

# CABINET AGENDA

**Monday 6<sup>th</sup> September 2021 at 7:15pm**

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

This meeting is open to the public - This meeting will be available to view via the Council's webcast and YouTube channel

<http://www.braintree.gov.uk>

<http://www.braintree.gov.uk/youtube>

---

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

**Overall Strategy**

Councillor G Butland (Leader of the Council)

**Innovative Environment**

Finance and Corporate Transformation  
The Environment

Councillor J McKee  
Councillor Mrs W Schmitt

**Connecting People, Places and Prosperity**

Economic Growth  
Housing, Assets and Skills  
Planning and Infrastructure

Councillor T Cunningham (Deputy Leader)  
Councillor K Bowers  
Councillor Mrs G Spray

**Supporting Our Communities**

Health and Wellbeing  
Communities

Councillor P Tattersley  
Councillor F Ricci

**Cabinet Support Members:** Councillors I Pritchard (Innovative Environment), J Wrench (Connecting People, Places and Prosperity) and Mrs I Parker (Supporting Our Communities)

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

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

A WRIGHT  
Chief Executive

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

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

Any Member with a DPI, OPI or NPI must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a DPI or OPI or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the Chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

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

The Agenda allows for a period of up to 30 minutes for Public Question Time. Members of the public wishing to participate are requested to register by contacting the Governance and Members Team on 01376 552525 or email [governance@braintree.gov.uk](mailto:governance@braintree.gov.uk) **by midday on the second working day** before the day of the Committee meeting. For example, if the Committee meeting is due to be held on a Tuesday, the registration deadline is midday on Friday, (where there is a bank holiday Monday you will need to register by midday on the previous Thursday).

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

All questions or statements should be concise and should be able to be read within 3 minutes allotted for each question/statement.

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

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

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

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

Public speakers and public attendees are required to attend on their own, and where possible only one representative of any community group, family household or Company should attend.

Members of the public intending to come to Causeway House to observe a meeting are recommended to watch the meeting via the webcast, or to contact the Governance and Members Team to reserve a seat within the public gallery.

### **Health and Safety/COVID:**

Causeway House is a Covid secure building and arrangements are in place to ensure that all visitors are kept safe. Visitors are requested to follow all instructions displayed at Causeway House or given by Officers during the course of their attendance. All visitors will be required to wear a mask or face covering, unless an exemption applies.

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

**Documents:**

Agendas, Reports, Minutes and Public Question Time questions and statements can be accessed via [www.braintree.gov.uk](http://www.braintree.gov.uk)

**Data Processing:**

For further information on how the Council processes data, please see the Council's Privacy Policy.

[https://www.braintree.gov.uk/info/200136/access\\_to\\_information/376/privacy\\_policy](https://www.braintree.gov.uk/info/200136/access_to_information/376/privacy_policy)

**Mobile Phones:**

Please ensure that your mobile phone is switched to silent during the meeting in order to prevent disturbances.

**Webcast and Audio Recording:**

Please note that this meeting will be webcast . You can view webcasts for up to 6 months after the meeting using this link: <http://braintree.public-i.tv/core/portal/home>. The meeting will also be broadcast via the Council's YouTube Channel.

**Comments and Suggestions:**

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

<b>PUBLIC SESSION</b>		<b>Page</b>
<b>1</b>	<b>Apologies for Absence</b>	
<b>2</b>	<b>Declarations of Interest</b>	
	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.	
<b>3</b>	<b>Minutes of the Previous Meeting</b>	
	To approve as a correct record the minutes of the meeting of the Cabinet held on 12 <sup>th</sup> July 2021 (copy previously circulated).	
<b>4</b>	<b>Public Question Time (see paragraph above)</b>	
<b>5</b>	<b><u>OVERALL STRATEGY</u></b>	
<b>5a</b>	<b>First Quarter Performance Report 2021-22</b>	<b>6 - 38</b>
<b>6</b>	<b><u>FINANCE &amp; CORPORATE TRANSFORMATION</u></b>	
<b>6a</b>	<b>Member Development Annual Report</b>	<b>39 - 47</b>
<b>6b</b>	<b>Medium-Term Financial Strategy 2021-22 to 2024-25</b>	<b>48 - 54</b>
<b>7</b>	<b><u>HOUSING, ASSETS AND SKILLS</u></b>	
<b>7a</b>	<b>To agree a ground lease extension for 1 Stepfield, Witham</b>	<b>55 - 58</b>
	There is a Confidential Appendix for this report which is exempt from publication in the public agenda in accordance with Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended). The meeting of Cabinet will move into private session if Members wish to refer to any information set out within the Confidential Appendix.	

## **8 HEALTH AND WELLBEING**

### **8a Braintree District Council Leisure Provision from August 2022** **59 - 62**

There are three Confidential Appendices for this report which are exempt from publication in the public agenda in accordance with Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended). The meeting of Cabinet will move into private session if Members wish to refer to any information set out within the Confidential Appendices.

### **9 Urgent Business - Public Session**

To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.

### **10 Exclusion of the Public and Press**

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

## **PRIVATE SESSION**

**Page**

### **11 To agree a ground lease extension for 1 Stepfield, Witham**

Discussion of the Confidential Appendix to the public report - To agree a ground lease extension for 1 Stepfield, Witham - Agenda item 7a (pages 55 to 58)

### **12 Braintree District Council Leisure Provision from August 2022**

Discussion of the three Confidential Appendices to the public report. - Braintree District Council Leisure Provision from August 2022 - Agenda item 8a (pages 59 to 62)

### **13 Urgent Business - Private Session**

To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.

<b>Report Title:</b> First Quarter Performance Report 2021/22	
<b>Report to:</b> Cabinet	
<b>Date:</b> 6 <sup>th</sup> September 2021	<b>For:</b> To Note
<b>Key Decision:</b> No	<b>Decision Planner Ref No:</b> DP/2021/19
<b>Report Presented by:</b> Councillor Graham Butland - Leader of the Council	
<b>Enquiries to:</b> Tracey Headford, Business Solutions Manager. <a href="mailto:tracey.headford@braintree.gov.uk">tracey.headford@braintree.gov.uk</a> ext 2442	

**1. Purpose of the Report**

1.1 The purpose of the report is to summarise the performance of Braintree District Council (the Council) at the end of the first quarter (April 2021 to June 2021).

**2. Recommendations**

2.1 Cabinet to note the performance of the Council for the first quarter (April 2021 to June 2021).

**3. Summary of Issues**

3.1 The Council keeps a record of its performance which is reported to Cabinet every quarter for consideration and noting.

3.2 In the first quarter and as we begin to emerge from lockdown, a number of projects that have previously been delayed, have been reviewed and brought back on track. As the existing Annual Plan has been extended until September 2021, this provided many projects with the time they needed to be able to focus on completing what they set out to achieve.

3.3 As at the end of June 2021, thirteen projects are complete with 39 projects on track and progressing well. One project has an amber status due to delays incurred.

3.4 Targets have not been set for all our performance indicators due to the disproportionate impact of the pandemic and will be reviewed over the coming months to see how we need to adjust targets for the future. For the targets that remain, six performance indicators have met or exceed target and seven performance indicators have missed their target. Two have missed target by less than 5% and five missed their target by more than 5%. The areas of underperformance are in relation to the kilograms of waste collected (<5%), the collection rate for Council Tax (<5%), recycling rates (>5%), average waiting time for disabled facility grants (>5%), average call answering time in the Customer Service Centre (>5%), the percentage of invoices paid within 30 days (>5%) and the collection rate for Business rates (>5%).

- 3.5 The Finance section of the report provides an updated review of the financial position for the year. It examines the latest forecast for spending on day-to-day service provision compared to the budget for the year. Also included is a summary of treasury management activities; projected movements on the General Fund balance; and a summary of spending to date on capital projects. An update is also provided on the financial impact arising from the current COVID-19 pandemic.
- 3.6 The outturn financial position for the quarter is as follows:
- Taking into account the projected impact of Covid and variations to the base budget, the net budget position forecast for the year is a positive variance of £252,000.
  - The estimated budget impact of the pandemic in 2021/22 is £1.213m. This is expected to be partially offset by funding received from government leaving a net projected variance due to Covid of £278,000.
  - The forecast position regarding the base budget is a positive variance of £530,000.
  - After taking into account other planned movements in balances, the projected change in General Fund unallocated balances is a reduction of £384,000.
  - Expenditure of £5.53m on capital projects during the quarter, with spending mainly being incurred on: Horizon 120 business park infrastructure, now completed; the new Horizon 120 Enterprise Centre; I-Construct; Manor Street regeneration scheme; and the Halstead Leisure Centre artificial grass pitch.

#### **4. Options**

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

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

- 5.1 The performance report will go to Performance Management Scrutiny Committee for consideration on the 22<sup>nd</sup> September 2021

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

- 6.1 The report provides an update as to the financial position as at the end of the June 2021 covering the revenue and capital outturn for this period.

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

- 7.1 There are no legal implications arising from this report

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

- 8.1 There has been some impact due to the Covid-19 pandemic and the report will include detail of the Council's response. Information is included on how we intend to support residents, communities and businesses moving forward. A summary of complaints received each quarter, analysed by outcome (justified, partially justified or not justified) is provided.

8.2 The Enhancing our Environment priority has a number of actions that are designed to have a positive impact on the environment and climate change.

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

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

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

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

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

## **10. List of Appendices**

10.1 Appendix 1 – First Quarter Performance Management Report 2021/22

## **11. Background Papers**

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

# FIRST QUARTER PERFORMANCE MANAGEMENT REPORT

1ST APRIL 2021 TO 30TH JUNE 2021

## Contents

<b>Section 1: Introduction and Summary</b>	<b>page</b>
• Purpose of the Report	3
• Summary of the Projects	3
• Summary of the Performance Indicators	4
<b>Section 2: Delivering our Corporate Strategy</b>	<b>5</b>
Connecting People and Places	5
Enhancing our Environment	7
Supporting our Communities	9
Promoting Prosperity	11
Delivering and Innovating	13
<b>Section 3: Managing the business</b>	
• Performance Indicators in detail	15
Connecting People and Places	15
Enhancing our Environment	15
Supporting our Communities	15
Promoting Prosperity	16
Delivering and Innovating	16
• Complaints	18
• Our Organisation	19
• Health and Safety	20
• Financial Performance	21
Financial Position Statement	21
Capital Investment	29

## Section 1: Introduction and Summary

### Purpose of the Report

The purpose of the report is to demonstrate the performance of the Council at the end of the first quarter and the end of the financial year in relation to the publication of the 'Annual Plan 2020/21' which has been extended until September 2021. This sets out the key activities and measures used to check our performance for the year and along with the Corporate Strategy 2020-2024 sets out the priorities we are working towards. Further detail is given in relation to a set of business performance indicators covering finances, customer focus, our people and health and safety.

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

### Summary of the Corporate Projects current position for the end of the first quarter

The following table provides updates for the end of the first quarter in relation to the key activities in the 'Annual Plan 2020/21'

Corporate Priorities	Status of projects and actions				
					
Connecting People and Places	1	9	0	0	0
Enhancing our Environment	4	5	0	0	0
Supporting our Communities	4	10	0	0	0
Promoting Prosperity	1	8	1	0	0
Delivering and Innovating	3	7	0	0	0
<b>TOTAL</b>	<b>13</b>	<b>39</b>	<b>1</b>	<b>0</b>	<b>0</b>

#### KEY:

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

## **Summary of the Performance Indicators position for the end of the first quarter**

The following table shows the performance for the end of the first quarter in relation to the quarterly reported Performance Indicators that have targets set as defined in the 'Annual Plan 2020/21'.

Corporate Priorities	Status of indicators			
				Data Only
Connecting People and Places	2	0	0	1
Enhancing our Environment	1	1	1	1
Supporting our Communities	0	0	1	3
Promoting Prosperity	0	0	0	5
Delivering and Innovating	3	1	3	1
<b>TOTAL</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>11</b>

KEY:

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

## **Summary Position**

In the first quarter and as we begin to emerge from lockdown, a number of projects that have previously been delayed, have been reviewed and brought back on track. As the existing Annual Plan has been extended until September 2021, this provided many projects with the time they needed to be able to focus on completing what they set out to achieve.

As at the end of the June 2021, thirteen projects are complete with 39 projects on track and progressing well. One projects has an amber status due to delays incurred.

Targets have not been set for all our performance indicators due to the disproportionate impact of the pandemic and will be reviewed over the coming months to see how we need to adjust targets for the future. For the targets that remain, six performance indicators have met or exceed target and seven performance indicators have missed their target. Two have missed target by less than 5% and five missed their target by more than 5%. The areas of underperformance are in relation to the kilograms of waste collected (<5%), the collection rate for Council Tax (<5%), recycling rates (>5%), average waiting time for disabled facility grants (>5%), average call answering time in the Customer Service Centre (>5%), the percentage of invoices paid within 30 days (>5%) and the collection rate for Business rates (>5%).

