

Council AGENDA

Monday, 4th June 2018 at 7:15 PM

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

THIS MEETING IS OPEN TO THE PUBLIC
(Please note this meeting will be webcast and audio recorded)

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

Membership:-

Councillor J Abbott	Councillor T Everard	Councillor Mrs J Pell
Councillor Mrs J Allen	Councillor Mrs D Garrod	Councillor R Ramage
Councillor M Banthorpe	Councillor J Goodman	Councillor F Ricci
Councillor P Barlow	Councillor A Hensman	Councillor B Rose
Councillor J Baugh	Councillor P Horner	Councillor Miss V Santomauro
Councillor Mrs J Beavis	Councillor D Hume	Councillor Mrs W Scattergood
Councillor D Bebb	Councillor H Johnson	Councillor Mrs W Schmitt
Councillor K Bowers	Councillor Mrs A Kilmartin	Councillor P Schwier
Councillor Mrs L Bowers-Flint	Councillor S Kirby	Councillor C Siddall
Councillor G Butland	Councillor G Maclure	Councillor Mrs G Spray
Councillor S Canning	Councillor D Mann	Councillor P Tattersley
Councillor J Coleridge	Councillor J McKee	Councillor Miss M Thorogood
Councillor J Cunningham	Councillor R Mitchell	Councillor R van Dulken
Councillor Mrs M Cunningham	Councillor Mrs J Money	Councillor Mrs L Walters
Councillor T Cunningham	Councillor Lady Newton	Councillor Mrs S Wilson
Councillor M Dunn	Councillor J O'Reilly-Cicconi	
Councillor J Elliott	Councillor Mrs I Parker	

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 by 3pm on the day of the meeting.

A WRIGHT
Chief Executive

INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS

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

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest 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 Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

Question Time

The Agenda allows for a period of up to 30 minutes when members of the public can speak. Members of the public wishing to speak are requested to register by contacting the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk no later than 2 working days prior to the meeting. The Council reserves the right to decline any requests to register to speak if they are received after this time. Members of the public can remain to observe the public session of the meeting.

Please note that there is public Wi-Fi in the Council Chamber, users are required to register in order to access this. There is limited availability of printed agendas.

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Documents

Agendas, reports and minutes for all the Council's public meetings can be accessed via www.braintree.gov.uk

We welcome comments from members of the public 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 via governance@braintree.gov.uk

- 1 Apologies for Absence**
- 2 To receive any announcements/statements from the Chairman and/or Leader of the Council.**
- 3 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.
- 4 Public Question Time**

(See paragraph above)
- 5 Minutes of the Previous Meeting**

To approve as a correct record the minutes of the meeting of Full Council held on 23rd April 2018 (copy previously circulated).
- 6 Presentation of long service award for Councillors Mann and Mrs Bowers-Flint**
- 7 Recommendation from Cabinet – 14th May 2018 – Phase 4a Superfast Broadband Funding** **6 - 18**
- 8 Recommendation from Cabinet – 14th May 2018 - Braintree Town Centre Regeneration Scheme Development and Financial Update and Proposals - PUBLIC** **19 - 72**
- 9 Recommendation from Cabinet – 14th May 2018 - Chapel Hill Access Land Purchase - PUBLIC** **73 - 88**

10 Reports from the Leader and Cabinet Members

To receive the following reports from each Portfolio Holder.

Oral Questions to the Cabinet:

Members are reminded that following the presentation of each Cabinet Member's report, Members may put questions to the Cabinet Member on matters relating to their portfolio, the powers and duties of the Council or the District. Questions are not restricted to the contents of the Cabinet Member's report.

Where a verbal response cannot be given, a written response will be issued to all Members. (Council Procedure Rules 29.1 to 29.4 apply).

A period of up to 1 hour is allowed for this item.

10a	Councillor G Butland - Leader of the Council	89 - 90
10b	Councillor D Bebb - Finance and Performance	91
10c	Councillor T Cunningham - Economic Development	92 - 95
10d	Councillor Mrs L Bowers-Flint - Planning and Housing	96 - 99
10e	Councillor J McKee - Corporate Services and Asset Management	100 - 101
10f	Councillor Mrs W Schmitt - Environment and Place	102 - 104
10g	Councillor P Tattersley - Health and Communities	105 - 109
11	List of Public Meetings Held Since Last Council Meeting	110 - 111
12	Exclusion of Public and Press: - To give consideration to adopting the following Resolution: -	
	That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act.	

PRIVATE SESSION

- 13 Recommendation from Cabinet – 14th May 2018 - Braintree Town Centre Regeneration Scheme Development and Financial Update and Proposals - PRIVATE**

- 14 Recommendation from Cabinet – 14th May 2018 - Chapel Hill Access Land Purchase - PRIVATE**

Recommendation from Cabinet – 14 th May 2018 – Phase 4a Superfast Broadband Funding		Agenda No: 7
Portfolio	Economic Development	
Corporate Outcome:	A well connected and growing district with high quality homes and infrastructure A prosperous district that attracts business growth and provides high quality employment opportunities	
Report presented by:	Councillor Tom Cunningham, Cabinet Member for Economic Development and Councillor Kevin Bowers, Deputy Cabinet Member for Economic Development	
Report prepared by:	Danielle Putt, Economic Development Officer (Business Engagement)	
Background Papers:	Public Report	
Reports and Minutes of Cabinet – 14th May 2018 superfastessex.org	Key Decision: No	
MINUTE EXTRACT		
CABINET – 14 TH MAY 2018		
8	<u>PHASE 4A SUPERFAST BROADBAND FUNDING</u>	
<p>INFORMATION: It was reported that in line with Braintree District Council’s Plan for Growth, infrastructure and connectivity priority and delivery of the Digital Strategy were a priority. Essex County Council (ECC) and the Council were working in partnership to deliver the Superfast Essex programme, investing public subsidy to drive deployment of superfast broadband infrastructure to areas not served by commercial operators.</p> <p>Superfast Essex had already invested in the Braintree District under its Phase 1, 2 and 3 delivery programmes and this investment was on track to lift coverage to 97% by the end of 2019. However, ECC had forecast that at the end of the current Superfast Essex rollout, some 2,200 premises (mix of residential and business, particularly in rural locations) in the Braintree District would remain without superfast broadband provision. ECC was now preparing a Phase 4 deployment programme, but had advised that the public funds available for further investment were very limited and would be prioritised by the areas of the County with the poorest connectivity.</p>		

Superfast Essex had invited Districts and Boroughs to express an interest in investing local funding in Phase 4 in order to reach 99% District/Borough coverage. The Council responded to this call, expressing an interest at this stage, to invest up to £450,000, subject to confirmation of the deliverables following a commercial tender and further value for money considerations.

DECISION: That Cabinet agreed the investment of £356,000 as match funding towards phase 4a of the Superfast Essex Broadband programme.

That Cabinet recommended to FULL COUNCIL approval of:

1. The investment of £356,000 to provide match funding to reach 99% superfast broadband coverage and leverage £1.8m of new investment to the Braintree District, and
2. That the funding is allocated from the unallocated balance of New Homes Bonus.

REASON FOR DECISION: To enable the Council to support the development of required infrastructure to deliver its corporate responsibilities including the Digital Strategy and Plan for Growth, whilst delivering services that are cost effective and value for money.

Recommended Decision:

That it is recommended to Full Council:

1. The investment of £356,000 to provide match funding to reach 99% superfast broadband coverage and leverage £1.8m of new investment to the Braintree District, and
2. That the funding is allocated from the unallocated balance of New Homes Bonus.

Purpose of Decision:

To enable the Council to support the development of required infrastructure to deliver its corporate responsibilities including the Digital Strategy and Plan for Growth, whilst delivering services that are cost effective and value for money.

Phase 4a Superfast Broadband Funding		Agenda No:
Portfolio	Economic Development	
Corporate Outcome:	A well connected and growing district with high quality homes and infrastructure A prosperous district that attracts business growth and provides high quality employment opportunities	
Report presented by:	Councillor Tom Cunningham, Cabinet Member for Economic Development and Councillor Kevin Bowers, Deputy Cabinet Member for Economic Development	
Report prepared by:	Danielle Putt, Economic Development Officer (Business Engagement)	
Background Papers:		Public Report
superfastessex.org		Key Decision: No
Executive Summary:		
<p>In line with Braintree District Council's Plan for Growth, infrastructure and connectivity priority and delivery of the Digital Strategy are a priority. Essex County Council (ECC) and the Council are working in partnership to deliver the Superfast Essex programme, investing public subsidy to drive deployment of superfast broadband infrastructure to areas not served by commercial operators. The programme's overall objective is to reach as many premises in Essex as possible with the subsidy funds available. Government established the New Homes Bonus a number of years ago to provide local authorities the opportunity to invest into areas which had experienced housing growth. It is proposed to use some of the New Homes Bonus to fund further investment into broadband provision in the District.</p> <p>Superfast Essex has already invested in Braintree District under its Phase 1, 2 and 3 delivery programmes and this investment is on track to lift coverage to 97% by the end of 2019. This substantial improvement includes an investment made by the Council of £250,000 through the District Investment Strategy under Phase 2 of the programme.</p> <p>However, ECC forecasts that at the end of the current Superfast Essex rollout, some 2,200 premises (mix of residential and business, particularly in rural locations) in Braintree District will remain without superfast broadband provision. ECC is now preparing a Phase 4 deployment programme, but has advised that the public funds available for further investment are very limited (around £1.2million) and will be prioritised the areas of the County with the poorest connectivity.</p> <p>Against this background, Superfast Essex invited Districts and Boroughs to express an interest in investing local funding in Phase 4 in order to reach 99% District/Borough</p>		

coverage. The Council responded to this call and shared a Letter of Intent with Superfast Essex, expressing an interest at this stage, to invest up to £450,000, subject to confirmation of the deliverables following a commercial tender and further value for money considerations.

This Cabinet report explores the outcome of the procurement conducted by Superfast Essex, providing details of the commercial offer received and proposes the award of a contract to the bidder at a revised cost to the Council of £356,000. The proposed contract will bring an overall new investment of £1.8 million to Braintree District and lift overall superfast broadband availability in Braintree District to reach 99% of all premises.

Recommended Decision:

- 1) That Cabinet agrees the investment of £356,000 as match funding towards phase 4a of the Superfast Essex Broadband programme.

That Cabinet recommends to Full Council approval of:

- 1) The investment of £356,000 to provide match funding to reach 99% superfast broadband coverage and leverage £1.8m of new investment to the Braintree District, and
- 2) That the funding is allocated from the unallocated balance of New Homes Bonus.

Purpose of Decision:

To enable the Council to support the development of required infrastructure to deliver its corporate responsibilities including the Digital Strategy and Plan for Growth, whilst delivering services that are cost effective and value for money.

Any Corporate implications in relation to the following should be explained in detail.

Financial:	<p>If the Districts coverage falls below Essex's average coverage as a result of not investing in Phase 4a, then the £250,000 previously invested by the Council may not retain the value for money achieved from the initial investment. There is also a risk of higher costs associated with any support made during Phase 4b if a re-tender has to be submitted if offer not taken up for Phase 4a.</p> <p>There are options for the funding of the proposed investment of £356,000: unallocated balances of either the Business Rate Retention reserve or New Homes Bonus reserve. It is proposed that the unallocated New Homes Bonus is used. The proposed contract shows that funding will be required between quarter 3 2019/20 to quarter 2 2020/21.</p>
Legal:	The recommendation would result in the signing of a legal contract with the providers and superfast Essex.
Safeguarding:	None
Equalities/Diversity:	Following a cross section analysis of premises, it is estimated 2/3 of the premises proposed to receive coverage through the investment are rural businesses inclusive of homeworkers (as per Companies House data) and coverage will therefore support economic growth in the District.
Customer Impact:	There are 4,000 premises (inclusive of the % of Braintree District coverage) which are currently within the threshold of County Broadband services and are therefore ineligible to receive state aid funding under Phase 4a proposals. As depicted within this report, there have been some instances of premises that have been unable to register for the services with this existing provider and have had to be re-categorised to receive state aid. The full extent of this risk is unknown as it is dependent on the take up from these premises and the failure of County Broadband to deliver the service jointly with Superfast Essex being made aware of the discrepancy. In the instance of premises requesting a re-categorisation, an unspecified subsidy over an unspecified duration from Superfast Essex will be made on a case by case basis to provide Superfast Broadband.
Environment and Climate Change:	None
Consultation/Community Engagement:	None

Risks:	Phase 4 is the final phase of the county rollout and therefore there will be no further opportunities for Braintree District Council to receive match-funding, which could raise cost per premise for future roll out. The figures are not reflective of any new build proposals within the District and therefore will require infrastructure to maintain levels of forecasted coverage in line with building development premise figures.
Officer Contact:	Danielle Putt
Designation:	Economic Development Officer (Business Engagement)
Ext. No:	2585
E-mail:	danpu@braintree.gov.uk

1. Current Position

- 1.1 The provision of high speed and reliable broadband is highlighted within the District's Plan for Growth as a priority and is a key part of the Digital Strategy, being an essential driver for sustainable and inclusive economic growth. Building on its existing competitive advantages for businesses to start up, relocate and grow, infrastructure that can enable such outcomes needs to be appropriate to the demands of residents and the business community, whilst future proofing the District for further technological advances. The Braintree District has seen housing growth and has consequently attracted New Homes Bonus payments from Central Government. This additional funding is being reinvested back into our existing communities to strengthen the infrastructure and services current residents can access, such as Superfast Broadband. This District Council has previously invested £250,000 of New Homes Bonus.
- 1.2 In Braintree District, Superfast Essex has already delivered substantial broadband deployment. Some 7,500 premises were enabled under the Phase 1 programme completed in 2016; a further 8,300 (including 2,500 funded by BDC) have already been delivered under Phase 2 with a further 6,000 planned, and Phase 3 will add 2,800 more premises. Overall, and taken together with the networks built by commercial operators, the programme is on target to reach 97% superfast broadband connectivity in Braintree District by the end of 2019.
- 1.3 Take-up of the service rolled out within the District has currently reached 55%, with the current Essex average achieving a 51.6% take-up. In comparison to how this sits nationally, the average take-up is 40% from commercial deployment and 47% in the BDUK areas. This reflects the demand in the District for Superfast Broadband.
- 1.4 The table below shows the progress of the Essex-wide Superfast Essex programme to date and the forecast coverage across the County once Phases 2 and 3 are completed, broken down by District/Borough.

Current coverage and forecast

District	Complete	Complete and SFE Planned
	(including Under Review)	(including Under Review)
Castle Point District (B)	94%	99%
Tendring District	87%	98%
Rochford District	88%	98%
Basildon District (B)	93%	98%
Colchester District (B)	92%	97%
Braintree District	83%	97%
Harlow District	96%	96%
Epping Forest District	90%	96%
Brentwood District (B)	84%	96%
Uttlesford District	76%	96%
Southend-on-Sea (B)	96%	96%
Chelmsford District (B)	84%	94%
Maldon District (B)	80%	94%
Thurrock (B)	93%	93%
Essex	89%	96%

- 1.5 ECC is currently planning a Phase 4 rollout programme, which will utilise the remaining ECC programme funds (around £1.2 million) to boost superfast coverage in the most poorly served areas of the county. ECC does have an ambition to reach 99% superfast connectivity county-wide by December 2021, however current funds will not be sufficient enough to reach this.
- 1.6 Three District/Boroughs Councils, including Braintree District Council, registered their interest to explore a commitment to invest in Phase 4 in order to boost local broadband coverage as soon as possible, and also recognising the imminent expiry of the Department Cultural Media and Sport (DCMS) offer of new grant to complement local match funding, Superfast Essex embarked on an early procurement exercise under its Phase 4 programme (Phase 4a) to secure new grant from DCMS where local match funding is committed now and also to ensure that local funding can be translated into a delivery programme at the earliest opportunity. Phase 4a covers the administrative areas of Braintree and Epping Forest Districts and Basildon Borough, who each provisionally indicated their interests to invest local funds with a target of reaching 99% coverage.
- 1.7 ECC plans to follow on with Phase 4b later this year and will use the remaining ECC programme funds (around £1.2 million) to boost superfast coverage in the most poorly served areas of the county. Phase 4b will not be able to attract DCMS grant funding, as the national Broadband Delivery UK (BDUK) programme has now reached its country-wide target of 95% coverage. Superfast Essex is continuing its discussions with District Councils, Borough Councils and other organisations seeking to identify further investment for potential addition to Phase 4b.

2. The proposed contract

- 2.1 The Phase 4a procurement has identified the preferred bidder for the proposed Phase 4a contract for Braintree District. There was only one bidder in the procurement. The offer presented to ECC has been reviewed and assessed by the ECC team (with participation of Braintree Officers; Economic Development and Finance) who were supported by independent technology consultants Analysis Mason. In addition the submission was assessed for Value for Money as well as State Aid compliance by the national BDUK team. A consensus has been reached by all parties that the bidder proposal complies with State Aid regulations. It is therefore proposed that a contract should be awarded in line with the tender received.
- 2.2 Superfast Essex will work with the Council to safeguard the value for money of any investment made as part of Phase 4a. It will be agreed within the contract that should there be any underspend as a result over performance of the bidder from the investment made by the Council (inclusive of grant attraction), this will exclusively be reinvested in the Braintree District in the delivery of Phase 4b.
- 2.3 The proposed new contract will deliver the following benefits for Braintree District, primarily within the rural locations:

Deliverables

- A total of 1,668 additional premises will be enabled to access superfast broadband with download speeds of more than 30Mbps. Current internet speeds available at these premises are between 1 and 15 Mbps.
- Some 60% of the newly enabled premises will go beyond superfast and gain access to full-fibre services providing speeds of 330 to 1,000 Mbps.
- Once delivery begins, the deployment will be completed within 9 months with all premises ready for service and orders by September 2020.
- The technical solution is a future proof network, with an extremely high proportion of full fibre, already recognised as industry leading, with planned investment in next generation fibre products such as G.Fast

Investment and Deployment

- The £356,000 investment from Braintree District Council will unlock new DCMS grant of £356,000 as well as a £1.05 million investment in the project by the delivery partner.
- The total investment as a result of this contract will be £1.8 million, with all deployment taking place within the boundaries of Braintree District.
- In addition to the substantial investment, working with the bidder will bring skills, experience, know-how and extensive existing network infrastructure, which will be leveraged to deliver the project efficiently.
- The bidder has an excellent track record in working on broadband deployment in Essex. The Superfast Essex programme is currently running three months ahead of its contracted delivery timescales.

Economic Benefits

- More local employment. This contract will enable the recruitment of even more local people across the Contractor's field and desk based workforce, apprenticeship programme, and wider supply chain.
- The targeting of the specified rural areas to receive Superfast Services will help rural businesses including homeworkers to grow their businesses through their requirements of suitable and relevant digital infrastructure.

3. What would happen if we didn't invest?

- 3.1 If the proposed investment by the Council of £356,000 is not committed under the proposed contract, the matching DCMS grant of £356,000 could not be secured. As the DCMS grant scheme is currently being closed, there will not be a future opportunity to secure this grant funding.
- 3.2 If a decision was made to not invest £356,000 into this match-funded project, the Braintree District's average coverage will fall below the average of Essex. ECC have advised that priority spending of the £1.2m funding under Phase 4b will be used to invest in areas with the poorest connectivity. While some of this investment may still fall into Braintree District, it would be significantly less and there is no indication of what would be invested.
- 3.3 It is likely that if the current proposed contract is not awarded, the deployment cost under a future tender will be higher than in the present proposal, due to the smaller number and more dispersed nature of the premises to be enabled.
- 3.4 If the proposed Phase 4a contract for Braintree is not awarded, any potential future broadband investment funded under the wider Superfast Essex programme would result in a significantly later deployment timescale, likely to complete in 2021.
- 3.5 If the District's coverage falls below Essex's average coverage as a result of not investing in Phase 4a, then the £250,000 previously invested by the Council may not retain the value for money achieved from the initial investment.

4. Analysis of Investment

Strengths	Weaknesses
<ul style="list-style-type: none">• 99% district coverage• Above county average coverage• Reinforcement of the Digital Strategy and Plan for Growth through suitable infrastructure delivery• 1668 further premises to be provided fibre access at >30Mbps	<ul style="list-style-type: none">• The figures are not reflective of any new build proposals within the District and therefore will require infrastructure to maintain levels of forecasted coverage in line with building development premise figures. New build sites that have 25 premises or more will receive BT cabinets to deliver superfast broadband capability without further

<ul style="list-style-type: none"> • 66 structures and 1350 premises to receive Gigabit speed Full Fibre, 12 structures and 318 premises to receive Full Fibre >30Mbps • An uplift of service to superfast speeds for 1151 premises currently receiving speeds below 15Mbps of which 41 premises currently receive below 2Mbps • Following a cross section analysis of premises, it is estimated 2/3 of the premises proposed to receive coverage through the investment are businesses (as per Companies House data) and coverage will therefore support economic growth in the District. • Roll out of coverage will be achieved sooner than those not part of Phase 4a. 	<p>cost to the development as part of development regulations.</p> <ul style="list-style-type: none"> • Only 1 bid submitted for no comparison. • Phase 4b £1.2m funding will be used to sub other areas below the county average without any priority to those who have made additional investments.
Opportunities	Threats
<ul style="list-style-type: none"> • Infrastructure for future proofing will be introduced. • Local employment opportunities 	<ul style="list-style-type: none"> • There have been reports of premises categorised as being able to access a superfast service, but cannot in practice. These premises are not be eligible to receive state aid to correct the categorization unless directly highlighted by the service user • Risk of higher costs associated with any support made during Phase 4b if a re-tender has to be submitted if offer not taken up for Phase 4a.

5. State Aid rules and ability to invest public funds

5.1 In compliance with EU State Aid and procurement rules and in consultation with BDUK, the DCMS agency tasked with overseeing UK broadband schemes, ECC has conducted a State Aid consultation in preparation for its Phase 4 investment programme.

5.2 The State Aid consultation is a legal requirement and its objective is to identify all areas within the potential investment area where commercial operators operate now or plan within the next three years to deploy broadband networks that meet the technical requirements for a Next-Generation-Access (NGA) service. NGA means superfast broadband of appropriate quality.

- 5.3 Under the 2017 State aid consultation, Superfast Essex received responses from fibre operators BT, Virgin Media and Gigaclear, independent business connectivity operator Warwicknet and fixed wireless broadband operator County Broadband. All submissions were reviewed against the NGA requirements and found to meet the NGA standard. As a result, areas where these companies operate their networks are not eligible for public intervention and the deployment of subsidised networks. The Superfast Essex programme can only invest in the 'not spots' identified by the Public Consultation, the areas where none of the above networks exist.

