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Tel. 01621 875791

Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

31 January 2017

Dear Councillor

You are summoned to attend the meeting of the;

OVERVIEW AND SCRUTINY COMMITTEE

on **WEDNESDAY 8 FEBRUARY 2017** at **7.30 pm**.

in the Council Chamber. Maldon District Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Fiona Marshall', enclosed within a large, hand-drawn oval.

Chief Executive

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor M S Heard

VICE-CHAIRMAN

Councillor E L Bamford

COUNCILLORS

H M Bass
Mrs P A Channer, CC
R P F Dewick
M W Helm
N R Pudney
S J Savage

Maldon District Council's Corporate Goals

- Strengthening communities to be safe, active and healthy;
- Protecting and shaping the District;
- Creating opportunities for economic growth and prosperity;
- Delivering good quality, cost effective and valued services;
- Focusing on key projects.



AGENDA
OVERVIEW AND SCRUTINY COMMITTEE
WEDNESDAY 8 FEBRUARY 2017

1. Chairman's notices (please see overleaf)
2. Apologies for Absence
3. **Minutes of the last meeting** (Pages 5 - 12)

To confirm the Minutes of the meeting of the Overview and Scrutiny Committee held on 11 January 2017, (copy enclosed).

4. **Public Participation**

To receive the views of members of the public on items of business to be considered by the Committee (please see below):

1. A period of ten minutes will be set aside.
2. An individual may speak for no more than two minutes on a specific agenda item, the time slots to be allocated on a "first come first served" basis.
3. Participation may take the form of a statement, or alternatively a question to be addressed to the Chairman. There will be no discussion on questions put unless it is formally moved. In line with the current scheme applied to other Committees, the questions must:
 - not be defamatory, frivolous, vexatious or offensive;
 - not be the same or substantially the same as another question to the same meeting or anything so put in the last six months;
 - not involve the disclosure of confidential or exempt information.
4. Anyone wishing to speak must notify the Committee Clerk between 7.00pm and 7.20pm prior to the start of the meeting.

5. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6-8 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting).

6. **Review of Performance - Quarter Three 2016 / 17** (Pages 13 - 32)

To consider the report of the Chief Executive, (copy enclosed).

7. **Section 106 Process and the Monitoring of Agreements and the Collection of Planning Contributions** (Pages 33 - 50)

To consider the report of the Interim Director of Resources, (copy enclosed).

8. **2016 / 17 Programme of Work Update** (Pages 51 - 56)

To receive and note the report of the Chief Executive, (copy enclosed).

9. Any other items of scrutiny Members wish to consider

10. Any other items of business that the Chairman of the Committee decides are urgent

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

Meetings held in the Council Chamber are monitored and recorded by CCTV for security purposes only.



**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
11 JANUARY 2017**

PRESENT

Chairman	Councillor M S Heard
Vice-Chairman	Councillor E L Bamford
Councillors	H M Bass, Mrs P A Channer, CC, M W Helm, N R Pudney and S J Savage

848. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

At this point, the Chairman referred to a letter from the Local Government Association (LGA) regarding a previous Corporate Peer Challenge that they had undertaken and provided an outline of the Peer Team's feedback. The Chairman highlighted a number of points contained within the letter, including improved Member / Officer relationships, and urged Members to refer to this letter for further information.

849. APOLOGIES FOR ABSENCE

There were none.

850. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 23 November 2016 be received.

Minute No. 729 – Minutes of the Last Meeting (Minute No. 604 – Health Scrutiny Issues)

In response to a comment the Chief Executive advised that the Planning and Licensing Committee was due to consider a report on Section 106 monies at its next meeting and a copy of the report would be circulated to Members of this Committee.

Minute 733 – 2016 / 17 Work Programme - Update

It was agreed that the paragraph regarding Planning Enforcement would be amended to read "...which would be reported to Members of this Committee".

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 23 November 2016 be confirmed.

851. PUBLIC PARTICIPATION

There was none.

852. DISCLOSURE OF INTEREST

Councillor N R Pudney disclosed an interest in Agenda Item 6 – Primary School Education in the Maldon District as his granddaughter went to a local primary school.

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council and specifically Agenda Items 6 – Primary School Education in the Maldon District, 9 – 2016 / 17 Programme of Work Update, 10 – Project Update – Maldon Health Hub and anywhere else on the agenda which may relate to the County Council. She advised that the appendix to Agenda Item 9 referred to Stow Maries which was in her division.

Councillor H M Bass declared a non-pecuniary interest in Agenda Item 6 – Primary School Education in the Maldon District as his wife was employed in the education sector, but not in this District.

853. PRIMARY SCHOOL EDUCATION IN THE MALDON DISTRICT

The Committee considered the report of the Director of Customers and Community introducing the scrutiny of primary school education in the Maldon District as agreed and incorporated within the Work Plan for this Committee and the aims of this piece of scrutiny were set out in the report.

Appendix 1 to the report provided some context data for primary schools in the Maldon District.

It was noted that Councillor H M Bass, Member sponsor for this scrutiny, had met with Claire Kershaw, Head of Commissioning Education and Lifelong Learning, Essex County Council and Essex County Councillor John Gooding to confirm the scope of the review. In addition, Officers had also met with Claire Kershaw and Reverend Tim Elbourne.

Councillor Bass introduced this item of scrutiny and provided the Committee with some detailed background information.

The Chairman introduced the following who were in attendance at the meeting:

- Alison Fialia, Primary Improvement Commissioner, Essex County Council;
- Nicola Pruden, Standards and Excellence Commissioner, Essex County Council;
- Councillor Ray Gooding, Essex County Council Cabinet Member for Education and Lifelong Learning;

- Reverent Tim Elbourne, Chelmsford Diocese.

Councillor Gooding thanked Essex County Council Officers for working quickly to put together the information before the Committee and highlighted a number of key points.

Members received a presentation from educational providers on the educational performance of local primary schools. The presentation provided an overview of information regarding education, including:

- The overall rankings of the Maldon District compared to Essex and England. In respect of the percentage of Maldon School early years, foundation stage, pupils achieving a good level of development in 2016 the District ranked fourth and fifth for those Key Stage One pupils (in Maldon Schools) achieving at least the expected standards in Reading, Writing and Mathematics.
- Members were advised that it was not possible to compare between Key Stage one and two due to recent changes to assessment of pupils.
- Faith schools in the Maldon District referred to schools that had an Anglican foundation and served whole communities. Rev. Elbourne provided information regarding the founding of Church of England schools prior to the Education Act which in 1870. He highlighted a number of difficulties experienced by schools, particularly recruitment into those schools in a coastal areas.
- Reference was made to current Office for Standards in England, Children's Services and Skills (OFSTED) judgements and it was noted that four more Maldon District Schools had been graded as good in the last 18 months.
- Work was ongoing in respect of attainment, in which Maldon was expected to have higher rankings for. Improved attainment would lead to improved achievement. It was noted there was a high correlation between Key Stage one prior attainment, Key Stage two performance and faith variables. There was a need to look at Key Stage one performance to ensure progress continued into Key Stage two.

Following the outcomes from the deep dive undertaken to analyse the data, the presentation set out a number of next steps and in particular, Members were advised of the following:

- Further analysis into Free Entitlement to Early Education for Two Year olds, Early Education for three and four year olds to maximise school readiness and good level of development was being investigated.
- Recruitment and retention was a challenge for both Schools and the County Council, in particular recruitment and development of good teachers for Dengie schools. Including ongoing work to attract Newly Qualified Teachers into the area.
- The work to review the impact of recently established school led partnerships and school to school support.
- A review of governance, including a skills audit.

At this point, Councillor Gooding again thanked Essex County Council Officers for their work and highlighted a number of points for consideration which included the need to look forward and address issues to ensure that children and young people got the very best start in life.

A number of questions were raised by Members and in response the following information was provided:

- Statistics showed that performance of pupils in Key Stage Two (KS2) was 13% lower in 'faith schools' and in response to a question, Reverend Elbourne advised he was not confident there was a faith school reason for this. He explained how until recently, faith schools were not well supported by local authorities and therefore did not think this statistic was very helpful.
- In response to a question regarding primary school children being 'secondary ready', Members were advised of the joint work taking place between Primary and Secondary Schools to address and improve outcomes. Ms Fiala explained that there appeared to be a difference between Dengie and Maldon school children moving from primary to secondary and a number of initiatives had been put in place to improve these, this included working with year five and six children on enterprise projects and engagement with secondary schools. Reference was also made to a multi-educational trust of which three Dengie schools were part of
- In respect of partnership working, recruitment and retention of good teachers at all times was highlighted. The Chief Executive referenced some work being undertaken by Braintree District Council specifically on recruitment and how it would be beneficial to learn from that exercise. Reference was also made to the Council's Local Development Plan and investment in affordable housing. Governance arrangements were also discussed and the need for improved governing bodies with capacity to carry out required work.

The Chairman made reference to some specific questions from Members of the Committee that had been raised and drafted prior to the meeting and it was agreed that these would be sent to the Education Authority for response. Once a response had been received this would be circulated to Members.

