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APOLOGIES Committee Services
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HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

05 September 2018

Dear Councillor

You are summoned to attend the;

MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 13 SEPTEMBER 2018 at 7.30 pm.**

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

A copy of the agenda is attached.

Yours faithfully



Head of Paid Service

Please note: Limited hard copies of this agenda and its related papers will be available at the meeting. Electronic copies are available via the Council's website.

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**AGENDA
COUNCIL**

THURSDAY 13 SEPTEMBER 2018

1. **Chairman's notices**

2. **Apologies for Absence**

3. **Declaration 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).

4. **Minutes - 12 July 2018** (Pages 7 - 22)

To confirm the Minutes of the extraordinary Council meeting held on 12 July 2018 (copy enclosed).

5. **Minutes - 9 August 2018** (Pages 23 - 28)

To confirm the Minutes of the extraordinary Council meeting held on 9 August 2018 (copy enclosed).

6. **Minutes - 16 August 2018** (Pages 29 - 34)

To confirm the Minutes of the extraordinary Council meeting held on 16 August 2018 (copy enclosed).

7. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

8. **Chairman's Announcements**

9. **Minute Book** (Pages 35 - 146)

To consider the Minutes of the under mentioned Committees (copy enclosed).

* Please note that where Minutes contain recommendations to the Council the Minute references for these recommendations are listed below for Members' information.

Finance and Corporate Services Committee *	12 June 2018
• Minute 170 – Chief Executive's Performance Appraisal	
• Minute 173 – HR Policies and Procedures	
• Minute 176 – Annual Treasury Outturn 2017 / 18	
• Minute 179 – Proposals to change to office opening time to public	
Community Services Committee	10 July 2018
Overview and Scrutiny Committee (special meeting)	17 July 2018
Planning and Licensing Committee *	19 July 2018
• Minute 290 – Maldon District Specialist Needs Housing Supplementary Planning Document	
Finance and Corporate Services Committee	31 July 2018
Community Services Committee	28 August 2018
Overview and Scrutiny Committee	29 August 2018

10. **Minutes of Meetings of Committees**

To note that since the last Council, up until Wednesday 5 September 2018 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Minutes published:

South Eastern Area Planning Committee	18 June 2018
Audit Committee (special meeting)	21 June 2018
Central Area Planning Committee	27 June 2018
North Western Area Planning Committee	9 July 2018
South Eastern Area Planning Committee	16 July 2018
Central Area Planning Committee	25 July 2018
Audit Committee	26 July 2018
North Western Area Planning Committee	6 August 2018
Appointments Committee	8 August 2018

11. **Questions in accordance with Procedure Rule 6(3) of which notice has been given**
12. **Request for match funding to bring forward additional County Highways Projects**
(Pages 147 - 150)

To consider the report of the Leader of the Council (copy enclosed).
13. **New Procedure and Authorisations for Sealing and Signing of Documents** (Pages 151 - 152)

To consider the report of the Director of Resources, (copy enclosed).
14. **Fees and Charges in Promenade Park** (Pages 153 - 160)

To consider the report of the Director of Customers and Community, (copy enclosed).
15. **Conclusions of the Strengthening Communities Task and Finish Working Group**
(Pages 161 - 196)

To consider the report of the Director of Service Delivery, (copy enclosed).
16. **Draft Maldon District Housing Strategy: Stakeholder and Public Consultation**
(Pages 197 - 270)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
17. **Little Totham Parish Council - Community Governance Review** (Pages 271 - 284)

To consider the report of the Director of Resources, (copy enclosed).
18. **Restructure of Planning Committees** (Pages 285 - 300)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
19. **Naming of Respondents in Planning Reports** (Pages 301 - 306)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
20. **Petitions Scheme Update** (Pages 307 - 320)

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

21. **Questions to the Leader of the Council in accordance with Procedure Rule 1 (3) (m)**
22. **Business by reason of special circumstances considered by the Chairman to be 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

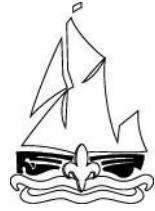
In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

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)

This meeting is being monitored and recorded by CCTV.



**MINUTES of
COUNCIL (EXTRAORDINARY)
12 JULY 2018**

PRESENT

Chairman	Councillor H M Bass
Councillors	Mrs B F Acevedo, E L Bamford, Miss A M Beale, B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC, Mrs H E Elliott, P G L Elliott, A S Fluker, Mrs B D Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, CC, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, D M Sismey, A K M St. Joseph and Mrs M E Thompson

257. CHAIRMAN ANNOUNCEMENTS

The Chairman referred to the notices printed on the agenda.

258. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J P F Archer, I E Dobson, R P F Dewick, M F L Durham CC, B E Harker, J V Keyes, M R Pearlman, N R Pudney and Miss S White.

259. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council and in particular Agenda Item 4 – FUL/MAL/18/00093 Land Between Chandlers and Creeksea Lane, Maldon Road, Burnham-on-Crouch and Agenda Item 5 Review of Significant Partnerships along with any other reports referring to the County Council.

Councillor R Pratt disclosed a non-pecuniary interest as a Member of Essex County Council, specifically in relation to Agenda Item 4 – FUL/MAL/18/00093 Land Between Chandlers and Creeksea Lane, Maldon Road, Burnham-on-Crouch as the County Council was a consultee and Agenda Item 5 Review of Significant Partnerships.

260. FUL/MAL/18/00093 - LAND BETWEEN CHANDLERS AND CREEKSEA LANE, MALDON ROAD, BURNHAM-ON-CROUCH

Application Number	FUL/MAL/18/00093
Location	Land between Chandlers and Creeksea Lane, Burnham-on-Crouch, Essex
Proposal	Variation of condition 18 on approved planning permission FUL/MAL/14/00356 (Application for full planning permission for 180 homes (including 20 bungalows), new vehicular accesses onto Maldon Road, the spine road through the development, green space, and associated infrastructure. Outline planning permission with all matters reserved (except for access) is sought for a 50-60 bed care home, a nursery school, 3.4 hectares of B1, B2 and B8 with 0.65 hectares of allotments)
Applicant	David Wilson Homes Eastern Counties
Agent	Mr Ray Houghton
Target Decision Date	13 July 2018
Case Officer	Mark Woodger
Parish	BURNHAM NORTH
Reason for Referral to the Committee / Council	Previous Committee Decision Major Application

Following the Officers' presentation, Mr Houghton the applicant addressed the Committee.

Councillor A S Fluker drew Members' attention to paragraph 7.4.1 of the report and how Members were unable to identify the location of persons who had made representation. In response, the Chairman advised that this matter had been drawn to the attention of the Director of Planning and Regulatory Services who advised he would discuss the matter with the Council's General Data Protections Regulations Officer and report back to Members.

In response to a question, the Principal Planner – Major Applications (Strategic Sites) advised Members that the table within the report which detailed the changes to the housing mix was incorrect and therefore provided Members with the correct figures in respect of this. The Officer clarified that the previous scheme proposed 45 market dwellings and that is what was proposed in this scheme and therefore it was ground neutral.

In response to a question regarding the noise to dwellings adjacent to the site and the weight given to the Environmental Health Officer's consultation, the Principal Planner – Major Applications (Strategic Sites) advised that Officers had undertaken discussions with Environmental Health, following receipt of their consultation response. Members were advised that the approved permission included a condition regarding noise protection and this was also proposed for this application, should Members be mindful to approve it. It was further noted that road noise did not form a statutory nuisance.

Councillor P G L Elliott, a Burnham-on-Crouch Ward Member, raised a number of concerns with the this application including how the layout would increase nuisance and density to the north of the site. He recommended that the application be refused so that this factor could be addressed.

A debate ensued and a number of further concerns were discussed, these included noise, the proposed layout changes and the impact of the changes to the development 'Chandlers'. Reference was also made to the Burnham-on-Crouch Neighbourhood Plan.

Following further discussions, Councillor R G Boyce proposed that the application be approved. This proposal was duly seconded.

The Principal Planner – Major Applications (Strategic Sites) provided the following information in response to questions raised by Members:

- Permitted development rights for roof lights, dormer windows etc. could be removed via a condition.
- An informative could be added requesting that the Highways department discuss with utility providers, as part of Section 78 discussions, minimising the disruption to the Maldon Road during construction of the development.
- The construction management plan would detail the proposed hours of operation for the site and in response to questions about weekend working the Officer provided further advice.
- The approved permission included provision for 20 bungalows and this new scheme increased that provision to 29.

Councillor P G L Elliott proposed that the application be refused, contrary to the Officers recommendation. This proposal was duly seconded. Upon a vote being taken the Chairman declared the motion lost. Councillors Elliott and R Pratt requested that their vote for refusal of this application be recorded.

The Chairman then put the proposal in the name of Councillor Boyce, for approval of the application. This proposal was duly amended to include a condition (wording delegated to the Principal Planner – Major Applications (Strategic Sites)) regarding the removal of permitted development rights in relation to dormer and velux windows in roof spaces of properties and an informative requesting that the Highways Authority liaise with utility providers as part of Section 78 discussions to ensure any required works had minimum impact to the Maldon Road. Upon a vote being taken this was agreed.

RESOLVED that this application be **APPROVED** subject the applicant entering into a Section 106 Agreement and to conditions as set out below with the additional condition and informative as set out above.

Section 106 Agreement Heads of Terms

Previously planning permission reference FUL/MAL/14/00356 was granted with a S.106 Agreement. By virtue of paragraph 16.10 of the Agreement means that this Section 73 application binds to the previously signed agreement hence the provision of affordable housing, LMO's etc. are here retained.

Conditions:

OUTLINE consent

- 1 The development hereby permitted shall be begun within two years from the date of the final approval of the reserved matters. The development shall be carried out as approved.
- 2 Application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 The development shall be carried out in accordance with plans and particulars relating to the layout, scale, appearance, and the landscaping of the site (hereinafter called "the reserved matters"), for which approval shall be obtained from the Local Planning Authority in writing before any development is begun. The development shall be carried out fully in accordance with the details as approved.
- 4 The residential care home hereby approved shall only be used as a residential care home and for no other purpose including any purpose as defined within Class C2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
- 5 The B1 office units as shown on plan reference H776-001 D which is attached to and forms part of this planning permission shall only be used for office purposes as defined within Class B1(a) of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
- 6 The day nursery hereby approved shall only be used as a children's day nursery and for no other purpose including any purpose as defined within Class D1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order) and for no other purpose.
- 7 The development submitted pursuant to the reserved matters application shall accord with the non-residential building heights plan drawing number 013-004-A09 which forms part of the application hereby approved.
- 8 The landscaping details and specifications of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be submitted concurrently with the other reserved matters. These landscaping details shall include the layout of the hard landscaped areas with the materials and finishes to be used together with details of the means of enclosure, car parking layout, vehicle and pedestrian accesses. The details of the soft landscape works shall include schedules of shrubs and trees to be planted, noting the species, stock size, proposed numbers / densities and details of the planting scheme's implementation, aftercare and maintenance programme. The hard landscape works shall be carried out as approved prior to the beneficial occupation of the development hereby approved unless otherwise first agreed in writing by the Local Planning Authority. The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development, unless otherwise first agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant that tree or plant, or any tree or plant planted in its replacement, is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged

or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation.

9 The scheme to be submitted pursuant to the reserved matters regarding layout shall make provision for car parking within the site in accordance with the Council's adopted car parking standards. Prior to the occupation of any building the associated parking areas shall be constructed, surfaced, laid out and made available for such purposes in accordance with the approved scheme and retained as such thereafter.

10 Deliveries to and collections from any commercial premises shall only be undertaken between 08:00 hours and 18:00 hours on weekdays and between 08:00 hours and 18:00 hours on Saturdays and not at any time on Sundays and Public Holidays.

11 No machinery shall be operated and no process shall be undertaken outside of any of the B1/B2/B8 units.

12 The hours of operation of the B1 / B2 / B8 units hereby permitted shall be between 08:00 hours and 19:00 hours on weekdays and between 08:00 hours and 16:00 hours on Saturdays and not at any time on Sundays and Public Holidays.

13 There shall be no container handling, no loading or unloading of goods vehicles or containers, and no use of fork lift trucks or other goods handling vehicles, HGV's etc. on the industrial/commercial areas outside of the operating hours as detailed in condition 12.

14 There shall be no burning of waste, either liquid or solid, on any commercial premises.

15 Before the installation of any extract ventilation system, compressors, generators, refrigeration equipment, and any other fixed plant, details of the equipment, its location, acoustic housing and any vibration isolation measures, together with the projected noise levels at the boundary of the property, shall be submitted to and agreed in writing by the Local Planning Authority. Only approved plant shall be installed and retained in the approved form thereafter.

16 Acoustic Barriers shall form the boundary fence between the industrial estates and adjacent non industrial areas. Prior to the commencement of development of the commercial areas of the site details of the design and construction of the acoustic barrier including materials of construction, height and acoustic performance shall be submitted to and approved in writing by the Local Planning Authority and retained in the approved form thereafter.

FULL consent

17 The development hereby permitted shall be begun before the expiration of three years from the 11 August 2017.

18 The development hereby permitted shall be carried out in complete accordance with the following drawings:

• H7760 001 D	• BDW-2A-EL-SS2	• H7760 042
• H7760 003 D	D	• H7760 06
• H7760 004 D	• BDW-2A-EL-SS3	• H7760 070
• H7760 005 D	D	• H7760 080
• H7760 006 C	• 013-004-A11	• H7760 081
• H7760 007 D	• H7760 020	• H7760 082
• H7760 008 D	• H7760 030	• H7760 090
• BDW-2A-EL-SS1	• H7760 040	• H7760 091
D	• H7760 041	• H7760 092

	<ul style="list-style-type: none"> • H7760 100 • H7760 101 • H7760 110 • H7760 111 • H7760 112 • H7760 120 • H7760 121 • H7760 122 • H7760 123 • H7760 140 • H7760 141 • H7760 150 • H7760 160 • H7760 170 • H7760 180 • H7760 190 	<ul style="list-style-type: none"> • H7760 200 • H7760 201 • H7760 210 • H7760 211 • H7760/PA/GH/001 • H7760/PA/GH/002 • H7760 300 C • H7769 301 C • H7760 302 • 300 C • 301 C • 302 • 2064 01 B • 2064 02 D 	<ul style="list-style-type: none"> • 2064 03 D • 2064 04 D • 2064 05 D • 2064 06 C • 2064 07 C • 2064 08 D • 2064 09 C • 2064 10 C • 2064 11 C • 2064 12 C • 2064 13 C • 2064 14 C • 2064 15 A • 2064 16 • 2064 17 • H7760-400-01
19	Prior to the commencement of development, precise written details of the proposed phasing of development, supported by a detailed phasing plan shall be submitted to and be approved in writing by the Local Planning Authority. The development shall proceed in compliance with the agreed phasing schedule as approved.		
20	No development shall take place until written details or samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out using the materials and details as approved.		
21	No development shall take place until full details of the provision and subsequent retention of both hard and soft landscape works on the site have been submitted to and approved in writing by the Local Planning Authority. These details shall include:		

Soft landscape works:

- 1) Details of proposed schedules of species of trees and shrubs to be planted, planting layouts with stock sizes and planting numbers/densities.
- 2) Details of the planting scheme implementation programme, including ground protection and preparation, weed clearance, stock sizes, seeding rates, planting methods, mulching, plant protection, staking and/or other support.
- 3) Details of the aftercare and maintenance programme.

The soft landscape works shall be carried out as approved within the first available planting season (October to March inclusive) following the commencement of the development unless otherwise agreed in writing by the Local Planning Authority. If within a period of five years from the date of the planting of any tree or plant, or any tree or plant planted in its replacement, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted in the same place, unless the Local Planning Authority gives its written consent to any variation

Hard Landscape works:

- 1) Details of walls with brick types, construction design and dimensions
- 2) Details of paved surfacing, with materials finishing and edgings
- 3) Details of street furniture, with designs materials and dimensions

The hard landscape works shall be carried out as approved prior to the first use/occupation of the development to which it relates hereby approved and retained and maintained as such thereafter.

22 Notwithstanding the details submitted no development shall commence until details of the two proposed Local Equipped Areas for Play (LEAPs) together with a timetable for implementation and arrangements for the future management and maintenance have been submitted to and approved in writing by the Local Planning Authority. Such details shall include all items of play equipment, landscaping, ground surfacing, enclosure of the area incorporating self-closing gates, seating, and refuse facilities and safety notices. The LEAPs shall be implemented and shall be made available for public use in accordance with the approved timetable for implementation unless otherwise agreed through a variation of condition application by the Local Planning Authority. The LEAPs shall be permanently maintained in accordance with the approved details and retained for such purposes thereafter.

23 The areas of public open space shall be laid out and landscaped in accordance with a detailed scheme and timetable for implementation to include details of future management and maintenance that shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development.

The open space shall be made available for public use in accordance with the approved timetable for implementation unless otherwise agreed through a variation of condition application by the Local Planning Authority.

24 The public open space shall be permanently maintained in accordance with the approved details and retained for such purposes thereafter.

25 The allotments shall be laid out and landscaped in accordance with a detailed scheme and timetable for implementation to include details of future management and maintenance that shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of development. The allotments shall be made available for use in accordance with the approved timetable for implementation unless otherwise agreed through a variation of condition application by the Local Planning Authority. The allotments shall be permanently maintained in accordance with the approved details and retained for such purposes thereafter.

26 Prior to commencement of the development a scheme for the upgrading of public footpath no. 4 Burnham-On-Crouch within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and any road crossing point works shall be implemented before the relevant road is open to traffic.

26 Prior to commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority for the provision and location of two new bus stops on B1010 within the vicinity of the proposed pedestrian access to the east of the site, subject to a Stage 1 Road Safety Audit, to include the following:

- the provision of bus shelters with raised kerbs, to Essex County Council specification, on the north and south side of the B1010.
- The approved scheme of works shall be implemented prior to first occupation of the development.

27 No development shall commence until the details of a Residential Travel Information Pack for sustainable transport have been submitted to and approved in writing by the Local Planning Authority. The approved Residential Information Travel Pack shall be provided to residents on first occupation of each dwelling.

28 The carriageway(s) of the proposed estate road(s) shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling intended to take access therefrom. Furthermore, the carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway.

Until such time as the final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and paths commensurate with the frontage of each dwelling shall be fully completed with final surfacing within twelve months from the occupation of such dwelling.

29 No dwelling shall be occupied until a scheme detailing ecological enhancements has been submitted to and approved by the Local Planning Authority. Such details shall include ecological enhancements including the provision of bird and bat boxes. The ecological enhancements as agreed shall be implemented as approved and retained as such thereafter for a minimum period of five years from the date of completion of the development.

30 No development shall commence until a noise assessment determining the effects of noise from the existing Springfield Industrial Estate and Burnham Business Park on the proposed residential dwellings has been submitted to and approved in writing by the Local Planning Authority.

Where identified as necessary the noise assessment shall recommend mitigation measures to ensure that internal and external noise levels are acceptable with regards to the amenity of future occupiers of the dwellings. The development shall be carried out in accordance with any agreed mitigation measures.

Both OUTLINE and FULL consents

31 No development shall commence until a strategy to facilitate superfast broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority.

The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works and in the construction of frontage thresholds to dwellings that abut the highway, unless evidence is put forward and agreed in writing by the Local Planning Authority that technological advances for the provision of a broadband service for the majority of potential customers will no longer

necessitate below ground infrastructure. The development of the site shall be carried out in accordance with the approved strategy.

32 No development shall commence until details of the siting, height, design and materials of the treatment of all boundaries including gates, fences, walls, railings and piers have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment as approved shall be constructed prior to the first use / occupation of the development to which it relates and be retained as such thereafter.

33 Prior to the commencement of development details of the existing and proposed ground levels together with proposed finished floor levels shall be submitted to and be approved in writing by the Local Planning Authority. The development hereby permitted shall then be constructed in accordance with the approved ground and finished floor levels.

34 With the exception of those shown for removal on approved plan reference 3532-D-1 revision C no trees or hedgerows within the site shall be felled, cut back, damaged or removed, unless otherwise first agreed in writing with the Local Planning Authority.

35 No development shall commence until information has been submitted and approved in writing by the Local Planning Authority in accordance with the requirements of BS5837:2012 in relation to tree retention and protection as follows:

- Tree retention protection plan;
- Method statement for any changes within the RPA of any retained tree
- Tree constraints plan;
- Arboricultural method statement (including drainage service runs and construction of hard surfaces).
- The protective fencing and ground protection shall be retained until all equipment, machinery and surplus materials have been removed from the site.

If within five years from the completion of the development an existing tree is removed, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, a replacement tree shall be planted within the site of such species and size and shall be planted at such time, as specified in writing by the Local Planning Authority. The tree protection measures shall be carried out in accordance with the approved details.

36 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the approved foul water strategy.

The scheme shall also include:

- details of how the scheme shall be maintained and managed after completion
- details of culverts over the ordinary watercourse and agreement from Essex County Council
- the outcome of investigation into Outfall 1's downstream connectivity.

- calculations of the piped network performance in the 1 in 30 year or 1 in 100 year rainfall events, including climate change
- details of the future adoption and maintenance of the proposed surface water scheme for the lifetime of the proposed development.
- Limiting discharge rates to 3.46 l/s/ha for storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Final modelling and calculation for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the CIRIA SuDS manual C75.
- Detailed engineering drawings for each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FL and ground levels, and location and size of any drainage features.
- A written report summarizing the final strategy and highlighting any
- minor changes to the approved strategy.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

38 No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority of an on-site construction management plan detailing:

- Access arrangements to the site in conjunction with demolition/construction operations.
- The parking of vehicles of site operatives and visitors.
- Loading and unloading of plant and materials.
- Storage of plant and materials used in constructing the development.
- Wheel and underbody washing facilities.
- Mitigation measures to protect ecology on site.
- Dust management.
- Pollution control: protection of water courses and ground water and soils, bunding of fuel storage areas, sewage disposal.
- Temporary site illumination.
- Arrangements for keeping the site entrance and adjacent public road clean.
- Construction noise management plan.

All approved measures shall be put in place prior to development commencing on site and all subsequent construction of the development shall be implemented in accordance with the approved details.

39 Prior to first occupation of the development the highway works as shown in principle on Parc drawing no.013-004-A01, shall be implemented, to include, but not limited to the following:

- The provision of a priority junction as shown in principle on TPA drawing no.1203-03-SK11.
- Both new accesses onto the B1010 shall have clear to ground visibility splays of 2.4m x 90m to remain in perpetuity. None of the 174 dwellings shown to be accessed from the spine road and the east access shall be occupied until the access is in place and none of the 54 dwellings located off the private drive in Maldon Road shall be occupied until this (west) access is in place. For the western access clear visibility splays of 2.4m X 90m shall remain in perpetuity.
- The provision of a new priority junction onto the B1010 to the southeast of the Creeksea Lane junction.
- The provision of a new pedestrian/cycle access onto Creeksea Lane.
- The provision of a 2m wide footway up to a maximum available width of 1.8 metres within the highway boundary across the entire site frontage to tie into the existing footway at Chandlers. The footpath shall be in place and available for use prior to the occupation of the first dwellings on site.
- The provision of at least 2 crossing points on the B1010 to consist of dropped kerbs and tactile paving.
- The provision of physical measures to prevent HGVs from accessing the proposed industrial site to the south of the site.
- The industrial road to the south of the site, below the pinch point, shall tie into the existing road from Springfield Industrial Estate and shall be the same width as the existing road.
- The provision of a footway/cycleway with a minimum width of 3 metres between the residential development and the industrial estate to the south of the site

40

A) No demolition / development or groundworks shall commence until a Written Scheme of Investigation, in response to an archaeological brief, has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:

1. The programme and methodology of site investigation and recording.
2. The programme for post investigation assessment.
3. Provision to be made for analysis of the site investigation and recording.
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
5. Provision to be made for archive deposition of the analysis and records of the site investigation.

B) No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

41 No development shall commence until full details of an ecological mitigation scheme have been submitted to and approved in writing by the Local Planning Authority. The ecological mitigation scheme shall follow the recommendations set out in the submitted Ecology Report, dated May 2015.

The scheme shall also include:

- full mitigation for Great Crested Newts;
- details of how the scheme shall be maintained and managed after completion;
- details of scheduling of mitigation works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

42 Prior to the commencement of the development hereby permitted, details of the means of refuse and recycling storage including details of any bin stores to be provided shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details and provided prior to the first occupation of the development and retained for such purposes at all times thereafter.

43 No development shall commence until details of the external public lighting strategy for the site including the luminance and spread of light and the design and specification of the light fittings shall be submitted to and approved in writing by the Local Planning Authority. All illumination within the site shall be retained in accordance with the approved details. There shall be no other lighting of the external areas of the site unless otherwise agreed in writing by the Local Planning Authority.

44 No development shall commence until the results and findings of further intrusive investigations recommended in the Delta Simons Environmental Assessment Report, Project No 14-0188-01 have been submitted to and approved in writing by the Local Planning Authority.

45 Where identified as necessary in accordance with the requirements of condition 44, no development shall commence, other than that required to carry out remediation, until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in

relation to the intended use of the land after remediation. The development hereby permitted shall not commence until the measures set out in the approved scheme have been implemented, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

This shall be conducted in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'. The development hereby permitted shall not commence until the measures set out in the approved report have been implemented.

46 No development shall commence until a scheme has been submitted to and approved in writing by the Local Planning Authority that details the measures aimed at mitigating or offsetting the impacts on local air quality resulting from increased road traffic emissions generated by the development. The agreed measures shall be implemented prior to the final completion of the development.

261. REVIEW OF SIGNIFICANT PARTNERSHIPS

The Council considered the report of the Chief Executive seeking Members' endorsement to continue the Council's involvement with current significant partnerships.

Appendix 1 to the report detailed the Council's current significant partnerships and provided detailed information regarding each. It was noted that a review of the significant partnerships had been undertaken to ensure risks to MDC were identified and where necessary mitigated. The review also sought to confirm partnership objectives were being achieved, the governance of each partnership was sound and that Council Officer time was being used effectively.

It was noted that the Council's Internal Auditors had recently undertaken an audit of the Council's approach to managing partnership and the level of assurance for both the design and operational effectiveness of the current process of moderate given.

Councillor A S Fluker proposed that the recommendations as set out in report be agreed. This proposal was duly seconded.

At this point Councillor Mrs P A Channer disclosed a non-pecuniary interest in this item of business as she was the Local Authorities representative on the Police and Crime Panel, referred to in the report, and which gave some funding to the Community Safety Partnership (CSP).

Councillor M S Heard disclosed a non-pecuniary interest in this item of business. He queried the absence of the Police, Citizens Advice Bureau (CAB) and Job Centre as strategic partners. In response the Chief Executive advised that the Police was picked

up through the CSP and the CAB should be included on the list and she would seek to get this amended. In respect of the Job Centre it was noted that this was not classified as a significant partnership.

In response to a question regarding the Procurement Hub and use of local businesses, the Director of Resources advised that the Procurement Hub followed the Council's Contract Procedure Rules and there was an allowance to buy locally, but it was also important to comply with National and European requirements and retain value for money.

RESOLVED

- (i) That the contents of the report be noted;
- (ii) That the Citizens Advice Bureau be added to the list of Strategic Partnerships;
- (iii) That Officers report back to the relevant Committee with further information on any of the significant partnership details in Appendix (as updated) to the report, as required.

262. BURNHAM-ON-CROUCH TOURIST INFORMATION CENTRE PROVISION UPDATE

The Council considered the report of the Director of Customers and Community seeking Members' agreement to extend the trial of the Burnham-on-Crouch Tourist Information Centre (TIC) until the end of the financial year 2018 / 19.

The report provided background information on the decision to trial a TIC in Burnham-on-Crouch. The Planning and Licensing Committee at its last meeting had considered a request to extend the trial but deferred the matter, seeking further information on service outputs including net income. It was noted that due to the current lease expiring on 31 July 2018 deferring the decision to extend the trial until the next meeting of the Planning and Licensing Committee presented an operational challenge.

Councillor Mrs P A Channer, Chairman of the Planning and Licensing Committee, commented that the report and information contained within the appendix sought to address the information requested by the Planning and Licensing Committee. Councillor Mrs Channer proposed that the recommendation as set out in the report be agreed.

In response to a comment it was noted that the figures detailed in the table to Appendix 1 were incorrect.

Councillor A S Fluker, in seconding the proposal of Councillor Mrs Channer, highlighted the opportunity available to make the Burnham-on-Crouch TIC cost neutral and requested that this be highlighted to the relevant Officers.

RESOLVED that an extension to the trial of the Burnham-on-Crouch Tourist Information Office until the end of the current financial year (March 2019), be agreed.

263. MEMBERSHIP OF POLITICAL GROUPS

The Council considered the report of the Chief Executive updating Members on changes to the composition of Political Groups.

The following changes to the political balance of the Council were noted:

- Councillor Mrs H E Elliott was no longer aligned with the Conservative Group and had now aligned with the Independent Group.
- Councillor Miss M R Lewis was no longer aligned with the Conservative Group, although remained a Member of the Conservative Party.

Members were advised that this change did not trigger a review of the makeup of Committees to address changes in political balance.

The Chief Executive informed Members' that this report was for noting and a matter of fact purely for Members' information.

At this point Councillor Miss Lewis advised Members that she had left the Conservative Group but was still a Conservative and provided some further detail regarding this.

Councillor B S Beale, Leader of the Opposition, advised he was delighted to welcomed Councillor Mrs Elliott to the Independent Group and made further comment in respect of this.

RESOLVED that the contents of the report be noted.

264. PROVISION OF ADVICE SERVICES FROM 2019

The Council considered the report of the Director of Customers and Community seeking Members' approval to extend the existing Advice Services contract with Maldon Citizens Advice (MCA) for a further 12 months to 31 March 2020.

The report provided background information which led to MCA being awarded a three year contract for the provision of an Advice Services from April 2016. It was noted that the contract had been successful and resulted in an improved service, with extended opening hours, a higher volume of customers receiving assistance and MCA securing increased levels of external funding.

The current contract was due to expire in March 2019 and the intention was to recommission the service for a further three years. Members were advised that due to budgetary pressures, the Future Model project work and the need to carefully review all areas of expenditure on discretionary services Officers were proposing that the contract be extended for 12 months during which time all areas of consideration would be investigated. The report set out the advantages and risks in relation to this approach.

The Director of Customers and Community advised that the Community Services Committee would be reviewing the performance of the service at its next meeting.

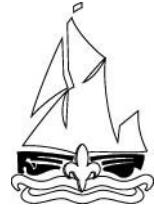
Councillor A S Fluker proposed that recommendation (i) b) be amended to read "...Planning process *and the transformation programme*". This proposal was agreed.

RESOLVED

- (i) That the existing contract with Maldon Citizens Advice for the provision of an Advice Service be extended for a further 12 months (to 31 March 2020) subject to the following conditions:
 - a) that the contract extension will be on the same terms as the current contract;
 - b) that any decision to fund an Advice Service, and the levels of funding will be considered by Members as part of the 2019-20 Strategic Financial Planning process and the transformation programme;
 - c) that following the decisions at (b) above a report will be brought to a future meeting of the Community Services Committee to determine the details of a future procurement process, including the contract specification, timetable, and period of contract.
- (ii) That a procurement exemption for the value of £73,500 under Section 1 paragraph 3 of the Contracts Procedure Rules 2017, be agreed.

There being no further items of business the Chairman closed the meeting at 8.55 pm.

H M BASS
CHAIRMAN



**MINUTES of
COUNCIL
9 AUGUST 2018**

PRESENT

Vice-Chairman (in the chair)	Councillor N R Pudney
Councillors	Mrs B F Acevedo, J P F Archer, B S Beale MBE, R G Boyce MBE, R P F Dewick, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, J V Keyes, Miss M R Lewis, M R Pearlman, R Pratt, CC, S J Savage, Mrs N G F Shaughnessy, A K M St. Joseph, Mrs M E Thompson and Miss S White

330. CHAIRMAN'S NOTICES

The Chairman referred to the notices printed on the agenda.

331. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors H M Bass, E L Bamford, Miss A M Beale, A T Cain, Mrs P A Channer, I E Dobson, M F L Durham, Mrs H E Elliott, Rev. A E J Shrimpton and D M Sismey.

332. DISCLOSURE OF INTEREST

Councillor R Pratt disclosed an interest as a Member of Essex County Council as they were a consultee on some of the matters to be considered.

333. NOTICE OF MOTION

The following motion proposed by Councillor A S Fluker and seconded by Councillor R G Boyce, was received on 24 July 2018.

“That paragraph 3.1 of the Terms of Reference in connection with the Appointments Committee should be amended to add to the list of those officers appointed by the Committee:

“As a temporary measure until the 31st July 2019 those managers that report directly to any of the Directors”.

As a consequential amendment Council Procedure Rule 16(5) should be changed by adding at the end:

“As a temporary measure until the 31st July 2019 those managers that report directly to any of the Directors shall be appointed by the Appointments Committee”.

As a further consequential amendment Council Procedure Rule 16(6) should be changed by adding after “where a Director”:

“or until 31st July 2019 any manager that reports directly to a Director”.

As a further consequential amendment to the Terms of Reference for the Finance and Corporate Services Committee scheme of delegation for the Head of Paid Service at point 2 there should be added at the end:

“(this shall not apply to those managers that report directly to any of the directors until after the 31st July 2019)”.

In response to a question, Councillor Fluker advised that the above changes were being proposed following consultation with the Monitoring Officer.

RESOLVED that the motion, as detailed above, be agreed.

334. NOMINATIONS FOR THE APPOINTMENT OF A NEW LEADER OF THE COUNCIL

The Council considered the report of the Monitoring Officer informing Members that the present Leader of the Council (Leader) Councillor M F L Durham had resigned and that a new Leader needed to be appointed.

It was proposed by Councillor R G Boyce and seconded by Councillor B E Harker that Councillor A S Fluker be elected as Leader of the Council. There being no further nominations it was:

RESOLVED

(i) That Councillor A S Fluker be elected as Leader of the Council for the remainder of the Municipal Year.

It was proposed by Councillor A S Fluker and seconded by Councillor R G Boyce that Councillor Mrs M E Thompson be elected as Deputy Leader of the Council. There being no further nominations it was:

RESOLVED

(ii) That Councillor Mrs M E Thompson be elected as Deputy Leader of the Council for the remainder of the Municipal Year.

The Leader of the Council advised Members that as a result of the above appointments there were consequential amendments required. He proposed that Councillor M W

Helm be added to the Membership of the Appointments Committee. This was duly seconded and upon there being no further nominations this was agreed.

The Leader then proposed that Councillor B E Harker be added to the Membership of the Corporate Governance Working Group. This was duly seconded and there being no further amendments this was agreed.

RESOLVED

- (i) That Councillor M W Helm be appointed to the Appointments Committee;
- (ii) That Councillor B E Harker be appointed to the Corporate Governance Working Group.

335. RECOMMENDATIONS FROM THE APPOINTMENTS COMMITTEE

The Leader of the Council provided a verbal report advising that the Appointments Committee had met on 9 August 2018 and recommended to the Council that Mr Richard Holmes should be appointed as Head of Paid Service on an interim basis until 31 July 2019. This recommendation was duly agreed by the Council.

The Leader further reported that:

- the Appointments Committee had appointed Mr Paul Dodson as the new Director of Strategy, Performance and Governance.
- the posts of Director of Resources and Director of Service Delivery required no appointment as Ms Emma Foy and Mr Richard Holmes were slotted into these posts in accordance with the Council's Human Resources policies.
- the post of Director of Resource had contained within its job description the roles of Returning Officer and Registration Officer previously held by the Chief Executive.

The Leader advised that there were a number of consequential changes required to the Scheme of Delegations and proposed that the following amendments be made:

- any reference to the Director of Customers and Community be replaced with Director of Service Delivery;
- any reference to the Director of Planning and Regulatory Services be replaced with Director of Strategy, Performance and Governance.

This proposal was duly seconded and agreed.

The Leader thanked those Members of the Appointments Committee for making themselves available at such short notice.

RESOLVED

- (i) that Mr Richard Holmes be appointed as Head of Paid Service on an interim basis until 31 July 2019;

(ii) that the following amendments be made to the Council's Schemes of Delegation:

- any reference to the Director of Customers and Community be replaced with Director of Service Delivery;
- any reference to the Director of Planning and Regulatory Services be replaced with Director of Strategy, Performance and Governance.

336. COUNCIL STRUCTURE - APPOINTMENT OF INTERIM HEAD OF PAID SERVICE

The Council considered the report of the Director of Resources providing an update on arrangements put in place following the decision of the Council at its last meeting and its effect on the Council's constitutional documentation.

As previously advised by the Leader of the Council it was noted that a large amount of this report had now been superseded following the recent Director and Head of Paid Service appointments.

The Interim Monitoring Officer advised the that recommendation (i) as set out in the report was still for Members to consider and that recommendations (ii) to (iii) had been superseded. It was reported that as part of these appointments Ms Emma Foy, Director of Resources, had been appointed as Returning Officer and Registration Officer (Electoral) for the Maldon District. In respect of recommendation (iv) emergency actions had changed the constitutional documentation and Members needed to now agree this as a permanent change to the constitution. This was duly agreed.

RESOLVED

- (i) That nature and implications of the emergency action taken by the Chief Executive on 19 July 2018 and its effect until this Council meeting, be noted;
- (ii) That it be accepted that the Director of Resources, Ms Emma Foy, is the Returning Officer and Registration Officer (Electoral) for the election of District and Parish Councillors within the District of Maldon, and for the conduct of Parish Polls within the District;
- (iii) That arrangements for the Interim Head of Paid Service to hold all other residual appointments, Proper Officer designations and delegated powers previously held by the Chief Executive be applied on a permanent basis to the Head of Paid Service, and that the constitutional documentation reflects this.

337. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

338. MALDON ENTERPRISE CENTRE

The Council considered the report of the Director of Planning and Regulatory Services providing an update on work undertaken by Nautilus Associates on a feasibility study for delivery of an Enterprise Centre in the District. Endorsement was also sought of the proposed preferred site to enable the consultant to deliver the next stage of the feasibility study brief.

The report provided background information including the purpose of an Enterprise Centre and a summary of the consultants' interim findings. It was noted that the final site approval would be subject to a final feasibility report which would be presented to a future meeting of the Council.

RESOLVED

- (i) That the selected preferred site (as detailed in the report) for the Maldon District Enterprise Centre, as recommended by Nautilus Associates in their feasibility study report, be endorsed;
- (ii) That it be noted that the next stage of the feasibility brief will now look at the detailed costings and development proposals based on the preferred site.

339. BUSINESS CASE: FULL COUNCIL TRANSFORMATION

The Council considered the report of the Corporate Leadership Team seeking Members' review of the Ignite Business Case for Council Transformation (attached at Appendix 1 to the report), designed to deliver future savings and improve customer service and experience.

The report provided detailed information including, the planned implementation and level of investment required to achieve the Council's Medium Term Financial Strategy commissioning the Ignite Future Model.

The Leader of the Council outlined the report and drew Members' attention to an update which had been circulated prior to the meeting. Following presentation of the report by the Director of Resources the Leader proposed that recommendations (i), (ii) and (iii) as set out in the report be agreed. This proposal was duly seconded.

A lengthy debate ensued, during which a number of questions were raised by Members to which information was provided by Officers and the Leader of the Council.

The Chairman put the proposal to agree recommendations (i), (ii) and (iii) and upon a vote being taken this was duly agreed.

Making reference to recommendation (iv) of the report, the Leader of the Council proposed that Councillors I E Dobson and B E Harker be added to the Member representatives on the Council's existing Transformation Programme Board. This proposal was duly seconded. The Leader also reported that Councillor M F L Durham had resigned from the Transformation Programme Board and he therefore proposed that Councillor R G Boyce replace Councillor Durham on this Board. This proposal was

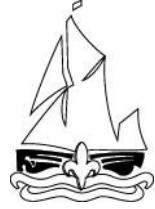
duly seconded. The Chairman then put these proposals to the Council which were agreed.

RESOLVED

- (i) that the content of the Ignite Future Operating Model Blueprint as set out in Appendix 1 to the report, be noted;
- (ii) that the Council agrees to progress with the commissioning of the Ignite Future Council project subject to quarterly gateway reviews contained in reports to the Council in October 2018, January 2019, April 2019, July 2019 and October 2019.
- (iii) that Members specifically review the Net Financial Position in Section 3.2 of this report and consider the following two key points;
 - a) Savings delivered from the future model can only be fully realised if the salary cost envelopes detailed in paragraph 3.2.9 of the report are adhered to.
 - b) Approximately £400,000 of savings are delivered as a result of changes to our delivery model which will need a decision of the Council. This is included at Page 44 et seq. of Appendix 1 to the report and will be reported back for decision at the October 2018 meeting of the Council.
- (iv) that Members note the proposed implementation plan, ongoing project monitoring and governance arrangements and appoint Councillors I E Dobson and B E Harker as additional Council Member representatives to the Council's existing Transformation Programme Board;
- (v) that Councillor R G Boyce MBE replaces Councillor M F L Durham on the Transformation Programme Board.

There being no further items of business the Chairman closed the meeting at 8.30 pm.

N R PUDNEY
CHAIRMAN



**MINUTES of
COUNCIL EXTRAORDINARY - PLANNING
16 AUGUST 2018**

PRESENT

Chairman	Councillor H M Bass
Councillors	J P F Archer, E L Bamford, Miss A M Beale, B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC, I E Dobson, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, CC, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton and Mrs M E Thompson

351. CHAIRMAN'S NOTICES

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

352. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs B Acevedo, M F L Durham, CC, P G L Elliott, Mrs H E Elliott, J V Keyes, N R Pudney, A St Joseph, and Miss S White.

353. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer, CC declared a non-pecuniary interest as she was a Member of Essex County Council, a consultee on planning application matters with respect generally to highways, matters of access and education primarily.

Councillor R Pratt, CC declared a non-pecuniary interest as a Member of Essex County Council, a consultee on planning application matters.

Councillor S J Savage disclosed a non-pecuniary interest as he resides within a terrace house within a conservation area.

**354. FUL/MAL/18/00414 LAND WEST OF BROAD STREET GREEN ROAD,
HEYBRIDGE**

Application Number	FUL/MAL/18/00414
Location	Land west of Broad Street Green Road, Heybridge, Essex
Proposal	Variation of condition 2 on approved planning permission FUL/MAL/17/00585 (attached to FUL/MAL/15/00885). Variation to enable 8 permitted units to be linked.
Applicant	Matthew Parsons, Persimmon Homes Essex
Agent	N/A
Target Decision Date	24 July 2018 EoT: 24 August 2018
Case Officer	Anne Cook
Parish	HEYBRIDGE WEST
Reason for Referral to the Council	Member Call In – Councillor Bryan Harker – public interest

Following the Officers presentation, Members expressed their thanks for the PDF of the presentation being sent prior to the meeting for ease of viewing on their tablet devices.

Members queried whether the housing mix had been impacted at the site with the increase in the size of the proposed dwellings. The Principal Planner - Major Applications (Strategic Sites) advised that the housing mix had not significantly changes, and remained in keeping with the Strategic Housing Market Assessment (SHMA) as there had been no change to the number of 1-2 bedroom units on site.

In response to questions over compliance with the Garden Suburb principals the Urban Design Officer advised that the massing had changed previously with the removal of three of the initially proposed four blocks of flats for houses. Members were advised that the street scenes had been considered and that there were no major impacts and the changes could be absorbed into the surroundings. Officers referred to drawings in the presentation showing open public space at the end of each street scene section and that the middle link between dwellings had been removed to retain the space between units.

A lengthy discussion ensued as to whether the rooms designated as office space should in fact be considered bedrooms and the impact this would have on amenity space, and over development at the site.

The Principal Planner - Major Applications (Strategic Sites) confirmed that the space could possibly fit a single bed; however it would be improbable any additional furniture would fit.

It was suggested that a condition on parking was added to the application, and Members referred to the Planning and Licencing Committee on 05 June 2018, Agenda Item 13 - Draft Maldon District Vehicle Parking Standards Supplementary Planning Document; Stakeholder and Public Consultation. Members were informed that this advises that dwellings with four or more bedrooms should have a minimum of three parking spaces. The Director of Strategy, Performance and Governance advised that this was a draft document and would be provided to Members for approval at a future meeting of the Council.

In response to Members questions the Principal Planner - Major Applications (Strategic Sites) advised that if the Council was of the opinion that the plans showed a dwelling with four or five bedrooms then the amenity space would need to be more than 100m². It was confirmed for Members that amenity space is currently less than this.

Members were advised that the site dimensions had already been approved; therefore it would not be possible to request that the garden size was increased and it would not be enforceable to condition the use of a room.

Councillor B Harker proposed that the application be refused, contrary to the Officers recommendations, as per the reasons above. This was duly seconded by Councillor Miss M Lewis and upon a vote being taken this was duly agreed.

RESOLVED that the application be **REFUSED** for the following reason:

1. The development as proposed would result in the increase in residential accommodation at the affected properties. This would result in overdevelopment requiring the provision of additional off street car parking in accordance with the Emerging Vehicle Parking Standards Supplementary Planning Document, which has been through consultation and is at the point of adoption.

Without this additional parking provision additional on street parking would occur to the detriment of road safety, residential amenity and be to the detriment of the setting of the site located in the North Heybridge Garden Village.

The site is the subject of an endorsed Design Code to provide a high quality, vibrant and distinctive neighbourhood. The development, as proposed, would be contrary to the Design Code objectives as well as Policy D1 in the Approved Maldon District Local Development Plan as well as paragraphs 124 to 132 in the replacement National Planning Policy Framework 2018.

Councillor J P F Archer left the meeting at 20:10 and did not return.

355. FUL/MAL/18/00494 LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY, MALDON - ROAD AND INFRASTRUCTURE

Application Number	FUL/MAL/18/00494
Location	Land South Of Wycke Hill and Limebrook Way, Maldon, Essex
Proposal	Application for infrastructure works, including; foul and surface water drainage; provision of highways, proposed site levels and associated works.
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams (Savills)
Target Decision Date	23 July 2018 EoT: 24 August 2018
Case Officer	Mark Woodger
Parish	Maldon West
Reason for Referral to the Council	Previous Committee Decision Major Application Planning Performance Agreement

Following the Officers presentation, Ms Catherine Williams, the Agent, addressed the Council.

Members raised concern over the potential impact any changes to bus routes could have over neighbouring roads and whether the proposed 20 mile per hour speed limit would be enforceable. The Principal Planner - Major Applications (Strategic Sites) advised that the placement had been considered so that all dwellings were within 400 meters of a bus stop, with the aim of reducing car usage. This would be aided by the use of vertical deflectors as designed by highway engineers, and there would be no raised tables along roads.

In response to queries over foul drainage at the site the Principal Planner - Major Applications (Strategic Sites) advised that a further 83 conditions that were waiting discharge, and sustainable Urban Drainage Site (SUDS) were covered under the Section 106 agreement. Proposed drainage had been shown by Anglian Water and was waiting approval from the Environment Agency.

The Principal Planner - Major Applications (Strategic Sites) explained to Members that ample cycle access had been considered, and that there was a footpath along the southern boundary of the site.

The Chairman put the Officers recommendation to a vote and this was duly carried.

RESOLVED that the application be **APPROVED** and subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission FUL/MAL/15/00885, decision notice dated 16th May 2017.
2. The development hereby permitted shall be carried out in complete accordance with the approved drawings referenced and specifically referenced on this

decision notice.

356. RES/MAL/18/00531 - LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY, MALDON

Application Number	RES/MAL/18/00531
Location	Land South Of Wycke Hill and Limebrook Way, Maldon, Essex
Proposal	Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 1 of the Eastern Parcel of the wider Land South of Wycke Hill and Limebrook Way site (LPA Application Ref. FUL/MAL/18/00071), comprising the construction of 200 residential dwellings (Use Class C3) and associated works.
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams (Savills)
Target Decision Date	9 August 2018 EoT: 23 August 2018
Case Officer	Mark Woodger
Parish	Maldon & Hazeleigh with Woodham Mortimer
Reason for Referral to the Council	Previous Committee Decision Major Application Member Call-in (Councillor Mark Heard)

The Officer presented the report to the Council. It was noted that the Agent had spoken on application FUL/MAL/18/00484 – Land South of Wycke Hill and Limebrook Way, Maldon in relation to both applications.

The Council complimented the Officers on a comprehensive presentation.

Following questions from Members the Principal Planner - Major Applications (Strategic Sites) confirmed that the housing mix was set out in accordance with requests from the Housing Officer and was in accordance with the Garden Suburb Plan. The mix of housing included affordable housing; this has been discussed with what the Housing Officers have specifically asked for in terms of unit size and tenure. Larger dwellings, including bungalows, would be along the rural edges of the site by the rural area. The single three story element would be a single block of flats which sit within the development.

In response to final questions from the Council, The Principal Planner - Major Applications (Strategic Sites) informed Members that the Infrastructure Delivery Plan required that Maldon District Council ask for certain contribution for school provision within this site. Funding will be available to Essex County Council to facilitate education. Under the Section 106 agreement land must be provided to the Education Department and serviced. There have been detailed discussions with Essex County Council on the layout of the site, further information on this will be provided in the next stage.

The Chairman put the Officers recommendation of Approval to a vote, and the motion was duly carried with one Member voting against and one Member abstaining.

RESOLVED that the application be **AGREED** subject to the following conditions:

1. The development hereby permitted shall be carried out in complete accordance with the approved drawings and reports as specifically referenced on this decision notice.
2. Notwithstanding the details as submitted by way of this application precise details showing the layout and treatment of materials where the proposed greenways cross the primary streets including vertical and horizontal alignment, the use of materials and the finishes to be used shall be submitted to and approved in writing by the Local Planning Authority.

357. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COUNCIL DECIDES ARE URGENT

There was none.

There being no further items of business the Chairman closed the meeting at 9.10 pm.

H M BASS
CHAIRMAN



**MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
12 JUNE 2018**

PRESENT

Chairman	Councillor D M Sismey
Vice-Chairman	Councillor I E Dobson
Councillors	Mrs B F Acevedo, J P F Archer, P G L Elliott, A S Fluker, B E Harker and Rev. A E J Shrimpton
Substitute Member	Councillor B S Beale MBE
In attendance	Councillor Miss M R Lewis

163. CHAIRMAN'S NOTICES

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

164. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham and M S Heard.

In accordance with notice given it was noted that Councillor B S Beale MBE was attending as a substitute for Councillor Heard.

165. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 19 April 2018 be approved and confirmed.

166. DISCLOSURE OF INTEREST

Councillor D M Sismey disclosed that he was Managing Director of Goldman Sachs and would therefore leave the meeting for Agenda Item 12 – Annual Treasury Outturn 2017 / 18.

167. PUBLIC PARTICIPATION

No requests had been received.

168. CHAIRMANS' GOOD NEWS

The Chairman advised that the accounts for 2017 / 18 had been published and were now subject to an audit which had been started by Ernst Young UK (the Council's External Auditors).

He asked that the thanks of the Committee be passed to the finance team and Carrie Cox, Finance Manager for their hard work on the accounts.

169. RESOURCES DIRECTORATE

The Chairman advised that there would not be a presentation.

170. CHIEF EXECUTIVE'S PERFORMANCE APPRAISAL

It was agreed that this item of business would be brought up the agenda and considered next.

The Committee considered the report of the Leader of the Council updating Members on progress of the Chief Executive's performance appraisal.

The report set out the process undertaken by the Leader of the Council in respect of the Chief Executive's appraisal. It was noted that dates for performance reviews had been set and Appendix 1 to the report provided a summary of progress against objectives.

In the absence of the Leader of the Council, Councillor A S Fluker as Deputy Leader of the Council presented the report and provided detailed background history regarding the Chief Executive's performance appraisal. During his introduction he asked that the Committee pass on their wishes to the Leader of the Council for a speedy recovery following an accident he had over the weekend. Councillor Fluker then proposed that the contents of the report be noted.

Councillor D M Sismey clarified that he had been consulted on the proposed objectives but was not consulted either before or afterwards regarding Councillor Fluker attending the appraisal meeting in his place. He also referred to the Chief Executive's objectives set for 2016 and felt that by virtue of Councillor Miss M R Lewis (Leader of the Council at that time) and Councillor I E Dobson (representing the Chairman of the Finance and Corporate Services Committee) being authorised by this Committee and the Council to undertake the appraisal these objectives were adopted and were not draft. Notwithstanding a change in leadership these objectives should therefore stand until another appraisal was carried out or replaced by updated ones.

Councillor B S Beale, Leader of the Opposition, referred to the previous processes undertaken for carrying out the Chief Executive's appraisal to which he had always been part of. However, in relation to the 2017 appraisal he clarified that had not been consulted at any stage and refuted the statement in the report at paragraph 3.4 that he had.

A lengthy debate ensued during which a number of Members expressed concern regarding the process undertaken. The Chairman highlighted paragraph 3.8 of the

report which contained a number of recommendations proposed to address the breakdown in procedure.

In response to comments made the Chief Executive outlined the background regarding her 2016 and 2017 appraisals and the reasons which had led to the identified breakdown in procedure. She advised that she had put forward the recommendations in section 3.8 of the report to make provide clarity to the process.

Councillor Sismey commented on the proposed recommendations at paragraph 3.8 and proposed that in addition to these that the Committee add;

- That the deadline for the Chief Executive's appraisal to be undertaken be aligned to the deadline for all staff of 30 June.
- that the Director of Resources or an appointment made by them from within the HR department be required to:
 - a) objectively ensure that the process for the Chief Executive's appraisal is followed;
 - b) report to the following meeting of the Finance and Corporate Services Committee immediately after the June deadline that the process has been followed and the appraisal taken place.

With the permission of the Chairman, Councillor Miss M R Lewis addressed the Committee and provided a detailed history regarding her undertaking of the Chief Executive's appraisal in 2016 when she was Leader of the Council. She pointed out a number of discrepancies within the report of the Leader of the Council and felt that it inferred that she had not carried out her duties and requirements as Leader of the Council which she had.

The Chairman requested that it be minuted that Members raised a number of questions over the accuracy of some of the historic elements of the report and emphasised the importance to make sure that the procedure was on a sound footing going forward.

Councillor Beale proposed that the Council receive an explanation as to how the current situation had occurred and the matter be referred to the Overview and Scrutiny Committee. In response the Chairman suggested that this would be best dealt with as a question to the Leader of the Council.

Councillor P G L Elliott commented on the report and suggested that going forward, prior to the Statutory Annual meeting of the Council, a final meeting for the municipal year be undertaken with the Chief Executive to review the objectives and identify any points of action. Then new objections could be set following the statutory annual meeting. The Chairman suggested that this could be covered by way of clarification to point (e) so that the third review meeting take place just before the end of the municipal year.

Councillor Elliott commented as it was clear that the process had not been followed that consideration of the report be deferred and brought back to the Committee following completion of the procedure. The Chairman agreed that in light of there being a query over the current objectives these should be renewed and going forward the process followed.

Following further discussion Councillor Sismey proposed that the Council's Procedure Rules be updated to set out the requirements (a) to (e), as detailed in section 3.8 of the report with the following amendments and additions:

- been that point (c) be amended as follows:
 - The appraisal will take place soon after the Statutory Annual meeting of the Council *and before 30 June*.
- that point (e) be amended as follows:
 - Performance reviews against the agreed objectives will be undertaken at least every four months *and an end of year review be undertaken prior to the Statutory Annual meeting of the Council*.
- that the Director of Resources or an appointment made by them from within the HR department be required to:
 - a) objectively ensure that the process for the Chief Executive's appraisal is followed
 - b) report to the following meeting of the Finance and Corporate Services Committee immediately after the June deadline that the process has followed and the appraisal taken place.

It was noted that this would be a recommendation to the Council as it involved a change to the Council's Procedure Rules.

He also proposed that the current objectives be renewed and brought back to a future meeting of this Committee.

This proposal was duly seconded and agreed.

RESOLVED

- (i) that the contents of the report be noted;
- (ii) that the current objectives be renewed and brought back to a future meeting of this Committee.

RECOMMENDED

- (iii) that the procedure rules be updated to set out the requirements (a) to (e), as detailed in section 3.8 of the report with the following amendments and additions:
 - that point (c) be amended as follows:
 - The appraisal will take place soon after the Statutory Annual meeting of the Council *and before 30 June*.
 - that point (e) be amended as follows:
 - Performance reviews against the agreed objectives will be undertaken at least every four months *and an end of year review be undertaken prior to the Statutory Annual meeting of the Council*.

- that the Director of Resources or an appropriate appointment of theirs in the HR department is required to:
 - objectively ensure that the process for the Chief Executive's appraisal is followed
 - report to the following meeting of the Finance and Corporate Services Committee immediately after the June deadline that the process has been followed and the appraisal has taken place.

Councillor Miss M R Lewis left the meeting at this point and did not return.

171. REVIEW OF PERFORMANCE 2017 / 18

The Committee considered the report of the Chief Executive giving details of performance against targets set for 2017 / 18 and to ensure that progress was being achieved towards the corporate goals and objectives detailed in the Corporate Plan 2015 - 19 adopted by the Council.

The Key Corporate Activities assessed as being "behind schedule" or "at risk of not being achieved" along with indicators which had not achieved their end of year target were set out in Appendix 1 to the report.

RESOLVED that performance against the targets set for 2017 / 18 be noted.

172. HUMAN RESOURCES STATISTICS - QUARTER FOUR 2017 / 18

The Committee received and noted the report of the Director of Resources presenting Human Resources statistics for the period 1 January to 31 March 2018.

Statistics and updates relating to the following areas were detailed in the report:

- Labour Turnover;
- Exit Questionnaires;
- Recruitment;
- Job Vacancies;
- Staff Sickness Levels
- Workforce Statistics – attached as Appendix 1 to the report.

Members noted that the overall staff sickness levels had decreased by 20% in comparison to the previous financial year.

RESOLVED that the contents of the report be noted.

173. HUMAN RESOURCES POLICIES AND PROCEDURES

The Committee considered the report of the Director of Resources seeking Members consideration of Human Resources policies and procedures which had been amended and developed.

The report set out a proposed change to the Council's Code of Conduct and it was noted that this change had been brought forward in consultation with the Corporate Leadership Team and Unison.

In response to a question, the Director of Resources informed the Committee of the Employee Assistance Programme, a confidential service available to all employees and advised that as part of the policy staff were asked to raise any difficulties they may be having with Human Resources.