6. Inaccessibility Implications

- 6.1 The forecasted 97% Braintree premise coverage for completion of Phase 3 includes 4,000 premises that are able to obtain superfast broadband through existing provisions. Superfast Essex has received feedback from service users that some of these premises have been unable to take up the service due to inaccessibility of the premise such as geographical limitations and signal obstruction by trees.
- 6.2 Superfast Essex has recognised the risk that this could affect the average coverage across the District and have consequently made provision for capturing such cases and for the impacted properties to become eligible for public investment. However, it is expected that the number of such cases will be small.

7. Financial

- 7.1 The proposed contract shows that the Council's investment would be required between Quarter 3 2019/20 and Quarter 2 2020/21.
- 7.2 Funding of the investment could be made from unallocated balances on either of the Business Rate Retention Reserve or the New Homes Bonus Reserve. As the majority of the 2,200 premises are residential it is proposed that the unallocated balance New Homes Bonus Reserve is used to fund the investment.

8. Conclusion

- 8.1 In support of the Council's Digital Strategy and Plan for Growth, investment in Phase 4a is currently identified as the most cost effective route to achieving a competitive economy for businesses to start up, innovate and grow.
- 8.2 Cost per premise has seen an increase as per Phase 4a in comparison to previous phases due to the rural location of the remaining premises; however the likelihood of the costs increasing further should investment not be made is high.
- 8.3 Nonetheless, the bid for Phase 4a includes the introduction of infrastructure for future proofing the District's growing demands to remain competitive and capable to support the economy.

9. Recommendations

- 9.1 1) That Cabinet agrees the investment of £356,000 as match funding towards phase 4a of the Superfast Essex Broadband programme.

That Cabinet recommends to Full Council approval of:

- 1) The investment of £356,000 to provide match funding to reach 99% superfast broadband coverage and leverage £1.8m of new investment to the Braintree District, and
- 2) That the funding is allocated from the unallocated balance of New Homes Bonus.

**Recommendation from Cabinet – 14th May 2018 -
Braintree Town Centre Regeneration Scheme
Development and Financial Update and Proposals**

Agenda No: 8

Portfolio	Economic Development and Regeneration
Corporate Outcome:	<p>A sustainable environment and a great place to live, work and play</p> <p>A well connected and growing district with high quality homes and infrastructure</p> <p>A prosperous district that attracts business growth and provides high quality employment opportunities</p> <p>Residents live well in healthy and resilient communities where residents feel supported</p> <p>A high performing organisation that delivers excellent and value for money services</p> <p>Delivering better outcomes for residents and businesses and reducing costs to taxpayers</p>
Report presented by:	Councillor Tom Cunningham, Cabinet Member for Economic Development
Report prepared by:	Andrew Hull, Interim Head of Projects

Background Papers:

Reports and Minutes of Cabinet: [Cabinet 9th June 2011](#), [30th November 2015](#), [18th July 2016](#), [23rd May 2016](#)

[Corporate Strategy 2016-2020](#)

[The Manor Street Regeneration, Braintree - Design Development and Options Report](#)

Public Report

Key Decision:Yes

MINUTE EXTRACT

CABINET – 14TH MAY 2018

5 BRAINTREE TOWN CENTRE REGENERATION SCHEME DEVELOPMENT AND FINANCIAL UPDATE AND PROPOSALS

Minutes Published: 22nd May 2018
Call-in Expires: 31st May 2018

INFORMATION: Members were reminded that this Item was linked to Item 15a in the Private Session of the Agenda, and that if any Member wished to refer to the private information contained within the report for that Item, it would be necessary for the meeting to be moved into Private Session.

DECISION: That, under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting if it is necessary to discuss Item 15a of the Agenda and from the Private Report, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 2 of Schedule 12 of the Act.

Both Agenda Items were taken together to enable consideration of all issues. It was not necessary for the meeting to be moved into Private Session.

INFORMATION: Members considered a report which set out the extensive work undertaken by the Council in bringing forward the key Braintree Town Centre site at Manor Street and followed the approval in July 2016 for the Council to terminate the Contract with Henry Boot and take on direct delivery of this key site.

A commercial assessment and review of the opportunity was undertaken and a revised Scheme was developed consisting of a healthcare facility, pharmacy, residential, hotel, bus interchange and a café/restaurant.

The new proposals for the site took into account the local market, the Council's ambition for Braintree Town Centre and other stakeholders' requirements. Critically, the proposals supported the delivery of the Council's 'Plan for Growth' and 'Braintree Town Centre Vision'. The Scheme design and proposed uses had been developed to align closely with the Council's current Corporate Strategy and the individual objectives contained therein.

Members received a presentation from Jon Hayden – Corporate Director Braintree District Council, Andrew Hull - Interim Head of Projects Sustainable Development

Braintree District Council, Caroline Russell – Accountable Officer Mid Essex Clinical Commissioning Group, Peter Tanner – RPS Planning and Development, Adam Firth – Project Director AHR Global Architects and Michael Morter – Associate Potter Raper Partnership.

The presentation slides can be viewed at:

<http://braintree.cmis.uk.com/braintree/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/691/Committee/3/Default.aspx>

In response to questions raised by Members the following information was provided:

- In respect of the redesign of the bus park to a bus interchange, this was to facilitate an increase in parking capacity from 5 bus spaces to 11. It was recognised that there would not be a significant reduction in the overall size of the interchange and this would enable a more efficient use of space to allow for a greater number of bus stands.

- Concerns had been raised with regard to the risk of collisions with vehicles and pedestrians as a result of the new proposed reverse system that would be introduced for buses. Members were reassured that this system, referred to as Drive In Reverse Out (DIRO), was a commonly used modern system at bus interchanges and was used in a variety of settings especially in urban areas. It was emphasised that the safety of users and pedestrians was of paramount importance. It was also reported that the technology around road markings and the segregation between people and vehicles would be carefully designed. There was also an industry standard code of conduct for operators who were using this type of arrangement and it was expected that Essex passenger transport and bus operators would be signed up and operating in accordance with the code of conduct.
- The roof clearance for vehicles on the upper level of the car park was 3.5 metres, which was more than adequate for most types of vans including larger vans and vehicles, however the Council would be looking for a more appropriate option for more commercial vehicles, in particular for market traders, for the duration of the build and also in the longer term.
- In terms of the pharmacy, it was confirmed that it was a local operator that the Council were close to agreeing terms with. It was also confirmed that there were limited licenses available in any area and the discussions being held were with an existing licence holder. It was reported that should the deal be agreed, it was too early to say whether this would be in addition to their existing provision or to replace it.
- The new surgery was being branded as a health care facility. There was capacity within the new facility to ensure that there was a far wider range of health services and ancillary health services available to the public. It was emphasised that the new facility would be much more than anything that was currently on offer in Braintree.
- It was confirmed that the Braintree health care facility would be exclusive for Braintree and would not affect health care facilities in other areas.
- It was recognised that access to toilet facilities for the public was very important and with appropriate arrangements in place, there would be sufficient toilet facilities within close proximity to the development.
- It was confirmed that with regards to the reversing of buses at the interchange, this would take place within the bus interchange and buses would not be reversing in to main streets.

DECISION (PUBLIC REPORT): That Cabinet approved:

1. The principle of the proposed development as set out in the report, and approval for the implementation of the proposed development.
2. The following delegations to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Economic Development and the Cabinet Member or Asset Management to:

- 2.1 Approve the submission of a full planning application, provided that the terms set out in the report particularly regarding design having been agreed with Mid Essex Clinical Commissioning Group and/or NHS England, and hotel operator;
 - 2.2 Approve the commencement of a tender process for construction contracts subject to the planning application being submitted and validated by the planning authority;
 - 2.3 Approve the acceptance of relevant contracts for the construction of the projects provided that: there are completed legal agreements in place for the healthcare facility and hotel operator;
 - 2.4 Approve final terms for leases and associated agreements of the spaces within the development in line with the terms set out in this report subject to the financial constraints set out in these recommendations and satisfactory credit checks on the proposed leaseholder;
 - 2.5 Approve supplementary legal agreements relating to land, access and the management of third party interests in the site within the budget for the project;
 - 2.6 Approve the formation of legal structures including corporate entities to ensure that there is appropriate risk management between commercial residential and public elements of the scheme, provided that ownership and control of the site remains vested in the Council;
 - 2.7 Approve entering into necessary service contracts for ongoing maintenance and management of the site within the budget for the project;
 - 2.8 Approve a disposal scheme for the disposal of the housing units subject to this being within the scheme viability parameters, and to enter into relevant contracts, leases and transfers in accordance with that scheme.
3. That Cabinet approve the proposal for Braintree District Council to fund and deliver the Braintree Town Centre Regeneration Scheme, together with the recommendation to Council to approve a capital budget set out in the Private report for all professional, construction and associated scheme development costs, including capitalised interest.
4. Delegation to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Asset Management, Cabinet Member for Finance and Performance and the Corporate Director (Finance) to approve revised scheme costs with the ability to vary costs based on a 5.00% variation to the total scheme costs set out in the Private report.

That Cabinet recommended to Council:

5. That Council notes the principles of the decisions of Cabinet and approves a capital budget set out in the Private report for all professional, construction and associated scheme development costs, including capitalized interest with the ability to vary the budget by up to 5.00% if a decision is made under decision 4 above.
6. The use of the sums set out in the Private report from the District Investment Strategy reserve in addition to the £3 million already approved.
7. The approval to the required borrowing as detailed in the set out in the accompanying Private report (Section 5.4), in addition to the £8.555 million borrowing already approved.

REASON FOR DECISION: To agree the development delivery proposals and financial arrangements for the Braintree Town Centre Regeneration Scheme to enable this project to move forward.

DECISION (PRIVATE REPORT): That Cabinet approved:

8. The principle of the proposed development as set out in the report, and approval for the implementation of the proposed development.
9. The following delegations to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Economic Development and the Cabinet Member or Asset Management to:
 - 2.1 Approve the submission of a full planning application, provided that the terms set out in the report particularly regarding design having been agreed with Mid Essex Clinical Commissioning Group and/or NHS England, and hotel operator;
 - 2.2 Approve the commencement of a tender process for construction contracts subject to the planning application being submitted and validated by the planning authority;
 - 2.3 Approve the acceptance of relevant contracts for the construction of the projects provided that: there are completed legal agreements in place for the healthcare facility and hotel operator;
 - 2.4 Approve final terms for leases and associated agreements of the spaces within the development in line with the terms set out in this report subject to the financial constraints set out in these recommendations and satisfactory credit checks on the proposed leaseholder;
 - 2.5 Approve supplementary legal agreements relating to land, access and the management of third party interests in the site within the budget for the project;

- 2.6 Approve the formation of legal structures including corporate entities to ensure that there is appropriate risk management between commercial residential and public elements of the scheme, provided that ownership and control of the site remains vested in the Council;
- 2.7 Approve entering into necessary service contracts for ongoing maintenance and management of the site within the budget for the project;
- 2.8 Approve a disposal scheme for the disposal of the housing units subject to this being within the scheme viability parameters, and to enter into relevant contracts, leases and transfers in accordance with that scheme.

10. That Cabinet approve the proposal for Braintree District Council to fund and deliver the Braintree Town Centre Regeneration Scheme, together with the recommendation to Council to approve a capital budget set out in the Private report for all professional, construction and associated scheme development costs, including capitalised interest.

11. Delegation to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Asset Management, Cabinet Member for Finance and Performance and the Corporate Director (Finance) to approve revised scheme costs with the ability to vary costs based on a 5.00% variation to the total scheme costs set out in the Private report.

That Cabinet recommended to Council:

12. That Council notes the principles of the decisions of Cabinet and approves a capital budget set out in the Private report for all professional, construction and associated scheme development costs, including capitalized interest with the ability to vary the budget by up to 5.00% if a decision is made under decision 4 above.

13. The use of the sums set out in the Private report from the District Investment Strategy reserve in addition to the £3 million already approved.

14. The approval to the required borrowing as detailed in the set out in the accompanying Private report (Section 5.4), in addition to the £8.555 million borrowing already approved.

REASON FOR DECISION: To agree the development delivery proposals and financial arrangements for the Braintree Town Centre Regeneration Scheme to enable this project to move forward.

Recommended Decision: That it is recommended to Full Council:

- 1. That Council notes the principles of the decisions of Cabinet and approves a capital budget set out in the Private report for all professional, construction and

associated scheme development costs, including capitalized interest with the ability to vary the budget by up to 5.00% if a decision is made under decision 4 above.

2. The use of the sums set out in the Private report from the District Investment Strategy reserve in addition to the £3 million already approved.
3. The approval to the required borrowing as detailed in the set out in the accompanying Private report (Section 5.4), in addition to the £8.555 million borrowing already approved.

Purpose of Decision:

To agree the development delivery proposals and financial arrangements for the Braintree Town Centre Regeneration Scheme to enable this project to move forward.

**Braintree Town Centre Regeneration Scheme
Development and Financial Update and Proposals**

Agenda No:

Portfolio	Economic Development and Regeneration
Corporate Outcome:	<p>A sustainable environment and a great place to live, work and play</p> <p>A well connected and growing district with high quality homes and infrastructure</p> <p>A prosperous district that attracts business growth and provides high quality employment opportunities</p> <p>Residents live well in healthy and resilient communities where residents feel supported</p> <p>A high performing organisation that delivers excellent and value for money services</p> <p>Delivering better outcomes for residents and businesses and reducing costs to taxpayers</p>
Report presented by:	Councillor Tom Cunningham, Cabinet Member for Economic Development
Report prepared by:	Andrew Hull, Interim Head of Projects

Background Papers:

Reports and Minutes of Cabinet: [Cabinet 9th June 2011](#), [30th November 2015](#), [18th July 2016](#), [23rd May 2016](#)

[Corporate Strategy 2016-2020](#)

[The Manor Street Regeneration, Braintree - Design Development and Options Report](#)

Public Report

Key Decision: Yes

Executive Summary:

This report sets out the extensive work undertaken in bringing forward the key Braintree Town Centre site at Manor Street and follows the approval in July 2016 for the Council to terminate the Contract with Henry Boot and take on direct delivery of this key site.

Once the Council had terminated the contract with Henry Boot and the appointed the professional team it was clearly apparent that the proposed project was unviable, undeliverable and it would be highly risky to proceed with it.

A commercial assessment and review of the opportunity was undertaken and a revised scheme developed consisting of a healthcare facility, pharmacy, residential, hotel, bus interchange and a café/restaurant.

The new proposals for the site take into account the local market, the Council's ambition for Braintree Town Centre and other stakeholders' requirements. Critically, the proposals support delivery of the Council's 'Plan for Growth' and 'Braintree Town Centre Vision'.

Whilst there are risks associated with this project, through the work undertaken in the past 18 months, the proposed scheme is deliverable.

The scheme design and proposed uses have been developed to align closely with the Council's current Corporate Strategy and the individual objectives contained therein:

Corporate Strategy Objective	Direct Impact of Proposed Scheme
A sustainable environment and a great place to live, work and play	<ul style="list-style-type: none"> • Delivery of high-quality, low-cost in use buildings • Delivery of high-quality new homes, 30% of which will be delivered as affordable housing • Improved public realm at the heart of the town centre • Potential new café • New 70 room hotel, with associated food and beverage offer
A well-connected and growing District with high-quality homes and infrastructure	<ul style="list-style-type: none"> • Delivery of high-quality new homes • Provision of new bus interchange, with capacity to accommodate proposed Local Plan growth
A prosperous District that attracts business growth and provides high-quality employment opportunities	<ul style="list-style-type: none"> • Job creation • Provision of new pharmacy, café/retail unit • Delivery of new hotel rooms, complementary to business and tourism offer • Importation of national brand (Major Budget Hotel Company) into District
Residents live well in healthy and resilient communities where residents feel supported	<ul style="list-style-type: none"> • Delivery of purpose-built, modern primary healthcare facility • Delivery of associated purpose-built pharmacy
A high performing organisation that delivers excellent value for money	<ul style="list-style-type: none"> • Rental income provides a long-term revenue stream and delivers positive effect on annual net general fund income • Generation of business rates • Significant high-quality asset added to Council's portfolio

Recommended Decision:

That Cabinet approves:

1. The principle of the proposed development as set out in the report, and approval for the implementation of the proposed development.
2. The following delegations to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Economic Development and the Cabinet Member for Asset Management to:
 - 2.1 Approve the submission of a full planning application, provided that the terms set out in the report particularly regarding design having been agreed with Mid Essex Clinical Commissioning Group and/or NHS England, and hotel operator;
 - 2.2 Approve the commencement of a tender process for construction contracts subject to the planning application being submitted and validated by the planning authority;
 - 2.3 Approve the acceptance of relevant contracts for the construction of the projects provided that: there are completed legal agreements in place for the healthcare facility and hotel operator;
 - 2.4 Approve final terms for leases and associated agreements of the spaces within the development in line with the terms set out in this report subject to the financial constraints set out in these recommendations and satisfactory credit checks on the proposed leaseholder;
 - 2.5 Approve supplementary legal agreements relating to land, access and the management of third party interests in the site within the budget for the project;
 - 2.6 Approve the formation of legal structures including corporate entities to ensure that there is appropriate risk management between commercial residential and public elements of the scheme, provided that ownership and control of the site remains vested in the Council;
 - 2.7 Approve entering into necessary service contracts for ongoing maintenance and management of the site within the budget for the project;
 - 2.8 Approve a disposal scheme for the disposal of the housing units subject to this being within the scheme viability parameters, and to enter into relevant contracts, leases and transfers in accordance with that scheme.
3. That Cabinet approve the proposal for Braintree District Council to fund and deliver the Braintree Town Centre Regeneration Scheme, together with the recommendation to Council to approve a capital budget set out in the accompanying Private report for all professional, construction and associated scheme development costs, including capitalised interest.

4. Delegation to the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Asset Management, Cabinet Member for Finance and Performance and the Corporate Director (Finance) to approve revised scheme costs with the ability to vary costs based on a 5.00% variation to the total scheme costs set out in the accompanying Private report.

That Cabinet recommends to Council:

5. That Council notes the principles of the decisions of Cabinet and approves a capital budget set out in the accompanying Private report for all professional, construction and associated scheme development costs, including capitalised interest with the ability to vary the budget by up to 5.00% if a decision is made under decision 4 above.
6. The use of the sums set out in the accompanying Private report from the District Investment Strategy reserve, addition to the £3 million already approved.
7. The approval to the required borrowing as detailed in the set out in the accompanying Private report (Section 5.4), in addition to the £8.555 million borrowing already approved.

Purpose of Decision:

To agree the development delivery proposals and financial arrangements for the Braintree Town Centre Regeneration Scheme to enable this project to move forward.

Any Corporate implications in relation to the following should be explained in detail.

Financial:

Recognising that the private sector was unable to deliver the regeneration of the Manor Street site and achieve an acceptable level of commercial return, the Council's intervention can be justified on the basis of two key reasons:

1. In the long-term the scheme makes a positive financial impact on the Council's General Fund Revenue account; and
2. The scheme secures wider non-financial benefits to the town centre

The specific financial implications of the proposed scheme are as follows:

Capital

An element of the scheme is 35 residential apartments which are being built for a mix of private and affordable sales. Specialist advice has been obtained which has confirms the amount that sales will generate in capital receipts to the Council, which will contribute towards the overall funding of the project. Essex County Council (ECC) has provided £250,000 towards design costs. It is proposed to meet the balance of funding required, from a mixture of the Council's reserves (using the District Investment Strategy Reserve) and prudential borrowing.

During the development phase of the project temporary borrowing will be required for the peak debt, before realising residential sales. Interest costs associated with borrowing during the development phase is to be capitalised and is included in the total scheme cost.

General Fund Revenue Account

The proposed scheme is expected to have varying impact on the Council's General Fund revenue account depending on the phase of the project.