Following further discussion, the Committee **RESOLVED** that:

- (i) the Council encourages collaborative partnerships to ensure best outcomes and that best practice is shared between schools regardless of Local Education Authority (LEA), faith or academy background;
- (ii) the Council looks to assist in the recruitment and retention of teachers through investigation of affordable housing provision;
- (iii) the Council assists in finding and recruitment of quality governors for local schools;
- (iv) this scrutiny is re-visited by this Committee to monitor progress at a future date.

854. DRAFT TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2017 / 18

The Committee received the report of the Interim Director of Resources advising Members that the revised Code of Practice for Treasury Management included a requirement for regular scrutiny of Treasury Strategy and Practices. Members were therefore asked to review the Treasury Management and Annual Investment Strategy for 2017 / 18 (attached as Appendix 1 to the report). The supporting Treasury Management Practices were attached as Appendix 2. The Minutes of this Committee held on 6 January 2016 were attached as Appendix 3, for information.

It was noted that the Treasury Management and Annual Investment Strategy (the Strategy) had been reviewed and updated in line with statutory requirements and good practice, having regard to the Councils financial position, links to wider strategies, plans and aims and the advice of the Councils treasury advisor, Arlingclose Ltd.

The Chairman highlighted the need for Members of this Committee to receive treasury management training in order to fully understand the investment strategy. In response to this request, the Interim Director of Resources advised that the Council's treasury advisor were able to provide such training.

In response to a question, the Interim Director of Resources provided Members with details of the changes that had been made and advised that the Council had adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) revised Code of Practice for Treasury Management which set out what the strategy must contain. It was noted that the Council was compliant with CIPFA in respect of Treasury Management.

Councillor Mrs P A Channer proposed that training for Members on treasury management be arranged as soon as practically possible. In response, the Interim Director of Resources advised that he would aim to circulate a proposed date within the next couple of weeks. As Section 151 Officer he also recommended that training should be open to all Members, but particularly those Members of this Committee and the Finance and Corporate Services Committee. This was supported by the Committee.

The Chairman then put the proposal from Councillor Mrs Channer which was duly seconded and agreed by the Committee.

RESOLVED

- (i) that contents of the report be noted;
- (ii) that Treasury Management training for Members be organised as soon as practically possible.

855. PLANNING ENFORCEMENT

The Committee received and noted the report of the Chief Executive providing Members with an update on the current status of the Planning Enforcement Policy, Practice and Guidance and the Harm Matrix.

The report provided background information regarding the work of the Corporate Fraud and Enforcement Team over the last twelve months and the improvements made.

It was noted that further improvement was required and this would include an update of the Planning Enforcement Policy, Practice and Guidance. Reference was made to a report due to be considered by the Planning and Licensing Committee at its meeting on 19 January which sought adoption of a revised Planning Enforcement Policy, Practice and Guidance and the Group Manager - Planning Services circulated a copy of this updated document at the meeting.

In response to a number of questions, the Group Manager - Planning Services provided the following information:

- Quarterly Enforcement Reports to Area Planning Committee: The harm score would now appear at the front of all Officers comments for new cases going forward. IT had also made changes to allow a greater amount of text to be shown on the reports.
- It was clarified that the enforcement activity relating to ‘number of successful prosecutions awaiting hearing’ related, for example, to a successful prosecution but the breach was still ongoing and therefore required further prosecution. It was suggested that the activity title be amended to read ‘...awaiting *further* hearing’.

Members discussed the proposed changes to the Planning Enforcement Policy, Practice and Guidance and the following comments were raised:

- Concern was raised regarding the additional wording proposed to paragraph 4.3 specifying that the Council would need the detailed information prior to any investigating taking place. In response the Group Manager - Planning Services explained that this amendment was to try and ascertain whether there was a planning breach and although definite dates were not expected, time would be required to fully assess if there was a breach occurring and then assess it in the harm matrix. Following further discussion it was suggested the wording of section 4.3 could be amended to read “...information *to assist in evaluating the case*”. The Group Manager - Planning Services further suggested that Members may wish to consider splitting section 4.3 as the first three bullet points were necessary in order for an Officer to determine if a case was to be started.
- Clarification was sought and provided in respect of the proposed amendment the first bullet point in paragraph 5.4 and whether there was definition as to what was classified as ‘a serious breach or an offence’.
- In response to a question regarding the proposed removal of the section ‘Planning Advice and Enquiries’ Members were advised that this was because complaints relating to enquiries such as these did not fall under enforcement and were covered by the Council’s complaints policy.

Following further discussion it was agreed that Councillor E L Bamford, as scrutiny sponsor, the Chairman of this Committee and the Group Manager - Planning Services would meet prior to the meeting of the Planning and Licensing Committee. The purpose of this meeting would be to discuss the revised policy and provide any feedback to the Planning and Licensing Committee by way of an addendum.

RESOLVED

- (i) that the contents of the report are noted;
- (ii) that Councillor E L Bamford and the Chairman of this Committee meet with the Group Manager - Planning Services prior to the meeting of the Planning and Licensing Committee to discuss the revised Planning Enforcement Policy, Practice and Guidance policy and provide any feedback to the Planning and Licensing Committee by way of an addendum

856. 2016 / 17 PROGRAMME OF WORK UPDATE

The Committee received the report of the Director of Resources which provided an update of the Committee’s Work Programme for 2016 / 17 (attached at Appendix 1 to the report).

The Director of Resources presented the report and gave a brief update on the topics of scrutiny. In addition, the following information was provided:

- Community Hospital – This was the subject of a separate report for this meeting.
- Provision of Healthcare Services - Councillor N R Pudney provided the Committee with an update in respect of the Provision of Healthcare Services Scrutiny. It was noted that a new single Chief Executive had been appointed to Basildon, Broomfield and Southend Hospitals. He was currently in the process of setting up a meeting with the Chief Executive.
- Section 106 - It was noted that reference to 2016 under scrutiny topic Section 106 (Appendix 1) should refer to 2017.
- Elections – A further update would be brought to the Committee following the Essex County Council elections in May 2017.
- Planning Enforcement - This was the subject of a separate report for this meeting.
- Primary School education in the District - This was the subject of a separate report for this meeting.
- Stow Maries Aerodrome – It was noted that the first repayment of the loan had been received in September. A copy of their current business plan was attached as Appendix 1 to the report although it was noted that this was currently being updated.
- Members and Officers Communication Protocol – Additional work was required by Officers and a report brought to the March meeting of this Committee. It was noted that the required action for this item of scrutiny was incorrect and it should refer to Councillor Mrs P A Channer and any reference to the Chairman of the Planning and Licensing Committee should be deleted.
- Staff Sickness – A new policy was due to be considered by the Council at the end of October. The Interim Director of Resources reported that she was currently arranging a meeting with the Councillors Mrs Channer and Pudney regarding this item of scrutiny.

RESOLVED that the contents of this report be noted.

857. PROJECT UPDATE - MALDON HEALTH HUB

The Committee received the report of the Chief Executive updating Members on progress of the Maldon Health Hub Project.

The report advised that the project to develop an affordable primary / community care facility for central Maldon to replace St. Peters Hospital had been rebadged as the Maldon Health Hub Project. This was due to the uncertainty that beds would be provided within the new facility. The Chief Executive advised that the potential provision for beds was being discussed via an extra care facility and the Council had been working with Essex County Council (EEC) in respect of this.

The report set out a number of positive steps which had been reported to the Council.

Concerns were raised regarding the proposed rebadging as it was felt that removal of the word hospital along with not providing beds within the facility would result in a clinic rather than a replacement hospital. It was suggested that the Clinical Commissioning Group (CCG) should be asked back to the Committee to explain the change.

The report made reference to exploring new patient registrations with the Danbury Practice and concerns were raised by Members as to how residents would travel there.

The Chief Executive updated the Committee and advised that the Project Manager would be carrying out a full business case. Members were advised that the CCG was not ruling out a hospital but that there were different standards around beds within a hospital compared to beds provided from a nursing home facility and the CCG were required to demonstrate that they had sought the most cost effective solution. It was suggested that if Members wished the representatives from the CCG could be invited back to this Committee to discuss the concerns raised regarding removal of the word 'hospital'.

It was clarified that the Project Manager was funded by the CCG until March 2017 at which point funding would have to be reapplied for to confirm it going forward.

Following further discussion it was agreed that the CCG Project Manager and Melanie Crass, Director of Primary Care and Resilience for Mid Essex CCG be invited to attend the next meeting of the Overview and Scrutiny Committee to provide an update on the change of status from a community hospital to a health hub.

RESOLVED

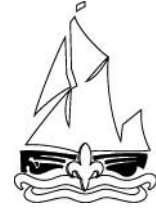
- (i) that the contents of the report be noted;
- (ii) that the CCG Project Manager and Melanie Crass, Director of Primary Care and Resilience for Mid Essex CCG be invited to attend the next meeting of the Overview and Scrutiny Committee to provide an update on the change of status from a community hospital to a health hub.

858. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

There were none.

There being no further items of business the Chairman closed the meeting at 10.28 pm.