## Section 2: Delivering our Corporate Strategy



### Actions carried out by Braintree District Council

Project description and comments	Status
<b>Develop the Braintree District Local Plan and provide a vision for the future growth of the district</b>	
The hearings for Section two of Local Plan are due to be held in July after such time as the Inspectors will advise of the next steps and timetable. It is hoped that this will remain on track for approval around the end of the year	
<b>Complete the pedestrianisation of Braintree Town Centre improving the attractiveness of the area and creating a safer and healthier environment</b>	
A new contractor was appointed in April to resume the construction work and will be completed in phases. Works are progressing well with a main section of the paving work in the high street now completed with paving work moving into Great Square. The tarmac has also been laid in Market Place ready for the resin and paving.	
<b>Progress construction of the Victoria Square development creating a vibrant hub for the Braintree Town centre</b>	
Building work on the regeneration project continues to progress according to plan.	
<b>Continue to work on the redevelopment of the entrance of Witham Town Park providing greater accessibility and improved public realm</b>	
Contractors are now on site and working on the redevelopment of the entrance of Witham Town Park. The project is due to be completed in the second quarter.	
<b>Enable to delivery of 150 affordable homes across the district</b>	
A total of 220 affordable homes were delivered in 2020/21. In the first quarter of the 2021/22, a further 91 affordable homes have been delivered.	
<b>Support our town centres to open for business safely and recover from the impact of the Covid-19 pandemic</b>	
Ongoing support is being provided to businesses in the town centres under our Safer Places working group. This includes the employment of covid ambassadors on the High Street and the provision of materials including stickers and posters funded from the reopening High Streets fund. Millions of pounds of grants have been provided to businesses on the High Streets and elsewhere. The shop local campaign is ongoing, alongside tourism messaging through the District tourism website and event planning is being undertaken with a view to relaunching street markets in August. Final confirmation on the award for Welcome Back funding is awaited from government which will trigger numerous town centre projects if approved.	

## Actions carried out in partnership with others

Project description and comments	Status
<b>Invest in resource and connectivity to support business growth and expansion including the planning and delivery of highway schemes across the district</b>	
<p>This is a long term action and there are a number of highway schemes planned across the district and Braintree District Council and Essex County Council meet regularly to discuss delivery of the schemes. The scheme to extend the A120 to the A12 is included in the Governments latest Road Investment Strategy as a pipeline project that will undergo further analysis and design work for consideration for potential future investment. The proposals for improving this stretch road were initially developed by Essex County Council. This project has now been passed over to Highways England who continue to carry out a validation exercise of all the work that has been done. Once completed, the validation will establish if further work needs to be done in order to progress the scheme. In respect of the A12 widening scheme between junction 19 and junction 25 to ease congestion and cope with increasing traffic demands, Highways England have launched a public consultation, virtual exhibition, webinars and public exhibitions in June 2021 running until the 16th August 2021 on the proposed improvements on this stretch of road and the likely significant environmental effects. The responses will help to shape the proposed improvements before Highways England submit the development consent order application intended for submission in the spring/summer of 2022. An infrastructure officer to lead our involvement in infrastructure projects is now in place</p>	
<b>Continue to support and monitor Superfast Essex in the delivery of Superfast Broadband across the district</b>	
<p>Braintree district is currently at 95% of premises able to access superfast broadband. The district is forecasted to reach 99% coverage within 3 years. The district wide take up of superfast broadband is currently at 30%. Residents can continue to check the work happening in their area by viewing interactive maps now available on the Superfast Essex website (<a href="http://superfastessex.org">superfastessex.org</a>).</p>	
<b>Continue to support NHS England to improve health facilities across the district</b>	
<p>The Council has been working with Mid Essex Clinical Commissioning Group and Hedingham Medical Centre to evaluate bids following a tender process to bring forward a new health care facility in Sible Hedingham. New River Retail are in direct discussions with the NHS and Mid Essex Clinical Commissioning Group regarding health facilities in Witham and New River Retail are waiting to receive a commitment from the NHS before submitting their planning application.</p>	
<b>Support our residents and businesses to develop the skills needed to support the economy</b>	
<p>We continue to signpost enquiries to the schemes that have been set up to support skills development including support to Essex County Council on schemes including Kickstart, apprenticeships and virtual job fairs. A details programme of support for skills and business support is being worked on and will be implemented over the summer</p>	

# ENHANCING OUR ENVIRONMENT



## Actions carried out by Braintree District Council

Project description and comments	Status
<b>Carry out improvements to our recreational open spaces including the provision of all-inclusive play facilities for young people to enjoy</b>	
Improvements works are now complete in all four play areas: Albert Moss Recreational Gardens in Rivenhall, Braintree and Bocking public gardens in Braintree, Notley Community Hall play area in Notley Green and Bramble Road in Witham.	✓
<b>Investigate the provision of an eco-friendly woodland alternative to traditional burials at Braintree Cemetery in London Road</b>	
A feasibility study has been carried out which concluded that an eco-friendly woodland alternative to traditional burials is not suitable at Braintree Cemetery. However, the feasibility study has identified that there is additional capacity at the cemetery for traditional burials subject to drainage works being carried out.	✓
<b>Create gardens of remembrance at some of our cemeteries providing peaceful environments for families to visit</b>	
This project has now been resurrected. The tender for the works required has been awarded and a project meeting has been set up with the contractor.	▶
<b>Protect further areas of public open space against unauthorised encampments</b>	
Works are now completed in all four areas identified to install protection measures against unauthorised encampments	✓
<b>Respond to requirements from the Environment Bill in relation to waste and resources efficiency whilst supporting our climate change objectives</b>	
The Council has provided responses to the government consultations around Extended Producer Responsibility, Deposit Return Scheme, Environmental Principles Draft Policy Statement and a Waste Prevention Programme. A further consultation on Consistency of Collection of Household Waste will be responded to by the 4 <sup>th</sup> July.	▶
<b>Research and trial alternative fuel vehicles for some of our front line services</b>	
Quotations are being received from UK power networks for the green infrastructure required to support electric vehicles. Further research on electric vehicles will be undertaken as part of the waste management review happening later this year.	▶
<b>Raise awareness of duty of care and fines in relation to litter and waste offences through targeted campaigns</b>	
The Council has continued to raise awareness through targeted campaigns on our social media channels regarding litter as people start to spend more time outside.	✓

## Actions carried out in partnership with others

Project description and comments	Status
<p><b>Trial anti-littering signage along some of our strategic routes across the district to discourage roadside littering.</b></p>	
<p>The 12 month trial that commenced in November 2020 continues and we are now more than halfway through the trial and on target to carry out evaluation at the end of the year. Working in partnership with Essex County Council as the Highways Authority, the signs are being trialled in five locations and monitored by litter-picks, to see if they deter people from littering.</p>	
<p><b>Review and update the Climate Change Local Strategy for the next four years focusing on the areas below to support the delivery of our 2030 targets through the Climate Change Working Group.</b></p> <ul style="list-style-type: none"> <li>- Resources</li> <li>- Energy Use</li> <li>- Planning and Development</li> <li>- Transport</li> <li>- Council Assets and Operations</li> <li>- Natural Environment</li> <li>- Adapting to climate change</li> </ul>	
<p>The draft Climate Change Strategy and draft Cycling Strategy were approved at Full Council in March 2021. Both strategies went out to public consultation in May 2021 for an eight week period closing on the 4<sup>th</sup> July 2021.</p>	

# SUPPORTING OUR COMMUNITIES



## Actions carried out by Braintree District Council

Project description and comments	Status
<b>Improve the sport facilities at Braintree Sports and Leisure Centre, creating high quality amenities for the community to use</b>	
The refurbishments to the athletics track at Braintree Sports and Leisure Centre are now completed. With regards to replacing the 3G surface, we are awaiting the written agreement from Tabor Academy regarding their contribution towards the costs.	
<b>Provide a new footpath and resurface the rear of Rivenhall village hall to improve accessibility to a much used community building</b>	
The works to provide a new footpath and to resurface the rear of Rivenhall Village Hall are now complete.	
<b>Upgrade the CCTV in Halstead and Braintree using new technology to improve the effectiveness of the systems</b>	
Open reach have installed the new fibre optic links and the new digital cameras were installed in March 2021.	
Upgrade to CCTV in Braintree will be carried out following completion of the pedestrianisation work which is currently ongoing	
<b>Commence development of the 3G pitch at Halstead Leisure Centre</b>	
The artificial football pitch was completed ahead of schedule and is now open for bookings. The football pitch is not only a full sized pitch but has 9, 7 and 5 a side pitch markings. The pitch provides improved facilities for residents and local clubs and will be used by students of Ramsey Academy through a joint use agreement. Following discussions with stakeholders, it was agreed for the new pitch to be named the 'Calum Leys Memorial Pitch' in tribute to the former Ramsey Academy PE teacher, Head of School and much admired member of the Halstead Community.	

## Actions carried out in partnership with others

Project description and comments	Status
<b>Continue with Livewell Child initiatives to support families to live healthier lives and become more active</b>	
Work has continued looking primarily at mental health and how the Embers the Dragon project can be re-introduced to schools. Talks have also been taking place to start a new link project between Livewell child, Fusion and Tabor Academy through piloting a new	

after school activity programme through a rewards system that children can accrue and redeem. During the first quarter, we have also engaged with four Livewell primary schools regarding climate change to obtain the views of the younger generation as part of the climate change engagement process.	
<b>Improve awareness of mental health services, identifying gaps in service provision and potential opportunities for partnership working</b>	
Conversations have taken place with public health practitioners regarding a potential drop in crisis café with the Council currently looking at venues and funding opportunities to take this forward. A recovery for growth working group has been established to identify with partners how we can use allotments to improve mental health as well as reduce isolation. An action plan of key projects is being worked on. A Mental Health Awareness week took place within the Council in May 2021 allowing staff to meet the mental health first aiders and take part in either Pilates, meditation, Walk & Talk 4 Men or a craft session.	
<b>Work with communities to influence the planning of the area in which they live through the development of local neighbourhood plans</b>	
The Coggeshall Neighbourhood Plan has had a successful referendum and will be going to Council in July for adoption. An examiner for the Salings Neighbourhood Plan has been appointed and the process will begin shortly. The Kelvedon Neighbourhood Plan is expected to be submitted in July and will be subject to consultation in due course.	
<b>Reduce the number of rough sleepers across the district by developing a range of support services</b>	
Additional funding has been received from MCHLG through the Rough Sleeping Initiative to help provide vital services to those who need it most. Through partnership working, the housing service now have access to a mental health navigator to help individuals with more complex needs move away from rough sleeping.	
<b>Continue to develop a range of initiatives to address social isolation and loneliness across the district</b>	
There have been a number of community engagement events taking place and we have used the opportunity to talk to people about whether they feel lonely or socially isolated and signposting them to Community 360 or other befriending services or activities that are opening up.	
<b>Continue to work with Community 360 to support volunteers across the district harnessing the energy of new volunteers</b>	
The Council has provided funding to Community 360 to continue to expand on the work they have been doing for the past 10 months in supporting vulnerable people in the district during the pandemic. This will be done through volunteer recruitment and co-ordination. During the first quarter, volunteers have made 247 befriending/welfare calls, distributed over 100 food vouchers & collected/delivered over 50 food parcels.	
<b>Provide support and assistance to the most vulnerable people across our district in response to Covid-19 through the Community Hub</b>	
Over the 2020/21 year the community hub dealt with 413 referrals for a variety of support including food shopping, collection and delivery of food parcels, prescription delivery, mental health calls and befriending. We made contact with 3121 individuals deemed clinically extremely vulnerable and 127 people identified as shielding. Ongoing support is now being provided by Community 360.	
<b>Support our communities and local organisations to respond to issues that have emerged from the Covid-19 pandemic increasing long term strength and resilience</b>	
We continue to provide funding to Community 360 enabling them to build on the work they have been doing in supporting vulnerable people in the district during the pandemic. During the first quarter, volunteers have made 247 befriending/welfare calls, distributed over 100 food vouchers & collected/delivered over 50 food parcels.	
In the first quarter, the Councillor Community Grant scheme has awarded 16 grants to the value of £15,538. Thirteen members contributed to a £6,000 grant to Braintree Museum Trust to deliver the summer 2021 exhibition 'Space: Fact and Fiction'	

# PROMOTING PROSPERITY



## Actions carried out by Braintree District Council

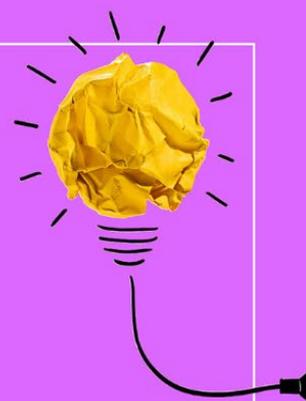
Project description and comments	Status
<b>Commence construction of the Horizon 120 Business and Innovation Park</b>	
The main infrastructure will be completed in July with only some soft landscaping remaining. 6.3 acres of the site are sold and contracts exchanged on a further 6.78 acres	
<b>Commence the build of the I-Construct Innovation in Construction Hub at the Braintree Enterprise Centre</b>	
Building work is progressing well on the I-Construct hub and the building is taking shape with 80% of the zinc cladding now complete. A subcontractor has gone into administration pushing completion of the site back to September 2021	
<b>Carry out restoration works to the Bocking Windmill to preserve the building for future generations to enjoy</b>	
Works to replace the sails on Bocking windmill continue with the sails being manufactured at the millwrights in Suffolk. We are awaiting a date from the manufacturers to re-install the sails.	
<b>Raise the profile of the Braintree District as a place to do business</b>	
The shop local campaign is ongoing with 'click it local' launching in April allowing local independent shops to showcase their products to customers in the area. Shoppers can then buy items online and have them delivered in one package, or 'click and collect' themselves. Planning is also being undertaken with a view to relaunching street markets in Braintree in August. Halstead High Street was celebrated in the Daily Telegraph as a great place to visit because of its independent businesses.	
<b>Provide business and employment support and advice for those affected by the Covid-19 pandemic</b>	
Support continues to be provided to businesses and individuals through either the business newsletter, closed Facebook page, over the phone or through the daily patrols of the Town centres and interactions with businesses. This includes providing advice and information on the business grants available for those affected by the pandemic.	
<b>Minimise the barriers to economic growth and support the needs of businesses to start up, innovate and grow.</b>	
The Council continues to provide support to businesses and to signpost those looking to start or to grow to schemes, advice and support that will aid their businesses. This includes the young entrepreneur grant programme and a further success story has been highlighted recently where a young person who was awarded £3,000 from the grant has built a gym to offer clients private personal training sessions. She also used the money she received to create a website to promote her services.	