RECOMMENDED that the following two sections be added to the Code of Conduct:

24 Financial

24.1 All employees will ensure:

- they do not default on payments owed to the Council i.e. Council Tax.
- never make fraudulent claims for public money to gain a financial advantage i.e. housing benefit.
- to adhere to any agreements reached for the repayment of such debts.

24.2 Employees who are in debt or at risk to the Council or are concerned that missed payments may occur should discuss the matter as soon as is possible with a member of the Human Resources team. Failure to do so could lead to formal action being taken.

24.3 Employees in receipt of any allowances or rebates administered by the Council (e.g. council tax rebates) must notify the Council of any change in circumstance that affect the entitlement.

25 Accessing IT systems

25.1 Employees will at all times ensure that they comply with the Officer Conditions of Acceptable Use and Personal Commitment Statement policy relating to use of IT equipment.

25.2 It is recognised that staff can face a conflict of interest when undertaking their roles. To protect the interests of both the staff concerned and the Council against criticism or allegation of malpractice, as a 1matter of procedure no employee shall;

- amend or seek to influence the processing of any computer or other record concerning any matter in which they, a family member or friend have an interest;
- use the Councils IT systems or any other records held to view either their own data or that of records of family or friends.

- use data obtained from any of the Council's IT systems or any other records to give themselves, family or friends any advantage.
- update any records that relate to themselves, family or friends.

174. ANNUAL REPORT ON THE WHISTLEBLOWING POLICY

The Committee considered the report of the Director of Resources reporting on any complaints made under the Whistleblowing Policy for 2017 / 18.

The Director of Resources advised that no reports had been made under the Whistleblowing for the year 2017 / 18.

RESOLVED that the content of the report be noted.

175. FINANCIAL OUTTURN 2017 / 18

The Committee received the report of the Director of Resources providing information on the outturn position for the 2017 / 18 financial year and also movements in relation to the Council's General Fund / Earmarked Reserves and Capital Commitments as at 31 March 2018. It was noted that the table detailed in paragraph 3.1.2 of the report incorrectly referred to the figures as being in thousands (£000's). Appendix 1 to the report gave details of the salary budgets and actual expenditure at the end of the financial year and Appendix 2 detailed the Earmarked Reserves and the movements in 2017 / 18.

RESOLVED

- That the estimated outturn position for the 2017 / 18 financial year be reviewed;
- That the movement in earmarked reserves be reviewed;
- That the capital commitment roll forwards be reviewed.

Following his earlier declaration Councillor D M Sismey left the meeting at this point.

IN THE CHAIR : COUNCILLOR I E DOBSON

176. ANNUAL TREASURY OUTTURN 2017 / 18

The Committee considered the report of the Director of Resources seeking Members' approval of the annual report (attached as Appendix A to the report), in accordance with the code of practice on Treasury Management.

In response to a question, the Finance Manager advised that Arlingclose were the Council's Treasury Management Advisors and had been so for a number of years.

In response to questions about the recent agreement of the Council regarding Full Council Transformation, the Director of Resources advised of the up-front investment required which would come from reserves. However, savings were due to be delivered in respect of this in year two.

RECOMMENDED that annual Treasury Management Report for 2017 / 18 attached at **APPENDIX 1** to these Minutes be approved.

Councillor Sismey returned to the chamber.

IN THE CHAIR : COUNCILLOR D M SISMEY

177. SUPPLEMENTARY CAPITAL ESTIMATE

The Committee considered the report of the Director of Resources, seeking Members' approval of a supplementary capital estimate of £26,500 to purchase a replacement vehicle for use within the Parks and Countryside Team. An overview to the project was attached as Appendix 1 to the report.

It was noted that if approved, the supplementary estimate would enable replacement of an elderly vehicle and ensure operations were not adversely effected.

Members were reminded that in accordance with revised guidance for capital projects, any budget not provisioned in the year it was requested would be put back into reserves until a project was reconsidered by Members. This project did not progress as originally planned and therefore was being brought back to Members for reconsideration.

RESOLVED that a supplementary capital estimate of £26,500 to purchase a replacement vehicle for use within the Parks and Countryside Team be agreed.

178. STRATEGIC AND FINANCIAL PLANNING PROCESS

The Committee received the report of the Director of Resources seeking agreement to the annual Strategic and Financial Planning Process (S&FPP) for 2018 / 20 as set out in Appendix 1 to the report.

It was noted that the Strategic and Financial Planning Process aimed to ensure available resources were effectively directed towards achievement of the Council's agreed corporate goals.

RESOLVED that the Strategic and Financial Planning Process for 2019 / 20, be approved.

179. PROPOSALS TO CHANGE TO OFFICE OPENING TIME TO PUBLIC

The Committee considered the report of the Director of Customers and Community, updating Members on the outcome of a three month trial of a revised opening time to

the public of 10am on the last Wednesday of each month. The report sought Members' approval to make this revised opening time permanent.

The report provided background information regarding the trial and it was noted that it had been very successful with good use of the time to undertake staff briefings, meetings and training.

It was requested that the Committee receive quarterly or six monthly reports on the outcomes of these changes.

RECOMMENDED that on the last Wednesday of each month the Council Offices open at 10am to enable staff meetings and training to be undertaken during that time.

There being no further items of business the Chairman closed the meeting at 8.28 pm.

D M SISMEY
CHAIRMAN

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Annual Treasury Report 2017-18

1. Background

The Chartered Institute of Public Finance and Accountancy's Treasury Management Code (CIPFA's TM Code) requires that authorities report on the performance of the treasury management function at least twice a year (mid-year and at year end).

The Council's Treasury Management Strategy for 2017/18 was approved by the Council on 22 March 2018 (Minute No. 919 refers).

The Council has invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. This report covers treasury activity and the associated monitoring and control of risk.

2. Economic Background provided by Arlingclose

Economic background. 2017-18 was characterised by the push-pull from expectations of tapering of Quantitative Easing (QE) and the potential for increased policy rates in the US and Europe and from geopolitical tensions, which also had an impact.

The UK economy showed signs of slowing with latest estimates showing GDP, helped by an improving global economy, grew by 1.8% in calendar 2017, the same level as in 2016. This was a far better outcome than the majority of forecasts following the EU Referendum in June 2016, but it also reflected the international growth momentum generated by the increasingly buoyant US economy and the re-emergence of the Eurozone economies.

The inflationary impact of rising import prices, a consequence of the fall in sterling associated with the EU referendum result, resulted in year-on-year CPI rising to 3.1% in November before falling back to 2.7% in February 2018. Consumers felt the squeeze as real average earnings growth, i.e. after inflation, turned negative before slowly recovering. The labour market showed resilience as the unemployment rate fell back to 4.3% in January 2018. The inherent weakness in UK business investment was not helped by political uncertainty following the surprise General Election in June and by the lack of clarity on Brexit, the UK and the EU only reaching an agreement in March 2018 on a transition which will now span Q2 2019 to Q4 2020. The Withdrawal Treaty is yet to be ratified by the UK parliament and those of the other 27 EU member states and new international trading arrangements are yet to be negotiated and agreed.

The Bank of England's Monetary Policy Committee (MPC) increased Bank Rate by 0.25% in November 2017. It was significant in that it was the first rate hike in ten years, although in essence the MPC reversed its August 2016 cut following the referendum result. The February *Inflation Report* indicated the MPC was keen to return inflation to the 2% target over a more conventional (18-24 month) horizon with 'gradual' and 'limited' policy tightening. Although in March two MPC members voted to increase policy rates immediately and the MPC itself stopped short of committing itself to the timing of the next increase in rates, the minutes of the meeting suggested that an increase in May 2018 was highly likely.

In contrast, economic activity in the Eurozone gained momentum and although the European Central Bank removed reference to an 'easing bias' in its market communications and had yet to confirm its QE intention when asset purchases end in September 2018, the central bank appeared some way off

normalising interest rates. The US economy grew steadily and, with its policy objectives of price stability and maximising employment remaining on track, the Federal Reserve Open Market Committee (FOMC) increased interest rates in December 2017 by 0.25% and again in March, raising the policy rate target range to 1.50% - 1.75%. The Fed is expected to deliver two more increases in 2018 and a further two in 2019. However, the imposition of tariffs on a broadening range of goods initiated by the US, which has led to retaliation by China, could escalate into a deep-rooted trade war having broader economic consequences including inflation rising rapidly, warranting more interest rate hikes.

Financial markets: The increase in Bank Rate resulted in higher money markets rates: 1-month, 3-month and 12-month LIBID rates averaged 0.32%, 0.39% and 0.69% and at 31st March 2018 were 0.43%, 0.72% and 1.12% respectively.

Gilt yields displayed significant volatility over the twelve-month period with the change in sentiment in the Bank of England's outlook for interest rates. The yield on the 5-year gilts which had fallen to 0.35% in mid-June rose to 1.65% by the end of March. 10-year gilt yields also rose from their lows of 0.93% in June to 1.65% by mid-February before falling back to 1.35% at year-end. 20-year gilt yields followed an even more erratic path with lows of 1.62% in June, and highs of 2.03% in February, only to plummet back down to 1.70% by the end of the financial year.

The FTSE 100 had a strong finish to calendar 2017, reaching yet another record high of 7688, before plummeting below 7000 at the beginning of 2018 in the global equity correction and sell-off.

Credit background:

Credit Metrics

In the first quarter of the financial year, UK bank credit default swaps reached three-year lows on the announcement that the Funding for Lending Scheme, which gave banks access to cheaper funding, was being extended to 2018. For the rest of the year, CDS prices remained broadly flat.

The rules for UK banks' ring-fencing were finalised by the Prudential Regulation Authority and banks began the complex implementation process ahead of the statutory deadline of 1st January 2019. As there was some uncertainty surrounding which banking entities the Council would be dealing with once ring-fencing was implemented and what the balance sheets of the ring-fenced and non ring-fenced entities would look like, in May 2017 Arlingclose advised adjusting downwards the maturity limit for unsecured investments to a maximum of 6 months. The rating agencies had slightly varying views on the creditworthiness of the restructured entities.

Barclays was the first to complete its ring-fence restructure over the 2018 Easter weekend; wholesale deposits including local authority deposits will henceforth be accepted by Barclays Bank plc (branded Barclays International), which is the non ring-fenced bank.

Money Market Fund regulation: The new EU regulations for Money Market Funds (MMFs) were finally approved and published in July and existing funds will have to be compliant by no later than 21st January 2019. The key features include Low Volatility Net Asset Value (LVNAV) Money Market Funds which will be permitted to maintain a constant dealing NAV, providing they meet strict new criteria and minimum liquidity requirements. MMFs will not be prohibited from having an external fund rating (as had been suggested in draft regulations). Arlingclose expects most of the short-term MMFs it recommends to convert to the LVNAV structure and awaits confirmation from each fund.

Credit Rating developments

The most significant change was the downgrade by Moody's to the UK sovereign rating in September from Aa1 to Aa2 which resulted in subsequent downgrades to sub-sovereign entities including local authorities.

Changes to credit ratings included Moody's downgrade of Standard Chartered Bank's long-term rating to A1 from Aa3 and the placing of UK banks' long-term ratings on review to reflect the impending ring-fencing of retail activity from investment banking (Barclays, HSBC and RBS were on review for downgrade; Lloyds Bank, Bank of Scotland and National Westminster Bank were placed on review for upgrade).

Standard & Poor's (S&P) revised upwards the outlook of various UK banks and building societies to positive or stable and simultaneously affirmed their long and short-term ratings, reflecting the institutions' resilience, progress in meeting regulatory capital requirements and being better positioned to deal with uncertainties and potential turbulence in the run-up to the UK's exit from the EU in March 2019. The agency upgraded Barclays Bank's long-term rating to A from A- after the bank announced its plans for its entities post ring-fencing.

Fitch revised the outlook on Nationwide Building Society to negative and later downgraded the institution's long-term ratings due to its reducing buffer of junior debt. S&P revised the society's outlook from positive to stable.

Other developments:

In February, Arlingclose advised against lending to Northamptonshire County Council (NCC). NCC issued a section 114 notice in the light of severe financial challenge and the risk that it would not be in a position to deliver a balanced budget.

In March, following Arlingclose's advice, the Council removed RBS plc and National Westminster Bank from its counterparty list. This did not reflect any change to the creditworthiness of either bank, but a tightening in Arlingclose's recommended minimum credit rating criteria to A- from BBB+ for FY 2018-19. The current long-term ratings of RBS and NatWest do not meet this minimum criterion, although if following ring-fencing NatWest is upgraded, the bank would be reinstated on the Council's lending list.

Local Authority Regulatory Changes

Revised CIPFA Codes: CIPFA published revised editions of the Treasury Management and Prudential Codes in December 2017. The required changes from the 2011 Code will be incorporated into Treasury Management Strategies and monitoring reports.

The 2017 Prudential Code introduces the requirement for a Capital Strategy which provides a high-level overview of the long-term context of capital expenditure and investment decisions and their associated risks and rewards along with an overview of how risk is managed for future financial sustainability. Where this strategy is produced and approved by full Council, the determination of the Treasury Management Strategy can be delegated to a committee. The Code also expands on the process and governance issues of capital expenditure and investment decisions. A Capital Strategy will be produced in 2018/19.

In the 2017 Treasury Management Code the definition of 'investments' has been widened to include financial assets as well as non-financial assets held primarily for financial returns such as investment property. These, along with other investments made for non-treasury management purposes such as loans supporting service outcomes and investments in subsidiaries, must be discussed in the Capital Strategy or Investment Strategy. Additional risks of such investments are to be set out clearly and the impact on financial sustainability is to be identified and reported.

MHCLG Investment Guidance and Minimum Revenue Provision (MRP): In February 2018 the MHCLG (Ministry of Housing, Communities and Local Government) published revised Guidance on Local Government and Investments and Statutory Guidance on Minimum Revenue Provision (MRP).

Changes to the Investment Guidance include a wider definition of investments to include non-financial assets held primarily for generating income return and a new category called “loans” (e.g. temporary transfer of cash to a third party, joint venture, subsidiary or associate). The Guidance introduces the concept of proportionality, proposes additional disclosure for borrowing solely to invest and also specifies additional indicators. Investment strategies must detail the extent to which service delivery objectives are reliant on investment income and a contingency plan should yields on investments fall.

The definition of prudent MRP has been changed to “put aside revenue over time to cover the CFR”; it cannot be a negative charge and can only be zero if the CFR is nil or negative. Guidance on asset lives has been updated, applying to any calculation using asset lives. Any change in MRP policy cannot create an overpayment; the new policy must be applied to the outstanding CFR going forward only.

MiFID II: As a result of the second Markets in Financial Instruments Directive (MiFID II), from 3rd January 2018 local authorities were automatically treated as retail clients but could “opt up” to professional client status, providing certain criteria was met which includes having an investment balance of at least £10 million and the person(s) authorised to make investment decisions on behalf of the council have at least a year’s relevant professional experience. In addition, the regulated financial services firms to whom this directive applies have had to assess that that person(s) have the expertise, experience and knowledge to make investment decisions and understand the risks involved.

The Council has met the conditions to opt up to professional status and has done so in order to maintain its former MiFID II status prior to January 2018. The Council will continue to have access to products including money market funds, pooled funds, treasury bills, bonds, shares and to financial advice.

Local Context

At 31/03/2018 the Council’s underlying need to borrow for capital purposes as measured by the Capital Financing Requirement (CFR) was zero.

At 31/03/2018, the Council had no borrowing and £11.5 m of investments. The Council may however have to borrow to pre fund future years requirements or unexpected capital expenditure that occurs in the year providing this does not exceed the authorised limit for borrowing of £10m.

The Council is currently debt free and its approved capital expenditure plans do not imply any need to borrow over the forecast period. Investments are forecast to fall to £9m as capital receipts are used to finance capital expenditure and reserves are used to finance the revenue budget over the next three years.

Investment Activity

The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2017/18, the Council’s investment balance ranged between £11 and £22 million due to timing differences between income and expenditure. The year-end investment position and the year-on-year change is shown in the table below

Investment Activity in 2017 / 18

Investments	Balance on 01/04/2017 £'000	Investments Made £'000	Maturities/ Investments Sold £'000	Balance on 31/03/2018 £'000
Short term fixed Investments	2,000	6,000	8,000	0
Cash Accounts	2,000	0	0	2,000
Money Market Funds	2,500	44,000	43,000	3,500
Certificates of Deposit	2,000	2,000	3,000	1,000
LAMIT Property Fund	3,000	0	0	3,000
Investec Diversified Income fund	0	2,000	0	2,000
TOTAL INVESTMENTS	11,500			11,500
Increase/ (Decrease) in Investments £m				-

Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

In furtherance of these objectives, and given the increasing risk and low returns from short-term unsecured bank investments, the Council diversified into higher yielding asset classes during 2017/18. £2m that is available for longer-term investment was moved from bank and building society deposits into the Investec Diversified Income Fund. As a result the average rate of return has increased by 1.15% to 3.04%.

Compliance Report

All treasury management activities undertaken during 2017/18 complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy.

The Council continues to be debt free so compliance with the authorised limit and operational boundary for external debt is confirmed.

Treasury Management Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators.

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	31.3.18 Actual	2017/18 Threshold	Complied
Portfolio average credit score	2.7	6	✓

Liquidity: The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

	31.3.18 Actual	2017/18 Target	Complied
Total cash available within 3 months	5m	5.5m	✓

Interest Rate Exposures: This indicator is set to control the Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the amount of interest payable, should borrowing become necessary, would be:

	31.3.18 Actual	2017/18 Limit	Complied
Upper limit on fixed interest rate exposure	0	100%	✓
Upper limit on variable interest rate exposure	0	100%	✓

Fixed rate investments and borrowings are those where the rate of interest is fixed for at least 12 months, measured from the start of the financial year or the transaction date if later. All other instruments are classed as variable rate.

Maturity Structure of Borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate should borrowing become necessary, would be:

	31.3.18 Actual	Upper Limit	Lower Limit	Complied
Under 12 months	0%	100%	0%	✓
12 months and within 24 months	0%	100%	0%	✓
24 months and within 5 years	0%	100%	0%	✓
5 years and within 10 years	0%	100%	0%	✓

APPENDIX 1

10 years and above	0%	100%	0%	✓
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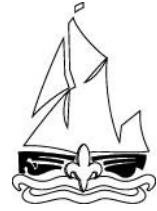
Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal Sums Invested for Periods Longer than 364 days: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

	2017/18	2018/19	2019/20
Limit on principal invested beyond year end	1m	1m	1m
Complied	✓		

There were no investments made beyond 364 days in 2017/18

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**MINUTES of
COMMUNITY SERVICES COMMITTEE
10 JULY 2018**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs B D Harker
Councillors	H M Bass, A T Cain, Mrs H E Elliott, J V Keyes, Miss M R Lewis and Mrs N G F Shaughnessy.
Ex-Officio Non-Voting Member	Councillor A S Fluker

246. CHAIRMAN'S NOTICES

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

247. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A M Beale and M F L Durham.

248. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 22 May 2018 be approved and confirmed.

249. DISCLOSURE OF INTEREST

There were none.

250. PUBLIC PARTICIPATION

No requests had been received.

251. CHAIRMAN'S GOOD NEWS ANNOUNCEMENTS

The Chairman took the Committee through a presentation and referred in more detail to the following items:

- That a student from St Francis' School had reached the final of the National Express's nationwide art competition (East of England category);
- That the Armed Forces Day celebrations, supported by Stow Maries and Colchester Garrison, had been a remarkable event with six Chelsea pensioners in attendance, received by the Council Chairman, Councillor Bass;
- That Maldon Car Show had been a successful, busy and positive day for Maldon and the district as a whole with 1,700 classic cars on display, and,
- Cabbies Day, a wonderful annual event working alongside motivated partners in the district.

252. **SOUTH ESSEX PARKING PARTNERSHIP ANNUAL REPORT**

The Committee received a presentation from Nick Binder, South Essex Parking Partnership Manager on the partnership's annual report.

This comprised an overview of how the parking partnership had progressed, further details on the annual report can be found at: <https://www.parkingpartnership.org/south/>. The presentation covered key performance factors from the financial year including a substantial surplus, initiatives around signs and lines, new traffic regulation orders and an update on the 3PR School Parking Initiative. Further details on this are available at: www.schoolparking@chelmsford.gov.uk.

In response to a number of questions the following information was provided:

- That South Essex Parking Partnership was working with Councillor Kevin Bentley, Essex County Council Cabinet Member for Infrastructure (which includes Highways) and the British Parking Association to increase the powers of enforcement officers around obstruction regulations.
- That whilst there was considerable income from issuing PCNs this was re-invested in local initiatives.
- That 'School Keep Clear' markings were in place, however, they were advisory only therefore officers cannot legally issue PCNs.
- That Nick Binder will circulate to the Committee the list of Schools signed-up to the School Parking Initiative.

Members commended the work of the partnership, the success in positively engaging with pupils through the 3PR initiative and in particular the surplus that had been achieved. A discussion ensued around potential uses for the surplus. Mr Binder reminded the Committee that the Joint Committee determines how the surplus was reinvested and that the money was ring-fenced to fund parking and transport initiatives only.

Councillor A S Fluker proposed that the South Essex Parking Partnership, supported by two members from the Community Services Committee, consider using some of the surplus to explore the possibility of either using byelaws or other traffic regulations to enforce against people who park illegally. He further suggested that this work include investigating the parking ambiguities outside Schools in the district. This was unanimously agreed by the Committee.

The Chairman thanked Mr Binder for his presentation.

RESOLVED that the Council representative on the South Essex Parking Partnership formally ask the partnership to consider using part of the operating surplus to fund the possibility of either using byelaws or other traffic regulations to enforce against people who park illegally, and investigate parking ambiguities outside Schools.

253. PRIVATE SECTOR HOUSING LEGISLATIVE CHANGES

The Committee considered the report of the Director of Customers and Community providing Members with an update on recent legislative changes regarding Private Sector Housing Enforcement.

Councillor Bass, referring to paragraph 3.15 - Banning Orders - queried if it could be extended to include rogue landlords who allowed people to live in abandoned sheds and outbuildings. He advised the Committee that this was becoming an issue nationwide. The Director of Customers and Community said he would get a formal response and report back to the Committee.

The Director of Customers and Community, in response to a question on civil penalties (paragraph 3.10 of the report), said he would check with colleagues and seek clarification for the Committee on what basis the Council will apply penalties.

RESOLVED that the update on recent legislative changes be noted.

254. AIR QUALITY UPDATE AND PROPOSED DECLARATION OF AN AIR QUALITY MANAGEMENT AREA ON MARKET HILL, MALDON

The committee considered the report of the Director of Customers and Community providing Members with an update of the latest results of the Air Quality monitoring in the district, advising on the necessity to declare an Air Quality Management Area along Market Hill, Maldon, and requesting funding is made available for the subsequent specialist work required.

Members were advised that the Maldon District Council 2018 Air Quality Management Area Preliminary Report was attached at Appendix 1 to the report and a Proposal to Produce an Air Quality Action Plan for Maldon District Council was attached at Appendix 2 to the report.

A discussion ensued and the following concerns were raised:

- that given the fact we already have diffusion monitoring stations collecting data why was the AQAP so expensive;
- that a full breakdown of the costs involved in producing the AQAP be provided as this was taxpayer's money and a huge expense;
- that if we cannot mitigate the problem we may be unable to deliver the LDP;
- that the Policy Manager's views be sought as this could impact on Planning Policy;
- that this report should be confidential given the potential negative impact on the market value of properties in the area;
- that this was potentially a public health issue and we have a duty of care to alert residents to the dangers;

- that the crux of the matter relates to unloading and loading on the High Street, causing the build-up of traffic on Market Hill;
- that potentially the issues are across a wider area e.g. the Causeway;
- that despite being proactive and raising this issue previously with the Highways Panel, to stop parking during the day on the High Street, this authority now has to bear the cost. There should be some recompense by Essex County Council (ECC) toward the cost of the Air Quality Action Plan;

The Director of Customers and Community, in response, advised the Committee that it was a legislative requirement to undertake this specialist work. He said that the Council needed to undertake the research in order to evidence the issues and get relevant partners i.e. Essex County Council engaged as appropriate. Any mitigation may impact upon a number of authorities, quotes have been sought and officers will be working to keeping costs down in connection to the study.

Councillor Miss M R Lewis proposed that a third recommendation be included to afford the Council the opportunity to seek recompense from Essex County Council, if appropriate. This was unanimously agreed.

Councillor A S Fluker proposed a fourth recommendation be included to submit a summary of the Committee's concern on this issue to the Finance & Corporate Services Committee. This was agreed unanimously.

RESOLVED

- (i) that Members approve the production of an Air Quality Action Plan for the Market Hill Area as detailed within this report subject to approval of a supplementary estimate of £20k;
- (ii) that subject to (i) above, the Finance and Corporate Services Committee be recommended to approve a Supplementary Estimate of £20k to enable the production of an Air Quality Action Plan to comply with legislation;
- (iii) that depending on the outcome of the Air Quality Action Plan the Community Services Committee approach Essex County Council for recompense, and,
- (iv) that a summary of the concerns of this Committee be submitted to the Finance & Corporate Services Committee

255. STRAY DOGS POLICY

The Committee considered the report of the Director of Customers and Community seeking Members' approval of the contents of the report and approval of the Stray Dogs Policy as outlined in Appendix 1.

In response to a question the Director of Customers and Community said he would liaise with Environmental Officers and provide a formal response to the Committee.

RESOLVED that the contents of the report be noted and the Stray Dogs Policy approved.

256. MARKET TASK AND FINISH WORKING GROUP UPDATE

The Committee considered the report of the Director of Customers and Community updating Members on the work of the Market Task & Finish Working Group in relation to the Maldon town market (Thursday and Saturday). It was noted that Appendix 1 detailed the potential loss of car parking income, Appendix 2 outlined potential market sites and Appendix 3 highlighted key locations across the Town Centre

Members discussed a range of issues relating to the report from locations to frequency and length of contract periods. It was noted that the aforementioned issues would be resolved through the consultation exercise.

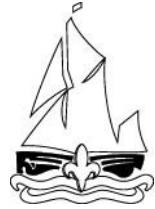
RESOLVED

- (i) that the findings of the Markets Task and Finish Working Group be noted;
- (ii) that the officers be authorised to apply for planning permission to make the current market site in Butt Lane Car Park permanent;
- (iii) that officers be authorised to seek tenders for the operation of a market on Thursdays and Saturdays at the Butt Lane car park with the aim of letting a new, five year contract, that will commence in June 2019;
- (iv) that, subject to consultation, an option to include market space at the lower end of the High Street is included as a future tender option;
- (v) that a further report be prepared detailing the outcomes of the market tender.

There being no further items of business the Chairman closed the meeting at 9.03 pm.

R G BOYCE MBE
CHAIRMAN

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**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
17 JULY 2018**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	P G L Elliott, M S Heard, N R Pudney, S J Savage and Miss S White

274. CHAIRMAN'S NOTICES

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

275. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor I E Dobson.

276. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 06 June 2018 be received.

The Chairman advised the Committee that it had been agreed at the full meeting of the Council held on 28 June 2018 the following amendments to the minutes:

Minute No. 144 – Moorings, Leases and Licences Update

Rewording to minute recommendation (ii) of this minute “*that the Planning and Licensing Committee be recommended to request* that the Director of Planning and Regulatory Services look into increasing the interest in using the Blackwater and Crouch Rivers”.

Minute No. 147 – Office Accommodation and Lease

An amendment to the second paragraph of the report so that it read “...interest as he worked at the Police Station and did not return.”.

The Committee agreed the amendment to the following minute:

Minute No. 141 – 2017/18 Programme of Work Update and 2018/19 Programme of Work

Rewording of the minute (i) to read “*That* an update...” in place of “*Than* an update...”.

RESOLVED

(ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 06 June 2018 be confirmed.

277. PUBLIC PARTICIPATION

There was none.

278. DISCLOSURE OF INTEREST

Councillor M S Heard disclosed a pecuniary interest in Agenda Item 11 – Office Accommodation and Lease Update, as he works at the Police Station, and advised that he would withdraw from the chamber for this item.

279. PROGRAMME OF WORK 2018 / 19

The Committee received the report of the Director of Resources confirming the Committee’s Work Programme for 2018/19, as attached at Appendix 1 to the report.

Following receipt of the report Members made comments on the following items:

- Provision of Healthcare Services - It was agreed that the CCG would be invited to provide an update at a future meeting of the Committee.

Residents within the Maldon District had received a letter from Nick Alston, Chairman of the Mid Essex Hospital Services NHS Trust (MEHT).

It was agreed that a copy of the letter was to be provided to the Director of Resources, and Councillor N R Pudney will report back to a future meeting of the Committee following his next meeting with the Trust.

- Internal and External Communications – A briefing with the Deputy Monitoring Officer is being arranged, Councillors S J Savage and M W Heard would be invited to attend as email communications would be discussed. The Director of Resources advised that this will take place over the weeks following this meeting.
- Staff Sickness – this item was discussed and noted under Minute 280 of the Overview and Scrutiny Committee, 17 July 2018.

Members were requested to suggest new items of scrutiny for future meetings of this Committee, and it was agreed that the following items would be considered for the Programme of Work:

- Review on the Provision of Fire Services - Concern was raised that the Fire Authority was looking into closing fire stations within the Maldon District, i.e. Tillingham and Burnham-on-Crouch. It was noted that were this to happen the closest Fire Service to the Dengie would be located at South Woodham Ferrers.
- Provision of Car Parking - Members raised concern over the lack of car parking within the town centre and noted the recent impact that this had on residents within the vicinity of Promenade Park. The Director of Resources advised the Committee that this was being looked into and on the agenda for a future meeting of the Asset Management Working Group (AMWG).
- Crematorium - The Director of Resources advised members that a report was to be provided to a future meeting of the Council meeting in August.
- Waste Disposal within the District - In response to Members questions the Director of Resources advised that the contractor was being scrutinised following issues surrounding the reliability of vehicles and the impact on the delivery of service. A report would be provided for a future meeting of the Committee, and include feedback on the size and reliability of vehicles.
- Delivery of Tourism - Following a query on the pending closure of the Burnham Tourist Information Centre (TIC), it was requested that the delivery of tourism within the Maldon District was added as an item for scrutiny and the best strategic and operational delivery looked into.
The Director of Resources to confirm this would not be a duplication of work undertaken by other Committees before adding this as an item for scrutiny.

Members complimented the Burnham TIC on the high standard of customer service provided.

- Office Accommodation and Leases - It was requested that following the recent report, leases held by external companies working from the Council offices would be looked at and reported back to a future meeting of the Committee. It was noted that this would include previous lease holders, Moat Housing, and organisations who use the facilities for meetings.
- Jobcentre Plus - Members were pleased to see the Jobcentre Plus had located to the Council Offices and requested confirmation on their success at the site. Members asked whether they were still only accepting appointments for claimants aged twenty five and under, and whether there was any plans to extend this to Burnham as an Outreach Project.
In response to Members questions, the Director of Resources agreed to provide a short report to a future meeting of the Committee.
- Ignite - Following the recent and ongoing changes to the Councils structure Members agreed that this was to be scrutinised at a future meeting of the Committee.

- Planning and Treeworks – A member queried whether planning protocol was being adhered to on applications for council owned premises. Correspondence to be circulated to Members from the Director of Customers and Community over concerns raised over Promenade Park.
The Director of Resources to look at the trees on around Downs Road and feedback to Councillor S J Savage.
- Waste and Foul Water – The Committee raised concerns over the use of an experimental pumping system for foul water removal at new developments within the district, the lack of capacity at pumping stations, and the liability for any failure of foul water drainage which may occur.
Members discussed the responsibility of foul water removal at new developments within the District, and voiced frustration over conflicting reports from Anglian Water. It was requested that Anglian Water attend a future meeting of the Committee and provide a report on the removal of foul water.

RESOLVED:

- (i). that the content of the report and actions as outlined above be noted.
- (ii). that items listed below are added to the Programme of Work 2018/19, with the following Members as sponsors (where named):
 - a. Review on the Provision of Fire Services; *Councillor P G L Elliott*.
 - b. Provision of Car Parking (to include provision and enforcement during events); *Councillor M W Heard*.
 - c. Waste Disposal within the District; *Councillor M W Heard*.
 - d. Delivery of Tourism; *Councillors P G L Elliott and Miss S E White*.
 - e. Office Accommodation and Leases (to include any external organisations to utilise the Council offices); *Councillor S J Savage*.
 - f. Jobcentre Plus; *Councillor M W Heard*.
 - g. Crematorium

280. ATTENDANCE MANAGEMENT UPDATE 2017 / 18 AND QUARTER ONE 2018 / 19

The Committee received the report of the Director of Resources confirming the attendance management levels for 2017/18 financial year, and quarter one of 2018/19.

It was noted that attendance in quarter one for 2018/19 had improved and, inclusive of long term sickness, the total annual days lost per Full Time Equivalent (FTE) had improved on previous years and was the lowest since 2014/15. Members were directed to section 3.8 of the report which addressed concerns previously raised on supporting Managers on dealing with absence.

Members stated they were pleased to see a reduction in the loss of days. It was queried whether injury types (as laid out in figure 3.4 of the report) were localised to certain departments within the Council. The Director of Resources confirmed for Members that there was no obvious link to work related injury, and it was also worth considering that significant changes in the workplace could impact levels of sickness across the authority.

The Director of Resources confirmed that although the figures from the previous year had been impacted by the flu pandemic, the Council had also implemented stronger internal controls. This included an improvement in managing medium to long term sickness, reporting of short term sickness, looking at patterns of absence, provision of hand gels, changing the cleaning regime, and providing staff with the option to have a flu vaccination.

It was recommended that the Committee continues to observe the item, and the report for Quarter Two 2018/19 to be brought to this committee.

RESOLVED that the report and subsequent actions, as outlined above, be noted.

281. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

There was none.

282. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

283. OFFICE ACCOMMODATION AND LEASE UPDATE

Councillor M S Heard left the meeting at 20:15, due to a potential conflict of interest as he worked at the police station, and did not return.

The Director of Resources delivered a report in response to questions raised at a previous meeting of the Committee.

Members discussed the report and asked further questions which the Director of Resources duly answered.

RESOLVED that the contents of the report be noted.

There being no further items of business the Chairman closed the meeting at 8.15 pm.

M W HELM
CHAIRMAN

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**MINUTES of
PLANNING AND LICENSING COMMITTEE
19 JULY 2018**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor A K M St. Joseph
Councillors	B S Beale MBE, A S Fluker and Mrs M E Thompson

284. CHAIRMAN'S NOTICES

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

285. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce MBE, M F L Durham CC and R Pratt CC. It was noted that Councillor S J Savage had advised that he would be arriving late.

286. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 5 June 2018 be approved and confirmed.

287. PUBLIC PARTICIPATION

No requests had been received.

288. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council in relation to reports on the agenda. In relation to Agenda Item 7 – Maldon District Specialist Needs Housing Supplementary Planning Document she declared that she was a Member of the Henry Guilder Drake Almshouse Charity and was a Director of Essex Cares Limited.

Councillor A S Fluker declared in the interest of openness and transparency in relation to Agenda Item 10 – Flood Appraisal Study for the Central Area Masterplan for Maldon and Heybridge he was a Maldon Harbour Commissioner.

289. PLANNING POLICY UPDATE

The Committee received the report of the Director of Planning and Regulatory Services providing an update on local, sub-regional and national planning policy matters including Duty to Cooperate and Essex Local Plans and legislative changes as they affected planning policy.

The report highlighted three areas of planning policy which were the subject of separate reports on this agenda. It was noted that a report would be considered at the September meeting of this Committee on various reports from the Essex Planning Officers Association.

The Planning Policy Manager presented the report, drawing Members attention to a number of areas and providing the following information in response to questions raised:

- The Council had made representation on Chelmsford City Council's Local Plan which had now been submitted to the Secretary of State.
- The Minister for Housing had announced that the National Planning Policy Framework would be published prior to the summer recess and the Committee would receive a report on this at a future meeting.
- There would be considerable delay on the North Essex Strategy Local Plan.
- New guidance had been received on permission in principle, although it was noted that this related primarily to brownfield site regulations.
- There were now 28,070 residential properties in the District.

In response to concerns raised regarding the number of residential properties in the District which would be used by the Government, the Chairman requested that Officers provide clarification regarding this figure.

In response to a question regarding the A12, the Planning Policy Manager advised that the Planning Inspector had asked Essex County Council and other authorities to review plans as the current rerouting went through the proposed Marks Tey garden community.

RESOLVED that the Planning Policy Update be noted.

290. MALDON DISTRICT SPECIALIST NEEDS HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The Committee considered the report of the Director of Planning and Regulatory Services presenting the findings of comments received through and proposed amendment and additions (as detailed in the report and Appendix 2 to the report) following public consultation on the Special Needs Housing Supplementary Planning Document (SPD). The report also sought Members' endorsement and recommendation to the Council that the Special Needs Housing SPD be adopted (attached as Appendix 1 to the report).

It was noted that the Specialist Needs Housing SPD would provide additional detailed guidance to landowners, developers, Registered Providers and the community on the

Council's approach to specialist needs housing provision in the District. Once adopted, the SPD would become a material consideration in making decision on planning applications.

In response to a number of questions, the Planning Policy Manager provided Members' with the following information:

- The Planning Policy Manager drew Members' attention to the types of housing detailed within the document and advised that supported housing was included but just defined differently.
- In respect of the 1 kilometre (km) accessibility area and defining this, the Council looked at best practice in terms of what other Local Authorities had done in addition to considering how specialist housing need may change in different pockets of the district. In addition, 1km was still considered a reasonable distance for access. This measurement was taken from the facilities and served as guidelines on which considered decisions could be made.
- The definitions detailed in table 1 'types of older peoples housing of Appendix 1' were industry standard definitions.

RESOLVED

- (i) that the proposed amendments to the draft Maldon District Specialist Needs Housing Supplementary Planning Document, following the public consultation be approved.

RECOMMENDED

- (ii) That subject to amendment, the Maldon District Specialist Needs Housing Supplementary Planning Document (attached at **APPENDIX 1** to these Minutes) be adopted.

291. ESSEX COASTAL RECREATIONAL AVOIDANCE AND MITIGATION STRATEGY (RAMS) UPDATE

The Committee received the report of the Director of Planning and Regulatory Services which provided an update on the Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) and sought Members' views on matters which may affect future planning policies and procedures.

The report provided background information regarding the RAMS, a joint initiative between 11 Essex Authorities to identify the recreational impacts new homes would have on the international and nationally protected sites along the Essex Coast.

Members noted the progress to date, as set out in the report. At the request of the Vice-Chairman of this Committee, the winter survey results were provided at Appendix 1 to the report. The report provided an update on Zones of Influence (ZOIs) which were the likely distance visitors were prepared to travel to reach a particular site for recreation. The report outlined the nine sites identified and these were further detailed in Appendix 2 to the report.

Councillor A K M St. Joseph raised a number of concerns regarding wildlife and how he felt the RAMS did not include a link between what people did and wildlife. The Director of Planning and Regulatory Services advised that these concerns could be placed on the agenda for discussion at the forthcoming Member forum.

In response to a question regarding surveying of the seawall between shore end and St. Peters on the Wall, Bradwell, the Director of Planning and Regulatory Services advised that he did not have this information but would raise the matter.

Following further debate Councillor St. Joseph proposed that the Committee not accept the RAMS update as outlined in the report and refer the project back to National England for clarification on the actual disturbance effects. This proposal was duly seconded and agreed.

RESOLVED that the Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) update as outlined in the report not be accepted and the RAMS project be referred back to National England for clarification on the actual disturbance effects.

292. DISTRICT LICENSING FOR GREAT CRESTED NEWTS

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members' consideration as to whether the Council should join the District Licensing Scheme for Great Crested Newts or remain with the current site by site mitigation arrangement.

The report provided background information regarding the enormous declines in Great Crested Newt populations through loss and decline of pond habitats. Members were advised that District Licensing was a new approach to authorising developments affecting Great Crested Newts through strategic habitat improvement, integrated with Local Plans, biodiversity and green infrastructure strategies, rather than the current approach. The development of the scheme and monies allocated to National England to set up the scheme were set out in the report along with the benefits, considerations and concerns of joining.

It was noted that the District Licensing approach allowed the opportunity to provide enhanced Great Crested Newt populations funded by developer contributions whilst reducing officer time and creating time and cost savings for the developers. This approach fitted with the emerging strategy for the Green Infrastructure network.

Councillor A S Fluker declared in the interest of openness and transparency that he had Great Crested Newts.

RESOLVED that an 'in principle' commitment to partner with National England to develop a District wide scheme by the identified date of 31 July 2018 be agreed.

293. FLOOD APPRAISAL STUDY FOR THE CENTRAL AREA MASTERPLAN FOR MALDON AND HEYBRIDGE

The Committee considered the report of the Director of Planning and Regulatory Services setting out a proposal by Essex County Council (ECC) to undertake a detailed

flood appraisal study of the Central Area Masterplan. The report also sought Members' agreement for a contribution of £12,000 towards the detailed appraisal.

Members were reminded that the Council had adopted the Maldon and Heybridge Central Area Masterplan on 2 November 2017. Project 12 of the Masterplan identified the requirement to undertake a detailed flood risk appraisal of the area and the report provided detail with regards to this appraisal.

An application had been prepared, in partnership with ECC, for submission to the Environment Agency (EA) for flood Defence Grant in Aid funding and Local Levy towards the cost of the appraisal. The EA had indicated that funding would cover approximately 80% of the cost and therefore the Council would need to contribute the remaining £12,000.

The Director of Planning and Regulatory Services advised the Committee that the £12,000 contribution sought at recommendation (ii) could be found within existing budgets. Therefore the recommendations should be amended to request that the contents of the report and budget contribution be noted.

In response to a question, it was confirmed that Essex County Council would be carrying out the study.

RESOLVED that the contents of the report, including the proposed contribution of £12,000 towards the detailed flood risk appraisal costs, be noted.

294. ANY OTHER ITEMS OF BUSINESS

The Chairman referred to a matter raised by Councillor A S Fluker regarding letters of representation on planning applications and detailing the location of objectors, supporters etc. in report to the Area Planning Committees. In response, the Director of Planning and Regulatory Services advised that he was looking into this with the Group Manager – Planning Services, and the Council's Data Protection Regulations Officer and would report back to Members.

There being no further items of business the Chairman closed the meeting at 8.40 pm.

MRS P A CHANNER, CC
CHAIRMAN

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**Maldon District
Specialist Needs Housing Supplementary Planning
Document (SPD)**

July 2018



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FOREWORD

I am delighted to be introducing the Council's new Specialist Needs Housing SPD.

This important Supplementary Planning Document (SPD) provides more detailed guidance about key Local Development Plan Policy H3: Accommodation for Specialist Needs, as well as Policy H1: Affordable Housing and Policy H2: Housing Mix.

Maldon District like many parts of the country has an increasing, older population. Generally, older people are those over retirement age, but in some cases can mean people aged over 55. However, not all will require specialist needs housing - many of our older residents may wish to remain in their own homes and 'age in place' - but for those who wish to move, some may prefer to live in a home that is smaller and easier to look after, while others may wish to move to an environment with more support and care available. It is important that a mix of housing products is available in the District to address the different needs these residents can have, as well as for those of all ages with disabilities.

Traditionally, specialist needs housing has been thought of as bungalows and apartments, but the range promoted continues to grow and evolve. As the Local Planning Authority, an important role of ours is to ensure that our residents are able to live in well-located, accessible, affordable, safe and comfortable homes, throughout their life, and are able to live independently for as long as they wish to do so.

The policies in the Local Development Plan, together with this Specialist Needs Housing SPD, will be the key mechanisms used to deliver suitable, quality market and affordable housing on sites identified by the Local Development Plan and in other appropriate locations. So, this new SPD intends to help landowners, developers, providers, agents and planners develop 'age proof' specialist needs housing that meet the right design and quality standards, in appropriate locations where residents are able to continue to be part of a community.

The Council hope that this SPD will encourage a wide range of quality specialist needs homes to be delivered so that our residents continue to enjoy living in the District.

Cllr Mrs P A Channer CC
Chairman, Planning and Licensing Committee,
Maldon District Council

1.0 INTRODUCTION

Why is this document important?

1.1 The Maldon District Local Development Plan (LDP) (2017)¹ seeks to deliver market and affordable housing that meets the needs and aspirations of existing and future residents, of different demographic groups and needs, over the plan period (2014-2029). Specifically, this Supplementary Planning Document (SPD) is guided by the policy framework of key LDP Policy H3: Accommodation for 'Specialist' Needs, as well as Policy H2: Housing Mix and Policy H1: Affordable Housing.

1.2 The Maldon District Strategic Housing Market Assessment² (SHMA) concluded that 67.3% of the projected growth of the District's population over the next 15 years (2014-2039) will be people aged 65 and over and that a priority is to ensure that the future supply of homes meet the housing needs of this group. This is not a problem unique to the District - addressing the needs of an ageing population is a national challenge.

1.3 Many older people will wish to remain in their homes and receive services as their needs change. There will, however, be many residents who either choose to move (to downsize) from larger accommodation, seek the safety and security of a building with a staff presence or need to move due to poor accessibility or poor condition of their current accommodation.

1.4 Adapting older peoples' homes can help meet some residents needs but providing a wider choice of specialist needs housing options better suited to their requirements is more important - it creates the greatest range of positive outcomes – it helps to incentivise owner occupiers to move, and in most cases downsize to market or affordable homes and stimulates the overall supply and mix of housing in the District, whilst improving the quality of life for residents as well.

1.5 The SHMA² identifies a need for 374 new sheltered units by 2018: of these 254 are in the affordable sector and 120 in the private sector, as well as 138 extra care units. Since 2014, only 30 private rented affordable properties have been developed, significantly less than the requirement. Additionally, a care home has closed and the District has no independent living schemes in place. There is also a requirement for homes for residents with disabilities. Even with some of this need (particularly in the affordable sector) being provided in the Garden Suburbs and at the strategic sites there will still be an acute need for specialist needs housing in the District and an urgent need for this SPD to be implemented to facilitate delivery through other new development.

1.6 This SPD provides additional detailed guidance to developers, providers and the community on the Council's approach to assist in the delivery of specialist needs housing, ensuring that approved LDP policies H1, H2 and H3¹ are as effective as possible. This includes:

- Providing greater clarity about the different types of specialist needs housing sought in the District for older people and for those with disabilities;
- Locational and accessibility guidance for specialist needs housing schemes;
- Providing more guidance about the supporting information that is likely to be sought for different specialist needs housing proposals;

- Setting out how the Council will work with partners to deliver specialist needs housing.

1.7 Whilst this SPD is intended primarily to provide guidance for older peoples' accommodation and for housing for those with disabilities, it is also relevant to planning applications relating to housing for the care of younger people who are in need of specialist accommodation similar to that needed by older people to meet their medical needs.

1.8 The SPD has been prepared in accordance with the provisions set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning)(England) Regulations 2012.

1.9 It is also set within the context of adopted and emerging national policy (and has regard to the revised draft National Planning Policy Framework³, March 2018), local housing needs and the Council's strategic housing objectives. This SPD does not and cannot introduce new planning policy. This SPD is a material consideration in determining planning applications.

What is specialist needs housing?

1.10 The National Planning Policy Framework⁴ provides the following definitions of:

- **'Older people:** People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs;
- **People with disabilities:** People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs; (2012, Annex 2)'

1.11 The draft revised NPPF³ only changed the definition of older people slightly to:

People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

1.12 The Council's Housing Register recognises older people as being over 55, and some operators in this niche-market set a minimum age requirement of 55 years old. Where necessary to secure funding the over 55 limit will apply.

1.13 The LDP¹ reflects this, defining specialist needs housing as '*meeting the needs of older people, people with physical disabilities, people recovering from mental illness, people with limited mobility and people with a learning disability*'.

1.14 Specialist needs housing can take many forms. Understanding the range of housing options, how they are funded, how they are accessed or allocated and the type of services they offer is the first step to understanding whether that type of housing will meet the District's housing needs. Table 1 sets out a range of products, including homes that are restricted to people over a certain age, to accommodation that provides services complementary to nursing and residential homes. Not all of the housing or support are available in the District, or in some cases, may be inaccessible because there are no vacancies. Appendix 3 provides specific guidance for those products expected to be required in the District in the next few years: independent living, extra care housing, retirement housing, dementia care housing, care homes and retirement villages.

Continuum of care	Accommodation type	Definition
Low ↓ High	General needs housing	Self-contained general needs stock with no age or care level. Market housing.
	Age restricted/age exclusive independent housing	Self-contained accommodation for sale or for rent. Can be provided on a large scale as a retirement village (100 units or more) Occupation restricted to people above a specified age, usually 55 or 60. Can provide a range of services on site. Market /affordable housing.
	Retirement housing	Self-contained accommodation designated for older people (usually aged over 55) with local connection. May provide care alarm. Mostly affordable: social/affordable rent Enhanced: Mixed tenure as specified by LDP policy H1
	Sheltered housing	Self-contained accommodation designated for older people (usually aged over 55) with local connection. On-site warden service. Affordable: social/affordable rent
	Independent Living	Self-contained accommodation designated for older people (usually aged over 55) with local connection. At least 6 hours of care and support each week. Market/affordable housing.
	Extra care housing	Self-contained accommodation designated for older people (usually aged over 65) Varying level of personal care and domestic support. Usually designed for wheelchair use. Affordable/market housing. Also known as very sheltered housing, assisted living.
	Residential care	Private or shared en-suite rooms within a care facility. All receive domestic care and some personal care.
	Nursing care	Private or shared en-suite rooms within a care facility. All residents will receive domestic, personal and nursing care.
	Close care	Private self-contained accommodation linked to a nursing home

Table 1: Types of Older Peoples Housing

1.15 Residential, Nursing and Close Care Homes play an important role in meeting needs but their focus is the provision of care rather than accommodation. They are usually commercial enterprises which make it difficult to commission new developments strategically, or regulate in terms of meeting local need. For this reason they are not considered as part of the housing supply although their contribution is important to meet the needs of the District's most vulnerable older people, so guidance is provided for this type of housing.

1.16 The market for specialist needs housing is evolving. New products will be considered as long as they meet identified local needs for residents of the District.

Strategic Environmental Assessment and Equalities Impact Assessment

1.17 A Strategic Environmental Assessment Scoping Report⁵ has been carried out for the SPD (see www.maldon.gov.uk/spd). The Council carried out an extensive Sustainability Appraisal for the LDP and this SPD only provides detailed guidance to support the delivery of the LDP, AND does not set new policy. Therefore, it has been concluded that a SEA of the SPD is not required.

1.18 An Equalities Impact Assessment⁶ is available at www.maldon.gov.uk/spd

2.0 POLICY CONTEXT

National policy context

National Planning Policy Framework (NPPF)⁴

2.1 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. Paragraph 50 of the NPPF (2012) aims to promote the delivery of a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities by:

- [Planning] for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as families with children, older people, people with disabilities and people wishing to build their own homes);
- Identifying the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- [Where there is an identified need for affordable housing], setting policies for meeting this need on site, unless off site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be flexible to take account of changing market conditions over time.'

Revised Draft National Planning Policy Framework³

2.2 This consultation document (2018) gives a clear idea of the Government's thinking for planning and development in England in the future. Paragraph 60 recognises that it is important that the '*needs of groups with specific requirements are addressed.*' Paragraph 62 adds that '*policies should identify the size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).*'

2.3 This SPD will highlight where emerging national guidance could have an impact upon specialist housing provision.

2.4 This SPD uses the definition of affordable housing set out in the NPPF (2012), which differs to that proposed by the draft NPPF. This SPD cross references to the Council's Affordable Housing and Viability SPD. The definition and guidance used in that SPD will reflect the published revised NPPF so in relation to affordable specialist housing that document will take precedent, being based on the most up to date guidance available.

Planning Practice Guidance (PPG)⁷

2.5 The Government's Planning Practice Guidance provides more detail on a range of planning matters identified by the NPPF. A web-based resource, first published in 2014, guidance is regularly updated to reflect the current policy position. The consultation for the revised draft NPPF and associated documents did not indicate that there was to be significant changes to guidance on specialist needs housing. Therefore, the SPD will continue to reflect that in the existing PPG.

2.6 When addressing housing needs, the Housing and Economic Needs Assessment PPG (2014, 021) requires that Strategic Housing Market Assessments consider the current and future trends of a range of data including different age profiles, type of households, the current housing stock size and the tenure composition of housing. This provides an understanding of how age profile and household mix relate to each other and how this may change in future. See paragraphs 2.22 – 2.26 for details about the Maldon District SHMA².

2.7 The Housing and Economic Needs Assessment PPG (2014, 022) recognises that '*the need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (DCLG Household Projections 2013) ... The size, location and quality of dwellings needed in the future for older people should be considered in order to allow older people to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish. Supporting independent living can help to reduce the costs to health and social services, and providing more options for older people to move could also free up houses that are under occupied. The future need for specialist accommodation for older people broken down by tenure and type (e.g. sheltered, enhanced sheltered, extra care, registered care) should be assessed ... The assessment should set out the level of need for residential institutions (Use Class C2)."*

2.8 It adds that planning for the needs of disabled persons is important, including those who require adaptations in the home, either now or in the future.

The Town and Country Planning (Use Classes) Order 1987 (As Amended)

2.9 The Use Classes Order puts uses of land and buildings into various categories known as 'Use Classes'. Older people's housing can fall within the following classes:

Class C2. Residential institutions

Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses)).

Use as a hospital or nursing home.

Use as a residential school, college or training centre.

Class C3. Dwellinghouses

Use as a dwellinghouse (whether or not as a sole or main residence) by —

- a) a single person or by people to be regarded as forming a single household;
- b) not more than six residents living together as a single household where care is provided for residents; or
- c) not more than six residents living together as a single household where no care is provided to residents (other than a use within Class C4).

Interpretation of Class C3

For the purposes of Class C3 (a) "single household" shall be construed in accordance with section 258 of the Housing Act 2004.

Class C3 dwellinghouses are referred to in this SPD as residential development/housing or dwellings

The Use Classes Order adds that: '*care' means personal care for people in need of such care by reason of old age, disablement, past or present dependence on alcohol or drugs*

or past or present mental disorder, and in class C2 also includes the personal care of children and medical care and treatment.'

2.10 Relevant appeal decisions (APP/X1545/A/08/2081888 Disused Nurseries, Mayland, Essex, APP/Q3115/A06/2024775 Abbeycrest Nursing Home, Sonning Common, Reading and APP/ W1145/A/09/2106479 Land at Raleigh Hill, Northam, Bideford) and legal opinion (Barchester Healthcare Ltd v Secretary of State for Communities and Local Government) address the distinction between Class C2 and C3 uses. These indicate that if accommodation includes an independent front door, a kitchen, bathroom, living room and a bedroom and is capable of being used as a dwelling house, whether this is the current intention or not, then it qualifies as C3 use. This is because residents can effectively live without needing to interact with others to achieve their basic daily living requirements. This includes 'extra care' housing.

2.11 For a development to be considered a residential care home or nursing home it must be laid out to allow unimpeded access by trained medical staff to the patient's home/room. It should also be registered with the Care Quality Commission (CQC) and the care package applied to the patient must include a daily element of:

- administering medication (as set out the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 12);
- treatment of any medical problem which require the attention of trained nursing staff.

2.12 Therefore, housing that offers a minimum care package which is limited to the following, will be treated as Class C3:

- domiciliary care: health care or supportive care provided in the patient's home by healthcare professionals, including support in daily living activities such as bathing, dressing, transferring, using the toilet, eating, and walking; (excluding any administration of medication); and/or
- assistance in carrying out activities of daily living: such as, light housework, preparing meals, taking medications, shopping for groceries or clothes, using the telephone, and managing money; and/or
- supporting rehabilitative care: such as podiatry, physiotherapy, or sensory stimulation.

In those cases where developers consider that a scheme (or part of) falls within Use Class C2 detailed evidence will be required in support. This will include, but not limited to: the proportion of non C3 uses; relationship with other elements of the scheme (e.g. traditional care home places); the approach to control occupancy and care provision through legal obligation. These are interdependent and their validity may vary on a site-by-site basis.

Care Act 2015

2.13 Under the Care Act the Council must ensure there are a range of providers offering a choice of quality care services in the District. The Act expects the Council to integrate care and support functions with those provided by the NHS and any other health-related services such as housing.

Health and Social Care Act 2008 (Regulated Activities) Regulations 2009 and Care Quality Commission (Registration) Regulations 2009

2.14 Under this legislation care providers are required to register with the Care Quality Commission (CQC). The CQC regulates care provided by the health authorities, local authorities, private companies and voluntary organisations, including residential care homes for adults, nursing homes, domiciliary care providers and others. The CQC has standards of quality and safety which care providers must comply with.

Local Planning Policy**Maldon District Local Development Plan¹**

2.15 The LDP was approved by the Secretary of State in July 2017. This is part of the development plan for the District, covering the period 2014-2029. Policy H3 sets out the overarching framework for the provision of specialist needs housing. Other policies in the LDP set out more specific requirements on matters such as Housing Mix (Policy H2) and Affordable Housing (Policy H1). **These key policies are re-produced in Appendix 2.** See www.maldon.gov.uk/LDP for further information.

Neighbourhood plans

2.16 Neighbourhood plans that are 'made' are part of the development plan for Maldon. All planning applications should be in accordance with the development plan, unless material considerations indicate otherwise. Neighbourhood plans may contain policies relating to housing for older people or for those with other specialist needs in a particular area. Further information on the status and content of neighbourhood plans is available at www.maldon.gov.uk.