Development Phase (estimated 01/01/2019 to 31/12/2020)

During the development phase the project will potentially impact on three service areas of the Council where it has existing facilities that will either close and/ or have some level of activity which might be disruptive: existing car parks at Manor Street and Victoria Road,

	<p>Town Hall Centre, and public toilets. The financial appraisal has provided for a reduction in income from both car parking and Town Hall Centre bookings based on assessments made by service management. However, in the lead up to commencement of the development phase, and working in conjunction with the appointed contractor, services will be exploring strategies that can be adopted, including a Town Centre parking plan, which may mitigate the reduction in income suffered by promoting use of other Council-owned car parks (George Yard and Station Approach). Furthermore, the Council's Marketing and Communications team have commenced work with Town Hall management to ensure strategies are in place to promote continued use of the facilities throughout the construction period.</p> <p>The closure of the public toilets is expected to lead to future operational savings; however, options for alternative provision both in the short and long-term are being explored which may require some initial one-off funding, with on-going annual payments in future.</p> <p>As it is proposed to increase the use of the Council's reserves applied to the scheme there will be a reduction in interest income from treasury management.</p> <p><u>Post Practical Completion (estimated from 01/01/2021)</u></p> <p>The proposed scheme includes a number of commercial elements for which the Council is in the process of agreeing lease terms with prospective tenants. These leases will, in the main, provide a long-term source of revenue income to the Council, with periodic upward only rent reviews. The scheme will also provide new multi-use parking facilities which will generate income through a combination of permits/ vouchers as well as some pay and display use.</p> <p>The proposed draft lease agreements incorporate service charge provisions which will allow the Council to recover the majority of the on-going management and maintenance costs associated with the site. A provision has been made for an element of costs to be borne by the Council, along with the operating costs of the new car parking facilities. Management and enforcement of the new car park is expected to be covered under the existing arrangement with the North Essex Parking Partnership.</p> <p>As a consequence of prudential borrowing, the Council will be required to set aside Minimum Revenue</p>
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	<p>Provision (MRP) – an annual amount to be charged to the General Fund revenue account for the future repayment of the borrowing incurred on the scheme, based on an estimated asset life of 40 years. In addition, the Council would also have to meet the annual interest charge, which for the financial appraisal has is based on a project rate of 2.9% per annum, and assumes borrowing is on the basis of Equal Instalment of Principal whereby the Council is committed to repaying an amount every 6-mths. Whilst this is the project baseline assumption, the Council will consider the appropriate source and type of borrowing to be used based on its overall treasury management position, and which could include using temporarily the Council's own cash or short-term borrowing, with a view to reducing the overall cost of borrowing incurred by the scheme.</p> <p>A major element of the annual revenue income is derived from the commercial leases, and which for the purposes of the financial appraisal is based on the amortised minimum lease rental income, taking into account the initial lease rental amount, any minimum increase allowed at rent review dates in the draft terms, lease premiums receivable/ payable where these need to be amortised, and any initial rent free periods. This means there is potential for future growth in income, as well as inflationary/ tariff changes on car parking income, offset partially by increases on annual operating costs not recoverable through service charges.</p> <p><u>Sensitivity analysis</u></p> <p>A number of different scenarios have been assessed through the financial model to demonstrate the financial risks from changes in a number of key elements:</p> <ul style="list-style-type: none"> • Increase/ decrease in construction costs • Increase/ decrease in residential sales values • The combined effect of the above • Variations in borrowing costs on development interest and long-term financing • Potential rental growth and other inflationary adjustments on the revenue account. • Delay in completion of residential sales on peak debt and interest costs <p>The potential effects of the above are contained in the main report.</p>
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	<p><u>VAT and other tax implications</u></p> <p>In order to ensure full recovery by the Council of all VAT incurred on the scheme, and also to protect future VAT recovery in relation to its on-going VAT exempt activities, the Council intends to exercise its option to tax the whole site. The grant of the respective commercial leases for the hotel, healthcare, pharmacy, retail, and bus interchange will be liable to VAT, which has been set out in the draft Heads of Terms. With the exception of a healthcare facility, it is expected that tenants would be able to recover this VAT.</p> <p>The option to tax, and therefore ability to recover all VAT on construction costs, is based on the assumption that any residential sales are either freehold or long leases (i.e. more than 21 years). In the event that short-term leases were being proposed, further analysis would be required to assess what other exempt activity the Council is undertaking, and also whether or not any potential breach of the partial exemption limit would be accepted by HMRC as a one-off occurrence.</p> <p>As the Council is undertaking the scheme directly and not via a separate legal entity there are no corporation tax issues for the Council.</p> <p>The Council has applied its Corporate Investment Evaluation Tool to this option which evaluates and scores key investment criteria to provide an overall score for the proposed investment which can be measured against other alternative investment opportunities. The evaluation of this option has produced a weighted score of 6.05: the minimum score to progress an investment project is 6.0.</p>
<p>Legal:</p>	<p>Agreement of all lease documents, determination of Title and agreement of the eventual construction contract are being undertaken by Dentons Solicitors. The scheme solicitors were selected following a competitive procurement process led by the Council's Governance Team.</p> <p>All professional team appointments have been made in compliance with the relevant procurement regulations.</p> <p>Selection of the eventual main construction contractor will be via a competitive tender process, compliant with the requirements of the 'Official Journal of the European Union' (OJEU) procurement rules.</p> <p>The main contractor will be engaged on the basis of an</p>

	<p>appropriate and robust design and build contract to reflect risk and protect the Council's interests.</p> <p>Given that this is a mixed-use scheme, there are various statutory rights for tenants, including rights of first refusal of the immediately superior interest should it be disposed of. There are also issues related to the management of service charges which are also impacted by the structuring of the legal ownership of the site. It is considered that there is benefit in creating a holding corporate structure with ownership and control vested in the Council to manage these risks. This is still subject to detailed work and it is proposed that the final determination is delegated to the Corporate Director subject to the appropriate delegation (Recommended Decision 2.6).</p> <p>Members must be mindful that the decision to proceed with this redevelopment project including the submission of a planning application does not determine the approach the Council (through the Planning Committee) will take when determining the application which will be made in relation to relevant planning policy requirements.</p>
Safeguarding:	<p>All members of the professional team and the eventual main construction contractor are required to provide satisfactory safeguarding policies as a prerequisite for selection.</p>
Equalities/Diversity:	<p>The new buildings will comply with all relevant disabled access requirements.</p> <p>All members of the professional team and the eventual main construction contractor are required to provide satisfactory equality and diversity policies as a prerequisite for selection.</p> <p>An Equality Impact Assessment (EIA) has been completed for the project. This concludes that the scheme will make numerous positive impacts across the range of statutory protected groups. The analysis has not identified any material negative or potentially negative impacts on any of the protected groups which cannot be managed or mitigated.</p>
Customer Impact:	<p>The scheme will have a significant beneficial impact on customers, including access to primary healthcare for existing and future residents. The hotel, café, retail and new homes will increase footfall in Braintree Town Centre, potentially generating trade for local businesses.</p>

	Further details on the project's customer impact are provided at section 4.0 'Impact Assessment'.
Environment and Climate Change:	<p>The new buildings will be built to at least comply with prevailing Building Regulations and all current environmental and climate change requirements.</p> <p>The healthcare facility will meet as a minimum the BREEAM 'Very Good' standard, in accordance with NHS England requirements.</p>
Consultation/Community Engagement:	A number of consultation events have been undertaken, most recently in January 2018. The public will be given further opportunity to comment through the planning application process.
Risks:	Please see section 6.0 'Risk and Liabilities' and <u>Appendix 1</u> 'Risk Register'.
Officer Contact:	Andrew Hull
Designation:	Interim Head of Projects
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E-mail:	andhu@braintree.gov.uk

1.0 Background

1.1 Members will be aware of the long history relating to the Braintree Town Centre Regeneration project. This is a key location for the town and presents an opportunity to deliver a transformative project to serve the needs of current and future residents. At the Cabinet meeting on the 18th July 2016, Members were provided with an update of scheme proposals which had been developed by Henry Boot Limited and approved the following recommendations:

- That Members approve the termination of the existing contract with Henry Boot Developments Limited and negotiation of Intellectual Property rights transfer;
- That Members approve the option for the Council to fund and deliver the Braintree Town Centre Scheme together with the recommendation to Council to approve a capital budget of £11,555,000 for all professional, construction and associated scheme development costs;
- That Cabinet recommend to Full Council the approval of funding for the scheme from balances (£3,000,000) and borrowing (£8,555,000), being part of the funds identified for the District Investment Strategy; That powers are delegated to the Director of Sustainable Development and Director of Financial Services in consultation with the Cabinet Member for Economic Development and Cabinet Member for Finance and Performance to agree the final detailed scheme design and specification and final agreed financial arrangements provided that the scheme cost does not exceed the approved capital budget.

1.2 The proposed scheme can be considered a first phase of the Council's ambitions for the wider improvement of Braintree Town Centre. As the regeneration site represents the Council's only significant landholding in the area, the proposed physical regeneration scheme will act as a catalyst for wider enhancements.

1.3 The Council has led on the development of a 'Braintree Vision' for the Town Centre, with the support of specialist consultancy Design South East. A partnership, comprising elected Members and officers of both the Council and Essex County Council, local businesses and other town centre stakeholders have created the following shared vision for Braintree Town Centre: *'Braintree is a modern market town; superbly located; set in a rich productive landscape, this is a place to come for great local produce and products; made in Braintree, grown in Braintree and sold in Braintree. The independent retail and cultural heart of Essex, this is an historic place, with a townscape formed through centuries of industry and trade. Braintree is living history, brought to life by a thriving specialist food market for local produce and independent retailers in the people centred High Street, a short walk to the new cultural quarter around the beautiful Town Hall. An inclusive place, Braintree welcomes people of all ages but this historic weaving town has always been and always will be a place for industry, invention and innovation, now home to a new generation of twenty first century makers and producers'.*

1.4 The Project Team is working closely with the partnership undertaking the wider vision. The District Landscape Architect, acting as the Council's lead officer, has commented: *'Braintree District Council, in partnership with Essex Country Council and stakeholders from across the town centre, has created a vision statement for the future of the town. The vision helps in two ways; by defining a positive and strong future for the town, and as a unifying device that the whole town can work towards. A key vision concept is to refocus the town centre as a destination that appeals to a wide audience and broadens the town centre purpose with a rich mix of cultural, leisure, heritage, retail and service attractors; of which the development at Manor Street is a significant step towards'*.

1.5 At the point of approval, the proposed scheme comprised:

- Healthcare Facility/Pharmacy: 1,384m² net area at first floor and part ground floor
- Restaurants: Four units totalling 1,267m² net area at ground floor level
- GP car parking: 40 spaces
- Public car parking: 146 spaces (currently 157 spaces on site)
- Bus interchange: Six bay self-contained bus interchange
- Enhanced public realm

1.6 In line with the Cabinet approval, the development contract with Henry Boot Developments Limited was terminated on 20th August 2016, allowing the Council to directly deliver a key town centre regeneration site which the private sector had been unable to deliver, due to commercial viability. The Council is able to take a long-term view to deliver its economic, social and environmental ambitions and any capital receipt can be recycled to fund the development.

2.0 Site and Market Analysis

2.1 In order to ensure diligent and robust delivery of the project, the Council procured the following professional team:

Company	Role
AHR Global	Architect
Potter Raper Partnership	Cost consultant & project management
Connisbee	Structural and civil engineer
Max Fordham	Mechanical and electrical design
RPS CGMS	Planning consultant
Red Loft	Residential housing consultant
Dentons	Solicitor
GCW	Commercial agent

2.2 It became apparent at an early stage that the scheme proposed by the previous developer, including a significant restaurant element, was undeliverable. A report from GCW, in October 2016, identified no interest in these units and demonstrated that, if built, the Council would be at risk of financial and reputational harm, given the difficulty of securing suitable tenants on commercial terms.

- 2.3 It was therefore decided to review the site capacity and constraints and create a new brief based on robust market engagement and alignment with the Council's Corporate Strategy objectives. This demonstrated that additional capacity and better use of the land was possible, whilst maintaining the key elements of a healthcare facility, car parking and bus interchange.
- 2.4 Further market engagement undertaken by GCW demonstrated potential demand for the scheme's location from the following users:
- Budget hotel providers
 - Discount retailer
 - Gym operators
- 2.5 Following further engagement with our third party consultant and relevant Council colleagues, the inclusion of the identified uses was analysed. The results of this analysis are summarised as follows:

Option	Benefit	Drawback	Proceed Y/N
Budget Hotel Provider	Economic development need for quality hotel rooms Market level income Inbuilt food and beverage offer Synergy with Town Hall and tourism offers Positive impact on town centre vibrancy and night-time economy Robust design allows efficient change of use if required Job creation	Significant design commitment required prior to contract with operator Alternative residential housing use could deliver greater financial return	Y
Discount Retailer	Contribution to town centre retail offer Market level income Job creation	Difficult to change use efficiently if required in future Significant design commitment required prior to contract with operator Little impact on night-time economy Difficult to accommodate alongside other uses due to design and servicing requirements	N
Gym	Synergy with Council's 'Live Well' objectives Market level income Potential positive impact on town centre vibrancy and night-time economy if 24 hour Robust design allows efficient change of use if required Job creation	24 hour gyms based on franchise model with high failure rates Sector undergoing significant consolidation Model is often largely unstaffed, therefore few jobs created	N

- 2.6 Consideration was also given to a no scheme position. Whilst there is no essential requirement for development (the buildings and structures could be retained) the failure to engage in a redevelopment proposal on this site would substantially restrict the Council's ability to drive regeneration of the town centre and derive the benefits of the scheme. It was considered that this was a basis for driving the proposal forward and continuing to develop the proposals.

3.0 Scheme Proposals

- 3.1 Following the site analysis and in response to the commercial advice, along with the aspirations contained within the Council's 'Corporate Strategy' and 'Economic Development Plan for Growth', a revised brief was developed.
- 3.2 Site due diligence was undertaken, including measured, topographical and ground condition surveys, deduction of title and identification of third party legal rights. Scheme design and work to this point are based on thorough due diligence and has involved an array of professional.
- 3.3 Details of each scheme as follows:

Use	Detail
Healthcare Facility	Approx. 1,598m ² GIA First-floor and part ground-floor 12 parking spaces dedicated 25 parking permits (on a first-come, first-served basis)
Pharmacy	Approx. 174m ² GIA Ground-floor
Hotel	Approx. 2,717m ² GIA 70 rooms Restaurant (open to non-guests)
Residential Units	35 apartments (inclusive of 30% affordable housing) comprising: 13 1-bed 20 2-beds 2 3-beds
Bus Interchange	9 stands
Car Park	110 spaces of which: 12 spaces dedicated for healthcare facility 63 spaces for the general public (includes 25 permit spaces for the healthcare facility on a first-come, first-served basis) 35 spaces dedicated for residential
Public Realm	Primarily to rear of Town Hall Shared design language with wider Town Centre vision
Café/Retail Unit	Approx. 179m ² GIA
Retail Unit	Approx. 96m ² GIA

- 3.4 The current design proposals can be viewed on the [Council's website](#).
- 3.5 In contrast to the Henry Boot scheme, the proposals represent a strong commercial proposition. Detailed negotiations are well-advanced with end users for the various elements of the building.
- 3.6 The rationale and approach to each of these elements, together with the summary of lease terms, are detailed in turn below:

- 3.7 **Healthcare Facility:** A new healthcare facility was included as part of the original scheme, the provision of this facility forms an integral part of the project and directly supports the planned housing and population growth in the District. Located on the first-floor of the building fronting Manor Street, the facility is served by its own stairwell and lifts and accessed either from the car park or from a purpose-built ground-floor entrance on Manor Street.
- 3.8 The proposed building delivers in excess of 1,500m² (gross internal floor area) of primary healthcare space. The Council is working in close partnership with Mid Essex Clinical Commissioning Group (MECCG) and NHS-England to shape the precise services to be provided at the new facility. Discussions currently suggest a combination of primary services, including additional GP capacity, community and out of hospital services.
- 3.9 The proposal is for a 20-year lease.
- 3.10 **Pharmacy:** To complement the healthcare facility a pharmacy is proposed. There has been significant market interest in this opportunity, all of which is conditional upon the healthcare facility being delivered.
- 3.11 The pharmacy will be on the Manor Street frontage, with its own entrance from the street, along with an entrance from the ground floor healthcare facility's foyer.
- 3.12 The proposed lease term is 20-years.
- 3.13 **Hotel:** GCW were tasked with identifying a suitable hotel provider and agreeing commercial terms. Detailed negotiations have taken place and a brief and specification provided along with Heads of Terms.
- 3.14 Consequently, the scheme delivers a Major Budget Hotel Company's requirement for a 70 bed hotel along with a restaurant and ancillary spaces.
- 3.15 **Residential Units:** AHR Global identified the potential for the inclusion of new housing, both within a central, multi-use block and in a standalone block at the south of the site. This standalone block represents the retention and refurbishment of the existing Drill Hall, together with a new purpose-built residential building. The retention of the Drill Hall serves to retain and improve a notable, quality building and provide a buffer between the existing residential housing on Victoria Road and the new scheme.
- 3.16 The decision to pursue new housing as part of the scheme was based on a number of factors:
- Initial studies demonstrated that the scheme could accommodate high-quality, well-designed new homes;
 - The generation of capital receipts from sales would assist scheme financial viability by reducing the council's borrowing requirements;
 - Construction of new homes would contribute to the Council's requirement to deliver over 14,000 new homes to 2033;
 - New homes will enhance the vibrancy of the town centre;
 - Positive advice received from a local estate agent and specialist residential consultant on demand and achievable values.

- 3.17 Residential consultants, Red Loft, were tasked with providing an overview of sales values, marketing and levels of demand for residential units on the site. Following this analysis, the architects have added 35 (13 1B2P flats, 20 2B4P flats and two 3B6P flats) residential units to the scheme
- 3.18 The scheme will deliver 30% affordable housing, in accordance with Council planning policy. The intention is to deliver all affordable units for shared ownership. Written confirmation has been received from the Council's Housing team accepting the proposed affordable housing mix.
- 3.19 It should also be noted that the current government backed Help-to-Buy scheme offers purchasers an equity loan of up to 20%, this would be available on all private sale units (subject to purchaser qualification) and is parallel with shared ownership in terms of affordability.
- 3.20 Bus Interchange: The professional team have reviewed the current bus interchange provision and future requirements, working closely with Essex County Council's (ECC) Highways and Passenger Transport teams.
- 3.21 The proposed bus interchange includes provision for nine on-site stands. Design work and options appraisals demonstrate that this is the maximum number of bays achievable on-site. The proposal represents an increase from the current six on-site stands and negotiations are on-going with Essex County Council in respect to their approval of this proposal.
- 3.22 In addition to on-site provision, alternative options are also being considered, for example the provision of additional stops at the train station.
- 3.23 There are currently no legal agreements with Essex CC in relation to the existing use as a bus station. It is proposed, therefore, that as part of the new scheme a formal lease and service charge agreement is put in place.
- 3.24 Public Car Park: There will be 110 spaces in total, comprising 12 dedicated spaces for the healthcare facility, 63 car parking spaces for public use (including 25 permits issued to the healthcare facility on a first-come, first-served basis) and 35 for the residential units. Hotel users will be given vouchers, enabling them to park in any Council-owned Town Centre car parks, on a first-come-first-served basis. The healthcare facility will also benefit from vouchers on this basis. There will be a policy compliant number of six wheelchair spaces
- 3.25 The proposed scheme includes parking over two floors: at basement and ground-floor levels. The parking layout has been tested by specialist transport consultants and includes provision for delivery vehicles to the various uses.
- 3.26 The proposed estimated net income (after deduction of direct operating costs), is £64,985 per annum, which has been calculated after consultation with relevant Council officers in Operations and Finance. It is assumed that the central management and enforcement, including that provided by the North Essex Parking Partnership, would continue at the same level and cost as the existing Manor Street and Victoria Road car parks.

- 3.27 Café and Retail Unit: Expressions of interest in the proposed café unit has been received from two existing local operators and negotiations are continuing on specification, rent levels and lease terms. An estimated net rent has been assumed in the scheme financial appraisal and it may prove necessary to agree a more flexible lease in-line with economic development objectives to support new and smaller businesses.
- 3.28 The retail unit does not have a tenant identified currently and no income is assumed in the financial appraisal. An initial use has been identified as a sales and marketing suite for the residential units.
- 3.29 Public Realm: It has been an aspiration for the project to support activity at the Town Hall. Therefore the frontage to the Town Hall and library and land use in between has been considered carefully. The proposed design proposes a quadrangle of open space, bounded by the new buildings, the rear of the Town Hall, the library and, to Manor Street, the existing, listed brick wall.
- 3.30 The area will be fronted by the café, which will have doors and windows opening out on to the external area. This new public realm will be a mix of high-quality hard and soft landscaping, designed by a specialist landscape architect, as part of the commission with AHR Global.
- 3.31 In order to ensure synergy with the wider Town Centre Vision and future enhancements of Braintree's public realm, the scheme designers will work closely with the Council's Landscape Architect. To create consistency, the public realm strategy will develop a specific 'design language', applicable to any future Town Centre improvements.

4.0 Impact Assessment: The Benefits to Braintree

- 4.1 The Project Team has made an assessment of the impact of the proposed scheme across a range of factors:
- Customer: Delivery of this scheme will have a significant beneficial and positive impact on existing and future residents, Town Centre businesses. The delivery of new homes will assist in meeting the District's Local Plan housing delivery targets, generate significant capital receipts and increase the stock of affordable homes;
 - Organisational Implications: Successful delivery of this scheme will have a significant and positive impact on the Council's reputation, stated Corporate Strategy objectives and future income streams;
 - Environmental: An important, high profile Town Centre site would be regenerated providing a modern and attractive healthcare facility, new homes, hotel and enhanced car parking together with high quality public realm. Access to public transport will be enhanced via the delivery of a modern bus interchange with increased capacity. All new buildings will be constructed to prevailing regulations and standards as a minimum. It is expected that the healthcare facility will meet BREEAM 'Excellent' certification for environmental performance. A number of electric vehicle charging points will be provided in the new car park;

- Stakeholders: The key stakeholders (residents of the District, Town Centre users and businesses, health service users) will greatly benefit from this new scheme through improved health provision, public transport connectivity, delivery of new homes and provision of improved public realm. There will also be a hotel offer, which is currently lacking in the town;
- Legal: Dentons Solicitors have been appointed to negotiate the legal agreements with the various users of the building. A robust, industry standard design and build contract will govern construction, reflecting risks and protecting the Council's interest. The negotiation of the contract will be led by PRP.

4.2 Impact on Corporate Strategy Objectives: The scheme design and proposed uses have been developed to align closely with the Council's current Corporate Strategy and the individual objectives contained therein:

Corporate Strategy Objective	Direct Impact of Proposed Scheme
A sustainable environment and a great place to live, work and play	<ul style="list-style-type: none"> • Delivery of high-quality, low-cost in use buildings • Delivery of high-quality new homes • Improved public realm at the heart of the town centre • Potential new café • New 70 room hotel, with associated food and beverage offer
A well-connected and growing District with high-quality homes and infrastructure	<ul style="list-style-type: none"> • Delivery of high-quality new homes, 30% of which will be affordable • Provision of new bus interchange, with capacity to accommodate proposed Local Plan growth
A prosperous District that attracts business growth and provides high-quality employment opportunities	<ul style="list-style-type: none"> • Job creation • Provision of new pharmacy, café/retail unit • Delivery of new hotel rooms, complementary to business and tourism offer • Importation of national brand (Major Budget Hotel Company) into District
Residents live well in healthy and resilient communities where residents feel supported	<ul style="list-style-type: none"> • Delivery of purpose-built, modern primary healthcare facility, with capacity to serve >18,000 users • Delivery of associated purpose-built pharmacy
A high performing organisation that delivers excellent value for money	<ul style="list-style-type: none"> • Rental income provides a long-term revenue stream and delivers positive effect on annual net general fund income • Generation of business rates and council tax • Significant high-quality asset added to the Council's portfolio

- 4.3 Impact on Economic Development Plan for Growth: The Plan for Growth was approved by Cabinet in November 2017 and includes Town Centre regeneration as one of the key priorities. In the draft Plan this includes delivery of the Manor Street regeneration scheme. This will also link in with other priorities to deliver an increased footfall and spend in the Braintree Town Centre.
- 4.4 Impact on Delivery of the Local Plan: The 2017 Draft Local Plan allocates the site as a regeneration area. Policy LPP10 states that: '*The improvement and regeneration of the town centres will be promoted and the regeneration of the following locations [including the Manor Street site] is proposed to meet the identified need for additional retailing, community facilities and services and other main town centre uses*'. The redevelopment of the site for the uses proposed is therefore in accordance with the emerging Local Plan.
- 4.5 Braintree Town Centre Parking Plan: The existing Manor Street car park will cease to operate once construction on site starts. New parking facilities provided as part of the scheme will provide fewer public car parking spaces than exist currently (157 existing, 63 proposed). In order to ensure the Town Centre has adequate parking for users, businesses and residents in both the short-term (during construction) and long-term (post-construction) it is intended to create and implement a Town Centre parking plan, which will maximise parking availability across the Town Centre and consider other factors such as promoting modal shifts.
- 4.6 Provision of Public WCs: There are existing Council-owned public conveniences located on the Manor Street site. The design proposals do not include re-provision of public conveniences. However, work has commenced to explore alternative provision of toilets available for public use within the new development and the wider Town Centre.
- 5.0 Financial Appraisal
- 5.1 Financial modelling has been undertaken to test the project viability, investment return and impact on the Council's finances. This is a two-stage process, involving close working between the Strategic Investment and Finance Teams:
- The project has been modelled by the Strategic Investment team using development industry standard 'Argus Developer' software, in order to create investment appraisals;
 - The financial impact of the project on the Council's balances, financing, development period interest and General Fund revenue account has been undertaken by the Finance Team;
- 5.2 The financial appraisal takes into account the following:
- Build Costs
 - The detailed design proposals have been costed by the Council's quantity surveyor, Potter Raper Partnership (PRP). The current cost plan is a full elemental break down based on the scheme as

designed, with input from the professional team, including mechanical and electrical engineers and structural engineers;

- Revenue Streams:
 - Rental incomes from tenants are based on ‘agreed in principle’ Heads of Terms for the main commercial leases taking into account proposed rent free periods, lease incentives and premiums, and minimum rental uplifts (where these are contained in the draft terms). The gross rental income is adjusted by a 5% allowance to reflect estimated non-recoverable maintenance costs that cannot be included in a RICS standard service charge. To assess the scheme on a commercial basis, the financial appraisal uses a 4.7% assumed net yield to produce a capitalised valuation of the long-term rental.
- Residential sales values are based on reports from three independent consultants: Red Loft, Arcadis and Joscelyne Chase.
 - A blended rate for current values has been used in the appraisals;
 - Internal review and consultation on estimated parking income;
 - Financing costs including:
 - VAT assumptions;
 - Cost and amount of borrowing.
 - Amount of funding required from the Council’s own resources;
 - Industry standard assumptions on:
 - Sales and marketing fees; consultant fees; and in-house project management fees;
 - Contingency (5.00%);
 - Affordable housing requirements;
 - 30% of total residential units to be delivered as affordable;
 - Council fees on planning;
 - Equivalent Section 106 contributions;
 - Inflation:
 - The latest cost plan was issued in January 2018 (Q1 2018). PRP have assumed the costs are current and have made no allowance for future price movements;
 - No inflation is built into the appraisal but sales values will change in the future and the scenarios in [4.14] and [4.15] demonstrate the impact of both upward and downward movement in values which may occur in response to changing economic conditions and/ or other influences (e.g. Brexit or Crossrail opening in spring 2019).

