

# **Cabinet**



The Cabinet will meet at Council Chamber , Braintree District Council, Causeway House, Bocking End, Braintree, Essex, CM7 9HB on **Monday, 30th March 2015 at 7.15pm.**

## **Membership**

Portfolio	
Leader of the Council	Councillor G Butland (Chairman)
	Councillor T Cunningham
People and Participation	Councillor Mrs J Beavis
	Councillor P Tattersley
Performance and Efficiency	Councillor D L Bebb
	Councillor J T McKee
Place	Councillor Mrs W Schmitt (Deputy Leader of the Council)
	Councillor R G S Mitchell
Planning and Property	Councillor Lady Newton
	Councillor J O'Reilly-Cicconi

## **Invitees**

Other invitees:- Group Leaders and the Chairman of the Overview and Scrutiny Committee Committee, Liz Storey, Chief Executive of Ignite Business Enterprise and Nigel Harley, Chairman of Ignite Business Enterprise.

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

Nicola Beach  
Chief Executive

## **PUBLIC INFORMATION**

### **Question Time**

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

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

### **Health and Safety**

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### **Mobile Phones**

Please ensure that your mobile phone is switched to silent or is switched off during the meeting.

### **Webcast and Audio Recording**

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

## **INFORMATION FOR MEMBERS**

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

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

# AGENDA

No	Title and Purpose of Report	Pages
1	<b>Apologies for Absence</b>	
2	<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.	
3	<b>Public Question Time</b> (See paragraph above)	
4	<b>Minutes of the Previous Meeting</b> To approve as a correct record the minutes of the meeting of the Cabinet held on 2nd February 2015 (copy previously circulated).	
5	<b>OVERALL CORPORATE STRATEGY AND DIRECTION</b>	
5a	<b>Leader's Update</b> The Leader of the Council to provide a brief update on key issues and activities.	
5b	<b>Annual Plan 2015-16</b>	<b>5 - 12</b>
5c	<b>Devolution Proposal</b>	<b>13 - 17</b>
5d	<b>Ignite Business Enterprize</b> To receive a presentation from Liz Storey, Chief Executive and Nigel Harley, Chairman of the Ignite Business Enterprise on the progress with the delivery of business start-up services.  Note: The presentation slides will be available on the Council's website after the meeting.	
6	<b>PERFORMANCE AND EFFICIENCY</b>	
6a	<b>Third Quarter Performance Management Report 2014-15</b>	<b>18 - 47</b>
6b	<b>Strategic Risk Management</b>	<b>48 - 62</b>
6c	<b>Business Growth Loan Fund</b>	<b>63 - 73</b>
7	<b>PLACE</b>	

7a	<b>Braintree District Council Climate Local Strategy and Action Plan</b>	<b>74 - 91</b>
8	<b>PLANNING AND PROPERTY</b>	
8a	<b>Neighbourhood Planning Area Application from Kelvedon, Hatfield Peverel and Feering Parish Council</b>	<b>92 - 106</b>
8b	<b>Proposed Disposal of Part of Bramston Sports Centre Site, Witham - Public Report</b>	<b>107 - 119</b>
9	<b>CABINET MEMBERS' UPDATES</b> To receive Cabinet Members' verbal reports on key issues within their portfolio.	
10	<b>REFERENCES FROM COUNCIL/COMMITTEES/GROUPS</b> <i>There are none.</i>	
11	<b>REPORTS/ DELEGATED DECISIONS/MINUTES TO BE NOTED</b>	
11a	<b>Cabinet Member Decisions made under Delegated Powers</b>	<b>120 - 121</b>
11b	<b>Minutes - Local Plan Sub-Committee - 12 January 2015</b> To note the Minutes.	<b>122 - 126</b>
11c	<b>Minutes - Developing Democracy Group - 3rd February 2015 1</b> To note the Minutes.	<b>127 - 132</b>
12	<b>URGENT BUSINESS AUTHORISED BY THE CHAIRMAN</b>	
13	<b>EXCLUSION OF PUBLIC AND PRESS TO CONSIDER REPORTS IN PRIVATE SESSION</b> For reasons set out in Paragraph 3 of Part 1 of Schedule 12(A) of the Local Government Act 1972.	

## **AGENDA – PRIVATE SESSION**

<b>No</b>	<b>Title and Purpose of Report</b>	<b>Pages</b>
14	<b>PLANNING AND PROPERTY (Private Session)</b>	
14a	<b>Proposed Disposal of Part of Bramston Sports Centre Site, Witham - Private Report</b>	



<b>Annual Plan 2015-16</b>		<b>Agenda No: 5b</b>
<b>Corporate Priority:</b> Corporate Strategy <b>Portfolio Area:</b> Overall vision and strategic direction <b>Report presented by:</b> Councillor Graham Butland, Leader of the Council <b>Report prepared by:</b> Nicola Beach, Chief Executive and Cherie Root, Head of Business Solutions		
<b>Background Papers:</b>  Annual Plan 2015-16		<b>Public Report</b>
<b>Options:</b>  To approve the Annual Plan 2015-16.		<b>Key Decision: YES</b>
<b>Executive Summary:</b>  The Annual Plan sets out our actions and performance targets for 2015/16. These actions and targets will support the Corporate Strategy 2012-16, which was agreed in February 2012. The actions and performance targets are aligned to each of our corporate strategy themes: <ul style="list-style-type: none"> <li>• Place</li> <li>• People</li> <li>• Prosperity</li> <li>• Performance</li> <li>• Partnerships</li> </ul> Progress made against these actions and targets will be reported to Cabinet quarterly.		
<b>Decision:</b>  Cabinet to approve the Annual Plan 2015/16.		
<b>Purpose of Decision:</b>  To agree the Council's key priorities for 2015/16.		

Any Corporate implications in relation to the following should be explained in detail	
<b>Financial:</b>	The projects in the Annual Plan have been considered as part of the annual budget setting process and budgets were approved in February 2015. Each project will have its own budget which will be monitored as part of the project management process. Budget issues will also be reviewed as part of the quarterly reporting process.
<b>Legal:</b>	As part of the project management process for each project, there will be an assessment of the legal implications.
<b>Safeguarding</b>	Any safeguarding concerns will be assessed in the planning for each project.
<b>Equalities/Diversity</b>	An equalities impact assessment will be completed for each project.
<b>Customer Impact:</b>	Customer Impact will be considered in the planning for each project.
<b>Environment and Climate Change:</b>	The PLACE annual plan priority has a number of actions which seek to protect our environment. Further information on this is available in our Corporate Strategy.
<b>Consultation/Community Engagement:</b>	Consultation has been carried out as part of the budget setting process and will be carried out as part of the planning for individual projects.
<b>Risks:</b>	<p>If the annual plan priorities are not endorsed, then there will be no basis for a work programme to deliver the corporate priorities.</p> <p>Risk assessments are carried out as part of the project planning and business planning process. These are considered at a service level and at a management board level. Portfolio holders will also consider strategic risks, which may arise from or affect the delivery of the annual plan priorities and performance targets.</p>
<b>Officer Contact:</b>	Cherie Root
<b>Designation:</b>	Head of Business Solutions
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# **OUR PLANS FOR THE DISTRICT IN 2015/16**

# Welcome to Braintree District Council's Plan for 2015/16

I am pleased to report on excellent progress in projects across our four key priorities – creating a better place, helping people to feel good, building a prosperous District and being an organisation that delivers value.

We are an ambitious and forward thinking Council with a vision of creating a District which is a good place in which to live, work and do business.

We have tackled our budget challenge head on, making savings and investments early to maintain key frontline services as well as freezing or reducing Council Tax levels for the fifth consecutive year. We have been innovative with our New Homes Bonus, using the money to invest in priority projects such as new enterprise centres, improving industrial estates, road improvements and better broadband. Our District is set to achieve one of the highest levels of growth in the eastern region and it is vital to create the conditions and infrastructure to enable that growth.

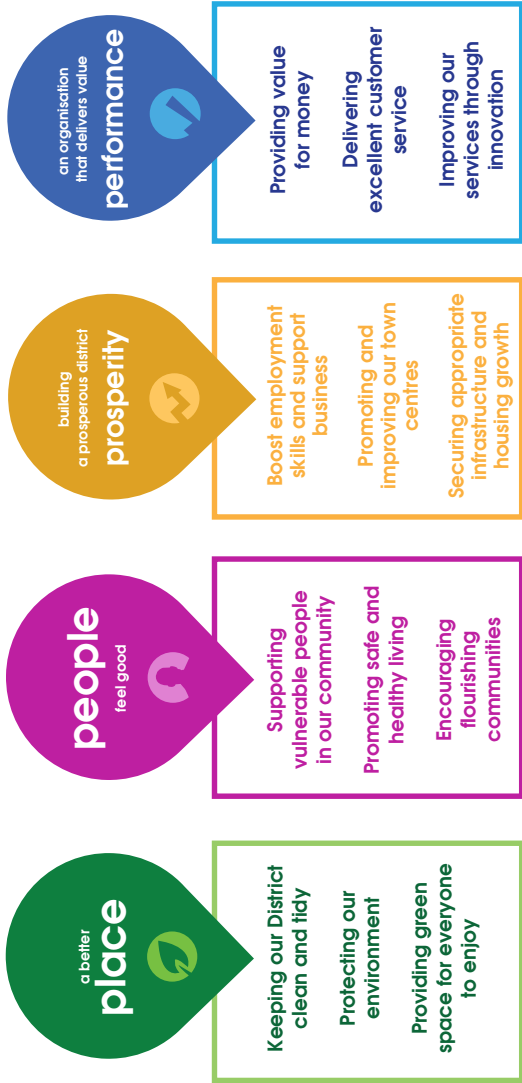
We are always seeking to learn and improve and in October 2013 we undertook a corporate peer challenge with a focus on financial innovation and economic growth. The resulting action plan that we are implementing is further driving improvement with innovative investments and a 'Better at Business' work stream to increase income to further support our services.

This year we will also see investment in front line services to keep the District clean, including investment in waste and recycling services to householders and businesses to make the service more cost efficient and improve service to customers. We will see the completion of 70 affordable homes, the continuation of the '10p after 3pm' car parking initiative to support town centres, and investment in play areas that will include a new Adventure Sky Line visitor attraction at Great Notley Country Park. We are also focussing on working with our partners to reduce obesity levels in children and adults and continuing to support independent living by introducing a 'handyman' service and running our community transport service.

  
**Councillor  
Graham Butland**  
Leader of Braintree District  
Council

  
**Nicola Beach**  
Chief Executive

## Corporate Priorities 2012 -16



  
**delivering through partnership**  
public services, communities, voluntary sector and private sector

# PLACE

## Our Priorities are to:

- **Keep our District clean and tidy**
- **Protect our environment**
- **Provide green space for everyone to enjoy**

## To support this in 2014/15 we have:

- Reduced 'food on the go' litter in our District by 68% and throughout Essex by 41% through the delivery of a targeted anti-litter campaign in partnership with all Essex local authorities.
- Invested in technology and introduced new refuse and recycling routes to make the service more cost efficient and offered an improved service to customers.
- Extended Bocking Cemetery, increasing the capacity for an additional 990 burials and 2100 cremated remains plots, which equates to an additional 25 years of capacity.
- Provided land for the creation of a new community managed allotment site at Church Lane, Braintree, to help meet increasing demand for allotments. The site is expected to accommodate up to 32 plots, depending on the layout and design agreed by the Community Allotment Association.
- Installed solar panels on our leisure centres to reduce Braintree District Council's carbon footprint and reduce the costs of electricity used on each site.

## In 2015/16 we will:

- Continue a 7 day cleaning programme in the town centres, including mechanical sweeping and targeted litter picking.
- Maintain a programme of mechanical sweeping in rural areas on a quarterly basis.
- Continue to support an anti-litter campaign across Essex.
- As part of the Essex waste partnership, participate in campaigns that aim to reduce waste and boost recycling.
- Expand our recycling waste service in flats to an additional 50 sites.
- Expand our Trade Waste Recycling service to businesses in rural areas.
- Install additional solar panels on Witham Leisure Centre and new solar panels on the Discovery Centre and George Yard car park, and replace the wind turbine at the Discovery Centre to improve the energy efficiency of Council assets.
- Working with ECC Highways, install directional signage in Braintree and Witham to increase customer awareness and accessibility to car parks and leisure facilities.
- Work with Essex County Council on developing a new Adventure Sky Line visitor attraction at Great Notley Country Park that will open this summer.



# PEOPLE

## Our Priorities are to:

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



## To support this in 2014/15 we have:

- Opened a new £9 million leisure centre in Witham offering state of the art facilities and innovative accessibility features to ensure disability access is at the heart of the centre.
- Invested £1 million in refurbishing our three other centres in Braintree and Halstead.
- Increased the number of people using our leisure centres by 9% compared to the previous year.
- Increased satisfaction levels with sports and leisure facilities from 65% to 78%
- Supported the delivery of a successful, well attended, 3rd stage of the Tour de France
- Refurbished four play areas across the District.

## In 2015/16 we will:

- Reduce hip fractures amongst older residents by working with Housing Improvement Agency and other agencies to introduce a "Handyman service" to help frail residents and other partners to build resilience in the community.
- Reduce obesity levels across the District by working with Health & Wellbeing panel partners to deliver local activities to enable residents to eat well and increase activity levels.
- Refurbish three play areas at: Rosebay Close, Witham, John Ray Park, Braintree, and Tabor Field, Braintree.
- Work with "Active Braintree District" partner organisations to increase access to sports and activities so that the District becomes a place where all individuals and communities have the opportunity to take part in their chosen activity.
- Deliver the second stage start of the Friends Life Women's Tour and follow up Festival to encourage cycling and other physical activities.
- Deliver an improvement programme to preserve, interpret and promote the unique Archive, Museum and District's heritage for the public benefit through a sustainable partnership with Braintree District Museum Trust Ltd.
- Support community groups to deliver local projects through the Mi Community fund.



# PROSPERITY

## Our Priorities are to:

- Increase job prospects and support business
- Promote and improve our town centres
- Secure appropriate infrastructure and housing growth

## To support this in 2014/15 we have:

- Supported the setup of 75 Business start-ups across the District in conjunction with Ignite.
- Created vocational training opportunities through the corporate apprenticeship programme and the business apprenticeship support campaign.
- Invested £250,000 in extending business broadband, as well as producing a Broadband guide for businesses to enable them to make informed choices in purchasing broadband and improving their competitiveness.
- Completed Braintree Town Centre infrastructure improvement projects, including the South Street/Fairfield Road junction improvement and environmental enhancement; St. Michaels Fountain andscaping scheme; and started work on Sandpit Lane public realm works.
- Invested £1 million into a Local Authority Mortgage Scheme which is being operated by Lloyds bank to help first time buyers onto the housing ladder.
- Built a new affordable car park in Witham for commuters to increase access to the Station and ease parking in nearby residential areas.
- Enabled the delivery of 173 affordable homes in the District.
- Introduced a new discretionary rate relief scheme which provided relief of up to £1,000 to 536 retail businesses in the District.



## In 2015/16 we will:

- Complete the Springwood Drive Enterprise Centre extension, improving business start-up and growth support for new businesses in the District.
- Deliver 75 new business start-ups in conjunction with Ignite.
- Deliver two Area Business Forums providing business support and helping to improve District Council services to businesses.
- Promote inward investment through a dedicated website and increased marketing activities.
- Deliver an industrial estate improvement scheme supporting business growth across the District.
- Produce a draft District Local Plan providing sustainable housing and employment growth for the future.
- Invest £500,000 in a business loan scheme to help the District's businesses expand and grow to create new jobs and support enterprise in town and rural areas.
- Work with Housing Associations to enable the delivery of 70 affordable homes as part of our four year target to build 400 affordable homes by March 2016.

# PERFORMANCE

## In 2015/16 we will:

- Deliver a 0% Council Tax increase in 2015/16.
- Work with our public sector partners to review the use of property assets across the District to ensure they are providing the best value for money to the taxpayer.
- Increase income from our services by identifying commercial opportunities that will generate revenue to support us in addressing the District's priorities.
- Continue to use a range of new technologies to improve the way that we deliver services and ensure that they are easier to access for our customers.
- Continue to review our investments to ensure that they are generating the maximum income.

## Our Priorities are to:

- Provide value for money
- Deliver excellent customer service
- Improve access to our services for all

## To support this in 2014/15 we have:

- Reduced our Council Tax by 1%.
- Reviewed and executed our investment strategy to maximise income from our assets, resulting in anticipated extra income of over £1,000,000.
- Continued to achieve high levels of customer satisfaction across our services.
- Improved the operational efficiency of the waste service and reduced costs by £200,000 per year.
- Introduced "My Location" on our website, enabling our residents to easily access information about the area in which they live.
- Supported the Boundary Commission to review the democratic representation for the District which will result in a reduction from 60 to 49 Councillors from May 2015.
- Purchased investment properties generating income to support delivery of key Council services.



## To support this in 2014/15 we have:

- Set up a Health and Wellbeing panel with partners to reduce the health inequalities in the District.
- Worked with partners to deliver the Our Witham project to improve the health, wellbeing, employment and skills of young people in the Witham area.
- Engaged with Strategic Businesses, through the District Business Leaders Board, to support key economic infrastructure improvements, including business sign-up to the A120 Improvement Campaign
- Established a District Employment and Skills Board and conducted an employer skills review to inform actions to address employer skill needs.

## In 2015/16 we will:

- Work in partnership with other Essex authorities (Districts, County Council and Unitary Councils) and other public sector organisations to develop a devolution proposal for Greater Essex which will enhance local government in Greater Essex with the possible transfer from central Government of powers and funds to a Combined Authority. In exploring this option, any new governance model must deliver better outcomes for our taxpayers, residents and businesses. Examples of this could include delivery of major transport infrastructure projects in a more timely and cost-effective way and more local control on skills funding to ensure it matches business need and increases job opportunities. Both these examples will stimulate growth and boost the Greater Essex economy.
- Continue to work in partnership with key partners such as local business leaders, Haven Gateway Partnership, Essex local authorities and Stansted Airport to continue to drive forward economic growth and infrastructure improvements in the District and surrounding area. In particular to try to ensure the South East Local Enterprise Partnership (SELEP) is more responsive to the priorities of the District and surrounding areas. This work programme is linked to the devolution proposal for Essex. There is now a particular focus on working with Essex County Council, Highways

Agency and other Essex District councils to start work on options for the new A120 route and the widening of the A12. Both of these projects have longer time-scales than the annual plan but resources have been allocated to commence initial work this year.

- Work with neighbouring Essex (and Suffolk) Districts, Essex County Council and other partners such as the Health and education sectors, on strategically planning for the significant housing and economic growth required in the District with the necessary supporting infrastructure (e.g. transport, schools and health services) to support the work on the new Local Plan.
- We will continue to work with health partners, including the Mid-Essex Clinical Commissioning Group, and other organisations to create a Living safe and wellbeing partnership. This will support individuals and communities to act for themselves, helping to improving residents' health and independence, thereby reducing the pressure on the local NHS system.
- In partnership with the Rural Community Council for Essex (RCCE), continue to work with Parish and Town Councils to support their local priorities.
- Work with Essex County Council and local schools and academies to improve the educational standard and attainment of young people in the District.
- Participate in a Business Rates pooling arrangement with nine Essex authorities. This will increase the amount of business rates retained within Essex, of which the Council will receive a proportion to spend in the District.
- Work with other local authorities in Essex to develop a business case for establishing a building control shared service across the County.

# MEASURING SUCCESS

In addition to the projects and actions described in this annual plan we also measure these indicators which focus on some of our broader priorities.



Description	Target 2014/2015	Estimated Outturn 2014/2015	Target 2 015/2016
PLACE			
The percentage of land that falls below cleanliness standards for litter	7%	5%	6%
Percentage of household waste sent for reuse, recycling and composting	60%	55%	60%
The percentage of accessible non-hazardous fly tips on public land cleared within 24 hours of being reported	100%	100%	100%
Public satisfaction with parks and open spaces	88%	92%**	88%
PEOPLE			
Total number of visits to our leisure facilities	Baseline set	950,000	5% increase
Number of visitors to our leisure facilities from under-represented groups	Baseline set	800,000	2% increase
Number of passenger journeys on the Community Transport Scheme	60,000	61,500	61,000
Number of approved Mi Community projects successfully completed	100%	100%	100%
PROSPERITY			
Number of empty homes in the District returned to use	75	70	70
Number of affordable homes delivered	100	173	70
Number of new business start-ups in the District created in partnership with Ignite Business	75	75	75
PERFORMANCE			
Percentage of enquiries resolved at first point of contact within the Customer Service Centre	85%	94%	85%
Time taken to process housing benefit/council tax benefit new claims	18 days	18 days	18 days
Time taken to process housing benefit claim changes	6 days	6.7 days	6 days
Processing of minor planning applications within eight weeks	72%	69%	72%
Percentage of stage 1 complaints responded to within target	90%	91.5%	90%
Collection rate for			
• Council Tax	98%	98.5%	98%
• Business Rates	98.5%	98%	98.5%

\*\* results from 2014/15 customer satisfaction survey (545 responses to date)

# COMMENTS AND FEEDBACK

We always welcome comments, suggestions and feedback on our plans and improvements and on the way that we write our documents and communicate them.

You can:

- E-mail our Customer Service Centre at **[csc@braintree.gov.uk](mailto:csc@braintree.gov.uk)**
  - Drop written comments off at one of our main offices:  
  
Braintree, Causeway House,  
Halstead Library or Witham Library
  - Telephone our Customer Service Centre on **01376 552525**.
  - Speak to your local Councillor who will be able to pass your comments back if you wish. Contact details for your Councillor can be found on our website: **[www.braintree.gov.uk](http://www.braintree.gov.uk)**
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<b>Devolution Proposal</b>		<b>Agenda No: 5c</b>
To receive a report on the progress to date in developing a Devolution Proposal for Greater Essex.		
<b>Corporate Priority:</b>	<b>Boost employment skills and support business; delivering through partnership</b>	
<b>Portfolio Area:</b>	<b>Overall Corporate Strategy and Direction</b>	
<b>Report presented by:</b>	<b>Councillor Graham Butland, Leader of the Council</b>	
<b>Report prepared by:</b>	<b>Nicola Beach, Chief Executive</b>	
<b>Background Papers:</b>	<b>Public Report</b>	
None		
<b>Options:</b>	<b>Key Decision: No</b>	
None		
<b>1.</b>	<b>Background</b>	
1.1	The fifteen local councils of Greater Essex (Essex County Council, Essex district, borough and city councils and Southend-on-Sea and Thurrock Councils) have been working together to explore devolution ideas and draft proposals which could see the transfer of powers and funding from central Government to Greater Essex authorities.	
1.2	Devolution could bring benefits such as growing the local economy, greater control on skills funding to ensure training matches business need now and in the future, creating new jobs, increasing inward investment and tackling some of the transport and infrastructure challenges of the area.	
1.3	The programme of work stems from the December 2014 Leaders’ meeting where support was given for work to commence. To date the following process has been followed:	
	<ul style="list-style-type: none"><li>• Leaders and Chief Executives working together with all fifteen authorities represented</li><li>• Two devolution meetings have been held:<ul style="list-style-type: none"><li>- 19th February – discussing our ambition, vision and strategic problems to address;</li><li>- 5th March – more detail on ambition, possible ‘offers and asks’ to Government and discussion on future governance models.</li></ul></li></ul>	
	This work programme is being led by the Leader and Chief Executive group.	

1.4	In March 2015, a letter was sent to the Secretary of State for Communities and Local Government expressing an interest in devolution for Greater Essex and requesting further dialogue with Government post elections. A copy of the letter has been shared with all MPs in the Greater Essex area.
1.5	<p>The approach to devolution that Greater Essex authorities are exploring is delivering economic growth (nationally and locally) and improving wellbeing under the strategic headings of:</p> <ul style="list-style-type: none"> <li>• Connectivity and Infrastructure</li> <li>• Strategic Place Shaping</li> <li>• Employability, Access to Employment &amp; Skills</li> <li>• Health economy, prevention and early intervention</li> </ul>
<b>2.</b>	<b>Possible benefits of Devolution</b>
2.1	<p>Some of the benefits and arguments for progressing this agenda now are set out below:</p> <ul style="list-style-type: none"> <li>• Powers and funds to come from central Government to local government; The devolution prize is securing greater control of these</li> <li>• Enhancing role and strength of local government</li> <li>• Focus on economic development, better infrastructure and skills</li> <li>• Decisions will be made locally by people who know more about the local situation</li> <li>• All Parties have opened the door for devolution</li> <li>• Central Government is seeking a bold ambition on a Greater Essex wide scale</li> <li>• Strengthens the case for a coterminous LEP</li> <li>• Others are seizing the opportunity and we risk competitive disadvantage</li> </ul>
<b>3.</b>	<b>Governance</b>
3.1	In order for central Government to consider the transfer of powers and funds to local government, the partnership of local authorities would need to consider setting up a Combined Authority (Government's descriptor). Whilst there are other governance models in existence such as joint committees and Economic Prosperity Boards, the message we are receiving from Government is that local governance would need to be robust and democratically accountable. The Combined Authority (CA) model appears to be the preferred governance model through which powers and funds are devolved.
3.2	<p>The term 'combined authority' can cause some misunderstanding as to its purpose and scope. The points below clarify what a CA is:</p> <ul style="list-style-type: none"> <li>• This is not a reorganisation of local government</li> <li>• A CA does not replace existing authorities</li> <li>• It is not a unitary council</li> <li>• It does not take powers away from councils</li> <li>• No change to existing sovereignty</li> <li>• Local councils working collectively together</li> <li>• It provides democratic and robust governance to ensure that collectively</li> </ul>

	<p>local councils are accountable for taxpayers money</p> <ul style="list-style-type: none"> <li>Proposals to form a CA have to be approved by each of the Councils involved before being submitted to the Government.</li> </ul>
3.3	<p>There is a detailed process that has to be followed to establish a Combined Authority with stages at local government and central government levels which results in the proposal going before Parliament for approval. The process can take at least 12-18 month from when the formal process is triggered.</p>
3.4	<p>The stages set out by Government are:</p> <p><u>Stage 1: Local Authority led stage – benefits, proposals and governance review</u> From idea to submission of detailed proposal</p> <p><u>Stage 2: DCLG led stage</u> From proposal to the draft Order to establish the Combined Authority being laid in Parliament (subject to Ministerial approval)</p> <p><u>Stage 3: Parliamentary stage</u> Draft Order debated in both the House of Commons and the House of Lords. Making of the Order and establishing the Combined Authority. (subject to Parliamentary approval)</p>
3.5	<p>The current Greater Essex discussions are at an early stage and are not in a formal process yet. No decisions have been made on future governance arrangements.</p>
<b>4.</b>	<p><b>Learning from other areas</b></p>
4.1	<p>Combined Authorities have already been established in Greater Manchester, Liverpool and Sheffield City Regions with devolution deals being agreed with Government now.</p>
4.2	<p>The most recent and high profile example is Greater Manchester. A small group of Leaders and Chief Executives from Greater Essex visited Greater Manchester in January 2015 and met with Leaders and staff. As well as devolved powers and funds on health, the Greater Manchester deal also includes managing transport such as bus services and roads, reducing worklessness, troubled families support and improving early years' education; these are part of a broader public service reform programme being undertaken. The Greater Manchester devolution agreement with Government also included a directly elected Mayor (but the role does not have the same powers as the Mayor of London), but this is the only deal to date where this has happened and perhaps reflects the scale of the Greater Manchester agreement which has been described by some observers as a 'game changer'.</p>
4.3	<p>Two examples of two-tier areas (both with a mix of county, district and unitary councils) that are progressing devolution deals and a combined authority model are Derbyshire and Nottinghamshire. Both are just about to submit their proposals to Government having gone through the local authority led stage (as above). These areas resonate more with Greater Essex given their size and</p>

local authority mix. The Nottinghamshire and Derbyshire broadly proposals cover:

- Strategic Economic Development / Setting the Economic & Investment strategies
- Making decisions in relation to the uplift from Enterprise Zone business rates
- Strategic Planning / Further education / Housing
- Employment / Skills / Business initiatives
- A local transport authority and Passenger Transport Executive

4.4 Contact has been made with both areas to learn from them and their governance schemes (for the establishment of a combined authority) have been reviewed. Cllr Neil Clarke, Leader of Rushcliffe District Council (Nottinghamshire area) and Chairman of the District Council Network spoke at the devolution event on the 19th February, giving an insight into the issues to consider and process based on his authority's experience in submitting formal plans to Government.

## **5. Next steps**

5.1 At the devolution meeting on the 5th March 2015, Leaders agreed that there was consensus to continue to explore devolution. The first phase of work has been completed (Jan to March '15) with a letter sent to Secretary of State for Communities and Local Government as an expression of interest.

5.2 Between now and June, officers will continue to work on developing proposals and an evidence base. Leaders will meet again in June to recap on work to date and agree the next phase of work. A press release has been circulated on progress to date.