Maldon District Draft Affordable Housing and Viability SPD⁸

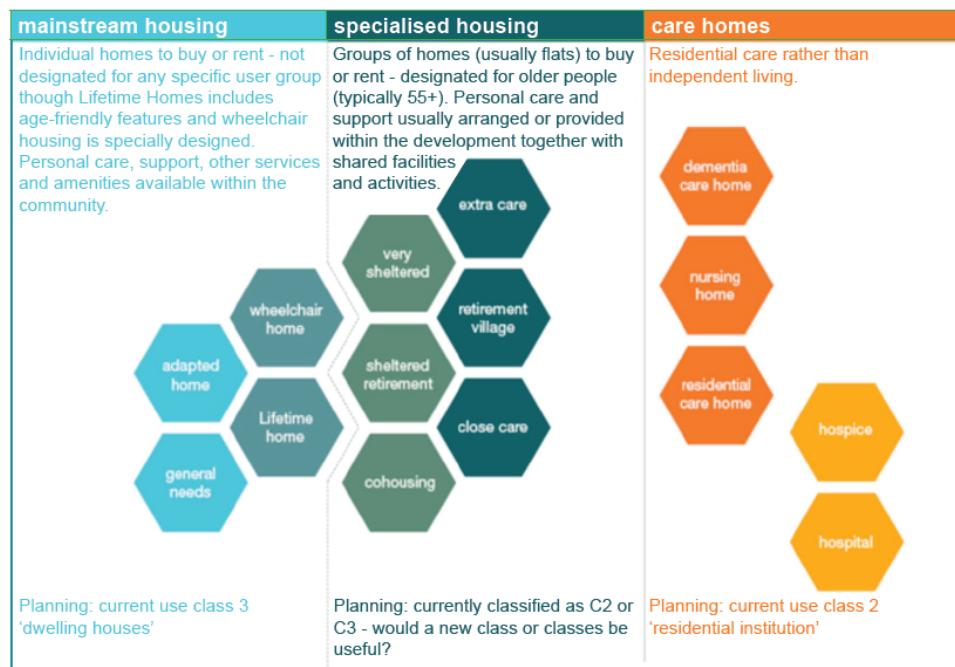
2.17 The consultation draft of the SPD was published in April-May 2018. This covers all matters relating to specialist affordable housing and viability assessments. Following consideration of representations made and the outcome of the revised draft NPPF consultation, relevant changes will be made to that SPD. It will then be adopted as a SPD by the Council. See www.maldon.gov.uk/spd

Maldon District Design Guide SPD⁹

2.18 The SPD (2017) provides further details on LDP Policy D1, identifying the principles that should be followed to deliver good quality design of new development in the District. These principles apply equally to all forms of housing.

2.19 Recognising the role older persons housing is expected to play in the longer term in the District, Appendix A of the SPD provides specific guidance for older persons housing (see www.maldon.gov.uk/mddg). The diagram overleaf includes the three types of housing categorised by the Housing our Ageing Population: Panel for Innovation (HAPPI), 2014:

mainstream housing, specialised housing and care homes. Within these categories are products which correlate with Table 1 of this SPD:



2.20 Similar guidance is also set out in the **Essex Design Guide, 2018¹⁰** (www.essexdesignguide.co.uk). This is a useful guide but to ensure that all new development reflects local character, the SPD should be used to inform applications.

2.21 Where sites or areas are subject to other guidance prepared by the Council e.g. a master plan or strategic design codes, developers must consider housing requirements carefully to reflect all appropriate guidance. Further information is available at www.maldon.gov.uk

Maldon Strategic Housing Market Assessment (SHMA)²

2.22 LDP Policy S2 identifies a need for a minimum of 4,650 dwellings from 2014-2029 (310 per annum)¹. However, the LDP plans for a slightly higher target of 5,108 dwellings to provide for a better mix and choice and to enable the delivery of affordable housing, housing for older people and housing for other specialist needs¹.

2.23 The SHMA (2014)² identifies that the most significant feature in population change in the District over the plan period is the expected growth of the over 65 age group. This is reinforced by the ONS¹¹ which shows a comparable increase of the same age group at around 27%, for 2011 - 2021. The SHMA² sets out the growth by age group for the same period:

- The largest increase across all age groups and the largest proportionate growth is in the 90+ age bracket (35.6% increase);
- The 65-74 age group is expected to increase by 20.2%;
- The 75-79 age group could increase by 35.1%; and
- The 80-89 age group by 33.6%.

2.24 This reflects data from the Projecting Older People Population Information System (POPPI) which projects the changes for the over 65's to 2020 in the District¹². A 26.3% increase is expected between 2012 and 2020, higher than that for Essex, the East of England region and England overall¹². Given the resource demands often associated with older people, these comparable figures are very significant and will impact on the demand for different house types and tenures in the District, from those wishing to move.

2.25 The SHMA² indicates a need for 374 new sheltered homes by 2018: 254 in the affordable sector and 120 in the private sector. Since 2014, only 30 private rented units have been developed, significantly less than the 374 required. Although some will be addressed by the flow of the existing sheltered stock this demonstrates an acute need for specialist housing in the District and an urgent need for this SPD to be implemented to enable delivery either within the market housing and affordable sectors, as bespoke schemes or through new development.

2.26 Other key SHMA² findings are:

- The increase in the 65+ age group will increase the demand for specialist market and Extra Care/Independent Living and sheltered accommodation;
- Providing a better supply of specialist homes for older people could improve the availability of larger family market homes as well as general needs, affordable homes;
- There is a growing trend of under-occupation in the market and affordable sectors of around 12,673 households in the District with around 756 dwellings in the social rented sector - a significant proportion are likely to be older people – many will remain in their family home and receive support - but at least 17.1% of households would consider downsizing (129 households);
- Demand from those considering moving is highest for 1 and 2 bed bungalows (62.2%) and then supported housing (23.3%);
- In terms of tenure, the greatest need is for owner occupation but 41.5% would prefer affordable housing to rent. There is a slight demand for more specialist accommodation including a private retirement village and residential care;
- Many older people will move in with family which can have implications for extending, adapting or providing annexes to properties;
- Many types of older persons housing are relatively new (such as independent living and extra care) and the increase of those aged 75+ may increase the need for this type of accommodation. Demand may also rise as understanding of this sector increases;
- The significant increase in older householders (i.e. 80+) will have implications for support services, options for housing with support, long term suitability of accommodation, equity release schemes, adaptations and other age-related health and social care requirements;
- The preference of disabled households without specific support needs was for bungalows particularly in Maldon/Heybridge, followed by the Rural South sub area. This includes 56.5% of the 'younger' disabled group (under 64);
- Bungalows could help meet the needs of both older people and those with specialist needs, but these are not as readily available in the general housing stock and are often more expensive due to their limited availability.

Local Housing Policy

2.27 Providing suitable, specialist needs homes for existing and future communities will play a significant role in achieving the Council's corporate goal of 'meeting housing needs'. Increasing the mix of housing products available to older residents and those with other specialist needs in both the market and affordable sectors will help achieve this ambition. It may also help address other housing needs by freeing up existing properties for those wishing to move home or buy a property in the District.

Maldon District Draft Housing Strategy¹³

2.28 The draft Housing Strategy (2017) recognises the demands and needs of older people and those requiring specialist housing in the District by setting out plans to manage growth and meet the changing needs of residents over their lifetime or as their circumstances change. This will be achieved by promoting a choice of housing products including Independent Living, Extra Care housing and affordable housing, as well as securing market housing designed to be accessible for a range of people and providing ways of helping residents move through different types of tenure where necessary. The Strategy also seeks to secure homes that can be more easily adapted to meet specific needs, thereby 'age proofing' housing stock for the long term.

Maldon District Older Peoples Housing Strategy¹²

2.29 The Strategy provides a framework to help improve the links between commissioners and planners of services, housing providers and support providers to ensure that the increasing number of older people in the District improve their longer term prospects for independence, reducing the risk of chronic and acute health problems and demand on other services, but have a variety of homes available to meet their different needs.

2.30 Building on the SHMA² the Strategy considers the increase in demand for care and support to provide a housing based assessment of need. This identifies a need for an additional 909 new homes for older people by 2029. Although this need is different to that in the SHMA² it covers a different time period and is based on a different methodology. What is clear from all sources is that there is a significant need for older peoples housing in the District – the purpose of this SPD is to provide guidance on delivering this type of specialist housing.

2.31 To address this significant need the Strategy identifies a pragmatic solution: turnover in the local housing market will be stimulated by promoting a greater range of housing products to encourage residents to move to an appropriate form of housing. HAPPI 3¹⁴ suggests that every downsizer move triggers a further 3 moves and releases more starter homes for people looking to enter the housing market. This will generate secondary benefits by making more general market and affordable homes available, helping to re-dress the balance in the housing market. The Strategy identifies the following need: 138 extra-care units, 235 retirement units for rent, 211 sheltered dwellings and 325 retirement units for ownership.

Maldon Tenancy Strategy¹⁵

2.32 The Maldon Tenancy Strategy (2017) sets out how the Council expects Registered Providers and other approved providers should operate affordable housing tenancies and how affordable homes should be managed in future. All new affordable homes must be delivered in accordance with this guidance.

3.0 MALDON'S SPECIALIST HOUSING NEEDS AND PRIORITIES

3.1 The LDP¹ plans for 5,108 dwellings from 2014 to 2029. Informed by need and demand, the SHMA² indicates that 374 sheltered units are required by 2018: 254 in the affordable sector and 120 in the private sector, as well as 138 extra care units. Since 2014, only 30 private units have been developed, significantly less the 374 required. Additionally, since 2010, a residential home has closed, support has been withdrawn from approximately 600 sheltered properties and the District has no independent living schemes in place.

3.2 The expectation is that the majority of this significant older persons housing shortfall will be delivered where the greatest demand is, in Maldon, Heybridge and Burnham-on-Crouch where residents benefit from good access to public transport, shops and other key services². Access to local amenities and the surrounding community helps older people, particularly those in 'active' retirement remain connected to the area where they have been or are living. It is therefore appropriate for the LDP's Garden Suburbs and strategic sites as well as other major new housing developments to provide for, or incorporate provision specifically for older people. The availability of funding for specific products such as independent living may also lead to bespoke schemes being delivered on suitable sites by Providers in these locations.

3.3 Securing the level of specialist needs housing identified by the SHMA² and the Council's Older Persons Housing Strategy¹² is essential to ensure that local people are able to afford to remain living independently in the District should they wish to do so, in the house of their choice, whether market or affordable housing. In all cases, the purpose is to facilitate self-care, independence and to provide a secure home for life.

3.4 A significant 43%² increase in older people is expected over the lifetime of the LDP, therefore it is unlikely that the District's 1,091 dwellings specifically designed for older people¹² (excluding owner occupied properties) and that planned for in the LDP Garden Suburbs and strategic sites will be sufficient to meet needs both in the immediate and longer term, in both the market and affordable sectors. This trend is likely to present some challenges, particularly in terms of ensuring that appropriate accommodation in suitable locations is available or that residents are able to 'age in place'. There is also a necessity to consider the requirements of people with other specialist care needs.

3.5 Many older people are owner occupiers: It is easy to assume that home ownership will be the preferred tenure for older people if moving to another home, but nearly 50% of those considering moving would like to rent rather than buy¹². Many are 'asset rich but cash poor' and need to complete the sale of their existing home to be certain of moving. The comparatively higher cost of retirement housing, with limited choice and the need to sell the current home make this an option which is less convenient and explains why the market has been slow to respond despite the potential growth in need. Renting of specialist needs housing can be easier to access (with the option of selling after, rather than before, moving), creates greater financial independence and does not incur responsibility or costs associated with the maintenance of the property.

3.6 A priority, therefore, is securing a higher proportion of new homes for older people to rent. Delivery of rented accommodation can take a variety of forms: private rented age restricted/age exclusive 'retirement' accommodation, independent living or extra care homes as well as affordable housing. However, ownership remains important, being a tenure that may help improve the viability of new development, which may help secure affordable housing for the District's older people. The SHMA² indicates about 100 existing older residents annually would require rented housing, with a similar demand from those who are considering moving into the District over the next few years.

3.7 Schemes providing affordable housing give a significant opportunity to meet identified local needs. The Council's Housing Register shows that there is a clear demand for affordable housing for older people in the District. As of November 2017 there were 277 older applicants (over 55) on the Register but it is unclear how many are currently living outside the District. The majority of affordable homes are managed by Registered Providers; the average annual supply through re-lets is about 100 homes. As life expectancy increases and without alternative options such as extra-care housing, this 'supply' is likely to reduce as the proportion of older people increase.

3.8 To help meet the market and affordable housing requirements of some of the most vulnerable older people in the District, a range of housing products including extra care, independent living and retirement homes, will need to be delivered to address identified needs and meet the aspirations of older people. The predicted growth in those aged 75+ may increase the demand for extra care accommodation (between 138-243 homes) and for independent living (134 units)¹². To this end, funding is currently available to help deliver independent living housing in the District¹⁶.

3.9 Some of this identified need will be met through turnover of stock, but not all existing stock will meet relevant standards which could increase the total requirement. The Council's most recent conditions survey showed that there are about 1,000 vulnerable households, many of which are older people, living in properties which fail the Decent Homes standard. Adapting housing stock to extend the housing choice for older people and those with a disability will be encouraged particularly where it can release family sized accommodation. But for many, moving to a home in better condition will be the solution.

3.10 It is essential that the District's housing market operates cohesively: Making best use of existing stock is therefore a key priority for the District. New specialist needs housing should help fill identified gaps in housing stock which will help improve flow within the market and affordable sectors. Every downsize triggers 3 further moves and releases starter homes: A significant proportion of owner occupied properties (with/without mortgages) have two or more spare rooms (around 11,917 households in the District)¹². In the affordable sector, this is about 756 households¹². By helping the flow of family homes and freeing up lower level supported housing in both sectors, a more balanced stock will meet the requirements of future households, including older people and those with specific needs. Need is broadly similar irrespective of tenure: for 1 and 2 bed homes².

3.11 According to the SHMA, over 1,000 people² would prefer to move to a smaller home that is better suited to their needs and easier to maintain, and where the right kind of care and support is available. While many older people are active, others have differing levels of health, fitness and ability, and these may change over time. A key principle in meeting their housing needs will be to maximise their ability to live independently for as long as they are able and wish to do so. Ensuring new homes are 'age proof' will be important to maximise the ability of older people to remain in their homes as their needs change.

3.12 It is likely that 70% of older people² would prefer to remain in their family home - this could have a significant impact upon support services – as by 2020, it is predicted that another 5,500 older people will need support or assistance to remain independent, particularly for domiciliary and personal care¹³. Alternatively, this could lead to an increase in annexes, extensions and conversions to enable older people to live with family.

3.13 The 80+ age group is expected to rise at least threefold by 2039, and the 90+ age group is predicted to increase by 35.6% over the plan period². These are some of the most frail, for some, a care facility will be a necessity. Care homes play an important role by improving health and well-being, reducing the risk of mortality and admission to hospital and helping to meet the care needs of those experiencing mobility, frailty, sensory loss and dementia. This is particularly important as the number of people experiencing dementia is expected to rise by 35% by 2020². But nursing and residential homes are commercially driven, designed to address a specific need or gap in the market, so are not always responsive to the more acute housing requirements of older people. Even so, provision will need to increase significantly to meet this growth, assuming that current facilities are adequate.

3.14 Properties designed for those with a disability (or with the ability to be adapted), particularly bungalows, will also help address existing needs for older people. In most cases homes for disabled people are purpose built or adapted to meet their specific support needs. Bungalows are not readily available in the District but given the demands for such properties by older and disabled people, a priority will be securing more bungalows and ground floor accommodation as part of an appropriate mix in new housing schemes.

3.15 Given the demographics of the District and the projected ageing of the population, it is reasonable to assume that the health and social care requirements for residents will also grow, placing significant strain on these services within the District. The emphasis in community healthcare has now shifted to enabling people to live in their own homes and communities for longer. This means that all new specialist housing schemes should have the support of the statutory agencies, such as the care commissioners and the CCG who provide care to residents.

4.0 PROVIDING SPECIALIST NEEDS HOUSING

Which developments may require specialist needs housing?

4.1 LDP policy H2¹ states all housing developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure, to reflect local housing need and demand in both the market and affordable sector, particularly the need for an ageing population.

4.2 The precise amount and type of specialist accommodation required will depend on a range of factors including the choices of individual people and households. Identifying sites for such provision can be challenging, and it is therefore appropriate - where there is evidence of an identified unmet need in the local area and the location is appropriate in terms of access to facilities, services and public transport - for the Council to work with developers to ensure an appropriate mix is delivered, that provides for, or includes an element of, housing designed for older people or those with a disability, or that can be adapted in the longer term.

4.3 Needs of disabled people differ from person to person. Provision is usually made in smaller schemes such as shared housing, individual self-contained housing or in specially commissioned self-contained housing within a development. Opportunities will be taken to secure this provision as part of the affordable housing element of a scheme, where appropriate. See the Affordable Housing and Viability SPD⁸ at www.maldon.gov.uk/spd

Vacant Building Credit

4.4 National policy⁷ states that a vacant building credit (VBC) can apply to sites where a vacant building is brought back into lawful use, or is demolished to be replaced by a new building. Further guidance is set out within the Affordable Housing SPD⁸ at www.maldon.gov.uk/spd .

Specialist Needs Housing Mix

4.5 There is a demand for a wide range of specialist property types and sizes in the District. LDP Policy H2¹ expects a suitable mix of housing in both the market and affordable sectors to enable a better flow of existing housing stock and to meet the identified housing needs for different demographic groups in the District.

4.6 The SHMA² sets out the preferred market housing split: 60%: 1 and 2 bed properties: 40%: 3 and 4 bed properties. The affordable housing mix is set out in the Affordable Housing and Viability SPD⁸ (at www.maldon.gov.uk/spd).

4.7 The Council may consider a different mix, for example if local housing needs would benefit from an alternative, the location does not support the delivery of one bedroom homes or a revised mix would help to redress the balance of existing specialist homes in an area.

4.8 A second bedroom is a high priority for older residents. It can provide for couples who choose to have their own rooms, often caused due to a medical issue; provision for caring arrangements /sleepover provision; and provides a spare room for family and friends. A third habitable room in older peoples housing is required if the scheme is

receiving grant funding from the HCA. However, one bedroom properties must be considered to ensure that people under pensionable age but over 55 have access to different forms of affordable housing, but not pay second bedroom tax. All schemes providing homes with more than 1 bedroom will be expected to show on their layout plan that a second/third bedroom is capable of accommodating twin beds.

4.9 Where affordable housing is being delivered, the Council's starting point for discussion is that 20% of any 1 and 2 bed homes are designed to accommodate older people. 20% of that provision should be designed to Lifetime Homes standards and the Housing Quality Indicator standards¹⁷ (a tool which evaluates housing schemes on quality rather than just cost. They incorporate the design standards affordable housing providers previously receiving grant funding from the Government were required to meet. Even so, they remain appropriate).

4.10 Mixed tenure housing, with shared communal facilities and care, requires careful consideration of legal/financial issues, management and marketing. Where promoters are considering this type of scheme, pre-application discussions are recommended.

4.11 Creating an oversupply of specific types of accommodation will be resisted - any applications for accommodation which contribute to an oversupply will need to provide robust evidence in support of their proposals. The Council monitors demand and supply on an annual basis and each case will be assessed on its merits.

Affordable Housing and Planning Obligations

4.12 LDP Policy H1¹ states that all housing developments of more than 10 units or 1000sqm will be expected to contribute towards affordable housing provision (see the Affordable Housing and Viability SPD⁸ www.maldon.gov.uk/spd). The same threshold is set by national policy⁷ for using developer contributions to secure community infrastructure.

4.13 Provision of specialist needs accommodation should not exclude the provision of affordable housing. Affordable housing will be sought for all relevant Class C3 housing schemes such as Sheltered and Extra-Care schemes, and individual, self-contained C3 units, even where the occupants receive care and/or are restricted to occupancy over a particular age and/or are located within a complex which includes some C2 (nursing home) rooms. This will also include proposals for a mix of Class C2 and Class C3 housing where the C3 element meets the threshold. See paragraphs 2.9-2.12 for more information.

4.14 It is not always appropriate for design, financial viability or management reasons for affordable specialist units to be located on site. In these cases a financial contribution may be acceptable. This should be agreed with the Council at pre-application stage.

Community-led housing

4.15 Community-led housing must be affordable housing and is a way for residents and communities to deliver good quality homes, in settlements or as exception sites in the rural area to meet local needs in perpetuity (see Affordable Housing and Viability SPD for details⁸). Community-led housing can be developed and/or managed by local people or residents, by not for profit organisations, such as locally based charities or almshouse

providers. It can also be provided by Registered Providers and owned and managed by them on behalf of a community group.

4.16 This type of housing can take a variety of forms: current models include self-help housing, co-housing, co-operatives, community land trusts and community self-build. It can also include the re-use of existing buildings. Community-led housing can also be delivered through Community Right to Bid or the Community Right to Build processes.

4.17 Promoters should contact the Council at an early stage if community-led housing is being proposed. Evidence of the need for specialist housing and/or affordable housing in that community will be required including that the proposed type and mix of housing is unlikely to be accommodated through planned development in the locality. The Neighbourhood Plan process provides an opportunity to identify appropriate sites and get community buy-in early for community-led housing. Promoters must agree their nominations policy and future management approach with the Council. This will be set out in a S106 agreement.

Loss of specialist needs housing

4.18 Over time, specialist needs housing may no longer be viable, for example due to a lack of revenue funding or lack of demand. Given the significant demand for specialist housing in the District, any loss will not normally be accepted. To ensure the District does not lose housing for a specialist group, any proposal should be informed by viability evidence, which can show that the specialist use is no longer viable. Such details would benefit a planning application. A variation to the S106 agreement for the scheme will be required so that the properties can be converted to general needs affordable housing.

5. DELIVERING SPECIALIST NEEDS HOUSING

Site selection

5.1 Ensuring older people and those with specialist needs have good access to shops, public transport, family and friends helps them feel part of a community. Moving home can be unduly stressful and can lead to older people living in unfamiliar surroundings, away from their support network.

5.2 HAPPI3¹⁴ identifies that 85% of older people would like to 'age in place', in their neighbourhood. Therefore, a local response to their needs is required to help residents remain in the community they are familiar with. Many older people and others with impaired mobility and cognitive impairment cannot drive and therefore a pedestrian friendly environment close to shops and services is essential for them to maintain mobility and retain independence.

5.3 Specialist needs housing (in Class C3) should be in a location which allows residents to live independently, locally if possible or within easy access to their existing support network and which addresses a specific need for that type of housing in that location. LDP Policy H3¹ requires that specialist needs housing is in close proximity to everyday services, preferably connected by safe and sustainable walking/cycling routes or public transport appropriate for the intended occupier. This evidence should be submitted within the Planning Statement or Design and Access Statement for a scheme.

5.4 HAPPI3¹⁴ recognises the importance of providing specialist needs housing in the right 'local' locations if it is to generate increased demand. In the District, sites selected for specialist needs housing should be:

- Well served by public transport: bus stops - with a frequent and daily service to main centres where a wide range of shops and services are available – should be within 1km¹⁸ of the development. This may be reduced to reflect site specific constraints such as the topography of the area, or where it can be demonstrated that the majority of future occupiers are expected to be less mobile. Evidence will be needed in support;
- Accessible: sites and the surrounding area should be relatively flat with drop kerbs and pedestrian crossings (or have the ability to do so) to promote access by ambulant older people, wheelchair users and mobility scooters. Sites should be easily able to connect to the surrounding highway network;
- Close to local facilities: housing should ideally be within 800m⁹ walk of local shops, bank/cashpoint, GP Surgery/Health Centre, post office, community facilities and open space, unless it can be demonstrated that the majority of future occupiers are expected to be 'active' and regularly able to walk up to 1km¹⁸;
- Able to be accommodated by local infrastructure;
- Free from environmental constraints or can demonstrate that these can be mitigated within a viable development;
- Well-lit and within a safe neighbourhood.

5.5 Housing developments at the edge of an urban area may not be particularly accessible and therefore may not be suitable locations for all types of specialist housing.

Developers will be required to demonstrate that the location of a development is suitable for the type of specialist housing proposed and that such provision will contribute to balanced communities.

5.6 Accessibility for residents of a care home (in Class C2) will be considered differently as residents tend to be less mobile and consequently more site-bound. Applications will be treated on a case-by-case basis - an appropriate location for these facilities will depend on the level of services and care that each facility provides, and the availability of facilities in the immediate vicinity of the site. The requirements of staff and visitors, particularly to public transport and walking and cycling routes should be reflected in the location of the site and design of a scheme, as required by LDP Policy H3¹.

5.7 Independent living is important in Maldon, Heybridge and Burnham-on-Crouch. These are the only locations that have the support of the CCG¹⁶ because they are the most sustainable locations where residents are better able to access a range of everyday services and meet their social and housing needs (see criteria 2, 3 and 5 of Policy H3). See paragraph 5.34 for more details.

5.8 To meet the requirements of Policy H3, particularly criteria 2 and 5, the Council will expect developers to submit a site selection assessment for all specialist needs housing schemes. Each assessment must consider a number of potential sites in a locality to ensure that the most sustainable is selected for that type of housing. This is important particularly if the proposed site is detached from a settlement boundary – these are known as rural exception sites – and specific guidance applies (see LDP Policy H5¹ and the Affordable Housing SPD⁸). Previously developed land and conversion of buildings should be considered: the Council's Brownfield Land Register is a good starting point (see www.maldon.gov.uk for more details).

5.9 Site availability is a key factor: The willingness of the landowner to make a site available for development at the correct time, on acceptable terms and at fair value will be a key factor in determining viability and deliverability of specialist needs housing.

5.10 Once the preferred site has been selected, detailed proposals will need to be worked out with the Council's Housing Officers and the Provider. The number, size and tenure mix of dwellings will vary according to the level of local need, the nature of the site identified and the size of the existing settlement. But, the amount and type of housing proposed should be in keeping with the role, function and sustainability status of that settlement.

5.11 All schemes must be deliverable: Policy H3, criteria 7 requires that the long term viability of the scheme be confirmed, (taking account of any planning and financial constraints which exist). This will be a requirement of a planning application. This could, for example, be in a viability assessment or through paragraph 5.32.

5.12 It is important that a pre-application consultation is undertaken. This gives the Provider and the local community the opportunity to clarify and confirm local expectations and modify the scheme prior to submitting a planning application.

Market Assessment

5.13 Specialist needs housing can displace opportunities for market and consequently, affordable housing, so detailed evidence will be required to support any proposal. To be compliant with LDP Policy H3¹, applicants will be required to submit a market assessment for all specialist housing schemes (including C2 development).

5.14 The market assessment should establish:

- There is a need for the housing proposed, in that location that cannot be addressed anywhere else in the District;
- How the proposal is contributing to the delivery of the LDP¹ and the Older Peoples Housing Strategy¹²;
- The scheme's location, accommodation and services will have a sufficiently large catchment of people who meet the proposed income;
- The basic operating costs of the scheme and resulting service charges (to fulfil policy H3 (7)): this is necessary to satisfy funders that potential residents will be able to afford the charges and whether they represent value for money (see paragraphs 5.21-5.30);
- Any age and needs based eligibility criteria;
- Any other local market factors that may influence their investment decision; and
- An early stage review of the scheme mix: this should consider the varying occupancy rates for each unit size and tenure which are evident in completed schemes and general needs housing occupied by older people. This will help show that the scheme is designed and will be managed to provide the most appropriate types of accommodation and support for its residents.

5.15 Should the assessment show that the scheme is likely to achieve full occupancy, the market assessment would then provide the basis for discussion with the Council and social care and health commissioners to ensure that the proposal would not adversely impact upon the capacity of public services (see paragraph 5.32). It is also an important tool to aid negotiations with potential funders: it can clarify the offer, who this will be offered to and what proportion of residents will need to take up the offer to fill the scheme.

5.16 For C2 development additional evidence must also be provided demonstrating:

- Compliance with the Health and Social Care Act 2008; and
- Compliance with the CQC Guidance for providers on meeting the regulations: Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Part 3) (as amended) and Care Quality Commission (Registration) Regulations 2009 (Part 4) (as amended)¹⁹ – see www.cqc.org.uk .

Capital funding

Affordable housing

5.17 Specialist needs affordable housing can be relatively expensive in terms of build cost per unit. In the past, a combination of commercial borrowing, social housing grant from the former Homes and Communities Agency and capital funding for supported housing from the Department of Health was required to deliver affordable housing. This programme favoured shared ownership and low cost homes for sale, with very little grant available for rented accommodation. Social rented housing in mixed tenure schemes were subsidised through the sale of shared ownership and market sale properties. But the reduction of government funding and restrictions on social rent levels mean that cross subsidy has become increasingly difficult. In most cases Providers will be unlikely to favour specialist housing for shared ownership for several reasons, including the limited willingness of mortgage lenders to lend for shared ownership.

5.18 Models that do not rely on subsidies will need to be used. This means a wider variety of possible funding routes must be understood and explored by commissioners and providers. This means that Providers may need to consider a different approach to scheme characteristics, e.g. accommodation size, extent of facilities, tenure mix or achievable revenue, or the use of alternative sources of funding, or a mix.

Market housing

5.19 Capital for privately developed age restricted/age exclusive independent housing and supported housing is raised from commercial banking and the investment sector. More stringent banking requirements since 2008 mean that developers have become more cautious – they need to achieve higher levels of forecast surplus profit to protect investors from possible losses. The viability of development is essential to the ability to build additional specialist needs housing.

5.20 To be compliant with LDP Policy H3¹, all schemes must demonstrate the extent of current subsidy secured as well as non-subsidy funding sources and how the characteristics of the scheme have influenced the available funding.

Cost of occupation

5.21 LDP Policy H3¹ requires developers to demonstrate that revenue funding can be secured to maintain the long term viability of a scheme. This is effectively from:

- Purchase price and rents: some forms of private specialist housing can be purchased while others can be rented. Most housing that involves care provision, and affordable properties are only available for rent;
- Service charges: paid by residents to cover the services and facilities offered compared with those in other forms of housing. These can include the cost of housing related support and services provided on site, such as heating of communal space, grounds maintenance, cleaning and caretaking. Charges must be set at levels that realistically cover operating costs but should not be too high as to remain unaffordable for the target resident;
- Adult Social Care – and resident – funded care and support services: residents may have to pay for these services, make a contribution or part/all could be covered by benefits – but will reflect the services provided, especially the need to fund 24 hour care.

Market housing

5.22 Such homes tend to be purchased outright using equity from the sale of the previous home (because mortgage lending to the older age group is very limited). But reduced costs for items such as heating, maintenance, council tax and insurance may mean that household outgoings are lower than for the previous home, which can prove attractive.

5.23 In general, developing and operating specialist market housing with communal facilities, such as age restricted/age exclusive independent housing or homes with care provided costs more than for retirement housing because a larger site is required for more on site facilities, the accommodation may be larger with a higher amount of communal space and more space may be required for care and equipment.

5.24 These additional costs can lead to higher purchase prices. In some cases, the cost of supported housing can be on average 25% more expensive than retirement housing²⁰. This could mean that residents who have lived and worked in the District may be unable to purchase a property on the open market.

5.25 Some providers seek a premium charge for open market Extra Care Housing, sometimes up to 20% above the most comparable local stock (in terms of accommodation, size and location) to cover the provision of communal facilities and services available to residents. Market assessments that show revenues based on this approach will be subject to challenge by funders and the Council.

5.26 As a result, in all cases, detailed evidence will be required to show that the purchase price can be achieved at first sale and that it can be achieved at re-sale, and that a sufficiently large catchment exists for the scheme to operate long term at this level of pricing. In the present economic climate, open market re-sales frequently occur well below the originally achieved sales prices. The Council expects forecast revenue to be based on the values of comparable local stock, allowing for the differences in quality, age and specification.

5.27 Consideration should be given to the interrelationship between the different elements of a scheme. Separating housing from care and other facilities may deny the provider an opportunity to pool revenue from several activities and offset the high capital costs of specialist needs housing, as well as spreading operational cost risk across several revenue sources. Schemes that involve one provider delivering several services and/or services that would not normally be associated with specialist housing, will need careful risk assessment in terms of both public procurement and CQC registration.

5.28 Service charges will be payable to the manager or agent and support or care fees payable at an agreed rate to the provider. Service charges (excluding care costs) generally reflect the level of services and facilities available on site. For example, McCarthy and Stone's website states that 'for a typical Retirement Living apartment (Based on Emma Court, Basingstoke) the service charge is £35.35 per week for a one bedroom apartment for the financial year of 1 April 2015 to 31 March 2016. For a two bedroom apartment, it is £53.03 per week. For a typical Assisted Living (i.e. supported housing) apartment (based on Lady Court, Basingstoke) the service charge is £118.85 per week for a one bedroom apartment for the same timeframe. For a two bedroom

apartment it is £158.59 per week.' In this case, the difference in cost reflects the increased staffing costs, the provision of domestic support packages and the table service restaurant provided on site.

5.29 In all cases, service charges should be clearly identified to the resident from the outset. Evidence that service charges are expected to be met by the target resident will be expected as part of a planning application.

Affordable housing

5.30 Affordable housing tenants will be charged for rent, the cost of housing related support and services provided on site, such as heating of communal space, grounds maintenance, cleaning and caretaking. It is crucial that service charges are clearly understood; calculated correctly and are transparent for the resident – and most importantly are affordable. Personal care and support should be an amount that can be met through the Attendance Allowance or other benefits to those on low incomes. Service charges will be higher in supported housing due to the range of facilities and services provided.

5.31 In certain instances, Independent Living housing will be classed as 'Exempt Accommodation' which means that rents and service charges (providing they are 'reasonable') will be met by housing benefit, even though (due to additional facilities and services) these charges may be significantly higher than in general needs housing. A household will qualify only if they, through means testing, meet the criteria that allow a claim for housing benefit.

5.32 To help ensure charges remain affordable, innovative models should be considered. For example, retirement apartments designed to a high standard, with shared communal private space (rather than private amenity space per dwelling) would allow the cost to the resident to be reduced, which means that a greater proportion of their resources can go to paying for their care.

Role of statutory agencies

5.33 Specialist needs housing is recognised as less costly than care/nursing homes and results in reduced use of health and social care²¹. In line with Government thinking the delivery of specialist needs housing should promote independent living to help reduce costs on health and social care services – this can be as much as £28,080 per person (annual cost saving of delayed admission to residential care)²².

5.34 However, development of specialist needs housing can lead to a potential increase in demand for services in that location, therefore in line with LDP Policy H3¹, all proposals for specialist needs housing must have the support of the relevant statutory agencies that would be expected to commission services or provide ancillary services such as care and support to future residents. This includes Mid Essex CCG, Essex County Council (Public Health and Social Care) and for affordable housing, the relevant Registered Provider, as well as the Council's Housing Services. Developer contributions to mitigate adverse impacts upon health care may be sought from all schemes of more than 10 dwellings or more (see LDP Policy I1).

5.35 Depending on the type of housing provided other agencies including providers of day care, One Support (who provide a floating support service), Swan Housing Association (who provide a home improvement service in the District) may also need to be consulted.

Design and appearance

5.36 High quality design can widen the choice of accommodation available to older people and those with other specialist needs who choose to live in the District. Aspiration and expectations relating to their housing choices must be considered, planned and achieved where possible. In order to provide adequate and sustainable housing for residents, each development must offer an attractive alternative to the existing family home and be capable of adaptation over time to meet changing needs.

5.37 The design of specialist needs housing will be guided by the principles set out in the Maldon District Design Guide SPD⁹ (see www.maldon.gov.uk/mddg), particularly those relating to adaptability, inclusivity and accessible design. Incorporating these principles can be achieved at relatively little extra cost and are essential to age proof homes, enabling people to live at home independently for longer. For instance, HAPPI3¹⁴ recommends an open plan approach to older persons living – utilising the provision of sliding doors and removing barriers within a property - to provide a flexible space for the long term. The Essex Design Guide¹⁰ also promotes future proofing and adaptability of housing.

5.38 The Design SPD⁹ expects all homes for older people to incorporate the following HAPPI principles relating to adaptability, inclusivity and accessibility:

1. Homes should have generous internal space standards: to 'age proof' homes, sufficient space should be provided to accommodate aids and adaptations in future. As a guide, one bed properties must be designed for 2 people (i.e. have a double room) and all 2 bed properties should be designed for 4 people. This ensures that 2 bed properties can accommodate 2 or more people in the long term. The upper limits of the Nationally Described Space Standard²³ will be the starting point for discussion. Further guidance is set out in the Council's Housing Strategy¹²;
2. Design of homes and circulation spaces should ensure plenty of natural light. Low light levels reduce the ability to read, lip read, increase the risk of falls and is not suitable for people with visual impairment. Providing a sun room as an extension to a sitting room can provide a warm and practical area for people to sit and / or eat in the warmth, but with the feeling that they are outside;
3. Buildings should avoid internal corridors and single-aspect flats and apartments should have balconies, patios or terraces and outdoor space;
4. To ensure adaptability, all homes must be provided with superfast broadband homes to be able to be 'care-ready' to enable emerging technologies, such as telecare and community equipment to be installed (see paragraphs 5.57-5.59);
5. Building layouts should ensure circulation areas and shared spaces offer connections to the wider context and avoid an 'institutional feel'. Imaginative use of shared balcony access to front doors and thresholds should be included to promote natural surveillance;

6. At any time it is likely that a proportion of residents will use a wheelchair or walking frame. Housing schemes with communal areas such as lounges, dining areas and refuse/recycling stores, should promote wheelchair access. An induction loop system must be installed in communal rooms and reception areas;
7. Multi-purpose space should be made available with appropriate supporting facilities, which could serve the wider neighbourhood as a community 'hub', particularly where they are lacking in the existing community;
8. Homes should engage positively with the street and the natural environment should be nurtured through new trees and hedges. Where possible, sites should overlook outdoor spaces to provide a stimulating view for residents who may spend a large proportion of their day inside. Further guidance can be found in the Maldon Design Guide, Landscape and Green Infrastructure Technical Guidance⁹;
9. Homes should be energy efficient, well insulated and well ventilated to avoid overheating;
10. Provision for cycles and mobility aids should be made as well as additional storage both inside and outside the home;
11. Shared external areas such as 'home zones' that give priority to pedestrians should be considered;
12. A site should be relatively flat, with properties well linked with public footpaths, and seating, wheelchair ramps, and crossings provided in locations where they are most likely to be needed.

5.39 These principles of good design maximise utility, independence and quality of life, and are reflected in the **Lifetime Homes** standards (see www.lifetimehomes.org.uk/). Although not formally adopted by the Council, the Design SPD⁹ requires developers to take into account these standards in the design of all specialist needs housing to ensure residents can remain in their homes for longer:

- Inclusivity – flexibility and adaptability within the design will meet a diverse range of needs over time;
- Accessibility – inclusive design will provide convenient and independent access in and around the built environment (externally and internally);
- Adaptability – the design should accommodate future provision for adaptation from the outset, including for wheelchair use and for use of mobility aids;
- Sustainability – the accessibility, flexibility and adaptability will ensure long term demand and contribute to the creation of stable and popular neighbourhoods and communities;
- Good value – carefully considered design, incorporating provision for adaptation, will give inherent flexibility and provide better value for the wider community in accommodating the changing needs of older people, thus reducing the future need for specialist housing.

It is a requirement that all independent living schemes incorporate the Lifetime Homes Standards.

5.40 These principles can also help those with other specialist needs: design features that help people with visual impairment can also be useful for people with learning

disabilities and autism, while many features for older people can help those with a physical impairment.

5.41 In the District, the number of people with dementia is expected to increase by 35% over the plan period², therefore the Council would encourage all new specialist needs housing to incorporate dementia friendly design principles throughout. The Design SPD⁹ expects principles identified in Dementia and Town Planning – Creating better environments for people living with dementia²⁴ to be reflected in new development.

5.42 For homes designed specifically for wheelchair use greater space and increased flexibility and specification will be required to ensure that a wheelchair user has access to every facility inside and outside the dwelling and has a choice on how best to approach that facility to suit their particular needs. Wheelchair housing must also incorporate specialist specification of fixtures and fittings, to provide for more specific individual and/or more complex requirements.

5.43 Securing inclusive design and compliance with Category 2 of the Building Regulations, Approved Document M²⁵ as a minimum standard will be essential. Homes designed to exceed this standard will be supported.

5.44 Different types of older person housing has different design requirements. Guidance for independent living, extra care, retirement housing, dementia care and care homes is set out in Appendix 3.

Density of new development

5.45 The Design SPD⁹ expects the density of development to be appropriate to the location and to respond to and/or enhance the character of the location. Density will be established on the net site area (see www.maldon.gov.uk/mddg for more details). Higher densities must not compromise the requirement for good quality external amenity space for residents.

Security

5.46 To ensure that residents feel safe and comfortable inside and outside their properties, development should be designed and managed to promote secure environments, where residents are able to maintain their independence and be part of a community. This is equally important for amenity space which can be a valuable part of a development. The Design SPD⁹ refers applicants to **Secure By Design** for further information.

Amenity space

5.47 Access to safe, quality outside space, with good views from inside as well as daily exposure to daylight, improves health and well-being particularly for those who are not as mobile - it also provides an important role in social contacts with other residents/neighbours. Design of specialist housing must encompass not only the aesthetics of the buildings but also the provision of easy access to the outdoor environment.

5.48 A well-designed, accessible and integrated outdoor environment will encourage residents to spend more time outdoors: the 'experience' should be designed to meet

their particular needs, which could include gardening and helping to maintain the landscape.

5.49 All C3 dwellings will require private external amenity space. Patios, balconies or winter gardens (sheltered external space, glazed, enclosed but not sealed, with opening/moveable elements to avoid overheating in the summer months) are particularly appropriate for older people.

5.50 For those that may choose to live in a care home (C2 use) access to private amenity space is just as important. This should be designed to meet the needs of the occupants: landscaped areas, sensory gardens, raised flower beds and seating may all be appropriate to encourage residents to use and enjoy the outdoors. For those that may not be able to use outdoor space as often, the development should be designed to ensure that residents can experience changes in seasons from the inside. Paths and seating areas should ensure access for those with limited mobility and in wheelchairs. The amount of open space will be assessed on a site-by-site basis to reflect the needs of the development.

5.51 All C3 housing of more than 10 units may be required to provide for accessible open space to meet the needs of its residents: this should be proportionate to the size of the development, be useable by the age group living there, accessible and located away from roads and parking areas. For example, paths of a suitable material should provide opportunities for gentle walking and exercise, seating should be designed to meet the requirements of all abilities, particularly wheelchair users and those using mobility aids. Fitness equipment should also be considered - it encourages exercise and is ideal for re-ablement.

5.52 Where it is not possible to provide open space on site, off site provision may be sought in line with LDP Policy N3¹. The Council does not adopt open space; a management plan including details of how the open space management will be funded will be required as part of the planning application. Management will be secured via a S106 agreement.

Parking

5.53 Specialist needs housing often presents a challenge to ensure that the parking needs of residents, visitors and staff (where appropriate) are properly met. Parking must be carefully considered: Sufficient parking for residents, visitors, staff and emergency services should be provided in accordance with LDP Policy T2¹ and the Council's Vehicle Parking Standards SPD²⁶, and any successor document. Where the development provides housing which has a 24 hour warden on site, the parking standards are identified as those for resident staff.

5.54 Developers should be clear about the number of residents who are likely to use a car; the number of staff providing housing management and those providing care and support; the number of expected visitors and facilities which may encourage regular external visits e.g. library, doctors, shop. Convenient cycle storage should be provided for any staff and visitors to the development (dependent upon the scale of the building).

5.55 All development should include space for the storage of wheelchairs and/or mobility scooters. This will also help age proof the housing. The layout of the development and its relationship to surrounding roads and footpaths should also be suitable for the use of mobility aids.

5.56 Some older people's accommodation may require specialised access and parking. For C2 development a drop zone, for use by ambulances, minibuses and taxis, must be incorporated at the main entrance. Facilities for mobility scooter parking should, where possible, be centrally located within buildings.

Internet, Telecare and Tele-Health Ready

5.57 As with all homes, a connected home – of technological advances and connectivity to the internet - is of increasing importance to residents. For specialist needs housing, a connected home can provide many benefits relating to automation and building management control, improved energy efficiency, managing care needs (telecare), achieve health improvements (tele-health) and home comforts that meet a range of lifestyle choices.

5.58 Telecare safety sensors continuously, automatically and remotely monitor residents over time to manage the risks associated with living alone, providing reassurance and peace of mind to residents and their relatives allowing people to remain living in their own homes for longer.

5.59 All specialist needs housing should have superfast broadband to ensure properties are telecare ready, with a hard wired telephone point and adjacent electrical spur to allow for the future installation of a telecare hub. A hard wired connection from a future emergency pull cord in a bathroom to the future telecare hub installation point is also required. This will ensure housing is easily capable of accommodating these facilities, if necessary, in the future. Additional devices can be added to the system (connected by Wi-Fi) to suit the requirements of the individual resident. In retirement housing the dwelling's telecare hub should be linked via a telephone line to a nominated person or call centre. In extra care/independent living housing the telecare hub should be connected to the on site care staff.

Local community interface

5.60 It is common for independent living and extra care schemes to incorporate community facilities such as a library, café or shop to make the scheme more financially viable and also to establish a crucial link between the scheme and the community. These could be commercially attractive and run independently (in terms of services, access and tenancy agreements). Other specialist facilities that reflect the primary purpose of the development, such as an intermediate (recuperative) care unit or a base for outreach / home care facilities could also be co-located on site. However, it is important that any community facilities are ancillary to the main use of the building and are consistent with the LDP¹.

Management

5.61 Housing at the lower end of the care spectrum (in Table 1) such as general needs housing, age restrictive/age exclusive housing, sheltered and retirement housing, provide no additional services. A resident with support or care needs would need to obtain services via Essex County Council Adult Social Care or privately. The support and care services provided in other forms of specialist needs housing varies between tenures, type of accommodation and between providers. It is not uncommon for residents to 'top-up' care privately.

5.62 LDP Policy H3¹ states that all schemes must be managed to provide the most appropriate type and level of support to its target resident. Therefore, where specialist housing schemes provide support and care an operation policy will be required as part of an application. This should set out the care, support and management arrangements that will be provided by the scheme. All operation policies will be assessed on a case-by-case basis by the Council, to establish if the service provision is appropriate for the target resident and can be secured for the lifetime of the scheme. Further information is set out in Appendix 3.

5.63 The location, size and number of bedrooms, occupancy capacity and the tenure and phasing of specialist housing should be agreed at an early stage with the Council and the Provider who will purchase and manage the housing. Further details on the management of affordable housing are within the Affordable Housing and Viability SPD⁸.

5.64 In all cases, a S106 agreement will be used to confirm the approach and to ensure, where appropriate, that the dwellings will remain available in perpetuity for those in specialist housing need. However, there may be legitimate circumstances where housing can be sold, for example, through right to acquire or staircasing out of shared ownership. The provider will be expected to make every reasonable effort to recycle any subsidy for specialist housing in the District.

5.65 All providers of care and nursing homes must be approved by the Care Quality Commission. This means that an assessment must be undertaken in relation to the safety, effectiveness, standard of care, management and organisation of the services provided to ensure residents are well cared for. Evidence of this should be submitted as part of the planning application.

Purchasing Housing Options

5.66 The LDP¹ requires that proposals for specialist needs housing must be able to demonstrate their long term sustainability. As the District's population ages and more people have to fund their own care and housing provision, reliable and easy access to information will become more important to older people and their families and carers.

5.67 Many older people find moving home difficult. Many have a modest amount of savings and would need to release equity by selling their home in order to move. This could have an impact upon the long term sustainability of a development. To help with this, the Council will expect developers to offer streamlined purchasing options and/or advice and help services to support potential residents to make the decision to move, within a reasonable timeframe. This could include (but is not limited to):

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- part exchange: to simplify and speed up the process of selling an existing home and purchasing or renting a specialist home;
- a 'help to move' service: which could be a 'move for free' scheme or a support service that helps with the tasks associated with preparing to move;
- a 'guide to downsizing' service: including practical advice to make a move straightforward;
- a cost comparator tool: to allow potential residents to compare the costs of specialist homes with their current living costs;
- a rent deduction scheme: the resident could rent their chosen property whilst they are attempting to sell their existing home. The amount of rent accumulated would be deducted from the purchase price prior to completion.

6.0 ANNEXES, EXTENSIONS AND CONVERSIONS

6.1 With more older people or those with specialist needs wishing to remain in their own home or intending to move to live with family, the development of annexes, extensions and conversion of buildings within the grounds of an existing dwelling to provide self-contained residential accommodation is becoming more common. Extending a house or converting an outbuilding provides the opportunity to accommodate elderly, sick or disabled relatives in the curtilage of the main dwelling while maintaining some independence.

6.2 The development of such accommodation may result in either a new house (a separate planning unit) or an annex incidental to the main dwelling. They have different planning requirements. LDP Policy H4¹ is the key policy against which such applications will be assessed.

Annexes

6.3 An annex is accommodation ancillary to the main dwelling but should form part of the same planning unit and share its access, parking area and garden. A planning unit usually comprises the dwelling and its garden. This will ensure the annex does not become a self-contained dwelling, separate and apart from the main dwelling, particularly when located in the countryside. A planning condition will be used to ensure that the annex is used solely as accommodation ancillary to the main dwelling and cannot be disposed of separately.

6.4 When considering an application the layout, design and physical relationship between the house and the proposed annex will be important, as will the size and scale of the accommodation to be provided. When considering a planning application for an annex, the Council will expect the development to meet the criteria in LDP Policy H4¹ and also:

- Be subservient / subordinate to the main dwelling;
- Have a functional link with the main dwelling (i.e. the occupants should be a dependant relative(s) or be employed at the main dwelling);
- Be in the same ownership as the main dwelling;
- Be within the curtilage of the main dwelling and share its vehicular access;
- Be designed in such a manner to enable the annex to be used at a later date as an integral part of the main dwelling;
- Have no separate boundary or sub division of garden areas between the annex and main dwelling; and
- Have adequate parking and amenity facilities to meet the needs of those living in the annex and main dwelling.

6.5 Applications for an annex should be accompanied by a plan which includes the whole of the planning unit within the red line site area and not just the annex.

6.6 Applicants should contact the Council for pre-application advice to ensure that all relevant information is submitted. This includes any other material considerations that may be relevant to the application, such as full details of family circumstances relating to dependency or family connection to the intended occupant.

Conversions

6.7 Existing detached buildings within the curtilage of a dwelling such as stables, coach-houses or garages may be converted for accommodation in association with the residential use of the main dwelling. Such buildings can be used as accommodation as long as:

- they do not become a separate self-contained dwelling (primary residential accommodation);
- they do not have separate boundaries to the main dwelling; and
- there is a personal connection between the residents and those living within the main dwelling e.g. a dependent relative or carer.

6.8 The change of use of outbuildings to additional accommodation will not require planning permission provided that any works fall within Permitted Development criteria. All other development would require planning permission – see LDP Policy H4¹.

Extensions

6.9 Some extensions can be built without planning permission, as part of the Permitted Development rights for that dwelling (see www.maldon.gov.uk for more details). All extensions that require planning permission should be consistent with LDP Policy H4¹. Extensions to existing residential institutions will need to demonstrate that there is a need for the extension and that the extension also meets the criteria in LDP Policy H3¹ and the guidance in this SPD.

7.0 PROCEDURE FOR NEGOTIATING SPECIALIST NEEDS HOUSING

7.1 Developers are expected to be familiar with the content of the LDP¹ and the guidance contained in this SPD before a planning application is submitted. Therefore, all schemes should be policy compliant. Affordable housing requirements will be identified by the Affordable Housing and Viability SPD⁸.

Pre-application and application negotiations

7.2 Developers should discuss their proposals with the Council before submitting a planning application. Pre-application discussions enable developers to positively discuss appropriate provision and justify their approach. This is particularly important in those exceptional circumstances where a scheme is not expected to be policy compliant. Pre-application discussions will highlight the likely impact of development, the amount and type of affordable housing required, and level of other developer contributions likely to be sought. This service is intended to help speed up the development process and avoid unacceptable proposals. Further information on the pre-application and planning application process is available on the Council's website www.maldon.gov.uk

7.3 For pre-application discussions to be productive, developers need to ensure that the following information is supplied:

- Total amount of specialist needs housing proposed;
- Total amount of housing proposed in terms of units and habitable rooms;
- Amount of affordable rented and intermediate housing proposed;
- Number of bedrooms, floor areas and number of people able to occupy affordable rented and intermediate housing units;
- For each tenure, the numbers of dwellings of different sizes (i.e. number of bedrooms);
- For extra care and affordable units: the weekly cost to the occupier of the proposed units including realistic and affordable service charges;
- Details of the affordability and tenure of the intermediate homes and how these will provide for a range of income groups;
- Market assessment for the scheme, including long-term viability of the scheme (in the form of revenue funding as required by Policy H3 (7)¹);
- Evidence of support from statutory agencies;
- Assumptions on cost of transfer to a Registered Provider;
- Phasing of delivery and the mechanism for handover of affordable homes;
- Nomination rights;
- Operation policy.

7.4 At outline planning application stage it may not be clear how many dwellings are proposed, and potentially this number could change at reserved matters stage. Where the housing mix has not been determined in an outline planning application, the Council will append a planning condition which stipulates that the details of the housing mix are submitted as part of the Reserved Matters application and should be in accordance with the SHMA².

Section 106 agreements

7.5 Provision of specialist and affordable housing will be secured by Section 106 (S106) agreement. This is a deed entered into by the Council and the landowner and/or applicant which outlines the details of a planning obligation, such as specialist housing. It is made under the provisions of Section 106 of the Town and Country Planning Act 1990.

7.6 S106 agreements run with the land so will bind successive owners. It is recorded as a land charge. If the applicant does not own the land the landowner will need to be party to the agreement. A S106 agreement may contain a number of planning obligations depending on the complexity and scale of the development and what would be necessary in order to grant planning permission.

7.7 It is advisable to involve a solicitor because the deed and undertakings can restrict the use of the property or land in the future. Alternatively, some applicants may choose to use their agent or planning consultant. However, a solicitor will be required to confirm title to the land concerned.

7.8 The length of time taken to complete a S106 agreement will vary. However, to ensure the S106 agreement process is efficient, draft Heads of Terms should be submitted with the planning application to enable the Council to finalise the agreement as soon as possible after the planning permission has been granted (subject to a S106 agreement) by Planning Committee. But this will depend on the agreement being substantially completed (and where necessary that Committee is aware of its substantive contents) and being capable of being signed by all parties soon after the decision is made. A completed S106 agreement must be agreed and in place before planning permission can be granted.

7.9 Clauses will be used to ensure that the housing remains available for its target group in perpetuity. For affordable housing see the Affordable Housing and Viability SPD⁸. The Council uses a standard S106 template, with standard clauses for securing community infrastructure. Triggers will be used to enable delivery of infrastructure or a financial contribution. Appropriate clauses will be included in a S106 agreement to secure interest for late payment from the relevant trigger point in the agreement.

7.10 Legal agreements should incorporate mortgagee in possession clauses appropriately, to protect the lender's investment. Where a Registered Provider fails to repay a mortgage and the lender takes possession of the property(s), the lender can then sell the homes as market housing.

7.11 The developer will be expected to pay the Council's legal costs for the preparation of a S106 agreement and any deed of variation.

Re-negotiation of a S106 Agreement

7.12 A S106 agreement can be re-negotiated at any point, where both the Council and the developer/landowner wish to do so. If there is no agreement to voluntary re-negotiate, and the S106 agreement predates April 2010 or is over 5 years old, an application will be required to change the obligation where '*it no longer serves a useful purpose*' or would '*continue to serve a useful purpose in a modified way*' (Planning Obligations PPG, 2016,

009⁷). Guidance concerning applications received before the end of April 2016 still applies and can be found at www.gov.uk

7.13 Where a S106 agreement is amended a Deed of Variation will be required to ensure any relevant changes to the planning obligation are captured.

Administration and Enforcement of S106 obligations

7.14 Monitoring of S106 obligations will be undertaken by the Council's S106 Monitoring Officer. This will ensure all obligations are secured at the right time and are delivered within the right timeframe by the Council, the developer and the Provider.

7.15 If a S106 Agreement is not being complied with, the Council will enforce obligations through the relevant legal channels once all other reasonable approaches have been exhausted. In such cases, the Council will seek to retrieve its legal costs against the party that is in breach of its obligations. The Council also has the power to enter land and carry out any works that are required and, if necessary, recover costs from the developer or landowner.

7.16 The Council's Authority Monitoring Report will provide transparency: this will identify specialist and affordable housing/financial contributions negotiated and delivered in the previous financial year, as well as those planned for the coming year. Progress with S106 agreements and expenditure in general will also be reported annually.

8.0 MONITORING AND REVIEW

8.1 Monitoring the delivery of specialist needs housing through new development will take place as part of the Authority Monitoring Report and as required for the completion of other statistical returns. It will enable the Council to identify and monitor the number and capacity of specialist needs housing across the District.

8.2 A review of this SPD will be considered if:

- There are significant changes to local circumstances, or to the Local Development Plan's evidence base that indicate the LDP¹ is unable to deliver the identified level of specialist needs housing;
- There is a significant change in national planning guidance; or
- The SPD is insufficiently effective in enabling specialist needs housing.

Glossary and Abbreviations

Definitions marked * reflect adopted national policy at the time of publication.

Affordable Housing*	<p>Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.</p> <p>Social rented housing: is owned by local authorities and private registered providers (as defined by s80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.</p> <p>Affordable rented housing: is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent (including service charges where applicable).</p> <p>Intermediate housing: homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.</p> <p>Starter homes: a new build dwelling available for purchase by qualifying first time buyers only (between the ages of 23 and 39) and sold for at least 20% below the market value. Must be sold for less than the price cap - £250,000 outside Greater London.</p> <p>Homes that do not meet the above definition of affordable housing, such as 'low cost market' housing, may not be considered as affordable housing for planning purposes.</p>	
Authority Monitoring Report	AMR	A mechanism for assessing performance of policies contained within the Local Development Plan.
Care Home		Use for the provision of residential accommodation and care to people in need of care. In C2 use.

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Co-housing		Intentional, self-managed community, made up of single private dwellings and additional shared communal facilities such as a common house with a community kitchen and dining room. Cohousing communities can be mixed tenure.
Community Infrastructure Levy	CIL	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
Community Land Trust	CLT	Independent local organisations established to tackle housing market issues and create permanently affordable intermediate housing for purchase and for rent. CLTs sometimes own other facilities on behalf of the community.
Community-Led Housing		Development of affordable homes led by local community groups. Can take a number of forms and routes, such as self-build, Community Land Trusts or exception sites. Development must be in addition to developments allocated by the Local Plan.
Community Right to Bid		Community groups can nominate both privately and publicly owned assets to be included on a list of assets of community value. This list is managed by the council. If a landowner wants to sell a registered property, they must tell the council. If a community group wants to buy the asset, they can trigger a 6 month moratorium to give them a chance to prepare a bid for it. During this period, the owner cannot sell their property on the open market. This gives community groups an opportunity to develop a proposal and raise the required capital. At the end of the 6-months, the owner is free to sell the asset to whoever they wish and at any price. Also known as Assets of Community Value.
Community Right to Build		Enables community groups to progress new development without the need to go through the normal planning application process, as long as the proposals meet certain criteria and there is community backing in a local referendum. Communities which wish to use the new powers must produce and submit a Community Right to Build Order. All profits derived from a Community Right to Build Order proposal must be used for the benefit of the community.
Cooperative housing		A housing organisation where tenants democratically control and manage their homes.
Developer contributions		Developer contributions, also known as planning obligations, can be secured via a Section 106 legal agreement or planning condition attached to a planning permission. They help mitigate any adverse impacts generated by new development on infrastructure and facilities.
Extra Care Housing		Self-contained accommodation designated for older people in a setting where care and support can be provided as required from an on-site care provider.