5.3 The internally prepared appraisal has been reviewed by PRP for cost accuracy and consistency with the cost plan.

5.4 The financial impact on Council’s finances will vary at different stages of the project life:

Project Phase	Financial impacts
Prior to main construction (Period up to end Dec 2018)	During this phase the costs incurred, principally in relation to design and other professional fees,

	<p>will be capitalised (along with those incurred in 2016/17 and 2017/18). These costs will be funded from the Council's own capital resources, using funding set aside in the District Investment Strategy (DIS) reserve. The Council has also received £250,000 from Essex County Council which has been used towards funding design costs.</p>
<p>During construction— (Currently anticipated Jan 2019 to Dec 2020)</p>	<p>During the construction phase there will be financial implications for both the Council's capital resources and the General Fund revenue account:</p> <p><u>Capital:</u> The Council will incur the majority of the capital costs during this phase. This will utilise the Council's own funding that is proposed to be allocated towards the scheme from the DIS reserve, leaving a balance to be met from a mixture of capital receipts from residential sales and prudential borrowing. At certain times in the development period the amount of prudential borrowing required will exceed the anticipated long-term borrowing requirement, pending completion of residential sales. This will require either temporary use of the Council's own cash (internal borrowing) or undertaking short-term external borrowing.</p> <p>A project rate of 2.9% has been assumed for the cost of borrowing, and a change in the Council's accounting policy is also necessary to allow development interest to be capitalised. This policy will define the nature of projects where the Council will capitalise interest and will have to be applied consistently thereby establishing a precedent for future projects. The rate is based on current Public Works Loan Board (PWLB) rates available to local authorities for long-term debt. Therefore, where short-term or internal borrowing is used this could reduce the actual rate charged based on current interest rates.</p> <p>The capital profile assumes a portion of residential sales are completed during the construction phase. If these receipts are delayed this will increase the peak debt with consequential revenue cost implications, as interest cannot be capitalised once the project has reached practical completion.</p> <p><u>General Fund Revenue Account:</u> There are a</p>

	<p>number of areas of impact:</p> <ol style="list-style-type: none"> 1. <u>Car Parking Income</u>: During the construction phase the existing car parks at Manor Street and Victoria Road are likely to be non-operational (subject to discussion with the appointed contractor) leading to a potential reduction of net income to the Council of £73,000 per annum (with a part-year impact in 2018/19). However, this is also subject to the impact of the Town Centre parking plan referred to in Paragraph 4.5. 2. <u>Town Hall Centre Bookings</u>: As well as the Council car parks, the rear of the Town Hall may become unusable during the construction period and in the longer term will be used for the public realm aspect of the scheme. The service management have assessed those current users that potentially rely upon parking in close proximity, either for access to and/or to attend functions/events, and whom may cease bookings leading to a reduction in income. The amount of income potentially at risk has been assessed by the service at £98,000 (full-year) out of a total income budget of £120,000. However, service management is looking at possible mitigation strategies, including the Town Centre parking plan, which could reduce this risk. Therefore, for the purposes of the financial impact analysis, it has been assumed that action taken will reduce this potential downturn in income by 50%. 3. <u>Public Conveniences</u>: During the period of construction it is expected that the existing public conveniences will be closed and no public conveniences will be provided in the new scheme. Currently a review is being undertaken as to the potential for introducing a Community Toilet Scheme (as referred to in Paragraph 4.6). Savings will be made on the current operating costs which are around £20,000 per annum. However, it is anticipated that during the transition phase this will be offset by one-off payments towards facility improvements by businesses, with further ongoing payments to secure continued public access. Part of the potential saving is on staffing costs which will be addressed using the Council's normal 'Management of
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	<p>Change' process. For the purposes of the financial appraisal, the assumption is that the financial impact will be broadly neutral in the short-term but leading to annual savings from 2021/22 of £11,500 per annum.</p> <p>4. <u>Opportunity Cost of Council Funds</u>: To the extent that the scheme is funded by the Council from its own resources there is an opportunity cost from reduced Interest income on this money. Currently it is expected that this impact will be on the Council's short-term investments and as such the cost is estimated at a nominal 0.5% interest per annum. Part of this cost has already been reflected in the Council's budget based on the previous approval to use £3million from the DIS reserve. The cost included in the financial appraisal is based on the estimated additional funding to be applied from the Council's own resources.</p>
Operational phase (From Jan 2021)	<p>Practical completion and operation is expected in Q4 2020/21. It is from this date that the General Fund revenue consequences of the following will have an impact (with a part year effect basis in 2020/21):</p> <ul style="list-style-type: none"> • <u>Lease rental income</u> will become due based on the amortised rental profile of each lease. In respect of the lease for the pharmacy a premium is expected to be paid to the Council which under accounting rules will be recognised in full at the outset giving a one-off revenue gain in 2020/21. In some instances the proposed lease agreements make provision for uplift in rents at periodic intervals, above the minimum that has already been allowed in the financial appraisal. There is, therefore, opportunity for some future rental growth that is not yet reflected in the financial assessment at this stage. • <u>Car Parking</u> - the new car parking facilities will become operational generating income from a mixture of permits, vouchers and pay and display. • <u>Long-term borrowing</u> will need to be established resulting in annual interest costs. To the extent that residential sale receipts are still anticipated there will be additional short-term funding that is needed incurring additional interest (or a reduction in

	<p>investment income where the Council temporarily uses its own money).</p> <ul style="list-style-type: none"> • <u>Management and Maintenance</u> - provision needs to be made for the ongoing management and maintenance costs, including business rates, where these are not expected to be recovered by service charges. Existing costs in relation to the management and enforcement of car parking are assumed to continue at their current level. Estimates have been provided by a service charge consultancy, with some validation through review by internal services. These estimates will need to be refined as the project progresses and further details on the operational requirements of the site are confirmed. • <u>Town Hall Centre</u> - the estimated short-term reduction of income to the Town Hall Centre is assumed to cease. However, it is difficult to quantify whether income levels would revert immediately to levels pre-construction (if indeed there has been some reduction experienced). In the longer-term there may be opportunities to generate additional income as a result of synergies with new scheme.
<p>Long-Term Borrowing Repayment (From 2021/22 financial year)</p>	<p>The Council will need to commence setting aside amounts from revenue (referred to as Minimum Revenue Provision or MRP) to meet future loan repayments on any long-term borrowing for the scheme. Irrespective of the borrowing type (e.g. the PWLB offer three main loan types: Equal Instalment of Principal or EIP, Annuity, or Maturity loans) the annual amount set-aside from revenue will need to reflect a reasonable estimate of the expected life of the asset retained by the Council. The financial impact assessment currently assumes a 40 year life. The maximum that the Ministry of Housing, Communities, and Local Government recommends in its statutory guidance to local authorities is 50 years. The shorter the period used for MRP the higher the annual charge to revenue (and vice versa). The implication of using a 40 year period is that this extends well beyond the initial contractual commitment expected from leaseholders (the main leases are 20 to 25-years, with the retail/ café leases likely to be of only short duration).</p> <p>For the purposes of affordability and sustainability there needs to be confidence that</p>

	<p>either leases will be secured beyond these initial periods on at least similar terms, or alternatively the site would retain value that could be realised and used to redeem any outstanding debt if necessary. The alternative would be to reduce the period over which MRP is made in line with the initial leases. However, this would have a negative impact on the General Fund revenue account.</p> <p>The financial appraisal is based on the Council adopting the EIP type loan which would require contractual semi-annual repayments of principal. Consequently, annual interest reduces year-on-year as debt is gradually repaid. If an alternative loan type is used there would be higher annual interest costs, although this could be partly offset by the cash retained from the need to make MRP.</p>
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5.5 Other Sources of Capital Funding: With the exception of the £250,000 design grant provided by ECC, the financial modelling of the project assumes no third party additional grant funding. However, the Project Team is actively pursuing the input of additional funding:

- From capital grants: the Council will continue to bid for capital grants after the unsuccessful HIF bid. We have flagged this project with Homes England and will continue to regularly discuss grant funding for the residential units throughout the pre-contract and construction periods. From recent discussions with Homes England, we are aware that a number of 'successful' HIF bids have been rejected following due diligence. Therefore, it is likely that there will be slippage in the HIF programme. Once the proposed scheme secures planning consent, it will be in a strong position to take-up slippage grant;
- Contributions from Section 106 Agreement payments on other appropriate residential sites to fund the capital cost of the bus interchange, as this is essential.

5.6 Other Financial Benefits: Whilst not reflected in the above financial analysis, the scheme will increase business rate income and for which the Council is able to retain an element under the current Business Rate Retention Scheme.

5.7 The residential element will have an impact on the Council Tax base, and whilst there will be increased service requirements, the growth in households will contribute towards achieving the target for generating New Homes Bonus.

5.8 VAT and Other Tax: In order to ensure full recovery by the Council of all VAT incurred on the scheme and also to protect future VAT recovery in relation to its on-going VAT exempt activities, the Council intends to exercise its option to tax the whole site. This option will be in place for a minimum of 20 years. Advice has been obtained from the Council's tax advisors,

Pricewaterhousecooper LLP, on the VAT implications for both the Council and prospective tenants of exercising this option to tax.

- 5.9 The grant of the respective leases for the hotel, healthcare, pharmacy, retail, and bus interchange will be liable to VAT, which has been set out in the draft Heads of Terms. With the exception of a GP Surgery, it is expected that tenants would be able to recover this VAT.
- 5.10 The option to tax, and therefore ability to recover all VAT on construction costs, is based on the assumption that any residential sales are either freehold or long leases (i.e. more than 21 years). If leases are granted which are less than 21 years the leases will automatically be treated as exempt supplies and any VAT incurred in relation to those leases (including a proportion of the development costs) will count towards the Council's VAT partial exemption limit and may result in irrecoverable VAT. In the event that short-term leases were being proposed, further analysis would be required to assess what other exempt activity the Council is undertaking, and also whether or not any potential breach of the partial exemption limit would be accepted by HMRC as a one-off occurrence.
- 5.11 Work is ongoing to explore whether there is any benefit in creating a holding corporate structure with ownership and control vested in the Council to manage the risks associated with the commercial interests. Part of this work will be consideration of the impact of potential legal structures on the Council's exposure to Corporation Tax. This is still subject to detailed work and it is proposed that the final determination is delegated to the Corporate Director subject to the appropriate delegation (Recommended Decision 2.6).
- 5.12 Sensitivity Analysis: A number of scenarios have been modelled, with their impact analysed in terms of the change to funding required from either the Council's own capital resource or borrowing. The extent to which any adverse movement on the funding required is to be met from increased borrowing is limited by the affordability on the General Fund revenue account.
- 5.13 The changes to funding requirements have been modelled for changes in the value of capital receipts generated from residential sales and/ or variation in overall construction costs.
- 5.14 The draft terms for the commercial leases provide for periodic rent reviews. Where these have a stated minimum increase this has already been taken into account in the financial appraisal. Modelling has been undertaken on the impact on the Net Cost/ (Income) generated by the Scheme of an assumed 2% per annum, compounded, increase at each of the future rent review dates. This also provides for 2% annual growth/ inflation in parking income and operating costs, as well as on the annual non-recoverable management and maintenance allowance.

6.0 Risks and Liabilities

- 6.1 Full assessments have been undertaken to consider both all risks associated with the design, planning and construction phases of the project, together with the Council's long-term scheme liabilities.
- 6.2 A full Risk Register is attached as Appendix 1. All risks are monitored through the Project Team and reported through the District Growth Officers Group. The risk plan details each risk, its probability, impact and therefore rating, along with responsibility and mitigation.
- 6.3 The proposals represent a complex development project, the risks on the project are dynamic and there are inter-relationships between each area. Set-out below are the key risk areas:
- End Uses Risks: The project includes a number of different uses. At this stage there is no legal commitment from any of the parties. Therefore, they could still potentially withdraw from the project. The Council is working on the basis of securing Heads of Terms and entering into Agreements to Lease with each user. Gateway points are included within the programme to ensure the scheme does not move forward until the agreements are in place. The Council cannot eliminate the risk that once a contract is entered into it will be breached, or a party will decide not to trade within a space, however the Council is securing the greatest level of protection that it reasonably can in all the circumstances. Progress with each user is shown below:

Use	Current Status	Key Risks
Healthcare Facility	<p>Mid Essex Clinical Commissioning Group has provided a written legally-binding commitment to the key terms, including lease term and rental value. It also underwrites the rental for a period of 20 years.</p> <p>Should they withdraw from the scheme; the Mid Essex Clinical Commissioning Group will have to pay abortive costs to the Council.</p>	At present there is no committed operator for the facility, however the CCG and NHS England are committed to securing an appropriate operator. The build contract will not be let until binding agreement in place for healthcare facility.
Hotel	Heads of Terms have been agreed with Major Budget Hotel Company and the project was approved by Major Budget Hotel Company's Board on 12 th December 2017, subject to final agreement of terms.	Risk of Major Budget Hotel Company pulling out. Potential to identify alternative provider or if unable to do so scheme can be delivered as residential. Negotiations on Agreement to Lease will need to be considered prudently to ensure there are not

		<p>obligations that the Council cannot meet.</p> <p>The Council will not enter into the lease until a satisfactory credit check has been received in respect of the proposed leaseholder.</p>
Café	Discussions are taking place with an existing local operator looking to use as a restaurant.	<p>No agreement in place as yet. Unlikely to be demand from a chain provider (e.g. Costa) as advised by GCW.</p> <p>The Council will not enter into the lease until a satisfactory credit check has been received in respect of the proposed leaseholder.</p>
Pharmacy	Heads of Terms have been agreed with a local pharmacy operator.	<p>Assuming the GP surgery is secured, there is a significant interest from pharmacy operators. The identified operator is paying a premium, which may not be achievable, should they withdraw. Should the site be used for a healthcare facility, which is not a primary provision there is a risk that this proposed user will not materialise.</p> <p>The Council will not enter into the lease until a satisfactory credit check has been received in respect of the proposed leaseholder.</p>
Retail Unit	No user identified for small unit to front Manor Street. Initially this will be used as a marketing suite for the residential units. No income assumed in financial model.	<p>No user so potentially an empty unit, by assuming no income there is potential to offer the unit at a low rent to obtain an appropriate user proving the viability of the space and establishing a market to secure market rents in due course.</p> <p>The Council will not enter into the lease until a satisfactory credit check has been received in respect of the proposed leaseholder.</p>
Bus Interchange	Position reached by design team which meets policy need for ECC Passenger	<p>Bus operators have the ability to call in a planning decision. Therefore essential an agreement</p>

	transport sign-off.	is reached prior to application.
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- Residential Sales Risks: It is proposed that the Council will directly deliver the private housing. It is essential that the product and quality of these new homes meet the requirements of the market and are attractive and saleable.
- An inherent risk in delivering housing for sale is the local and national housing market. The scheme as proposed has been reviewed by the Council's residential development consultant and local agents, including comparison with relevant local developments and advice on specification, and the values assumed are based on this intelligence. The scheme on-costs include an allowance for sales and marketing, based on standard market norms.
- Open market values and the local and national housing markets will be reviewed at quarterly intervals throughout the project. Should the market change significantly during the development, the Council will have the ability to consider alternative tenure options. These could include delivering units for rent, affordable and/or sub-market housing.
- Costs Risks: The build cost estimate has been provided by PRP and represents a detailed measured elemental breakdown of the costs of the scheme as currently designed based on current day costs. The ability to secure a contractor to deliver a scheme at this price is subject to a number of external factors. Potter Raper will produce regular updates and continue to monitor the construction market and real costs on other projects.
- Securing a contractor with the necessary skills and experience will be key to ensuring this project is successful. There would be significant reputational and financial risk for the Council if the project resulted in a poorly constructed building.
- Should there be a delay in commencing the build phase of this project then it is anticipated that there will be an upward pressure on the build costs. Therefore, the project team are closely monitoring the project to ensure that the timetable is secured and that there are limited risks to the project timescales.
- Planning Risks: The scheme does not currently have a planning permission. The work undertaken to date has included pre-application meetings with Council Planning Officers, as well as engagement with other statutory consultees to ensure compliance with relevant policies and mitigate against potential objections.
- Procurement Risk: Potter Raper has been appointed to lead on the procurement strategy. Due to the size of the Contract a full OJEU process will need to be followed. As part of the strategy early engagement and soft market testing will be undertaken to ensure there is appetite and interest from the market for this opportunity.
- Reputational Risks: As Braintree's first major development in many years, it is key for the reputation of the Council not only with its residents but also

wider stakeholders and government that this project is a success, delivers the desired outputs, on time and to budget. The ability to do this will provide confidence and raise Braintree's profile locally, regionally and nationally.

- Securing Vacant Possession: The majority of this site is in the ownership of the Council. There are a number of areas that need to be resolved before work could start - obtaining vacant possession of the Drill Hall, relocation of substation, and access agreements. Dentons solicitors are instructed on these items and a tracker of all items is used to record progress and provide oversight to Senior Officers at the District Growth meeting. The management of existing tenants of the Drill Hall and adjacent building is being undertaken directly by the Council's Asset Management team, in close liaison with the project team.
- Third Party Rights: There are a number of third party rights over the site; including rights to light and potential party wall issues. These are being addressed through the design of the building and the planning process. The Council's professional team is aware of these risks and is working to ensure that they are mitigated and managed.

6.4 As part of each for the proposed lease arrangements it is key for the Council's ongoing liabilities operationally to be understood and accounted for within the financial appraisal.

6.5 The table below sets out the liabilities as identified to date:

Issue	Risk	Impact	Mitigation
General Lease Issues	Leases have clauses that state liquidated damages if completion does not happen to programme	Financial cost to Council in case of delays	Realistic programme to be agreed with contractor and enshrined in contract with obligation for damages passed to contractor
	Tenants not signing Heads of Terms	Proposed uses unviable	Build contract not signed until binding agreements in place with end users
Parking	Clarity required on parking income and number of spaces	Inaccurate figures for appraisal	Review with Parking and Finance Teams
	Decision required on parking for residential. Currently as an additional cost to buyers	Could act as a disincentive for potential buyers	Residential parking allocation to comply with expert sales and marketing advice
Buses	Clarity on maintenance liabilities.	Need to calculate liabilities and what proportion is recoverable	Service charge consultant commissioned and report issued. Recoverable

		by the Council	<p>proportion to be agreed with ECC</p> <p>The appraisal and financial review does not take into account the projected operating costs as this is assumed to be recoverable. If this is not the case, this will adversely impact the council's revenue position</p>
Service Charge	The Council is unable to add any life cycle costing (wear and tear) to the service charge. Windows, doors, roof etc will fall under Council's liability	Adverse effect on scheme financial performance	Included in appraisal as 5% of rental income the Council will manage the risk within this funding and its wider funding base.
	The Council will not be able to recover costs from healthcare facility relating to the repair and maintenance of the roof, structure and foundations. Also if windows and external doors and plant items such as the boiler require replacement then the Council would be responsible for replacing these items. All other repair or replacement costs should be recoverable from Major Budget Hotel Company and the pharmacy via the service charge	Need to calculate liabilities to Council and what is recoverable	Service charge consultant commissioned and report issued. Recoverable proportion to be agreed with end users
	Under NHS guidelines, the healthcare facility's lease will exclude service charge items such as the roof, green roof and solar PV	Need to calculate liabilities to BDC and what is recoverable	Service charge consultant commissioned and report issued. Recoverable proportion to be agreed with end users
	Big ticket liabilities (lifts and M&E) which are part of the repairing	Without sign off, Council could be deemed as	Specifications need to be reviewed by tenants and Council

	leases are accepted in full by the tenants these specifications need to be signed off by all tenants	liable for these components	Operations before leases are signed
	The refuse strategy is specific to each tenant, must not be forgotten in the design with and requires separation of refuse strategy for the residential and healthcare facility/pharmacy. Access for a refuse truck is essential	If refuse strategy does not match tenant requirements a redesign will be required with BDC incurring costs	Refuse strategy to be reviewed by tenants and Council Operations before leases are signed
	The public realm and bus interchange service charge is essential and may be apportioned to the tenants as the private and public space is blurred in this development. So long a justification can be made the Council have a better chance of it not being challenged	Need to calculate liabilities to the Council and what is recoverable	The Council commissioned a service charge consultant and report issued.

7.0 Consultation

- 7.1 The genesis of the scheme design has been a consultative process, with the Project Team meeting monthly since inception, regular liaison on key operational issues with appropriate Council colleagues and regular updates to Management Board, Portfolio Holders and Cabinet.
- 7.2 A successful exhibition, including specific sessions for Cabinet, Members, key stakeholders, the media and public occurred on 15th June 2017. A further exhibition, to show the detailed design proposals, was held on the 10th January 2018.
- 7.3 Specific consultations have been undertaken with the following bodies:
- Historic England – 2nd November 2017
 - Pre-application with Council Planners, including ECC Historic Building Advisor – 20th June, 4th October 2017 and 16th January 2018
 - Public Exhibition – 15th June 2017 and 10th January 2018
 - Essex Highways – Regular meetings with formal advice received 3rd November 2017
 - Essex Passenger Transport – 7th March 2017, 24th July 2017, 11th October 2017 and 12th December 2017
 - Mount Chambers surgery – 2nd May 2017, 1st June 2017 and 26th October 2017

- Chairman of Braintree District Hackney Carriage Association – 12th June 2017
- Essex Police Secured by Design Officer – 14th November 2017

8.0 Member Engagement

- 8.1 The project will maintain engagement with Cabinet and Council at key points in its development. This report sets the framework to enable the key delivery elements and delegations which are required.
- 8.2 To date there has been regular engagement with the relevant Portfolio Holders through a Member Steering Group. This has allowed the project to be developed to this point with a strong input from key Members.
- 8.3 If this report is approved by Members, an application will be submitted for planning permission, as this is a site owned by the Council it will be determined by the Planning Committee. The Planning Committee will consider the application on its planning merits rather than on the basis of any commercial interests that the Council has in the proposed scheme.
- 8.4 Once there has been a grant of planning permission, a specific Leader appointed Member Reference Group, will commence work in supporting the project to deliver the project. This group has a range of Members appointed drawing on skills across the Council.

