work (small teams or specialist areas are most vulnerable).</p> <p>Competitive recruitment markets in a high inflationary period</p> <p>Major incidents requiring organisational capacity and resource.</p> <p>Technology systems unavailable for use for a prolonged period.</p> <p>Changes to senior leadership team, including CEO impacts on service and project delivery</p> <p>Service and project outcomes are less than originally expected</p>	<ul style="list-style-type: none"> <li>• The organisation is stretched too far and resulting in service delivery failure</li> <li>• Mistakes made and corners cut</li> <li>• Customer satisfaction falls</li> <li>• Employees are disengaged and demotivated.</li> <li>• Loss of good people</li> <li>• Insufficient resource available to deliver services</li> <li>• Insufficient resources to deliver key projects</li> <li>• Future business plans and activities are predicated on the delivery of benefits of current projects – if projects do not deliver benefits as assumed there will be further strain on organisational capacity</li> <li>• Increased key person dependency</li> <li>• Loss of corporate memory</li> <li>• Failure to deliver Council's priorities and Annual Plan</li> <li>• Remaining staff fail to cope</li> <li>• Change programmes difficult to implement</li> <li>• Actual or potential injury or loss of life.</li> <li>• Financial loss / impact on value of assets;</li> <li>• Reputational damage</li> <li>• Data loss</li> <li>• Unable to deliver on key priorities</li> </ul>

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>People Strategy and Workforce Development plans.</p> <p>Workforce planning and succession planning included in Business Plans.</p> <p>Enhanced staff support arrangements now in place</p> <p>Security policies – regularly reviewed and updated.</p> <p>Training/education in cyber security for users.</p> <p>Training programme for managers</p> <p>Disaster recovery plan: Emergency generator; Independent resilient network; Alternative accommodation identified – Town Hall</p> <p>Business continuity exercise for senior managers held annually.</p> <p>Regular server and workstation upgrades to ensure latest software versions are in use (reduces vulnerability to malware and viruses)</p> <p>Established Budget and Medium-Term Financial Strategy process</p> <p>Introduction of new Learning and Development software increasing quality of virtual training and better management oversight of mandatory and other training</p>	<p>Agile and Flexible working approach developed and adopted – to both retain current staff and attract new staff. Also ensures business continuity as reduces reliance on single geographical location</p> <p>Agile and Flexible workforce also to provide some mitigation against ability to plan for major national and international incidents</p> <p>Market supplements being considered for key roles as they become vacant</p> <p>Consideration of other approaches to fill key roles, including working with partners/shared working</p> <p>Ensure that there is effective management and change control of all systems to minimise disruptions.</p> <p>Individual disaster recovery arrangements in place for all systems.</p> <p>Further development of the budget setting approach to keep all spending under review.</p>	Corporate Director (SB)	<p>Computer unavailability is minimised.</p> <p>Uninterrupted service delivery.</p> <p>No long term vacancies.</p>	Quarterly	Business Plans produced December /January	<p>Funding for the Strategic Investment Team agreed for a four-year period.</p> <p>Additional staffing resources agreed for Planning and Housing services.</p> <p>New Agile and Flexible Working project agreed and to be launched.</p>



## Affordable Housing and Homelessness – 6

Risk rating: **C2** (C2 July 2021)

Cabinet Member Owner: Councillor Kevin Bowers

Management Board Owner – Corporate Directors (DC & CR)

Vulnerability	Trigger	Consequence
<p><b>Affordable Housing</b> As Eastlight has developed most of the sites in its ownership, we are mainly reliant on market delivery of new homes to facilitate affordable housing provision. In the short-term (this year and next) delivery of new affordable housing is likely to be very good but a downturn in the market could present a serious challenge.</p> <p>We rely heavily on mainstream new development and in the past few years have negotiated for a really significant supply of new affordable homes.</p> <p><b>Homelessness</b> The Homelessness Reduction Act 2017(HRA) came into force in April 2018, it means the Council needs to assist more people, at an earlier stage if they are facing homelessness. The Housing Team is being reviewed with further strategic resource being added to support the delivery of the Housing and Homelessness Strategies. Funding resources are in place, but unclear what demands will be on the service given the unprecedented situation as a result of the pandemic.</p> <p>The impact of homelessness is being managed locally but relies on continuing funding of support services by Essex County Council. Compared to many other Essex LAs, we have good local provision, so any review of resources is likely to take resources away from the District.</p>	<p>Market downturn.</p> <p>Government intervenes to require higher proportions of starter homes or other reduced-cost tenures.</p> <p>Developers push back on the number of affordable homes required on developments.</p> <p>Cost of housing (labour and materials) rises making them unaffordable</p> <p>Government policy on planning permissions and reducing red tape may reduce our supply of affordable housing on new sites under new policies. It is also likely to lead to more office-to-flats conversions (Permitted Development Rights)</p> <p>Increase in homelessness presentations and households joining the Housing Register due to economic impact of the pandemic.</p> <p>If support funding was reduced or different access arrangements to supported housing schemes it could impact adversely on residents and increase costs to the Council.</p>	<ul style="list-style-type: none"> <li>• Affordable housing needs not met</li> <li>• Homeless households remain longer in temporary accommodation as fewer rented homes become available for letting through 'Gateway to Homechoice' choice based lettings scheme</li> <li>• Cost to the Council of providing temporary accommodation increase</li> <li>• Young people/key workers leave the district</li> <li>• Some housing associations withdraw from higher-risk accommodation, such as supported housing schemes</li> <li>• Inability to find suitable affordable accommodation for larger families</li> <li>• Unable to provide supported housing in particular for under 35's, who will not receive enough benefit to cover the rent for self-contained accommodation.</li> <li>• Increased workload &amp; staff and temporary accommodation costs to manage increased demand for services.</li> <li>• Difficulty recruiting experienced / suitable staff as demand for such staff increases</li> </ul>