<b>Continue to work with businesses to make physical improvements to industrial areas in the district</b>	
Ten businesses across six industrial estates in the district have secured the funding needed to improve the external appearance of their premises. Grants of up to £5,000 were offered to businesses willing to match the funds.	

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

Project description and comments	Status
<b>Help to strengthen economic recovery across the district working towards the shared vision in the North Essex Economic Strategy</b>	
Working in partnership with colleagues in other authorities, the Council has secured 1.7million pounds to spend on business support across the area up to March 2022. An agreement programme of early phase projects has been completed which include a local shopping network, communications approach, supporting Essex County Council on schemes including Kickstart and apprenticeships and a virtual job fayre. A detailed programme of support for skills and business support is being considered. Recruitment to the programme officer post was unsuccessful and the Board are currently considering the opportunity to get in some interim support.	
<b>Identify education and retraining programmes and actively promote these enabling access new work opportunities</b>	
Officers continue to actively promote and make referrals to local and national education and retraining schemes. As part of the North Essex Economic Board work, plans are underway to host a virtual Job Fair in July to support people to become economically active, this will include apprenticeship opportunities. Officers are also promoting the opportunities available via the Essex Apprenticeship Hub and Essex Kickstart scheme	
<b>Maximise opportunities for businesses in the district to access grant funding</b>	
All grant funding information is provided to businesses on a regular basis through the Braintree district business facebook page and business newsletter. Through the various business grant schemes that have been launched throughout the pandemic, the Council has processed over 10,500 grants issuing more than £54million in grants. Details of other grants to kick start new business ideas, support and grow businesses are also included in newsletters and on our website.	

# DELIVERING AND INNOVATING



## Actions carried out by Braintree District Council

Project description and comments	Status
<b>Address the challenges of reduced income from Government funding and as a result of Covid-19, by working collectively across the organisation to reduce costs and improve services without impacting on service delivery by being efficient, effective and commercially focussed.</b>	
It is still expected that the majority of reduced income will be covered by support received from Central Government. The Government has provided the Council with Emergency Funding of £0.68m in 2021/22 to help meet the impact of the Covid pandemic on the Council's finances and has also confirmed the continuation of the income losses compensation scheme for the first quarter of 2021/22. The scheme provides compensation at the rate of 75p in £ for losses above a threshold of 5% against budget. It is expected that an application for this compensation will be submitted to the Government during the second quarter. The Investment and Development Programme set up to address the budget gap is now embedded within the organisation and has a current pipeline of projects to the value of £1.86m across Strategic Investment, Asset Management, Treasury Management, Commercial and Organisational Impact workstreams.	▶
<b>Address the challenges and recognise the opportunities of the changing work environment as a result of Covid-19 for the whole organisation including steering staff and members through the recovery journey</b>	
The Council will be progressing with a hybrid working model of staff predominantly working from home and working in the office to meet the needs of the business. This will allow for new ways of working to be taken forward. A manager's conference will be held in the second quarter focussing on the £1.6m challenge which will also be launched across the Council providing staff the opportunity to suggest saving ideas.	▶
<b>Upgrade our website to comply with the web accessibility regulations enabling residents, visitors and businesses to transact with us easily</b>	
The Council's website has been upgraded and the new version went live at the end of November 2020 to comply with the web accessibility regulations.	✓
<b>Review our Asset Management Strategy to ensure Council assets are fit for purpose, managed effectively and provide a valuable income stream for the Council</b>	
The Asset Management Strategy has been reviewed and will be incorporated into the overarching Corporate Investment and Development Strategy.	✓
<b>Use customer information and feedback to improve services ensuring they remain customer friendly whilst working towards retaining the customer service excellence standard for the authority</b>	
The Customer Service Excellence Assessment took place in April 2021 and the Council have successfully retained the accreditation for the sixth year in a row. The assessor	✓

applauded the Council for its approach to the pandemic and the work to ensure services continued to be delivered and meet the needs of its customers. Seven areas of the assessment were awarded compliance plus.	
<b>Continue to develop relationships with Town and Parish Councils</b>	
We continue to have monthly meetings with Town and Parish Clerks, and the agenda is determined by all parties based on emerging issues. Weekly newsletters are sent out updating on the latest district news, Covid related issues and emerging priorities.	

## Actions carried out in partnership with others

Project description and comments	Status
<b>Consider and determine the future approach of our leisure services</b>	
A recommendation paper will be going to Cabinet in September 2021 on the options for the future approach of our leisure services which includes looking at the financial recovery following the pandemic.	
<b>Look to develop health priorities in various localities within the district in partnership with the newly formed NHS Primary Care Networks</b>	
Talks have started to resume with Primary Care Networks and discussions have taken place with the Colne Valley Primary Care Network with regards to working together on a low carb project. Doctors from the Colne Valley Surgery will be presenting their proposal to the Health and Wellbeing panel.	
<b>Continue to improve health and wellbeing across the district through our work with Health and Wellbeing partners</b>	
The Health and Wellbeing Panel have been working together to deliver the Covid response to residents in our District. In particular the partners have provided assistance to shielding residents and providing children's activities during the school holidays. The Health & Well-being Panel are now reviewing their terms of reference and the priorities of health and wellbeing partners in light of the Covid pandemic.	
<b>Continue to protect local communities and tackle priority problems with the Community Safety Partnership</b>	
The Community Safety Partnership has established a local exploitation group to look at the growing number of cases of young people being exploited either online or in the community. This group is a multi-agency group and will focus on early intervention and prevention as well as identifying hot spot areas across the district. The partnership has also provided a range of information to the community around the use of nitrous oxide, fraud and scams.	

## Section 3: Managing the Business

### Our Performance Indicators in Detail

Performance Indicator	2021/22						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
<b>CONNECTING PEOPLE AND PLACES</b>							
Number of affordable homes delivered	91				37		
Percentage of superfast broadband coverage across the district	95%				n/a	n/a	
Number of homes granted planning permission	916				270		
<b>ENHANCING OUR ENVIRONMENT</b>							
Percentage of household waste sent for reuse, recycling and composting	52.26%				60%		<i>The tonnage of recyclable material was 1,979 tonnes higher this quarter compared to the same period in 2020-21. This was partly offset by a slight increase in residual waste of 131.73 tonnes. The target is an aspirational target set by the Essex Waste Partnership. We will continue with promotional work around waste reduction and increasing recycling to encourage change in attitudes and behaviours.</i>
Kilograms of residual household waste collected per household	119kgs				117kgs		<i>There has been a slight increase in residual waste arising this quarter, which we believe can be attributed to residents continuing to work from home and consequently generating more waste. This is a trend being seen on a local, regional and national level</i>
Percentage of land that falls below cleanliness standards for litter	n/a				6%	n/a	<i>Recorded three times a year – July, November and March.</i>
Number and percentage of accessible non-hazardous fly tips on public land cleared within 24 hours of being reported	100% (198)				100%		
Number of residents assisted in installing energy saving measures	Annually reported						
<b>SUPPORTING OUR COMMUNITIES</b>							
Average waiting time for applicants on the Disabled Facilities Grant (calculated in days from point of	211 days				90 days		<i>The restrictions imposed during lockdowns has impacted larger and more complex grants as they could not be progressed quickly during the pandemic. This is now the focus of the team and we</i>

Performance Indicator	2021/22						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
referral to approval)							<i>should start to see improvements in the average waiting times over the coming quarters.</i>
Participation levels across all our sports centres	91,643				n/a	n/a	<i>Leisure centres across the district re-opened from the 12<sup>th</sup> April 2021 operating in line with government covid safety guidelines meaning the centres ran at reduced capacity to keep customers safe when using the facilities.</i>
Participation of adults being active for 150 minutes per week	Annually reported						
Number of customers using out Handyman scheme	25				n/a	n/a	
Number of homelessness cases prevented	64				n/a	n/a	
Achieve at least a 1% increase in adults being active for 150 minutes per week	Annually reported						
<b>PROMOTING PROSPERITY</b>							
Percentage of people in the district claiming out of work benefits rate (aged 16 – 64)	4.3%				n/a	n/a	
Number of new business start-ups across the district	259				n/a	n/a	
Number of businesses that have contacted us for business support	191				n/a	n/a	
Number of business grants processed	1205				n/a	n/a	
Amount of business grants paid out	£7.5m				n/a	n/a	<i>Actual amount is £7,538,228.35</i>
<b>DELIVERING AND INNOVATING</b>							
Average call answer time in the Customer Service Centre	36 seconds				15 seconds		<i>The CSC have handled 27,195 calls in the first quarter with 73% of these calls being resolve at first point of contact in the CSC. The bank holiday weekends in April and May have seen an increase in bulky waste bookings which take longer to process with council tax reminders and the elections also contributing to an increase in the number of calls received during peak times.</i>
Percentage of invoices paid within 30 days of receipt	97.08%				99.25%		<i>Performance is less than target with 72 payments out of 2,469 being made later than 30 days after receipt of the invoice. Performance will improve as staff become more accustomed to using the new procurement system which was introduced from April 2021.</i>

Performance Indicator	2021/22						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Number of people transacting with us online	39,311				n/a	n/a	
Time taken to process housing benefit/council tax benefit new claims	16.48 days				20 days		
Time taken to process housing benefit claim changes	5.59 days				6 days		
Percentage of Stage 1 complaints responded to within 7 working days	93.51%				90%		<i>Represents 144 out of 154 stage one complaints responded to within timescale.</i>
Collection rate for Council Tax	30.10%				31.06%		<i>The target is based on the pre-Covid collection performance recorded in 2019. Actual performance is marginally higher than 2020 but remains lower than the pre-Covid performance. Recovery processes will include the application for liability orders from the Magistrates Court with effect from late July. These will enable payment plans to be agreed with those that have not made any payment against their liability.</i>
Collection rate for Business Rates	25.80%				31.40%		<i>The target is based on the pre-Covid collection performance recorded in 2019. The actual performance is lower as the change in the Retail Rate Relief, from 100% down to 66% with effect from 1st July, has been reflected in the amount collectable at the end of June. It is expected that performance will improve throughout the remainder of the year as payments are received against the increased liabilities.</i>

## **Complaints**

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

<b>Complaint Category</b>	<b>Q1 2020/21</b>	<b>Q2 2020/21</b>	<b>Q3 2020/21</b>	<b>Q4 2020/21</b>	<b>TOTAL</b>
Justified	51 (43)	(51)	(53)	(50)	(197)
Not Justified	80 (55)	(56)	(43)	(73)	(227)
Partially Justified	26 (19)	(22)	(19)	(28)	(88)
Not known	2 (0)	(0)	(0)	(1)	(1)
<b>Total</b>	<b>159 (117)</b>	<b>(129)</b>	<b>(115)</b>	<b>(152)</b>	<b>(513)</b>

## **Comments**

The majority of complaints are in relation to the Operations service, in particular, complaints around missed waste collections or bins not being returned to their collection point. A number of these are in relation to assisted collections which have been missed due to different crews not being familiar with the assisted collections or collection points. Crews had to be changed around and agency staff brought in to ensure we could provide a continuous waste collection service due to a number of operations staff having to self-isolate in the first quarter.

Other reasons for missed collections are in relation to bins being too heavy for the vehicle machinery (common in missed green bins where soil is put in the bins), vehicle breakdown, collection points overlooked, contaminated recycling bags and access issues due to parked cars and road closures. The waste crews endeavour to return to collect any missed waste within 48 hours of being reported.