M S HEARD
CHAIRMAN



REPORT of CHIEF EXECUTIVE

**to
OVERVIEW AND SCRUTINY COMMITTEE
8 FEBRUARY 2017**

REVIEW OF PERFORMANCE - QUARTER THREE 2016 / 17

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to supply Members with details of performance against targets set for 2016 / 17 and to ensure that progress is being achieved towards the overall corporate goals and the outcomes detailed in the Corporate Plan 2015 - 19 adopted by Council in February 2015 and updated in February 2016 (Minute No. 878 refers).
- 1.2 Members should challenge performance or allocation of resources where the Committee feels that the Council's corporate goals have not or may not be achieved.
- 1.3 Where performance or progress is behind schedule or at risk, the reasons why need to be fully understood and decisions taken on what, if any, action is required to bring performance back on track.
- 1.4 Support to the Examination in Public and emergency planning commitments meant that the quarterly performance and risk clinics scheduled for January did not go ahead. However, the performance and risk information provided for each Directorate has been reviewed by the Directors and their senior managers to ensure that progress is being achieved towards the corporate goals and outcomes. The full quarterly performance pack produced for each Directorate will be placed in the Members' Room and copies emailed to all Members following the review of performance by this Committee.
- 1.5 All of the performance information contained within this report is recorded on the Council's Performance and Risk Management system (TEN) to which all Members have access.

2. RECOMMENDATIONS

- (i) that Members' views, comments and questions on the information as set out in this report and **APPENDIX 1** are sought;
- (ii) that Members review and/or scrutinise decisions made by, and the performance of, both Committees and Council Officers;

- (iii) that Members challenge performance or allocation of resources where the Committee feels that the Council's corporate goals may not be achieved;
- (iv) that Members question Members and Officers on decisions and performance, relating to comparisons with service plans and targets, or in respect of particular decisions, initiatives or projects;
- (v) that Members make recommendations to the Chief Executive, Directors, the appropriate Committee and/or Council arising from the outcome of the scrutiny process.

3. SUMMARY OF KEY ISSUES

- 3.1 The responsibilities of the Overview and Scrutiny Committee include:
- To review and/or scrutinise decisions made by, and the performance of, both Committees and Council Officers;
 - To question Members and Officers on decisions and performance, relating to comparisons with service plans and targets, or in respect of particular decisions, initiatives or projects;
 - To make recommendations to the Chief Executive, Directors, the appropriate Committee and/or Council arising from the outcome of the scrutiny process.
- 3.2 As agreed by this Committee the format of the performance reports are on an "exception" basis i.e. only those activities and indicators/measures that are behind schedule, at risk or not on target will be detailed in **APPENDIX 1** to this report to facilitate the effective scrutiny of performance.

4. IMPACT ON CORPORATE GOALS

- 4.1 The Council stated its corporate goals and desired outcomes in the Corporate Plan for 2015 - 19.
- 4.2 In turn, the Services agreed actions (Key Corporate Activities) that they would take forward in 2016 / 17 to contribute to the achievement of these outcomes. Performance indicators and measures were also established to monitor the impact of these actions and to provide evidence of achievements.
- 4.3 To ensure that Maldon District Council (MDC) progresses towards or achieves the goals and outcomes stated in the Corporate Plan, it is important that performance is monitored and managed effectively against targets and milestones.
- 4.4 As the Council is accountable to the community, it is also important that it is able to demonstrate it is monitoring and managing performance effectively.

5. IMPLICATIONS

- (i) **Impact on Customers** – Performance Management is about agreeing and achieving objectives and priorities, monitoring our performance against agreed targets and timescales, identifying opportunities for improvement, making necessary changes and ultimately delivering quality public services.
- (ii) **Impact on Equalities** – The Council aims to understand the needs of our staff and customers and making sure that our policies and services are designed to meet these needs and are implemented appropriately.

MDC is committed to providing equal opportunity of access to services and working towards developing communities that are free from discrimination.

Effective performance management will assist the Council in determining whether it is achieving this.

- (iii) **Impact on Risk** – If performance is not managed effectively by the Council at both Committee and management level, there is a risk that the Council will not achieve its stated priorities and outcomes.
- (iv) **Impact on Resources (financial and human)** – If action is needed to bring key activities or indicators back on track to meet the targets set, a reallocation of resources may be required to ensure that objectives and priorities are achieved.
- (v) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to:

Fiona Marshall, Chief Executive, (Tel: 01621 875711) or
Julia Bawden, Performance and Risk Officer, (Tel: 01621 876223).

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Review of Performance 2016-17 Quarter 3 (Q3)



OVERVIEW AND SCRUTINY COMMITTEE

QUARTERLY REVIEW OF PERFORMANCE *

2016-17

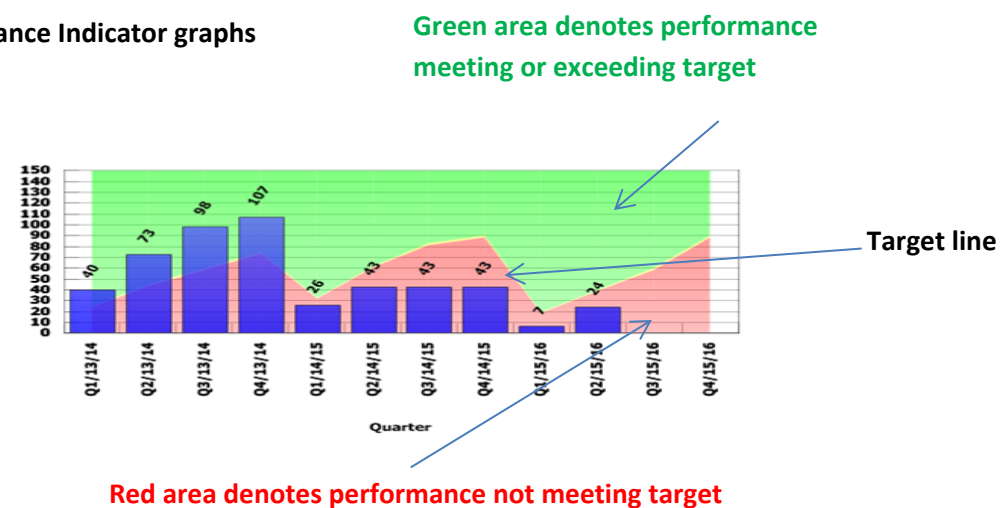
QUARTER 3

*The quarterly performance reports are produced on an “exception” basis; full details will only be included for those activities and indicators which are behind schedule, at risk or not on target.

Status Definitions for Key Corporate Activities

At Risk	There are issues which could impact the completion/ achievement of the Key Corporate Activity in the future
Behind Schedule	Target date for completion of the Key Corporate Activity , or milestones upon which activity depends, have not been met
On Track	Work progressing satisfactorily, milestones upon which the activity depends are being met and overall target for completion should be achieved
Completed	Key Corporate Activity completed – no further work required

Performance Indicator graphs



Review of Performance 2016-17 Quarter 3 (Q3)

Corporate Goal - Helping communities to be safe, active and healthy

Key Corporate Activities contributing to this goal - 4			
At Risk	Behind Schedule	On Track	Completed
		4	

Key Corporate Activities designated as "At Risk" or "Behind Schedule"	Target Date	Status	Comments
None			

Review of Performance 2016-17 Quarter 3 (Q3)

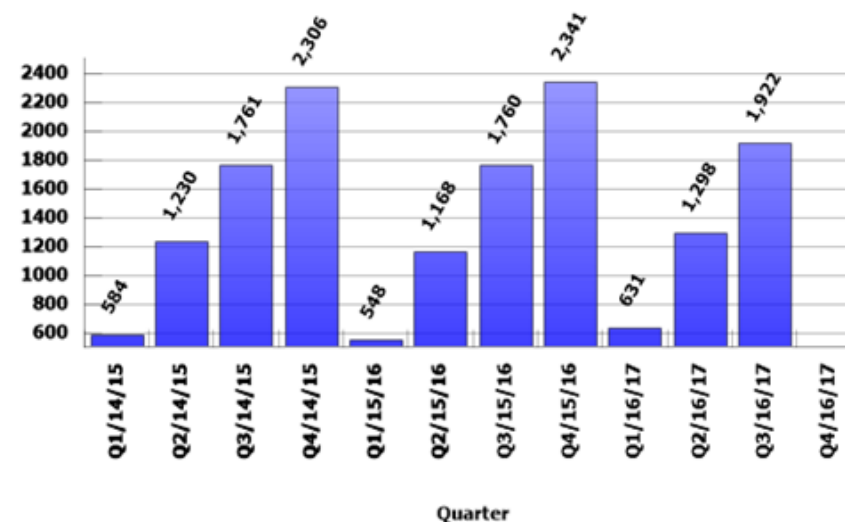
Indicators at risk of not achieving end of year target

Indicator	15/16 Actual	16/17 Target	Previous Quarter	Current Quarter	Cumulative For the Year	On track to achieve annual target
Level of reported crime	2,341 Incidents of all crime	Fewer reported incidents than in previous year	667 Incidents of all crime	624 Incidents of all crime	1,922 Incidents of all crime	No
	1,087 Anti-Social Behaviour (ASB) incidents		306 ASB incidents	249 ASB incidents	800 ASB incidents	At risk
	Sanctioned detection rate 11.7%	No target			Sanctioned detection rate 11.8%	

Comment on current performance

The Community Safety Hub for Maldon and Chelmsford now meets on a monthly basis and sub groups of the Community Safety Partnership continue to meet on a regular basis and work streams for each individual group are effectively impacting on various areas of community safety. Work on the strategic assessment is almost complete which will help inform the Responsible Authorities Group members of the strategic priorities to be adopted for 2017 / 18. Rural crime remains a concern for local people so it is likely that there will be a stronger focus on this for the coming year. Team members meet with partners on a frequent basis and receive regular information to ensure that the partnership remains responsive to emerging crime trends such as monitoring of the offender cohort, community cohesion issues and children at risk of exploitation. Officers also contribute to the wider aspect of community safety by being involved in health related projects such as dementia awareness and the "live well" programme.