5.3 Members will be kept informed as the project progresses and timescales emerge.

## **Decision:**

To note the current position on the devolution proposal for Greater Essex

## **Purpose of Decision:**

For Members to be updated on the work to date in exploring devolution for Greater Essex.

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

<b>Financial</b>	Authorities were asked to contribute £5,000 each towards costs of the devolution programme. The Leader has agreed to pay this and Braintree District Council will act as banker for this partnership funding as the Chief Executive of BDC is the lead officer in this project.
<b>Legal</b>	A Combined Authority is a legal entity which can be formed under the Local Democracy, Economic Development and Construction Act 2009.
<b>Safeguarding</b>	None at this stage
<b>Equalities/Diversity</b>	None at this stage.
<b>Customer Impact:</b>	None at this stage
<b>Environment and Climate Change:</b>	None at this stage
<b>Consultation/Community Engagement:</b>	Consultation is part of the governance review that has to be carried out as part of the process to establish a Combined Authority, but the partnership has not reached this stage yet. An engagement plan is being developed.
<b>Risks:</b>	<p>Devolution to local government is not a policy continued by the new Government after May and so work to date is not taken forward.</p> <p>The partnership of councils starts to fragment and so does not deliver the scale or ambition sought by Government for a viable devolution deal</p>
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<b>Third Quarter Performance Management Report 2014/15</b>		<b>Agenda No: 6a</b>
<b>Corporate Priority:</b> Providing value for money and delivering excellent customer service <b>Portfolio Area:</b> Performance and Efficiency <b>Report presented by:</b> Councillor David Bebb, Cabinet Member for Performance and Efficiency <b>Report prepared by:</b> Tracey Headford –Performance Improvement Officer		
<b>Background Papers:</b>  Third Quarter Performance Management Report 2014/15		<b>Public Report</b>
<b>Options:</b>  To endorse the report		<b>Key Decision: No</b>
<p>The purpose of the attached report is to summarise the performance of the Council at the end of the third quarter (October to December 2014).</p> <p>As at the end of December, there is one project with an amber status due to timescales and additional resource is being identified to deliver this project.</p> <p>There are five performance indicators that have missed target by less than 5% and two performance indicators that have not met target by more than 5%.</p> <p>There has been increasing demands on services which has resulted in performance not being met in some areas of the business. Three of the amber performance indicators and one of the red performance indicators are expected to meet target by the end of the year. For the remaining performance indicators, performance is being monitored and action plans are in place to turn performance around.</p> <p>The colder weather has affected the number of people using the community transport scheme however, this indicator is progressing well and has exceeded the cumulative target and is expected to meet target at the end of the year.</p> <p>The processing of planning applications has been affected by the loss of two planners placing an increased demand on the rest of the service. Recruitment has taken place and performance will improve as a result.</p> <p>The time taken to process a change in a claimant's circumstance is dependent on receiving all the required evidence of the change from the claimant and there have been delays in receiving additional information required.</p>		

The cumulative collection rates for council tax were affected in December by an issue with direct debit arrangements which has resulted in some payments being made later in the year. It is still expected to achieve the target of 98% at the end of the year.

Performance in respect of the cumulative collection of business rates has been affected by the introduction of an option for businesses to pay over 12 instalments rather than the previously mandatory 10 instalments. With payments now due in February and March 2015 it is expected that the target for the year of 98.5% will be achieved.

In respect of the number of empty homes in the district returned to use, this target was missed by 4. To date, 53 homes have been returned to use and it is expected that the annual target of 75 will be achieved.

The Council's recycling performance is reported quarterly against a current all year round target of 60%. This method of reporting does not reflect seasonal variations particularly less tonnage of green waste collected over the summer and winter periods. In 15-16 it is proposed that the target is profiled over 12 months using historical trend data that takes into account seasonal variations. This will provide more meaningful information to measure the actual recycling performance.

Despite our best efforts, we will not meet our recycling target of 60% this year as the amount of waste sent to landfill has increased. This is a trend that many District/Boroughs across the County and indeed the Country have experienced. We anticipate achieving a recycling rate of approx. 55% to 56% which is still in the top quartile. Reducing the amount of residual waste that cannot be recycled, increasing the number of customers in flats who can recycle and targeting low participating households through door-stepping remains a priority.

## **Financial Performance**

The financial information in the quarterly performance management report details the position as at the end of December 2014. The budget will subsequently have picked up some of the areas highlighted.

The Council is forecasting a budget underspend/over achievement of income of £540,000 (4%) against a budget of £15.2 million. The main reasons are:

- A projected over achievement of income of £721,000.
- An underspend across service staffing budgets is projected to be £214,000; however, after allowing for the corporate efficiency target of £325,000, this results in a projected shortfall in achieving the target by £111,000.
- Other expenditure budgets are projected to be overspent by £70,000

The budget variance is £119,000 higher than reported in the second quarter of the year mainly due to an increase of £98,000 in the amount of additional income projected across services.

For a detailed explanation of the financial performance, please refer to page 18 onwards of the full report.

<b>Decision:</b>	
Cabinet to note and endorse the report.	
<b>Purpose of Decision:</b>	
To inform the Cabinet of the performance of the Council.	
<b>Corporate implications</b>	
<b>Financial:</b>	An assessment of the Council's financial position against the agreed budget for the year is provided and is based on income and expenditure during the third quarter of the year.
<b>Legal:</b>	There are no legal issues raised by this report.
<b>Safeguarding</b>	There are no safeguarding issues raised by this report.
<b>Equalities/Diversity</b>	Equalities and diversity issues are considered fully in the Council's key projects, where appropriate.
<b>Customer Impact:</b>	Performance of front line services, including Customer Services, Housing Benefits and Planning, for the quarter is provided. A summary of complaints received in the quarter, analysed by outcome (justified, partially justified or not justified) is provided.
<b>Environment and Climate Change:</b>	The report provides details of progress in the delivery of the Council's key projects, including: installation of solar panels at the sports centres, 'Love Essex' litter campaign, campaign encouraging recycling, and promotion of the Essex energy switching scheme.
<b>Consultation/Community Engagement:</b>	Consultation is considered fully in the Council's key projects, as appropriate.
<b>Risks:</b>	Risks regarding the assumptions used in determining the predicted financial outturn for the year are identified.
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# THIRD QUARTER PERFORMANCE MANAGEMENT REPORT

1ST OCTOBER 2014 TO  
31ST DECEMBER 2014

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## Section 1: Introduction and Summary






### Purpose of the Report

The purpose of the report is to demonstrate the performance of the Council at the end of the third quarter in relation to the publication of 'Our plans for the District 2014/15'. This sets out the key activities and measures used to check our performance for the year and along with the Corporate Strategy 2012-16 sets out the priorities we are working towards. Further detail is given in relation to a set of business performance indicators covering finances, customer focus, our people and health and safety.






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

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

The following table provides updates for the end of the third quarter in relation to the key activities in 'Our plans for the District 2014/15'




Corporate Priorities	Status of projects and actions				
					
Place	1	10	1	0	0
People	5	3	0	0	0
Prosperity	5	6	0	0	1
Performance	2	4	0	0	0
Partnership	1	8	0	0	0
<b>TOTAL</b>	<b>14</b>	<b>31</b>	<b>1</b>	<b>0</b>	<b>1</b>

#### KEY:




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

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

The following table shows the performance for the end of the third quarter in relation to the quarterly and annually reported Performance Indicators that have targets set as defined in 'Our plans for the District 2014/15'.

Corporate Priorities	Status of indicators			
				Data Only
Place	2	0	1	0
People	2	1	0	0
Prosperity	2	0	1	0
Performance	3	4	0	0
<b>TOTAL</b>	<b>9</b>	<b>5</b>	<b>2</b>	<b>0</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 third quarter of the year, the Council continues to make positive progress in delivering the key corporate projects with fourteen now complete and the remaining progressing well.







Some areas of performance are not achieving as expected and they are being closely monitored to ensure action plans are mitigating the downturn in performance. The final quarter of the year will be challenging in some areas of the business as we focus on delivering the best service to our customers, providing value for money and succeeding in achieving our corporate objectives.



## Our Priorities

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

Project description and comments	Target Date	Status
<b>Maintain cleanliness standards across the Braintree District by continuing a seven day cleaning programme in the town centres, including the use of barrow beats to litter pick, street washing and mechanical sweeping</b>		
This work is an integral part of the day to day work of the team and work continues to maintain a high standard of cleanliness and reduce the levels of litter.	March 2015	▶
<b>Continue to encourage the 'See-it, Report-it' initiative to take action against litter bugs</b>		
In the third quarter, there have been 850 'see-it, report-it' calls received regarding waste and litter around the district	March 2015	▶
<b>Join forces with all Essex Authorities to deliver an Essex wide campaign to reduce litter by 50%</b>		
The 'Love Essex' campaign came to a close at the end of September 2014 and resulted in significant reductions in litter. There has been a 41% reduction in branded fast food litter across Essex and a 68% reduction within the Braintree District. Business partners and Local Authorities are keen to continue working together and run another campaign in 2015	March 2015	▶
<b>Introduce a further recycling doorstepping campaign to offer residents practical advice and guidance to help them recycle more, with the aim of diverting an extra 400 tonnes of recyclable waste from landfill</b>		
Currently working with Greenfields Estate Managers to develop an installation programme in ten identified areas to help residents living in flats recycle their waste which they are currently unable to do. Four areas have been completed. Christmas roadshows were held to promote recycling and provide recycling advice for the Christmas period. A bid has been submitted to Central Government in partnership with three other Authorities to roll out recycling to all flats and food waste collections to all primary schools.	March 2016	▶
<b>Introduce a new household and commercial refuse and recycling routes including extending the commercial waste recycling service to support local businesses, particularly in rural areas, and improve customer service across the district from 2015</b>		
The new routes have been tested and a communication plan to all residents is being implemented to inform customers of new collection dates effective from February. Training continues to be provided to crews and front line staff on the new system being installed in all waste vehicles.	March 2015	▶
<b>Commence a three year car park improvement plan, including introducing cashless/flexible payments, resurfacing and redecoration works, new bay markings and improving disability bays and access to blue badge holders</b>		
Improvement works for the car parks at Lockram Lane and Newlands Drive in Witham have been awarded and will commence in 2015. A new overnight tariff will be introduced to all car parks in January 2015.	March 2015	▶

<b>Complete the extension of Bocking Cemetery and increase the space available for burials and cremated remains at Braintree Cemetery</b>		
The extension to Bocking Cemetery is now complete increasing the space available for burials and cremated remains.	<b>May 2014</b>	
<b>Create new allotments at Church Lane Braintree to increase the number of plots available that can be self-managed by an Allotment Association</b>		
Currently waiting for the lease agreement to be signed by the Allotment Association. Once this has been signed, cultivation of the site can begin.	<b>February 2015</b>	
<b>Update the Council's commitment to climate change, by addressing the wider issues of carbon emissions, energy usage, and fuel poverty by producing a new climate local strategy and delivering its associated action plan, which will also focus on building resilience against the impacts of climate change across the District</b>		
The Climate Local strategy and associated action plan have been drafted and will be presented to cabinet in March 2015 before going out to public to consultation.	<b>March 2015</b>	
<b>Develop and maintain a collective energy switching scheme to help reduce residents energy bills</b>		
All Essex Authorities have set up a scheme to encourage residents to sign up and switch their energy tariffs. Residents need to register by February 2nd 2015 and everyone who registers will receive details of how much they can save by switching to a different provider. A 'Keeping warm and healthy' booklet has been distributed throughout the district to vulnerable residents and families providing information on ways to save energy at home and keep warm this winter.	<b>March 2015</b>	
<b>Complete the installation of Solar panels on the roofs of the Braintree Swim and Halstead Leisure Centres</b>		
The tendering process has delayed the project by a month and completion is now due in January 2015. Halstead Leisure Centre is now generating electricity and the works at Braintree Swim Centre commenced in December.	<b>January 2015</b>	
<b>Develop a district wide Local Heritage List to enable the community to nominate buildings of local architectural interest –</b>		
The LDF sub-committee has agreed the selection criteria and the first tranche of 30 nominated buildings are being considered as a pilot for inclusion on the new local list. The owners of the properties will be contacted to make them aware of their property's nomination and selection criteria. Additional resource is being identified to deliver this project.	<b>April 2015</b>	



## Our Priorities

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

Project description and comments	Target Date	Status
<b>Complete the transfer of the Allotment, Public Convenience and Car Park to Earls Colne Parish Council and the rural car parks at Coggeshall and Hatfield Peverel to the Parish Councils</b>		
The transfer of all facilities to Parish Councils is complete and the facilities are now managed locally to meet local needs.	November 2014	✓
<b>Work in partnership with Braintree District Museum Trust Ltd to complete a feasibility study into options for the future operation of Braintree District Museum, Braintree Town Hall and the Warner Textile Archive</b>		
A feasibility study has been completed and accepted by the project board in December.	March 2015	✓
<b>Work with the tour organisers and Essex County Council to make the 3rd stage of the Tour de France a success in our District in July 2014</b>		
The Tour was a complete success. All our communities embraced the tour coming through their village along with thousands of visitors.	July 2014	✓
<b>Open the new Witham Leisure Centre in summer 2014</b>		
Witham Leisure centre opened to the public on 12 <sup>th</sup> August and was delivered under budget. Fusion is now managing the leisure centre and held a launch event in September to celebrate the opening. There has been a 28% increase in membership since opening the doors to the public.	August 2014	✓
<b>Set up a Braintree Health and Wellbeing Panel along with our partners in the NHS and Greenfields Housing Association, to work towards reducing overall health inequalities in the District and tackling two major public health issues affecting the district: adult obesity and hip fractures in the over 65's</b>		
The 'Live Well' campaign was launched in September with a new website promoting the live well programme which focuses on working with partners to inform residents on local initiatives to improve on health issues with particular focus being on obesity and hip fractures.	September 2014	✓
<b>Coordinate the work of partners to develop the Our Witham project, improving the health and wellbeing, employment and skills outcomes in the Witham area of young people</b>		
The Our Witham Steering Group met on in November to discuss funding request made by partners. Funding has been agreed for four projects and the 'Our Witham' operational plan has been updated to include the projects.	March 2015	▶
<b>Develop a new Housing Strategy for the Braintree District for 2014 to 2019 to ensure that resources are directed to meet the housing needs of the district</b>		
An affordable housing conference jointly hosted by Braintree and Colchester will be held in February 2015 to promote discussion on the role of Housing Associations in respect of the housing growth planned for the Braintree and Colchester areas.	March 2015	▶

**Refurbish 4 play areas across the District - King George V Playing Field Braintree, Fisher Field Braintree, Glebe Avenue Braintree and Church Street Bocking and create a new one at Windsor Close Witham.**

Windsor Close, Witham – following consultation, refurbishments to this play area will no longer go ahead. Refurbishment works to the other play areas will be completed in February 2015.

**March 2015**










## Our Priorities

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

Project description and comments	Target Date	Status
<b>Offer up to 50 mortgages to residents under the Local Authority Mortgage scheme to help first time buyers onto the housing ladder</b>		
Fourteen mortgage loans have been completed by 30th November under the scheme. The total value of the mortgage loans is £2,409,875 of which £503,004 is indemnified by the Council.	<b>March 2015</b>	
<b>Publish an Investment Prospectus promoting the Districts strengths as a business location and marketing the Prospectus to attract inward investment and create businesses and jobs growth`</b>		
A draft District Investment Prospectus is in production. Partners will be consulted on the final content early in 2015, including Haven Gateway Partnership and Invest Essex.	<b>March 2015</b>	
<b>Work in partnership with IGNITE Business Enterprise to provide 75 new business start-ups in the District through the provision and management of business start-up space and the provision of business advice, training and support</b>		
By the end of December, a total of 58 business start-ups have been supported by IGNITE creating a total of 90 new jobs.	<b>March 2015</b>	
<b>Produce a guide to broadband for District Businesses and promoting the guide to businesses to enable them to make informed choices in purchasing broadband and improve their competitiveness</b>		
Discussions have taken place with SuperFast Essex over the impact of the Broadband Delivery UK (BDUK) extension programme in the District, with options currently being mapped. The Business Community will be consulted in the New Year on a preferred option. Superfast Essex will be producing a business guide to Broadband which is currently being scoped.	<b>March 2015</b>	
<b>Establish a District Business Leaders Board to engage effectively with strategic businesses and hold an annual business conference in partnership with the Board and IGNITE Business Enterprise</b>		
A District Business Leaders Board has been established which meets on a quarterly basis to discuss events and interests in the District.	<b>June 2014</b>	



The annual business conference was planned for Oct 2014 but was cancelled due to low demand. This has provided an opportunity to run two business forums to the same format as the Rural Business Forum held in April 2014 - which will be delivered in 2015/2016.	<b>October 2014</b>	
<b>Appoint a Business Liaison manager to improve access for businesses to Council services and ensure that those services are 'business friendly'</b>		
A business liaison manager commenced in post on 14 <sup>th</sup> July 2014.	<b>July 2014</b>	
<b>Continue the '10p after 3pm' car parking initiative and offer parking at a flat rate evening charge to support the night-time economy</b>		
The '10p after 3pm' parking initiative has been extended until March 2015 but will now run from 3pm to 7pm Monday to Saturday and all day on Sunday. This comes into effect from the 1st July together with a slight increase in some short stay tariffs.	<b>March 2015</b>	
<b>Complete improvement works to St Michaels fountain in Braintree</b>		
The area around St Michaels Fountain has been transformed and is now a space for people to sit, spend time and enjoy.	<b>July 2014</b>	
<b>Develop a programme of work experience placement at Braintree District Council</b>		
A policy is now in place together with guidelines for managers so work experience requests can be dealt with on a structured basis supporting youth employment and returners to work	<b>March 2015</b>	
<b>Continue our corporate apprenticeship programme</b>		
Eight new apprentices have been recruited. On-going support and training is being provided including training days, presentations from Services and a coaching programme due to commence in January. Five apprentices from the previous cohort have progressed onto an NVQ level 3.	<b>March 2015</b>	
<b>Deliver a business apprenticeship support campaign for 30 apprenticeship placements with 25 businesses across the district</b>		
A joint launch for the '30 in 30' Campaign with Colchester Institute is being held in February 2015. Detailed planning is underway.	<b>March 2015</b>	



## Our Priorities




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

Project description and comments	Target Date	Status
<b>Deliver a balanced budget over the next four years by continuing to review how we deliver and commission services and focussing our resources on what is important to our customers</b>		
The East of England Local Government Association (EELGA) has been commissioned to work with the Authority to identify potential commercial opportunities for our services. In October, staff were asked for ideas to generate income across the organisation. Over 200 ideas were sent to EELGA for review and three short lists are being reviewed.	March 2015	▶
Business Efficiency reviews have now been completed and are defined in the Mid Term Financial Strategy. Savings have been identified and reported to the business efficiency review board.	March 2015	✓
<b>Use a range of new technology to improve the way we deliver services and make our services easier to access for our customers</b>		
A new web service called 'My Location' is now available that provides residents with easy access to essential information about where they live including information about planning applications, waste collection calendars, nearby facilities such as doctors surgeries, leisure centres car parks and much more. There is also a report issues feature for customers to report any issues directly such as fly-tipping to the council.	March 2015	▶
<b>Maintain high levels of customer satisfaction, seeking feedback from customers to identify where we can improve services</b>		
The 2014/15 customer satisfaction survey has been sent to the members of the Councils Peoples Panel and face to face consultation has been taking place in the town centre together with engaging with community groups.	March 2015	▶
<b>Review our investment strategy to maximise income</b>		
The investment strategy has been reviewed and an action plan agreed to place a proportion of the Council's monies in investments with a longer term time horizon. The investments will be in pooled funds which are covered by the current investment policy.	June 2014	✓
<b>Improve the operational efficiency of the waste collection service and reduce costs by £200,000 per year</b>		
Work is progressing to ensure the new system is ready for implementation in February and all crews are fully trained on the in-cab technology and new waste collection routes.	February 2015	▶












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








Project description and comments	Target Date	Status
<b>Economic Growth and Infrastructure:</b>		
<b>Lobbying campaign to secure funding for A120 improvements</b>		
The Economic Impact Study has been completed and a campaign brochure has been launched. A business reception was held in December 2014 hosted by local MPs at which Essex County Council confirmed funding towards design works complementing Braintree District Council's allocation towards improvements works.	March 2015	▶
<b>Feasibility study into highway and junction improvements to the A120 at Galleys Corner</b>		
An options study has been completed and discussions are now underway with Essex County Council's Highways department and the Highways Agency on the economic impact study. Awaiting Government's announcement on funding for route based strategies which will inform further work	Sept 2014	✓
<b>Lobbying campaign to improve the frequency and reliability of the Braintree/Witham rail link</b>		
A revised East Anglia Rail Prospectus (including the need to improve the Braintree/Witham Branch) has been submitted to Government. The rail loop is listed as an option in Network Rail's Anglia Route Study and a response is being prepared to consultation on the next rail franchise for the route	March 2015	▶
<b>Production of a handbook/web resource for businesses on options for improving broadband access</b>		
Discussions have taken place with SuperFast Essex over the impact of the Broadband Delivery UK (BDUK) extension programme in the District, with options currently being mapped. The Business Community will be consulted in the New Year on a preferred option. Superfast Essex will be producing a business guide to Broadband which is currently being scoped.	March 2015	▶
<b>Health Improvements</b>		
<b>Engaging with key partners to support the integration of health and social care and improvements to local health services</b>		
Living Safe and Well – A social prescription model will be used throughout Essex linking people up with activities in the community and to non-medical sources of support. A referral portal called 'Essex Connects' is also being developed.	March 2015	▶
Promoting healthier communities - A systematic approach to promoting healthier communities and health facilities is on-going through the planning process which involves consulting with the NHS on the health impacts for large developments ensuring a high quality local health, social care and wellbeing service provision. Work has commenced on a new Local Plan to set out the Council's planning policies for the next 15 years and a live well officer group are now being consulted with on the needs and requirements	March 2015	▶

of larger developments to ensure the provision of leisure and health and wellbeing facilities.		
<p>Active Braintree District Network (ABDN) has been launched to set up a number of sport, physical and health related activities across the District. The following activities have been held in the third quarter:</p> <ul style="list-style-type: none"> <li>• Park Runs continue to attract an average of 110 runners per week. Signposting will be added to the course so individuals can run at other times</li> <li>• Instructor led health rides continue to grow with an average of 15 rider per week and the scheme has been extended to March 2015 due to demand</li> <li>• Walkabout groups are successfully running in Braintree, Witham and Great Notley with new routes to start in Spring 2015.</li> <li>• Work continues with Essex Cares on disability carpet bowls sessions</li> <li>• Walking football now underway at Halstead Leisure Centre aimed for the over 50's with 18-20 players per week.</li> </ul>	March 2015	
<b>Young People, Skills and Education</b>		
<b>Work with key partners to influence change and improvement to the Educational attainment and aspiration of young people in the district, including the promotion of apprenticeships, partnership with business and boosting employability skills.</b>		
<p>A Skills and Employment Review highlighting key employment skills issues was reported to the District Employment and Skills Board in October 2014. The review highlighted the need to: improved educational attainment; ensure that vocational training matched employer needs; provide support for NEETs; support employers to take on apprentices (particularly SME's); and improve employability skills. A campaign to encourage and support employers to commit to an apprenticeship is being developed by the Council, Colchester Institute and the National Apprenticeship Service ('30 in 30') and will be launched on 26<sup>th</sup> February 2015.</p>	March 2015	
<b>Parishes</b>		
<b>To work with the Rural Community Council for Essex to assist communities</b>		
<p>A final funding proposal was developed for the RCCE and accepted. A proposal for the Community Led Planning Support Grant scheme has been submitted. This would make grants of up to £750 available for up to ten Parish Councils and Community Groups wishing to undertake a parish or community led plan in their neighbourhood.</p>	March 2015	

## Section 3: Managing the Business

### Our Performance Indicators in Detail

Performance Indicator	2014/15						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Place							
Percentage of land that falls below cleanliness standards for litter	n/a	5%	2%		7%		Recorded 3 times a year – July, November and March
Percentage of household waste sent for reuse, recycling and composting	58.74%	57.73%	52.37%		60%		The Council's recycling performance is reported quarterly against an all year round target of 60%. This method of reporting does not reflect seasonal variations particularly less tonnage of green waste collected over the summer and winter periods. In 15-16 it is proposed that the target is profiled over 12 months using historical trend data that takes into account seasonal variations. This will provide more meaningful information to measure the actual recycling performance
Percentage of fly tips cleared within 24 hours of being reported	100%	100%	100%		100%		Represents 170 fly tips cleared within 24 hours of being reported
Public Satisfaction with parks and open spaces	Annually reported indicator				88%	n/a	
People							
Total number of visits to our leisure facilities	214,999	233,814	240,701		204,461		
Number of visitors to our leisure facilities from under-represented groups	188,307	182,528	188,679		159,097		
Number of passenger journeys on the Community Transport Scheme	17,127	14,812	15,601		15,917		The cumulative outturn is 47,540 against the target of 45,012 and is progressing well. The colder weather in the third quarter has seen a downturn in the number of people using the service.
Percentage of Mi Community projects successfully completed	Annually reported indicator				100%	n/a	
Prosperity							
Number of empty homes in the district returned to use	18	21	14		18		The indicator is still expected to come in on target.
Number of affordable homes delivered	3	51	27		13		
Number of new business start-ups in the district created in partnership with IGNITE Business	11	22	25		20		

Performance Indicator	2014/15						Comments
	Q1 Outturn	Q2 Outturn	Q3 Outturn	Q4 Outturn	Target for the Quarter	Status at the end of the Quarter	
Performance							
Percentage of enquiries resolved at first point of contact within the Customer Service Centre	94.6%	95.8%	97.4%		85%		Represents 12430 out of 12763 calls resolved at first point of contact
Time taken to process housing benefit/council tax benefit new claims	19.1 days	16.37 days	17.35 days		18 days		
Time taken to process housing benefit claim changes	6.53 days	7.52 days	6.17 days		6 days		The time taken to process a change in a claimant's circumstance is dependent on receiving all the required evidence of the change from the claimant. There has been an increase in the number of cases which has also affected performance in the third quarter.
Percentage of minor planning applications processed within 8 weeks	61.34%	75.82%	69.32%		72%		This represents 61 out of 88 planning applications determined within timescales or agreed extensions to timescales in the third quarter of the year. Cumulative outturn is 69.3%. Target has not been met due to the loss of two planners placing an increase demand on the service. Recruitment for the posts has taken place.
Percentage of stage 1 complaints responded to within target	90.32%	92%	92.3%		90%		Represents 79 out of 85 complaints responded to within 7 working days. Cumulative outturn is 91.7%
Cumulative collection rate for Council Tax	30.81%	59.30%	86.29%		87.35%		Issues with direct debit arrangements in December has resulted in some payments being made later in the year. The target of 98% for the year is expected to be achieved.
Cumulative collection rate for business rates	31.80%	58.63%	84.03%		87.90%		Performance is down against the same period for last year this is due to the introduction of an option for businesses to pay over 12 instalments rather than the previously mandatory 10 instalments. With payments now due in February and March 2015 it is expected that the target for the year of 98.5% will be achieved

## **Customer Services & Views**

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

<b>Customer Service: Indicators of Performance</b>	<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>	<b>Target</b>
Average telephone response time in the Customer Service Centre	21 seconds	17 seconds	12 seconds		15 Seconds
Number of transactions carried out via the Council website	28,195	28,210	25,172		21,250
Number of unique visitors to the Council website	104,032	105,922	90,293		95,000
Percentage of avoidable contacts (collected twice a year)	n/a	n/a	7.49%		Data only

## **Complaints**

The quarterly complaints analysis for the third quarter of 2014/15 is detailed below. This is compared with 2013/14 figures shown in brackets. The figures represent all three stages of the complaints process.

<b>Complaint Category</b>	<b>Q1 2014/15</b>	<b>Q2 2014/15</b>	<b>Q3 2014/15</b>	<b>Q4 2014/15</b>	<b>TOTAL</b>
Justified	36 (45)	39 (45)	32 (29)	(49)	(168)
Not Justified	48 (58)	105 (62)	43 (45)	(62)	(227)
Partially Justified	12 (11)	22 (7)	12 (13)	(15)	(46)
Not known	0 (0)	2 (0)	0 (0)	(2)	(2)
<b>Total</b>	<b>96 (114)</b>	<b>168 (114)</b>	<b>88 (87)</b>	<b>(128)</b>	<b>(443)</b>

## **Comments**

The number of complaints received in the third quarter of 2014/15 has reduced significantly since last quarter.

Service areas have seen a reduction in the number of stage one complaints and complaints escalated to the next stage of the complaints process. The majority of complaints received in the third quarter relate to missed waste collections and it is expected that this will improve with the introduction of in-cab technology later in the year where we will be able to receive real time information regarding waste collections.