The Planning service have seen an increase in planning complaints primarily around delays in the application process or in providing responses or the planning decisions granted.

Complaints continue to be reviewed by services to help identify improvements to processes and the service provided.

In the first quarter of 2021/22, of the 159 complaints received:

- 154 are stage one complaints
- 2 are stage two complaints
- 3 are stage three complaints

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

In the first quarter of 2021/22, the LGO has received one new complaint enquiry on the handling of a complaint in relation to the discretionary scheme for test and trace self-isolation payments. A final decision notice was issued for a complaint received in the previous quarter which the LGO declined to investigate as there was no injustice to the complainant. Two other complaints submitted in previous quarters are ongoing and under investigation.

## Our Organisation

The following is a selection of our people performance measures:

People: Indicators of Performance	Q1 21/22	Q2 21/22	Q3 21/22	Q4 21/22	Change on previous period	Yearly Target
Total headcount	495				- 4	-
Total staff FTE	446.07				- 3.77	-
Level of employee turnover	3.03%				+ 1.63	-
Number of leavers	15				+ 8	-
Number of starters	11				+ 1	-
Working days lost to sickness per employee	1.4 days				+ 0.09	8.0 days
Percentage of staff with nil sickness	84.8%				N/A Cumulative	-
Number of learning hours	1365.5				- 94	-
Number of delegates	189				+ 116	-
Number of apprentices **	16				0	-

Year on Year Headcount Analysis	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
	470	464	466	481	492	499

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

## **Health & Safety**

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

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

<b>Health &amp; Safety: Indicators of Performance</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	
	(2020/21 figure in brackets)				
Total number of reported accidents/ incidents, calculated from:	8 (10)	(13)	(10)	(12)	
<i>Accidents/ incidents to employees</i>	6 (8)	(11)	(8)	(9)	<i>The most common reported accident this quarter was injury to hands reported by waste crews.</i>
<i>Accidents/ incidents to contractors</i>	2 (2)	(2)	(1)	(3)	<i>One contractor suffered a hand injury from glass in a black sack the other involved heat stroke suffered by a grave digger</i>
<i>Accidents/ incidents to non-employees</i>	0 (0)	(0)	(1)	(0)	
Time lost in days due to employee accidents/ incidents	0 (0)	(5)	(18.5)	(16)	
Number of reported verbal/ physical incidents to employees	2 (2)	(4)	(1)	(0)	<i>Two incidents of verbal abuse to housing staff</i>
Number of near miss incidents	0 (0)	(0)	(0)	(1)	
Number of Accidents/ incidents registered resulting in insurance/ compensation claim	2 (0)	(2)	(3)	(2)	
Number of claims settled	1 (1)	(1)	(1)	(1)	

## Financial Performance

This part of the report provides an updated review of the financial position for the year. It examines the latest forecast for spending on day-to-day service provision compared to the budget for the year. Also included is a summary of treasury management activities; projected movements on the General Fund balance; and a summary of spending to date on capital projects. An update is also provided on the financial impact arising from the current COVID-19 pandemic.

### Executive Summary

- Taking into account the projected impact of Covid and variations to the base budget, **the net budget position forecast for the year is a positive variance of £252,000.**
- The estimated **budget impact of the pandemic** in 2021/22 is **£1.213m**. This is expected to be partially offset by funding received from government leaving **a net projected variance due to Covid of £278,000.**
- The forecast position regarding the **base budget** is a **positive variance of £530,000.**
- After taking into account other planned movements in balances, **the projected change in General Fund unallocated balances is a reduction of £384,000.**
- **Expenditure of £5.53m on capital projects** during the quarter, with spending mainly being incurred on: Horizon 120 business park infrastructure, now completed; the new Horizon 120 Enterprise Centre; I-Construct; Manor Street regeneration scheme; and the Halstead Leisure Centre artificial grass pitch.

### Background

At the meeting of Full Council on 22<sup>nd</sup> February 2021, a net budget of £8.064m for the 2021/22 financial year was approved. The budget included a drawdown from the business rate retention reserve to offset a deficit carried over from 2020/21 on the Collection Fund. Therefore, for budget monitoring purposes, this technical adjustment has been ignored resulting in an adjusted budget figure of £15.433m. Financing of this amount was to be from a combination of: general government grants (£0.362m); business rates (£4.979m); and Council Tax (£10.092m). During the year budgets may be updated in accordance with the Council's Budget and Policy Framework Procedure.

Due to the continued uncertainty caused by the pandemic and the changing nature of restrictions and lockdowns it was considered appropriate to make central provision for the continuing financial impact arising from Covid, which could then offset any budget variances or additional costs that might be incurred at service level. This arrangement is reflected in the monitoring information below where increased costs and/ or reductions in income are being reported against the relevant service, and the financial support available to offset these being shown separately.

### General Fund Revenue Spending

The table below shows the projected outturn by service as forecast at the end of Quarter 1.

Service	Updated Budget £'000	Actual Spend £'000	Adverse (Positive) variance against Budget				RAG Status
			Staffing	Other	Gross	Total	
			£'000	Exp. £'000	Income £'000	£'000	
Asset Management	(2,477)	(2,512)	0	3	(38)	(35)	G
Community Services	489	515	2	(8)	32	26	A
Corporate Management	1,496	1,485	(18)	(3)	10	(11)	G
Economic Development	267	267	-	-	-	-	G
Environment & Leisure	1,037	1,338	(16)	109	208	301	R
Finance	1,511	1,556	(132)	42	135	45	A
Governance	1,210	1,174	10	(34)	(12)	(36)	G
Housing Services	956	941	(15)	2	(2)	(15)	G
Human Resources	358	355	0	(3)	0	(3)	G
ICT & Facilities	1,712	1,730	31	(13)	0	18	A
Marketing and Communications	614	572	7	(24)	(25)	(42)	G
Operations	6,341	6,403	(10)	45	27	62	A
Strategic Investment	23	23	-	-	-	-	G
Sustainable Development	973	954	(53)	44	(10)	(19)	A
<b>Service Total</b>	<b>14,510</b>	<b>14,801</b>	<b>(194)</b>	<b>160</b>	<b>325</b>	<b>291</b>	<b>R</b>
Corporate Financing	1,223	1,315	(8)	(34)	134	92	R
Efficiency target	(300)	0	300	0	0	300	
<b>Total Budget</b>	<b>15,433</b>	<b>16,116</b>	<b>98</b>	<b>126</b>	<b>459</b>	<b>683</b>	<b>R</b>
<b>Covid-19 general grant</b>						(686)	<b>G</b>
<b>Covid-19 specific grants &amp; income compensation</b>						(249)	<b>G</b>
<b>Net Total General Fund</b>						<b>(252)</b>	<b>G</b>

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

## Analysis of the Total Budget Variance

Except where specific expenditure is being incurred, it is difficult to be precise about the extent to which the budget variances set out above have arisen solely as a result of the Covid pandemic, therefore judgement has been used. As the pandemic has continued and society has had to adapt, it is recognised that there will be lasting consequences which will impact on the Council's activities and finances. It is likely that there remains economic implications that have yet to be realised once government support for individuals and businesses has been withdrawn.

Reason for budget variance:	Adverse/ (Positive) variance against Budget				Net of Covid-19 grants £'000
	Staffing	Other Expenditure	Income	Total	
	£'000	£'000	£'000	£'000	
Covid-19	31	284	898	<b>1,213</b>	<b>278</b>
Base budget	67	(158)	(439)	<b>(530)</b>	<b>(530)</b>
<b>Total Budget Variance</b>	<b>98</b>	<b>126</b>	<b>459</b>	<b>683</b>	<b>(252)</b>

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

The budget impact from the Covid pandemic is estimated to be £1.213m, which is mainly as a result of the following areas:

- Increased costs and reductions in income expected to be incurred whilst providing support to the Council's leisure services to remobilise and recover following the multiple periods of national lockdown and other local restrictions. This includes putting in place measures to ensure that facilities continue to operate in accordance with the appropriate guidance and advice. The financial implications for these measures are reflected in the reported position for Environment & Leisure. Partially offsetting the costs incurred is the balance of funds that were received in 2020/21 following a successful bid to the National Leisure Recovery Fund.

- Anticipated reductions in fees and charges, primarily from car parking, but also other services including community transport, the Town Hall Centre, and licensing. The government committed to continue to provide compensation to local authorities at a rate of 75p in the £ for net losses across certain income streams where these exceed 5% of the amount originally budgeted in 2020/21. At the present time the scheme is only planned to run until the end of June 2021 for which an estimated amount has been included in the projections above. For shortfalls in income projected from July the assumption is that these will have to be met in full by the Council. It is inherently difficult to predict how demand and usage of facilities might recover following the lifting of all restrictions in July and, therefore, this aspect of the projections remains potentially subject to significant change.
- Estimated reductions in non-fee income. This relates mainly to recoveries from local tax and housing benefit activities. Staff resources have continued to be prioritised towards administering Covid business rate reliefs and grants. Recovery procedures have been impacted by the limited capacity and availability of the courts to deal with applications for liability orders, with the Council having its first scheduled court date for over a year on 30<sup>th</sup> July. Whilst collection rates for both Council Tax and business rates have improved over that achieved last year up to the end of the quarter, rates remain below that which would normally be expected. Consequently, there is a projected reduction in the amount of income to be received back from the major preceptors through the Council Tax Sharing Agreement, albeit the position forecast has improved from the income achieved last year.

Partially offsetting the adverse effects from the pandemic, the government allocated a further £685,853 of emergency funding to the Council as part of the Local Government Finance Settlement for 2021/22. In addition, other funding has been received, including Contain Outbreak Management Funds, which is meeting the costs of various Covid-related activities that, in part, are being carried out by staff within the Environmental Services team with some back-fill arrangements in place. As indicated above, an estimate of the amount which the Council is considered eligible under the government's Income Support Scheme has been reflected in the projections.

Taking into account the external funding received, there is still a projected shortfall in relation to Covid of £278,000 for the year. The Council holds £266,000 of Covid funding in earmarked reserve from 2020/21; however, given the overall budget position, and the continued uncertainty around the effects of the pandemic, it is proposed at this stage to retain the reserve and offset the Covid shortfall against the current year's forecast variance against the base budget.

## **Commentary on Base Budget Variances**

### **Staffing**

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

Across all service areas staffing budgets are projected to be underspent by £194,000, with a further saving of £8,000 under Corporate Financing. The budget includes a corporate efficiency target of £300,000, which is normally achieved from staffing, therefore, after taking this into account, it is currently projected that staff costs will be over budget by £98,000. Included in this figure is £31,000 of Covid-related costs.

The projections are based on known staff changes at the end of Quarter 1, and it is likely that further changes will become evident during the year which will affect the final position.

The main reasons for the projected staffing underspend within services are due to current vacant posts and/ or efficiency savings.

### **Other Service Expenditure**

Excluding the additional costs incurred through Covid, there is net underspend projected against the base budget of £158,000, which is a combination of variances across all service areas, including:

- A reduction in payments to the pension fund for prior year discretionary benefits (-£52,500)
- Savings on insurance premiums following the previous letting of new contracts (-£26,890) – this is in addition to the £40,000 reduction that had already been reflected in the budget. However, there are elements of the insurance contracts that are now being re-tendered which might negate some of these savings.
- Lower recharges from Eastlight Community Housing for voids and repairs on temporary housing accommodation (-£28,000), and a projected overall underspend on the rent support scheme used to assist people access private rented housing (-£11,000)
- Lower expenditure in horticultural services mainly due to a trial of reducing cuts of rural highway verges (-£20,100), and lower maintenance costs within parks (-£27,400).
- Governance services including Members allowances and expenses, and electoral services; part of which is offsetting a loss of Cabinet Office grant for Individual Electoral Registration (-£27,700).

Within the overall position there some areas where increased costs are projected:

- Housing benefits – a complex area involving significant expenditure in benefits paid to claimants, but also with subsidy receivable from government. The level of subsidy is subject to various claim types where the rate of subsidy provided can vary. It is currently projected that there will be a net additional cost to the Council of £88,000 based on current claimant data.
- To support a more pro-active approach towards enforcement of planning rules additional legal costs are expected to be incurred (£30,000).