The new Detective Chief Inspector (DCI) for the District will attend the next Crime and Disorder Committee meeting in March to discuss detection rates and targets.



Corporate Goal - Protecting and shaping the District

Review of Performance 2016-17 Quarter 3 (Q3)

Key Corporate Activities contributing to this goal – 6			
At Risk	Behind Schedule	On Track	Completed
2	1	3	

Key Corporate Activities designated as “At Risk” or “Behind Schedule”	Target Date	Status	Comments
Adopt the Local Development Plan for the District	September 2017/March 2018	At risk	<p>The Examination-in-Public (EiP) Hearing sessions were held between 10th and 19th January 2017 at the Three Rivers Golf Club. The Hearing sessions were based on the Inspector’s Matters, Issues and Questions (MIQs) published on 16th November 2016. The Council submitted its Hearing Statements to the Inspector, in response to each of the 51 questions raised. This was in accordance with the delegation afforded to Officers to recommend modifications to the Plan in consultation with Members to make the Plan sound. The Inspector worked with the Council during each of the hearing sessions to consider modifications to the Plan that would assist in making the Plan and individual policies within it, sound.</p> <p>A full detailed list of each modification is currently being prepared for presentation and endorsement by Council on 16th February 2017. Subject to approval a six week public consultation will commence late February 2017 – target date Friday 24th February 2017 to 7th April 2017.</p> <p>The responses to the public consultation will be sent to Planning Inspector, Mr Simon Berkeley, who will then complete his Report for the Secretary of State with recommendations on whether the Plan is sound. On receipt of the Planning Inspector’s report, the Secretary of State will then consider the Planning Inspector’s recommendation and in due course, will issue a report to Council on his decision on the Plan.</p>

Review of Performance 2016-17 Quarter 3 (Q3)

Key Corporate Activities designated as “At Risk” or “Behind Schedule”	Target Date	Status	Comments
Adopt the Maldon District Design Guide	May 2017	Behind schedule	<p>The Officer Working Group has reviewed the first draft of the Maldon District Design Guide. In addition, the Development Management team has reviewed the draft against current applications for usability and tested it against the NPPF and LDP Policy D1. Feedback from the Officer Working Group has been provided to the consultants for the document to be amended.</p> <p>The draft Guide will be presented to Members soon for approval for public consultation. However, there are a number of technical documents that need to come forward in connection with the Guide as follows:</p> <ul style="list-style-type: none"> - National Space Standards (published) - Air Quality & Noise Guidance - Landscape and Arboricultural Guidance - Design Guidance for Older Persons Housing - Parking Standards (MDC 2006 adopted) and Essex County Council (CC) Guidance on parking space sizes and garage sizes. <p>It is important that Members have full access to all the composite elements associated with this important District-wide guidance document, before endorsing it for the necessary 6 week public consultation.</p> <p>The draft Guide and the supporting technical documents will be submitted to the Planning and Licensing Committee in March. Following public consultation and collation of responses and feedback, it is anticipated that adoption of the Guide is likely to be September 2017.</p>

Review of Performance 2016-17 Quarter 3 (Q3)

Key Corporate Activities designated as “At Risk” or “Behind Schedule”	Target Date	Status	Comments
Work with housing associations and developers to provide affordable and extra care housing	Ongoing	At risk	The government is encouraging some local authorities to support local communities who wish to play a more active role in responding to local housing need and funding has been made available for this purpose. This fits well with the existing culture and knowledge of the Council’s Housing Enabling function which has for nearly a decade relied upon strategic initiatives such as rural exception schemes as a main source of supply of affordable housing for the District. A work plan to utilise the funding to progress this agenda is being worked up and will be reported to members of the newly formed Strategic Housing Board.

Review of Performance 2016-17 Quarter 3 (Q3)

Indicators at risk of not achieving end of year target

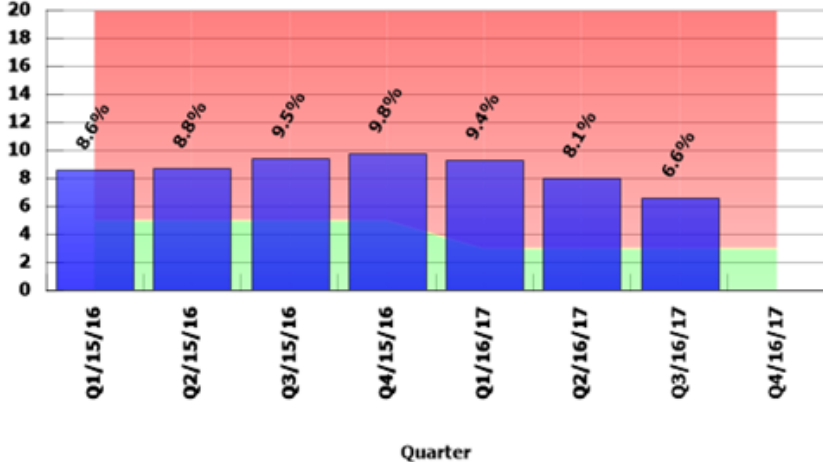
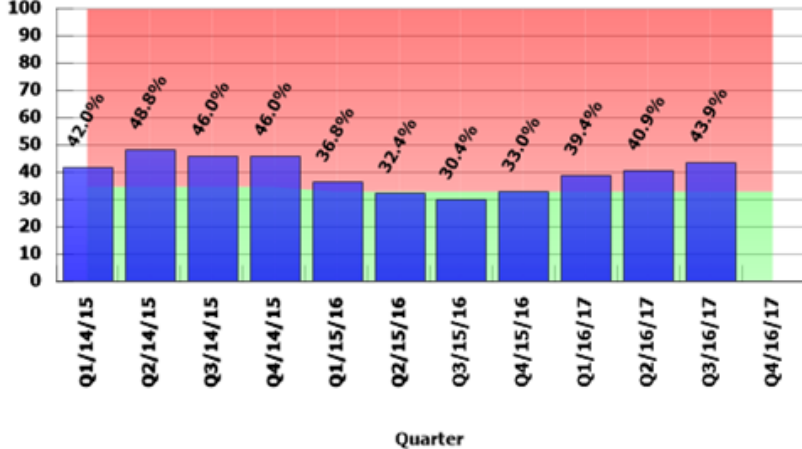
Indicator	15/16 Actual	16/17 Target	Previous Quarter	Current Quarter	Cumulative For the Year	On track to achieve annual target
Percentage of major planning appeals allowed	9.8% *(for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	3%	8.1%* *(for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	6.6%* *(for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	N/A	No
Percentage of all planning appeal decisions allowed	33%	33%	42.11%	51.85%	43.88%	No

Comment on current performance

Improved processes and procedures have been agreed to streamline the decision making process to mitigate the risk of the Council being designated as an underperforming authority. Until such time as these are embedded, the risk remains high, especially given that the reduced threshold of 10% for major appeals allowed has been confirmed by the Government although the assessment to be undertaken in January 2017 by DCLG will be based only on speed of application determination for both major and non-major development. The January 2018 assessment will include the quality of decisions aspect.

Provisional figures show that during the assessment period of April 2014 to March 2016, of 122 major applications decided, 43 of them went to appeal and 8 of them were allowed on appeal which equates to 6.56% and therefore below the 10% threshold for designation as underperforming. However, there are 5 appeals still in progress which if all allowed would increase performance to 10.66%.

