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

20 March 2019

Dear Councillor

You are summoned to attend the;

MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 28 MARCH 2019 at 7.30 pm.**

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

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R.A. Holmes', with a long horizontal flourish underneath.

Head of Paid Service

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AGENDA COUNCIL

THURSDAY 28 MARCH 2019

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 - 14 February 2019** (Pages 7 - 28)

To confirm the Minutes of the Council meeting held on 14 February 2019 (copy enclosed).

5. **Minutes - 28 February 2019 (Extraordinary - Planning)** (Pages 29 - 36)

To confirm the Minutes of the extraordinary Council (Planning) meeting held on 28 February 2019, (copy enclosed).

6. **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).

7. **Chairman's Announcements**

8. **Minute Book**

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.

- a) **Audit Committee - 7 February 2019** (Pages 37 - 40)
- b) **Planning and Licensing Committee - 7 March 2019** (Pages 41 - 76)
 - Minute 930 - Local Development Scheme 2019 – 2021
 - Minute 932 – Maldon District Skills Strategy

c) Finance and Corporate Services Committee - 12 March 2019 (Pages 77 - 202)

- Minute 950 – Updated Rate Relief Policy
- Minute 953 – Annual Review of Financial Regulations
- Minute 954 – Pay Policy Statement
- Minute 956 – Disposal of Land at Springfield Road, Burnham-on-Crouch

9. **Minutes of Meetings of the Council**

To note that since the last Council, up until Wednesday 20 March 2019 (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	11 February
Central Area Planning Committee	20 February

Minutes NOT finalised for publication:

Appointments Committee	11 and 14 February
Appointments Committee	14 February
Joint Standards Committee	21 February
Overview and Scrutiny Committee	27 February
North Western Area Planning Committee	4 March
South Eastern Area Planning Committee	11 March
Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee)	13 March

10. **Questions in accordance with Procedure Rule 6(3) of which notice has been given**

11. **Adoption of Maldon District Council Homelessness and Housing Strategy** (Pages 203 - 278)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).

12. **Questions to the Leader of the Council in accordance with Procedure Rule 1 (3)(m)**

13. **Chairman of the Council to make a statement**

14. **Business by reason of special circumstances considered by the Chairman to be urgent**

15. **Exclusion of the Public and Press**

To resolve 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.

16. **Maldon Health Hub Project** (Pages 279 - 280)

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

17. **Promenade Park Kiosk Leases Update** (Pages 281 - 284)

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

18. **Extension of Street Cleansing Services and Garden Waste Processing Contracts** (Pages 285 - 290)

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

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.

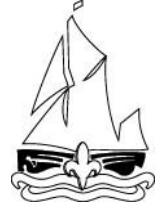
Health and Safety

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.

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**MINUTES of
COUNCIL
14 FEBRUARY 2019**

PRESENT

Chairman Councillor H M Bass

Vice-Chairman Councillor N R Pudney

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, R P F Dewick,
I E Dobson, M F L Durham, CC, P G L Elliott, A S Fluker,
Mrs B D Harker, B E Harker, M S Heard, M W Helm,
Miss M R Lewis, R Pratt, CC, Mrs N G F Shaughnessy,
Rev. A E J Shrimpton, D M Sismey, A K M St. Joseph and
Mrs M E Thompson

853. CHAIRMAN'S NOTICES

The Chairman referred to the noticed printed on the agenda.

854. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A T Cain, Mrs H E Elliott, J V Keyes, M R Pearlman, S J Savage and Miss S White.

855. DECLARATION OF INTEREST

Councillors M F L Durham and Miss M R Lewis joined the meeting at this point.

Councillor Mrs P A Channer disclosed a non-pecuniary interest in any matter relating to Essex County Council and specifically highlighted the Planning and Licensing Committee Minutes at Agenda Item 9B where she had declared an interest as Trustee of the Henry Guilder Drake Alms-house Trust.

Councillors R Pratt and M F L Durham each disclosed a non-pecuniary interest as a Member of Essex County Council.

Councillors B E Harker and Miss A M Beale disclosed non-pecuniary interests in Agenda Item 13 – Parish of Heybridge – Basin Ward – Community Governance Review as they had attended several public meetings regarding Heybridge Basin.

Councillor Miss M R Lewis disclosed non-pecuniary interests in Agenda Item 13 – Parish of Heybridge – Basin Ward – Community Governance Review as a Member of Heybridge Parish Council.

856. MINUTES - 20 DECEMBER 2018

RESOLVED

- (i) that the Minutes of the Council meeting held on 20 December 2018 be received.

Minute 708 – New Council Structure – Transformation Programme: Role of the Corporate Governance Working Group

It was noted that resolution (iv) was incomplete and should read “...that effective *decision making can continue in the interim up to October 2019*”. This amendment was duly agreed.

RESOLVED

- (ii) that subject to the above amendment, the Minutes of the Council meeting held on 20 December 2018 be adopted.

857. MINUTES - 31 JANUARY 2018 (EXTRAORDINARY - PLANNING)

RESOLVED that the Minutes of the extraordinary (Planning) Council meeting held on 31 January 2019 be confirmed and approved.

858. MINUTES - 31 JANUARY 2019

RESOLVED that the Minutes of the extraordinary Council meeting held on 31 January 2019 be confirmed and approved.

859. PUBLIC QUESTIONS

There were none.

860. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had attended a number of events (detailed below), and thanked the Vice-Chairman for attending an event on his behalf.

18/01/19	Essex County Council Civic Dinner
27/01/19	Maldon Town Mayor Civic Service <i>Vice-Chairman</i>
02/02/19	Official Opening of QM Store - 1st Beacon Hill Scouts

861. MINUTE BOOK**a) COMMUNITY SERVICES COMMITTEE - 15 JANUARY 2019**

RESOLVED that the Minutes of the Community Services Committee held on 15 January 2019 be adopted.

b) PLANNING AND LICENSING COMMITTEE - 24 JANUARY 2019**RESOLVED**

- (i) That the Minutes of the meeting of the Planning and Licensing Committee held on 24 January 2019 be received.

**Minute 779 – Recreational Avoidance Mitigation Strategy
Supplementary Planning Document**

Councillor Mrs P A Channer, Chairman of the Planning and Licensing Committee, pointed out her non-pecuniary interest referring to social housing and that she was a Trustee of the Henry Guilder Drake Alms-house Trust.

Councillor Mrs Channer informed Members that she had been advised that the Council needed to receive legal advice in relation to the recommendation in this Minute and asked the Chairman if this advice could be given.

With the permission of the Chairman, the Council's Interim Monitoring Officer advised that recommendation (ii) included the words "excluding social housing" and provided some information in relation to what this would mean. Members were informed that the view of the Interim Monitoring Officer was that this recommendation was in breach of the Habitats and Species Regulations 2017 because the whole purpose of the Recreational Avoidance Mitigation Strategy (RAMS) Supplementary Planning Document (SPD) was to protect European sites as a result of new development. All Councils affected by these regulations were now signing up to this SPD and in his view it would be unlawful for the Council to exclude social housing, because residents of social housing were just as likely to cause a problem to a European site as occupants of non-affordable housing. Therefore, excluding social housing would put the Local Authority and the developer potentially in breach of these regulations.

Councillor R G Boyce declared an interest in this item of business as he was Chairman of a housing association. He then provided the Council with some information regarding why he had made the proposition at the Planning and Licensing Committee to exclude social housing.

Councillor Mrs Channer proposed that in light of the legal advice given the recommendation be amended to remove reference to "excluding social housing" leaving essentially the recommendation presented in the report to

the Committee. This proposal was duly seconded.

Councillor Boyce raised a point of order that as these Minutes were being presented and a change to the recommendation was proposed that they should go back to the Planning and Licensing Committee. Councillor Mrs Channer advised that this matter contained a resolution from the Planning and Licensing Committee along with a recommendation to the Council. She outlined the reason for the recommendation and how it was her understanding that the recommendation could be changed by the Council.

The Chairman then put the amended recommendation as proposed by Councillor Mrs Channer to the Council. Upon a vote being taken this was agreed.

RESOLVED

- (ii) That the tariff in the draft Essex Coast RAMS be used for securing financial contributions from new housing development in the interim period prior to the draft Essex Coast RAMS Supplementary Planning Document being adopted.

RESOLVED

- (iii) That subject to the above decision, the Minutes of the meeting of the Planning and Licensing Committee held on 24 January 2019 be adopted.

c) FINANCE AND CORPORATE SERVICES COMMITTEE - 29 JANUARY 2019

RESOLVED

- (i) That the Minutes of the meeting of the Finance and Corporate Services Committee held on 29 January 2019 be received.

Minute 788 – Capital and Investment Strategies for 2019 / 20

RESOLVED

- (ii) that the Capital Strategy for 2019 / 20 attached as Appendix 1 to the Minutes of the Finance and Corporate Services Committee, be approved.
- (iii) That the Investment Strategy for 2019 / 20 attached at Appendix 2 to the Minutes of the Finance and Corporate Services Committee, be approved.

**Minute 789 – Members’ Allowances – Independent Members
Remuneration Panel Update**

RESOLVED

- (iv) that a Members’ Mileage and Expenses Policy be introduced reflecting the policy currently applicable to Officers;
- (v) that the allowance currently paid to Area Planning Committee Chairmen be reduce to 50% of the existing rate.

Minute 791 – Discretionary Fees and Charges 2019 / 20

Members were advised that this matter was the subject of a separate report to the Council.

**Minute 792 – Revised 2018 / 19 Estimates, Original 2019 / 20 Budget
Estimates and Council Tax 2019 / 20**

Members were advised that this matter was the subject of a separate report to the Council.

**Minute 793 – Regulation of Investigatory Powers Act (RIPA) Policy and
Guidance on the Use of Covert Surveillance**

RESOLVED

- (vi) that subject to amendment, the revised Code of Practice on Covert Surveillance, attached as Appendix 9 to the Minutes of the Finance and Corporate Services Committee be approved.

RESOLVED

- (vii) That subject to the above decision and with the exception of Minute Numbers 791 and 792, the Minutes of the meeting of the Finance and Corporate Services Committee held on 29 January 2019 be adopted.

862. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 6 February 2019 for which Minutes had been published.

863. 2019 / 20 BUDGET AND MEDIUM TERM FINANCIAL STRATEGY

The Council considered the reports of the Director of Resources, on the recommendations of the Finance and Corporate Services Committee at its meeting on 29 January 2019 relating to the revenue budget and the proposed level of Council Tax for 2109 / 20.

The Leader of the Council made a Budget speech (attached at **APPENDIX 1** to these Minutes).

In response to the Budget Speech, the Leader of the Opposition, Councillor B S Beale commented on the lack of funding by Government along with other issues which resulted in budget gaps that had to be found by the Council. He highlighted the obligation the Council had to its communities to keep the budget within a reasonable and acceptable manner and felt that what was being proposed did that. Councillor Beale advised that there were however certain aspects of the budget which the Independents were not in favour of but were happy to agree what was being put forward as part members of the Maldon District Council.

Councillor D M Sismey, Chairman of the Finance and Corporate Services Committee, in seconding the Leaders' proposition and budget proposals commented on how three quarters of other councils in the country were increasing their council tax by more than 2.5% and over half were drawing on reserves for 2019 / 20. He referred to how the Council was delivering value and efficiencies for its residents by doing neither of these but proposing an increase in council tax that was lower than the Retail Price Index inflation. Councillor Sismey highlighted the full council transformation that the Council was currently undergoing and its prudent financial management. In his conclusion, Councillor Sismey referred to how the Council was increasingly seen as a model of effective change and transformation and commended the budget to the Council.

864. DISCRETIONARY FEES AND CHARGES 2019 / 20

The report of the Director of Resources sought Members' approval of the fees and charges of the Council (attached as Appendix 1 to the report) which were then included in the 2019 / 20 budget. It was noted that the proposed 2019 / 20 fees and charges (that generate >£2,000) had been considered by the Finance and Corporate Services (F&CS) Committee on 29 January 2019 and the Committee's recommendation was set out in the report.

Members were advised that the proposed fees and charges for 2019 / 20 has been based on the policy decision recently updated and agreed by the F&CS Committee. The report detailed the budgets for income generated from fees and charges and highlighted some changes proposed taking into account inflation and changes to charging bands. Members were advised that some charges in relation to Events equipment rentals had been deleted where the equipment was no longer held by the Authority.

Councillor D M Sismey proposed that the Fees and Charges for 2019 / 20 be agreed. This was duly seconded and agreed.

RESOLVED that the detailed Fees and Charges for 2019 / 20 be agreed.

865. REVISED 2018 / 19 AND ORIGINAL 2019 / 20 BUDGET ESTIMATES AND COUNCIL TAX 2019 / 20

Councillor D M Sismey, Chairman of the Finance and Corporate Services Committee, put the recommendations as set out in the report. This proposal was duly seconded.

Councillor Miss M R Lewis advised that she wished to make an amendment to the proposal in the name of Councillor Sismey. She referred to the Citizens Advice Bureau (CAB), the work it did, how the Council had agreed to cut its budget in 2019 / 20 by £11,000 and how by increasing Council Tax by 2.99% this would generate an additional £11,000. Councillor Miss Lewis then proposed that Council Tax be increased by 2.99% and that the additional income generated be used to reverse the decision to reduce the CAB loss of funding. Speaking about an alternative way to raise £11,000 she made a further proposal that those Members who regularly did not turn up for Committee should have their attendance allowance taken back. At this point the Chairman ruled that he would deal with one proposal at a time. Councillor Miss Lewis's proposal for an increase of 2.99% to Council Tax was duly seconded.

A lengthy debate ensued, during which the enormous work undertaken by the CAB was commented on. Councillor A S Fluker reminded the Council that the agreement to reduce funding was subject to a review in nine months to review the Service Level Agreement and understand full what the CAB was proposing.

Councillor M S Heard, having seconded the proposal in the name of Councillor Miss Lewis, referred the cut in funding and how the services of the CAB were needed. He encouraged other Members to support this proposal.

At this point, Councillor Miss Lewis raised a point of order and clarified a point she had made earlier regarding the number of people who through the help of the CAB had avoided homelessness.

The Chairman reported that he had been advised by the Monitoring Officer that this matter had been dealt with by a resolution of the Council at its last meeting and the Council could not rescind a resolution without up to ten members dealing with it. The Chairman informed the Council that a vote was required, it could not proceed with the proposed amendment and therefore the Council would be voting on the substantive motion.

In accordance with Procedure Rule No. 13 (5) the Chairman informed the Council that there would need to be a recorded vote on any decision relating to the budget, including the setting of Council Tax and levying a precept.

The Chairman then put recommendations (i) (a) – (e) as set out in the report and proposed by Councillor Sismey and the voting was as follows:

Recommendation (i) (a)

For the recommendation:

Councillors J P F Archer, E L Bamford, Miss A M Beale, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, N R Pudney, D M Sismey, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph, and Mrs M E Thompson.

Against the recommendation: None.

Abstention: Councillor H M Bass.

Recommendation (i) (b)

For the recommendation:

Councillors J P F Archer, E L Bamford, Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M W Helm, R Pratt, N R Pudney, D M Sismey, Rev. A E J Shrimpton, A K M St. Joseph, and Mrs M E Thompson.

Against the recommendation: Councillors B S Beale, M S Heard, Miss M R Lewis and Mrs N G F Shaughnessy.

Abstention: Councillor H M Bass.

Recommendation (i) (c)

For the recommendation:

Councillors J P F Archer, E L Bamford, Miss A M Beale, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, N R Pudney, D M Sismey, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph, and Mrs M E Thompson.

Against the recommendation: None.

Abstention: Councillor H M Bass.

Recommendation (i) (d)

For the recommendation:

Councillors J P F Archer, E L Bamford, Miss A M Beale, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, N R Pudney, D M Sismey, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph, and Mrs M E Thompson.

Against the recommendation: None.

Abstention: Councillor H M Bass.

Recommendation (i) (e)

For the recommendation:

Councillors J P F Archer, E L Bamford, Miss A M Beale, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, N R Pudney, D M Sismey, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph, and Mrs M E Thompson.

Against the recommendation: None.

Abstention: Councillor H M Bass.

RESOLVED

- (i) That the Summary Revised 2018 / 19 and Original 2019 / 20 General Fund Revenue Budget Estimates (as detailed in Appendices 1 – 3 of the report), be approved;
- (ii) that an average Band D council tax of £197.40 (excluding parish precepts) (2.3% increase) for 2019 / 20 (as detailed in Appendix 1 to the report) be approved;
- (iii) that the policies on the designated use of financial reserves (as set out in Appendix 5 to the report) be approved;
- (iv) that the minimum general fund working balance be retained at £2,600,000 for 2019 / 20;
- (v) that the Capital Programme for 2019 / 20 to 2022 / 23 (as detailed in Appendix 8 to the report) be approved;
- (vi) that the Council gives due regard to the Director of Resources statement on the robustness of budgets and adequacy of reserves as set out in Appendix 9 to the report.

866. COUNCIL TAX 2019 / 20

The Council considered the report of the Director of Resources setting out the total amount to be raised from Council Tax for the forthcoming year. This was known as the Council Tax precept (Council Tax Requirement) for Maldon District Council and formed part of the funding that supported the services provided by the Council.

Members were advised that this report took into account the precepts for the whole of the District and legislation set out the way that the resolution should occur.

The Chairman informed the Council that in accordance with Procedure Rule 13 (5) this decision required a recorded vote. Councillor D M Sismey proposed that the recommendations as set out in the report be agreed and this was duly seconded. The Chairman put this proposal to the Council and the voting was as follows:

For the recommendation:

Councillors J P R Archer, E L Bamford, Miss A M Beale, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, R Pratt, N R Pudney, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, D M Sismey, A K M St. Joseph, and Mrs M E Thompson

Against the recommendation: None.

Abstention: Councillor H M Bass.

The recommendations were therefore agreed.

RESOLVED

- (i) Council Tax Requirement for 2019 / 20 is set at £4,843,493;
- (ii) that the Maldon District Council's Band D Council Tax (excluding Parish precepts) is set at £197.40, reflecting an increase of £4.43, all other bands being determined in accordance with the relevant Sections of the Local Government Finance Act 1992, as amended;
- (iii) that the precept demands and level of Band D Council Tax of the Essex County Council, the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority for both Police and Fire, and the various Parish Councils within the District be determined as set out in the report, all other bands being determined in accordance with the relevant Sections of the Local Government Finance Act 1992, as amended;
- (iv) That it be noted that at its meeting on 20 December 2018 the Council calculated its Council Tax Base for the year 2019 / 20.
 - (a) for the whole district as 24,536.1 [Item T in the formula in Section 31B of the Local Government Finance Act 1992 (the Act), as amended by the Localism Act 2011; and
 - (b) for dwellings in those parts of its district to which a Parish precept relates as listed below:

Althorne	520.8
Asheldham	60.8
Bradwell-on-Sea	339.9
Burnham-on-Crouch	3,149.5
Cold Norton	488.6
Dengie	49.0
Goldhanger	306.4
Great Braxted	181.2
Great Totham	1,266.2
Hazeleigh	55.7
Heybridge	2,904.3
Langford	84.3
Latchingdon	431.4
Little Braxted	84.8
Little Totham	190.9
Maldon	5,290.9
Mayland	1,484.8
Mundon	147.2
North Fambridge	405.6
Purleigh	565.8
Southminster	1,527.6
St. Lawrence	590.5
Steeple	194.0
Stow Maries	86.1
Tillingham	403.9
Tollesbury	1,009.7

Tolleshunt D'arcy	439.9
Tolleshunt Knights	421.1
Tolleshunt Major	272.8
Ulting	66.9
Wickham Bishops	994.1
Woodham Mortimer	251.8
Woodham Walter	269.6
	24,536.1

- (v) that the Council Tax Requirement for the Council's own purposes for 2019 / 20 (excluding Parish precepts) is £4,843,397
- (vi) that the following amounts be calculated by the Council for the year 2019 / 20 in accordance with new Sections 31 to 36 of the Act:
- (a) £31,756,361 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils (**i.e. gross expenditure including Parish precepts**)
 - (b) £25,449,782 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (**i.e. gross income including government grants**)
 - (c) £6,306,578 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax Requirement for the year (Item R in the formula in Section 31B of the Act) (**i.e. Council Tax Requirement including Parish precepts**).
 - (d) £257.03 being the amount at 3(c) above (Item R) divided by the amount at 1(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (**i.e. average Band D Council Tax including Parish precepts**)
 - (e) £1,463,085 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (**i.e. Parish Council precepts**)
 - (f) £197.40 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates (**i.e. District Council Band D Council Tax excluding Parish precepts**).

(g) Basic Amount of Council Tax by Parish 2019 / 20

Town/Parish	Local Precept	Town/Parish Band D	District + Town/Parish Band D
Althorne	18,000.00	34.56	231.96
Asheldham	3,261.49	53.64	251.04
Bradwell-on-Sea	25,000.00	73.55	270.95
Burnham-on-Crouch	188,000.00	59.69	257.09
Cold Norton	27,700.00	56.69	254.09
Dengie	2,628.51	53.64	251.04
Goldhanger	8,600.00	28.07	225.47
Great Braxted	8,000.00	44.15	241.55
Great Totham	19,449.00	15.36	212.76
Hazeleigh	788.31	14.15	211.55
Heybridge	200,000.00	68.86	266.26
Langford	4,707.00	55.84	253.24
Latchingdon	44,000.00	101.99	299.39
Little Braxted	3,600.00	42.45	239.85
Little Totham	7,200.00	37.72	235.12
Maldon	366,579.00	69.28	266.68
Mayland	97,310.00	65.54	262.94
Mundon	4,750.00	32.27	229.67
North Fambridge	15,440.00	38.07	235.47
Purleigh	40,000.00	70.70	268.10
Southminster	140,990.00	92.30	289.70
St. Lawrence	22,510.00	38.12	235.52
Steeple	8,500.00	43.81	241.21
Stow Maries	6,500.00	75.49	272.89
Tillingham	35,000.00	86.66	284.06
Tollesbury	82,680.90	81.89	279.29
Tolleshunt D'arcy	20,530.24	46.67	244.07
Tolleshunt Knights	9,000.00	21.37	218.77
Tolleshunt Major	8,400.00	30.79	228.19
Ulting	3,188.00	47.65	245.05
Wickham Bishops	16,928.00	17.03	214.43
Woodham Mortimer	3,563.69	14.15	211.55
Woodham Walter	20,281.00	75.23	272.63

being the amounts given by adding to the amount at 3(f) above, the amounts of the special item or items relating to dwellings in those parts of the Councils area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(h) Calculation of Basic Amounts of Council Tax by Parish for Different Valuation Bands

PARISH	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Althorne	154.64	180.41	206.19	231.96	283.51	335.05	386.60	463.92
Asheldham	167.36	195.25	223.15	251.04	306.83	362.61	418.40	502.08
Bradwell-on-Sea	180.63	210.74	240.85	270.95	331.16	391.37	451.58	541.90
Burnham-on-Crouch	171.39	199.96	228.53	257.09	314.22	371.35	428.48	514.18
Cold Norton	169.39	197.62	225.86	254.09	310.56	367.02	423.48	508.18
Dengie	167.36	195.25	223.15	251.04	306.83	362.61	418.40	502.08
Goldhanger	150.31	175.36	200.42	225.47	275.58	325.68	375.78	450.94
Great Braxted	161.03	187.87	214.71	241.55	295.23	348.90	402.58	483.10
Great Totham	141.84	165.48	189.12	212.76	260.04	307.32	354.60	425.52
Hazeleigh	141.03	164.54	188.05	211.55	258.56	305.57	352.58	423.10
Heybridge	177.51	207.09	236.68	266.26	325.43	384.59	443.77	532.52
Langford	168.83	196.96	225.11	253.24	309.52	365.79	422.07	506.48
Latchingdon	199.59	232.86	266.13	299.39	365.92	432.45	498.98	598.78
Little Braxted	159.90	186.55	213.20	239.85	293.15	346.45	399.75	479.70
Little Totham	156.75	182.87	209.00	235.12	287.37	339.61	391.87	470.24
Maldon	177.79	207.41	237.05	266.68	325.95	385.20	444.47	533.36
Mayland	175.29	204.51	233.73	262.94	321.37	379.80	438.23	525.88
Mundon	153.11	178.63	204.15	229.67	280.71	331.74	382.78	459.34
North Fambridge	156.98	183.14	209.31	235.47	287.80	340.12	392.45	470.94
Purleigh	178.73	208.52	238.31	268.10	327.68	387.25	446.83	536.20
Southminster	193.13	225.32	257.51	289.70	354.08	418.45	482.83	579.40
St. Lawrence	157.01	183.18	209.35	235.52	287.86	340.19	392.53	471.04
Steeple	160.81	187.60	214.41	241.21	294.82	348.41	402.02	482.42
Stow Maries	181.93	212.24	242.57	272.89	333.54	394.17	454.82	545.78
Tillingham	189.37	220.93	252.50	284.06	347.19	410.31	473.43	568.12
Tollesbury	186.19	217.22	248.26	279.29	341.36	403.42	465.48	558.58
Tolleshunt D'arcy	162.71	189.83	216.95	244.07	298.31	352.54	406.78	488.14
Tolleshunt Knights	145.85	170.15	194.47	218.77	267.39	316.00	364.62	437.54
Tolleshunt Major	152.13	177.48	202.84	228.19	278.90	329.60	380.32	456.38
Ulting	163.37	190.59	217.83	245.05	299.51	353.96	408.42	490.10
Wickham Bishops	142.95	166.78	190.61	214.43	262.08	309.73	357.38	428.86
Woodham Mortimer	141.03	164.54	188.05	211.55	258.56	305.57	352.58	423.10
Woodham Walter	181.75	212.04	242.34	272.63	333.22	393.80	454.38	545.26

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year, in respect of categories of dwellings listed in different valuation bands.

- (vii) That it be noted for the year 2019 / 20 the major precepting authorities have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below:

Precepting Authority	Valuation Bands			
Essex County Council	A	£846.96	E	£1,552.76
	B	£988.12	F	£1,835.08
	C	£1,129.28	G	£2,117.40
	D	£1,270.44	H	£2,540.88
Essex Police, Fire and Crime Commissioner Fire and Rescue Authority	A	£128.64	E	£235.84
	B	£150.08	F	£278.72
	C	£171.52	G	£321.60
	D	£192.96	H	£385.92
Essex Fire Authority	A	£48.30	E	£88.55
	B	£56.35	F	£104.65
	C	£64.40	G	£120.75
	D	£72.45	H	£144.90

- (viii) that, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 as amended, hereby sets the following amounts as the amounts of Council Tax for the year 2019 / 20 for each part of its area and for each of the categories of dwelling shown in Table A overleaf.

TABLE A (DRAFT subject to final confirmation of precepts)

2019/20 COUNCIL TAX CHARGES BY PRECEPTING AUTHORITY								
Authority	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Essex County	846.96	988.12	1,129.28	1,270.44	1,552.76	1,835.08	2,117.40	2,540.88
Essex Police	128.64	150.08	171.52	192.96	235.84	278.72	321.60	385.92
Essex Fire	48.30	56.35	64.40	72.45	88.55	104.65	120.75	144.90
Maldon District	131.60	153.53	175.47	197.40	241.27	285.13	329.00	394.80
Althorne	1,178.54	1,374.96	1,571.39	1,767.81	2,160.66	2,553.50	2,946.35	3,535.62
Asheldham	1,191.26	1,389.80	1,588.35	1,786.89	2,183.98	2,581.06	2,978.15	3,573.78
Bradwell-on-Sea	1,204.53	1,405.29	1,606.05	1,806.80	2,208.31	2,609.82	3,011.33	3,613.60
Burnham-on-Crouch	1,195.29	1,394.51	1,593.73	1,792.94	2,191.37	2,589.80	2,988.23	3,585.88
Cold Norton	1,193.29	1,392.17	1,591.06	1,789.94	2,187.71	2,585.47	2,983.23	3,579.88
Dengie	1,191.26	1,389.80	1,588.35	1,786.89	2,183.98	2,581.06	2,978.15	3,573.78
Goldhanger	1,174.21	1,369.91	1,565.62	1,761.32	2,152.73	2,544.13	2,935.53	3,522.64
Great Braxted	1,184.93	1,382.42	1,579.91	1,777.40	2,172.38	2,567.35	2,962.33	3,554.80
Great Totham	1,165.74	1,360.03	1,554.32	1,748.61	2,137.19	2,525.77	2,914.35	3,497.22
Hazeleigh	1,164.93	1,359.09	1,553.25	1,747.40	2,135.71	2,524.02	2,912.33	3,494.80
Heybridge	1,201.41	1,401.64	1,601.88	1,802.11	2,202.58	2,603.04	3,003.52	3,604.22
Langford	1,192.73	1,391.51	1,590.31	1,789.09	2,186.67	2,584.24	2,981.82	3,578.18
Latchingdon	1,223.49	1,427.41	1,631.33	1,835.24	2,243.07	2,650.90	3,058.73	3,670.48
Little Braxted	1,183.80	1,381.10	1,578.40	1,775.70	2,170.30	2,564.90	2,959.50	3,551.40
Little Totham	1,180.65	1,377.42	1,574.20	1,770.97	2,164.52	2,558.06	2,951.62	3,541.94
Maldon	1,201.69	1,401.96	1,602.25	1,802.53	2,203.10	2,603.65	3,004.22	3,605.06
Mayland	1,199.19	1,399.06	1,598.93	1,798.79	2,198.52	2,598.25	2,997.98	3,597.58
Mundon	1,177.01	1,373.18	1,569.35	1,765.52	2,157.86	2,550.19	2,942.53	3,531.04
North Fambridge	1,180.88	1,377.69	1,574.51	1,771.32	2,164.95	2,558.57	2,952.20	3,542.64
Purleigh	1,202.63	1,403.07	1,603.51	1,803.95	2,204.83	2,605.70	3,006.58	3,607.90
Southminster	1,217.03	1,419.87	1,622.71	1,825.55	2,231.23	2,636.90	3,042.58	3,651.10
St. Lawrence	1,180.91	1,377.73	1,574.55	1,771.37	2,165.01	2,558.64	2,952.28	3,542.74
Steeple	1,184.71	1,382.15	1,579.61	1,777.06	2,171.97	2,566.86	2,961.77	3,554.12
Stow Maries	1,205.83	1,406.79	1,607.77	1,808.74	2,210.69	2,612.62	3,014.57	3,617.48
Tillingham	1,213.27	1,415.48	1,617.70	1,819.91	2,224.34	2,628.76	3,033.18	3,639.82
Tollesbury	1,210.09	1,411.77	1,613.46	1,815.14	2,218.51	2,621.87	3,025.23	3,630.28
Tolleshunt D'arcy	1,186.61	1,384.38	1,582.15	1,779.92	2,175.46	2,570.99	2,966.53	3,559.84
Tolleshunt Knights	1,169.75	1,364.70	1,559.67	1,754.62	2,144.54	2,534.45	2,924.37	3,509.24
Tolleshunt Major	1,176.03	1,372.03	1,568.04	1,764.04	2,156.05	2,548.05	2,940.07	3,528.08
Ulting	1,187.27	1,385.14	1,583.03	1,780.90	2,176.66	2,572.41	2,968.17	3,561.80
Wickham Bishops	1,166.85	1,361.33	1,555.81	1,750.28	2,139.23	2,528.18	2,917.13	3,500.56
Woodham Mortimer	1,164.93	1,359.09	1,553.25	1,747.40	2,135.71	2,524.02	2,912.33	3,494.80
Woodham Walter	1,205.65	1,406.59	1,607.54	1,808.48	2,210.37	2,612.25	3,014.13	3,616.96

- (ix) that the Council's basic amount of Council Tax for 2019 / 20 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2019/20 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992, as amended.

867. MEDIUM TERM FINANCIAL STRATEGY 2019 / 20 TO 2022 / 23

The Council considered the report of the Director of Resources presenting the Medium Term Financial Strategy 2019 / 20 to 2022 / 23 (attached as Appendix A to the report) for approval by the Council.

RESOLVED that the Medium Term Financial Strategy 2019 / 20 to 2022 / 23 be approved.

868. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

869. PARISH OF HEYBRIDGE - BASIN WARD - COMMUNITY GOVERNANCE REVIEW

The Council considered the report of the Director of Resources presenting the outcome of a Community Governance Review (CGR) for determination following recent public consultation.

It was noted that in June 2018 a petition containing in excess of the requisite number of local government elector signatures was received by the Council seeking that the Basin Ward of the Parish of Heybridge become a separate civil Parish represented by a separate Parish Council. The Terms of Reference for the CGR were attached at Appendix 1 to the report and a map detailing the area the subject of the petition was attached as Annex A to Appendix 1. A public consultation had been undertaken and a summary of the issues raised through the consultation were set out in Appendix 2 to the report.

The report outlined the considerations the Council had to take into account when making a decision on the CGR. Members were informed that should they agree to proceed to make a Re-organisation Order to establish a separate civil parish and a separate Parish Council this would set out the necessary arrangements for bringing the proposals into effect, including transitional arrangements and consequential effects. This would include the setting of the initial precept, election arrangements etc. In addition, it was reported that if agreed the planned implementation should be for the start of the 2020 / 21 financial year.

Councillor A S Fluker declared an interest in this item of business as he had taken his yacht into Heybridge Basin.

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

Councillor I E Dobson agreed with the report and advised that he would be delighted to serve on the Steering Committee. He proposed that as recommendation (ii) would affect the whole of Heybridge that Heybridge Parish Council should be offered two positions on the steering group as well. This proposal was duly seconded.

In response to the proposal and some concern raised regarding it, the Director of Resources advised that the Council had not approached Heybridge Parish Council about becoming part of the steering group and this should be first step if Members were mindful to increase the membership of the steering group. It was suggested at this point that a nominated District Councillor who was not a Ward Member be added to the steering group, this was not agreed by the Council.

The Chairman then put the amendment in the name of Councillor Dobson and upon a vote being taken this was agreed.

Following further discussion, the Chairman put the proposal in the name of Councillor Fluker, as amended by Councillor Dobson to the Council. Upon a vote being taken this was agreed.

RESOLVED

- (i) That as a result of the Community Governance Review under the Local Government and Involvement in Health Act 2007, it is determined that the Basin Ward of the Parish of Heybridge becoming a separate civil Parish represented by a separate Parish Council meets the law and associated Guidance with respect to the object of achieving effective and convenient community governance;
- (ii) That a steering group be formed comprising the four District Ward Members for Heybridge, two Heybridge Parish Councillors and two representatives of the local Basin Referendum Team to discuss relevant preparatory matters with a view to informing the content and effect of the necessary Reorganisation Order;
- (iii) That a report be brought back to the Council no later than June 2019 with a view to its authorising the making of a Re-organisation of Community Governance Order under the Local Government and Public Involvement in Health Act 2007 for the following:
 - The creation of the new Parish and Parish Council, and the number of Councillors to be elected;
 - Arrangements for the election of the new Parish Councillors;
 - When the Order is to take effect for its various provisions;
 - The resulting membership of Heybridge Parish Council;
 - All necessary preparatory financial and administrative arrangements, including the initial precept and transfer of property.

870. NEW COUNCIL STRUCTURE - TRANSFORMATION PROGRAMME

The Council considered the report of the Corporate Governance Working Group (the Working Group) and its recommendations on the principles of a new committee structure as part of the Council's Transformation Programme.

Members were reminded of the specific brief for the Working Group agreed by the Council at its last meeting to consider matters around a new committee structure for the Council. The report set out the principles for discussion identified by the Working

Group including the statutory requirement to fulfil certain regulatory functions which had been taken into account.

A revised Committee Structure was set out at Appendix 1 to the report with the functional responsibilities and cycle of meetings summarised in Appendix 2. The principles of membership of the new Committees was detailed in Appendix 3.

RESOLVED

- (i) That the principle of the revised committee structure as shown in Appendix 1 to the report, with the functional responsibilities and cycle of meetings as summarised in Appendix 2, be approved;
- (ii) that the principles of membership of the new Committees as set out in Appendix 3 to the report, with a review of towards the end of the municipal year 2019 / 20, be approved;
- (iii) That the concept of an incremental approach to the approving of elements of the new Constitution with a view to their taking full effect in October 2019 following its completion and adoption, be endorsed.

871. CORPORATE PLAN 2019 - 23

The Council considered the report of the Director of Strategy, Performance and Governance seeking Members' approval of the proposed Corporate Plan 2019 – 23 (attached as Appendix 1 to the report).

It was reported that the new Corporate Plan moved from an activity-based focus and adopted an impact and outcome focussed approach, where long and medium term consequences that the Council is striving to secure are outlined at the highest level. The report highlighted that three strategic themes had been identified and upon endorsement of the proposed Corporate Plan, a thematic strategy would be shaped for each theme.

RESOLVED

- (i) that the proposed Corporate Plan (2019 - 23) attached as Appendix 1 to the report be approved;
- (ii) that subject to (i) above, section 4 of the existing committee report template be amended to read 'Impact on Strategic Themes' from the beginning of the new municipal year.

872. ESSEX COUNTYWIDE TRAVELLER UNIT (ECTU) CONTRACT RENEWAL

The Council considered the report of the Director of Service Delivery updating Members on the current position of the Essex Countywide Traveller Unit (ECTU) and seeking approval to renew the Council's membership arrangements from 1 April 2019.

Members were advised how the ECTU provided an innovative and effective control over unauthorised encampments with the added benefit of outreach work aimed at improving the health and wellbeing of the traveller community.