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 adopted in 2016/17 being reviewed in 2022</p> <p>New Homelessness and Rough Sleeping Strategy adopted in 2018/19 being reviewed in 2022</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>Participating fully in work of 'Essex Prevents'; joint working with ECC to agree how we can prevent homelessness.</p> <p>Successful bid for 'Next Steps' funding for short and longer term accommodation costs associated with rough sleepers.</p> <p>Continued close working with Planning Policy and Development Management colleagues to support delivery of affordable homes.</p>	<p>Housing Research and Development Team continues 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, supported by the Development Management team and policies contained within the Local Plan.</p> <p>Continue to review and implement actions in the Homelessness Strategy. This includes working with a wide range of partners including 'The Braintree District Homelessness Prevention Partnership'</p> <p>Review the Homelessness and Rough Sleeping Strategy by March 22.</p>	Corporate Director	<p>Local target for an average 100 dwellings per annum over a four year period.</p> <p>Maintaining a manageable number of temporary accommodation placements (under 50 at any one time)</p>	Quarterly		<p>Regular meetings with all housing associations with local development programmes.</p> <p>Stat Nav data updated each year.</p> <p>417 New Affordable Homes completed in 2021/22 A minimum of 250 completions expected 2022/23, but likely to be more.</p> <p>Authority delegated to Cabinet Members for Housing and Finance and Performance Management 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.</p> <p>Negotiations continue with a housing provider to secure 6 units of accommodation with support for rough sleepers/those at risk of rough sleeping. Anticipate on-stream by end June 2021.</p> <p>New Mental Health Navigator working with the Housing Teams in Braintree DC and Epping Forest DC to help support those at risk of rough sleeping. A one year partnership project with Essex CC and Essex Partnership University Trust.</p>

## Return on Investments – 7

Risk Rating: **D2** (C2 July 2021)

Cabinet Member Owner: Councillor John McKee

Management Board Owner – Corporate Director (SB)

Vulnerability	Trigger	Consequence
<p>The Council has a Capital and Investment Strategy and Treasury Management Strategy which seeks to optimise use of available resources that includes investment in property, housing and other assets as well as investing surplus monies with financial institutions to achieve a reasonable rate of return and support the Council's revenue account.</p> <p>The security of the money invested is paramount and investments are distinguished 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>In recent years the Council has increased its property portfolio where return on investment has been attractive and the quality of the tenant and the tenancy term has been good.</p> <p>The economic climate 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, even more crucial.</p> <p>HM Treasury is concerned about the increase in investment in commercial property by local authorities and has revised the rules on borrowing such that local authorities will not be able to access borrowing from the PWLB if it is deemed to be for 'investment for yield'.</p> <p>Potential vulnerability - commercial assets fail to meet the legal requirements on Energy Performance Certificates given changes to the EPC standards within the next 2 years</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 pooled funds.</p> <p>Funds are needed to be recalled at short notice.</p> <p>Market conditions are such that funds suspend dealing (i.e. stopping the purchase or selling of units/ shares in the fund)</p> <p>The purpose of borrowing from the PWLB is determined to be 'invest for yield'.</p> <p>Lease expiry.</p>	<ul style="list-style-type: none"> <li>• Loss of the principal sum and / or interest due on investments of surplus monies</li> <li>• Loss of rental income and increased costs (e.g. unoccupied business rates)</li> <li>• Impact on the Council's revenue account requiring unplanned service cuts and / or use of balances</li> <li>• Loss of access to loans from the PWLB: incurring penalty costs if repayment required and replacement borrowing from other sources likely to be at higher cost.</li> <li>• Decline in Council reputation</li> <li>• Property cannot be re-let without significant expenditure or maybe not at all</li> </ul>

**Risk: Emergency Planning – 8**Risk Rating: **D1** (C1 July 2021)

Cabinet Member Owner: Councillor Mrs Wendy Schmitt

Management Board Owner – Corporate Director (CR)

<b>Vulnerability</b>	<b>Trigger</b>	<b>Consequence</b>
<p>Braintree District Council has responsibilities under the Civil Contingencies Act (CCA) 2004a as a Category 1 responder: to plan for and respond to major emergencies working alongside the blue light services. Part 1 of CCA 2004 places legal obligations on emergency services and local authorities to assess the risk of, plan and exercise for emergencies as well as undertake business continuity management. An approved Recovery Plan would improve the Council's ability to support the community following an incident.</p> <p>BDC does not have the resources to respond effectively to the Emergency and deliver services.</p> <p>BDC are not resilient to continue to operate services through Business Continuity Planning. The lack of an approved Corporate BC Policy and agreed list of critical services leaves the council in a vulnerable position.</p> <p>The COVID pandemic has added an extra dimension as it cannot be responded to in the same way as previous emergency planning issues. This is due to the long term nature and progression of the pandemic.</p>	<p>Emergency event both response and recovery</p> <p>New roles and legislative powers that require enactment and management</p>	<p>District Wide</p> <ul style="list-style-type: none"> <li>• Possible loss of life or serious harm or injury to residents and/or staff.</li> <li>• Loss of physical assets e.g. premises.</li> <li>• Ineffective response to an incident causes extended disruption.</li> <li>• Vulnerable residents at risk through lack of core service delivery.</li> <li>• Delays/perceived shortfall in Council's response in recovery phase.</li> </ul> <p>Council</p> <ul style="list-style-type: none"> <li>• Lack of preparedness results in the inability to identify and deliver key/critical services e.g. benefits, refuse collection, homelessness applications, food inspections, etc.</li> <li>• Increased short term demand for services e.g. housing - alternative accommodation, repairs, waste team clean-up operation.</li> <li>• Major impact on reputation if the Council is perceived to not provide an adequate response.</li> <li>• Council facing Public Inquiry – risk of cost, reputation and public trust.</li> <li>• Priorities and projects are not delivered.</li> <li>• Being found wanting at public inquiry.</li> </ul>

