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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

29 May 2018

Dear Councillor

You are summoned to attend the meeting of the;

OVERVIEW AND SCRUTINY COMMITTEE

on **WEDNESDAY 6 JUNE 2018** at **7.30 pm**.

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

A copy of the agenda is attached.

Yours faithfully

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

Chief Executive

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor M W Helm

VICE-CHAIRMAN

Councillor R P F Dewick

COUNCILLORS

I E Dobson
P G L Elliott
M S Heard
N R Pudney
S J Savage
Miss S White

Maldon District Council's Corporate Goals

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



AGENDA OVERVIEW AND SCRUTINY COMMITTEE

WEDNESDAY 6 JUNE 2018

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 12)

To confirm the Minutes of the meeting of the Overview and Scrutiny Committee held on 28 March 2018, (copy enclosed).

4. **Public Participation**

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

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

5. **Disclosure of Interest**

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

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

6. **2017/18 Programme of Work Update and 2018/19 Programme of Work** (Pages 13 - 18)

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

7. **Review of Performance - Quarter 4 2017/18** (Pages 19 - 52)

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

8. **Procurement and Delivery of the 2016/2017 Capital Programme - Implementation of Recommendations** (Pages 53 - 56)

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

9. **Moorings, Leases and Licenses Update** (Pages 57 - 78)

To consider the report of the Director of Customers and Community, (copy enclosed).

10. **Any other items of scrutiny Members wish to consider**

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

12. **Exclusion of 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 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.

13. **Office Accommodation and Lease** (Pages 79 - 82)

To consider the report of the Director of Resources, (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)

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



**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
28 MARCH 2018**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	Mrs P A Channer, CC, P G L Elliott, M S Heard, N R Pudney, S J Savage and Mrs M E Thompson

947. CHAIRMAN'S NOTICES

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

948. APOLOGIES FOR ABSENCE

There were none.

949. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 14 February 2018 be received.

Minute No. 834 – Procedure for Commencing Prosecution

Councillor S J Savage requested that the definition of Statutory Defence to be put in the public domain. It was agreed by the Director of Recourses that this would be attached to the minutes.

Post meeting – Definition of Statutory Defence:

Defence to an alleged crime that is provided for in the legislation that makes the breach a crime or in some general legislation. For example, in the case of a breach of planning enforcement notice S179 of the Town and Country Planning Act 1990 states “In proceedings against any person for an offence under subsection (2), it shall be a defence for him to show that he did everything he could be expected to do to secure compliance with the notice”.

Minute No. 835 – Internal and External Communication

It was noted that paragraph two should read “focus than”.

A member queried whether there was an update on timescales on recommended security protocols for changing passwords. The Director of Resources provided some further information and advised that he would check timescales and report back to the Member separately.

Minute No. 839 – 2017 / 18 Programme of Work

It was noted that on page 977, the fourth bullet point should read “17/18”.

Following a query from Councillor Mrs P A Channer on Staff Sickness, the Director of Resources confirmed that meetings had been booked for discussion with Officers and Members would be invited to a future Managers Forum for further discussion following this meeting.

RESOLVED

- (ii) that subject to the above amendments the Minutes of the meeting of the Committee held on 14 February 2018 be confirmed.

950. PUBLIC PARTICIPATION

There was none.

951. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer declared that:

- she was a member of Essex County Council and had a non-pecuniary interest in relation to any agenda items that might affect that organisation.
- she was a member of the Kent and Essex Inshore Fisheries and Conservation Authority (KIFCKA), by appointment of Essex County Council.
- with regards to the River Crouch, she was a member of Crouch Harbour Advisory Committee, by appointment from KIFCKA.

Councillor N R Pudney declared that with regards to the River Crouch, he was a Crouch Harbour Authority Member and represents Burnham Town Council.

Councillor M S Heard declared a non-pecuniary interest under Item 6 – Administration of Council River Moorings, Leases and Licences as he was a newly appointed trustee of the Brent Steam Tug Trust.

952. ADMINISTRATION OF COUNCIL RIVER MOORINGS, LEASES AND LICENSES

The Director of Customers and Community presented an overview of the report on Administration of Council River Moorings, Leases and licences, for the Committee to scrutinise the management of leases associated with Blackwater Estuary and River Crouch.

The Director of Customers and Community circulated at the meeting a map outlining the extent of the area of the Council's ownership of the River Blackwater, which related to Appendix 1 to the report.

It was noted under paragraph 3.2.1 of the report the Planning and Licencing Committee previously looked at a report in 2016 (Minute No. 772) considering leases and licencing for the River Blackwater.

Members attention was drawn to Appendix 1 which provided detail of the current management arrangements for leases, licenses and moorings on Council owned land, highlighting where improvement had been made, were being implemented. The Group Manager for Leisure, Countryside and Tourism, went into more detail on the report:

River Blackwater – Review of Moorings and Leases

- Fishing Rights - Members were advised that Maldon District Council (MDC) owned all fishing rights, and foreshore within the red area on the map (circulated at the meeting) totalling 1,770 hectares. Within this area there were a number of leases and licences.
- Leases – The Council has formal legal agreements with a number of different organisations who paid an annual fee to take on the right to operate Council premises and manage moorings on behalf of MDC. They were also responsible for checking vessels are insured. The Director of Customers and Community agreed to provide Members with further information on the areas leased and related costs outside of the meeting.

In response to a question regarding the flow charts detailing the lease renewal and lease / licence renewal process, Members were informed that leases for up to seven years or with a value up to £10,000 could be approved by the Director of Resources but any above either of these would be considered by the Finance and Corporate Services Committee. The Director of Customers and Community advised that the flow charts would be updated accordingly to reflect this.

- Mooring licences – There were 65 individual mooring directly controlled by MDC. Licences were generally issued on an annual basis and were shorter in duration. These could include launching ramps, foreshores and on the River Blackwater were generally operated by caravan sites or fishing clubs. It was confirmed that the Council ensured that such organisations were following the Council policies in respect of managing moorings.

In response to a question regarding the collection of unpaid charges, the Director of Resources advised that the Corporate Leadership Team received a regular report on arrears, outlined the collection process and it was noted that if any arrears hit a period of two months legal action was pursued. It was noted that at this time there were no outstanding invoices.

- Insurance – In response to a question, the Director of Customers and Community advised that an annual checks of insurances were undertaken and monitoring had improved. It was noted that where a site was leased to another organisation the responsibility to check insurances sat with them.
- Comparative cost of mooring areas - The Survey of Swinging Mooring Charges in Appendix 1 provided a breakdown where costs were compared against moorings elsewhere. Members were advised that limited facilities and a short

tidal window (no shore based facilities) had been reflected in the cost. It was noted that the charge of moorings was considered reasonable and were reviewed by the District Valuer. It was confirmed by the Group Manager for Leisure, Countryside and Tourism that moorings offered by MDC had limited facilities, and this was reflected in the charge.

In response to questions regarding the Llys Helig in Burnham-on-Crouch, Members were reminded that the Asset Management Working Group would be reviewing this.

It was noted that the report should include reference to Impact on Resources (financial) as there were related costs to moorings, leases and licences.

It was highlighted that the figures detailed in table 1 to Appendix 1 were incorrect and needed adjustment. The Director of Customers and Community confirmed this would be done.

Hythe Quay Wharfage

It was noted that MDC hosted the largest collection of sailing barges within the United Kingdom.