9.0 Programme and Decisions Gateway

- 9.1 Subject to Cabinet and Council approval, a planning application will be submitted in June 2018. The application is dependent upon:
- Terms being agreed with Major Budget Hotel Company;
 - Terms for design being agreed with NHS England;
 - Agreement with ECC Passenger Transport;
 - Sign-off of planning application and all supporting documents by Corporate Director and Cabinet Member for Asset Management.
- 9.2 The Planning Application will be determined by the Council in its capacity as planning authority. In doing this the Council will have to have regard to material planning policies and frameworks, and will not have regard to the Council acting in its capacity as landowner or promoter.
- 9.3 Once the planning application has been submitted the procurement process can begin. PRP has advised on the timeframes based on statutory requirements in the OJEU legislation, which as a public body, the Council is required to follow. The process involves a notice being placed, which requires potential contractors to formally express interest and request a Pre-Qualification Questionnaire.
- 9.4 Concurrently the full tender pack will be completed by the project team. Full tender documents are expected to be issued to up to five contractors in July 2018. The time period to conclude negotiations with a contractor from this is

approximately 6 months and is expected that the construction contract will be let in early-2019.

- 9.5 A build contract would not be let prior to the grant of an acceptable planning permission and obtaining a clear vacant possession of the site. Also without agreements to lease being in place for the key elements of the scheme particularly the Hotel Provider.

10.0 Value for Money

- 10.1 Demonstrating that the proposed investment provides the Council with value for money is a key objective of the project.
- 10.2 On a commercial basis the value created, measured as Gross Development Value, is less than total capital costs incurred; however, the Council can justify intervention for two key reasons:
- the scheme makes a positive financial impact to the Council in the long-term
 - the scheme secures wider non-financial benefits created through regeneration of this part of Braintree
- 10.3 The financial impact analysis demonstrates that the project will make a positive contribution to net general fund income.
- 10.4 The project has been assessed via the Council's Corporate Investment Evaluation overall score for the proposed investment which can be measured against other alternative investment opportunities. The evaluation, undertaken by the Manor Street Steering Group, produced a weighted score of 6.05 (the minimum score to progress an investment project is 6.0).
- 10.5 The Council's procurement procedures have been adhered to in order to appoint appropriate consultants. The eventual main contractor will be selected through a competitive OJEU process, assessed on the basis of value for money, alongside appropriate quality measures. As the cost consultant, PRP will be required to assess the tender returns and confirm that the successful return is competitive, reflects prevailing market conditions and represents value for money.
- 10.6 The final agreed lease terms, including rental levels and the final open market values of the residential units will be confirmed by an independent valuer in compliance with RICS 'Red Book' methodology.
- 10.7 The Council is exploring opportunities to secure further capital, via third party grant funding and the input of Section 106 Agreement financial contributions from other residential developments. If any further funding is secured, the Council's capital outlay would reduce and release funding to deliver other projects.

11.0 Communications and PR

- 11.1 The Project Team is working closely with Marketing & Communications Team to produce a Communications Strategy. The Strategy is also being shaped by close partnership working with other stakeholders, notably the CCG and Hotel operator, to ensure a consistent, positive message is portrayed across the life of the project.

12.0 Summary

- 12.1 The revised proposals for the Manor Street Regeneration are well considered, the scheme has the potential to provide a catalyst for wider improvements to Braintree Town Centre. Risks have been identified and mitigated where possible and significant work has been undertaken to ensure the scheme is deliverable.

Appendices:

Appendix 1	Risk Register
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Item	Risk	Description	Probability	Impact	Rating	Mitigation	Responsibility
1.0 COSTS							
1.1	VAT	Eliminate VAT on the development land purchase price. Not applicable if BDC already own the land.	1	1	Low	BDC have indicated that they own all the land	BDC
1.2	Residential Market Conditions Change	1. Over supply in Braintree. 2. Braintree Market depressed. 3. Changed mortgage market leaves units unsold. 4. Market around Braintree will not support values required. 5. Economy enters Deflationary period. 6. Threat to viability of scheme.	3	5	High	Continue to undertake ongoing local market monitoring.	GCW/BDC
1.3	Build Costs / Cost Plan not viable	Due to unknown's, costs are high. Specifications currently not agreed. Material cost increase/build inflation not as predicted.	3	4	Medium	Detailed cost plan produced based upon measured drawings.	All
1.4	Value Engineering	Review of elements within the design / budget costs with a view of reducing quantities, specification, increasing build / delivery /efficiency times and reducing costs back to feasible levels.	0	0	No Risk	VE workshops held and VE completed - Risk Closed.	All
1.5	Procurement & Tendering Strategy	Failure to choose a suitable procurement route. Unable to find a sufficient number of tenderers.	2	3	Low	OJEU process agreed on 29/08/17. BDC's legal advisors have confirmed that the PQQ and ITT stages can be separate. It is also noted that it is acceptable to limit down to five bidders at tender stage. Soft Market Testing from 05/02/18 to 09/02/18.	PRP/BDC
1.6	Provisional Sums	Provisional Sum items identified during pre-contract phase and therefore leaving the risk with BDC.	5	3	High	Full design to be issued at tender stage.	PRP / AHR
2.00 PLANNING/CONSERVATION							
2.1	Conservation Area/Listing	Existing buildings are within a conservation area or are listed and the proposals have the potential to have a direct impact on the significance (character and appearance) of the Conservation Area.	4	2	Medium	RPS CGMS appointed to prepare a heritage statement. Meeting held with Historic England - feedback awaited.	CGMS
2.2	Lack of local resident buy in / Local Stake Holders oppose the proposals.	1. Poor / inconsistent communications. 2. Aspirations too high / not managed. 3. Fear of change. 4. Planning Delays.	2	3	Low	Early engagement. Regular meetings and communications. Continue to talk to local residents/stakeholders and seek solutions that offer more for residents that are affordable.	BDC

Item	Risk	Description	Probability Impact Rating			Mitigation	Responsibility
2.3	Planners not happy with development	1. Policy. 2. Interpretation of policy.	1	5	Low	Pre Planning meetings have taken place with feedback incorporated into the design.	BDC/CGMS
2.4	Rights to Light -	Risk of Rights of light compensation.	4	2	Medium	Initial assessment received indicating compensation may be payable. Final report to be prepared following issue of final drawings. Rights of Light insurance. Right of Light Consulting appointed.	RLC
2.5	Daylight / Sunlight	Daylight and sunlight not planning compliant.	4	3	Medium	Early involvement daylight and sunlight specialist. Right of Light Consulting appointed.	RLC
2.6	Planning Delays / Refusal,	1. Risk of refusal and associated cost/time delays for appeal. 2. Risk of planning refused at appeal.	2	3	Low	Discussions held with Planners and other Planning Stakeholders to ensure that designs are developing in line with expectations. Last pre-app meeting was positive.	AHR / CGMS
2.7	Planning Discharges / Objections	1. Risk of onerous/"unreasonable" planning conditions. 2. Obligations not being met.	2	3	Low	Monitor through planning consultation. Monitor obligations through regular meetings. S106 Tracker to be included within reports.	AHR / CGMS
2.8	Planning fees	Risk of increased cost on planning fees due to requirements of planning performance agreements and non-assignment of existing reports/surveys.	2	1	Low	CGMS to monitor.	CGMS
2.9	Judicial review Challenge	Risk of potential cost/time delays from a challenge within the judicial review period.	2	5	Medium	Manage through public consultation and adherence to the Planning Pre-App.	CGMS
2.10	Section 106 obligations	Risk of increased S106 contributions imposed by LBL	1	1	Low	No Section 106 Agreement.	BDC
2.11	Community Infrastructure Levy	Risk of CIL payment not being transferred to contractor	1	1	Low	No CIL payments expected.	BDC
2.12	Section 278 Issues	Check any Section 278 Issues and how they may impact on the development and building programme including lead in times.	3	3	Medium	A schedule detailing the works to be done and shown on appropriate plans to be identified. The extent of the improvements and any land to be conveyed to the Local Highway Authority (dedicated land) to be identified. Details of a bond or surety to be identified.	AHR / BDC
3.00 LEGAL							

Item	Risk	Description	Probability Impact Rating			Mitigation	Responsibility
3.1	Vacant possession - buses	Re-provision of the bus terminal could cause delays to programme through a lack of understanding of the approvals required.	4	5	High	Continue negotiations with bus company and Essex Highways.	BDC / Systra
3.2	Vacant possession - other	1. Resistance of tenants. 2. Resistance of Leaseholders. 3. Temp lettings made secure. 4. Threat to the viability of the project commencement.	3	4	Medium	1. Start negotiations with leaseholders immediately. 2. Review cost of leaseholder buy out and cost of delay to programme. 3. Issue all relevant notices to tenants. 4. Proceed with CPO. 5. Ignite Business Enterprise vacating in good time following notice.	BDC
3.3	Issues with reports on land titles.	1. Lack of clarity in land title. 2. Reduction in density.	0	0	No Risk	Reports on title received and checked. Risk Closed.	BDC
3.4	Boundary Disputes	Ensuring that accurate boundaries are agreed ASAP. Risk of topographical survey showing accommodation cannot be provided on the site area.	0	0	No Risk	Topographical survey obtained with redline overlaid. Risk Closed.	AHR
3.5	Party Wall Awards	Risk of prolonged Party Wall and Boundary Wall matters; Avoid Party Wall notice procedure not being followed in accordance with the Act and objections being received which affect progress.	3	4	Medium	Early identification of potential party wall awards and obtain correct ownership details. Condition surveys to be undertaken. To be updated in spend profile. Monies only allowed for surveyors and legal fees. Allow sufficient timescales to deal with statutory periods with the Awards.	AHR
3.6	Easements	Risk of consultation for services & other parties claiming; Time and cost issues included within statutory services budget.	3	3	Medium	Allow adequate due diligence on sale. Check report on title. Substation access and ownership issues to resolve?	BDC
3.7	Services diversions and build over licences	Risk of services diversions and build over licence required on storm drains	1	4	Low	Based on current construction plans the public sewer is greater than 3m away, Build over licence is not required from Anglia Water.	Conisbee
3.8	Contract Amendments	Delay in issuing standard amendments.	1	5	Low	BDC to advise PRP of contract amendments.	BDC / PRP
3.9	Local Training and Employment Obligations	Local Training and Employment Obligations that are set out within BDC guidelines, including that of the planning conditions and ER's may not be met.	2	1	Low	Mitigated through Planning & S106. Contractor to comply with ER's.	BDC / PRP
3.10	Road/Footpath closures	Costs in association with stopping up orders for construction period.	5	2	Medium	Evaluate as soon as possible, review with phasing, build/construction statement.	BDC

Item	Risk	Description	Probability Impact Rating			Mitigation	Responsibility
3.11	Access Agreements.	Risk of anticipated access arrangements being rejected.	2	5	Medium	Regular communication with adjacent owners and consultation to agree access arrangements and establish key dates for any disruptions to boundaries and timescales for any work to be undertaken.	BDC
3.12	Squatter Issues	Risk of delays to the building works if squatters occupy vacant possessions.	3	2	Low	Decant and site possession to be sequenced to avoid prolonged empty buildings.	BDC
4.00 LEASES							
4.1	Substation Lease	Check any lease agreements in particular for the supplies to the adjacent buildings.	4	5	High	To be part of Dentons' appointment.	Dentons
4.2	Liquidated Damages Under Heads of Terms of Lease	Leases contain clauses that invoke the payment of liquidated damages if Practical Completion is not achieved by the programmed date.	3	4	Medium	Build in contingency period for agreed date of practical completion.	Dentons
4.3	Residential Parking	Offering parking to residents at an extra cost may put off potential purchasers	4	3	Medium	Redloft to review residential parking strategy and potential alternate incentives and agree proposals with BDC.	Red Loft
4.4	Lifts and M&E liabilities	Big ticket liabilities (lifts and M&E) which are part of the repairing lease are accepted in full by the tenants. These specifications need to be signed off by hotel operator and the healthcare facility and other tenants. Without sign off, BDC could be deemed as liable for these components.	3	4	Medium	Specifications need to be reviewed by tenants and BDC operations before leases are signed.	PRP/AHR
4.5	Refuse	The refuse strategy is specific to each tenant and requires separation of refuse strategy for the residential and healthcare/Pharmacy. Access for a refuse truck is essential. If refuse strategy does not match tenant requirements a redesign will be required with BDC incurring costs.	2	4	Medium	Refuse strategy to be developed and reviewed by tenants and BDC operations before leases are signed.	AHR
4.5	Agreement of Bus Station Heads of Terms/Lease	Failure to agree the Heads of Terms/Lease Agreement with ECC renders the bus station element of the scheme redundant and/or may lead to a planning objection.	3	5	High	BDC to begin discussing terms with ECC as early as possible. Systra to ensure bus station design and transport strategy meets ECC's needs.	BDC
4.6	Compliance with Bus Station Heads of Terms/Lease	Failure to comply with the requirements of the Heads of Terms/Lease leads to the imposition of penalties or ECC no longer occupying the site and a potential redesign/repurposing of the space.	2	5	Medium	Lease agreement and other ECC requirements/specifications made available to the Design Team for incorporation in the design and ERs. Contractor made responsible for complying with the relevant lease requirements. Contractor compliance with relevant terms closely monitored.	AHR

Item	Risk	Description	Probability Impact Rating			Mitigation	Responsibility
4.7	Bus Station Maintenance Liabilities	Uncertainty over maintenance liabilities for the bus station and what is recoverable could lead to incorrect cost assumptions.	3	4	Medium	BDC commissioned a service charge consultant. BDC to agree maintenance liabilities with ECC.	BDC
4.8	Agreement of hotel Heads of Terms/Lease	Failure to agree the Heads of Terms/Lease Agreement with hotel operator renders the hotel unviable and necessitates a redesign to residential accommodation.	3	5	High	BDC to begin discussing terms with hotel operator as early as possible. AHR to ensure hotel design meets hotel operator's needs. Residential scheme design and consideration has been undertaken.	BDC
4.9	Compliance with hotel Heads of Terms/Lease	Failure to comply with the requirements of the Heads of Terms/Lease leads to the imposition of penalties or hotel operator no longer occupying the site and a conversion to residential use.	2	5	Medium	Lease agreement and other hotel operator requirements/specifications made available to the Design Team for incorporation in the design and ERs. Contractor made responsible for complying with the relevant lease requirements. Contractor compliance with relevant terms closely monitored.	AHR
4.10	Agreement of Pharmacy Heads of Terms/Lease	Failure to agree the Heads of Terms/Lease Agreement with the preferred pharmacy operator leads to delays whilst another operator is found or necessitates a change in use.	3	4	Medium	BDC to begin discussing terms with the preferred operator as early as possible. Design Team to ensure that the design meets the operators needs. Consideration given to other retail/commercial uses for the space.	BDC
4.11	Compliance with Pharmacy Heads of Terms/Lease	Failure to comply with the requirements of the Heads of Terms/Lease leads to the imposition of penalties or pharmacy operator no longer occupying the site leading to a further negotiations with a new operator or change of use.	2	4	Medium	Lease agreement and other pharmacy requirements/specifications made available to the Design Team for incorporation in the design and ERs. Contractor made responsible for complying with the relevant lease requirements. Contractor compliance with relevant terms closely monitored.	AHR
4.12	Agreement of healthcare facility Heads of Terms/Lease	Failure to agree the Heads of Terms/Lease Agreement with the healthcare operator leads to delays whilst another operator is secured or necessitates a change in use.	4	5	High	BDC to begin discussing terms with MECCG and NHS as early as possible. Design Team to ensure that the design meets the healthcare needs. Early consideration given to other potential uses for the space.	BDC
4.13	Compliance with healthcare facility Heads of Terms/Lease	Failure to comply with the requirements of the Heads of Terms/Lease leads to the imposition of penalties or healthcare operator no longer occupying the site leading to a further negotiations with a new operator or change of use.	3	5	High	Lease agreement and other NHS or operator specific requirements/specifications made available to the Design Team for incorporation in the design and ERs. Contractor made responsible for complying with the relevant lease requirements. Contractor compliance with relevant terms closely monitored.	AHR

Item	Risk	Description	Probability Impact Rating			Mitigation	Responsibility
4.14	Agreement of Cafe Heads of Terms/Lease	Failure to agree the Heads of Terms/Lease Agreement with the preferred café operator leads to delays whilst another is secured or necessitates a change in use.	3	3	Medium	BDC to begin discussing terms with preferred operator as early as possible. Design Team to ensure that the design meets the operators needs. Consideration given to other potential retail/commercial uses for the space.	BDC
4.15	Compliance with Cafe Heads of Terms/Lease	Failure to comply with the requirements of the Heads of Terms/Lease leads to the imposition of penalties or the preferred operator no longer occupying the site leading to a further negotiations with a new operator or change of use.	2	3	Low	Lease agreement and other cafe requirements/specifications made available to the Design Team for incorporation in the design and ERs. Contractor made responsible for complying with the relevant lease requirements. Contractor compliance with relevant terms closely monitored.	AHR
4.16	Agreement of Small Retail Heads of Terms/Lease	Failure to agree the Heads of Terms/Lease Agreement with the preferred retail operator leads to delays whilst another is secured or necessitates a change in use.	3	3	Medium	BDC to begin discussing terms with preferred operator as early as possible. Design Team to ensure that the design meets the operators needs. Consideration given to other potential retail/commercial uses for the space.	BDC
4.17	Compliance with Small Retail Heads of Terms/Lease	Failure to comply with the requirements of the Heads of Terms/Lease leads to the imposition of penalties or the preferred operator no longer occupying the site leading to a further negotiations with a new operator or change of use.	2	3	Low	Lease agreement and other cafe requirements/specifications made available to the Design Team for incorporation in the design and ERs. Contractor made responsible for complying with the relevant lease requirements. Contractor compliance with relevant terms closely monitored.	AHR
5.00 SERVICE CHARGES							
5.1	Life Cycle Costing	BDC is unable to add any life cycle costing (wear and tear) to the service charge. i.e. windows, doors, roof etc. will fall under BDC's liability. No budget for Life Cycle costing.	4	3	Medium	Included in appraisal as 5% of rental income	BDC

Item	Risk	Description	Probability	Impact	Rating	Mitigation	Responsibility
5.2	Cost Recovery - Healthcare facility	The Council will not be able to recover costs from healthcare operator relating to the repair and maintenance of the roof, structure and foundations. Also if windows and external doors and plant items such as the boiler require replacement then the Council would be responsible for replacing these items. All other repair or replacement costs should be recoverable from hotel and the Pharmacy via the service charge. The healthcare facility lease will also exclude items such as the roof, green roof and solar PV from the service charge.	4	3	Medium	BDC commissioned a service charge consultant to calculate liabilities to BDC and what is recoverable.	BDC
5.3	Public Realm & Bus Station	The public realm and bus station service charge is essential and may be apportioned to the tenants as the private and public space is blurred in this development. So long a justification can be made BDC have a better chance of it not being challenged.	3	3	Medium	BDC commissioned a service charge consultant to calculate liabilities to BDC and what is recoverable.	BDC
6.00 PROGRAMME							
6.1	Programme - pre-contract	General delays outside the control of the project team e.g. Planners, stakeholders, statutory bodies.	4	4	High	Project team meeting target dates. Good communication and monitoring of risk.	All
6.2	Programme - cost impact	Risk of delayed start and increased exposure to build inflation.	4	4	High	Outline pre contract programme issued. Monitor inflation . Risk with BDC until JCT signed.	All
6.3	Programme - NHS Sign off	Delays in healthcare facility sign-off of layouts.	3	3	Medium	Regular meetings.	PRP/AHR
6.4	Programme - Hotel operator Sign off	Delays in hotel operator sign-off of layouts.	3	3	Medium	Regular meetings with hotel operator's consultant.	AHR
7.00 DESIGN							
7.1	Flood Risk	Risk of flooding to site	1	5	Low	Draft report issued to design team, flood risk is low.	Conisbee

Item	Risk	Description	Probability	Impact	Rating	Mitigation	Responsibility
7.2	Unforeseen Ground Conditions	Increased costs if uncertainty of ground conditions are not identified.	1	4	Low	Infiltration test completed, proposed soakaway volume unchanged. Flow control to be used to match green field rate. Approval sought from Essex LLFA. The SI report identifies the contamination risks below ground and these have reviewed by the design team and client. A provisional sum has been allocated in the cost plan based on the QS's understanding of those risks identified in the report.	Conisbee
7.3	Specification	Agreeing and co-ordinating the specification for each building type: - 1. Healthcare facility. 2. Pharmacy 3. Hotel 4. Retail 5. Residential	3	4	Medium	1. Healthcare Facility. Liaise with MECCG/operator. 2. Pharmacy. BDC seeking pharmacy providers. 3. Hotel. Specification from operator. 4. Retail. BDC to advise on specification and size. 5. Residential. PRP to distribute specification for each tenure type.	AHR/ BDC/ PRP
7.4	Acoustic specification	Risk of sound transference between various occupancies	1	3	Low	Noise impact assessment issued 03/10/17. Acoustic Report issued 25/10/17 sets out the design criteria including insulation of walls and floors together with control of reverberation within acoustically sensitive spaces and building services acoustic design.	MLM
7.5	Micro-climate implications	Risk of wind tunnels being introduced.	0	0	No Risk	No survey required. - Risk Closed.	Max Fordham
7.6	Secured By Design	Full compliance expensive. Late requests by CPO.	2	2	Low	Discussions held with the Architectural Liaison Officer on 14/11/17 and minutes prepared by AHR. Target 'silver' or better standard.	AHR
7.7	Wheelchair units	Lack of wheelchair units on scheme and uncertainty of designation, compliance and allocations.	2	2	Low	Advice from BDC on units which will be wheelchair accessible or adaptable to meet Building Regulations M4(3). As a minimum all units will be M4(2) compliant.	BDC
7.8	Landscaping design / Open space	Rejection of Landscaping design at planning stage if landscape strategy is not clear and agreed with BDC, consultation and agreement with local residents not achieved, not compliant with SBD principles and exceeds cost budget and has excessive maintenance costs.	2	3	Low	AHR to ensure open space is aesthetically pleasing and affordable to build and maintain and the residents committee is consulted and agreeable with the principle designs. Regular meetings and cost appraisals and engagement with the SBD Officer.	AHR