In the third quarter of 2014/15, of the 88 complaints received:

- 85 are stage one complaints
- 2 are stage two complaints
- 1 is a stage three complaint

## **A summary of Local Government Ombudsman cases:**

In the third quarter of 2014/15 the Local Government Ombudsman (LGO) has received one complaint.

The LGO declined to investigate the complaint as it was outside the jurisdiction of the LGO.

## Our Organisation

The following is a selection of our people performance measures:

People: Indicators of Performance	Q1 14/15	Q2 14/15	Q3 14/15	Q4 14/15	Change on previous period	Yearly Target
Total headcount	479	473	475		+ 2	-
Total number of posts	490	484	486		+ 2	-
Number of temporary staff	43	45	53		+ 8	-
Total staff FTE	433.88	429.67	431.73		+ 2.06	-
Level of employee turnover	2.0%	2.5%	3.4%		+ 0.9%	-
Number of vacant posts	14	19	22		+ 3	-
Number of leavers	10	12	16		+ 4	-
Number of starters	9	6	18		+ 12	-
Working days lost to sickness per employee	2.1 days	2.0 days	2.5 days		+ 0.5	8.0 days
Percentage of staff with nil sickness	77%	70%	69%		- 0.1%	-
Number of learning hours	1166	900	2650		+1750	-
Number of delegates	200	173	227		+ 54	-
Number of apprentices	15	15	18		+ 3	-

Year on Year Headcount Analysis	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
	567	541	503	485	466	478



## **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 legal 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>	
	(2013/14 figure in brackets)				
Total number of reported accidents/ incidents, calculated from:	11 (14)	6 (14)	9 (11)	(9)	Main causes of accidents are back injuries
<i>a. Accidents/ incidents to employees</i>	9 (9)	5 (10)	5 (9)	(7)	All incidents involved staff in operations. The injuries range from torn ligaments as a result of a trip, to a back injury caused by incorrectly loading a waste container.
<i>b. Accidents/ incidents to contractors</i>	2 (2)	1 (2)	3 (0)	(2)	There were three reported incidents (skin puncture wounds) to agency workers in Waste Management.
<i>c. Accidents/ incidents to non-employees</i>	0 (3)	0 (2)	1 (1)	(0)	A customer suffering from MS fell over in the reception area. The Customer was shaken by the fall but did not require any first aid or medical treatment.
Time lost in days due to employee accidents/ incidents	5 (23)	27 (8)	17 (38)	(7)	The majority of the lost days were as a result of one injury where employee slipped on a step suffering injury to their lower back.
Number of reported verbal/ physical incidents to employees	1 (2)	0 (1)	0 (0)	(0)	
Number of near miss incidents	0 (2)	0 (0)	0 (1)	(2)	
Number of Accidents/ incidents registered resulting in insurance/ compensation claim	1 (0)	0 (1)	0 (1)	(1)	
Number of claims settled	0 (0)	0 (0)	0 (0)	(0)	

## Financial Performance

This part of the report provides an updated review of the financial position for the financial year 2014/15. It examines the forecast spending on day-to-day service provision compared to the budget for the year. Also included is a summary position for treasury management at the end of December; projected movements on General Fund balances; and a summary of spending to date on capital investment projects.

### Third Quarter Financial Position Statement

#### Key Points:

- A budget underspend/over achievement of income of £540,000 (4%) is currently forecast against the budget of £15.199 million.
- The main reason for the variance is a projected over achievement of income of £721,000.
- An underspend across service staffing budgets is projected to be £214,000; however, after allowing for the corporate efficiency target of £325,000, this results in a projected shortfall of £111,000.
- Other expenditure budgets are projected to be overspent by £70,000.
- The budget variance is £119,000 higher than that reported at Q2 (-£421,000) due mainly to an increase of £98,000 in the amount of additional income projected across services.

### Financial Forecast of Revenue Spending by Services

Business Plan Service	Budget £'000	Forecast Spend £'000	Adverse (positive) variance against budget				RAG Status
			Staffing £'000	Other Expenditure £'000	Gross Income £'000	Total £'000	
Asset Management	(1,518)	(1,650)	1	2	(135)	(132)	-9%
Business Solutions	1,927	1,900	(41)	(3)	17	(27)	-1%
Community Services	501	381	(43)	(60)	(17)	(120)	-24%
Corporate Management Plan	1,245	1,230	(6)	(1)	(8)	(15)	-1%
Cultural Services	269	285	21	17	(22)	16	6%
Environment	956	1,013	(8)	(38)	103	57	6%
Finance	1,497	1,182	(38)	9	(286)	(315)	-21%
Governance	1,045	1,038	(6)	14	(15)	(7)	-1%
Housing Services	712	633	(18)	(52)	(9)	(79)	-11%
Human Resources	323	325	-	2	-	2	1%
Leisure Services	808	806	-	(2)	-	(2)	-
Marketing and Communications	419	412	7	(9)	(5)	(7)	-2%
Operations	4,227	4,180	22	53	(122)	(47)	-1%
Sustainable Development	1,030	834	(105)	131	(222)	(196)	-19%
<b>Service Total</b>	<b>13,441</b>	<b>12,569</b>	<b>(214)</b>	<b>63</b>	<b>(721)</b>	<b>(872)</b>	<b>-6%</b>
Corporate Financing	2,083	2,090	-	7	-	7	-
Efficiency target	(325)	-	325	-	-	325	-
<b>Total</b>	<b>15,199</b>	<b>14,659</b>	<b>111</b>	<b>70</b>	<b>(721)</b>	<b>(540)</b>	<b>-4%</b>

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

### Staffing

Based on known staffing changes to date there is a projected salary underspend of £214,000 across all services. A corporate efficiency target was set at £325,000 that would normally be met through staff turnover and other efficiencies. After allowing for the projected salary underspend, there is a shortfall currently predicted against this target of £111,000 (£115,000 at Q2), however, this shortfall is covered by other efficiencies and savings.

Business Plan – Salary Budgets	Budget	Forecast	Adverse/	RAG
	£'000	Spend for the year £'000	(positive) variance £'000	Status
Asset Management	260	261	1	-
Business Solutions	866	825	(41)	-5%
Community Services	437	394	(43)	-10%
Corporate Management Plan	1,130	1,124	(6)	-1%
Cultural Services	183	204	21	11%
Environment	1,580	1,572	(8)	-1%
Finance	2,308	2,270	(38)	-2%
Governance	353	347	(6)	-2%
Housing Services	660	642	(18)	-3%
Human Resources	286	286	0	-
Leisure Services	93	93	0	-
Marketing and Communications	271	278	7	3%
Operations	4,591	4,613	22	-
Sustainable Development	1,530	1,425	(105)	-7%
<b>Service Total</b>	<b>14,548</b>	<b>14,334</b>	<b>(214)</b>	<b>-1%</b>
Efficiency target	(325)		325	
<b>Net Total</b>	<b>14,223</b>	<b>14,334</b>	<b>111</b>	<b>1%</b>

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

#### Commentary on staffing variations:

- Underspend on staffing budgets include early achievement of savings planned in 2015/16, which were expected from management changes in Community Services (now managed jointly with Housing services) and Sustainable Development (currently under review); and from staffing changes in the Revenues and Benefits Service.
- Other savings on staff costs have occurred due to delaying filling vacant posts, appointments being made at lower salary grade points, and some reductions in working hours.
- Services showing an overspend on staffing costs is due to either cover for maternity leave and long-term sickness, or where additional staff resources have been employed to generate off-setting income. An overspend on staffing in Operations is in part due to agency cover backfilling for staff involved in testing of new waste collection routes.

#### Other Service Expenditure

Overall there is a forecast overspend against non-staffing expenditure budgets of £70,000 – a reduction of £21,000 from that reported at Q2. The services reporting a project overspend include:

- Development Control** - The Council is engaged in a number of planning appeals, including a potentially significant retail appeal. In 2013/14 actual spend on this activity was £96,000, compared to a base budget of £52,000. As legal and other specialist advice is required, and outcomes may result in some compensation payments, service management is currently predicting a total spend this year of around £98,000, a potential overspend of £46,000. The 2015/16 Budget include a provision of £300,000 as a contingency against challenges that may arise whilst a new local plan is being produced.
- Landscape & Countryside** - A number of claims for damage caused by tree roots have been received. Whilst claims are challenged wherever possible, a risk exists that the Council is required to provide compensation which is not covered by insurance. The projections reflect the recent settlement of a claim of £60,000.

- **Operations** - is currently forecasting an overspend of £53,000, which includes £30,000 expected to be spent on essential unplanned maintenance of play areas caused by vandalism. The service is currently prioritising maintenance requirements to try and reduce this variance by the end of the year.

Services reporting a predicted underspend include:

- **Community Services** – forecast underspend of £60,000, mainly due to spending against project budgets put on hold whilst the service was being reviewed. This saving is one-off as the project budget has now been realigned against spending priorities for 2015/16 and has been agreed with the Community Safety Partnership.
- **Housing Services** – forecast underspend of £52,000, mainly due to lower demand for the rent deposit scheme and lower payments to Greenfields Community Housing for temporary properties.

## External Income

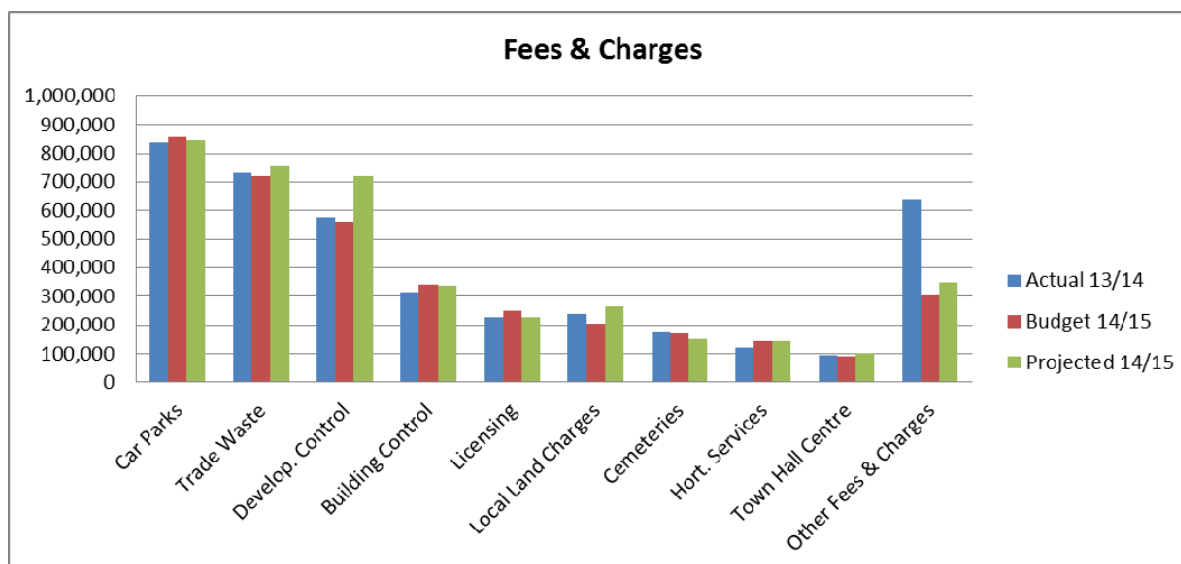
A significant proportion of the Council's budget is reliant on external income. Grants and subsidies from Government, alongside income from business rates are major elements, totalling over £53 million for 2014/15. The amount of business rates ultimately retained will vary depending on the actual amounts collected. Other external income comes from a variety of sources that are subject to external demands and influences, meaning these income sources are susceptible to variations against budget. It is currently forecast that services will over achieve against their income budgets by £721,000, as shown in the table below:

Other External Income	Budget £'000	Adverse (positive) variance against budget						RAG Status
		Fees & Charges £'000	Land & Property income £'000	ECC Joint Financing & contributions £000	Sale of Recycling Materials £'000	Other Income £'000	Total £000	
Asset Management	(2,206)	(16)	(121)	-	-	2	(135)	6%
Business Solutions	(15)	-	-	-	-	-	-	-
Community Services	(271)	(4)	-	-	-	(13)	(17)	6%
Corporate Management Plan	-	-	-	-	-	(8)	(8)	-
Cultural Services	(100)	(14)	-	-	-	(8)	(22)	22%
Environment	(797)	30	-	-	-	43	73	-9%
Finance	(1,407)	-	-	-	-	(286)	(286)	20%
Governance	(4)	(11)	-	-	-	(4)	(15)	375%
Housing Services	(67)	(2)	22	-	-	(29)	(9)	13%
Human Resources	-	-	-	-	-	-	-	-
Leisure Services	(259)	-	-	-	-	-	-	-
Marketing and Communications	(20)	5	-	-	-	(10)	(5)	25%
Operations	(5,190)	(23)	6	(55)	(1)	(49)	(122)	2%
Sustainable Development	(857)	(221)	-	-	-	(1)	(222)	26%
<b>Service Total</b>	<b>(11,193)</b>	<b>(256)</b>	<b>(93)</b>	<b>(55)</b>	<b>(1)</b>	<b>(363)</b>	<b>(768)</b>	<b>7%</b>
Corporate Financing	(377)	-	-	-	-	-	-	-
Staff costs recharged to capital projects	(354)	-	-	-	-	47	47	-13%
<b>Total</b>	<b>(11,924)</b>	<b>(256)</b>	<b>(93)</b>	<b>(55)</b>	<b>(1)</b>	<b>(316)</b>	<b>(721)</b>	<b>6%</b>

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

## Fees & Charges

The budget for income from fees & charges is £3.645 million, and is projected to be over achieved by £256,000. The following chart shows the main income streams:



### Forecast highlights:

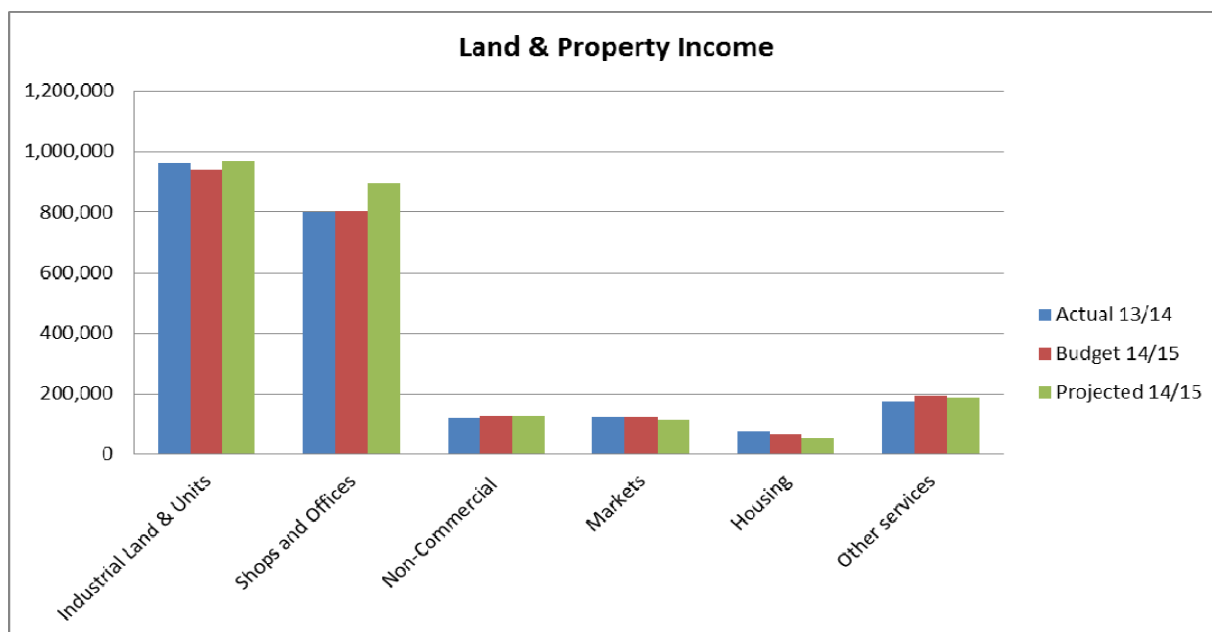
- Development control is forecasting an over achievement of £150,000 against a budget of £556,000. The projection is based on a range of forecasts generated using previous trends but also includes provision for anticipated new housing developments within the districts major growth locations.
- Land Charges search fee income is projected at £266,000 for the year compared to £237,000 achieved last year, and represents a forecast overachievement of £63,000 against budget. The demand from this service continues to be higher than last year with the main fee earning activities up by more than 14%.

### Note on Other Fees and Charges in 2013/14

The amount shown includes £261,000 of one-off recharges to third parties which were largely matched by expenditure incurred by the Council

## Land & Property Income

The budget for rental income from land & property is £2.258 million – comprising the investment property portfolio, markets, housing properties, and other let properties. The forecast for the year is an overall over achievement of £93,000.

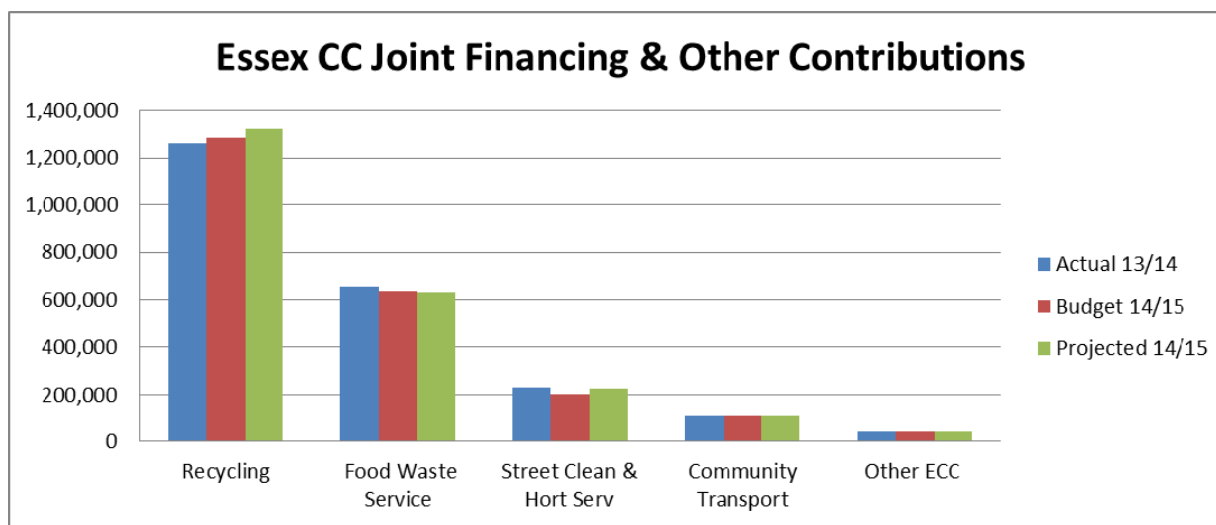


### Forecast highlights:

- The forecast allows for the acquisition of Connaught House in September 2014. The Council became aware of this investment opportunity after the original budget was approved, therefore, whilst the revenue impact is in line with the business case approved by Members, there is a net increase in rental income over budget of £92,000 in the current year.
- There is a further £32,000 of net additional income from the Council's commercial property portfolio which is mainly due to the level of void periods being lower than assumed when setting the budget.
- Income on Housing properties is expected to be lower due to the transfer of Craig House to Family Mosaic. This reduced income will be partially offset by lower operating costs for the remainder of the year.

### Essex County Council Joint Financing & Contributions

The Council receives a significant amount of income from service arrangements with Essex County Council (ECC). The updated budget for the year is £2.275 million, an increase of £119,000 reflecting mainly previously unbudgeted works carried out by Horticultural Services. The current forecast is an over-achievement of £55,000, mainly from waste management activities and works to rural verges.



### **Sale of Recycling Materials**

It is currently projected that the budget from the sale of recycling materials of £617,000 will be achieved.

### **Other Service & Corporate income**

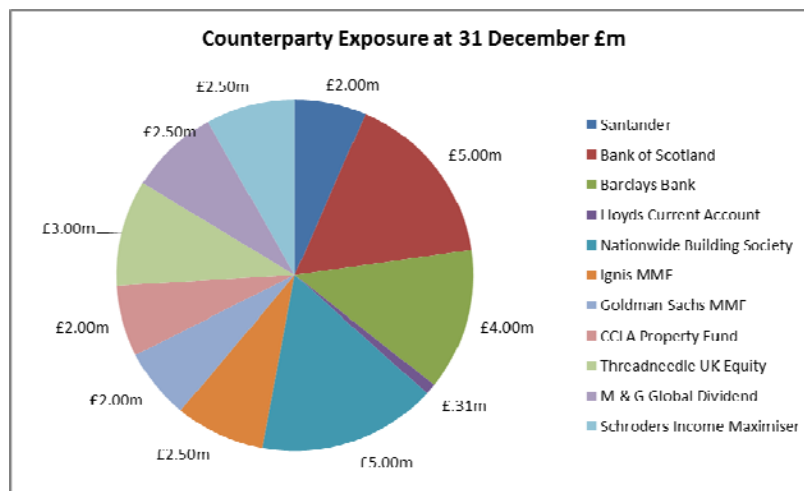
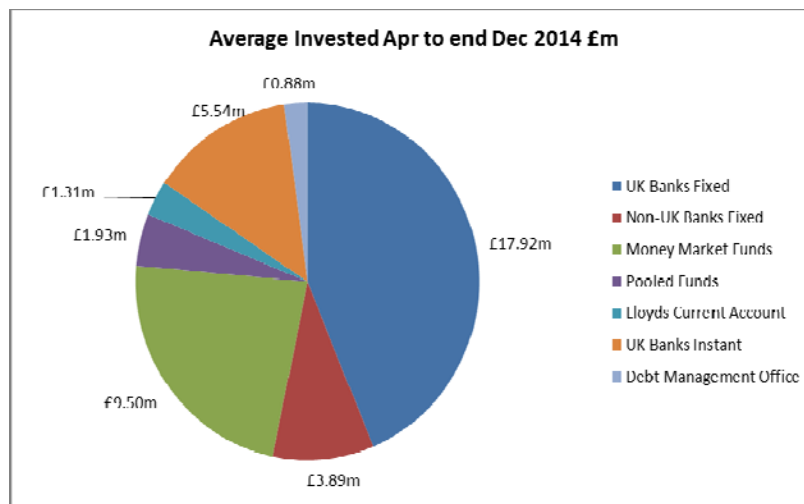
Total budgeted other income is £3.129 million, with a current forecast net over achievement of £316,000, which includes £131,000 relating to Treasury Management on which further details are provided below. The balance of £185,000 is mainly the result of higher expected recoveries of benefit overpayments and related penalties.

Staff costs charged to capital projects (and therefore not funded from the General Fund revenue account) were budgeted for the year at £354,000. At present there is a forecast adverse variation of £47,000 which is partly offset by a reduction in related staff costs due to vacancies. However, changes in staffing arrangements in the Engineering Service means that there is likely to be an ongoing reduction in charges to capital schemes and, therefore, this has been taken into account in the 2015/16 Budget.

### **Treasury Management**

The average cash balance invested in the period to the end of December was £40.97 million (this compares to £46.14 million for the same period last year and reflects the planned reduction in cash balances as funds have been used on capital projects including a number of “invest to save” schemes.). Interest secured to date amounts to £186,000 at a rate of 0.58%. With interest rates remaining low a review was undertaken to identify investment opportunities that will yield a higher return for an acceptable level of risk resulting in £10 million being invested into four pooled funds (1 property fund and 3 equity funds). The longer-term annual average return on these funds is expected to be around 5% per annum, with an estimated extra £131,000 of investment income projected in the current year.

Investment counterparties for the period and exposure at end of December is shown in the following charts:



## **General Fund Balances**

General Fund balances are held for the following reasons:

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

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



	<b>£'000</b>
<b>Balance at 1 April 2014</b>	<b>8,244</b>
Less:	
Budgeted withdrawal	(485)
Match funding for flood management	(50)
Business rate retention in-year variance	(72)
Add:	
Projected variance at this quarter	540
VAT refunds (prior year)	99
Transfer from earmarked reserves	30
<b>Est. Balance at 31 March 2015</b>	<b>8,306</b>

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

- The budget approved by Council for 2014/15 included an anticipated drawdown from balances of £484,608.
- Cabinet agreed at their meeting held in September 2014 to match fund money available by Essex County Council to increase flood management work in the District.
- At the end of December there was a projected variance on net income from the business rates retention scheme of £72,000 which is to be accounted for in 2014/15. This amount is likely to change over the remainder of the year.
- Projected full-year variance as per this quarter's review of £540,000.
- VAT refunds in respect of prior years, mainly relating to trade waste income where HMRC had incorrectly advised local authorities to charge VAT.
- As part of the 2015/16 budget process service management reviewed the balances held on earmarked reserves resulting in £30,322 being transferred back to General Fund balances.

### **Risks and Assumptions**

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

Other external income is inherently difficult to predict as it is substantially demand led and impacted by external factors. New car parking charges have been introduced during the year and capacity added with the opening of the Easton Road car park in Witham and, therefore, it is still too early to be able to assess the overall impact. Projections for Development Control income have been based on a range of possibilities and with some anticipated growth linked to housing growth areas. With signs of economic recovery, Central Government's objective to simplify and speed up the planning process, and the recent set aside of the Council's Local Development Framework (LDF) it is difficult to be precise about the level of applications. The set aside of the LDF could lead to more speculative applications (and fees), but could also lead to more appeal costs at a later date.

The Leisure Services budget includes a £100,000 allowance for contract variations and there are further funds set aside in an earmarked reserve to deal with a combination of service issues that are currently ongoing. Depending upon the outcome of these issues will determine the extent of drawdown required from the reserve.

Improvements to waste and recycling collection arrangements from early February 2015 are also expected to lead to savings due to lower labour and vehicle requirements. However, at this stage no savings have been forecast in the current year to allow some contingency whilst the changes become embedded. Annual savings of £215,000 have been allowed in the 2015/16 Budget.

The Council has received a number of claims in respect of structural damage to properties caused by trees on land owned by the Council. These claims are being reviewed and, where management consider it appropriate, settlements are being offered. However, there is a risk of litigation along with the associated costs which may not also be covered by insurance. The projections have made some allowance for these claims based on the expectation of service management at the present time.

### **Capital Investment**

The total capital investment expected in the year is as follows:

	<b>£'000s</b>
<b>Approved New Programme for 2014/15</b>	<b>5,014</b>
<b><u>Add:</u></b>	
Projects approved previously where spending is profiled into the current year	6,081
Projects approved in-year	5,621
<b><u>Less:</u></b>	
2014/15 projects profiled into future years	(1,000)
<b>Programme for 2014/15</b>	<b>15,716</b>

There has been an increase in the programme for 2014/15 of £67,000 since Q2 due to asset acquisitions funded from revenue resources (£33,000) and projects funded from external contributions (£34,000).

The capital investment programme is reported over two themes:

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

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

	<b>Planned Spend 2014/15 £000</b>	<b>Actual Spend to end Dec £'000</b>	<b>Spend/ Committed to date %</b>
General Fund Services	13,509	10,190	75%
Housing Investment	1,853	896	48%
Capital Salaries	354	230	65%
<b>Total</b>	<b>15,716</b>	<b>11,316</b>	<b>72%</b>

The General Fund Services programme for the year includes:

- Final phase of construction of the new Witham Leisure Centre which opened in August
- Improvement works to other leisure facilities and the redevelopment of the former Bramston Sport Centre site
- Construction of new business units on the Springwood Industrial Estate
- A programme of planned maintenance on other Council buildings and provision of a new vehicle and plant workshop
- Acquisition of investment property which will generate additional income for the Council
- Town centre improvements
- Upgrades to the Council's telephone system and computer servers, and the introduction of in-cab technology for waste service vehicles

Actual spend during Q3 was £1.81 million, including: development of the new fitness suite at the Braintree Swimming Centre; creation of a new car park at Easton Road, Witham; carrying out planned maintenance to a number of Council assets; and demolition of the former Bramston Sports Centre in preparation for a future site disposal.

Whilst the level of spend on projects across the original programme is currently expected to be £614,000 less than anticipated it has enabled Members to agree for the resources to be directed to other schemes which required additional budget and these are now contained in the programme.

The housing investment programme includes: £635,000 for disabled facility grants (DFGs), against which £532,000 has been spent to date. In addition, DFG approvals totalling £214,000 have been made although drawdown of these funds is dependent upon when works are completed, therefore, a portion is likely to be paid in 2015/16. The programme also provides for £1.104 million for social housing grants against which £340,000 has been spent to date. The balance has been pledged as 'in principle' support allowing social landlords to confidently develop schemes which may in turn attract other sources of funding.

### **Capital resources**

The main source of new capital resources anticipated for the year are from preserved right-to-buy receipts (£750,000) and the Council's share of the VAT shelter operating in conjunction with Greenfields Community Housing (£522,000).