<b>Actions/controls already in place</b>	<b>Required action/ management control</b>	<b>Responsibility for action</b>	<b>Critical success factors and KPI's</b>	<b>Review frequency</b>	<b>Key dates</b>	<b>Progress to date</b>
<p>A robust, peer reviewed Emergency Plan has been developed.</p> <p>Communications &amp; Media plan.</p> <p>A Members Protocol has been produced setting out guidance for Members during an emergency.</p> <p>Mutual Aid – agreements are in place between authorities BDC is strengthening its procedures to receive Mutual Aid.</p> <p>Each service has to be resilient, through planned and tested procedures, to unexpected and potentially long term challenges.</p> <p>Pandemic Flu Plan agreed.</p> <p>Active management of the current COVID response at organisational and Essex Resilience Forum levels.</p> <p>Regular review of our response and adaptation of response if required.</p>	<p>Bi-yearly review of Emergency Plan.</p> <p>Bi-yearly review of Communications and Media Plan.</p> <p>Rest Centres plan – run an annual exercise.</p> <p>Continue to deliver training programme Dialogue with partner organisations.</p> <p>Services need to demonstrate the capability and capacity to manage excessive additional demand due the Council's responsibility for response and recovery under the CCA 2004, Housing Act. Local Government Act and other relevant legislation.</p> <p>Following Covid responses update Recovery Plan.</p>	Corporate Director	Service and performance levels delivered as planned.	Annual		<p>Training delivered: senior/tactical training, recovery training, logistics training, rest centre training; communications training.</p> <p>Peer reviewed training programme for staff involved at all levels, volunteers-tactical-strategic.</p> <p>New starters will have a requirement to assist in emergencies detailed in their role profiles.</p> <p>Testing of dual emergency response – Exercise July 2020.</p> <p>Active response in progress using command structures to COVID, Ukraine, Storm events and public disorder events.</p>

**Risk: Information Management and Cyber Security – 9**Risk Rating – **C2** (C2 July 2021)

Cabinet Member Owner: Councillor John McKee

Management Board Owner – Corporate Directors (SB and CR)

Vulnerability	Trigger	Consequence
<p>The Council has been responsive to technology and has used it to shape the way services are delivered, to drive efficiency and improve productivity.</p> <p>With the increased use of technology and larger amounts of information stored comes an increase of the impact created through cyber security threats.</p> <p>It is essential that customer's information, much of which is sensitive, is kept safe and that the Council ensures business continuity through strong management of its information and systems.</p> <p>The impact of changes in Data Protection legislation potentially impacts our ability to carry out services effectively and creates significant extra work for staff.</p> <p>Increased reliance on technology, including remote working tools since more staff have been working from home.</p> <p>More staff and members are meeting virtually, introducing a new type of cyber security vulnerability.</p>	<p>Cyber attack Hacking Distributed Denial of service Phishing/Spear Phishing Ransomware Emerging threats</p> <p>Information Security or Data Breach incident.</p> <p>Loss of computer systems.</p> <p>Loss of access to physical or digital information through emergency incident.</p> <p>Staff do not manage data effectively.</p> <p>Intentional or accidental data loss.</p>	<ul style="list-style-type: none"><li>• Loss of ability to deliver service/degradation in service.</li><li>• Loss of reputation.</li><li>• Enforcement from Information Commissioner's Office with a potentially significant fines and reputational damage.</li><li>• Inability to collect/payout money to customers.</li><li>• Inability to share customer data with partners.</li><li>• The Council cannot meet its requirements under the Data Protection legislation.</li><li>• The Council is not able to adequately manage its information, which would then prevent it from being able to carry out services effectively.</li><li>• Unplanned financial cost to the Council.</li></ul>

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>Information security policies – regularly reviewed and updated</p> <p>External auditing and challenge on a regular basis against policies and systems as well as regular external penetration testing with action plans created</p> <p>Regular review of technical infrastructure, including firewalls, hardware and software</p> <p>PSN Compliance</p> <p>Training/education in cyber security for users</p> <p>Regular meetings of local, regional and national cyber-security groups to review all aspects of cyber-security</p> <p>Regular engagement with NCSC (National Cyber Security Centre) and use of cyber protection tools and services</p> <p>Regular meta-compliance checks for all employees and members</p> <p>Project Plan to deliver and ensure ongoing management of Data Protection legislation.</p> <p>Controls in place around the implementation of virtual meetings software and clear guidance for staff and members</p>	<p>Continued review of cyber security arrangements</p> <p>Raise awareness of information management and cyber security issues for all staff and members</p> <p>Review resourcing requirements around data protection and information management</p> <p>Targeted training</p> <p>Induction courses for new entrants</p> <p>Software kept up to date</p> <p>End of life hardware replaced as and when necessary</p> <p>Continue to keep abreast of cyber security issues and ensure that these are factored into BDC response.</p> <p>Obtain certification for Cyber Essentials+</p>	Corporate Director	<p>Up to date Reviews</p> <p>Year on year improvements</p> <p>Number of articles published/ seminars delivered</p> <p>Training demand met</p> <p>New entrants on induction within 2 weeks of joining</p>	Quarterly		<p>Project Plan to ensure ongoing management of Data Protection legislation.</p> <p>PSN compliance up to date 2022</p> <p>Regular attendance at Cyber Security summits/meetings at national level</p> <p>Online training available for all staff and part of the induction process</p> <p>Programme of updates in place for all software, hardware and infrastructure</p> <p>Regular vulnerability checks and internal and external penetration testing</p>

**Strategic Investment - 10**Risk rating **C2** (C2 July 2021)

Cabinet Member Owner: Councillor Kevin Bowers

Management Board Owner – Corporate Director (DC)