- Daily Rates - Members were advised that the daily charge at the Quay was £21.00 per day. A discount was applied on quarterly birthing charges to Thames Sailing Barges and members of the Sailing Barge Association (SBA) were entitled to a discount to park at Hythe Quay. It was noted that if the Council were to align car parking charges with residents parking fees a consultation exercise would be required.
- Electricity - There was a new charge for an electrical supply. Electric meters could be provided on a temporary basis by arrangement with the River Bailiff – Members' attention was drawn to the outlined charges in Table 2.
- Heybridge Creek area - Members queried the number of wrecks opposite the Queens Head, around the Heybridge Creek area. Some concerns were raised regarding the historic wrecks in the Saltings and Heybridge Creek, including removal of the wrecks and the pollution risk. Members were advised of a piece of work being undertaken which involved working with other owners, and a community pay back scheme.

The Director of Customers and Community advised that there were a number of issues which warranted additional work and a define action plan was required. He agreed to produce this and report to a future meeting of the Committee.

RESOLVED

- (i) that subject to the amendments and actions detailed above the current management arrangements for leases, licences and moorings on Council owned Land (as set out in Appendix 1 to the report) be agreed;
- (ii) that a further report and detailed action plan be considered at a future meeting of this Committee.

953. INTERNAL AND EXTERNAL COMMUNICATIONS

The Director of Resources presented a report following the presentation (attached as Appendix 1 to the report) made to Members on 14 February 2018 regarding the Council's approach to internal and external communications. This report had been requested by Members in light of there being a large amount of information contained within presentation.

Examples of digital strategies from Chelmsford City Council and Braintree District Council were attached as Appendix 2 to the report.

Members' noted the information contained in the report and additional information provided by the Director of Resources as detailed below:

- Website and Benchmarking - It was noted that following a benchmarking exercise by a website auditing company Maldon District Council had been ranked 91st over 409 Local Government Websites, and 3rd within Essex Councils. The scores were based on testing the websites "user journey".
- Customer Strategy - The key aims of the Strategy were set out in the report and it was noted that these would be embedded across the organisation.
- Current Telephony System – Members were advised of ongoing work to address issues with the current telephone system and the proposed solution which was a hosted system. The new system would provide the Council with:
 - greater flexibility;
 - improved customer experience;
 - a user friendly digital phone system for the Customer Service Centre;
 - a system that would be transferrable, for example in the event of disaster recovery.
- Emails – The report detailed the current issues and proposed solutions that the new system would seek to address. Users were gradually being migrated onto Office 365. IT would be offering training to Ericom users migrating onto the remote portal to aid remote working.

Members were pleased that Office 365 integration was going well and that improvements to the Council's website had been made.

It was requested that information was provided rather than music on the current telephone system.

It was suggested that Member training on Microsoft One Note would be useful and the Director of Resources agreed to arrange this.

The Director of Resources sought direction from the Committee on how it wanted to receive feedback on the digital strategy. In response to a question, the Director of Customers and Community advised that the report sought to provide an update and gave opportunity for Members to raise any further concerns that they might have. The Director of Resources agreed to arrange a Member seminar at the point of consultation on the strategy.

RESOLVED

- (i) That Members' comments be noted;
- (ii) That Member training sessions be arranged for Microsoft One Note.

954. 2017 / 18 PROGRAMME OF WORK

The Committee received the report of the Director of Resources confirming the Committee's Work Programme for 2017 / 18, attached as Appendix 1 to the report.

The Director of Resources updated Members on the Programme of Work:

- Administration of Council River Moorings, Leases, and Licenses – Following consideration of the report earlier on this agenda, the Director of Customers and Community advised that an update report would be provided at the next meeting. However, at the request of the Director, it was agreed that this report would exclude Heybridge Creek which would be the subject of a separate report as further work was required on this matter by the Planning and Licensing Committee.
- Internal and External Communication – will organise a member seminar on digital strategy, and training on OneNote was to be provided.
- Empty homes Returned to Use – agreed in February 2018 to be managed through the Community Services Committee.

Councillor M W Helm requested that a review of the rents charged at the Council Offices, Princes Road be undertaken. This was agreed.

It was requested that Officers seek clarification as to the status of a report expected from the Chief Executive with regards to Section 106 Agreements, discussed at the last meeting of this Committee

RESOLVED

- (i) That the Programme of Work 2017 / 18 (Appendix 1 to the report) and updates provided be noted;
- (ii) that a review of all the rents charged at the Council Offices, Princes Road be undertaken;
- (iii) that the scrutiny item on Administration of Council River Moorings, Leases, and Licenses be updated and that a separate report on the Heybridge Creek be considered by the Committee at a later date.

955. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

There were none.

956. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

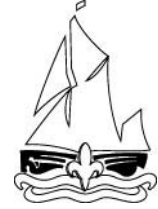
With the permission of the Chairman, Councillor N R Pudney advised of a recent meeting had attended where Nick Alston, Chairman of the Mid Essex Hospital NHS Trust gave an update regarding the amalgamation of Broomfield, Southend, and Basildon Hospitals. Councillor Pudney, by way of a verbal update, provided detailed information relating to the amalgamation and this was noted by the Committee.

Councillor Pudney advised that he was awaiting a report from the Mid Essex Hospital Trust and would make this, along with further information he had received, available for Members.

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

M W HELM
CHAIRMAN

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REPORT of DIRECTOR OF RESOURCES

**to
OVERVIEW AND SCRUTINY COMMITTEE
6 JUNE 2018**

2017/18 PROGRAMME OF WORK UPDATE AND 2018/19 PROGRAMME OF WORK

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this paper is to provide an update on the work programme of this Committee for 2017/18 and to allow for a Committee discussion of potential areas for the 2018/19 work programme.

2. RECOMMENDATION

That the contents of this report be noted and, following a discussion at the meeting on potential areas for the 2018/19 work programme, the Director of Resources work with the Chairman and Deputy Chairman of this Committee to produce the 2018/19 work programme.

3. SUMMARY OF KEY ISSUES

- 3.1 The Committee agreed a programme of work at the first meeting of the 2017/18 municipal year and **APPENDIX 1** provides an update on each of the various agreed scrutiny topics.

4. CONCLUSION

- 4.1 The work programme for 2017/18 progressed in line with expectation and where agreed, ongoing scrutiny topics will be carried over to the 2018/19 work programme.
- 4.2 Additional areas arising from discussion at this Committee meeting will be worked up into a work programme which will be presented at the next Committee meeting (18 July 2018).

5. IMPACT ON CORPORATE GOALS

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

6. IMPLICATIONS

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

Background papers: None.

Enquiries to: Emma Foy, Director of Resources, Chief Executive, (Tel: 01621 875762).