Greenfields Community Housing has reported that there were 39 right to buy sales completed in the first 9 months, generating £2.353 million for the Council. The higher number of right to buy sales may be due to increases in the discounts available to eligible purchasers, together with the introduction of government assisted mortgage schemes. Provisional figures for VAT shelter monies due to the council in the first 9 months total £676,000.

A government grant of £331,000 has been received towards part funding the disabled facility grant programme, and a grant of £21,000 towards ICT spending on electoral services.

<b>Strategic Risk Management</b>		<b>Agenda No: 6b</b>
<b>Corporate Priority:</b> Delivering excellent customer service <b>Portfolio Area:</b> Performance and Efficiency <b>Report presented by:</b> Councillor John McKee, Deputy Cabinet Member for Performance and Efficiency <b>Report prepared by:</b> Trevor Wilson, Head of Finance		
<b>Background Papers:</b>  Risk Policy, Strategy and Implementation Plan – Council 19 <sup>th</sup> April 2006. Strategic Risk Management report to Cabinet on 29 <sup>th</sup> September 2014.		<b>Public Report</b>
<b>Options:</b>  To agree, add to or amend the strategic risks identified in the report.		<b>Key Decision: No</b>
<b>Executive Summary:</b>  <p>The report provides Members with an updated Strategic Risk Register for the Council. The Strategic Risk Register agreed by the Cabinet on 29<sup>th</sup> September 2015 was reviewed by Management Board and Cabinet Members during February 2015; the outcome is an updated draft register.</p> <p>The register details the risks which have potential to impact on the delivery of the Corporate Strategy over the medium-term. In addition to undertaking this review of the register the Management Board ensures that the register continues to be current by regularly reviewing and updating the strategic risks, as necessary.</p> <p>The strategic risk register forms one part of the Council's overall approach to risk management, other facets include: processes for identifying and recording operational risks, risk registers for major projects, business continuity planning and emergency planning.</p> <p>The number of strategic risks identified has remained unchanged at seven, since the last review conducted in May/July 2014.</p> <p>The risks were reviewed and updated as appropriate. The number of risks above the Risk Tolerance Line (See Appendix A) requiring active management has also remained at five, with the risk rating for all five continuing to be C2 (Significant Likelihood and Critical Impact).</p>		

A summary of the changes to the risk ratings made at the reviews are shown in the table below:

<b>Risk Rating</b>	<b>May/July 2014</b>	<b>Feb. 2015</b>
<b>C2</b> ( <i>Significant likelihood/ Critical impact</i> )	5	5
<b>D2</b> ( <i>Low likelihood/ Critical impact</i> )	2	2
<b>Total number of risks on Strategic Register</b>	<b>7</b>	<b>7</b>

Management Action Plans for managing each of the five risks above the risk tolerance line are owned and maintained by a Corporate Director. Details of the risks together with the Management Action Plans are provided at Appendix B.

**Decision:**

Cabinet to approve the Strategic Risk Register and the Action Plans, for managing the high rated risks, as detailed in Appendix B to the report.

**Purpose of Decision:**

To demonstrate that the Council regularly identifies the strategic risks which may affect the achievement of its objectives and that it actively manages them, as appropriate.

Any Corporate implications in relation to the following should be explained in detail	
<b>Financial:</b>	Risks and associated management action plans concerning the Council's finances are highlighted in risks numbers 1 and 8.
<b>Legal:</b>	There are no specific risks of a legal nature at this time.
<b>Safeguarding</b>	There are no specific risks regarding safeguarding at this time.
<b>Equalities/Diversity</b>	The Council's processes and approach to equalities and diversity are well developed and are not regarded as a risk.
<b>Customer Impact:</b>	The potential impact on a proportion of residents in the district, in particular vulnerable groups, is identified at risk number 4. A management action plan is included detailing the actions taken and planned to reduce the risk.
<b>Environment and Climate Change:</b>	Risk concerning the Council's approach to climate change is identified as an operational risk by the relevant services.
<b>Consultation/Community Engagement:</b>	No specific risk identified concerning consultation and community engagement however these are important elements in a number of the strategic risks on the register e.g. Local Plan and Community Resilience.
<b>Risks:</b>	A robust Risk Management process is an important element of the Council's governance arrangements.
<b>Officer Contact:</b>	Trevor Wilson
<b>Designation:</b>	Head of Finance
<b>Ext. No.</b>	2801
<b>E-mail:</b>	Trevor.wilson@braintree.gov.uk

# STRATEGIC RISK PROFILE

Braintree District Council February 2015

<div>↑</div> <div>likelihood</div>	A				
	B				
	C			1, 2, 3, 4, 7	
	D			6, 8	
	E				
	F				
		IV	III	II	I

Impact →

## Likelihood:

- A Very high
- B High
- C Significant
- D Low
- E Very low
- F Almost impossible

## Impact:

- I Catastrophic
- II Critical
- III Marginal
- IV Negligible

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

### Medium-Term Financial Strategy – 1

Risk Rating C2 (C2 July 14)

Management Board Owner – Corporate Director (CF)

Vulnerability	Trigger	Consequence
<p>The Council sets a Medium-Term Financial Strategy (MTFS), covering a four-year period, which is reviewed and updated annually.</p> <p>Assumptions are made about anticipated changes on the revenue account e.g. government grant levels, income levels, inflation, pay awards, council tax collection rates, etc. together with planned and anticipated efficiency savings, council tax levels and the use of balances.</p> <p>Assumptions are also made regarding capital resources with a capital programme being planned and agreed against these resources.</p> <p>The Government's Spending Review 2013 and Autumn Statement announced in December 2014, respectively, confirmed the continued reduction in funding to local government and reinforce the commitment to its deficit reduction plan and to returning the public finances to a sustainable position.</p>	<ul style="list-style-type: none"> <li>• Government funding settlements are reduced by more than anticipated.</li> <li>• Other organisations which provide significant contributions to the Council face their own funding pressures and may require greater reductions than expected.</li> <li>• Circumstances change which render the planned savings unachievable.</li> <li>• Other financial assumptions prove incorrect. Including income budgets not achieved, particularly interest receivable from the £10m invested in equity and property funds.</li> <li>• Economic conditions and market fluctuations cause changes at or before contract renewal e.g. contract for sale of recyclates.</li> <li>• Capital receipts are not received as planned.</li> <li>• Capital resources insufficient to finance capital programme.</li> </ul>	<ul style="list-style-type: none"> <li>• Priorities and projects are not delivered.</li> <li>• Cuts necessary to services</li> <li>• Rushed decisions to find other savings</li> <li>• Staff unsettled and de-motivated.</li> <li>• Financial savings are not achieved; balances used more than planned.</li> <li>• Assets not fit for purpose</li> <li>• Satisfaction levels with the Council fall</li> <li>• Cannot implement low council tax strategy</li> </ul>



Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Robust budget review and setting process involving Management Board and Cabinet members developed over a number of years</p> <p>Unallocated balances significantly exceed minimum level of £1.5million.</p> <p>Regular Budgetary Control and monitoring processes in place, including:</p> <ul style="list-style-type: none"> <li>• Amount of council tax support awarded</li> <li>• awards made from the Exceptional Hardship Fund; and</li> <li>• Business rates and council tax collection rates.</li> </ul> <p>Action plan developed following Peer Challenge, managed by the Local Government Association, in October 2013.</p> <p>Monitoring of returns on investments by Arlingclose, the Council's Treasury Management advisor.</p>	<p>Continue work to improve financial modelling for business rates income and New Homes Bonus grant.</p> <p>Improve monitoring and forecasting of income.</p> <p>Delivery against the workstreams contained in the Action Plan consisting of:</p> <ul style="list-style-type: none"> <li>• Commercialisation and 'Better at Business';</li> <li>• Grow our economy – increase business rate pot and secure external funds;</li> <li>• Finance and Investment Strategy;</li> <li>• Review contracts and procurement;</li> <li>• Increase our income;</li> <li>• Management and Service Reviews; and</li> <li>• Sharing services or joint work.</li> </ul>	Corporate Director (CF)	<p>Financial savings delivered on time and as budgeted.</p> <p>Setting a balanced base budget and having plans to meet funding shortfalls in subsequent years of MTFS.</p> <p>Service and performance levels delivered as planned.</p> <p>Collection rates of council tax and business rates achieve planned levels.</p> <p>Budget variations reported in timely manner with explanation and action plan, where appropriate</p>	Monthly	<p>Feb. 2015 – Council</p> <p>Sept. 2015 – commence budget process for 2016/17</p>	<p>MTFS updated with the final financial settlement figure for 2015/16.</p> <p>MTFS provides a plan to provide a balanced base budget with the proposed freeze in council tax for 2015/16 at £159.57 (Band D). For planning purposes an increase in council tax of 2% is included for 2016/17 onwards. Shortfalls are to be addressed for 2016/17 of £0.13m; 2017/18 of £0.7m; and 2018/19 of £.6m.</p> <p>Estimated unallocated balance as at 31<sup>st</sup> March 2016 is £7.259million.</p> <p>Investment Strategy reviewed with £10m invested in equity and property funds and utilising borrowed monies, of £6m, to fund investments (e.g. commercial property and solar panels) to achieve improved rate of return over the medium-term.</p>

## Economic Development – 2

Risk rating C2 (C2 July 14)

Management Board Owner – Corporate Director (JH)

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

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Strong working relationship with Essex County Council, Haven Gateway, e South East Local Enterprise Partnership (LEP), and the Essex Business Board on key priorities for economic development.</p> <p>Partnership with Essex County Council, Colchester and Tendring Councils and the Highways Agency on establishing a business case for improvements to the A120.</p> <p>District Economic Development Prospectus agreed, setting clear economic priorities</p> <p>District Investment into capital/revenue projects to create business growth in the District.</p> <p>Working in partnership with Ignite business to provide new business start-ups and to grow businesses.</p> <p>Close engagement with strategic businesses through the District Business Leaders Board</p>	<p>Continuing to develop a strong relationship with strategic businesses and working with them to lobby the South East LEP; Highways Agency; Network rail etc. to invest in the District's economic priorities</p> <p>Developing our inward investment offer through an Investment Prospectus and website</p> <p>Ensuring that we have a realistic delivery plan and maximising the use of available resources to lever investment in delivery, including New Homes Bonus</p> <p>Supporting Town Teams to develop a clear vision and ensuring that they have the capacity to deliver town centre regeneration</p>	Corporate Director (JH)	<p>Creation of new jobs</p> <p>New Business starts</p> <p>Business growth in the District</p> <p>Inward Investment in the District</p> <p>Investment into District infrastructure</p>	Quarterly		<p>Capacity of Economic Development Team strengthened to support delivery.</p> <p>Business community consulted on District Economic Development Prospectus, which sets clear economic priorities for the period to 2026.</p> <p>Work to ensure that key infrastructure projects are included in the Essex and LEP Strategic Plans.</p> <p>Springwood Drive Enterprise Units extension under construction and feasibility study underway for Witham Enterprise Centre</p> <p>Delivery of town centre infrastructure improvement projects in Braintree, Halstead and Witham underway</p> <p>Range of Portas Pilot initiatives delivered in three towns</p> <p>Investment in Town Centres and award from Government of Portas Pilot status.</p> <p>Allocation of £5m of New Homes Bonus funds to infrastructure projects agreed.</p>

**Local Plan – 3**

Risk Rating C2 (C2 July 14)

Management Board Owner – Corporate Director (JH)

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

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Engaging at a regional level.</p> <p>Joint working with other authorities.</p> <p>Good working relationships with Town and Parish Councils and community groups.</p> <p>Infrastructure implications will be a key part of the new Plan.</p> <p>Programme of reporting and decision making through Local Plan Sub Committee.</p> <p>Strong working relationship with major developers on key housing/commercial sites in the District.</p> <p>An Interim Planning Policy Statement which supports the development of proposed allocated sites in the Site Allocations and Development Management Plan and removes the phasing from the Core Strategy growth location sites.</p> <p>The Local Plan budget has been increased in 2015/16 to ensure the funds are available to provide the necessary evidence base documents and other work required to produce the Local Plan in the timescales proposed.</p> <p>An appeal fund is included in the budget for 2015/16 to ensure the Council has sufficient funds to fight appeals as appropriate.</p>	<p>Work programme keeps to timetable to ensure adoption of the Local Plan in line with the project plan.</p> <p>Close working relationship with major landowners and agents in the District to work together on delivery rather than in opposition.</p>	Corporate Director Sustainable Development	<p>Ensuring Local Plan process is adopted/ approved on target.</p> <p>Outcome of appeal decisions relating to non-allocated sites.</p>	Quarterly	Ongoing	<p>Adoption of Core Strategy.</p> <p>Adoption of new Statement of Community Involvement.</p> <p>Approval of Interim Planning Policy Statement</p> <p>Publication of Local Plan Issues and Scoping document for public consultation.</p>

**Community Resilience – 4**

Risk Rating C2 (C2 July 14)

Management Board Owner – Corporate Director (CF)

<b>Vulnerability</b>	<b>Trigger</b>	<b>Consequence</b>
<p>There is a small proportion of the district's population that is affected by current changes to welfare reforms. However, a number of the changes are still working through and the impacts are uncertain, in particular, Universal Credit is due to be introduced gradually in the Braintree District from October 2015 and to be fully operational by 2017.</p> <p>There are a number of deprived areas in the district with children in poverty, health inequalities, lack of skills and higher unemployment.</p> <p>Educational attainment in the district (based on English and Maths GCSE results) is low compared to the rest of the county.</p> <p>There is a growing population of elderly people, within the district and nationally.</p>	<p>Break-down in family and community resilience.</p> <p>Council and other public sector organisations are not able to meet demand for services.</p>	<ul style="list-style-type: none"><li>• Some people do not receive the help they need.</li><li>• Increase in homelessness</li><li>• Increased demands on the Council's Housing and Customer Services</li><li>• Increased health inequalities</li><li>• Increase in number of households in fuel poverty</li><li>• Increase in number of children in poverty</li><li>• Requests for Discretionary Housing Payments and/or Exceptional Hardship Fund payments exceed resources allocated.</li></ul>



Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Officer Welfare Reform group established.</p> <p>Additional staff taken on in Housing, Revenues and Benefits and Customer Services.</p> <p>Increased partnership working with Citizens Advice Bureau, Greenfields CH, Department for Work and Pensions and Fusion to assist those affected by the welfare changes.</p> <p>Discretionary Housing Payments allocation from the Government of £204,936 in 2014/15. Short-term assistance available to tenants facing difficulty with their rent.</p>	<p>Delivery of action plan prepared by Officer Welfare Reform group.</p> <p>Regular reviews of the impact the changes are having on those affected.</p> <p>A cost/benefit analysis of money advice SLA with the CAB and of the temporary Collections Support Officer to be undertaken to assist in 2015/16 Budget decision making.</p> <p>Work jointly with Job Centre Plus to agree a formal partnership agreement regarding Universal Credit.</p>	Corporate Director	<p>Services able to meet increased demand</p> <p>Funding sufficient to support those residents in extreme financial difficulties with council tax and/or rent.</p> <p>Increased number of residents in employment</p>	Quarterly		<p>Service Level Agreement with Citizens Advice Bureau to provide money advice service to residents, extended to 31<sup>st</sup> March 2016.</p> <p>Discretionary Housing Payments – allocation of £162,654 for 2015/16.</p> <p>Exceptional Hardship Fund of £15,240 for 2015/16. Short-term support available to council tax support claimants facing financial hardship.</p> <p>Health and Wellbeing Panel for the District established and working with a range of partners.</p> <p>Initial meeting with Job Centre plus arranged for March 2015 to commence work on the roll-out of Universal Credit in the Braintree District.</p>

**Service Resilience and Workforce planning – 6**  
 Risk Rating D2 (D2 July 14)  
 Management Board Owner – Corporate Director (CF)

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

## Affordable Housing – 7

Risk rating C2 (C2 July 14)

Management Board Owner – Corporate Director (JH)

Vulnerability	Trigger	Consequence
The Council has challenging affordable housing needs. There are a declining number of sites for development in the district and the value of housing is intrinsically high. Increasing gap between the availability of affordable housing and those needing them.	Potential number of affordable houses not provided	<ul style="list-style-type: none"> <li>Affordable housing need not met</li> <li>Homeless households remain longer in temporary accommodation as fewer rented homes become available for letting through 'Gateway to Homechoice'</li> <li>Cost to the Council of temporary accommodation increases</li> <li>Young people/key workers leave the district</li> </ul>

Action/controls already in place	Required management action/control	Responsibility for action	Critical success factors & KPI's	Review frequency	Key dates	Progress to-date
<p>Affordable Housing Strategy 2009-14 adopted</p> <p>Affordable Housing Strategy Action Plan for 2011/12</p> <p>Reviewed planning policy to ensure opportunities are maximised</p> <p>The Community Housing Investment Partnership (CHIP) fund was established as part of the transfer agreement. Currently £7m of this fund is available to invest into the delivery of further affordable housing.</p> <p>Underwriting schemes and purchase of land for affordable housing developments as opportunity and finance allow.</p>	<p>Housing Research and Development Team continue to look for innovative ways of increasing affordable housing with developers and Registered Social Landlords.</p> <p>Use of Stat Nav toolkit to help identify need across the District.</p> <p>Build working relationships with developers to deliver Affordable housing through S.106 agreements.</p>	Corporate Director (JH)	Local target for an average 100 dwellings per annum	Quarterly		<p>Local Development Framework in progress.</p> <p>Investment of CHIP fund to deliver more than 50 homes in next financial year.</p> <p>StatNav toolkit now up and running on BDC web-site</p> <p>Over 200 new affordable homes started on site during 2013/14. In 2014/15, we expect 173 affordable homes to be completed. In 2015/16 we are expecting around 70 completions.</p> <p>Authority delegated to Cabinet Members for Planning and Property and Performance and Efficiency to agree acquisitions and funding commitments within the overall affordable housing budget in order to allow timely decisions to be taken and prevent opportunities being lost.</p>

**Investment Strategy (formerly Investment of Surplus Monies) – 8**

Risk Rating D2 (D2 July 14)

Management Board Owner – Corporate Director (CF)

Vulnerability	Trigger	Consequence
<p>The Council has an Investment Strategy which seeks to optimise use of available resources by investing in property and other assets as well as investing surplus monies with financial institutions to achieve a reasonable rate of return.</p> <p>The security of the money invested is paramount but the Investment Strategy distinguishes between the investment of monies available only in the short-term due to cashflow requirements and monies (core funds) which are available for investment over the medium to long-term.</p> <p>£10million of the Council's core funds were invested in pooled funds (equities and property) in October/November 2014 with the aim of achieving higher rates of return and capital growth over the medium term (3 to 5 years).</p> <p>The impact of the current economic climate on financial institutions makes the selection of: a strong counterparty, with which to invest; the selection of an asset, to purchase, and the tenant, to occupy and rent property, crucial.</p> <p>Regular monitoring of investment counterparties is essential and this is currently undertaken by Arlingclose, our Treasury Advisors.</p>	<p>Failure of investment counterparty.</p> <p>Tenant ceases trading leading to void period and requirement to find a new tenant.</p> <p>Collapse in the equity market at a time when the Council needs to release money by selling the equity pooled funds.</p>	<ul style="list-style-type: none"><li>• Loss of the principal sum and / or interest due</li><li>• Loss of rental income and increased costs (e.g. unoccupied business rates)</li><li>• Unplanned service cuts and / or use of balances</li><li>• Decline in Council reputation</li></ul>

Business Growth Loan Fund		Agenda No: 6c
Corporate Priority:	Boost employment, skills and support business Securing appropriate infrastructure and housing growth	
Portfolios:	Performance and Efficiency	
Report presented by:	Councillor David Bebb	
Report prepared by:	Ian MacDougall, Economic Development Manager	
Background Papers:	Public Report	
Options:	Key Decision: YES	
To approve or not approve the Business Growth Loan Fund as set out in this report.		
1. Background		
<p>1.1. Braintree District will see significant growth in the coming decades, resulting in development of up to 14,000 new homes by 2031. This presents a significant requirement for employment growth estimated at up to 20,000 new jobs; both figures will be determined through the Local Plan process.</p> <p>1.2. A substantial proportion of this employment growth will be from the growth or expansion of existing businesses, with the remainder from inward investment. Evidence suggests that a significant barrier to business growth, particularly for SME's (small and medium sized enterprises), is access to loan finance to invest in premises, in investing in new plant and machinery, and additional plant and machinery. The availability of loan finance for premises and equipment is also a factor in inward investment decisions, particularly for small and medium sized investments. Both will require a reliable source of investment capital.</p> <p>1.3. Research also indicates the SME &amp; businesses' borrowing needs are not being met by the high street banks, with 45% of loan applications refused consistently over recent years and other practices (such as the cancellation of business overdrafts) severely constraining businesses' access to credit and finance, dampening the potential for significant employment and economic growth.</p> <p>1.4. In order to support economic growth and stimulate job creation, it is therefore</p>		

proposed to establish a Business Growth Loan Fund for which £500,000 was set aside in the 2015/16 Budget. Applications for loans would be assessed against the impact of that investment in stimulating growth and creating jobs in the District. Loans would be offered for a maximum of 50% of the value of investment (with the balance invested by the private sector). It is expected that the £500,000 would initially be drawn down in the fund over a three year period commencing in 2015/2016. This would generate a minimum of £1,000,000 of investment if fully loaned. Every effort would be made to secure further public investment into the fund (for example through SELEP and European funding) to increase the value of investment that could be supported. As a loan fund, repayments (with interest) would be available to fund further loans in future years – the evidence from similar schemes is that default rates tend to be low.

- 1.5. This report sets out proposals for: the overall operation of the loan fund (including funding criteria); the development of loan fund operating models; funding allocation between those two operating models and financial profiling; and sets out details of how loan fund applications would be approved (including delegation limits).

## **2. Operation of the Business Growth Loan Fund**

- 2.1. Officers have investigated a number of approaches to encourage growth and investment including examples in Wolverhampton, Leicestershire, Scotland, Nottinghamshire and East Sussex. Each area's economy differs, as does the operation (for example lending terms, criteria, interest rates, match funding requirements) and intended impact of each scheme, making direct comparisons extremely difficult. However, it has been estimated that £400,000 could assist 10 companies to create between 25 and 67 new jobs.
- 2.2. Lending would be on economic terms and above the EU reference rate; as such, State Aid conditions are met and restrictions do not apply. Lending must also comply with legislation, including the authorisation requirements of the Financial Conduct Authority.
- 2.3. An effective marketing & communications strategy would be implemented to promote the Business Growth Loan Fund.
- 2.4. Companies would be invited to submit projects for consideration against the Business Growth Loan Fund criteria (attached as Appendix 1) and loans would be offered to those offering the highest impact.

## **3. Business Growth Loan Fund operating model**

- 3.1. It is proposed to deliver well-proven models to provide a source of finance, disbursed as loans to businesses. It is further proposed to use revolving loan funding enabling re-investment. Such mechanisms also allow for funds to be wound down over a suitable period if necessary.



- 3.2. Based upon an assessment of successful loan funds already in operation, a combination of two loan fund operating models is proposed. Each is described below, with an assessment of their advantages & disadvantages.
- 3.3. **Funding Circle:** The Funding Circle process is described at Appendix 2. An increasingly popular peer funding approach, particularly amongst 'digitally literate' businesses and lenders, Funding Circle is a company which provides an opportunity to invest in Small and Medium Enterprises with good credit ratings, offering loans of between £5,000 and £1m. Over £547m has been invested since 2010. The Government (British Business Bank – Department of Business, Innovation & Skills) supports 20% of all loans and has invested £20m with a further £40m awaiting EU State aid clearance. Investment via Funding Circle would be limited to companies that have completed Funding Circle's due diligence (creditworthy and established businesses), were located in Braintree District and would meet the Business Growth Loan Fund criteria. Businesses could choose which lenders / rates they accept i.e. lenders compete to lend in auctions. Funding Circle takes asset security or personal guarantees from Directors on loans. The average return after bad debts and fees is currently 7% gross, with a current minimum interest rate of 6.2% and a maximum 12.2% gross (all figures as at 24<sup>th</sup> February 2015), depending on assessed risk (in 5 bands, determined by Funding Circle). An interest rate ceiling of 15% applies to all risk bands. Funding Circle recommends a diversified approach to lending where investments are made to over 100 companies with a maximum of 1% of the Fund invested in each. This may not be suitable as an investment model for the Council, but every investor using this model has generated a positive return, as well as significantly reducing their exposure to financial risk.
- 3.4. Local authorities may seek to bid above the quoted rate (circa +0.3%); this would keep costs down for those companies looking to borrow and also provides an opportunity for other lenders to replace the Council by investing at a lower rate. This avoids councils investing in every investment opportunity and enables them to act as a catalyst to entice other investors at lower rates.
- 3.5. Advantages- Proven method; Government backed; increasingly popular and shows an innovative approach- may reach higher growth, 'digitally literate' companies that would not access more mainstream lending; generates a return for re-investment at known, independently assessed risk and pre-determined rates, with asset security or personal guarantees; transparent; Funding Circle administration process provided; un-lent funds can be removed or loans transferred / sold; simple collection of payments.
- 3.6. Disadvantages- Limiting lending to 'Braintree District only' may increase risk by reducing scope to diversify portfolio; unknown take-up amongst local firms; some bad debts.
- 3.7. **Business Loans Scheme:** Funds are disbursed directly to business against applications consistent with the Scheme Criteria, with agreed interest and repayment terms. By using bidding rounds, loans can be made to those projects offering best leverage, although the ability to react to investment

opportunities as they arise would be retained. The total project cost and intervention rate are known and outputs / impact agreed as a condition of the loan. The expectation of repayment means that funds can be re-invested over a period of around 5 years.

3.8. Advantages- Known, fixed investment; direct link between loan and outputs; entirely discretionary- potential for flexibility; no third parties involved in process.

3.9. Disadvantages- Requires administration (payments) and 'in house' due diligence; applications / projects may be complex; potentially higher risk of default- risk & appropriate interest not independently assessed.

#### **4. Funding allocation and financial profile**

4.1. It is proposed that a combination of the two above models is developed, with the potential to allocate funds between the models flexibly to take advantage of demand and potential impact with an initial allocation of £400,000 for direct loans with a further £100,000 for investment through Funding Circle.

4.2. It is further proposed that 30% (£120,000) of the direct loans funding is allocated specifically for inward investment projects for companies moving into the Braintree District, with the balance of £280,000 for District business growth.

4.3. Once the full amount of funding has been lent, loans would cease to be offered except where these can be financed through repayments thereby 'revolving' the funds or a decision is made on a continuation or successor scheme.

4.4. It is proposed that a Funding Circle allocation of £100,000 would be made available for investments immediately.

4.5. Disbursements as direct business loans may take longer to allocate, as these are largely demand-led. The intention would be to allocate funds as soon as possible, thereby enabling repayment and re-investment over a 3-5 year period. However, it is likely that £100,000 would be disbursed in 2015/2016; £200,000 in 2016/2017 and £100,000 in 2017/2018.

4.6. These are indicative estimates only and a flexible approach is recommended to enable investment in appropriate projects as opportunities arise at any time between 2015 and 2017.

#### **5. Business Growth Loan Fund application approval**

5.1. Funding would only be agreed for proposals with significant economic impact.

5.2. For Funding Circle, applications have undertaken a degree of due diligence and the Council would only actually fund those where other funders have not entered the bidding process or have not offered a lower interest rate. Conditions would be set as a condition of each loan, limiting the use of Braintree District Council funds to the use specified and taking charges on assets or guarantees to ensure repayment or recovery.

5.3. As a condition of application, applicants will accept that the Council reserves

absolute discretion on funding, including the right to not fund any application where the intended use is deemed inappropriate or may risk damaging the Authority's reputation. No reason for declining or refusing any application need be given.

5.4. £500,000 has been allocated in the Council's 2015/16 Budget to create the fund.

5.5. A further £500,000 will be sought through other public investments (E.G. European Structural Funds). With private match funding at a minimum rate of 50%, this could create a total fund value of £2m.

5.6. It is proposed that loan applications for under £50,000, including all Funding Circle Loans, are assessed by officers against the above criteria and approved by the Corporate Director, Finance. The Cabinet Members for Prosperity and Growth and Performance and Efficiency will be kept informed of applications and progress.

5.7. It is proposed that applications for over £50,000 would be approved by the Cabinet Member for Prosperity and Growth in consultation with the Corporate Director and Cabinet Member for Performance and Efficiency.

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**Decision:**

1. To approve the details of the Business Growth Loan Fund as set out in this report.
2. To approve the criteria for loan funding through the Business Growth Loan Fund as set out in the report.
3. To approve delegated responsibility to the Corporate Director, Finance for agreeing loans under £50,000, including all Funding Circle's Loans, and that the Cabinet Members for Prosperity and Growth and Performance and Efficiency will be kept informed of applications and progress.
4. To approve delegated responsibility for loans of over £50,000 to be approved by the Cabinet Member for Prosperity and Growth, in consultation with the Corporate Director Finance and Cabinet Member for Performance and Efficiency.