Vulnerability	Trigger	Consequence
<p>The District Investment Strategy targets capital investments to support infrastructure improvements, with particular emphasis on: improved healthcare facilities, enhanced town centres, increased employment and business opportunities, improved highways infrastructure.</p> <p>Investment intervention is also required to support residents in response to housing and population growth in the District.</p> <p>Such capital investments are subject to variations in market conditions both during the development of projects and their businesses cases and between business case sign off and project delivery/completion. These market conditions can impact on the cost and viability of projects.</p> <p>In particular the impacts of Covid, 'Brexit' and international market conditions on construction supply chains, as well as cost price inflation (including energy costs) have the potential to impact on the business case stated financial viability and sustainability of projects (including impacts on commercial rents and operational costs).</p> <p>Most of the identified investment opportunities require work with partners who may or may not have the same level of commitment to a project as BDC.</p> <p>Funding from other partners or government may not be available to support the action plan priorities.</p> <p>Failure to secure planning consent on development projects.</p> <p>Inadequate project management systems and processes lead to inconsistent decision making, failure to agree and delivery of priorities, under-utilisation of finite resources, weak cost control, over-reliance on external advice without proper challenge or consideration of the brief/scope/purpose.</p> <p>Macro-economic conditions with high inflation, high unemployment &amp; rising interest rates – Stagflation.</p> <p>Competition from large commercial development plans near Stansted.</p> <p>Rising yield expectations by institutional investors &amp; rising construction costs.</p>	<p>Lack of investment in infrastructure acts as a barrier to required housing growth and reduces opportunities for businesses to grow.</p> <p>Inability to secure prudential borrowing at preferential interest rates and the impact of the government's changes to PWLB accessibility removes potential capital funding route.</p> <p>Prolonged period (&gt;six months) of house price deflation.</p> <p>Prolonged period (&gt;12 months) of commercial rent deflation.</p> <p>Above inflation increase in construction costs.</p> <p>Projects undeliverable due to refusal of planning consent.</p> <p>Failure to sell/lease newly developed properties.</p> <p>Failure to clarify and agree core project and/or programme objectives, Critical Success Factors (CSF) or KPIs.</p> <p>Project failure or delay due to lack of stakeholder engagement.</p> <p>Movement in market conditions.</p>	<ul style="list-style-type: none"> <li>• Lack of infrastructure could inhibit delivery of Local Plan housing numbers</li> <li>• Approved schemes already in development may not achieve required financial return</li> <li>• Potential for existing businesses/jobs relocating outside of District</li> <li>• Fewer new businesses/jobs being created</li> <li>• Falling Gross Value Added (GVA) in the District</li> <li>• Loss of revenue growth in Council Tax and Business Rates</li> <li>• Unplanned and/or abortive expenditure</li> <li>• Dilution of support for programme</li> <li>• Public perception of Council spending and lack of effective control</li> <li>• Interest charges have to be charged to revenue rather than capitalized against projects</li> <li>• Revenue costs of projects developed but aborted not charged to capital and fall upon Council's budget.</li> <li>• Depressed land values</li> </ul>



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>District Investment reserve approved and ring-fenced.</p> <p>All investment opportunities rely on cost/value advice provided by expert third party specialists in support of business case development.</p> <p>All investment opportunities appraised via industry-standard informed investment tool.</p> <p>Strong working relationship with Essex County Council, Haven Gateway, the South East Local Enterprise Partnership (LEP), Homes England on major projects and key priorities to support delivery and potential funding routes.</p> <p>Project engagement across relevant BDC teams (including Asset Management, Finance, Legal, Operations, Planning and Procurement) to ensure early engagement on scheme development to ensure end product delivers on objectives and is fit-for-purpose.</p> <p>Procurement of appropriate architects, cost and planning consultants secured for each scheme.</p> <p>Business case development with specialist external advice</p>	<p>Continual monitoring of costs and spend.</p> <p>Continued use of expert third parties to provide comprehensive cost estimates and advice of market trends.</p> <p>Consistent modelling to agreed financial parameters.</p> <p>Increased networking and promotion of BDC's investment aspirations with key external stakeholders and potential funders. Continue to source local and national funding resources which could provide grants for key projects.</p> <p>Implementation of timely, high-quality marketing strategies for all development projects.</p> <p>Early engagement with Planning Team and judicious use of the pre-application process.</p> <p>Increase organisational "maturity" and embed rigorous and consistently applied project and programme processes and reporting.</p> <p>Regular review of approved parameters and hurdle rates.</p> <p>Weighted NPV measure to reflect non-financial priorities.</p> <p>Independent evaluation of business case.</p>	Chief Executive Corporate Director (DC)	<p>Delivery of all projects approved via District Investment Strategy</p> <p>Delivery of all projects to budget and approved financial return</p> <p>Leverage of third party funding to support BDC capital projects</p> <p>New Business start-ups</p> <p>Sale/letting of new properties at approved levels and to approved timescales.</p> <p>Achievement of detailed planning consent first time, every time.</p> <p>CSF's &amp; KPI's: Jobs created; Spend in local economy; Business rates generated.</p>	Quarterly		<p>Consistent presentation of detailed costs to all BDC approval bodies. Joint-working with Finance Team to model financial impact of all opportunities.</p> <p>Procurement of expert commercial and property agents to advise on achievable values, marketing and sales rates.</p> <p>I-construct project complete. Horizon 120 infrastructure project delivered to time and budget. Construction of Horizon 120 enterprise centre project (the Plaza) progressing to budget and revised schedule. Manor Street project nearing completion. Maltings Lane and Witham Enterprise Units business cases progressing.</p>

## Climate Change – 11

Risk Rating: **C2** (C2 July 2021)

Cabinet Member Owner: Councillor Mrs Wendy Schmitt

Management Board Owner – Corporate Director (CR)