The Essex Countywide Traveller Committee was established as a joint committee in 2012 to coordinate and oversee the operation of the ECTU. The Council's three-year membership was due to expire on 31 March 2019 and the report set out the current and proposed costs and sought Members agreement of renewal for a three-year period. The Director of Service Delivery when presenting the report advised Members that the figure detailed in the 'impact on resources (financial)' section of the report was incorrect and should be £7,989 as detailed in paragraph 3.3 of the report.

A few Members commented on and supported the recommendation as set out in the report. It was noted that the remit of ECTU related only to public sector land and it was commented that the Council should ensure that where appropriate it provides advice to residents who may find themselves a victim of illegal encampments on private land.

RESOLVED that the Council's membership of the Essex Countywide Traveller Committee is renewed until April 2019 for a three-year period.

873. SCHEDULE OF MEETINGS 2019 / 20

RESOLVED that the following additions to the 2019 / 20 Schedule of Meetings be agreed:

- Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee) – Wednesday 23 October 2019 and Wednesday 11 March 2020
- Central Area Planning Committee – Wednesday 18 September 2019

874. 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.

875. FULL COUNCIL TRANSFORMATION: GATEWAY REVIEW

The Council considered the report of the Director of Strategy, Performance and Governance presenting the second quarterly gateway review of the full Council Transformation Programme as agreed by the Council on 9 August 2018. The report gave assurance on the governance arrangements in place for the programme and the oversight given by the Council's Transformation Board and officer led Programme Delivery Board. The latest Transformation Board report was attached at Appendix 1 to the report and a update to this was circulated at the meeting.

The Council's Medium Term Financial Strategy was set out in the report along with the forecast savings to be achieved through delivery of the Future Model.

The Council was advised that to date progress was on track with all programme staff, governance arrangements and monitoring arrangements in place.

Councillor A S Fluker, Leader of the Council, thanked those Members of the Appointments Committee for the work they had done in relation to the recruitment of Tier 2 Managers. He also thanked those Members of the Transformation Board.

RESOLVED that the contents of the report be noted.

There being no further items of business the Chairman closed the meeting at 9.00 pm.

H M BASS
CHAIRMAN

Leaders' Budget Speech to the Council (Thursday 14 February 2019)

Mr Chairman, Members of the Council, Members of the Public and Officers, it is my responsibility as Leader of the Council to present the proposed annual budget for the municipal year commencing on the 1 April 2019.

This budget has been compiled by Officers and reflects the policies of the Conservative Administration - taking into account future risks it is founded on a zero-based approach and is aligned to our new operating model which has been developed as part of the Administration's unwavering commitment to Full Council Transformation.

Since 2009/10 the Council has faced a reduction of just over £3m per year in Revenue Support Grant funding. The Council faces further uncertainty in the future as the Fairer Funding model is introduced and Business Rates are restructured.

As a result, during the past 12 months members have taken a number of significant decisions to safeguard the future of Maldon District Council by creating a sustainable operating model.

On the 9th August, Members made the decision to deliver Full Council Transformation. I am delighted to report that the Transformation programme is on time and to budget. The programme is being delivered under the scrutiny of Council via gateway reviews and a member led Transformation Board.

Full Council Transformation has been designed to deliver savings in excess of £1.5m per annum and will improve technology and self-service for customers.

I want to take this opportunity to assure residents that the first-class front-line services that we currently deliver will be maintained.

As a result of its prudence and policies the Conservative Administration has been able to take the decision not to increase our proportion of Council Tax by the maximum allowed by Government – The Conservative Administration has made this decision to protect and support our residents who are already facing significant increases in Council Tax from other preceptors including Essex County Council and the Police Crime and Fire Commissioner's Office.

In addition, we have only increased fees and charges where it has been absolutely necessary to do so.

Our new Corporate Plan is being presented tonight and sets out how we will deliver our visions and objectives over the next four years.

Changes to our Corporate Governance Structure are also being put forward. Without making any changes to the existing scheme of delegation these proposals will reduce costs and streamline the decision-making process.

I am pleased to report that through the courage and vision of the Conservative Administration -

the financial future of Maldon District Council will be assured.

And finally, I would like to thank Councillors Sismey and Dobson for their leadership of the Finance and Corporate Services Committee and for their input into this budget. I would also like to thank them for providing the necessary scrutiny and authority during the municipal year.

Chairman, I commend this budget to Council.



**MINUTES of
COUNCIL (EXTRAORDINARY)
28 FEBRUARY 2019**

PRESENT

Chairman Councillor H M Bass

Councillors J P F Archer, E L Bamford, Miss A M Beale, B S Beale MBE,
A T Cain, Mrs P A Channer, CC, I E Dobson,
M F L Durham, CC, A S Fluker, Mrs B D Harker, B E Harker,
M S Heard, J V Keyes, Miss M R Lewis, M R Pearlman,
R Pratt, CC, S J Savage, Mrs N G F Shaughnessy,
Rev. A E J Shrimpton, Mrs M E Thompson and Miss S White

908. CHAIRMAN'S NOTICES

The Chairman referred to the list of notices on the back of the agenda.

909. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce MBE, R P F Dewick, Mrs H E Elliott, P G L Elliot, M W Helm, N R Pudney, D M Sismey and A K M St. Joseph.

910. DISCLOSURE OF INTEREST

Councillor J V Keyes disclosed a non-pecuniary interest as a member of Great Totham Parish Council.

Councillor R Pratt disclosed a non-pecuniary interest as a Member of Essex County Council who were consultees on planning applications.

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council who were consultees on matters such as highways, access and flooding.

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council.

The Committee received the reports of the Director of Strategy, Performance and Governance and determined the following planning applications, having taken into account all representations and consultation replies received, including those listed on the Members' Update circulated prior to the meeting.

911. OUT/MAL/15/00419 - LAND AT BROAD STREET GREEN ROAD, MAYPOLE ROAD AND LANGFORD ROAD, GREAT TOTHAM, ESSEX

Application Number	OUT/MAL/15/00419
Location	Land At Broad Street Green Road, Maypole Road And Langford Road Great Totham / Heybridge Essex
Proposal	Amended application part outline/part detailed (hybrid) application for mixed use development including: (i) Residential development (Use Class C3) (Outline) (ii) Residential Care (Use Class C2) (Outline) (iii) "Neighbourhood" uses which may include retail, commercial, and community uses (Use Classes A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1a and/or D1b) (Outline) (iv) Primary school and early years childcare facility (Use Class D1c) (Outline) (v) A relief road between Broad Street Green Road and Langford Road (Detailed element) (vi) Formal and informal open space (including any associated sports pavilion/clubhouse) (Use Class D2e) (Outline); (vii) Construction of initial gas and electricity sub-stations (Detailed); and (viii) All associated amenity space, landscaping, parking, servicing, utilities (other than as listed in item (vii) above), footpath and cycle links, on-site drainage, and infrastructure works (Outline).
Applicant	Countryside Properties & EC, MA & DC Watson & KL Watson-Knee
Agent	Mr Kevin Coleman - Phase 2 Planning & Development Ltd
Target Decision Date	TBC.
Case Officer	Ian Harrison, TEL: 01621 875751
Parish	GREAT TOTHAM, HEYBRIDGE, LANGFORD AND ULTING.
Reason for Referral to the Committee / Council	Environmental Impact Assessment Strategic Site S2(d) within the Approved Local Development Plan Major Application

It was noted from the Members' Update that further information had been received from the Applicant and Officers had provided comments in respect of this. In addition, an amendment to conditions 8, 16 and 49 and addition of a new condition 50 were suggested.

The Lead Specialist Place presented the application to the Council and highlighted that the site plan included with the Officers' report was incorrect and the correct plan was made available on the screen for Members. Members were reminded of Section 28(6) of the Planning and Compulsory Purchase Act (2004) which referred to the development plan and how determination must be made in accordance with the plan unless material considerations indicated otherwise. The Officer then went on and set out for Members what should be considered as a material consideration.

The Council was introduced to Mr Dave Chapman from Essex County Council (ECC) the Lead Local Flood Authority (LLFA) who was in attendance to provide additional information, if required.

Following the Officers' presentation, an objector, Mr Sargood (representing Heybridge Residents Association), Councillor Perry on behalf of Heybridge Parish Council and the Agent, Mr Coleman addressed the Committee.

Councillor A S Fluker, Leader of the Council, referred to the Local Development Plan and the disappointment that this scheme did not bring forward a Flood Alleviation Scheme (FAS), but how that the application was now policy compliant in terms of affordable housing. Councillor Fluker proposed that the application be approved in accordance with the Officers' recommendation. This proposal was duly seconded.

Councillor Miss M R Lewis, a Heybridge Ward Member, addressed the Committee raising a number of concerns and highlighted how the application had been approved (subject to a Section 106 agreement) in 2016 by the Council in order to achieve a FAS which had been proposed by the Environment Agency. Councillor Miss Lewis referred to a flood meeting that had taken place earlier on in this week with the Environment Agency and ECC where new options for flood alleviation were presented.

A lengthy debate ensued, during which some Members echoed the views of Councillor Miss Lewis and a number of further concerns and comments were raised, including:

- removal of the FAS which was part of the application when approved by the Council in December 2016;
- the scheme not being compliant with the Local Development Plan (LDP);
- the proposed timescale for development with particular reference made to three years for the relief road and six years for the medical centre.
- concerns raised by local residents, in particular regarding the FAS;
- potential damage the development would do to local wildlife;
- the application did not provide high grass, low density areas;
- the impact of the development on Heybridge wood.

It was noted however that this was a strategic site and it was important for the Council's five year housing land supply.

In response to questions, the Lead Specialist Place clarified the following:

- The scheme proposed:
 - 669 (minimum) 1 and 2 bedroomed properties;
 - 402 minimum 3 bedroomed properties;
 - 267 (maximum) 4 bedroomed or above properties;
 - This would work out at 54 (minimum) bungalows.
- The proposed affordable housing units for the elderly would be specified as part of the Section 106 legal agreement. The market housing did not specify an elderly person allocation, but the provision of bungalows was seen as meeting a demand which related to this.
- Affordable housing needs would be in accordance with the Council's policy in respect of nomination rights. The policy stated elderly persons housing as being

for persons aged 55 and above and this therefore would be the requirement for this application.

- This application complied with Policy S4 as it was integral to the strategic development.

Councillor Mrs P A Channer left the meeting at this point and did not return.

In response to a question regarding whether Essex County Council, as LLFA, felt the Sustainable Urban Drainage Scheme proposed was acceptable, Mr Chapman responded. Members were advised that at this stage the information submitted demonstrated that the scheme would deal with its own surface water drainage on the site, as it was legally required to do. However, proposed conditions requested further details of the surface water drainage strategy and maintenance place which would come forward at a later stage.

Councillor Fluker referred to his earlier proposition of approval and raised concern regarding the comments made by the LLFA. He then withdrew his proposition of approval and proposed that the application be deferred to allow the LLFA to come back with further information. This proposal was not seconded.

In response, the Lead Specialist Place referred Members to the National Planning Policy Guidance and read from this regarding planning applications which were outline in nature. He advised that this was a standard process for the determination of planning application and similar to how the Council had processed every outline application before it. The flooding report submitted with this application covered all the points and accepted that the general principles could be met and proposed condition 37 would require addition information which was standard practice.

In response to a further question, Mr Chapman referred to the LLFA consultation response in which condition 4 requested submission of a maintenance plan which would then be subject to written approval by the LLFA. He advised that they were confident that the information provided highlighted that the scheme managed the surface water itself.

Councillor Miss M R Lewis proposed that the application be refused, contrary to Officers' recommendation, on the grounds that it was not a fully integrated system and that Members were not comfortable under the Flood and Water Management Act 2010 that they did not have enough information to make a decision in a comfortable and confident way. This was duly seconded.

It was clarified that the reasons for refusal should relate to Members not being comfortable and confident of the ongoing maintenance and management of the scheme that had been proposed and that the scheme was not fully compliant, in that it was not fully integrated with the North Heybridge Garden Suburb as per policy S4 - paragraph 2.59 on page 53 of the Approved Local Development Plan and bullet point on page 28 of the same document.

In accordance with Procedure Rule No. 13 (3) Councillor I E Dobson requested a recorded vote.

The Chairman then put the proposal of refusal in the name of Councillor Miss Lewis, contrary to the Officers'; recommendation and the voting was as follows:

For the recommendation:

Councillors J P F Archer, E L Bamford, Miss A M Beale, B S Beale, A T Cain, I E Dobson, Mrs B D Harker, B E Harker, M S Heard, Miss M R Lewis, M R Pearlman, J V Keyes, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton and Miss S White.

Against the recommendation: None.

Abstention:

Councillors H M Bass, M F L Durham, A S Fluker, R Pratt and Mrs M E Thompson

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

- 1 Insufficient evidence has been submitted with the application to demonstrate that the proposed development would be able to incorporate adequate surface water drainage infrastructure and that the infrastructure that would be proposed would be maintained in a manner that would ensure that the development would not cause increased flood risk within the vicinity of the site and the catchment area of the watercourses that are within the site. The potential impact on flood risk resulting from the development is unacceptable and contrary to policies S1, S4 and D5 of the Maldon District Local Development Plan and the guidance contained within the NPPF.

912. RES/MAL/18/01440 - LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY, MALDON, ESSEX

Application Number	RES/MAL/18/01440
Location	Land South Of Wycke Hill And Limebrook Way, Maldon, Essex
Proposal	Approval of reserved matters (layout, scale, appearance and landscaping) for Phase 2 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 406 residential dwellings (Use Class C3) and associated work
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams – Savills
Target Decision Date	12.03.2019
Case Officer	Kathryn Mathews
Parish	MALDON WEST
Reason for Referral to the Committee / Council	At the discretion of the Director of Strategy, Performance and Governance

It was noted from the Members' Update that the description of the proposal had been amended and in light of this a revised recommendation was detailed. In addition, some amendments to sections 3, 6 and 7 of the report were detailed, a consultation response from the Countryside and Coast Officer had been received and an amendment to condition 1 and deletion of conditions 4 and 9 were detailed.

Following the Officers' presentation, the Agent, Ms Williams addressed the Committee.

Councillor B E Harker proposed that the application be refused, contrary to Officers' recommendation, as he felt the application failed to encourage a greater proportion of smaller 1 and 2 bed homes contrary to Policy H2 of the LDP and contrary to the Strategic Housing Market Assessment (SHMA). This proposal was duly seconded.

As a point of clarification Members were advised that the related outline application had been determined before the Council had a five year housing land supply and Local Development Plan. Housing mix had been accepted and was not therefore a matter for consideration at this stage.

A debate ensued, during which some Members expressed concern regarding the style of houses being presented, in particular the proposed flats and flat rooves.

Councillor S J Savage then proposed that Officers recommendation (as set out in the Members' Update) be approved. This was duly seconded.

The Chairman sought clarification from Councillor Harker regarding his earlier proposition. Councillor Harker advised that he wished to withdraw his proposition.

At this point Councillor M R Pearlman left the meeting for a short while and then returned.

In response to questions raised particularly in relation to the information detailed in the Members' Update, the Principle Planning Officer clarified a number of points, including:

- the table in paragraph 3.1.10 of the report had been updated in the Members' Update and related only to market housing residential mix. The Officer went through the changes and it was noted that although the figures had changed the proposal still complied with the outline permission granted.
- reference in the main report to elderly bungalows and flats related to the affordable housing mix which remained the same.

The Chairman commented that it was not acceptable for Members' Updates to be sent out late and this was causing great difficulty. He questioned whether the changes outlined were a material amendment.

Councillor I E Dobson proposed that the application be deferred. This was duly seconded.

The Chairman sought clarification on the reason for deferral and it was agreed that this was due to a lack of technical information.

The Chairman then put the proposed deferral in the name of Councillor Dobson, and upon a vote being taken this was agreed.

RESOLVED that the application be **DEFERRED** due to a lack of technical information within the Officers report.

913. FUL/MAL/18/01439 - LAND SOUTH OF WYCKE HILL AND LIMEBROOK WAY, MALDON, ESSEX

Application Number	FUL/MAL/18/01439
Location	Land South Of Wycke Hill And Limebrook Way, Maldon, Essex
Proposal	Redevelopment to provide 33 residential units (Class C3) together with associated infrastructure
Applicant	Taylor Wimpey (East London)
Agent	Ms Catherine Williams – Savills
Target Decision Date	12.03.2019
Case Officer	Kathryn Mathews
Parish	MALDON WEST
Reason for Referral to the Committee / Council	Strategic site within the strategic submitted Local Development Plan

It was noted from the Members' Update that an update to paragraph 7.9 of the report had been provided and consultation responses had been received from Environmental Health and the Countryside and Coast Officer.

Following the Officers' presentation, the Agent, Ms Williams addressed the Committee.

In response to a question regarding on whether the Strategic Housing Market Assessment (SHMA) should be a material consideration, the Lead Specialist Place referred to the Local Development Plan and how both the policy and text relating to it had to be read together therefore making the SHMA material consideration and of material weight.

Councillor S J Savage proposed that the application be refused in accordance with Officers' recommendation. This was duly seconded and upon a vote being taken was agreed.

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

1. The proportion of smaller residential units within the open market housing mix proposed is not consistent with the Council's Strategic Housing Market Assessment and inadequate justification for such variation has been provided. The proposal therefore fails to deliver the housing required to serve the Maldon District and fails to accord with policy H2 of the Maldon District Approved Local Development Plan and the National Planning Policy Framework.
2. In the absence of a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990, the necessary affordable housing and financial contributions towards medical services, education and RAMS have not been secured. As a result, the development would not meet the identified need in the locality to address the Council's strategic objectives on affordable housing and supporting a mixed and balanced community, would have an adverse impact on the European designated nature conservation sites and would not make adequate provision for medical services and education for the future occupiers of the site, contrary to Policies S1, S2, S3, S4, H1, D1, D2, N1, N2 and I1 of the Maldon District Local Development Plan and Government advice contained within the National Planning Policy Framework.

There being no further items of business the Chairman closed the meeting at 9.30 pm.

H M BASS
CHAIRMAN



**MINUTES of
AUDIT COMMITTEE
7 FEBRUARY 2019**

PRESENT

Chairman	Councillor P G L Elliott
Vice-Chairman	Councillor E L Bamford
Councillors	A S Fluker, B E Harker, M S Heard, Miss M R Lewis and Mrs M E Thompson

809. CHAIRMAN'S NOTICES

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

810. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor A K M St. Joseph.

811. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 6 December 2019 be approved and confirmed.

812. DISCLOSURE OF INTEREST

There were none.

813. PERFORMANCE AGAINST 2018/19 INTERNAL AUDIT REPORT

The Committee received the Performance Against 2018/19 Internal Audit report outlining progress to date with regard to work completed and any deviances to, or slippage, on the Internal Audit Plan 2018/19.

Mr Greg Rubins, Head of Internal Audit, took the Committee through the three summary reports namely Budgets and Performance Management, Main Financial Systems and Safe and Clean Environment. He informed the Committee that the

three reports were moderate assurance level, all generally positive, hence the necessity for summary reports only. He advised that other audits were underway resulting in four more reports to the next meeting and that he was confident all would be completed in time for comment by the Head of Internal Audit prior to sign-off.

Addressing the three summaries he reported the following: -

Main Financial Systems – a very positive report with substantial assurance on design and moderate assurance on effectiveness. He reassured Members that a large range of testing had been undertaken on financial systems e.g. payroll, financial ledger etc. with no errors found.

Budgets and Performance Management – a positive report with moderate assurance and effectiveness. It was noted that overall the Council monitors its budget performance robustly, with good work on the part of the finance team and council departments. All recommendations would be turned around quickly.

Safe and Clean Environment – both the street cleaning and waste management contracts were working well. However, contract monitoring meetings were required in order to tighten up processes and provide a robust audit trail. Overall the recommendations should be completed within a short period of time.

In response to Member questions Mr Rubins clarified the following: -

That staffing issues had delayed completion of the outstanding piece of work on the Fraud Risk Assessment. The Fraud Risk Assessment will be considered at the next Audit Committee meeting.

That sample testing varies depending on areas requiring review, already well managed areas will not be tested annually. However, when it came to main financial systems there was always an element of annual review due to the importance of assurance in this area. It was agreed that where appropriate Members be included in all sample testing going forward.

With reference to a query regarding the definitions on page 15 it was noted that it would be more helpful to have the definitions at the start of the report as opposed to the end.

The Director of Service Delivery addressed a question on the Appleton Waste Management contract regarding value for money. He advised that the Council always seeks value for money (VFM) on all contracts. In the case of the Appleton contract, and to ensure VFM, the Council was undertaking soft market testing prior to deciding to renew the contract.

RESOLVED that the Committee noted the progress against the 2018/19 Internal Audit Plan.

814. INTERNAL AUDIT - FOLLOW UP OF RECOMMENDATIONS

The Committee received the Internal Audit – Follow Up of Recommendations report outlining progress with regard to recommendations raised by Internal Audit for years 2015/16, 2016/17 and 2017/18

Emma Donnelly, Assistant Manager, BDO presented the report to the Committee. She advised that the 8 recommendations in 2016/17 relating to the audits of Planning and Channel Shift had been removed. Given that these would be implemented under the Council's Future Model she suggested that they be presented in a separate report for consideration by a future meeting of the Audit Committee.

With reference to the 4 recommendations outstanding in 2017/18 relating to Disaster Recovery and Business Continuity it was noted that these were impacted by the IT Transformation Strategy, currently in train at the Council, hence the updated implementation date of June 2019.

The Director of Resources responding to Members queries regarding possible delays in implementation of high and medium recommendations 2016/17 and 2017/18 reported that: -

With reference to the 2016/17 recommendation on Key Financial Systems a meeting was held on Tuesday 5 February where it was agreed to deal with this as one of the service streams in the Future Model. Policies will be prepared to clarify the approach to acquisition, transfer and maintenance of Council properties and assets. This work will be progressed through the Asset Management Working Group, reported back to the next Audit Committee and submitted to full Council pre-Christmas 2019 for approval.

The 4 recommendations 2017/18 that relate to Disaster Recovery and Business Continuity were all being addressed within the IT Strategy. These would most likely be implemented earlier than 2019 with 1 being completed that afternoon, 7 February 2019, when the new internet line was installed. The remaining 3 recommendations were being delivered within the Future Model timeframe.

It was noted that all other historic outstanding recommendations were being brought forward and dealt with under the Future Council Model.

RESOLVED that Members noted the progress to date against the aforementioned recommendations.

815. EXTERNAL AUDIT - GRANT CLAIM CERTIFICATION: YEAR ENDED 31 MARCH 2018

The Committee received the External Audit – Grant Claim Certification report, attached as appendix 1, for the year ended 31 March 2018.

The Director of Resources presented the report advising that this was the annual audit of Housing Benefit. She drew Members' attention to the summary of work undertaken. This was an accurate piece of work by the Customers Team that resulted in a smooth audit on the part of the Council with minimum amendments. It was noted that the fee applied by the auditors to this piece of work was not exorbitant.

Concerns were raised regarding the impact of Universal Credit. The Group Manager, Customers said that although the introduction would inevitably have an impact this should be mitigated due to the staggered nature of the implementation.

The Committee congratulated the Group Manager, Customers for the excellent work and asked that their compliments be passed to the team.

RESOLVED that Members noted the Certification of Claims and Returns Annual Report for the year ended 31 March 2018.

There being no further items of business the Chairman closed the meeting at 3.35 pm.

P G L ELLIOTT
CHAIRMAN



**MINUTES of
PLANNING AND LICENSING COMMITTEE
7 MARCH 2019**

PRESENT

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

924. CHAIRMAN'S NOTICES

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

925. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor M R Pearlman.

926. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 24 January 2019 be approved and confirmed.

927. DISCLOSURE OF INTEREST

Councillor R Pratt disclosed a non-pecuniary interest as a Member of Essex County Council who were a consultee on a number of the reports due for consideration and any other matters arising which mentioned them.

Councillor S J Savage disclosed a non-pecuniary interest in Agenda Item 11 – Update on Planning Enforcement as he was a friend of one of the persons involved in an enforcement case detailed.

Councillor Mrs P A Channer disclosed a non-pecuniary interest in all matters as an Essex County Councillor and any matters pertaining to them.

928. PUBLIC PARTICIPATION

No requests had been received.

929. SECTION 106 AGREEMENTS - SIX MONTHLY UPDATE

The Committee considered the report of the Director of Strategy, Performance and Governance updating Members on Section 106 Agreements (S106) and a report considered by the Overview and Scrutiny Committee at its meeting on 27 February 2019.

The report provided details to demonstrate the Council's preparation in terms of monitoring S106, forecasting S106 income and preparing Project Initiation Documents (PIDs) for all projects. It was noted that regular meetings and communications were in place with all service managers and a communication channel between the Council, NHS England and Essex County Council (ECC) had been set up to ensure that all relevant information on S106 income was provided as soon as it became available. Officers had also requested that ECC set up an infrastructure delivery programme to Education and Highways for the District as the importance of encouraging and participating in regular meetings with external stakeholders was noted. This was to ensure that the District's key infrastructure was included and programmed for delivery as soon as funds became available.

A lengthy debate ensued, during which the following points were raised and where appropriate information provided by the Director of Strategy, Performance and Governance:

- Concern was raised regarding the allocation of some of the contributions detailed within Appendix 1 to the report and whether the use of these contributions was appropriate. In response the Director of Strategy, Performance and Governance advised that contributions were agreed through negotiation and linked to recommendations from statutory bodies who oversee such matters. He advised that what was reported could not be changed but Officers would look at how such contributions were dealt with in the future.
- Project H3 Provision of healthcare projects within the GP catchment area of Southminster (digitalisation of the records for the Trinity Medical Practice) - This project was discussed and reference was made to the S106 being for the provision of healthcare facilities in the village of Southminster and concern was raised regarding how this related to the digitalisation of medical records. In response, the Director of Strategy, Performance and Governance advised that the digitalisation was to free up space within the practice which could then be used to see additional patients.
- Project A6 Provision / maintenance of allotments in Burnham-on-Crouch – it was questioned whether the sum of £8,000 was sufficient for an allotment and its ongoing maintenance. The Director of Strategy, Performance and Governance advised he was happy to look at individual sums and would respond in writing to Members in respect of this.
- Some concern was raised regarding education and the provision of school places, in particular the need for ECC to review the cumulative impact of developments in the same areas rather than consider them individually. Reference was made to persons having moved into an area and being told no places were available in the local school and how other local schools which did have capacity had funding issues around recruiting new staff. Councillor Mrs Channer reported that ECC held meetings with planning portfolio holders, cabinet members, Committee Chairmen of Essex Authorities and lead officers

regarding matters to do with planning. The issue of responses from Education regarding School places looking at the cumulative impact had arisen and was being considered. The Director of Strategy, Performance and Governance reported that in addition, the Council was in discussion with the County Council to review its process and the way that figures were estimated to ensure that the correct schedule was in place. The Director of Strategy, Performance and Governance advised that a S106 would determine whether allocations in respect of education related to first occupation or prior to this.

- Reference was made to comments raised by the Overview and Scrutiny Committee when it considered the report on S106 at its last meeting. The Director of Strategy, Performance and Governance reported that the meeting took place following dispatch of the agenda for this meeting and that was why the Minutes with details of discussions that took place were not included with these papers.
- In response to further concern raised regarding Southminster GP Surgery as the lease on the current building was expiring, the Director of Strategy, Performance and Governance advised that the Council had regular meetings with the NHS and he agreed to raise this matter at the next meeting.

The Director of Strategy, Performance and Governance was requested to investigate and report back on:

- allocation of the community sum at Burnham-on-Crouch West;
- S106 monies from Thedhams farm which were to help provide a medical centre in Southminster and in addition, what could be done to assist the new building as the NHS had indicated it was not prepared to fund the services required in the new building.
- Whether the S106 monies relating to the Trinity GP practice, Mayland had been spent.

The Chairman of the Committee advised that in light of the queries raised by Members she would raise these with the Chairman of the Overview and Scrutiny Committee to highlight concerns raised by both Committees. The Director of Strategy, Performance and Governance advised that he could also raise matters with the Director of Resources who was the lead Director for the Overview and Scrutiny Committee. At this point the Chairman referred to Members reviewing the Minutes of the Overview and Scrutiny Committee.

In response to a question regarding consultation, the Director of Strategy, Performance and Governance highlighted the consultation process which had been undertaken in relation to S106 and agreed to circulate this to Members outside of the meeting.

Councillor R Pratt disclosed a non-pecuniary interest in this item of business as the Chairman of a Primary School in Burnham-on-Crouch.

The Committee asked that its thanks be conveyed to Mr Chowdhury, S106 / Community Infrastructure Levy Monitoring Officer for the huge amount of good work he had done on S106.

RESOLVED

- (i) that the contents of the report be noted;
- (ii) that the comments raised by Members (as set out above) be noted by Officers and responded to, where appropriate.

930. LOCAL DEVELOPMENT SCHEME 2019 - 2011

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' agreement to update the Council's Local Development Scheme (LDS) (attached as Appendix 1 to the report). It was noted that the new scheme would replace that approved by the Council in February 2018 and consider the timetable for the progression of supplementary planning documents and other planning policy documents required to help delivery of the Local Development Plan (LDP) until 2021.

The report set out the Council's requirement under the Planning and Compulsory Purchase Act 2004 (as amended) to prepare and maintain a LDS which would set out the programme for the preparation of Local Development Documents, including Supplementary Planning Documents, as well as development briefs, evidence base documents and the Community Infrastructure Levy.

RESOLVED

- (i) That the contents of the Local Development Scheme be approved.

RECOMMENDED

- (ii) That the Local Development Scheme (attached as **APPENDIX 1** to these Minutes) be approved as the project plan for key planning policy documents until February 2021.

931. ECONOMIC DEVELOPMENT UPDATE

The Committee considered the report of the Director of Strategy, Performance and Governance providing an update to Members on key issues relating to Economic Development and an opportunity for feedback and input. Appendix 1 to the report provided an update on the activity of various economic development workstreams.

When presenting the report, the Director of Strategy, Performance and Governance advised that future reports would focus on the key strategic developments aligned to the new Corporate Plan.

In response to a question regarding the meaning of 'town centre commission' detailed in item 6.1 of the appendix to the report, the Director of Strategy, Performance and Governance advised that this was a phrase and referred to a committee / group / commission. He advised however, that this activity had been overtaken by the work of the Maldon and Heybridge Central Area Masterplan.

The Director of Strategy, Performance and Governance advised that a report on Tourism would be included in the next economic development update.

In response to a question regarding the Sense of Place Board, the Director of Strategy, Performance and Governance and Councillor Mrs P A Channer (who sat on the Board as Chairman of this Committee) provided Members with an update on the Board and the ongoing work to reinvigorate its work and improve its objectives which would also help the Council achieve its own objectives in terms of prosperity.

RESOLVED that the contents of the report be noted.

932. MALDON DISTRICT SKILLS STRATEGY

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members approval for the Maldon District Skills strategy (attached as Appendix A to the report), updated following a period of public consultation. Appendix B to the report provided a summary of the consultation responses and amendments made to the Skills Strategy.

The Skills Strategy sets out the skills challenges and the proposed actions to meet the skills needs of businesses, alongside maximising the opportunities for young people and those already in the labour market in the District between 2018 and 2023. The report sets out the objectives of producing the Strategy, its priorities and expected outcomes. The Chairman highlighted the importance of engaging with schools and that the Council should be looking to engage further with young people and primary schools to give them aspirations and highlight what would be available for the future.

In response to questions the Director of Strategy, Performance and Governance agreed to report back to the Committee on the following matters:

- the correlation between the working age population and over 65s approaching 29% of the population (as set out in section 1 of the appendix).
- How many over 65s were obliged to go out to work because of pensions being so low.

RESOLVED

- (i) That the Maldon District Skills Strategy, as updated following stakeholder and public consultation, be approved.

RECOMMENDED

- (ii) That the Maldon District Skills Strategy 2018 – 2023 (attached as **APPENDIX 2** to these Minutes), be adopted.

933. LOCAL DEVELOPMENT PLAN IMPLEMENTATION - MALDON AND HEYBRIDGE CENTRAL AREA MASTERPLAN

The Committee considered the report of the Director of Strategy, Performance and Governance providing an update on the work of the Maldon and Heybridge Central Area Masterplan Delivery Group (Masterplan Delivery Group).

Mrs Longman, Specialist – Local Plan, was in attendance and presented the report to the Committee. It was noted that the report provided an update on progress taking forward the objectives and identified projects set out in the Maldon and Heybridge Central Area Masterplan Supplementary Planning Document (SPD) and current project activity. A list of projects prioritised for the first year from March 2018 to April 2019 was detailed.

Appendix 1 to the report detailed the Masterplan Programme which set out specific timelines against project activities, priorities and critical path maps where key decisions must be taken and where Member briefings / Committee reports were required to make these decisions. The Masterplan Programme also informed the TEN (performance and risk management system) report on the Key Corporate Activities.

It was noted that good progress had been made on project priority and activity in the first year since adoption of the Maldon and Heybridge Central Area Masterplan SPD. The Council's website informed local community, interested groups and the business community and was an effective platform to become involved in the progress of Masterplan projects where required.

In response to a comment regarding the Council having previously set up a corporate project board and whether this board had ever met, the Director of Strategy, Performance and Governance agreed to investigate this and the governance arrangements put in place and advise Members accordingly.

The Committee discussed future reports on the Maldon and Heybridge Central Area Masterplan and it was agreed that the next report should be brought to the meeting scheduled for 5 September 2019 prior to the change in Committee structure, recently agreed by the Council.

The Committee thanked Mrs Longman for all her hard work on the Maldon and Heybridge Central Area Masterplan.

RESOLVED

- (i) that the update on the Maldon and Heybridge Central Area Masterplan be noted;
- (i) that a further update on the work of the Maldon and Heybridge Central Area Masterplan Delivery Group be reported to this Committee at its meeting on 5 September 2019.

934. UPDATE ON PLANNING ENFORCEMENT

The Committee considered the report of the Director of Strategy, Performance and Governance providing an update on planning enforcement matters and statistical data for September – November 2018. It was noted that the Area Planning Committees

received six monthly enforcement updates where queries regarding specific enforcement cases could be raised.

In his presentation of the report, the Director of Strategy, Performance and Governance advised how the Corporate Fraud and Enforcement Team were now operating at full capacity and this had resulted in an improvement in the number of planning enforcement cases being resolved. He drew Members' attention to the level of activity and number of cases dealt with recently, set out in the report.

In response to a question regarding individual case information being detailed in the report, Members were advised that these cases were in the public domain and full details had been previously published.

Councillor Mrs P A Channer reported that following a recent meeting of the Area Planning Committee Chairmen, Ms Berna Casey, Committee Services Advisor was looking at dates for future enforcement meetings for each of the Area Planning Committees. Councillor Mrs Channer advised that when held previously these had provided greater opportunity for Members to raise detailed questions in relation to specific cases as discussions were held in private session.

The Committee asked that its congratulations be passed to the Corporate Fraud and Enforcement Team for their continued hard work.

It was agreed that a further report on enforcement would be received by the Committee in three months' time (June 2019).

RESOLVED that the contents of the report be noted with a further update provided in three months (June 2019).

There being no further items of business the Chairman closed the meeting at 8.35 pm.

MRS P A CHANNER, CC
CHAIRMAN

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**MALDON DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
February 2019 – February 2021**



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Introduction

1. The Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011, requires local planning authorities to prepare and maintain a Local Development Scheme (LDS). The purpose of the LDS is to set out the subject matter, area to be covered and timetable for the preparation and revision of local development documents, including Supplementary Planning Documents (SPDs) as well as other planning policy documents such as development briefs, Conservation Area character appraisals and LDP evidence base documents.
2. In essence, it is a project plan setting out the timetable for work to be undertaken from February 2019 until February 2021. It sets out details of the documents that will be given priority during this period.
3. This LDS has been prepared having regard to the Localism Act 2011, the Government's National Planning Policy Framework (NPPF) 2018, and the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017.
4. Unlike previous related regulations, the Local Planning Regulations 2012 do not contain any specific provisions relating to the preparation of the LDS, giving councils the freedom to report the information that they think most relevant to local people, while maintaining the requirement to keep the public informed about the status of planning documents. In particular, local planning authorities are no longer required to submit the LDS to the Secretary of State.
5. This LDS document will:
 - Provide details on Supplementary Planning Documents, other planning policy documents and Evidence Base documents that the Council intends to produce and a timetable for their preparation up to February 2021;
 - Outline the 'Milestones' to be achieved as part of the process leading to the adoption of the various documents;
 - Provide information on the Authority Monitoring Report;
 - Set out details on the approved Local Development Plan policies that are used to assess planning applications; and
 - Set out the resources available and any constraints.
6. It is important that plans for the future development of the District are produced in a timely and efficient manner. If not, development which is crucial to the social, economic and environmental well-being of the District and its residents may be delayed, the co-ordination of development and infrastructure provision may be difficult to achieve and it puts at risk the Council's ability to defend planning decisions at appeals.

Maldon District Development Plan

7. The Maldon District Local Development Plan (LDP) together with the Essex Minerals and Waste Local Plans and any 'made' neighbourhood plans are part of the Development Plan for the District. All planning applications should be in accordance with the Development Plan unless material considerations indicate otherwise.

Maldon District Local Development Plan

8. On the 21 July 2017, the Secretary of State Approved the Maldon District Local Development Plan (LDP). The LDP includes the following components:

- The spatial strategy for future growth within the District over the next 15 years;
 - Strategic development policies;
 - Development management policies; and
 - Land use allocations.
9. The diagram at **Appendix 1** sets out how the LDP sits within the hierarchy of planning policy and supporting documents. The Policies Map supports the LDP, but does not form part of it.
10. On approval, the LDP replaced the 'Saved Policies' in the Replacement Local Plan (2005) and became the development plan document for the District. The approved LDP policies are listed in **Appendix 2**.
11. The LDP will be monitored annually and by July 2022 the Council will complete an assessment of the LDP to identify whether a full or partial review is required. This will ensure that the policies remain relevant and and are effective.