### **External Income**

A significant proportion of the Council's budget is reliant on external income. Grants and subsidies from government, alongside income from business rates are major elements. These income streams are normally fairly predictable or fluctuate in response to compensating changes in expenditure. Where uncertainty exists this is managed via earmarked reserves, e.g. the business rate retention reserve. Other income is more susceptible to changes in external factors and service demand, and the projected position at this first quarter for the outturn is summarised in the following table:

Service	Updated Budget	Joint Financing & Other Reimburs.	Sales, Fees & Charges	Rents & Service Charges	Other Income	Total	RAG status
		3,840	6,205	3,156	1,416	14,617	
	£000	<i>Adverse (Positive) Variance £000 against Budget :</i>					
Asset Management	3,385	-	3	(41)	-	(38)	G
Community Services	211	(6)	32	-	6	32	A
Corporate Management Plan	10	10	-	-	-	10	A
Economic Development	-	-	-	-	-	-	G
Environment & Leisure	1,176	13	205	-	(10)	208	R
Finance	2,033	222	-	-	(87)	135	R
Governance	198	(6)	(27)	-	21	(12)	G
Housing	41	-	(6)	5	(1)	(2)	G
Human Resources	-	-	-	-	-	-	G
ICT & Facilities	2	-	-	-	-	-	G
Marketing & Communications	109	-	-	-	(25)	(25)	G
Operations	5,456	(139)	153	26	(13)	27	A
Strategic Investment	300	-	-	-	-	-	G
Sustainable Development	1,696	-	(10)	-	-	(10)	G
<b>Service Total</b>	<b>14,617</b>	<b>94</b>	<b>350</b>	<b>(10)</b>	<b>(109)</b>	<b>325</b>	<b>R</b>
Corporate Financing	-	114	-	-	20	134	R
<b>Total Budget</b>	<b>14,617</b>	<b>208</b>	<b>350</b>	<b>(10)</b>	<b>(89)</b>	<b>459</b>	<b>R</b>
<b>Attributable to:</b>							
Covid-19 impact		204	671	23	-	898	R
Base budget		4	(321)	(33)	(89)	(439)	G

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

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

### Commentary on Base Budget income variances

The reasons for the projected overachievement of income of £439,000 against the base budget include:

- Higher income from the sale of mixed dry recycling material. The price paid to the Council for material is based on basket of indices which are reviewed each quarter. The budget had assumed a basket price of £29 per tonne based on the position at that time; however, this increased at Q1 to £38 per tonne and has been agreed for Q2 at £62 per tonne. With such sharp volatility it is difficult to be confident about future quarters; nevertheless, for projections an average of £50 per tonne has been used, leading to estimated increase in income of £207,000 over budget.
- A number of administrative grants for Housing Benefits and Local Council Tax Support were not announced until after the budget was approved. The final determinations means that an additional £86,300 of income is now to be received.
- Whilst a number of the Council's service areas have continued to see a drop in fee and charges income, the Local Land Charges service are projecting an overachievement against budget of £26,000. Demand for services remained high during the first quarter as residential buyers were looking to benefit from the increase in the stamp duty threshold limit which was due to be reduced from 1<sup>st</sup> July. It is likely that some of this upturn in activity will continue through the next quarter but with a planned further reduction from 1<sup>st</sup> October meaning the threshold will revert back to the level that applied pre-Covid. Similarly, the Building Control service has also seen an increase in demand for services

resulting in a higher level of income being predicted (+£13,000), albeit some staffing difficulties means that increased costs having to be incurred on short-term temporary staff which is currently outweighing this improvement.

- A higher level of occupancy within the commercial property portfolio and the effect of rent reviews, along with rental income being generated from two properties in Halstead that were previously part of a proposed land disposal, means that income is projected to be higher than budget (+£37,940)

## **Treasury Management**

### **Investment activity**

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

Amount Invested at start of the year	Activity to the end June		Amount Invested at end of the quarter
	New Investments	Investments Matured	
£35.47m	£70.00m	£50.73m	£54.74m
Average amount invested for the period			£50.90m
Highest amount invested			£55.29m

The amount of cash under management during the first quarter was significantly less than last year which had been inflated due largely to the funding passported through local authorities to businesses. The Council also incurred a much higher amount of capital expenditure than had previously been typical due to the ambitious strategic investment programme. This increased capital spending is expected to continue into the current year.

Investments totalling £19million continued to be held across a range of long-term pooled funds with varying exposures to property, equities, and other financial assets. The remaining balance of investments have been held in money market funds and the Debt Management Office Account (UK Government), with liquid cash held in a current account with Lloyds Bank.

### **Investment income and valuations**

Interest and dividends earned to the end of the quarter totalled £235,821, which is equivalent to an annualised rate of return of 1.86%:

Investments	Average Amount Invested	Interest & Dividends Earned	Annualised Return %
Long-Term Pooled Funds	£19.00m	£233,127	4.92%
Short-Term	£31.90m	£2,694	0.03%
<b>Total</b>	<b>£50.90m</b>	<b>£235,821</b>	<b>1.86%</b>

Dividend income from long-term pooled funds will vary quarter on quarter and therefore the annualised return will be expected to reduce over subsequent quarters, albeit still in excess of 4%.

The projected income for the year is £784,000, which is £75,000 better than the budget. However, the budget was reduced by £350,000 in light of the sharp falls in interest rates, expected reductions in dividends from pooled funds, and also taking into account the significant reduction profiled into estimates of the Council's cash balances reflecting the higher level of capital expenditure. This reduction in budget was to be met by using the Treasury Management earmarked reserve in 2021/22. Consequently, the expected improvement in income for the year will partially offset the drawdown from reserve which is held to aid management of treasury management risks.

The market value of shares and units in pooled funds at the end of June 2021, was £20.851m, representing an unrealised gain of £1.851m over the amount originally invested.

### **Investment portfolio**

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

- Long-term pooled fund investments £19million (allocated: £3 million property fund; £13 million equity funds; and £3 million in diversified asset funds);
- Low volatility Money Market Funds (MMFs) £15m;
- Variable net asset value MMF £4 million;
- Debt Management Office Account Facility £15m
- Lloyds current account £1.74m.

### **General Fund Balances**

General Fund balances are held for the following reasons:

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

Based on the projected outturn set out above, the estimated movements on the General Fund balances are:

	<b>£'000</b>
<b>Balance at 1 April 2021</b>	<b>5,999</b>
Addition/(deductions):	
Budgeted reduction	(320)
Funding for one-off investment	(1,139)
Pension Fund triennial payment - repayment	823
Projected outturn variance at Q1	252
<b>Estimated Balance at 31 March 2022</b>	<b>5,615</b>

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

- The approved budget included an anticipated reduction in balances of £320,165.
- An allocation from General Fund balances was approved by Full Council in February 2021, to meet one-off budget requirements: £1m to be set aside to deal with the potential impact of Covid-19 on services, the requirement for which will need to be kept under review in light of changing circumstances; £75,000 for the Councillor Community Grant

Scheme; £6,500 for a Noise Level meter; and a total of £57,500 as provision for loss of income during the redevelopment of the Manor Street area.

- A one-off payment was made in 2020/21 to the Essex Pension Fund covering the period April 2020 to March 2023, which was part funded from General Fund balances. A repayment back into balances is being made in 2021/22 and 2022/23.
- The projected outturn variance for the year at Q1 is an overall positive variance of £252,000.

## **Risks and Assumptions**

The forecasts reflect service managers' "best estimate" of the predicted outturn for the year. Whilst the previous year outturn and trends in-year have been considered; the position continues to be uncertain due to the coronavirus pandemic. Whilst restrictions have now been lifted, it will take some time to understand the lasting effects this will have on services.

Directors and service managers continue to scrutinise all expenditure commitments in light of the financial challenge required to balance the Council's budget over the medium-term. External income is inherently difficult to predict as it is substantially demand led and impacted by external factors.

Planning application fee projections are based on the best information available regarding when developers are likely to submit planning applications for growth locations within the district. Previous experience has shown that this can change quickly and income can vary significantly. Income will be influenced by both the number and type of planning applications received.

Investment income is influenced by the overall level of cash balances held, which in turn are dependent upon the progress of the strategic investment programme and other capital projects, and the pace at which planned capital receipts are generated. Market sentiment will impact on the value of the Council's long-term pooled fund investments; whereas general economic conditions in both the UK and globally will influence dividend returns. Interest rates are expected to remain at very low levels.

The income which is offset from costs incurred for the processing of recycling material collected from households is subject to regular review of the composition of material collected assessed across the whole of the Suffolk Waste Partnership contract, which the Council is party, and market indices for the sale of materials. As this quarter's report demonstrates, the market price for materials can fluctuate leading to significant changes to the budget position.

The original budget assumed that £478,000 of staffing costs can be recharged from the General Fund revenue account to capital projects. The actual amount recharged will depend on the extent to which projects progress and staff are working on activities that can properly be treated as capital under accounting rules, with any shortfall impacting the General Fund.

There are estimated amounts of income included in the projections where the final amounts will only be ascertained once grant and subsidy claims have been subject to post claim assurance reviews.

The projected outturn will be reviewed as part of the process for developing proposals for the 2022/23 budget and update to the Medium Term Financial Strategy.

## **Capital Investment**

The overall planned level of spending in the Council's approved capital programme is currently over £45m. Delivery of a number of significant projects spans a number of years, therefore, the amount profiled to be spent in 2021/22 is almost £38million:

	<b>Profiled Spend 2021/22 £000</b>	<b>Actual Spend at Quarter 1 £000</b>	<b>Actual Spend at Quarter 1 % of Profile</b>
Horizon 120 business park infrastructure	4,250	2,143	50%
Horizon 120 Enterprise Centre	11,054	389	4%
Manor Street regeneration	13,047	1,604	12%
I-Construct Innovation Centre	1,506	385	26%
Town centre improvements	1,825	85	5%
Springwood Drive business units and parking	66	-	-
Planned maintenance to Council premises	940	62	7%
Replacement vehicles and plant	256	96	38%
Information technology systems & equipment	513	30	6%
Play areas, parks and open spaces	443	54	12%
Environmental improvements	100	-	-
Paths, cycleways, and other infrastructure	159	5	3%
Operational equipment	165	1	1%
Sports and leisure facilities improvements	445	371	83%
Climate change initiatives	192	-	-
Grants to registered social landlords	100	-	-
Housing renovation & disabled facilities grants	887	157	18%
Capitalised interest	1,265	-	-
Capital salaries	678	148	22%
<b>Total</b>	<b>37,891</b>	<b>5,530</b>	<b>15%</b>

Additions to the profiled programme during the quarter included works on pedestrianisation; the acquisition of light commercial vehicles which were coming to the end of their lease term; and additional litter bins funded by external grant.

## **Capital resources**

During the quarter the Council completed the sale of land in Witham and also received interim payments in respect of the development of apartments at Victoria Square, which on completion will transfer to Eastlight Community Homes (Eastlight).

Under arrangements in place with Eastlight, 7 right-to-buy sales were completed in the first quarter generating circa £885,000 for the Council. Eastlight have advised that a further 30 applications are in progress and, therefore, based on past experience this would indicate around 18 sales potentially completing this year and which should generate circa £2m+. This compares to 11 sales last year that raised £1.323m for the Council.

A total of £57,566 was generated by the VAT shelter agreement with Eastlight for the first quarter.

The Council has also received £1,056,441 grant from the Better Care Fund, which will be used to fund expenditure on disabled facilities grants.

Staged claims are also being made to drawdown approved funding from European Regional Development Funds, which were awarded for the I-Construct project, and from the government's Getting Building Fund (via the South East Local Enterprise Partnership or SELEP) for the Horizon 120 Enterprise Centre.

<b>Member Development Annual Report</b>		<b>Agenda No: 6a</b>
<b>Portfolio</b>	Finance and Corporate Transformation	
<b>Corporate Outcome:</b>	Delivering and Innovating	
<b>Report presented by:</b>	Councillor Frankie Ricci, Chairman of the Member Development Group	
<b>Report prepared by:</b>	Megan Barton – Organisational Development & Learning Support Officer	
<b>Background Papers:</b>	<b>Public Report</b>	
None.	<b>Key Decision: No</b>	
<b>Executive Summary:</b>		
To provide Cabinet with the Member Development Working Group Annual Report.		
<b>Recommended Decision:</b>		
Cabinet is asked to note the Member Development Annual Report.		
<b>Purpose of Decision:</b>		
To inform the Cabinet of the work of the Member Development Group, a working Group of Cabinet.		

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

<b>Financial:</b>	The cost of courses are funded by the Member Development budget. There are no other financial implications to the Council.
<b>Legal:</b>	No matters arising out of this report
<b>Safeguarding:</b>	No matters arising out of this report
<b>Equalities/Diversity:</b>	No matters arising out of this report
<b>Customer Impact:</b>	No matters arising out of this report
<b>Environment and Climate Change:</b>	No matters arising out of this report
<b>Consultation/Community Engagement:</b>	No matters arising out of this report
<b>Risks:</b>	No matters arising out of this report
<b>Officer Contact:</b> Megan Barton	
<b>Designation:</b> Organisational Development and Learning Support Officer	
<b>Ext. No:</b> 2613	
<b>E-mail:</b> <a href="mailto:megan.barton@braintree.gov.uk">megan.barton@braintree.gov.uk</a>	

## **Member Development Annual Report 2021**

### **1. Member Development During the Pandemic**

- 1.1 Over the past year Member development has adapted to the changes brought on by Covid 19. The Member Evenings and the Skills Training Programme were initially put on hold. On June 6<sup>th</sup> a survey was launched to capture the views on virtual learning, with 22 out of 24 saying yes to continue. Following a successful virtual Members Evening the Skills Training Programme then restarted. In the survey feedback there was an emphasis on mental health awareness and wellbeing, so the programme was shaped to support this.