**Purpose of Decision:**

To seek Cabinet approval for the creation of a Business Growth Loan Fund; to seek Cabinet approval for the criteria governing Council investment through the Business Growth Loan Fund; and to seek Cabinet approval for the process for approving loan applications including delegation levels.

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

<b>Financial:</b>	The 2015/16 Budget has allocated £500,000 to support the Business Growth Loan Fund. It is expected that the initial drawdown against the fund will occur over a three-year period commencing in 2015/16. Repayment of loans will generate a return and allow funds to be re-invested to support new applications under the scheme. This also allows for funds to be wound down over a suitable period if necessary. Whilst due diligence and other checks will be undertaken and contractual conditions and charges set, Braintree District Council remains at risk of financial loss through default on any particular loan. The use of revolving mechanisms allows for the repayment of Council funds over a period. This will provide repayment of the principal sum plus interest, both of which can be made available for further lending or return.
<b>Legal:</b>	Lending must comply with legislation, including the authorisation requirements of the Financial Conduct Authority. Contractual conditions, guarantees and / or charges may be set as a condition of Braintree District Council investment. Applicants will indemnify the Council in that we reserve the right to refuse any application without the grounds of such refusal being given. State aid requirements are met as loans will be on economic terms at rates above the EU reference (interest) rate.
<b>Safeguarding:</b>	None
<b>Equalities/Diversity:</b>	All equalities and diversity groups would benefit from business investment, including those socio-economically disadvantaged.
<b>Customer Impact:</b>	The proposed Business Growth Loan Fund would protect or increase employment opportunities across Braintree District.
<b>Environment and Climate Change:</b>	An assessment of the environmental impact of each application will be made as part of the funding criteria.

<b>Consultation/Community Engagement:</b>	The District Business Leaders' Board has been consulted and their views taken into consideration.
<b>Risks:</b>	<p>All lending is undertaken 'at risk'. Whilst due diligence and other checks will be undertaken and contractual conditions and charges set, Braintree District Council remains at risk of financial loss on any particular loan. An amount for bad debts has been factored in with the Funding Circle approach and interest rates determined accordingly. Reputational risk will be mitigated by due diligence and not supporting any application deemed unsuitable or inappropriate for public investment.</p> <p>Insufficient demand: There is a risk that companies do not apply for funding and that the fund is under-utilised. This will be mitigated by effective marketing &amp; promotion including the use of intermediaries (Invest Essex, UKTI, Growth Hub, banks, accountants, Chambers of Commerce &amp; partners) and advertising / PR using relevant channels. Funding Circle also undertakes marketing, advertising &amp; PR.</p>
<b>Officer Contact:</b>	Ian MacDougall
<b>Designation:</b>	Economic Development Manager
<b>Ext. No.</b>	2584
<b>E-mail:</b>	<a href="mailto:ian.macdougall@braintree.gov.uk">ian.macdougall@braintree.gov.uk</a>

## **Business Growth Loan Fund Lending Criteria**

### **1. Lending Criteria**

- 1.1. **Scope:** Capital investment loans between £5,000 and £100,000 would be available to fund:
- 1.1..1. Capital equipment;
  - 1.1..2. Expansion, location and employment growth for companies located in or moving into Braintree District;
  - 1.1..3. Preference will be given to those projects offering significant employment growth, retention or levels of investment;
  - 1.1..4. Revenue / operational funding and maintenance would be ineligible.
- 1.2. In exceptional circumstances consideration would be given to loans in excess of £100,000, subject to funds being available.
- 1.3. **Criteria:** Applications must provide a business case for Braintree District Council's investment and should be considered against a range of criteria including:
- 1.3..1. Jobs created or safeguarded;
  - 1.3..2. Leverage / investment ratios
  - 1.3..3. The strategic importance of the company or investment;
  - 1.3..4. Prospects for future growth & employment (within the company, group or as part of a wider supply chain)
  - 1.3..5. The ability to repay / due diligence and
  - 1.3..6. Proposed repayment period.
- 1.4. **Leverage & Match Funding:** Where BDC investment will be used to match other public loan or investment (for example through European, Regional Growth Fund or similar) a maximum BDC intervention rate of 25% is proposed with the requirement for private match remaining at a minimum of 50%. Companies applying for a Business Growth Fund loan would need to demonstrate that mainstream lending is unavailable or commercially unviable or acts as match for BDC investment at an intervention rate less than 50%.
- 1.5. **Funding Circle Criteria:** Applications must provide a business case for Braintree District Council's investment and should be considered against a range of criteria including:
- 1.5..1. Jobs created or safeguarded;
  - 1.5..2. Leverage / investment ratios
  - 1.5..3. The strategic importance of the company or investment;
  - 1.5..4. Prospects for future growth & employment (within the company, group or as part of a wider supply chain)
  - 1.5..5. The ability to repay / due diligence and
  - 1.5..6. Proposed repayment period.

- 1.6. The criteria applied to Funding Circle investments are therefore similar, although a greater degree of flexibility is recommended due to the peer lending / crowd funding nature of such a model (i.e. multiple lenders each contributing only a percentage of the total loan) and the benefits of a diversified lending portfolio.
- 1.7. An interest rate 0.3% above the quoted rate would be offered.



### **Business Growth Loan Fund Funding Circle**

1. Funding Circle is regulated by the Financial Conduct Authority. It offers the facility to bid to lend automatically, using a limited set of defined criteria such as risk profile, location, business financials, purpose of loan and sector. The minimum investment is £20. The average gross interest rate we wish to bid / lend at (allowing a margin to account for bad debts and costs) can also be set, typically between 6%-15%; interest is accrued daily. The maximum percentage of the total fund to lend to any single business can also be set.
2. It is recommended that a more selective approach is undertaken, where officers select appropriate companies meeting the criteria and place bids to invest. It is recommended that bids would be at 0.3% above the minimum rate, although, as companies choose from whom they wish to borrow and at what interest rate, there is no guarantee that bids would be accepted.
3. In addition to new loans, there is the opportunity to purchase parts of existing loans from other investors, although this incurs additional fees and lenders may charge a premium of up to 3%. Similarly, we would be able to sell existing loans (provided there are no arrears and the loan has an attendant risk profile) either with a premium or, were we to wish to encourage other investors to invest, without.
4. If a £100 loan part is sold with a 3% premium added, it will cost £103 (plus any accrued interest). The new buyer's rate of return is slightly lower than the original rate secured on the loan part. The premium is added to the cost of the loan part (i.e. the principal outstanding and any accrued interest). The seller receives one payment for this total cost (including the premium) and this is the final payment and no interest accrued once the loan part is sold. Similarly, to sell at a discount, the loan part is offered at a mark-down, and as a result, the buyer will earn a higher rate than the original rate secured on the loan part.
5. Investors lend money directly to small and medium sized businesses. Funding Circle typically takes asset security or personal guarantees from directors on loans to provide further comfort to investors that in the event that the borrower is unable to make repayments on the loan, there is security which can be enforced:
  - a. A director's personal guarantee
  - b. A charge across all a company's assets (an all asset security agreement/a debenture), or
  - c. A security on a specific asset (asset backed security).
6. The security taken is dependent on a range of factors including the size and purpose of the loan and is determined by Funding Circle. Enforcement

or recovery action is taken by Funding Circle Trustee Limited, a wholly owned subsidiary of Funding Circle.

7. As with all guarantees or security, Funding Circle cannot guarantee that loans will be recovered in the event of default of a borrower.
8. Funding Circle charges the following Fees:
  - a. 1% annual fee on the amount lent to businesses (this is payable on the capital only, not interest, collected when a business makes a monthly repayment). There are no fees charged for placing bids or on amounts that aren't lent out.
  - b. 0.25% admin charge on any loan parts sold based on the amount outstanding.
9. Any un-lent funds can be removed at any time.

<b>Braintree District Council Climate Local Strategy and Action Plan</b>		<b>Agenda No:7a</b>
<b>Corporate Priority:</b> Protecting our Environment Improving our services through innovation Support Vulnerable people in our community <b>Portfolio Area:</b> Place <b>Report presented by:</b> Councillor Robert Mitchell, Deputy Cabinet Member for Place <b>Report prepared by:</b> Mark Wilson, Sustainability Manager		
<b>Background Papers:</b>  Appendix 1. Braintree District Council Climate Local Strategy and Action Plan		<b>Public Report</b>
<b>Options:</b>  1. That Cabinet endorse the Braintree District Council Climate Change Strategy and Action Plan for public consultation. 2. To amend the Braintree District Council Climate Local Strategy and Action Plan before sending to public consultation 3. Not to support the publication of the Strategy and action plan.		<b>Key Decision: No</b>
<b>Executive Summary:</b>  1.1 In November 2013 a report was brought to Cabinet seeking approval for the Council to sign the LGA Climate Local Commitment and approval to develop a Climate Local Strategy and Action Plan. Cabinet requested that the Strategy and action plan be re-drafted to be more aligned to the Council's corporate priorities and then bring the documents back to a future meeting of the Cabinet for approval prior to going out to public consultation.  1.2 Therefore this report introduces the new draft Braintree District Council Climate Local Strategy and Action Plan 2015-2018, developed to address climate change and the associated issues of energy saving and carbon reduction, fuel poverty, sustainable development and climate change impacts.  1.3 Once the documents are approved by Cabinet they will be used for a public consultation exercise, which will last for six weeks. The consultation will commence on the 1 <sup>st</sup> June. At the end of this period, any amendments arising out of the public		

consultation exercise will be considered by the Cabinet Member for Place who will approve the final sign-off of the document on behalf of Cabinet.

1.4 All the actions included within the action plan have been budgeted for within the respective teams business plans.

**Decision:**

1. That Cabinet approve Braintree District Council's Climate Local Strategy and Action Plan for publication for public consultation.
2. Following the public consultation exercise the Cabinet Member for Place, in conjunction with the Corporate Director, is given delegated authority to approve the final document for publication.

**Purpose of Decision:**

To establish Braintree District Council's continued commitment, leadership and ambition to tackle climate change and take positive action to minimise its effect on Council services and the residents of the District.

Any Corporate implications in relation to the following should be explained in detail	
<b>Financial:</b>	Climate Local Strategy actions are budgeted within Business Plans.
<b>Legal:</b>	Climate Local Commitment is not a statutory obligation.
<b>Equalities/Diversity</b>	<p>An Equality Impact Assessment will be completed as part of the Climate Local Strategy public consultation process. Identified so far is that a commitment to Climate Local contributes to the Council's equality and diversity agenda through:-</p> <ul style="list-style-type: none"> <li>• Raising awareness of and mitigating the impact of severe weather (flooding, drought, storms) on the District's most vulnerable residents;</li> <li>• Targeting fuel poverty across our District.</li> </ul>
<b>Customer Impact:</b>	This will be considered and addressed in the Climate Change Strategy consultation and communication process.
<b>Environment and Climate Change:</b>	Endorsing the Braintree District Council Climate Local Strategy and Action Plan will contribute towards carbon reduction and will address fuel poverty and the social issues surrounding fuel poverty.
<b>Consultation/Community Engagement:</b>	The public consultation process will include all key stakeholders including: Statutory consultees, local community groups, local businesses and interest groups.
<b>Risks:</b>	<p>The risks associated with endorsing the Braintree District Council Climate Local Strategy and Action Plan:-</p> <ul style="list-style-type: none"> <li>• Competing priority with other service pressures;</li> <li>• There are likely impacts on service delivery and customers if services do not adapt to climate change impacts;</li> <li>• Reputational and perception issues in the event that the Council does not progress the Climate Change agenda;</li> </ul>
<b>Officer Contact:</b>	Mark Wilson
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<b>Ext. No.</b>	2325
<b>E-mail:</b>	<a href="mailto:mark.wilson@braintree.gov.uk">mark.wilson@braintree.gov.uk</a>

## **Background**

- 1.1. The Climate Local Commitment is a Local Government Association initiative established to drive and support local authority action on an increasingly changing climate.
- 1.2. Climate Local has evolved in response to the cessation of the National Indicator set on Climate Change, so now rather than having national targets to meet local authorities can set locally owned and determined targets to support their efforts to both reduce their own carbon emissions and district wide emissions and to improve authority and community resilience to the effects of the changing climate and extreme weather.
- 1.3. Climate Local is a framework and set of guidelines developed by the Local Government Association to drive, inspire and support councils to take action on climate change.
- 1.4. There are a number of drivers for developing the new Braintree District Council Climate Local Strategy and Action Plan including:-
  - 12 of the last 14 years have been the warmest globally since records began;
  - 4 of the 5 UK's wettest years on record have been since 2000;
  - Local authorities now have a statutory duty to report each year to Government the energy conservation measures they have undertaken;
  - Changes in national legislation and climate data;
  - Need to build resilience from increasing changes in weather patterns;
  - Urgent need to reduce carbon emissions;
  - Potential for energy shortages from 2015 onwards;
  - Government identification of local authority role in building resilient communities;
  - No local targets in place for the work that the Council is doing;
  - The Council's former Climate Change Strategy is due for replacement;
  - Progressing the Health and Wellbeing agenda in relation to fuel poverty;
  - Supports economic growth by encouraging local employment in the green sector and investment in green businesses.

## **2. Benefits for the Council of being a Climate Local signatory**

- 2.1 This national commitment allows Braintree District Council to align itself with its peers and other authorities across the UK, presenting a united approach to addressing climate change. Since its launch 96 authorities have signed up to the commitment, each producing their action plan tailored to local issues and needs.
- 2.2 Key to the success of Climate Local is partnership working, both through the network of local authority partners and support of relevant national organisations, with the intended outcome being the ability for each individual Council to build their capacity to manage climate risks.

- 2.3 It supports local authorities to share good practice and identify other authorities undertaking similar initiatives, to support joint working and the sharing of experience and ideas.

### **3. Previous Decisions and Commitments**

- 3.1 On 27th January 2006 the Chief Executive and Leader of the Council signed the Nottingham Declaration making a public declaration of its commitment to reduce its impact on climate change. This provided the overarching commitment across the Council to address climate change. In March 2008 the Council launched the Local Authority Carbon Management Programme (LACM) to run from 2008-13 to reduce carbon emissions and finally in December 2009 the Cabinet endorsed the first Climate Change Strategy, which was for the period 2009-2013.
- 3.2 Within the Council's Corporate Strategy 2012-16, Climate Change and tackling fuel poverty sits under the corporate priority of 'Place'.
- 3.3 A new commitment and Climate Local Strategy and action plan will make a strong contribution to the achievements of the Council's Corporate Plan. This sets out a commitment to maintain the Council's leading role in local efforts to reduce the impacts of Climate Change.
- 3.4 The proposal for Braintree District Council to sign up to the LGA's Climate Local Commitment and to produce a climate strategy and action plan was approved by Cabinet on 30<sup>th</sup> September 2013. The decision was made to sign and join the Climate Local Commitment and to prepare a new Climate Local Strategy and action plan.

### **4. Next steps**

- 4.1 Carry out public consultation with key stakeholders. With delegated authority the strategy and action plan will be amended and the final version of the document published.
- 4.2 Deliver the actions with the action plan against their targets
- 4.3 Carry out annual review of progress on actions and revise actions and targets accordingly.

### **5. Recommendations**

- 5.1 That Cabinet approve the Braintree District Council Climate Local Strategy and Action Plan for publication for public consultation.
- 5.2 Following the public consultation exercise the Cabinet Member for Place, in conjunction with the Corporate Director, is given delegated authority to approve the final document for publication.



**BRAINTREE DISTRICT COUNCIL**

# **CLIMATE LOCAL STRATEGY AND ACTION PLAN 2015-2018**





## Foreword from Councillor Robert Mitchell

Braintree District Council has been actively progressing the climate change agenda for many years. In 2006 we signed the Nottingham Declaration on Climate Change, in 2008 we were one of the first authorities to take part in the Carbon Trust's Local Authority Carbon Management Programme and in 2009 produced our first Climate Change Strategy.

This Climate Local Strategy replaces the former Climate Change Strategy 2009 - 2013. The new strategy will cover the period 2015 - 2018, setting out our objectives and a framework for local action on climate change and energy over the next three years. We intend to lead by example, and as an organisation the Council will continue to review and reduce the impact it has on the environment and that of the services it delivers in the district. We will support our residents, communities and businesses in building resilience to the impacts of climate change, reducing carbon emissions and costs from energy use. We will address the associated issues of fuel poverty, health & wellbeing, and economic resilience. The Council will continue to work in partnership with local groups, organisations and businesses to deliver action and help the district mitigate and adapt to climate change.

Increasingly extreme weather events, both locally and globally, reinforce the case for action. The climate is fundamental to almost all aspects of our lives: it directly affects our ecosystems, food, water, health and wellbeing, homes, leisure, economy and trade, infrastructure and services.

The UN's Intergovernmental Panel on climate change (IPCC) report on climate change, published in 2014, states "increasing magnitudes of warming increase the likelihood of severe, pervasive and irreversible impacts". The IPCC chairman Rajendra Pachauri commented "Nobody on this planet is going to be untouched by the impacts of climate change,"

A handwritten signature in black ink, reading "R Mitchell", on a dark rectangular background.

Cllr Robert Mitchell

Deputy Cabinet Member for Place at Braintree District Council



# Climate Local Braintree District Council

Our commitment to taking action in a changing climate

We recognise that our council has an important role to help our residents and businesses to capture the opportunities and benefits of action on climate change. These include saving money on energy bills; generating income from renewable energy; attracting new jobs and investment in 'green' industries; supporting new sources of energy; managing local flood-risk and water scarcity and protecting our natural environment.

We will progressively address the risks and pursue the opportunities presented by a changing climate, in line with local priorities, through our role as:

- Community leader - helping local people and businesses to be smarter about their energy use and to prepare for climate impacts;
- Service provider - delivering services that are resource efficient, less carbon intensive, resilient and that protect those who are most vulnerable to climate impacts;
- Estate manager - ensuring that our own buildings and operations are resource efficient, use clean energy, and are well prepared for the impacts of a changing climate.

In signing this commitment, we will:

- Set locally-owned and determined commitments and actions to reduce carbon emissions and to manage climate impacts. These will be specific, measurable and challenging;
- Publish our commitments, actions and progress, enabling local communities to hold us to account;
- Share the learning from our experiences and achievements with other councils; and
- Regularly refresh our commitments and actions to ensure they are current and continue to reflect local priorities.



Cllr Graham Butland  
Leader of Braintree District Council  
10th December 2014  
Braintree District Council



## 1. Introduction

The Council is committed to taking action on the issues that surround climate change. Since signing the Nottingham Declaration in 2006 we have worked on energy saving and carbon reduction both within our own organisation and across the district to tackle fuel poverty. We have worked to ensure development in the district is sustainable and building resilience to climate change impacts. Climate Local is an opportunity to build on the work that has been done to date and to put together a new plan of action to map out our future activities.

Braintree District Council covers a predominantly rural area with 3 market towns and a number of villages and hamlets. The towns have a number of industrial and commercial areas including the shopping village of Freeport on the edge of Braintree. The district has two key road transport routes the A120 and the A12. Mainline rail route into London lies in the south of the district.

Climate Local is a Local Government Association (LGA) initiative. It is a framework for local authorities to drive and support local authority efforts to both reduce their own, and district wide, emissions, improving both authority and community resilience to the effects of changing climate and extreme weather. It has direct links to the key strategic local authority priorities of health and wellbeing and the socio-economic agenda in tackling the social issues surrounding fuel and food poverty. It also prioritises protecting local businesses and supporting the local economy.

## 2. Background

In January 2012, the UK Government published the UK Climate Change Risk Assessment (CCRA) to provide further information to policy makers on the risks and opportunities from climate change and the vulnerability of the UK. In summary it states the following:

*“We know that the world's climate and weather is continually changing, resulting in both long and short term variability – and that these natural variations often have significant effects on our lives. We also know that over the past century there has been a trend towards increasing global average temperatures. Global temperatures are projected to continue rising, which is very likely to cause continued changes in weather patterns, rising sea levels and increased frequency and intensity of extreme weather events”.*

*Evidence collated by the Intergovernmental Panel on Climate Change shows that the recent observed increases are very likely (over 90%) due to rising concentrations of greenhouse gases in the atmosphere caused by human activities. In central England, temperatures have risen by about a degree Celsius since the 1970s, with 2006, then more recently 2012 being the warmest year on record. Future patterns of rainfall are less certain than changes in temperature.*

*In the UK, we currently expect a shift towards increased storm events and generally wetter winters, and a greater proportion of precipitation to fall as heavy events, such as the winter 2013/14 prolonged precipitation. The UK Climate Projections published in 2009 (UKCP09) suggest that there is a greater likelihood that summers will be drier, but these projections cover a range of outcomes including wetter summers and drier winters.”*

Across the district of Braintree we have experienced a range of extreme weather conditions, with flooding, particularly, a more frequent occurrence.





Bulford Mill Lane, Oressing

## A Summary of Climate Change

Sustainability East and ClimateUK have produced the document 'A Summary of the Climate Change Risks for the East of England', to coincide with the publication of the UK Climate Change Risk Assessment (CCRA) 2012.

The document identifies a number of local threats:

- Increased temperatures may lead to increased levels of mortality and morbidity due to heat exposure as the East of England is in the warmer part of the UK and so will be more affected.
- Changes in water availability, particularly reductions in the summer, may lead to increased water shortages affecting the supply for the public, businesses and industry. This is a significant issue for the East of England as one of the most vulnerable regions, with limited aquifers.
- Increased frequency of flooding is expected to lead to increased number of deaths, injuries, damage to buildings and infrastructure, loss of business continuity.
- Extreme weather may include cold winters which can lead to excess winter deaths.



Witham town centre

The causes behind fuel poverty and food poverty are closely interlinked, since rising energy & fuel costs combine with the impacts of climate change and may adversely affect food production.

A total of 50% of all food consumed in the UK is now imported. For example, rice forms a staple food in the UK diet, but is only grown abroad. This creates heavy dependence on global markets and consequently the global influences of climate change impacts on food production and the availability and prices in the UK. Fuel & food poverty can result in residents developing cold related illnesses, with inadequate diet affecting health & wellbeing.

### Drivers

There are numerous drivers behind the Council's need to develop the strategy and implement it's actions:

- 12 of the last 14 years have been the warmest globally since records began;
- 4 of the 5 UK's wettest years on record have been since 2000;
- Prolonged precipitation and floods of summer 2012;
- Prolonged winter precipitation, storms and floods of 2013 and in 14;

- Statutory local authority reporting on Home Energy Conservation Act;
- Potential for energy shortages from 2015 onwards;
- Progressing the Health and Wellbeing agenda;
- Easing the financial and resource burden on the NHS
- Supporting the local economy, local businesses and employment;
- Meeting the priorities in the Corporate Strategy 2012-16;
- Changes in legislation and updated climate data;
- Need to build resilience from increasing changes in weather patterns;
- Need to reduce carbon emissions;
- The Council's Climate Change Strategy is due for review;
- Government identification of local authority role in tackling climate change;
- National carbon budgets, but no local targets in place;

Extreme weather events in the UK, such as the drought of early 2012, or the flooding in late 2012 and late 2013, and high winds of late 2013, are likely to become more frequent and more severe in the coming decades.

Changes to our climate will affect parts of our community and economy in different ways. For example, there may be direct local agricultural economic impacts on food yields or crop choice in our district which is predominantly rural. Beneficially, hotter summers are expected to increase visitors to the district and revenue from outdoor tourism. There may also be less obvious and indirect effects. Power outages from increased storms could affect businesses, households and public services alike, causing disruption.



Godlings Way, Braintree

Reacting to current climate or extreme weather events is expensive. As an illustration, the UK floods of 2007 were estimated to have cost businesses £740 million. This averages £100,000 per affected businesses, taking an average 27 weeks to return to normal operating capacity. Some did not survive at all. (Defra, 2012 CCRA, Evidence report)

The floods of winter 13/14 have had a significant financial impact on the insurance industry. According to the figures from the Association of British Insurers (ABI) in March 2014 "Winter floods to cost UK insurance industry £1.1bn"



Coggeshall





Witham High Street

## Our objectives

The Council has a number of existing and emerging priorities where climate change and energy have a direct impact. These include: Protecting our environment; Improving the health and wellbeing of residents; Supporting local businesses and the local economy and ensuring that development is sustainable.

In order to address these priorities and the issues surrounding climate change, our key objectives are set out below:

- Reduce Council carbon emissions and energy/fuel use and costs across our estate: reduce energy costs and improve fuel security;
- Adapting the Council to Climate Change  
Impacts: Build climate resilience in our organisation, across our estate, operations and services;
- Reduce district-wide energy consumption and carbon emissions: Reduce energy consumption, energy costs and carbon emissions across the district for residents, communities and businesses whilst tackling fuel poverty to improve health and wellbeing of our residents;
- District wide adaptation to Climate Change  
Impacts: Support our residents, communities and businesses in building resilience to changing weather;

Many of the Council's current policies, strategies and plans include actions that directly or indirectly reduce the impacts of climate change, such as our Procurement Strategy or Local Plan Core Strategy. These will be supported by direct actions on the key areas identified in the objectives above. The issues and areas of action surrounding these objectives are detailed below.

1. Reduce Council carbon emissions and energy/fuel use and costs across our estate: reduce energy costs and improve fuel security;

There is a need to reduce energy use and carbon emissions to reduce costs and support the wider issues of CO2 related climate impacts and improving fuel security. Since signing the Nottingham Declaration the Council has successfully implemented measures to reduce it's own CO2 emissions by over 1350 tonnes, some 23% from it's 2006 baseline. The Carbon Trust's Local Authority Carbon Management Programme achieved energy saving measures across the estate, operations and services.

As part of DECC's annual reporting requirements for local authorities (under the Sharing Information on Greenhouse Gas Emissions from Local Authorities' Own Estate and Operations), Braintree District Council collates and submits it's energy use and carbon emissions setting out progress. The results are published each year on both DECC's and the Council's website. The Council has consistently shown improvement in it's energy efficiency performance.

The Council strives to lead by example and we will continue to progress this work by introducing new measures to reduce our energy and fuel consumption, coupled with increasing green energy generation across the Council's estate.

The council is rolling out a programme of solar panel installations across it's estate for the purpose of the generation of green electricity and increasing income. At the end of 2014/15 it will have installed 440kW of green energy.

2. Adapting the Council to Climate Change  
Impacts: Build climate resilience in our organisation, across our estate, operations and services

The Council, like any organisation, is subject to the effects of climate change, whether it is the direct impact of extreme weather on the delivery of services and operations or wider impacts when procuring goods, products and long term concerns.

The Council carried out an internal climate impact risk assessment based on 2009 UK Climate Projection data. We identified risks, which are being built into business plans. This will enable the authority to build resilience in our estate and in the delivery of it's services and operations to extreme climatic conditions.

3. Reduce district-wide energy consumption and carbon emissions: Reduce energy consumption, energy costs and carbon emissions across the district for residents, communities and businesses whilst tackling fuel poverty to improve the health and wellbeing of our residents;

Data from DECC's official statistics estimate that CO2 emissions in 2011 for the whole of Braintree District stood at 871kt CO2, a reduction on previous years due to an extensive variety of factors. We are addressing this and the associated issues across a number of sectors.

Fuel poverty data in 2010 compiled by DECC indicates that in Braintree District there are 8796 or 14.9% of households in fuel poverty. Across the district we have implemented energy and carbon reduction measures in homes. Over 3000 homes have been insulated under the Council's externally funded partnership insulation scheme since 2006, saving residents an estimated £3.3m on their heating bills and 1500 tonnes carbon.

In order to continue to support residents we are rolling out the government Green Deal/ Energy Company Obligation delivery programme to target energy inefficient properties and

deliver better health outcomes for residents in the district, essential to reduce cold weather related illness and winter mortality. In a separate scheme residents are now offered the opportunity to reduce utility bills by switching energy provider through the ECC and Braintree District Council run scheme.

In addition to the above programme we are forging stronger relationships with key partner organisations (including NHS, public health authority, Clinical Commissioning Group, Citizens Advice Bureau, AgeUK, Rural Community Council for Essex, Parish Councils). It enable information to be shared where vulnerable residents are identified, to ensure they are able to benefit from grants and support available.

The Council requires the development of new build properties to be to the highest possible sustainable standard. This minimises heating costs for residents, especially the vulnerable and those on low incomes.

We will support the local economy by working with local businesses to reduce energy consumption and utility costs. We will encourage the growing green business sector and the creation of local skills and jobs in this industry.

We will work with external organisations, local communities and businesses to identify and develop actions and implement carbon reduction measures and renewable energy generation opportunities across the district. We will encourage businesses to implement green travel plans for their staff and fleet vehicles.

The Council has increased it's recycling rate to 57% in 2014, compared to 35% in 2006. A total of 40,000 tonnes of waste was taken to landfill in 2006, in 2013 the total was reduced to 24,868 tonnes, substantially reducing the amount of waste going to landfill. We will continually strive to reduce this level on an annual basis.