Essex Minerals and Waste Local Plans

12. It should be noted that Essex County Council is the Minerals and Waste Planning Authority for Essex. The Essex Replacement Minerals Local Plan was adopted on the 8 July 2014 and the Replacement Waste Local Plan was adopted on the 11 July 2017.

Neighbourhood Plans

13. Although not produced by the Council, the Burnham-on-Crouch Neighbourhood Plan was 'made' by the Council on the 7 September 2017. Several other Neighbourhood Plans are in the pipeline. Further information on their progress can be found on the Council's website www.maldon.gov.uk
14. The LDP is supplemented by the following documents:
- a) Community Infrastructure Levy
 - b) Supplementary Planning Documents
 - c) Masterplans, Development Briefs and Design Codes
 - d) Conservation Area Appraisals
 - e) Statement of Community Involvement
 - f) Authority Monitoring Report
 - g) Evidence base

These are discussed in more detail below.

Community Infrastructure Levy

15. The Community Infrastructure Levy (CIL) was introduced by the Planning Act 2008 and defined in the CIL Regulations 2010 (as amended). CIL is a locally set charge on new development that the Council will implement across the District. It is based on the size and type of development and once set in an area is mandatory to be paid and non-negotiable. The funds raised must be used to provide infrastructure which is required to support new development across the area.
16. CIL must be informed by an Infrastructure Delivery Plan and a Whole Plan Viability Assessment. Both were published in 2014 and were subject to scrutiny at the LDP examination, although neither forms part of the LDP.
17. CIL rates are published within a Draft Charging Schedule. The CIL Regulations 2010 (as amended) currently require two stages of consultation to be undertaken before the Draft Charging Schedule can be submitted to government.

18. Consultation for the first stage - the Preliminary Draft Charging Schedule - was undertaken in January - March 2014. Consultation on the second stage - the Draft Charging Schedule - presented the CIL rates which the Council intended to submit for Examination in June - July 2014.
19. It is important that CIL is based on up-to-date evidence. As a result of the delay in the Local Development Plan being approved, the Council decided to review the evidence base to ensure they provide a sound foundation for a Levy. In the meantime the Government have proposed changes to the CIL Regulations. Therefore work on the Maldon CIL is not expected to re-commence until the new legislation is published. However, another consultation will be required before the Draft Charging Schedule is submitted, expected to be Summer/Autumn 2019.
20. An examination into the Council's Draft Charging Schedule will then need to take place. This is largely reliant on the availability of a Planning Inspector, but a realistic timeframe is Autumn 2019/Winter 2020.

Document Title	Community Infrastructure Levy Charging Schedule
Role and Content	To establish a charging schedule for the application of a community infrastructure levy on new development
Coverage	Maldon District
Timetable	Consultation: Summer/Autumn 2019 Examination: Autumn 2019/Winter 2020 Adoption: Spring 2020
Chain of Conformity	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework and Planning Practice Guidance • Maldon District Corporate Plan (2019 - 2023) • Local Development Plan • Infrastructure Delivery Plan • Whole Plan Viability assessment
Resource	<ul style="list-style-type: none"> • Local Plans team; • Other Council Officers; • Co-operation with neighbouring local planning authorities; • Co-operation with relevant stakeholders including infrastructure providers; • Use of technology and web-based communication to assist with consultation; and • Consultancy support to develop, review and update the evidence base and aid with the examination.

Table 1: Community Infrastructure Levy Charging Schedule - Summary

Supplementary Planning Documents

21. Supplementary Planning Documents (SPDs) can be produced to build upon and provide more detailed guidance on the policies in the Local Development Plan. SPDs are not subject to independent examination, but are subject to public consultation lasting 6 weeks. On adoption, SPDs will have material weight in decision-making on planning applications.
22. The Council adopted two Supplementary Planning Guidance documents and five SPDs between 2005 – 2007 (in Table 2). Over the last 10 or so years national and local policy has changed significantly. In the last year the Affordable Housing Guide and the Vehicle Parking Standards SPD have been formally revoked and replaced by new SPD's. The five

outstanding documents will be reviewed in 2019 to establish whether their content remains relevant. A formal decision whether to revoke, retain or update these documents will be made by Council in September 2019.

Title	Year of Adoption
Developer Contributions Guide	2006
Children's Play Spaces	2006
Accessibility to Buildings	2006
Sadd's Wharf	2007
Heybridge Basin Timber Yard	2007

Table 2: Existing Supplementary Planning Guidance/Documents

23. Seven SPD's were adopted in 2017-2018.

Title	Year of Adoption
Maldon and Heybridge Central Area Masterplan	2017
Maldon District Design Guide	2017
South Maldon Garden Suburb Masterplan	2018
Renewable and Low Carbon Technologies	2018
Specialist Needs Housing	2018
Vehicle Parking Standards	2018
Affordable Housing and Viability	2018

Table 3: Existing Supplementary Planning Documents

24. The Council proposes to introduce two new Supplementary Planning Documents (see Table 4 overleaf).

Maldon District Green Infrastructure Strategy	
Role and Content	To provide a vision statement, concept plan, core principles and priority action plan to enhance the District's green infrastructure network, in accordance with LDP Policies N1-N3.
Coverage	Maldon District
Timetable	<ul style="list-style-type: none"> December 2018 – January 2019 Consultation Draft March 2019 – Approval of Final SPD
Essex Coast Recreational disturbance Avoidance Mitigation Strategy	
Role and Content	<ul style="list-style-type: none"> To set out the approach to securing mitigation necessary to protect the Habitats sites of the Essex Coast from increased recreation pressure associated with new housing in accordance with LDP Policies N1 and N2 To identify the level of financial contribution to be sought from residential development; To set out how and when the Council expects financial contributions to be delivered.

Coverage	Basildon, Braintree, Brentwood, Castle Point, Chelmsford, Colchester, Maldon, Rochford, Southend, Tendring and Thurrock local authority areas
Timetable	<ul style="list-style-type: none"> • June 2019 – Consultation Draft • November 2019 – Approval of Final SPD
Chain of Conformity for both SPDs	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework and Planning Practice Guidance • Maldon District Corporate Plan (2019 - 2023) • Local Development Plan • Evidence Base
Resource for both SPDs	<ul style="list-style-type: none"> • Consultants to develop the SPDs; • Local Plans team; • Other Council Officers; • Co-operation with neighbouring local planning authorities; • Co-operation with relevant stakeholders; and • Use of technology and web-based communication to assist with consultation.

Table 4: Proposed Supplementary Planning Documents

Masterplans, Development Briefs and Design Codes

25. Table 5 shows the masterplans and design codes that have been endorsed by the Council for use in the consideration of planning applications.

Title	Status
North Heybridge Garden Suburb Strategic Masterplan Framework	Endorsed by Council – October 2014
North Heybridge Garden Suburb Strategic Design Code	Endorsed by Council - February 2017
South Maldon Garden Suburb Strategic Design Code	Endorsed by Council – March 2016

Table 5: Master Plans and Design Codes

26. The Maldon and Central Area Masterplan SPD identifies several projects to deliver the objectives for the Masterplan area. A key project is to produce the North Quay Development Brief to guide the design and development of land in this part of The Causeway, Heybridge.

Title	North Quay Development Brief
Role and Content	To guide the development and regeneration proposals of employment generating mixed-use development within the North Quay area.
Coverage	North Quay, The Causeway and Heybridge Creek
Timetable	<ul style="list-style-type: none"> • September 2019 – Consultation Draft • December 2019 – Approval of Final Brief
Chain of Conformity	<ul style="list-style-type: none"> • Relevant Planning Acts and Regulations • National Planning Policy Framework and Planning Practice Guidance • Maldon District Council Corporate Plan (2019 - 2023) • Local Development Plan • Maldon and Heybridge Central Area Masterplan SPD • Evidence Base
Resource	<ul style="list-style-type: none"> • Local Plans team; • Other Council Officers; • Co-operation with relevant stakeholders including landowners, developers, infrastructure providers; and • Use of technology and web-based communication to assist with consultation;

Conservation Area Character Appraisals

27. There are 14 conservation areas in the District. Twelve have a character appraisal or statement, which summarises the area's special character and appearance and makes recommendations for its appropriate preservation and enhancement.
28. Two conservation areas at Stow Maries Aerodrome and the Chelmer and Blackwater Navigation do not have a review and appraisal - other documents are available which inform their sensitive management. To reflect availability of resources the Council intends to produce a character appraisal for the Chelmer and Blackwater Navigation over this LDS period.

Title	Chelmer and Blackwater Navigation Character Appraisal
Role and Content	To define the 'special architectural or historic interest' of the Conservation Area and identify what it is about the character and appearance of the area that should be preserved or enhanced. It may also identify any features that detract from the character of the area.
Coverage	Chelmer and Blackwater Navigation Conservation Area
Timetable	<ul style="list-style-type: none"> November 2019 – Consultation Draft March 2020 – Approval of Final Appraisal
Chain of Conformity	<ul style="list-style-type: none"> Relevant Planning Acts and Regulations National Planning Policy Framework and Planning Practice Guidance Maldon District Council Corporate Plan (2019 - 2023) Local Development Plan Navigation Landscape Character Assessment Evidence Base
Resource	<ul style="list-style-type: none"> Specialist – Conservation & Heritage Local Plans team; Other Council Officers; Co-operation with neighbouring local planning authorities; Co-operation with relevant stakeholders including Parish Councils; and Use of technology and web-based communication to assist with consultation

Statement of Community Involvement

29. The Statement of Community Involvement sets out how the community will be engaged in the preparation of planning policy documents and in determining planning applications in the District. The Council adopted its Statement of Community Involvement (SCI) in 2018.
30. The Council will complete an assessment by October 2023 to assess whether a full or partial review of the SCI is required.

Authority Monitoring Report

31. The Authority Monitoring Report (AMR) monitors the implementation and performance of policies and proposals in the LDP and will inform whether a LDP review is necessary. The AMR provides further details on the delivery of key LDP targets, including an Annual Position Statement relating to the Council's annual Five Year Housing Land Supply and an Infrastructure Position Statement relating to infrastructure delivery associated with development identified in the LDP.
32. The AMR is produced as a series of factsheets. The Council will update and publish the following aspects of the AMR annually in September each year:
 - A statement on the progress of each document in the LDS project plan;
 - An analysis of how or whether the policies of the LDP are delivering their objectives, including key targets, such as the number of net additional dwellings and the Five Year

- Housing Land Supply figure;
- Details of statutory returns such as the number of applicants on the self build register;
- Details relating to any neighbourhood plans that have been made in the last monitoring year;
- Progress on the Community Infrastructure Levy;
- Progress on infrastructure delivery.

33. The Council aims to will ensure that the monitoring of all other LDP indicators is kept as up to date as possible. But to effectively manage resources, the Council intends to update other elements of the AMR every two years, starting in September 2020.

LDP Evidence Base

34. The LDP and other policy documents will be supported by evidence-based documents. These documents do not form part of the Development Plan but provide robust and reliable evidence to inform production of new documents. These documents will also provide the evidence for supporting the Council's position through the planning application process. The current evidence base is available to view and download from the Council's website www.maldon.gov.uk/LDP.
35. Over the next two years the Council intends reviewing the Strategic Housing Market Assessment (SHMA) and the Economic Development Needs Assessment (EDNA). Production of these documents is resource intensive therefore it is intended that consultants will aid the production of these documents. The SHMA and an EDNA will be produced in 2019. The precise timetable will reflect the availability of consultants and the ability of the Council to fulfil its Duty to Cooperate requirements on these projects. The Accessibility of Settlements assessment is likely to be completed in 2020 by officers. Other evidence may be reviewed as resources permit.

Resources

36. The Local Plans Team will be responsible for the delivery of the LDP, the production of Supplementary Planning Documents, CIL, the SCI and the AMR. In addition to these resources, there will also be contributions from other officers within the Council. Other documents such as, the Recreational disturbance Avoidance and Mitigation Strategy SPD, the Green Infrastructure Strategy SPD and several evidence base documents will be produced by consultants within allocated budgets.
37. As far as possible, projects will be jointly undertaken by officers to ensure smooth work flow in case of any staff absence. The Council will consider employing consultants if the need arises within allocated budgets.
38. The Council will also continue to work closely with neighbouring authorities in joint working arrangements, such as for the Recreational disturbance Avoidance and Mitigation Strategy SPD, and for evidence base documents and research.

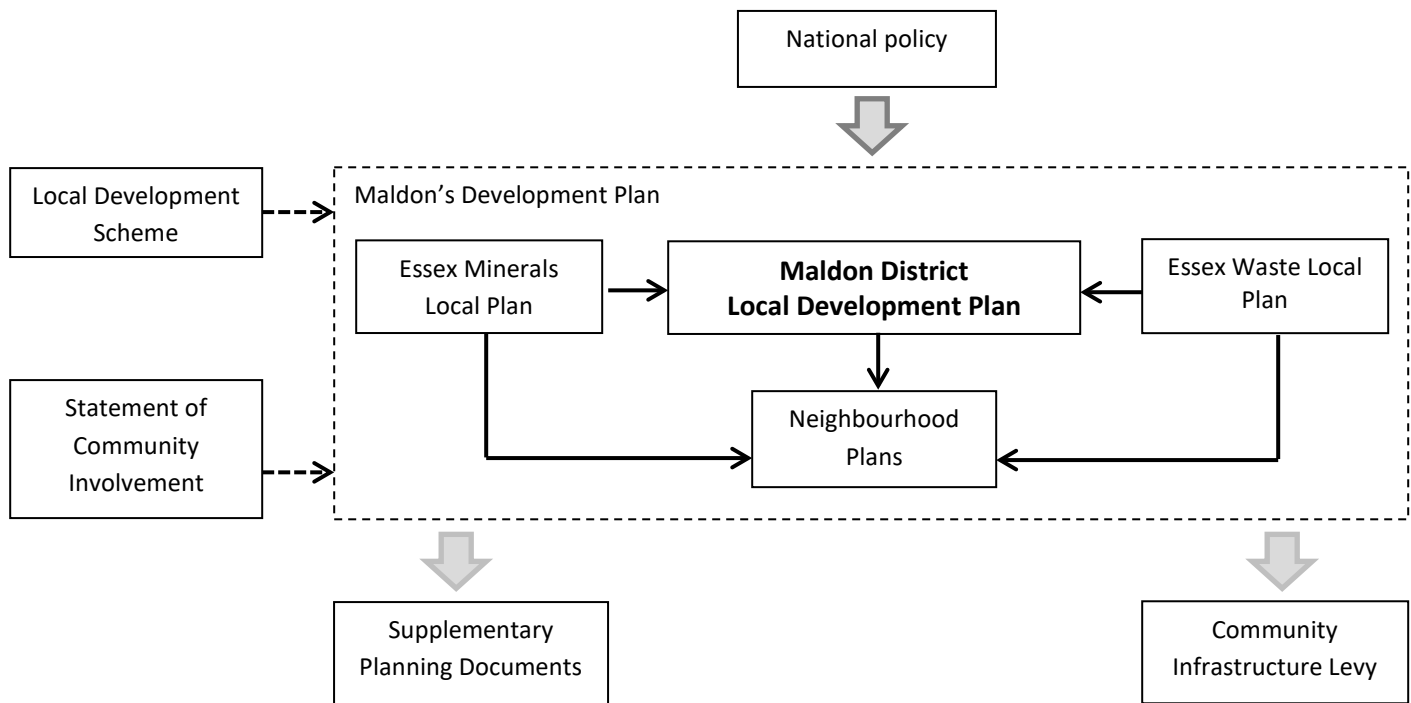
Risk Assessment

39. In preparing the LDS, the following risks have been identified that may affect or delay the process of delivering the Local Development Plan and the production of other planning policy documents. Contingency measures are suggested accordingly. The list is not exhaustive and does not include unlikely events which are difficult to foresee that temporarily cause a halt to normal Local Government.

Risk	Impact	Contingency	Responsibility
Revisions to national legislation and planning policy guidance – i.e. PPG	<ul style="list-style-type: none"> • Out of date LDP and/or evidence base, lack of guidance available 	<ul style="list-style-type: none"> • Monitoring of national planning policy revisions • Quick turnaround of updates to evidence base • Provision of guidance notes and/or SPDs to provide clarification on specific issues 	<p>Strategy, Policy and Communications Manager</p> <p>Senior Specialist Local Plans</p>
Delays in political agreement	<ul style="list-style-type: none"> • Delays in agreeing plans and documents 	<ul style="list-style-type: none"> • Use of progress briefings to retain political awareness • Use of delegated powers wherever appropriate 	<p>Director of Strategy, Policy and Governance</p> <p>Strategy, Policy and Communications Manager</p>
Consultation fatigue (community being consulted too often on planning documents and by other agencies over a range of issues)	<ul style="list-style-type: none"> • Poor response to consultations 	<ul style="list-style-type: none"> • Minimise by arranging a coordinated programme and possibly integrating individual engagement activities with other agencies 	<p>Strategy, Policy and Communications Manager</p> <p>Senior Specialist Local Plans</p> <p>Senior Specialist – Communications, Marketing & Engagement</p>
Staff changes or staff loss (staff leaving post/time delays in recruitment)	<ul style="list-style-type: none"> • Loss of institutional capacity • Inconsistency • Knowledge gaps 	<ul style="list-style-type: none"> • On-going training and development to improve expertise and encourage staff retention; • Loss of staff will be countered by recruiting permanent and where necessary temporary staff 	<p>Director of Strategy, Policy and Governance</p> <p>Strategy, Policy and Communications Manager</p>
Additional unforeseen evidence base requirements	<ul style="list-style-type: none"> • Poor evidence base which could lead to applications being challenged 	<ul style="list-style-type: none"> • Use of specialist consultants to cover particular gaps in expertise 	<p>Strategy, Policy and Communications Manager</p> <p>Senior Specialist Local Plans</p>
Budget Constraints	<ul style="list-style-type: none"> • Insufficient budget to cover costs 	<ul style="list-style-type: none"> • Annual budget review to identify budget needs based on LDS • Council reserve of a contingency amount to fund additional financial needs. 	<p>Director of Resources</p> <p>Director of Strategy, Policy and Governance</p> <p>Strategy, Policy and Communications Manager</p>

Table 7: Risks

Appendix 1: Local Development Plan Diagram



Appendix 2: Maldon District Local Development Plan: Policy List

Policy	Policy Title
S1	Sustainable Development
S2	Strategic Growth
S3	Place Shaping
S4	Maldon and Heybridge Strategic Growth
S5	Maldon and Heybridge Central Area
S6	Burnham-on-Crouch Strategic Growth
S7	Prosperous Rural Communities
S8	Settlement Boundaries and the Countryside
D1	Design Quality and the Built Environment
D2	Climate Change & Environmental Impact of New Development
D3	Conservation and Heritage Assets
D4	Renewable and Low Carbon Energy Generation
D5	Flood Risk and Coastal Management
D6	Advertisements
E1	Employment
E2	Retail Provision
E3	Community Services and Facilities
E4	Agricultural and Rural Diversification
E5	Tourism
E6	Skills, Training and Education
H1	Affordable Housing
H2	Housing Mix
H3	Accommodation for 'Specialist' Needs
H4	Effective Use of Land
H5	Rural Exception Schemes
H6	Provision for Travellers
H7	Agricultural and Essential Workers Accommodation
H8	Provision for Houseboats
N1	Green Infrastructure Network
N2	Natural Environment and Biodiversity
N3	Open Space, Sport and Leisure
T1	Sustainable Transport
T2	Accessibility
I1	Infrastructure and Services
I2	Health and Wellbeing

Appendix 3: Glossary

Authority Monitoring Report

Assesses the implementation of the Local Development Scheme and the extent to which policies in the Local Development Plan are being successfully implemented.

Development Plan Documents (DPDs)

The plan which identifies the future development of the District, drawn up by the Council in consultation with the community.

Development Management Policies

A suite of policies in the LDP that provide detailed technical guidance relating to the delivery of specific types of new development or address specific detailed planning issues.

Evidence Base

The evidence that any development plan document is based on. Includes documents relating to housing, the economy, the environment, infrastructure and transport.

Local Development Plan (LDP)

Sets out the planning strategy for future growth of the District over the next 15 years. It provides a spatial strategy for the delivery of the required future employment, homes, retail, community facilities and infrastructure. It identifies sites for new development and protects land for a variety of uses such as open space.

Local Development Scheme

A project plan which sets out the timetable for delivery of planning policy documents, the resources and risk involved.

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 which provides more detailed guidance on the planning policies set out in the NPPF.

Policies Map

A visual representation of the policies in the LDP.

Statement of Community Involvement (SCI)

Sets out how the community will be engaged in the preparation of planning policy documents and in determining planning applications in the District.

Supplementary Planning Documents (SPD)

Adds further detail to the policies in the LDP. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Can be a material consideration in planning decisions but are not part of the development plan.

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Executive Summary

This strategy sets out the skills challenges and the proposed actions to meet the skills needs of businesses, alongside maximising the opportunities for young people and those already in the labour market in the District, between 2018 and 2023. The Maldon District Council Corporate Plan 2015/19 includes a Key Corporate Activity (KCA) to “Identify and work with partners to implement the Strategy to meet the skills need within the District” and an action plan will be developed from this strategy to deliver this KCA, as well as the objective to “raise aspirations and improved skills and training provision”.

The District has a strong economy but also faces a number of challenges in meeting the needs of businesses. Local businesses consistently inform us that lack of suitable skills is their number one barrier to growth. A skilled workforce contributes towards sustainable economic growth by increasing employability and enabling individuals to work more effectively and undertake more complex tasks. This raises the productivity and profitability of business and increases quality of life.

An effective Skills Strategy will also enhance opportunities for inward investment (working with Invest Essex and Essex County Council to attract more business to Essex) if we can demonstrate that we have a good supply of labour with the right skills sets. The Strategy will focus on meeting the needs of core sectors within the Maldon Economy, which research shows are:

- Manufacturing & Engineering
- Construction
- Health and Care
- IT, Digital & Creative
- Tourism, incorporating food and drink

It is essential to use dynamic and informed labour market intelligence to inform a responsive and effective skills strategy, and leverage existing delivery infrastructure of Essex’s Employment and Skills Board. Much of the data used in this strategy is via the Employment and Skills Boards intelligence bulletins and evidence base and it is envisaged that the Strategy will be delivered in partnership with the Board.

A number of key themes have been identified based on the current evidence base. These may be summarised as activities focused on people and activities aimed at supporting local business:

1. Activities focused on people centre around key themes such as developing our future workforce, raising attainment & skill levels and thereby helping people become employed and raising the level of their jobs
2. Activities focused on supporting local business include key themes such as developing a robust supply of skilled ambitious talent for our priority growth sectors, thereby encouraging greater investment and more jobs

Outcomes:

By 2023 we will:

- Maintain a vibrant and competitive economy, balancing the needs of industry and prosperity whilst sustaining a high quality of life, increasing incomes and promoting the Maldon District as a great place to live, play, work and do business.
- Reduce the rate of out-commuting by supporting the provision of rewarding, well paid jobs locally and assisting businesses to reach people who are not aware of these opportunities.
- Deliver a Maldon District Enterprise Centre to provide suitable accommodation and support for start-up businesses, fast growing SMEs and new inward investors arriving in the area, as well as a hub for training and other business support activities that enhance local skills.
- Facilitate the development of intelligent solutions to the question of accessibility to training facilities and businesses in rural areas by those who do not have access to a car.
- Work with businesses and further education providers to provide tailored and flexible training solutions for staff by encouraging businesses to provide modules for courses in areas that they have specialised expertise, e.g. electric motor winding or manufacture of wiring harnesses for motor vehicles.
- Support businesses to grow more rapidly through increased investment in technology, improved business processes and efficiency and improved skill levels.

Introduction

Maldon is a rural district situated along the Essex Coast, with a strong history of innovation and strengths in knowledge based production, as well as internationally recognized brands such as Maldon Salt and a continuing focus on marine heritage, especially the iconic Thames sailing barges, that help sustain a thriving visitor economy. Developments that could have a significant impact on the economic growth of the Maldon District in the near future include the current construction of two Garden Suburbs, the potential for a new nuclear power station at Bradwell on Sea and the delivery of an Enterprise Centre. The Causeway area is also experiencing regeneration, with the construction of the Blackwater Retail Park development, and the expansion of the District's leisure sector offer, including food and drink.

Following the analysis of various reports (listed at the end of this document) together with the feedback from a skills survey that was completed by a number of businesses across the District, we have been able to identify the sectors and skills shortages that this strategy seeks to assist.

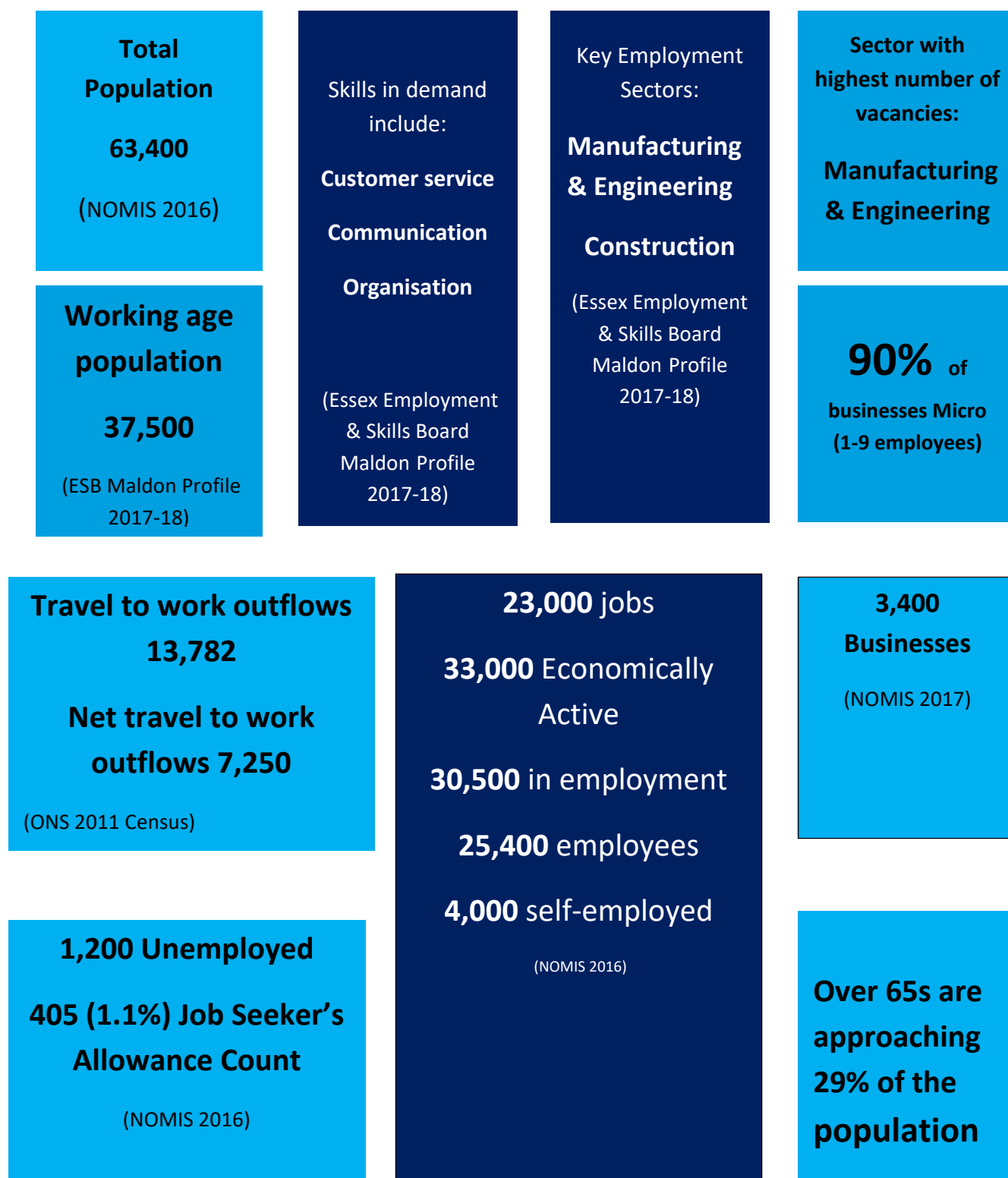
Local businesses consistently inform us that lack of suitable skills is their number one barrier to growth. A skilled workforce contributes towards sustainable economic growth by increasing employability and

enabling individuals to work more effectively and undertake more complex tasks. This raises the productivity and profitability of business and increases quality of life.

An effective Skills Strategy will also enhance opportunities for inward investment (working with Invest Essex and Essex County Council to attract more business to Essex) if we can demonstrate that we have a good supply of labour with the right skills sets.

Section 1 - Maldon Skills & Economy Headlines

At a Glance



The Key Sectors being prioritised by this strategy (due to their high levels of employment and growth opportunities and their levels of skills shortages) are as follows:

Manufacturing & Engineering and Construction – Both these sectors create significant employment for the District with **2,500** employees each. Both sectors have already reported their current skills shortages which will be further exacerbated with the potential for a new nuclear energy plant at Bradwell-on-Sea (within the next 10 years). However, coupled with demand for skills from significant local housing growth, this will also provide opportunities for upskilling of the existing workforce and provision of apprenticeships and work placements for new entrants.

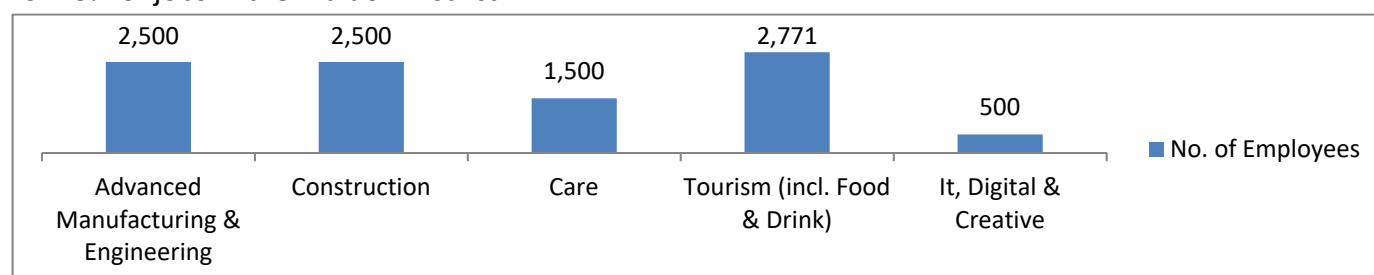
Maldon District is recognised for its high propensity of innovation in mechanical, electrical and electronic engineering in a range of industries including automotive, energy, marine, health, construction and aerospace. The council is also committed to the safeguarding of marine heritage skills and jobs in the District and to the development of this vibrant sector specific to our locality.

Health and Care which currently employs **1,500** in care and another **350** in health and will need to increase its recruitment because Maldon District has

- one of the highest projected population changes across Essex for the 70-74 age year group
- one of the highest predicted increases of people living with dementia
- and one of the highest predicted increases in older people by 2025

IT, Digital & Creative – The current **500** employed will need to increase as every industry will have a requirement for digital expertise in the future regardless of whether the business is directly related to this sector or not. Business needs will range from cyber security, digital media through to technological advancements (e.g. Artificial Intelligence and Robotics, 3D printing, CAD etc.)

Tourism incorporating food and drink – According to the most recent Economic Impact of Tourism Report 2016 there are **2,771** jobs in this industry in the District. Maldon District is a visitor destination due to its distinctive character, natural environment and heritage assets. It also has a growing niche food and drink market in particular with regards to the Crouch Valley wine region. A budget hotel is to be constructed on the Causeway which will also help to increase Tourism and the sector itself accounts for 15% of jobs in the Maldon District.



Please note that while employment figures for wholesale and retail in the Maldon District are also high at 4,000, this sector is receiving attention through provision of business support for cross-cutting digital

skills to assist employers embrace e-commerce to support their bricks and mortar businesses. The local logistics sector with 1,000 employees, is in decline and agriculture, while a very important and visible sector in the district, employs low numbers. All the employment figures above are based on the Essex Employment & Skills Board Maldon Profile 2017-18 apart from Tourism which is taken from the Economic Impact of Tourism Report (2016)

Alignment with the Industrial Strategy

The government's Industrial Strategy White paper was published in November 2017 and sets out the government's plans for growth. Objectives include helping businesses create better, higher-paying jobs, with investment in the skills, industries and infrastructure of the future.

The white paper focuses on five foundations of productivity:

- Ideas – the world's most innovative economy (Supporting greater R&D through increased tax credits and investing £725 million in new Industrial Strategy Challenge Fund programmes to capture the value of innovation)
- People – good jobs and greater earning power for all (Focus on STEM education and technical qualifications, such as T levels, as well as creating a new National Retraining Scheme that supports people to re-skill, beginning with a £64 million investment for digital and construction training.)
- Infrastructure – a major upgrade to the UK's infrastructure (considering transport, housing and digital infrastructure)
- Business environment – the best place to start and grow a business (with a focus on improving productivity of SMEs, including how to address the 'long tail' of less productive businesses)
- Places – prosperous communities across the UK (Agree Local Industrial Strategies that build on local strengths and deliver on economic opportunities)

Maldon District will align its skills strategy to national policy and local partners, such the the Essex Employment and Skills Board, South East Local Enterprise Partnership (SELEP) and the Haven Getway Partnership, amongst others, but with a focus on local priorities. Where benefits can be captured for local people and businesses, we will interact with these institutions in order to tap into these opportunities, adopting, where possible, a common approach, such as over T-Level reform, the Apprenticeship Levy, and engaging employers on opening up more opportunities for work experience.

The skills gap and the impact of Brexit

Brexit is expected to have an impact on the skills gap in Maldon District as many businesses already recruit and employ European citizens at all levels, due to a shortage of domestic UK applicants. As evidence is mounting from recruiters that the UK is no longer attracting the same level of job applications from European citizens, this requires a greater focus on local UK labour and skills, such as upskilling existing employees.

Another factor impacting on local skills availability is out-commuting, with over half the economically active local employees travelling to work outside the area, somewhat compensated for by a smaller number travelling in. We therefore need to identify ways to encourage local people to take up local jobs, encouraging them to avoid a tiring and costly daily commute and enjoy the benefits of a high quality of life.

Skills Survey Results

As part of the research for this strategy we conducted an online skills survey (October - January 2018) with employers to identify their skills needs and to obtain further evidence of the specific skills requirements of Maldon District.

The number of local companies that participated in the survey were **33**. While this represents a very small percentage of total businesses in Maldon District, it includes several key businesses and provides us with a baseline to gather additional data in future analyses.

51% of these were micro sized companies (1-10 employees) and **39%** from the Advanced Manufacturing and Engineering sector. **71%** confirmed that they thought a skills training centre was required and **39%** employ apprentices.

The main trends identified by these survey results and the Essex Employment and Skills Board Report were

- The number of small and micro enterprises are on the increase
- Medium sized enterprises have the highest growth
- And most skills shortages and vacancies were within the Advanced Manufacturing and Engineering

Maldon District Enterprises & Employees

All enterprises and employee data is sourced from ONS datasets; Business Register and Employment Survey 2015 and UK Business Counts 2016.

Size of Enterprises by Employment Size Band

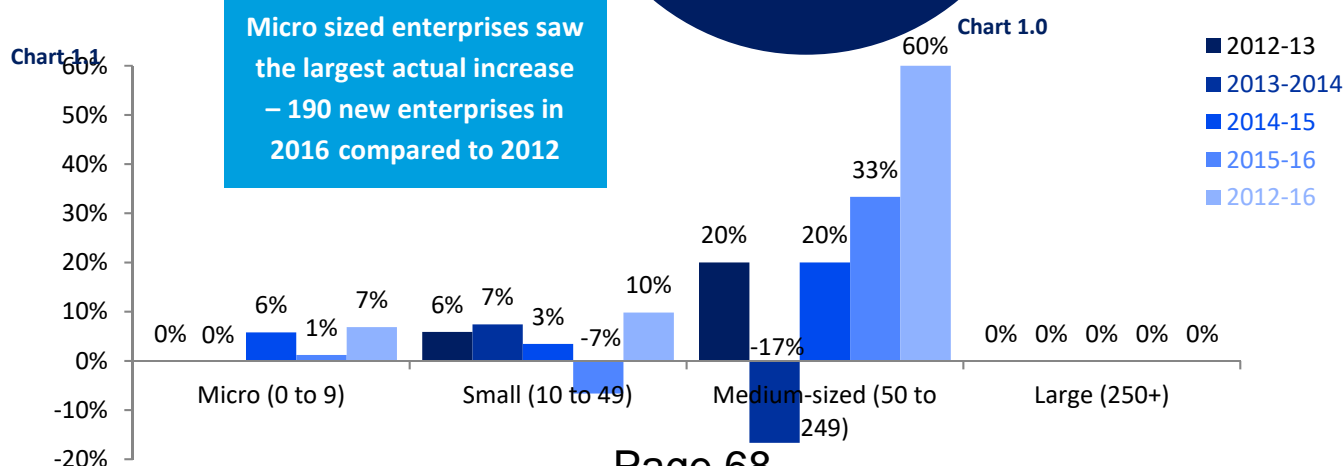
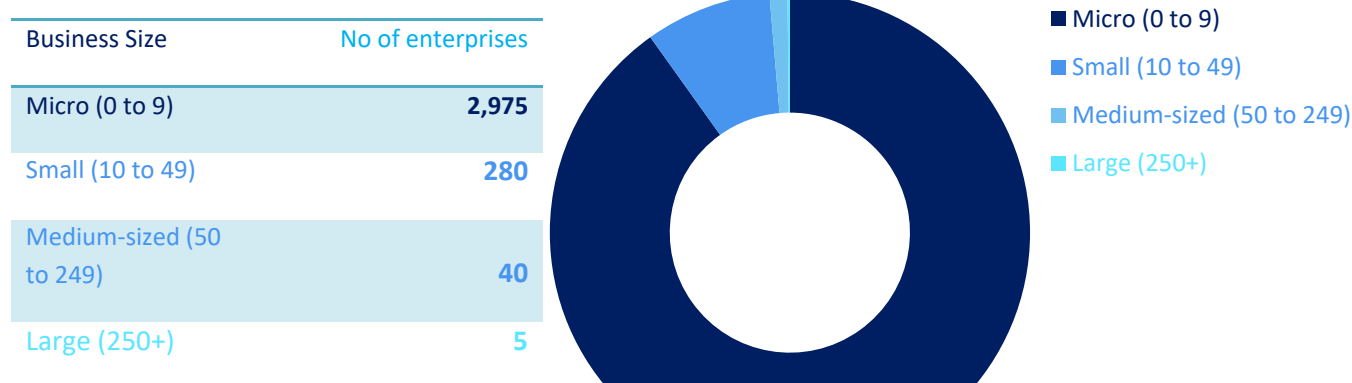


Chart 1.1 shows the annual percentage change of the size of enterprises in Maldon. Since 2012 all, except Large sized enterprises, experienced growth. The largest percentage increase between 2012 and 2016 was Medium sized enterprises, which saw a 60% increase over the 5 year period.