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Gross Internal Area	GIA	This is the area of a building measured to the internal face of the perimeter walls at each floor level.
Habitats Regulations Assessment	HRA	Tests the impacts of a proposal on nature conservation sites of European importance and is a requirement under EU legislation for land use plans and projects.
Independent Living		Self-contained accommodation designated for older people (usually aged over 55) with local connection who receive at least 6 hours of care and support each week.
Local Development Plan	LDP	The plan for the future development of the local area, drawn up by the Local Planning Authority in consultation with the community. This is described as a Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004.
Local Housing Allowance	LHA	Welfare payment for those on low incomes or reliant on benefits to meet the cost of housing.
Major Development		A proposal of 10 or more dwellings or a site area of 0.5 hectares or more, or non residential development is for 1,000 square metres or more of floorspace, or has a site area of 1 hectare or more.
National Planning Policy Framework	NPPF	Sets out the Government's planning policies for England and how these are expected to be applied.
National Planning Practice Guidance	PPG	A web-based resource provides more detailed guidance on the contents of the NPPF.
Neighbourhood Planning		Formally introduced under the Localism Act 2011, neighbourhood planning and, specifically the preparation of 'Neighbourhood Development Plans' is a community-led initiative for guiding the future development, regeneration and conservation of an area.
Older People		People over retirement age, including the active, newly-retired through to the very frail elderly, whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing and the full range of retirement and specialised housing for those with support or care needs.
People with Disabilities		People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

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Previously Developed Land*	PDL	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.
Public Subsidy		Grant, public loans and public land.
Registered Provider	RP	Technical name for a body registered with Homes England so are approved to deliver affordable to deliver affordable housing in England. Most Housing Associations are RPs.
Residential Home		Facility that provides private or shared en-suite rooms. All residents will receive domestic care and some degree of personal care. In C2 use.
Retirement Village		A larger-scale variant of specialist housing for older people involving clusters of accommodation with a central hub providing a range of facilities, including restaurants, cafes, shops, swimming pools, gyms/spa to create a village atmosphere. Can include registered care homes for people with high levels of dependency/health problems so that residents can “age in place”. Usually developed close to existing centres of population and promote the use of village facilities by non-residents, both to enable integration and generate income.
Section 106 Agreement	S106	A legal agreement entered into by the Council and the developer or applicant and Registered Provider which outlines the details of a planning obligation(s), such as affordable housing required to make an application acceptable in planning terms.
Self-help housing		Involves groups of local people bringing empty properties back into residential use. Use varies from long term tenancies to short life housing to meet immediate needs such as move on accommodation and supported housing.
Sheltered Housing		Self-contained accommodation designated for older people (usually aged over 55) with local connection. On-site warden service.
Strategic Environmental Assessment	SEA	Required under European legislation, an assessment of the environmental effects of plans and programmes to be carried out as they are being developed.

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Strategic Housing Market Assessment	SHMA	Assessment of the Council's housing requirements based upon the local housing market, which studies the supply and demand of housing, housing and planning policies, the need for affordable housing and the affordability of the local housing market.
Supplementary Planning Document	SPD	Provide supplementary information to support policies in Development Plan Documents but do not form part of the Development Plan. They carry weight in planning decisions but have less weight than Development Plan Documents. They are prepared in accordance with the Town and Country Planning (Local Planning)(England) Regulations 2012.
Vacant Building Credit	VBC	Allows the floorspace of existing buildings that are to be redeveloped to be offset against the calculations for section 106 affordable housing requirements (whether financial contribution or provision).
Viability assessment		An assessment of all development costs including central and local government policy requirements, regulatory costs and the cost and availability of finance, to determine whether a scheme provides a competitive return to the developer and generates a land value sufficient to persuade the landowner to sell for the development proposed.

APPENDIX 1: REFERENCES

Reference Number	Document	Author	Publication Date
1	Maldon District Local Development Plan	Maldon District Council	July 2017
2	Maldon District Strategic Housing Market Assessment Update	DCA	2014
3	Draft Revised National Planning Policy Framework	MDCLG	March 2018
4	National Planning Policy Framework	DCLG	2012
5	Strategic Environmental Assessment/Habitats Regulations Assessment Screening Report	MDC	2018
6	Equalities Impact Assessment	MDC	2018
7	National Planning Practice Guidance	DCLG	2014
8	Maldon District Draft Affordable Housing and Viability SPD	MDC	2018
9	Maldon District Design Guide SPD	MDC	2017
10	Essex Design Guide	Essex County Council	2018
11	2011 Census	ONS	2011
12	Maldon District Older Peoples Housing Strategy	MDC	2017
13	Maldon District Housing Strategy	MDC	2017
14	HAPPI3 Making Retirement Living a Positive Choice	All Parliamentary Group on Housing and Care for Older People	2016
15	Maldon Tenancy Strategy	MDC	2017
16	Independent Living for Older People Position Statement	ECC	2016
17	Housing Quality Indicators	Housing Corporation	2008
18	LTN 1/04 Policy, Planning and Design for Walking and Cycling	DfT	2004
19	Guidance for providers on meeting the regulations: Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Part 3) (as amended) and Care Quality Commission (Registration) Regulations 2009 (Part 4) (as amended)	CQC	2015
20	CIL and sheltered housing and extra care developments: a briefing note on viability	Three Dragons	2013
21	Financial Benefits of Investment in Specialist Housing for Vulnerable and Older People	Frontier Economics for the Homes and Communities Agency	2010
22	The Top of the Ladder	DEMOS	2013
23	Nationally Described Space Standard	DCLG	2015
24	Dementia and Town Planning – Creating better environments for people living with dementia	RTPI	2017
25	Approved Document M: Access to and use of buildings	HM Government	2010
26	Maldon District Vehicle Parking Standards SPD	MDC	2006

APPENDIX 2: KEY LOCAL DEVELOPMENT PLAN POLICIES

Policy H1: Affordable Housing

All housing developments of more than 10 units or 1,000 sqm will be expected to contribute towards affordable housing provision to meet the identified need in the locality and address the Council's strategic objectives on affordable housing.

The affordable housing requirements for each sub-area in the District are as follows:

Sub-area requirements	
North Heybridge Garden Suburb:	
North of Heybridge - S2(d)	30%
North of Holloway Road - S2(e)	40%
West of Broad Street Green Road - S2(f)	40%
South Maldon Garden Suburb	30%
Strategic Allocations at Maldon, Heybridge and Burnham-on-Crouch	40%
All other developments:	
Northern Rural, Maldon Central and South and Rural South*	40%
Maldon North and Rural South East Higher	30%
Rural South East Lower	25%

*As indicated in FIGURE 1 overleaf

Any relaxation of the above requirements will only be considered where the Council is satisfied, on a site by site basis, that such requirement will render any development proposals unviable.

Affordable housing should be provided on-site, either through free serviced land provided to a registered provider or constructed affordable dwellings to be sold to a registered provider upon completion to provide the number, size, type and tenure of affordable homes required by the Council's policies having regard to the SHMA, the Council's adopted Affordable Housing Guide, and the Council's Housing Strategy.

In exceptional circumstances the Council may consider accepting financial contribution from the developer where it is justified that affordable housing cannot be delivered on-site, or that the District's need for affordable housing can be better satisfied through this route. Commuted sums will also be charged for an incomplete number of affordable units provided on site.

The development of any affordable housing and the calculation of any financial contributions should be in conformity with the details set out in the Maldon District Strategic Housing SPD.

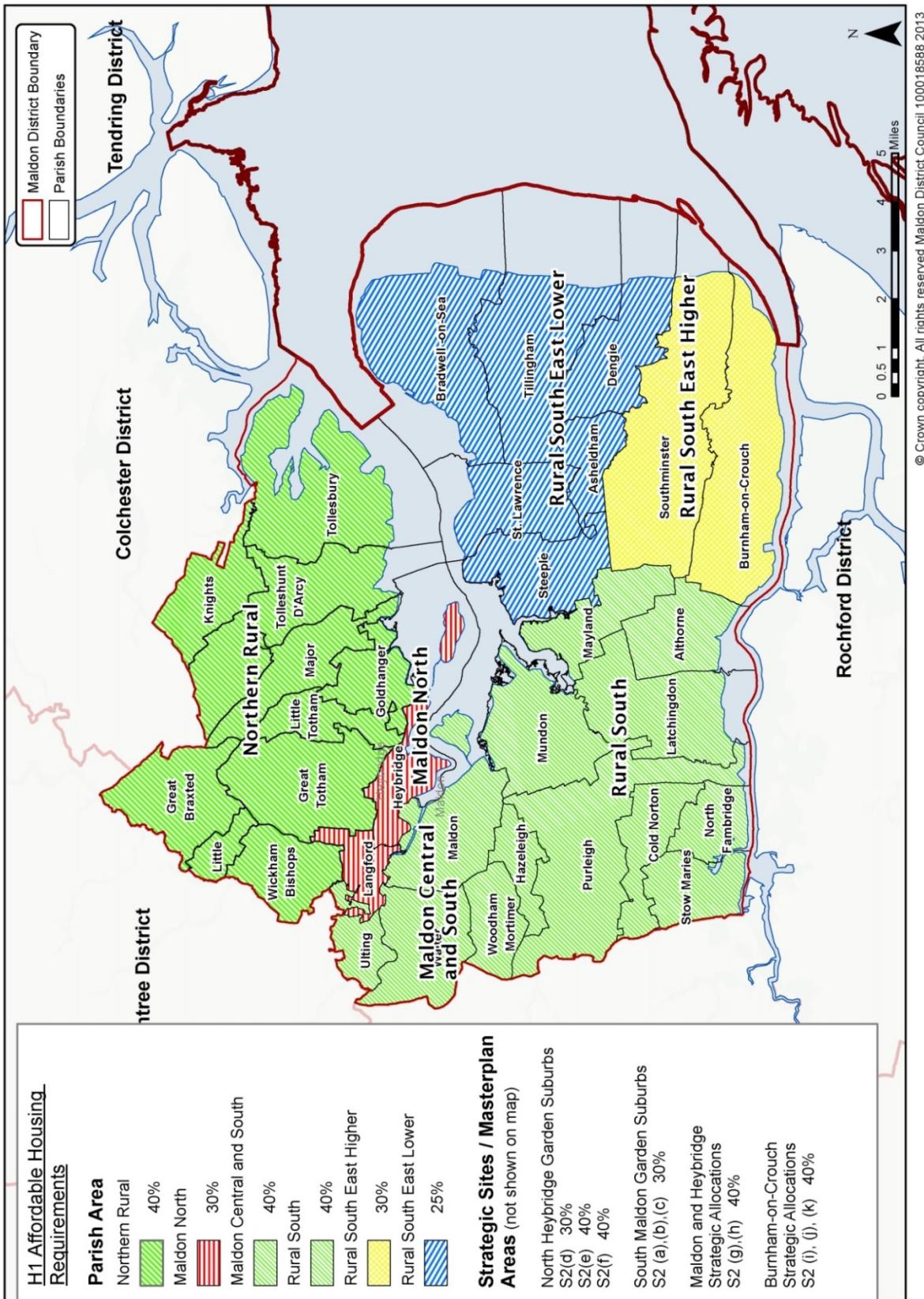


Figure 1: H1 Affordable Housing Requirements

Policy H2: Housing Mix

All developments will be expected to provide a suitable mix and range of housing in terms of size, type and tenure to reflect local housing need and demand in both the market and affordable sector, particularly the need for an ageing population.

Wherever possible affordable housing should be located in a way that ensures the homes are integrated with the rest of the development; in most cases this will mean in clusters of no more than 15 to 25 homes in one part of a development. The design and appearance of affordable housing should also be indistinguishable from those built for the open market, meet standards detailed in the Maldon District Strategic Housing SPD, and be of a tenure recognised by the National Planning Policy Framework.

Where appropriate, the Council will work with developers, registered providers, landowners and relevant individuals (or groups of individuals) to address identified local need for Self Build housing. Any relaxation of the above requirements will only be considered where the Council is satisfied, on a site by site basis, that such requirements will render any development proposals unviable.

Policy H3: Accommodation for 'Specialist' Needs

The Council will support and enable the provision of housing to meet specialised needs in the District where this is consistent with the Council's current strategic requirements.

Proposals for specialist needs housing such as homes for older people, people with disabilities, or homes for other specific groups who may require properties that are specifically designed and/or allocated will be supported where:

- 1) There is clearly identified need that cannot be addressed elsewhere in the District;
- 2) The development is located in an area that is sustainable to meet the social as well as housing needs of the intended residents;
- 3) It will not lead to a concentration of similar uses that would be detrimental to the character and function of an area and/or residential amenity;
- 4) It will not detrimentally impact on the capacity of public services, including health and social care;
- 5) It is in close proximity to everyday services, preferably connected by safe and suitable walking/cycling routes or public transport appropriate for the intended occupier;
- 6) It can be demonstrated that the development is designed and managed to provide the most appropriate types and levels of support to its target resident;
- 7) It can be demonstrated that revenue funding can be secured to maintain the long term viability of the scheme; and
- 8) The scheme is supported by the relevant statutory agencies.

Proposals which may result in the loss of specialist needs accommodation will not be considered acceptable unless it can be demonstrated that there is no longer a need for such accommodation in the District, or alternative provision is being made available locally through replacement or new facilities.

Any relaxation of the above requirements will only be considered where the Council is satisfied, on a site by site basis, that such requirements will render any development proposals unviable.

APPENDIX 3: HOUSING SPECIFIC FEATURES**Independent Living**

- In July 2015, Essex County Council (ECC) endorsed capital investment of about £27 million with enabling revenue investment to facilitate the delivery of 1800 independent living units in Essex by 2020
- Grant funding is available for schemes that meet relevant criteria
- Independent living is a priority for ECC and the Council: ECC have identified a need of 134 units in the District by 2020 (55 for rent, 79 for ownership)

Eligibility

- Independent Living is available to people over the age of 55 who have a connection to the area local to the development and who have a care and support need
- ECC will retain nomination rights
- Depending on the scale, location, and stated purpose of individual Independent Living communities, further eligibility requirements based on care and support needs will be defined
- The eligibility requirements are necessary to make the required 24/7 emergency care and support service affordable and viable
- Care provision can vary to meet the needs of residents but must be a minimum of 6 hours/week of assessed care for an individual to be eligible for a unit. Existing care needs in excess of this will be maintained
- Once living in Independent Living, an individual's needs will be met regardless of changes in their circumstances so the likelihood of a future move is minimised

Management

- The operation policy should identify the following care, support and management arrangements that will be provided:

Service purpose

- Details of how the scheme will meet the strategic housing needs of the District;

Housing management

Proof that the applicant or development partner has:

- Experience of delivering housing management for tenants and leaseholders
- Experience of setting up contracts with both tenants and leaseholders
- Experience of managing and maintaining comparable housing schemes
- Knowledge of relevant health and safety / fire regulations
- Knowledge of assistive technology (AT) services and experience of setting up these schemes
- Experience of working with occupational therapists to install aids and adaptations
- Experience of designing comparable schemes for older people

Staff arrangements / levels

Provide information on the scheme's proposed:

- On site care team and support: this should be 24hour support seven days a week, delivered either through Social Services or a care team to be agreed with ECC Social Services and reviewed every five years
- Domiciliary care provision: should meet the requirements of the Care Quality Commission
- Flexible Care based on individual need to maximise the independence of all residents;
- Staff ratios to support a mixed need client group;
- Dependency mix: should include how care needs will be defined. A useful guideline is 'Low – 0-2.5 hours per week', 'Medium – 2.5-15 hours per week', 'High – 15+ hours per week';

Design Features

- Provide self-contained units that can be adapted
- Schemes should generally be no smaller than 60 units for reasons of affordability and ability to create and support an active community
- Offer a full range of tenures, to appeal to a range of older owner occupiers, and also to meet the needs of those who need or prefer to rent. Tenure mix will be dependent on development viability, local planning requirements and other issues such as whether the scheme has received any grant funding from ECC
- Ensure all developments must be a minimum of Code 3 HCA Sustainable Housing standards and meet all Lifetime Homes standards
- Can include a variety of community facilities depending on the scale, location and purpose of a development, such as: communal space for social activities; a dining room/cafe; amenities such as hairdressing, fitness suite and GP or other health services. Separate access should be provided.

Further guidance

- Independent Living for Older People Position Statement, ECC, 2016¹⁶
- www.essex.gov.uk

Extra care

- Extra Care Housing is designed with the needs of frailer older people in mind, with varying levels of care and support available on site
- Also known as very sheltered housing, assisted living, or 'housing with care' it is a popular choice among older people because it can provide an alternative to a care home
- In addition to the communal facilities often found in sheltered housing, Extra Care often includes community facilities such as a restaurant, health & fitness facilities for public use
- Some extra care schemes include housing specifically designed for people with dementia

Eligibility

- Extra care housing is for people aged 65 and over who want to retain their independence but would otherwise need long-term residential care (domestic support and personal care only)
- Properties can be rented, owned or part owned/part rented
- A care and support assessment will be required, usually undertaken by ECC Social Services
- There are three parts to the cost of living in an extra care scheme:
 - cost of housing, payable to the housing provider - the cost of buying, renting or shared ownership of your home;
 - service charge, payable to the housing provider - for home maintenance and communal facilities;
 - care and support costs, payable to Essex County Council will vary depending on needs. The amount payable will depend on individual circumstances. The Council will do a financial assessment to work out exactly how much each resident can afford to pay
- For affordable properties the Council will have nomination rights. In other cases, eligibility criteria will be set by the Provider.

Management

The operation policy should identify the following care, support and management arrangements that will be provided:

Service purpose

- Details of how the scheme will meet the strategic housing needs of the District;
- If mixed tenure extra care housing (with shared communal facilities and care) is being provided and how it will be delivered;

Housing management

Proof that the applicant or development partner has:

- Experience of delivering housing management for tenants and leaseholders
- Experience of setting up contracts with both tenants and leaseholders
- Experience of managing, planning repairs and maintenance
- Knowledge of relevant health and safety / fire regulations
- Knowledge of assistive technology (AT) services and development, and experience of setting up schemes with AT and existing contracts with AT providers
- Experience of working with occupational therapists to install aids and adaptations
- Experience of designing comparable schemes for older people

Staff arrangements / levels

Provide information on the scheme's proposed:

- On site care team and support: this should be 24hours/7 days a week, delivered either through Social Services or a care team to be agreed with ECC Social Services and reviewed every five years;

- Domiciliary care provision: should meet the requirements of the Care Quality Commission;
- Flexible Care based on individual need to maximise the independence of all residents;
- Staff ratios to support a mixed need client group. If a dementia care or intermediate (recuperative) care unit is provided, the staff levels required will be greater;
- Dependency mix: should include how care needs will be defined. A useful guideline is 'Low – 0-2.5 hours per week', 'Medium – 2.5-15 hours per week', 'High – 15+ hours per week';

Design features

Extra care schemes should:

- Provide self-contained properties that can be adapted;
- Provide for a minimum of 50 units to ensure that revenue costs are viable;
- Offer an appropriate mix of one and two bed dwellings with a mix of tenure. To future proof all units and shared accommodation should be designed to allow for conversion into one or two bedroom dwellings in the future;
- Be able to accommodate a wheelchair;
- Provide a communal space where a range of activities can be delivered to promote older people's well-being;
- Provide a community hub for older people and their carers from the locality;
- Incorporate dementia friendly design principles: Buildings should be designed to accommodate residents with dementia throughout the scheme or have a separate wing for residents with dementia;
- Provide separate ancillary access to the community facilities for safety reasons

Further guidance

www.housinglin.org.uk

Retirement housing

- Retirement housing is self-contained flats, bungalows or houses in a community setting
- Has a 24 hour emergency support call to provide peace of mind
- Care and support has been withdrawn to sheltered housing this means that that accommodation is now effectively retirement housing

Eligibility

- Retirement housing is for people aged 55 and over who want to retain their independence but would benefit from living in a community setting with emergency support available if necessary
- For affordable properties the Council will have nomination rights. In other cases, eligibility criteria will be set by the Provider.

Management

The operation policy should identify the following care, support and management arrangements that will be provided:

Service purpose

- Details of how the scheme will meet the strategic needs of the District

Housing management

Proof that the applicant or development partner has:

- Experience of delivering housing management for tenants and leaseholders
- Experience of setting up contracts with both tenants and leaseholders
- Experience of managing and maintaining comparable housing
- Knowledge of relevant health and safety / fire regulations
- Knowledge of assistive technology (AT) services and experience of setting up schemes with AT and existing contracts with AT providers
- Experience of working with occupational therapists to install aids and adaptations
- Knowledge of designing schemes for older people

Staff arrangements / levels

Provide information on the scheme's proposed:

- Emergency call facility;

Design features

Retirement homes should:

- Provide self-contained properties that can be adapted
- Offer a full range of tenures, in order to appeal to a range of older owner occupiers, and to meet the needs of those who need or prefer to rent. Tenure mix will be dependent on development viability, local planning requirements and other issues such as whether the scheme has received any grant funding
- Future proof all units to allow for conversion into sheltered dwellings in the future should funding be provided
- Provide a communal lounge with a tea kitchen linked to external amenity space and a communal WC
- Incorporate dementia friendly design principles

Dementia Care Accommodation

- Dementia care accommodation is designed specifically to meet the needs of those experiencing dementia
- Varying levels of care and support available on site based on individual needs, includes medical care
- Can be provided as a stand-alone development or as part of other specialist accommodation

Eligibility

- The Council will undertake a needs assessment to determine if a person is eligible for dementia care placement. This looks at the extent of care and support required with daily living
- The cost of living in a care home may require a contribution from the resident involved

Management

The operation policy should identify the following care, support and management arrangements that will be provided:

Service purpose

- Details of how the scheme will meet the strategic needs of the District

Housing management

Proof that the applicant or development partner has:

- Experience of delivering housing management for tenants and leaseholders
- Experience of setting up contracts with both tenants and leaseholders
- Experience of managing and maintaining specialist homes
- Knowledge of relevant health and safety / fire regulations
- Knowledge of assistive technology (AT) services, and experience of setting up schemes with AT and existing contracts with AT providers
- Experience of working with medical and occupational therapists to install relevant equipment
- Experience of designing schemes for dementia care and/or that provides medical care

Staff arrangements / levels

Provide information on the scheme's proposed:

- On site 24hour/7 days a week care team and support, including domiciliary and medical care. Delivered either through Social Services or a care team to be agreed with ECC Social Services and reviewed every five years
- Proof that the dementia care provision will meet the requirements of the Care Quality Commission
- Staff ratios: this should be higher than that for other types of specialist housing to recognise the differing demands;
- Dependency mix: should include how care needs will be defined.

Design features

The principles of designing for people with dementia include:

- Compensating for impairments;
- Maximising independence;
- Enhancing self esteem and confidence;
- Demonstrating care for staff;
- Designing for orientation and understanding;
- Reinforcing personal identity; and

- Welcoming relatives and the local community.

Dementia care accommodation should:

- Ideally be within a 5-10 minute walk from shops and services;
- Be designed with clusters of studio rooms (bedrooms with en-suite facilities) in house groups with shared living / dining areas. Provision of dementia care or intermediate care units is encouraged within extra care housing schemes;
- Be designed and constructed to allow for conversion into one or two bedroom dwellings in the future;
- Be designed to accommodate a wheelchair in the longer term;
- Provide a communal space where a range of activities can be delivered to health and well-being;
- Provide a visually accessible environment: People suffering from confusion are less likely to become frustrated if they are able to clearly see and understand their surroundings:
 - an environment where there are good visual clues, such as views to the outside and views from circulation spaces into communal spaces
 - Provide glazed screens and doors to communal areas to enable residents to enter a room with the confidence of knowing what is going on inside
 - Design features should be incorporated that will help with orientation, recognition and familiarity. Landmarks (views out, seating bays etc.) are more important than colour in way finding
 - Maximise the amount of natural light in the building, particularly where there is a change in direction or level
- Incorporate smart technology: which can be of particular benefit to residents with dementia;
- Take care when selecting colours and materials. Changes in colour and or tone in floor finishes or contrasting threshold strips may appear as a step or barrier to a resident with dementia and deter some residents from entering a space or even lead to a fall. Ensure clear contrasts are used where the walls and floors meet and on steps.
- Avoid dark or poorly lit areas: well-lit areas are easier and can cause minimal discomfort.

Further guidance

Dementia and Town Planning - Creating better environments for people living with dementia, RTPI Practice Advice (January 2017)²¹

Residential care homes (C2 development)

- Residential care homes or nursing homes are commercially driven and provide accommodation for the most vulnerable
- Provide 24 hour on site personal and medical care.

Eligibility

- A needs assessment will need to be undertaken by the Council to consider if a person is eligible for a care home placement. This looks at the extent of care and support required with daily living
- The cost of living in a care home may require a contribution from the resident involved

Management

The operation policy should identify the following care, support and management arrangements that will be provided:

Service purpose

- Details of how the scheme will meet the strategic needs of the District, including:

Housing management

Proof that the applicant or development partner has:

- Registered with the Care Quality Commission and met all relevant CQC guidelines
- Experience of delivering housing management for care home tenants
- Experience of setting up contracts with care home tenants
- Experience of managing and maintaining this type of accommodation
- Knowledge of relevant health and safety / fire regulations
- Knowledge of assistive technology (AT) services and experience of setting up schemes with AT and has existing contracts with AT providers
- Experience of working with medical care staff and occupational therapists to install relevant equipment
- Knowledge of designing care homes

Staff arrangements / levels

Provide information on the scheme's proposed:

- On site care team and support: delivered either through Social Services or a care team to be agreed with ECC Social Services and reviewed every five years;
- Medical and domiciliary staff ratios: must provide appropriate support to a mixed need client group. It must meet the requirements of the CQC and meet individual needs. If a dementia care or intermediate (recuperative) care unit is provided, the staff levels required must be greater;
- Dependency mix: should include how care needs will be defined. A useful guideline is 'Low – 0-2.5 hours per week', 'Medium – 2.5-15 hours per week', 'High – 15+ hours per week';

Design features

Residential care homes should:

- Have a main entrance visible from the public realm;
- Incorporate access control, visual and audio, to all entrances;
- Provide reception/manager's office adjacent to the main entrance to enable passive surveillance of arrivals and departures;
- Have clearly defined public, semi-private and private space;
- Use progressive privacy allowing public entry to communal areas with secure 'fob'

access to the residential accommodation beyond. The following approach should be used:

1. The private zone is the accommodation itself, to which only the resident and invited guests have access;
2. The semi-private zone comprises those circulation areas and communal spaces (assisted bathroom, residents-only lounge, etc.) that only residents and their invited guests may use;
3. The semi-public zone comprises any circulation areas and communal spaces (restaurant, activity space, for example) to which the public have access at certain times;
4. The public zone; for example if the scheme incorporates a drop-in centre which the general public could access without restriction.

Access to zone (3) will typically be controlled by a door-entry system, allowing staff or residents to permit access. Careful consideration should be given to the method of door-entry between zones (3) and (2).

- Provide secure landscaped garden areas and courtyards which cannot be accessed from the public realm;
- Provide a well-lit safe environment, to all communal spaces (including car parking and main entrance);
- Ensure that the main refuse area is accessed directly from the public road;
- Provide easy access to all areas of the building for staff or visiting care providers;
- Ensure that provision is made for a minibus/emergency service and taxi drop off and to allow for the anticipated size and tracking of emergency and service vehicles, turning heads and waiting bay.

Further guidance

- www.cqc.org.uk
- Guidance for providers on meeting the regulations: Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Part 3) (as amended) and Care Quality Commission (Registration) Regulations 2009 (Part 4) (as amended), CQC, March 2015¹⁹

Designing for people with visual and hearing impairment

Many older people or those with disabilities may experience some form of visual or hearing impairment. The following principles should also be considered to help those living in specialist accommodation. This will also help future proof housing to meet changing needs over time.

Designing for those with visual impairments should:

- Have a logical layout that can be easily understood. Communal areas should be directly linked to the foyer/reception area
- Reduce the effects of visual impairments by incorporating colour schemes that use contrasting tones to highlight features within the building and avoiding 'visual clutter'
- Avoid dark colours or black flooring to lifts as this can appear as a void
- Avoid numerous regimented light fittings, which may cause severe glare as well as a clinical, institutional appearance
- Avoid sharp contrast between highly lit and dark spaces, as the ability eyes to adapt to different levels of light decreases with age

Designing for those with hearing impairments should:

- Provide adequate sound separation and reduction of reverberation: this is important in older people's housing where some, but not all, residents suffer from hearing impairments
- Consider the acoustic separation of noisy rooms, such as laundries, lifts, plant rooms and other communal spaces from residents' living, sitting and sleeping areas
- Specify finishes for large spaces with higher ceilings such as lounges and dining rooms with a high acoustic absorbency, to reduce echoes for the those with hearing impairments
- Install an induction loop system to communal rooms and reception areas



**MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
31 JULY 2018**

PRESENT

Chairman	Councillor D M Sismey
Councillors	Mrs B F Acevedo, A S Fluker, B E Harker and M S Heard
Ex-Officio Non-Voting Member	Councillor B S Beale MBE
Substitute	Councillor H M Bass

309. CHAIRMAN'S NOTICES

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

310. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence were received from Councillors J P F Archer and I E Dobson. In accordance with notice duly given it was noted that Councillor H M Bass was attending as a substitute for Councillor Archer.

311. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 12 June 2018 be approved and confirmed.

312. DISCLOSURE OF INTEREST

Councillor A S Fluker declared a pecuniary interest as a Trustee of Stow Maries Great War Aerodrome and a Director of Stow Maries Great War Aerodrome Trading.

313. PUBLIC PARTICIPATION

No requests had been received.

314. CORPORATE HEALTH AND SAFETY

The Committee received the report of the Director of Resources on Corporate Health and Safety activity for Quarter One (1 April to 30 June 2018). A summary by Directorate and a description of the reported accidents and near misses were set out in the report.

Appendix 1 to the report provided details of progress with the Health and Safety Action Plan for 2018 / 19.

It was noted that there were four accidents and one near miss during quarter one and any follow up action was detailed. There had been no incidents of unacceptable behaviour reported during this quarter.

Members were advised that following a legionella audit the Corporate Leadership Team had agreed an action plan to improve the management of this risk.

RESOLVED

- (i) that the accident and incident statistics for quarter one be noted;
- (ii) that progress with the Health and Safety Action Plan for 2018 / 19 be noted.

315. BUDGETARY CONTROL (APRIL - JUNE 2018)

The Committee received the report of the Director of Resources providing Members with key financial information on the progress to date against the approved budget over the period 1 April – 30 June 2018.

The report detailed the variance analysis for the following areas:

- Revenue Budgets (as shown in Appendices 1 and 1A to the report);
- Vacancy savings (as shown in Appendix 2 to the report);
- Agency expenditure;
- Major Sources of Income;
- Capital Projects (as shown in Appendix 3 to the report);

It was noted that current financial performance was within the approved budget limits. Capital projects were progressing, with further projects to start within the Council's parks and open spaces and the Director of Customers and Community had reviewed resources to ensure estimated delivery times were achieved.

In response to a question regarding the Council's current recruitment freeze, the Director of Resources advised that it was important to have this in place in light of the possible redundancies coming out of the Ignite Project.

RESOLVED that the contents of the report be noted.

316. SUPPLEMENTARY ESTIMATES, VIREMENTS AND USE OF RESERVES: 24 MAY - 27 JUNE 2018

The Committee considered the report of the Director of Resources, reporting virements and supplementary estimates agreed under delegated powers to the Committee. The report also reported on procurement exemptions and requested draw down on reserves.

Members noted that there had been:

- one procurement exemption in relation to Elections for the automated household registration form response system as there was no other contractor who provided the automated service.
- two requests for the use of the transformation reserve. The first was for £12,000 and related to an Ignite opportunity assessment and associated expenses. The second was for £10,000 for financial modelling and advice on the commercial pipeline projects.

A request of £56,464 from the transformation reserve to cover the extension to the Information Governance Officer post until 30 November 2018 was detailed in the report. In response to a question, the Director of Resources outlined what the monies would be used for.

RESOLVED

- (i) that the procurement exemption granted during the period for the automated household registration form response system, be noted;
- (ii) that the use of the transformation reserve for the Ignite project as detailed in paragraph 3.5.1 of the report be noted;
- (iii) that use of £56,464 from the transformation reserve to cover extension of the Information Governance Officer post until 30 November 2018 be agreed.

Councillor H M Bass joined the meeting during this item of business.

317. AIR QUALITY UPDATE AND PROPOSED DECLARATION OF AN AIR QUALITY MANAGEMENT AREA ON MARKET HILL, MALDON

The Committee considered the report of the Director of Customers and Community, presenting a reference and recommendations from the Community Services Committee (attached at Appendix B to the report). The report also sought Members' approval of a supplementary estimate of £20,000 for the production of an Air Quality Action Plan.

It was noted that this matter had been referred to this Committee by the Community Services Committee following consideration of a report (attached at Appendix A) at its meeting on 10 July 2018.

It was reported that whilst conducting a Local Air Quality Management process high levels of Nitrogen Dioxide had been identified in Market Hill, Maldon. As the Market Hill failed to meet the relevant Air Quality Targets the Council was required to declare

it as an Air Quality Management Area. An Air Quality Management Plan was now required and had to be submitted within 12 months of the declaration at a cost of £20,000. A supplementary estimate was therefore requested for this cost.

It was noted that transport and highways was function of Essex County Council. A number of concerns were raised by Members of the Committee, including the cost to the Council, whether the air quality of the Maldon High Street would also be affected and that contributions should be sought from the County Council.

Councillor D M Sismey proposed that the recommendation as set out in the report be agreed and that the Council write to Essex County Council seeking its contribution to this given that the matter related to their responsibility (highways) and that they provide Officers from the outset, as the key stakeholder responsible for transportation, so that any action plan has their support and could be implemented. This was duly seconded and agreed.

RESOLVED

- (i) That a supplementary estimate of £20,000 be approved to enable the production of an Air Quality Action plan to comply with legislation;
- (ii) That the concerns raised by the Community Services Committee and Officer responses to these concerns be noted;
- (iii) That the Council writes to Essex County Council, the key stakeholder responsible for highways, seeking its contribution to the production of an Air Quality Action Plan and requesting that they provide Officers from the outset to ensure that any Action Plan had their support and could be implemented.

318. EXCLUSION OF PUBLIC AND PRESS

In accordance with his earlier declaration Councillor A S Fluker left the meeting at this point and did not return.

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

319. OUTSTANDING LOAN - FINANCIAL ARRANGEMENTS

The Committee considered the report of the Director of Resources, seeking Members' consideration of the financial arrangements under a loan agreement with Stow Maries Great War Aerodrome (SMGWA).

Members were advised that the Council had received a request from SMGWA that consideration be given to defer payments of the loan agreement it had with the Council for 36 months. Details of the request were included Appendix 1 to the report. Further background and financial information relating to the loan were set out in the report.

A lengthy debate ensued, during which a number of questions were raised and responses provided by the Director of Resources.

Councillor D M Sismey proposed that subject to the following conditions deferral of the loan payments be delegated to the Section 151 Officer in conjunction with the Chairman of this Committee:

- the Section 151 Officer being comfortable that SMGWA business plan supports payment of future monies to the Council and that deferral is necessary;
- Essex County Council and any other organisations from whom loans have been made adopt the same procedure.

RESOLVED that subject to the following conditions deferral of the loan payments to the Council from Stow Maries Great War Aerodrome be delegated to the Section 151 Officer in conjunction with the Chairman of the Finance and Corporate Services Committee:

- the Section 151 Officer being comfortable that the Stow Maries Great War Aerodrome business plan supports payment of future monies to the Council and that deferral is necessary;
- Essex County Council and any other organisations from whom loans have been made adopt the same procedure.

There being no further items of business the Chairman closed the meeting at 8.13 pm.

D M SISMEY
CHAIRMAN

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**MINUTES of
COMMUNITY SERVICES COMMITTEE
28 AUGUST 2018**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs B D Harker
Councillors	E L Bamford, H M Bass, A T Cain and Miss M R Lewis
Ex-Officio Non-Voting Member	Councillor B S Beale MBE
Substitute Members	Councillors A S Fluker and Mrs M E Thompson

365. CHAIRMAN'S NOTICES

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

366. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICES

Apologies for absence were received from Councillors Miss A M Beale, Mrs H E Elliott and J V Keyes.

In accordance with notice duly given it was noted that Councillor Mrs M E Thompson was attending as a substitute for Councillor Mrs Elliott and Councillor A S Fluker as a substitute for Councillor Keyes.

367. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 10 July 2018 be approved and confirmed.

368. DISCLOSURE OF INTEREST

There were none.

369. PUBLIC PARTICIPATION

No requests had been received.

370. CHAIRMAN'S GOOD NEWS ANNOUNCEMENTS

The Chairman made reference to the recent Smoke & Fire festival and Jazz evening which had been a great success. He hoped that the Council would look to continue with these events in the future.

Members were advised that despite the weather on Sunday the Promenade Park had been very busy over the holiday period with a number of new activities joining the Bank Holiday Market.

371. MEMBERSHIP OF PLACES FOR PEOPLE LIAISON COMMITTEE

RESOLVED that Councillor Mrs B D Harker replaces Councillor R Pratt on the Places for People Liaison Committee.

372. UPDATE ON DISABLED FACILITIES GRANT 2017/18

The Committee considered the report of the Director of Service Delivery providing a summary of the allocation and outcomes of the Council's Disabled Facilities Grant (DFG) programme for the previous year and an indication of the key activities planned for the current financial year.

It was noted that income from fees for the previous year was £40,600 and contributions from housing associations amounted to more than £17,000, creating a supplementary receipt of nearly £60,000 making the service almost financially self-supporting.

Appendix 1 to the report provided a record of customer satisfaction for the last financial year and showed that for all aspects monitored scores were above 90%.

The Director of Service Delivery advised that reference to paragraph 3.4 in recommendation (ii) should refer to paragraph 3.5.

Councillor R G Boyce declared an interest in this item of business, as a Member of a local housing association.

Councillor A S Fluker proposed that the recommendations in the report be agreed.

During the debate a number of comments and questions were raised by Members and responded to by Officers. Where information requested was not available the Director of Service Delivery agreed to respond directly to Members, this information included:

- clarification that the Council was not directly responsible for providing home from hospital schemes and the contribution required;
- Officers agreed that there was some duplication in terms of the assessments required for a person returning from hospital and would seek further clarification on this;
- providing information about other services, what information was being expected by the public;
- the size of the sample size used for the customer satisfaction survey;

- adaptations made to homes and how the Council reviewed specifications to ensure the right adaptations were being provided, including value for money;
- clarification of the definition of Community Led Housing;

At this point Councillor Fluker withdrew his earlier proposition and proposed that the report be deferred. This was duly seconded. Following further discussion the Chairman put the proposal from Councillor Fluker to the vote. Upon there being an equality of votes the Chairman used his casting voting against the proposition for deferral.

Councillor H M Bass proposed that Members noted the key achievements from the previous year and the proposals detailed in paragraph 3.5 of the report should be brought back to the next meeting of this Committee. This was duly seconded and agreed.

RESOLVED

- (i) that the key achievements from the previous year be noted;
- (ii) that the proposals as detailed below be brought back to the next meeting of this Committee:
 - (i) Approval to fund an apprentice surveyor – helping manage succession planning, improving capacity and resilience to meet longer term demands on the service;
 - (ii) Agreement to use some additional funding to contribute towards the cost of a ‘home from hospital’ scheme, linked with Community Led Housing, helping local housing associations provide dedicated facilities to help local people leave hospital sooner, move closer to family and undertake a programme of reablement;
 - (iii) Explore the potential to create a local home improvement agency type service, providing practical help, support and advice to older people and those with disabilities so that they can continue to live independently in their own homes, and,
 - (iv) Begin discussions with mid Essex Occupational Therapist Services (OTs) to consider the possibility of dedicated OTs to improve service and opportunities for those who may need adaptations.

373. ADVICE SERVICES CONTRACT UPDATE

The Committee considered the report of the Director of Service Delivery providing an update on the Advice Service Contract after year two of the three year contract.

The report provided background information regarding and highlighted some of the successes of the Advice Services Contract which Maldon Citizens Advice commenced with on 1 April 2016. It was noted that an extended and enhanced service had been delivered with recognition through the annual external audit of the high levels of service and quality of advice. An extension of the current contract until 31 March 2020 had been approved and a decision regarding future commissioning of an Advice Service would be subject to Members consideration as part of the 2019 / 20 Strategic Financial Planning process.

A debate ensued during which Members commented on the importance of and current service provided by Maldon Citizens Advice in addition to the need to ensure value for money. The factual nature of the report was commented on and the Director of Service Delivery advised that this had been measured against specifications that the Council had agreed to. The figures showed a positive trend in terms of Citizens Advice working with the Council.

Members' were advised that reference to Unique Client referred to an individual case being dealt with by Citizens Advice.

RESOLVED that the contents of the report be noted.

374. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

The Chairman allowed Councillor B S Beale to raise a question at this point. There was some debate and further information provided at this point by Members of the Committee in relation to the question raised.

375. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

376. ROUNDABOUT SPONSORSHIP SCHEME

The Committee considered the report of the Director of Service Delivery seeking Members' approval of a new fee structure for roundabout advertising and sponsorship within the District.

The report provided background information regarding the current arrangements in place to provide a sponsored roundabout scheme across seven sites within the Maldon District. Members were advised of the proposal for future sponsorship / advertising to be managed in-house and the report provided detailed information regarding this proposal, including a minimum charging scheme proposed. In response to a question regarding resources, the Director of Service Delivery highlighted the benefits of managing such a scheme in house.

The Director of Service Delivery advised the Committee that the proposed charge was not part of the standard fees and charges and therefore could be resolved by this Committee without the need for recommendation to the Finance and Corporate Services Committee.

Members' commented on the fact that Essex County Council Highways Authority would require Maldon District Council to pass back 20% of the gross income generated and it was questioned what any ring fenced monies would be for. In response to

concerns raised the Director of Service Delivery advised that he would undertake further negotiations with the County Council

In response to a question, the Director of Service Delivery advised that there were further sponsorship opportunities that the Council would be looking into, but this report specifically related to roundabout sponsorship.

Following a lengthy discussion, the Chairman put the recommendations as set out in the report. Recommendations (i) and (ii) were agreed along with an amendment to recommendation (iii) to include consultation with the Chairman and Vice-Chairman of this Committee and the Leader of the Council. In light of the discussions and comments raised the Director of Service Delivery suggested that Members may wish to consider a further recommendation that Officers negotiate with Essex County Council over the proposed 20% contribution to take into account the Council's expenses (NET) and seek clarification for the spend fund within the District, reporting back to the Committee. This was duly agreed.

The Director of Service Delivery was also requested to confirm that the Council had subscribed to a Public Realm Agreement.

RESOLVED

- (i) that the Community Services Committee agrees to the principle that a roundabout advertising and sponsorship scheme should be continued and that future arrangements are directly managed in-house by the Council;
- (ii) that the Charges policy wording and accompanying fee structure as detailed within the report be agreed;
- (iii) that the Director of Service Delivery in consultation with the Chairman and Vice-Chairman of the Community Services Committee and Leader of the Council be granted delegated authority to accept suitable sponsorship offers subject to the Policy as agreed in (ii) above;
- (iv) that Officers negotiate with Essex County Council over the proposed 20% contribution to take into account the Council's expenses (NET) and seek clarification for the spend fund within the District, reporting back to the Committee.

There being no further items of business the Chairman closed the meeting at 8.50 pm.

R G BOYCE MBE
CHAIRMAN

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**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
29 AUGUST 2018**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	I E Dobson, P G L Elliott, M S Heard, N R Pudney, S J Savage and Miss S White

377. CHAIRMAN'S NOTICES

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

378. APOLOGIES FOR ABSENCE

There was none.

379. MINUTES OF THE LAST MEETING

RESOLVED

(i) that the Minutes of the meeting of the Committee held on 17 July 2018 be received.

Minute No. 276 – Minutes of the Last Meeting

An amendment to **Minute No. 147 – Office Accommodation and Lease** should read:

An amendment to the second paragraph of the report so that it read "...interest as he *occasionally worked at Maldon Police Station, and did not return to the meeting.*".

Minute No. 283 – Office Accommodation and Lease Update

An amendment to the first paragraph so that it read "...interest as he *occasionally worked at Maldon Police Station, and did not return to the meeting.*".

RESOLVED

(ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 17 July 2018 be confirmed.

380. PUBLIC PARTICIPATION

There was none.

381. DISCLOSURE OF INTEREST

Councillor M S Heard disclosed a non-pecuniary interest in Agenda Item 6, Review of Performance – Quarter 1 2018/19 as an employee of Essex Police who occasionally worked at Maldon Police Station.

382. REVIEW OF PERFORMANCE - QUARTER 1 2018/19

The Committee received the report of the Director of Resources confirming the Review of Performance for Quarter 1 as attached at Appendix 1 to the report.

The following information was provided on Key Corporate Activities (KCAs) that were flagged as behind schedule or at risk on the report:

- Crime within the District - Members commented that the increase in the sanctioned detection rate within the Maldon District was unacceptable. It was requested that the Essex Police, Fire and Crime Commissioner (PFCC) is spoken to, as a lower detection rate generates more crime.

Questions regarding signage and promotion of the Police Station are to be directed by Members to a future meeting of the Crime and Disorder Committee.

- Recycling - Concern was raised by Councillor S J Savage at the lack of visibility of the recent recycling campaign “Metal Matters” and that he felt social media was not a suitable means to promote the Council. It was confirmed that some Members had seen the Metal Matters campaign advertised within the district. The Director of Resources agreed to seek feedback on levels of metal recycling since the start of the campaign.

Councillor R P F Dewick requested confirmation that the recycling was not being sent to landfill. Councillor S J Savage raised concern that recycling might be sent overseas. The Director of Resources confirmed that historically some recycling within the district was sent overseas and would seek confirmation from the contractor as to where the district’s recycling goes.

Councillor M S Heard was advised that one resident in King Street was not having their green waste collected, and residents had been advised that this is due to access problems relating to the size of contractor vehicles.

Agreed that the Director of Service Delivery approach the contractor for confirmation on this.

- North Heybridge Flood Alleviation Scheme - An update was provided from the performance report.

- Brick House Farm Scheme - A meeting with Essex County Council has been arranged for a future date.

Councillor S J Savage stated that this scheme was confidential. It was agreed no further discussion would occur at this meeting and that the Director of Resources would confirm whether this scheme was confidential or not.

- Revenues and Benefits - The dip in performance was discussed by the Committee.

The Committee was advised by the Director of Resources that the restructure would involve all teams including Revenues and Benefits. Following clarity on the future model vacant posts are being filled where possible; however the current recruitment freeze makes this difficult.

An increase in timescales for the assessment of claims generally escalates during Quarter 1, partly due to Annual Billing at the start of the new tax year and the volume of notified Change of Circumstances.

With the implementation of Universal Credit in November; performance levels are expected to drop. This was demonstrated at other local peer authorities following commencement within their jurisdiction.

The Director of Resources will approach the Revenues and Benefits team to confirm expected workloads and determine whether additional staffing is required.

- Staff Sickness - Councillor R P F Dewick queried the levels of staff sickness following receipt of statistics from ACAS and the Office of National Statistics (ONS). It was not confirmed whether figures from ACAS or the ONS were based on long term, short term or combined averages.

The Director of Resources to provide feedback to a future meeting of the committee

RESOLVED

- (i). That the content of this report to and actions as outlined above be noted.

383. PROGRAMME OF WORK 2018/19

The Committee received the report of the Director of Resources confirming the Committees Work Programme for 2018/19, as attached at Appendix 1 to the report.

Following receipt of the report Members made comments on the following items:

- Provision on Healthcare Services - Councillor N R Pudney provided members with feedback from his recent meeting with the Mid Essex Hospital Services NHS Trust (MEHT) and that he will be attending a meeting of the Health Overview and Scrutiny Committee (HOSC) on 05 September 2018. The

Director of Resources confirmed that the Clinical Commissioning Group (CCG) will be invited to a future meeting of the Committee.

- Section 106 - An update was to be presented at a future meeting of the Committee.

It was agreed that Councillor I E Dobson would replace Councillor Mrs M E Thompson as the Member Sponsor.

- Internal and External Communications - At the request of Members it was agreed that the following items are not removed from the Programme of Work until the completion of the Ignite project:
 - telephone communication via the Council's contact centre.
 - how the Council can improve the website.
 - the Council's Digital strategy.

Members raised concerns regarding lack of response to emails.

It was agreed that staff would receive a reminder that the Council aims to respond to all emails within five working days as set out in the Maldon District Council Customer Charter – The Council's Service Standards, July 2011. A notice on this would also be published on the intranet.

Councillor S J Savage raised a concern around non-receipt of council sent emails and relying on email as the main form of communication. The Committee discussed that whilst the current system offers the option for the sender to request delivery and read receipts this is something that the recipient can opt out of.

In addition a discussion was held over supplementing emails with telephone calls.

- Monitoring the Organisational Change Programme - A report for discussion will be provided at the next meeting of the Overview and Scrutiny Committee.
- Review of Fire and Rescue Service provision in the Dengie - The Committee was advised that Councillor P G L Elliott would meet with the Director of Service Delivery on 30 August 2018 for further discussion.

Councillor Dewick raised concern that retained firemen within the Maldon District were not aware of the anticipated changes, and informed the Committee that with the proposed closures response times would increase by at least 30-40 minutes due to the additional travel time which could result in serious injury or the death of persons involved.

- Dealing with Waste Water - The previous meeting has now been rescheduled.

It was requested that diary invites are sent to Members in advance of any meetings which occur.

- Provision of Tourist Information Centres within the District - A meeting had been scheduled for 31 August 2018.

- Office Accommodation and Leases within the Maldon District Council Offices - All information has now been received and a report will be provided to the next meeting of the Committee.

Members were advised to direct questions on the Police Offices to a forthcoming meeting of the Overview and Scrutiny, Crime and Disorder Committee.

- Job Centreplus - Following a meeting attended by Councillor M S Heard, Members were advised that a report will come to a future meeting of the Committee.
- Waste Contract – Reliability of the Contractor Vehicles - Feedback will be provided at a future meeting of the Committee.

RESOLVED

- (i). That the content of this report and actions as outlined above be noted.

384. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

Councillor S J Savage requested feedback following his query on the Downs Road trees.

The Director of Customer and Communities was to discuss this with the Countryside & Coast Manager.

RESOLVED

- (i). That the Director of Resources provide feedback to Councillor Savage at a future date.

There being no further items of business the Chairman closed the meeting at 8.24 pm.

M W HELM
CHAIRMAN

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REPORT of THE LEADER OF THE COUNCIL

**to
COUNCIL
13 SEPTEMBER 2018**

REQUEST FOR MATCH FUNDING TO BRING FORWARD ADDITIONAL COUNTY HIGHWAYS PROJECTS

1. PURPOSE OF THE REPORT

- 1.1 On 24 May 2018, Councillor Kevin Bentley the Essex County Council Cabinet member for Infrastructure wrote to the Leader of Maldon District Council offering match funding of up to £100,000 to bring forward additional repairs to potholes in the District's roads.

2. RECOMMENDATIONS

- (i) That Maldon District Council rejects the offer of match funding by Essex County Council as the repair of potholes is a statutory function of the County Council;
- (ii) That the Director of Service Delivery writes to Councillor Kevin Bentley to confirm the Council's position.

3. SUMMARY OF KEY ISSUES

- 3.1 The Cabinet Member for Infrastructure at Essex County Council wrote to Councillor Mark Durham on 24 May 2018, who at the time was Leader of the Council. A copy of this letter is provided for Members at **APPENDIX 1**.
- 3.2 The letter sets out an offer from Essex County Council (ECC) which announces "close to £5 million in additional investment to fund further pothole repairs and highways improvements across the county. As part of this investment ECC has allocated £1.2 million to increase the budgets of our Local Highways Panels. This funding is available equally across the twelve Local Highways Panels, up to £100,000 each. It will only be awarded subject to match funding up to a maximum £100,000, being committed by the relevant local Borough, City, or District Council."
- 3.3 Maldon District Council has a significant future budget gap which is being addressed through the Full Council Transformation programme. The transformation programme is being funded from available reserves which in turn reduces funds available for projects that the Council does not have a statutory duty to provide.

4. CONCLUSION

4.1 Whilst the provision of additional funding might bring forward additional highways projects Maldon District Council does not have sufficient reserves to fund projects that it does not have a statutory duty to provide. The duty to provide any works rests wholly with Essex County Council and is not the responsibility of the District Council.

5. IMPACT ON CORPORATE GOALS

5.1 This report supports the corporate goal of delivering good quality, cost effective and valued services

6. IMPLICATIONS

- (i) **Impact on Customers** – Additional expenditure on pot holes may improve a limited number of the roads in the District, however use of essential District Council reserves to deliver may impact further on the District Council's savings gap and ability to deliver statutory services in future.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – There is no capital or revenue budget set aside for the match funding requested in the letter provided at **APPENDIX 1**. Any funding would need to be made available from unused existing resources which are minimal due to our commitment of Investment in the Future Model.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – Match funding provided by Maldon District Council will enable Essex County Council to bring forward further highways improvements.

Background Papers: **APPENDIX 1:** Letter from Essex County Council dated 24 May 2018

Enquiries to: Corporate Leadership Team, (Tel: 01621 875710).

Cllr Mark Durham
Leader of Maldon District Council
Princes Road
Maldon
Essex CM9 5DL

Date: 24 May 2018
Our Ref: KB/AC
Your Ref:

Email: Cllr.Mark.Durham@maldon.gov.uk

Dear Cllr Durham

As you may be aware I have taken on responsibility for highways maintenance as part of my portfolio at Essex County Council following my appointment as Cabinet Member for Infrastructure at last week's Full Council meeting. I look forward to discussing highways issues affecting your district with you and your colleagues in future.

At the same meeting we were pleased to announce close to £5 million in additional investment to fund further pothole repairs and highways improvements across the county. As part of this investment ECC has allocated £1.2 million to increase the budgets of our Local Highways Panels. This funding is available equally across the twelve Local Highways Panels, up to £100,000 each. It will only be awarded subject to match funding, up to a maximum £100,000, being committed by the relevant local Borough, City, or District Council.

I am therefore writing to ask whether Maldon district will be taking up this opportunity to match fund Essex County Council's investment in your Local Highways Panel. I am very keen that we get started on allocating and spending these additional monies as soon as possible and as such ask that you respond to confirm your Council's position by **15th June**.

I am of course happy to speak with you about this further if you have any queries and note that we are due to discuss this at the next Essex Leaders and Chief Executives meeting on 7th June.

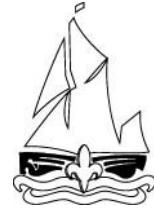
I think this is a real opportunity for us to jointly make a difference in what we know is one of, if not the most important issues to our residents and I look forward to hearing from you.

Yours sincerely



Cllr Kevin Bentley
Deputy Leader and Cabinet Member for Infrastructure

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REPORT of DIRECTOR OF RESOURCES

**to
COUNCIL
8 NOVEMBER 2018**

NEW PROCEDURE AND AUTHORISATIONS FOR SEALING AND SIGNING DOCUMENTS

1. PURPOSE OF THE REPORT

- 1.1 To describe a new procedure for sealing and signing documents by the Council and to give new authorisations

2. RECOMMENDATIONS

- (i) That the Committee Terms of Reference and Schemes of Delegation be amended at page 2 paragraph 6 to read:

“The Seal shall be attested by any two of the following: a director, any manager who reports directly to a director or any employed solicitor, barrister or legal executive. An entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be signed by the two officers who have attested the seal”

- (ii) That the Committee Terms of Reference and Schemes of Delegation be amended at page 2 paragraph 7 to read:

“A director, any manager who reports directly to a director acting within his area of responsibility or any employed solicitor, barrister or legal executive shall be authorised to sign any contract, notice or other document which is not required to be sealed by the Council”

3. SUMMARY OF KEY ISSUES

- 3.1 The Council is going through the transformation process and this involves simplifying and making all process more efficient. The sealing process involves member involvement but there is no legal requirement that a principal authority should have a member signature attesting to sealing of a document. The sealing requirement is equally valid if the Council authorise an employee alone to be the authorised signatory. The present requirement for a member signature can delay the process of sealing without there being any benefit or some added value by having that signature. Some other local authorities have only officers as authorised signatories and this accords with government advice.

3.2 In relation to the signing of contracts, notices and other documents that do not require sealing the authorisation of more employees makes the process of signature quicker rather than relying on the availability of a director.

4. CONCLUSION

4.1 The recommended amendments should simplify and speed up the process of sealing and signing documents

5. IMPACT ON CORPORATE GOALS

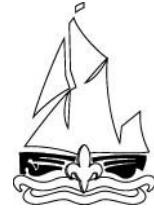
5.1 There is compatibility with the transformation of the Councils processes.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Simon Quelch, Senior Solicitor, (Tel: 01621 875870).



REPORT of DIRECTOR OF SERVICE DELIVERY

**to
COUNCIL
13 SEPTEMBER 2018**

FEES AND CHARGES RELATING TO PROMENADE PARK

1. PURPOSE OF THE REPORT

- 1.1 To seek Member's approval to allow officers to negotiate realistic income arising from the use of Promenade Park by third parties based upon the existing fees and charges structure approved by Members as part of the annual budget setting process.

2. RECOMMENDATIONS

- (i) that Members approve the insertion of the word 'minimum' before any fee and charge relating to use of land and equipment at Promenade Park (excluding car parking, sports pitches, memorial benches, Splash Park single use tickets and Beach Hut daily charges);
- (ii) that the Director of Service Delivery is given authority to negotiate an improved financial position whenever possible from users of facilities arising from a fee or charge;
- (iii) that the charitable concession 'free' status be deleted from existing fees and charges and all concessions including charity and community groups be charged accordingly;
- (iv) that where a Charity Commission registered charity with their registered address within the District Boundary requests to hold an event with less than 100 attendees the Director of Service Delivery in conjunction with the Chairman of Community Services Committee be authorised to negotiate a discount for use. Any discount given must ensure that full cost recovery remains for any staff time required for preparation, delivery and remediation of any event.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 As part of the annual budget setting process both the policy relating to fees and charges for Council services, land and assets, together with the amount of charge are set. It has become apparent that these fees and charges are not flexible enough to

cover the type and scale of events held on the Council's land at Promenade Park and as a result the Council is not receiving appropriate remuneration for its use.