4. District wide adaptation to Climate Change  
Impacts: Support our residents, communities and businesses in building resilience to changing weather;

In recent years we have experienced extreme variations in weather, extended dry spells and heavy continuous rainfall. To protect our district the Council will continue to work with the Environment Agency and parish councils to prepare their communities for climate change impacts, providing advice and support.

Changing weather patterns, more frequent extreme weather and rising temperatures have direct implications on our health. They and also pose challenges to the way in which the NHS, public health and social care system operates. The Council will raise awareness with residents to improving health, wellbeing and resilience in a changing climate.

Climate change is - and will increasingly be - an issue of central importance to the health and wellbeing of local communities. Strategies to adapt to climate change are therefore an integral component of local planning and decision making, bringing benefits to the physical and mental health of our residents.

The health sector, generally speaking, sees climate change as one of the biggest global public health threats this century. There are direct risks to our communities, vulnerable people, and also the impact on being able to effectively deliver public health and social care during and after serve climatic event. The Environment Agency in it's document '*Under the Weather*' have identified key impacts and groups at risk.

The Significant Seven: effects of climate change on health, wellbeing, and the health and social care system

1. Increased heat related illness and death  
– increased mortality from respiratory and cardiovascular diseases.

2. Flood related illness and displacement – as well as injury and infection, the effect of flooding on mental health.

3. Increase in food, water and vector borne diseases – an increase in incidences of infections may be seen due to higher temperatures, drought, flooding, changes in habitat and rainfall patterns.

4. Health impacts relating to air quality and aeroallergens– high temperatures are linked to poor air quality and exposure to aeroallergens (e.g. pollen).

5. Skin cancer and sunburn – excessive exposure to UV may have consequences ranging from premature aging of the skin to skin cancer. Malignant melanoma incidence rates in the UK have more than quadrupled over the last thirty years<sup>7</sup>

6. Pressure on health care providers to keep services running in the face of extreme weather – extreme events such as droughts, wildfires and storms may impact on service delivery as they become more common in the future.

7. Increase in health inequalities between different population groups. For example increase fuel and food prices, reduced access to heating, cooling, health services, education and food security.

Those at greatest risk during a heatwaves and other extreme weather events include:

- Older people: especially those over 75 years old, or those living on their own who are socially isolated, or in a care home.

- Chronic and severe illness: including heart conditions, diabetes, respiratory or renal insufficiency, Parkinson's disease or severe mental illness. Medications that potentially affect renal function, the body's ability to sweat, thermoregulation (e.g. psychiatric medications) or electrolyte balance (diuretics) can make this group more vulnerable to the effects of heat.

- infants: who are vulnerable to heat due to their immature thermoregulation, smaller body mass and blood volume, high dependency level, dehydration risk in case of diarrhoea.

- homeless people: increased risk from the extremes of temperatures. Higher rates of chronic disease smoking, respiratory conditions, substance dependencies and mental illness are more frequent homeless populations than in the general population.

- people with alcohol and or drug dependence: often have poorer overall health and increased social isolation which can increase their risk of heat stress.

- inability to adapt behaviour to keep cool: such as having Alzheimer's disease, a disability, being bed-bound, drug and alcohol dependencies, babies and the very young.

- environmental factors and overexposure: living in urban areas and south-facing top floor flats, being homeless, undertaking activities that are in hot places or outdoors with high levels of physical exertion, children and adults taking part in organised sports (particularly children and adolescents).

- Other groups of people older carers; tourists and people attending large scale public events.

The Council will be promoting and offering advice to ensure business resilience to climate change impacts. We will support local businesses in using Climate UK's online

Business Resilience Health Check tool providing both an audit of the business and the identification of measures to adapt to climate change impacts to ensure business continuity.

The siting and design of new development will require mitigation measures to avoid flooding or increasing surface water run-off and consider impacts on areas downstream of catchment areas in the district.

Following the severe flooding across the county earlier in the year, Essex County Council Highways asked district councils to put forward their worst hit highway flooding hot spots. Braintree District Council highlighted 13 spots across the district as part of a joint funded programme to mitigate future flooding.

## Action Plan

The action plan sets locally determined actions with comprehensive measures to deliver the objectives both within the organisation and across the district. The measures set are measurable with challenging targets that hold the Council and it's partners to account.

The actions will be monitored and progress reviewed annually to ensure delivery of the objectives.



# Braintree District Council Climate Local Action Plan 2014-18

## Reduce Council carbon emissions and energy/fuel use and costs across our estate

Aim	Actions	Measure	Target	Timescale	Responsibility	Resources
Reduce the Council's energy use and carbon emissions	Implement energy and fuel reduction measures	DECC Greenhouse Gas Emissions data analysis: collection and reporting	2.5% per year reduction in CO2 emissions	Annually (from July 2014)	Sustainability Team	Existing Budget
	Engage staff with behavioural change campaigns	Number of campaigns/ monitor corporate building energy data	2 per year	On-going	Sustainability Team	Existing Budget
	Produce statutory Display Energy Certificates (DEC's)	Measure and publish public building emissions	4 DEC's produced	October (annually)	Sustainability Team	Existing Budget
Secure inward investment by installing renewable energy	Pursue options to install renewable technologies at suitable sites within the Council's estate	Size (kW) of installations	25kW installed per year	On-going	Sustainability Team	Existing Budget
Sustainable Transport	Continue with measures in our Green Travel Plan	Level of award (bronze-platinum)	Platinum Level (Gold achieved in 13-14)	On-going	Sustainability Team	Existing Budget + ECC Funding
	Continue with promotion of Cycle2work scheme	Number of participants	5 per year (30 participants)	On-going	Sustainability Team	Existing Budget + ECC Funding
Water efficiency	Continue with actions in our Water Strategy produced by Anglian Water	Actions implemented	5% reduction by 2018	On-going	Sustainability Team	Existing Budget

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## Adapting the Council to Climate Change Impacts

Aim	Actions	Measure	Target	Timescale	Responsibility	Resources
Protecting the Council's estate	When developing/ purchasing/refurbishing buildings consider flooding/heatwave mitigation and our wider impact off-site, ie. reduce surface water run-off through permeable drainage	Identify issues and produce programme of works for consideration	Produce and maintain up to date reports	April 2015	Sustainability Team Asset Management	Existing Budget
	On council owned sites plant trees to provide shading, plant drought resistant species	Produce programme of works for consideration	Produce report	April 2016	Operations	Existing Budget
Building resilience into services and operations	Update Council's climate impact risk assessment and integrate risk mitigation into business plans	No. of business plans with measures included  Update Corporate Risk Register	Business plans to include risk mitigation where appropriate	Sept 2015	Sustainability Team	Existing Budget



# Reduce District wide energy consumption and carbon emissions

Aim	Actions	Measure	Target	Timescale	Responsibility	Resources
Reduce energy use to address fuel poverty and health related issues and improve health and well being	Promote Essex Energy Switching Scheme	Number of participants	400 per year	January 2016	Sustainability Team	Existing Budget
	Maintain Green Deal ECO scheme to improve energy efficiency in existing housing	Number of measures installed/ homes improved	100 per year	On-going	Sustainability Team	Existing Budget
	Provide advice, support and hold events with partner organisations eg Citizens Advice Bureau, voluntary groups etc	Number of contacts made, events held etc	1,000 residents contacted	On-going	Sustainability Team	Existing Budget
	Promotion of oil clubs across the district	Number of members	25 new members a year	On-going	Sustainability Team	Existing Budget
	House condition survey	Fuel poverty analysis	Survey completed	March 2015	Sustainability Team	Existing Budget
	Home Energy Conservation Act (HECA) reporting	Produce report	Submit report	Annually (from March 2014)	Sustainability Team	Existing Budget
	Work with landlords to improve domestic energy efficiency	Number of landlord forums held	2 forums per year	On-going	Sustainability Team	Existing Budget

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	Develop a multi-agency approach at a local level on health, wellbeing and sustainability. A NHS and CCG referral scheme for vulnerable residents (partners may include NHS, Public Health England, Health and Wellbeing Boards, voluntary sector)	Creation of referral scheme	Referral scheme in operation	May 2015	Sustainability Team and Partner Organisations	ECC + CCG Funding
	Produce local authority services and support information	Level of distribution	3000 per year	On-going	Sustainability Team	Existing Budget
Reduce carbon emissions	Distribute literature on energy and carbon reduction	Number of contacts made	8000 per year	On-going	Sustainability Team	Existing Budget
	Encourage building of energy efficient housing in district	Number of new properties built to highest energy efficiency standards	10 properties per year	On-going	Sustainable Development	Existing Budget
	Complying with Building Regulations	Number of low carbon properties in the district	25% of new build by 2018	On-going	Building Control	Existing Budget
	Encourage schools to join the Eco Schools campaign	Number of schools supported	3 Schools per year	On-going	Sustainability Team	Existing Budget

Aim	Actions	Measure	Target	Timescale	Responsibility	Resources
Sustainable Transport	Provision and promotion of electric car charging points	Number of points installed	4 charging points in the District	March 2018	Sustainability Team	OLEV Funding
	Promote sustainable transport, car sharing, cycling, walking, increasing cycle paths	Additional cycle paths provided, number of cycle racks installed, adopted Green Travel Plans	Number of plans adopted, cycle racks installed.	On-going	Sustainability Team	Existing Budget
	Encourage businesses to implement their own Green Travel Plans	Number of green travel plans produced	5 plans per year	On-going	Sustainability Team	Existing Budget
Water efficiency	Work with water companies to raise awareness and benefits of installing water saving devices and adopting more efficient use of water	Number of water saving devices/water meters distributed/installed	200 by 2018	On-going	Sustainability Team	Existing Budget + Water Company Funding

Conserve Natural Resources	Develop and implement district wide Management Plan for BDC owned woodland assets, as registered with The Rural Land Registry (as a collective asset)	Numbers of woodland actively managed in accordance with plan accepted by the Forestry Commission	4 woodlands actively managed by 2018	On-going	Landscape Team	Existing Budget
Economic Development (supporting the local economy)	Increase commercial installation of renewable energy in district by promoting renewable energy technologies, assist with planning constraints, advise on funding/revenue streams available	Number of businesses supported	5 per year	On-going	Economic Development	Existing Budget
	Develop Energy Switching Scheme to help SME's reduce energy costs	Number of participants	10 per year	Ongoing	Sustainability Team	Existing Budget
	Encourage and facilitate the development of local green tech business sector in the district	Number of new businesses	5 per year	On-going	Economic Development	Existing Budget
Reduce waste/increase recycling	Waste minimisation programme	Tonnage/percentage of waste diverted from landfill	0.5% annual decrease	On-going	Operations	Existing Budget
	Increase recycling rates	Tonnage/percentage recycled	5% increase by 2018 (2014 figures)	On-going	Operations	Existing Budget

## District Wide adaptations to Climate Change Impacts

Aim	Actions	Measure	Target	Timescale	Responsibility	Resources
Mitigate against climate change impacts (flooding, extreme weather events, storms, high winds and heat waves)	No new developments in flood risk areas	No new developments in flood risk zones with flood adaptations	Zero development	On-going	Sustainable Development	Existing Budget
	Support parish community resilience plans	Maintain parish community resilience plans – No. of parishes with plans in place	Annual updates completed	Ongoing	Emergency Planning	Existing Budget
	Implement countywide community resilience workshop training	Number of plans produced and parish council/town councils trained/supported	Train all councils	Annual programme	Emergency Planning	Existing Budget
	Maintain district and community risk register	Mitigation of risks within district	To make sure district and parishes have identified risks	Annual update	Emergency Planning	Existing Budget
	Flood alleviation measures installed and/or maintained to protect local community	Broad Green in progress Coggeshall consultation stage	Reduce flooding, completion of schemes	In progress	Environment Agency	Existing Budget

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	Promote flood protection measures	Bulk purchase of flood sacks and airbrick covers for sale to assist the community	Reduce the impact of flooding on homes and businesses	On going	Emergency Planning	Existing Budget
Community resilience to climate impacts– health and well being	Provide emergency planning advice for residents and businesses	Number of residents and businesses supported	Residents supported where necessary	On-going	Emergency Planning	Existing Budget
	Share data between agencies, both public and private and also voluntary sectors to create framework to identify and monitor local vulnerable residents – ie property flood/storm victims	Number of residents supported during/after events	Residents supported where necessary	On-going	Emergency Planning	Existing Budget
Bring together local partners to develop a shared understanding of the health and wellbeing impacts of climate change on the needs of our local Communities.	Knowledge of local climate change vulnerabilities and the needs of the community in relation to climate change risks.	Data sharing between agencies and across public, private and voluntary sectors to create opportunities for identifying local vulnerable people (e.g. identifying vulnerable residents)	Residents supported where necessary	Annual Review	Environmental Services	Existing Budget

Aim	Actions	Measure	Target	Timescale	Responsibility	Resources
Awareness of people who are vulnerable to climatic impacts such as the aging population, people with disabilities, children, and migrant populations	Map and record the physical and population vulnerabilities in the district and assess which areas will be most in need in the event of severe weather.	Plan produced	Residents supported where necessary up to date plan maintained	Annual Review	Sustainable Development	Existing Budget
Prepare for Climate Impact	NHS England (and Met Office) Heatwave Plan and Cold weather plan - as partner organisation promote plans across district	Promotion of plans across district	Annual update	On going	Emergency Planning	Existing Budget
	Work with partner organisations to ensure resilience of services to extreme weather and disruption – sharing best practice	Number of response and recovery plans produced	Plans in place	By 2018	Emergency Planning	Existing Budget

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Protect Natural resources	Maintain and increase tree canopy cover across the 3 town centres providing shade to mitigate urban heat island effect	Growth in tree canopy cover	3% per year	On-going	Landscape Services	Existing Budget
	Increase tree cover in Council parks, playgrounds and open green spaces to provide shading	Growth in tree canopy cover	3% per year	On-going	Landscape Services and Operations	Existing Budget
	Identify and plant drought and flood resistant species in Council owned parks and open spaces	Amend planting programme	Replacement taking place	Ongoing	Landscape Services and Operations	Existing Budget
	Prepare Vegetation Management Plans for tree/hedgerow management on large areas of BDC open space	Numbers of Vegetation Management Plans implemented	Plans completed by 2018	On-going	Landscape Services	Existing Budget
Business resilience (protecting the local economy)	Hold events / sharing knowledge and best practices	Number of events/ campaigns	1 per year	On going	Sustainability Team	Existing Budget
	Support local businesses by raising awareness to build resilience to climate change impacts and utilise business climate resilience tools	Number of businesses supported	5 per year	On going	Sustainability Team	Existing Budget
	Provide emergency planning advice for businesses	Number of businesses supported	15 per year	On going	Emergency Planning	Existing Budget





Neighbourhood Planning Area Application from Kelvedon, Hatfield Peverel and Feering Parish Council		<b>Agenda No: 8a</b>
<p><b>Corporate Priority:</b> Building a prosperous District - Securing appropriate infrastructure and housing growth.</p> <p><b>Portfolio Area:</b> Planning and Property</p> <p><b>Report presented by:</b> Councillor Lady Newton, Cabinet Member for Planning and Property</p> <p><b>Report prepared by:</b> Alan Massow, Senior Policy Planner</p>		
<p><b>Background Papers:</b></p> <p>Braintree District Core Strategy 2011. Braintree District Site Allocations and Development Management Plan Pre Submission Draft 2013. National Planning Policy Framework. The Localism Act 2011. The Town and Country Planning Act 1990 (As Amended by the Localism Act). The Neighbourhood Planning (General) Regulations 2012.</p>		<b>Public Report</b>
<p><b>Options:</b></p> <p>To approve, not approve, or amend the neighbourhood areas for Kelvedon, Feering and Hatfield Peverel Parish Councils.</p>		<b>Key Decision: No</b>
<p><b>Executive Summary:</b></p> <p>The Localism Act 2011 introduced neighbourhood development plans which help communities with or without Parish or Town Councils to establish general planning policies for the development and use of land in a neighbourhood. Once completed this will form part of the statutory development plan for the area and will be used in the determination of planning applications.</p> <p>Braintree District Council has received separate applications to designate individual neighbourhood area from Kelvedon Parish Council, Feering Parish Council and Hatfield Peverel Parish Council's under s61g of the Town and Country Planning Act 1990 (as amended). The application proposes that the neighbourhood area would cover the extent of each individual parish.</p> <p>A 6 week consultation period has been carried out on the proposals for Hatfield Peverel and Kelvedon Parish and an 8 week consultation for Feering Parish which was extended</p>		



due to the Christmas period.

Feering Parish Council – Consultation concluded on the 30<sup>th</sup> January 2015.

Kelvedon Parish Council – Consultation concluded on the 6<sup>th</sup> March 2015.

Hatfield Peverel Parish Council - Consultation concluded on the 6<sup>th</sup> March 2015.

If designated, this will be the area covered by any future neighbourhood development plan.

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**Decision:**

Cabinet approves:

1. The application for a neighbourhood area for Kelvedon Parish Council.
2. The application for a neighbourhood area for Hatfield Peverel Parish Council
3. The application for a neighbourhood area for Feering Parish Council.

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**Purpose of Decision:**

To determine whether or not an appropriate neighbourhood area has been submitted by Hatfield Peverel, Kelvedon, and Feering parishes and to agree those extents.

<b>Corporate implications</b>	
<b>Financial:</b>	Grant funding available to both the local planning authority and relevant body. Further funding may be required if central government finance expires prior to the completion of the neighbourhood plan. Officer time to provide advice and support.
<b>Legal:</b>	A neighbourhood plan cannot be adopted unless it is found to meet the required standards by an Independent examiner. It will be the basis for future planning decisions and has to comply with relevant regulations.
<b>Equalities/Diversity</b>	A neighbourhood plan would have to comply with relevant legislation.
<b>Customer Impact:</b>	Would be used to determine development within the area.
<b>Environment and Climate Change:</b>	A neighbourhood plan is expected to contribute toward Sustainable Development.
<b>Consultation/Community Engagement:</b>	The applications have been the subject of public consultation. Further consultation will be required.
<b>Risks:</b>	None at this stage.
<b>Officer Contact:</b>	Alan Massow
<b>Designation:</b>	Senior Policy Planner
<b>Ext. No.</b>	2577
<b>E-mail:</b>	<a href="mailto:alan.massow@braintree.gov.uk">alan.massow@braintree.gov.uk</a>

## **1 Background**

- 1.1 The Localism Act 2011 makes provision for parish councils or other groups to formulate a neighbourhood development plan (NDP) for an area. A NDP sets out policies in relation to development and use of land in the whole or any part of a particular neighbourhood area specified in the plan. This can include the allocation of land for employment or residential development.
- 1.2 At the first stage a relevant body is required to identify a “neighbourhood area” and submit this for approval to the local planning authority. A parish council is authorised under s61g of the 1990 Act to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of their parish. The area could be extended beyond the parish boundary if it has the agreement of the relevant parish council. Other organisations or groups may also apply for a neighbourhood area, subject to meeting the tests set out in the regulations and if the area does not have a town or parish council.
- 1.3 Once the area is agreed by the local planning authority, the parish council or group can start to draft a NDP and can currently claim some financial assistance from the government to do so. The local planning authority is also able to claim grant monies to assist this process as outlined later in the report.
- 1.4 Once the neighbourhood area is designated by the local planning authority, the authority is legally required to provide advice and assistance to those bodies producing a NDP. This duty to support could include making existing data and maps available and help with identifying relevant local strategic policies from the Local Plan.
- 1.5 Once the local planning authority has made its decision on the neighbourhood area application, the regulations set out the formal process that a parish council or group must go through to prepare a NDP. This includes consultation requirements and the information/evidence which must be supplied with the plan.
- 1.6 When complete the NDP is submitted to the local planning authority who must arrange an independent examination on it and a local referendum. The independent examiner will consider the submitted documents and any comments received during the consultation on the submitted plan. The examiner will determine whether the plan meets the relevant legal requirements and recommend that it proceed to the referendum stage or may suggest that modifications are made to the plan prior to a referendum, or that the plan should not go to referendum if it does not meet the necessary legal standards.
- 1.7 If the plan is found to be satisfactory it can proceed to referendum stage and if agreed by more than 50% of the vote it will come into force.

## **2 Status of a Neighbourhood Development Plan (NDP)**

- 2.1 A NDP must be in general conformity with strategic policies which make up the Development Plan (in our case the Essex County Council Minerals and Waste Local Plans and our own Core Strategy as well as policies set out in the National Planning Policy Framework. A NDP cannot propose less development

than is contained within strategic policies in the Development Plan but it can propose more.

- 2.2 Once completed the NDP will form part of the formal development plan for the area that it covers, as it is adopted by the local planning authority. Planning applications submitted must be determined in accordance with the development plan, unless there are other material considerations, therefore the Neighbourhood Plan will be used in the determination of planning applications in the area which it covers.

### **3 Application for designation of Neighbourhood Planning Areas**

- 3.1 Braintree District Council, as local planning authority, has received requests from Hatfield Peverel Parish Council, Kelvedon Parish Council and Feering Parish Council to designate the whole area of each of the Parishes as a neighbourhood area.
- 3.2 Each individual application was published on the Council's website and public notices were placed in the local paper covering each area.
- 3.3 No objection comments have been made. Colchester Borough Council has asked to be consulted during any further public consultations held by Kelvedon and Feering Parish Council's. Woodham Walter parish council have also asked to be consulted during any further public consultation on the Hatfield Peverel plan.
- 3.4 If any further comments are received, they will be reported verbally to cabinet.

### **4 Consideration of the neighbourhood areas.**

- 4.1 The regulations set out that there are only two considerations when determining an application for a neighbourhood area. Firstly is the Parish Council, group or organisation applying considered a relevant body and secondly is the area proposed for the plan considered suitable.
- 4.2 For the Kelvedon Neighbourhood Area Application - It is considered that as the submitting body is a parish council and therefore a relevant body as set out in regulations, and because the application covers the whole of Kelvedon parish, it fulfils all necessary requirements for a neighbourhood area application. At present, it is not considered that there are any existing strategic allocations or other factors within any of the parishes which should be excluded from the neighbourhood area and therefore the areas proposed are considered suitable. It should therefore be agreed.
- 4.3 For the Hatfield Peverel Neighbourhood Area Application - It is considered that as the submitting body is a parish council and therefore a relevant body as set out in regulations, and because the application covers the whole of Hatfield Peverel parish, it fulfils all necessary requirements for a neighbourhood area application. At present, it is not considered that there are any existing strategic allocations or other factors within any of the parishes which should be excluded from the neighbourhood area and therefore the areas proposed are considered suitable. It should therefore be agreed.

- 4.4 For the Feering Neighbourhood Area Application - It is considered that as the submitting body is a parish council and therefore a relevant body as set out in regulations, and because the application covers the whole of Feering parish, it fulfils all necessary requirements for a neighbourhood area application. At present, it is not considered that there are any existing strategic allocations or other factors within any of the parishes which should be excluded from the neighbourhood area and therefore the areas proposed are considered suitable. It should therefore be agreed
- 4.6 Officers consider that the application for a neighbourhood planning area for Hatfield Peverel, the neighbourhood planning area for Kelvedon, and the neighbourhood planning area for Feering have met with the necessary regulations should be approved.

## **5 Next Steps**

- 5.1 Once the neighbourhood area application has been approved, funding can be applied for by both the local planning authority and the neighbourhood group.
- 5.2 All neighbourhood planning groups are eligible to apply for a grant of up to £8000. Some examples for what the funding could be spent on include developing a website, training sessions for members of the steering group, help with project planning, undertaking a household survey, developing evidence base, engaging a planning expert, venue hire, printing.
- 5.3 Further grant funding is also available for groups facing complex issues such as high population, deprivation or areas of high growth.
- 5.4 Further information on what can and can't be applied for by neighbourhood groups is available at [www.mycommunity.org.uk](http://www.mycommunity.org.uk)
- 5.5 Neighbourhood planning is a collaborative activity and LPA's are partners in the work. The duties of the local authority are to provide advice and assistance; to hold an examination and to make arrangements for a referendum. They are not required to provide all the support needed to prepare a neighbourhood plan.
- 5.6 In order to support the production of a neighbourhood plan the Local Planning Authority can claim a first payment of £5000 following the designation of the neighbourhood area. The second payment of £5000 will be made when the final pre-examination version of the neighbourhood plan is publicised by the local planning authority prior to examination. A third payment of £20,000 will be made on successful completion of the neighbourhood planning examination. The payments recognise the local planning authority officer time to provide advice and assistance to communities in taking forward their neighbourhood plans and payments for examinations and referendums.
- 5.7 The next claim window for local authorities is between the 1st and 30th June 2015. If all three areas are agreed then the local authority will be claiming £15,000.

## **Recommendation**

- 1. It is recommended that the application for a neighbourhood area for Kelvedon Parish Council is approved.**
- 2. It is recommended that the application for a neighbourhood area for Hatfield Peverel Parish Council is approved.**
- 3. It is recommended that the application for a neighbourhood area for Feering Parish Council is approved.**

## **Appendices**

Appendix 1 – Kelvedon Neighbourhood Area map and application

Appendix 2 – Hatfield Peverel Neighbourhood Area map and application

Appendix 3 – Feering Neighbourhood Area map and application

# Kelvedon Parish Council

THE OLD FIRE STATION  
102 HIGH STREET  
KELVEDON  
ESSEX  
CO5 9AA

☎ 01376 570285

Opening hours: Mondays  
9.30 a.m. – 12.30 p.m.

email: [info@kelvedon.org.uk](mailto:info@kelvedon.org.uk)

[www.kelvedon.org.uk](http://www.kelvedon.org.uk)

[www.facebook.com/kelvedonparishcouncil](http://www.facebook.com/kelvedonparishcouncil)

Clerk: Mr P Studd

8/1/2015

Mr A Massow  
Planning Policy Department  
Braintree District Council  
Causeway House  
Bocking End  
Braintree  
Essex  
CM7 9HB



Dear Alan

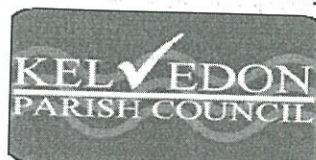
Kelvedon Parish Council- Application to designate a neighbourhood Plan Area.

Under the Neighbourhood Planning Regulations 2012 (part 2 section 6) please accept this letter and the accompanying map as the Parish Council's formal application to designate a Neighbourhood Plan Area.

Turning to the regulations, and in particular Part 2, regulation 5, we:

- a) Include a map which identifies the area to which the area application applies- the parish of Kelvedon is within the orange lines.
- b) The area is considered appropriate to be designated as a neighbourhood area because;
  - i) It is co-terminus with existing local government administrative boundaries
  - ii) It is inclusive and will enable the designated neighbourhood to reach all potential areas of development
  - iii) Likewise, it will enable a fuller range of consultation within the designated area
  - iv) It permits the local authority to operate this plan together with potential adjoining neighbourhoods and does not leave any 'gaps'.
- c) Within the meaning of Section 61 G (a) Kelvedon Parish Council is a relevant body

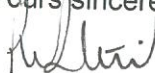
I trust that I have enclosed all of the required information but should anything further be required please do not hesitate to contact the Parish Clerk at the address shown above. I can be contacted on Mondays, Wednesdays and Thursdays at this location



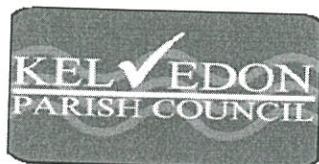


I look forward to receiving your formal response in due course and some idea of the time scale involved in this matter would be useful.