Review of Performance 2016-17 Quarter 3 (Q3)

Indicator	15/16 Actual	16/17 Target	Previous Quarter	Current Quarter	Cumulative For the Year	On track to achieve annual target																																												
Percentage of major planning appeals allowed over the assessment period for the quality of decisions			Percentage of all planning appeals allowed																																															
 <table><caption>Percentage of major planning appeals allowed over the assessment period for the quality of decisions</caption><tr><th>Quarter</th><th>Percentage</th></tr><tr><td>Q1/15/16</td><td>8.6%</td></tr><tr><td>Q2/15/16</td><td>8.8%</td></tr><tr><td>Q3/15/16</td><td>9.5%</td></tr><tr><td>Q4/15/16</td><td>9.8%</td></tr><tr><td>Q1/16/17</td><td>9.4%</td></tr><tr><td>Q2/16/17</td><td>8.1%</td></tr><tr><td>Q3/16/17</td><td>6.6%</td></tr><tr><td>Q4/16/17</td><td>6.6%</td></tr></table>			Quarter	Percentage	Q1/15/16	8.6%	Q2/15/16	8.8%	Q3/15/16	9.5%	Q4/15/16	9.8%	Q1/16/17	9.4%	Q2/16/17	8.1%	Q3/16/17	6.6%	Q4/16/17	6.6%	 <table><caption>Percentage of all planning appeals allowed</caption><tr><th>Quarter</th><th>Percentage</th></tr><tr><td>Q1/14/15</td><td>42.0%</td></tr><tr><td>Q2/14/15</td><td>48.8%</td></tr><tr><td>Q3/14/15</td><td>46.0%</td></tr><tr><td>Q4/14/15</td><td>46.0%</td></tr><tr><td>Q1/15/16</td><td>36.8%</td></tr><tr><td>Q2/15/16</td><td>32.4%</td></tr><tr><td>Q3/15/16</td><td>30.4%</td></tr><tr><td>Q4/15/16</td><td>33.0%</td></tr><tr><td>Q1/16/17</td><td>39.4%</td></tr><tr><td>Q2/16/17</td><td>40.9%</td></tr><tr><td>Q3/16/17</td><td>43.9%</td></tr><tr><td>Q4/16/17</td><td>43.9%</td></tr></table>				Quarter	Percentage	Q1/14/15	42.0%	Q2/14/15	48.8%	Q3/14/15	46.0%	Q4/14/15	46.0%	Q1/15/16	36.8%	Q2/15/16	32.4%	Q3/15/16	30.4%	Q4/15/16	33.0%	Q1/16/17	39.4%	Q2/16/17	40.9%	Q3/16/17	43.9%	Q4/16/17	43.9%
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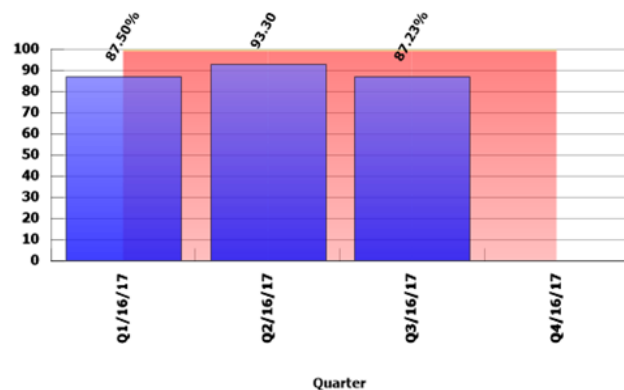
Review of Performance 2016-17 Quarter 3 (Q3)

Indicator	15/16 Actual	16/17 Target	Previous Quarter	Current Quarter	Cumulative For the Year	On track to achieve annual target
% of major planning applications acknowledged within 10 working days	New indicator 16/17	100%	100%	76.47%	87.23%	No
% of minor planning applications acknowledged within 5 working days	New indicator 16/17	100%	43.42%	55.67%	44.02%	No
% of other planning applications acknowledged within 5 working days	New indicator 16/17	100%	50.4%	58.39%	49.19%	No

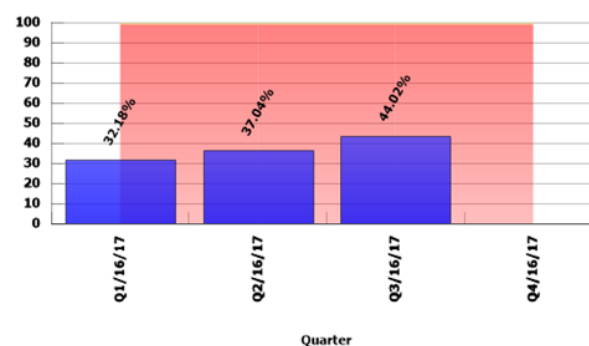
[Comment on current performance](#)

A review of current processes continues with each aspect being analysed and relevant changes made to streamline our processes and make them more efficient and effective.

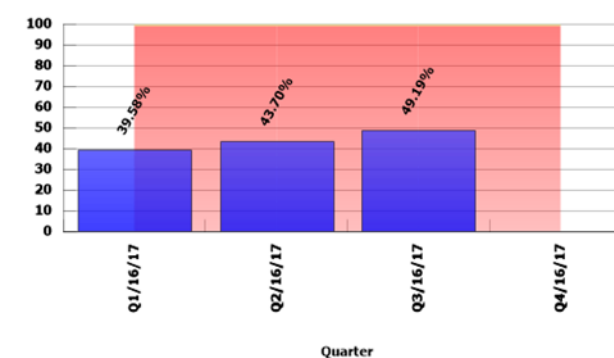
% of major planning applications acknowledged within 10 working days



% of minor planning applications acknowledged within 5 working days



% of other planning applications acknowledged within 5 working days



Review of Performance 2016-17 Quarter 3 (Q3)

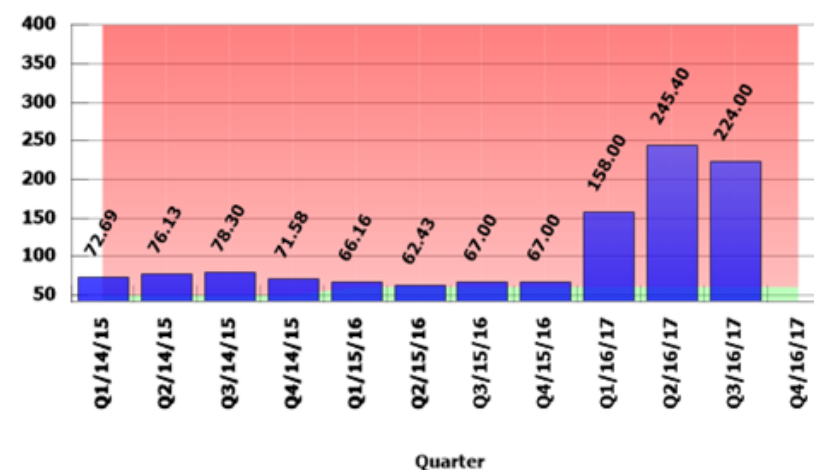
Indicator	15/16 Actual	16/17 Target	Previous Quarter	Current Quarter	Cumulative For the Year	On track to achieve annual target
Number of missed collections per 100,000 collections	67/100,000* 2,337 actual missed Collections* *As at end of December 2015	60/100,000	340.8/100,000 2,856 justified missed Collections	101/100,000 858 justified missed Collections	224/100,000 5,013 justified missed Collections* Figures relate to period from 6 th June – 31 st December	No

Comment on current performance

The figure for justified missed bins during quarter 3 has reduced dramatically compared to the previous quarter. In October, there were 358 justified missed bins which dropped to 245 in December.

These figures should be viewed against a total number of collections during the quarter of 848,640 (16,320/day); 858 justified missed collections equates to 0.1% of the total.

For 17/18, rather than continuing to use the “per 100,000” collections measure, it is proposed that missed collections are reported using the average number of missed collections per collection day (against a total of 16,320 collections per day) during the quarter and the total actual justified missed collections in the quarter. These measures will provide a more meaningful picture of performance against the total number of collections.



Review of Performance 2016-17 Quarter 3 (Q3)

Corporate Goal - CREATING OPPORTUNITIES FOR ECONOMIC GROWTH AND PROSPERITY

At Risk	Behind Schedule	On Track	Completed
		8	

Key Corporate Activities designated as “At Risk” or “Behind Schedule”	Target Date	Status	Comments
None			

Review of Performance 2016-17 Quarter 3 (Q3)

Indicators at risk of not achieving end of year target

Indicator	15/16 Actual	16/17 Target	Previous Quarter	Current Quarter	Cumulative for the Year	On track to achieve annual target
None						

Review of Performance 2016-17 Quarter 3 (Q3)

Corporate Goal - Delivering good quality, cost effective and valued services

Key Corporate Activities contributing to this goal - 4			
At Risk	Behind Schedule	On Track	Completed
	1	3	

Key Corporate Activities designated as "At Risk" or "Behind Schedule"	Target Date	Status	Comments
Implement the ICT Strategy projects for 16/17: - implement the initial Customer Relationship Management (CRM) system	March 2017	Behind schedule	<p>The IT Manager attended CLT in mid-January to present a report on the implementation of a Customer Relationship Management (CRM) system - report to include 1) what the Council's objectives are in considering a CRM system 2) scoping of what will achieve these 3) what options are available and the costs/cost savings.</p> <p>Going forward any decision to purchase and implement will be part of the wider Transformation programme</p> <p>The capital resources set aside for this have not been utilised.</p>

Review of Performance 2016-17 Quarter 3 (Q3)

Indicators at risk of not achieving end of year target

Indicator	15/16 Actual	15/16 Target	Previous Quarter	Current Quarter	Cumulative For the Year	Annual target achieved
Average number of days lost per (Full Time Equivalent) FTE due to sickness	12.42 days per FTE	7 days per FTE	3.1 days per FTE <ul style="list-style-type: none"> 1.21 days short term absence 1.89 days long term absence 	3.3 days per FTE <ul style="list-style-type: none"> 1.31 days short term absence 1.99 days long term absence 	9.17 days per FTE <ul style="list-style-type: none"> 3.77 days short term absence 5.4 days long term absence 	No