A copy of the survey feedback is available from Megan Barton.

- 1.2 Following the Mental Health Awareness course a pack was created to support Members further. The pack consisted of 3 sections: 'how much help should you give', 'help in the community' and 'looking after you'.

The Mental Health Pack is available from Megan Barton.

- 1.3 In addition to the pack, the Employee Assistant Programme (EAP) which had been in place for staff was extended to all Members. The EAP allows Members to have access to a 24/7 telephone counselling helpline with the option to have 6 free 1 to 1 sessions with an accredited counsellor for advice and information. The helpline can also help give support with:

- Stress
- Anxiety
- Emotional problems
- Relationship difficulties
- Bereavement
- Family issues
- Debt
- Legal information

- 1.4 With the increased usage of social media during lockdown, Members were offered the opportunity to attend a virtual social media course, run by 2 serving Elected Members from Reading. Their joint experience of the platforms meant they were able to deliver a course which consisted of 3 levels to suit all experiences and skill sets. The course was well received and a follow up session is available.

### **2. Councillor Development Charter Plus**

- 2.1 The Councillor Development Charter Plus Assessment was carried out on the 19<sup>th</sup> January, 2021. Braintree District Council was successfully re-awarded the Charter Plus status for another 3 years. The assessors highlighted some key strengths:

- Top political, Management and Officer commitment

- A strong, enthusiastic Member Development Working Group with key links and annual report to Cabinet
- Well documented Strategy and Policy
- Great attendance at the training and development evenings with a wide participation of different Members
- Link to Members basic allowance
- Positive response to the changes following the lockdown
- Excellent PDP response rate and feedback
- Leadership development commitment

With some suggested improvements:

- Structured PDP process with 1 to 1 conversations
- Further strengthen partnership working
- Capturing the thoughts on moving forward virtually and understanding IT needs
- Refreshing the Member Hub
- Providing prospective Councillor information pre 2023 elections from the 'Be a Councillor' programme
- To work on a pan Essex level to develop e-learning resources for Councillors – delivering economies of scale.
- To further develop strategic partnership involvement and support. To involve partners in Councillor development, scrutiny reviews and support for economic development and regeneration as part of a local Covid recovery programme

2.2 A review of progress against the assessment team's recommendations for continuous improvement will take place in approximately 18 months.

### 3. Attendance at Member Development Programmes

3.1 Member Evenings attendance in table below:

Topic	Number of Attendees
18 <sup>th</sup> June - COVID 19 Recovery	44
29 <sup>th</sup> July - Planning Improvement	42
18 <sup>th</sup> September - Planning	
24 <sup>th</sup> September - Housing	38
21 <sup>st</sup> October - Climate Change	33
18 <sup>th</sup> November - Performance Management Board	40
3 <sup>rd</sup> February - Performance Management Board	41

3.2 Skills Training Programme attendance in table below:

Topic	Number of Attendees
5 <sup>th</sup> August - Mental Health Awareness	9
2 <sup>nd</sup> September - Mindfulness and Wellbeing	9
8 <sup>th</sup> October - Effective Communication	6
5 <sup>th</sup> November - Agile Working in a Covid World	10
10 <sup>th</sup> February - Social Media	14 <i>Plus 4 external Cllrs</i>

## **4. Attendance at External Events and Webinars**

### **4.1 LGA**

- Conference on Planning Policy in England x 1
- Local Government Chronicle Climate Change x 1
- Rapid Innovation x 2
- Draft Model Member Code of Conduct x 2

### **4.2 LGiU**

- An introduction to Social Media x3
- Planning your Message (Social Media) x1
- Using Images and Video (Social Media) x1

4.3 A monthly bulletin is circulated to all Members promoting the LGA highlighting Political Leadership Programme. Many courses are fully subsidised and others incur a small fee. There are sufficient funds in the Member Development budget to cover the fees.

## **5. Annual Survey**

5.1 The annual survey was launched in December 2020 and was available for completion for 5 weeks. 29 surveys were completed during this time achieving a 60% completion rate. The annual survey also held a training needs analysis which was then used by the Member Development Working Group and Management Board to shape the Members Evenings and Skills Training Programme for 2021/22. A presentation of the feedback is available from Megan Barton.

## **6. Income Generation**

6.1 Recently, neighbouring authorities were invited to attend the Social Media course. We welcomed 4 Councillors from Colchester Borough Council and 1 from Epping Forest District Council. This generated £225 income.

6.2 Members from other local authorities will be invited to attend the courses run by Braintree District Council throughout 2021/22.

## **7. The Member Development Offer 2021/2022**

7.1 After careful consideration of the feedback within the annual survey, the suggested improvements from the Charter Plus Assessors and the recommended skills published in the 21<sup>st</sup> Century Councillor report, the Skills Training Programme required a refresh to ensure our Members were able to access the development most appropriate to them during this time.

7.2 The Member Development Working Group have agreed to rename the programme the Councillor's Community Leadership Development Programme. All material relating to the programme will now reflect this.

7.3 For 2021/22 we are able to cover all the development areas identified within the annual survey, the 21st Century Councillor report and the Charter Plus assessment.  
The offer has been broken down into internal and external delivery which is then broken down into the various development opportunities.  
The cost of the Community Leadership Development Programme falls within the £6000.00 annual budget for Member Development. Full details are attached at Appendix 1.

7.4 Monthly Member Development bulletins will highlight the development opportunities available throughout the year and regular emails will be sent to promote booking and registering on the courses.

## **8. Community Leadership Award**

8.1 A well-known trainer to Braintree District Council, Richard Wills, has become an assessor in partnership with South West Councils and is able to offer Councillors the opportunity to participate in achieving the Institute in Leadership and Management (ILM) endorsed Community Leadership Award. This opportunity hasn't been offered to Members at Braintree before and it will provide Members the chance to gain formal recognition of development of skills, knowledge and experience for Councillors involved in community leadership. The Member Development Working Group will nominate Members to participate in the Awards to trial the scheme prior to it being offered to the wider Membership.

Full details of the Community Leadership Award are available from Megan Barton.

## **9. Redesign of Members Hub**

9.1 Work is underway in partnership with the Governance and Member Team to provide a new website for Members. The website will be able to offer Members a single location to access all information in relation to Governance and Member Development. The new site has the function of single sign on, removing the need for Members to have an additional username and password to access the site (assuming use of a Braintree District Council device).

9.2 Final adjustments are being made to the website. Upon completion Members will be directed to the website to book onto courses, register their attendance at Member Evenings and watch recordings of missed Member Development Evenings.

## Member Development 2021/2022

Training needs identified via the Annual Survey, 21<sup>st</sup> Century Councillors report and the Charter Assessors feedback are designated in **RED**.

6a

## Internal Delivery

Member Evenings Programme	Community Leadership Development Programme		Cost
Cyber Security 8th April 21  Lead Officer Cherie Root Lead Member Cllr John McKee	<b>Empowering others</b> , storytelling, being effective in meetings and demonstrating confidence	Elevating My Impact by Brad Soloman 19 <sup>th</sup> May 21	£575
<b>Strategic Risk</b> 27 <sup>th</sup> May 21  Lead Officer Trevor Wilson Lead Member Cllr John McKee	<b>Communication – speaking in public and communicating clearly in written form</b>	Effective Communication in a Virtual World by Rich Wills 8 <sup>th</sup> July 21	£450
<b>Covid - Community Recovery</b> 21st June 21  Lead Officer Cherie Root Lead Members TBC	<b>Decision making</b>	Effective Decision Making by Rich Wills <del>2<sup>nd</sup> September 21</del> <i>New date to be arranged</i>	£450
<b>Covid - Economic Recovery</b> 29th July 21  Lead Officer Dominic Collins Lead Members TBC	<b>Influencing</b>	Influencing Stakeholders by Brad Soloman 4 <sup>th</sup> November 21	£575
<b>Planning</b> 23 <sup>rd</sup> September 21  Lead Officer Emma Goodings Lead Member Cllr Gabrielle Spray	<b>Translating information for communities</b>	Effective Ward Leadership by Rich Wills 20 <sup>th</sup> January 21	£450
<b>Finance and Scrutiny</b> 14 <sup>th</sup> October 21  Lead Officer Chris Fleetham/Trevor Wilson Lead Member TBC	<b>Partnership working - building new and existing relationships with citizens and starting new conversations,</b>	Partnership and Collaborative Working by Rich Wills 3rd March 22	£450

	particularly with hard to reach groups		
Performance Management Board 18th November 21 Cabinet Budget proposals			
<b>NHS</b> 24 <sup>th</sup> February 22 Lead Officer Cherie Root Lead Member Cllr Peter Tattersley			
			<b>£2950</b>

### External Delivery and self-directed learning

Training needs identified via the Annual Survey, 21<sup>st</sup> Century Councillors report and the Charter Assessors feedback are designated in **RED**.

<b>Highlighting Political Leadership Programme (LGA)</b>	<b>Cost</b>	<b>e-learning (LGA) No cost</b>	<b>Workbooks (LGA) No cost</b>
Leadership Academy	£1,250 pp Reduced if virtual	Holding council meetings online	<b>Understanding the scrutiny process</b> <ul style="list-style-type: none"> <li>• Scrutiny workbook</li> </ul>
x3 one to one coaching sessions	£0	<b>Facilitation and conflict resolution</b>	<b>Scrutiny and challenge - Understanding and analysing complex information</b> <ul style="list-style-type: none"> <li>• Scrutiny of finance</li> <li>• Local government finance</li> </ul>
Commercial Skills Masterclasses	£0	Effective ward councillor	<ul style="list-style-type: none"> <li>• COVID-19: a leadership workbook for cabinet members</li> </ul>
Webinars <ul style="list-style-type: none"> <li>• Presentation Skills</li> <li>• Coalition Administrations</li> <li>• <b>Effective Chairing of Remote Meetings</b></li> <li>• Rapid Innovation</li> <li>• The Importance of opposition leadership and what effective opposition looks like during Covid-19</li> </ul>	£0	Scrutiny	<ul style="list-style-type: none"> <li>• Effective opposition during COVID-19, reset and recovery</li> </ul>

<ul style="list-style-type: none"> <li>The Role of the Ward Councillor during Covid-19</li> </ul>			
<b>Leadership Essentials</b> <ul style="list-style-type: none"> <li>Audit Committees</li> <li>Being an Effective Cabinet Member</li> <li>Effective Scrutiny</li> <li>Equality, Diversity, and Inclusion</li> <li>Finance</li> <li>Getting Your Message Across</li> </ul>	Most fully subsidised, some occur a fee of £250 pp	Influencing skills	<b>Conflict management</b> <ul style="list-style-type: none"> <li>Facilitation and conflict resolution</li> <li>Handling Intimidation</li> </ul>
Black, Asian and Minority Ethnic (BAME) Councillors Weekender	£150 pp	Local government finance	<b>Reflective skills - Emotional toll of being a councillor</b> <ul style="list-style-type: none"> <li>Stress management a personal resilience</li> </ul>
A private KHub group – This has been set up to provide remote online networks, where councillors can share their learning, practice and experiences on themed portfolio areas	£0	Supporting mentally healthier communities	<b>Negotiating</b> <ul style="list-style-type: none"> <li>Handling complaints for service improvement</li> </ul>
			<b>Balancing public needs and local policy</b> <ul style="list-style-type: none"> <li>Supporting residents v complex issues</li> <li>Neighbourhood planning ward councillors</li> </ul>
			Mentally healthier places
			Creating a 'fit for the future organisation'
			Chairing skills

Community Leadership Award (ILM Endorsed Programme)

Community Leadership Award	Cost
Recognition of development of skills, knowledge and experience for Councillors involved in community leadership.  This programme is aimed at Councillors who have attended their Council's induction programme and who take an active part in their Council's training programme; who are then assessed by RWTA through a Reflective Review and Professional Discussion.	£375 pp

For more information contact Megan

<b>Report Title: Medium-Term Financial Strategy 2021/22 to 2024/25</b>	
<b>Report to: Cabinet</b>	
<b>Date: 6<sup>th</sup> September 2021</b>	<b>For: Decision</b>
<b>Key Decision: No</b>	<b>Decision Planner Ref No: DP/2021/20</b>
<b>Report Presented by:</b> Councillor John McKee, Cabinet Member for Finance and Corporate Transformation	
<b>Enquiries to:</b> Phil Myers, Financial Services Manager	

## 1. Purpose of the Report

- 1.1 To agree the budget process for 2022/23 and to provide an initial update on the Medium Term Financial Strategy 2021/22 to 2024/25.