Item	Risk	Description	Probability	Impact	Rating	Mitigation	Responsibility
7.9	BREEAM	Achieving BREEAM Very Good for healthcare facility.	2	4	Medium	BREEAM pre-assessment tracker and action list provided by MLM and information requested from design consultants by 08/12/17 so pre-assessment can be undertaken. Currently achieving a score of 51.2%, score of 55% targeted (Very Good).	MLM
7.10	Retaining Walls and Design Coordination	Stability and use of retaining walls. BDC preference to use the drop in level as the lower deck car space.	0	0	No Risk	Design developed - Risk Closed.	Conisbee
7.11	Environmental Impact Assessment. Ecology / Protected species	Ecology Survey results. Need to clear site of animals. Risk of having to be redone on habitat survey. BAT survey.	1	4	Low	RPS appointed. Survey received 26/04/17. Bat survey recommended. Swift nesting boxing required. Any ecological matters will be addressed during 2018 -no impact on programme.	CGMS
7.12	Parking Spaces	Failure to agree a parking strategy with each of the main stakeholders. Lack of certainty over number of spaces and therefore incorrect assumptions relating to income.	1	2	Low	A smart parking management system is essential. The healthcare facility will need spaces during the day and hotel at night. Consider Zipcar car-sharing company. Risk lowered as car parking strategy is agreed with spaces confirmed for each use.	AHR/BDC
7.13	Bus Interchange	Bus station layout unresolved.	3	4	Medium	Positive negotiations with ECC with expectation of agreement.	Systra
7.14	Interface between structures and car park	Unable to find an agreeable design for ingress and egress to/from each car park.	2	3	Low	Principles now accepted.	Systra
7.15	Existing Taxi Rank	Rank remains in current position.	3	4	No Risk	Design developed. No requirement to move rank - Risk Closed.	Systra
7.16	Isolated soft spots under	Localised soft spots under building footprint.	2	5	Medium	Site investigation shows a general likely hood of soft spots to be low. However there is an area to the west of the site with a potential for a soft spot. To minimise this latent risk additional SI is required to this area.	Conisbee
7.17	Listed Brick Wall	Agreement to deconstruct and reassemble brick wall	3	4	Medium	To be agreed with Historic England	Conisbee
7.18	Retaining wall	Construction of retaining wall next to Manor Street. To the rear of public footpath (within confines of the site)	5	2	Medium	To be agreed with Essex Highways	Conisbee

Item	Risk	Description	Probability	Impact	Rating	Mitigation	Responsibility
7.19	Existing building	Structural survey of existing Community centre	4	3	Medium	Visual survey completed - Intrusive survey required	Conisbee
7.20	Soakaway Design	Soakaway test results where less than expected	3	4	Medium	Update design to taking account of survey results	Conisbee
7.21	Amend design	Party wall agreement with (Job Centre)	2	4	Medium	Undertake party wall agreement with neighbours affected.	Conisbee
8.00 SERVICES							
8.1	Energy Strategy - Strategy, Billing, Metering, Liability	Billing, metering and tariff strategy not determined. No clear delineation of ownership and maintenance.	2	3	Low	Max Fordham have produced diagrams showing how the services will be connected schematically and how these will be metered.	Max Fordham
8.2	Substation - existing	Failure to maintain existing substation and associated supplies until completion of the new substation.	2	3	Low	Ownership and scope to proposed construction methodology/phasing now established.	Max Fordham
8.3	Substations - new	Failure to identify suitable location (if required).	0	3	No Risk	Substation location now identified - risk closed.	Max Fordham
8.4	Services (Electric, Gas, Water, Thames, BT, Virgin media)	Statutory services, supplies and capacity. Risk of unforeseen supplies, routes, insufficient capacities, service diversions; Statutory service drawings; Existing substation main runs adjacent buildings.	2	3	Low	Max Fordham have had initial discussions with the relevant utilities, which have not highlighted any abnormal risks. More detailed discussions to be had as the design develops.	Max Fordham
8.5	Existing Services	Unknown existing below ground services.	2	4	Medium	A below ground services scan has been undertaken. This was reviewed on site against visible above ground services/scans in the landscape and appears to be ok, however a risk still remains. The main risk is likely to be associated with the existing substation so could be mitigated through the sequencing of the construction works to allow time to deal with unexpected electrical services.	Max Fordham
9.00 PROCUREMENT							
9.1	No Market Interest	There is no interest from contractors in constructing the scheme.	2	5	Medium	PRP to undertake soft market testing prior to tender to establish interest. Widely promote the ITT.	PRP
9.2	Tender Documents	The tender documentation is insufficiently detailed and/or incorrect leading to the Contractor delivering a scheme that does not meet end user needs/requirements.	3	5	High	Meeting to be held on 09/01/18 to discuss level of detail required for tender documents.	PRP/AHR
10.00 ABNORMALS							

Item	Risk	Description	Probability	Impact	Rating	Mitigation	Responsibility
10.1	Asbestos	Surveys required prior to tender.	5	2	Medium	Existing survey information provided by BDC. Any asbestos in the ground will be identified in land contamination report.	Main Contractor
10.2	Archaeology	Risk of onerous planning conditions relating to an archaeological interest on the site; Desk top study to be provided.	0	0	No Risk	CGMS confirmed archaeological report not required.	CGMS
10.3	Unexploded ordnance	Risk of UXO discovery on site, Survey required. Risk of costs/time delays owing to finds not included in tender price.	1	4	Low	Survey not undertaken as risk is low. No sign of any damage on historical maps. No further action required.	Conisbee
10.4	Japanese Knotweed	Risk of remediation for Japanese knotweed. Remediation excluded from construction price as seen as no risk.	0	0	No Risk	Survey undertaken. No knotweed. Risk closed.	AHR
10.5	Arboriculture Reports	Incorrect trees are removed, existing trees die during building works due to incorrect foundations designs or lack of protection to trees in close proximity of the works.	2	2	Low	Survey undertaken. Trees minimal.	AHR
10.6	Transport Survey Report	Scope of survey creeps	3	3	Medium	Transport statement under development. Data awaited from ECC.	Systra
10.7	Traffic Management	One way roads, relocation of bus depot and deliveries will create congestion on surrounding roads.	3	4	Medium	Systra/BDC discussions with ECC ongoing. Transport strategy under development. No concerns raised by ECC Highways currently.	BDC/Systra
10.8	Air Quality Assessments	Risk of Planning refusal if concerns arise if the development is likely to generate air quality impact in an area where air quality is known to be poor or is likely to adversely impact upon the implementation of air quality strategies and action plans and/or, in particular, lead to a breach of EU legislation.	1	5	Low	Phlorum appointed to carry out an air quality assessment. Awaiting data from ECC/Systra so assessment can be undertaken.	Phlorum
11.00 DURING CONSTRUCTION							
11.1	Naming and numbering	Risk of delay if naming and numbering not agreed. Postcode required for MPAN number	2	2	Low	Contractor Responsibility in ER's. Initial meeting to be held with officer at BDC. Names suggested and in for confirmation with BDC and Royal mail for postcodes.	BDC / PRP
11.2	Over sailing	Risk of over sailing licenses required during construction.	2	2	Low	Construction methodology passed to Contractor in ER's. Use Luffer cranes where possible.	PRP

Item	Risk	Description	Probability Impact Rating			Mitigation	Responsibility
11.3	Quality Control	Ensuring that the end product meets the quality requirements of the BDC Asset Management and Sales.	3	3	Medium	1. Appoint Design Guardian. 2. Appoint PRP as Clerk of Works Inspector.	BDC
11.4	Performance of Statutory Authorities	Services not being connected on time, connections being made during 'rush' months when other schemes are being delivered	4	5	High	Early involvement of all Statutory Authorities. Monitor Main Contractor performance. Max Fordham to investigate use of third party assisting organisation e.g. Poweron	Max Fordham
11.5	Security and Pedestrian Safety	Risk of damage to site and buildings and theft of items.	2	4	Medium	Adequate site security must be maintained and traffic management may be required due to the amount of pedestrians in the area.	BDC/ Contractor
11.6	N3 Fibre cable for the delivery of secured firewalled NHS email.	Service not being connected on time. Can take up to 6 months.	4	4	High	Early involvement of all Statutory Authority.	Contractor
11.7	Contractor enters administration	Contractor enters administration during construction.	3	5	High	Check Contractor accounts as part of tender process. Consider use of a Performance Bond, Parent Company Guarantee and/or insolvency cover under NHBC (or equivalent) warranty.	PRP/BDC
11.8	Reputational damage	Risk of reputational damage to BDC due to the scheme not being delivered, delayed or of poor final quality.	3	5	High	Close monitoring of Contractor's compliance with ER's, other contract documents and construction programme. BDC to develop suitable messaging and PR should issues arise.	PRP/BDC

Recommendation from Cabinet – 14 th May 2018 - Chapel Hill Access Land Purchase		Agenda No:9
Portfolio	Corporate Services and Asset Management	
Corporate Outcome:	A sustainable environment and a great place to live, work and play A well connected and growing district with high quality homes and infrastructure A prosperous district that attracts business growth and provides high quality employment opportunities Residents live well in healthy and resilient communities where residents feel supported A high performing organisation that delivers excellent and value for money services Delivering better outcomes for residents and businesses and reducing costs to taxpayers	
Report presented by:	Councillor John McKee, Cabinet Member for Corporate Services and Asset Management	
Report prepared by:	Benedict Binns, Strategic Project Manager	
Background Papers:		Public Report
Corporate Strategy 2016-2020 Agenda and Minutes of Cabinet - 26th March 2012 (New Homes Bonus) , 31st March 2014 (The South East Local Enterprise Partnership – Growth Deal and Strategic Economic Plan) and 2nd June 2014 (New Homes Bonus Investment in Major Infrastructure Projects) Agenda and Minutes of Full Council – 16th April 2012		Key Decision: No
MINUTE EXTRACT		
CABINET – 14 TH MAY 2018		
7	<u>CHAPEL HILL ACCESS LAND PURCHASE</u>	
		Minutes Published: 22nd May 2018 Call-in Expires: 31st May 2018
INFORMATION: Members were reminded that this Item was linked to Item 16a in the Private Session of the Agenda, and that if any Member wished to refer to the private information contained within the report for that Item, it would be		

necessary for the meeting to be moved into Private Session.

DECISION: That, under Section 100(A)(4) of the Local Government Act 1972 the public and press be excluded from the meeting if it is necessary to discuss Item 16a of the Agenda and from the Private Report, on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 2 of Schedule 12 of the Act.

Both Agenda Items were taken together to enable consideration of all issues. It was not necessary for the meeting to be moved into Private Session.

INFORMATION: Members considered a report which sought their approval to purchase land owned by Millennium Veterinary Practice. This purchase would enable the Council to unlock the land behind the access land for development of residential housing. There was a further three distinct plots of land owned by the Council that could also be considered following the purchase.

In 2014 Cabinet approved the purchase of one plot of land at the site from Essex County Council (ECC) and acquisition of the land was subsequently completed via approved delegated authority with the intention of the Council undertaking the residential development of the site. Cabinet also identified the need to use funding to invest in schemes which will deliver wider improvements for the whole District and support development proposed in the Core Strategy, and where possible to provide a return for further investment.

The second plot of land, owned by the Council, was on a long lease for 50 years from 1996 to Braintree Tennis Club, and the third plot of land owned by the Council was on a 15 year lease with Braintree Football Club that expired in 2030. Members were assured that there was no intention to develop the land leased to Braintree Football Club.

This purchase was required so that the former ECC land could be developed. Access from the north was restricted and a planning compliance scheme could not be developed. Since 2016, the Council had engaged Fenn Wright to liaise with the Millennium Vets with the view of gaining access to the Council owned land. Those negotiations had now led to an agreed purchase price.

A bid had been submitted to Homes England as part of the Accelerated Construction Fund to assist with the development of this project.

Members were advised that there were two options open to the Council once the land had been acquired. Option one was to dispose of the land on the open market, recognizing the assembled land as a whole package with access available to what was previously a landlocked land site. The Council would be in a position to dispose of the packaged land as a developable unit to a housebuilder and realise an earlier return on its investment. Option two enables the Council to retain the land and create a Housing Development Company to develop the site. This option enables the Council to have more control of the development and to retain benefits from the site. This would deliver up to 70 units with 25-30% affordable housing provision.

It was reported that the site leased to the Tennis Club was in a secure long lease agreement that ran for a term of 50 years from March 1996 with no break clauses, giving the Council or the Club rights to terminate the lease prior to the end of the contractual term. Discussions had been ongoing with the Tennis Club to ensure that in the event that the Council wished to sell the packaged land with planning permission to a developer or to develop the land themselves via a Development Company a suitable and alternative site will be found for the club.

It was also reported that the Council had applied its Corporate Investment Evaluation Tool to this option which evaluated and scored key investment criteria to provide an overall score for the proposed investment which could be measured against other alternative investment opportunities. Officer and Councillor evaluation of this option has produced a weighted score of 7.05: the minimum score to progress an investment project was 6.0.

DECISION (PUBLIC REPORT): That Cabinet agreed:

1. To approve the purchase using funds received back from the growth element of the Community Housing and Investment Partnership Fund (CHIP fund) of the Chapel Hill Access land owned by Millennium Vets on the terms set out in the report, subject to contract and due diligence, and on such other terms and conditions as agreed by the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management and the Corporate Director (Finance).

That Cabinet recommended to Council:

2. The approval to commit from the share of the growth element of the Council's Community Housing and Investment Partnership Fund the sum set out in the Private report for the purchase.

REASON FOR DECISION: To enable the Council to acquire the Chapel Hill Access Land to facilitate the housing development of land already owned by the council to provide the Council with a reasonable rate of return on its investment in the future.

DECISION (PRIVATE REPORT): That Cabinet agreed:

1. To approve the purchase using funds received back from the growth element of the Community Housing and Investment Partnership Fund (CHIP fund) of the Chapel Hill Access land owned by Millennium Vets on the terms set out in the report, subject to contract and due diligence, and on such other terms and conditions as agreed by the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management and the Corporate Director (Finance).

That Cabinet recommended to Council:

2. The approval to commit from the share of the growth element of the Council's Community Housing and Investment Partnership Fund the sum set out in the Private report for the purchase.

REASON FOR DECISION: To enable the Council to acquire the Chapel Hill Access Land to facilitate the housing development of land already owned by the Council to a reasonable rate of return on its investment in the future.

Recommended Decision:

It is recommended to Full Council to approval to commit from the share of the growth element of the Council's Community Housing and Investment Partnership Fund the sum set out in the Private report for the purchase.

Purpose of Decision:

To enable the Council to acquire the Chapel Hill Access Land to facilitate the housing development of land already owned by the council to provide the Council with a reasonable rate of return on its investment in the future.

Chapel Hill Access Land Purchase		Agenda No:
Portfolio	Corporate Services and Asset Management	
Corporate Outcome:	A sustainable environment and a great place to live, work and play A well connected and growing district with high quality homes and infrastructure A prosperous district that attracts business growth and provides high quality employment opportunities Residents live well in healthy and resilient communities where residents feel supported A high performing organisation that delivers excellent and value for money services Delivering better outcomes for residents and businesses and reducing costs to taxpayers	
Report presented by:	Councillor John McKee, Cabinet Member for Corporate Services and Asset Management	
Report prepared by:	Benedict Binns, Strategic Project Manager	
Background Papers:		Public Report
Corporate Strategy 2016-2020 Agenda and Minutes of Cabinet - 26th March 2012 (New Homes Bonus) , 31st March 2014 (The South East Local Enterprise Partnership – Growth Deal and Strategic Economic Plan) and 2nd June 2014 (New Homes Bonus Investment in Major Infrastructure Projects) Agenda and Minutes of Full Council – 16th April 2012		Key Decision: Yes
Executive Summary:		
<p>The Chapel Hill purchase of the Essex County Council (ECC) land was identified as land that could stimulate housing growth and item 4.7 of the Cabinet Report: New Homes Bonus Investment in Major Infrastructure Projects 2nd June 2014 states: <i>Land or assets purchased through the fund could then be sold on and/or redeveloped generating a return which could be re-invested in further acquisitions.</i></p> <p>Acquisition of the land was subsequently completed via approved delegated authority with the intention of the council undertaking the residential development of the site.</p> <p>To achieve this aim of generating a return on investment on the former ECC land, development of the site requires access – through land owned by the Millennium</p>		

Veterinary Practice - to allow sufficient volume of traffic to any proposed development that is deemed policy compliant by Highways and the planning authority.

Since 2016, the Council have engaged Fenn Wright to liaise with the Millennium Vets with the view of gaining access to the Council owned land. Those negotiations have now led to an agreed purchase price.

At the same time as negotiations, Ardent, a Civil Engineering consultancy, have been appointed to review a road access to the land and to liaise with ECC on the opportunities and constraints via a pre-application meeting. Through this work an acceptable design layout has been achieved.

A bid has been submitted to Homes England as part of the Accelerated Construction Fund to assist with the development of this project.

The intervention of the Council will fast-track the development of much needed good quality housing land onto the market. It will provide the Council two options: to sell the assembled land or for the Council to develop the sites by setting up a Housing Development Company.

Following the acquisition of the Access Land, the Council will own a significant property asset if it decided to dispose of the assembled land on the open market with planning permission. This current market value has been assessed by an external valuation consultant, for the HCA Accelerated Construction bid.

The Council could chose to emulate other councils and establish a Housing Development Company to develop the sites. The purpose of this option would be to have more control of the development and to retain any surplus gained from the site.

Recommended Decision:

1. That Members approve the purchase using funds received back from the growth element of the Community Housing and Investment Partnership Fund (CHIP fund) of the Chapel Hill Access land owned by Millennium Vets on the terms set out in this report, subject to contract and due diligence, and on such other terms and conditions as agreed by the Corporate Director (Sustainable Development) in consultation with the Cabinet Member for Corporate Services and Asset Management and the Corporate Director (Finance).
2. That Cabinet recommends to Council:
 - 2.1 The approval to commit from the share of the growth element of the Council's Community Housing and Investment Partnership Fund the sum set out in the Private report for the purchase.

Purpose of Decision:

To enable the Council to acquire the Chapel Hill Access Land to facilitate the housing development of land already owned by the council to provide the Council with a reasonable rate of return on its investment in the future.

Any Corporate implications in relation to the following should be explained in detail.**Financial:**

The Council's valuation consultant has confirmed that the consideration payable by the Council for the land represents a fair market value for each interest and has been based on current market values and costs.

The Council has applied its Corporate Investment Evaluation Tool to this option which evaluates and scores key investment criteria to provide an overall score for the proposed investment which can be measured against other alternative investment opportunities. Officer and councillor evaluation of this option has produced a weighted score of 7.05: the minimum score to progress an investment project is 6.0.

Legal:

The purchase of this land will be subject to Cabinet and Council approval, subject to Contract and subject to satisfactory planning consents and land investigations. The Council's Legal Service and Asset Management Service will act on Council's behalf in respect of the exchange of contracts and completion of the purchase and will seek to ensure the Council's interests are protected at all times.

Safeguarding:

This report raises no safeguarding issues.

Equalities/Diversity:

Equalities issues with respect to the future use of the location will need to be considered within the scheme design and through the planning process.

The employment of staff on the development land will need to comply with all equalities and diversity legislation.

The principle of acquiring this land for development purposes raises no specific equality issues in relation to any of the prescribed characteristics.