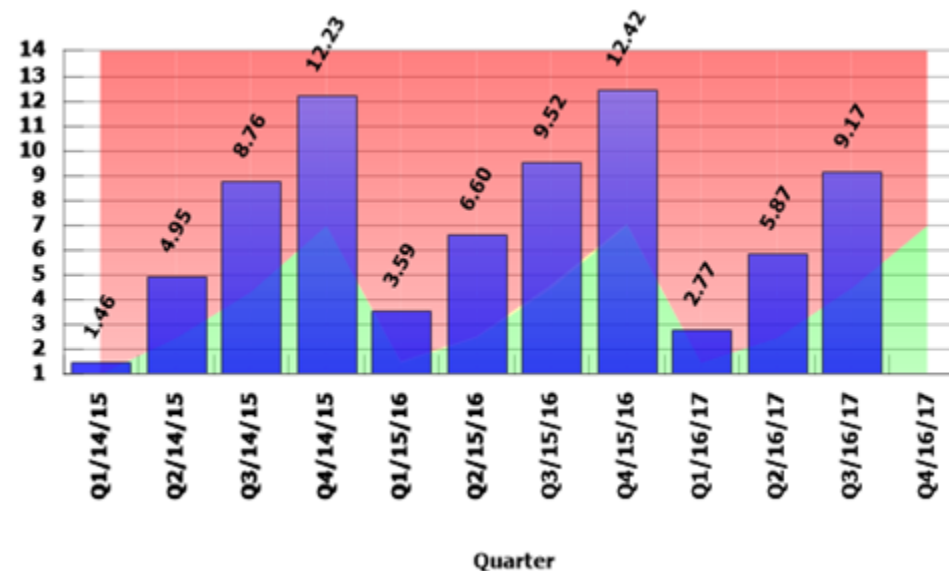
The Q3 figure is 3.3 days per FTE days lost to sickness. 1.31 days per FTE short term absence and 1.99 days per FTE long term absence. A slight increase in short term absence is usual during the winter months - 43% of short term absences in Q3 were due to "cold, flu and infectious diseases".

60% of long term absences and nearly 10% of short term absences in Q3 were due to "stress, depression and anxiety".

For the year to date, total number of days lost per FTE is 9.17 (3.77 short term and 5.4 long term).

The new MDC Sickness Absence Management Policy was approved by full Council in October. All line managers will receive sickness absence management training early in 2017. It is hoped that this will facilitate a reduction in average sickness absence levels.

Time off due to stress is estimated to cost UK employers £26bn per year, equivalent to £1,035 for every employee in the UK workforce, according to the Centre for Mental Health. Its research shows that £8bn of that could be saved by employers taking simple steps to manage mental health in the workplace*. We



Review of Performance 2016-17 Quarter 3 (Q3)

Indicator	15/16 Actual	15/16 Target	Previous Quarter	Current Quarter	Cumulative For the Year	Annual target achieved
<p>are continuing to take proactive steps to help manage stress and mental health issues in the workplace. For example, the People, Performance and Policy team collaborated with the MDC 'Mind, Body and Sole' Group in November for National Stress Awareness Day, and have been promoting the support and resources available to MDC staff and managers to help manage stress with the workplace. A 'Guide to Managing Stress' for managers, was also recently launched and they will be receiving training in the new Managing Stress Policy in early 2017.</p> <p>A Stress Awareness workshop for staff and managers was held in December. We are also likely to hold further similar workshops in 2017.</p> <p>* UK Centre for Mental Health / The Guardian</p>						

Review of Performance 2016-17 Quarter 3 (Q3)

Corporate Goal - FOCUSING ON KEY PROJECTS

Key Projects contributing to this goal – 9			
At Risk	Behind Schedule	On Track	Completed
1	2	5	1

Key Corporate Activities designated as “At Risk” or “Behind Schedule”	Target Date	Status	Comments
Help to deliver new healthcare facilities for Maldon	June 2020	Behind schedule	A report was submitted by the Chief Executive to the Overview and Scrutiny Committee in January outlining the current issues and position. The Committee requested that the Chief Executive arrange for CCG representatives to attend the next meeting to respond to Members' concerns regarding the potential removal of beds from the future health facility.
Explore options for provision of the future Building Control Service	March 2017	Behind schedule	A new Building Control Manager has been in place since October. He will be working with other adjacent local authorities to explore opportunities and to look at how resilience can be built into the service. Unfortunately, sick leave has delayed progress.
Generate income through housing investment	Ongoing	At risk	<p>The Strategic Housing Manager is considering a number of options regarding the best approach for MDC in respect of housing investment and delivery. This is a medium to longer term consideration in the light of changing government initiatives and funding streams and national policy on housing provision. Discussions are continuing at the senior management level.</p> <p>The status is 'At Risk' as it is not entirely clear at this stage of the various routes that the Council can take to achieve the desired outcomes.</p>



REPORT of INTERIM DIRECTOR OF RESOURCES

**to
OVERVIEW AND SCRUTINY COMMITTEE
8 FEBRUARY 2017**

SECTION 106 PROCESS AND THE MONITORING OF AGREEMENTS AND THE COLLECTION OF PLANNING CONTRIBUTIONS

1. PURPOSE OF THE REPORT

- 1.1 To present Members with information about the Section 106 (S106) process in connection with planning applications including details of monies currently held by the Council.

2. RECOMMENDATION

Members are asked to give their views and comments on the information in this report.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 The Overview and Scrutiny Committee raised questions during a discussion at its meeting on 5 October 2016 regarding S106 monies received as part of planning application approval. In response, the Chief Executive agreed to "...provide an update on Section 106 monies, the contributions collected and how they were managed" (Minute No. 604 refers).
- 3.1.2 In line with this request a report was presented to the Planning and Licensing Committee on 19 January 2017. This report was to inform Members of the processes involved in the monitoring of S106 legal agreements and provides information about planning contributions currently being held by the Council.
- 3.1.3 In August 2015, the S106 Officer started in post, a role which was introduced by the Council on the basis of the anticipated significant increase in monitoring which will be required relating to the strategic sites in particular, as well as involvement in the implementation of the Community Infrastructure Levy within the District (the latter is currently delayed by the Local Plan examination process). The financial contributions from the strategic sites in particular will contribute to the securing of infrastructure as defined within the Infrastructure Delivery Plan and this role are key to delivering the developers' obligations.

- 3.1.4 The S106 process starts at the pre-application stage when a prospective applicant / developer meets with Officers to discuss a scheme, and when the proposal is submitted the draft Heads of Terms will normally form part of the submission documents. The draft Heads of Terms will then form the basis for negotiation with the applicant in respect of the S106 agreement. As far as the strategic sites are concerned, the basis for the financial contributions stems from the Infrastructure Delivery Plan as amended in May 2014. The contributions in respect of all other sites are normally limited to affordable housing, healthcare, education, and bespoke contributions for a site, e.g. a site in Farnbridge where contributions were required to offset the impact of the development on the ecologically important site nearby.
- 3.1.5 One of the main responsibilities of the monitoring process involves the timely collection of financial contributions ensuring that any payments are subjected to indexation for the stated period. Once payments are received it is important to ensure the money is spent within the agreed timeframe and in line with the terms of the S106 Agreement. This is normally within ten years from receipt, but there can be exceptions to this depending on what has been negotiated. The table attached at **APPENDIX A** indicates payments received since 2012 with details of the date each needs to be used by and the purpose for which the contribution is to be used, as well as details of how some of the contributions have been used. Specifically **APPENDIX D** contains photographs of examples of improvements made as a result of the contributions received for improvements to Mayland Parish Hall (Lawling Park Hall) and playground equipment in Southminster.
- 3.1.6 The strategic sites will be the main sources of income from planning contributions for the foreseeable future and of these there are three sites with decisions and S106 agreements, one of which is nearing completion of development. Four more sites have resolutions to grant permission and three of these have S106 agreements nearing completion, and the remaining three are the subject of S106 negotiations and applications which have not yet been considered by a Committee. The table at **APPENDIX B** sets out the position in respect of the strategic sites.
- 3.1.7 There are a number of sites which are currently being developed and where payments have been made to the Council (see table at **APPENDIX A**), whilst there are a number with S106 agreements where development has yet to commence. The tables at **APPENDIX C** list sites under construction where financial contributions and/or affordable housing have been provided, and sites with extant permissions and subject to a legal agreement but where work has yet to commence.
- 3.1.8 The S106 Officer's role is to ensure that the Council receives payments in line with the relevant trigger points which can vary from commencement to first occupation of a dwelling and later occupations. When payments are made they are invariably subject to indexation and late payments may also be subject to additional interest payments dependent on the terms of the S106 Agreement. The Officer also monitors all other aspects of legal agreements and liaises with council officers, Essex County Council Officers and developers as required.
- 3.1.9 The process regarding the negotiations and monitoring of S106 Agreements set out in this report shows that the decision to establish a dedicated post is sound and critical to ensuring that developers are held to their obligations in the S106 Agreements.