Overview and Scrutiny Committee

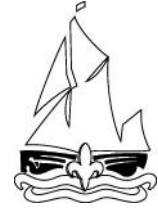
2017 / 18 Programme of Work

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
Provision of Healthcare Services - Maldon Health Hub	Councillor S J Savage Councillor Mrs M E Thompson	Chief Executive	Following debate at the Council meeting on 8 th February 2018, it was agreed that MDC can no longer commit resources and officer time to the project. The Council will monitor future progress and at such time as the NHS confirms their commitment to a clear outcome, Members will be able to decide on the scale of its involvement.
Provision of Healthcare Services including the recruitment and retention of GPs	Councillor N R Pudney Councillor Mrs M E Thompson	Chief Executive	<p><u>Heybridge Surgery</u> Negotiations are ongoing with the landowner and the NHS re delivery of primary care facilities in the new North Heybridge garden suburb.</p> <p><u>Maldon Surgery</u> This development is to be located within the new Health Hub, so is contingent upon progress of this project.</p> <p><u>Dengie Surgeries</u> A Project Initiation Document for new primary care facilities in Southminster has been submitted to NHS England.</p> <p><u>GP Recruitment</u> Representatives of the Mid Essex CCG and primary care practices attended the January 2018 meeting of the Committee and explained the various interventions to address the shortage of GPs in the system and what support the Council could offer.</p>
Section 106	Councillor Mrs M E Thompson	Chief Executive	<p>It was agreed that the Committee would receive an update on Section 106 Agreements on a six monthly basis.</p> <p>A detailed report was submitted to the Committee for its February 2018 meeting; next update will be provided to the October 2018 meeting (no meeting in September).</p>
Planning Enforcement	Councillor M W Helm	Chief Executive	The scope of the review for planning enforcement is a review of the Council's approach to initiating legal action on enforcement cases, sign off of that action and the Council's approach to risk assessment on cases at

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
	with assistance from Councillor R P F Dewick		the outset and as they progress. This was reported to the February 2018 meeting; no further work is to be undertaken.
Primary school education in the District	Councillor Mrs M E Thompson	Director of Customers and Community	To understand the standards of education being provided in the Maldon District at primary level, the Committee received a report at its meeting in January 2017 and a presentation from education providers including Essex County Council. The Committee agreed at this meeting that the scrutiny should be re-visited at a future date. This item of scrutiny was considered at the January 2018 meeting of the Committee and the officer recommendations were approved. This item of scrutiny is now closed and future updates will be made to the Locality Board
Procurement and Delivery of the 16/17 Capital Programme	Councillor M W Helm	Director of Resources	The scope of this scrutiny was to incorporate all capital projects to review whether they were being delivered on time and on budget along with any issues regarding procurement. A report was submitted to the January 2018 meeting outlining the conclusive findings on the procurement and delivery of the 2016 / 17 Capital Programme. Seven recommendations arising from the findings were considered by Members and it was noted that these would be implemented by 31 March 2018. It was agreed that an update on the implementation of these recommendations would be reported to a future meeting of this Committee – See report on the agenda (June 2018).
Administration of Council River Moorings, Leases and Licenses	Councillor P G L Elliott	Director of Customers and Community	It was agreed that a report would be brought back to the Committee to show a breakdown in the moorings and berths in the ownership of the Council, fees chargeable for each, whether they have been collected, and whether the vessels had the necessary insurance cover. A report was received by the Committee in March and a further report requested. See report on the agenda (June 2018).

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
Internal and External Communication	Councillor S J Savage Councillor M S Heard	Corporate Leadership Team	<p>The Committee requested a review of the Council’s approach to internal and external communications to include:</p> <ul style="list-style-type: none"> • the email system; • telephone communication via the Council’s contact centre; • how the Council can improve the website; • some examples of other authorities’ approach to communication; • the Council’s Digital strategy. <p>A presentation was provided to the February 2018 meeting and a further report received by the Committee in March 2018. No further work is to be undertaken.</p>
Empty homes returned to use	Councillor P G L Elliott	Strategic Housing Manager	<p>It was requested that a report be submitted to the Committee on the Council’s approach to returning empty homes to use. This was provided to the February 2018 meeting.</p> <p>It was agreed at Council in February 2018 that the monitoring of the level of empty homes in 2018/19 would be reported as a percentage of total stock alongside the national/regional averages, giving a better indication of performance. It was also recommended in the February 2018 report to this Committee that more attention should be given to those properties that have been empty for the longest periods in particular those that are abandoned and may not be classified as “empty homes” thereby escalating action to bring homes back into use in a proportionate way and directing resources to those buildings that are likely to cause most concern to local residents.</p> <p>This issue will continue to be reported, monitored and managed through the Community Services Committee and no further scrutiny action is required.</p>
Staff Sickness	Councillor N R Pudney Councillor Mrs P A Channer	Director of Resources	<p>In light of the levels of sickness absence reported, the Committee requested that this item is looked at again and in particular whether:</p> <ul style="list-style-type: none"> • the update Attendance Management Policy is having a positive impact on the sickness figures • managers are suitably equipped for and supported in dealing with absence management • the target for sickness absence is appropriate. <p><i>See report on the agenda (18 July 2018).</i></p>
Relocation of the	Councillor	Director of	At its February 2018 meeting the Committee agreed that a review would be undertaken into the relocation of

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
<p>Police Station to Maldon DC offices</p>	<p>S Savage</p>	<p>Resources</p>	<p>the police station to include the following:</p> <ul style="list-style-type: none"> • the alteration costs involved • costs/reasons for additional lighting • positioning of police vehicle bays in the car park • the need for an additional container in car park • Valuation Office rent. <p>See report on the agenda (June 2018).</p>



REPORT of CHIEF EXECUTIVE

**to
OVERVIEW AND SCRUTINY COMMITTEE
6 JUNE 2018**

REVIEW OF PERFORMANCE - QUARTER 4 2017/18

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to supply Members with details of performance against targets set for 2017/18 and to ensure that progress is being achieved towards the overall corporate goals and objectives detailed in the Corporate Plan 2015-19 adopted by Council in February 2015, with the 2017/18 annual update approved by Council in April 2017.
- 1.2 Members should challenge performance or allocation of resources where the Committee feels that the Council's corporate goals have not or may not be achieved.
- 1.3 Where performance or progress is behind schedule or at risk, the reasons why need to be fully understood and decisions taken on what, if any, action is required to bring performance back on track.
- 1.4 The Corporate Leadership Team (CLT) held the quarterly performance and risk clinics on 9 May 2018 when the performance and risk information provided for each Directorate was reviewed and challenged where necessary. The aim of these clinics is to manage performance effectively to ensure that progress is being achieved towards the corporate goals and objectives. The full quarterly performance pack produced for each Directorate and reviewed by CLT at these clinics will be placed in the Members' Room following the review of performance by this Committee.
- 1.5 All of the performance information contained within this report is recorded on the Council's Performance and Risk Management system (TEN) to which all Members have access.

2. RECOMMENDATIONS

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

Agenda Item no. **7**

Our Vision: To make Maldon District a better place to live, work and enjoy

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

3. SUMMARY OF KEY ISSUES

- 3.1 As agreed by this Committee, **APPENDIX 1** to this report shows the status of all Key Corporate Activities, but additional comments are only provided for those activities and indicators/measures that are behind schedule, at risk or not on target to facilitate the effective scrutiny of performance.

4. IMPACT ON CORPORATE GOALS

- 4.1 The Council stated its corporate goals and desired objectives in the Corporate Plan for 2015-19.
- 4.2 In turn, the Services agreed actions (Key Corporate Activities) that they would take forward in 2017-18 to contribute to the achievement of these objectives. Performance indicators and measures were also established to monitor the impact of these actions and to provide evidence of achievements.
- 4.3 To ensure that Maldon District Council progresses towards or achieves the goals stated in the Corporate Plan, it is important that performance is monitored and managed effectively against targets and milestones.
- 4.4 As the Council is accountable to the community, it is also important that it is able to demonstrate it is monitoring and managing performance effectively.

5. IMPLICATIONS

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

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

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

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

Background Papers: None.

Enquiries to: Fiona Marshall, Chief Executive, (Tel: 01621 875711).