Vulnerability	Trigger	Consequence
<p>'Climate change' refers to changes in the earth's climate that are caused by increasing levels of greenhouse gases such as carbon dioxide (CO<sub>2</sub>) in the atmosphere.</p> <p>Climate change adaptation describes measures that can be put into place to help us adapt the changes in our climate that are now inevitable. These changes range from increased temperatures and drought conditions to extreme weather events such as intense periods of rainfall and subsequent flash flooding.</p> <p>The Council has declared a "Climate Emergency" with an aim to make Braintree District Council activities, as far as practical, carbon neutral by 2030.</p> <p>Climate change will impact council services, from the buildings that we manage through to open spaces and our role in emergency planning, as well as impacting on Braintree district residents, particularly those who are most vulnerable.</p> <p>The services provided by the Council are reliant on access to all parts of the district by our vehicles and the ability of staff to travel to their place of work.</p> <p>Business Continuity plans are essential for the Council to be able to respond to the effect of climate change on our estate and our staff which impacts our services. This is combined with the potential increasing and changing demand for services including parks and landscapes, environmental health, community support, health and wellbeing, building control etc.</p> <p>The scale and degree of change required to meet net zero will require significant resources which the District Council will not be able to provide on its own. It will require a coordinated response from partners including Government to meet the challenge.</p>	<p>Increase in mean temperature</p> <p>Decrease in air quality</p> <p>Depletion of key resources including water</p> <p>Severe weather event(s) including drought, floods and gales.</p> <p>Failure to deliver 2030 carbon neutral target</p>	<ul style="list-style-type: none"> <li>• Failure to maintain/deliver services and an increased cost of delivering services</li> <li>• Increased financial costs for Council (due to insurance excesses/ pressures on service delivery)</li> <li>• Future Capital investment needed in alternative fuel infrastructure and vehicles</li> <li>• Reduction in resilience of the organisation</li> <li>• Reputation of Council damaged through failure to deliver services.</li> <li>• Failure to give local community leadership in preparing for climate change.</li> </ul>

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>Climate Local Strategy 2021 - 2030 in place and a number of actions being undertaken to reduce negative impact on climate from council services and assets as well as encouraging residents and businesses to reduce their impact on the climate.</p> <p>A Climate Change working group has been established. An action plan has been developed to ensure all Council functions and decision making is in line with the shift to carbon neutral by 2030.</p> <p>Emergency Plan considers climate related risks and our response to this type of emergency.</p> <p>The Climate Local Strategy has a number of actions in place to support the community to adapt to climate change.</p> <p>Business Continuity plan for the organisation to respond to risks</p> <p>Joint working with ECC who are also tackling Climate Change.</p>	<p>Climate Strategy has now been adopted.</p> <p>Continue to review Emergency Plan to consider emerging climate related issues and risks.</p> <p>Implement the outcomes from the Environment Bill – Expected during 2022.</p> <p>Climate Actions Performance reporting will be via Pentana system. Management Board to monitor outcomes and targets</p> <p>Annual performance report to be submitted</p>	<p>Corporate Director</p> <p>Sustainability Manager</p> <p>Sustainability Manager</p> <p>Management Board</p> <p>Head of Environment</p>	<p>New Climate Strategy and received by Council</p> <p>Publish Action Plan</p> <p>Delivery of objectives of Climate Change Strategy</p> <p>Carbon reporting (BEIS for District) Internal report for Council emission</p>	Annual review	<p>Feb 2021</p> <p>Sept 2021</p> <p>Sept 2021</p> <p>July 2022</p>	<p>Completed actions from the Climate Local Action Plan 2014 – 2018. Further details on achievement available</p> <p>Declared Climate Emergency July 2019</p> <p>Climate Change Working Group in place representing the Council, Businesses and Residents with academic support to develop the next Climate Local Strategy</p> <p>Annual Emergency Planning desktop exercise, concerning severe weather, for BDC</p> <p>Officer group established to encourage waste reduction by staff and at council premises.</p> <p>To deliver against climate change strategy and action plan</p> <p>Full Council approval of monitoring plan and key targets</p>

<b>Report Title:</b> Horizon 120 Infrastructure	
<b>Report to:</b> Cabinet	
<b>Date:</b> 11 <sup>th</sup> July 2022	<b>For:</b> Decision
<b>Key Decision:</b> Yes	<b>Decision Planner Ref No:</b> DP/2022/7
<b>Report Presented by:</b> Councillor Kevin Bowers, Cabinet Member for Housing, Assets and Skills	
<b>Enquiries to:</b> Aidan Kelly, Interim Head of Strategic Investment <a href="mailto:aidan.kelly@braintree.gov.uk">aidan.kelly@braintree.gov.uk</a>	

### **Confidential Appendix**

This report has a confidential appendix which is not for publication as it includes exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

## **1. Purpose of the Report**

- 1.1 To consider the future management of the Horizon 120 business park infrastructure.

## **2. Recommendations**

- 2.1 That Cabinet approves that the Horizon 120 business park infrastructure remains under the ownership and stewardship of Braintree District Council.

## **3. Summary of Issues**

- 3.1 The vision for Horizon 120, was crafted under the leadership of a Members Reference Group (MRG). The MRG was not a decision-making body but did help to shape Braintree District Council's (the Council) thinking about key issues such as design quality, environmental standards and zoning. This thinking was fundamental in drafting the Local Development Order (LDO) and Design Code, adopted by Full Council on 26<sup>th</sup> July 2021.
- 3.2 As Horizon 120 nears completion, with the first owners and tenants moving onto the site in June 2022 and the Plaza opening in July 2022, it is now appropriate to consider whether the Council wishes to retain responsibility for the management and repairs of the infrastructure across the Horizon 120 site.
- 3.3 The vision, crafted by the MRG, was of an exemplar environment with exceptional standards of design, landscape and specification. The high-level objective was to create a business community where companies, and

employees, would be encouraged and enabled to interact through the shared enjoyment of the external landscape, such as the new wildlife and pond area, and the facilities being, and to be, delivered at the Plaza.