- 3.1.10 It is also essential for the Council to ensure that once contributions have been received they are allocated to the most appropriate projects and spent within the timescales set out in the S106 Agreement. To that end the Interim Director of Resources has commenced discussions with the S106 Officer and the Senior Principal Planner - Major Applications (Strategic Sites) on the need to create a Corporate Working Group to complement and communicate the role that the S106 Officer carries out, in conjunction with mechanisms to ensure that appropriate projects are identified and implemented to spend S106 monies within the stated timescales set out in the respective S106 legal agreements. It is envisaged that the Working Group would include officers of this Council as well as identified partner organisations such as Essex County Council. It is recognised that a focussed approach is required in this respect.
- 3.1.11 To date there has been no need to return any monies received as planning contributions because either Maldon District Council or Essex County Council or any other beneficiary has been unable to spend the contributions within the timescale given.

4. IMPACT ON CORPORATE GOALS

- 4.1 The work of the Overview and Scrutiny Committee supports the corporate goal of “Delivering good quality, cost effective and valued services”.

5. IMPLICATIONS

- (i) **Impact on Customers** – Scrutiny work may aid improvements to service to the public by the Council and external authorities.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – Recommendations arising from scrutiny could assist in mitigating corporate risks.
- (iv) **Impact on Resources (financial)** – Officer time in preparing the reports and supporting information.
- (v) **Impact on Resources (human)** – Recommendations from scrutiny could impact on the role of the S106 officer.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: Joy Thomas, Section 106 Officer, (Tel: 01621 875879) or Kamal Mehta, Interim Director of Resources (Tel: 01621 875762).

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Income from Section 106 (S106) agreements 2012 - 2016

Site address / developer	Planning reference / date of agreement	Type of contribution	Amount received	Date received	Clawback date	Comments
Land off Teal Avenue, Mayland Abbey New Homes	FUL/MAL/07/00638 06/04/2009	Towards sports and community centre, play area equipment and public art	£85,375	19/06/2012	19/06/2017	Money passed to Mayland Parish Council and spent on improvements to the parish hall including new windows and a new roof. A small amount was spent on art work, and recently £22,100 was spent on play equipment. Currently there is £35,393 left to spend which is to be used towards the new extension, work on which commenced on 30/01/17.
Southminster West Business Park, Scotts Hill Southminster David Wilson Homes	OUT/MAL/12/00437 11/06/2013	Health care - projects within Southminster GP catchment area	£33,600	28/11/2014	28/11/2024	To be passed to the NHS when a request is received.
Southminster West Business Park, Scotts Hill Southminster David Wilson Homes	OUT/MAL/12/00437 11/06/2013	Health care - projects within Southminster GP catchment area	£996	23/09/2015	23/09/2025	To be passed to the NHS when a request is received.

Site address / developer	Planning reference / date of agreement	Type of contribution	Amount received	Date received	Clawback date	Comments
Park Drive, Maldon Crest Nicholson	FUL/MAL/14/00581 04/04/2014	Health care towards capital funding for the provision of capital projects to expand existing or provide new general practitioner medical surgeries that serve or will serve the residents within the development.	£43,080	16/05/2016	No repayment clause	To be passed to the NHS when a request is received.
Southminster West Business Park, Scotts Hill Southminster David Wilson Homes	MLA/MAL/13/01176 04/04/2014	Off site play space - to Parish Council	£44,000	23/06/2014	23/06/2024	Money passed to Southminster Parish Council and all spent on playground equipment at King George V Memorial Field
Southminster West Business Park, Scotts Hill Southminster David Wilson Homes	MLA/MAL/13/01176 04/04/2014	Pedestrian linkages - from northern and eastern boundaries of the site	£16,000	23/06/2014	23/06/2024	Work currently underway by Maldon District Council on the provision of these in liaison with Essex County Council (ECC) Highways.
Orth's Garage, Silsoe And Cranford Fairfield Chase Maldon McCarthy & Stone	FUL/MAL/13/00257 12/12/2013	Affordable housing – to be applied towards provision of affordable housing within the District of Maldon	£102,498.80	22/04/2016	22/04/2021	
Land at junction Maldon Road and Church Street, Goldhanger Jenny Moody Homes	FUL/MAL/13/00839 30/07/2014	Affordable housing – towards the provision of affordable housing within the administrative area of the District Council	£103,921.56	24/09/2015	No repayment clause	

Site address / developer	Planning reference / date of agreement	Type of contribution	Amount received	Date received	Clawback date	Comments
Poultry Houses, Spital Road, Maldon Chelmsford City Developments	OUT/MAL/14/00723 29/06/2015	Affordable housing – to be applied towards provision of affordable housing within the District of Maldon	£61,496	16/02/2016	16/02/2021	
Cefas site, Remembrance Avenue, Burnham- on-Crouch Lynton Homes Ltd	FUL/MAL/12/01062 05/12/2013	Affordable housing - for the provision of housing for Persons in a Housing Need	£86,188	05/05/2016	05/05/2021	
Tiptree Road, Great Braxted Granville Developments	FUL/MAL/14/01221 26/10/2015	Affordable housing - to be applied towards the provision of affordable housing within the District of Maldon.	£52,321	05/05/2016	05/05/2026	

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Strategic Sites

Site address	Application Reference	Developer	Current position
Site 2 (a) Land south of Limebrook Way, Maldon	OUT/MAL/14/01103	CEG – site promoter	Decision issued with S106 agreement 01/12/2016
Site 2 (b) Land North of Wycke Hill, Maldon	OUT/MAL/15/01327	Dartmouth Park Estates	Application under consideration
Site 2 (c) Land South of Wycke Hill, Maldon	OUT/MAL/13/00763	Linden Homes	Outline planning permission granted. Current reserved matters application subject of an appeal.
Site 2 (d) North Heybridge	OUT/MAL/15/00419	Countryside	Resolution to grant made by Extraordinary Council (Planning) Committee on 07/12/2016. S106 subject to negotiation
Site 2 (e) Land north of Holloway Road, Heybridge	OUT/MAL/14/00990	Strutt & Parker - agent	Application approved subject to completion of the legal agreement, awaiting engrossment.
Site 2 (f) Land West of Broad Street Green Road, Heybridge	FUL/MAL/15/00885	Persimmon	Application approved subject to completion of legal agreement, awaiting engrossment.
Site 2 (g) Park Drive, Maldon	FUL/MAL/14/00581	Crest Nicholson	Decision issued with S106 agreement and site under construction
Site 2 (h) Heybridge Swifts	FUL/MAL/16/00154	Bloor Homes	Application under consideration
Site 2 (i) Land between Chandlers and Creeksea Lane, Burnham-on-Crouch	FUL/MAL/14/00356	Pigeon Land Ltd	Application approved subject to completion of legal agreement
Site 2 (j) Land South of Green Lane and North of Maldon Road, Burnham-on-Crouch	FUL/MAL/16/00931	Persimmon	Application approved subject to completion of legal agreement, awaiting engrossment.

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Sites currently under construction with Section 106 (S106) agreements and financial contributions and/or affordable housing

Site address / Developer	Application Reference	Description of development	S106 requirements
Southminster West Business Park, Scotts Hill Southminster David Wilson Homes	OUT/MAL/12/00437	117 dwellings	Financial contributions for healthcare, off site play space and for pedestrian linkages. Affordable housing. Residents' travel packs. Highway works including new bus stop and footway
Former CEFAS Lab, Remembrance Avenue, Burnham-on-Crouch Lynton Homes Ltd	FUL/MAL/12/01062	14 dwellings	Financial contributions for affordable housing and early years and childcare and primary education
Junction of Maldon Road and Church Street, Goldhanger Jenny Moody Homes	FUL/MAL/13/00839	14 dwellings	Financial contributions for affordable housing, secondary education and primary school transport
Land South of 94 South Street, Tillingham Robin Levy Associates / Chelmer Housing Partnership	FUL/MAL/13/00645	27 dwellings	Affordable housing
Beech Green, Tiptree Road, Wickham Bishops Lynton Homes Ltd/English Rural Housing Association	FUL/MAL/13/01151	27 dwellings	Financial contribution for primary and secondary education Affordable housing
Park Drive, Maldon Crest Nicholson	FUL/MAL/14/00581	131 dwellings	Financial contributions for healthcare, open space and early years and childcare and primary education. Affordable housing

Site address / Developer	Application Reference	Description of development	S106 requirements
Land at Spital Road, Maldon Chelmsford City Developments	OUT/MAL/14/00723	7 dwellings	Financial contribution for affordable housing
Land at Lime Tree Cottages, Tiptree Road, Great Braxted Granville Developments	FUL/MAL/14/01221	14 dwellings	Financial contributions for affordable housing and school transport

Sites with S106 agreements and financial contributions and/or affordable housing where work has yet to commence

Site address / application reference	Application Reference	Description of development	S106 requirements
Sadds Wharf, Station Road, Maldon	OUT/MAL/08/00149	93 dwellings, offices and leisure facilities	Financial contribution for transport improvements (already paid to Essex County Council (ECC)).
Hawthorns Farm, Grove Farm Road, Tolleshunt Major	FUL/MAL/12/00613	Replacement poultry sheds	Financial contribution for highway repairs
Land South of Marsh Road, Burnham-on-Crouch	FUL/MAL/14/00108	Up to 75 dwellings	Financial contributions for highways (junction improvements and parking restrictions), healthcare, early years and childcare and primary education and primary and secondary school transport, pavilion and travel plan monitoring. Affordable housing.
Theedhams Farm, Southminster	OUT/MAL/14/00613	94 dwellings and land for medical centre	Financial contributions for healthcare and secondary school transport. Land for a medical centre. Highways works. Affordable housing.
Brooks Bros, The Causeway, Maldon	FUL/MAL/14/00861	Retail units and foodstore	Travel plan monitoring fee
Land North of Woodrolfe Road, Tollesbury	OUT/MAL/14/01202	24 dwellings	Financial contributions for early years and childcare, primary and secondary school transport. Affordable housing.