Julia Bawden, Performance and Risk Officer, (Tel: 01621 876223).

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Review of Performance 2017-18 Quarter 4 (Q4)



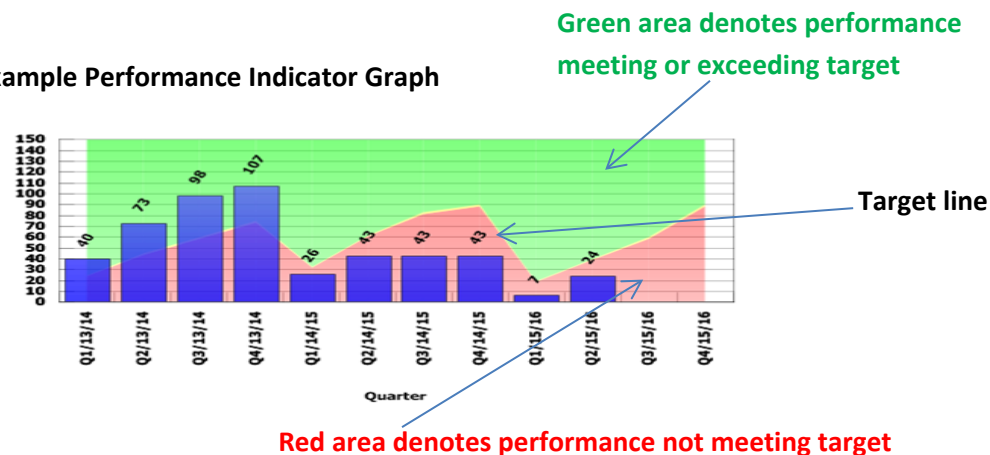
OVERVIEW & SCRUTINY COMMITTEE
 QUARTERLY REVIEW OF PERFORMANCE
 2017-18
 QUARTER 4

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Status Definitions for Key Corporate Activities

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

Example Performance Indicator Graph



Review of Performance 2017-18 Quarter 4 (Q4)

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

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

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Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs “At Risk” or “Behind Schedule”
<p>Implement projects from the Community Safety Partnership action plan to maintain the low levels of crime, support victims of anti-social behaviour and reduce the fear of crime:</p> <ul style="list-style-type: none"> - introduce a Public Space Protection Order under the ASB, Crime and Policing Act 2014 for the relevant parts of the District to tackle clearly defined activities (i.e. consumption of alcohol, street racing) - deliver projects with partners and local communities to promote the safe use of our roads and tackle irresponsible driver behaviour - deliver effective education and intervention programmes which promote community safety and reduce vulnerability within the District - work in partnership with statutory partners and communities to develop a framework for tackling and reducing rural crime and strengthening communities 	Ongoing	On track	
<p>Implement with partners targeted projects that contribute to the local health and wellbeing needs:</p> <ul style="list-style-type: none"> - obesity - old age - frailty - isolation 	Ongoing	On track	

Review of Performance 2017-18 Quarter 4 (Q4)

- educational attainment		
Embedding the Safeguarding policy and procedures across all the Council services	Ongoing	On track
Identify and implement Strengthening Communities Strategy projects, such as 1) providing at least three volunteer projects within the District’s open spaces for improved conservation or improved amenity of those areas 2) Pilot project to tackle social isolation in identified area of need	March 2018	Completed

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Indicators

For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

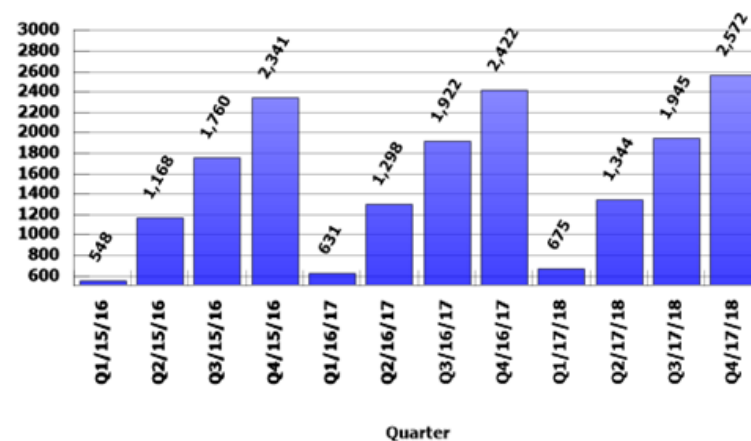
Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
Level of reported crime <i>Low performance is good</i>	2,422 Incidents of all crime	Fewer reported incidents than in previous year	500 Incidents of all crime	601 Incidents of all crime	627 Incidents of all crime	2,572 Incidents of all crime	No
	1,000 ASB incidents		200 ASB incidents	231 ASB incidents	209 ASB incidents	987 ASB incidents	Yes
	Sanctioned detection rate 12.5%	No target	11.8% (April – Dec 2016)	10.2% (for the year to date)	9.5% (for the year to date)	9.5%	N/A

Comment on current performance

Whilst Maldon District has seen an increase in crime it has been much lower than the County average increase of 13% and those figures highlighted in the National Crime Survey for England and Wales.

Some of the increases can be seen in a positive light, particularly those around domestic abuse and hate crime whereby people feel more confident to report crimes and better mechanisms are in place for doing so. However, violence with injury and violence without injury continue to be a concern although the latter offence does include crime types which were previously unrecorded such as offensive social media posts and malicious texts.

There is a national concern about the criminal and sexual exploitation of young people and the violence associated with organised crime and gangs. There are early signs of this type of activity in Maldon, but not as prevalent in the more urbanised districts of Essex.



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Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
<p>Offences which have a real impact on the victim such as burglary and theft continue to be addressed by the Partnership.</p> <p>Overview and Scrutiny Committee (sitting as the Crime and Disorder Committee) provides an opportunity for Members to scrutinise the work of the Community Safety Partnership and Essex Police. Officers have arranged additional presentations at these Committee meetings (Nov/March) to address concerns in relation to the above offences by having Detective Inspector Rob Kirby speak on improved performance on burglary detection and Chief Inspector Ian Gennery present on the new Essex Police Rural Crime Strategy.</p>							

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Tracking Measures

The following are designated as “tracking measures” for which it is inappropriate to set targets as the Council has little control of performance, but establishing these measures will enable us to gauge the impact of our actions on the desired objectives outlined in the Corporate Plan.