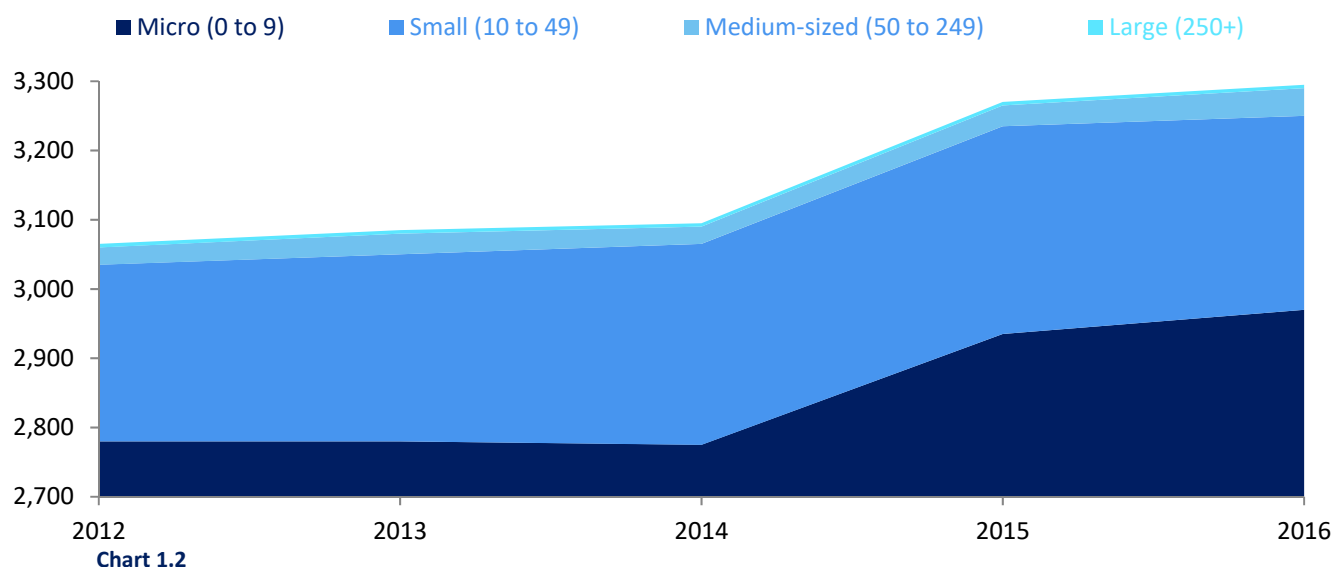


Chart 1.2 represents the combined total of all enterprises in Maldon between 2012 and 2016. The graph also divides the enterprises into their respective size, showing how the number within each category has changed over the last five years. (note the y axis scale)

As the chart illustrates the highest proportion of Maldon enterprises are in Construction and Professional, Scientific and Technical sectors. Maldon also has a strong presence of Advanced Manufacturing & Engineering and IT, Digital and Creative sectors.

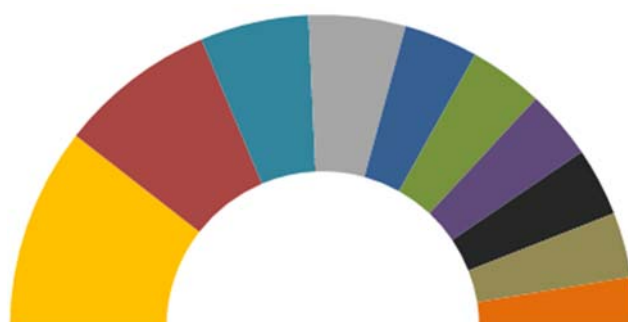
Please note that the number of enterprises identified in priority sectors is calculated using a specific set of SIC codes (defined in the relevant sector profile) therefore these figures may differ to industries identified using SIC sections.

Analysis of Vacancies

There were 2,087 job vacancies advertised in Maldon during 2016. Outlined below is data showing the distribution of salaries on offer, and the skills in demand. Vacancy data is sourced from www.labourinsights.com and is for the period Jan 1st 2016 and Dec 31st 2016

Skills in Greatest Demand – Top 10 Baseline Skills

Skills	Job Postings
Communication Skills	330
Organisational Skills	255
Customer Service	176
Microsoft Excel	157
Sales	120
Detail-Orientated	120
Team Work/ Collaboration	112
Mathematics	111
Planning	105
English	82
Postings with unspecified skill:	1,015



Skills in Greatest Demand – Top 10 Specialised Skills



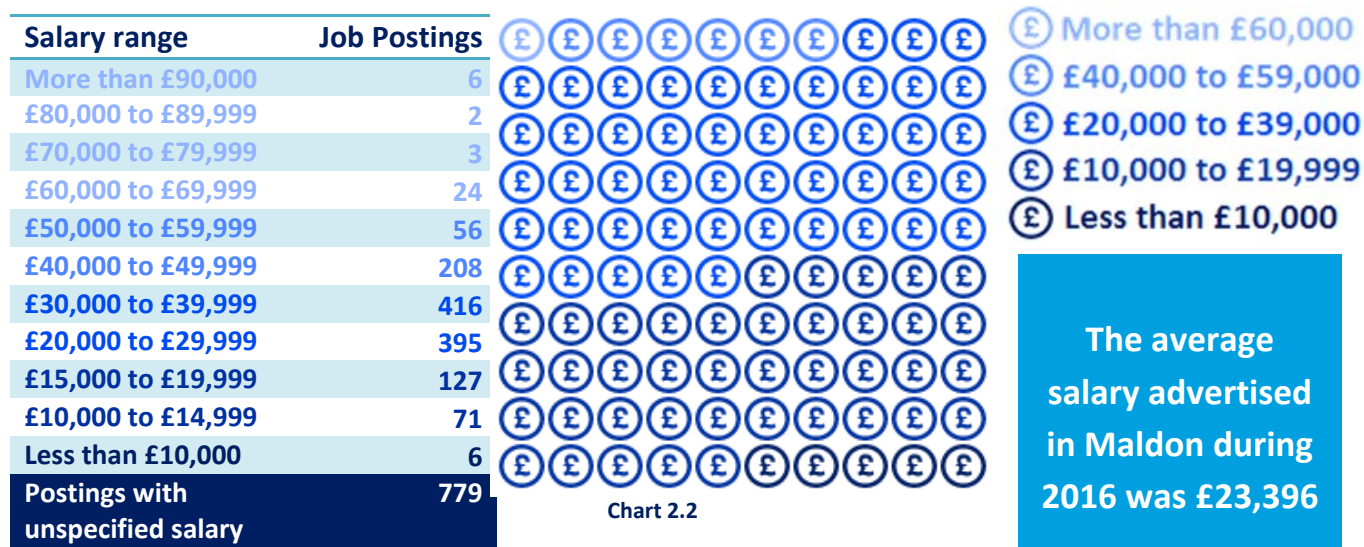
Skills	Job Postings
Teaching	136
Order and Invoice Processing	83
Product Sales	78
Sales Recruiting	63
Quality Assurance and	57
Administrative Functions	56
Sales Engineering	54
Accountancy	51
Machinery	50
Contract Management	45
Postings with unspecified skill:	1,015

Table 1.3

Other Skills in Demand



Distribution of Advertised Salary



Vacancies in ESB Priority Sectors

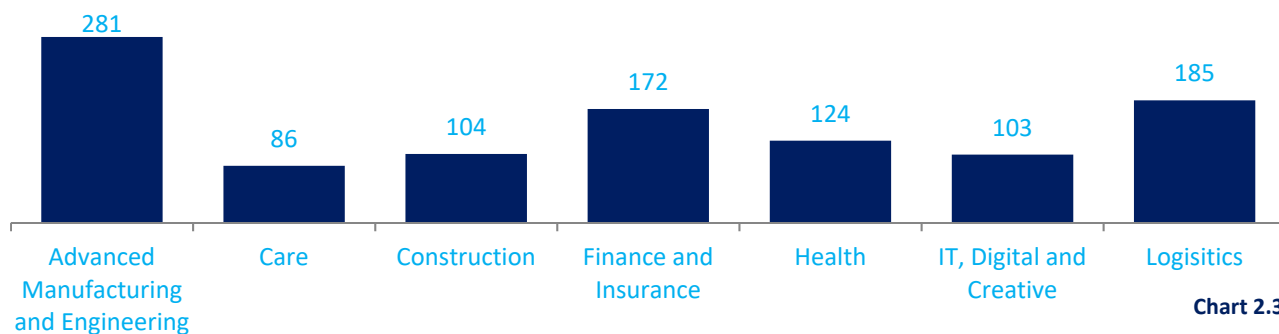


Chart 2.3 vacancy data shows that amongst the ESB priority sectors there were more than 200 vacancies advertised in 2016 for occupations in the Advanced Manufacturing and Engineering sector.

Education and Training

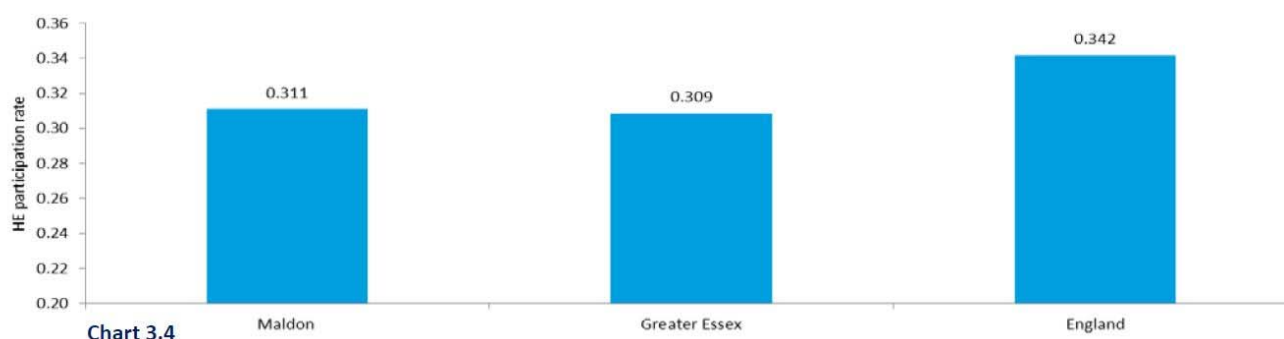
Education Providers

Secondary Schools in Maldon

School/College	Institution type (age range)	Ofsted inspection result	Ofsted inspection date
Ormiston Rivers Academy	11-18	2	Good
Plume School	11-18	2	Good

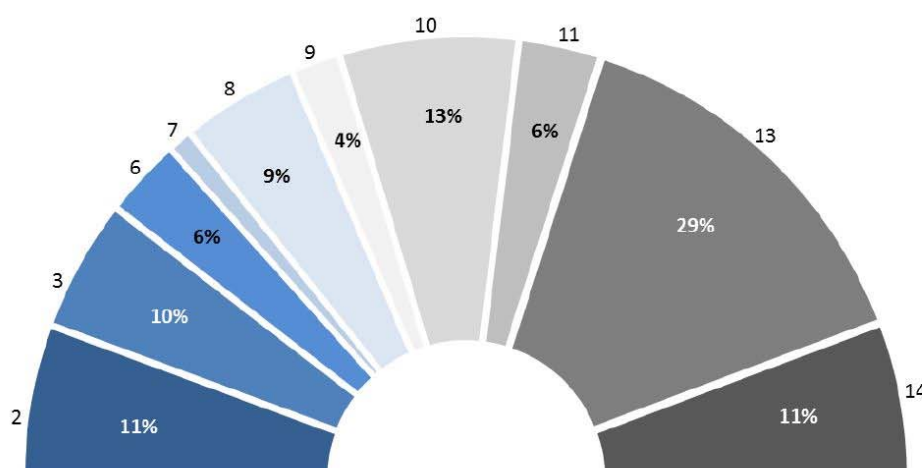
Participation in Higher Education

Analysis published by the Higher Education Funding Council for England shows the proportion of young people who participate in Higher Education. This is based on the combined participation rates of those aged 18 between 2005 and 2009 who entered HE between 2005-06 and 2010-11 academic years. Further information can be found at <http://www.hefce.ac.uk/analysis/yp/POLAR/>



School Sixth Forms

In 2015/16, 780 16-18 year old Maldon residents attended School Sixth Form provision. School Sixth Form enrolments were split into the following sector subject areas⁵ and by qualification level as follows:



- 1 - Agriculture, Horticulture and Animal Care
- 3 - Business, Administration and Law
- 5 - Education and Training
- 7 - Health, Public Services and Care
- 9 - Information and Communication Technology
- 11 - Leisure, Travel and Tourism
- 13 - Science and Mathematics

- 2 - Arts, Media and Publishing
- 4 - Construction, Planning and the Built Environment
- 6 - Engineering and Manufacturing Technologies
- 8 - History, Philosophy and Theology
- 10 - Languages, Literature and Culture
- 12 - Retail and Commercial Enterprise
- 14 - Social Sciences

Chart 3.2

SKILLS Priorities

The skills priorities that affect all the growth sectors in the Maldon District and their potential for future success together with some examples of how these can be tackled, have been identified as follows:

1. Activities focused on people, centre around key themes such as developing our future workforce, raising attainment & skill levels and thereby helping people become employed and raise the level of their jobs, such as:
 - Improve work preparedness of our young people and ensure they are able to make informed career choices, especially young women.
 - There should also be initiatives aimed at encouraging women to consider STEM qualifications through female case studies, female role models working in these sectors coming into the schools to talk about their experiences and examples of job roles and career pathways for women and thereby encouraging more women to work in those sectors traditionally considered 'masculine' roles
 - Working with the Department of Work & Pensions in respect of initiatives such as Work Skills Academies and recruitment drives, careers and apprenticeship fairs etc. This should include

opportunities for support aimed at disadvantaged groups, such as those with a disability, ex offenders etc.

- Raising greater awareness of the variety of roles and career progression paths
 - Engaging the schools on sector related projects, talks, taster sessions, work experience, careers and apprenticeship fairs as well as projects aimed at boosting the numbers of young people from disadvantaged backgrounds going into higher education.
 - Support for digital upskilling / inclusion, utilising all available technologies, such as virtual reality.
 - Together with partners exploring innovative approaches to overcoming the challenges posed by rural travel barriers.
2. Activities focused on supporting local business include key themes such as developing a robust supply of skilled ambitious talent for our priority growth sectors, thereby encouraging greater investment and more jobs, such as:
- Encouraging increased take up of apprenticeships by existing staff (upskilling) and new entrants.
 - encouraging succession planning to counteract an ageing workforce in some sectors
 - Intelligently targeting additional skills sources, such as those leaving the military, those with a disability and ex offenders etc.
 - Encouraging businesses to work with schools (including primary schools and the 11-14 year age group), local training providers, parents and students to raise aspirations in those sectors requiring these skills, particularly Manufacturing and Engineering, Construction, & Creative & Digital.
 - Guiding businesses to anticipate how demand for technology driven skills are likely to develop in the future and investing in training to meet those demands.
 - Encouraging increased take up of digital skills and other higher level technical qualifications in STEM subjects at further and higher education level.
 - Creating greater links between the businesses, education providers and Careers Advisers
 - Encouraging business involvement with the employer led Essex Employment and Skills Board Sector Action Groups and their initiatives to build a productive, responsive and inclusive Essex skills and training system that delivers growth and opportunities for local people and employers.
 - Working with businesses to influence future vocational curriculum to better match the requirements of business including employability skills.

The above priorities have all been identified through feedback from businesses via a Skills survey and other sources as listed below. Please note that a fully comprehensive Action Plan will follow this Strategy once it has been approved, which will also include skills issues specific to the individual sectors and further examples of how these issues can be tackled. We also need to be particularly mindful of the significant skills impact that the future construction of Bradwell 'B' power station is likely to have on the District.

Principal Data Sources

Maldon District Council Economic Development Team Business Skills Survey conducted October 17-January 18

Maldon District Council Economic Prosperity Strategy Evidence Base 2013-2029

<https://www.maldon.gov.uk/publications/LDP/pre-submission/3%20Economic%20Prosperity/EB068b%20Maldon%20District%20Economic%20Prosperity%20Strategy%20Evidence%20Base.pdf>

Maldon District Council Prosperity Strategy 2013-2029

<https://www.maldon.gov.uk/publications/LDP/pre-submission/3%20Economic%20Prosperity/EB068a%20Maldon%20District%20Economic%20Prosperity%20Strategy.pdf>

Economic Impact of Tourism for Maldon District Report produced by Destination Research - 2016

Essex Employment & Skills Board Maldon District Profile 2017-2018 <https://www.essexesb.co.uk/our-research/search/location/maldon>

Essex Employment & Skills Board IT, Creative & Digital Profile 2017

https://www.essexesb.co.uk/files/0ce1f-IT_Sector%20Profiles_2016_17_Final.pdf

Essex Employment & Skills Board IT, Digital & Creative Fact Sheet

<https://www.essexesb.co.uk/files/36a2f-ITDigitalCareersFactSheet.pdf>

Essex Employment & Skills Board Care Fact Sheet <https://www.essexesb.co.uk/priority-sectors/care>

Essex Employment & Skills Board Care Profile 2017 <https://www.essexesb.co.uk/our-research/care-sector-skills-profile-2017>

Essex Employment & Skills Board Construction Fact Sheet 2016-17

Essex Employment & Skills Board Construction Profile 2017 <https://www.essexesb.co.uk/our-research/construction-sector-skills-profile-2017>

Essex Employment & Skills Board ESB/CITB – Construction Labour & Skills 17.02.16 Research Sandra Lilley, Doug Forbes and Karen Hazelden

<https://www.essexesb.co.uk/files/04545-Essex%20v23%20finalsblog.pdf>

Essex Employment & Skills Board Advanced Manufacturing & Engineering Profile 17/18

<https://www.essexesb.co.uk/our-research/advanced-man-engineering-sector-skills-profile-2017-18>

Essex Employment & Skills Board advanced Manufacturing & Engineering Fact Sheet 2016-17

https://www.essexesb.co.uk/files/50993-Ad_Man_Eng..pdf



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**MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
12 MARCH 2019**

PRESENT

Chairman	Councillor D M Sismey
Vice-Chairman	Councillor I E Dobson
Councillors	P G L Elliott, A S Fluker, B E Harker and Rev. A E J Shrimpton
Ex-Officio Non- Voting Member	Councillor(s) B S Beale MBE and Mrs M E Thompson

944. CHAIRMAN'S NOTICES

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

945. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs B F Acevedo and M S Heard.

946. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 29 January 2019 be approved and confirmed.

947. DISCLOSURE OF INTEREST

There were none.

948. PUBLIC PARTICIPATION

No requests had been received.

949. HUMAN RESOURCES STATISTICS - QUARTER THREE 2018/19

The Committee received and noted the report of the Director of Resources presenting Human Resources statistics for the period 1 October to 31 December 2018 (Quarter Three (Q3)).

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

- Staff Turnover;
- Recruitment, including vacancies;
- Agency workers – Appendix 1 to the report set out agency expenditure for Q3;
- Staff Sickness Levels;
- Attendance Management Compliance;
- Workforce Statistics – attached as Appendix 2 to the report.
- Exit Questionnaire Analysis.
- Future Model.

It was noted that as a consequence of the implementation of the Future Model, a hold had been placed on all non-essential recruitment. There had been a moderate amount of recruitment during Quarter Two, with all internal and external appointments recruited to being on a fixed term or agency basis. Human Resources (HR) continued to work with the Corporate Leadership Team and Ignite regarding implementation of the people, culture and change work streams under the Future Model.

Members noted that the overall staff sickness levels were 1.51 days per Full Time Equivalent and this was a significant reduction from Quarter One.

Councillor A S Fluker proposed that the report be noted, this was duly seconded and agreed.

RESOLVED that the contents of the report be noted.

950. UPDATED RATE RELIEF POLICY

The Committee considered the report of the Director of Service Delivery seeking Members' approval of the updated Discretionary Non-Domestic Rate Relief Scheme (attached as Appendix 1 to the report). This Scheme updated and replaced the Councils existing policy to reflect changes announced by Central Government to support retail businesses. It was noted that the new Scheme would be fully funded by Central Government.

Members were advised that the new Retail Relief Scheme would enable additional financial support of up to one third of the total rates bill for eligible retail businesses with a rateable value of less than £51,000.

RECOMMENDED that the proposed Discretionary Non-Domestic Rate Relief Scheme attached as **APPENDIX 1** to these Minutes be approved.

951. HOUSES IN MULTIPLE OCCUPATION LICENSING FEES

The Committee considered the report of the Director of Resources seeking Members' approval of the revised Houses in Multiple Occupation (HMO) licence fee and the HMO licence renewal fee.

The report provided background information regarding the introduction of the HMO Licensing which came into force in 2006. It was noted that in October 2018 the mandatory licensing of HMOs was extended to all HMOs occupied by five or more persons, irrelevant of the number of storeys. This had led to a number of additional licence applications and in light of this the current licence fee had been reviewed and revised to allow the Council to cover its related costs. The report set out a proposal to introduce a renewal fee and Appendix 1 to the report set out the proposed fee along with the new licence application fee. A breakdown of how these fees had been reached was also provided. Members were advised that these fees had been benchmarked against other Essex Local Authorities.

RESOLVED that the proposed Houses in Multiple Occupation licence fee and renewal fee be agreed.

952. SUPPLEMENTARY ESTIMATES, VIREMENTS AND USE OF RESERVES: 1 JANUARY TO 14 FEBRUARY 2019

The Committee considered the report of the Director of Resources, reporting virements and supplementary estimates agreed under delegated powers and procurement exemptions granted.

Members were advised that there had been three procurement exemptions approved during the period 1 January to 14 February and these related to:

- dredging of the Hythe Quay (£20,000);
- installation of the surface at the galleon, Promenade Park (£16,000);
- extension to the Burnham-on-Crouch pontoon (externally funded by the Coastal Communities Grant - £35,245).

There were no supplementary estimates, virements or drawback on reserves to report for this period.

RESOLVED that the procurement exemptions detailed in the report be noted.

953. ANNUAL REVIEW OF FINANCIAL REGULATIONS

The Committee considered the report of the Director of Resources proposing revisions to the Financial Regulations as part of the regular annual review.

It was noted that the Financial Regulations had been updated to reflect the new leadership structure and practices within the Authority. A table of changes along with the updated Financial Regulations were attached at Appendix 1 to the report. The

Director of Resources advised that this document would require further amendment following confirmation of the new Committee Structure Terms of Reference.

RECOMMENDED that the Financial Regulations as set out in **APPENDIX 2** to these Minutes be approved.

954. PAY POLICY STATEMENT

The Committee considered the report of the Director of Resources seeking the Council's approval of a Pay Policy Statement to meet the Localism Act 2011 requirements.

It was noted that the Pay Policy Statement was attached as Appendix 1 to the report and reflected the current arrangements for pay at the Council. The only change was to reflect the new structure of the Council.

Councillor A S Fluker proposed that the Pay Policy Statement be recommended to the Council for adoption for the financial year 2019 / 20. This was duly seconded and agreed.

RECOMMENDED that the Pay Policy Statement attached as **APPENDIX 3** to these Minutes be adopted for the financial year 2019 / 20.

955. 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 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.

956. DISPOSAL OF LAND AT SPRINGFIELD ROAD, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Resources presenting an offer received to purchase a plot of land in the Council's ownership on Springfield Road, Burnham-on-Crouch.

Members were reminded that the Committee, at its meeting in September 2018, had resolved for the Director of Resources in conjunction with the Chairman of the committee to renegotiate to sell the land subject to a further report back and final approval by this Committee. The report provided background information following this meeting and advice provided by the Council's Monitoring Officer.

In response to questions, the Director of Resources provided Members with further information regarding the original valuation costs and the viability assessment carried out.

Councillor A S Fluker proposed that the recommendation as set out in the report be agreed. This was duly seconded. Councillor Fluker also proposed that this be a recommendation to the Council which was agreed and the Director of Resources that this should have been detailed as such in the report.

RECOMMENDED that the piece of land identified in the report at Springfield Road, Burnham-on-Crouch be sold for a value of £250,000 with a further option at a minimum price of £250,000 and uplift determined by the external valuer should any further residential development take place on the site.

957. BUDGET GROWTH ITEM - GREEN WASTE CONTRACT

The Committee considered the report of the Director of Service Delivery seeking Members' approval for additional budget growth to enable short-term funding for a fourth garden waste vehicle which would allow the service to accept further customers.

It was noted that the number of garden waste customers had significantly increased since procurement of the contract with an additional 2,015 bins being added. Members were advised that as of January 2019 260 residents were a waiting list to join the service. The report highlighted discussions with the contractor to accommodate those on the waiting list, additional new customers and provided related income and expenditure and predicted subscription growth.

In response to a question, the Director of Resources advised that the additional vehicle would clear the current waiting list and provide capacity for a further 1,200 customers. The Director also confirmed that the Council would keep the advertising rights in respect of the new vehicle.

RESOLVED

- (i) That a maximum of £32,000 budget growth be allocated to fund a fourth green waste vehicle and associated staffing costs to enable the service to accept further customers;
- (ii) That due to the final balance will be reported to the Finance and Corporate Services Committee by 28 February 2020.

There being no further items of business the Chairman closed the meeting at 7.55 pm.

D M SISMEY
CHAIRMAN

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**Maldon District Council
Policy for the granting of
Discretionary Non-Domestic Rate Relief**



Version Control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	June 2017	LM	Policy
2	June 2017	DA	Revisions
3	July 2017	LM	Revisions
4	July 2017	DA	Sign Off
5	October 2017	LM	Revisions MLM
6	November 2017	LM	Revisions MLM
7	January 2019	LM	Full update of policy



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1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of discretionary relief and related areas to be granted to certain defined ratepayers within the Council's area.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for mandatory relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 In addition to the above, Central Government is keen that in certain cases, assistance should be provided to businesses who have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.
- 1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met. In the case of the new reliefs, some guidance has been issued by Central Government outlining actions expected to be taken by local authorities. This policy includes Government guidance where appropriate but also looks to target discretionary relief in line with the Council's priorities.
- 1.5 This document outlines the following areas:
- Details of the criteria for receiving Discretionary Reliefs for all relevant areas;
 - The Council's policy for the granting of all types of Discretionary Reliefs;
 - Guidance on granting and administering the reliefs and awards;
 - European Union requirements including provisions for State Aid; and
 - The Council's Scheme of Delegation.
- 1.6 Where organisations apply for relief they will be granted (or not granted) relief or reductions in line with the following policy.



2.0 Mandatory Relief - Legislative Background

Charity Relief

- 2.1 The powers relating to the granting of mandatory¹ and discretionary relief are given to the Council under the Local Government Finance Act 1988². Charities and Trustees for Charities are only liable to pay one fifth of the Non-Domestic Rates that would otherwise be payable where property is occupied and used wholly or mainly for charitable purposes. This amounts to mandatory relief of 80%. For the purposes of the Act, a charity is an organisation or trust established for charitable purposes, whether or not it is registered with the Charity Commission. The provision has been extended under the Local Government Act 2003 (effective from 1st April 2004) to registered Community Amateur Sports Clubs (CASCs). Full details of the mandatory provisions are given later within this policy.
- 2.2 In the case of charity shops, the premises must meet the criteria laid down by section 64 (10) of the Local Government Finance Act 1988 which states that the premises are to be treated as used for charitable purposes at any time it is wholly or mainly used for the sale of goods donated to the charity and the proceeds of goods (after any deductions for expenses) are applied for the purpose of the charity.
- 2.3 The Council has discretion to grant relief of up to a further 20% for these mandatory cases under its discretionary provisions.

Rural Rate Relief

- 2.4 From 1st April 1998, under powers originally granted to the Council by the Local Government and Rating Act 1997³, certain types of business in rural settlements, with a population below 3000 may qualify for mandatory rate relief of 50 per cent. Businesses that qualify for this relief are the sole general store and the sole post office in the settlement, provided it has a Rateable Value of up to £8500; any food shop with a Rateable Value of up to £8500; and the sole pub and the sole petrol station in the settlement provided it has a Rateable Value of up to £12500.
- 2.5 From 1st April 2017, Central Government has indicated that it wants all authorities to give 100% relief to premises that receive mandatory rural rate relief. The legislation enabling this will not be forthcoming until 2018 and therefore it has indicated that where the additional 50% is granted, a section 31 grant will be made available to the Council. This is dealt with further within this policy and the Council will automatically grant the additional 50% discretionary relief where appropriate
- 2.6 Where businesses in rural settlements have a Rateable Value of up to £16,500 **and** are not in receipt of mandatory relief, the Council may decide to give up to 100 per cent discretionary relief if it is satisfied that the business is of benefit to the community and having regard to the interests of its Council Taxpayers.

¹ S43 & S45 Local Government Finance Act 1988

² S47 & S48 Local Government Finance Act 1988

³ LGFA 1988, s.47, as amended by Sch. 1 to the Local Government and Rating Act 1997



3.0 Discretionary Relief – Legislative Background

Introduction

- 3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to 'top' up cases where ratepayers already receive mandatory relief.
- 3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.
- 3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.
- 3.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information and evidence as required in order to determine whether relief should be awarded.
- 3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority's area. There is no statutory appeal process or Tribunal against any decision made by the Council although, as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.
- 3.6 Granting of the relief falls broadly into the following categories:
 - a. Discretionary Relief – Charities who already receive mandatory relief.
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
 - c. Discretionary Relief – Rural Rate relief - premises that already receive mandatory relief;
 - d. Discretionary Relief – Rural Rate relief - premises not receiving mandatory relief but of benefit to the local community and less than £16,500 RV;
 - e. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - f. Local Newspaper Relief (from 1st April 2017 for a period of three years);
 - g. Local Public House Relief (from April 2017 for a two-year period);
 - h. Supporting Small Businesses Relief (from 1st April 2017 for a period of five years or until business pay their full rate charge or their transitional rate charge (calculated in accordance with the Non-Domestic Rating (Chargeable Amounts)(England) Regulations 2016));
 - i. Discretionary Business Rates Relief Scheme (from 1st April 2017 for a period of up to four years);
 - j. Retail Discount Scheme; and
 - k. S49 Hardship Relief.



- 3.7 The decision to grant or not to grant discretionary relief is a matter purely for the Council.

The Council's general approach to granting Discretionary Relief

- 3.8 In deciding which organisations should receive discretionary rate relief, the Council has considered the following factors and priorities:
- a. The awarding of relief will be in line with the Council's vision and values. Details can be found at
 - b. That any award should support business, charities, organisations and groups that help to retain services in the Council's area and not compete directly with existing businesses in an unfair manner;
 - c. It should help and encourage business, charities, organisations, groups and communities to become self-reliant;
 - d. Awarding discretionary relief should not distort competition or significantly change the provision of services within the Council's area;
 - e. Local organisations will be given priority over national organisations. Where requested, the organisation will need to supply the Council with clear evidence of **all** financial affairs (normally two full years) including, and most importantly, the amounts of monies raised, used and invested locally. This will be essential where the organisation is national in nature;
 - f. To enable appropriate organisations to start, develop or continue their activities, which deliver outcomes to the community and that also relate to the priorities of the Council, which without granting discretionary relief they would be unable to do;
 - g. To assist the Council in delivering services which could not be provided otherwise;
 - h. To enable the Council to determine the level of rate change in comparison with the organisation's financial situation; and
 - i. To ensure that the financial impact of awarding discretionary business rate relief is justified in terms of the local outcomes achieved by the organisation receiving it;
- 3.9 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 where hardship is proven to the Council, then there will be no requirement to grant Discretionary Rate Relief for that amount.
- 3.10 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the criteria is met irrespective of whether discretionary relief can be granted or not.

The Council's approach to granting Government led Discretionary Relief schemes

- 3.11 Over the past few years, a number of schemes have been led by Central Government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988 and guidance is often provided. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximise



any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.



4.0 Effect on the Council's Finances

- 4.1 The granting of discretionary relief will, in the main, involve a cost to the Council. Since the change to the funding for Non-Domestic Rating in April 2013, the effect of the relief is complex.
- 4.2 Any amounts granted prior to 1st April 2013 and continuing since that date will be included in the Council's baseline within the Business Rates Retention Scheme. For any amounts granted for similar cases after 1st April 2013, the costs of the relief will be borne in accordance with the Business Rates Retention Scheme share namely 50% borne by Central Government, 40% by the Council and 10% by Essex County Council. This also applies where mandatory relief is granted. From 2020 the overall percentage of rates retained by local authorities will change in line with the 75% Business Rates Retention scheme announced by Central Government.
- 4.3 Where Central Government leads an initiative, grants are often available through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas
- 4.4 The financial effects of discretionary reliefs covered by this policy are as follows:

Appendix	Relief Type	Granted after 1 st April 2013
	Charity Relief	
A	Discretionary relief granted to Mandatory Relief recipients	40% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	40% borne by the Council
	Rural Rate Relief	
C	50% Discretionary relief granted to Mandatory Rural Relief recipients	Section 31 Grant
D	Other premises within a rural settlement under £16500 RV	40% borne by the Council
	Localism	
E	Discretionary Relief granted to ratepayers generally and not covered by any other section	40% borne by the Council
	Local Newspaper Relief	
F	Discretionary Relief granted to local newspapers meeting the criteria (From 1 st April 2017 for a period of three years)	Section 31 Grant
	Public House Relief	
G	Discretionary Relief granted to public houses meeting the criteria (From 1 st April 2017 for a period of two years)	Section 31 Grant



Appendix	Relief Type	Granted after 1st April 2013
	Supporting Small Business Relief	
H	Supporting Small Businesses Relief (from 1 st April 2017 for a period of up to five years if conditions are met)	Section 31 Grant
	Discretionary Business Rates Relief Scheme	
I	Discretionary Business Rates Relief Scheme (from 1 st April 2017 for a period of up to four years)	Section 31 Grant up to a maximum level set by Central Government. Once the maximum has been reached any additional amount is borne 40% by the Council
J	Retail Discount	
	The Retail Discount Scheme (from 1 st April 2019 for a period of up to two years)	Section 31 Grant
	S49 Hardship Relief	
K	Partial or full relief for cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers	40% borne by the Council



5.0 Discretionary Relief – EU State Aid requirements

- 5.1 European Union competition rules generally prohibit Government subsidies to businesses. Relief from taxes, including non-domestic rates, can constitute state aid. The Council must bear this in mind when granting discretionary rate relief.
- 5.2 Rate relief for charities and non-profit making bodies is not generally considered to be state aid, because the recipients are not in market competition with other businesses. However, where other bodies receive relief and are engaged in commercial activities or if they are displacing an economic operator or if they have a commercial partner, rate relief could constitute state aid.
- 5.3 Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)⁴. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three-year period (consisting of the current financial year and the two previous financial years).
- 5.4 Where the relief to any one business is greater than the De Minimis level, then permission will need to be obtained from the European Commission. In such cases the matter will be referred to the Department for Communities and Local Government (DCLG) for advice and then referred back to the Council for consideration. It will be for the ratepayer to provide confirmation as to whether the State Aid provisions apply to them.
- 5.5 In all cases, where discretionary relief is to be granted or where liability is to be reduced, when making an application, ratepayers will be required to provide the Council with sufficient information to determine whether these provisions are applicable in their case.