- 3.4 Particular emphasis was placed upon sustainability and biodiversity, resulting in open watercourses, the new wildlife area and extensive planting, including wildflower verges, thousands of shrubs and over four hundred trees. Other design features include “dark skies” street lighting to avoid harm to bats.
- 3.5 It was recognised that a decision, to offer the infrastructure for adoption, would have frustrated this vision, by the use of standard paving and lighting columns.
- 3.6 In view of the investment into the Horizon 120 site by this Council and the wish that the infrastructure installed on site remains at a high standard, the Council is of the view that the infrastructure should remain within the stewardship of the Council.
- 3.7 If the Council was to consider getting the infrastructure adopted, then it would need to engage with Essex County Council (ECC) Highways. In doing this the Council would be required to pay ECC Highways their design fee of 7.5% to 8.5% of their estimate of the capital cost. There would also be a nominal technical fee, a non-quantifiable sum in respect of investigations and any required remedial works and a commuted sum. As far as it is possible, these are summarised in the confidential appendix.
- 3.8 If the Council determines that it does not want to apply for ECC Highways to adopt the infrastructure on Site, then the Council would be responsible for arranging, and meeting the costs of:
  - Street cleaning
  - Repairs and maintenance of footpath, roads {anything else}
  - Parking enforcement
  - Street lighting
- 3.9 The current estimated costs are set out in the confidential appendix. The Council has appointed a Managing Agent for the Site, whose role is to collect the business park service charge from tenants and owners of units within the Horizon 120 site. As a result, it is anticipated that the costs associated with the above will therefore be passed on to the business occupiers and funded thorough the service charges. It should be noted that the Council will also be required to pay a service charge to reflect its occupation of the Plaza enterprise centre on the site. This liability has been included in the Plaza revenue projections.
- 3.10 However, as service charge only becomes payable at the point the units on the Horizon 120 site are occupied, it is likely that there will be an initial shortfall in service charge income, pending development of the remaining plots. Given the pace of development, this risk is reducing and is also mitigated by contractual defects liability and guarantee periods.
- 3.11 The Council determined that Horizon 120 would become, and remain, an exceptional business environment with exemplar standards of design and

landscaping. There was a clear view that these standards should not be compromised by reliance upon a third-party having stewardship rights.

3.12 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:

- A sustainable environment and a great place to live, work and play.
- A prosperous district that attracts business growth and provides high quality employment opportunities.

3.13 The above is evidenced by the commercial activity, on the Horizon 120 site, and the six plot sales already completed.

#### **4. Options**

4.1 The Council could seek adoption of the footpath and road infrastructure at a cost summarised in the Confidential Appendix. The Council's highways engineer, Inter-Modal, advises that ECC Highways would be unlikely to consider adoption, without a commuted sum, as the infrastructure is within a business park and does not "serve a public function." The costs and outcome of any such application are at best uncertain and adoption would be inconsistent with the views of the MRG, and previous decisions taken relating to Horizon 120 and the review, of the LDO. This option is not recommended.

4.2 Do nothing. The Council could accept that the infrastructure has been designed and delivered, and that in order to retain control over the future maintenance of the site and the high specification of the infrastructure, the Council would need to retain the stewardship of the site. This is the recommended option, which should now be confirmed as a formal decision.

#### **5. Financial Implications**

5.1 This recommendation has no immediate additional capital cost implication; however, by retaining ownership there will be future capital maintenance liabilities retained by the Council, subject to the ability to recover these through service charges on occupiers of the site.

5.2 The recommendation requires that the Council retains the responsibilities listed above, the costs of which will be recovered through service charges levied on the business occupiers, one of which will be the Council, as owner/operator of the Plaza.

#### **6. Legal Implications**

6.1 The above recommendation does not have any additional legal implications beyond those previously considered and accepted.

## **7. Other Implications**

- 7.1 This recommendation has no additional implications beyond those considered and accepted in previous reports.

## **8. Equality and Diversity Implications**

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 This recommendation raises no additional equality, diversity or inclusions implications.

## **9. Appendix**

- 9.1 Confidential Appendix

## **10. Background Papers**

- 10.1 Horizon 120 Local Development Order

<b>Report Title:</b> Disposal of access rights to land adjoining Horizon 120 – To agree the sale of improved access rights to land	
<b>Report to:</b> Cabinet	
<b>Date:</b> 11 <sup>th</sup> July 2022	<b>For:</b> Decision
<b>Key Decision:</b> Yes	<b>Decision Planner Ref No:</b> DP/2022/27
<b>Report Presented by:</b> Councillor Kevin Bowers, Cabinet Member for Housing, Assets and Skills	
<b>Enquiries to:</b> Dominic Collins, Corporate Director <a href="mailto:dominic.collins@braintree.gov.uk">dominic.collins@braintree.gov.uk</a> Aidan Kelly, Interim Head of Strategic Investment <a href="mailto:aidan.kelly@braintree.gov.uk">aidan.kelly@braintree.gov.uk</a>	

### **Confidential Appendix**

This report has a confidential appendix which is not for publication as it includes exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

## **1. Purpose of the Report**

- 1.1 To seek delegated authority to negotiate and to agree terms, with Marshgate Developments, for the grant of improved access rights to and from a nine-acre plot adjoining the Horizon 120 Business & Innovation Park.
- 1.2 To seek delegated authority, for the Corporate Director – Growth, to enter into contract, for the grant, by the Council, of improved rights of access to and from the nine-acre plot adjoining Horizon 120, following confirmation by NPS, an independent, qualified valuer, that the terms agreed represent the best value reasonably obtainable in the market.