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative for the year 17/18
No. of aids, adaptations and improvements implemented for older and disabled households by the Home Improvements Team	44	63	69	20	15	19	50
No. of households where living conditions were improved through Housing Act interventions	12	21	10	6	1	1	8
Overall number of households within the Maldon District that have been assisted as part of the national Green Deal and ECO scheme	690 (Jan 2013 and Mar 2015)	860 (Jan 2013 and Dec 2015)	1,244 (Jan 2013 – Mar 2017)	66	70	Figures are always a quarter behind	1,494 (Jan 2013 – Dec 2017)
Number of assisted installations to improve home energy efficiency through Council promotion	0	20	19	4	1	1	7
Participation in Active Maldon events	New indicator 17/18					<ul style="list-style-type: none"> • My Weight Matters weekly management scheme – 7 sessions held (started in February 2018) – average of 13 participants per week • 15 led cycling rides – 238 participants • Body care – 14/19 schools engaged, 77 sessions held • Livewell Campaign – Event held at MDC offices – 16 exhibitors, 150 participants • 2 Xplorer orienteering courses – 226 participants • Walking football – average 14/weekly session • Walking rugby – average 10/weekly session • Fitsteps – average 19/bi-weekly session • Music/movement – average 14/3 sessions a week 	

Review of Performance 2017-18 Quarter 4 (Q4)

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative for the year 17/18
							<ul style="list-style-type: none"> • Club development workshops (3) – 26 clubs attended • Saltmarsh 75 – 210 participants in event October 2017 • Maldon & District School Sports Association Annual Championships – mass primary school participation event with track and field competitions – 22 schools (462 pupils)

Review of Performance 2017-18 Quarter 4 (Q4)

Corporate Goal - Protecting and shaping the District

Key Corporate Activities contributing to this goal – 12				
Activity not being taken forward	At Risk	Behind Schedule	On Track	Completed
1	1	3	5	2

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs “At Risk” or “Behind Schedule”
Adopt the Local Development Plan for the District	September 2017	Completed	
Work in partnership to deliver/ensure management/maintenance of strategic infrastructure as per LDP	Ongoing	<p>South Maldon Garden Suburb On track</p> <p>North Heybridge Garden Suburb Behind schedule</p> <p>Rest of the District On track</p>	<p>North Heybridge Garden Suburb - work is on-going to facilitate the delivery of a flood alleviation scheme. (See also update for KCA re flood relief projects below).</p> <p>MDC is working with the Environment Agency (EA) on a revised scheme in the light of CPUK’s decision to not progress the Flood Alleviation Scheme (FAS). Any revised scheme must continue to provide adequate flood and drainage mitigation measures. In addition the scheme must provide the same level of infrastructure as per the Local Development Plan (LDP) and Infrastructure Delivery Plan (IDP).</p> <p>Developers’ contributions have been received for infrastructure from the Persimmon scheme to the west of Broad Street Green Road.</p> <p>Work has started on the Bellway site, in Holloway Road, which is also subject to a S106 agreement.</p> <p>The South Maldon Relief Road is to be funded by the developers of the South Maldon sites through Section 106 agreements. Discussions are taking place with Essex County Council (ECC) over the design and construction vehicle for this important road to ensure that it is provided in a timely manner in accordance with the LDP. It is likely to be another twelve months before this work is completed so that the construction time line can be confirmed.</p>

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<p>Establish management plans with existing and new community groups regarding the management and maintenance of open spaces</p> <p>For 2017/18:</p> <ul style="list-style-type: none"> - Riverside Park, Burnham-on-Crouch - Cemeteries 	<p>Ongoing</p>	<p>Behind schedule</p>	<p>Operational priorities have meant that it has not been possible to conclude the first drafts of the management plans for Riverside Park and Cemeteries. A revised timescale for this work has been agreed with the Director of Customers and Community and it intended that drafts will be considered by Community Services by the July meeting.</p>
<p>Work with partners to seek funding/bring forward flood relief projects for identified surface and coastal flooding risk areas in the District</p>	<p>March 2018</p>	<p>At risk North Heybridge Flood Alleviation Scheme (FAS)</p> <p>Behind schedule CDA 2 Scheme Brickhouse Farm</p> <p>On track CDA1 West Maldon Limebrook Way</p> <p>On track CDA3 Causeway and Masterplan Area</p>	<p>North Heybridge Flood Alleviation Scheme (FAS)</p> <p>A review was undertaken by RPA and a draft report produced in February 2018 identifying a benefit cost ratio above 1. The document was subject to technical scrutiny and the final report has now been received and is currently being reviewed.</p> <p>However, the developer has since confirmed they are withdrawing the FAS as part of their scheme. Discussions are now underway with the relevant partners to seek to continue working together to review alternative options to improve the existing drainage provision in the area.</p> <p>In the event that the current funding opportunity is not forthcoming through Government grant, the Council is continuing to work with partners on an alternative mechanism for receiving funding towards flood alleviation in Heybridge.</p> <p>CDA2 – Brickhouse Farm</p> <p>This scheme has been deferred to 18/19 Capital works.</p> <p>ECC have completed the further assessment and provided another drainage option which will enable the allotments to remain at the location. However, this will rely on either ECC Highways adopting a new drainage system or MDC completing a Section 50 License and taking long term maintenance responsibility for the new highway asset.</p>

Review of Performance 2017-18 Quarter 4 (Q4)

			A report will be submitted to Members. As a result this is considered to be "behind schedule" albeit this is outside of our control.
Adopt the Maldon District Design Guide	September 2017	Completed	
Co-ordinate work with housing associations and developers to provide affordable housing and meet the identified requirements for older persons' independent living within the District	Ongoing	On track	
Work with partners to deliver the new Maldon Health Hub	Ongoing	Activity not being taken forward	Following debate at the Council meeting on 8th February 2018, it was agreed that MDC can no longer commit resources and officer time to the project. The Council will monitor future progress and at such time as the NHS confirms their commitment to a clear outcome, Members will be able to decide on the scale of its involvement.

Review of Performance 2017-18 Quarter 4 (Q4)

Indicators

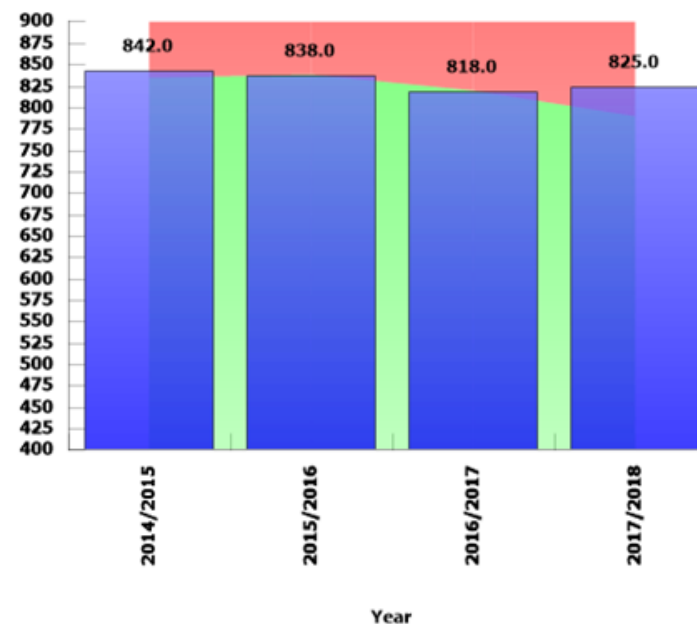
For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
Total household waste arising per household <small>Low performance is good</small>	818 kgs. per household	790 kgs. per household	Monitored on an annual basis			825 kgs. per household (provisional)	No

Comment on current performance

For 2018/19 there has been an increase in the tonnage for recycling, food and garden waste while there has been a decrease in the total refuse collected.

The increase in the total waste is not something that the Council can control or affect. The 2018/19 target agreed for this indicator is 750 kgs. which may need to be reviewed during the year in the light of data available.