## 2. Recommendations

- 2.1 Members are asked to:

- a) Note the 2022/23 budget process timetable as detailed in the report;
- b) Agree that authority is delegated to the Cabinet Member for Finance and Corporate Transformation and the Corporate Director (Finance) to give agreement of the Council's participation in an Essex Business Rate Pooling arrangement for 2022/23, should the opportunity arise and is deemed to be beneficial to the Council; and
- c) Agree that authority is delegated to the Corporate Director (Finance) in consultation with the Cabinet Member for Finance and Corporate Transformation to agree terms for refinancing borrowing including the financing of premiums. The delegation is subject to the financial modelling continuing to demonstrate a revenue saving after applying an appropriate level of sensitivity analysis.

## 3. Summary of Issues

- 3.1 The Medium-Term Financial Strategy (MTFS) 2021/22 to 2024/25 was agreed by Council on 22<sup>nd</sup> February 2021. The level of council tax (Band D) for 2021/22 was frozen at £184.68 recognising that many of the district's residents would be facing difficulties as a result of the impact of the pandemic on household finances. The budget provided for a provision of £1m to be set aside to address any financial issues that services might face during 2021/22, given the high degree of uncertainty. The approved budget included using £320,165 from the General Fund unallocated balances to close the budget gap at that time, this being whilst plans were put in place to address the projected medium-term financial shortfall over the four-year period, of £1.657m.

### 3.2 This report provides:

- An update on the current year's Budget and the estimated impact of the Covid-19 pandemic;
- An update on Government funding for Local Government. An option, if the Government offers an opportunity, to participate in a bid by Essex authorities to operate an Essex Business Rates pooling arrangement for 2022/23;
- Issues which may impact over the period of the Council's proposed MTFS;
- The approach on developing the Budget for 2022/23 and rolling the MTFS period forward to cover the period 2023/24 to 2025/26; and
- The timetable to achieve the setting of the council tax and budget for 2022/23 at the meeting of the Full Council on 21<sup>st</sup> February 2022.

## 4. Current Year 2021/22 Budget Update

- 4.1 The first detailed review of the Council's finances for this year has been undertaken based on the income and expenditure in the first quarter. Detail of the review is provided in the First Quarter Performance Report, included as a separate item on the agenda for this Cabinet meeting.
- 4.2 In summary, the review predicts a positive variance of £252,000 including a projection of the impact of Covid. Except where specific expenditure is being incurred, it is difficult to be precise about the extent to which budget variances have arisen solely as a result of the Covid pandemic, consequently judgement has been used. The estimated budget impact of the pandemic in 2021/22 is £1.213m; consisting of reduced income of £898,000 and additional expenditure of £315,000. This total is partially offset by funding received from the Government leaving a net projected cost due to Covid of £278,000.
- 4.3 The forecast position regarding variances against base budget not due directly to the pandemic is a positive variance of £530,000; consisting of higher income of £439,000 and savings on expenditure of £91,000.
- 4.4 After taking into account other planned movements in balances, the projected change in General Fund unallocated balances is a reduction of £384,000, giving an estimated balance at the year-end of £5.615m.
- 4.5 The predicted outturn include assumptions for the remaining nine months of the year which are subjective and reality may ultimately lead to significant variation from the predicted position. The main area which is difficult to predict is the rate at which income streams will recover since the lifting of Covid-19 restrictions from 19<sup>th</sup> July 2021.
- 4.6 The assumptions will need to be developed over the coming months to inform the setting of a budget for 2022/23 with any service budget variances that are considered to be ongoing needing to be clearly defined.

4.7 In addition, the following strategic investment projects are completing in the current financial year: Victoria Square development; Horizon 120 infrastructure works; and the I-Construct Innovation Centre, for which the revenue implications will need to be reviewed in light of any project changes since their approval and any related commercial arrangements that have been completed.

## **5. Local Government Funding**

5.1 At the time of writing this report there has been no official announcement as to whether a Spending Review in Autumn 2021 will provide a multi-year local government finance settlement or whether there will be a further single year extension rolling forward from the current year.

5.2 **New Homes Bonus.** The Government is currently analysing the responses to its consultation 'The Future of the New Homes Bonus' that closed on 7<sup>th</sup> April 2021. The Cabinet Member for Housing, Assets and Skills agreed the Council's response to the questions raised.

5.3 **Business Rate Pool.** With the uncertainty over any future finance settlement, it may be that the Government continues to provide the opportunity for local authorities to form a business rate pool. If this is the case it is proposed that the Council considers participating with other Essex authorities and if appropriate submit a request for an Essex Pool to be designated for 2022/23.

5.4 Due to the short timescales experienced in previous years for submitting a request for a Pooling arrangement it is proposed that delegated authority be granted to the Cabinet Member responsible for Finance and Corporate Transformation to determine the Council's participation in an Essex Pool should the opportunity arise.

## **6. Issues which may impact on the Council's MTFS**

6.1 There are a number of issues which may impact on the Council's finances over the period of the MTFS, including:

- The Government's Fair Funding Review of Local Government and proposed Business Rate Retention scheme changes, both of which have been postponed for the last two year's financial settlements;
- The Environment Bill;
- Planning White Paper;
- Potential ongoing impact over the medium-term on services of the Covid pandemic;
- Impact of the growth of the District on services; and
- Uncertainties remain over the medium term of the impact of the United Kingdom's exit from the European Union.

## **7. Developing the Budget and Council Tax for 2022/23 and rolling forward the MTFS for 2022/23 to 2025/26**

7.1 The heightened degree of uncertainty continues to exist over the finances of Local Government as a result of the Covid-19 pandemic and also regarding the Government's proposal to make changes to Local Government funding.

7.2 The Local Government Finance Settlement for 2022/23, expected in mid-December, will continue to be key in determining the anticipated shortfalls in the Council's finances for both the Budget and Council Tax for 2022/23 and for the MTFS 2022/23 to 2025/26.

7.3 An Investment and Development Programme has been created to identify activities which will help deliver against the Council's budget gap of £1.6m by 2025.

7.4 The Programme has four workstreams, with the following objectives:

### 7.4.1 Commercial

- Maximise income to the Council from identification of new and development of existing income generating services and driving delivery against the budget gap.
- Reducing cost of Council services through operating in a business like way, continually identifying efficiencies in how the Council delivers services including exploration of shared service opportunities.
- To further develop a commercial culture as an organisation and communicating its part in protecting and enhancing public services, without impacting on public sector values.

### 7.4.2 Strategic Investment

- Net Income both revenue and capital.
- Projects that deliver income and are not inconsistent with corporate priorities.
- Projects that deliver against corporate priorities including regeneration, economic development and community amenities.

### 7.4.3 Asset Management

- Increase investment portfolio to maximise revenue income to the council.
- Improve the performance of the portfolio through option appraisal and disposal of poorer performing investment assets and recycle in to better quality assets.
- Maximise income from the existing portfolio.
- Consider opportunities for the sale of property assets according to market conditions to generate capital receipts for investment in other projects across the investment and development programme.
- Further develop the Asset Management and Strategic Investment teams' partnership working to deliver property investment projects.

- Support the economic development of the district making use of the competitive advantage of our district to attract new business.

#### 7.4.4 Treasury Management

##### Cash & Investments:

The primary objective is to invest funds prudently having regard to:

- Security – ensuring invested funds are secure
- Liquidity – ensuring the sufficient funds are available to meet current and future operational needs
- After which the achievement of highest return or yield should be considered.

##### Borrowing:

The main objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required.

- 7.5 On 7<sup>th</sup> July 2021, the Chief Executive, launched the ‘£1.6m Challenge’ encouraging staff to get involved by submitting ideas for savings, innovation and increasing income. This was supplemented by a session at the Managers Conference on 21<sup>st</sup> July at which managers were encouraged to submit their ideas.
- 7.6 In addition to each of the ideas being considered and processed through the Investment and Development Programme, work has commenced with all service managers being asked to review the budgets for their service areas with particular reference to the outturn for 2020/21 and also the projected outturn for the current financial year.
- 7.7 The opportunities for savings and efficiencies over the short and medium-terms will be put forward for consideration to Members and/or Management Board, as appropriate.
- 7.8 Given the uncertainties that exist in the short term it would be an option to consider using balances to allow a measured approach to identifying cost reductions or additional income to be agreed and implemented over the next 18 months.
- 7.9 One potential saving opportunity has been received recently from the Council’s Treasury Management Advisor, Arlingclose. The proposal is to refinance the Council’s existing Lender’s Option, Borrower’s Option (LOBO) loans, of £6m, and generate savings.
- 7.10 The current structure of these loans means that the Council is exposed to refinancing and interest rate risk at six-monthly intervals until the loans are repaid which may not be until they mature in March 2042. Arlingclose are of the opinion that there is an opportunity to agree early repayment terms with the lender and generate revenue savings, whilst also regaining control over the Council’s debt portfolio.

- 7.11 The proposal under review is to repay the principal amount of the existing two loans incurring additional premiums and then to refinance the whole amount with a higher amount of borrowing but at a lower rate of interest than the current average rate of 4.7%.
- 7.12 Arlingclose will support the Council on due diligence and execution of any proposed transaction. This will include undertaking the necessary financial modelling using current interest rates and assessing different options for refinancing structures. Sensitivity analysis will be undertaken to confirm that savings can still be achieved after applying a change in interest rates, which would typically involve assessing the effect of a +/- 1% change.
- 7.13 As the timing of the refinancing will be important it is requested that authority is delegated to the Corporate Director (Finance), in consultation with the Cabinet Member for Finance and Corporate Transformation, to enable negotiations to be completed and decisions taken on refinancing in the context of changing financial market conditions. The delegation is subject to the financial modelling continuing to demonstrate a revenue saving after applying the appropriate level of sensitivity analysis.

## 8. Budget process Timetable

- 8.1 Key dates for the proposed Budget process 2022/23 are provided in the table below:

6 <sup>th</sup> September 2021	Cabinet	Budget process and timetable for 2022/23
15 <sup>th</sup> October 2021	Strategy Workshop	Priorities, Finances, Savings and Investment
24 <sup>th</sup> November 2021	Performance Management Scrutiny	Initial budget proposals (revenue and capital) - All members invited to attend.
29 <sup>th</sup> November 2021	Cabinet	Initial budget proposals (revenue and capital)
13 <sup>th</sup> December 2021	Council	
Mid December 2021	Government announcement	Provisional Local Government Finance Settlement
January 2022	Business Community	Consultation on budget proposals – article included in January edition of the Business Bulletin
2 <sup>nd</sup> February 2022	Performance Management Board	Consultation on final budget proposals and updated MTFS - All members invited to attend
7 <sup>th</sup> February 2022	Cabinet	Final budget proposals and updated MTFS
21 <sup>st</sup> February 2022	Council	2022/23 Budget and Council Tax approved

## **9. Options**

- 9.1 Whilst the report outlines the approach to the Budget Setting process for 2022/23 and seeks delegated authority for specified decisions to be taken by a Corporate Director and Cabinet Member, the Cabinet may determine that amendments are required or authority is not permitted.

## **10. Financial Implications**

- 10.1 Detailed in the report.

## **11. Legal Implications**

- 11.1 No matters arising out of this report, however, legal implications will be considered, as necessary, for all budget saving proposals as they are prepared as part the budget setting process.

## **12. Other Implications**

- 12.1 No matters arising out of this report, however, other implications such as climate control issues, Safeguarding, Customer impacts, and risks will be considered, as necessary, for all budget proposals.

## **13. Equality and Diversity Implications**

- 13.1 Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:
- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act
  - (b) Advance equality of opportunity between people who share a protected characteristic and those who do not
  - (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.
- 13.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
- 13.3 It has not been necessary to conduct an Equality Impact Assessment at this stage, however, equalities and/or diversity implications will be considered, as necessary, for all budget saving proposals as they are prepared as part the budget setting process.
- ## **14. Background Papers**
- 14.1 The Medium-Term Financial Strategy (MTFS) 2021/22 to 2024/25 report agreed by Council on [22<sup>nd</sup> February 2021](#).

<b>Report Title:</b> To agree a ground lease extension for 1 Stepfield, Witham.	
<b>Report to:</b> Cabinet	
<b>Date:</b> 6 <sup>th</sup> September 2021	<b>For:</b> Decision
<b>Key Decision:</b> Yes	<b>Decision Planner Ref No:</b> DP/2021/26
<b>Report Presented by:</b> Councillor Kevin Bowers, Cabinet Member for Housing, Assets and Skills.	
<b>Enquiries to:</b> Mike Shorten (Surveyor and Valuer) /Andrew Epsom (Asset Manager)	
<p><b>Confidential Appendix</b></p> <p>This report has a confidential appendix which is not for publication as it includes exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.</p>	

## 1. Purpose of the Report

- 1.1 To consider the lessee's, Dietex International Limited, application to Braintree District Council (the Council) to extend the 45 year unexpired terms of their ground lease up to 125 years in respect of industrial premises at 1 Stepfield, Witham; and
- 1.2 To approve the agreed Heads of Terms for a lease surrender and re-grant, as reported in the Confidential Appendix.

## 2. Recommendations

- 2.1 To approve the agreed Heads of Terms, as reported in the Confidential Appendix, for a surrender of the unexpired term of the existing 99 year lease and re-grant of a new 125 year ground lease in respect of industrial premises at 1 Stepfield, Witham.