## **2. Recommendations**

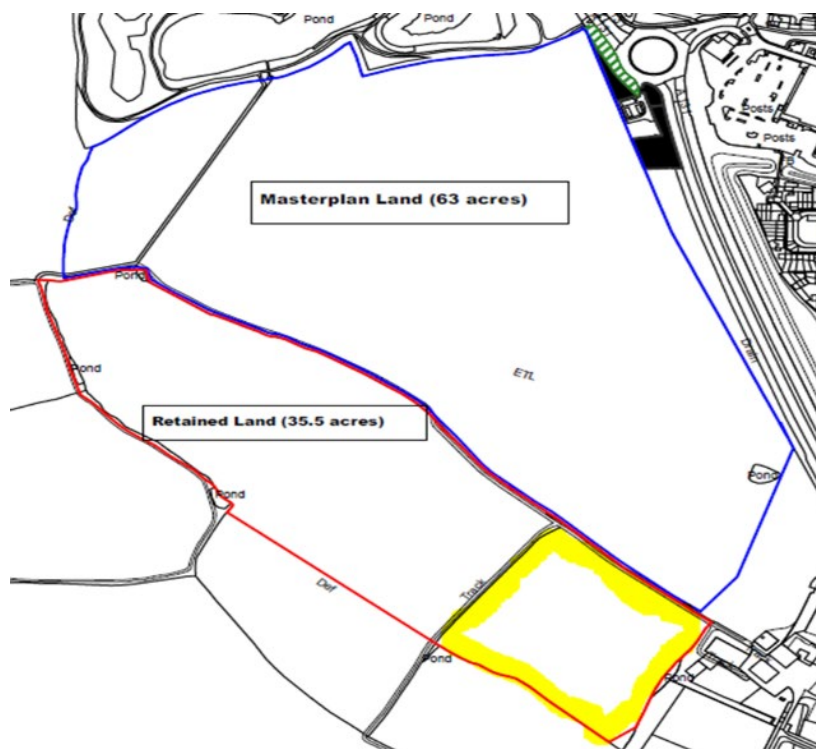
- 2.1 That Cabinet approves and authorises the grant of improved access rights to and from the nine-acre plot adjoining Horizon 120 on condition that the Council incurs no liability, financial or otherwise, except for meeting its own legal costs.
- 2.2 That Cabinet authorises the Corporate Director–Growth to appoint a solicitor, and such other professional advisors as he considers necessary and appropriate to protect the Council’s interests.



- 2.3 That Cabinet authorises the Corporate Director-Growth to enter into contract, for the grant of improved access rights, subject to the developer using all reasonable endeavours to obtain a satisfactory planning permission, free of onerous conditions, with completion of, and payment for, the improved access rights, within a reasonable period of the grant of the planning permission.

### 3. Summary of Issues

- 3.1 The image below illustrates the nine-acre plot (highlighted in yellow) which is contiguous with the south-eastern boundary of Horizon 120.



- 3.2 The nine-acre plot remains in the ownership of the landowner following the sale, in December 2018, of the Horizon 120 site, indicated above as “master-plan land”. The Council does not have any interest in the nine acres and specifically has no option or pre-emption agreement.
- 3.3 In fulfilment, of a condition of the original sale, the Horizon 120 estate infrastructure includes a surfaced single carriageway, which terminates one metre from the boundary of the nine-acre plot.
- 3.4 The landowner, of the nine-acre plot, has the contractual right, at his/her own expense, to connect to the Horizon 120 infrastructure, including utilities such as surface and foul drainage, but the Council is explicitly not under any obligation to ensure that the utilities are of sufficient capacity to service the nine acres.
- 3.5 Marshgate Developments have agreed terms, with the landowner, for the purchase of the nine acres subject to receipt of planning permission for one or more logistics buildings. All parties accept that the Horizon 120 Local

Development Order, and design code, will be material considerations in the planning application.

- 3.6 During the process of due diligence, Marshgate have determined that the landowner does have rights of access but that the contractual clauses, concerning those rights, are somewhat imprecise to the effect that the proposed development is unlikely to meet the strict and onerous requirements of institutional investors, such as Aberdeen Standard Life or the Unilever Pension Fund, both of which have recently invested in Horizon 120. An example is that while the landowner has the right to connect to the Horizon 120 utilities, the landowner does not have the explicit right to enter onto the land to do so.
- 3.7 Marshgate Developments have offered a premium to be paid, on receipt of planning permission, in return for amended rights of access, which will enable the development of an institutional grade, and therefore higher value, asset.
- 3.8 The Council has received advice, from NPS Property Consultants Ltd (NPS), which confirms that the premium offered represents the best value reasonably obtainable in the market. NPS currently act as the Council's asset valuers.

#### **4. Options**

- 4.1 Do nothing. The Council is not obliged to amend the access rights, as requested, but this would result in a missed opportunity, for a capital receipt, as the landowner may argue that the required rights are implicit, and that development can proceed.
- 4.2 Agree amended access rights. This is the recommended option as it may generate a capital receipt at minimal expense to the Council. This is subject to valuation advice and confirmation that the Council has no liability, financial or otherwise, other than for meeting its own legal costs

#### **5. Financial Implications**

- 5.1 This proposal requires no capital expenditure, by the Council, or any additional liability other than for legal costs which are unlikely to exceed £20,000.00.
- 5.2 The capital receipt, if/when received, is not provided for in the MTFS and would represent a modest but positive addition.

#### **6. Legal Implications**

- 6.1 The current rights of access, as recorded in the conveyance documents, are a constraint on the development of an institutional grade asset but the Council's external solicitor has confirmed that they do not amount to a ransom. The "Stokes v Cambridge" principles do not apply.
- 6.2 The Council received advice from NPS Property Consultants Ltd (NPS) which confirms premium offered represents the best value reasonably obtainable in

the market. This is the standard to be met in order to comply with the best value provisions within S123 Local Government Act 1972.

## **7. Other Implications**

- 7.1 This proposal presents no additional, adverse implications and, if successful, may assist in retaining a significant, local business within the District.