Review of Performance 2017-18 Quarter 4 (Q4)

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
Residual household waste per household <i>Low performance is good</i>	345 kgs. per household	350 kgs. per household	Monitored on an annual basis			333 kgs. per household (provisional)	Yes
Percentage of household waste sent for reuse, recycling and composting (including separate green waste) <i>High performance is good</i>	57.8%	58%	54.44% (new contract w.e.f. 6/06/2016)	57.8%	52.3% (provisional)	59.6% (provisional)	Yes

Review of Performance 2017-18 Quarter 4 (Q4)

<p>Average number of justified missed collections per collection day</p> <p>Low performance is good</p>	<p>New indicator 17/18</p>	<p><10 per collection day</p>	<p>New indicator 17/18</p>	<p>8.38</p>	<p>12.46</p>	<p>10.22</p>	<p>No</p> <p>(Due to the disruption as a result of the snow and catch up period during Q4. If the post snow disruption figure is excluded, the figure for the year would be 9.7)</p>
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Review of Performance 2017-18 Quarter 4 (Q4)

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
Total number of justified missed collections <i>Low performance is good</i>	5,602 (6 th June – 31 st March only)	Tracking measure	589 actual missed collections New contract w.e.f.6/06/2016	436	648	2,127	N/A
Quality of decision: % of total number of decisions on applications made during the assessment period overturned at appeal <i>Low performance is good</i>	8.33% Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	8.5% (for both major and non-major applications)	8.3% Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	7.5% (major applications) 4.0% (non major applications) for the 2 year minus 9 months period	6.15 % (major applications) 3.73% (non major applications) for the 2 year minus 9 months period	N/A	Yes
Total number of open market homes delivered <i>High performance is good</i>	243	180	Monitored on an annual basis			Figures available in September 2018	N/A

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Total number of affordable homes delivered (through legal agreements and other means) High performance is good	21	130	Monitored on an annual basis			Figures available in September 2018	N/A
Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
Total number of long term (i.e. longer than 6 months) empty homes in the District	219 as at 31/03/17 (of which 39 have been empty in excess of 5 years)	N/A	219 as at 31/03/17 (of which 39 have been empty in excess of 5 years)	212 as at 31/12/17 (of which 29 have been empty in excess of 5 years)	194 as at 31/3/18 (of which 29 have been empty in excess of 5 years)	N/A	N/A
Number of long empty homes returned to use High performance is good	78	80	19	20	17	63	No

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Comment on current performance

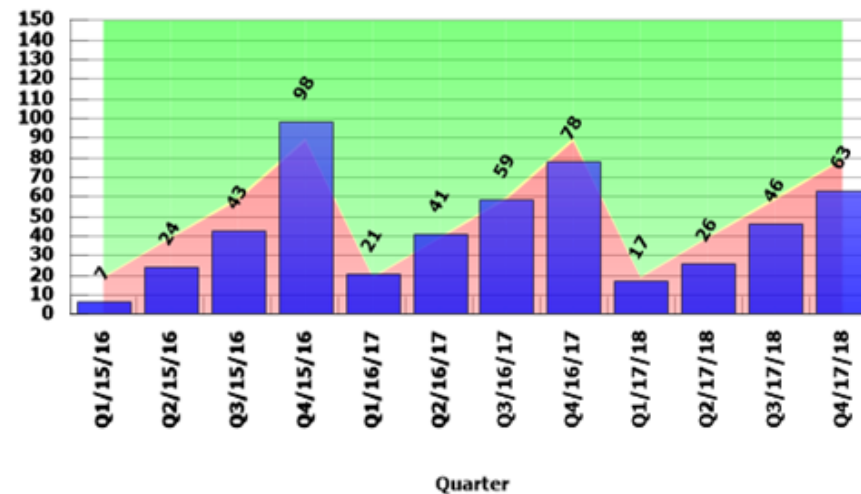
The Council has made good progress in tackling empty homes over the last decade.

Officers have looked at recent performance and reviewed recent studies and good practice to see if there is more that could be done.

Experience of the Council reflected by regional trends is that the number of empty properties has reduced throughout the East of England with the exception of some local ‘hot spots’. In comparison with other areas, the Maldon District has below average numbers and percentages of empty and long-term empty homes according to the Empty Homes Agencies report from 2016/17. Although the number of homes being brought back into use has declined from year to year recently, looking at this current year, so too has the number of empty properties. It is therefore misleading to see a reduction in the number of homes being brought back into use as the complete picture of activity and level of empty homes in the District.

Officers will continue to work with owners of homes that remain empty beyond six months; targeting advice and support to those where they remain unoccupied beyond a year as in practice we have found that this is the sector where early intervention can be most effective. Preparing to take enforcement action against those buildings that have been empty for the longest periods would also send a clear signal to all owners that the Council is prepared to take action should owners fail to take responsibility for their property in the longer term. This may help encourage some other owners to take more seriously the Council’s requests to cooperate in making best use of existing properties and accept offers of help and advice.

For 2018/19, the method of reporting will change to the number of long term empty properties as a percentage of total stock alongside the national/regional averages, giving a better indication of performance.



Review of Performance 2017-18 Quarter 4 (Q4)

Tracking Measures: The following are designated as “tracking measures” for which it is inappropriate to set targets as the Council has little control of performance, but establishing these measures will enable us to gauge the impact of our actions on the desired outcomes outlined in the Corporate Plan.

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative for the year 17/18
Fly tipping							
- No. of incidents	- 222	- 214	- 381	- 117	- 112	- 129	- 472
- % removed within standard time	- 100%	- 100%	- 100%	- 100%	- 100%	- 100%	- 100%
No. of reports received from the public re litter	75	38	26	13	4	12	20
No. of fixed penalty notices issued relating to litter offences	16	18	30	8	10	45	87
No of reports received from the public re dog fouling	94	50	74	34	20	20	58
No. of fixed penalty notices issued relating to dog fouling offences	23	12	10	6	2	45	87
No. of sites in District (out of 21) where NO2 levels exceed 90th percentile of National Air Quality annual mean objective	N/A	N/A	N/A	13	18	14	N/A
Average Levels of Nitrous Dioxide across the whole District	33µ/m³	33.05µ/m³	29.60µ/m³	Monitored on an annual basis			31.66µ/m³ (For year to December 2017)
Number of flood alleviation schemes implemented in the District as a result of grant funding/partnership working	New indicator 17/18	New indicator 17/18	New indicator 17/18	Monitored on an annual basis			0
Number of households removed from flood risk as a result of schemes implemented	New indicator 17/18	New indicator 17/18	30	Monitored on an annual basis			0

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Indicator	14/15 Actual	15/16 Actual	16/17 Actual	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative for the year 17/18
Affordable housing needs assessment	New indicator 16/17	New indicator 16/17	130	130	Monitored half yearly	Awaited	N/A
I. Total no. of applicants who approached MDC's Housing service	I. 626	I. 462	I. 424	I. 107	I. 128	I. 137	I. 563
II. Number of applicants who were either prevented from becoming homeless or their situation was resolved through intervention	II. 287	II. 135	II. 93	II. 21	II. 14	II. 19	II. 67
III. Number of applicants who proceeded to make a formal homelessness application/those accepted as statutory homeless	III. 36	III. 38	III. 25	III. 8	III. 15	III. 12	III. 50
IV. Number of applicants given advice, but unsuccessful in preventing/relieving the risk of homelessness	IV. 303	IV. 288	IV. 306	IV. 78	IV. 99	IV. 106	IV. 446
Number of people registered with the Council for housing in Bands A-C of the Council's policy for determining Housing Need	New indicator 17/18	New indicator 17/18	New indicator 17/18	New indicator 17/18	202	201	N/A
Number of properties available to offer those with a housing need during the quarter	New indicator 17/18	New indicator 17/18	New indicator 17/18	New indicator 17/18	48	43	N/A
Number of households in temporary accommodation at the end of the quarter	New indicator 17/18	New indicator 17/18	New indicator 17/18	New indicator 17/18	11	10 (provisional)	N/A