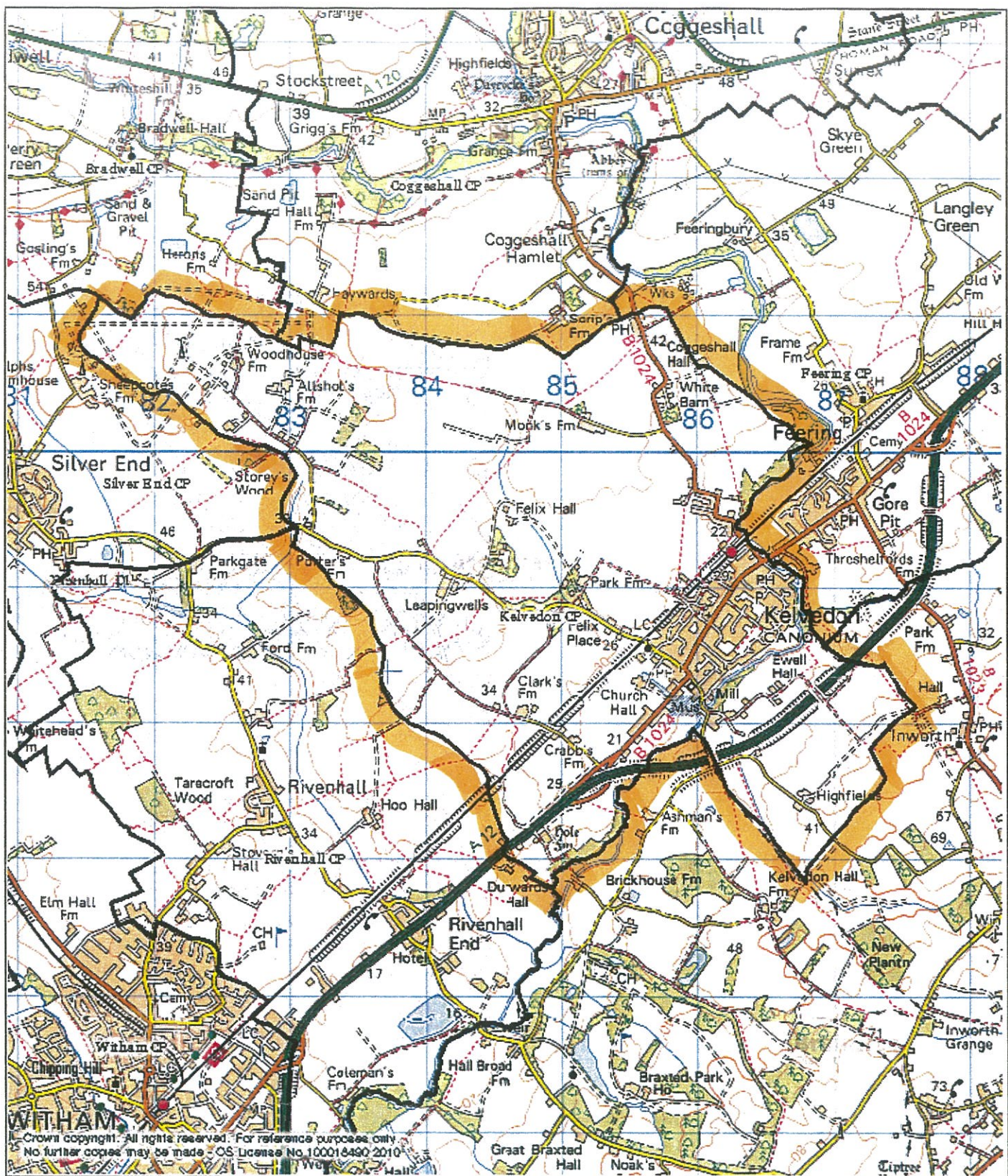
Yours sincerely



Peter Studd  
Parish Clerk



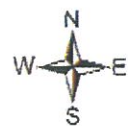




Notes

Scale 1:28819

Department



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Clerk to the Council  
Lisa Miller

Chestnut House  
Church Road  
West Hanningfield  
Chelmsford  
Essex CM2 8UJ

Tel: (01245) 403071

Fax: (01245) 382865

E Mail: [parishclerk@hatfieldpeverelpc.co.uk](mailto:parishclerk@hatfieldpeverelpc.co.uk)

2<sup>nd</sup> January 2015

Mr Alan Massow  
Senior Policy Planner  
Braintree District Council  
Causeway House  
Bocking End  
Braintree  
Essex CM7 9HB

2<sup>nd</sup> January 2015

Dear Mr. Massow

**Town and Country Planning Act 1990**  
**The Neighbourhood Planning (General) Regulations 2012**  
**Designation of Neighbourhood Area**  
**Hatfield Peverel Area Designation Application**

This application for neighbourhood area designation is submitted to Braintree District Council under the Neighbourhood Planning (General) Regulations 2012. It is submitted by Hatfield Peverel Parish Council as the appropriate Qualifying Body for the area as defined by section 61G of the Town and Country Planning Act 1990.

Having considered options for the neighbourhood area, the Parish Council would like the entire parish area to be designated, in line with the presumption in the above Act. The application consists of and only includes the administrative area of Hatfield Peverel Parish Council.

Attached with this application is a map showing the Parish Boundary in Appendix A.

We look forward to working with you on this matter.

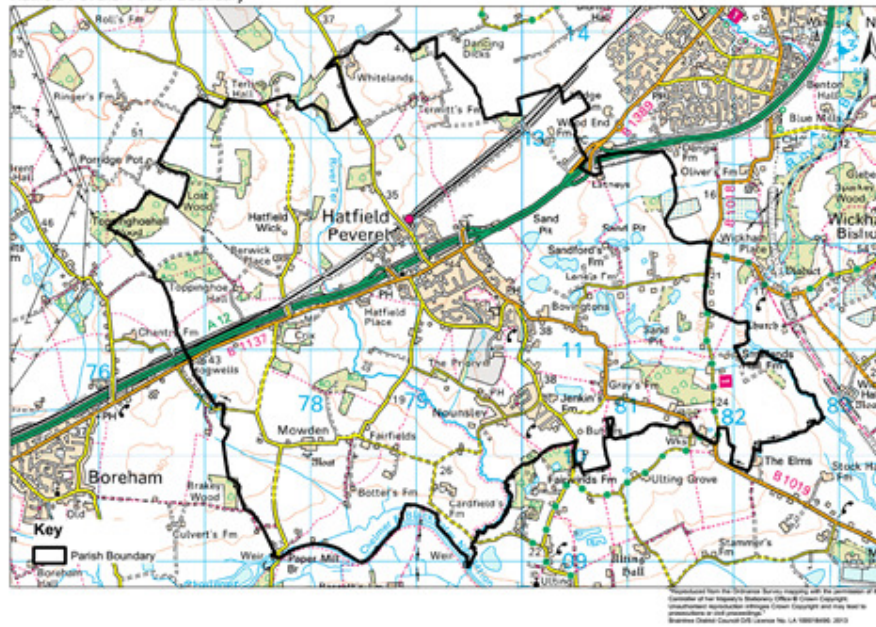
Yours sincerely



Lisa Miller  
Clerk to the Council

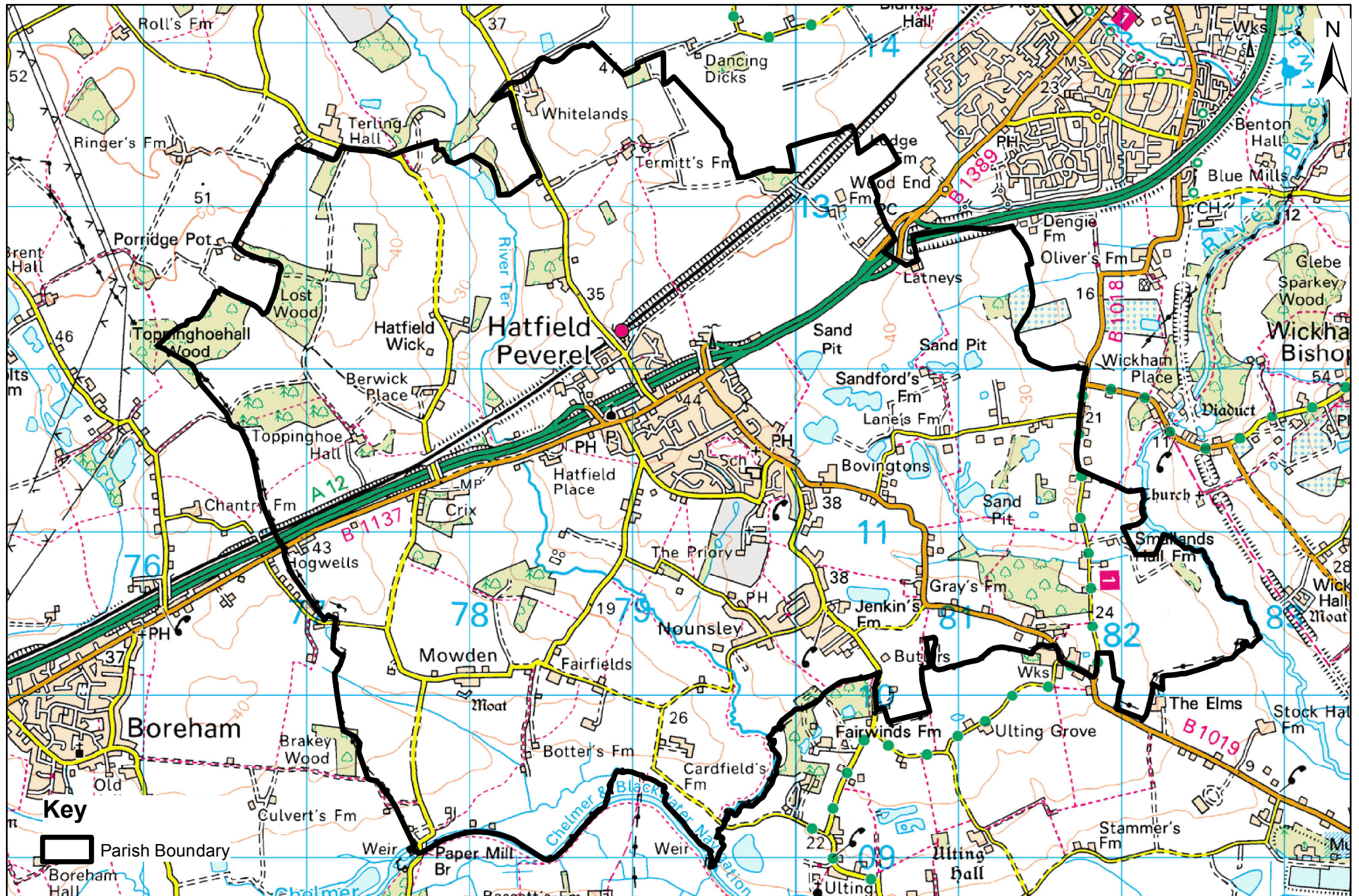
Appendix A

Hatfield Peverel Parish Boundary





# Hatfield Peverel Parish Boundary





Received  
27 NOV 2014



# FEERING PARISH COUNCIL

Feering Community Centre · Coggeshall Road · Feering · Colchester · CO5 9QB  
Telephone / Fax: (01376) 572882 (24 hour Answerphone)  
Email: [clerk@feeringparishcouncil.wanadoo.co.uk](mailto:clerk@feeringparishcouncil.wanadoo.co.uk)



Mr A Massow  
Planning Policy Department  
Braintree District Council  
Causeway House  
Bocking End  
BRAINTREE  
Essex CM7 9HB

26 November 2014

Dear Alan

## **Designation of Feering Parish as a Neighbourhood Area**

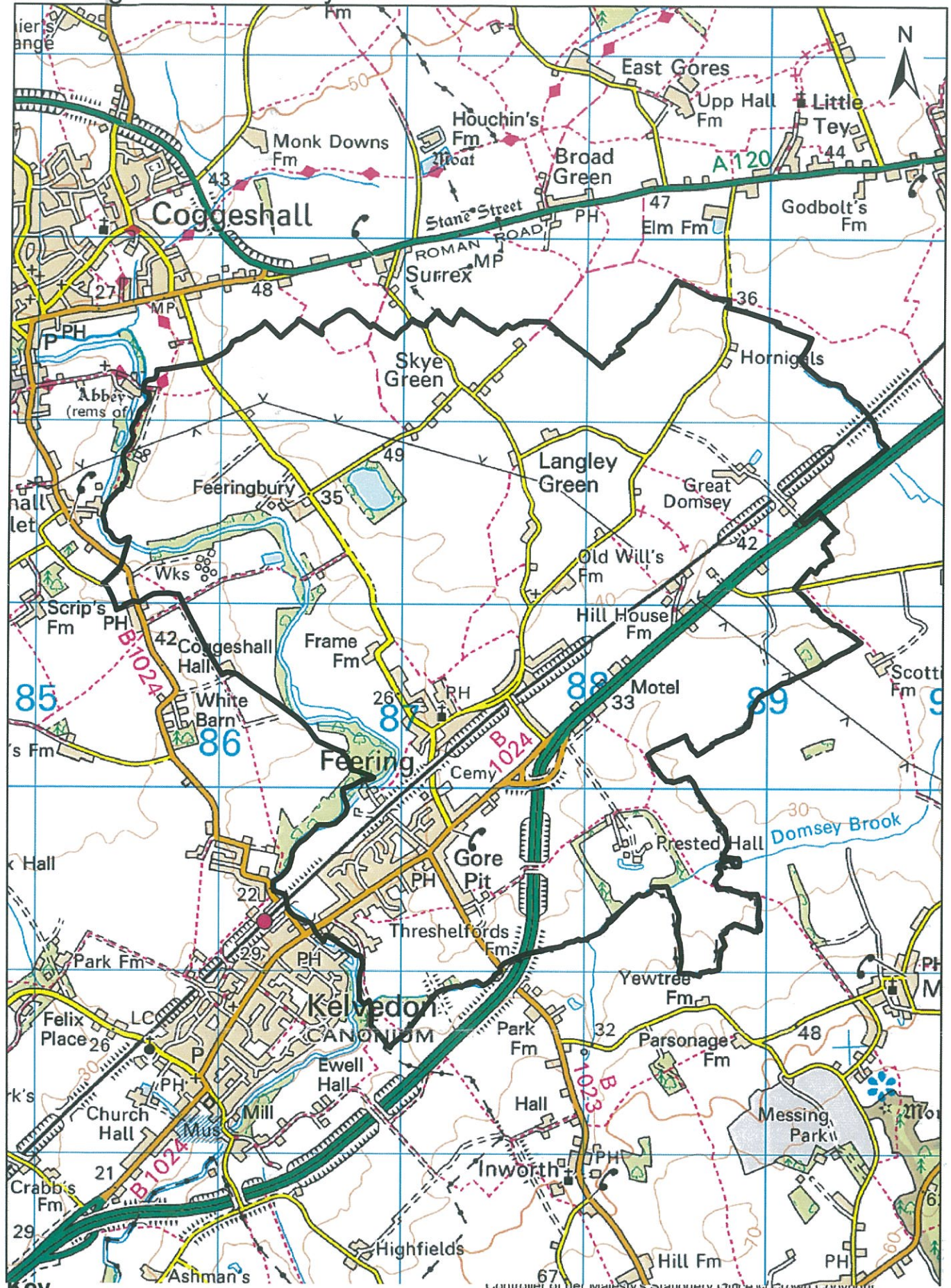
At its meeting on 18 November, Feering Parish Council agreed to designate its Parish as a Neighbourhood Area. The village has many areas of land that landowners may put forward as potential sites for development and Feering Parish Council would be willing to support a Neighbourhood Plan once a Steering Group is formed and would like to designate the whole area as its Neighbourhood Area. I therefore attach a map of the aforementioned area which includes the Parish boundary.

Yours sincerely

**MARTIQUE FREATHY**  
Clerk to Feering Parish Council



# Feering Parish Boundary



**Key**  
 Parish Boundary

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 prosecutions or civil proceedings.  
 Braintree District Council O/S Licence No. LA 100018490. 2014



Proposed Disposal of Part of Bramston Sports Centre Site, Witham		<b>Agenda No: 8b</b>
<b>Corporate Priority:</b> Boost employment skills and support businesses. <b>Portfolio Area:</b> Providing value for money. <b>Report presented by:</b> Planning and Property <b>Report prepared by:</b> Councillor Lady Newton, Cabinet Member for Planning and Property Andrew Epsom, Head of Asset Management		
<b>Background Papers:</b>  N/a		<b>Public Report</b>
<b>Options:</b>  1) Approve disposal of part of the Bramston Sports Centre site, Witham 2) Do not approve disposal of part of the Bramston Sports Centre site, Witham		<b>Key Decision: YES</b>
<b>Executive Summary:</b>  Following the opening of the new Witham Leisure Centre and recent demolition of the redundant Bramston Sports Centre buildings in Witham, the Council has been considering disposal options for the site. The vacant site comprises approximately 3.7 acres. The site adjoins the River Brain to the east and part of the site is situated within the flood plain. This site is now surplus to the needs of the Council.  While the Council is seeking to maximise the capital receipt from the site it is also assessing the economic development and employment opportunities and Council Tax and Business Rate revenue opportunities in terms of assessing its disposal strategy.  Any disposal of the site would normally be exempt of VAT; however, in order to protect the Council's partial exemption status it is proposed that a decision to Opt to Tax the site is made before 31 March 2015. This would mean that any future sale of the site would be subject to VAT.  An offer has now been received to purchase part of the site (0.68 acres) for the construction of a 12,000 sq.ft. office building.		

**Decision:**

- 1) That Cabinet approves an Opt to Tax on the former Bramston Sports Centre site (as shown outlined in Appendix 1) based on the details included within this report.
- 2) That Cabinet approves the disposal of part of the former Bramston Sports Centre site (as shown outlined in black and labelled 'Proposed 2-Storey Office' on the attached plan at **Appendix 2**) on the terms set out within this report or on such other terms and conditions as agreed by the Cabinet Member for Planning and Property and Corporate Director (Finance).

**Purpose of Decision:**

To enable the Council to dispose of part of the Bramston Sports Centre site in Witham to realise a capital receipt. This site is now surplus to requirements.

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

The disposal of part of the Bramston Sports Centre site will realise a capital receipt. The Council's valuation consultant has confirmed that this represents a fair open market value for the land.

Any disposal of the site would normally be exempt of VAT which would mean any VAT incurred and recovered by the Council in relation to the site (e.g. that incurred on the costs of demolition of the former Bramston Sports Centre, or any incurred as part of a disposal) would count towards the Council's partial exemption limit. Provided the amount of VAT incurred by the Council on exempt activities is within this limit the VAT is fully recoverable. However, if this limit is breached then there is a risk that all VAT on exempt activities would become irrecoverable leading to a cost to the Council. To prevent the Council breaching this limit it is proposed to Opt to Tax this site i.e. charge VAT on any disposal transactions. It is expected that any VAT charged would be recoverable by a prospective purchaser. The Option to Tax the site, unless revoked within six months, would remain in force for a period of 20 years or until we no longer own the site.

**Legal:**

The Council's Legal Service will be instructed to act on the Council's behalf in respect of the exchange of contracts and completion of the sale and ensure that the Council's interests are protected at all times.

**Safeguarding**

N/a

**Equalities/Diversity**

The construction of the new office building will be required



	to comply with all disabled access requirements and the employment of staff therein will need to comply with all equalities and diversity legislation.
<b>Customer Impact:</b>	The valuable capital receipt will enable the Council to continue to deliver good quality services to its customers and provide economic benefits to the local economy.
<b>Environment and Climate Change:</b>	The construction of this new office building will retain an existing business in Witham and prevent outward commuting to an alternative location. Any newly constructed office premises will need to comply with the current Environmental and Climate Change requirements.
<b>Consultation/Community Engagement:</b>	The disposal of this land will be subject to Cabinet approval. The community was consulted prior to the construction of the new Witham Leisure Centre.
<b>Risks:</b>	See Risk Matrix in the main body of this report.
<b>Officer Contact:</b>	Andrew Epsom
<b>Designation:</b>	Head of Asset Management
<b>Ext. No.</b>	2921
<b>E-mail:</b>	andrew.epsom@braintree.gov.uk

## **1.0      Background**

- 1.1      Following the construction and opening of the new Witham Leisure Centre, Braintree District Council (BDC) has now demolished the redundant Bramston Sports Centre buildings with a view to disposing of the site (BSC Site) to realise a capital receipt.
- 1.2      The vacant BSC Site (as shown outlined in black on the plan at **Appendix 1**) comprises approximately 3.7 acres. The site adjoins the River Brain to the east and part of the site falls within Flood Zones 2 and 3. Access to the site is from Bridge Street. The site is now surplus to the needs of the Council.
- 1.3      In 2013 BDC commissioned consultants, Lambert Smith Hampton, to undertake an options appraisal exercise relating to the proposed disposal of the BSC Site and to consider appropriate future uses in order to achieve best value, develop a marketing strategy, understand planning issues and flood risks implications, and assess building demolition costs.
- 1.4      Lambert Smith Hampton's report indicated that food retail and residential uses on the site would realise best value, followed by office use and then public car parking. Non-food retail and leisure uses were considered but demand appeared to be very limited.
- 1.5      The Council is now considering the disposal options for the site. Whilst the Council is hoping to maximise the capital receipt from the site it is also assessing the economic development and employment opportunities and the Council Tax and Business Rates revenue opportunities in terms of assessing its disposal strategy.

## **2.0      Disposal Strategy**

- 2.1      Part of the BSC Site sits in a flood plain. BDC has engaged the services of an environmental and engineering consultant to assess the flood plain issues and advise on the extent of the developable area of the site. The consultant has assessed that approximately 2.53 acres (as shown outlined in black and labelled 'Developable Area' on the plan at **Appendix 2**) out of at total site area of 3.7 acres should be capable of being developed for either residential or food retail purposes. The balance of the site situated within the flood plain could potentially accommodate an office scheme (assuming it is built on stilts or raised above the flood level) with car parking, some additional car parking for either public or private use and for open space purposes.
- 2.2      On this basis, the Council will look to dispose of the 'Developable Area' of the site on the open market to realise the best possible capital receipt. This leaves the land situated in the flood plain and the Council will consider disposal of all or part of this for office purposes as this would be the highest value use for this part of the site and therefore realise the best possible capital receipt. Any land remaining in the flood plain will be considered for

use as public or private car parking or for use as open space.

### **3.0 Disposal of Part of the BSC Site.**

- 3.1 The proposed purchaser is keen to relocate to larger, fit for purpose office premises. In the absence of any suitable alternative accommodation, the purchaser is keen to construct new office premises for their own occupation and relocate prior to the expiry of the lease of their current premises.
- 3.2 The BSC Site appeals to the proposed purchaser as it would enable them to construct a 12,000 sq. ft. office building.
- 3.3 From an economic development perspective, the proposed purchaser is looking to increase its staff numbers from the present 70 to 120 over the next 12-18 months which will have a positive impact on the local economy.
- 3.4 On this basis, an offer has been received from the proposed purchaser to acquire part of the site (as shown outlined in black and labelled 'Proposed 2-Storey Office' on the plan at **Appendix 2**) for the construction of a 12,000 sq. ft. office building with associated car parking. The gross site area is 0.68 acres with 0.56 acres of net developable area. The remainder of the site situated within the flood plain could potentially be used for public car parking, private car parking (as part of a residential scheme on the 'Developable Area' of the site) or as open space.
- 3.5 The 'Developable Area' of the site would then be taken to the open market to invite bids in order to obtain the best possible price. BDC is aware that there is clear interest from residential developers and potentially food retailers.

#### 4.0 **Benefits and Disadvantages of Disposal of Part of the BSC Site.**

	<b><u>Benefits</u></b>	<b><u>Disadvantages</u></b>
4.1	<p>Part disposal of BSC Site (with the remainder of the site offered on the open market for a residential or food retail scheme).</p>	<ul style="list-style-type: none"><li>• Flood plain risks may impact on development proposals and capital receipt.</li><li>• The offer is subject to Planning and uncertainty remains regarding the reaction from the Environment Agency and ECC to an office scheme in the flood plain.</li></ul>
	<ul style="list-style-type: none"><li>• Maximise capital receipt on this part of the BSC Site.</li><li>• New Homes Bonus, Council Tax &amp; Business Rates revenue.</li><li>• Create employment opportunities (50+ extra jobs).</li><li>• Potentially c.25 public car parking spaces for BDC.</li><li>• The proposed purchaser is very motivated and BDC is likely to receive the capital receipt this calendar year.</li></ul>	

#### 5.0 **Heads of Terms for Sale of Part of the BSC Site**

##### 5.1 **Vendor**

Braintree District Council  
Causeway House  
Bocking  
Braintree  
Essex CM7 9HB

##### 5.2 **Purchaser**

The Proposed Purchaser

##### 5.3 **The Property**

Land forming part of the BSC Site, Bridge Street, Witham extending to some 0.68 acres (as shown outlined in black and labelled 'Proposed 2-Storey Office' on the plan attached at **Appendix 2**) together with a right of way over the Access Road (as shown hatched black and labelled 'Access Road' on the plan attached at **Appendix 2** for indicative purposes only) at all times and for all purposes connected to the proposed use. The site is sold as seen and without warranty by the Vendor

#### 5.4 Purchase Price

The sum agreed and any Claw-back Sum. The Vendor reserves the right to waive their exemption to VAT and will notify the Purchaser if that is the case.

#### 5.5 Deposit

A deposit of 10% to be payable upon Exchange of Contracts to be held by the Vendor's Solicitor as stakeholder. The Deposit to be deducted from the Purchase Price upon Completion.

#### 5.6 Tenure

Freehold with vacant possession subject to the Claw-back Provisions as set out below.

#### 5.7 Site Access

The Purchaser will be permitted access prior to Exchange to undertake specified site investigation works. Access to the Property by the Purchaser and their contractors shall be subject to reasonable Notice and completion of the Vendor's standard form of Licence.

All survey results to be made available to the Vendor free of charge in the event that the transaction proves abortive.

#### 5.8 Sale Conditions

##### 5.8.1 Timing

The Vendor agrees to issue a draft contract and to provide an Exclusivity Period of six weeks from the 16th February 2015 in order for the Purchaser to agree the draft contract, undertake site investigation works and further his planning investigations entirely at the Purchaser's risk.

The Purchaser undertakes to exchange contracts generally in accordance with these Heads upon the expiry of the Exclusivity Period failing which the Vendor may withdraw unconditionally and re-offer the Property in the Open Market

##### 5.8.2 Approved Development

- (i) The Purchaser undertakes to submit a full planning application for the Approved Development Scheme together with the Access Works within 3 months of exchange of contracts.
- (ii) The Approved Development is to be a detached B1 office building not exceeding 15,000 sq. ft. gross external floor area in accordance with Drawing Ref: [Tba] unless otherwise agreed
- (iii) The Access Road to be constructed in accordance with the agreed

Design and Specification of the Access Works

- (iv) The Vendor to have the right to approve any amendments to the Approved Development that may be sought by the Purchasers, such consent not to be unreasonably withheld, save that it will be reasonable for the Vendor to withhold consent if the Scheme does not provide a satisfactory means of access to the retained land (the areas outlined in black and labelled 'Developable Area' and 'Public/Overflow Parking' on the plan attached at **Appendix 2**) to a standard acceptable to the Highway Authority and Environment Agency
- (v) The Purchaser will be responsible for meeting the cost of any new infrastructure, roads or upgrades to main services that may be needed to enable the Approved Development to be constructed and will work with the Vendor to minimize duplication of servicing costs between the Property and the Retained Land generally.

5.8.3 Access Works

The Purchaser will be responsible for the upgrading of the Access Road to an agreed standard and specification acceptable to the Highway Authority and Environment Agency and suitable to serve the Approved Development and either a retail development of 25,000 sq. ft. gross or 100 residential dwellings whichever of these two uses generates the greatest traffic impact at peak hour or otherwise within 1 month of the grant of planning permission for the Approved Scheme.

The Design and Specification of the Access Works shall be in accordance with the agreed layout plan as approved by the Parties acting reasonably prior to exchange of contracts.

5.8.4 Covenants

The Purchaser agrees that the Vendor has agreed to sell the Property to enable the construction of a high quality office building for occupation by the Purchaser and that it is reasonable in those circumstances for the Vendor to impose covenants and restrictions in respect of the future use and development of the site including a covenant not to use or develop the site for residential, commercial or retail uses falling within Class A, Class B2 & B8 and Class C3 of the Use Classes Order. Development of the property for any such use shall comprise a Trigger Event.

5.8.5 Claw-back

The Purchaser agrees that during the Claw-back period the Purchaser and his successors will pay to the Vendor 85% of any uplift in the value of the Property upon the implementation of any future development of all or part of the site that comprises a Trigger Event.

To this end the Purchaser undertakes to advise the Vendor in respect of the submission or the implementation of any new planning application at any time within the Claw-back Period as set out in the Title Register.

#### 5.8.6 Claw-back Period

The period from Completion to Practical Completion of the Approved Development.

#### 5.8.7 Ground Conditions

The site is sold as seen subject to there being no adverse ground contamination that would impede the construction of the Approved Development Scheme. In the event that the Purchaser's survey reveals any materially adverse conditions, the Vendor shall be notified of the results of the surveys and shall have the option to carry out such remedial works as are deemed to be necessary for the purposes of the Scheme or to agree a reasonable financial adjustment to the Purchase Price with the Purchaser, such agreement not to be unreasonably withheld.

#### 5.8.8 Services

The Parties reserve the right to enter such parts of the Property and the Retained Land as are not built upon or otherwise inaccessible to connect to, improve, repair and maintain all main services that cross the Property both now and following completion of the development subject to giving reasonable notice and making good any damage caused to finished surfaces.

The Purchaser agrees to protect and reserve to the Vendor the existing services capacity to the Vendor's reserved land.

#### 5.8.9 Reservation of Rights

The Purchaser will be granted rights of access under Licence following Exchange of Contracts to such parts of the Property and the Retained Land as may be required to enable completion of the Access Works and specified on-site drainage and flood relief works.