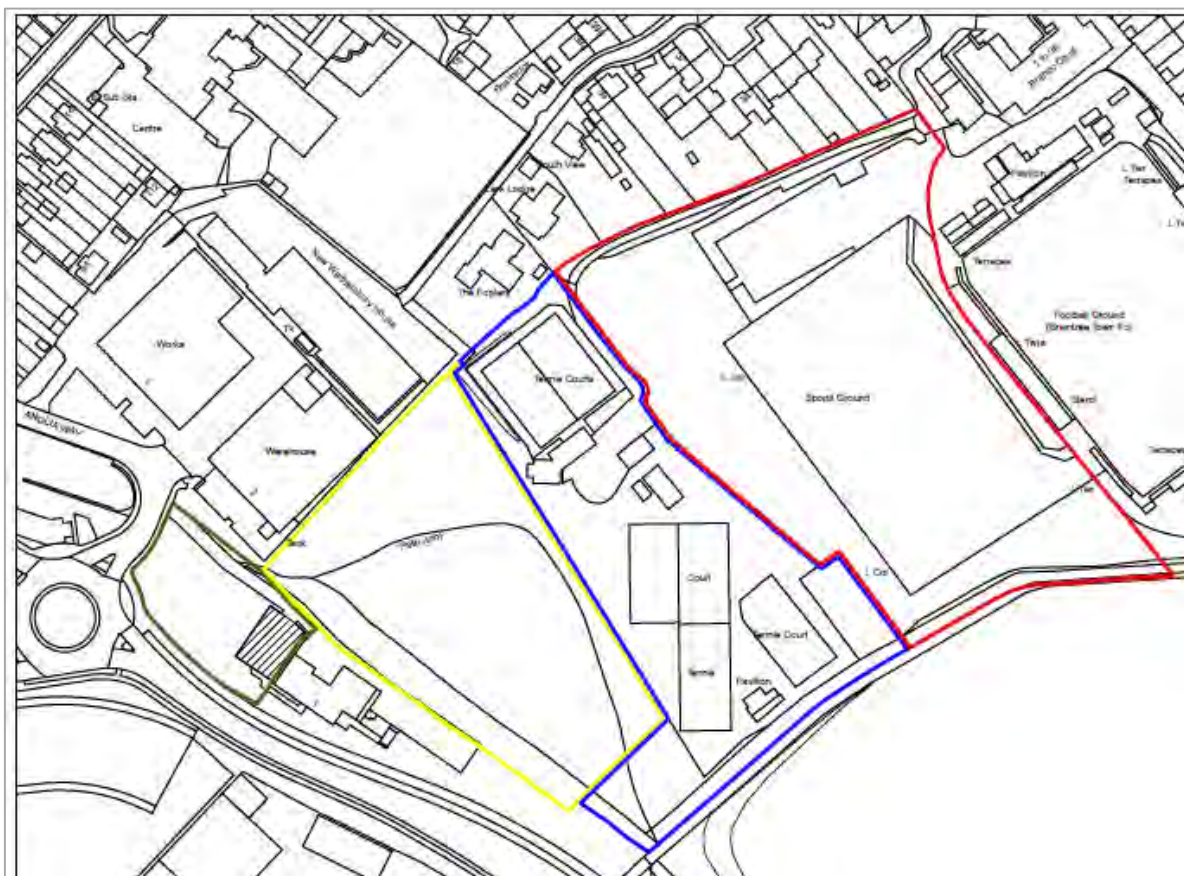
Customer Impact:	The development of the Chapel Hill Land will provide opportunities to develop Housing for the District, support economic growth and also realise a return on investment revenue to help fund Council services.
Environment and Climate Change:	Any newly constructed buildings will need to comply with current environmental and climate change requirements.
Consultation/Community Engagement:	Management Board and Cabinet Members have been consulted on the principle of acquiring the access land with the aim to enable the development of housing on the land Appropriate public consultation will take place when planning applications are submitted.
Risks:	<ol style="list-style-type: none"> 1) Delays in purchase will mean the owner is likely to consider alternative options 2) Economic conditions decline. 3) ECC delay access agreement for access road 4) Planning permission is not granted
Officer Contact:	Benedict Binns
Designation:	Strategic Project Manager
Ext. No:	2584
E-mail:	Benedict.binns@braintree.gov.uk

1

1.1 The plan below highlights the four separate land plots:

- Red – owned by the Council and on a 15 year lease with Braintree Football Club. Note that there is no intention to develop this land.
- Blue – owned by the Council and on a long lease for 50 years from 1996 to Braintree Tennis Club
- Yellow – owned by the Council purchased from Essex County Council (ECC) in 2014.
- Green – owned by the Millennium Vets – the Access Land

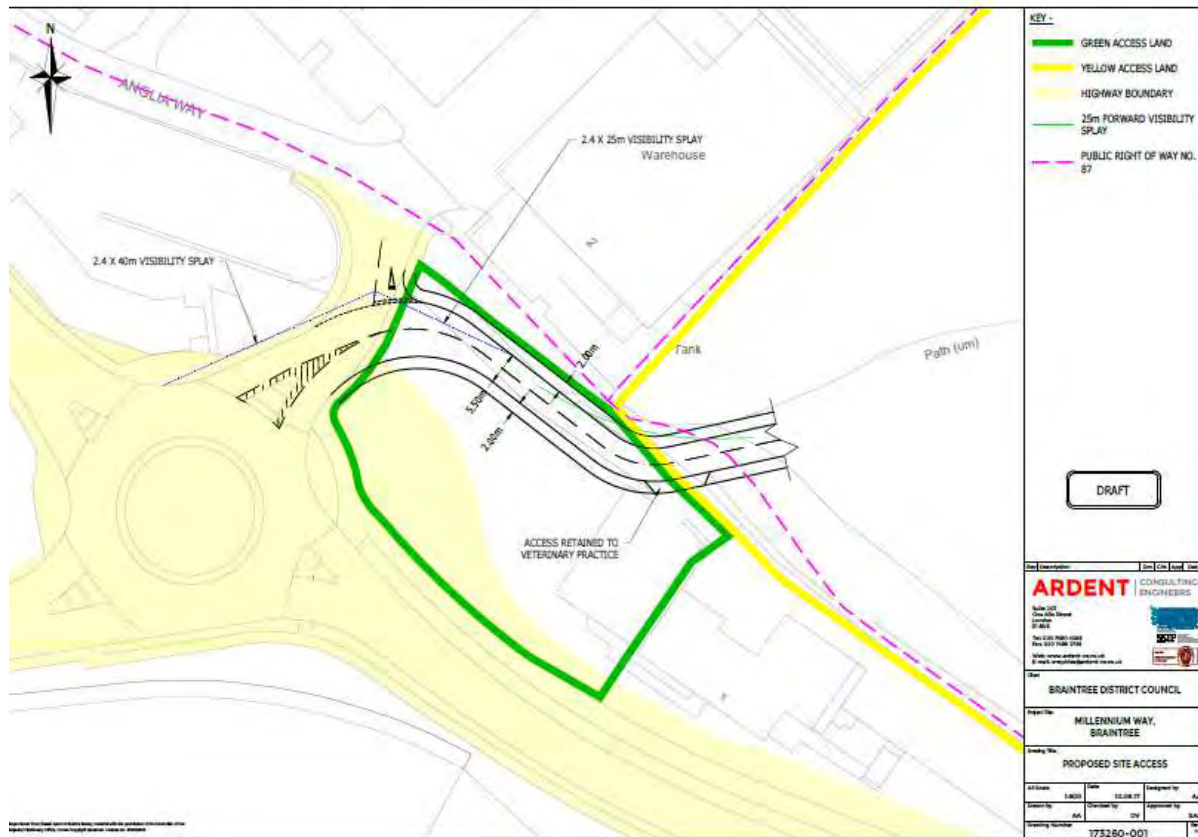
1.2 Chapel Hill Land:



1. *Major infrastructure projects (e.g. transport infrastructure, growth, Broadband);*
2. *Stimulating housing growth (e.g. investing in affordable housing schemes,*

bringing empty homes back into use).

- 1.4 The Purchase of the ECC land at Chapel Hill was identified as a site that could stimulate housing growth and item 4.7 of the Cabinet states: *Land or assets purchased through the fund could then be sold on and/or redeveloped generating a return which could be re-invested in further acquisitions.*
- 1.5 To achieve this aim of developing the former ECC land, development access is required to allow sufficient volume of traffic to any proposed development that is deemed policy compliant by Highways and the planning authority.
- 1.6 Access to the former ECC land and Tennis Club land is restricted from the north due to poor road links and therefore the Council are unable to develop a planning compliant and viable scheme. Since 2016, the Council have engaged Fenn Wright to liaise with the Millennium Vets with the scope of gaining access to the Council owned land sites.
- 1.7 Initial discussions and negotiations focused on access based on percentage of a future development land value. Further discussions and negotiations moved towards a simpler outright land purchase. Discussions have since developed and reached a consensus on the price, terms and overage for the purchase of the Land as annotated in green.
- 1.8 At the same time as negotiations, Ardent, a Civil Engineering consultancy, have been appointed to review a road access to the land and to liaise with ECC on the opportunities and constraints via a pre-application meeting. Ardent also reviewed the utilities provisions for the land.
- 1.9 Ardent confirmed that ECC had a strong preference for Option 1 which is shown below. A short section of footway/cycleway is required to be introduced on the south side of the new access road to tie-in with existing provision along the B1018.
- 1.10 ECC would seek improvements to the closest bus stops to the land and residential travel information packs as Conditions to a future consent. However, a new access road is considered to be a realistic proposition if the land from the Millennium Vets is purchased which in turn will unlock the ECC and Tennis Club lands for development and allow the stimulation of housing growth.



1.11 Other due diligence across the ECC and Access Land included

1.11.1 Title Deeds

There are no reported issues.

1.11.2 Utility connections

There are no reported issues or significant risks

1.11.3 Geotechnical Investigation Survey

There is some contamination, but not significant and good design can ensure this is minimised.

1.12 Development Appraisals

Two development appraisals to understand the financial impacts of developing the land sites in green, yellow and blue have also been undertaken,

1.13 Homes England bid

A bid has been submitted to Homes England as part of the Accelerated Construction Fund to assist with the development of this project.

2 Benefits of Acquiring the Chapel Hill Access Land

2.1 The intervention of the Council will fast-track the development of much needed good quality housing land onto the market. It will provide the Council two options: to sell the assembled land or for the Council to develop the sites by setting up a Housing Development Company (DevCo).

2.2 Option 1: to sell the assembled land

2.2.1 The land sites would have been assembled as a whole package with access available to what was a landlocked land site. The Council would be in a position to dispose of the packaged land as a developable unit to a housebuilder and realise an earlier return on its investment.

2.2.2 Following the acquisition of the Access Land, the Council will own a significant property asset (green, yellow, blue and red) if it decided to dispose of the assembled land on the open market with planning permission. This current market value has been assessed by an external valuation consultant, for the Homes England Accelerated Construction bid.

2.3 Option 2: Development through a future Housing Development Company (DevCo).

2.3.1 The Council could choose to emulate other councils and establish a DevCo to develop the sites. The purpose of this option is to have more control of the development and to retain benefits from the site.

2.3.2 Using information provided by:

- In house capacity study of density
- Third party consultant appraisals
- A blended cost from various third party cost consultants
- Blended revenue projections from various third party valuers reports

Up to 70 units based on a density capacity study on the green, yellow and blue lands has been assumed for an appraisal undertaken in house and demonstrates that the Council could potentially receive the following return from the development of the land via its proposed DevCo:

- A capital surplus after allowing for the following payments to the Council:
 - Payment to the council for the land purchase of the former ECC land (yellow)
 - Payment to the council to support the relocation of the Tennis Club
- 25%-30% affordable housing provision

2.4 Appointed consultants will develop the design and costs for the development and liaise with the planners to bring forward a planning compliant submission.

2.5 Braintree Tennis Club

It should be noted that the Tennis Club is in a secure long lease that runs for a term of 50 years from March 1996 with no break clauses giving the Council or the Club rights to terminate the lease prior to the end of the contractual term. Discussions have been ongoing with the Tennis Club to ensure that in the event that the Council wishes to sell the packaged land with planning permission to a developer or to develop the land themselves via a DevCo a suitable and alternative site will be found for the club.

2.6 Braintree Football Club

It should be noted that Braintree Football Club is in a secure 15 year lease that expires in 2030. There are no plans to develop this site.

2.7 Millennium Veterinary Practice

It should be noted that the Millennium Vets will be unaffected by this land purchase and any development that may follow.

3 Proposed Heads of Terms for the Purchase of the Chapel Hill Access Land

3.1 Vendor.

Millennium Vets

3.2 Purchaser.

Braintree District Council

3.3 Property

Land at Millennium Way, Braintree as shown edged green on attached Plan

3.4 Purchase Price

The Purchase Price will be payable in full on legal completion. A deposit equating to 10% of the Purchase Price will be payable to the Seller's Solicitor on exchange of contracts to be held as stakeholders.

3.5 Permitted Use of the Land

The Property will be sold on the basis of full vacant possession on completion subject only to the grant of a licence to the Seller on terms to be agreed for the use and enjoyment of the Seller's existing car parking spaces in order to ensure continuity of the Seller's business.

3.6 Overage payments

The land shown edged red on Plan (the Red Land) is currently owned by the Buyer but is subject to a long lease to Braintree Football Club. In the event that the Buyer (or its successors in title) secures planning permission for redevelopment of the Red Land which takes access from or over any part of the Property, the Buyer will pay to the Seller an overage payment for each unit of the permitted development.

3.7 Title

The Vendor will be selling the freehold with vacant possession subject to any existing covenants and restrictions and retention of a right of way for agricultural purposes only to the vendors retained land along such roads and/or route to be agreed with the Purchaser.

3.8 VAT

The Seller may elect to charge VAT on the sale of the Property. The Buyer will pay to the Seller the full amount of VAT in addition to the consideration if the Seller elects to charge VAT prior to exchange of contracts subject to the Purchase Price being reduced by a sum equivalent to the additional Stamp Duty payable by the Buyer on the VAT element of the Purchase Price.

3.9 General Conditions

- a) The Purchase is subject to registration of Title to the footpath adjoining the northern boundary of the Sellers Retained Land and the Property
- b) The Council to receive from its External Surveyor a valuation report supporting the proposed acquisition
- c) The Council's Formal Cabinet Approval

3.10 Specific Car Park conditions

The Buyer will re-provide any car parking spaces that may be lost or become incapable of normal use at its own cost and at its discretion as to location either on the Property or on the Seller's Retained Land

4 Risks

Item	Issue	Action
Delay in purchase of Access Land	The owners of the Millennium Vets have indicated that they will pursue other options if the purchase is not completed	Cabinet report for May Cabinet submitted to purchase Access Land
No purchase of Access Land	This would make the current the Council lands worth less in value as development will be extremely difficult without access.	Cabinet Report for May Cabinet submitted to purchase Access Land
Delays in obtaining agreed access from ECC for proposed road	This will delay development by Council	Early engagement with ECC already undertaken
Economic conditions decline.	This may mean the council may wish to pursue a less risky option	Purchase of Access Land will mean the overall land is more attractive to sellers on open market. Not purchasing will mean the overall land will not attain the potential value and could make a loss for the council.
Failure to facilitate the relocation of Tennis Club	This may impact on the viability of the options for the Council	Council to develop design that allows two phases of development
Planning not granted	This impacts the both options to develop and to sell the packaged land	Council to ensure that planning policy adhered to and to appoint a planning consultant and undertake a pre-application before planning submission.

5 Timescales – Land Acquisition

5.1 The current indicative project timescales are as follows:-

- 14th May 2018 – Cabinet Meeting
- 4th June 2018 – Full Council Meeting
- Summer 2018 – Exchange contracts to purchase Access Land
- Winter 2018/2019 – Submission of planning application by Council

6 Summary

- 6.1 The intervention of the Council will fast-track the development of much needed good quality housing land onto the market. It will provide the Council two strategy options: to sell the assembled land or for the council to develop the sites by setting up a Housing Development Company.
- 6.2 Following the acquisition of the Access Land, the Council will own a significant property asset (green, yellow, blue and red). The Council's two options suggest:
- Realise a capital asset if it decided to dispose of the assembled land on the open market with planning permission
 - Or the Council could if they chose to emulate other councils and establish a Housing Development Company to develop the sites.
- 6.3 Both options provide additional key non-financial benefits to the Council:
- Up to 70 new homes with 30% affordable tenure
 - Regenerates land that is under utilised
 - Improved public realm
 - Improved Tennis Club facilities
 - Stimulating housing growth by unlocking land for housing
 - Regenerates land that is under utilised

**LEADER'S REPORT TO COUNCIL – OVERALL
STRATEGY AND DIRECTION**

Agenda No: 10a

Meeting of NEGC Ltd held on 29th March 2018

Cllr Lynette Bowers-Flint attended this meeting as a substitute for me.

Richard Bayley presented the MD Update paper, and provided the following updates:

- Recent meetings with MHCLG have confirmed that NEGC are still at the forefront of Government's thinking in relation to being the first locally led Development Corporation in the UK and the associated timing for this;
- MHCLG envisage that a Development Corporation for North Essex could be established mid-2019. This accords with the programme planning that NEGC have been doing;
- MHCLG are expected to award the NEGC project additional capacity funding of £190,000 for 2017/18. This is expected to be received by Colchester Borough Council after Easter;
- NEGC and its partners have held positive meetings with the principal MPs over the past couple of months;
- Government has announced that two NEGC oriented Forward Funding HIF bids that were submitted by ECC for approximately £165m in total have been successful and have made it through to round 2; and
- Following a meeting with local MPs, Highways England will not be making any announcements on the progress of the A12 until the outcome of the Section 1 EIP is known.

Richard Bayley, NEGC Managing Director, introduced the draft Interim Business Plan noting that it was a draft document and that comments and amendments were welcome from all partners. Richard highlighted the following key dates as set out in the draft plan:

- Section 1 of the Local Plan to be adopted late 2018 (subject to EIP and Inspector support);
- North Essex Development Corporation to be established: mid 2019; and
- DPD(s) adopted / LOD(s) made: end 2020 / early 2021.

Richard Bayley also noted the desire for NEGC to undertake further public engagement in late 2018, with the intention for this to be more encompassing than has historically been the case. It is likely that this engagement strategy will be brought back to the

Board in May and July for their consideration.

Cllr Bowers-Flint queried the progress of the North Essex Economic Strategy. Richard Bayley responded by confirming that this is being prepared in the context of a wider North Essex strategy, of which NEGC would be a key element, and that this work was a collaboration across a number of authorities including Uttlesford. Richard Bayley also confirmed that the intention was for the draft strategy to be circulated around Council Officers before being reported to the Board at its May meeting.

Transport Board – Heart & Haven – Meeting held on 4th April 2018

I attended this meeting which brings together representatives of Essex County Council, Suffolk County Council, Tendring, Colchester, Maldon, Chelmsford, Brentwood, and Braintree District Councils, Haven Gateway, Highways England, Network Rail, the train operating companies and the Dept for Transport.

The agenda covered the following items:-

Update on North Essex Garden Communities
Housing Infrastructure Fund Applications
A120 and A12 Updates

Representations to Essex County Council

I have written to the Leader of Essex County Council, Cllr David Finch, expressing my concerns about the position of the County Council with regards to meaningfully supporting the I-Construct Innovation in Construction project in Braintree. The issue revolves around whether ECC will provide match funding or merely offer a loan. If there is any progress I will update members at the Council meeting.

I have also written to Cllr Kevin Bentley, ahead of his announcement of the County Council preferred route(s) which is due on 8th June. I am meeting with Cllr Bentley prior to his announcement on the 6th June.

Councillor Graham Butland
Leader of the Council

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REPORT TO COUNCIL – PORTFOLIO AREA OF
FINANCE AND PERFORMANCE

Agenda No: 10b

Outturn

The Revenue Outturn for 2017/18, before confirmed requests for carry forwards, is a positive variance of £782300 (£491700 overachievement of income and £290600 underspend on expenditure).

Council Tax discount review

Around 6000 single person discount reviews have been returned and are being processed.

Council Tax Collection

Council Tax collection was 11.54% for April compared to 10.94 % for the same period last year. Amount collected was £10.147m.

Outturn for 2017/18 was 98.39% and £82.153m collected.

Business Rates Collection

Business Rates collection for April was 11.42% compared to 10.94% for the same period last year. The amount collected was £5.033m.

The Outturn for 2017/18 was 98.92% with £42.116m collected

Councillor David Bebb
Cabinet Member for Finance and Performance

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**REPORT TO COUNCIL – PORTFOLIO AREA OF
ECONOMIC DEVELOPMENT**

Agenda No: 10c

Enterprise Centres

Braintree Enterprise Centre Phase 2

Completion and handover of the four commercial grow-on units and associated car parking is scheduled for July 2018. I attended a photo call on site on 9th April 2018 with Councillor Bowers, Jon Hayden, Cadman Construction and Barker Associates.

Regeneration – Town Centres

Manor Street, Braintree

The full business case was presented for approval at Cabinet on 14th May 2018. The scheme comprises:-

- Healthcare Facility
- Pharmacy
- Hotel
- New Homes
- Bus Interchange
- Public Realm
- Car Parking
- Café/retail
- Retail

The revised pre-planning programme is as follows:-

- Planning Submission – June 2018
- Commence Procurement – July 2018
- Let Contract – February 2019
- Construction Start – March 2019
- Scheme Completion – March 2021

Detail on economic development activity for Braintree, Halstead and Witham town centres will be put forward in the next report.

Apprenticeships and Skills

In the past 18 months our Economic Development team has worked with a range of partners to deliver a programme of informative events for secondary students within the District. The events are designed to engage, enthuse and stimulate interest in STEM (science, technology, engineering and maths) subjects and Apprenticeships. By working with The College at Braintree, Essex County Council and the Essex

Employment and Skills Board we are able to demonstrate a collaborative approach to skills and apprenticeship promotion in the district without creating duplication of efforts. By having an emphasis on STEM at the events, we are encouraging the development of a well-informed pipeline of future talent which employers are consistently telling us is essential to the success and development of their businesses. Our work with sector specific organisations, such as Chelmsford Science and Engineering Society, allowed us to deliver the “My Smarter Braintree” where students and teachers were able to understand, explore and simulate how their requirements and preferences can influence the design of a Future Braintree District. Industry experts delivered a series of engaging talks directly linking to many exciting infrastructure projects within the area.

For the first time this year, in conjunction with the Braintree Information, Advice and Guidance Cluster Group, we had over 900 students attend an Apprenticeship Information Event during National Apprenticeship Week. Local and national employers attended to demonstrate the wealth of opportunities available to those who pursue an Apprenticeship.

In addition to our work with students, we also delivered two successful Job Fairs in March 2017 and March 2018 which were attended by over 730 people in total. The feedback from jobseekers and employers has been overwhelmingly positive and we have already received enquiries regarding a 2019 Job Fair. Local employers confirmed as a result of the job fairs they had recruited high calibre candidates.

The Braintree District Education and Skills Board has been established for nearly year with range of employers, educators and training providers. A business case was submitted to The Community and Housing Investment Partnership Fund to access the £60,000 allocated to Skills and Employment in 2014. The business case was approved by the Board Members and the full amount transferred to the Braintree District Education and Skills Board who will take on the responsibility to authorise projects and monitor the outcomes from projects funded with this money.

Officers are continuing to work closely with colleagues at Essex County Council to ensure there is no duplication of student engagement activities and provide a more streamlined approach to engaging with schools.

Tourism

A Task and Finish Group report into Tourism Potential in the Braintree District was submitted to the Overview and Scrutiny committee in March 2018 and the recommendations were presented to Full Council on 23rd April 2018. In line with the corporate process, Council requested Cabinet to respond to the Committee’s recommendations.

The Committee met with tourism representatives from Visit Essex, Maldon District Council Tourist Information Office, Braintree District Museum, Witham Town Council and tourism operatives across the District. The Committee considered the evidence put forward to them and have proposed seven recommendations.

Business Engagement

With the Business Pop-up Café scheduled for 22nd May 2018, the business support programme continues to be shaped with tailored support being planned for the existing tenants of previously managed Ignite House, focusing on a two-day workshop exploring how to grow an SME. An expression of interest has also been raised with a leading successful business to explore the opportunity to allocate time from their Corporate Responsibility policy free of charge, to mentor established SME's in the District. The Business Engagement Economic Development Officer will work with them to continue this discussion over the next few months with a view to agree a proposal.

A rural business tour took place on 18th and 25th May 2018 when I met with a selection of businesses from a variety of sectors across the District. The businesses were recommended by Ward Councillors to gain greater insight into how the businesses work and to identify their support needs for economic growth. I was accompanied by Cllr Kevin Bowers, Cherie Root, Emma Goodings and Danielle Putt and the relevant Ward Councillors.

The businesses we visited on 18th May were:-

- Transporter – producer of car transporters based in Gosfield
- The Pumphouse – local community owned brewery based in Toppesfield
- Total Lockout – specialist providers of machinery lockout equipment based on Springwood Industrial Estate

At the time of writing this report the programme for 25th May 2018 was still being finalised and a verbal update will be given at the meeting.

The business-related webpages on the Council's website have now been amended to provide a clearer navigational experience for site visitors and content is currently being updated following the closure of the Ignite business support website. An external facing website solely for business support and engagement in the District is currently being explored, to rebrand and market the portfolio of business support partnerships available.

Broadband

Since reporting in February 2018, the original proposed £360k Braintree District Council (BDC) investment has been adjusted by the bidder to £356k; a saving of £4k than originally expected from earlier this year. Superfast Essex has agreed that any underspend of the potential investment from BDC during Phase 4a will be ring-fenced and spent exclusively within the Braintree District as part of Phase 4b, which will be inclusive of grant attraction. A full report on the benefits of the investment has been explored within the Cabinet Report which was presented on 14th May 2018, however the key headlines are as follows:-

- BDC currently sits at a forecasted 97% coverage against the county average of 96%.
- Nonetheless, BDC will fall behind the county average if investment in Phase 4a isn't made.