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Corporate Goal - CREATING OPPORTUNITIES FOR ECONOMIC GROWTH AND PROSPERITY

Key Corporate Activities contributing to this goal - 12				
Not started	At Risk	Behind Schedule	On Track	Completed
		2	6	4

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Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
Implement the agreed business engagement framework including the development of a Local Business Forum and Chambers	March 2018	Completed	
Develop a package to promote the District as a place of choice to start and grow a business	March 2018	On track	
Through partnership working with local businesses and agencies, implement the action plans for the Central Area Master Plan: a) Causeway Regeneration Area b) The Leisure Quarter c) Maldon Central	Ongoing	Causeway On track Leisure Quarter On track Maldon Central On track	
Co-ordinate the delivery of an Enterprise Centre for the Maldon District	Feasibility Study by July 2018	On track	
Promote the District as a destination of choice by: a) Defining and promoting new / existing employment land b) Implementing key projects from the Maldon District Marketing Plan with partners to increase visitor numbers and visitor spend in the District	Ongoing March 2018	Completed Completed	
Develop and implement a strategy to meet the skills need within the District	March 2018	Behind schedule	The first draft of the Maldon District Skills Strategy has been prepared and we are now seeking input from external partners such as the Essex Skills Board (ESB) and Haven Gateway

Review of Performance 2017-18 Quarter 4 (Q4)

			Partnership. Once input has been received a final draft will be prepared and shared.
Agree a vision for, and develop, a Planning Performance Agreement to maximise benefits from the development of a new nuclear power station at Bradwell	October 2018	On track	
Promote and support improved Broadband connectivity	Ongoing	Behind schedule	<p>A Superfast Essex Steering Board meeting was held on 29/03/2018. The focus is now moving away from delivery towards realising the benefits of the superfast infrastructure being installed. MDC has committed to provide £45,000, paid over three years of the duration of Phase 2a, as part of the Essex wide programme to meeting the requirements of what it originally set out to achieve: reaching 95% of Essex addresses with superfast broadband ("Phase 2"). As part of the Phase 2 rollout, Maldon District is to receive a further 15% increase in connectivity to ensure that up to 93% of the 28,432 premises in the District can access superfast broadband. Phase 2a was initiated in May 2017 but to date the funds have not been disbursed as there is a lack of evidence that the objectives of the programme are being met in Maldon District.</p> <p>Some additional work is being conducted to gather statistical evidence in order to test whether broadband speeds experienced by residences and businesses are meeting the objectives of the programme and whether this is due to inadequate implementation or other factors.</p>
Work with partners on the Total Transport pilot project	March 2018	Completed	

Review of Performance 2017-18 Quarter 4 (Q4)

Tracking Measures: The following are designated as “tracking measures” for which it is inappropriate to set targets as the Council has little control of performance, but establishing these measures will enable us to gauge the impact of our actions on the desired outcomes outlined in the Corporate Plan.

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	Q4 16/17	Q3 16/17	Q4 17/18
Within the District total number of employee jobs Source: NOMIS (ONS Business Register and Employment Survey)	19,400 2014	19,000 2015	20,000 2016	Monitored on an annual basis		20,000 (2016)
Claimant Count Source: NOMIS	430 (as at Feb 2015) (Job Seekers Claimants)	370 (as at March 2016) (Job Seekers and Universal Credit out of work claimants)	385 (as at March 2017) (Job Seekers and Universal Credit out of work claimants)	385 (as at March 2017) (Job Seekers and Universal Credit out of work claimants)	340 (as at November 2017) (Job Seekers and Universal Credit out of work claimants)	405 (as at March 2018) (Job Seekers and Universal Credit out of work claimants) Not seasonally adjusted
Number of business enterprises within the District Source: NOMIS	3,090 (2014)	3,270 (2015)	3,295 (2016)	Monitored on an annual basis		3,400 (2017)
Number of empty NNDR properties within the District	199 (as at March 2015)	187 (as at March 2016)	168 (as at March 2017)	168 (as at March 2017)	157 (as at Dec 2017)	166 (as at March 2018)
* NNDR Collectable Debt * There is not a comparable figure due to the significant	£13.85m	£14.17m	£14.85m £0.57m real terms increase	Monitored on an annual basis		£13.942m £0.37m real terms increase (Gain due to revaluation - £0.78m. 17/18 is not a standard year as there has been a

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Indicator	14/15 Actual	15/16 Actual	16/17 Actual	Q4 16/17	Q3 16/17	Q4 17/18
number of variables which has affected the net collectable debt- i.e. changes due to revaluation and new reliefs.						revaluation).
Number/percentage of 16 – 18 year olds in the District not in employment, education or training Source: ECC	101 (as at March 2015) (16 – 19 year olds)	80 (as at March 2016) (16 – 19 year olds)	31 (as at March 2017) Equivalent to 2.1% of 16 – 18 year olds in the District not in employment, education or training	Monitored on an annual basis		34 (as at March 2018) Equivalent to 2.4% of 16 – 18 year olds in the District not in employment, education or training
Number of participants starting in apprenticeship schemes within the District Source: DfE	520	540	480	Monitored on an annual basis		Figures not yet available
Total visitor spend in the District Source: TIC – Economic Impact of Tourism report	£150m (2014)	£155.5m (2015)	£160.8m (2016)	Monitored on an annual basis		Figure awaited (report available September 2018)

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

Key Corporate Activities contributing to this goal - 10				
Activity not being taken forward	At Risk	Behind Schedule	On Track	Completed
2		4	4	

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Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
Implement Workforce Development Plan projects for 17/18: a) Monitor / review use of the Performance Review System and transfer it onto Human Resources Information System (HRIS) b) Develop a recruitment strategy c) Introduce a Total Reward Policy d) Conduct a Council-wide skills audit	March 2018 (skills audit 18/19)	Performance Review/HRIS Activity not being taken forward	Monitor / review use of the Performance Review System and transfer it onto Human Resources Information System (HRIS) - At this point the Council is still using the Word document based appraisal system until the costs and benefits of transferring the Performance Review system have been ascertained.
		Recruitment Strategy Behind schedule	Recruitment Strategy - The Recruitment Strategy has been drafted and will be presented to Corporate Leadership Team (CLT) in Q1 2018/19.
		Total Reward Policy Behind schedule	Total Reward Policy - The first draft has been presented to CLT and will be re-submitted in Q1 2018/19 incorporating CLT feedback.
		Skills Audit Activity not being taken forward	Conduct a Council-wide skills audit - the methodology and documentation for the Skills Audit was presented to CLT in January 2018. At the current time this is being held pending a decision to be taken on Organisational Change by Members in June 2018 which will assist in determining the skills that the Council needs in the medium term.
Implement the ICT Strategy projects for 17/18: a) Implement a new telephony system b) Upgrade the e-mail system	March 2019	Telephony On track	23

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		E-mail On track	
Deliver the Medium Term Financial Strategy to achieve a balanced budget	Ongoing	On track	
Agree the vision for the Council’s Transformation Strategy and a programme of transformation projects for implementation	March 2018	Behind schedule	Ignite are currently working on a whole Council Transformation project which was presented to Members in May 2018 for consideration.
Embed the process for the approval of externally funded projects before submission to Council (using the Corporate Projects Working Group)	Ongoing	On track	
Develop and implement an income generation programme	Ongoing	Behind schedule	<p>Since March 2018 officers have presented a list of pipeline projects for income generation to the Corporate Projects working group.</p> <p>All projects have been worked up to Project Initiation Document level and financial viability assessment in the main has been completed.</p> <p>The projects include:</p> <ol style="list-style-type: none"> 1. Leisure projects(social infrastructure) 2. Council Offices 3. Employment Land 4. Housing Development.