Site address / application reference	Application Reference	Description of development	S106 requirements
Fambridge Road, North Fambridge	OUT/MAL/14/01016	Up to 75 dwellings	Financial contributions for primary and secondary school transport, healthcare, travel plan monitoring and ecological improvements. Affordable housing.
Manor Farm, The Avenue, North Fambridge	OUT/MAL/14/01018	Up to 30 dwellings	Financial contributions for primary and secondary school transport. Affordable housing.
Land East of 53 Burnham Road, Latchingdon	OUT/MAL/14/01227	Residential development	Financial contributions for early years and childcare education and secondary school transport. Affordable housing.
Land East of Malone Cottage, Maypole Road, Wickham Bishops	OUT/MAL/15/00267	14 dwellings	Affordable housing
Land West of Bridgemans Green, Latchingdon	OUT/MAL/15/00396	52 dwellings	Financial contributions for healthcare. Affordable housing. Highways works.

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Southminster – new play equipment at King George V Memorial Field



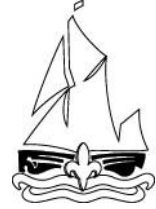


New roof to Parish Hall in Maylandsea



Preparation works for extension to Parish Hall, Maylandsea





REPORT of CHIEF EXECUTIVE

**to
OVERVIEW AND SCRUTINY COMMITTEE
8 FEBRUARY 2017**

2016 / 17 PROGRAMME OF WORK UPDATE

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this paper is to provide an update on the work programme of this Committee for the current municipal year.

2. RECOMMENDATION

That the contents of this report be noted.

3. SUMMARY OF KEY ISSUES

This report is for Members' information only.

- 3.1 The Committee agreed a programme of work at the first meeting of the municipal year and **APPENDIX A** provides an update on each of the various agreed scrutiny topics.

4. CONCLUSION

- 4.1 The work programme for 2016 / 17 is progressing in line with expectation.

5. IMPACT ON CORPORATE GOALS

- 5.1 The work of the Overview and Scrutiny Committee supports the Corporate Goal of: "Delivering good quality, cost effective and valued services".

6. IMPLICATIONS

- (i) **Impact on Customers** – Scrutiny work may aid in improvements to service to the public by the Council and external authorities.
- (ii) **Impact on Equalities** – None identified.

- (iii) **Impact on Risk** – Recommendations arising from scrutiny could assist in mitigating corporate risks.
- (iv) **Impact on Resources (financial)** – Officer time in preparing the reports and supporting information.
- (v) **Impact on Resources (human)** – None identified.
- (vi) **Impact on the Environment** – None identified.

Background papers: None.

Enquiries to: Fiona Marshall, Chief Executive, (Tel: 01621 854477).

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny	Required for 11 January meeting
Community Hospital	Councillor S J Savage	Chief Executive	The Committee has requested to receive updates on the progress of the Community Hospital and, if necessary, meet with the agencies concerned to ensure that the project is progressing in a timely manner.	Representatives of the Clinical Commissioning Group (CCG) have been asked to attend this meeting to respond to Member concerns regarding the removal of beds from the local hospital facility. Due to prior engagements they are unable to attend and will be invited to attend the March 29 meeting of this Committee.
Provision of Healthcare Services	Councillor N R Pudney	Chief Executive	The original purpose of the scrutiny was to meet with a representative from the National Health Service (NHS) England to allow for the service to account for the practice of agreeing developer contributions to mitigate the pressures on local medical centres, where such medical centres are at capacity and where the operators of such medical centres object to planning applications within their catchment areas on the grounds of incapacity. However Members raised at the June 2016 meeting, that GP surgeries had advised they were unable to take on more patients despite such contributions being made. It was further agreed at the July 2016 meeting that due to the possible downgrading of the accident and emergency facility at Broomfield in favour of Basildon, that representatives from the Health Service should be invited to attend a future Overview and Scrutiny Committee (O&S) meeting to address Members' concerns in this area.	Progress on delivery of the Mid-Essex Strategic Estates Plan will be reported via the Maldon Health Hub Project Board, further updates will be provided as soon as they are available.
Section 106	TBC	Director of Resources	The Committee asked for confirmation of: - Arrangements for collection of Section 106 contributions - trigger points, billing etc. - Sums received and held - Decision making process for allocation	Report scheduled for the February Committee
Elections	Councillor H M Bass	Chief Executive	After the 2015 Elections, the Council has reviewed all processes and procedures used in the Elections and that an improvement plan was presented to the O&S in February 2016. It was agreed by the Committee that a further report on elections will be brought to the Committee in 2016 / 17.	The Committee agreed that a further update report should be presented to the Committee following the 2017 County Council election.

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny	Required for 11 January meeting
Planning Enforcement	Councillor E L Bamford	Director of Planning and Regulatory Services	<p>The scope of the review for planning enforcement is broken down into three parts, namely:</p> <ul style="list-style-type: none"> - Statutory responsibilities and Maldon District Council's Policy; - Discharge and management of planning enforcement; - Suggested changes to the management of planning enforcement. <p>The first two parts of the review was reported to O&S in February 2016 and the final part was to be brought to the Committee at a future date.</p>	The Scrutiny Lead and Group Manager for Planning Services have reviewed the draft policy and it will be reported back to the Committee on 29 March.
Primary school education in the District	Councillor H M Bass	Director of Customers and Community	<p>To understand the standards of education being provided in the Maldon District at primary level. The Committee was presented with a report at its meeting in April 2016 and it was agreed that an invitation will be sent to Claire Kershaw, Head of Commissioning Education and Lifelong Learning from Essex County Council and Reverend Tim Elbourne, Director of Education from Chelmsford Diocese to a future meeting of this Committee to facilitate the scrutiny of primary education within the Maldon District.</p> <p>The Committee agreed at the June meeting that a further report should be brought back to this Committee towards the end of the year.</p>	Primary Education was scrutinised by this Committee on 11 January and a number of recommendations were made. This matter will be brought back to this Committee to check progress on the recommendations and performance of local primary schools in 12 -15 Months.

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny	Required for 11 January meeting
Stow Maries Aerodrome	Councillor M Heard	Director of Resources	To ensure that the management of Stow Maries Aerodrome were operating the organisation in such a way to give some assurance to the Committee that the Council could expect to recover its monies correctly. The Committee received a report on this at the April 2016 meeting and agreed that a representative from Stow Maries Great War Aerodrome Limited be invited to attend a future meeting of the Committee to demonstrate their sustainable business plan and discuss their ability to repay the Maldon District Council loan; with particular focus on how they were planning to generate more income in the longer term and their long term vision on the Stow Maries Aerodrome	The Trust's most recently quarterly accounts are running at a trading deficit for 2016 / 17 and are expected to deliver a similar deficit next year. The Trust are seeking to cover the gap through grant applications and fund raising activities. The scrutiny lead and the Chief Executive are due to meet with representatives of the Aerodrome to discuss their financial position in the light of the ongoing monthly deficit demonstrated through their management accounts
Members and Officers Communication protocol	Councillor Mrs P A Channer	Director of Resources	To review the current Communication protocols and suggests any necessary improvements. The revised protocol was submitted to the Finance and Corporate Services (F&CS) Committee for consideration, however further comments were received at the meeting, it was resolved that the O&S Committee should consider the comments raised to see if any adjustments are necessary.	The Interim Director of Resources has met with the scrutiny lead and appraised himself of the work undertaken on this review to date and another meeting is now being arranged to discuss next steps. A verbal update will be provided at the meeting.
Staff sickness	Councillor N R Pudney	Director of Resources	The scope of the scrutiny is to review the success of training, sickness prevention, successful working with managers, productivity and efficiency, what was in place to mitigate any issues in respect of the impact on other members of staff when a staff member goes off on long term sickness	The Interim Director of Resources has met with the scrutiny lead to discuss our existing processes and procedures and how the new Absence Management Policy that has recently been adopted by the Council will help to address the high levels of sickness absence. Councillor N R Pudney will attend one of the scheduled training sessions with Managers as an observer and another meeting will be scheduled with Councillors Mrs P A Channer and Pudney following this.

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