⁴ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>



6.0 Administration of Discretionary Relief

- 6.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation⁵

Applications and Evidence

- 6.2 All reliefs must be applied for. Application forms are produced by the Council both in hard copy and electronic format. The relevant application forms available on line using the following links
- [General Discretionary application form](#)
 - [CASC, charities and not for profit additional questions](#)
- 6.3 Organisations are required to provide a completed application form plus any such evidence, documents, accounts (normally the last two years), financial statements etc. necessary to allow the Council to make a decision. Where insufficient information is provided, then no relief will be granted. In some cases, it may be necessary for officers to visit premises and we would expect organisations claiming relief to facilitate this where necessary.
- 6.4 Applications should initially be made to the Revenues and Benefits Services and will be determined in accordance with Section 7 of this policy.
- 6.5 **The Council will provide this service and provide guidance free of charge. Ratepayers are encouraged to approach the Council direct and NOT pay for such services through third parties.**

Granting of relief

- 6.6 In all cases, the Council will notify the ratepayer of decisions made.
- 6.7 Where an application is successful, then the following will be notified to them in writing:
- The amount of relief granted and the date from which it has been granted;
 - If relief has been granted for a specified period, the date on which it will end. (It should be noted that reliefs are granted for the period specified in the appropriate Appendix and may vary from a day to a full financial year);
 - The new chargeable amount;
 - The details of any planned review dates and the notice that will be given in advance of a change to the level of relief granted; and

⁵ The Non-Domestic Rating (Discretionary Relief) Regulations 1989



- A requirement that the applicant should notify the Council of any change in circumstances that may affect entitlement to relief.
- 6.8 Where relief is not granted, then the following information is provided, again in writing:
- An explanation of the decision within the context of the Council's statutory duty; and
 - An explanation of the appeal rights (see below).
- 6.9 Discretionary relief is to be granted from the beginning of the financial year in which the decision is made or when liability begins whichever is the later. Since 1997 decisions can be made up to 6 months after the end of the financial year for which the application was made. In such cases, the Council *may* backdate its decision.
- 6.10 A decision to award discretionary relief and how much relief is given is normally only applicable to the financial year for which the application is made. However, the Council reserves the right to grant relief for any other period as appropriate.
- 6.11 A fresh application for discretionary relief will be necessary for each financial year **or** at such time-period as the Council determines.

Variation of a decision

- 6.12 Variations in any decision will be notified to ratepayers as soon as practicable and will take effect as follows:
- Where the amount is to be increased due to a change in rate charge or a change in the Council's decision which increases the award – this will apply from a date determined by the Council as appropriate;
 - Where the amount is to increase for any other reason, it will take effect at the expiry of a financial year and so that at least one year's notice is given;
 - Where the amount is to be reduced due to a reduction in the rate charge or liability including any reduction in rateable value, awarding of another relief or exemption this will apply from the date of the decrease in rate charge; and
 - Where the amount is to be reduced for any other reason, it will take effect from a date determined by the Council as appropriate;
- 6.13 A decision may be revoked at any time however; a one-year period of notice will be given and the change will take effect at the expiry of a financial year.



7.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

- 7.1 All powers in relation to reliefs are given under the Local Government Finance Act 1988, the Local Government and Rating Act 1997, the Local Government Act 2003 and the Localism Act 2011. However section 223 of the Local Government Act 1992 allows for delegation of decisions by the Council to Cabinet, Committees, Sub-Committees or Officers.
- 7.2 The Council's scheme of delegation allows for the Customers Officer to award, revise or revoke any discretionary relief applications. However, any application which is considered to be of a significant nature will be subject to consultation with the relevant executive or committee prior to final determination.
- 7.3 Applications that are refused will, on request, be reconsidered if additional supporting information is provided or the refusal is subsequently considered to be based on a misinterpretation of the application.

Reviews

- 7.4 The policy for granting relief will be reviewed annually or where there is a substantial change to the legislation or funding rules. At such time, a revised policy will be brought before the relevant committee of the Council.

Appeals

- 7.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Customers Manager(s). Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.
- 7.6 Where the ratepayer wishes to appeal the decision of the Customer Manager (s) the case will be considered by the Section 151 officer or relevant Executive member whose decision on behalf of the Council will be final
- 7.7 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.



8.0 Reporting changes in circumstances

- 8.1 Where any award is granted to a ratepayer, the Council will require any changes in circumstances which may affect the relief, to be reported as soon as possible. This will be important where the change would result in the amount of the award being reduced or cancelled e.g. where the premises comes unoccupied or is used for a purpose other than that determined by the Council as eligible for relief.
- 8.2 Where a change of circumstances is reported, the relief will, if appropriate, be revised or cancelled as appropriate. Where any award is to be reduced, the Council will look to recover the amount from the date the change of circumstances occurred.

9.0 Fraud

- 9.1 Where a ratepayer falsely applies for any relief, or where the ratepayer provides false information, makes false representation, or deliberately withholds information in order to gain relief, prosecutions will be considered under the Fraud Act 2006.



Appendix A

Discretionary Relief - Mandatory Relief recipients



Discretionary Relief – Mandatory Relief recipients

General Explanation

- A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.
- A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1st April 2004) to include registered⁶ Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

Charity registration

- A.3 Charities are defined within the legislation as being an institution⁷ or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.
- A.4 The question as to whether an organisation is a charity may be resolved in the majority of cases by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non-Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation⁸, however in all cases the organisation must fall within the following categories:
- trusts for the relief of poverty;
 - trusts for the advancement of religion;
 - trusts for the advancement of education; and
 - trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.
- A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:
- the Church Commissioners and any institution administered by them;
 - any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
 - units of the Boy Scouts Association or the Girl Guides Association; and
 - voluntary schools within the meaning of the Education Acts of 1944 to 1980.
- A.6 The Council will consider charitable organisations, registered or not, for mandatory relief.

⁶ Registered with HMRC as a CASC

⁷ S67(10) Local Government Finance Act 1988

⁸ Income Tax Special Commissioners v Pemsell (1891)



Use of Premises - wholly or mainly used

- A.7 Irrespective of whether an organisation is registered as a charity or not, the premises **must** be wholly or mainly used for charitable purposes. This is essential if any relief (either mandatory or discretionary) is to be granted. In most cases this can be readily seen by inspection, but on occasions the Council has had to question the actual use to which the premises are to be put. In some cases, it will be necessary for the Council to inspect any premises fully.
- A.8 Guidance from the Department of Communities and Local Government (DCLG) has stated that in the case of 'mainly', at least 51% must be used for charitable purposes whether of that charity or of that and other charities
- A.9 The following part of this section gives details on typical uses where relief may be given plus additional criteria that have to be satisfied. The list is not exhaustive but gives clear guidance on premises for which mandatory relief can be granted *and therefore* premises which may be equally considered for discretionary rate relief.

Offices, administration and similar premises

- A.10 Premises used for administration of the Charity include:
- Offices;
 - Meeting Rooms; and
 - Conference Rooms.

Charity shops

- A.11 Charity shops are required to meet additional legislative criteria if they are to receive mandatory relief. Section 64 (10) of the Local Government Finance Act 1988 provides that a property is to be treated as being wholly or mainly used for charitable purposes at any time if, at the time, it is wholly or mainly used for the sale of goods donated to a charity and the proceeds of the sale of the goods (after any deduction of expenses) are applied for the purposes of the charity.
- A.12 In order to ascertain whether an organisation meets these requirements, inspections may be made by an officer of the Council when an application is received

Granting of Mandatory Relief - the Council's Policy

- A.13 Where the criteria for awarding mandatory relief are met, the rate charges shall be calculated in accordance with the legislation reducing the liability of ratepayers for each day that the criteria are met.



Charity Relief – Mandatory Relief recipients, the Council's Policy for granting discretionary relief.

- A.14 The Council will consider applications for a discretionary rate relief top up from charities based on their own merits, on a case-by-case basis.
- A.15 In determining the application, the following matters will be taken in to consideration:
1. How the charity supports and links into the Council's corporate vision and priorities;
 2. The purpose of the charity and the specific activity carried out within the premises for which the relief is requested; and
 3. Whether the charity operates at a local or national level and where appropriate, the local and national funding streams and financial position of the charity. The Council is keen to ensure that the organisation provides significant benefit to local residents.
- A.16 The Council is keen to support businesses that have a critical role to play in the local economy and to assist the Council in meeting the Corporate aims and values.
- A.17 In the case of registered Community Amateur Sports Clubs, the key criteria in determining the application will be:
1. The ratepayer occupies the whole hereditament;
 2. Relief cannot be granted in respect of premises that are occupied by the Council or precepting authority;
 3. How the CASC supports and links into the Council's corporate vision and priorities;
 4. The membership and fee structure, and whether the CASC is accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
 5. Membership numbers and the number and percentage of these members that are local residents;
 6. If the CASC has due regard to equality issues and if it actively encourages members from under-represented groups, for example black and minority ethnic residents, people over 50 and people with disabilities;
 7. Whether facilities are available to the wider community regardless of ability; and
 8. If the CASC runs a bar or food provision: the level of income from this activity and how this money is used; and whether the CASC operates at a local or national level and where appropriate, the local and national funding streams and financial position of the CASC.
- A.18 The Council wishes to support and enable appropriate businesses to start, develop and continue with their operations that deliver outcomes directly related to the Council's aims and vision. In the main, this will be done through other means rather than granting discretionary relief. There may be occasions where applications are made for such relief or where a package of measures, including discretionary relief, are appropriate in supporting businesses. This would need to be in accordance with any limitations in respect of state aid.



Appendix B

Discretionary Relief - Non-Profit Making Organisations including Recreation



Discretionary Relief – Non-Profit Making Organisations including Recreation

General explanation

Non-Profit

- B.1 The legislation⁹ allows the Council to grant discretionary relief where the property is not an *excepted* one and all or part of it is occupied for the purposes of one or more institutions or other organisations none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.
- B.2 Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority (*excepted premises*).
- B.3 A number of issues arise from the term 'not established or conducted for profit'. This requires the Council to make enquiries as to the overall purpose of the organisation although if surpluses and such amounts are directed towards the furtherance or achievement of the objects of the organisation then it does not necessarily mean that the organisation was established or conducted for profit.¹⁰

Recreation Clubs

- B.4 Ideally all recreation clubs should be encouraged to apply for Community Amateur sports Club (CASC) status, which would automatically entitle them to 80% relief. The relief granted to CASCs is covered earlier within this policy.
- B.5 Recreation clubs can also apply to the Charity Commissioners for registration as a Charity (thereby falling under the mandatory provisions for 80% relief) where they meet the following conditions:
- a. The promotion of community participation in healthy recreation and by the provision of facilities for the playing of particular sports; and
 - b. The advancement of the physical education of young people not undergoing formal education.
- B.6 Where sports clubs do not meet the CASC requirement, and are not registered charities, discretionary relief can be granted (0-100%) where the property is not an *excepted* one, it is wholly or mainly used for purposes of recreation and all or part of it is occupied for the purpose of a club, society or other organisation not established or conducted for profit.

⁹ S47 Local Government Finance Act 1988



Definition of Recreation

B.7 Recreation is clearly defined by the Sports Council as any of the following¹¹

Aikido	Croquet	Kabaddi	Real Tennis	Tang Soo Do
American Football	Crossbow	Karate	Roller Hockey	Tenpin Bowling
Angling	Curling	Kendo	Roller Skating	Trampolining
Archery	Cycling	Korfball	Rounders	Triathlon
Arm Wrestling	Disability Sport	Lacrosse	Rowing	Tug of War
Association Football	Dragon Boat Racing	Lawn Tennis	Rugby League	Unihoc
Athletics	Equestrian	Life Saving	Rugby Union	Volleyball
Australian Rules Football	Fencing	Luge	Sailing	Water Skiing
Badminton	Fives	Modern Pentathlon	Sand/Land Yachting	Weightlifting
Ballooning	Flying	Motor Cycling	Shinty	Wrestling
Baseball	Gaelic Football	Motor Sports	Shooting	Yoga
Basketball	Gliding	Mountaineering	Skateboarding	
Baton Twirling	Golf	Movement, Dance, Exercise & Fitness	Skiing	
Biathlon	Gymnastics	Netball	Skipping	
Bicycle Polo	Handball	Orienteering	Snowboarding	
Billiards and Snooker	Hang/Para Gliding	Parachuting	Softball	
Bobsleigh	Highland Games	Petanque	Sombo Wrestling	
Boccia	Hockey	Polo	Squash	
Bowls	Horse Racing	Pony Trekking	Skater/Street Hockey	
Boxing	Hovering	Pool	Sub-Aqua	
Camogie	Hurling	Quoits	Surf Life Saving	
Canoeing	Ice Hockey	Racketball	Surfing	
Caving	Ice Skating	Rackets	Swimming & Diving	
Chinese Martial Arts	Jet Skiing	Raquetball	Table Tennis	
Cricket	Ju Jitsu	Rambling	Taekwondo	
	Judo			

Access to clubs

B.8 Guidance issued by the DCLG also requires the Council to consider access to clubs within the community before granting discretionary relief.

B.9 Membership should be open to all sections of the community. There may be legitimate restrictions placed on membership which relate for example to ability in sport or to the achievement of a standard in the

¹¹ Definition last reviewed by Sport England in 2002



field covered by the organisation or where the capacity of the facility is limited, but in general membership should not be exclusive or restrictive.

- B.10 Membership rates should not be set at such a high level as to exclude the general community. However, membership fees may be payable at different rates that distinguish the different classes of membership such as juniors, adults, students, pensioners, players, non-players, employed and unemployed. In general, the club or organisation must be prepared to show that the criteria by which it considers applications for membership are consistent with the principle of open access.
- B.11 The Council also asks the following question to help establish the level of access 'Does the organisation actively encourage membership from particular groups in the community e.g. young people, women, older age groups, persons with disability, ethnic minorities' etc.?'

Provision of facilities

- B.12 Clubs which provide training or education are encouraged, as are those who provide schemes for particular groups to develop their skills e.g. young people, the disabled, retired people.
- B.13 A number of organisations run a bar. The mere existence of a bar will not in itself be a reason for not granting relief. However, the Council focuses on the main purpose of the organisation. The Council is encouraged to examine the balance between playing and non-playing members.
- B.14 Within this area, the Council also considers whether the facilities provided relieve the Council of the need to do so, or enhance and supplement those that it does provide.

Discretionary Relief - Non-Profit Organisations including Recreation - the Council's Policy

- B.15 The Council will consider applications for discretionary rate relief from non-profit making organisations on their own merits on a case-by-case basis. In determining the application, the following matters will be taken in to consideration (The list is not exhaustive):
- How the organisation supports and links into the Council's corporate vision and priorities;
 - Whether the facilities provided include education and/or training for members as a whole or for special groups;
 - The extent to which the facilities provided reduce the demand for Council services or produce savings;
 - Any membership and fee structure and whether the facilities are accessible to all residents, including whether there are concessions for certain groups, for example people on a low income or young people under 18;
 - If covered by a membership scheme, membership numbers and the number and percentage of these members that are local residents; and
 - If the organisation has due regard to equality issues and if its facilities are used by all members of the community, for example black and minority ethnic residents, people over 50 and people with disabilities.



- B.16 The Council will also require additional financial information including:
- If the organisation runs a bar or food provision, the level of income from this activity and how this money is used.; and
 - Whether the organisation operates at a local or national level and where appropriate, the local and national funding streams and financial position of the organisation.



Appendix C

Discretionary Relief - Rural Rate Relief - Mandatory Relief recipients



Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

What are the qualifying criteria for Mandatory Relief?

- C.1 For a Post Office or General Store to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £8,500 (from 1 April 2010);
 - The property must be used as a Post Office or a General Store (see below for definition), or both;
 - The property must be the only Post Office or the only General Store within the Rural Settlement.
- C.2 For a Public House or Petrol Filling Station to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £12,500 from 1 April 2010);
 - The property must be used as a Public House (see below for definition) or a Petrol Filling Station (see below for definition); and
 - The property must be the only Public House or the only Petrol Filling Station within the Rural Settlement.
- C.3 For a village food shop to be entitled to 50% Mandatory Relief, all the following criteria must be met:
- The Rateable Value of the property must not exceed £8,500 from 1 April 2010); and
 - The property must be used as a shop selling mainly food (see below for definition).

What rural settlements exist within the Maldon District Council's area?

- C.4 The following are deemed to be rural settlements within the District Council's area:

Althorne – North	Althorne _ South	Asheldham
Bradwell-On-Sea	Bradwell Waterside	
Cold Norton		
Dengie		
Goldhanger	Great Braxted	Great Totham – North
Great Totham -South		
Hazeleigh	Heybridge Basin	
Langford	Latchingdon	Little Braxted
Little Totham		
Mundon		
North Fambridge -North	North Fambridge -South	
Purleigh		
St. Lawrence	Steeple	Stow Maries
Tillingham	Tollesbury	Tolleshunt D'arcy
Tolleshunt Knights	Tolleshunt Major	
Ulting		
Wickham Bishops	Woodham Mortimer	Woodham Walter



What is the definition of a General Store?

- C.5 For the purposes of Rural Rate Relief, 'General Store' means a business or trade, which wholly or mainly sells by retail both food (other than confectionery) for human consumption and general household goods. Where there are two or more General Stores within the same Rural Settlement, none can qualify for Mandatory Relief on that basis, although if one of them functions as a Post Office or a Food Shop relief may be claimed independently on that ground. However, both a General Store and a Post Office in the same Rural Settlement will qualify for Mandatory Relief, provided that, they both meet the criteria. Although a General Store or a Post Office may not meet the criteria for Mandatory Relief, they may still be eligible to apply for Discretionary Relief.

What is the definition of a Public House?

- C.6 For the purposes of Rural Rate Relief, 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises must be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.

What is the definition of a Petrol Filling Station?

- C.7 For the purposes of Rural Rate Relief, 'Petrol Filling Station' means premises where petrol or other automotive fuels are sold retail to the general public for fuelling motor vehicles intended or adapted for use on roads

What is the definition of a Food Shop?

- C.8 For the purpose of Rural Rate Relief, 'Food Shop' means a trade or business consisting wholly or mainly of the sale by retail of food for human consumption (excluding confectionery and catering – in this context catering means any supply of food for consumption on the premises on which it is supplied and any supply of hot food for consumption off the premises). This definition may also include shops, which sell mainly household foods and which may partly also sell hot take away food or food consumed on the premises. But shops whose main business is a restaurant, tearoom, take-away, or confectionery sales are not food shops and so will not qualify for mandatory relief.

What are the qualifying criteria for Discretionary Relief?

- C.9 The Council may grant up to 50% Discretionary Relief in respect of any property which qualifies for 50% Mandatory Relief and the Council may also grant up to 100% Discretionary Relief to any rural business which does not meet the mandatory provisions. It should be noted that for 2017 onwards Central Government has requested that Council grant 50% discretionary relief to all ratepayers who receive 50% mandatory rural rate relief.



Rural Rate Relief – Mandatory Relief recipients, the Council’s Policy for granting discretionary relief.

- C.10 As Central Government has requested and fully funds any additional relief granted to ratepayers who receive mandatory rural rate relief, the Council will automatically grant the additional 50% until such time as primary legislation is changed.



Appendix D

Discretionary Relief - Premises within Rural Settlements



Discretionary Relief – Premises within Rural Settlements

- D.1 In addition to having the ability to grant discretionary relief to those in receipt of mandatory relief, the Local Government and Rating Act 1997 allows discretionary relief of up to 100% to be granted where the rateable value is £16500 or less and:
- a. Property is used for purposes which are of benefit to the local community; and
 - b. It would be reasonable for the billing authority to award relief, having regards to the Council's Council Taxpayers.
- D.2 As with most discretionary relief, part of the cost, is met by Central Government and the balance from local sources.
- D.3 The main criteria for granting discretionary relief in respect of rural rate relief is that premises are used to benefit the local community.

Benefit to the local community

- D.4 Whilst each application for the relief will be considered on its own merits, there are certain factors which weigh heavily in the decision-making process. It is this Council's belief that the spirit of the legislation is to assist businesses and amenities, which contribute significantly to the quality of life of the people who have their main home in the Rural Settlement.
- D.5 To be successful for consideration, a business must show that its existence is a significant benefit to the local community with the majority of local residents directly benefiting from services or facilities provided by that business

Rural Rate Relief – the Council's Policy for granting discretionary relief.

- D.6 The Council will also consider applications for a discretionary rural rate relief from all ratepayers, not entitled to mandatory relief up to a maximum of 100%.
- D.7 In determining the application the following matters will be taken in to consideration:
- The granting of any discretionary relief will be essential in ensuring the viability of any business within the rural settlement;
 - The granting of any discretionary relief is proportionate given the level of any business rates charged compared with the overall turnover of the business;
 - The granting of any discretionary relief will assist the business in continuing to be viable and / or prevent the business from failing;
 - The business is considered by the Council to be essential to the community and that any reduction or withdrawal of the business will have a serious detrimental effect on the rural settlement;



-
- The granting of any discretionary relief is reasonable having regard to the effect on taxpayers of the District.



Appendix E

Discretionary Relief - Localism Act 2011



Discretionary Relief – Localism Act 2011

General explanation

- E.1 Section 69 of the Localism Act 2011 amended Section 47 of the Local Government Finance Act 1988. These provisions allow all Councils to grant discretionary relief in **any** circumstances where it feels fit having regards to the effect on the Council Tax payers of its area.
- E.2 The provisions are designed to give authorities flexibility in granting relief where it is felt that to do so would be of benefit generally to the area and be reasonable given the financial effect to Council Tax payers.

Discretionary Relief – Localism – the Council's Policy

- E.3 Applications will be considered from any ratepayer who wishes to apply. However, where a ratepayer is suffering hardship or severe difficulties in paying their rates liability then relief can be granted under the existing provisions as laid down by Section 49 of the Local Government Finance Act 1988. There will be no requirement to grant relief in such cases under the Council's discretionary relief policy.
- E.4 Any ratepayer applying for discretionary rate relief under these provisions and who does not meet the criteria for existing relief (charities, non-profit making organisations etc.) must meet **all** of the following criteria and the amount of relief granted will be dependant on the following key factors:
- a. The ratepayer **must not** be entitled to mandatory rate relief (Charity or Rural Rate Relief);
 - b. The ratepayer **must not** be entitled to Central Government funded reliefs;
 - c. The ratepayer **must not** be an organisation that could receive relief as a non-profit making organisation or as a sports club or similar;
 - d. The ratepayer **must** occupy the premises (no discretionary rate relief will be granted for unoccupied premises);
 - e. The premises and organisation **must** be of *significant* benefit to residents of the Council's area;
 - f. The premises and organisation **must** relieve the Council of providing similar facilities;
 - g. The ratepayer **must**;
 - a. Provide facilities to certain priority groups such as elderly, disabled, minority groups, disadvantaged groups; **or**
 - b. Provide *significant* employment or employment opportunities to residents of the Council; **or**
 - c. Provide the residents of the area with such services, opportunities or facilities that cannot be obtained locally or are not provided locally by another organisation;
 - h. The ratepayer **must** demonstrate that assistance (provided by the discretionary rate relief) will be for a *short time only* **and** that any business / operation is financially viable in the medium and long term;
 - i. whether the premises occupied are considered to be reasonable having regard to the size and location of the premises, the size and nature of the organisation ,and the use being made of the premises by the organisation; **and**



- j. The ratepayer **must** show that the activities of the organisation are consistent with the Council's core values and priorities.
- E.5 Where a ratepayer can demonstrate that **all** of the above criteria are met, relief will be considered for initially a short period.
- E.6 A formal application from the ratepayer will be required in each case and any relief will be granted in line with State Aid requirements as specified within section 6 of this policy.



Appendix F

Local Newspaper Relief



General Explanation

- F.1 This is a temporary relief for 2017-18, 2018-19 and 2019-20 and the Government is not changing the legislation around the reliefs available to these properties. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988 to grant relief in line with the eligibility criteria set out in this guidance.
- F.2 The Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

Eligibility criteria

- F.3 The scheme will provide a £1,500 relief for office space occupied by local newspapers up to a maximum of one discount per local newspaper title and per hereditament, for three years from 1 April 2017.

Local Newspapers

- F.4 The relief is to be specifically for local newspapers and by that, the Council means what would be considered a "traditional local newspaper." The relief will not be available to magazines.

Office Space

- F.5 The hereditament **must** be occupied by a local newspaper and wholly or mainly used as office premises for journalists and reporters.

Amount of Relief

- F.6 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament. As with all discretionary rate relief, any grant will be subject to State Aid limits as defined within section 6 of this policy.

Local Newspaper Relief – the Council's policy for granting discretionary relief.

- F.7 The Council has decided to grant relief strictly in accordance with Central Government guidelines.



Appendix G

Supporting Small Businesses Relief



General Explanation

- G.1 Central Government has increased the thresholds for Small Business Rate Relief from 1 April 2017 to £12,000 for the 100% relief and £15,000 for the tapered relief. They have also allowed rural rate relief to be granted up to 100% using S47 of the Local Government Finance Act 1988 as a top up to the mandatory level of 50%, albeit that the rateable value limits have not been changes in respect of rural hereditaments (see section D of this policy). Unfortunately, despite these changes, some small businesses and businesses in rural areas may lose their entitlement to the relief due to increases in Rateable Value through the revaluation on 1st April 2017.
- G.2 The transitional relief scheme (provided under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) does not provide support in respect of changes in reliefs. Therefore, those ratepayers who have lost some or all of their small business or rural rate relief may face large percentage increases in bills from 1 April 2017.
- G.3 In view of this, Central Government announced that a new scheme of relief would be made available to those ratepayers facing large increases as a result of the loss of small business or rural rate relief due to the revaluation. All authorities are encouraged to grant the relief in accordance with the guidelines laid down by Central Government and if granted strictly in accordance with guidance, the Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.
- G.4 The relief is known as the 'Supporting Small Businesses Scheme'

Who is eligible for the relief and how much relief will be available?

- G.5 The Supporting Small Businesses relief will help those ratepayers who as a result of the change in their rateable value at the revaluation are losing some or all of their small business or rural rate relief and, as a result, are facing large increases in their bills.
- G.6 To support these ratepayers, the Supporting Small Businesses relief will ensure that the increase per year in the bills of these ratepayers is limited **to the greater of:**
- a percentage increase per annum. of 5%, 7.5%, 10%, 15% and 15% 2017/18 to 2021/22 all plus inflation. (Unlike the transitional relief scheme under the Chargeable Amount regulations), for the first year of the scheme the percentage increase is taken against the bill for 31 March 2017 after small business rate relief or rural rate relief; **or**
 - a cash value of £600 per year (£50 per month).
- G.7 This cash minimum increase ensures that those ratepayers paying nothing or very small amounts in 2016/17 after small business rate relief are brought into paying something.
- G.8 In the first year of the scheme, this means all ratepayers losing some or all of their small business



rate relief or rural rate relief will see the increase in their bill capped at £600. The cash minimum increase is £600 per year thereafter. This means that ratepayers who in 2016/17 paid nothing under small business rate relief and are losing all of their entitlement to relief (i.e. moving from £6,000 rateable value or less to more than £15,000) would under this scheme be paying £3,000 in year 5.

- G.9 The Government has also decided that those on the Supporting Small Businesses relief scheme whose 2017 rateable values are £51,000 or more will not be liable to pay the supplement (1.3p) to fund small business rate relief while they are eligible for the Supporting Small Businesses relief scheme.
- G.10 Ratepayers will remain in the Supporting Small Businesses relief scheme for either 5 years or until they reach the bill they would have paid without the scheme (this would be the charge payable as their true rates payable or the charge calculated under the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016).
- G.11 A change of ratepayer will not affect eligibility for the Supporting Small Businesses relief scheme, **but** eligibility will be lost if the property falls vacant or becomes occupied by a charity or Community Amateur Sports Club.
- G.12 The rules for state aid (as detailed in section 6 of this policy) shall apply when considering Supporting Small Businesses Relief.

Recalculation of relief

- G.13 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including the following:
- This could include, for example, a backdated change to the rateable value or the hereditament; or
 - The awarding of another relief.
- G.14 The Council will, in effect, calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.

Other Reliefs

- G.15 Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill found under the Supporting Small Business scheme.
- G.16 In accordance with Central Government guidelines, all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.



Supporting Small Businesses Relief - the Council's policy for granting discretionary relief.

G.17 The Council has decided to grant relief strictly in accordance with Central Government guidelines



Appendix H

Public House Relief



General Explanation

- H.1 This is a temporary relief for 2017-18 and 2018 – 19 and the Government is not changing the legislation around the reliefs available to premises. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988) to grant £1000 relief in line with the eligibility criteria set out in guidance to be produced by Central Government
- H.2 Central Government guidelines have been issued and it has been established that any amount granted will be reimbursed by a section 31 grant.

Eligibility criteria

- H.3 The Council's policy, in line with Central Government requirements, will provide a relief of £1,000 relief for one year only (1st April 2017 to 31st March 2019) for all eligible public houses who have a rateable value of less than £100,000 on 1st April 2017.
- H.4 The definition of a 'Public House' means any premises as defined in the Licensing Act 2003, which has a premises license authorising sale by retail of alcohol for consumption on the premises. In addition, the premises **must** be used principally for retail sales of alcohol to members of the public for consumption on the premises, and sales must not be subject to the condition that buyers reside at or consume food on the premises.
- H.5 It will be for the Council to decide whether any premises falls within the definition give in the above paragraph. No relief shall be given where the premises are unoccupied.

Other Reliefs

- H.4 Pubic House relief will be granted after applying any other mandatory reliefs and reductions

Public House Relief – the Council's policy for granting discretionary relief.

- H.5 The Council has decided to grant relief strictly in accordance with Central Government guidelines.



Appendix I

Additional Discretionary Business Rate Relief Scheme



General Explanation

- I.1 In March 2017, Central Government announced that it would make available a discretionary fund of £300 million over four years from 2017-18 to support those businesses that face the steepest increases in their business rates bills as a result of the revaluation. Government determined that Councils would be best placed to determine how this fund should be targeted and administered to support those businesses and locations within their area that are in the greatest need.
- I.2 Every authority within England is to be provided with a share of a £300 million fund to support their local businesses. This is to be administered through billing authorities' discretionary relief powers under section 47 of the Local Government Act 1988.
- I.3 Government also believes that local authorities are best placed to judge the particular circumstances of local ratepayers and direct the funding where it is most needed to support local economies.
- I.4 The funding is not provided equally over the four-year period but in the following approximate proportions:
- Year 1 (2017/18) 58%
- Year 2 (2018/19) 28%
- Year 3 (2019/20) 12%
- Year 4 (2020/21) 2%
- I.5 Councils will be compensated for any relief granted under section 31 of the Local Government Act 2003. The Government has decided that any underspend **cannot** be 'vired' from one year to the next.
- I.6 A key criteria of reimbursement will be that all Billing Authorities will consult with major precepting authorities when formulating their schemes.
- I.7 The financial effects to the Council of the Discretionary Business Rates Relief Scheme are shown in the following table

Amount of discretionary fund awarded (£000s) - Maldon District Council			
2017-18	2018-19	2019-20	2020-21
115	56	23	3



Consultation

- I.8 The Council has consulted with the major preceptors in relation to this scheme and has taken their comments into account when determining the eligibility criteria. This is an essential part of the Discretionary Business Rates Relief Scheme and is in line with the grant determination issued by the Department of Communities and Local Government (DCLG) No.31/3071.
- I.9 The grant determination states that a condition of the fund is that consultation is undertaken with 'relevant authorities'. Relevant authorities for the purposes of this scheme means:
- a. Any major precepting authority; and
 - b. Any combined authority.
- I.10 In the case of the District Council the major precepting authorities have been consulted namely:
- a. Essex County Council
 - b. The Police and Crime Commissioner for Essex; and
 - c. Essex Fire and Rescue Service.

State Aid

- I.11 The rules relating to State Aid (as defined within section 6 of this policy) apply. The Council will ensure full compliance in this area to ensure that relief can be given to the most deserving ratepayers.

Decisions by the Council

- I.12 Decisions by the Council are made directly in line with the Scheme of Delegation as outlined within section 7 of this policy. Any decision to award relief under this scheme will follow the core principles of the Council's discretionary relief policy as defined by section 3.8.
- I.13 It should be noted that whilst the funding from Central Government for Discretionary Business Rate Relief Scheme is limited, the decision of the Council whether to award any relief under this scheme **will not take account** of the level of any funding.

Discretionary Business Rate Relief Scheme- the Council's policy for granting discretionary relief.

Applications for relief under this scheme

- I.14 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application.



Discretionary Business Rate Relief Scheme- the Council's policy for granting discretionary relief.

- I.15 The Council has decided that relief under the scheme will be awarded using the following criteria:
- a. Priority will be given to businesses with a new rateable value of between £12,000 and £50,000;
 - b. Priority will be given where rates that are payable increase by more than 20% in 2017-18 (due to revaluation) after any reliefs have been granted;
 - c. The ratepayer must:
 - have had an occupied rates liability during the period 1st April 2016 to 31st March 2017;
 - have been trading from the premises;
 - not have qualified for Mandatory Charity Relief or Supporting Small Business Relief scheme;
 - not have received State Aid in a three-year period, including the current year, in excess of €200,000 euros;
 - not have more than two occupied rateable properties in the United Kingdom
 - d. Relief will be recalculated if there is a rateable value reduction or if another relief is applied that affects liability, or there is any other change in liability;
 - e. Relief will not apply where properties are entered into the list retrospectively
- I.16 Any business can apply, if they meet the criteria in the policy however priority for the allocation of the funding will be given to support small to medium retail businesses.

Amount of Relief

- I.17 The amount of relief is tapered and will be calculated as follows:
- 2017/18**
The award will be up to £1000 where the ratepayer meets the criteria in I.15
- Future years**
To be determined by the authority

Applications for relief under this scheme

- I.18 The Council is keen to identify ratepayers who may qualify for the relief and as such will look to encourage certain ratepayers to apply. The Council will look to simplify the application process wherever possible, but it will expect any ratepayers to provide such information as is required by the Council to support their application

Variation and amendment of relief under the scheme

- I.19 As with all reliefs, the amount of relief awarded under the Discretionary Businesses Rates relief scheme will be recalculated in the event of a change of circumstances. This will include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year.



-
- I.20 The Non-Domestic Rating (Discretionary Relief) Regulations 1989 (S.I. 1989/1059) requires the Council to provide ratepayers with at least one year's notice in writing before any decision to revoke or vary a decision so as to increase the amount the ratepayer has to pay takes effect. Such a revocation or variation of a decision can only take effect at the end of a financial year. But within these regulations, the Council may still make decisions which are conditional upon eligibility criteria or rules for calculating relief which allow the amount of relief to be amended within the year to reflect changing circumstances.



Appendix J

Retail Discount



General Explanation

- J.1 The Government announced on 29 October 2018 that it will provide a business rates Retail Discount scheme for occupied retail properties with a rateable value of less than £51,000 in each of the years 2019-20 and 2020-21.
- J.2 The value of discount should be one third of the bill and must be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied.
- J.3 Where an authority applies a locally funded relief, under section 47 this must be applied after the Retail Discount.
- J.4 As this is a measure for 2019-20 and 2020-21 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria defined by them, reimburse any authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief.
- J.5 It is for the Council to adopt a local scheme and determine in each individual case when to grant relief under section 47.

Who is eligible for the relief?

- J.6 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of less than £51,000, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. The Government consider shops, restaurants, cafes and drinking establishments to mean:

i. Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florists, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licences, chemists, newsagents, hardware stores, supermarkets, etc)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
- Car/ caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

ii. Hereditaments that are being used for the provision of the following services to



visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

- J.7 To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

Hereditaments that are not likely to receive relief under the scheme

- J.8 The list below sets out the types of uses that the Government does **not** consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

i. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureaux de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting offices



ii. Hereditaments that are not reasonably accessible to visiting members of the public

- Generally speaking, Government also does not consider other assembly or leisure uses beyond those listed to be retail uses for the purpose of the discount. For example, cinemas, theatres and museums are outside the scope of the scheme, as are nightclubs and music venues. Hereditaments used for sport or physical recreation (e.g. gyms) are also outside the scope of the discount. Where there is doubt, the Council will exercise discretion.

How much relief will be available?

- J.9 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for particular hereditament in the financial year 2019-20:
- J.10 Amount of relief to be granted = $V / 3$ where V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs.

Retail Discount - the Council's policy for granting discretionary relief.

- J.11 The Council has decided to grant relief strictly in accordance with Central Government guidelines



Appendix K

Section 49 - Hardship Relief



Section 49 – Hardship Relief

General explanation

- K.1 The Council is able to exercise its discretion under Section 49 of the Local Government Finance Act 1988 to provide either partial or full relief for non-domestic rate payments in cases of hardship where it would be reasonable to do so having due regard to the interests of council tax payers in general.

Section 49 Hardship Relief – the Council's Policy

- K.2 The Council will consider applications for hardship relief from individuals and organisations based on their own merits on a case-by-case basis. The Customer Manager (s) will consider applications. Application forms are available at the following links:

- [General Discretionary application form](#)
- [Hardship Discretionary additional questions](#)

- K.3 In making decisions on whether to award the relief the Council takes into account the following criteria (not listed in any priority):

- Any reduction or remission of rates on the grounds of hardship should be the exception rather than the rule;
- Any reduction of the rates must be shown to be significant to the future viability of the business;
- The business must continue to trade;
- Cash flow forecasts for a minimum of the next twelve months must be provided together with a comprehensive Business Plan incorporating a brief history of the business;
- The test of "hardship" is not strictly confined to financial hardship and that this, in itself, is not a deciding factor;
- The loss of the business would reduce amenities of an area if it is the sole provider of a service in the area;
- Details of any state aid, grants or subsidies either from central or local government over the previous three years;
- The loss of the business would worsen the employment prospects in the area;
- The interests of the Council Tax payers of the area would be best served by awarding the relief;
- The business must demonstrate how it is beneficial to the local community and why it is currently suffering financial hardship;
- The business provides employment to local residents in an area where employment opportunities are limited;
- Independent advice given by banks or financial advisors should be sought to demonstrate the future viability of the business;
- Applications will only be considered where signed by the ratepayer, or, where an organisation is the ratepayer, an appropriately authorised representative of the organisation; and
- The ratepayer will provide additional information as deemed necessary by the Council to be essential in order for a fair evaluation of the application.