#### 5.8.10 Completion

Completion is to take place 14 days after the later of the date of grant of a satisfactory Approved Planning Permission (being a Permission not capable of Judicial Review) and the date of practical completion of the Access Works. Any dispute as to the standard of or the date of practical completion of the Access Works to be decided by an independent expert appointed by the President of the RICS, the costs of which are to be shared equally.

#### 5.8.11 Backstop Date

The Backstop Date for completion of the Access Works shall be 10 months from the date of exchange. In the event that the AccessWorks have not been completed by this date then the Vendor shall have the option to rescind the Contract or to carry out the Access Works at their own cost subject to the Purchaser making an agreed capital contribution towards the cost of the works. This payment to be guaranteed by the Purchaser at exchange.

#### 5.9 Legal Costs

The Purchaser agrees to pay the vendors reasonable legal and surveyors fees which will be capped and to indemnify the vendor in respect of any reasonable abortive legal costs incurred prior to Completion up to an agreed capped sum.

#### 5.10 Approvals

The sale is subject to Council approval, however it is envisaged that such approvals can be obtained during the period of the Exclusivity Agreement.

### 6.0 Risk Assessment

	<b>Item:</b>	<b>Issue:</b>	<b>Action:</b>
6.1	Flood plain issues may impact on the proposed development of the land for office purposes.	BDC would be unable to realise a significant capital receipt for the land	Advice has been received from an environmental consultant who has indicated that an office development should be possible within the flood plain. The sale will be conditional upon receipt of a satisfactory planning consent and the purchaser to submit a detailed planning application within 3 months of exchange of contracts, therefore, this issue should be clarified as part of the planning process.

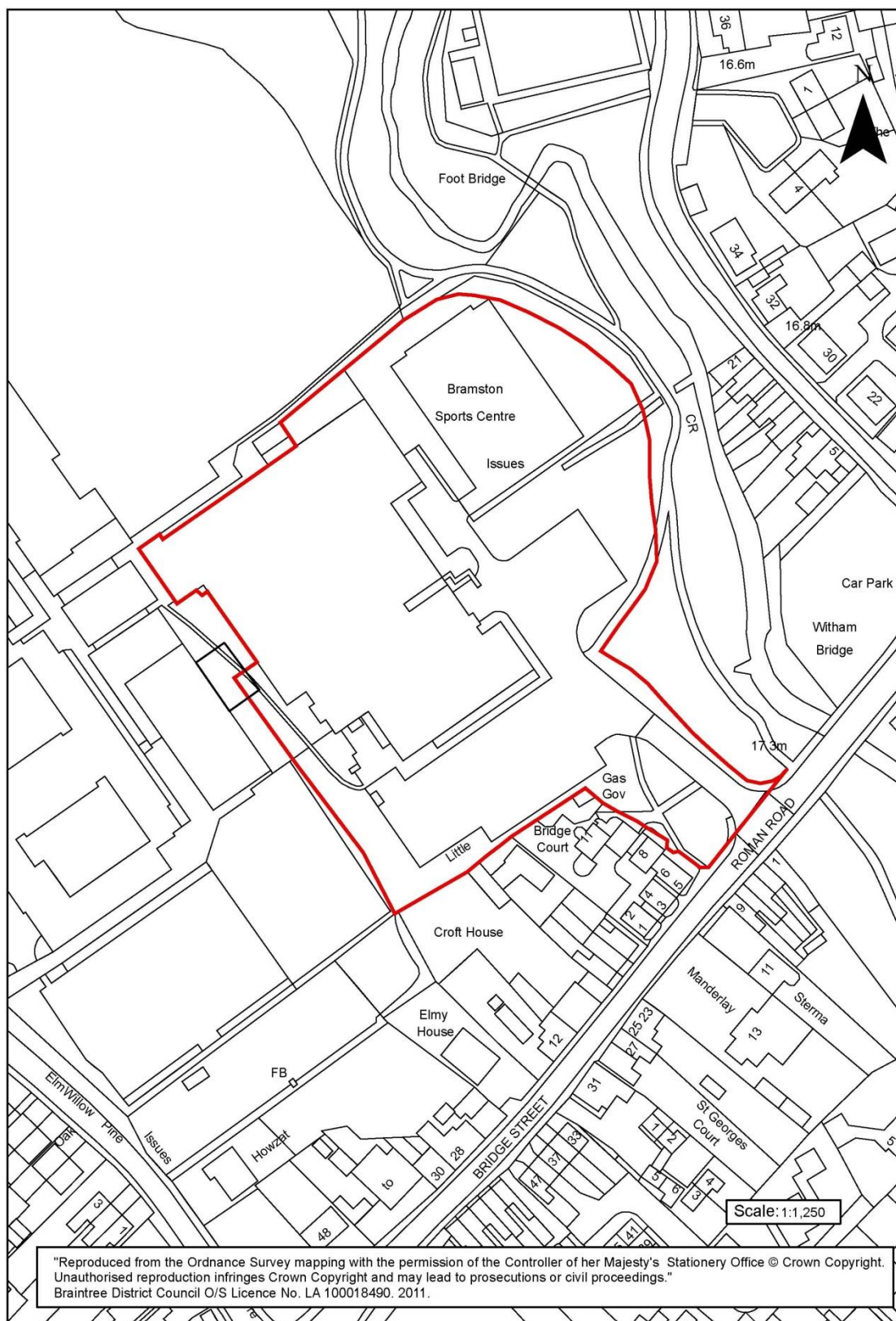


6.2	Economic conditions decline	The purchaser would have to review its development proposals to assess if it was still appropriate to proceed.	Economic conditions are currently positive and the purchaser is looking to proceed quickly in this matter as they need to have new premises available by the middle of 2017 prior to the expiry of the lease of their current premises.
6.3	Abnormal site costs	These would add to the cost of the scheme and potentially make it unviable	The purchaser to carry out full due diligence on the site prior to exchange of contracts. Potential to re-negotiate purchase price in certain circumstances.
6.4	Build costs increase	This may impact on the viability of the scheme	The economy is going through a period of low and declining inflation with some deflationary pressures anticipated over the next 12 months. This would suggest that a significant increase in build costs in the short term is a relatively low risk.

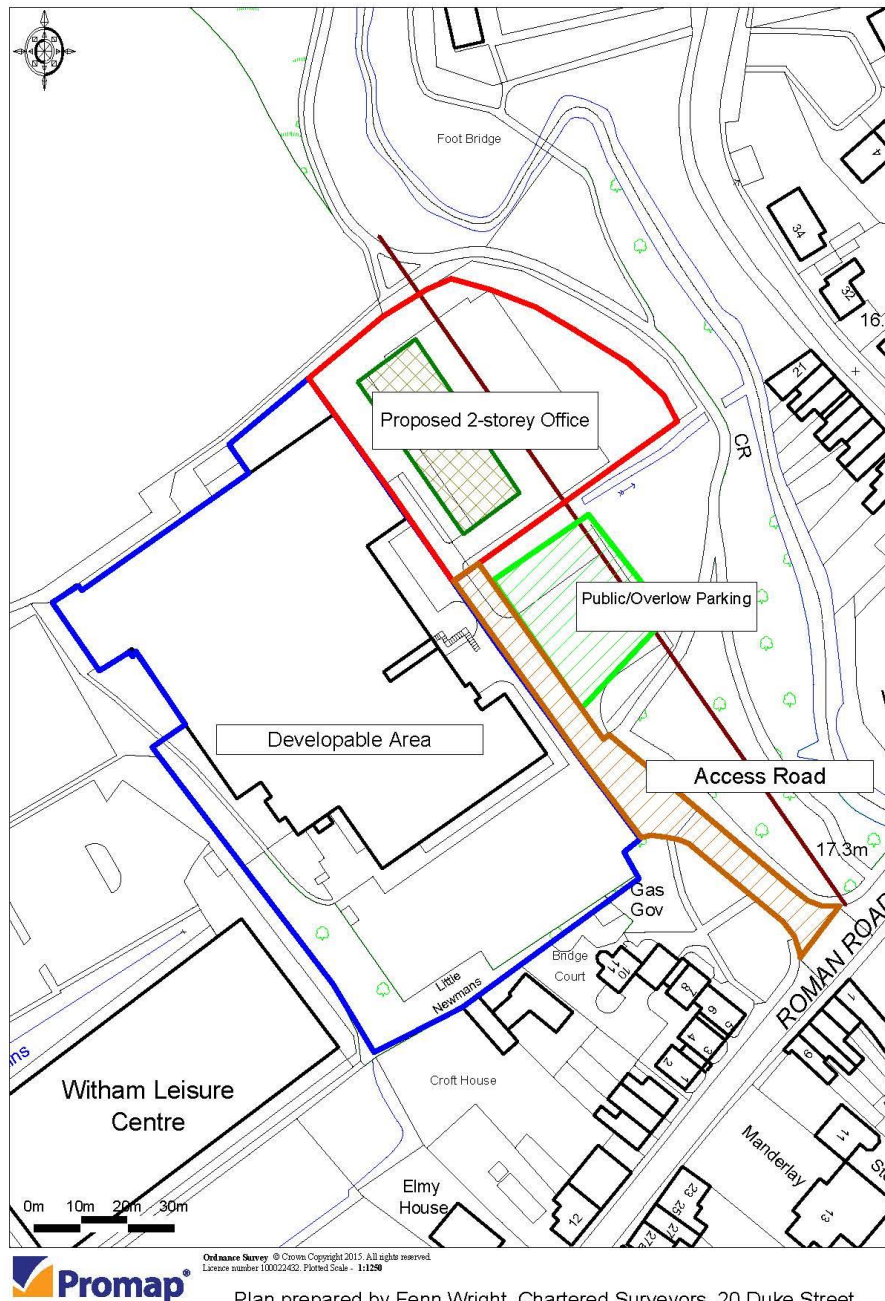
## 7.0 **Conclusions and Recommendations**

7.1 The sale of part of the BSC Site situated in the flood plain would provide BDC with the maximum capital receipt for this piece of land, retain an existing business in Witham, protect existing jobs and provide the opportunity of creating additional employment.

7.2 It is, therefore, recommended that this land be sold to the prospective purchaser for the sum agreed subject to Council Approval, subject to Contract and subject to Planning.



Former Bramston Centre Bridge Street Witham CM81BT



Plan prepared by Fenn Wright, Chartered Surveyors, 20 Duke Street  
 Chelmsford Essex CM1 1HL using Promap

<b>Cabinet Member Decisions made under Delegated Powers</b>	<b>Agenda No: 11a</b>
<b>Portfolio Area:</b>	
<b>Report presented by:</b> Not applicable – For noting only	
<b>Report prepared by:</b> Emma Wisbey, Local Governance Manager	
<b>Background Papers:</b>	<b>Public Report</b>
Cabinet Decisions made by individual Cabinet Members under delegated powers (signed copies retained by Member Services)	
<b>Options:</b>	<b>Key Decision: No</b>
For noting only	
<b>Executive Summary:</b>	
<p>All delegated decision taken by individual Cabinet Members are required to be published and listed for information on next Cabinet Agenda following the decision.</p> <p>Since the last Cabinet meeting the following Cabinet Members have taken delegated decisions:-</p> <p><b>Delegated Decisions - to note recently made delegated decisions:</b></p> <ul style="list-style-type: none"> <li>• <b>Councillor Lady Newton – Cabinet Member – Planning and Property</b> <b>Decision taken on 28<sup>th</sup> January 2015</b></li> </ul> <p>To agree a new 10 year lease of the residents only off-street car park at Braintree Road, Witham, from Witham Town Council to Braintree District Council.</p> <ul style="list-style-type: none"> <li>• <b>Councillor Lady Newton – Cabinet Member – Planning and Property</b> <b>Decision taken on 20<sup>th</sup> February 2015</b></li> </ul> <p>To approve the Terling and Fairstead Village Design Statement as a material planning consideration.</p> <ul style="list-style-type: none"> <li>• <b>Councillor Lady Newton – Cabinet Member – Planning and Property</b> <b>Decision taken on 26<sup>th</sup> February 2015</b></li> </ul> <p>That a covenant prohibiting use for residential purposes included in the freehold sale of an office property at 5 Freebournes Court Witham.</p>	

Cabinet Decisions made by individual Cabinet Members under delegated decisions can be viewed on the Access to Information page on the Council's website.

[www.braintree.gov.uk](http://www.braintree.gov.uk)

**Decision:**

For Cabinet to note the delegated decisions.

**Purpose of Decision:**

The reasons for each decision can be found in the individual Delegated Decisions.

**Officer Contact:**

Emma Wisbey

**Designation:**

Governance and Member Manager

**Ext. No.**

2610

**E-mail:**

[emma.wisbey@braintree.gov.uk](mailto:emma.wisbey@braintree.gov.uk)





# Minutes

## Local Plan Sub-Committee

12th January 2015

Present:

Councillors	Present	Councillors	Present
D L Bebb	Yes	Lady Newton	Apologies
G Butland	Yes	W D Scattergood	Yes
A V E Everard	Yes	C Siddall	Yes
M C M Lager	Yes	M Thorogood	Yes
J M Money	Apologies	R G Walters (Chairman)	Yes

Councillors J E Abbott, M J Fincken, I C F Parker, R P Ramage and R Wright were also in attendance.

### 14 **DECLARATIONS OF INTEREST**

**INFORMATION:** There were no interests declared.

### 15 **MINUTES**

**INFORMATION:** The Minutes of the meeting of the Local Development Framework Sub-Committee held on 3rd September 2014 were confirmed as a correct record and signed by the Chairman.

### 16 **QUESTION TIME**

**INFORMATION:** There was one statement made. Details of the person who spoke at the meeting are contained in the Appendix to these Minutes.

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

### 17 **LOCAL PLAN - ISSUES AND SCOPING CONSULTATION DOCUMENT**

**INFORMATION:** Members were advised that the publication of an Issues and Scoping document was the first stage of public participation in the production of a new Local Plan. It provided an opportunity for residents, local businesses and key stakeholders to engage in the process to help shape the new Local Plan before its publication in draft form in late 2015.

The Issues and Scoping document was structured around economic, social and environmental aspects of sustainable development which formed the basis of the National Planning Policy Framework. In addition, it highlighted a number of important issues affecting the District which would need to be tackled in the new Local Plan, and strategies for how they might be addressed. The draft document was attached at Appendix 1 to the Agenda report.

It was proposed that the Issues and Scoping document should be published for public consultation for a six week period between 26th January 2015 and 6th March 2015. The responses received would be reported to a future meeting of the Sub-Committee.

Before publication, changes would be made to the format and style of the document and it would also incorporate new Local Plan branding and logo details. No changes would be made to the text. A copy of the revised document would be forwarded to Members of the Sub-Committee prior to publication.

**DECISION:** That the Local Plan Issues and Scoping document be approved for the purpose of public consultation, subject to the final draft of the document being forwarded to Members of the Local Plan Sub-Committee prior to publication.

#### 18 **LOCAL PLAN SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT – SCOPING REPORT**

**INFORMATION:** Members were advised that it was a legal requirement for Local Plans to be subject to a Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) and that Landuse Consultants Ltd had been commissioned by Braintree District Council to undertake an SA, incorporating an SEA, of its emerging Local Plan.

As the first stage of the SA process, Landuse Consultants Ltd had prepared a scoping report which was attached as an Appendix to the Agenda report. The scoping report incorporated sustainability commentary on the draft Local Plan - Issues and Scoping consultation document.

As part of the process, Natural England, English Heritage and the Environment Agency would be consulted regarding the scope and level of the SA. Consultation would also be extended to the public. Responses received from the consultees would be addressed in subsequent stages of the SA.

**DECISION:** That the Braintree District Local Plan Sustainability Appraisal and Strategic Environmental Assessment - Scoping Report be published for consultation.

#### 19 **LOCAL DEVELOPMENT SCHEME**

**INFORMATION:** In accordance with the Planning and Compulsory Purchase Act 2004, the Council was required to prepare a Local Development Scheme. This set out a rolling programme for the preparation of planning documents for the Braintree District Local Plan and included an updated timetable for the production of the Plan.

The Scheme included a reference to neighbourhood development plans which communities could prepare under the Localism Act 2011 in order to establish general planning policies for the development and use of land in a neighbourhood. Once complete, a plan would form part of the formal Development Plan for the area to which it related and it would be used in the determination of planning applications for that area. Members were advised that since the publication of the Agenda report, two further applications for the designation of neighbourhood planning areas, which was the first stage of the process, had been received for Hatfield Peverel and Kelvedon. The draft Local Development Scheme would be amended to include details of these.

**DECISION:** That the draft Local Development Scheme January 2015 – December 2017 be approved, subject to ‘Section 5 Neighbourhood Planning’ being amended to include details of applications submitted for the designation of neighbourhood planning areas at Hatfield Peverel and Kelvedon.

## 20 **PLANNING OBLIGATIONS - CHANGES**

**INFORMATION:** Consideration was given to a report on recent changes to National Planning Policy Guidance (NPPG) and the implication for the application of the Council’s current adopted planning policy.

Members were advised that on 28th November 2014, the Government had revised, with immediate effect, the section of the NPPG relating to planning obligations and the circumstances in which Local Planning Authorities should, or should not seek, contributions from developers via Section 106 Agreements.

The revision meant that the Council would no longer be able to seek contributions from developers for affordable housing and open space provision on small development sites to the same extent as set out in its adopted Core Strategy. In particular, it would not be possible to seek affordable housing and other tariff based contributions from sites of ten dwellings or less and a maximum floor space of 1000 sqm. However, the Council could determine to reduce this threshold to five dwellings in areas of the District which were classified as rural in the Housing (Right to Acquire or Enfranchise) (Designated Rural Areas in the East) Order 1997. These specific areas were listed at Appendix 1 to the Agenda report. Within these designated areas, affordable housing and other tariff style contributions could be sought for developments of between six and ten units, but affordable housing units could not be provided on site. Any financial contributions sought had to be commuted until after the completion of the development.

The change in Guidance had implications for the Council’s Open Spaces Supplementary Planning Document also, as developers of sites of less than 11 housing units in urban areas and Parishes which did not meet the designated rural area criteria would not be required to contribute towards open space provision.

Contributions could still be sought from all developments if they were required to make a development acceptable in planning terms e.g. highways matters.

In discussing the report, Members of the Sub-Committee expressed concern that such changes could be imposed at short notice, without consultation and it was suggested



that the Council's Cabinet Member for Planning and Property should write to the Government setting out these views. It was noted that the report would also be considered by the Planning Committee on 20th January 2015.

**DECISION:** That the changes to National Planning Policy Guidance in respect of planning obligations and the implication for the application of the Council's current adopted planning policy be noted.

At the close of the meeting, the Chairman reminded Members that the meeting of the Local Plan Sub-Committee scheduled for 4th February 2015 had been cancelled and that the next meeting of the Sub-Committee was currently scheduled to take place on 18th March 2015.

The meeting commenced at 6.00pm and closed at 6.47pm.

Councillor R G Walters  
(Chairman)

APPENDIX

LOCAL PLAN SUB-COMMITTEE

12TH JANUARY 2015

PUBLIC QUESTION TIME

Details of Questions Asked / Statements Made During Public Question Time

1 Statement Relating to Item 5 – Local Plan - Issues and Scoping Consultation Document

Statement by Mr Chris Bailey, 4 Chipping Hill, Witham (Objector)



# Minutes

## Developing Democracy Group

3<sup>rd</sup> February 2015

Present:

Members	Present	Members	Present
Councillor J E Abbott (left 6:05pm)	Yes	Councillor M C M Lager	Yes
Councillor P R Barlow	Yes	Councillor V Santomauro	No
Councillor J C Beavis	Yes	Councillor C Siddall	Apologies
Councillor G Butland (Chairman)	Yes	Councillor G A Spray	Yes
Councillor Dr R L Evans	Yes		

Officers in attendance: Nicola Beach, Chief Executive, Ian Hunt, Head of Governance and Emma Wisbey, Governance and Members Manager.

### 22. MINUTES

**DECISION:** That the Minutes of the meeting of the Developing Democracy Group held on 26<sup>th</sup> March 2014 be approved as a correct record and signed by the Chairman.

### 23. DECLARATION OF INTERESTS

There were none.

### 24. MEMBERS ICT SUPPORT

**INFORMATION:** Members considered the proposals for Members ICT Support.

The Head of Governance outlined the proposal for Members' ICT services and support, further advising that the proposal had been developed following input by the Member Development Working Group.

The proposal set out a blended solution to recognise the needs of Members, recognising that the majority of Members already use technology frequently and are familiar with the hardware and software they have. The proposal enables solutions to be tailored to each individual Member's needs and that they retain the choice in the technology that they use, providing security standards are met. Officers will spend time at the beginning of the new administrative term understanding individual Members' requirements and ensuring that skills are developed to be able to support these requirements.

The proposal included providing Portfolio Holders with the necessary IT equipment to support their role.

The Sub-Committee supported the approach recognising the differing skills and needs of individual Members.

The Sub-Committee also noted that the review of the Member ICT Support also presented an opportunity to provide standardisation of the format of documentation sent to Members. The Sub-Committee agreed that information and emails should be pushed to Members. In preference of documents being sent as attachments using up Member's broadband, links to documents should be provided. It was also noted that options should be explored to allow Members to download meeting dates into their calendars.

The sending out of paper documents should be limited, but Committee documentation should be continued to be provided in a hard copy format. Individual Members' requirements on moving to a 'paperless system' should be accommodated where possible and it was recognised that a balance is required to meet Members' preferred method of receiving information and the Council's obligations to publish information.

The Sub-Committee supported the use of a Members' allowance rather than reimbursement of actual costs. The use of the Members' Allowance for the purchase of hardware was discussed and drawing down the allowance in advance to purchase hardware.

#### **DECISION:**

1. That Members endorsed:
  - a) The proposed mechanism for the delivery of Member ICT.
  - b) The proposal being submitted to the Independent Remuneration Panel for consideration within the overall scheme.
  - c) The proposed scheme to be referred to the Member Development Working Group.
2. Members noted the budget implications of the scheme.
3. That under the proposed scheme Members would be permitted to draw down on the Member Allowance in advance for a two year period to purchase their choice of hardware.

#### **REASON FOR DECISION:**

To enable effective communications by Members using appropriate digital resources.

#### **25. COUNCIL NOMINATED MEMBERS OF GREENFIELDS COMMUNITY HOUSING ASSOCIATION.**

**INFORMATION:** The Sub-Committee considered the proposed changes to the Board Members of Greenfields Housing Association.

Members were supportive of the proposal and the implications it has for the training and development of effective Board Members. The Sub-Committee noted that the proposals were a reasoned balance between the obligations of the Board Member and the company.

The Sub-Committee noted that a nominated director need not be a serving Councillor, their strong preference was for the role to be filled by a serving Councillor, noting the

value that can be gained from the two way dialogue between the Council and Greenfields at the Member level.

**DECISION:**

1. The comments of the Sub-Committee in response to the consultation to be fed back to Greenfields Community Housing Association.

**REASON FOR DECISION:**

To support the effective governance and management of Greenfields Community Housing Association and the Council's ongoing relationship.

**26. REQUEST FOR DISSOLUTION OF THE FOXEARTH AND LISTON PARISH GROUPING ORDER**

**INFORMATION:** The Sub-Committee considered the consultation strategy in relation to the request for dissolution for the Foxearth and Liston Parish Council Grouping Order 1976.

The Parishes of Foxearth and Liston are currently grouped into a single Parish Council serving the needs of both areas. The Liston Parish meeting voted to request dissolution of the grouping order under section 11 of the Local Government Act 1972. The basis of that request was on the grounds that the residents of Liston do not consider that the current arrangement serves the needs of their community.

In order to determine the request it was proposed to follow the broad requirements of the consultation process set out in the Local Government and Public Involvement in Health Act 2007 for considering community governance reviews (as supplemented with joint guidance from Department for Communities and Local Government (DCLG) and Local Government Boundary Commission for England (LGBCE)) as the key elements of the consultations is considered to be best practice.

The Head of Governance outlined the 2 stage consultation process. Being satisfied that the consultation process would engage with all stakeholders, the Sub-Committee agreed the proposed consultation as set out in the report.

**DECISION:**

1. That consultation strategy as set out in the report for the dissolution of the Foxearth and Liston Parish Grouping Order is agreed.

**REASON FOR DECISION:**

To enable effective decision making at Council and public engagement in the democratic process.

**27. COMMITTEE SIZE**

**INFORMATION:** The Sub-Committee were asked to consider proposals for revised Committee sizes following the decision of the Local Government Boundary Review to reduce the number of Councillors from 60 to 49. Revised committee sizes (subject to final approval by Council) would come into effect for the new Council term in May 2015.

The Council has discretion as to the number and composition of the Committees which it sets up. The Council has adopted a Leader and Cabinet model with executive decision making linked to this. As a result the Council must also have an Overview and Scrutiny Committee. As a result of previous decisions and the current terms of the Constitution there are a number of other Committees of variable sizes.

Cabinet and its Sub-Committees/Groups were excluded from these proposals as they are at the discretion of the incumbent Leader of the Council and not subject to the same proportionality rules.

The proposals for the size of Committees were in proportion to the overall Council size, with consideration to the practicalities of the size of the Committees in order that they are able to conduct their business effectively.

In allocating seats the legislation sets the principles which will be followed:

1. No political group should have all the seats on any given committee.
2. The majority of the seats on any committee should go to the group with the majority of seats on the council.
3. Other seats on each committee should be allocated in proportion to the size of each group on the council.
4. Overall the number of seats on committees should be proportionate to the relative sizes of groups on the Council

There was support for the proposals in general; however there was further consideration on the requirements of the Overview and Scrutiny Committee and the benefits of a balanced geographical representation for the Regulatory Committees.

The Sub-Committee discussed the importance of having an odd number of seats on a Committee and the Chairman's casting vote.

Concerns were raised in respect of the size of the Appeals Panel, in that the Panel could easily become unworkable if Members were unavailable. Further consideration was given to having 3 reserves and it was agreed that the Appeals Panel would consist of 3 Member and 3 Reserves.

The Head of Governance reminded the Sub-Committee that the Appeals Panel and the Standards Sub-Committee would be subject to the rules of political apportionment unless there is a specific resolution from Full Council that the rules of political apportionment do not apply.

Following the discussion on Reserves, the Sub-Committee discussed the practice of Substitutes for Committee Members. Whilst acknowledging that other Councils permit Substitutes, it was considered by the Sub-Committee not best practice for the Council.

Concerns were raised on the level of training received by Substitutes and the impact that could have on the effectiveness and quality of the Committee and its decisions. Furthermore, there would be cost/Member Allowance implication should Substitutes be permitted. The Sub-Committee determined that it was not in favour of the use of Substitutes.

The Sub-Committee agreed on the amended numbers for the size of the Committees and recommended to the Head of Governance that the proposals are incorporated into the Constitution revisions for approval by Full Council.



**DECISION:**

- 1) That the Committees shall consist of the following seats:

<u>Committee</u>	<u>Seats</u>
Overview and Scrutiny	12
Planning Committee	13
Licensing Committee	13
Governance Committee	7
Standards Sub-Committee	3 plus 3 reserves
Appeals Panel	3 plus 3 reserves

- 2) That the Head of Governance includes the revised Committee size and provisions for substitutes into the revision of the Constitution to be presented to Full Council in April 2015 for approval.

**REASON FOR DECISION:**

The effective preparation and planning for the governance of the Council.

**28. PRE-ELECTION PERIOD GUIDANCE**

**INFORMATION:** The Sub-Committee was requested to provide comments on the proposed guidance for the Pre-Election Period, commonly referred to as “Purdah”.

During the period in advance of the Elections in May 2015 the Council will have a period of heightened awareness in relation to its communications and actions. The Council has a duty to remain politically neutral and to treat all candidates and parties in an even and appropriate way. Equally Council’s funds cannot be spent on promoting or supporting candidates or parties. In preparing for this election draft guidance has been developed using the combined experience of authorities across Essex.

The Sub-Committee considered that the guidance was a useful document. The Sub-Committee were advised that the guidance will be circulated to Councillors and Officers and made available on the Council’s intranet. The Sub-Committee were also advised that the Council’s Communications Team were also aware of the issues for the Pre-Election Period particularly in relation to the Council’s own campaigns which involved Councillors’ participation.

Under this item the Sub-Committee raised the issue of the use of Councillors’ e-mail accounts, in respect of appropriate use of Council resources during the Pre-Election Period. The Head of Governance advised that this is unlikely to be an issue as long as emails are not overtly for private or party political purposes; however, Councillors should be aware of the Pre-Election Period guidance and take advice if necessary.

**DECISION:**

- 1) The Sub-Committee noted the guidance document. No further amendments required before circulation.

**REASON FOR DECISION:**

To support the delivery of a fair election, and to ensure that the Council is not seen to support or favour specific candidates or parties.

**29. ANY OTHER BUSINESS WHICH THE CHAIRMAN HAS DECIDED IS URGENT**

There was not urgent business to be discussed.

The meeting commenced at 5.00pm and closed at 6.15pm.

G BUTLAND  
(Chairman)