- 3.1.2 Promenade Park has increasingly seen a number of popular and diverse events being held during the course of a year. Some of the events attract large public attendance including (but not exclusively) the Maldon Mud Race, fun fairs and circuses, the Maldon Motor Show and the recent Smoke and Fire Food Festival.
- 3.1.3 For events of this nature (excluding funfairs and circuses) the minimum charge the Council can levy is £222 as set within the agreed fees and charges as detailed at **APPENDIX 1** to this report. Clearly this specific charge as an example does not reflect the commercial income operators are generating through the use of the Council's land and the Council is not receiving a proportionate amount from the hirer.
- 3.1.4 The proposal is for all published fees and charges relating to land and equipment used at Promenade Park are to set as a minimum starting position. During negotiations, Officers will take account of the commercial nature of the event (clearly some events are of a charitable status and small in scale and this point is covered within the recommendations within this report) but the principle should be one of a fair income and cost recovery. Many charitable events for example require considerable staff time in facilitating or checking activities which is now non- recoverable. Setting an appropriate land hire rate for all users will redress this situation.
- 3.1.5 Recommendations within this report specifically relate to land and equipment however all fees and charges will be subject to the normal annual process of setting fees and charges for 2019 / 20 which may see an increase or change to the 'minimum' figures.
- 3.1.6 The reason for bringing the proposed changes to Council ahead of the annual budget process is to allow Officers to commence negotiations with potential users relating to events scheduled in 2019 at an early stage.

4. CONCLUSIONS

- 4.1 Members are asked to allow officers to negotiate a more realistic level of income for the use of Council land and assets at Promenade Park.
- 4.2 A key element of the Future Model is to increase commercial activity in all of the Council's activities. For those wishing to use the park for commercial activity they will be asked to pay a realistic charge for its use, proportionate to the nature and scale of the event. The current fees and charges should in future be seen as the minimum charge upon which negotiations will commence.

5. IMPACT ON CORPORATE GOALS

- 5.1 Achieving appropriate levels of income for the use of Council land and buildings helps to support the corporate goal of delivering good quality, cost effective and valued services.

6. IMPLICATIONS

- (i) **Impact on Customers** – The provision of varied events for the community to enjoy is an important activity, the benefits to the wider community include greater footfall to the Town and District supporting indirectly the local economy. Event organisers will be asked to make appropriate remuneration to the Council for use of its land in delivering activities.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – None identified
- (iv) **Impact on Resources (financial)** – The proposed alteration to fees and charges will see an increase of income related to commercial activities through negotiation.
- (v) **Impact on Resources (human)** — None identified.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: Richard Holmes, Director of Service Delivery tel (01621 875752)

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	Charge	VAT	2018/19	2017/18
	£	£	£	£
Maldon Promenade (Monday to Sunday - 8am to 8pm)				
Car: up to 1 hour	0.92	0.18	1.10	1.10
1 to 2 hours	1.83	0.37	2.20	2.20
2 to 4 hours	4.58	0.92	5.50	5.50
all day	5.83	1.17	7.00	7.00
Coach: up to 2 hours	5.50	1.10	6.60	6.60
over 2 hours	10.00	2.00	12.00	12.00
Coach park - coach / bus season tickets	166.67	33.33	200.00	200.00
Non residents season ticket	133.33	26.67	160.00	80.00
Residents season ticket	100.00	20.00	120.00	60.00
EVENTS EQUIPMENT HIRE To Parish Councils and Voluntary Organisations				
Delivery / Collection of Large Equipment				
Inner Zone (<i>Maldon & Heybridge</i>)	23.33	4.67	28.00	28.00
Outer Zone (<i>All Other Areas</i>)	41.67	8.33	50.00	49.00
Electricity Supply (Riverside & Promenade Park)				
Charge per day	44.17	8.83	53.00	52.00
Deposit	46.00	-	46.00	45.00
Equipment - For Hire (with a £6 deposit chargeable)				
Microphone stand - per stand	1.67	0.33	2.00	2.00
Equipment - For Hire (with a £10 deposit chargeable)				
Bunting lengths - per 100m	5.00	1.00	6.00	6.00
Orange high visibility fencing lengths - per 50m length	5.00	1.00	6.00	6.00
Orange rope lengths (25mm) - per 220m	5.00	1.00	6.00	6.00
Road pins - per set of 10	5.83	1.17	7.00	7.00
Equipment - For Hire (with a £24 deposit chargeable)				
Steward jacket - per 10 (minimum)	5.83	1.17	7.00	7.00
Equipment - For Hire (with a £50 deposit chargeable)				
Collapsible plastic table	5.83	1.17	7.00	7.00
Crowd control barrier - per panel	2.50	0.50	3.00	3.00
Easy up*: 10' x 10' complete	60.00	12.00	72.00	70.00
20' x 10' complete	72.50	14.50	87.00	85.00
Heras fence panel - per panel	2.50	0.50	3.00	3.00
Steel Framed folding chairs 25 chairs (minimum)	30.83	6.17	37.00	36.00
50 chairs	54.17	10.83	65.00	63.00
100 chairs	96.67	19.33	116.00	113.00
125 chairs	144.17	28.83	173.00	168.00
whether we can meet your requirements				
Equipment - For Hire (with a £150 deposit chargeable)				
PA system (indoor use only) - per day	36.67	7.33	44.00	43.00
Portable floodlighting / generator - per day	60.00	12.00	72.00	70.00
Portable shower	48.33	9.67	58.00	56.00
Equipment - For Sale Only				
Barrier tape - per 500m	3.33	0.67	4.00	4.00
Events Trailer	85.00	17.00	102.00	99.00
Water Supply (Riverside & Promenade Park)				
Charge per day	24.17	4.83	29.00	29.00
Deposit	53.00	-	53.00	52.00
Pop Up Marquee Hire				
Peak Time (School Holidays/Bank Holidays/ Event Days)				
Day Hire	154.17	30.83	185.00	180.00
Week Hire	769.17	153.83	923.00	900.00

	Charge	VAT	2018/19	2017/18
	£	£	£	£
Off Peak				
Day Hire	102.50	20.50	123.00	120.00
Week Hire	513.33	102.67	616.00	600.00
Community / Charity				
Day Hire	71.67	14.33	86.00	84.00
Week Hire	359.17	71.83	431.00	420.00
For all Council equipment the hirer will be responsible for insuring the goods				
Any damage caused will be the responsibility of the hirer, and the cost of repair will be recharged in full				
Beach Hut Hire - Promenade Park				
Daily Charge				
High Season (<i>July, August & school holidays in April, May & September</i>)	34.17	6.83	41.00	40.00
Mid-Season (<i>April, May, June, September & school holidays in October & December</i>)	25.00	5.00	30.00	25.00
Low-Season (<i>January, February, March, October, November & December</i>)	17.50	3.50	21.00	20.00
<i>A minimum charge of £10 (Inc. VAT) will apply for part days and later bookings</i>				
Beach Hut Packages				
Gold Package - (<i>Peak season beach hut hire, 2 all day splash park wristbands and all day car parking at Prom</i>)	41.67	8.33	50.00	50.00
Silver Package - (<i>Mid season beach hut hire, 2 all day splash park wristbands and all day car parking at Prom</i>)	33.33	6.67	40.00	40.00
FUNFAIRS AND CIRCUSES				
Damage deposit	602.00	-	602.00	587.00
Circus at Promenade Park				
Daily ground rate (whilst circus is in operation)	144.00	-	144.00	140.00
Daily ground rate (whilst circus is not in operation)	72.00	-	72.00	70.00
Circus at Riverside Park				
Daily ground rate (whilst circus is in operation)	128.00	-	128.00	125.00
Daily ground rate (whilst circus is not in operation)	67.00	-	67.00	65.00
Funfair at Riverside Park				
Daily ground rate (whilst fair is in operation)	351.00	-	351.00	342.00
Daily ground rate (whilst fair is not in operation)	179.00	-	179.00	174.00
Travelling Funfair at Promenade Park				
Daily ground rate (whilst fair is in operation)	460.00	-	460.00	448.00
Daily ground rate (whilst fair is not in operation)	185.00	-	185.00	180.00
PARKS AND OPEN SPACES				
Memorial Benches				
Rustic bench	627.00	-	627.00	611.00
Cast iron bench	1,180.00	-	1,180.00	1,150.00
Disabled access picnic table	1,492.00	-	1,492.00	1,454.00
Advertising and Sponsorship				
Events Banners per week (main gate entrances on railings x2 + free electronic advert)	25.83	5.17	31.00	30.00
Events Banners per week (<i>community / charity</i>)	15.00	3.00	18.00	18.00
Electronic Advert (<i>per day minimum 1 week</i>)	0.83	0.17	1.00	1.00
Internal park adverts (<i>per week</i>)	15.00	3.00	18.00	18.00
Vehicle advertising (<i>per day</i>)	102.50	20.50	123.00	120.00
Sponsorship	By negotiation			
Council owned Land Hire for Concessions				
Peak Time (<i>School Holidays/Bank Holidays/ Event Days</i>)				
Small (Single Operator)	51.00	-	51.00	50.00
Medium (Team of 2 - 5 Operators)	148.00	-	148.00	144.00
Large (Team of 5+ Operators)	222.00	-	222.00	216.00
Charitable Concession				Free
Off Peak Time				
Small (Single Operator)	35.00	-	35.00	34.00
Medium (Team of 2 - 5 Operators)	82.00	-	82.00	80.00
Large (Team of 5+ Operators)	148.00	-	148.00	144.00
Charitable Concession				Free

	Charge	VAT	2018/19	2017/18
	£	£	£	£
Pop Up Trading				
Peak Time (School Holidays/Bank Holidays/ Event Days)				
Market Stall (Frame with Canopy)	52.00	-	52.00	51.00
Wheelie Cart	46.00	-	46.00	45.00
Wheelie Cart including Fridge	51.00	-	51.00	50.00
Electricity	10.83	2.17	13.00	12.00
Off Peak Time				
Market Stall (Frame with Canopy)	42.00	-	42.00	41.00
Wheelie Cart	37.00	-	37.00	36.00
Wheelie Cart including Fridge	42.00	-	42.00	41.00
Electricity	10.83	2.17	13.00	12.00
PARKS AND SPORTS PITCHES				
Cricket (per game)				
Adult	67.50	13.50	81.00	79.00
Junior	39.17	7.83	47.00	46.00
Sports pitch use - parking season ticket (per club)	97.50	19.50	117.00	114.00
Football (per game)				
Adult	41.67	8.33	50.00	49.00
Junior	31.67	6.33	38.00	37.00
Changing rooms (only)	11.67	2.33	14.00	13.00
Sports pitch use - parking season ticket (per team)	97.50	19.50	117.00	114.00
Sports club training / structured activities (New Charge)	8.33	1.67	10.00	
Mini Soccer				
Juniors	25.00	5.00	30.00	30.00
Netball (per court, per hour)				
Adult	10.00	2.00	12.00	11.00
Junior	6.67	1.33	8.00	8.00
Tennis (per court, per hour)				
Adult	6.67	1.33	8.00	8.00
Junior	5.00	1.00	6.00	6.00
Member of Maldon Tennis Club		Discount of 50%		
Organised Bootcamps / Personal Training in Council-owned Parks				
Hourly	8.33	1.67	10.00	10.00
Monthly Charge - 5 hours per week	160.83	32.17	193.00	188.00
Monthly Charge - 10 hours per week	299.17	59.83	359.00	350.00
Information Hut Hire per hour (New Charge)	8.33	1.67	10.00	
SPLASH PARK				
First Aid Cover per hour for Private Bookings			Deleted	24.00
Private bookings (per hour)	175.00	35.00	210.00	180.00
Private bookings (per half hour)	108.33	21.67	130.00	100.00
Single use ticket	2.08	0.42	2.50	2.50
Towels	4.17	0.83	5.00	5.00
T-Shirts	4.17	0.83	5.00	5.00
Swim Nappies	1.00	-	1.00	1.00
Bottled Water	0.50	-	0.50	0.50
Gold Splash park all day wrist band ticket (New Charge)	10.00	2.00	12.00	

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**REPORT of
DIRECTOR OF SERVICE DELIVERY**

**to
COUNCIL
13 SEPTEMBER 2018**

**CONCLUSIONS OF THE STRENGTHENING COMMUNITIES TASK AND FINISH
WORKING GROUP**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to update the Council on conclusions of the Strengthening Communities Task and Finish Group (SC TFWG).

2. RECOMMENDATIONS

- (i) that the significant work undertaken by the Strengthening Communities Task and Finish Group, be noted;
- (ii) that the wide range of activities and projects that are being undertaken to support the Councils Key Corporate Activity of Strengthening Communities (as set out in **APPENDIX 1**) be noted;
- (iii) that the Strengthening Communities Vision Statement (**APPENDIX 2**) be approved;
- (iv) that the main Strengthening Communities Projects be monitored and reported on as part of the Councils Key Service Activities;
- (v) that the alignment of Strengthening Communities to Health and Wellbeing activities and Projects, and the proposal to expand the Terms of reference Maldon Livewell Partnership Group to include Strengthening communities, be noted;
- (vi) that the development of a joint Health and Wellbeing and Strengthening Communities Strategy during 20018 / 19, be approved;
- (vii) that six Members (two from each programme Committee) be appointed to attend the Livewell Partnership Group, which is a quarterly daytime meeting;
- (viii) that the work of the Strengthening Communities Task and Finish Working Group be concluded.

3. SUMMARY OF KEY ISSUES

3.1 Background

3.1.1 A Member TFWG was established in 2016 with two representatives from each of the three service committees.

3.1.2 The original Terms of Reference (TOR) are attached **APPENDIX 3**. However the significant work of the SC TFWG has identified that since these TOR were originally agreed it is clear that our activities to support the Strengthening Communities Agenda are intrinsically linked to activities and projects that also support our Health and Wellbeing priorities

3.1.3 An Audit of Strengthening Communities activities undertaken in 2017, and considered by the SC TFWG clearly shows that a strengthening communities approach underpins most of our Health and Wellbeing activities (**APPENDIX 1**).

3.1.4 For 2018 / 19 the Council's Health and Wellbeing priorities will continue to be:

- Obesity
- Frailty and old age
- Isolation,

But will also include a new priority of:

- Mental health.

3.1.5 The approach of aligning our Health and Wellbeing and Strengthening Communities activities and projects has a number of benefits, which the SC TFWG identified :

- a) Ensures activities and resources are targeted to achieve maximum impact and outcomes.
- b) Helps to add value to activities and projects.
- c) Helps to ensure that projects and activities are sustainable, through use of volunteers.
- d) Builds community resilience.
- e) Helps to reduce demand on services.

3.1.6 This approach of aligning Strengthening Communities and Health and Wellbeing has also been adopted by Essex County Council who have recently brought these services together under a new Directorate of Wellbeing, Public Health and Communities.

3.1.7 Rather than seeing Strengthening Communities as a separate strand of work, a new Strengthening Communities Vision has been developed (**APPENDIX 2**) by the SC TFWG. This will help to embed the approach across the organisation and to ensure that all services are supporting and Strengthening Communities to be safe, active and healthy.

3.1.8 The key projects being delivered to support Strengthening Communities, and Health and Wellbeing have been included in our 2018 / 19 Key Service Activities, and are

reported to Members as part of the monitoring of the Corporate Plan, Consequently the SC TFWG proposes that progress on Strengthening Communities projects are tracked though that reporting process.

- 3.1.9 A well represented Health and Wellbeing Partnership Group “Livewell Maldon” has been established which brings together a range of statutory and non-statutory groups across the District with the aim of working together to support the local health and wellbeing priorities of the District. Membership of the group includes Local GP surgeries, Public Health, Local Schools, the Community Voluntary Service (CVS), voluntary organisations which support families and carers as well a broad range of other partners. The SC TFWG proposes that the Terms of Reference for this partnership are expanded to include specific reference to supporting and strengthening communities, and that the current SC TFWG Membership is mirrored in the Livewell Partnership Group
- 3.1.10 The original TOR of the TFWG included the development of a Strengthening Communities Strategy, however it is now felt by the members of the SC TFWG that a more comprehensive “Livewell Strategy” should be developed which would be a combined Health and Wellbeing and Strengthening Communities Strategy.

4. CONCLUSION

- 4.1 The significant work of the SC TFWG has helped to provide a greater understanding of the activities and projects that are currently being delivered across the organisation which support the Councils Corporate Priority of Strengthening Communities.
- 4.2 Its work has also established a clear link between the work being undertaken to support our Health and Wellbeing priorities, and our strengthening communities’ activities, and the opportunities this presents.
- 4.3 The SC TFWG has developed a Strengthening Communities Vision which will underpin and embed Strengthening Communities approach across all of our services.
- 4.4 Finally it has recognised the value of a joint Health and Wellbeing and Strengthening Communities Strategy.
- 4.5 The SC TFWG consider that its work is now complete, and monitoring of progress will be through the regular reports to Members on the Key Service Activities.
- 4.6 Our partnership working group on Health and Well Being (Livewell Partnership Group) will be expanded to incorporate a Strengthening Communities approach. The current Membership of the SC TFWG will be appointed as Member representatives on the Livewell Partnership Group, which is a quarterly daytime meeting.
- 4.7 A Livewell Strategy, to incorporate both Health and Wellbeing and Strengthening Communities will be developed by Officers during 2018 / 19, and will be brought back to Members for consideration.

5. IMPACT ON CORPORATE GOALS

5.1 The work being undertaken as part of Strengthening Communities and Health and wellbeing activities directly contributes to the Corporate Goal of “Strengthening communities to be safe, active and healthy”.

6. IMPLICATIONS

- (i) **Impact on Customers** - The Council delivers either directly or in partnership a number of activities which support the local community. Adopting a clear vision will ensure that all services embed a strengthening communities approach to maximise the impact and outcomes of what we do, and to support communities to be resilient.
- (ii) **Impact on Equalities** – There will be no negative impact. Targeting our resources and activities will help to strengthen and support the community, particularly those who are most vulnerable and need our support.
- (iii) **Impact on Risk** – None specific.
- (iv) **Impact on Resources (financial and human)** – A clear focus on supporting and strengthening our communities should help to manage the growing impact on services, both financial and demand, as well as improving outcomes. It also offers opportunities for enabling activities / projects / services to be more sustainable.
- (v) **Impact on the Environment** – None specific.

Background Papers: None

Enquiries to: Sue Green, Customers Manager, (Tel: 01621 875892).

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>COMMUNICATIONS TEAM</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes – Obesity Frailty and Old Age Social Isolation Mental Health	Regular public engagement through news releases, social media and website Supporting and organising engagement events and campaigns Facilitating public consultations Supporting emergency response to situations and providing public information	Community partners, authorities, central government, schools and media	On going
Yes		Maintaining Assets of Community Value register and providing advice	Community partners, central government, local groups	On going

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>PLANNING POLICY</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes: Social isolation	A community liaison Panel comprising of community representatives, Council Members and Town and Parish Councils. This group will receive regular updates and provide a sounding board for emerging proposals. It will provide strategic direction (where appropriate) and ensure that community interests are represented at each stage of implementation	Facilitated and secretariat provided by MDC	As needed South Maldon: anticipate next CLP end of June 18' North Heybridge: Anticipate 1 st CLP early 2019 A 3 rd is being planned
Yes	Yes - Social Isolation	Consultations on infrastructure such as Post Offices, telephone Kiosks etc. Part of CIL		As required
Yes	Yes – obesity Social isolation Frailty and Old Age	Engagement via local communities to develop green infrastructure delivery plan	Parish and town council	Plan to be adopted autumn18'
Yes	Yes	Local Development Plan Policies support Health and Wellbeing, e.g. cycle route, footpath network, open space sport and leisure.	Various	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

LEISURE & SPORT DEVELOPMENT				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes - Obesity Frailty and Old Age	Dengie Project Trust – Movement to Music	Dengie Project Trust	Sep 2018- Feb 2019
Yes	Yes - Obesity Social Isolation	Maldon District Cycle Club – Led rides programme	Maldon and District Cycle Club	May – Sep 2018
Yes	Yes - Obesity Social Isolation Mental Health	Parkrun – Burnham Parkrun - Maldon	Dengie 100 Runners/Parkrun	Ongoing
Yes	Yes - Obesity Social Isolation Mental Health	Livewell Walks	Fitsteps	August 2018
Yes	Yes - Obesity Social Isolation	Saltmarsh 75	Multiple	October 2018
Yes	Yes - Obesity Social Isolation Mental Health	My Weight Matters	ACE	Ongoing
	Yes -Obesity Mental Health	Life Support Road Shows – Primary & secondary Schools	Maldon and Essex Lifesaving	Ongoing
	Yes - Obesity Social Isolation	Back to Netball / Walking Netball	Active Essex	July 2018
	Yes -Obesity Mental Health	Bodycare – Primary Schools	Places for People Leisure	Ongoing
Yes	Yes -Obesity	Promenade Park Sports Pitch Management project	Maldon Saints Football Club	July 2017 – July 2019
Yes	Yes –Obesity Social Isolation	Sprytar – Alternate reality & activity digital application planned for some of our Parks during 2018	Sprytar	June 2018

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>LEISURE & SPORT DEVELOPMENT (cont'd)</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
	Yes - Obesity	Maldon District Primary School Sports Day	MDPSSA Plume Academy	July 2018
Yes	Yes -Obesity Social Isolation Frailty and Old Age	Walking Football	Essex FA Plume Academy	Ongoing
	Yes - Obesity	Maldon Triathlon	Dengie events	July 2018

Strengthening Communities and Health and Wellbeing activities as at June, 2018

HOUSING				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes Social Isolation Mental Health Frailty and Old Age	Community Led Housing	Local Community groups Arms houses RP's Autism group – individuals with supported housing needs Church Anglia Ruskin University Parish Councils	This is a long term project. Have Liaised with RCCE, contract in negotiation as to how work with them. Neighbourhood plans and parish councils identifying sites getting involved etc. We have with the parish councils in the district. Explaining community led housing
Yes	Yes – Social Isolation Mental Health	Homelessness Forum The meeting will usually include legal updates and a report on the progress with any recommended actions in the homelessness strategy.	Nacro, chess, Essex CC children and adult social service, Maldon CAB, Safer places, Maldon CVS, SSAFA local, Essex Police, Colne Housing, DWP, Open Road, Moat, One Housing, Homestart, Salvation Army	Ongoing: the group meet twice a year Latest meeting happened in March.
Yes	Yes	Working in partnership with Maldon Citizens Advice to help to deliver our new Homelessness responsibilities	Maldon CA	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>HOUSING Cont'd</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes Mental Health	Providing temporary accommodation for the homeless through working with Chess (homeless Charity)	Chess CAB One Support	Dec 17' – Dec 18'
Yes	Yes	Private Landlords forum Encourage good practice, dept. of communities and Local Gov wish to see promoted by councils.	Check with Sarah	Ongoing, next forum winter 19'
Yes	Yes	MARAT Multi-Agency Risk Assessment Teams Check case lists and check applicant tenure and provide relevant information. If have ongoing dealings with homeless application, attend MARAT.	Essex Police Adult and Children's Social Care Health representation Essex community rehabilitation company Substance Misuse representative IDVA National Probation Service (where relevant)	Ongoing
Yes	Yes	Through our Homeless Prevention approach working with various charities to provide advice and support to vulnerable customers	Various	On going

Strengthening Communities and Health and Wellbeing activities as at June, 2018

ECONOMIC DEVELOPMENT				
Contribution to strengthening communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes		Executive Committee member of Burnham on Crouch Chamber of Commerce Event in July – to support charities in the district	Local business Group Burnham Town Council	Ongoing
Yes		Facilitating the setup of a Causeway Forum in Dec 17' – skills is there top focus currently Sarah Laskar attends – brought attention to the local CSR responsibilities to encourage through CVS	Businesses based in the Causeway area	Ongoing
Yes	Yes Mental Health Social Isolation	Provide the secretariat for the Bradwell Legacy Partnership, focussed on developing and delivering the most appropriate and timely interventions via Magnox Socio Economic Fund and other funding sources to dissipate the economic impact of the decommissioning of Bradwell Power Station CVS involved in the BLP	Maldon CVS	Ongoing
Yes	Yes – Mental Health	Support local secondary careers and skills events and other initiatives including those from ECC in relation to industry/ schools links, sometimes schools in relation to in partnership i.e. – careers fair and apprenticeship	Plume Academy, Ormiston Rivers Academy, Heybridge alternative provision and directions IAG	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

ECONOMIC DEVELOPMENT cont'd				
Contribution to strengthening communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes		Facilitation and representation on Sense of Place Board with regards to free branding for businesses and other organisation across the District to promote Maldon as a place to visit, work and live	Braxted Park/ Osea Leisure/ Aquila Holdings/ Aldanat Care/ Strutt and Parker Farms Estate	Ongoing
Yes	Yes – Obesity Mental Health Social Isolation	Abberton rural trust - Essex skills project at Stow Maries age 45>, unemployed, individuals who have issues, to help with health and wellbeing etc. Cohort is full. Looking for other locations. Waiting list to get on.	Abberton Rural Trust, Stow Maries Great War Aerodrome, RCCE	Ongoing
Yes	Yes	Supporting the Building for heroes project (Skills and training for Veterans through promoting the scheme with local businesses, in particular Construction trade..	CI Business Solutions Building heroes	During 2018
Yes	Yes – Social isolation	Essex Employment and Skills Board Care Action Group - helps to build local growth in key employment sectors, such as the Care industry, and support training .	Essex Employment & Skills Board Essex County Council Employability & Skills Unit Reps from businesses in the Health & Care Sectors	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>ECONOMIC DEVELOPMENT cont'd</u>				
Contribution to strengthening communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes		Coastal Community Team. Development of Various projects and bids , which include projects to support local communities	Essex County Council Rochford District Council Parish Councillors Heritage, Environmental, & Voluntary reps Business reps	Ongoing
Yes		Economic Development sit on the Christmas Vintage Fayre Group	Maldon Town Council	Annually delivered. This is fourth year of support.

Strengthening Communities and Health and Wellbeing activities as at June, 2018

COMMUNITY SAFETY PARTNERSHIP				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes – Mental health	St Giles Trust SOS programme, assemblies to all year groups, parents evening and mentoring programme for 20 young people	St Giles Trust Plume School Community Safety	March-May 2018
	Yes – Obesity	Crucial Crew - education event for all year 6s in the district	CPOs Essex Fire and Rescue, Essex and Maldon Lifesaving, Plume School, ECC Road Safety, AlcoHELP,	17-20 September 2018
Yes	Yes Mental Health	Stay Safe this Summer- deliver alcohol and drug awareness workshops for Year 7s	Plume School	12 th July
Yes	Yes – Frailty and Old Age Social Isolation	Promote Maldon as a dementia friendly community	Essex Fire and Rescue Service Moat Housing MDC, Maldon CVS ECC, Support an Essex Admiral Nurse (SEAN) Alzheimer's Society Dengie D Caf	Ongoing
Yes	Yes - Social Isolation	Facilitating and supporting Neighbourhood Watch/Farm Watch	Essex Police Neighbourhood Watch Farm Watch	Ongoing
Yes	Yes - Social Isolation	Promotion of Community Speedwatch	Essex Police Community Speed Watch Volunteers	On going

Strengthening Communities and Health and Wellbeing activities as at June, 2018

COMMUNITY SAFETY PARTNERSHIP cont'd				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes	Implement Street Pastors Initiative in Maldon Town	Volunteers from Churches in Maldon/Street Pastors Chelmsford	May 2018
	Yes - Social Isolation Obesity	Doorstep Club Tollesbury- Weekly diversionary drop in for 13 – 19 year olds	MDC, ECC Youth Service. Community Safety, Essex Boys and Girls Clubs	Summer 2018
Yes	Yes - Obesity	3PR project – schools parking initiative	South Essex Parking Partnership – local primary schools, West Maldon Community Centre	Throughout the year

Strengthening Communities and Health and Wellbeing activities as at June, 2018

PUBLIC HEALTH				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes - Social Isolation Obesity Frailty and Old Age Mental Health	Gardening project with groundwork east – includes Work in the Maldon East Obesity Project	Groundwork East Bernardo's children centre	Sept 18'
Yes	Yes - Social Isolation Obesity Frailty and Old Age Mental Health	Intergenerational work with schools – to understand current good practice that is ongoing. With a further goal to link schools together and create an intergenerational forum	Primary Schools in Maldon District	Ongoing
Yes	Yes - Social Isolation Obesity Frailty and Old Age	Creation of a primary school Livewell forum: upon contact and engagement with primary schools there will be a primary school Livewell forum that will be set up to engage schools with Public Health and other topics.	Potential: - Provide, ACE weight management, Bernardo's, Maldon CVS, Mid Essex CCG	Ongoing
Yes	Yes - Social Isolation Obesity Frailty and Old Age	Maldon East Obesity Project: Initially targeting Maldon East Ward to tackle and prevent further increases in obesity and associated health issues	Provide, Berridge House, Maldon Primary School, ACE weight management, Groundwork East, Maldon CVS	Ongoing
Yes	Yes	Use of social media to support various health initiatives, both local and national	Various	Ongoing
Yes	Social Isolation Obesity Frailty and Old Age	Livewell strategy: developed to give clear direction to MDC Health and wellbeing approach. Supports ECC HWB strategy whilst incorporating Strengthening Communities Vision.	Maldon CVS, Provide, MOAT, ACE WM,	Nov 18'

Strengthening Communities and Health and Wellbeing activities as at June, 2018

PUBLIC HEALTH cont'd				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
	Yes	Working with Provide to encourage vaping shops in the district to sign up to the smoking cessation scheme. Benefits the district as reduces costs associated with smoking	Provide, local vape shops	Ongoing
Yes	Yes- Frailty and Old Age Social Isolation	Older person health and wellbeing event planned for 2018/19	Maldon CVS, Provide, ACE weight management, PFP, various others.	Annual
Yes	Yes - Social Isolation Obesity Frailty and Old Age	Series of one off HWB events in partnership with Provide, including events in High Street locations	Provide, PFP, Maldon CVS, ACE weight management,	Summer holiday to maximise attendance
Yes	Yes Social Isolation Obesity Frailty and Old Age Mental Health	Support the development and maintenance of Livewell Website to support promotion of Health and Wellbeing advice, support and activities.	All Essex Councils	On going
Yes	Yes Social Isolation Obesity Frailty and Old Age Mental Health	Facilitation of Livewell Maldon Partnership Group to maximise opportunities of working with statutory and non-statutory organisations and voluntary groups to target our local health and wellbeing priorities	Various	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

COMMUNITIES				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes - Social Isolation Mental Health Frailty and Old Age	Volfest 18 – 1 day event to celebrate local volunteering and to help charities to promote themselves and to find volunteers – 2 June 2018 at the Amphitheatre Promenade Park. (Joint event with Countryside and Coast Team)	Maldon District Council Communities Officer /Coast and Countryside Team and CVS	Second event 2 June 2018.
Yes	Yes – Frailty and Old Age Social Isolation	Stay Well This Winter Third year of Three year funding. Pop Up winter warmth advice events throughout the District. 166 packs or vouchers were issued to most vulnerable residents, of which almost 75% went to residents over 65 years old.	Maldon District Council and other partners led by Maldon and District Community Voluntary Service	Delivered for 2017/18 – no funding announced as yet for 2019/20.
Yes	Yes - Social isolation Frailty and Old Age Mental Health	Four Ts Project to map existing events (lunches and coffee mornings/activities for the socially isolated), to promote and increase use of existing opportunities and support the set up community events where there are none in the areas of Tollesbury, Tolleshunt D'Arcy Tolleshunt Knights and Tolleshunt Major. Target group over 65's but not exclusively.	Maldon District Council Chelmsford Diocesan, Community360, Maldon and District Community Voluntary Service and Essex County Council	Ongoing.
Yes	Obesity Frailty and Old Age Social Isolation	Staff Volunteering Scheme – 7 hours per annum or pro rata if part time	Maldon District Council Scheme	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>COMMUNITIES cont'd</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Obesity Social Isolation	Pilot Maldon Multi Agency Centre (Maldon MAC). Range of support services all in one place one a month, to support our most vulnerable residents, particularly those with complex issues/ needs	MDC, CAB, Homestart, ECC, JSP/DWP, Colchester and Tendring Women's Refuge, Maldon CVS, Provide, MIND	Commenced April 2018 pilot to run until 1 st Thursday in October 2018. (6 months)
Yes	Yes - Social Isolation	Resettlement of Refugee Families and working with Volunteer Group Supporting Syrian Refugees	MDC Chelmsford Diocesan Essex County Council	Ongoing
Yes	Yes - Social Isolation Obesity Frailty and Old Age Mental Health	Provision of free or peppercorn rent accommodation to Community Groups	Various	On going
Yes	Yes - Social Isolation Obesity Frailty and Old Age Mental Health	Supporting the Mid Essex Social Prescribing project to refer customers to appropriate help and support	Various	Ongoing
Yes	Yes - Social Isolation Frailty and Old Age	Mental Health Hub – Project to develop a hub in Reception to include small coffee outlet run by volunteers	MDC, ECC, Local GPs, Maldon MIND, Maldon CVS, IAPT	During 2018
Yes	Yes - Social isolation Frailty and Old Age	Community 360 Provision of Community transport through a mix of volunteer and paid drivers.	MDC ECC Community 360	Accommodation reviewed on an annual basis so ongoing
Yes	Yes – Obesity Social Isolation	One off event to promote uptake of Staff Volunteering Scheme	MDC, Maldon and District CVS, Volunteer	Summer 2018.

Strengthening Communities and Health and Wellbeing activities as at June, 2018

			Essex	
COUNTRYSIDE AND COAST				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timescale
Yes	Yes – Obesity Social Isolation Mental Health Frailty and Old Age	Creating and managing opportunities for volunteering on MDC Open Spaces	MDC Coast and Countryside Team Trust for Conservation Volunteers and other partners as appropriate	Ongoing
Yes	Yes - Social Isolation Obesity Mental Health Frailty and Old Age	Friends of Groups for MDC Open Spaces	Maldon District Council and volunteer members of the community	Ongoing but organisation/constitution of groups currently under review
Yes	Yes – Obesity Social Isolation	Volunteer country side rangers Open programme of volunteer opportunities	Officer time Volunteer groups	Ongoing
Yes	Yes – Obesity Social Isolation	Development of Tree warden and coastal warden scheme	Officer time Volunteer rangers	Ongoing
Yes		Customer survey within Parks and open spaces – possibly through Sprytar application being implemented in some of our Parks.	Park users	Mid July 18'
Yes	Yes – obesity Social Isolation Frailty and Old Age	Green space infrastructure- Low tier consultations – Stakeholder discussions	Officers Cycling groups Walking groups etc.	2018
Yes	Yes – obesity Social Isolation Mental Health	Play project consultation in prom park	EY, parents, disability groups, family centre, MOAT	July

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>COUNTRYSIDE AND COAST cont'd</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timescale
Yes	Yes – Obesity Social Isolation Mental Health	Management plans for parks and open spaces: riverside park and cemeteries	Park users Stakeholders	2018/19
Yes		Working with communities to help provide intelligence for keeping river activities safe and target enforcement.	Nigel – River bailiff CPO's Liaising with marinas and boat yards	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>TOURISM</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timescale
Yes	Yes – Obesity Social Isolation Frailty and Old Age	Continual development of the Visit Maldon District Website + social media including promotion of local events & attractions, business pages + local groups & societies	TIC staff - public organisations/organisers	Ongoing
Yes	Yes – Obesity Social Isolation	Empowering communities with information via improved signage in Prom Park, Riverside Park and Town Car Parks – cross promoting the wider offer	TIC	Partially complete – remaining by June 2018

Strengthening Communities and Health and Wellbeing activities as at June, 2018

ENVIRONMENTAL HEALTH				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timescale
Yes	Yes - Social Isolation Frailty and Old Age	Raising awareness through the Taxi Drivers Partnership Forum – In particular to tackle Dementia in conjunction with the Dementia Action Alliance	Taxi Trade	Ongoing
Yes	Yes - Obesity	Tuck in project to get food businesses to sign up to using less fat/ salt.	Essex Authorities	Ongoing
	Yes -	Surface Water Flood Mitigation	Community Flood Risk Management Plans with appropriate partners as flood risks are identified	Ongoing
	Yes Frailty and Old Age	ECO scheme, supporting the installation of energy efficiency measures in low-income households and areas, in properties that are harder to treat and for those with some health conditions.	ARAN services	Running until Sept 18'.
Yes	Yes	Housing inspections to ensure they meet appropriate standards and regulations		Ongoing
Yes	Yes	General information and guidance to residents: in regards to EH (housing condition, landlords etc.)	Local residents Officers	Ongoing
Yes		Working with Parish Councils to take responsibility for flooding: assisting residents with flooding issues	Parish Councils	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

COMMUNITY PROTECTION OFFICERS				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes	Park Watch (database of 600 members who act as eyes and ears and pass on any information	Parish Councils	Started 4 years ago – ongoing
Yes	Yes	Dog Watch (run by Essex Police, CPO assist but advising members of the public and handing out membership forms which are processed by Essex Police. Member kept updated by Police messaging system	Essex Police	Started 2 year ago – ongoing
Yes	Yes	Drop in Workshops. Introduction of drop in session for members of the community to call in at various locations to discuss any issues with CPOs	Crime Prevention /Neighbourhood Watch	Planned to be delivered during 2018/19
Yes		Working with communities to help provide intelligence for keeping river activities safe and target enforcement. 5 CPOs Trained to use jet skis and assist with enforcement on rivers	River Bailiff	Started 2016 – ongoing
Yes		Parish Patrols (additional patrols set up for local Parish and Town Councils for patrols to assist with ASB and car parking issues	Parish Councils South Essex Parking Partnership	Started 2014 with BOC Town Council now work for 8 Parish and Town Councils – ongoing
Yes		BOC LPC & Meeting (6 weekly meetings with local residents and councillors. Police to discuss local issues).	Police, Parish Council	Meetings attended every 6 weeks

Strengthening Communities and Health and Wellbeing activities as at June, 2018

COMMUNITY PROTECTION OFFICERS cont'd				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes		True Cam – Speedwatch to bring communities together and become more safe	Local communities	Ongoing
Yes		Parish AGM attendance	Local parishes	Annual
Yes	Yes – Social Isolation Frailty and Old Age Obesity	Litter picks – with different communities, seek/gain volunteers	Local community to groups	Ongoing
Yes		Public Spaces Protection Order – dog control consultation		Ongoing
Yes	Yes	CPO job role developed to include broad spectrum of community involvement.	Various	Ongoing
Yes	Yes - Social Isolation Obesity Frailty and Old Age	Play football – w/ Simon Walker	Simon Walker,	Ongoing
Yes	Yes – Obesity Mental Health	Support Crucial Crew	Community Safety Partnership, CPOs Essex Fire and Rescue, Essex and Maldon Lifesaving, Plume School, ECC Road Safety, AlcoHELP,	17 th -20 th September

Strengthening Communities and Health and Wellbeing activities as at June, 2018

COMMUNITY SAFETY PARTNERSHIP				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes – Mental health	St Giles Trust SOS programme, assemblies to all year groups, parents evening and mentoring programme for 20 young people	St Giles Trust Plume School Community Safety	March-May 2018
	Yes – Obesity	Crucial Crew - education event for all year 6s in the district	CPOs Essex Fire and Rescue, Essex and Maldon Lifesaving, Plume School, ECC Road Safety, AlcoHELP,	17-20 September 2018
Yes	Yes	Stay Safe this Summer- deliver alcohol and drug awareness workshops for Year 7s	Plume School	12 th July
Yes	Yes – Social Isolation Frailty and Old Age	Promote Maldon as a dementia friendly community	Essex Fire and Rescue Service Moat Housing MDC Maldon CVS ECC Support an Essex Admiral Nurse (SEAN) Alzheimer's Society Dengie D Caf	Ongoing
Yes	Yes – Social Isolation	Promoting volunteering opportunities with partners agencies	Essex Police Neighbourhood Watch Essex Fire and Rescue Service	Ongoing
Yes	Yes - Social Isolation	Facilitating and supporting Neighbourhood Watch/Farm Watch	Essex Police Neighbourhood Watch	Ongoing

Strengthening Communities and Health and Wellbeing activities as at June, 2018

			Farm Watch	
COMMUNITY SAFETY PARTNERSHIP cont'd				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes - Social Isolation	Promotion of Community Speedwatch	Essex Police Community Speed Watch Volunteers	On going
Yes		Implement Street Pastors Initiative in Maldon Town	Volunteers from Churches in Maldon/Street Pastors Chelmsford	May 2018
	Yes - Social Isolation Obesity	Doorstep Club Tollesbury- Weekly diversionary drop in for 13 – 19 year olds	MDC, ECC Youth Service. Community Safety, Essex Boys and Girls Clubs	Summer 2018
Yes	Yes - Obesity	3PR project – schools parking initiative	South Essex Parking Partnership – local primary schools, West Maldon Community Centre	Throughout the year

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>WASTE MANAGEMENT</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes – Obesity Social Isolation Frailty and Old Age	Litter picks with the community	Community partners	Ongoing
Yes	Yes –	Schools talks, community group talks, parish clerk talks, talks to sheltered accommodation	Local schools, community groups, sheltered accommodation	Ongoing
	Yes	Assisted waste collections for vulnerable residents	Suez	On going

Strengthening Communities and Health and Wellbeing activities as at June, 2018

<u>CUSTOMERS TEAM</u>				
Contribution to Strengthening Communities	Contribution to Health and Wellbeing	Activity	Partners	Timeframe
Yes	Yes	Staff trained in Every Contact Counts to promote health and wellbeing advice	ECC, CCG, Provide	Ongoing
Yes	Yes	Staff trained to signpost to help and advice through using Social Prescribing tool Essex Connects	Various including CVS	Ongoing
Yes	Yes	Range of advice and support available to customers who are faced with debt issues, including referral to debt advice charities, and Citizens Advice	Various	Ongoing
yes	Yes	Staff trained to be Mental Health first Aiders to support dealing with customers with Mental Health Issues	Provide	2018
		Suicide awareness training (general awareness)	External	2017
	Yes	Suicide Prevention Training (Specialist Champion training)	ECC	2018
	Yes	All staff trained in safeguarding procedures, and designated Safeguarding Officer to undertake formal referrals.	ECC	Ongoing
	Yes	Staff trained in Domestic Abuse awareness (J9)	ECC	2018
	Yes	Corporate Debt Policy being developed to clearly identify most vulnerable customers		Aug 2018

Strengthening Communities and Health and Wellbeing activities as at June, 2018

Strengthening Communities and Health and Wellbeing activities as at June, 2018

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Strengthening Communities Our Vision

Strengthening Communities to be safe, active and healthy is one of our Corporate Goals, and underpins our vision to build stronger more resilient Communities. This means that the power of both individuals acting as volunteers and the voluntary sector groups and organisations providing support to those individuals is maximised, to improve the health and wellbeing of our residents.

Our vision has 4 key principles which we are committed to support, through working with our statutory and voluntary partners:

1. People are supported to be active and involved in their communities through social action and volunteering

We will do this through:

- Strong Community Leadership
- Supporting and promoting existing volunteering schemes
- Creating new volunteering opportunities
- Working with partner organisations to support projects which will increase volunteering
- Work with the willing, to increase volunteering and community involvement

2. Resources are prioritised to support volunteering activities, schemes and projects which help and involve the most vulnerable, or isolated members of our community

We will do this by:

- Strong Community Leadership
- Using data to target our resources, thereby prioritising areas of the district and key issues.
- Increased Collaborative working with internal and external partners

3. The approach is person-centred and created in partnership with communities

We will do this by:

- Bottom up approach adopted, where Communities are encouraged to identify opportunities and local solutions
- Greater collaborative and community engagement activities
- Involving local community leaders to identify issues and help support local solutions
- Enabling and not necessarily being the provider

4. Our success will be measured by the impact we have on people's lives

We will do this by:

- Outcome based approach to measuring impact
- Pro-active publicity campaigns highlighting success stories
- looking at outcomes for the individual as well as the wider community
- Recognising the benefits for those volunteering, as well as those who may be receiving the service

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Strengthening Communities Task and Finish Working Group
Draft Constitution and Terms of Reference

Purpose

To assist the Community Services, Planning & Licensing and Finance & Corporate Services Committees in developing activities and clear outcomes which support the strengthening communities agenda.

Constitution

1. The Task and Finish Working Group (“T&FW Group”) shall consist of two Members from the Community Services Committee, two Members from the Planning and Licensing Committee and two Members from the Finance and Corporate Services Committee together with the Leader or Deputy Leader of the Council. The membership need not reflect the political balance of the Council.
2. The membership of the T&FW Group shall be appointed by the three parent committees and if necessary reviewed annually at their first meeting following the Statutory Annual Meeting of the Council.
3. The Parent Committees shall keep under review the constitution and membership of the T&FW Group.
4. Meetings of the T&FW Group will be called as and when the need arises and will be serviced by the Director of Customers & Community Directorate.
5. Notes will be taken at meetings of the T&FW Group and will be made available electronically to all Members of the Council. A summary of the deliberations following the exploration, consideration and review of matters requested, will be included in reports to Committee. Reports will follow each meeting of the group.
6. At the first meeting of the T&FW Group, Members of the group shall elect a Chairman and should also appoint a Vice-Chairman.
7. For the avoidance of any doubt, the obligation on Members to declare interests in terms of the Council’s Code of Conduct shall apply to meetings of the T&FW Group.

Terms of Reference

- 1.1 To explore, consider and review the following areas of work before reporting to the three parent committees: -
 - (a) There are a number of initiatives underway across the County aimed at harnessing the power of the voluntary sector and individuals to create more resilient communities. It is important that the Council is aware of these initiatives so that it can help to promote them and ensure that they are delivered in a joined up way. The first action of the proposed working group will be to gain a clear understanding of all such initiatives, their purpose and proposed activity within the Maldon District.
 - (b) Increasing demand for services accompanied by continually reducing resources means that it is more and more important that actions are focussed on areas of greatest need. The second piece of work will focus on the specific needs within the Maldon District to help us ensure

that we are clear on outcomes that we are seeking to deliver and are targeting our resources to deliver the maximum benefit. Initial work has identified a number of important local priorities including: social isolation, winter warmth, fuel poverty, trips and falls, obesity, housing for older people, mental health.

- (c) The District already benefits from a wealth of voluntary resource and community driven activity focussed on improving the lives of our residents, however it would be helpful to better understand that resource and to look at whether there are untapped opportunities. The third task for the group will be to understand the existing voluntary resource and consider whether there are opportunities for extending this.
- (d) It is recognised that there are a number of funding opportunities available to support a wide range of voluntary initiatives. The Group will look to see whether the District is aware of and capitalising on these opportunities.
- (e) A communication plan will be prepared to ensure that the conclusions arising from the groups work are properly communicated to interested stakeholders.

1.2 Following the completion of the five tasks identified above the Task and Finish Working Group will prepare a draft Strengthening Communities Strategy and Action Plan for consideration by Members through the Community Services, Planning & Licensing and Finance & Corporate Services Committees. Key consideration will be placed upon identifying measurable outputs arising from the work within the Action Plan.



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
13 SEPTEMBER 2018**

**DRAFT MALDON DISTRICT HOUSING STRATEGY: STAKEHOLDER AND
PUBLIC CONSULTATION**

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to outline the content of the draft Housing Strategy (**APPENDIX 1**). It seeks the Council's approval for the draft Strategy to go out for public consultation; consultation will be undertaken over a six week period.

2. RECOMMENDATION

That the draft Housing Strategy be approved for stakeholder and public consultation.

3. SUMMARY OF KEY ISSUES

3.1 Housing Strategy

- 3.1.1 The Housing Strategy, including the review of homelessness and integrated Homelessness Strategy, sets both objectives and vision for the Council's plans to manage and respond to all aspects of housing need.
- 3.1.2 The Council has a statutory duty to undertake a review of homelessness in the district and produce a strategy which explains this and its planned response. In the process of developing this, feedback from stakeholders showed that many would find it helpful to integrate this with a broader housing strategy that helps show how the overall housing supply and need is inter-related with issues of housing need including homelessness. The Homelessness Code of Guidance for Local Authorities states under para 2.9 that 'Local Authorities can combine housing and homelessness strategies in a single document where it is coherent to do so'. Which is what we have done.

3.2 Homelessness

- 3.2.1 The content of the chapter on homelessness has been drafted taking into account the requirements of the new Code of Guidance for homelessness as well as the recent changes to legislation. The Code of Guidance which accompanies the Acts for homelessness and some parts of statute include directions for consultation, to comply with this the Council will have to formally consult with Essex County Council as the upper tier authority responsible for social care and should also seek to consult with

other statutory and voluntary organisations who are likely to be involved or affected by the issue of homelessness.

3.2.2 In addition to homelessness, the other main themes of the strategy are:

- Older people – consolidating on the previous Older People’s Housing Strategy in anticipation of the growing recognition of this becoming more recognised as an issue and an area of opportunity for better working between agencies in the future;
- Fixing our Broken Housing Market – following the direction set out by the government’s emerging housing policies, applying these ideas to local issues, and
- Managing Supply – looking ahead at ways that the Council can complement the work it is already doing in managing need, in particular the prevention of homelessness, by becoming more involved with the enabling of a better mix of new homes in the future that are more closely aligned with local need.

3.2.3 A draft action plan is included as part of the strategy, followed by a section titled ‘Our Wider Aims’ which sets out some issues which the Council may be interested in supporting but is unlikely to be able to deliver without a significant level of cooperation from others. By setting out these aims, it is hoped that some partners may be influenced to come forward to discuss the possibility of working together in the future to help realise some of these aims.

4. CONSULTATION

4.1 The draft Housing Strategy will be available to view on the Council’s website, at the Council offices and at all local libraries. The consultation for this document will be open for six weeks. The Council will also proactively seek to consult key stakeholders such as relevant departments within the Council, Neighbouring authorities, Health and Wellbeing Board, Social Care, Registered Providers, support providers, relevant voluntary organisations and Essex County Council as commissioner of supported housing

4.2 Stakeholders and members of the community can comment on the draft Housing Strategy by post or via email. Following the consultation, all comments made will be considered and changes made to this Housing Strategy, where appropriate. The outcome of the consultation will be reported to this Committee, with a recommendation for the Council to adopt the Strategy in December 2018.

5. CONCLUSION

5.1 The draft Housing Strategy sets out the Council’s approach to securing housing supply and dealing with homelessness within the District. The stakeholder and public consultation will be for six weeks and the outcomes will be reported back to the Council.

6. IMPACT ON CORPORATE GOALS

6.1 The draft Housing Strategy will have a positive impact on the corporate goals of which underpin the Council's vision for the District, in particular protecting and shaping the District and balancing the future needs of the community.

7. IMPLICATIONS

- (i) **Impact on Customers** – Ensuring delivery of housing which meets identified local housing needs.
- (ii) **Impact on Equalities** – The strategy should seek to improve access to services for those with protected characteristics such as older people and those with disabilities.
- (iii) **Impact on Risk** – There is a legal requirement to carry out a review of homelessness and produce a strategy no less than every five years, the current strategy expires in 2019. The lack of a strategy can also undermine attempts to secure funding and influence other partners.
- (iv) **Impact on Resources (financial)** – The costs related to the stakeholder and public consultation will offset the cost that can arise from failing to take a strategic approach to meeting the need for housing in the District.
- (v) **Impact on Resources (human)** – Project management of the Housing Strategy is in-house. The Strategy provides a robust and transparent process within which should enable resources to be better managed.
- (vi) **Impact on the Environment** – None identified.

Background Papers:

Enquiries to: Matt Leigh, Group Manager - Planning Services, (Tel: 01621 875740).

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**Maldon District Council Draft Homelessness and Housing
Strategy 2018/23**

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Forward

Executive Summary

This strategy seeks to help explain the need for housing in the District, incorporating a review of homelessness and the Council's Homelessness Strategy which is a statutory requirement with a broader Housing Strategy that then considers a number of ways we can improve the supply of housing to meet local need.

This new strategy takes into account recent changes in legislation, in particular the Homelessness Reduction Act (2017) which places a new duty on local housing authorities to prevent homelessness wherever possible. This is something the Council has been doing for a number of years but the new Act extends the duty to provide assistance to a much broader group than those covered by the previous 'main' duty, anyone who is eligible and at risk of becoming homeless within 56 days can now expect help developing their own Personal Housing Plan, with help and advice to help prevent them from losing their accommodation. In cases where this is not possible, all councils now also have a duty to try and 'relieve' homelessness by providing temporary accommodation along with help and advice to move on to more settled housing. In practice this may not be too dissimilar to what the Council was doing in the past but in a more structured way, and possibly across a greater range of people including those who may not have a connection with the area. In seeking to meet the need for housing, the Council therefore welcomes the recognition that priority must first be given to prevention and there is now a stronger emphasis on this as part of the Homelessness Strategy. This includes:

- Implementing new systems and ways of working so that everyone who is at risk of homelessness will have help developing their own Personal Housing Plan as the first stage of helping them;
- Working with partners, such as local housing associations, social care and others, to see how we can work more closely on developing and commissioning services such as housing related supported and the new 'duty to refer' to help others identify and respond sooner to the possible threat of homelessness; and
- Continuing to develop pathways and options for particular groups who we know will be at risk of becoming homeless, such as those at risk of eviction, domestic abuse, and street homelessness to help improve opportunities for prevention and relief.

Consultation from previous strategies on homelessness tells us that whilst many people appreciate the need for prevention, we should also be looking at ways of improving supply and this is why we have brought both our strategies for homelessness and housing together into a single document, making it easier to understand the whole process from assessing need to managing supply. The largest source of supply will always come from homes that have already been built so we should never overlook this. Getting best use from the existing stock has to be the starting point and the final outcome of this strategy. This means tackling homes that are under-used such as empty properties and encouraging greater supply or 'churn' from the existing stock by helping those who want to move to do so, creating a better supply from what already exists and a sustainable way to help meet local housing need. Through this strategy we propose a number of actions including the following to improve the use of existing housing stock:

- Monitoring and taking action against those empty homes that have been empty, especially those that are falling into disrepair;
- Seeking closer working with local housing associations (Registered Providers) to see how much more we can do to help them make better use of their existing homes and sites; and
- Continue to work with private landlords to help reduce the risk of homelessness and see how we can help local people access this sector.
- Review of the Council's Strategic Tenancy Strategy and Affordable Housing Allocations policy.

With the approval of a new Local Development Plan, the Council is now in a position to give greater certainty to the local community on the development of new homes. The Local Plan includes a number of policies that seek to provide a better supply of new homes, in particular to this strategy, homes that are affordable and can be allocated to local people in housing need. We know that developing enough new homes of the right type will always be a challenge and one of the purposes of this strategy is to make sure that we have actions agreed that will ensure an adequate supply of the right type of homes, including the potential to increase this if needed. We see this as being in line with the government's Housing White Paper "Fixing Our Broken Housing Market" (2017). The strategy has a section dedicated to this, complementing the section on managing supply and includes proposals such as:

- Introducing more transparency and rigor into the assessment of financial viability for new developments to ensure the optimum level of affordable homes are provided;
- Developing a framework for delivering Community Led Housing developments throughout the District;
- Working with other public bodies who have land that could be developed to meet local housing need through the One Public Estate project; and
- Working with partners to explore options for the Council to invest in new housing development, especially for homes that may not otherwise be delivered through other developments even though they are needed.

Finally, this strategy also includes an update and replacement of the Council's previous Older People's Housing Strategy. This was innovative at the time and we now believe that it should also be incorporated within a broader strategic approach to housing, making sure it is not marginalized and is given the attention it deserves. A growing number of groups and public bodies can now see the opportunities that exist if local housing authorities can work more closely with health, social care and local voluntary organisations to bridge the gaps that exist between them. The District has a higher than average proportion of older people and previous studies have highlighted the need to begin to plan for the growing need for housing related support that will help older people retain their independence and risk the risks associated from poor or inadequate housing. Included in the proposed action plan are proposals to:

- Enable the development of 150 units of Independent Living (extra care) housing;
- Enable the development of a similar number of homes with low-levels of care;
- Review and update the Council's policies for Disabled Facilities Grants (DFGs) including ways we can be more flexible, and
- Provide a 'home from hospital' scheme.

As the Council has no housing stock of its own it is very reliant on the help and support it receives from a number of partners such as local housing associations and other agencies who commission and provide housing related support, such as floating support. There are some things the Council would like to see but recognizes that these are beyond our immediate control so we have also included a list of our 'wider aims' at the end of this strategy as an addition to the proposed action plan. Our intention is that other partners may recognize some of these possible actions as tasks that they would either like to initiate or discuss with us ways of possibly implementing, through joint-working.

Statutory and Strategic Framework

The Council has a number of clearly defined legal duties that are dependent on an adequate supply of housing. Failing to discharge these duties can be costly for both those affected, including other agencies and the Council:

Homelessness Acts (1996 and 2002) – place duties on all local housing authorities to secure temporary and settled accommodation for those who are homeless, in priority need (especially vulnerable) and have a local connection to the area.

Homelessness Reduction Act (2017) – creates new duties to assess the housing needs of anyone who may be at risk of becoming homeless, providing them with advice and assistance to help prevent them from becoming homeless or where possible relieve them from being homeless, in addition to the duties of the Homelessness Acts.

Housing Act (Part VI) (1996) – places a duty on local housing authorities to have in place policies for the allocation of housing through a housing register (waiting list) giving ‘reasonable preference’ to particular groups such as those who are homeless.

Localism Act (2011) – gives local housing authorities greater discretion in setting policies for the allocation of housing, powers for local authorities and local communities to make better use of resources such as buildings to meet local needs, and a duty to produce a Strategic Tenancy Strategy that sets out its expectations and policies for the allocation and management of social housing in its district.

Housing Grants, Construction and Regeneration Act (1996) – requires local housing authorities to administer Disabled Facilities Grants, providing adaptations to the homes of those who are disabled.

Care Act (2014) – requires an assessment of the suitability of housing for people needing help and support in their home, joint working and planning between health, housing and social care and the sharing of information to help patients and agencies make informed decisions about housing options.