- The bid forecasts approx. £426.85 per premise (1,668 premises with £712,000 funding, inclusive of 50% DCMS grant match funding) and will reach 99% coverage.
- An estimated 2/3 of the 1,668 premises in the bid are businesses including homeworkers.
- We will lose the grant attraction if we don't invest in Phase 4a.
- Take-up of service from Phase 1 is 55% in the District, compared with 51.6% countywide and 47% nationally. This identifies the demand for superfast broadband in the District.

Should Cabinet decide to invest in Phase 4a, contracts are expected to be signed at the beginning of June 2018.

Councillor Tom Cunningham
Cabinet Member for Economic Development

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**REPORT TO COUNCIL – PORTFOLIO AREA OF
PLANNING AND HOUSING**

Agenda No: 10d

INFRASTRUCTURE

A12

A public consultation was held from January to March 2017 to seek the views of local communities and other key stakeholders on a range of options. The independent analysis of the responses received, as well as a Report on Public Consultation will be published when a preferred route is announced. Following the preferred route announcement detailed engagement with all affected landowners will be undertaken with further public consultation.

A120

Following the removal of Option A from the routes, ongoing traffic modelling and environmental studies are currently being conducted on the remaining 4 routes. A decision framework will be implemented to assess each route on a broad set of criteria including environmental impacts, value for money, benefit impacts and transport impacts. Mobile phone data will be obtained to report on movement. These will inform a feasibility study to be considered by Highways and Secretary of State in the summer and consequently followed by the announcement of the obtained route in 2019. Once the preferred route is selected, a preliminary design will be circulated for consultation. It is anticipated that construction will commence in 2023 and will take 3 years to complete.

Officers have been invited to an event to announce Essex County Council's favoured route option for an upgraded A120 between Braintree and the A12. The event is on Friday 8th June 2018 at Colne Valley Golf Club from 2pm to 4pm.

PLANNING POLICY

Local Plan Examination

A further day of the Local Plan examination was held on Wednesday 9th May 2018 which considered legal matters for the section 1 Plan which is shared with Colchester Borough Council and Tendring District Council. We now await further correspondence from the Inspector as to the next steps. This may include consultation on any larger changes to the Plan, known as 'Main Modifications' that the Inspector might suggest.

Officers hope that the Planning Inspectorate will be able to start examining the section 2 Plan which includes Braintree specific policies and allocations, later in the year.

Garden Communities

Work on the Development Plan Documents to show how the Garden Communities will develop in more detail will continue once the outcome of the section 1 Local Plan examination is known. It is currently anticipated that the next public consultation on

these documents by the authority will take place next year.

Neighbourhood Plans

As previously reported Hatfield Peverel Neighbourhood Plan Group commissioned a Strategic Environmental Assessment (SEA) report to help support the Neighbourhood Plan. This document has now been completed and additional work to the Neighbourhood Plan has now been undertaken. The findings of the SEA mean that three changes are required to the Plan, and these changes as well as the SEA will need to be consulted on.

This consultation started on 10th May 2018 and will be for a six week period closing at 5pm on 21st June 2018. Once the consultation has finished all responses received will be sent to the Neighbourhood Plan Examiner who will then advise as to the timetable and format of the examination.

No further neighbourhood areas have been designated since the previous report.

Of the 11 areas Hatfield Peverel Neighbourhood Plan is the most advanced.

Bradwell with Pattiswick Parish Council has undergone its Regulation 14 consultation which concluded in May 2018. The regulation 14 consultation is the first formal stage of consultation in the Neighbourhood Plan process and is required prior to the Parish Council submitting a Plan to the Local Authority. The Local Authority then has to conduct a further period of consultation (Regulation 16) before an examination into the Plan can take place.

It is currently estimated that Kelvedon and Feering Plans will be undergoing consultation over the summer. Feering and The Salings Plans are likely to undergo consultation in the Autumn. It is therefore likely that more Plans will be submitted to the Council towards the end of the year and beginning of next year.

Great Yeldham, Stisted and Steeple Bumpstead are the newer designated areas and are still in the evidence gathering stage of Plan production.

A meeting was held with the Cressing Neighbourhood Plan Group in March 2018. The group is continuing to draft its plan and will contact Officers in due course.

DEVELOPMENT MANAGEMENT

The service is monitoring applications granted for new dwellings on a quarterly basis. The most up to date figures relate to Quarter 4 in 2017/18 (January to March 2018). During that quarter, planning permissions were granted for a total of 512 dwellings of which 114 would be affordable dwellings. The figures for the full year, 2017/18, are 2,312 dwellings granted permission of which 693 would be affordable dwellings.

HOUSING

Affordable Housing Development Programme

The target for 2017/18 was 130 affordable housing completions. Unfortunately, a significant number of completions were expected in March 2018 and delays (particularly with connection of utilities) led to delays on some sites. The final number of completions for 2017/18 was 124.

27 new homes scheduled for March 2018 were completed in April 2018. The target in the Annual Plan for 2018/19 was 100 new homes – we now expect to report 130 completions during the year.

The really significant news is that we expect record starts during 2018/19 on sites where affordable housing will form part of the provision. At this stage it is difficult to predict how the phasing of the developments will feed into our timetable for completions but the following sites are all either starting on site or have phases that are scheduled to provide new affordable homes:-

- Oak Road, Halstead
- 'Rockways', Sible Hedingham
- Boars Tye Road, Silver End
- Land off Monks Road, Earls Colne
- Mill Lane, Cressing
- London Road, Rayne Road, Spalding Close and Carrier Business Park – all Braintree
- Forest Road and Lodge Farm, Witham

In total, the above sites include over 400 affordable homes.

Homelessness Reduction Act

The New Act is now in operation. The Housing IT system has been upgraded to the new requirements but Civica completed the system just after the Act came into force. Staff are working with people at risk of homelessness to develop Personal Housing Plans that set out the steps that we will take and that we expect them to take to prevent or alleviate their homelessness. The Plans can be accessed through the 'Gateway to Homechoice' website and are updated throughout the time we deal with applicants.

The new system does not provide any additional homes but does make sure that we work consistently and for longer with local people needing help with their housing situation.

A Stakeholder event was held at Braintree Town Hall in April 2018 as part of the preparation of a new Homelessness Strategy, which will be published in draft form within the next month.

Rough Sleeping

An officer from the Housing Options Team has been continuing to work with the Community Policing Team to ensure contact and help is offered to anyone who appears to be rough sleeping.

Acquisition of access land at Chapel Hill

A report was presented to Cabinet on 14th May 2018 asking for approval for the acquisition of the parcel of land which will enable access to the Council-owned Chapel Hill site which was purchased from ECC in August 2014. The Council may choose to directly develop the site for residential housing should the proposed Housing Development Company be approved at a later date, alternatively now the land is assembled the Council could sell all the land including the access to a third party developer.

Councillor Mrs Lynette Bowers-Flint
Cabinet Member for Planning and Housing

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**REPORT TO COUNCIL – PORTFOLIO AREA OF
CORPORATE SERVICES AND ASSET MANAGEMENT**

Agenda No: 10e

GOVERNANCE SERVICE

Work continues in support of the North Essex Garden Communities Limited, working in partnership with colleagues at Colchester Borough Council, Tendring District Council and Essex County Council.

Two by-elections were completed in Bocking North and Hatfield Peverel.

The Legal Team continues to have a very full workload supporting the work within Business Development and Asset Management.

BUSINESS SOLUTIONS

ICT and Digital

The Digital Strategy projects for 2018/19 have now started. These include preparations for customer on-line booking systems, on-line payment system, Business Continuity/Disaster Recovery procedures, improved on-line services for staff and enhancements to the phone system.

The Technology Day on 9th May 2018 was designed to launch the Digital Strategy and to give staff, members and partners an opportunity to get together to look at how to make the best use of technology and what might be happening in the future. This was an extremely successful event, with over 90 delegates throughout the day and was a vehicle for users to become familiar with the changes underway over the coming year.

Cyber Security

Cyber security and the awareness of changing threats is a top priority for the ICT Team and as part of this briefings have been held for responsible Officers and Portfolio Holder. There was a briefing from Essex Police as part of the Technology Day and there will be further opportunities for awareness raising for Members and staff throughout the year.

ASSET MANAGEMENT

Asset Management continued to be very active during the past month, and have made significant progress with many investments that form part of our overall investment strategy and recent approved schemes are all on track:

Premdor Business Hub (Osier House) As previously reported the construction of Osier House has been completed, but last minute transfer issues are being agreed before transfer to BDC ownership can take place.

COMMUNICATIONS AND MARKETING

Sponsorship

As part of the Better at Business initiative across the authority, Comms and Marketing were targeted to increase their income generation. The Sponsorship Programme is still continuing to be successful and at year end the Team had increased revenue by over £66K and advertising over £15K. This equates to 70% of roundabouts, with advertising consent having been sold.

Due to increased commercial activity, the Marketing Team has been busy with a significant increase in press releases and social media campaigns across the full range of BDC activities: Spirit Tasting experience promotion, Easter Heritage Hunt, Museum Trust, Springwood Drive, Braintree grow on - spade in the ground, Job Fair, Fly-tipping successful prosecution cases PR.

Staff Engagement Survey

In March, the Marketing Department undertook a Staff Engagement Survey with the following results:

90.5% of staff are satisfied with the Council as an employer

75.7% feel valued

78.4% feel they are given the opportunity and support to develop at BDC

90.5% of staff feel that they are kept up-to-date with corporate news and information.

HR AND ORGANISATIONAL DEVELOPMENT

Again, KPIs for the performance of the HR Service are all showing green indicators indicating healthy and motivated staff: low staff turnover %, low levels of sickness however, the anticipated increase in sickness in Q4 did not materialise and the outturn for the year is below the KPI of 8, finishing at 7.8, which compares favourably with the private sector.

Employee of the Month Award Winners

As a regular report I like to give an update on the members of staff who have been recognised for outstanding work and going the extra mile. I would like to recognise the winner for April, **Lucy Wilson from Community Services.**

“Lucy has developed a set of standards for local businesses to ensure that children and young people are safe in their establishment and to deter perpetrators from operating in and around their premises. The scheme called Spot it Stop It has been nominated for a National Working Group for Child Sexual Exploitation Unsung Hero Award. A separate project of Lucy's called Operation Henderson has been nominated for an award as well. She has worked really hard on two new projects at the same time.”

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**REPORT TO COUNCIL – PORTFOLIO AREA OF
ENVIRONMENT AND PLACE**

Agenda No: 10f

Significant Changes to Animal Welfare Legislation

The licensing system currently enforces primary legislation regards Dog Breeding, Pet shops, Riding Establishments, Animal Boarding Establishments, and the changes to the Animal Welfare Act 2006 allow powers to update this legislation.

Current requirements are outdated, complex, cumbersome and inconsistent and there are challenges to securing compliance. The changes will:-

- Create a single licence
- Update welfare standards
- Include online activities
- Prohibit the sale of puppies below eight weeks in all cases
- Amend the statutory threshold for dog breeding to: breeding 3 or more litters in any 12 month period, anyone advertising a business of selling dogs
- Guidance will be provided to Local Authorities which will cover the new administration procedure

Draft regulations were laid before Parliament in February 2018 and the regulations are due to commence from 1st October 2018. It worth noting that Dangerous Wild Animal and Zoo Licensing are not included in the changes.

Street Trading Prosecution

Braintree District Council took a prosecution on 8th March 2018 against an unlicensed Street Trader in Witham. The defendant failed to attend Chelmsford Magistrates Court. The Magistrates proceeded to hear the case in their absence. The Magistrates found the offences proved in absence and after hearing the defendant's antecedent history, sentenced the defendant as follows: Fine of £1,000, Victim Surcharge £100 and Costs £672. Total of £1,772.

As the defendant has been trading intermittently since the prosecution the Licensing Team has appointed Legal Counsel to help formulate the best way to proceed. They will ideally refer another set of prosecutions to court and then seek a County Court injunction.

Highways

Operations have received additional equipment for the Highway Rangers funded from the Braintree Local Highway Panel (£16.5k). This includes a ride-on brush mower, 2x pedestrian mulch mowers and a goods trailer. The new equipment will help the Council to continue to provide a wide ranging service for the benefit of all those who reside, work or visit the District.

Street Cleansing

A litter-pick of the A120 in conjunction with the Great British Spring Clean commenced

late March/early April – somewhat later than normal owing to the inclement weather. This was a major undertaking and the teams worked extremely hard to remove 80 bags of litter and 45 tonnes of road sweepings including roadkill, tyres, car parts and other debris that accumulates along this stretch of road. Litter picks requiring traffic management were also completed mid/late April along the B1018 from the Wyevale Roundabout to Cressing village and along the B1053 from Braintree to Shalford.

Parks and Play Areas

The annual ROSPA safety audit of all the Council's play areas has been completed and this information has been used to inform a programme of play equipment maintenance for the current year, for which the Council will invite quotes.

The Council recently installed a 'Listening Bench', fully funded by Essex County Council, in Witham Town Park to teach visitors about Witham's history. Unfortunately, just four months after it was unveiled the bench was vandalised and left unusable and so it has been removed. Repairs have been made and officers are currently awaiting advice from the County Council in relation to relocating the bench.

Landscapes

Throughout June, July, August and September contractors, on behalf of Essex Wildlife Trust, will be working on the River Brain, John Ray Park, and River Blackwater, Bocking Blackwater Nature Reserve, to remove Floating Pennywort. This is an alien species which forms dense mats on waterways depriving rivers of oxygen etc. The contractors will try to remove as much as possible by hand but may need to spray certain areas. This will be utilising all necessary Health and Safety measures.

Community Safety

I attended a training day for primary school pupils at the Town Hall, this covered sessions on personal, road and fire safety and health and well-being. The agencies that provided the sessions did an excellent job of keeping the youngsters interested whilst they were learning. 75 children from 14 schools attended and as part of the workshop the children came up with ways of taking the messages learnt back into school to deliver to their peers.

I also attended a photo session with 3 Witham Taxi Drivers who have had CCTV installed in their taxis, part funded by the Community Safety Partnership.

Civilian Military Partnership Board

Tim Lucas and I attended the Board on March 13th. A presentation was given by Colchester Institute on their Building Hero's programme. This assists military veterans who are leaving the forces by providing building skills. More than 200 have completed the courses of whom 93% have obtained employment.

Tim gave a presentation of the new Homeless Reduction Act citing that people from the Armed Forces will still have an extra priority.

Essex Police Fire and Crime Panel

I attended the PF&C Commissioners Annual Conference of which the overall theme was collaboration. Speakers included James Cleverly M.P., the Commissioner and Jo Turton, the new Chief Fire Officer.

The 12th April PF&C Panel meeting mainly consisted of the quarterly performance report. Highlights from Essex Police included Special Constables provided an increase of 12% of service. Tackling gangs and organised crime in 2017 resulted in £346,820 of

cash, £684,530 of drugs and 149 weapons being seized and 668 arrests made. Essex Fire and Rescue saw a reduction by 18% of fire incidents.

Of the 150 extra officers who will be employed Braintree and Uttlesford will have 9 extra officers.

It has been announced the Chief Constable, Stephen Kavanagh will be retiring in September after 33 years' service.

Councillor Mrs Wendy Schmitt
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REPORT TO COUNCIL – PORTFOLIO AREA OF HEALTH AND COMMUNITIES

Agenda No: 10g

HEALTH AND LEISURE

Cycling Action Plan

Essex Highways has produced a Cycling Action Plan for the Braintree District.

The aims of the Action Plan are to: -

- Identify how cycling levels can be increased in the District
- Seek funding for new cycling schemes in Braintree District through the Highways Panel and Section 106 Agreements
- Create a usable, high-quality cycle network that connects residential areas with key employment locations, railway stations and town centres and encourages leisure cycling
- Create opportunities to increase recreational cycling in Braintree District

There are a number of key recommendations contained within the plan, including proposed new cycle routes and joining up existing routes within our three towns. These can be found on pages 72-80 of the Action Plan.

These plans have not been subject to any detailed scheme design or feasibility. It would be helpful therefore if those Members whose Ward is located in the three towns were to look at the action plan and provide feedback to Essex Highways through the following link:-

<http://www.essexhighways.org/uploads/files/Getting%20Around/Cycling/Braintree-District-Cycling-Action-Plan.pdf>

Essex
Highways

**Braintree District Cycling
Action Plan**

Highways/ Transport Planning

January 2018



RINGWAY
JACOBS

Essex County Council

Local Football Facilities Plan

The Football Association, in partnership with the Premier League, Sport England and the Department of Culture Media and Sport (DCMS), is making a major investment in local grass roots football over the next 10 years. Officers will be working with the Football Association over the next few months to develop this Plan.

Town Hall Marketing Plan

A review has been carried out of the activities at the Town Hall with a view to improving the facilities and income. A new range of events including afternoon teas, casino nights and food and drink tasting that links into the Council grape and grain trails have all been planned. Copies of the Plan are available on request from Joby.Humm@braintree.gov.uk.

Livewell Child

The Livewell Child project has now been running for 12 months. We are currently reviewing the current scheme to identify successes and learning points with a view to seeking funding to roll the scheme out to other areas across the District over the next two years.

Aqua Fitness Conference

The first ever UK Aquatic Fitness Conference took place at Braintree Swim and Fitness Centre on Sunday 27th May 2018.

Aqua fitness instructors and enthusiasts from across Europe had a unique opportunity to learn new techniques and were inspired to share new ideas with four international aquatic professionals, an aqua Zumba mentor, A YMCA tutor and a health expert.

Fusion Membership Audit and rationalisation

Fusion Lifestyle, which manages the Council's leisure facilities, is reviewing its membership pricing structure to provide uniformity across its centres and to rationalise old legacy memberships.

Their prices are designed to be competitive with the private sector and are outside of the scope of the formal contract arrangements, but in order to remain competitive the price increases are not substantial. Around 1,000 members are affected and are being contacted by personal e-mail, letter or telephone call to advise them of how the changes will affect them.

However, most charges for using the facilities are within the Council's control and these were fixed through the Council's normal governance procedures.

Active Braintree Network

The Active Braintree Network is developing really well with representatives from the partnership working together to influence positive physical activity. These now include colleagues from Provide Health, Barnardos, Essex County Cricket, Essex County Football Association, Essex County Youth Services, Greenfields Community Association. With funding from Sport England approved to really look at culture and behaviour change towards "moving more" for the inactive population, these groups on the network can make a significant difference in unlocking contact with this demographic.

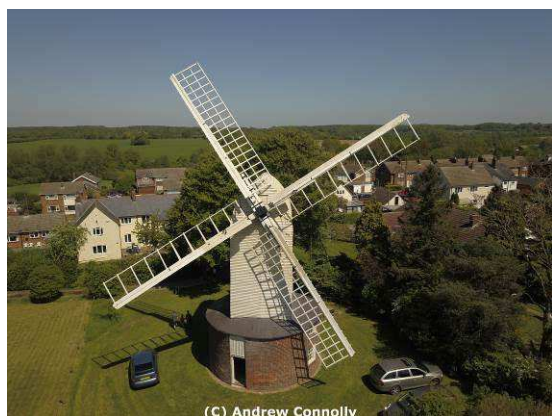
The Charity arm of the Active Braintree Foundation is now up and running and this year is being supported by the Chairman, Cllr. Vanessa Santomauro, as one of the Chairman's charities for 2018-19 year.

Dementia Friendly Tea Dances at the Town Hall

The dementia friendly tea dances are a great success. However they have been so popular in reaching residents with the condition that they have outgrown their venue in the main chamber at the Town Hall. Officers are looking to find a suitable ground floor hall which can accommodate the dancers and carers in order to provide all the facilities needed.

Heritage – Bocking Windmill

In my last report to Council I informed Members that Bocking Windmill will be opening to the public on at least four occasions during the year. On the 7th May opening, which coincided with Bocking Village Fair, over 300 people, who were mainly families, attended.



COMMUNITY SERVICES

Councillor Community Grant Scheme

Members will have had an end of year report for the Councillor Community Grant Scheme. I am grateful for the guidance and support of the Chair and Members of the Steering Group, and the Officers who process the Grants, who have all helped make the scheme a great success.

Community Transport

We are offering Community Transport members a range of day trips during the months of June to September 2018. Door-to-door transport will be provided in the fully accessible minibuses, driven by volunteers. Thirteen trips have been planned to places of interest such as garden centres and various seaside locations, costs range from £18 to £20 per person. To date there have been 174 bookings which have proved particularly popular with our wheelchair users.

Partnership Agreements

The one year partnerships agreements for 2018/19 with Community360 and the CAB have been signed and first instalments made. Over the course of this year we will be working with both organisations to look at how we can continue to collectively support our communities.

Dementia Cinema Sessions will take place at the Halstead Empire Theatre on a monthly basis from 7th June 2018. Funding from the Councillors Community Grants has contributed to the introduction of these sessions which will enable people living with dementia and their carers free entry and refreshments.

A community event was held enabling residents to consider the research findings looking at tackling of the social isolation and loneliness Halstead Connected project. The below picture shows the range of feedback provided by residents which will be fed into the final report from the Young Foundation.



We are expecting the final report from the Young Foundation by the end of May 2018 which officers will use to identify future work and share learning.

Maltings Lane Development Community Facilities – Witham

We are currently in the process of appointing consultants who will help us to work with the community to identify what type of facilities they would like. This will start following the school summer holidays.

Councillor Peter Tattersley
Cabinet Member for Health and Communities

Contact:	Councillor Peter Tattersley
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List of Public Meetings Held Since Last Council Meeting		Agenda No:11
Portfolio: Not applicable Corporate Outcome: Not applicable Report presented by: Not applicable Report prepared by: Chloe Glock, Governance Business Officer		
Background Papers:		Public Report
Published Minutes of the meetings listed within the report below.		Key Decision: No
Executive Summary: <p>Since the last Council meeting held on 23rd April 2018, the following Minutes have been published for meetings held in public session:</p> <ul style="list-style-type: none"> (1) Planning Committee – 24th April 2018 (2) Planning Committee – 8th May 2018 (3) Licensing Committee – 9th May 2018 (4) Overview and Scrutiny Committee – 10th May 2018 (5) Cabinet – 14th May 2018 (6) *Local Plan Sub-Committee – 16th May 2018 (7) *Planning Committee – 22nd May 2018 <p>*Those minutes identified by the prefix * were not available at the time of publishing the Agenda, but are intended to be available to view on the Council's website prior to meeting.</p>		
Recommended Decision: <p>Members are invited to note the Minutes published.</p>		
Purpose of Decision: <p>Not applicable.</p>		

Any Corporate implications in relation to the following should be explained in detail.

Financial:	Not applicable
Legal:	Not applicable
Safeguarding:	Not applicable
Equalities/Diversity:	Not applicable
Customer Impact:	Not applicable
Environment and Climate Change:	Not applicable
Consultation/Community Engagement:	Not applicable
Risks:	Not applicable
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