## **8. Equality and Diversity Implications**

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

<b>Report Title:</b> Contract Award for 3G Artificial Grass Pitch at Braintree Sport & Health Club	
<b>Report to:</b> Cabinet	
<b>Date:</b> 11 <sup>th</sup> July 2022	<b>For:</b> Decision
<b>Key Decision:</b> Yes	<b>Decision Planner Ref No:</b> N/A
<b>Report Presented by:</b> Councillor Peter Tattersley, Cabinet Member for Health and Wellbeing	
<b>Enquiries to:</b> Joby Humm Leisure Heritage and Venues Manager	

## 1. Purpose of the Report

- 1.1 In 2020/21 Capital funding of £260,000 was approved by Council for financial year 2021/22 for the replacement of the Artificial Grass Pitch (AGP) at the leisure facility situated at Tabor Academy. This report seeks to award the contract so as to enable the necessary works to commence.

## 2. Recommendations

- 2.1 To approve the award of a Contract to SIS Pitches in the sum of £241,544.45

## 3. Summary of Issues

- 3.1 Fusion, the Braintree District Council's (the Council) leisure providers, provide an outdoor AGP pitch for use by Fusion members or anyone hiring out the venue, such as youth footballs teams. The Site is shared by Tabor Academy under Joint Use arrangements. The Council had originally hoped to carry out this procurement and award a contract in 2020, however, the pandemic placed significant pressures on Fusion and Tabor Academy and therefore it was agreed that these works would be postponed, until a more suitable time.
- 3.2 The current AGP Grass pitch is now over 10 years old and has exceeded its life expectancy, repairs are now required and these would cost in excess £10k to ensure the pitch is suitable and safe for use for the 2022/23 Football season. Under the current Football foundation Facilities Strategy for Braintree District, the District and Braintree town in particular has a huge shortfall of 3G AGP facilities for the level of teams playing youth football in the District.
- 3.3 Accordingly, the proposal is to replace the current 3G surface with another 3G carpet but increasing the pile height from 35mm to 50mm, the new surface will retain the existing shock pad keeping costs lower, and to also install 1.5m spectator fencing to meet the FA (Football association) current regulations. The approved system will be tested to FIFA Quality, The project also include replacement of all the goals, new dug outs and a dividing curtain to break the pitch down into mini soccer pitches available to hire for junior football matches.

- 3.4 As part of the project planning, consultation was undertaken with stakeholders and partners. Fusion lifestyle had no objections and supported and welcomed the replacement as this will enhance their outside sports offer and enable more teams to not only train but play competitive football on the pitch. Tabor Academy, similarly had no objections as the new surface will enhance the pupil experience for curricular football and develop skills for the school's football teams who represent the District and County. It will also give the Schools Sports co-ordinator a facility in which primary school competition can be played
- 3.5 Tabor Academy under the Joint Use Agreement will contribute 24% of the cost of the total project including project management costs and some repairs to the fencing equating to £60,927.46.
- 3.6 In April 2022, the Council went out to tender for a project management company to start the project. MUGA UK were successful and completed a feasibility and options appraisal and the full tender for the re-carpet was issued in May 2022. The tender was sent out to the Football Foundations national framework for approved suppliers and installers of 3G AGP pitches and the pitch specification and layout meets all Football Foundation and FIFA requirements.
- 3.7 A total of six FA Framework contractors were approached for the construction of the above project, with five contractors returning tender submissions.

SIS Pitches	£241,544.45 + vat
Bidder 2	£223,500.10 + vat
Bidder 3	£302,244.45 + vat
Bidder 4	£297,254.62 + vat
Bidder 5	£259,415.91 + vat

- 3.8 Whilst bidder 2 returned the cheapest tender, they are unable to deliver the required carpet within the timescales required, this would result in significant delays in fitting and would cause disruption to the Tabor Academy and Fusion at the start of the new school term. In addition, they failed to submit all required documentation as part of the tender process, and also, they did not quote for the carpet specified within the Tender documents, but rather an alternative. Accordingly, it is recommended that the Council award to SIS Pitches.
- 3.9 The new surface will enable both local football clubs such as Braintree Town Youth, Great Bradford's Youth FC and Sporting 77 Youth FC fully FOIFA registered match and training quality facility to use all year round. Tabor Academy will also have the same quality football pitch for their curricular and after school football teams.
- 3.10 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:
- A sustainable environment and a great place to live, work and play;

- Residents live well in healthy and resilient communities where residents feel supported.

#### **4. Options**

- 4.1 Replace the current 3G surface now with a new state of the art surface to ensure continual use of the pitch until at least 2032. This is the recommended option.
- 4.2 Do not replace the carpet this summer, this will mean that the Council will incur repair costs. These are likely to be required within the next 3 months to keep the current surface available for use.
- 4.3 Do not replace the carpet at all. The pitch will become unsafe for use within another 9-12months. Should this happen, this will mean that the Pitch will be redundant and that Tabor will not be able to use the Pitch and Fusion will lose income arising from the rental of the pitch.
- 4.4 The options set out in 4.2 and 4.3 will ultimately mean less cost in the long run as this capital spend is already budgeted, cost for expensive repairs to the existing carpet are not budgeted for in revenue budgets.

#### **5. Financial Implications**

- 5.1 As part of the Council budget setting, the budget for this project was approved for the financial year 2020/21. The tender received is within budget. The Council's contribution will be £180,616.99.

#### **6. Legal Implications**

- 6.1 The procurement was undertaken by Muga UK and was carried out in accordance with their practise and procedure, using the Football Foundations Frameworks. In doing so the procurement exercise was completed in accordance with the relevant legislative provisions.

#### **7. Other Implications**

- 7.1 There are no other implications arising from this report.

#### **8. Equality and Diversity Implications**

- 8.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
  - (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

- 8.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 8.3 The Equality Impact Assessment indicates that the proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic. The Pitch will be available for use by members of the public through the Councils leisure provider, Fusion.

## **9. List of Appendices**

- 9.1 None.

## **10. Background Papers**

- 10.1 MUGA UK tender report.