Homelessness Code of Guidance (2018) – although not legislation, local housing authorities are expected to deviate from this only where there are good reasons for doing so, requires joint working and commissioning of housing related support between district and county councils to prevent homelessness, specialist options for particular groups such as those at risk of domestic abuse, those leaving the armed services, young people.

The combined effect of these and other legislation is to create a framework to ensure that help and ultimately housing is provided, in a regulated way, to those in housing need. In some cases, local housing authorities can discharge some of these duties by helping people access homes that are rented through private landlords but the most stable source of supply has always been social housing, i.e. homes that are owned and managed by district councils or housing associations. Maldon District Council transferred its housing stock to Moat Homes Limited (previously Plume Housing Association) in 1995 and has, since then, been almost entirely reliant on housing associations to meet the need for affordable and supported housing.

To meet both these statutory duties and the wider demand for affordable and supported housing, the Council is largely reliant on policy rather than legislation to provide an adequate supply. Policies can not be enforced to the same degree as laws and have to allow for discretion and at times deviation, consequently the powers that the Council has to ensure an adequate supply of homes are not as strong, nor as binding on others, as the duties we have to meet housing need. Goodwill, understanding and cooperation with partners is therefore an essential element of our strategic approach to meeting our housing need.

Most of the existing supply of affordable homes and those planned for the future will be delivered through the policies in the Council's Local Development Plan. These are based upon evidence on the local need and supply of homes provided by the Council's Strategic Housing Market Assessment (SHMA) and its research into Objectively Assessed Need (OAN). The policies of the local plan reflect that National Planning Policy Framework and the approach taken to develop these is in accordance with National Planning Policy Guidance.

Maldon District Council Corporate Plan

The Council's Corporate Plan sets out the vision and strategic direction for the Council with some 'flagship' activities under the main goals. These are delivered as Key Corporate Activities with corporate support, progress can be followed through the Council's website and some are specifically relevant to the purpose of this strategy:

- Strengthening communities to be safe, active and healthy – by implementing to Homelessness Reduction Act to prevent and relieve homelessness;
- Protecting and shaping the district – by implementing the Housing Strategy to meet housing need, especially for older people, those in need of affordable housing, and meeting the need for supported and temporary accommodation.

Indicators which are used to track progress of these activities include:

- The number of households whose living conditions have been improved through Council intervention;
- The number of households who have been helped to avoid becoming homeless;
- The number of new affordable homes provided; and
- The number of empty homes brought back into use.

This strategy therefore supports these aims and measures, with other actions being set as part of the Council's Strategic Housing Service's Service Plan.

The Council's decision-making process is through its Finance, Planning and Community Services Committees, to ensure consistent understanding of strategic housing issues and changes to national policy and legislation, the Council has created a Strategic Housing Board which is a Member and Officer group, meeting regularly, to consider progress with this strategy, changes and the need when it arises to review or change housing policy and priorities.

Maldon District Council's Local Development Plan

The Council's Local Development Plan sets out all the main policies for the development of new homes. The Plan identifies that a minimum of 4650 dwellings or 310 dwellings per annum is planned for in the District over the plan period (2014-2024). This includes market housing, affordable housing, housing for older people and those with other specialist needs.

The majority of this housing is directed to the Garden Suburbs and strategic sites in Maldon, Heybridge and Burnham on Crouch.

Section 5 is dedicated to housing and includes:

- Affordable housing: sets out the requirements from market housing schemes for different parts of the District, and how the Council will secure affordable housing provision. Rural exception schemes, which allow for affordable housing in appropriate locations outside settlement boundaries are also discussed.

- Housing mix: identifies that all developments should provide a suitable mix and range of housing in terms of size, type and tenure to reflect housing need and demand for market and affordable housing, including the needs of an ageing population
- Specialist needs accommodation: the criteria against which schemes for specialist housing (housing for older people and those with disabilities) will be considered
- Gypsy and travellers: the criteria against which schemes for gypsies, travellers and travelling showpeople will be assessed

The Council also has two Supplementary Planning Documents which are at an advanced stage. These provide additional guidance to developers, providers and the community on Affordable Housing and Viability, including the Council's approach to considering the viability of affordable housing within a market housing scheme; and on Specialist Needs Housing, primarily locational and design guidance relating to housing for older people and those with disabilities.

Background to Housing in the Maldon District

There are currently 25,800 households in the District according to the last census. There are lower than average levels of self-containment when looking at people moving, which means that when homes are sold or rented through the open market there is a greater chance that they will be bought or rented by people moving into the district rather than from within compared with most other districts including others in Essex, and only about half the working population both live and work in the district which is also lower than average.

Part of the reason for this may be the difference between local incomes (many of which will inevitably be from working outside of the area) and local wages (how much those working in the district can expect to earn). Studies and surveys show that the difference between the two is about £150 per week, roughly about the average rent or until recently mortgage payment. Despite being very open and attractive to people moving into the area, the district has been accepted as being a distinctive district-based Housing Market Area because the area from which people move into the district from is so wide, ranging from nearby districts such as Basildon and Chelmsford to London and beyond. Many local people, especially those who work in the district, may find that they will struggle to afford to buy or rent a home compared to those who work elsewhere or are moving into the district from elsewhere.

While the district is seen as a desirable location to move to, especially by older households, younger adults especially from late teens to early twenties are more likely to want to move out of the area, partly due to affordability and partly to be nearer to employment, education and other services.

There is a predicted increase of about 3,000 additional households between the last census in 2011 and the next in 2021. This is the basis for the growth of new homes in the Council's Local Development Plan. The most significant proportion of growth is predicted to be in the older population, including some who are planning to move into the area from elsewhere to be closer to family. For this reason, our housing strategy gives particular attention to the housing need of older people, continuing on from our Older People's Housing strategy, anticipating that for our district and the country as a whole, this is a housing issue that will become more and more important for housing authorities in the future.

The district has a lower than average proportion of social or affordable housing and 50% more of the open market housing stock is larger detached or semi-detached homes compared to national and regional averages. There are about the same number of four-bedroom homes as two-bedroom homes, roughly 25% of each. Nearly half of all homes are under-occupied (larger than the household requires) and less than 2% of households are over-crowded (in homes too small for their need). Of those who feel their home is no longer suitable to their need, the largest proportion are home-owners with no mortgage, possibly indicating the issues of an ageing population and the profile of the local housing stock. The imbalance between the type of homes available to buy or rent and the difference between local incomes and wages also shows how important a better mix of market homes and an adequate supply of affordable homes is for local people.

The levels of market activity have varied considerably over the last ten years, reflecting the wider economic trends but levels of sales are now just below where they were in 2007 just before the financial crisis. The majority of transactions are sales of existing homes, with new homes accounting for between 5% to 10% of overall annual sales.

During the last decade there has been a significant increase in the number of homes that are owned and managed by private landlords and this sector is now the second largest, after homes for sale, relegating social / affordable housing to the smallest proportion in line with many other parts of the country. This is not due to a significant reduction in the number of affordable homes but a shift in the balance between homes for sale and homes to rent in the open market, driven by cheaper borrowing for those with existing equity and higher levels of income, replacing potential first-time buyers unable to afford deposits or monthly repayments.

The government sees the problems faced by younger households struggling to afford home-ownership as a sign of a 'broken housing market' although in some ways the change in tenure could be seen as a market response to the ability to purchase as an investment by some and the need for housing that they can afford by others. Amongst the aims of this strategy will be ways of helping people achieve home-ownership in ways that they can afford and also to promote good standards within the private rented sector as well as ensuring an adequate supply of affordable homes to meet local need.

The Council's Strategic Housing Market Assessment considered the need for households planning to move within both the market and affordable housing sectors, broken down between those who are existing households looking to move to somewhere that meets their needs, and those who are 'concealed households', i.e. those who need to move to a home of their own but unable to, usually because of cost. Of those looking to move within the open market, the main demand from existing households was for three-bedroom houses, for concealed households it was one-bedroom apartments. For those wanting or needing to move from affordable housing, the main need for existing households was for a one- or two-bedroom bungalow, for concealed households the need was for two-bedroom houses. In all cases, the most popular location was Maldon or Heybridge and this is reflected in the allocation of new development.

Managing Need and Demand

Understanding the difference between housing need and housing demand is a vital element to understanding the issues that a housing strategy needs to deal with.

Housing demand can be seen through the level of demand for homes that are available, usually within the open housing market to rent or to buy but can also include affordable homes that are offered through a choice-based lettings scheme such as that operated by the Council. For market housing, the obvious determinate is whether those who want to live somewhere can afford to do so, for most in the past this meant being able to buy through a mortgage but increasingly now this also means being able to afford to rent. Where there is competition, the offer is normally accepted by the person able to pay the highest price. We know that for the Maldon district this will often mean homes being bought or rented by a significant proportion of people from outside of the area which means a wider and more profitable market for those selling or renting but a more expensive market for some local residents, especially those who also work in the district who are likely to be on comparatively lower wages. In the same way that those living and working in the district may be displaced by demand from others, we have to recognise that some of this inward migration will be due to people from elsewhere who are also unable to afford to buy or rent in other areas that are even more expensive, and so movement from one area can trigger the same effect. The 'housing market' is unique in that it is the consumer rather than the product that is portable and for this reason, housing markets can be a greater determinate of the social and demographic profile of an area in the longer term than the existing profile of the local population. The ability of the local housing stock to meet local demand will therefore depend also on demand from other areas.

Housing need is most evident where demand is driven by the need to be housed but without an adequate or affordable supply. The most obvious examples are concealed households (those having to live with others) who are unable to afford somewhere else, those who already have a home but cannot remain there because it is unsuitable and they can't afford or manage a move elsewhere, and those who have to move (for example because their home is no longer available) but can't find anything suitable or affordable.

If demand was lower, housing costs and possibly supply would be better suited to local need. Conversely, if demand rises (often driven by demand and costs elsewhere) there is a growing risk that local demand will not be met by local supply and unless this also moves elsewhere, some of this demand will turn into local housing need including homelessness.

By keeping a constant eye on demand, as indicated by supply through sales and new development, and costs in rents and house values, we can understand and plan to manage current and future levels of demand.

Each year the Council's Housing Service reviews the calculation of the planned need for affordable housing. This is calculated by taking into account:

- i. The number of newly forming households;

- ii. The proportion that are unable to afford to buy or rent on the open market (based on local incomes compared against lower levels of housing costs);
- iii. The numbers falling into housing need due to homelessness, no longer being able to remain in their current home or having to leave (based upon levels of homelessness and the use of emergency accommodation);
- iv. Supply from the existing housing stock – lettings and allocation of homes;
- v. Planned new homes; and
- vi. Long-term empty homes and properties that are approved for demolition.

By comparing this against the planned supply of new homes we can see if need is in line with what will be provided, if there is a shortfall is this due to supply falling below planned levels or need increasing to levels higher than expected.

The Council now has its Local Development Plan in place and the majority of planned development is coming forward as planned, so although there is currently a shortfall we can see that this will be reducing as supply improves. If all other factors remain constant then it is reasonable to expect that during the period covered by this strategy the level of housing need will reduce but we know that wider demand can also have an impact on this, as can other local and individual circumstances, so just as important as managing the supply of homes is the Council's ability to anticipate and manage need, whether this be through the prevention of homelessness, or meeting the requirements of an ageing population to manage living independently.

The majority of housing supply will always come from the turnover or 'churn' from the existing stock so this strategy will also look at ways of making the best use of this supply to help manage the demand and need for new homes.

Homelessness

The Homelessness Act 2002 requires all local housing authorities to produce a new homelessness strategy no less than every five years, based upon a review of homelessness in their area. In developing this, we have taken account of the new Homelessness Reduction Act 2017 which extends the Council's duties to prevent homelessness and the new Code of Guidance which provides guidance on carrying out the review and developing a new strategy.

The new version of the Code of Guidance says that homelessness strategies should take account of other local strategies and plans, both of the Council and our partners. This includes, in particular, strategies for health and wellbeing (required by the Health and Social Care Act 2012) and the Joint Strategic Needs Assessment. Housing authorities can combine housing and homelessness strategies into a single document, as we are doing, in accordance with the Code of Guidance and feedback from consultation.

Local Housing Authorities must undertake both a review of homelessness in their area and then provide a strategy that sets out how they plan to prevent and manage their duties to those who are at risk of, or become homeless. We have therefore combined both the review and our proposals within this section of the Housing Strategy.

The Homelessness Reduction Act introduced a number of additional duties which now apply to all district councils, these include:

- Extending the period when someone can be seen as being at risk of becoming homeless for 28 to 56 days, giving more time to help prevent homelessness;
- Creating new duties to prevent homelessness (such as negotiating with landlords or families for them to continue offering accommodation) or to relieve homelessness (by helping people find alternative accommodation even if just for a short period)
- Introducing Personal Housing Plans, so everyone has their own agreed plan to help them look at options for preventing and relieving homelessness, and
- A duty for others such as hospitals, prisons and social care to refer people to the Council if they think that they may be at risk of becoming homeless within the next 56 days.

For those cases where homelessness cannot be prevented, the previous legislation still applies and is now referred to as 'the main duty'. This still means that after the 56 day period, people who are still without settled accommodation will need to be assessed to see if they are not only eligible (subject to immigration control with recourse to public funds) and homeless but also in priority need, not intentionally homeless and with a local connection. If so, then the Council would still have a duty to secure them settled accommodation and this is clearly where the link

between need and supply (the homelessness review and strategy and the broader housing strategy) link together.

There are many reasons why people need to move from their accommodation, in most cases this doesn't mean that they will become homeless. For those who are at risk of becoming homeless, in most cases this is also due to the lack of suitable alternative accommodation, making a strong case we think to integrate our approach to responding to our duties to wider strategic housing issues. For this reason, many of the issues outlined in the Code of Guidance about increasing the supply of new housing, working with the private rented sector, the allocation of affordable housing, adaptations and supported housing are covered in other parts of this strategy.

Review of Homelessness

Having seen a fall in the number of households accepted as being homeless over the last 10 years, the lowest level being in 2012/13, we are now seeing a gradual rise each year since that time. Comparing with other areas using just numbers is of little help as each district has a different population, for this reason a number of indicators are recorded as per thousand households.

In 2016/17 the average proportion of households accepted as homeless per district in Essex was 2.33 per 1,000, with some districts above 4 per 1,000. The Maldon District had the second lowest level of homelessness at 0.93 per 1,000 which is also below the regional and national average.

Table 1: Homelessness Indicators 2008 - 2017

Year:	08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Accepted as homeless (main duty)	40	37	28	19	18	19	24	31	25
Placed into Temp Accom (under s188)*	24	15	13	13	8	11	13	15	15
Prevention – helped to remain at current home.	Nd	239	510	407	381	557	263	120	87
Relief – unable to prevent but helped	Nd	50	108	40	28	63	32	17	6

to find alternative housing									
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* Households who would have been homeless and reasonably thought to be in priority need so entitled to emergency accommodation.

We can see from Table 1 that the number of cases of prevention and relief (prior to the Reduction Act, that were carried out as a discretion, have reduced over the last five years, the main reason being the increase in the cost of privately-rented accommodation and the reduction in welfare benefits for some households. The number of those accepted as homeless increased during this period but at a much lower rate. It is important to recognize that this was prior to the Homelessness Reduction Act so in most cases, although homelessness may not have been prevented or relieved to the same extent, it still did not justify a duty to accommodate. The new Act is likely to mean a higher number may need some form of relief from homelessness, especially if, despite the intention of the Act, the number of cases where homelessness can be prevented continues to reduce.

Homelessness Indicators 2017/18 and county-wide comparisons

By comparing our performance with the average number of cases of prevention, acceptances and placements into temporary accommodation we can get a better understanding of the prevalence of homelessness in this District and how well it is being managed over the last year. The number of households per 1,000 is often used as this takes into account the varying levels of overall population from one district to another, making it easier to compare.

- Housing Enquiries for Maldon District: 502 (not including repeat visits from same applicant)
- Homeless Preventions 82 achieved from the 502 above by Maldon District Council
- Per 1,000 household 3.46 (Essex average = 4.5 per 1,000 hh)
- Homeless approaches as homeless to Maldon District Council = 34 of 502 above
- Homeless acceptances by Maldon District Council = 30 (0.93 per 1,000 hh, Essex average = 2.42)
- Number placed into temporary accommodation by Maldon District Council = 32
- Essex average 164
- Number placed into B&B by Maldon District Council = 14

The number of households in temporary accommodation has followed the same trend, peaking in 2008, falling to its lowest level in 2012/13 and rising gradually since then but still below the peak ten years ago. The proportion of households in temporary accommodation in 2016/17 was also one of the lowest in Essex, just 0.56 per 1,000 households compared to an average of 2.69 for the whole of Essex and levels above 4 in 1,000 for some neighbouring areas. There is still some capacity within the existing supply of temporary accommodation which has not

increased in the district during this period but time spent in this type of accommodation is increasing as households are having to wait longer for suitable alternative settled housing to move on to.

Temporary accommodation covers a number of different types of accommodation, from bed and breakfast, to conventional properties allocated for this purpose, to purpose built or adapted units. In most cases the cost is greater than general needs affordable housing. As a comparison, a two-bedroom home let as social rent in the district may cost about £120 per week but the cost of temporary accommodation provided as B&B, or in privately provided housing, can cost up to £500 per week, of which only a proportion can be recovered through Local Housing Allowance, the remainder having to be met from local authorities' General Funds. Ideally there will be just enough temporary accommodation to reduce the use (and cost) of B&B to make best use of funds but without risking a shortfall that increases costs and the length of time families may have to spend in B&B and / or accommodation away from their local community. Obviously, the better the supply of affordable housing in an area, the sooner families can move on from temporary accommodation and the sooner it becomes available to re-let to another family in need.

Looking at recent trends for the District and across Essex as a whole, there is a growing concern that there are signs that the pressure that many London housing authorities have faced for the last decade are beginning to move to Essex. The Council has worked with other Local Housing Authorities in Essex and the East of England Local Government Association to improve the sharing of data. There has also been the development of agreements such as the use of a standardized way of reporting placements made by one authority (whether from London or elsewhere in the east of England) to another area and a promise not to distort local housing markets by offering incentives to landlords that are disproportionately higher than the host local authority would consider offering. In some districts in Essex some local authorities are now seeing families staying in temporary accommodation in a year than they have accepted as homeless; a sign that supply is no longer keeping up with demand as a backlog begins to build up and families are spending more than a year waiting to be moved on.

As already mentioned, the prevention of homelessness is a key aspect of the Homelessness Reduction Act 2017 and is something that the Council's Housing Service has worked hard to achieve over the last 10 years, accounting for the reduction in homelessness and the use of temporary accommodation over this period. There are two elements to this: prevention which is work carried out to prevent a household from losing their accommodation or helping them find somewhere else before this happens, for example helping them to negotiate with a landlord or family member not to make them leave, and relief which occurs once the accommodation has been lost but before the Council has established a duty to secure them settled accommodation.

Previously the Council had a very good record of preventing homelessness but this level of performance peaked in 2013/14 and has reduced each year since then as shown in Table 1 above. In 2016/17 the proportion of prevention was 3.23 households per 1,000, higher than levels of homelessness and use of temporary accommodation but just below the county-wide average of 4.16 households per 1,000, illustrating the growing challenge of prevention of homelessness at a time when options such as private rent are becoming less affordable, especially to those on low incomes.

Comparing with other districts in Essex, some of the highest levels of prevention are occurring in the same areas where there are also much higher levels of homelessness and temporary accommodation. One of the reasons for this may be that these areas are also allocating proportionately more resources to tackle what is a much greater problem in their own areas.

Whilst the Council is still performing well, the direction of these trends is a concern, with rising homelessness, lengthening period in temporary accommodation reducing levels of prevention, we need to watch even more carefully in the future so we can spot when there is a need to allocate more resources to reduce the overall cost of homelessness, both to the Council in financial terms and more importantly the impact that this will have on local families.

Two of the reasons why there has been a reduction in the prevention and relief of homelessness locally is due to:

- Increasingly more difficult for those on low incomes to access the private rented sector, and
- Changes to the way that supported housing is allocated

We will look at ways that we can improve options with both of these through this strategy.

Causes and Prevention of Homelessness

The main causes of homelessness according to the Council's records from cases dealt with, in decreasing order in 2016/17 were:

- Eviction by landlord
- Eviction by friend or relative
- Relationship breakdown
- NFA
- Parental eviction

This is very similar to the causes of homelessness across Essex as a whole. Parental eviction is slightly less prevalent in this district and may reflect a number of factors, including the ageing population and the higher than average number of larger homes that may make it easier to accommodate family.

Termination or Eviction by Landlord

In most cases this was by a private landlord (nearly 30% of all cases compared with 4% evictions by housing associations). About half of all cases had some rent arrears, although this was not always the reason given for ending the tenancy. Almost half involved tenancies which could otherwise have been extended or renewed if the tenant had been able to afford it. In some cases Discretionary Housing Payments (DHPs) were used to reduce the gap between rent and level of benefit that can be claimed to meet this cost. DHPs are an important option for many households who would struggle to bridge the gap between rent and the amount of money they receive either as earnings or welfare payments. Funding for DHPs is paid as a supplement to Housing Benefit or Local Housing Allowance and is a limited annual amount. For this reason, we need to try and ensure that it is used to bridge a gap as a temporary measure and not seen as something that could be available indefinitely.

There is some flexibility as to what DHPs can be used for, for example helping to reduce or clear rent arrears and use as a way of paying rent in advance as well as meeting a shortfall in weekly or monthly rent costs. This is something that we can look at in more detail as a way of directing more resources towards the prevention and relief of homelessness.

From discussions with landlords, we know that as well as financial certainty many see advice and support as something that can also help them manage a tenancy and reduce the risk of failure. The Trailblazer scheme, provided in partnership with Essex County Council, One Support and funding from government is an example of how this can be delivered, providing both landlords and tenants with a short but intensive period of support to help resolve any problems when they arise. A lower level of advice and support, either following on from this, or when

first helping new tenants settle in to a tenancy, could also help reduce the risk of problems and extend the period of the tenancy.

The Homelessness Reduction Act requires all applicants threatened with homelessness within 56 days (extended from 28 days before) to be offered help through a Personal Housing Plan. This means that this can start at the same time as someone receives a mandatory two-month notice for a short-hold tenancy. This will help reduce delays in providing help including notifying landlords when they have not served proper notice.

Over the lifetime of this strategy we aim to build stronger links with private landlords, helping them manage tenancies and reduce the risk of homelessness, whether through reducing the risk of tenancy failure or helping those who need to move find suitable alternate accommodation as quickly as possible.

Eviction by Friend or Relative

It seems that as more and more people struggle to find affordable housing, a growing number become reliant on family or friends to provide them with what may only be intended to be short-term accommodation until they are able to find something. Often these arrangements go on for longer than expected until, for a number of reasons, they are asked to leave. In some ways, people in this situation have been at risk of becoming homeless since first moving in as few have a tenancy and are only accommodated under informal arrangements and it may have helped if advice and support was given much sooner to help them make a planned move.

Sometimes the trigger for homelessness is the relative or friend having to move and both being unaware, until it's too late, of how difficult it can be to find affordable housing. Looking at some of these cases it is difficult to see straight away what can be done to prevent people in these situations from becoming homeless, especially if their 'host' also has to move.

Providing easily accessible information about local housing options and promoting this as widely as possible would help people make informed plans sooner rather than later, managing expectations.

Relationship Breakdown

This also covers a wide range of scenarios, with differing options suiting different cases. There may be legal issues, sometimes quite complex, relating to the ending of a joint tenancy or the rights to occupy the matrimonial home. In some cases, there may be concerns about abuse by one partner to the other which may not always be disclosed or immediately noticed.

If one party remains in the current home, this obviously reduces the number who are homeless but we have to be aware that this may not always be fair or reasonable; sometimes a partner may appear to be willing to leave, unaware of their rights or fearful of the consequences of challenging their ex-partner.

Training and reviewing staff so that they are able to give appropriate advice, recognize when appropriate to sign post and refer people to more specialist services, and have access to a range of suitable services helps manage these cases to the best of our abilities.

Incidence of domestic abuse as a cause of homelessness has remained fairly constant over the last 5 to 10 years. Although awareness of this problem is generally well promoted, it can be very difficult for those involved to seek help and support, in some cases where there are very high levels of control and coercion, offers of help may even be refused or the evidence of problems denied. This is an area where we believe there will always be a need for regular training to ensure staff are competent and able to engage appropriately.

The Council currently contributes to a housing liaison post for MARAC (Multi Agency Risk Assessment Conference) and also supports through government funding an outreach service provided by Colchester and Tendring Women's Refuge to those at risk, including women from hard to reach groups. Tackling domestic abuse requires joint working between statutory and voluntary agencies and we will continue to support and be part of this partnership approach at both strategic and operational levels.

No Fixed Abode

As mentioned above, a number of people rely on informal arrangements with family and friends, which sometimes breaks down resulting in homelessness. We have seen a growing number over the last few years of cases where people have moved on to an itinerant lifestyle, especially single people. This will often involve 'sofa surfing', moving frequently between friends and family, sometimes with occasional periods of sleeping rough, in cars, empty buildings or on the streets.

Some people in this situation only make contact when their health (physical or mental) makes it necessary or when being discharged from hospital, care or other institutions. Often the reason

given for not previously engaging is an awareness of the limited options available and therefore thinking that there is nothing that can be offered to help. This may be due to a lack of knowledge of what the Council can do to help, or a perception that there is no point in asking, based upon some anecdotal feedback from those who have engaged. The new duty to refer will make options clearer for applicants and their supporting agencies.

Since 2016 the Council has supported a local homelessness charity called CHESS to provide an outreach service to anyone reported to be sleeping rough. Annual counts of rough sleeping show that it is not as acute as it is in some other neighbouring districts but it has risen since 2014 when there were no reported incidents to last year (2017) when there were four confirmed cases and possibly some others that were either not confirmed or not noticed.

Often extended periods of homelessness and in particular rough sleeping are symptoms rather than causes of other problems, such as mental health, substance abuse or fleeing abuse. Identifying and meeting these support needs is just as important in these cases as providing accommodation and we welcome the introduction of Personal Housing Plans as a way of formalizing this assessment.

To relieve homelessness in these cases will often mean providing both support and housing. There is a lack of supported housing in the District, especially for those with lower level mental illness and we shall work with partners to try and meet this need through this strategy. There is also a shortfall in smaller affordable homes, especially bedsits for younger people under 35 (due to benefit restrictions). We will encourage both private landlords and Registered Providers to help improve the supply of smaller, more affordable housing as part of our broader Housing Strategy, ensuring that understanding of local housing need is up to date and that partners understand that this is a priority, whether through remodeling of existing housing or through new development.. We will also continue to identify and work with those who can provide support that helps single people secure and retain accommodation, especially for the following:

- Young people under 21
- People suffering with mental health
- People with a history of substance abuse
- Ex-Offenders
- Ex-services

Parental Eviction

This was the most common cause of homelessness but has greatly reduced over the last 10 years. One of the reasons may be a better understanding of the implications of evicting adult children during a housing crisis. Children under the age of 18 who become homeless should be assessed by social care and may be given help with accommodation and support under the Children Act.

For those over 18, the duty to assess and assist will be with the Council as the local housing authority. Prevention in these cases usually involves working with families, understanding the reasons for asking their child to leave, seeing if situations can be resolved. This frequently leads on to explaining options, managing expectations and seeing if unplanned evictions can be turned into planned moves.

For those cases which can't be prevented, there is an inevitable concern about how well a young person without help or support from their family can be helped to manage a tenancy. If this fails, further homelessness with a history of rent arrears, can be even harder to resolve.

There is very little housing with support for young people in the District, especially for those who have not been supported by social care as a child in need. We will work with landlords and especially Registered Providers to see if it is possible to provide more supported housing for young people and other services such as floating support that can help them move on to greater independence. Making links with organisations that provide assistance with training and employment will help with this process and further improve their housing options in the medium to longer term.

Formulating Our Approach to Preventing Homelessness

Advice and Information

Advice and information is helpful for anyone seeking help to avoid becoming homeless. The Council's Housing Options Team provides advice and information to help prevent homelessness. The new duty for other public bodies to identify and refer anyone at risk of homelessness and the introduction of Personal Housing Plans makes it appropriate to review how we share this information and make sure that partner agencies have a better level of knowledge about local housing options and ways of preventing homelessness.

During the consultation of this strategy we will review all existing information and consult with all of our partners so that they are aware of the advice that the Council provides, engaged with the review of information and the ways that this is made available to individuals and agencies, as required by the Housing Act 1996 (s.179(1)).

This will include details for different groups and those supporting them who may need more specialized information, in particular:

- people released from prison or youth detention accommodation,
- care leavers,
- former members of the regular armed forces,
- victims of domestic abuse, e. people leaving hospital,
- people suffering from a mental illness or impairment,
- older people,
- people with physical disabilities, and
- people at risk of harassment or discrimination due to their faith or sexuality

The last three categories have been added to those recommended by the Code of Guidance, having been recognized as other groups for whom we believe there is also an additional risk of homelessness and following an equalities impact assessment.

The range of information provided will cover:

- tenants' rights and rights of occupation – reviewing and updating our Tenants' and Landlords' information packs;
- what to do about harassment and threats of illegal eviction – also included in our Tenants' and Landlords' information packs, also as part of our wider activities to

promote awareness of homelessness and prevention through interviews, staff training, and work with partners;

- rights to benefits including assistance with making claims as required – working in collaboration with the Council's Benefits Team and Customer Services;
- how to protect and retrieve rent deposits - Tenants' and Landlords' information packs;
- rent and mortgage arrears – through signposting to local services that help with budgeting and debt advice such as CAB, and working in partnership to secure funding and agreements for earlier identification and repayment;
- how to manage debt – by indicating local and national services and agencies;
- help available to people at risk of violence and abuse – working with agencies such as MARAC, MAPPA and local refuges to jointly promote and coordinate services to help those at risk;
- grants available for housing repair and/or adaptation – working with stakeholders and voluntary organisations, we shall review and consult on our current policies and plan to expand these to cover a wider range of need;
- how to obtain accommodation in the private rented sector – e.g. details of landlords and letting agents within the district, any accreditation schemes, and information on rent guarantee and deposit schemes, by establishing a local landlords' forum and working more closely with this sector;
- how to apply for social housing – by consulting with agencies and local groups to make sure that they are aware of the local choice-based lettings scheme, how to access it and information about supply and demand.
- how to access shared-ownership or other low-cost home ownership schemes – as part of our renewed information on local housing options, renewing our booklet *Housing Facts, Myths and Legends*.

Early Identification

We want to make sure that as many people and agencies as possible are able to identify the risks of homelessness and make referrals to the Council, whether under the duty to refer for individual cases or for working at a strategic level.

We shall continue to highlight the risks of specific groups who we know are more likely to become homelessness so that other agencies understand and recognize these risks. This includes:

- Families in rented accommodation with rent arrears,
- Single people living with relatives or friends
- Those on low incomes renting from private landlords
- People at risk of domestic abuse or other forms of harassment

The process and system for referring to the Council will be clearly shown on the Council's website and circulated, with updates, to local and strategic contacts. Wherever possible we want to make the arrangements for referral as consistent as possible with other local housing authorities in Essex, especially for those organisations which operate across district boundaries, such as prisons, hospitals and social care. We will therefore support attempts to develop a county-wide strategic response to homelessness for some groups.

From experience, we know that too often people fall into a risk of homelessness partly due to not being aware of how difficult it can be to find housing that is suitable and affordable. Sometimes people aren't aware that they are at risk of becoming homeless until they start looking for somewhere to move to – by which time it can be too late. To help people gain a better understanding and manage expectations, we will update and relaunch our booklet "Housing Fact, Figures and Myths" about local housing options.

Pre-crisis Intervention

There are a number of risks that we know will in some cases lead to homelessness and we therefore want to make sure we have the resources and agreements in place with others to intervene proactively in these situations.

We will work with other districts to review existing protocols and agreements such as that for homeless families, care leavers and young people. We will also support further joint working between districts for new protocols with health and criminal justice.

To reduce the risk of eviction or repossession, we shall also look to have better liaison with local landlords and housing associations to identify and respond sooner to those cases where there is a risk of debt.

The Council has supported the work of the local CAB and we shall continue to work together to reduce delays and levels of debt, seeking to speed up the processes for referring and advising those at risk. This will include agreeing who should do what, avoiding duplication and sharing information and feedback as 'one team'.

We also need to make sure that we work closely and effectively between the different services within the Council, especially Customer Services, Environmental Health, Revenue and Benefits and Planning Enforcement. The Council's Corporate Leadership Team has made the prevention and relief of homelessness a corporate priority and regular reports on issues and progress with this strategy will be provided for review. This will also become a standing agenda item for the Council's Strategic Housing Board (a Member and Officer standing working group).

Preventing recurring homelessness

Analysis of past trends and cases shows the following groups to be at particular risk of recurrent homelessness:

Single people with complex needs – often there has been prolonged periods of homelessness, sleeping rough and failing to maintain links with agencies offering or providing support. Floating support can help but some will need more intensive help, especially at the start of a tenancy, or in some cases in order for potential landlords to consider housing them. We have identified a need for more supported housing for those suffering with mental health, which could be a step down from existing provision and a step up for those who need more than floating support. We shall work with housing associations and other agencies to try and enable the provision of 4 to 8 independent units that provide support as well as accommodation. We shall also continue to develop links with CHESS, helping single homeless people move on from emergency accommodation into more settled housing with accompanying support to help them also access training and employment.

Families with rent arrears – not only can arrears lead to eviction and homelessness, they can also make it less likely that other landlords or housing associations will consider offering another tenancy, even in cases where the Council is satisfied that there is no case of intentional homelessness. We shall therefore look into how we can identify and reduce the risk of rent arrears leading to eviction and also, where this has not been possible, seek to establish agreements with partners that allow families to be considered for re-housing subject to a repayment agreement being put in place.

Young people – one of the most common examples of recurring homelessness is young people, especially where they have little previous experience of managing a tenancy and live independently without support. We will therefore seek to expand the access to local supported housing schemes to include local young people who are homeless but do not have the help and support of social care as a care leaver. We will also seek to re-establish links with local schools to see if it is possible to provide more information about preparing for a tenancy.

Partnership arrangements

There are a number of organisations involved with preventing homelessness and supporting those the Council's Housing Options Team works with. In some cases there are already formal agreements or protocols in place, in which case we shall review them during the period covered by this strategy. In other cases, there may only be a joint understanding but nevertheless by working together we have achieved some excellent outcomes. As part of the development and implementation of this strategy we shall review and seek to improve our work with all of these organisations and look to see if there are others we should be working with as well.

The new Act introduces a duty for some public bodies to identify and refer people they believe may be at risk of homelessness. This duty applies to prisons and other similar institutions, schools, hospitals, and social care. We shall work with these organisations to help them understand the circumstances under which people may be at risk of homelessness, for example if renting privately and on a low income, and how to make referrals. We will also share this with others who don't have the same duty but may also be able to help prevent homelessness.

In both cases, we will also seek to work with partners so that we can refer people to them as part of their Personal Housing Plans. This will mean that we will have to do more than just signpost to these other organisations, there will be a need to share information about the need for support as well as housing and for this sharing of information to be a two-way process, so we can monitor people's plans and see how effective they are at preventing homelessness throughout the 56-day process.

Temporary accommodation

There are some homes allocated for this purpose by partner housing associations which we need to help retain as a valued part of our working partnerships. We have managed without the need to increase this supply since the last homelessness strategy but trends show this may not be enough for the next few years, until our supply of new affordable homes starts to increase. We will therefore look to see if we can increase the number of homes that can be used as temporary accommodation without the need to use existing affordable home as this only creates a shortfall in the existing supply, to avoid the need to rely on B&B. The number of additional units needed at the moment is only small (possibly and extra one or two each year) and ideally these would have the potential to be converted into affordable homes for use in the future if need subsides. This could be through helping partners to acquire additional properties and / or working with owners of privately owned properties such as empty homes or existing ones that could be adapted to make better use, through schemes such as our Empty to Decent Homes scheme.

Housing Allocations

With no housing stock of its own, the Council is wholly reliant on the support and cooperation of our partnering housing associations who play a vital role in ensuring we can meet our legal duties to those applying for housing including those who must be given preference because of the risk of becoming homeless.

Table 3: Supply of Affordable Housing (2017/18)

Provider	Homes Allocated (2017/18)
CHP	13
Colne	11
English Rural	5
London & Quadrant	1
Moat *	46
Salvation Army Housing Association*	1
Sanctuary	3
South Anglia	1
Total	81

*Does not include properties provided as temporary accommodation.

Of these homes provided:

- Offered to prevent homelessness = 2
- Offered to as accepted as homeless = 17
- Eligible for sheltered (55+) = 25

The very small number (2) of homes that were provided through Choice Based Lettings to prevent homelessness highlights the problem of finding the right type of home when needed by a particular household, bearing in mind that the average rate of supply is only one or two a week, including homes that are restricted for older people (sheltered).

A much higher proportion were offered to those who had already become homeless and in many cases would have needed to spend some time in temporary accommodation, waiting for the right type of property to become available.

Only 37 general needs affordable homes (81 less 44) could be offered to households in housing need who were not at risk of becoming homeless. This does illustrate how the Council's policies for the allocation of housing is giving reasonable preference to those in greatest need but does also highlight the risk that for others, there could be a risk that they may have to face the prospect of being considered as being at risk of homelessness before having a reasonable prospect of being housed. This should be alleviated if plans for a better supply of new affordable homes is delivered.

Previous Tenure of Those Nominated:

Living in social housing in District = 8	Private renting = 19
Living in social housing out of district = 4	Living with friends / family = 28
Temporary accommodation = 14	Supported housing = 3
Lodger = 1	No Fixed Abode = 1
Owner-occupier = 1	Other = 1
Tied accommodation = 1	

Banding (Priority) of Those Allocated (2017/18):

The Council's policy for allocating homes from its Housing Register places people into one of six bands from A to F. Band A is the highest priority and reserved for those who would like to downsize, reflecting the fact that this would make their existing home, which is a larger property, become available adding to the supply. Most households who are at risk of becoming homeless will be in Band B or Band C if they have a reduced need.

Band A = 2 Band B = 39 Band C = 26 Band D = 1 Band E = 10 Band F = 3

Effective Date (length of time within band):

Of those housed through the Housing Register last year, more than half had only been registered since 2017, showing once again how effective the Council's allocation policy is in meeting housing need from those who are in urgent situations.

2017 = 47 2016 = 24 2015 = 7 2014 = 3

Note: this does not necessarily mean total time registered only time within relevant band prior to being housed. Some may have been on the Register for much longer, assessed as being in a lower band to start with and then being awarded a higher priority as and when their needs become more urgent.

Providing more homes

There is a need for more homes, which is why we have merged our duty to review homelessness and produce a strategy with a broader housing strategy that helps to achieve a better supply. It isn't just a matter of more homes, or even more homes that are affordable, our future supply has to be of the right type of homes, especially at a time when costs are so high and funding is so difficult.

The new Code of Guidance for homelessness summarises these other strategic housing issues under the following headings:

- Increasing the supply of new homes – linked to the National Planning Policy Framework and including the need for local housing authorities to have a clear understanding of the housing need for their area.
- Accessing the private rented sector – including bringing empty homes back into use, working with local private landlords and schemes such as bonds and rent-in-advance.
- Access to social housing – reviewing policies for allocating homes through the housing register, ensuring that this supports the prevention and relief of homelessness, working with housing associations making best use of the flexibility provided in law, linked to monitoring of lettings, to ensure priorities are met as best as possible, including the use of temporary accommodation.
- Temporary accommodation – increasing the supply of good quality temporary accommodation and where possible seeking to reduce or eliminate the use of B&B and avoidable higher costs to the public purse.
- Supported housing and refuges – understanding the need for housing with support for some people, enabling the commissioning of services which meet these needs and where necessary working across local authority boundaries.
- Empty homes – making use of the incentive of New Homes Bonus and powers to increase Council Tax as well as local schemes to incentivise owners to bring properties back into use, ideally to help meet the need for affordable and temporary accommodation.
- Disabled Facilities Grants – to help people live independently, reducing the risk of homelessness or the need to move by administering grants as swiftly as possible and seeking the most cost-effective and sustainable solutions.

This is a helpful checklist for all local housing authorities, ensuring that there is a balance between managing need and improving supply. We have sought to make sure that each of these issues have been taken into account as part of our wider strategic approach elsewhere in this strategy.

Housing for an Ageing Population

The Council began developing its first housing strategy for older people 10 years ago and since then there has been a growing recognition by government and others of the need to understand and respond to the implications that an ageing population has for housing issues.

From our experience with previous strategies we can see that there are three broad themes associated with this area:

- The need for support and assistance to help people retain their independence in their own home, ensuring that they can stay safe and healthy;
- The need for a better supply of new homes, giving more choice to those who want to move and for those who will need to move because their existing home is no longer suitable; and
- The need for better help and advice so more people are aware of their options and the help and support available to help them make informed decisions and put them into practice.

Background and Policy

The District currently has a higher than average proportion of older people and also attracts a greater proportion through inward migration as well. The age-group with the largest predicted growth is those aged above 65, with the greatest proportionate increase predicted to be those aged 90+.

One of the most common problems associated with housing for older people is the range of housing types, differing descriptions, eligibility criteria and costs, making it hard for people to understand what is actually available – and what may be needed. Table 4 below gives a helpful outline of this and demonstrates the areas covered by this strategy. Most people will be in ‘mainstream housing’ including properties that can be adapted to make them more suitable to their needs; ‘specialised housing’ includes a range of housing that all provide additional support on site with homes designed to be more accessible for older people. Both types can combine affordable homes to rent, intermediate types of affordable housing and homes for sale or rent through the open market. In order to be sure of meeting locally identified need it is necessary that those homes that are affordable can be allocated to those most in need through the Council’s housing policies.

Those under the heading of ‘care homes’ differ in that most will not be classified as conventional housing (Planning Class C2 rather than C3), there will not be any provision of affordable housing, and the main purpose is to provide care rather than housing. For these reasons, this category of accommodation is excluded from this strategy.

Policies S4 and S6 of the Local Development Plan refer to the need for housing growth in the Maldon, Heybridge and Burnham areas to include “a significant proportion” of homes suitable to meet the need of older people including mainstream homes built to Lifetime Homes

standards (or similar current equivalent) and bungalows, together with specialised housing such as private retirement homes, sheltered and extra-care housing.

Policy H2 also requires a mix of homes on new developments that reflect the need identified in the current SHMA “particularly the need for an ageing population”. The requirement is not detailed in the Plan but since 2015, the Council has sought to achieve 20% of new affordable homes to be suitable for older people. Where there are larger developments proposed, this type of housing can be provided as part of the contribution to the affordable mainstream housing but there is a much lower level provision of similar new homes being provided for sale in the open market.

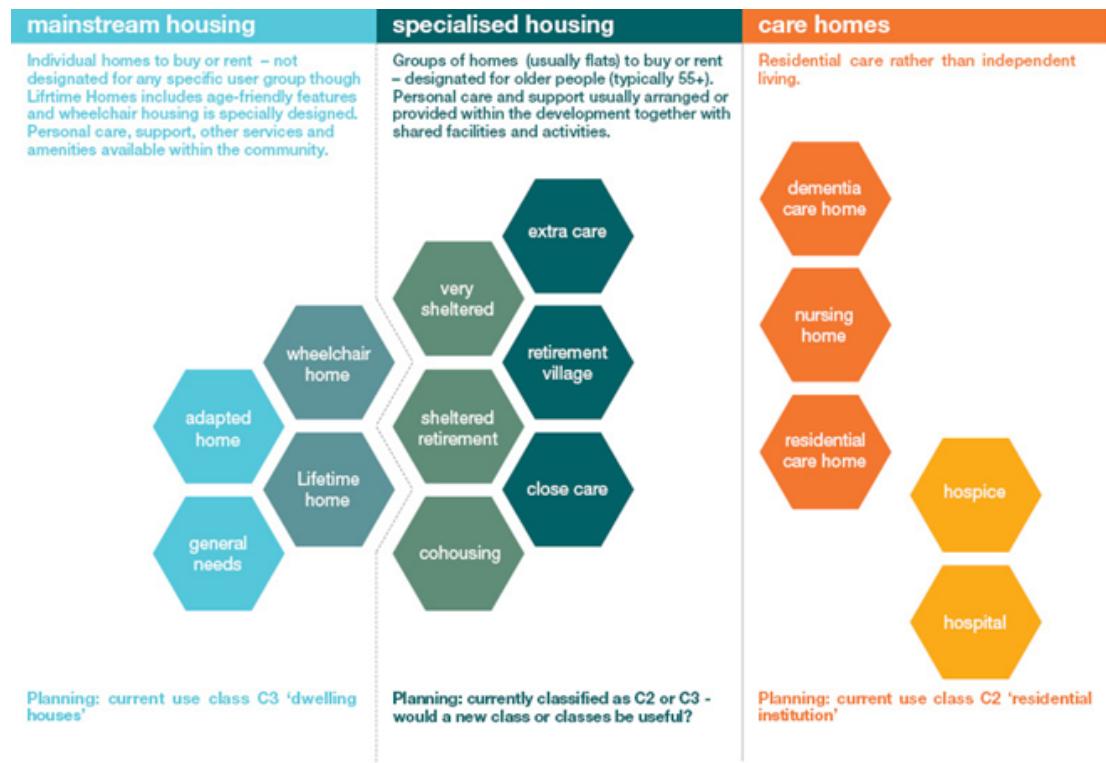
Policy H3 applies to Specialist Needs Housing and supports proposals for new developments of a type which is required where there is support from other relevant stakeholders such as health and social care. Although the requirements for this type of housing have been identified, no allocation has been made in the Local Development Plan and the Council is therefore reliant on the cooperation of developers and landowners to bring forward development opportunities. These are unlikely to be on allocated strategic sites because of financial viability so the Council is currently considering the possibility of additional sites being developed as an exception to planning policy but in support of policy H3.

We have considered whether to also include a requirement to provide a proportion of new mainstream homes to be built to higher standards so that they can meet future need but have decided against this; many people in need of this type of home may not be able to afford or want to move to the locations where the new homes are being built. The Council also helps fund and manage the adaptation of about 60 homes a year through its Disabled Facilities Grants (DFG) programme, this seems a more effective way of meeting need.

Types of Housing For Older People

The range and variation in types of housing for older people can be confusing to many people and we have found it helpful to begin by setting out the three distinct main categories as 'mainstream housing', 'specialised housing' and 'care homes' as shown below:

Table 4: Types of Housing for Older People



Mainstream Housing

1. General Needs: conventional housing to buy or rent, open market or affordable (managed by local housing authority or Housing Association)
2. Adapted Homes: general needs homes that have been adapted, either by the occupant or by local authority. Maldon District Council adapts about 70 homes a year through its Disabled Facilities Grants (DFG) programme.
3. Wheelchair Homes: general needs homes built to accommodate wheelchair use.
4. Lifetime Homes: general needs homes designed to be easily adapted from conventional use to wheelchair use as and when necessary.

All of the above are classified as C3 Planning use and may be either open market homes for sale or rent, or affordable homes which the Council can nominate people to. As C3, there will be a requirement to provide or make contribution to affordable housing. Usual housing costs.

Specialised Housing

5. Sheltered / Retirement Homes: same as 1-4 above but with an age restriction, often over 55. May provide a very basic level of support, e.g. a warden or someone to call if there are any problems.
6. Very Sheltered: as above but with a higher level of support, often because homes are intended to have a higher proportion of older, more frail people needing more help with general day-to-day activities
7. Co-housing: homes specially designed for older people or other groups, similar to general needs but includes some community areas with the intention of encouraging residents to provide support to each other, a form of community housing. Almshouses can be an example of cohousing.
8. Extra-care (Independent Living): similar design to Sheltered Housing, often on a larger scale, with on-site facilities and support for some people with higher support needs, 24 hour on-site support and may include treatment / re-ablement facilities.
9. Retirement village: can be several hundred homes, with a range from retirement to extra-care. Often include retail and leisure facilities.
10. Close-care: similar to extra-care but often provides more short-stay units, step-down from hospital. Common design feature is a central hub that provides high level care and support, with general needs / sheltered housing for those with lower needs close by.

These types of housing (5 to 10) can be classified as either C2 (residents must have a need for care provided by the landlord or another organisation) or C3 (care and support can be provided but not a requirement for everyone). Homes in this group can often provide a strategic role in preventing the need for people to move directly from general needs housing to care homes or hospital. If C3, contribution for affordable housing would be required. Homes can be bought, sometimes at a premium compared to general needs, or rented from £120 to >£400 per week.

Care Homes

11. Care Home: usually room with communal facilities, for older people who require care, support and treatment, focus is on nursing rather than day-to-day support
12. Residential Home: similar to care home, may not require continuous treatment but likely to be needed. Most facilities are communal with own room rather than their own self-contained home.

These would be classified as C2, weekly cost between £650 to >£1,000.

Our Requirements

These are driven by:

The demand from existing older residents wanting to move into homes better suited to their needs and aspirations -these are likely to be smaller than their existing homes and often closer to or within the main settlement areas of Maldon, Burnham and Heybridge. Their current homes are mainly 'family housing', i.e. two-, three- or four-bedroom housing, either home-owners or living in social housing and in both cases their main choice preference is for a bungalow. Although most are not in urgent need, meeting this demand would help increase the overall supply of homes as their existing properties become available for others to buy or rent.

The need from a smaller number (about 1,000) who are living in homes that are already unsuitable to their needs - this may be due to location (risk of isolation and inability to access services without help), poor condition or problems maintaining their home. A larger proportion of this group will require some support, many will be home-owners but can be described as 'asset rich and cash poor' – most of their wealth is tied up in their current home so they need to sell this in order to be able to move. The requirements from this group are a mix of mainstream housing (apartments or bungalows) and specialised housing. Meeting this need would also increase supply from the existing stock and could also reduce current and future demand on other services, especially health and social care. Many are likely to be aware of their options, some may even be unaware of current risks within their own home, and most would be likely to need practical help planning and making a move.

Need and demand from older people wanting to move into the district to be closer to family – many on this group will be living in homes that are in good condition but are away from family and at risk of isolation, in need of regular visits, due to old age. Most will be older than those in the other two groups above. Help is likely to be available from friends and family and it is these people who will want to know about local options. A higher proportion of this group will want or need specialised housing because of their frailty, either in private retirement homes or sheltered or extra-care housing. Some may need to move into a care home.

The table below is based upon the findings of the Council's SHMA and further analysis of the need and demand of specialised housing, including work that was started as part of the development of the previous Older People's Housing Strategy.

Type of housing	Current requirement	Comment
Mainstream housing for older people – at or below average house values to enable move, with lower running costs to be sustainable option, in or close to main settlement	20% of new planned development should be suitable to meet need and demand from older people, built to at least Category 2 Building Regulation Standard, reflecting current	This is difficult to quantify as supply and demand is largely hidden within current market activity. As new homes are provided,

Type of housing	Current requirement	Comment
areas.	requirements already in place for affordable housing.	continuous monitoring will be required to identify demand and accompany this with further surveys of existing older households to update existing evidence. Building to Cat2 Building Regulations will enable adaptation of homes as required in the future.
Sheltered and retirement housing without support	To be assessed – for both market and affordable need.	Surveys and analysis show a large proportion of existing home-owners in the district require bungalows but not flats or apartments. For affordable homes there is very low demand for flats outside of the main settlement areas, need to consider whether some existing stock remains viable but possible under-supply of both within the main settlement areas.
Sheltered housing with low-level support, e.g. one or two hours per day on-site	Demand for private sheltered housing with support is low within existing local households but a preferred choice of those moving into the District. Identified levels of demand suggest that this is in line with existing levels of supply. Demand and need for	It would make sense to include the provision of both new market and affordable supported sheltered housing where possible, improving the viability of the affordable and reducing the service and support costs for the market units. In order to meet need,

Type of housing	Current requirement	Comment
	affordable sheltered housing has increased due to a reduction in supply and there is an estimated need for an additional 150 to 200 homes.	additional affordable sheltered homes will need to be delivered through other ways as well, e.g. as exception to policy, Community Led Housing.
Sheltered housing with high level of support, e.g. 24 hour on site support	Between 130 to 170 homes, combining affordable, intermediate and market homes.	This requirement may increase if some of the market and intermediate affordable homes meet the demand from those moving into the district, possible that 150 to 200 homes may be necessary to meet the affordable need.

As mentioned above, the need for care-home provision is not considered as part of the Council's strategic approach to housing. The Council's Specialist Housing SPD provides more guidance on the locational requirements for specialist needs housing (Class C3) and also for those considering care homes (Class C2).

If an additional 300 to 350 affordable supported homes can be provided to meet the need of older people currently under-occupying social housing, the overall supply would be at least doubled as their current homes become available for re-allocation, boosting the overall supply of affordable homes and helping to meet the identified shortfall.

Promoting Independence at Home

We know that most older people intend to remain in their current home and helping them to achieve this is an important way of managing future housing need by avoiding problems that could lead to them having to move.

The Council currently helps provide financial assistance and support to about 50 households a year through its DFG programme. Funding for this has been increased to meet growing demand and improve capacity so we would like to be able to set ourselves the aim of increasing the number of cases and reducing the waiting time as part of this strategy. Recent increases in the level of funding for DFGs have been accompanied by greater flexibility for local housing authorities over how some of this money can be used.

The links between poor housing and the risks of even minor hazards for older people creating risks of trips and falls are well known but despite this, formal joint working between health, housing and social care on housing issues remains something that rarely happens in the area. We support the recommendation of the House of Commons Communities and Local Government Committee report into Housing for Older People that tackling housing issues for older people should be better integrated at a local level, with local housing authorities having equal status with health and social care in implementing joint working, involvement with Sustainability and Transformation Partnerships (STPs) and Accountable Care Systems (ACSSs). This would make better use of resources, provide better outcomes and increase the ability to prevent more costly intervention.

Examples of projects which could be part of this closer, more integrated approach are:

Home from Hospital – providing help to make sure homes are safe and suitable for people returning from hospital, including providing adaptations, home-safety checks, and links to other services. In some cases this could include providing ‘step-down’ accommodation, for example in local sheltered schemes, where there is on-site support and purpose designed accommodation to help people recover outside of hospital, closer to home, giving time for improvements to be made to their home.

Home Improvement Agencies (HIA) – there is no longer a local HIA to provide services such as help and advice on housing options, assistance with small repairs and support with more major improvements such as heating repairs and replacement. In the past, the local HIA provided an essential link between many older people and other agencies, they also played a role in delivering a number of projects such as home security and safety checks. Some of their roles duplicated services provided by the Council and other local agencies but the need to provide help and advice with minor repairs, maintaining the home and garden, and assessing and rectifying risks in the home remains a gap in local services and something at we would want to explore the possibility of providing either directly through the Council or jointly commission with other partners.

Older People’s Housing Officer – there is a need to also integrate the range of housing options and housing related support into a single point of contact, for the benefit of residents and the agencies supporting them. Although there are some national websites available, inclusion of local options is patchy with no support to help explain how schemes can be accessed, no one to advocate on behalf of people, nor to help with liaison between agencies such as local housing associations, voluntary organisations and statutory bodies. This approach would in some ways reflect our local approach to the prevention of homelessness which is now reflected nationally through the Homelessness Reduction Act.

Planning and Providing Homes for Older People

Although national and local planning policy recognises the issue of housing for older people, there is still a lack of understanding between need, demand, existing supply and aspirations which is an issue more relevant to this group than others. A further complication is the large proportion who are home-owners, with equity but need to release this through the sale of their

home or in other ways to fund the cost of other options, possibly including their care as well as their future housing need.

Intermediate housing options may be more attractive to this group as it would help them have the benefit of knowing they have a stake in their new home but without the responsibility of being a home owner. Shared-ownership could be a solution but there would still be a need to release some equity to meet the cost of the partial share of ownership. Possibly a more attractive option could be conventional renting, if allocation policies allow this and people are not concerned by the possibility of not being able to meet this cost in the longer term, or a rent-to-buy model whereby people can move in immediately, meet the cost of the rent through savings or income in the short-term and use the receipt from the sale of their house to purchase in the medium to longer term. One of the actions of the strategy will be to explore and identify the most flexible and appropriate types of tenure which can be provided as an effective and viable option by partners.

While it may be possible to assess the number of older people who may need alternate housing or housing related support, the detail as to what they may actually want or need can quickly break down into such a wide range of choice that matching future supply with identified need can quickly fall into speculation rather than objective assessment, deterring partners from bringing forward anything other than either the most essential provision or the most profitable. Identifying preferred types of tenure as outlined above would be an important step towards simplifying and streamlining future supply in line with identified need.

We have been able to get an indication of the type and number for some groups of older people, despite this now being seen as an issue which is becoming a key aspect of housing, the process for assessing need and demand in an objective way is less developed than for more generic housing. To improve our knowledge and understanding during the lifetime of this strategy we will begin to monitor the following to help us build a better picture of need and demand:

- Supply and demand for social housing for older people – based upon information from the Council's housing register
- Supply and demand for private retirement schemes – based upon marketing information
- Need and interest from people currently receiving help in their home – based upon surveys from those being supported by our Council and Essex County Council as provider of social care.
- Demographic and housing analysis – based upon updates to the SHMA and use of recognized toolkits.

We are already progressing with plans to meet a range of housing for older people, from low-level support provided through smaller housing associations and alms house charities to larger schemes which provide extra-care supported housing helping to reduce the need for people to access hospital and care homes. By carrying out more monitoring we will be able to assess whether the need for these type of homes is continuing to rise, if so is to what extent is this due to inward migration as well as existing local need, and what is the actual need and demand

locally for open-market homes? This information will then help inform future policies including updates to the local plan.

Fixing Our Broken Housing Market

In February 2017 the government published its white paper on housing which highlighted the problems of supply and affordability in the open market. In many cases, increasing supply means a reduction in cost to the consumer but this is not necessarily the case with housing as the 'market' is distinctly different to any other type. Firstly, the consumer is the portable item rather than the product so the market (or demand) moves to where they can afford to live rather than where they may want to be. Secondly, not everyone who buys a property does so to live in, many are bought to let as an investment, especially over the last decade when borrowing has been cheap especially for those who already have capital.

The increase in private renting is not always a preferred option but may be the only option for some who want to remain in an area but are unable to match the purchase-power of some buy-to-let landlords. Thirdly, as land is finite, especially land with planning consent, there is no incentive in landowners or developers bringing forward products which, if cheaper, may attract even greater demand but cannot be reproduced ad infinitum. If the laws of supply and demand applied to housing as much as any other product, housing construction would be accelerating to match demand but we can see that this is not the case; supply may influence demand but demand does not influence supply to the same extent.