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MALDON DISTRICT COUNCIL

Financial Regulations and Financial Procedures

Updated February 2019

Changes log

[illegible]

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1. Status of Financial Regulations

- 1.1. Financial regulations provide the framework for managing the Council's financial affairs. They apply to every member and officer of the Council and anyone acting on its behalf.
- 1.2. The regulations identify the financial responsibilities of the Council, the Committees, the Directors, and the Monitoring Officer. Directors should maintain a written record where decision making has been delegated to members of their staff, including seconded staff. Where decisions have been delegated or devolved to other responsible officers, references to the Director in the regulations should be read as referring to them. Actions may also be delegated, and again delegation should be documented, however the responsibility to ensure that these actions are happening remains with the person specified in these regulations. (Appendix I)
- 1.3. All Council Members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control, and for ensuring that the use of these resources is legal, properly authorised, provides value for money and achieves best value.
- 1.4. The Director of Resources is responsible for maintaining a continuous review of the financial regulations and submitting any additions or changes necessary to the Council for approval. The Director of Resources is also responsible for reporting, where appropriate, breaches of the financial regulations to the Finance & Corporate Services Committee. Any non-compliance with the Regulations must be reported to the Director of Resources. Anyone wishing to act outside the provisions of these regulations, in a specific instance, must seek the prior written approval of the Director of Resources.
- 1.5. The Council's detailed financial procedures, setting out how the regulations will be implemented, are contained in the appendices to the financial regulations.
- 1.6. The Director of Resources is responsible for ensuring that all staff are aware of the existence and content of the Council's financial regulations and other internal regulatory documents and that they comply with them.
- 1.7. The Director of Resources is responsible for issuing advice and guidance to underpin the financial regulations that Members, Officers and others acting on behalf of the Council are required to follow. Notes and guidance may expand upon, but not contradict the Regulations. Any consultation required under these Regulations must allow sufficient time for a proper consideration of any issues.
- 1.8. All financial and accounting procedures must be carried out in accordance with the Regulations.

2. FINANCIAL REGULATIONS

a) Financial Management

1. INTRODUCTION

- 1.1 Financial management covers all financial accountabilities in relation to the running of the Council, including the policy framework and budget.

2. THE COUNCIL

- 2.1 The Council is responsible for adopting the corporate governance arrangements (Standing orders and Terms of Reference), for approving the annual budget and the policy framework within which the Committees operate. It is also responsible for approving and monitoring compliance with the Council's overall framework of accountability and control. The framework is set out in its corporate governance arrangements. The Council is also responsible for monitoring compliance with the agreed policy and related Committee decisions.
- 2.2 The Council is responsible for approving procedures for recording and reporting decisions taken. This includes those key decisions delegated by and decisions taken by the Council and its Committees.

3. THE COMMITTEES

- 3.1 The Finance & Corporate Services Committee is responsible for proposing the annual budget to the Council, and for discharging its own functions in accordance with that budget and framework.
- 3.2 Once approved, the Finance & Corporate Services committee is responsible for the administration of the budget for the services set out in its Terms of Reference.
- 3.3 Committee decisions can be delegated to an officer or a sub-committee.
- 3.4 The Committees are responsible for establishing protocols to ensure that decisions take account of legal and financial liabilities and risk management issues that may arise from the decision.
- 3.5 The Overview and Scrutiny Committee along with its major role in reviewing Best Value, has power to scrutinise decisions made, or action taken, in respect of any of the functions of the Council which have financial implications. It also has powers to make recommendations on future financial policy options and for reviewing the general financial policy and service delivery of the Council.
- 3.6 The Standards Committee is established by the Council and is responsible for promoting and maintaining high standards of conduct amongst councillors. In particular, it is responsible for advising the Council on the adoption and revision of the Members' code of conduct, and for monitoring the operation of the code.

4. THE STATUTORY OFFICERS

4.1 Head of Paid Service

- 4.1.1 He/she is responsible for the corporate and overall strategic management of the Council as a whole. He/she must report to and provide information for the Council, the Programme committees and other Committees. He/she is responsible for establishing a framework for management direction, style and standards and for monitoring the performance of the organisation. The Head of Paid Service is also responsible, together with the Monitoring Officer (see 4.2 below), for the system of record keeping in relation to all the Council's decisions.
- 4.1.2 The Director of Strategy, Performance and Governance is responsible for keeping the Council's corporate governance arrangements up to date.

4.2 Monitoring Officer

- 4.2.1 The Monitoring Officer is responsible for promoting and maintaining high standards of financial conduct and therefore provides support to the Standards Committee. The Monitoring Officer is also responsible for reporting any actual or potential breaches of the law or maladministration to the Council and/or to the Committees, and for ensuring that procedures for recording and reporting key decisions, as defined in the Constitution, are operating effectively.
- 4.2.2 The Monitoring Officer must ensure that Committees' decisions and the reasons for them are made public. He/she must also ensure that Council Members are aware of decisions made by Committees and of those made by officers who have delegated responsibility.
- 4.2.3 The Monitoring Officer is responsible for advising all Members and officers about who has authority to take a particular decision.
- 4.2.4 The Monitoring Officer is responsible for advising the Committees or Council about whether a decision is likely to be considered contrary or not wholly in accordance with the policy framework.
- 4.2.5 The Monitoring Officer (together with the Section 151 Officer (see below)) is responsible for advising the Committees or Council about whether a decision is likely to be considered contrary or not wholly in accordance with the budget. Actions that may be 'contrary to the budget' include:
- a) initiating a new policy;
 - b) committing expenditure in future years to above the current budget level;
 - c) incurring expenditure where no estimate or an inadequate estimate exists thereby giving rise to the necessity for [supplementary estimates](#) or [virements](#) above approved limits;
 - d) causing the total expenditure financed from council tax, grants and corporately held reserves to increase, or to increase by more than a specified amount.

4.3 Section 151 Officer (Chief Finance Officer)

- 4.3.1 The Director of Resources is the Chief Finance Officer and has statutory duties in relation to the financial administration and stewardship of the Council. This statutory responsibility cannot be overridden. The statutory duties arise from:
- a) Section 151 of the Local Government Act 1972;
 - b) The Local Government Finance Act 1988;

- c) The Local Government and Housing Act 1989;
- d) The Accounts and Audit Regulations 2015;
- e) The Localism Act 2011.

4.3.2 The Section 151 Officer (Chief Finance Officer) is responsible for:

- a) the proper administration of the Council's financial affairs;
- b) setting and monitoring compliance with financial management standards;
- c) advising on the corporate financial position and on the key financial controls necessary to secure sound financial management;
- d) providing financial information;
- e) preparing the [revenue budget](#) and [capital programme](#);

Operational responsibility for these matters is assigned to the Director of Resources.

4.3.3 Section 114 of the Local Government Finance Act 1988 requires the Chief Finance Officer (Section 151 Officer) to report to the Council, Committees and external auditor if the Council, Committees or one of its officers or members:

- a) has made, or is about to make, a decision which involves incurring unlawful expenditure;
- b) has taken, or is about to take, an unlawful action which has resulted or would result in a loss or deficiency to the Council;
- c) is about to make an unlawful entry in the Council's accounts.

Section 114 of the 1988 Act also requires:

- d) the Chief Finance Officer to nominate a properly qualified member of staff to deputise should he/she be unable to perform the duties under section 114 personally;
- e) the Council to provide the Chief Finance Officer with sufficient staff, accommodation and other resources, including legal advice where this is necessary, to carry out the duties under section 114.

5. DIRECTORS

- 5.1 Directors are responsible for ensuring that Committees are advised of the financial implications of all proposals and that the financial implications have been agreed by the Director of Resources;
- 5.2 The Directors and the Head of Paid Service are responsible for signing contracts on behalf of the Council.
- 5.3 It is the responsibility of Directors and Committees to consult with the Director of Resources and seek approval on any matter liable to affect the Council's finances, before any commitments are incurred.

6. OTHER FINANCIAL ACCOUNTABILITIES

6.1 Virement

6.1.1 The Council is responsible for agreeing procedures for revenue and capital virements of expenditure or income between budget headings.

6.1.2 Directors must consult the Director of Resources on all virements, (see [Appendix F](#))

6.2 Treatment of year-end balances

6.2.1 The Director of Resources is responsible for agreeing procedures for carrying forward under-spending on budget headings.

6.3 Accounting policies

6.3.1 The Director of Resources is responsible for selecting accounting policies and ensuring that they are applied consistently.

6.4 Accounting records and returns

6.4.1 The Director of Resources is responsible for determining the accounting procedures and records for the Council.

6.5 The Annual Statement of Accounts

6.5.1 The Director of Resources is responsible for ensuring that the annual Statement of Accounts is prepared in accordance with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice for Local Authority Accounting in the United Kingdom and that the annual accounts are published by the deadline set out in the Accounts and Audit Regulations each year. The Audit Committee is responsible for approving the annual Statement of Accounts.

b) Financial Planning

1. INTRODUCTION

- 1.1 The Council is responsible for agreeing the Council's policy framework, in particular the Corporate Plan. It is also responsible for agreeing the budget, the main framework of which will be proposed by the Finance & Corporate Services Committee. In terms of financial planning, the key elements are:

- a) the revenue budget;
- b) the medium term financial strategy (MTFS);
- c) the capital programme.

2. POLICY FRAMEWORK

- 2.1 The policy framework comprises a number of statutory plans and strategies, which are set out in the Councils corporate governance arrangements.

- 2.2 The Council is also responsible for approving procedures for agreeing variations to approved budgets, plans and strategies forming the policy framework and for determining the circumstances in which a decision will be deemed to be contrary to the budget or policy framework. The Monitoring Officer or the S151 Officer, as appropriate, should refer decisions to the Council.

- 2.3 The Programme committees are responsible for taking in-year decisions on resources and priorities in order to deliver the budget policy framework within the financial limits set by the Council.

2.4 Preparation of the Corporate Plan

- 2.4.1 The Director of Strategy, Performance and Governance is responsible for proposing the Corporate Plan to the Council for approval.

3. BUDGETING

3.1 Budget format

- 3.1.1 The general format of the budget will be approved by the Finance & Corporate Services Committee and the Council on the advice of the Director of Resources. The draft budget should include current approvals updated for inflation and volume changes, proposals for growth and savings, together with the proposed taxation level.

3.2 Budget preparation

- 3.2.1 The Director of Resources is responsible for ensuring that a revenue budget is prepared on an annual basis and a MTFS at least on a three-yearly basis for consideration by the Finance & Corporate Services Committee, before submission to the Council. The Council may amend the budget before approving it.

3.3 Budget monitoring and control

- 3.3.1 The Director of Resources is responsible for providing appropriate financial information to enable budgets to be monitored effectively. He/she must monitor and control expenditure against budget allocations and report to the Finance & Corporate Services Committee on the overall position on a quarterly basis.

- 3.3.2 It is the responsibility of Directors to control income and expenditure within their area and to monitor performance, taking account of financial information provided by the Director of Resources. They should also take any action necessary to avoid exceeding their budget allocation and alert the Director of Resources to any problems.

3.4 Resource allocation

- 3.4.1 The Director of Resources is responsible for developing and maintaining a resource allocation process that ensures due consideration of the Council's strategic and financial planning process.

3.5 Preparation of the Capital Strategy

- 3.5.1 The Director of Resources is responsible for ensuring that the Capital Strategy and Capital Programme are prepared on an annual basis for consideration by the Finance & Corporate Services Committee before submission to the Council.

3.6 Guidelines

- 3.6.1 Guidelines on budget policies are issued to Directors by the Director of Resources following approval of the Finance & Corporate Services Committee. The guidelines will take account of:

- a) legal requirements;
- b) medium-term financial strategy;
- c) the Corporate Plan;
- d) available resources;
- e) spending pressures;
- f) other relevant guidelines issued by government or external audit;
- g) other internal policy documents;
- h) cross-cutting issues (where relevant);
- i) external partnerships.

4. MAINTENANCE OF RESERVES

- 4.1 It is the responsibility of the Director of Resources to advise the Finance & Corporate Services Committee on prudent levels of reserves for the Council.

c) Risk Management and Control of Resources

1. INTRODUCTION

- 1.1 It is essential that robust, integrated systems are developed and maintained for identifying and evaluating all significant operational risks to the Council. This should include the proactive participation of all those associated with planning and delivering services.

2. RISK MANAGEMENT

- 2.1 The Audit Committee is responsible for approving the Council's Risk Management Policy and for reviewing the effectiveness of risk management. The Finance & Corporate Services Committee is responsible for ensuring that proper insurance exists where appropriate.
- 2.2 The Director of Resources is responsible for preparing the Council's Risk Management Policy and for promoting it throughout the Council and is responsible for advising the Committees on proper insurance cover where appropriate.

3. INTERNAL CONTROL

- 3.1 Internal control refers to the systems of control devised by management to help ensure the Council's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Council's assets and interests are safeguarded.
- 3.2 The Director of Resources is responsible for advising on effective systems of internal control. These arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice. They should ensure that public funds are properly safeguarded and used economically, efficiently, effectively and in accordance with the statutory and other authorities that govern their use.
- 3.3 It is the responsibility of Directors to establish sound arrangements for planning, appraising, authorising and controlling their operations in order to achieve continuous improvement, economy, efficiency and effectiveness and for achieving their financial performance targets.

4. AUDIT REQUIREMENTS

- 4.1 The Accounts and Audit Regulations require every local Council to maintain an adequate and effective internal audit.
- 4.2 The Secretary of State for Communities and Local Government, via the Local Government Association has delegated the appointment of external auditors to each local authority to a body called Public Sector Audit Appointments Ltd (PSAA). The basic duties of the external auditor are governed by section 15 of the Local Government Finance Act 1982, as amended by the Local Audit and Accountability Act 2014.
- 4.3 The Council may, from time to time, be subject to audit, inspection or investigation by external bodies such as HM Revenues and Customs, which have statutory rights of access.

5. PREVENTING FRAUD AND CORRUPTION

- 5.1 The Director of Strategy, Performance and Governance, is responsible for the development and maintenance of an Anti-Fraud and Anti-Corruption Policy.

6. ASSETS

- 6.1 Directors should ensure that records of the Council's assets in excess of the limit set out in section 1.7 of **Appendix F** are properly maintained and securely held. They should also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place. The Director of Resources should ensure that all assets above the specified value are properly recorded in the asset register.

7. TREASURY MANAGEMENT

- 7.1 The Council has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities.
- 7.2 The Finance & Corporate Services Committee is responsible for approving the treasury management policy and Treasury Management Practices (TMP's) setting out the matters detailed in CIPFA's Code of Practice for Treasury Management in Local Authorities. The Director of Resources has delegated responsibility for implementing and monitoring the TMP's.
- 7.3 All money in the hands of the Council is controlled by the officer designated for the purposes of section 151 of the Local Government Act 1972, referred to in the Code as the Director of Resources.
- 7.4 Subject to the Council setting the overall borrowing limits in accordance with the Prudential Code, the day to day decisions on borrowing, investment or financing shall be delegated to the Director of Resources, who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.

8. STAFFING

- 8.1 The Head of Paid Service is responsible for providing overall management to staff. He/she is also responsible for ensuring that there is proper use of evaluation or other agreed systems for determining the remuneration of a job.
- 8.2 Directors, in consultation with the Director of Resources, are responsible for controlling total staff numbers by:
- a) advising the Council on the budget necessary in any given year to cover estimated staffing levels;
 - b) adjusting the staffing to a level that can be funded within approved budget provision, varying the provision as necessary within that constraint in order to meet changing operational needs;
 - c) the proper use of appointment procedures.

d) Systems and Procedures

1. INTRODUCTION

- 1.1 Sound systems and procedures are essential to an effective framework of accountability and control.

2. GENERAL

- 2.1 The Director of Resources is responsible for the operation of the Council's accounting systems, the form of accounts and the supporting financial records. The Director of Resources must determine any changes proposed by Directors to the existing financial systems or the establishment of new systems. However, Directors are responsible for the proper operation of financial processes in their own services.
- 2.2 Any changes to agreed procedures by Directors to meet their own specific service needs should be agreed with the Director of Resources.
- 2.3 The Director of Resources should ensure that all staff receive relevant financial training.
- 2.4 Directors must ensure that, where appropriate, computer and other systems are registered in accordance with Data Protection legislation. Directors must ensure that staff are aware of their responsibilities under freedom of information legislation.

3. INCOME AND EXPENDITURE

- 3.1 It is the responsibility of Directors to ensure that a proper scheme of internal authorisation has been established within their area and that it is operating effectively. The scheme of delegation should identify in writing staff authorised to act on the Directors' behalf, or on behalf of the Council, in respect of payments, income collection and placing orders, together with the limits of their authority. The Finance & Corporate Services Committee is responsible for approving procedures for writing off debts as part of the overall control framework of accountability and control.

4. PAYMENTS TO EMPLOYEES AND MEMBERS

- 4.1 The Director of Resources is responsible for all payments of salaries and allowances to all staff, including payments for overtime, and for payment of allowances to Members.

5. TAXATION

- 5.1 The Director of Resources is responsible for advising Directors, in the light of guidance issued by appropriate bodies and relevant legislation as it applies, on all taxation issues that affect the Council.
- 5.2 The Director of Resources is responsible for maintaining the Council's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate.

6. TRADING ACCOUNTS

- 6.1 It is the responsibility of the Director of Resources to advise on the establishment and operation of trading accounts.

e) External Arrangements

1. INTRODUCTION

- 1.1 The Council provides a distinctive leadership role for the community and brings together the contributions of the various stakeholders. It must also act to achieve the promotion or improvement of the economic, social and environmental well-being of its area.

2. PARTNERSHIPS

- 2.1 The Programme committees are responsible for approving delegations, including frameworks for partnerships. The Programme committees are the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs.
- 2.2 The Programme committees can delegate functions, including those relating to partnerships, to officers. These are set out in the scheme of delegation that forms part of the Council's corporate governance arrangements. Where functions are delegated, the Programme committees remain accountable for them to the Council.
- 2.3 The Director of Resources is responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council.
- 2.4 The Director of Resources, in consultation with the Council's designated legal advisor, must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are robust and comply with best practices. He/she must also consider the overall corporate governance arrangements and in consultation with the designated legal advisor, legal issues when arranging contracts with external bodies. He/she must ensure that the risks have been fully appraised before agreements are entered into with external bodies.
- 2.5 Programme committees are responsible for ensuring that appropriate approvals are obtained before any negotiations are concluded in relation to work with external bodies.

3. EXTERNAL FUNDING

- 3.1 The Director of Resources is responsible for ensuring that all funding notified by external bodies is received and properly recorded in the Council's accounts.

A. FINANCIAL MANAGEMENT PROCEDURES

A.1. FINANCIAL MANAGEMENT STANDARDS

1.1 Why is this important?

- 1.1.1 All staff and Members have a duty to abide by the highest standards of probity in dealing with financial issues. This is facilitated by ensuring everyone is clear about the standards to which they are working and the controls that are in place to ensure that these standards are met.

A.1.2 Key controls

- 1.2.1 The key controls and control objectives for financial management standards are
- (a) their promotion throughout the Council;
 - (b) a monitoring system to review compliance with financial standards, and regular comparisons of performance indicators and benchmark standards that are reported to the Finance & Corporate Services and/or Overview & Scrutiny Committees.

A.1.3 Responsibilities of the Director of Resources

- 1.3.1 To ensure the proper administration of the financial affairs of the Council.
- 1.3.2 To set the financial management standards and to monitor compliance with them.
- 1.3.3 To ensure proper professional practices are adhered to and to act as head of profession in relation to the standards, performance and development of finance staff throughout the Council.
- 1.3.4 To advise on the key strategic controls necessary to secure sound financial management.
- 1.3.5 To ensure that financial information is available to enable accurate and timely monitoring and reporting of comparisons of national and local financial performance indicators.

A.1.4 Responsibilities of Directors

- 1.4.1 To promote the financial management standards set by the Director of Resources in their service and to monitor adherence to the standards and practices.
- 1.4.2 To promote sound financial practices in relation to the standards, performance and development of staff in their departments.

A.2. MANAGING EXPENDITURE

2.1 Scheme of Virement

2.1.1 Why is this important?

- 2.1.1.1 The scheme of virement is intended to enable the Finance & Corporate Services committee, Directors and their staff to manage budgets with a degree of flexibility within the overall policy framework determined by the Council, and therefore to optimise the use of resources.

A.2.2 Key controls

- 2.2.1 Key controls for the scheme of virement are:

- (a) it is administered by the Director of Resources within guidelines set by the Council. Any variation from this scheme requires the approval of the Council;
- (b) the overall budget is proposed by the Finance & Corporate Services Committee and approved by the Council. Directors and budget holders are therefore authorised to incur expenditure in accordance with the estimates that make up the budget. The rules below cover virement (i.e. switching resources between approved budget headings of expenditure or income). For the purposes of this scheme, a budget heading is considered to be a line in the Budget Summary of the Budget Book;
- (c) virement does not create additional overall budget liability. Directors are expected to exercise their discretion in managing their budgets responsibly and prudently. For example, they should aim to avoid supporting recurring expenditure from one-off sources of savings or additional income, or creating future commitments, including full-year effects of decisions made part way through a year, for which they have not identified future resources. Directors must plan to fund such commitments from within their own budgets.

A.2.3 Responsibilities of the Director of Resources

- 2.3.1 To prepare jointly with the Directors, a report to the Finance & Corporate Services Committee where revenue and capital virements, between different directorates, in excess of specified financial limits, are proposed (see **Appendix F**).

A.2.4 Responsibilities of Directors

- 2.4.1 A Director, in consultation with the Director of Resources may exercise virement within the same directorate under his/her control for any amount. Virements between different directorates must be reported to the Finance & Corporate Services Committee. The authorisation limits are set out in **Appendix F**.
- 2.4.2 Amounts that require the approval of the Finance & Corporate Services Committee must specify the proposed expenditure and the source of funding, and must explain the implications in the current and future financial years.
- 2.4.3 Virement that is likely to impact on the level of service activity of another Director should be implemented only after agreement with the relevant Director.
- 2.4.4 No virement relating to a specific financial year should be made after 31 March in that year.
- 2.4.5 Where an approved budget is a lump-sum budget or contingency intended for allocation during the year, its allocation will not be treated as a virement, provided that:
 - a) the amount is used in accordance with the purposes for which it has been established;
 - b) the Finance & Corporate Services Committee has approved the basis and the terms, including financial limits, on which it will be allocated. Individual allocations in excess of the financial limits should be reported to the Finance & Corporate Services Committee.

- 2.4.6 Virements are not permitted in relation to asset charges or other budget headings which are outside the control of the Directors or where a proposal would adversely affect long term revenue commitments.

A.3. ACCOUNTING POLICIES

A.3.1 Why is this important?

- 3.1.1 The Director of Resources is responsible for the preparation of the Council's Statement of Accounts, in accordance with proper practices as set out in the format required by the CIPFA Code of Practice on Local Authority Accounting in the United Kingdom for each financial year ending 31 March.

A.3.2 Key controls

- 3.2.1 The key controls for accounting policies are:
- a) systems of internal control are in place which ensure that financial transactions are lawful;
 - b) suitable accounting policies are selected and applied consistently;
 - c) proper accounting records are maintained;
 - d) financial statements are prepared which present fairly the financial position of the Council and its expenditure and income.

A.3.3 Responsibilities of the Director of Resources

- 3.3.1 To select suitable accounting policies and to ensure that they are applied consistently. The accounting policies are set out in the Statement of Accounts, which is prepared at 31 March each year, and covers such items as:
- a) income and expenditure;
 - b) fixed assets;
 - c) treatment of leasing;
 - d) depreciation;
 - e) charges to revenue;
 - f) capital receipts;
 - g) debtors and creditors;
 - h) support services;
 - i) pensions;
 - j) government grants;
 - k) investments;
 - l) reserves.
 - m) stocks

A.3.4 Responsibilities of Directors

- 3.4.1 To adhere to the accounting policies and guidelines approved by the Director of Resources.

A.4. ACCOUNTING RECORDS AND RETURNS

A.4.1 Why is this important?

- 4.1.1 Maintaining proper accounting records is one of the ways in which the Council discharges its responsibility for stewardship of public resources. The Council has a statutory responsibility to prepare its annual accounts to present fairly its operations during the year. These are subject to external audit. This audit provides assurance that the accounts are prepared properly, that proper accounting practices have been followed and that quality arrangements have been made for securing economy, efficiency and effectiveness in the use of the Council's resources.

A.4.2 Key controls

- 4.2.1 The key controls for accounting records and returns are:

- a) all Committees, finance staff and budget managers operate within the required accounting standards and timetables;
- b) all the Council's transactions, material commitments and contracts and other essential accounting information are recorded completely, accurately and on a timely basis;
- c) procedures are in place to enable accounting records to be reconstituted in the event of systems failure;
- d) reconciliation procedures are carried out to ensure transactions are correctly recorded;
- e) prime documents are retained in accordance with legislative and other requirements.

A.4.3 Responsibilities of the Director of Resources

- 4.3.1 To determine the accounting procedures and records for the Council. Where these are maintained outside his/her department, the Director of Resources should consult the Director concerned.
- 4.3.2 To arrange for the compilation of all accounts and accounting records under his/her direction.
- 4.3.3 To comply with the following principles when allocating accounting duties:
 - a) separating the duties of providing information about sums due to or from the Council and calculating, checking and recording these sums from the duty of collecting or disbursing them;
 - b) employees with the duty of examining or checking the accounts of cash transactions must not themselves be engaged in these transactions.
- 4.3.4 To make proper arrangements for the audit of the Council's accounts in accordance with the Accounts and Audit Regulations 2015.
- 4.3.5 To ensure that all claims for funds including grants are made by the due date.
- 4.3.6 To prepare and publish the audited accounts of the Council for each financial year, in accordance with the statutory timetable and with the requirement for the Audit Committee to approve the Statement of Accounts.
- 4.3.7 To administer arrangements for under-spending to be carried forward to the following financial year.
- 4.3.8 To ensure the proper retention of financial documents in accordance with the requirements set out in the Council's document retention guidelines.

A.4.4 Responsibilities of Directors

- 4.4.1 To consult and obtain the approval of the Director of Resources before making any changes to accounting records and procedures.
- 4.4.2 To maintain adequate records to provide a management trail leading from the source of income/expenditure through to the accounting statements.
- 4.4.3 To supply information required to enable the Statement of Accounts to be completed in accordance with guidelines issued by the Director of Resources.

A.5. THE ANNUAL STATEMENT OF ACCOUNTS

A.5.1 Why is this important?

- 5.1.1 The Council has a statutory responsibility to prepare its own accounts to present fairly its operations during the year. The Audit Committee is responsible for approving the statutory annual Statement of Accounts.

A.5.2 Key controls

- 5.2.1 The key controls for the annual Statement of Accounts are:
- a) the Council is required to make arrangements for the proper administration of its financial affairs and to secure that one of its officers has the responsibility for the administration of these affairs. In this Council, that officer is the Director of Resources (Section 151 Officer);
 - b) the Council's Statement of Accounts must be prepared in accordance with proper practices as set out in the latest CIPFA Code of Practice on Local Authority Accounting in the United Kingdom.

A.5.3 Responsibilities of the Director of Resources

- 5.3.1 To sign and date the Statement of Accounts, stating that it presents a true and fair view of the financial position of the Council at the accounting date and its income and expenditure for the year ended 31 March.
- 5.3.2 To select suitable accounting policies and to apply them consistently.
- 5.3.3 To make judgements and estimates that are reasonable and prudent.
- 5.3.4 To comply with the latest accounting Code of Practice.
- 5.3.5 To draw up the timetable for final accounts preparation and to advise staff and external auditors accordingly.

A.5.4 Responsibilities of Directors

- 5.4.1 To comply with accounting guidance provided by the Director of Resources and to supply him/her with information when required.

B. FINANCIAL PLANNING

B.1. PERFORMANCE PLANS

B.1.1 Why is this important?

- 1.1.1 The purpose of performance plans is to explain overall priorities and objectives, current performance, and proposals for further improvement.

B.1.2 Key controls

- 1.2.1 The key controls for performance plans are:
- (a) to meet the timetables set;
 - (b) to ensure that all performance information is accurate, complete and up to date;
 - (c) to provide improvement targets which are meaningful, realistic and challenging.

B.1.3 Responsibilities of Directors

- 1.4.1 To contribute to the development of performance plans in line with statutory requirements.
- 1.4.2 To contribute to the development of corporate and service targets and objectives and performance information.
- 1.4.3 To ensure that systems are in place to measure activity and collect accurate information for use as performance indicators.
- 1.4.4 To ensure that performance information is collected and monitored sufficiently frequently to allow corrective action to be taken if targets are not likely to be met.

B.2. BUDGETING

B.2.1 Format of the budget

2.1.1 Why is this important?

- 2.1.1.1 The structure of the budget determines the level of detail to which financial control and management will be exercised. The structure shapes how the rules around virement operate, the operation of financial limits and sets the level at which funds may be reallocated within budgets.

B.2.2 Key controls

- 2.2.1 The key controls for the budget structure are:
- a) the structure complies with all legal requirements;
 - b) the structure reflects the accountabilities of service delivery.

B.2.3 Responsibilities of Directors

- 2.3.1 To comply with accounting guidance provided by the Director of Resources.

B.2.4 Revenue budget preparation, monitoring and control

2.4.1 Why is this important?

- 2.4.1.1 Budget management ensures that once the budget has been approved by the Council, resources allocated are used for their intended purposes and are properly accounted for. Budgetary control is a continuous process, enabling the Council to review and adjust its budget targets during the financial year. It also provides the mechanism that calls to account, managers responsible for defined elements of the budget.
- 2.4.1.2 By continuously identifying and explaining variances against budgetary targets, the Council can identify changes in trends and resource requirements at the earliest opportunity. The Council itself operates within an annual financial limit, approved when setting the overall budget. To ensure that the Council in total does not overspend, each service is required to manage its own expenditure within the budget allocated to it.
- 2.4.1.3 For the purposes of budgetary control by managers, a budget will normally be the planned income and expenditure for a service or policy area. However, budgetary control may take place at a more detailed level if this is required by the Directors scheme of delegation or by the Council.

B.2.5 Key controls

- 2.5.1 The key controls for managing and controlling the revenue budget are:
- a) budget managers should be responsible only for income and expenditure that they can influence;
 - b) there is only one nominated budget manager for each budget area;
 - c) budget managers accept accountability for their budgets and the level of service to be delivered and understand their financial responsibilities;
 - d) budget managers follow an approved certification process for all expenditure;
 - e) income and expenditure are properly recorded and accounted for;
 - f) performance levels/levels of service are monitored in conjunction with the budget and necessary action is taken to align service outputs and budget;
 - g) Managers should supervise the financial management of those reporting to them.

B.2.6 Responsibilities of the Director of Resources

- 2.6.1 To establish an appropriate framework of budgetary management and control that ensures that:
- a) budget management is exercised within annual financial limits unless the Council agrees otherwise;
 - b) each Manager has available timely information on receipts and payments on each budget which is sufficiently detailed to enable managers to fulfil their budgetary responsibilities;
 - c) all officers responsible for committing expenditure comply with relevant guidance, and the financial regulations;
 - d) each directly controllable cost centre has a single named manager, determined by the relevant Director. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making process that commits expenditure;
 - e) significant variances from approved budgets are investigated and reported by budget managers regularly.

- 2.6.2 To administer the Council's scheme of virement.
- 2.6.3 To submit reports to the Finance & Corporate Services Committee and to the Council, in consultation with the relevant Director, where a Director is unable to balance expenditure and resources within existing approved budgets under his/her control.
- 2.6.4 To prepare and submit reports on the Council's projected income and expenditure compared with the budget on a quarterly basis.
- 2.6.5 To approve fees and charges where the budgeted income is less than or equal to £2,000.

B.2.7 Responsibilities of Directors

- 2.7.1 To maintain budgetary control within their services, in adherence to the principles in 2.6.1, and to ensure that all income and expenditure is properly recorded and accounted for.
- 2.7.2 To ensure that an accountable budget manager is identified for each item of income and expenditure under the control of the Director. As a general principle, budget responsibility should be aligned as closely as possible to the decision-making that commits expenditure.
- 2.7.3 To ensure that spending remains within the service's overall financial limit, and that individual budget headings are not overspent, by monitoring the budget and taking appropriate corrective action where significant variations from the approved budget are forecast.
- 2.7.4 To ensure that a monitoring process is in place to review performance levels/levels of service in conjunction with the budget and that it is operating effectively.
- 2.7.5 To ensure prior approval by the Council or Programme committees (as appropriate) for new proposals, of whatever amount, that:
 - a) create financial commitments in the current or future years;
 - b) change existing policies, initiate new policies or cease existing policies;
 - c) materially extend or reduce the Council's services.
- 2.7.6 To ensure compliance with the scheme of virement.
- 2.7.7 To agree with the relevant Director where it appears that a budget proposal, including a virement proposal, may impact materially on another service area or another Director's level of service activity.

B.2.8 Budgets and the Medium-Term Financial Strategy (MTFS)

2.8.1 Why is this important?

- 2.8.1.1 The Council is a complex organisation responsible for delivering a wide variety of services. It needs to plan effectively and to develop systems to enable scarce resources to be allocated in accordance with carefully weighed priorities. The budget is the financial expression of the Council's plans and policies.

- 2.8.1.2 A report on new proposals should explain the full financial implications, following consultation with the Director of Resources. Unless the Council or Finance & Corporate Services Committee has agreed otherwise, Directors must plan to contain the financial implications of such proposals within the relevant financial limit.
- 2.8.1.3 The revenue budget must be constructed so as to ensure that resource allocation properly reflects the business plans and priorities of the Council. Budgets (spending plans) are needed so that the Council can plan, authorise, monitor and control the way money is allocated and spent. It is illegal for a Council to budget for a deficit.
- 2.8.1.4 The annual strategic and financial planning process involves a cycle in which Directors develop their own plans for submission to the relevant Committee. As each year passes, another future year will be added to the MTFS. This ensures that the Council is always preparing for events in advance.

B.2.9 Key controls

- 2.9.1 The key controls for budgets and the MTFS are:
- a) specific budget approval for all expenditure;
 - b) budget managers are consulted in the preparation of the budgets for which they will be held responsible and accept accountability within delegations set by the Council for their budgets and the level of service to be delivered;
 - c) a monitoring process is in place to review regularly the effectiveness and operation of budget preparation and to ensure that any corrective action is taken.

B.2.10 Responsibilities of the Director of Resources

- 2.10.1 To prepare and submit reports on budget prospects to the Finance & Corporate Services Committee including resource constraints set by the Government. Reports should take account of medium-term prospects, where appropriate.
- 2.10.2 To determine the detailed form of revenue estimates and the methods for their preparation.
- 2.10.3 To advise on the medium-term implications of spending decisions.
- 2.10.4 To encourage the best use of resources and value for money by working with Directors to identify opportunities to improve economy, efficiency and effectiveness, and by encouraging good practice in conducting financial appraisals of development or savings options, and in developing financial aspects of service planning.
- 2.10.5 To advise the Council on proposals in accordance with his/her responsibilities under section 151 of the Local Government Act 1972.

B.2.11 Responsibilities of Directors

- 2.11.1 To prepare estimates of income and expenditure, in consultation with the Director of Resources.
- 2.11.2 To prepare budgets that are consistent with any relevant financial limits, with the Council's annual budget cycle and with guidelines issued by the Director of Resources.
- 2.11.3 To integrate financial and budget plans into business planning, so that budget plans can be supported by financial and non-financial performance measures.

2.11.4 In consultation with the Director of Resources and in accordance with the laid-down guidance and timetable, to prepare detailed draft revenue and capital budgets for consideration by the Finance & Corporate Services Committee.

2.11.5 When drawing up draft budget requirements, to have regard to:

- a) spending patterns and pressures revealed through the budget monitoring process;
- b) legal requirements;
- c) requirements as defined by the Council in the Strategic and Financial Policy Process;
- d) initiatives already under way and any new service requirements that are likely to require funding within the financial year in question.

B.2.12 Resource allocation

2.12.1 Why is this important?

2.12.1.1 A mismatch often exists between available resources and required resources. A common scenario is that available resources are not adequate to fulfil need/desire. It is therefore imperative that needs/desires are carefully prioritised, taking account of the Council's legal responsibilities and that resources are allocated to meet the urgent priorities. Resources may include staff, money, equipment, goods and materials.

B.2.13 Key controls

2.13.1 The key controls for resource allocation are:

- a) resources are acquired in accordance with the law and allocated using an approved authorisation process;
- b) resources are used only for the purpose intended, to achieve the approved policies and objectives, and are properly accounted for;
- c) resources are securely held for use when required;
- d) resources are used in the most efficient manner.

B.2.14 Responsibilities of the Director of Resources

2.14.1 To coordinate the Strategic and Financial Planning process to ensure that resources are devoted to the Council's stated priorities.

2.14.2 To advise on methods available for the funding of expenditure plans.

B.2.15 Responsibilities of Directors

2.15.1 To deliver the Council's key objectives within budget limits and to utilise resources allocated, and further allocate resources, in the most efficient, effective and economic way.

2.15.2 To identify opportunities to minimise or eliminate resource requirements or consumption without having a detrimental effect on service delivery.

B.2.16 Capital programmes

2.16.1 Why is this important?

- 2.16.1.1 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Council, such as land, buildings, and major items of plant, equipment or vehicles. Capital assets shape the way services are delivered in the long term and create financial commitments for the future in the form of financing costs and revenue running costs.
- 2.16.1.2 The Government controls the financing capacity of the Council through the CIPFA Prudential Code. This means that capital expenditure should be integrated into the Council's Treasury Management Strategy and should be carefully prioritised in order to maximise the benefit of scarce resources.