## 3. Summary of Issues

- 3.1 Braintree District Council's predecessor, The Witham Urban Council, granted a 99 year ground lease in October 1966 for a 3.00 acre/1.22 hectare industrial site at 1 Stepfield, Witham, as shown by red and blue border on the attached plan in Appendix 1. This plot is situated in a central position on the Freebournes Road Industrial Estate which includes a wide variety of industrial and commercial businesses serving local, national and international markets.
- 3.2 Subsequently the Council granted a Licence to Assign in 1987 effectively splitting the site into two separate plots between French Kier Limited and BP Nutrition (UK) Limited (later Dietex International Limited) as shown on the attached plan. This report relates to the Dietex International Limited plot only.

Dietex International Limited is an animal feeds business that was established over 20 years ago and is part of an international nutrition company, Mazuri Zoo Foods.

- 3.3 Dietex International Limited has applied to the Council to extend its current lease, which has 45 years remaining, up to 125 years. The original lease was for a period of 99 years. However, Dietex International Limited have indicated that its company's financiers would require an extended period of 125 years in order to facilitate improvements at the premises.
- 3.4 In recent years, the Council has received similar requests from businesses to extend their long ground leases granted in the 1960's and 1970's. This enables lessees to secure funding for business expansion or improvements to premises. Likewise, the Council benefits from modernised ground lease terms including review of the ground rent payable.
- 3.5 The Heads of Terms for the transaction, as reported in the Confidential Appendix, have been negotiated between the parties' representatives, and is submitted for formal approval.

#### **4. Options**

##### **Option 1:**

- 4.1 To accept the proposed surrender of the current ground lease and approve the grant of a new 125 year ground lease on the reported terms. This would enable the lessee to invest in the premises for the longer term and generate a significant rental increase and premium for the Council. (The Recommended Option)

##### **Option 2:**

- 4.2 To decline the request to surrender the current ground lease and grant a new longer term ground lease. This would be inconsistent with the Council's Asset Management Plan which states that opportunities to extend industrial ground leases shall be explored and also with the Council's Employment and Business Promotion policies. Therefore this is not the recommended option at this time.

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

- 5.1 The agreed transaction will generate for the Council a significant capital receipt upon completion and an increased ground rent subject to regular rent reviews during the term of the new ground lease, as set out in the Heads of Terms reported in the Confidential Appendix.

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

- 6.1 This transaction meets the 'best consideration' requirements of Section 123, Local Government Act 1972. There are no further legal issues arising from this decision.

## **7. Other Implications**

- 7.1 The lessee of the site, Dietex International Limited, will benefit from the additional security of tenure of an extended ease term.
- 7.2 There are no environmental, climate change, safeguarding or community engagement issues arising from this decision.

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

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

## **10. List of Appendices**

- 10.1 Confidential Appendix.
- 10.2 Appendix 1 – Site Plan

## **11. Background Papers**

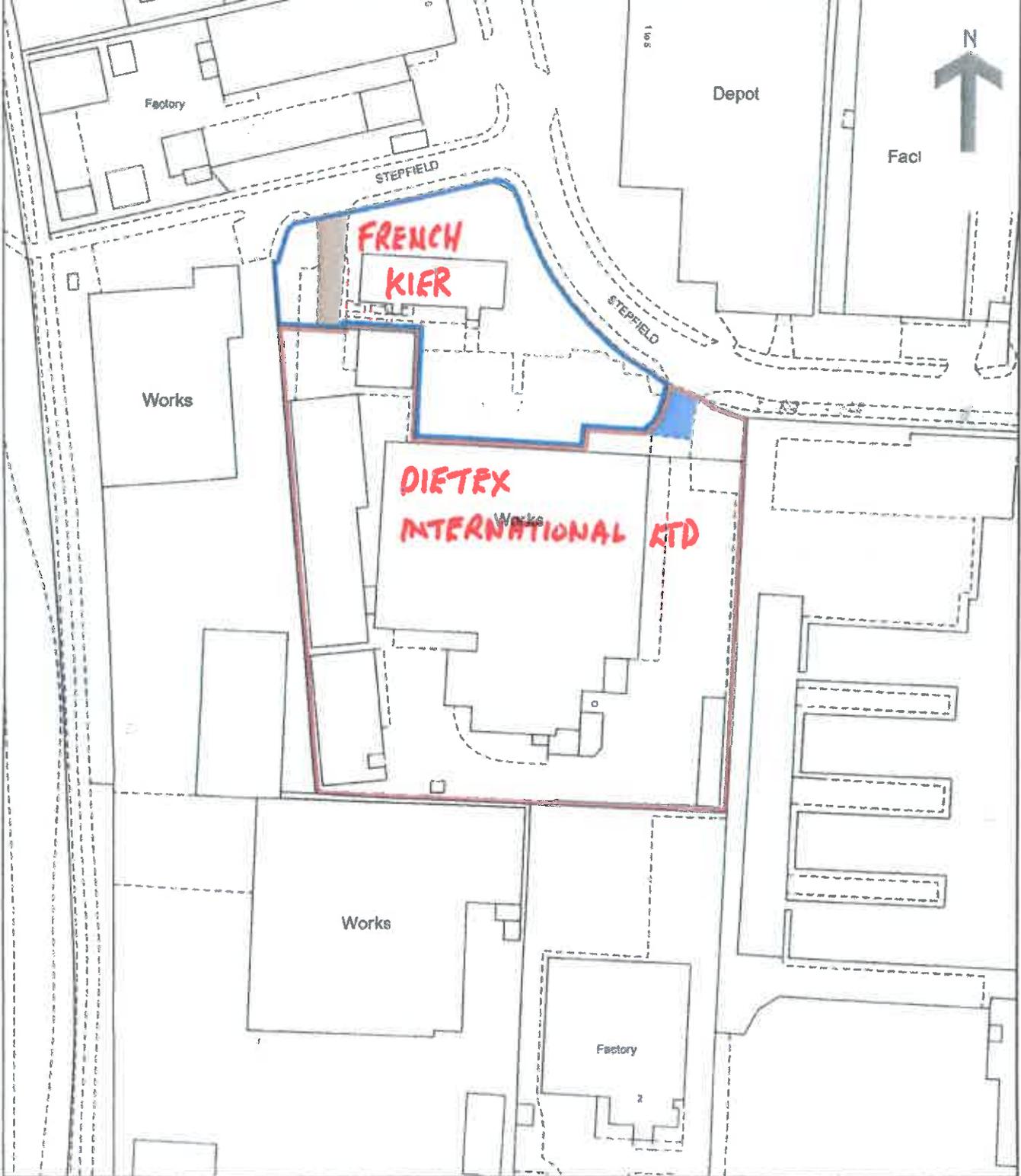
- 11.1 Asset Management Property File: 1, Stepfield, Witham.

HM Land Registry  
Official copy of  
title plan

Title number **EX671133**  
Ordnance Survey map reference **TL8214NE**  
Scale **1:1250**  
Administrative area **Essex : Braintree**



© Crown Copyright. Produced by HM Land Registry. Reproduction in whole or in part is prohibited without the prior written permission of Ordnance Survey. Licence Number 1000250111.



<b>Report Title:</b> Braintree District Council Leisure Provision from August 2022	
<b>Report to:</b> Cabinet	
<b>Date:</b> 6 September 2021	<b>For:</b> Decision
<b>Key Decision:</b> Yes	<b>Decision Planner Ref No:</b> DP/2021/22
<b>Report Presented by:</b> Councillor Peter Tattersley, Cabinet Member for Health and Wellbeing	
<b>Enquiries to:</b> Joby Humm, Leisure and Contracts Manager and James Sinclair, Commercial Manager	

### **Confidential Appendix**

This report has three confidential appendices which are not for publication as they include exempt information falling within paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended.

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

- 1.1 This report seeks approval to extend the Braintree District Council's (the Council) contract held with Fusion for leisure facilities within the District.
- 1.2 To set out details of the options for the future modelling of the District's leisure facilities.

## **2. Recommendations**

- 2.1 That Cabinet:
  - a) Approve the extension to the contract held with Fusion Lifestyle for a further 5 year period at a total Braintree District Council income value of £1,077,650.00
  - b) Approve the inclusion of a break clause at year 3 of the contract

## **3. Summary of Issues**

- 3.1 The Council owns four leisure centres within the District which are currently being managed by Fusion Lifestyle. These sites are:
  - Braintree Sport and Health Club
  - Braintree Swimming and Fitness Centre
  - Witham Leisure Centre
  - Halstead Leisure Centre

- 3.2 The Council's contract with Fusion Lifestyle is due to come to an end on 31 August 2022. However, the contract does contain the provision to enable the contract to be extended for a 5 year period from 1 September 2022 until 31 August 2027.
- 3.3 The Council have assessed the options available for the District's leisure facilities from September 2022 and sought to review the extension proposal from Fusion Lifestyle. This has been compared against the likely market position, considering alternative options available at this time and future options that might be available at the expiry of the extension period. This work has been supported by RPT Consulting, who were commissioned as specialist leisure sector advisors.
- 3.4 It is important to note that the Council's assessment has been made in the context of the continued uncertainty around the leisure market considering in particular:
- The impact this would have on bids from suppliers if the Council were to reprocure; and
  - Difficulty in projecting the medium to long term demand for leisure provision.
- 3.5 Through working with Fusion Lifestyle the Council has received full details of its plans for the various centres within the district over the 5 year period, this is provided within Appendix B.
- 3.6 Should the Council proceed with the recommendation, it is projected that the Council would receive an increase in revenue in the sum of £22k per annum. However, it should be noted that this is caveated on leisure provisions returning in line with industry and government projections.
- 3.7 Through extending the contract, the financial and operational risk to the Council is reduced in the short term allowing for the leisure industry to continue on its recovery as Covid-19 restrictions are lifted. Through retaining continuity of service, the Council would not incur any contract start-up costs which would impact on the revenue available to the Council.
- 3.8 As part of the Fusion proposal an investment of a £1.1m has been identified for gym/ studio refurbishments, sports equipment and lifecycle works over the term of the contract extension. This would be entirely funded by Fusion. Discussions with Fusion indicate that by extending this agreement this proposed refurbishment programme could be brought forward before the end of the existing contract, which could be important in enticing returning and new customers into leisure centres.
- 3.9 The recommendations set out in this report will help the Council to deliver the following Corporate Objectives:
- A sustainable environment and a great place to live, work and play; achieved through access to affordable, easily accessible and high quality leisure provision for residents

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

The proposals discuss the drive to increase participation, focusing on local priorities and targeting under-represented groups. This will focus on active communities, improving physical wellbeing and sports and community development planning in Braintree. The continuity and greater accessibility of health provision will clearly support residents to 'live well'.

#### **4. Options**

- 4.1 The Council have considered a range of options for the future of leisure services within the District. Should the Council determine not to extend the Contract at this time, then it would be required to undertake a substantial procurement exercise to seek an alternative provider or consider bringing the provision in-house. Both options would require significant work and in light of the current contract expiring in September 2022, there is a risk that the new services will not be fully operational in time.
- 4.2 In order to enable the leisure industry to continue its recovery, and ensure that future modelling is based on actual usage rather than anticipated, it is recommended that the Council maintain its current provision with its current provider. Accordingly it is recommended that the Council extend the current contract for the 5 year period.
- 4.3 In agreeing to extend the contract, the Council have considered a number of options which would ensure the District's leisure facilities are safeguarded during that 5 year period. Full details are set out in the Confidential Appendix B.

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

- 5.1 Following the Cabinet's approval, the Council will look to continue to work with Fusion Lifestyle for the delivery of its leisure provision in the District.
- 5.2 Any decisions relating to the future leisure modelling following assessment will be returned to Cabinet for consideration and approval.

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

- 6.1 There are no further financial commitments arising out of the recommendations set out in this report. If the break clause in the contract were invoked at year 3, there would be a cost to undepreciated capital elements of the works that Fusion will undertake to invest in the leisure centres.
- 6.2 As a result of the Council's extending the Contract, it will receive an increase to the management fee of £22,000 per year in addition to current contractually agreed management fee of £193,200.

## **7. Legal Implications**

- 7.1 The Council's current contract with Fusion allows for the parties to agree to a 5 year extension. Accordingly the recommendations are in line with the Council's Contractual obligations. Any extension will be subject to a Deed of Variation, which will be prepared between the parties and signed in advance of the expiry of the current contract.

## **8. Other Implications**

- 8.1 The recommendation should result in a positive impact for customers through
- A refurbishment of gym equipment, providing a better experience for centre users
  - Targeting of underrepresented groups, supporting these groups to access health and fitness provision
  - Better access through improved digital experience

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

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

## **10. List of Appendices**

- Confidential Appendix A
- Confidential Appendix B – RPT Consulting Report on Fusion Contract Extension Options - Summarised
- Confidential Appendix C – Fusion Contract Extension Proposal