There may be many reasons why higher housing costs are a concern to many people but there is no financial reason why someone should reduce values unless they are forced to – either by changes to the market or policy, hence the need for the Council to understand all aspects of the housing market in order to manage through its policies housing need.

Sudden changes to the housing market are infrequent, for those buying or selling existing homes, this may create delays and maybe some loss but generally house price movement affects all homes to some extent so any change to a house being sold is proportional to the price of one being bought. The risk is much greater for those developing homes though, the cost of the build can only be recovered through the sale so if the value of the homes fall, the financial consequences for developers and housebuilders could be irrecoverable. This explains why rates of private housebuilding have remained fairly constant through the last two to three decades, in order to help manage this risk, irrespective of current levels of demand. It also gives some explanation as to why the number of larger housebuilders has decreased especially since

the beginning of this century. No government can give assurance that there will not be another financial crisis to rectify this, diversifying the range of homes built and the way that they are delivered would help increase supply and choice without exposing larger developers to unacceptable levels of risk.

It has been five years since the Council last undertook a detailed survey of local market-housing costs as part of the Strategic Housing Market Assessment. A recent comparison shows how costs have risen during a period of fairly stable income levels and for some reliant on welfare, actual reductions in income.

Table 5 below shows how the cost of buying a home in the District has increased over the last five years. Average house prices are an indicator and inevitably some properties will be cheaper but the cheapest of these are often priced to reflect the cost of essential repair and would not be suitable for some families. Even in these cases, as with the average cost of smaller homes, the cost of lower quartile homes has risen at a greater rate than some larger homes. There has also been an increase in the number of smaller homes for sale at what can be described as a 'premium price'. Sometimes this is because of location, e.g. by a waterfront but it does reflect a combination of findings from the SHMA, the District is attractive to people choosing to migrate in from elsewhere with higher income levels than local wages and a number of these are smaller households, possibly older couples, competing against younger, resident local households. Entry level prices are of course the cheapest but will also inevitably be in much smaller supply than most homes of the same size so it can be misleading to see this as a realistic price for most homes.

Table 5: District Wide Average House Prices – Five Year Comparison

Property Size	Entry (May 2013)	Entry (May 2018)	Change in Cost (%)
1-bed flat	£95,000	£130,000	+37
2-bed flat	£130,000	£190,000	+45
2-bed terrace	£157,000	£220,000	+40
3-bed terrace	£179,000	£225,000	+26
2-bed semi	£167,500	£232,000	+38
3-bed semi	£185,000	£255,000	+38

Source: DCA / Hometrack

Privately renting has been an alternate for many households unable to meet the rising cost of buying a home but a review of the cost of private rents in the District shows that these have broadly followed the same trends as house prices. The entry level is obviously more affordable but is in much shorter supply than those in the average price bracket. In the case of what may be seen as typical family accommodation (2- and 3-bed) the difference between entry level and

average rent levels has shortened indicating demand is exceeding supply. There is a clear distinction though between the rents for 2-bed flats and the average cost of buying a similar size property, partly due to the difference in homes being let and sold but this may also indicate a very different market as well, i.e. more locally based and linked to local wages for the former and wider based on higher income levels elsewhere for the latter – or possibly local households downsizing?

Table 6: District Wide Market Rents – Five Year Comparison

Rent (pcm)	May 2013		May 2018		Change in cost (%) Entry / Average
	Entry	Average	Entry	Average	
1-bed flat	£445	£491	£600	£648	+ 34 / 32
2-bed flat	£590	£670	£670	£804	+ 14 / 20
2-bed terrace	£650	£698	£850	£898	+ 31 / 29
3-bed terrace	£750	£856	£995	£997	+ 33 / 18
2-bed semi	£725	£789	£945	£955	+ 30 / 20
3-bed semi	£750	£783	£1000	£1205	+ 33 / 55

Source: DCA / Hometrack

For families needing a two-bedroom of larger home on an annual income of below £30,000, their most affordable option would now be renting from a local housing association where rents have been reduced by 1% per annum over this period but this places additional pressure on the Council and its duties to give priority to others who are at risk of becoming homeless or vulnerable for other reasons. This highlights the importance of addressing the supply of affordable homes as well as managing and preventing existing housing need.

Our Response to the Government's Proposals

The white paper has four main proposals, some dealing specifically with the planning processes, others relating to more fundamental housing issues which are outlined below which we will be supporting through our plans and actions.

Planning for the Right Homes in the Right Place

Getting plans in place:

The Council's Local Development Plan was approved by the Secretary of State in 2017 and has set an ambitious target of nearly three times more homes over a 15-year period compared with the previous target from the Regional Spatial Strategy, an increase from 120 homes a year to more than 300.

Assessing housing requirements:

The assessment of housing need was tested at two Examinations in Public and has been accepted as being 310 homes a year with a requirement that between 25% - 40% should be affordable (depending on location) where financially viable. This is an increase on the basic demographic-based assessment and meets both existing guidance and proposals for revised housing assessments. Shortly after the publication of this strategy we plan to begin updating the evidence we have on housing need in preparation for the five-year review of the plan. Current and possibly future guidance have concentrated on identifying the right number of homes needed but the methodology often falls short in coming to being able to robustly assess more detailed aspects of local housing need, in particular requirements of size, tenure and need from different groups such as older people, local workers and those who can (and cannot) benefit from various intermediate types of affordable housing. We therefore support the government in recognizing the need in some cases to deviate from national guidance if this is necessary to provide information on local housing need that is required for future policies and strategies.

Bringing brownfield land back into use:

Brownfield sites are often in areas of commercial and business use and the Council needs to make sure it strikes the right balance between the need and demand from these sectors as well as housing, especially at a time when residential values are so much higher than commercial levels. We shall therefore ensure work is joined up between our plans for meeting housing need and economic development as both should be supporting and complementing each other. Where appropriate, mixed use development can help maximise the use of land, improve viability and in turn create opportunities for investment in the area to meet the need for infrastructure. The government recognizes that there are some restraints such as the risk of flooding and this is an issue for the Central Area Masterplan which includes the Causeway and Heybridge. We shall continue to work with partners such as the Environment Agency and

Homes England to see where it is possible to secure funding for infrastructure that can help unlock brownfield sites which could then come forward for development.

More homes on public sector land:

The Council does not have many sites in its ownership that are suitable for residential development, having transferred its housing stock in 1995. We are working with other agencies such as Essex County Council, the NHS and police and fire services to identify and explore the potential for development on public sector land through the One Public Estate programme.

Support small and medium sized sites, and thriving rural communities:

Until the adoption of the local plan, a large proportion of new development was on sites such as these, often brought forward and developed by smaller, local builders and developers. We have a good track record of supporting and enabling smaller sites, especially as an exception to policy where this helps meet our need for affordable housing and this has now been supported by our programme of Community Led Housing. As sites which are an exception to policy, they inevitably cannot be allocated through the local plan beforehand but where there is a clear need and it can be shown that the homes will meet this and be restricted or give priority to local people we shall work with local communities, landowners and other partners to support this type of development and monitor plans alongside the identified shortfall in affordable housing throughout the District. We shall also review national planning policy which sets a limit on sites below a certain size needing to make a contribution towards affordable housing, we know that it is financially viable in the district to have a lower level and that there is an unmet need. Allowing small-scale development in rural areas that consistently fails to make any contribution towards local housing need only perpetuates the current problem many local people face trying to remain living in these communities.

Building Homes Faster

Ensuring infrastructure is provided in the right place at the right time

Through the development of the local plan we have identified the need for infrastructure to support planned growth and ways in which contributions can be secured so the two are delivered hand-in-hand wherever possible. Ideally we would want to avoid having to compromise one policy requirement, such as the need for affordable housing, against the need for essential infrastructure. Where the opportunities arise we shall work with other agencies such as Homes England as well as developers to secure investment to help improve the financial viability of planned development so that the planned benefits of growth can be realized and benefit all of our community. In return, we will expect partners to also cooperate, for example in cases where some elements of housing such as the proportion or type of affordable have to be reduced, we would expect there to be a transparent and objective mechanism for future review should additional investment become available, reflected in an increase in homes actually being provided on the site.

Addressing skills shortages

There is a real problem with resourcing the need for people to work in the construction industry to the level needed to meet the government's target for house-building and it has conventionally been very reliant on workers sub-contracted on short terms to meet seasonal variations. Recent economic and political changes have created even more uncertainty about capacity in this sector and prompted thought as to how to manage this problem. Modern methods of construction can help reduce on-site build time and address some of the problems caused by a skills shortage but it requires the knowledge that there will be a steady future demand for the off-site construction from factories. Trades and skills will still be needed on-site as well, ideally supporting local businesses such as smaller builders and construction workers. There have been a series of national initiatives over the last twenty years or so to support these aims to varying degrees of success but it does feel that now, as local authorities are having to become more involved with development to meet the widening gaps in housing supply, that there are opportunities to work in new ways. Initiatives such as Community Led Housing and enabling smaller developments with partner housing associations and organisations such as SELEP (South East Local Enterprise Partnership) and local training centres and universities create the potential for new frameworks. It is too early yet to be prescriptive about these and maybe it would be better to take each case as it comes but a general aim for this strategy is to encourage greater engagement with smaller, local business and create more opportunities for people to benefit from opportunities to work and train in the construction sector.

Diversifying the Market

Attracting institutional investment: building more homes for private rent

The government sees the growth in private rent and rising rent levels as evidence of demand for this type of housing, although in many cases it is likely to be from people who would actually want to own their own home but can no longer afford to do so. This makes assessing actual demand more complex and it may be an option that is more aligned to investment as an alternate to conventional development for sale, especially in areas of very high values, than meeting local housing need. There is certainly a need for a more stable option for those seeking to rent privately, we have seen from our review of homelessness in the area that the main cause is the ending of tenancies, longer-term agreements such as the government's proposal for a minimum of three years for homes built for private rent would help those who want to rent with greater certainty about their medium-term plans. Councils can only hope to meet identified need if there is also some control, through the allocation of homes, to local people in need. We would not want to see our ability to secure homes that are affordable through policies to allocate to local people replaced by homes that are set at open market levels and open to anyone, irrespective of their need or local connection. We therefore see this as a helpful supplement to the supply of homes.

Housing associations

As a local housing authority without any housing stock of its own, the Council is completely reliant on partnership working with housing associations. In the white paper the government sets out its vision of expecting them all, regardless of size, to explore every possible opportunity to develop to meet local need. This is a challenge for many smaller ones who are still having to work with annual rent reductions until 2020 and others such as alms house charities, both of which have not found it so easy over the last decade to access funding and support for development compared to larger housing associations. Often smaller organisations lack capacity and experience of development as well as financial resources, supporting them to build partnerships, whether with other housing associations, local builders or others who can help links very well to our Community Led Housing approach. We will also continue to maintain liaison with larger housing associations with a track record of development, looking to see if there are new opportunities for working in partnership to bring forward additional homes that meet our needs.

Backing local authorities to build

Like many other councils, we have not been involved with building homes as a council for nearly 50 years and with no housing stock, options for funding are more restrictive and there is no existing capacity for the management of homes. About one-third of the districts in Essex including our Council have no housing stock of their own and we will therefore consult with these to see if there are ways that we can work together to build capacity and expertise. We know that our local plan falls short in meeting all of the identified need for affordable housing and some other types of specialist housing so we shall have to look at ways of delivering some of these homes outside of existing plans and policies. We have begun to look at new ways of working in partnership with housing associations, landowners, investors and others and will continue to do so to find out what the options are and the resources that are needed.

Homes England

Previously known as the Homes and Communities Agency, Homes England oversees the work of housing associations, assists in providing government funding to enable development and can give support to local housing authorities. The Council has built up a good working relationship with Homes England and as we begin to look at new ways of working, it makes sense to see how we can work together in the future to meet both the national and our local agenda for housing. We shall also build on links with SELEP to strengthen our strategic approach in linking housing development with economic development, creating opportunities for investment and business growth throughout the district.

Helping People Now

Starter Homes

We are still awaiting some more detail about the government's proposals for Starter Homes but already understand that these are intended to be new homes, restricted for sale to first-time buyers, with a 20% reduction in the value. From our existing knowledge, we know that this would help a small number of existing concealed households, i.e. those that are unable to move into a home of their own. The number is reducing as house prices continue to rise, leading to a diminishing group for whom this discount would actually mean that they could afford to buy rather than rent, assuming that is that they can also save for a deposit. Some may also find that the discount is to some extent offset by the additional premium of a new home and that it is cheaper to purchase an older property elsewhere. We do however support the government's attempts to help people who have reasonable aspirations for owning their own home and would support other options if it appears these could be more effective for local people as part of the proposal to require 10% of future developments to provide homes that meet this demand. One possible alternative may be rent-to-but if, as with some models such as Rentplus, there is financial assistance to meet the cost of the deposit and an open-ended agreement as to when the tenant can exercise their right to buy, avoiding the risk that some may not be in a position to do so at the end of a pre-set fixed term period. Some of these alternatives also allow the Council to exercise influence and control over the allocation of the homes, helping to make sure that they are contributing to identified need and not just providing a cheaper option for others.

A fair deal for renters and leaseholders

There have been a number of changes made to the duties of landlords and letting agencies, with additional powers for enforcement by local authorities. From our experience working with tenants and leaseholders and engagement with landlords through our Private Landlords Forum, we know that many are unaware of some of their rights and obligations. This is now the second most common form of tenure and we want to work with others to ensure standards are understood and maintained and the need for enforcement is kept to a minimum. To achieve this we plan to improve the way that we provide information to landlords and their customers, reviewing and updating our information packs, and publicizing them through our website in the future.

Empty homes

Over the last 10 years we have considerably reduced the number and proportion of long-term empty homes in the district. Through previous strategies and actions we have reduced this number by half, to a level that compares well with other local housing authorities. As a result we now monitor this as a proportion as well as a number making it easier to benchmark this against other areas. We have found that although the number does not vary much, this is because there are always homes that are empty for good reasons, e.g. undergoing renovation or going through probate; the number continues to remain at about 200 a year but in most

cases the properties are changing all the time. There does remain a small number of about 40 to 50 properties that have been empty for a very long time and in some cases have fallen into disrepair. We have therefore decided that we should now move our resources from attempting to deal initially with all homes that have been empty for more than six months (knowing that most will be brought back into use within 12 to 18 months) and begin to focus on those that are in very poor condition and at risk of becoming a nuisance, even a risk, to local residents.

Homes for older people and preventing homelessness

These have been dealt with as key elements of this strategy, anticipating the government's intention to require local housing and planning authorities to be more proactive in understanding and responding to the housing needs of an ageing population. We have also worked successfully with Essex County Council and others in securing funding for the homelessness Trailblazer scheme from government and will be exploring the potential to develop or work with Social Lettings Agencies.

Managing Supply

The government's white paper on housing makes clear its commitment to ensuring that local authorities make plans, based upon sound evidence of local need and that these are then delivered so that the outcome is an improved supply of homes that relate to what people need. Producing the right number of homes does not mean that there will automatically be the right type of homes, it could even mean that existing need is compounded if the local housing market becomes more influenced by demand from elsewhere and this is especially so in areas such as this where the ratio between local wages and housing costs is so high.

The National Housing Federation have summed up below the level of need, the importance of tenure and the challenge that local housing authorities face:

"To both meet this backlog and provide for future demand, the country needs to build 340,000 homes per year until 2031. This is significantly higher than current estimates (including the Government's target of 300,000 homes annually), which have never before taken into account the true scale of housing need created by both homelessness and high house prices.

However, simply building a total of 340,000 homes each year will not meet this need – they will need to be the right type of homes. 145,000 of these new homes must be affordable homes, compared to previous estimates of the annual affordable housing need of around 78,000. This means that around two-fifths of all new homes built every year must be affordable homes – in 2016/17, only around 23% of the total built were affordable homes.”

www.housing.org.uk/press/press-releases/england-short-of-four-million-homes/?

The Council has produced Supplementary Planning Documents (SPDs) to give further clarity and guidance on its policies for the development of new homes, including the preferred mix of affordable housing by size and tenure. Although the SHMA suggests that 80% of affordable homes should be either social rent or Affordable Rent, this has been reduced slightly to 70% to help improve financial viability and to take into account the existing small number of intermediate affordable homes in the area. This has been effective as most developments to date have been shown to be financially viable in meeting these requirements without the need for any public subsidy.

In previous years the supply of homes has been lower than now planned for and the number of new affordable homes as a proportion of this has also been lower. Frequently the Council was more reliant on delivering or enabling affordable homes through strategic initiatives such as rural exception schemes to help boost supply. The approval of the Council's Local Development Plan has helped address this and there is now an increase in planned supply of new affordable homes being delivered.

Table 7: Affordable Housing (New development) in District 2015-2019

Tenure	Year			
	2015/16	2016/17	2017/18	2018/19*
Affordable Rent	27	8	40	143
Intermediate	12	4	18	80
Total	39	12	58	223

*Currently under construction May 2018

As national housing policy introduces new requirements and options for affordable housing, it can become harder for developers to understand if there is difference or consistency between what the government is proposing and what the Council requires. The recent consultation on revising the National Planning Policy Framework (NPPF) proposed that local authorities should consider “including sites dedicated for first time buyers, build to rent homes with family friendly tenancies, guaranteed affordable homes for key workers and adapted homes for older

people". It is clearly impractical to consider covering all these options as well as meeting pre-existing need on each and every site. We will therefore seek to develop and maintain information on a range of housing need in the future and seek to meet this as and when suitable sites become available. The baseline has to be the principle of affordable housing as defined in the current NPPF:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) **Discounted market sales housing:** is sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to Government or the relevant authority specified in the funding agreement.

The definition of eligibility in this case ensures there is a link between the cost of affordable housing, the earnings of local people and their inability to access homes on the open market, whether they are for sale, lease or rent. We would also like to add to this as an inherent requirement to make sure that this works in practice, is the need that the allocation of homes is through the Council, whether directly in nominating people on the housing register, or

indirectly through agreements with those that may be providing specialised housing for particular groups of people, for example supported housing.

Other types of intermediate affordable housing may be helpful in meeting some need that is a lesser priority or helps improve the financial viability of a development that may not otherwise be possible, but it should not compromise the Council's need to ensure that as a minimum there is an adequate supply of the right type of homes to meet its statutory duties. Compared with the national average of 23% of new homes being affordable, we are currently managing to exceed this with schemes that are currently under construction.

Table 8: Current Planned Supply of Affordable Homes

Site	Market Homes	Affordable Homes	% Affordable
Mathew Homes – Burnham-on-Crouch	75	23	30
Persimmon – Burnham-on-Crouch	180	72	40
Persimmon - Heybridge	145	58	40
Bellway - Heybridge	84	25	30
Linden - Maldon	108	32	30
SJ Warrant - Latchingdon	44	13	30
Overall Total	636	223	35

Addressing the Gap

Despite achieving above the national average on existing sites currently under development, there remains a gap between the need for affordable homes and current and planned supply so we can not be complacent, nor rely solely on planned growth to meet our housing needs.

The current local plan takes the evidence of local housing need as a starting point but then has to consider whether the policies that seek to achieve this for new developments will be financially viable. In carrying out this test, a number of sites and areas had the requirement for 40% affordable as the starting point reduced, either because house values at the time would not have made this possible in some parts of the District, or because some sites had other requirements such as design or infrastructure.

This meant that there is a shortfall of about 650 between the identified need for affordable housing and planned supply, which has to be limited due to the impact too great a number would have on infrastructure. We believe that it is possible to manage this in a strategic way.

i). Financial Viability

We have to make sure that we are achieving the optimum level of contributions from new housing developments. In 2014 we set up a framework of independent consultants to assist and if necessary help arbitrate between the Council and developers. As a result of this our overall supply of affordable homes, across all planned sites, is currently above 30% (May 2018). This does not mean that there is no longer a shortfall in the planned supply but we are working well to prevent this becoming any greater. To improve understanding and transparency, we intend to follow the lead set by some other local authorities and publish viability reports in the future. The basis for calculating viability is quite straightforward, deducting the costs from the value of a scheme but assessing and agreeing all the different elements, including the possible variations to costs and values in the future can make this quite complex. To make it easier to understand the key elements and compare one scheme against another, we shall also look to identify and select a system that can be used by all of our partners so that reports will be presented in a clear and consistent way.

The assessment of viability in principle is a straightforward process, deducting the cost of construction from the overall value to show (hopefully) a positive surplus which means a scheme is viable. This includes agreed profit margins for developers and contractors, sometimes adjusted to reflect the level of risk, and a reasonable return for the land owner. Whilst some costs can be accurately assessed and agreed, there often remains uncertainty and therefore debate around the extent to which developers need to manage risk by having higher than expected margins for profit, and the reasonable level of uplift that an owner can expect from land that may not otherwise have been granted permission to develop. Whilst it may always be difficult to plan with any certainty what the housing market may do from one year to the next, it is always possible to review afterwards what has happened and the Council should therefore continue to look at ways of fairly accounting for risk, especially where the uplift in value is marginal, together with ways of sharing this fairly when risks have been avoided but the outputs of new development have therefore been unnecessarily compromised.

ii). Additional supply

To meet the gap in affordable housing there will be a need to enable the development of an additional number of homes but we can reduce the cost and impact by developing homes that not only meet need but also encourage better use from the existing housing stock, or reduce longer term need. For example, providing homes that meet the need of people who are currently living in affordable housing means that for each new home provided another one also becomes available. Examples of the type of homes that can generate this additional supply include intermediate affordable housing for existing tenants who would like to have an opportunity to buy but can't afford the full cost or the deposit and homes, according to the last SHMA this accounts for about a quarter of all current residents in social housing who are planning to move but rising house prices are making this difficult to afford, even as shared-ownership.

We estimate that there may be both need and demand from about 100 intermediate affordable homes, prioritized for existing tenants of social housing, ideally as a rent-to-buy option that includes the 'gift' of a deposit. There is also a need for supported housing for older people who would like to move from their existing housing association homes, and a number who will need to move eventually because their homes will no longer be suitable. The estimated requirement for this group is about 150 supported homes. These two initiatives together could generate a net additional supply of 500 affordable homes – half as new-build and half as homes that would not otherwise become available. This still leaves a shortfall of about 100 to 150 affordable homes.

Over the last 10 years we have enabled the development of about 100 affordable homes as an exception to policy and outside of the local plan. In most case these were either 'rural exception schemes' or developments led by local housing associations. By continuing to work with partners, linked to our programme of Community Led Development, we believe that we can meet this outstanding shortfall of 100 to 150 homes over the lifetime of the current plan.

Table 9: Shortfall in Affordable Housing Supply

Meeting the shortfall in affordable housing	
New Extra-care / Independent Living homes	150
Existing homes released by extra-care / Independent Living	150
New intermediate homes for existing tenants	100
Homes released by intermediate housing for existing tenants	100
Community Led Housing programme for affordable homes	150
Total	650

iii). Existing stock

The majority of housing supply will always come from the turnover of existing housing stock. There is very little any local authority can do to directly influence the level of transactions in the open market but there may be opportunities to improve the way social and private rented housing responds to local need. The private rented sector has grown significantly over the last decade, mainly in response to meeting the need from a growing number who are unable to

afford to buy. Working more closely with local landlords, through our Landlords' Forum, and understanding ways that we may be able to help them grow their businesses and manage tenancies, could help us gain more influence to work with them to provide homes for local people. Reductions in benefits for single people under the age of 35 means that they can now only afford a bedsit rather than a one-bedroom apartment. There is very limited supply of this type of accommodation in the District, and there is also a much higher proportion of larger homes; helping landlords, including owners of commercial properties, convert some buildings into smaller ones, may help them improve their business and balance the supply of homes.

We can also work with local housing associations to see where it is possible to make better use of existing housing stock; recent examples include making better use of sites where the cost of maintain older homes is no longer viable and there is potential to rebuild to a higher density, or replace some larger homes with a greater number of smaller ones. We will also work with Moat Homes Limited to see if it is possible to re-launch their Community Development Initiative which sought to bring forward a number of small sites which may not have been viable on their own but could be feasible if delivered as a package of planned development.

iv). Allocations Policy and Strategic Tenancy Strategy

The Localism Act (s. 150) requires all local housing authorities to produce a tenancy strategy that explains what it requires from housing associations in terms of the type of tenancies it expects and how these relate to its policies. These strategies are also required to review and amend it "from time to time". The Council's current strategy has been in place since it was first produced in 2012 and is therefore due to be reviewed. It makes sense to combine this with a review of the Council's policy for allocating social housing.

As a result of the same Act, local authorities can now also set their own requirements for a local connection, potentially reducing the number of people who are entitled to apply by virtue of them needing to be able to show that they have lived in the area for a minimum period of time. The Act also allows councils to introduce additional groups who could be considered as having additional priority for housing, such as key workers. These may be options that we can consider, along with how well the existing policy, which is shared with six other districts in Essex and Suffolk, is working to meet local need and make best use of the homes that become available for letting.

We shall carry out a review of both the Tenancy Strategy and our allocations policy as soon as this strategy is adopted.

Community Led Housing

The Council was granted funding in late 2016 by the government to develop a programme of Community Led Housing. This is an exciting opportunity to help local community groups play a greater role in meeting the need for homes that are affordable, including homes for older people.

The criteria for a Community Led Housing scheme are:

- It must be led by a local community group – this can either be a group associated with a particular location, such as a parish council or residents association, or it may be a group of people with similar needs such as a Local Action Group for disabilities, ex-armed services charities, or alms house associations;
- The proposed development must be supported by the evidence of housing need – the group must be able to show that some or all of its members or beneficiaries are in need of affordable housing;
- The proposed development should be for homes that are not already planned to be delivered - although they could be provided on a site as additional homes; and
- There must be arrangements to make sure that the homes will remain affordable into the future so they can continue to meet the needs planned for.

There are a number of different ways that a scheme could be brought forward, including as a Community Land Trust, a rural exception scheme or self-build. Local groups can also decide what level of influence and control they may want over the development process – whether working directly with builders, landowners and other technical trades or working through a housing association that has experience and knowledge of the development process.

In consultation with some local groups who are interested in the possibility of Community Led Housing we have seen that the following topics are quite common and may be issues that we can consider given more support to in the future:

- Help assessing housing need
- Help understanding and accessing finance for development
- Help understanding and accessing technical expertise to help with development
- Help understanding and planning for the management and allocation of the homes

We have already begun to look at the possibility of building up a more formal network of locally based organisations who share an interest in supporting local community groups and providing affordable housing, including:

- The Rural Community Council for Essex (RCCE)
- Anglia Ruskin University
- Local housing associations

- Essex County Council
- Legacy East Almshouse Partnership (LEAP)
- Local Almshouse charities
- Local landowners
- Parish Councils

As part of our strategy we shall continue to build upon these links and also seek to get the support and guidance from Homes England and SELEP. We shall also continue to provide grants to groups who have identified both a potential site and potential need to help them developing their plans and will also look into the possibility of providing grants to help meet the capital cost of development where necessary.

We shall also continue to promote the concept of Community Led Housing through local seminars and other events with our partners.

Action Plan

Action	Outcome	Timescale	Resources
Homelessness			
Maintain constant monitoring of the use of temporary accommodation	Ability to identify trends and the need to take action to increase or reduce provision as required	Ongoing	Staff resource
Explore potential for increasing supply of temporary accommodation that is sustainable, flexible and affordable	Agreed plans to expand or replace supply as and when needed.	2018/19	Staff resource Cooperation from landlords and housing associations.
Identify options and cost for securing accommodation from private landlords for those at risk of becoming homeless	Ensuring resources are identified to secure additional accommodation when required and if necessary the need to consider placements outside of the District	Ongoing	Flexible Homelessness Grant DHP
Review existing use of Discretionary Housing Payments to prevent homelessness	Achieve best value by considering use to prevent rather than relieve homelessness, including the possibility of avoiding additional costs for temporary accommodation and other subsidy payments	2018	Staff resource DHP
Provide a dedicated contact point in the Housing Options team for private landlords.	Consistent communication to build understanding and cooperation between private landlords and the Council, helping to develop potential for joint working to reduce the risk of homelessness /	2019	Staff resource Homelessness Grant DHP

Action	Outcome	Timescale	Resources
	tenancy failure and associated costs for both		
Provide through the website clear summary of local housing options and the Council's duties and processes.	Management of expectations for customers, encouraging them to be more independent and have greater control and responsibility in managing their housing problems	2018	Staff resource
Develop and maintain links with those working with domestic abuse at both operational and strategic levels including specialized training.	Better understanding throughout the service of options and procedures for those at risk of homelessness due to domestic abuse	Ongoing	Staff resource Cooperation from other agencies Training budget
Enable the development of 6 to 8 homes with access to support for low level mental health, for single homeless and young people	Meeting the need to discharge duty and prevent homelessness for those who may be at risk of being unable to maintain a tenancy without adequate support.	By 2021/22	Possible need for capital investment. Clarification as to level of revenue required Cooperation from developing housing associations and supporting agencies.
Develop working links with providers of training to help those at risk of homelessness access opportunities for employment	Reduction in the risk of homelessness and the potential to relieve this through restrictions to welfare payments	2019/20	
Seek to adopt a standard system for referring people to be used by other agencies in conjunction with other local housing authorities in Essex.	Consistency in sharing information and referring clients at risk of homelessness to support effective working between partner agencies	October 2018	
Continue to work with CHESS on options for street homeless and those difficult to	Adequate options and support for those at greatest risk of exclusion or	Ongoing	Staff resource Council funding Other opportunities for grants

Action	Outcome	Timescale	Resources
engage with	engagement with existing housing options		
Introduce an arrears repayment loan	Helps overcome barriers to housing for those with rent arrears, encourages responsibility and helps to discharge legal duty to secure accommodation.	2018	Homelessness Grant (most should be recovered through repayments) Staff resource
Work with local schools to provide information on housing options and managing a tenancy	Increasing awareness and understanding of Council's duties, managing expectations and promoting understanding of rights and responsibilities.	2019/20	Staff resource
Providing adequate pathways for housing and support for the following groups			
Young people – 18-21, 21 – 25 and 25-35.	Range of options for seeking additional support to help prevent homelessness and ways of accessing accommodation to relieve homelessness	2018	
Mental health	As above		
Criminal justice	As above		
Domestic abuse	As above		
Ex-armed services	As above		
Housing for an Ageing Population			
Enable the development of 150 units of Independent Living (extra care) housing.	Addressing identified shortfall in local provision for older people – currently no existing provision	Delivery of schemes by 2021/22	Capital investment from partners. Cooperation from landowners and housing associations
Enable the provision of 150+ units of low-level support / sheltered housing	Addressing identified shortfall in local provision for older people in response to growing demand	By 2025	Capital investment from partners. Cooperation from landowners and housing associations
Identify the requirements for market housing in response to local need and demand	Better understanding to inform future policies for housing and planning, including information on	2019/20	Staff resource

Action	Outcome	Timescale	Resources
	feasibility and viability		
To re-provide a handyman / home maintenance service	Help improve options and reduce the risk for older people remaining in their homes.	2019/20	Staff resource Better Care Funding Cooperation and funding from other agencies
To provide a home from hospital scheme	Reduce delayed discharge from hospital / reduce need for hospital admission	2019/20	Capital investment in adaptation / new build Revenue funding for housing related support costs Cooperation from other agencies
Consult on creation of Older People's Housing Officer	Clarification on costs, benefits, savings and investment opportunities for business case	2018/19	Staff resource
Review and update DFG policy	Best use of resources including housing options as well as funding	April 2019	Staff resource

Fixing Our Broken Housing Market

Update Strategic Housing Market Assessment	Up to date evidence and understanding of housing need and demand	By Dec 2019	TBC
Maintain work with partners to identify infrastructure requirements	Consistent information for partners on requirements and costs to inform viability and future opportunities for funding	Ongoing	Staff resource
Engage with One Public Estate project	Identify opportunities for development of public owned land that can help meet strategic requirements	Review biannually – from 2019	Staff resource
Review feasibility of reducing threshold to gain financial contributions	Potential to realise additional contributions to meet outstanding need for affordable housing.	2019/20	Staff resource
Work with SELEP, Homes England and	Improve opportunities for local people and	Ongoing	Staff resource

Action	Outcome	Timescale	Resources
other partners to identify opportunities for training and use of local SMEs in future construction projects	businesses to benefit from future development of new homes		
Survey local employers to identify the extent to which housing is affecting their ability to recruit and retain staff	Better understanding of the links between Housing and Economic Development	2019/20	Staff resource
Retain twice yearly review meetings with housing associations developing homes in the district.	Maximise opportunities for joint working and investment in the supply of housing	Ongoing	Staff resource
Consult with other LSVT LAs in Essex to find out more about options for investing in housing development	Improved understanding of options for non-stock holding Councils and possibility of pooling skills, capacity and other resources	Ongoing	Staff resource
Continue to work with Private Landlords through the local forum	Improve understanding between the Council and private landlords to encourage best practice	Ongoing	Staff resource
Direct focus on empty homes to those at greatest risk of nuisance, abandonment and complaints	Best use of resources to meet statutory responsibilities.	Ongoing	Capital grants from regional government Staff resource
Managing Supply			
Adopt a standard proprietary system for use by applicants when assessing financial viability of new developments	Consistency in assessing viability and presenting summaries to others	2019/20	License fee (recoverable through charges)
Enable development of 100 intermediate homes to meet need and demand from	Better supply and choice of homes that meet local need, financially effective	By 2025	Cooperation of partners

Action	Outcome	Timescale	Resources
existing tenants in social housing	way of increasing supply of rented homes.		
Explore potential to encourage a better supply of smaller homes for private rent	More sustainable and settled housing supply to meet local need	2020/21	Staff resource
Explore potential of relaunching Moat Homes Community Development Initiative	Increased supply of homes to meet need and better use of existing land and property	2018/19	Staff resource Cooperation of partners
Review the Council's Tenancy Strategy and Allocations Policy	Best use through policy of existing supply of social housing	2019/20	Staff resource Cooperation of partners
Work with partners to provide a framework for delivering Community Led Housing projects	Reduction in delay and increase in resources to enable development of homes to meet need from local community groups	Ongoing	Staff resource Cooperation of partners CLH / MHCLG grant
Annual seminar / event for Community Led Housing	Maintain awareness and development of CLH for local community and partners	Ongoing	Staff resource Cooperation of partners CLH / MHCLG grant

Our wider aims

Homelessness

Encourage people to help themselves: the Homelessness Reduction Act encourages people to work with local housing authorities to prevent homelessness, we would be interested ways that can help people take more control over their circumstances, giving them more choice, for example help finding work, finding alternative accommodation or managing their finances.

Support for vulnerable groups: some people face additional challenges which need to be taken into account when trying to solve their housing problems, often help as floating support or referring to other agencies can make the difference between success or failure in preventing homelessness or managing to live independently. Particular groups who may be in need of more support than we can offer as a local housing authority include domestic abuse, mental health, young people, and ex-forces.

Housing for single people: there is a lack of smaller, affordable accommodation in the district, especially for those on lower incomes who may not have had a tenancy before. Lodgings, shared-housing and house-shares can be a helpful option but is not something that either the Council or its current partners provide.

Older People

Practical help: we know that some people are interested in moving but delay or even postpone plans because they have no one to help them with the practical problems of moving. Services which could help may also be able to work with partners to provide other assistance as well, such as routine maintenance and general help and advice.

Options for home owners: a number of older people who own their home may want to move, have the capital that would meet the cost of another home, but need to be able to sell and complete transaction for their home in order to move on to the next. This seems to be an area where rent-to-buy could work well, allowing people to move first and pay later. This would sit outside of the conventional scope of affordable housing but it would provide a number of benefits.

Stronger strategic links between health, housing and social care: there are plenty of overlaps between these services and examples of good practice in joint working in some other parts of the country. This is more complicated in two-tier authority areas such as Essex but we would like to improve the planning and delivery of services where we share common issues to improve the outcomes for customers and make better use of resources.

Fixing Our Broken Housing Market

Home-ownership for local people: we welcome the government's commitment to help people own their own homes but we would like to understand ways in which we can achieve this in ways that give priority for local people.

Modern Methods of Construction: we understand that this could be a way of helping to reduce delays in delivering new homes and diversify ways in which new homes could be provided. It could also help local people acquire new skills, suited to the possible longer-term future of construction and would want to help build links between this new approach to construction and the changing role of SMEs who could be involved.

Social Lettings Agencies: this exist in some parts of the country, providing an alternative option for landlords and possibly an option for other property owner such as smaller housing

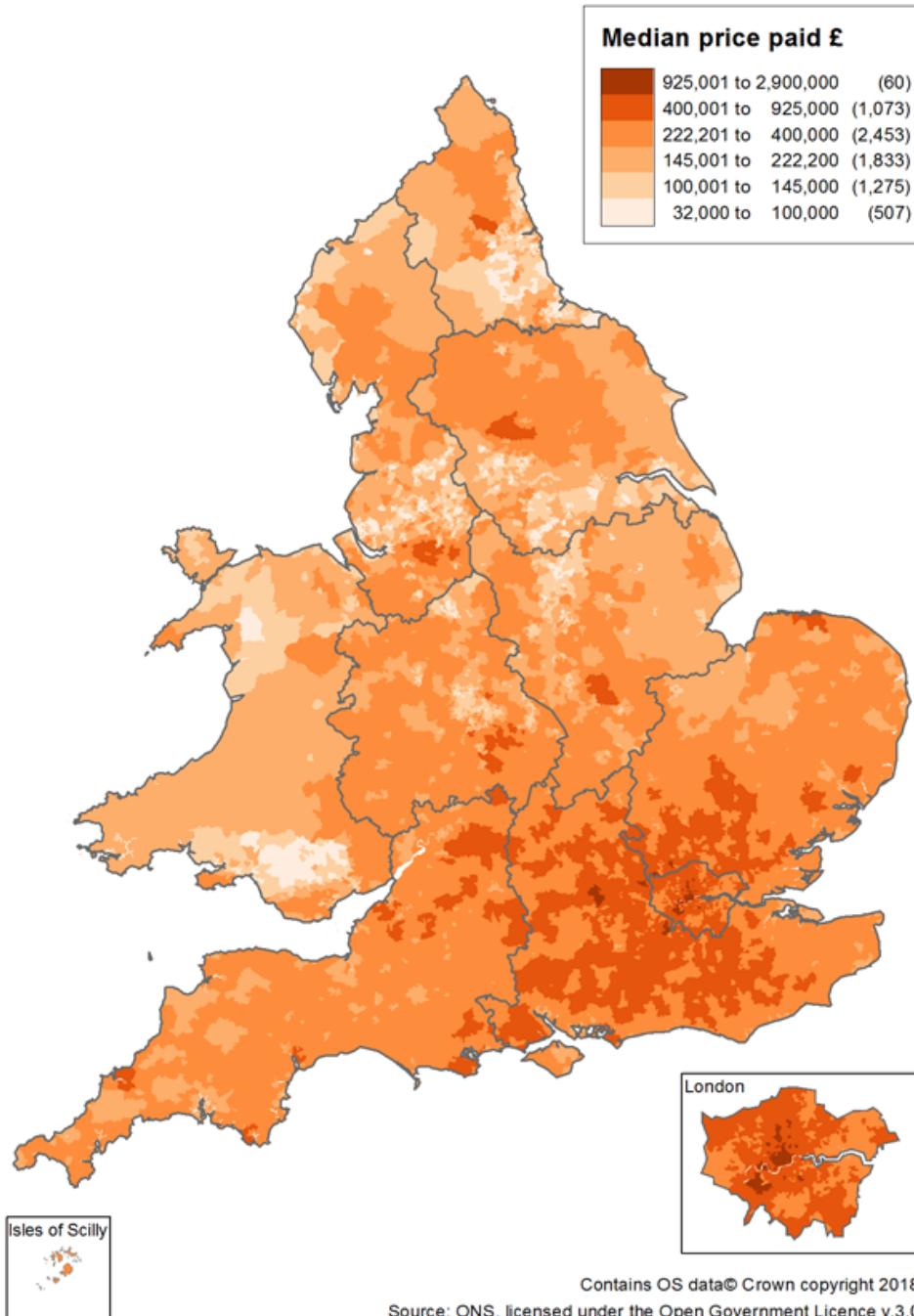
associations, to help with the management of their homes. Social Lettings Agencies often operate on a not-for-profit basis and can therefore consider helping to provide tenancies for people on lower incomes who may not otherwise be able to access the private rented sector.

Release brownfield sites: this may not be a large area but some sites are in prominent locations and require infrastructure or other investment to make them viable. If these sites could be 'unlocked' for redevelopment they may be able to repay the cost of remediation whereas it is not viable to meet this cost up front. We would therefore like to consider with other partners ways of funding and investing in the longer-term potential of sites which currently may be blighted.

Housing Associations: this sector has wide experience of innovation in the development of homes and supporting local communities, we would like to understand the potential from those interested in developing in the District ways that we could support them to work with us and our partners to diversify the supply of housing and choice in the future.

Managing Supply

Investment in housing: the Council has to become more commercial and follow the lead of others investing in services such as housing. There are a number of options and different levels of risk which we need to understand, and different partners we may need to involve.

Appendix – Housing Data**House Values (England and Wales) 2017**

Office for National Statistics
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housepricestatisticsforsmallareas/yearendingseptember2017>

Entry / Average Private Rent Costs pcm (district-wide)

Rent	May 2013		May 2018		% Change in cost entry/average
	Entry	Average	Entry	Average	
1 bed flat	445	491	600	648	34 / 32
2 bed flat	590	670	670	804	14 / 20
2 bed terrace	650	698	850	898	31 / 29
3 bed terrace	750	856	995	997	33 / 18
2 bed semi	725	789	945	955	30 / 20
3 bed semi	750	783	1000	1205	33 / 55

Source: DCA / Rightmove

Entry House Prices (district-wide)

Sale	Entry (May 2013)	Entry (May 2018)	Change in value
1 bed flat	95,000	130,000	37%
2 bed flat	130,000	190,000	45%
2 bed terrace	157,000	220,000	40%
3 bed terrace	179,000	225,000	26%
2 bed semi	167,500	232,000	38%
3 bed semi	185,000	255,000	38%

Source: DCA / Rightmove

Homelessness (2017/18)

Housing Enquiries:	502 (not including repeat visits from same applicant)
Homeless Preventions	82 achieved from the 502 above
Per 1,000 household	3.46 (Essex average = 4.5 per 1,000 hh)
Homeless approaches	34 of 502 above
Homeless acceptances	30 (0.93 per 1,000 hh, Essex average = 2.42)
Number placed into temp. acc.	32
Essex average	164
Number placed into B&B	14

Trends in homelessness 2008-17

Year:	08-09	09-10	10-11	11-12	12-13	13-14	14-15	15-16	16-17
Accepted as homeless	40	37	28	19	18	19	24	31	25
Placed into Temp Accom	24	15	13	13	8	11	13	15	15
Prevention	Nd	239	510	407	381	557	263	120	87
Relief	Nd	50	108	40	28	63	32	17	6

Housing Allocations**Housing Associations Allocating Housing in the District (2017/18)**

Housing Association	Number of Homes Allocated
CHP	13
Colne	11
English Rural	5
London & Quadrant	1
Moat	46
Salvation Army	1
Sanctuary	3
South Anglia	1
Total	81

Offered to prevent homelessness = 2

Offered to as accepted as homeless = 17

Eligible for sheltered (55+) = 25

Previous Tenure For Those Housed

Social Housing (in area)	8
Social Housing (out of area)	4
Temporary accommodation	14
Friends / Family	28
Lodger	1
No Fixed Abode	1
Owner Occupier	1
Other	1
Private Rent	19
Supported Housing	3
Tied Accommodation	1
Total	81

Band (Priority)

Band A = 2

Band B = 39

Band C = 26

Band D = 1

Band E = 10

Band F = 3

Effective Date (length of time within band)

2017 = 47

2016 = 24

2015 = 7

2014 = 3

Note: this does not necessarily mean time registered

APPENDIX 1

Development of new homes

New-build: Affordable Housing Start on Site

Tenure	Year			
	2015/16	2016/17	2017/18	2018/19*
Rented	27	8	40	143
Intermediate	12	4	18	80
Total	39	12	58	223

*Currently under construction (May 2018)

Current Sites Under Construction Open market / Affordable / % Affordable			
Mathew Homes - Burnham	75	23	
Persimmon - Burnham	180	72	
Persimmon - Heybridge	145	58	
Bellway - Heybridge	84	25	
Linden - Maldon	108	32	
SJ Warren - Latchingdon	44	13	
Total			



REPORT of DIRECTOR OF RESOURCES

**to
COUNCIL
13 SEPTEMBER 2018**

LITTLE TOTHAM PARISH COUNCIL - COMMUNITY GOVERNANCE REVIEW

1. PURPOSE OF THE REPORT

- 1.1 To consider and determine the outcome of the Community Governance Review of electoral arrangements for Little Totham Parish Council in the light of the recent public consultation.

2. RECOMMENDATIONS

- (i) That the Council considers the outcome of this Community Governance Review;
- (ii) That subject to the Council being satisfied that the request meets the law and associated Guidance with respect to the object of achieving effective and convenient community governance, it authorises the making of a Re-organisation of Community Governance Order under the Local Government and Public Involvement in Health Act 2007 to increase the membership of Little Totham Parish Council from five to seven Councillors, to be effective from the next ordinary elections in May 2019.

3. SUMMARY OF KEY ISSUES

- 3.1 Following a request by the Parish Council to increase its membership from five to seven, the Council at its meeting on 8 February 2018 resolved to instigate a Community Governance Review. For Members' information, the Community Governance Review document published for consultation is at **APPENDIX 1**.
- 3.2 As previously reported, a change to increase the number of Parish Councillors can only be brought about as a result of a Community Governance Review under the Local Government and Public Involvement in Health Act 2007 undertaken by the District Council.
- 3.3 The Guidance on Community Governance Reviews says that the Government has made clear its commitment to parish councils. It recognises the role such councils can play in terms of community empowerment at the local level. The 2007 Act provisions are intended to improve the development and coordination of support for citizens and community groups so that they can make the best use of empowerment opportunities.

3.4 As for the Review itself, while the law and Guidance is not specific on how the views of the electors of the area in question should be sought, the view was taken by Officers that the following steps would be sufficient and proportionate to publicise the consultation:

- The District Council's website;
- The Parish Council's website;
- The Parish Council's Facebook page;
- Coverage in a village newsletter delivered to each household;
- Posters displayed in various local places, e.g. noticeboard, pub.

In addition, the District Ward Members were notified, as was Essex County Council (required by law).

3.5 The Review Terms of Reference were published on 18 June 2018 and the Review consultation itself was published on 29 June 2018 with a closing date of 24 August 2018 for comments. A total of 12 local residents have written supporting the Parish Council's request. No new or dissenting issues have been raised.

3.6 This Council is required to ensure that the community governance within the area under review will be reflective of the identities and interests of the community in that area; and be effective and convenient. Section 95 of the 2007 Act provides, among other things, that when considering the number of councillors to be elected for the parish as a whole, the authority must have regard to the number of electors for the parish, and any change in that number likely to occur in the next five years. In this respect, Little Totham is not in a too dissimilar position to that of six other Parish Councils and the three joint Parish Councils which also operate with five Councillors.

3.7 Although the legislative position has not changed since 1972, there appears now to be wider acknowledgement of the difficulties Parish Councils may encounter working with the legal minimum of five Councillors. There has been no assessment of relative responsibilities and workload since each case must be looked at on its own merits. Although the Parish Council confirmed that it was considering co-option of a person in a non-decision-making capacity to assist, there has to be a level of confidence that the good indication of community interest and involvement in Parish Council activity is likely to be maintained at least in terms of people seeking to fill additional seats.

3.8 Provided that the Council is satisfied that the Parish Council's request is sound in the context of the law and associated Guidance on this subject as described in paragraph 3.6, it may agree to proceed to make a Re-organisation Order to increase the membership of the Parish Council with a view to this becoming effective at the next ordinary elections in May 2019.

4. IMPACT ON CORPORATE GOALS

4.1 The undertaking of a Community Governance Review is in part a matter of compliance with the law and is also linked to the Corporate Goal of aiming to be an organisation that delivers good quality cost effective and valued services in a transparent way.

5. IMPLICATIONS

- (i) **Impact on Customers** – This may have an indirect benefit on customers in the sense that the electors of Little Totham are residents of the District and an increase in the size of the Parish Council may be of benefit to or enhance democratic representation.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers:

Letter from Little Totham Parish Council.

Government guidance on Community Governance Reviews.

Emailed responses to the Review publicity and consultation

Enquiries to: Stuart Jennings, Corporate Governance Project Officer (Tel: 01621 875745).

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**MALDON DISTRICT COUNCIL
COMMUNITY GOVERNANCE REVIEW 2018
LITTLE TOTHAM PARISH**

What is a Community Governance Review?

A Community Governance Review is a review of the whole or part of the District to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of a parish and the style of a new parish (i.e. whether to call it a “village”, “community” or “neighbourhood” with the council similarly named as a “village council”, “community council” or “neighbourhood council”);
- The electoral arrangements for parishes (including council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping parishes.

The District Council is required to ensure that community governance within the area under review will be:

- reflective of the identities and interests of the community in that area; and
- is effective and convenient.

In doing so, the Community Governance Review is required to take into account:

- The impact of community governance arrangements on community cohesion; and
- The size, population and boundaries of a local community or parish.

The Government has emphasised that recommendations made in a Community Governance Review ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

Why are we carrying out this Community Governance Review?

The Little Totham Parish Council has requested a review of its electoral arrangements so that it may increase the size of its membership, in other words the number of Parish Councillors. In its request to the District Council, the Parish Council stated the work associated with its existing responsibilities and its future plans and proposals should be shared among a greater number of Councillors. It also stated that the current membership of five Parish Councillors is only two more than the legal quorum for meetings, and that on occasions this presents a difficulty. It is confident that there is sufficient interest in the community to fill two additional seats on the Parish Council.

What is the area the subject of this Review?

The parish of Little Totham is located within the Great Totham Ward of Maldon District Council. It is also located within the Heybridge and Tollesbury Electoral Division of Essex County Council and forms part of the Witham Parliamentary Constituency.

A map of the parish area is attached as **Annex 1** to this document.

What do parish councils do?

By way of information, a summary of the general powers and duties of parish councils is attached as **Annex 2**.

What are we consulting on?

We are consulting the public on the Parish Council's request referred to above, which is - **To increase the number of parish councillors on Little Totham Parish Council from five to seven.**

If approved, it is proposed that the change will come into effect on the date of the next scheduled Parish Council elections on 2 May 2019.

Why has this request been made?

The Parish Council's justification for the increase in the number of parish councillors is set out in their letter dated 28 November 2017 attached as **Annex 3** to this document.

For the purposes of this review, we are also required by law to make recommendations on other related "electoral arrangements" in respect of Little Totham Parish Council, as follows:

- (a) the year in which ordinary elections of parish councillors are to be held;**
- (b) the division (or not) of the parish into wards for the purpose of electing parish councillors;**
- (c) the number and boundaries of any such wards;**
- (d) the number of parish councillors to be elected for any such ward;**
- (e) the name of any such ward.**

In relation to (a) above, Maldon District Council proposes that no change be made to the year of ordinary elections, as they currently coincide with District Council elections and elections to other Parish Councils in the District.

In relation to (b) to (e) above, the introduction of 'wards' would mean that each Parish Councillor would be elected by voters living within a particular area (or ward) within the Parish, and they would represent those voters on the Parish Council. The District Council proposes that, irrespective of the outcome of this community governance review, Little Totham Parish Council should continue to be unwarded, i.e. no change be made. The Parish Council has not made any proposal or request on this.

We would therefore like to know what YOU think of the proposals to:

- (a) increase the number of parish councillors on Little Totham Parish Council from 5 to 7, and**
- (b) to make no other changes to the electoral arrangements in respect of Little Totham Parish Council**

Electorate Forecast

For the purpose of this review, we are required to forecast the expected growth in the Parish of Little Totham for the coming five years. There is no planned growth and minimal growth anticipated such as to be an issue for consideration in this review.

How to let us know your views

Any representations on this matter above must be in writing and should be sent to:

Stuart Jennings
Corporate Governance Project Officer

Maldon District Council
Princes Road
Maldon
Essex CM9 5DL

by no later than 4.30 pm on Friday 24 August 2018.

Alternatively, you may send your representations

□□by email to: committee.clerk@maldon.gov.uk

Please ensure that you state your name and address clearly on any representations submitted. Please note that any submissions received after 24 August 2018, or any representations submitted anonymously, will not be taken into account.

Please also note that the consultation stages of a Community Governance Review are public consultations. In the interests of openness and transparency, the Council will make available for public inspection full copies of all representations it takes into account as part of this review.

What happens next?

In arriving at its final recommendations, the District Council will take account of the views of local people and any other person or body who appears to have an interest in the Review by judging them against the criteria set out in the Local Government and Public Involvement in Health Act 2007 and associated government guidance.

The District Council will take steps to notify consultees of the outcome of the review by publishing all decisions taken, together with reasons, on the Council's website (and ask Little Totham Parish Council to publish the same on their website), through general press releases, and by placing key documents on public deposit at the District Council's offices and with the Parish Council.

If any change to the electoral arrangements for Little Totham Parish Council is approved, a Community Governance Reorganisation Order will be made to give effect to the change.

A timetable for the Community Governance Review

A Community Governance Review must, by law, be concluded within a 12-month period which in this instance runs from when the terms of reference of the Review have been published. The Review will be concluded when the District Council publishes its final recommendations. The timetable for this Community Governance Review is as follows

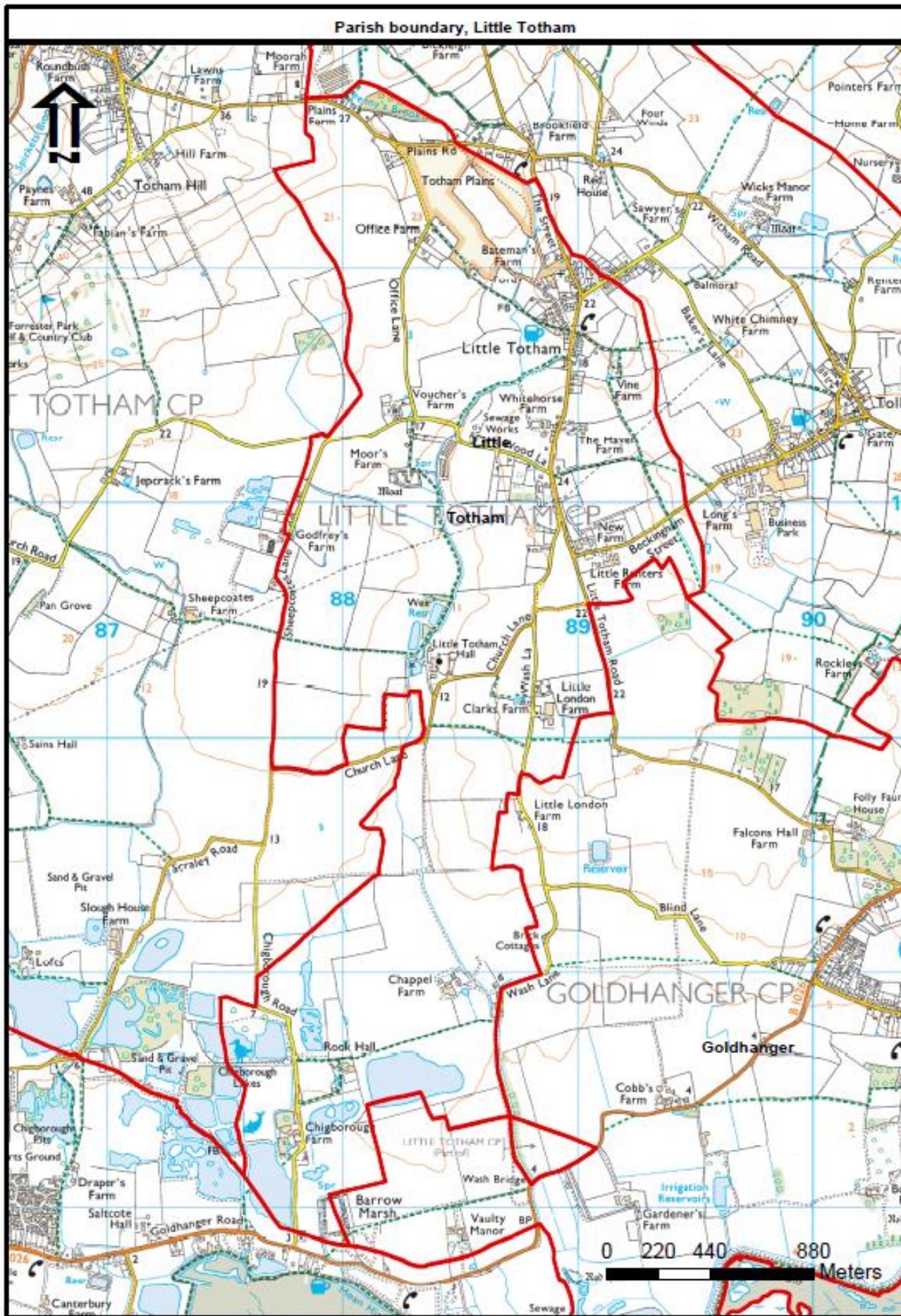
8 February 2018 – District Council agreed the principle of instigating a Review.

18 June 2018 - District Council published Terms of Reference and timetable.

29 June 2018 - Eight-week consultation period begins with local people and interested parties.

24 August 2018 Closing date for consultation period.

13 September 2018 Council to consider consultation submissions and publish final recommendations.



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Powers and Duties of Parish Councils

The role played by parish councils varies considerably. Smaller parish councils have only limited resources and generally play only a minor role, while some larger parish councils have a role similar to that of a small district council. Parish councils receive funding by levying a "precept" on the council tax paid by the residents of the parish.

The list below is intended as a summary of the main functions of parish councils. It is not intended to be a definitive list of such functions. Where a function is marked with an asterisk a parish council also has the power to give financial assistance to another person or body performing the same function.