B.2.17 Key controls

- 2.17.1 The key controls for capital programmes are:
- a) the development and implementation of asset management plans;
 - b) specific approval by the Council for the programme of capital expenditure;
 - c) a scheme and estimate, including project plan, progress targets and associated revenue expenditure is prepared for each capital project, for approval by the Finance & Corporate Services Committee;
 - d) proposals for improvements and alterations to buildings must be approved by the relevant Director;
 - e) accountability for each capital project is accepted by a named manager;
 - f) monitoring of progress in conjunction with expenditure and comparison with approved budget;
 - g) capital spending plans are to be in line with the approved Capital Strategy.

B.2.18 Responsibilities of the Director of Resources

- 2.18.1 To prepare the capital programme and estimates jointly with Directors and to report them to the Finance & Corporate Services Committee for approval. The Finance & Corporate Services Committee will make recommendations on the capital programme and on any associated financing requirements to the Council.
- 2.18.2 To prepare and submit reports jointly with the officers defined as accountable for capital projects to the Finance & Corporate Services Committee on the progress of the capital programme compared with the approved estimates.
- 2.18.3 Having regard to regulations determine the definition of 'capital'.

B.2.19 Responsibilities of Directors

- 2.19.1 To comply with guidance concerning capital schemes and controls issued by the Director of Resources.
- 2.19.2 To prepare and submit quarterly reports jointly with the Director of Resources to the Finance & Corporate Services Committee on the progress of the capital programme compared with the approved estimates.

- 2.19.3 To prepare regular reports reviewing the capital programme provisions for their services. In consultation with the Director of Resources, to obtain authorisation from the Finance & Corporate Services Committee and/or the Council for individual schemes where the estimated expenditure exceeds the capital programme provision by more than a specified amount (see **Appendix F**).
- 2.19.4 To ensure that all capital proposals have undergone a project appraisal in accordance with guidance issued by the Director of Resources.
- 2.19.5 To ensure that adequate records are maintained for all capital contracts.
- 2.19.6 To proceed with projects only when there is adequate provision in the capital programme.
- 2.19.7 To prepare and submit reports, jointly with the Director of Resources, to the Programme committees, of any increase in contract costs in excess of the approved scheme and estimate, unless the excess can be met by virement from elsewhere within the capital programme. The authorisation limits for capital virements are set out in **Appendix F**.
- 2.19.8 To prepare and submit reports, jointly with the Director of Resources, to the Programme committees, where it appears that the final cost of a revenue or capital contract will exceed the approved contract sum by more than a specified financial limit (see **Appendix F**).
- 2.19.9 No leasing arrangements as defined by the Director of Resources shall be entered into without prior approval.

B.3. MAINTENANCE OF RESERVES

B.3.1 Why is this important?

- 3.1.1 The Council must decide the level of general reserves it wishes to maintain before it can decide the level of council tax. Reserves are maintained as a matter of prudence. They enable the Council to provide for unexpected events and thereby protect it from overspending, should such events occur. Reserves for specific purposes may also be maintained, such as the purchase or renewal of capital items.

B.3.2 Key controls

- 3.2.1 To maintain reserves in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom and agreed accounting policies.
- 3.2.2 For each reserve established, the purpose, usage and basis of transactions should be clearly identified and approved by the Finance & Corporate Services Committee.

B.3.3 Responsibilities of the Director of Resources

- 3.3.1 To advise the Finance & Corporate Services Committee and/or the Council on prudent levels of reserves for the Council.

B.3.4 Responsibilities of Directors

- 3.4.1 To ensure that resources are used only for the purposes for which they were intended.

C. RISK MANAGEMENT AND CONTROL OF RESOURCES

C.1. RISK MANAGEMENT

C.1.1 Why is this important?

- 1.1.1 All organisations, whether private or public sector, face risks to people, property and continued operations. Risk is the chance or possibility of loss, damage, injury or failure to achieve objectives caused by an unwanted or uncertain action or event. Risk management is the planned and systematic approach to the identification, evaluation and control of risk. Its objectives are to secure the assets of the organisation and to ensure the continued financial and organisational well-being of the organisation. In essence it is, therefore, an integral part of good business practice. Risk management is concerned with evaluating the measures an organisation already has in place to manage identified risks and then recommending the action the organisation needs to take to control these risks effectively.
- 1.1.2 It is the overall responsibility of the Council to approve the Council's risk management strategy, and to promote a culture of risk management awareness throughout the Council.

C.1.2 Key controls

- 1.2.1 The key controls for risk management are:
- a) procedures are in place to identify, assess, prevent or contain material known risks, and these procedures are operating effectively throughout the Council;
 - b) a monitoring process is in place to review regularly the effectiveness of risk reduction strategies and the operation of these controls;
 - c) managers know that they are responsible for managing relevant risks and are provided with relevant information on risk management initiatives;
 - d) provision is made for losses that might result from the risks that remain;
 - e) procedures are in place to investigate claims within required timescales
 - f) acceptable levels of risk are determined and insured against where appropriate;
 - g) the Council has identified business continuity plans for implementation in the event of disaster that results in significant loss or damage to its resources.

C.1.3 Responsibilities of the Director of Strategy, Performance and Governance

- 1.3.1 To prepare and promote the Council's Risk Management Policy.
- 1.3.2 To develop risk management controls in conjunction with Directors.

C.1.4 Responsibilities of the Director of Resources

- 1.4.1 To include all appropriate employees of the Council in a suitable fidelity guarantee insurance.
- 1.4.2 To effect corporate insurance cover, through external insurance and internal funding, and to negotiate all claims in consultation with other officers, where necessary.

C.1.5 Responsibilities of Directors

- 1.5.1 To notify the Director of Resources immediately of any loss, liability or damage that may lead to a claim against the Council, together with any information or explanation required by the Council's insurers.
- 1.5.2 To take responsibility for risk management, having regard to advice from the Director of Resources and other specialist officers (e.g. fire prevention, health and safety).
- 1.5.3 To ensure that there are regular reviews of risk within their Service.
- 1.5.4 To notify the Director of Resources promptly of all new risks, properties or vehicles that require insurance and of any alterations affecting existing insurances.
- 1.5.5 To consult the Director of Resources and the Council's legal advisors on the terms of any indemnity that the authority is requested to give.
- 1.5.6 To ensure those employees, or anyone covered by the Council's insurances, do not admit liability or make any offer to pay compensation that may prejudice the assessment of liability in respect of any insurance claim.

C.2. INTERNAL CONTROLS

C.2.1 Why is this important?

- 2.1.1 The Council is complex and beyond the direct control of a single individual. It therefore requires internal controls to manage and monitor progress towards strategic objectives.
- 2.1.2 The Council has statutory obligations, and, therefore, requires internal controls to identify, meet and monitor compliance with these obligations.
- 2.1.3 The Council faces a wide range of financial, administrative and commercial risks, both from internal and external factors, which threaten the achievement of its objectives. Internal controls are necessary to manage these risks.
- 2.1.4 The system of internal controls is established in order to provide measurable achievement of:
 - a) efficient and effective operations;
 - b) reliable financial information and reporting;
 - c) compliance with laws and regulations;
 - d) risk management.

C.2.2 Key controls

- 2.2.1 The key controls and control objectives for internal control systems are:
 - a) key controls should be reviewed on a regular basis;
 - b) managerial control systems, including defining policies, setting objectives and plans, monitoring financial and other performance and taking appropriate anticipatory and remedial action. The key objective of these systems is to promote ownership of the control environment by defining roles and responsibilities;

- c) financial and operational control systems and procedures, which include physical safeguards for assets, segregation of duties, authorisation and approval procedures and information systems;
- d) an effective internal audit function that is properly resourced. It should operate in accordance with the principles contained in the Auditing Practices Board's auditing guideline Guidance for Internal Auditors, CIPFA's Code of Practice for Internal Audit in Local Government in the United Kingdom and with any other statutory obligations and regulations.

C.2.3 Responsibilities of the Director of Resources

- 2.3.1 To assist the Council to put in place an appropriate control environment and effective internal controls which provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.

C.2.4 Responsibilities of Directors

- 2.4.1 To manage processes to check that established controls are understood and being adhered to and to evaluate their effectiveness, in order to be confident in the proper use of resources, achievement of objectives and management of risks.
- 2.4.2 To review existing controls in the light of changes affecting the Council and to establish and implement new ones in line with guidance from the Director of Resources. Directors should also be responsible, after consultation with the Director of Resources, for removing controls that are unnecessary or not cost or risk effective – for example, because of duplication.

C.3. AUDIT REQUIREMENTS

C.3.1 Internal audit

3.1.1 Why is this important?

- 3.1.1.1 The Accounts and Audit Regulations 2015 (para 5) require that a “relevant authority must undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance”.
- 3.1.1.2 Internal Audit must be seen as independent. This is achieved through operating within a framework that allows unrestricted access to senior management, reporting in its own name and segregation as far as practical from line operations. The function reports directly to the Director of Resources (also the officer designated under Section 151 of the Local Government Act 1972 as responsible for ensuring the proper administration of the Authority's financial affairs). Internal Audit also reports directly to the Audit Committee.

C.3.2 Key controls

- 3.2.1 The key controls for internal audit are:
 - a) that it is independent in its planning and operation;
 - b) the Audit Manager has direct access to the Director of Resources, all levels of management and directly to elected Members;

- c) Internal Auditors work towards complying with the UK Public Sector Internal Audit Standards (PSIAS), and effort is made to preserve objectivity by ensuring staff are free from conflicts of interest. Therefore as far as is practical, Internal Audit will not participate in the day to day operation of any systems of internal financial control.

C.3.3 Responsibilities of the Director of Resources

- 3.3.1 To ensure that internal auditors have the authority to:
 - a) access Council premises at reasonable times;
 - b) access all assets, records, documents, correspondence and control systems ;
 - c) receive any information and explanation considered necessary concerning any matter under consideration;
 - d) require any employee of the Council to account for cash, materials or any other asset under his/her control;
 - e) access records belonging to third parties, such as contractors, when required;
 - f) obtain direct access to the Finance & Corporate Services Committee and the Audit Committee.
- 3.3.2 To approve the annual audit plans, prepared by the Audit Manager, and present to the Audit Committee for their approval.
- 3.3.3 To prepare terms of reference for the internal audit function, for approval by the Audit Committee.
- 3.3.4 To ensure that effective procedures are in place to investigate promptly any fraud or irregularity.

C.3.4 Responsibilities of Directors

- 3.4.1 To ensure that internal auditors are given access at all reasonable times to premises, personnel, documents and assets that the auditors consider necessary for the purposes of their work.
- 3.4.2 To ensure that auditors are provided with any information and explanations that they seek in the course of their work.
- 3.4.3 To respond to internal and external audit reports in writing, within a timescale agreed by the appropriate Director and the Director of Resources or External Auditor, detailing the action intended to address any recommendations.
- 3.4.4 To ensure that any agreed actions arising from audit recommendations are carried out in a timely and efficient fashion.
- 3.4.5 To ensure that their staff report any suspicion of fraud, corruption or other financial irregularity in respect of Council funds, either directly, or via the Directors to the Director of Resources for investigation.
- 3.4.6 The Director of Resources must then arrange for appropriate investigation of the matter. The relevant Director must agree any further investigative action with the Director of Resources before proceeding.
- 3.4.7 The Director of Resources, in consultation with the relevant Director and the Monitoring Officer will advise whether any matter should be referred to the police for further investigation.

- 3.4.8 To ensure that the Director of Resources is given an opportunity, in a timely manner before live operation, to evaluate the adequacy of new systems for maintaining financial records, or records of assets, or changes to such systems.

C.3.5 External audit

3.5.1 Why is this important?

- 3.5.1.1 Under Schedule 1 of the Local Audit and Accountability Act 2014 all contracts for audit and related services, previously let by the Audit Commission, were transferred to Public Sector Audit Appointments Ltd on 1 April 2015. The external auditor has rights of access to all documents and information necessary for audit purposes (para 22 2014 Act).
- 3.5.1.2 The general duties of the external auditor are defined in the Local Audit and Accountability Act 2014 (para 20) and the Local Government Act 1999. In particular, Schedule 6 of the 2014 Act sets out that the Comptroller & Auditor General is responsible for preparing a code of audit practice, which external auditors follow when carrying out their duties. Schedule 1 of the code of audit practice sets out the auditor's statutory responsibilities across 3 main headings:
- a) Audit Scope;
 - b) Reporting;
 - c) Additional powers and duties.
- 3.5.1.3 The Council's accounts are scrutinised by external auditors, who must be satisfied that the Statement of Accounts 'presents a true and fair view' (Para 20 2014 Act) of the financial position of the Council and its income and expenditure for the year in question and complies with the legal requirements.

C.3.6 Key controls

- 3.6.1 External auditors were initially appointed by Public Sector Audit Appointments Ltd, however subsequent appointments are to be made by the Local Authority for a maximum period of five years. The Comptroller & Auditor General (National Audit Office) prepares the code of audit practice, which external auditors follow when carrying out their audits.

C.3.7 Responsibilities of the Director of Resources

- 3.7.1 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets that the external auditors consider necessary for the purposes of their work.
- 3.7.2 To work with the external auditor and advise the Council, and Directors on their responsibilities in relation to external audit.
- 3.7.3 To ensure there is effective liaison between external and internal audit.

C.3.8 Responsibilities of Directors

- 3.8.1 To ensure that external auditors are given access at all reasonable times to premises, personnel, documents and assets which the external auditors consider necessary for the purposes of their work.
- 3.8.2 To ensure that all records and systems are up to date and available for inspection.

C.4. PREVENTING FRAUD AND CORRUPTION

C.4.1 Why is it this important?

- 4.1.1 The Council will not tolerate fraud and corruption in the administration of its responsibilities, whether from inside or outside the Council.
- 4.1.2 The Council's expectation of propriety and accountability is that Members and staff at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices.
- 4.1.3 The Council also expects that individuals and organisations (e.g. suppliers, contractors, service providers) with whom it comes into contact will act towards the Council with integrity and without thought of or actions involving fraud and corruption. It must guard against the possibility that these expectations will not be fulfilled in all respects.

C.4.2 Key controls

- 4.2.1 The key controls regarding the prevention of financial irregularities are that:
 - a) the Council has an effective Anti-Fraud and Anti-Corruption Policy and maintains a culture that will not tolerate fraud or corruption;
 - b) all Members and staff act with integrity and lead by example as per the relevant Code of Conduct;
 - c) Managers are required to deal swiftly and firmly with those who defraud or attempt to defraud the Council or who are corrupt;
 - d) high standards of conduct are promoted amongst Members by the standards committee;
 - e) the maintenance of a register of interests in which any hospitality or gifts accepted must be recorded;
 - f) "whistle blowing" procedures are in place and operate effectively;
 - g) legislation including the Public Interest Disclosure Act 1998 is adhered to.

C.4.3 Responsibilities of the Director of Strategy Performance and Governance.

- 4.3.1 To maintain and review an Anti-Fraud Policy.

C.4.4 Responsibilities of the Director of Resources

- 4.4.1 To maintain adequate and effective internal control arrangements.
- 4.4.3 To ensure that all suspected irregularities are investigated, and all proven irregularities reported to the Monitoring Officer and S151.

C.4.5 Responsibilities of Directors

- 4.5.1 To ensure that all suspected irregularities are reported to the Director of Resources
- 4.5.2 To instigate the Council's disciplinary procedures where the outcome of an audit investigation indicates improper behaviour.

- 4.5.3 To ensure that where financial impropriety is discovered, the Director of Resources is informed. Where sufficient evidence exists to believe that a criminal offence may have been committed, after consultation with the Director of Resources, relevant Director, to ensure that the Police are called in.

C.4.6 Responsibility of the Monitoring Officer

- 4.6.1 To maintain a register of interests.

C.5. ASSETS

C.5.1 Security

5.1.1 Why is this important?

- 5.1.1.1 The Council holds assets in the form of property, vehicles, equipment, furniture and other items worth millions of pounds. It is important that assets are safeguarded and used efficiently in service delivery, and that there are arrangements for the security of both assets and information required for service operations. An up-to-date asset register is a prerequisite for proper fixed asset accounting and sound asset management.

C.5.2 Key controls

- 5.2.1 The key controls for the security of resources such as land, buildings, fixed plant machinery, equipment, software and information are:

- a) resources are used only for the purposes of the Council and are properly accounted for;
- b) resources are available for use when required;
- c) resources no longer required are disposed of in accordance with the law and the regulations of the Council so as to maximise benefits;
- d) an asset register is maintained for the Council, assets are recorded when they are acquired by the Council and this record is updated as changes occur with respect to the location, value and condition of the asset;
- e) all staff are aware of their responsibilities with regard to safeguarding the Council's assets and information, including the requirements of the Data Protection Act and software copyright legislation;
- f) all staff are aware of their responsibilities with regard to safeguarding the security of the Council's Information Communication Technology (ICT) Systems, including maintaining restricted access to the information held on them and compliance with the Council's Information Communication Technology and internet security policies.

C.5.3 Responsibilities of the Director of Resources

- 5.3.1 To ensure that an asset register is maintained in accordance with good practice for all fixed assets with a value in excess of a specified financial limit (see **Appendix F**). The function of the asset register is to provide the Council with information about fixed assets so that they are:
- a) safeguarded;
 - b) used efficiently and effectively;
 - c) adequately maintained.

- 5.3.2 To receive the information required for accounting, costing and financial records from each Director.
- 5.3.3 To ensure that assets are valued in accordance with the Code of Practice on Local Authority Accounting in the United Kingdom.

C.5.4 Responsibilities of Directors

- 5.4.1 A property database shall be maintained by the Director of Resources for all properties, plant and machinery and moveable assets currently owned or used by the Council subject to the minimum values specified in **Appendix F**. Any use of property by a service other than for direct service delivery should be supported by documentation identifying terms, responsibilities and duration of use.
- 5.4.2 To ensure that lessees and other prospective occupiers of council owned land are not allowed to take possession or enter the land until a lease or agreement, in a form approved by the Council's legal advisor, has been established.
- 5.4.3 To ensure the proper security of all buildings and other assets under their control in accordance with laid down guidelines.
- 5.4.4 Where land or buildings are surplus to requirements, a recommendation for sale should be the subject of a joint report by the Director and the Director of Resources (see **Appendix F**).
- 5.4.5 To pass title deeds to the Monitoring Officer who is responsible for maintaining the central repository of all title deeds.
- 5.4.6 To ensure that no Council asset is subject to personal use by a Member or employee without prior agreement of the relevant Director.
- 5.4.7 To ensure the safe custody of vehicles, equipment, furniture, stock, stores and other property belonging to the Council.
- 5.4.8 To ensure that an inventory is maintained of moveable assets (subject to limits in **Appendix F**) in accordance with arrangements defined by the Corporate Leadership Team.
- 5.4.9 To ensure that assets are identified, their location recorded and that they are appropriately marked and insured.
- 5.4.10 To consult the Director of Resources in any case where security is thought to be defective or where it is considered that special security arrangements may be needed.
- 5.4.11 To ensure cash holdings on premises are kept to a minimum.
- 5.4.12 To ensure that keys to safes and similar receptacles are carried on the person of those responsible at all times; loss of any such keys must be reported to the Director of Resources as soon as possible.
- 5.4.13 To record all disposals or part exchange of assets that should normally be by competitive tender or public auction in accordance with **Contract Procedure Rules**, unless, the Finance & Corporate Services Committee agrees otherwise.
- 5.4.14 To ensure that all employees are aware that they have a personal responsibility with regard to the protection and confidentiality of information, whether held in manual or computerised records. Information may be sensitive or privileged, or may possess some intrinsic value, and its disclosure or loss could result in a cost to the Council in some way.

- 5.4.15 To maintain inventories and record an adequate description of furniture, fittings, equipment, plant and machinery above a specified financial limit in value (see **Appendix F**).
- 5.4.16 To carry out an annual check of all items on the inventory in order to verify location and condition and to take action in relation to surpluses or deficiencies, annotating the inventory accordingly. Attractive and portable items such as computers and cameras should be identified with security markings as belonging to the Council.
- 5.4.17 To make sure that property is only used in the course of the Council's business, unless the Director concerned has given permission otherwise.

C.5.5 Asset disposal

5.5.1 Why is this important?

- 5.5.1.1 It would be uneconomic and inefficient for the cost of assets to outweigh their benefits. Obsolete, non-repairable or unnecessary resources should be disposed of in accordance with the law and the regulations of the Council.

C.5.6 Key controls

- 5.6.1 Assets for disposal are identified and are disposed of at the most appropriate time, and only when it is in the best interests of the Council, and best price is obtained in accordance with ***Contract Procedure Rules*** and bearing in mind other factors, such as environmental issues.
- 5.6.2 Procedures protect staff involved in the disposal from accusations of personal gain.

C.5.7 Responsibilities of the Director of Resources

- 5.7.1 To issue advice on disposal in accordance with ***Contract Procedure Rules***.
- 5.7.2 To ensure appropriate accounting entries are made to remove the value of disposed assets from the Council's records and to include the sale proceeds if appropriate.

C.6. TREASURY MANAGEMENT

C.6.1 Why is this important?

- 6.1.1 Millions of pounds pass through the Council's accounts each year. This requires the establishment of codes of practice. These aim to provide assurances that the Council's money is properly managed in a way that balances risk with return, but with the overriding consideration being given to the security of the Council's investment.

C.6.2 Key controls

- 6.2.1 That the Council's borrowings and investments comply with the CIPFA Code of Practice on Treasury Management and with the Council's treasury management practices (TMP's).
- 6.2.2 That the Finance & Corporate Services Committee receives reports on Treasury activity at least twice a year in accordance with the code of practice and that the Treasury Management Strategy is subject to annual scrutiny before it is agreed.

C.6.3 Responsibilities of Director of Resources – treasury management and banking

- 6.3.1 To arrange the borrowing and investments of the Council in such a manner as to comply with the CIPFA Code of Practice on Treasury Management and the Council's treasury management practices and strategy.
- 6.3.2 To prepare reports for the consideration of the Finance & Corporate Services and Overview & Scrutiny Committees.
- 6.3.3 To operate bank accounts as are considered necessary – opening or closing any bank account shall require the written approval of the Director of Resources in accordance with the Banking Mandate (**Appendix G**).

C.6.4 Responsibilities of Directors – treasury management and banking

- 6.4.1 To follow the instructions on banking issued by the Director of Resources.

C.6.5 Responsibilities of Director of Resources – investments and borrowing

- 6.5.1 To ensure that all investments of money are made in the name of the Council.
- 6.5.2 To ensure that all securities that are the property of the Council and the title deeds of all property in the Council's ownership are held in the custody of the Monitoring Officer or under arrangements approved by the Director of Resources.
- 6.5.3 To effect all borrowings in the name of the Council.
- 6.5.4 To maintain records of all borrowing of money by the Council.

C.6.6 Responsibilities of Directors – investments and borrowing

- 6.6.1 To ensure that loans are not made to third parties and that interests are not acquired in companies, joint ventures or other enterprises without the approval of the Council.

C.6.7 Responsibilities of Directors – funds held for third parties

- 6.7.1 To arrange, where funds are held on behalf of third parties, for their secure administration, approved by the Director of Resources, and to maintain written records of all transactions.

C.6.8 Responsibilities of the Director of Resources – imprest accounts

- 6.8.1 To provide employees of the Council with cash imprest accounts to meet minor expenditure on behalf of the Council and to prescribe rules for operating these accounts. Minor items of expenditure should not exceed the prescribed amount.
- 6.8.2 To determine the petty cash limit and to maintain a record of all transactions and petty cash advances made, and periodically to review the arrangements for the safe custody and control of these advances.
- 6.8.3 To reimburse imprest holders, as often as necessary, to restore the imprests.

C.6.9 Responsibilities of Directors – imprest accounts

6.9.1 To ensure that employees operating an imprest account:

- a) obtain and retain vouchers to support each payment from the imprest account. Where appropriate, an official receipted VAT invoice must be obtained;
- b) make adequate arrangements for the safe custody of the account;
- c) produce upon demand by the Director of Resources cash and all vouchers to the total value of the imprest amount;
- d) record transactions promptly;
- e) reconcile and balance the account at least monthly; reconciliation sheets to be signed and retained by the imprest holder;
- f) provide the Director of Resources with a certificate of the value of the account held at 31 March each year;
- g) ensure that the float is never used to cash personal cheques or to make personal loans and that the only payments into the account are the reimbursement of the float and change relating to purchases where an advance has been made.

C.7. STAFFING

C.7.1 Why is this important?

7.1.1 In order to provide the highest level of service, it is crucial that the Council recruits and retains high calibre, knowledgeable staff, qualified to an appropriate level.

C.7.2 Key controls

7.2.1 The key controls for staffing are:

- a) procedures are in place for forecasting staffing requirements and cost;
- b) controls are implemented to ensure that staff time is used efficiently and to the benefit of the Council;
- c) checks are undertaken prior to employing new staff to ensure that they are appropriately qualified, experienced, lawfully resident and trustworthy.

C.7.3 Responsibilities of the Director of Resources

7.3.1 To act as an advisor to Directors on areas such as Income Tax, National Insurance and pension contributions, as appropriate.

7.3.2 To ensure that staff costs are charged accurately to allow Directors to monitor staffing budgets effectively.

C.7.4 Responsibilities of Directors

7.4.1 To monitor staff activity to ensure adequate control over such costs as sickness, overtime, training and temporary staff.

- 7.4.2 To ensure that the staffing budget is not exceeded without due authority and that it is managed to enable the agreed level of service to be provided.
- 7.4.3 To ensure that the Director of Resources is immediately informed if the staffing budget is likely to be materially over- or under-spent.

D. FINANCIAL SYSTEMS AND PROCEDURES

D.1. GENERAL

D.1.1 Why is this important?

1.1.1 Services have systems and procedures relating to the control of the Council's assets. Services are reliant on computers for their financial management information. The information must therefore be accurate and the systems and procedures sound and well administered. They should contain controls to ensure that transactions are properly processed and errors detected promptly.

1.1.2 The Director of Resources is responsible for ensuring that the authority's financial systems are sound and should therefore be notified of any new developments or changes.

D.1.2 Key controls

1.2.1 The key controls for systems and procedures are:

- a) basic data exists to enable the Council's objectives, targets, budgets and plans to be formulated;
- b) performance is communicated to the appropriate managers on an accurate, complete and timely basis;
- c) early warning is provided of deviations from target, plans and budgets that require management attention;
- d) operating systems and procedures are secure.

D.1.3 Responsibilities of the Director of Resources

1.3.1 To make arrangements for the proper administration of the Council's financial affairs, including to:

- a) issue advice, guidance and procedures for officers and others acting on the Council's behalf;
- b) determine the accounting systems, form of accounts and supporting financial records;
- c) establish arrangements for audit of the Council's financial affairs;
- d) approve any new financial systems to be introduced;
- e) approve any changes to be made to existing financial systems.

1.3.2 To ensure that effective contingency arrangements, including back-up procedures, exist for computer systems. Wherever possible, back-up information should be securely retained in a fireproof location, preferably off site or at an alternative location within the building.

1.3.3 To ensure that, where appropriate, computer systems are registered in accordance with Data Protection legislation and that staff are aware of their responsibilities under the legislation.

D.1.4 Responsibilities of Directors

1.4.1 To ensure that accounting records are properly maintained and held securely.

1.4.2 To ensure that vouchers and documents with financial implications are not destroyed, except in accordance with arrangements approved by the Director of Resources.

- 1.4.3 To ensure that a complete management trail, allowing financial transactions to be traced from the accounting records to the original document, and vice versa, is maintained.
- 1.4.4 To incorporate appropriate controls to ensure that, where relevant:
- a) all input is genuine, complete, accurate, timely and not previously processed;
 - b) all processing is carried out in an accurate, complete and timely manner;
 - c) output from the system is complete, accurate and timely.
- 1.4.5 To ensure that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls and to minimise the risk of fraud or other malpractice.
- 1.4.6 To ensure there is a documented and tested disaster recovery plan to allow information system processing to resume quickly in the event of an interruption.
- 1.4.7 To ensure that systems are documented and staff trained in operations.
- 1.4.8 To consult with the Director of Resources before changing any existing system or introducing new systems.
- 1.4.9 In consultation with the Director of Resources to establish a scheme of delegation identifying officers authorised to act upon the Directors behalf in respect of payments, income collection and placing orders, including variations, and showing the limits of their authority.
- 1.4.10 To supply lists of authorised officers, with specimen signatures and delegated limits, to the Director of Resources, together with any subsequent variations.
- 1.4.11 To ensure that relevant standards and guidelines for ICT systems issued by the Director of Resources or IT Manager are observed.
- 1.4.12 To ensure that computer equipment and software are protected from loss and damage through theft, vandalism, etc.
- 1.4.13 To comply with the copyright, designs and patents legislation and, in particular, to ensure that:
- a) only software legally acquired and installed by the Council is used on its computers;
 - b) staff are aware of legislative provisions;
 - c) in developing systems, due regard is given to the issue of intellectual property rights.

D.2. INCOME AND EXPENDITURE

D.2.1 Income

2.1.1 Why is this important?

- 2.1.1.1 Income can be a vulnerable asset and effective income collection systems are necessary to ensure that all income due is identified, collected, receipted and banked properly. It is preferable to obtain income in advance of supplying goods or services as this improves the Council's cash-flow and also avoids the time and cost of administering debts.

D.2.2 Key controls

- 2.2.1 The key controls for income are:

- a) all income due to the Council is identified and charged correctly, in accordance with an approved charging policy, which is regularly reviewed;
- b) all income is collected from the correct person, at the right time, using the correct procedures and the appropriate stationery;
- c) all money received by an employee on behalf of the Council is paid in without delay through the Council's payment facility, as the Director of Resources directs, to the Council's bank account, and properly recorded. The responsibility for cash collection should be separated from that:
 - i. for identifying the amount due
 - ii. for reconciling the amount due to the amount received
- d) effective action is taken to pursue non-payment within defined timescales;
- e) formal approval for debt write-off is obtained;
- f) appropriate write-off action is taken within defined timescales;
- g) appropriate accounting adjustments are made following write-off action;
- h) all appropriate income documents are retained and stored for the defined period in accordance with the document retention guidelines;
- i) money collected and deposited is reconciled to the bank account by a person who is not involved in the collection or banking process.

D.2.3 Responsibilities of the Director of Resources

- 2.3.1 To agree arrangements for the collection of all income due to the Council and to approve the procedures, systems and documentation for its collection.
- 2.3.2 To approve all debts to be written off in consultation with the relevant Director and to keep a record of all sums written off up to the approved limit and to adhere to the requirements of the Accounts and Audit Regulations 2015.
- 2.3.3 To obtain the approval of the Finance & Corporate Services Committee in consultation with the relevant Director for writing off debts in excess of a specified financial limit (see **Appendix F**)
- 2.3.4 To ensure that appropriate accounting adjustments are made following write-off action.
- 2.3.5 To order and supply to services all receipt forms, books or tickets and similar items and to satisfy himself/herself regarding the arrangements for their control.

D.2.4 Responsibilities of Directors

- 2.4.1 To implement the charging policy for the supply of goods or services, including the appropriate charging of VAT (in consultation with the Director of Resources where appropriate), and to review it regularly, in line with corporate policies.
- 2.4.2 To separate the responsibility for identifying amounts due and the responsibility for collection, as far as is practicable.
- 2.4.3 To establish and initiate appropriate recovery procedures, including legal action where necessary, for debts that are not paid promptly.
- 2.4.4 To issue official receipts or to maintain other documentation for income collection.

- 2.4.5 To ensure that at least two employees are present when post is opened so that money received by post is properly identified and recorded.
- 2.4.6 To hold securely receipts, tickets and other records of income for the appropriate period in accordance with the documentation retention policy.
- 2.4.7 To secure all income to safeguard against loss or theft, and to ensure the security of cash handling.
- 2.4.8 To ensure that income is paid fully and promptly into the appropriate Council bank account in the form in which it is received. Appropriate details should be recorded on paying-in slips to provide an audit trail. Money collected and deposited must be reconciled to the bank account on a regular basis.
- 2.4.9 To ensure personal cheques or other payments are not en-cashed.
- 2.4.10 To supply the Director of Resources with details relating to work done, goods supplied, services rendered or other amounts due, to enable the Director of Resources to record correctly the sums due to the Council and to ensure accounts are sent out promptly. Directors have a responsibility to assist the Director of Resources in collecting debts that they have originated, by providing any further information requested about the debtor, and in pursuing the matter on the Council's behalf.
- 2.4.11 To notify the Director of Resources of outstanding income relating to the previous financial year as soon as possible after 31st March in line with the timetable determined by the Director of Resources and not later than 15th April.

D.3. ORDERING AND PAYING FOR WORK, GOODS AND SERVICES

D.3.1 Why is this important?

- 3.1.1 Public money should be spent with demonstrable probity and in accordance with the Council's policies. Authorities have a statutory duty to achieve best value in part through economy and efficiency. The Council's procedures should help to ensure that services obtain value for money from their purchasing arrangements. These procedures should be read in conjunction with the Council's ***Contract Procedure Rules***.

D.3.2 General

- 3.2.1 Every Officer and Member of the Council has a responsibility to declare any links or personal interests that they may have with purchasers, suppliers and/or contractors if they are engaged in contractual or purchasing decisions on behalf of the Council, in accordance with appropriate codes of conduct.
- 3.2.2 Official orders must be in a form approved by the Director of Resources. Official orders must be issued for all work, goods or services to be supplied to the Council, except for supplies of utilities, periodic payments, petty cash purchases or other exceptions specified by the Director of Resources.
- 3.3.3 Each order must conform to the guidelines approved by the Council on procurement Standard terms and conditions and must not be varied without the prior approval of the Director of Resources.

- 3.3.4 Apart from petty cash, the normal method of payment from the Council shall be by BACS drawn on the Council's bank account by the Director of Resources. The use of direct debit shall require the prior agreement of the Director of Resources. The use of Council procurement/business cards by non card holders shall require the prior agreement of the Director of Resources.
- 3.3.5 Official orders must not be raised for any personal or private purchases, nor must personal or private use be made of Council contracts, except where there is a specific Council policy to the contrary.
- 3.3.6 Detailed regulations relating to Procurement are set out in the Council's ***Contract Procedure Rules***.
- 3.3.7 Where an order is not appropriate as discussed in section 3.2.2, authorisation must be provided on the specified form and attached to the invoice for payment. Authorisation thresholds for Officers are set out in **Appendix H**.

D.3.3 Key controls

- 3.3.1 The key controls for ordering and paying for work, goods and services are:
- a) all goods and services are ordered only by authorised persons and are correctly recorded;
 - b) all goods and services shall be ordered in accordance with the Council's ***Contract Procedures Rules***;
 - c) goods and services received are checked to ensure they are in accordance with the order;
 - d) payments are not made unless goods have been received by the Council to the correct price, quantity and quality standards;
 - e) all payments are made to the correct person, for the correct amount and are properly recorded, regardless of the payment method;
 - f) all appropriate evidence of the transaction and payment documents are retained and stored for the defined period, in accordance with the document retention guidelines;
 - g) all expenditure, including VAT, is accurately recorded against the right budget and any exceptions are corrected by journal;
 - h) in addition e-commerce requires that processes are in place to maintain the security and integrity of data for transacting business electronically.

D.3.4 Responsibilities of the Director of Resources

- 3.4.1 To ensure that all the Council's financial systems and procedures are sound and properly administered.
- 3.4.2 To approve any changes to existing financial systems and to approve any new systems before they are introduced.
- 3.4.3 To approve the form of official orders and associated terms and conditions in consultation with the Council's legal advisors.
- 3.4.4 To make payments from the Council's funds on the Director's authorisation that the expenditure has been duly incurred in accordance with financial regulations.
- 3.4.5 To make payments, whether or not provision exists within the estimates, where the payment is specifically required by statute or is made under a court order.

- 3.4.6 To make payments to contractors on the certificate of the appropriate Director, which must include details of the value of work, retention money, amounts previously certified and amounts now certified.
- 3.4.7 To provide advice and encouragement on making payments by the most economical means, in accordance with the Council's Procurement Strategy and associated guidance.
- 3.4.8 To ensure that payment is not made unless a proper VAT invoice, where appropriate, has been received, checked and coded, confirming:
- (a) that the invoice has not previously been paid;
 - (b) that expenditure has been properly incurred;
 - (c) that prices and arithmetic are correct;
 - (d) correct accounting treatment of tax;
 - (e) that discounts have been taken where available;
 - (f) that appropriate entries will be made in accounting records.
- 3.4.9 To ensure that payments are not made on a photocopied or faxed invoice, statement or other document other than the formal invoice, except where the original invoice has been lost, in which case a check must be made to see if payment has been made and if it has not the copy annotated accordingly prior to payment.

D.3.5 Responsibilities of Directors

- 3.5.1 To ensure that official orders are issued via the e-procurement system for all goods and services, other than the exceptions as specified in 3.2.2.
- 3.5.2 To ensure that orders are only used for goods and services provided to the service. Individuals must not use official orders to obtain goods or services for their private use (see 3.3.5).
- 3.5.3 To ensure that only staff authorised to raise orders (Buyers) via the e-procurements system have access to the system. To ensure that only staff authorised to approve orders above the specified limit have access to the system. Buyers and Approvers should be satisfied that the goods and services ordered are appropriate and needed, that there is adequate budgetary provision and that quotations or tenders have been obtained if necessary. Best Value principles should underpin the Council's approach to procurement. Value for money should always be achieved.
- 3.5.4 To ensure that goods and services are checked on receipt to verify that they are in accordance with the order. This check should, where possible, be carried out by a different officer from the person who authorised the order. Appropriate entries should then be made in inventories if necessary.
- 3.5.5 To ensure that the e-payment system is updated to show the receipt of goods, immediately after the goods are received.
- 3.5.6 Wherever possible to ensure that two authorised members of staff are involved in the ordering and receiving process.
- 3.5.7 To encourage suppliers of goods and services to receive payment by the most economical means for the Council. It is essential, however, that payments made by direct debit have the prior approval of the Director of Resources.