Allotments Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied

Bus Shelters and roadside seats Power to provide and maintain

Bye Laws Power to make byelaws for public walks and pleasure grounds

Clocks* Power to provide public clocks

Closed Churchyards Powers (and sometimes duty) to maintain

Commons Land and Common Pastures Powers in relation to inclosure as to regulation and management and as to providing common pasture

Community Centres and Village Halls

- Power to provide and equip premises for use of clubs having athletic, social or educational objectives
- Power to provide buildings for offices and for public meetings and assemblies

Conference facilities* Power to provide and encourage the use of facilities

Crime Prevention* Powers to spend money on various crime prevention measures including

Drainage Power to deal with ponds/ditches

Education Right to appoint governors of primary schools

Entertainment and the Arts* Provision of entertainment and support of the arts

Environment Power to act for the benefit of the community by tackling and promoting awareness of environmental issues

Flagpoles Power to erect flagpoles in highways

Highways

- Power to repair and maintain footpaths and bridleways
- Power to provide lighting of roads and public places
- Power to provide parking places for vehicles, bicycles and motorcycles
- Power to enter into an agreement as to dedication and widening
- Power to provide traffic signs and other notices
- Power to plant trees, etc., and to maintain roadside verges
- Power to prosecute for unlawful ploughing of a footpath or bridleway
- Power to contribute financially to traffic calming schemes

Investments Power to participate in schemes of collective investment

Land

- Power to acquire land by agreement or compulsory purchase,
- Power to appropriate land
- Power to dispose of land
- Power to accept gifts of land
- Power to obtain particulars of persons interested in land

Litter bins Power to provide litter bins including receptacles for dog faeces

Lotteries Power to promote lotteries

Monuments and Memorials Power to agree to maintain monuments and memorials

Mortuaries and post-mortem rooms Powers to provide mortuaries and post-mortem rooms

Nature Reserves Power to designate statutory to the nature reserves and marine nature reserves - English Nature can designate sites of specific scientific interest

Nuisances Power to deal with offensive ditches, ponds and gutters

Open Spaces, Burial Grounds,

Cemeteries and crematoria* Power to acquire, maintain or contribute towards expenses

Parish Property and Records

- Powers to direct as to their custody
- Power to collect, exhibit and purchase local records

Parks and pleasure grounds Power to hire pleasure boats in parks and pleasure grounds

Parochial charities

- Power to appoint trustees of parochial charities
- Duty to receive accounts of parochial charities

Planning Right to be notified of and power to respond to planning applications

Postal and telecommunications facilities

Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained in providing post or telegraph office or telecommunications facilities

Public Conveniences Power to provide public conveniences

Raising of Finances Power to raise money through the parish precept

Recreation*

- Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds, and open spaces and to manage and control them.
- Power to provide gyms, playing fields, holiday camps

Swimming pools, bathing places, baths and washhouses Power to provide

Tourism* Power to contribute to the encouragement of tourism

Town Status Power to adopt town status

Transport* Power to (a) establish car sharing schemes (b) make grants for bus services, (c) provide taxi-fare concessions; (d) investigate public transport, road use and needs; (e) provide information about public transport services

Community Transport Schemes

Village greens Power to maintain, to make bylaws for and to prosecute for interference with village greens

Water Supply Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom.

APPENDIX 1

Act ✓
S-12-YX



Little Totham Parish
Council
Fern House
The Street
Little Totham
Maldon
Essex
CM9 8JQ

28th November 2017

Melissa Kelly
Legal and Democratic Services Officer
Maldon District Council
Council Offices
Princes Road
Maldon
Essex CM9 5DL

**Request for Parish Review to increase the number
of Parish Councillors from 5 to 7 on Little Totham Parish Council**

Dear Sirs,

At the last meeting of Little Totham Parish Council a motion was passed to request Maldon District Council, to conduct a Parish review. The request is for the Parish review to increase the number of councillors from the minimum of 5 to 7.

The reasons to increase the number of councillors are:-

- The number of councillors has not increased since the 1960's and we are currently at the minimum legal size for a council. The village has at least doubled in size since the 1960's.
- As the council is at the minimum legal number of councillors, it means that if a councillor resigns, the council is immediately below the legal minimum. This gives the council no buffer and results in the council having to seek and co-opt a new councillor, in a more pressurised situation. Having the minimum number of councillors allows for no contingency.
- The Parish council needs to increase the number of councillors, so that it can manage the increasing workload of the council. We are implementing several plans which include traffic initiatives, and managing and planning the long term conservation of the village open spaces. This includes the 55 acre Totham Plains.

APPENDIX 1

- As we have no contingency, some of our meetings are conducted with 4 councillors, which is just above the legal minimum for a quorum. At the next Parish meeting there will only be 3 councillors in attendance. One of the councillors will have to declare an interest on one of the agenda items, this will result in the matter being delayed for a month, as we will not have quorum for this agenda item.
- The national association of local councils suggests that the minimum number of councillors should be 7.
- Several of our councillors are retired and elderly. Although this allows them to share their experience on the council, they are less active physically, so therefore it makes it more difficult for them to carry out work on behalf of the council. The other councillor, other than the Chairman works shifts, which makes it difficult for them to commit to council obligations.

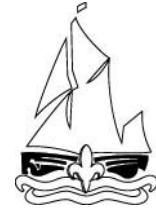
I look forward to hearing from you and if you have any questions please let me know.

Yours faithfully



Richard Siddall
Chairman
Little Totham Parish Council

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
13 SEPTEMBER 2018**

RESTRUCTURE OF PLANNING COMMITTEES

1. PURPOSE OF THE REPORT

1.1 This paper follows on from the Council meeting on 17 May 2018 when the Council considered a report of the Director of Planning and Regulatory Services on the subject of the Restructure of Planning Committees as part of a wider Committee Structure Review. The Report included recommendations which related directly to the Area Planning Committee structures for decision making relating to the determination of planning applications, and in addition to noting the data in the report Council resolved that:

Members undertake a further review of data in September 2018, and agree at that time, either:

- a. continuation of the three Area Planning Committees*
- b. change to a single Planning Committee for the Maldon District. This would include:*
 - proposed options for structure of single planning committee for all Members to take part in the planning process in their wards;*
 - schedule for implementation.*

1.2 This report provides updated data and feedback on the changes to the demands on the three Area Planning Committees as the Local Development Plan (LDP) has been embedded and provides the evidence for Members to consider regarding the proposed future operation of the Committees including an outline of a proposed single Planning Committee.

2. RECOMMENDATIONS

- (i) that Members note the data showing the changes to the demands on the three Area Planning Committees since November 2017;
- (ii) that Members agree to, either:
 - a. continue with three Area Planning Committees

OR

 - b. Change to a single Planning Committee for Maldon District, to commence in May 2019

(iii) that subject to agreement of (ii) b. Members will receive an updated report in February 2019 to provide detailed options on the proposed structure and operation of the single Planning Committee for the Maldon District.

3. SUMMARY OF KEY ISSUES

3.1 A report of the Chief Executive to the Council on 2 November 2017 on the subject of the Committee Structure Review included a number of recommendations which related directly to decision making for the determination of planning applications. These included the implementation of a change to the Parish Trigger and the introduction of mandatory training for Members to cover core planning regulations and guidance to support and inform Members when determining planning applications. Both of these recommendations have been actioned.

3.2 Further, as outlined in paragraph 1.1 above, Members agreed to consider a report regarding arrangements with Area Planning Committees, following a further period of review of the impact of the adoption of the LDP, with a report to the Council coming forward in September 2018.

3.3 To enable Members to undertake this review, an analysis has been completed, comparing the period November 2016 to July 2017 (Period 1) with the corresponding data for November 2017 to July 2018 (Period 2). The data considered for each period was:

- Number of applications considered by Area Planning Committees and the Council
- Average length of planning meetings
- Percentage of members attending meeting.
- A full copy of the data considered is presented in **APPENDIX 1**.

3.4 The data in Table 1 overleaf shows the combined monthly figure for all three Area Planning Committees and shows a reduction of some 10% in the number of applications considered by Committees within each period with 126 in Period 1 and 113 in Period 2.

3.5 Table1: Applications considered and total meeting Duration by month.

Period 1 (P1)			Period 2 (P2)			Change (P1 to P2)	
Date	Total Applications	Total Duration	Date	Total Applications	Total Duration	Total Applications	Total Duration
Nov-16	8	03:09:00	Nov-17	11	02:16:00	38%	-28%
Dec-16	7	03:24:00	Dec-17	7	02:49:00	0%	-17%
Jan-17	23	04:47:00	Jan-18	14	03:13:00	-39%	-33%
Feb-17	17	03:01:00	Feb-18	12	04:07:00	-29%	36%
Mar-17	17	06:00:00	Mar-18	12	02:50:00	-29%	-53%
Apr-17	11	05:53:00	Apr-18	19	05:29:00	73%	-7%
May-17	19	03:45:00	May-18	14	04:23:00	-26%	17%
Jun-17	12	04:42:00	Jun-18	15	04:02:00	25%	-14%
Jul-17	12	03:17:00	Jul-18	9	03:17:00	-25%	0%
Total	126	37:58:00	Total	113	32:26:00	-10%	-15%
Average length per month		4:13:07	Average length per month		3:36:13		

3.6 Table 1 also shows the average length of Planning Committee Meetings per month and shows a clear reduction from an average of 4 hours 13 minutes in Period 1 to 3 hours 36 minutes in Period 2, a reduction of some 15%.

3.7 Differential costs

- 3.7.1 As detailed in 3.7.1 et seq there are a range variable costs depending on the number of meetings, timings of meetings and location of meetings.
- 3.7.2 There are also a range of fixed costs incurred per meeting which include the issue and formatting of each agenda and review of standard items and creation and checking of recordings and minutes. It is arguable that a reduction in the number of meetings per annum will reduce these fixed costs per meeting incurred by the Council. The table in 3.7.5 highlights this potential saving under the line item described pre-meeting agenda preparation and post-meeting minutes preparation.
- 3.7.3 Additional allowances are payable currently to the Chairman of an Area Planning Committee. The annual cost of this was £3554.19 per Chairman in 2017 / 18; by moving to one single area Committee it would be anticipated that only one additional Chair's allowance would be paid, assumed to be at the rate for Programme Committee Chairmen. This would generate a saving of approximately £6,000 per annum (based on 2017 / 18 costs). Further information is provided in the table at paragraph 3.7.5. Table 1 shows that the total length of all Area Planning Committee meetings in the period between April 2017 to March 2018 Committees sat for just under 33 hours. The total allowances of all three Chairs for period was £10,662.57.
- 3.7.4 There are a number of additional costs associated with holding a meeting outside of Maldon District Council office hours; these include caretaking costs and the cost of providing time of in lieu to all officers other than Directors. These additional costs have been estimated and are provided at paragraph 3.7.5.

3.7.5 **Table 2: Costs for existing Committees and estimates for options for a Single Planning Committee**

	36 meetings (as is)	12 meetings evening (Single Planning Committee) *	12 meetings daytime (Single Planning Committee)	13 meetings evening (Single Planning Committee) *	13 meetings daytime (Single Planning Committee)
	Area Planning Committee	Combined	Combined	Combined	Combined
	£	£	£	£	£
Caretaker over (not South Eastern Area Planning Committee (SE))	1,407.60	469	0	508.08	0.00
SE cost for Burnham-on-Crouch Town Council	500	0	0	0.00	0.00
Post meeting minutes preparation and agreement	2,945.70	1,172.76	1,172.76	1,270.49	1,270.49
Committee Clerk attendance cost Time Off In Lieu (TOIL)	2,454.84	818.28	0	886.47	0.00
Planning Officer TOIL	2,275.92	758.64	0	821.86	0.00
Senior Planning Officer TOIL	2,953.44	984.48	0	1,066.52	0.00
Officer Mileage SE only **	648	0	0	0.00	0.00
Pre-meeting agenda preparation	3,273.12	2727.6	2727.6	2,954.90	2,954.90
Costs of Allowance for Chairman	10,962.57	4,738.92	4,738.92	4,738.92	4,738.92
Total	27,421.19	11,669.68	8,639.28	12,247.24	8,964.31

3.8 Legal Consideration

3.8.1 In June the Court of Appeal in DLA Delivery Ltd v Baroness Cumberlege of Newick the Court reiterated an established principle that consistency in decision making is an important material consideration in planning matters. There is far greater danger of inconsistent decision making with the present arrangement of three Area Planning Committees. Consistent decision making points in the direction of a single Committee.

4. CONCLUSION

- 4.1 The analysis of the data discussed above and presented in **APPENDIX 1**, demonstrates that the Council processes and Committees relating to Planning decisions have become significantly more efficient in light of the adoption of the LDP and the additional changes recommended in the Committee Structure Review.
- 4.2 There has been demonstrable progress, particularly in reducing the amount of time spent with Member meetings to determine planning applications. Based on the progress to date it would now be possible to possible to condense the Members determination of applications into a single Planning Committee for the whole District. Based on the current duration of meetings a move to 13 meetings a year would result in an average duration of 3 hours 19 minutes per meeting (current average duration x12)/13. This would be further reduced through single introduction to meeting etc.
- 4.3 As shown in the financial data presented in Table 2, the move to a single Planning Committee would have a significant financial benefit, with the move to 13 evening meetings providing a saving of over £15,000 per year.
- 4.4 A single Planning Committee approach could take a number of forms and detailed options will be developed should Members approve the option to move to a single Planning Committee. In addition to the operating structure considerations would include whether there are 12 or 13 meetings per year. As set out in the table above it could also be held in the daytime or evening or early evening with items held to after 7:30pm for those members who are unable to attend in the daytime.
- 4.5 Should Members approve the proposal to move to a single Planning Committee, a further report will be presented to Council in February 2018 to provide detailed options for the operation of the Committee.

5. IMPACT ON CORPORATE GOALS

- 5.1 Increasing efficiency and effectiveness in the way we present and deliver our decisions supports the corporate goal of ‘delivering good quality, cost effective and valued services’.

6. IMPLICATIONS

- (i) **Impact on Customers** – Improvements in the effectiveness and efficiency of decision making provides benefits to all stakeholders.
- (ii) **Impact on Equalities** – None noted.
- (iii) **Impact on Risk** – The move to a single Committee would reduce the risk to the Council of legal challenge on the basis of the consistency of decision making.
- (iv) **Impact on Resources (financial)** – The table in paragraph 3.6.5 above provides information on the additional costs of both evening meetings and

higher numbers of meetings and the savings that could be achieved with a single committee.

- (v) **Impact on Resources (human)** – A reduction of evening meetings will reduce the requirements for officers to work additional hours and in turn be entitled to Time Off In Lieu (TOIL).
- (vi) **Impact on the Environment** – None noted.

Background Papers:

Previous reports to the Council (2 November 2018 and 17 May 2018).

Enquiries to:

Paul Dodson, Director of Strategy, Performance and Governance, (Tel: 01621 875756).

PLANNING DATA

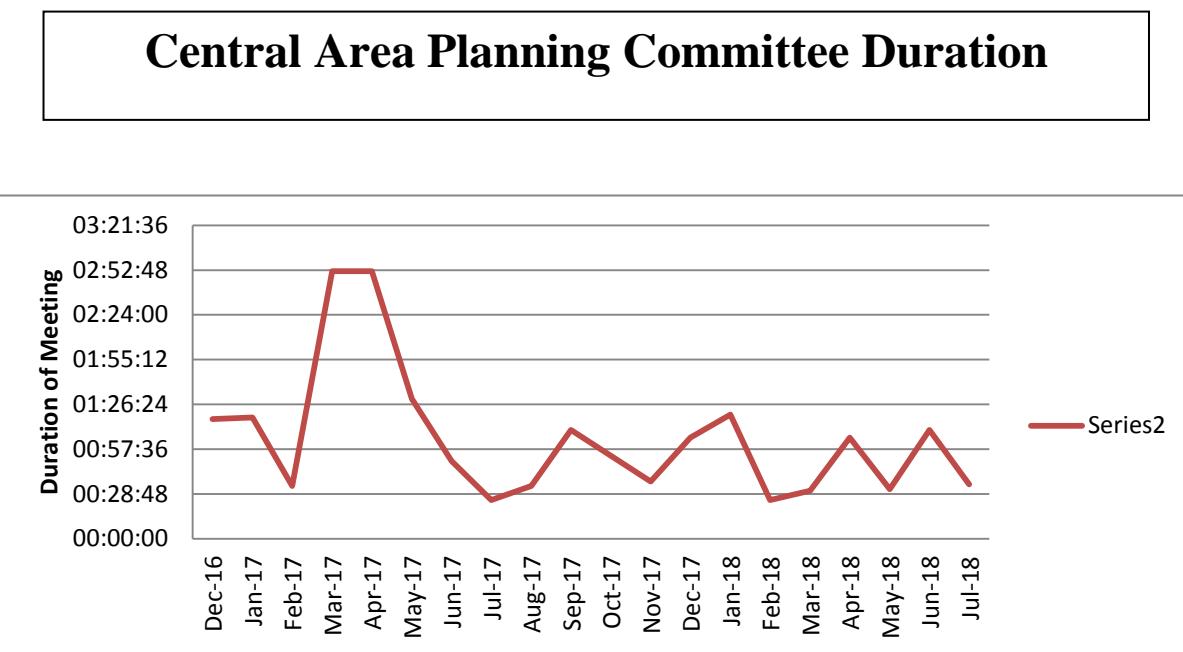
Date	Committee	Duration	Number of Planning Applications	Total Duration	Total Applications
Jan-16	Central Area Planning Committee	01:40:00	6		
Feb-16	Central Area Planning Committee	02:29:00	7		
Mar-16	Central Area Planning Committee	01:20:00	6	05:29:00	19
Apr-16	Central Area Planning Committee	00:57:00	6		
Jun-16	Central Area Planning Committee	02:20:00	9		
Jun-16	Central Area Planning Committee	01:04:00	6	04:21:00	21
Jul-16	Central Area Planning Committee	01:02:00	10		
Aug-16	Central Area Planning Committee	01:46:00	15	02:48:00	25
Sep-16	Central Area Planning Committee	01:50:00	9		
Oct-16	Central Area Planning Committee	01:05:00	6		
Dec-16	Central Area Planning Committee	01:17:00	1	04:12:00	16
Jan-17	Central Area Planning Committee	01:18:00	9		
Feb-17	Central Area Planning Committee	00:34:00	6	01:52:00	15
Mar-17	Central Area Planning Committee	02:52:00	8		
Apr-17	Central Area Planning Committee	02:52:00	3		
May-17	Central Area Planning Committee	01:30:00	7		
Jun-17	Central Area Planning Committee	00:50:00	4	08:04:00	22
Jul-17	Central Area Planning Committee	00:25:00	3		
Aug-17	Central Area Planning Committee	00:34:00	6		
Sep-17	Central Area Planning Committee	01:10:00	4	02:09:00	13
Nov-17	Central Area Planning Committee	00:37:00	4		
Dec-17	Central Area Planning Committee	01:05:00	2		
Jan-18	Central Area Planning Committee	01:20:00	7	03:02:00	13
Feb-18	Central Area Planning Committee	00:25:00	1		

Mar-18	Central Area Planning Committee	00:31:00	3		
Apr-18	Central Area Planning Committee	01:05:00	7		
May-18	Central Area Planning Committee	00:32:00	4	02:33:00	15
Jun-18	Central Area Planning Committee	01:10:00	5		
Jul-18	Central Area Planning Committee	00:35:00	1		
Jan-16	North Western Area Planning Committee	00:54:00	1		
Feb-16	North Western Area Planning Committee	01:40:00	9	04:19:00	16
Apr-16	North Western Area Planning Committee	01:52:00	12		
May-16	North Western Area Planning Committee	02:55:00	17	04:47:00	29
Jun-16	North Western Area Planning Committee	00:54:00	18		
Jul-16	North Western Area Planning Committee	01:40:00	12	02:34:00	30
Aug-16	North Western Area Planning Committee	01:10:00	11		
Sep-16	North Western Area Planning Committee	02:51:00	16		
Oct-16	North Western Area Planning Committee	01:41:00	14	05:42:00	41
Oct-16	North Western Area Planning Committee	02:08:00	12		
Nov-16	North Western Area Planning Committee	02:31:00	7		
Jan-17	North Western Area Planning Committee	01:05:00	6	05:44:00	25
Feb-17	North Western Area Planning Committee	00:52:00	5		
Mar-17	North Western Area Planning Committee	01:41:00	4		
Apr-17	North Western Area Planning Committee	02:05:00	4	04:38:00	13
May-17	North Western Area Planning Committee	01:30:00	10		
Jun-17	North Western Area Planning Committee	02:14:00	5		
Jul-17	North Western Area Planning Committee	01:14:00	3	04:58:00	18
Aug-17	North Western Area Planning Committee	00:38:00	4		
Sep-17	North Western Area Planning Committee	00:10:00	1		
Oct-17	North Western Area Planning Committee	00:46:00	5	01:34:00	10
Oct-17	North Western Area Planning Committee	00:35:00	6		

Nov-17	North Western Area Planning Committee	00:50:00	3		
Jan-18	North Western Area Planning Committee	01:05:00	3	02:30:00	12
Feb-18	North Western Area Planning Committee	02:40:00	6		
Mar-18	North Western Area Planning Committee	01:24:00	5		
Apr-18	North Western Area Planning Committee	03:03:00	8	07:07:00	19
May-18	North Western Area Planning Committee	02:06:00	5		
Jun-18	North Western Area Planning Committee	01:17:00	5		
Jul-18	North Western Area Planning Committee	01:53:00	4	05:16:00	14
Jan-16	South Eastern Area Planning Committee	02:52:00	8		
Feb-16	South Eastern Area Planning Committee	02:27:00	7		
Mar-16	South Eastern Area Planning Committee	02:12:00	9	07:31:00	24
Apr-16	South Eastern Area Planning Committee	02:47:00	12		
May-16	South Eastern Area Planning Committee	01:55:00	7		
Jun-16	South Eastern Area Planning Committee	01:44:00	10	06:26:00	29
Jul-16	South Eastern Area Planning Committee	01:50:00	9		
Aug-16	South Eastern Area Planning Committee	01:32:00	6		
Sep-16	South Eastern Area Planning Committee	01:24:00	10	04:46:00	25
Sep-16	South Eastern Area Planning Committee	02:17:00	1		
Oct-16	South Eastern Area Planning Committee	01:24:00	8	03:41:00	9
Nov-16	South Eastern Area Planning Committee	00:38:00	1		
Dec-16	South Eastern Area Planning Committee	02:07:00	6		
Jan-17	South Eastern Area Planning Committee	02:24:00	8	05:09:00	15
Feb-17	South Eastern Area Planning Committee	01:35:00	6		
Mar-17	South Eastern Area Planning Committee	01:27:00	5		
Apr-17	South Eastern Area Planning Committee	00:56:00	4	03:58:00	15
May-17	South Eastern Area Planning Committee	00:45:00	2		
Jun-17	South Eastern Area Planning Committee	01:38:00	3		

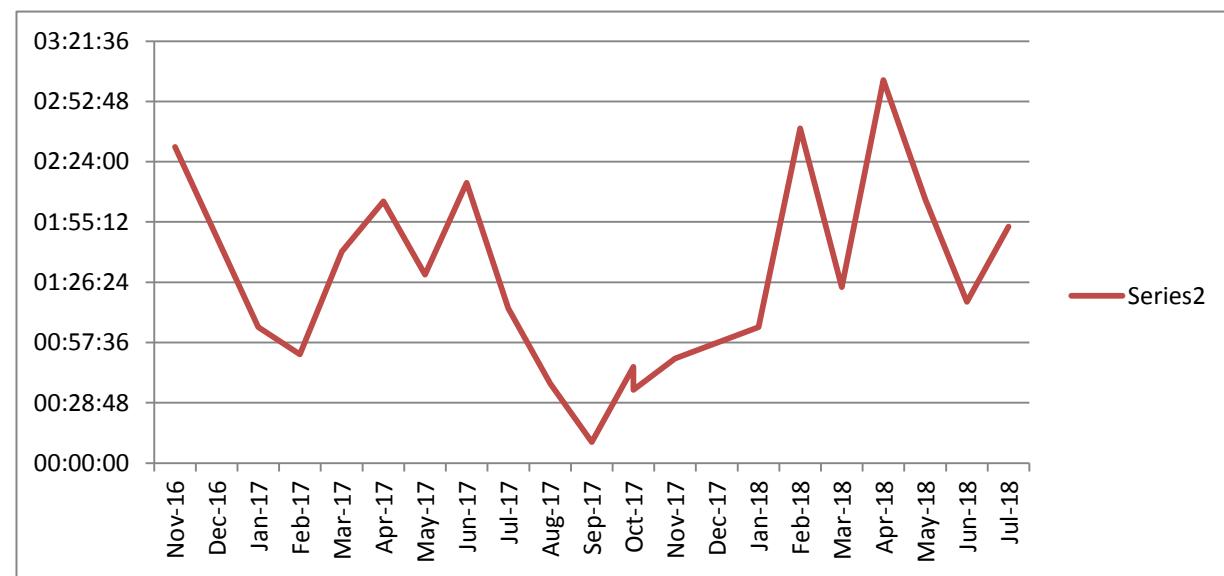
Jul-17	South Eastern Area Planning Committee	01:38:00	6	04:01:00	11
Aug-17	South Eastern Area Planning Committee	00:58:00	7		
Sep-17	South Eastern Area Planning Committee	01:47:00	8		
Oct-17	South Eastern Area Planning Committee	00:28:00	7	03:13:00	22
Nov-17	South Eastern Area Planning Committee	00:49:00	4		
Dec-17	South Eastern Area Planning Committee	01:44:00	5		
Jan-18	South Eastern Area Planning Committee	00:48:00	4	03:21:00	13
Feb-18	South Eastern Area Planning Committee	01:02:00	5		
Mar-18	South Eastern Area Planning Committee	00:55:00	4		
Apr-18	South Eastern Area Planning Committee	01:21:00	4	03:18:00	13
May-18	South Eastern Area Planning Committee	01:45:00	5		
Jun-18	South Eastern Area Planning Committee	01:35:00	5		
Jul-18	South Eastern Area Planning Committee	00:49:00	4	04:09:00	14
		133:12:00		133:12:00	576

Date	Duration	Number of Planning Applications
Dec-16	01:17:00	1
Jan-17	01:18:00	9
Feb-17	00:34:00	6
Mar-17	02:52:00	8
Apr-17	02:52:00	3
May-17	01:30:00	7
Jun-17	00:50:00	4
Jul-17	00:25:00	3
Aug-17	00:34:00	6
Sep-17	01:10:00	4
Nov-17	00:37:00	4
Dec-17	01:05:00	2
Jan-18	01:20:00	7
Feb-18	00:25:00	1
Mar-18	00:31:00	3
Apr-18	01:05:00	7
May-18	00:32:00	4
Jun-18	01:10:00	5
Jul-18	00:35:00	1
	20:42:00	85



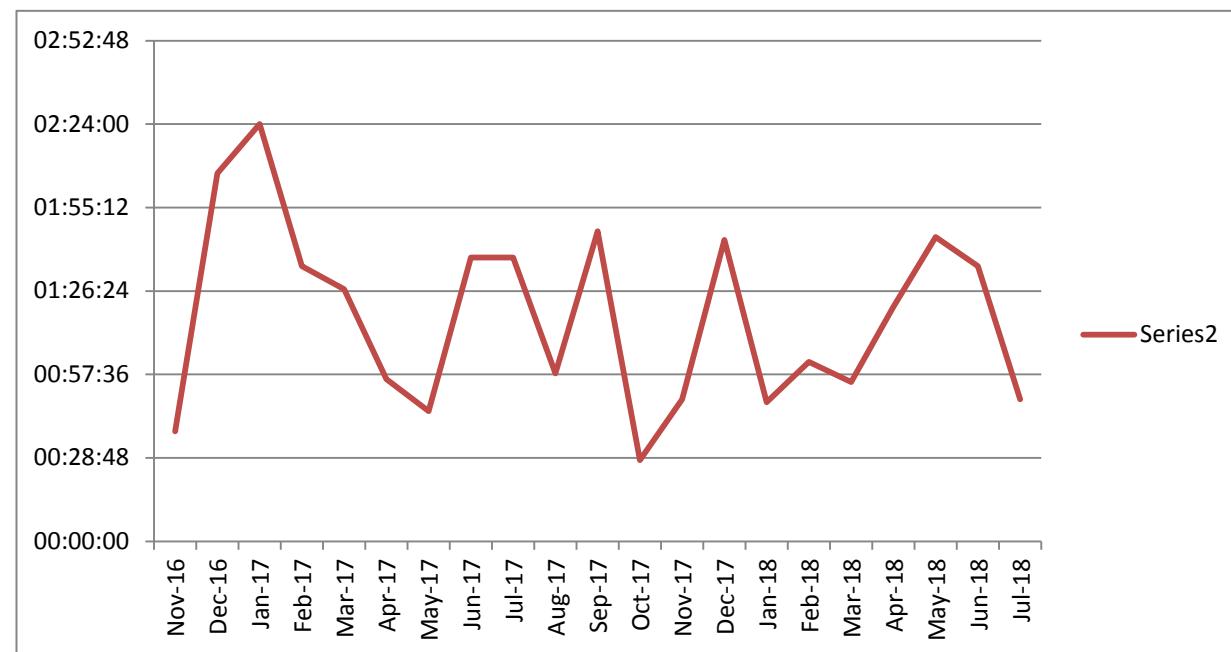
Date	Duration	Number of Planning Applications
Nov-16	02:31:00	7
Jan-17	01:05:00	6
Feb-17	00:52:00	5
Mar-17	01:41:00	4
Apr-17	02:05:00	4
May-17	01:30:00	10
Jun-17	02:14:00	5
Jul-17	01:14:00	3
Aug-17	00:38:00	4
Sep-17	00:10:00	1
Oct-17	00:46:00	5
Oct-17	00:35:00	6
Nov-17	00:50:00	3
Jan-18	01:05:00	3
Feb-18	02:40:00	6
Mar-18	01:24:00	5
Apr-18	03:03:00	8
May-18	02:06:00	5
Jun-18	01:17:00	5
Jul-18	01:53:00	4
	29:39:00	99

North Western Area Planning Committee Duration



Date	Duration	Number of Planning Applications
Nov-16	00:38:00	1
Dec-16	02:07:00	6
Jan-17	02:24:00	8
Feb-17	01:35:00	6
Mar-17	01:27:00	5
Apr-17	00:56:00	4
May-17	00:45:00	2
Jun-17	01:38:00	3
Jul-17	01:38:00	6
Aug-17	00:58:00	7
Sep-17	01:47:00	8
Oct-17	00:28:00	7
Nov-17	00:49:00	4
Dec-17	01:44:00	5
Jan-18	00:48:00	4
Feb-18	01:02:00	5
Mar-18	00:55:00	4
Apr-18	01:21:00	4
May-18	01:45:00	5
Jun-18	01:35:00	5
Jul-18	00:49:00	4
	27:09:00	103

South Eastern Area Planning Committee Duration



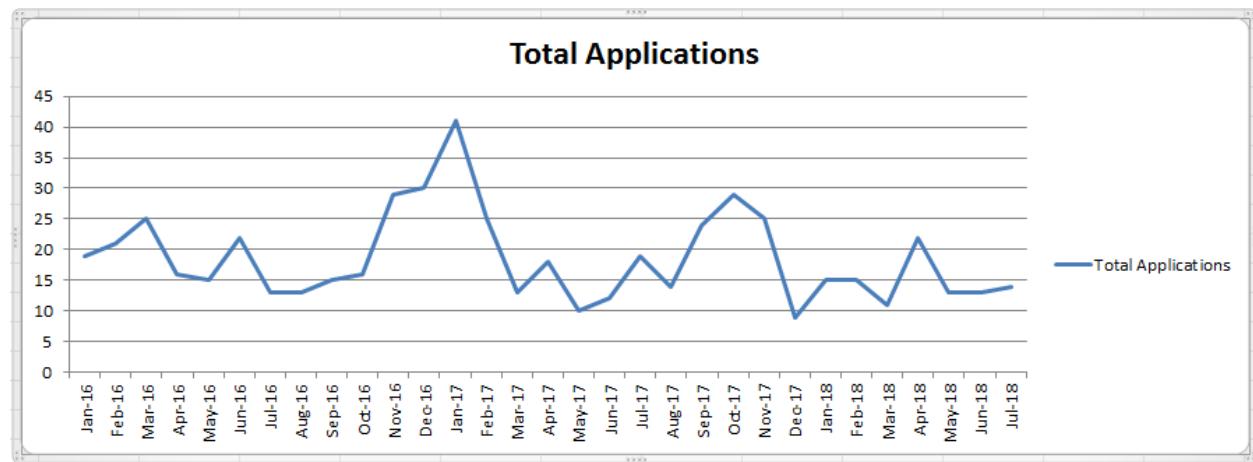
Date	Total Applications	Total Duration
Nov-16	29	04:47:00
Dec-16	30	02:34:00
Jan-17	41	05:42:00
Feb-17	25	05:44:00
Mar-17	13	04:38:00
Apr-17	18	04:58:00
May-17	10	01:34:00
Jun-17	12	02:30:00
Jul-17	19	07:07:00
Nov-17	25	04:46:00
Dec-17	9	03:41:00
Jan-18	15	05:09:00
Feb-18	15	03:58:00
Mar-18	11	04:01:00
Apr-18	22	03:13:00
May-18	13	03:21:00
Jun-18	13	03:18:00
Jul-18	14	04:09:00
	334	75:10:00

Summary

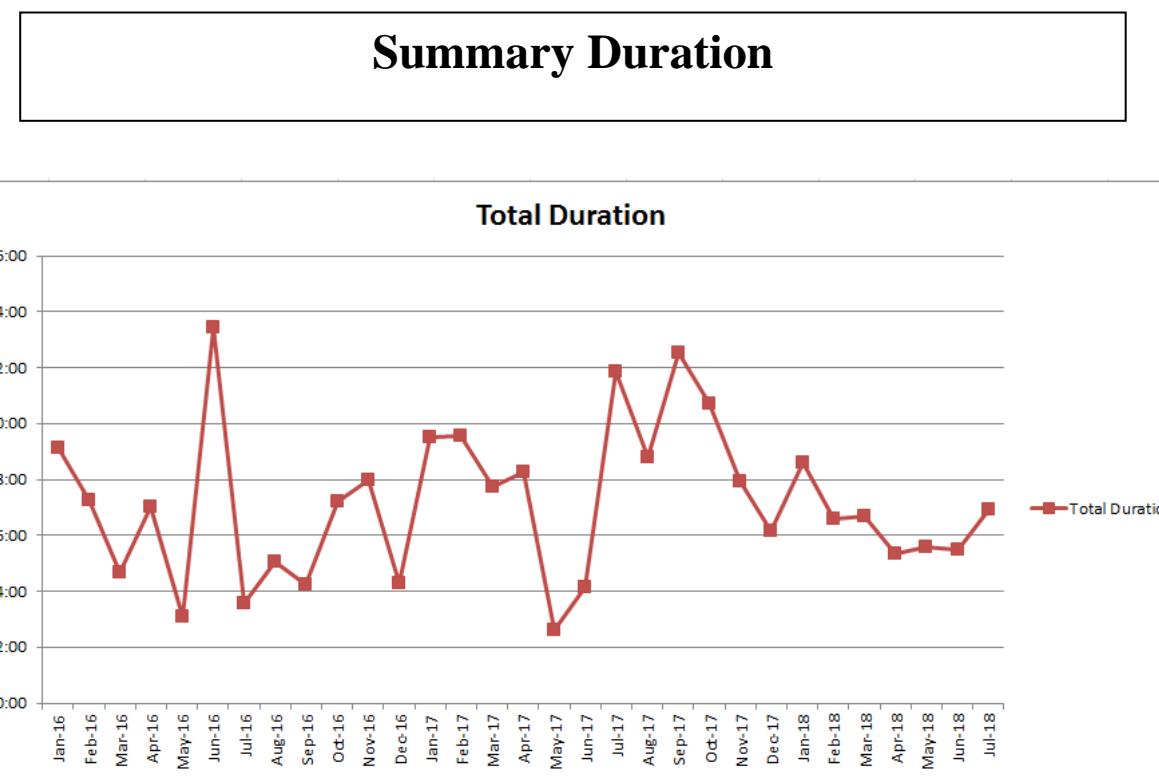
Period 1			Period 2			Change (P1 to P2)	
Date	Total Applications	Total Duration	Date	Total Applications	Total Duration	Total Applications	Total Duration
Nov-16	8	03:09:00	Nov-17	11	02:16:00	38%	-28%
Dec-16	7	03:24:00	Dec-17	7	02:49:00	0%	-17%
Jan-17	23	04:47:00	Jan-18	14	03:13:00	-39%	-33%
Feb-17	17	03:01:00	Feb-18	12	04:07:00	-29%	36%
Mar-17	17	06:00:00	Mar-18	12	02:50:00	-29%	-53%
Apr-17	11	05:53:00	Apr-18	19	05:29:00	73%	-7%
May-17	19	03:45:00	May-18	14	04:23:00	-26%	17%
Jun-17	12	04:42:00	Jun-18	15	04:02:00	25%	-14%
Jul-17	12	03:17:00	Jul-18	9	03:17:00	-25%	0%
Total	126	37:58:00	Total	113	32:26:00	-10%	-15%
Average length per month		4:13:07	Average length per month		3:36:13		

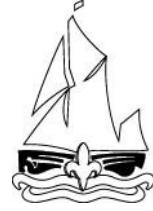
Date	Total Applications	Total Duration
Jan-16	19	05:29:00
Feb-16	21	04:21:00
Mar-16	25	02:48:00
Apr-16	16	04:12:00
May-16	15	01:52:00
Jun-16	22	08:04:00
Jul-16	13	02:09:00
Aug-16	13	03:02:00
Sep-16	15	02:33:00
Oct-16	16	04:19:00
Nov-16	29	04:47:00
Dec-16	30	02:34:00
Jan-17	41	05:42:00
Feb-17	25	05:44:00
Mar-17	13	04:38:00
Apr-17	18	04:58:00
May-17	10	01:34:00
Jun-17	12	02:30:00
Jul-17	19	07:07:00
Aug-17	14	05:16:00
Sep-17	24	07:31:00
Oct-17	29	06:26:00
Nov-17	25	04:46:00
Dec-17	9	03:41:00
Jan-18	15	05:09:00
Feb-18	15	03:58:00
Mar-18	11	04:01:00
Apr-18	22	03:13:00
May-18	13	03:21:00
Jun-18	13	03:18:00
Jul-18	14	04:09:00
	576	133:12:00

Summary Applications



Date	Total Duration
Jan-16	05:29:00
Feb-16	04:21:00
Mar-16	02:48:00
Apr-16	04:12:00
May-16	01:52:00
Jun-16	08:04:00
Jul-16	02:09:00
Aug-16	03:02:00
Sep-16	02:33:00
Oct-16	04:19:00
Nov-16	04:47:00
Dec-16	02:34:00
Jan-17	05:42:00
Feb-17	05:44:00
Mar-17	04:38:00
Apr-17	04:58:00
May-17	01:34:00
Jun-17	02:30:00
Jul-17	07:07:00
Aug-17	05:16:00
Sep-17	07:31:00
Oct-17	06:26:00
Nov-17	04:46:00
Dec-17	03:41:00
Jan-18	05:09:00
Feb-18	03:58:00
Mar-18	04:01:00
Apr-18	03:13:00
May-18	03:21:00
Jun-18	03:18:00
Jul-18	04:09:00
	133:12:00





**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
13 SEPTEMBER 2018**

NAMING OF RESPONDENTS IN PLANNING REPORTS

1. PURPOSE OF THE REPORT

- 1.1 Members have raised the issue that Area Planning Committee reports currently exclude the personal details of respondents commenting on Planning Applications. This paper highlights the issues regarding the potential inclusion of name details and seeks Member views on the appropriate process to be adopted by Maldon District Council.
- 1.2 This report also provides a copy (in **APPENDIX 1**) of an email regarding the view of the then Director of Planning regarding the issue, for information.

2. RECOMMENDATION

That Members agree to one of the following options:

- a. Continuation of the practice of anonymised comments within Planning Reports;
- b. To include the location and number (e.g. Southminster (4)) within the reports, but not personal details;
- c. To include number of responses and the address, but not the name of the respondent in Planning Reports;
- d. To include personal details of respondents commenting on Planning Applications, subject to the addition of suitable guidance to respondents to the letters to neighbours and on the Council website, ensuring compliance with the General Data Protection Regulations (GDPR).

3. SUMMARY OF KEY ISSUES

- 3.1 In the past Officer reports to Area Planning Committees included the name and address details of individuals responding to consultations on Planning Applications. This practice was changed earlier this year.
- 3.2 Members have raised issue with the practice of anonymised comments and requested that the Director of Planning and Regulatory Services review the practice in July 2018. A copy of the Directors response is presented in **APPENDIX 1**. Subsequently Members requested the opportunity to debate the way comments are presented in future Planning Reports.

3.3 In considering the appropriate practice Members should note:

- Whilst there is a need to be conscious of GDPR, provided the correct warnings are placed on the neighbour notification letters and the Council's planning web pages there is no need for the introduction of GDPR to preclude the inclusion of the names of respondents being included within the Committee report.
- The practice in our nearest neighbouring Councils was reviewed for comparison and found that of the eight Councils that were reviewed, five state the number of responses received only, whilst the other three state the number and provide the address of the respondent; none of the eight provided the name of the respondent as Maldon has done historically.

3.4 Members have raised concerns that if they are unaware of whom the respondents to planning applications are, then they could be criticised for not declaring some form of interest. However, it is the Officer view that by expressly not stating who the individual is, Members are protected to a greater degree, as they will only be attributing weight to the planning merit of the response, not to who made that response. If Members have not been informed of the name of the individual, they cannot be seen to be influenced by who the individual is.

3.5 Under Planning Law, the key issue regarding comments received is the merit of the planning issue raised, and the weight accordingly then given to it. The merit of the issue and the weight applied to it should not be dependent on who made it or where that person lives.

4. CONCLUSION

4.1 Whilst there is no clear best practice published regarding the inclusion of respondent details within Planning Reports, the professional view of officers is that it is not necessary to inform a balanced decision and detailed consideration of the planning merit of comments and the weight then applied to them.

4.2 Members have a range of options within the recommendations and are asked to make a decision accordingly.

5. IMPACT ON CORPORATE GOALS

5.1 Good planning decision making contributes to the Corporate Goal of **Protecting and shaping the District**.

6. IMPLICATIONS

- (i) **Impact on Customers** – Clarity for customers on the planning decision making process.
- (ii) **Impact on Equalities** – None noted.

- (iii) **Impact on Risk** – None noted.
- (iv) **Impact on Resources (financial)** – None noted.
- (v) **Impact on Resources (human)** – None noted.
- (vi) **Impact on the Environment** – None noted.

Background Papers: None.

Enquiries to:

Paul Dodson, Director of Strategy, Performance and Governance, (Tel: 01621 875756).

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APPENDIX 1

Dear Cllrs

Members have raised with me the issue that Planning Committee reports currently exclude the personal details of respondents commenting on Planning Applications.

I have now had an opportunity to discuss the matter with the Council's Data Protection Officer, Ian Phillipson, and whilst there is a need to be conscious of GDPR, provided the correct warnings are placed on the neighbour notification letters and the Council's planning web pages there is no need for the introduction of GDPR to preclude the inclusion of the names of respondents being included within the Committee report.

However, your enquiry encouraged me to have a looked at how neighbouring authorities deal with the matter within their committee reports. Of the eight Councils that were reviewed, five state the number of responses received, whilst the other three state the number and provide the address of the respondent; none of the eight provided the name of the respondent as Maldon has done historically.

I have discussed the matter with Matt Leigh, Group Manager Planning Services, to see if there is a 'best practice' around the matter. Whilst Matt is unaware of any 'best practice' guidance, he does raise an interesting point in relation to the rationale for seeking the inclusion of names within committee reports. The weight attributed to a consultation response should not be affected by who the individual is but by the value and planning merit of the comment contained within the response. Planning applications should be determined on policy unless material considerations indicate otherwise and for this reason the letters received from neighbours are summarised alongside an officer comment; this is aimed and assisting Members in the weight that they should attribute to any comments received. Alongside this, when there is an anomaly or something unusual, such as a suite of templated responses, these will be highlighted to members within the officers report.

I am aware that previously Members have raised concerns that if they are unaware of who the respondents to planning applications are, then they could be criticised for not declaring some form of interest. However, it is my opinion that by expressly not stating who the individual is, Members are protected to a greater degree, as they will only be attributing weight to the planning merit of the response and, as they have not been informed of the name of the individual, cannot be accused of being influenced by who the individual is.

Given the consideration outlined above, I would be reluctant to revert back to the old process and would encourage the retention of the current one. However, if Members felt that there is a benefit to knowing that responses, either for or against a proposal, are from local residents it would be possible to include, within committee reports, the location and number (e.g. Southminster (4)) within the reports.

It should be noted that this is different to Planning Policy matters where there is a duty to include the names of respondents and it is my understanding that Ian Butt explained this to Members recently.

Paul Dodson | Director of Planning & Regulatory Services

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REPORT of DIRECTOR OF RESOURCES

**to
COUNCIL
13 SEPTEMBER 2018**

PETITIONS SCHEME UPDATE

1. PURPOSE OF THE REPORT

- 1.1 To present an updated Petitions Scheme for Members' review and approval.

2. RECOMMENDATION

That the updated Petitions Scheme (**APPENDIX 1**) be approved and adopted.

3. SUMMARY OF KEY ISSUES

- 3.1 The current Petitions Scheme had not been reviewed for a number of years and required some updating. A review has now been undertaken and the Scheme updated to provide additional information and guidance. The revised Scheme is attached at **APPENDIX 1** to this report.

- 3.2 The following are the key changes in the revised scheme:

- Clarification regarding the requirement for persons signing the petition to live, work or study in the Maldon District.
- A change to the threshold for a petition being presented to the Council, this has been reduced from 3,200 to 2,000 in line with other Councils.
- Inclusion of further information regarding exceptions and specific circumstances which fall outside of the Scheme.
- How electronic petitions are received and will be processed.
- Addition of an Appendix which provides a suggested format for paper petitions.

4. IMPACT ON CORPORATE GOALS

- 4.1 This links with the Council's corporate goal to be an organisation that delivers good quality, cost effective and valued services in a transparent way.

5. IMPLICATIONS

- (i) **Impact on Customers** – The updated Scheme provides further information for customers on submitting a Petition.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Tara Bird, Committee Services Supervisor, (Tel: 01621 875791).

Document Control Sheet

Document title	Petitions Scheme
Summary of purpose	Scheme to detail how the Council receives petitions which ask it to consider an issue or concern on behalf of a number of people.
Prepared by	Tara Bird
Status	Draft
Version number	1
Approved by	
Approval date	
Date of implementation	
Review frequency	
Next review date	
Circulation	
Published on the Council's website	

Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.



MALDON DISTRICT COUNCIL

Petitions Scheme

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1. PETITIONS

- 1.1 The Council welcomes petitions and recognises that petitions are one way in which people that live, work and study in the Maldon District can let us know their concerns enabling them to participate in the democratic process.
- 1.2 Petitions should be relevant to a matter over which the Council has direct responsibility or statutory duties.
- 1.3 If something is clearly intended to be a petition but does not meet the requirements set out in this scheme, we will ask the relevant service area to provide a response directly to the Petition Organiser.
- 1.4 The acknowledgement will set out how the petition is to be dealt with. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.
- 1.5 You can also submit a petition at a committee meeting or to your local Councillor. They will pass the petition to the Director of Resources for processing under this scheme.
- 1.6 Petitions are not the only way to resolve an issue or make your views known. You could also:
 - Write to the appropriate Director;
 - Contact your local Councillor;
 - Make a suggestion or have your say through the Council's website: https://maldon-self.achieveservice.com/service/customer_feedback;
 - Indicate which of the Council's functions or powers it relates to;
 - Respond to consultations.
- 1.7 Petitions can also be presented to a meeting of the Council. A petition above the threshold 2,000 that will trigger a debate at a meeting of the full Council, if that is what has been requested. These meetings take place on a regular basis and dates and times are published by notice and on the Council's website (see link to [Committees](#)). If you would like to present your petition to the Council, or would like a Councillor or someone else to present it on your behalf, please contact our Committee Services team on 01621 875791 or 876232 or Committee.Clerk@maldon.gov.uk at least 10 working days before the meeting and they will talk you through the process.

HOW MANY SIGNATURES DOES THERE NEED TO BE?

- 1.8 What action is taken will largely be determined by how many signatures there are.
- 1.9 Petitions under the 50 signature threshold will fall outside the scheme and will be referred to the appropriate service area for a response.
 - **Petitions signed by between 50 and 1,199 people:** A relevant Director or Senior Officer will provide a written response to the Petition Organiser within three weeks of the date of the acknowledgment letter. If more time is

required, the service concerned will inform the Legal and Democratic Services Manager who will write to the Petition Organiser to advise them that more time is needed and the date by which a response will be provided by you.

- **Petitions signed by more than 2,000:** The relevant Director will provide a written response to the Petition Organiser. The Director in consultation with the Leader of the Council will decide whether the Council has sufficient information to hold an informed debate at the next available Council meeting.

WHAT TYPES OF PETITION ARE THERE?

1.10 There are three types of a petition:

- Ordinary petitions – with 50 or more valid entries;
- Petitions requiring a debate at, or asking for an officer to give evidence to, the Overview and Scrutiny Committee – these require 500 or more valid entries; and
- Petitions requiring a debate at full Council – these require 2,000 valid entries.

1.11 If you need any advice, please contact the Committee Services team at Committee.clerk@maldon.gov.uk.

1.12 Paper petitions can be sent to:

The Director of Resources
Maldon District Council
Princes Road
Maldon
Essex
CM9 5DL

1.13 Please see section 3 for how the Council deals with electronic petitions.

2. WHAT ARE THE GUIDELINES AND WHO CAN START AND SUBMIT A PETITION?

WHAT ARE THE GUIDELINES FOR A PETITION?

2.1 The Council will consider all petitions that fall within the scope of the scheme. Petitions submitted to the Council must include:

- The name and address of the Petition Organiser. This is the person we will contact to explain how we will respond to the petition. The Petition Organiser should be someone who lives, works or studies in the Maldon district area;
- A title and short clear and concise statement covering the subject and purpose of the petition, and what action the petitioners wish the Council to take;
- We **must** be able to identify that the people signing the petition live, work or study within the boundaries of the Maldon district. If you prefer, people

signing the petition can put their work or study address as long as within the Maldon District area. Entries that do not meet these requirements will be rejected and not counted towards the total number. You can use the template that is appended to this document;

- A starting and closing date of the petition (most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months).

2.2 A petition template is attached at **APPENDIX 1**. This sets out the information we need to consider your petition under the terms of the Council scheme.

2.3 Petitions that are received that meet the criteria of the scheme will be published on the Council's website. The contact details of the Petition Organiser will not be placed on the website. Where possible, we will publish the Council's response to petitions on the website.

2.4 These guidelines apply to both paper and electronic petitions. If a petition is partly in paper form and partly electronic should have both parts submitted at the same time.

2.5 If the petition does not identify a Petition Organiser, we will treat the first person who has signed the petition as the Petition Organiser.

2.6 If the petition does not follow these broad guidelines, the Council may decide not to do anything further with it. If that happens, we will return the petition to the Petition Organiser and where possible will try to identify the correct organisation for you to send the petition to.

WHO CAN START AND SUBMIT A PETITION?

2.7 Anyone who lives, works or studies in the Maldon District can organise or sign a petition, including those under the age of 18. A person signing should normally be over the age of 12 years of age and should provide a name, address and signature.

3. E-PETITIONS

3.1 E-petitions are accepted by the Council but only if submitted through the Council's e-petitions system http://epetition.maldon.public-i.tv/epetition_core/

3.2 We expect the following to apply to e-petitions:

- When you create an e-petition, you will need to provide your name, postcode and a valid email address. You will then be sent an email with a link which you must click on in order to confirm the email address is valid.
- Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.
- It may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for any

reason, we will contact you within this time to explain. Following receipt of notification not to publish a petition, you will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

- When an e-petition has closed for signature, it will automatically be submitted to our Committee Services team. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the Council, please contact the Committee Services team within 10 working days of receipt of the acknowledgement.

4. WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

- 4.1 An acknowledgement will be sent to the Petition Organiser within 10 working days of receiving the petition. It will let them know about what we have done and what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website. In some cases we may need more time to assess the content of the petition to ensure it is appropriate. We will inform you if more time is needed.
- 4.2 If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgement will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.
- 4.3 To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this is deemed to be inappropriate.
- 4.4 Petitions will be referred to the relevant Director or Senior Officer for consideration, action and response on behalf of the Council as appropriate. Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
 - Taking the action requested in the petition;
 - Considering the petition at a Council or Committee meeting, including the Overview and Scrutiny Committee;*
 - Undertaking research into the matter and possibly holding an inquiry;
 - Undertaking research into the matter including discussion with statutory partner; organisations, local service providers, and the voluntary/community sectors;
 - Holding a wider public consultation possibly including a public meeting;
 - Making representations to commercial and other interests;

- Holding a meeting with petitioners;
- Calling a referendum; and
- Writing to the Petition Organiser setting out our views about the request in the petition.

** The Overview and Scrutiny Committee consists of Councillors who are responsible for scrutinising the work of the Council and has the power to hold the Council's decision makers to account.*

- 4.5 In addition to these steps, the Council will consider what specific actions are available to address the issues highlighted in a petition.
- 4.6 If the petition is about something over which the Council has no direct control we will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and where possible will work with these partners to respond to the petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the Council is responsible on its website (see link [A-Z Results](#)).
- 4.7 If your petition is about something that a different Council is responsible for we will consider the best method for providing a response to it. This might consist of simply forwarding the petition to the relevant Council, but could involve other steps. In any event we will always notify you of the action we have taken.

5. EXCEPTIONS AND PETITIONS THAT FALL OUTSIDE OF THE SCHEME AND ARE REJECTED

The Legal and Democratic Services Manager will have discretion to decide whether a petition meets the criteria set out in the scheme or not. Petitions that fall outside the criteria of the scheme will be treated as correspondence and sent to the relevant service area for a response.

- 5.1 Some petitions are excluded from the scheme and will be dealt with differently.
- 5.2 Other exemptions from the scheme include:
 - Petition statements which are unclear;
 - The subject matter of the petition is not within the remit of the Council;
 - The entries contain incomplete or invalid information such as no full address;
 - We are not able to identify that people signing the petition live, work or study in the Maldon District area; and
 - There are not enough valid entries to meet the threshold for an ordinary petition.
- 5.3 If the petition applies to a planning (including a development plan) or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such

as council tax banding and non-domestic rates, other procedures apply. If a petition does not concern a power of duty of the Council this cannot be taken forward.

- 5.4 Further information on all these procedures and how you can express your views is available on the Council's website.
- 5.5 Any matter where there is already an existing right of appeal to a separate complaints process, e.g. Council Tax banding or non-domestic rates. These will be dealt with using existing procedures.
- 5.6 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. This will be determined by the Director of Resources. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.
- 5.7 If we have received another petition on the same issue within the previous six months. In these circumstances, we will write to the Petition Organiser and include a copy of the response to the first petition received.
- 5.8 Any petition that is asking the Council to do anything unlawful.
- 5.9 Any petition relating to the subject of any legal action taken by the Council or an individual.
- 5.10 A petition which contains confidential information for example about a specific individual.
- 5.11 Different procedures apply to all these types of petition; for example, there are some situations where there are existing ways of making representations. Those petitions will be dealt with in accordance with existing procedures in place.
- 5.12 It may also be inappropriate for the Council to deal with certain petitions during periods when it is subject to restrictions, such as immediately before elections or referendums. In these circumstances, the Petition Organiser will be informed when the petition will be considered, or when any material relating to it will be published on the Council's website.

6. COUNCIL DEBATES

- 6.1 If a petition contains more than 2,000 signatures it will be debated by the Council unless it is a petition asking for a senior officer of the Council to give evidence at a public meeting.
- 6.2 This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next scheduled ordinary meeting, although on some occasions this may not be possible and consideration will then be referred to the next following meeting.

- 6.3 The Petition Organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 15 minutes. This time can be extended at the discretion of the Chairman of the meeting.
- 6.4 The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate or to commission further investigation into the matter, for example by a relevant Committee. The Petition Organiser will receive written confirmation of the decision. This confirmation will also be published on our website.

7. OFFICER EVIDENCE

- 7.1 A petition may ask for a senior officer of the Council to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior officer to explain the progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.
- 7.2 If your petition contains at least 500 signatures, the relevant senior officer (Chief Executive, Director or other statutory officer) will give evidence at a public meeting of the Council's Overview and Scrutiny Committee.
- 7.3 The Committee may decide that it would be more appropriate for another officer to give evidence instead of an officer named in the petition – for instance if the named officer has changed jobs. Committee members will ask the questions at this meeting, but the petition organiser will be able to suggest questions to the Chairman of the Committee by contacting the Committee Services team on 01621 875791 or 876232 or committee.services@maldon.gov.uk up to three working days before the meeting.

8. WHAT TO DO IF YOU ARE NOT HAPPY WITH THE WAY YOUR PETITION WAS DEALT WITH

- 8.1 If you feel that we have not dealt with your petition properly, the Petitioner Organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition.

WHAT IS THE PROCEDURE?

- 8.2 Within 21 days of being notified of the decision on the petition, you should inform the Legal and Democratic Services Manager in writing of your wish for the matter to be referred to the Committee.
- 8.3 Within five working days of receipt of the request for a referral, the Legal and Democratic Services Manager will notify you of the time, date and place of the meeting.

APPENDIX 1

- 8.4 You will be allowed to attend the meeting and to address the Committee for up to five minutes on why you consider that the decision on the petition is inadequate or that it has not been considered properly.
- 8.5 Should the Committee determine that we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, arranging for the matter to be considered at a meeting of the Council. Once the referral has been considered the Petition Organiser will be informed of the results within five working days. The results in the review will also be published on our website.

Maldon District Council
Committee Services
Updated August 2018

Petition to Maldon District Council

PURPOSE OF THE PETITION:.....[We, the undersigned object to... / Wish the Council to / Are concerned that...]

PETITION ORGANISER:(organiser of the petition) Mr/s Name, Address, email contact, (name of organisation represented (if any) e.g.) Local residents.... Residents' Association name... Neighbourhood Watch...

START DATE OF PETITION:.....

CLOSING DATE OF PETITION:.....

If you support this petition please sign below:

Each person signing the petition should provide their name, signature and a home, work or study address that is in the boundaries of Maldon District Council. Any signatures that do not include this information will not be counted.

Name (please print)	Address (including postcode) (This should be a Maldon based address)	I confirm that I live, work or study in the Maldon District (Please tick)	Signature

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