- 3.5.8 To ensure that the service obtains best value from purchases by taking appropriate steps to obtain competitive prices for goods and services of the appropriate quality. Due regard to be taken of the Council's procurement strategy and associated procurement guidance.
- 3.5.9 To ensure that employees are aware of the national code of conduct for local government employees specified in personnel policies.
- 3.5.10 To ensure that, loans, leasing or rental arrangements are not entered into without prior agreement from the Director of Resources.
- 3.5.11 To notify the Director of Resources of outstanding expenditure relating to the previous financial year as soon as possible after 31st March in line with the timetable determined by the Director of Resources.
- 3.5.12 With regard to contracts for construction and alterations to buildings and for civil engineering works, to document and agree with the Director of Resources the systems and procedures to be adopted in relation to financial aspects. This includes certification of interim and final payments, checking, recording and authorising payments, the system for monitoring and controlling capital schemes and the procedures for validation of subcontractors' tax status.
- 3.5.13 To notify the Director of Resources immediately of any expenditure to be incurred as a result of statute/court order where there is no budgetary provision.
- 3.5.14 To ensure that all appropriate payment records are retained and stored for the defined period, in accordance with the document retention guidelines.

D.4. PAYMENTS TO EMPLOYEES AND MEMBERS

D.4.1 Why is this important?

- 4.1.1 Staff costs are the largest item of expenditure for most Council services. It is therefore important that payments are accurate, timely, made only where they are due for services to the Council and that payments accord with individuals' conditions of employment. It is also important that all payments are accurately and completely recorded and accounted for and that Members' allowances are authorised in accordance with the scheme adopted by the Council.

D.4.2 Key controls

- 4.2.1 The key controls for payments to employees and Members are:
 - (a) proper authorisation procedures are in place and that there is adherence to corporate timetables in relation to:
 - i. starters
 - ii. leavers
 - iii. variations
 - iv. enhancements
 - v. and that payments are made on the basis of timesheets or claims;
 - vi. frequent reconciliation of payroll expenditure against approved budget and bank account;
 - (b) all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention guidelines;
 - (c) that HM Revenues and Customs regulations are complied with.

D.4.3 Responsibilities of the Director of Resources

- 4.3.1 To arrange and control the secure and reliable payment of salaries, compensation or other emoluments to existing and former employees, in accordance with procedures prescribed by him/her, on the due date.
- 4.3.2 To ensure that all appropriate payroll documents are retained and stored for the defined period in accordance with the document retention guidelines.
- 4.3.3 To record and make arrangements for the accurate and timely payment of tax, pensions and other deductions.
- 4.3.4 To make arrangements for payment of all travel and subsistence claims.
- 4.3.5 To make arrangements for paying Members travel or other allowances upon receiving the prescribed form, duly completed and authorised.
- 4.3.6 To ensure that adequate and effective systems and procedures are operated, so that:
 - (a) payments are only authorised to bona fide employees;
 - (b) payments are only made where there is a valid entitlement;
 - (c) conditions and contracts of employment are correctly applied, employees' names listed on the payroll are checked at regular intervals to verify accuracy and completeness.
- 4.3.7 To ensure that the Director of Resources is notified of the details of any employee benefits in kind, to enable full and complete reporting within the income tax self-assessment system (P11d).

D.4.4 Responsibilities of Directors

- 4.4.1 To send an up-to-date list of the names of officers authorised to sign records to the Director of Resources, together with specimen signatures.
- 4.4.2 To ensure that payroll transactions are processed only through the payroll system. Directors should give careful consideration to the employment status of individuals employed on a self-employed consultant or subcontract basis. HM Revenues and Customs applies a tight definition for employee status, and in cases of doubt, advice should be sought from the Director of Resources.
- 4.4.3 To certify travel and subsistence claims and other allowances. Certification is taken to mean that journeys were authorised and expenses properly and necessarily incurred, and that allowances are properly payable by the Council, ensuring that cost-effective use of travel arrangements is achieved. Due consideration should be given to tax implications and the Director of Resources is informed where appropriate.
- 4.4.4 To make, having regard to the particular circumstances of each case, ex gratia payments not exceeding a specified financial limit (see **Appendix F**) in any one case, subject to consultation with the Director of Resources. The circumstances of the proposed payment must not have the effect of circumventing other Council pay and allowance policies, tax rules or other legislation.
- 4.4.5 To notify the Director of Resources of all appointments, terminations or variations that may affect the pay or pension of an employee or former employee, in the form and to the timescale required by the Director of Resources.

- 4.4.6 To ensure appointments are made in accordance with the regulations of the Council and approved establishments, grades and scale of pay and that adequate budget provision is available.

D.4.5 Responsibilities of Members and Officers

- 4.5.1 To submit claims for travel and subsistence allowances on a monthly basis and, in any event, within one month of the year end.

D.5. TAXATION

D.5.1 Why is this important?

- 5.1.1 Like all organisations, the Council is responsible for ensuring its tax affairs are in order. Tax issues are often very complex and the penalties for incorrectly accounting for tax are severe. It is therefore very important for all officers to be aware of their role.

D.5.2 Key controls

- 5.2.1 The key controls for taxation are:
- (a) Finance staff remain abreast of tax legislation, in particular that relating to PAYE, NICs, CIS and VAT.
 - (b) budget managers are provided with relevant information and kept up to date on tax issues;
 - (c) budget managers are instructed on required record keeping;
 - (d) all taxable transactions are identified, properly carried out, accounted for within stipulated time-scales and paid through appropriate financial systems;
 - (e) records are maintained in accordance with instructions;
 - (f) returns are made to the appropriate authorities within the stipulated timescale.

D.5.3 Responsibilities of the Director of Resources

- 5.3.1 To complete all HM Revenues and Customs returns regarding PAYE and NIC's.
- 5.3.2 To complete a monthly return of VAT inputs and outputs to HM Revenues and Customs.
- 5.3.3 To provide details to HM Revenues and Customs regarding the construction industry tax deduction scheme in accordance with their deadlines.
- 5.3.4 To provide guidance for Council employees on taxation issues (including VAT).

D.5.4 Responsibilities of Directors

- 5.4.1 To ensure that the correct VAT liability is attached to all income due and that all VAT recoverable on purchases complies with HM Revenues and Customs regulations.
- 5.4.2 To ensure that, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements.
- 5.4.3 To follow any guidance on taxation issued by the Director of Resources.

D.6. TRADING ACCOUNTS AND BUSINESS UNITS

D.6.1 Why is this important?

- 6.1.1 Trading accounts have become more important as local authorities have developed a more commercial culture.

D.6.2 General

- 6.2.1 Trading activities must operate within the Council's overall arrangements and rules for financial, personnel and resource management. Exceptionally, where it can be demonstrated that this would lead to a unit being uncompetitive and losing work, special arrangements can be considered. While the Programme committees have an overall responsibility for the operations of trading activities, clearly trading activities need freedom within this framework to operate on a commercial basis. Trading activities must adhere to Financial Regulations, unless alternative arrangements are explicitly identified and agreed in writing with the Director of Resources.

D.6.3 Responsibilities of the Director of Resources

- 6.3.1 To advise on the establishment and operation of trading accounts.

D.6.4 Responsibilities of Directors

- 6.4.1 To ensure that the control of the trading activity will be to the financial target (the 'bottom line') rather than to individual expenditure and income estimate headings
- 6.4.2 To ensure that as a minimum, a break even position should be achieved.
- 6.4.3 To report to the Finance & Corporate Services Committee, where a trading activity plans a significant item of expenditure (e.g. a capital scheme, the purchase of a major item of computer software or the creation of a major ongoing revenue commitment), prior to the expenditure being committed, unless already in an approved capital programme
- 6.4.4 To make a full report to the Finance & Corporate Services Committee, as soon as it is known that the trading activity may make a deficit.
- 6.4.5 To make a report to the Finance & Corporate Services Committee on the outturn of each trading activity compared to the financial plan.
- 6.4.6 To consult with the Director of Resources and the Council's legal advisors where a trading activity wishes to enter into a contract with a third party where the contract expiry date exceeds the remaining life of their main contract with the Council. In general, such contracts should not be entered into unless they can be terminated within the main contract period without penalty.

E. EXTERNAL ARRANGEMENTS

E.1. PARTNERSHIPS

E.1.1 Why is this important?

1.1.1 Partnerships are likely to play a key role in delivering community strategies and in helping to promote and improve the well-being of the area. Local authorities are working in partnership with others – public agencies, private companies, community groups and voluntary organisations. Local authorities still deliver some services, but their distinctive leadership role is to bring together the contributions of the various stakeholders. They therefore need to deliver a shared vision of services based on user wishes.

1.1.2 Local authorities usually act as an “enabler” and will mobilise investment, bid for funds, champion the needs of their areas and harness the energies of local people and community organisations. Local authorities will be measured by what they achieve in partnership with others.

E.1.2 General

1.2.1 The main reasons for entering into a partnership are:

- a) the desire to find new ways to share risk;
- b) the ability to access new resources;
- c) to provide new and better ways of delivering services;
- d) to forge new relationships.

1.2.2 A partner is defined as either:

- a) an organisation (private or public) undertaking, part funding or participating as a beneficiary in a project or;
- b) a body whose nature or status give it a right or obligation to support the project.

1.2.3 Partners participate in projects by:

- a) acting as a project deliverer or sponsor, solely or in concert with others;
- b) acting as a project funder or part funder;
- c) being the beneficiary group of the activity undertaken in a project.

1.2.4 Partners have common responsibilities:

- a) to be willing to take on a role in the broader programme appropriate to the skills and resources of the partner organisation;
- b) to act in good faith at all times and in the best interests of the partnership’s aims and objectives;
- c) be open about any conflict of interests that might arise;
- d) to encourage joint working and promote the sharing of information, resources and skills between public, private and community sectors;
- e) to hold confidentially any information received as a result of partnership activities or duties that is of a confidential or commercially sensitive nature;
- f) to act wherever possible as ambassadors for the project.

E.1.3 Key controls

1.3.1 The key controls for Council partners are:

- a) if appropriate, to be aware of their responsibilities under the Council's financial regulations and procedures together with ***Contract Procedure Rules***;
- b) to ensure that risk management processes are in place to identify and assess all known risks;
- c) to ensure that project appraisal processes are in place to assess the viability of the project in terms of resources, staffing and expertise;
- d) to agree and accept formally the roles and responsibilities of each of the partners involved in the project before the project commences;
- e) to communicate regularly with other partners throughout the project so that problems can be identified and shared to achieve their successful resolution.

E.1.4 Responsibilities of the Director of Resources

1.4.1 To advise on effective controls that will ensure that resources are not wasted.

1.4.2 To advise on the key elements of funding a project. They include:

- a) a scheme appraisal for financial viability in both the current and future years;
- b) risk appraisal and management;
- c) resourcing, including taxation issues;
- d) audit, security and control requirements;
- e) carry-forward arrangements.

1.4.3 To ensure that the accounting arrangements are satisfactory.

1.4.4 To maintain a register of all contracts entered into with external bodies.

1.4.5 To ensure that spending has occurred in line with the terms and conditions and any eligibility criteria.

E.1.5 Responsibilities of Directors

1.5.1 To ensure that, before entering into agreements with external bodies the Council's legal advisors are consulted.

1.5.2 To ensure that, before entering into agreements with external bodies, a risk management appraisal has been prepared.

1.5.3 To ensure that such agreements and arrangements do not impact adversely upon the services provided by the Council.

1.5.4 To ensure that all agreements and arrangements are properly documented.

1.5.5 To provide appropriate information to the Director of Resources to enable a note to be entered into the Council's Statement of Accounts concerning material items.

E.2. EXTERNAL FUNDING

E.2.1 Why is this important?

- 2.1.1 External funding is potentially a very important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the Council. Local authorities are increasingly encouraged to provide seamless service delivery through working closely with other agencies and private service providers. Funds from external agencies provide additional resources to enable the Council to deliver services to the local community. However, in some instances, although the scope for external funding has increased, such funding is linked to tight specifications and may not be flexible enough to link to the Council's overall plan.

E.2.2 Key controls

- 2.2.1 The key controls for external funding are:
- a) to ensure that key conditions of funding and any statutory requirements are complied with and that the responsibilities of the accountable body are clearly understood;
 - b) to ensure that funds are acquired only to meet the priorities approved in the policy framework by the Council;
 - c) to ensure that any match-funding requirements and future revenue implications are given due consideration prior to entering into long-term agreements and that future revenue budgets reflect these requirements.

E.2.3 Responsibilities of the Director of Resources

- 2.3.1 To ensure that all funding notified by external bodies is received and properly recorded in the Council's accounts.
- 2.3.2 To ensure that the match-funding requirements are considered prior to entering into the agreements and that future revenue budgets reflect these requirements.
- 2.3.3 To ensure that audit requirements are met.

E.2.4 Responsibilities of Directors

- 2.4.1 To ensure that all claims for funds are made by the due date.
- 2.4.2 To ensure that the project progresses in accordance with the agreed project and that all expenditure is properly incurred and recorded.

E.3. WORK FOR THIRD PARTIES

E.3.1 Why is this important?

- 3.1.1 Legislation enables the Council to provide a range of services to other bodies. Such work may enable a unit to maintain economies of scale and existing expertise. Arrangements should be in place to ensure that any risk associated with this work is minimised and that such work is intra vires.

E.3.2 Key controls

- 3.2.1 The key controls for working with third parties are:

- a) to ensure that proposals are costed properly in accordance with guidance provided by the Director of Resources;
- b) to ensure that contracts are drawn up using guidance provided by the Director of Resources and that the formal approvals process is adhered to;
- c) to issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

E.3.3 Responsibilities of Director of Resources

- 3.3.1 To issue guidance with regard to the financial aspects of third party contracts and the maintenance of the contract register.

E.3.4 Responsibilities of Directors

- 3.4.1 To ensure that the approval of the appropriate Programme committee is obtained before any negotiations are concluded to work for third parties.
- 3.4.2 To maintain a register of all contracts entered into with third parties in accordance with procedures specified by the Director of Resources.
- 3.4.3 To ensure that appropriate insurance arrangements are made.
- 3.4.4 To ensure that the Council is not put at risk from any bad debts.
- 3.4.5 To ensure that no contract is subsidised by the Council.
- 3.4.6 To ensure that, wherever possible, payment is received in advance of the delivery of the service.
- 3.4.7 To ensure that the service has the appropriate expertise to undertake the contract.
- 3.4.8 To ensure that such contracts do not impact adversely upon the services provided for the Council.
- 3.4.9 To ensure that all contracts are properly documented.
- 3.4.10 To provide appropriate information to the Director of Resources to enable a note to be entered into the Statement of Accounts.

F. FINANCIAL LIMITS

F.1. General

F.1.1 Throughout these regulations, there are references to financial limits. These limits will need to be reviewed on a regular basis and, consequently, the latest figures have been consolidated in this appendix in order to facilitate any future changes. The regulations which contain financial limits are listed below:

F.1.2 Virements between Directorates require the approval of the Finance & Corporate Services Committee subject to the authorisation limits set out below. For the purpose of virements, salaries are to be considered as a Directorate in their own right and are under the control of the Head of Paid Service.

F.1.3 The use of reserves is to be approved through the same authorisation process as virements where not approved as part of the annual budget or accounts processes, or have specific delegation.

F.1.4 The financial limits for approval of revenue virements and revenue supplementary estimates are set out below:

(a) Virements within same Directorate

Relevant Director and Director of Resources

(b) Virements between different Directorates

(i) Up to **£20,000** – Director and Director of Resources and reported quarterly to members via email.

(ii) Over **£20,000** up to **£50,000** - Director, Director of Resources in consultation with relevant Programme committee Chairman; and reported to the next Finance & Corporate Services Committee meeting;

(iii) Over **£50,000** - the Finance & Corporate Services Committee.

(c) Supplementary Estimates

(i) Up to **£20,000** – Director and Director of Resources in consultation with the Chairman of the Finance & Corporate Services Committee and the Leader and reported to the next Finance & Corporate Services Committee;

(ii) Over **£20,000** – the Finance & Corporate Services Committee.

NB One of the Council's budget policies is to only agree supplementary estimates in exceptional circumstances.

F.1.5 A capital scheme (an identifiable project) is where expenditure exceeds **£10,000**.

F.1.6 The financial limits for approval of capital virements and capital supplementary estimates are the same as for revenue.

F.1.7 Any excess expenditure over the approved contract sum of more than **5%** or **£10,000** whichever is the greater must be reported to the Programme committee (Appendix B paragraph 2.19.8).

F.1.8 The asset register shall contain all assets with a value in excess of **£10,000** (Appendix C paragraph 5.3.1).

- F.1.9** All items with a value in excess of **£500** shall be included in inventories (Appendix C paragraph 5.4.15). IT assets (laptops, monitors, printers etc but excluding IT peripherals) are an exception to this limit as are more desirable, and are all recorded on the IT inventory.
- F.1.10** Finance & Corporate Services Committee approval is required to declare land surplus to requirements where the value exceeds **£10,000** (Appendix C paragraph 5.4.4).
- F.1.11** Finance & Corporate Services Committee approval is required to write-off bad debts in excess of **£10,000** (Appendix D paragraph 2.3.3), in the case of Non Domestic Rates Debts this is increased to **£20,000**.
- F.1.12** Finance & Corporate Services Committee approval is required to make ex-gratia payments in excess of **£2,000** (Appendix D paragraph 4.4.4).
- F.1.13** Finance limits relating to contracts are contained in the Council's ***Contract Procedure Rules***.

G. BANK MANDATE

- G.1. Cheques are only to be issued in emergencies and will be from the contingency cheque book.
- G.2. Cheques above £10,000 shall be countersigned by the Director of Resources or, in his/her absence, the Director of Service Delivery or the Director of Strategy Performance and Governance.
- G.3. Amendments to cheques can be countersigned by the above and additionally the Resources Specialist Manager for cheques up to £10,000.
- G.4. Manual CHAPS payments shall be signed by any of the following:
- a) Director of Resources
 - b) Director of Service Delivery
 - c) Director of Strategy Performance and Governance
- G.5. All arrangements with the Council's financial institutions shall be made by the Director of Resources who shall be authorised to operate such banking accounts/investments/financial instruments as he/she may consider necessary.
- G.6. All cheques shall be ordered only on the authority of the Director of Resources or under arrangements made by him/her.
- G.7. All cheques shall be ensured are kept in safe custody by the Director of Resources until issue.
- G.8. All instructions relating to the Council's banking accounts, shall be authorised by the Director of Resources or Officers authorised by him or her.
- G.9. Payments may be made by BACS or CHAPS electronic transmission subject to two electronic signatures; and submission by an authorised card holder authentication. Responsibility for the delegation of authorisation below Director level and limits applicable is set by the Director of Resources.

H. AUTHORISATION ARRANGEMENTS

Total Value	Category	Authorisation Level
Up to £5,000	Electronic Orders	<i>Authorised buyer</i>
£5,001 to £50,000	Invoice Authorisations, Electronic Order Approvals, Mileage and Expenses Claims	<i>Line Manager</i>
Above £50,001*	Invoice Authorisations and Order/Contract Approvals	<i>Director</i>

* Note requirement for written contracts above £50,000 – See Section 16.2 of Contract Procedure Rules.

Definitions (as per Contract Procedure Rules)

Approved Buyer- An Officer designated by a Director who is authorised to generate electronic orders on behalf of the Council.

Line Manager - An *Officer* designated by the *Director* to exercise the role reserved to the line manager by the contract procedure rules, this will be a Level 2 Manager.

Director- One of three Directors responsible for operational delivery of services

I. DELEGATIONS

I.1.1 Introduction

- 1.1.1. The Status of financial regulations section (Section one in this document) refer to Directors and Officers delegating their responsibilities per these financial regulations. Delegation should be given in writing, however there are instances where this isn't necessary or not possible due to sickness/leave. These delegations are only applicable where decisions/actions are required urgently and the relevant officer is not available and written delegation has not been made as not known required.
- 1.1.2. There are statutory delegations for statutory posts, the Monitoring Officer and Returning Officer, who have a Deputies. Written delegation is not required for these posts to act in the full capacity.
- 1.1.3. Other Officer delegations: -

Officer	Delegation given to:
Service Director	Another Service Director
Group Manager	Service Director

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Document Control Sheet

Document title	Pay Policy Statement
Summary of purpose	Compliance with Localism Act
Prepared by	Group Manager ; People, Performance and Policy
Status	Final
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Approved by	
Approval date	
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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.



Pay Policy Statement

Note: This Statement has been written to meet the statutory requirements of the Localism Act 2011 and to aid transparency in respect of Maldon District Council's policy regarding pay to the highest and lowest paid staff.

1. General policy

- 1.1 The Council has undertaken a Job Evaluation exercise which reviewed every post in the Council, up to and including the Corporate Directors, on a consistent basis and placed them within a single unified pay scale. The pay scale was designed to be consistent with best practice and benchmarked as to value and applies up to and including Director level. In accordance with the Council's constitution, the remuneration of the posts of the Directors were set by the Appointments Committee composed of elected Members of the authority.
- 1.2 The Job Evaluation process was designed to achieve compliance with Equal Pay legislation and, further to this, the contractual terms and conditions of staff were also standardised at the same time. The effect is that the remuneration of all Council employees is governed by a single set of policies and procedures. This is reflected in the Pay Policy statements below.
- 1.3 The pay multiple for 18/19 is based on the ratio of the Corporate Directors Salary to all other employees average FTE salary and equates to 3.64. The Government has considered setting twenty to one as a maximum. As a result it is not considered necessary to have a specific policy concerning the pay multiple. If the multiple starts to rise, for example above five to one, this could be reconsidered.

2. Policy regarding pay to "Chief Officers"

2.1 Definition of "Chief Officers" for the purposes of this statement

- 2.1.1 The term "Chief Officer" as employed in the Localism Act has a different meaning to the use made of it at Maldon District Council. For the purposes of this Pay Policy Statement only, the relevant posts are considered to be classed as Chief Officer:

- The three Director posts
- The Monitoring Officer

2.2 Pay

- 2.2.1 The role of Director was introduced following the 2014 Senior Management Review and pay set by the Job Evaluation process. Now the pay line has been set it is subject to the same factors as the rest of staff pay, for example any annual pay award granted.

2.2.2 Any exception to this, such as a proposal to change the pay of senior staff out of line with normal pay awards would be subject to a report to the Council and approval being given.

2.2.3 An additional consideration is that the Head of Paid Service has delegated powers to award discretionary points on an officer's salary scale within approved budgetary limits where they deem it to be in the interests of the Authority. This only applies to points up to the maximum of the salary band for that post.

2.3 Performance related pay and bonuses

2.3.1 Maldon District Council does not have performance related pay or bonus payments for any staff. As there is no mechanism for linking pay and performance in this way 'earn back' arrangements are also not appropriate.

2.4 Fees, allowances, benefits in kind and expenses

2.4.1 The Chief Executive is also the Returning Officer for the District, meaning that the post holder has specific responsibilities in respect of all elections and national referenda held in the District. These duties attract fees that are variable depending on the election. For Parliamentary, Police and Crime Commissioner, European elections and national referenda these are set by the Government. For County elections there are set by Essex County Council. For District and Parish elections they are set locally.

2.4.2 Apart from this no fees, allowances, benefits on kind or expenses are available to the posts listed in 2.1, other than those available to all staff and on the same basis.

2.5 Pension

2.5.1 All staff are eligible to join the Local Government Pension Scheme in accordance with the terms of that scheme. No special considerations apply to the posts listed in 2.1.

2.6 Severance payments

2.6.1 Where senior staff leave in the normal course of business (resignation, retirement, etc.) the same procedures would be applied as for any other staff member and no additional payments would arise as a result.

2.6.2 Should a senior post be made redundant the post holder would receive redundancy payments in accordance with the Council's Managing Organisational Change policy that applies to all staff. The Council's policy is not to award any additional compensatory payments to staff.

2.6.3 Should a senior staff member leave as a result of a settlement agreement these, by their nature, are subject to negotiation with the individual and their representatives and so are variable in their terms. Such agreements are

formal legal arrangements and confidentiality binding on both parties is a key component, so any payment arising from such an agreement would not be published. Authorisation of the payment would be in accordance with the Council's terms of reference and scheme of delegation and it would need to represent value for money for the taxpayer in the circumstances.

- 2.6.4 Senior staff that were previously employed by the Authority and left with a severance or redundancy payment may be re-employed on a consultancy basis to cover short term staff pressures where it is considered appropriate in the public interest to do so.

2.7 Recruitment of senior staff

- 2.7.1 When recruiting to a senior post the salary offered would be that applicable to the grade of the post, as determined by Job Evaluation, and within the established pay line. No additional payments would arise, unless a market supplement to enable recruitment was considered justified due to a recognised technical skill shortage in the job market.
- 2.7.2 In the event that a senior post were to be filled by a person who had retired from another Authority and was in receipt of a pension it would be arranged so that the person was not better off overall, through abatement of pension and/or pay as applicable.
- 2.7.3 In accordance with the guidance set out in the Localism Act, Full council should be given the opportunity to vote before large salary packages (£100k or above) offered in respect of a new appointment. This will be considered by the Council should the opportunity arise in the future."

2.8 Monitoring Officer

- 2.8.1 The Monitoring Officer is not subject to any additional payment.

2.9 Publication of remuneration of senior staff

- 2.9.1 This Pay Policy Statement, once approved by the Council, will be published on the Council's website.
- 2.9.2 The remuneration and pension contributions of the posts listed in 2.1 above are published annually in the Financial Statements of the Authority and a copy placed on the website.

3. Lowest paid staff

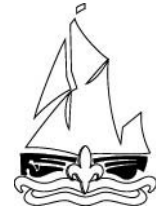
3.1 Definition

- 3.1.1 The lowest paid staff at Maldon District Council are those in Pay Band A (£13,560 to £14,890). This definition has been chosen as reflecting the reality of the pay line. The posts in Band A were placed there as a result of the Council's Job Evaluation scheme.

3.2 Pay Policy in respect of lowest paid staff

- 3.2.1 The Council has confirmed its commitment to paying the National Living Wage of £8.45 per hour. Therefore, those in Pay Band A and some in Pay Band B (£15,603 - £16,665) are paid a supplement.
- 3.2.2 On the whole no special considerations apply to the lowest paid staff. They are subject to identical terms and conditions, procedures and policies as all other staff. In some cases these policies give slightly different benefits to different levels of staff. For example the lowest five pay bands (A to E) an enhanced pay rates for overtime is paid. No enhancement above grade E is paid. In contrast the basic amount of annual leave increases with pay. Overtime is only paid in exceptional circumstances to staff.

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
28 MARCH 2019**

**ADOPTION OF MALDON DISTRICT COUNCIL HOMELESSNESS AND
HOUSING STRATEGY 2018 - 2023**

1. PURPOSE OF THE REPORT

- 1.1 To seek agreement of the adoption of the Homelessness and Housing Strategy (**APPENDIX 1**).

2. RECOMMENDATION

That subject to amendment as detailed in Section 3.4 below, the Maldon District Council Homelessness and Housing Strategy be adopted.

3. SUMMARY OF KEY ISSUES

3.1 Homelessness and Housing Strategy

- 3.1.1 The Homelessness and Housing Strategy (the 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 the Strategy, 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 paragraph 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 the Council has done and detailed at **APPENDIX 1**.

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 these directions 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. Section 3.3 of this report details the consultations that took place.

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.

3.3 Consultation

3.3.1 At the Council meeting on 13 September 2018 Members agreed to endorse the consultation of the Maldon District Council Planning Housing Strategy. The consultation was agreed to be for a period of six weeks.

3.3.2 The draft Homelessness and Housing Strategy was made available to view on the Council’s website, at the Council offices and at all local libraries for six weeks during the period 15 November – 27 December 2018.

3.3.3 Two responses were received from Danbury Parish Council and Essex County Council. Danbury Parish Council responded on 3 January 2019 with a comment about highways and Essex County Council expressed support for the strategic approach, key priorities and actions towards preventing homelessness across the Maldon District over the next four years.

3.3.4 Statutory and Voluntary agencies working within the District Council area were invited to a consultation meeting at the Maldon Council offices on 31 January 2019. At the meeting concerns were raised about practical issues relating to rough sleeping in the District. Whilst this did not result in any changes to the Homelessness Strategy it is considered appropriate for further meetings to be set up to look at practical issues, regarding this matter, later this year. This is separate to the overall Strategy.

3.4 Other Matters

- 3.4.1 Since the drafting of the Homelessness and Housing Strategy the Council has adopted a new Corporate Plan. Page 8 of the Strategy attached at **APPENDIX 1** relates to the current Corporate Plan and it is considered appropriate to update this section to reflect the newly adopted Corporate Plan. This amendment would not result in any change or alteration to the main content of the Strategy or require the need for a fresh consultation process.

4. CONCLUSION

- 4.1 The consultation process raised no real issues with the content of the Homelessness and Housing Strategy and the broad approach that the Council is seeking to undertake. The Homelessness and Housing Strategy is therefore recommended for adoption without the need for any amendments.

5. IMPACT ON CORPORATE GOALS

- 5.1 The adoption of the Homelessness and 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.

6. 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 Homelessness and Housing Strategy is in-house. The Strategy provides a robust and transparent process which should enable resources to be better managed.
- (vi) **Impact on the Environment** – None identified.

Background Papers: None.

Enquiries to: Matt Leigh, Lead Specialist - Place, (Tel: 01621 875740).

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Maldon District Council Homelessness and Housing Strategy 2018 - 2023

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Community Led Housing	
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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 become 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 homeless 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 homeless 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 subsidies. 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.

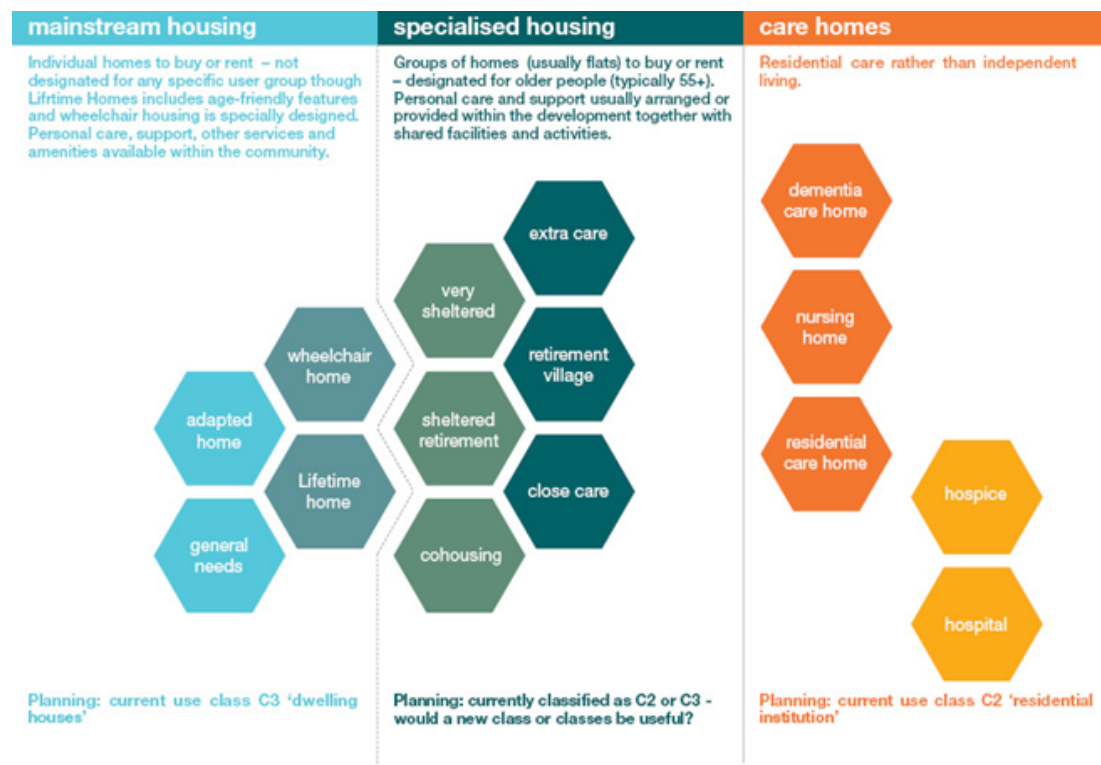
Policy H3 applies to Specialist Needs Housing and supports proposals for new developments of a type which is required where there is support from other relevant stakeholders such as health and social care. Although the requirements for this type of housing have been identified, no allocation has been 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	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.

Type of housing	Current requirement	Comment
close to main settlement areas.	requirements already in place for affordable housing.	<p>As new homes are provided, continuous monitoring will be required to identify demand and accompany this with further surveys of existing older households to update existing evidence.</p> <p>Building to Cat2 Building Regulations will enable adaptation of homes as required in the future.</p>
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.	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.

Type of housing	Current requirement	Comment
	Demand and need for affordable sheltered housing has increased due to a reduction in supply and there is an estimated need for an additional 150 to 200 homes.	In order to meet need, 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 (ACSs). 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 that 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 or 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 when it comes 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-buy, 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 that 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, sometime 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 CHES on options for street homeless and	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
those difficult to 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	2019/20	Staff resource

Action	Outcome	Timescale	Resources
	information on 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

Action	Outcome	Timescale	Resources
Work with SELEP, Homes England and other partners to identify opportunities for training and use of local SMEs in future construction projects	Improve opportunities for local people and businesses to benefit from future development of new homes	Ongoing	Staff resource
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	Better supply and choice of homes that	By 2025	Cooperation of partners

Action	Outcome	Timescale	Resources
homes to meet need and demand from existing tenants in social housing	meet local need, financially effective 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 bit 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 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.

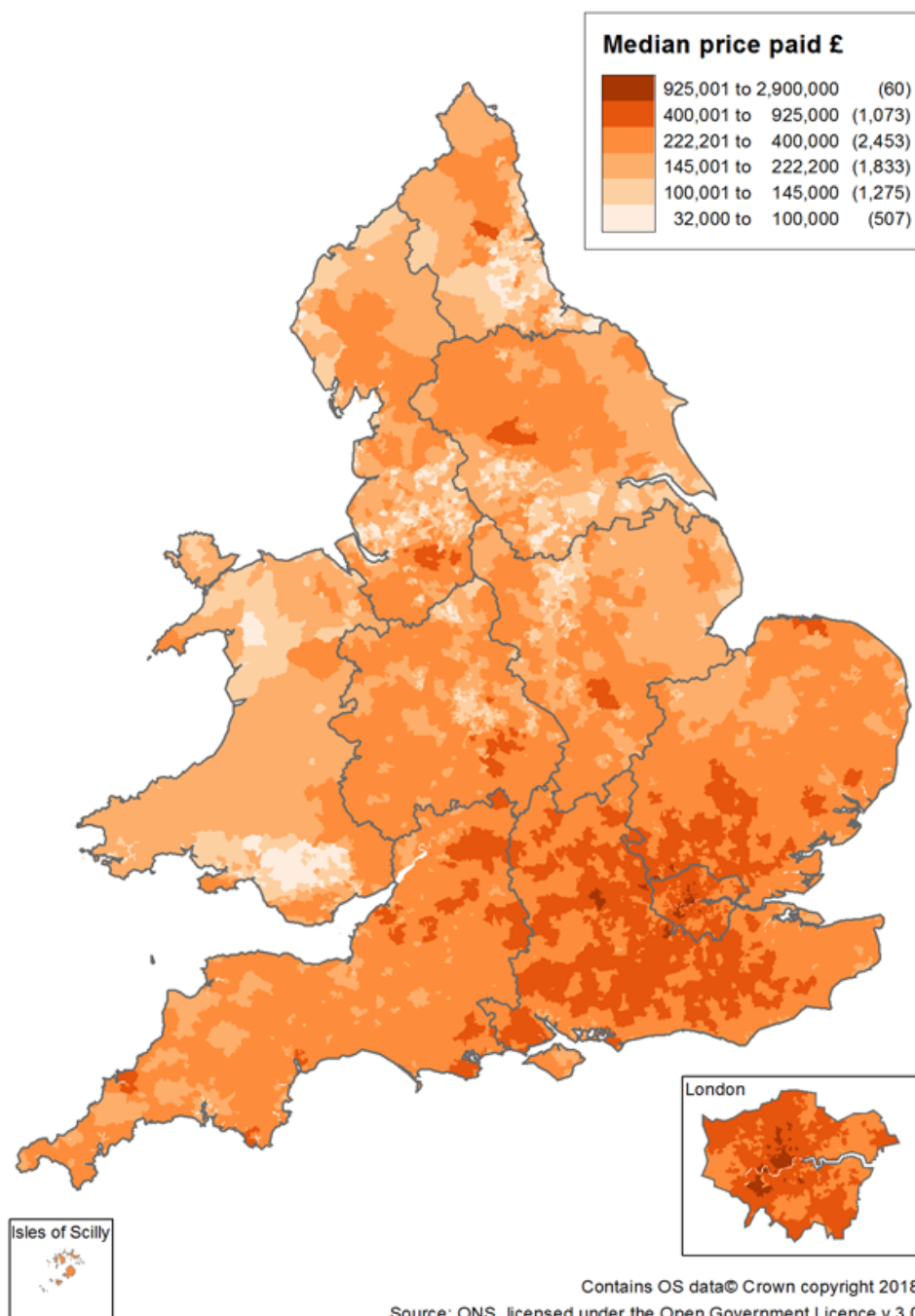
Housing Associations: this sector has wide experience of innovation in the development of homes and supporting local communities, we would like to understand the potential from those interested in developing in the District ways that we could support them to work with us and our partners to diversify 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

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			

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