Review of Performance 2017-18 Quarter 4 (Q4)

Indicators

For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
Time taken to process Housing Benefit/Council Tax Support new claims <i>Low performance is good</i>	14.8 days	15 days	16.25 days	12.49 days	6.19 days	10.72 days	Yes
Time taken to process Housing Benefit/Council Tax Support change of circumstances <i>Low performance is good</i>	4.99 days	8.5 days	2.87 days	8.69 days	2.26 days	5.09 days	Yes
% Council Tax collected <i>High performance is good</i>	98.37%	98.3%	98.37%	28.16%	3.85%	98.45%	Yes
% Business Rates collected <i>High performance is good</i>	98.42%	98%	98.42%	26.53	7.15%	98.8%	Yes
Percentage of major planning applications determined within 13 weeks <i>High performance is good</i>	92.42%	80%	95.45%	100%	100%	97.2%	Yes

Review of Performance 2017-18 Quarter 4 (Q4)

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	
Percentage of minor planning applications determined within 8 weeks High performance is good	86.71%	75%	92.71%	100%	100%	97.8%	Yes
Percentage of other planning applications determined within 8 weeks High performance is good	94.6%	85%	97.18%	99.19%	99.31%	98.16%	Yes
% of major planning applications acknowledged within 10 working days High performance is good	89.47%	95%	100%	94.12%	100%	91.23%	No
% of minor planning applications acknowledged within 5 working days High performance is good	54.57%	95%	87.65%	81.01%	87.88%	75%	No

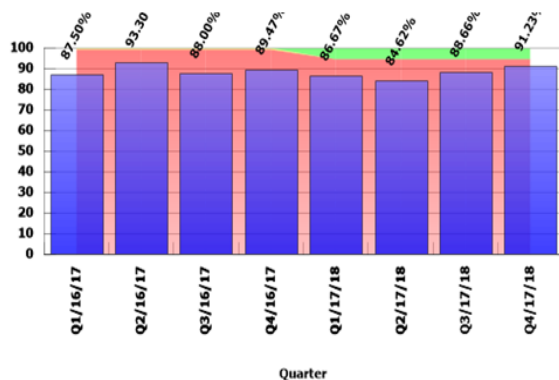
Review of Performance 2017-18 Quarter 4 (Q4)

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
% of other planning applications acknowledged within 5 working days High performance is good	55.75%	95%	75.52%	68.53%	85.52 %	70.76 %	No

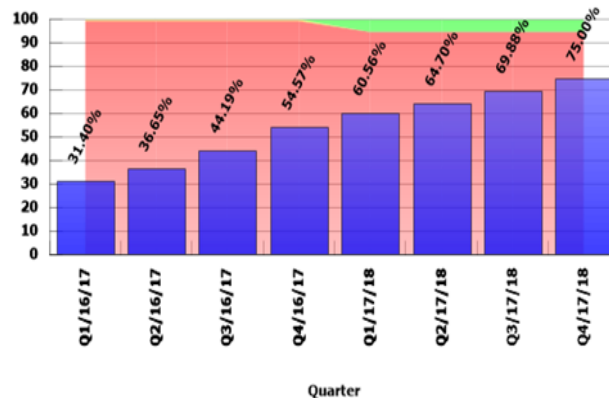
Comment on current performance

It was agreed that due to a lack of funding the Administration Team will not be undertaking validation of planning applications. Whilst a number of internal improvements have been undertaken it is considered that the target will not be met within the current service provision.

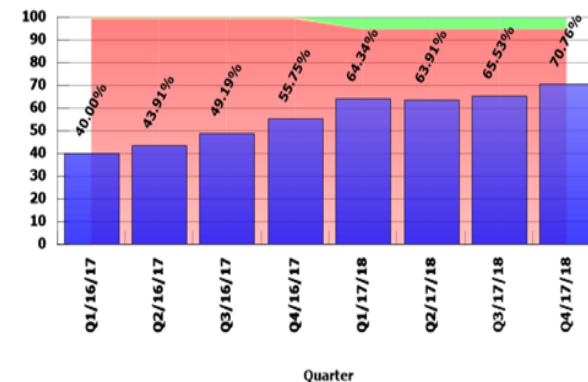
% of major planning applications acknowledged within 10 working days



% of minor planning applications acknowledged within 5 working days



% of major planning applications acknowledged within 10 working days



Review of Performance 2017-18 Quarter 4 (Q4)

Indicator	16/17 Actual	17/18 Target	Q4 16/17	Q3 17/18	Q4 17/18	Cumulative For the Year 17/18	Annual target achieved
<p>Average number of days lost per (Full Time Equivalent) FTE due to sickness</p> <p>Low performance is good</p>	<p>12.4 days</p> <ul style="list-style-type: none"> • 5.32 days short term absence • 7.08 days long term absence 	<p>8 days</p>	<p>3.23 days</p> <ul style="list-style-type: none"> • 1.55 days short term absence • 1.69 days long term absence 	<p>3.17 days</p> <ul style="list-style-type: none"> • 1.64 days short term absence • 1.53 days long term absence 	<p>2.47 days</p> <ul style="list-style-type: none"> • 1.49 days short term absence • 0.98 days long term absence 	<p>10.86 days</p> <ul style="list-style-type: none"> • 5.23 days short term absence • 5.63 days long term absence 	<p>No</p>

Review of Performance 2017-18 Quarter 4 (Q4)

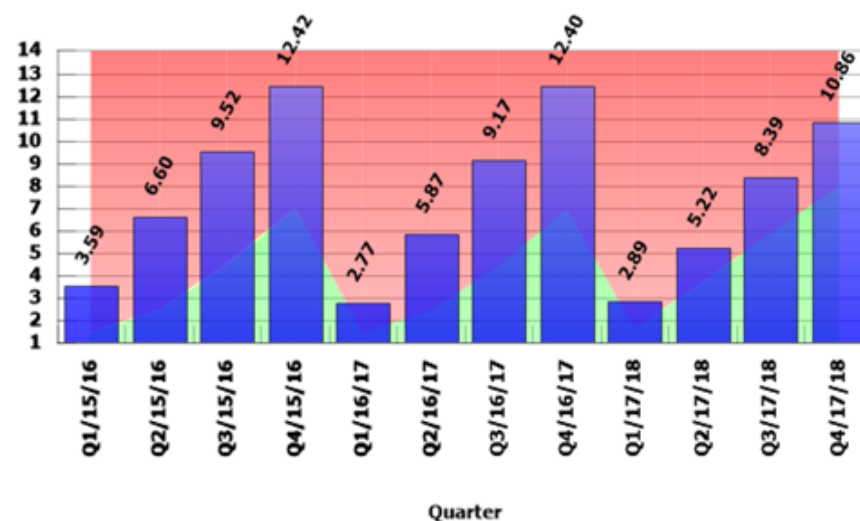
The Q4 overall sickness figures decreased by 20% to 498.86 total FTE days lost or 2.47 days total days lost per FTE (1.49 days per FTE short term absence and 0.98 days per FTE long term absence) compared to Q3. Short term sickness decreased by 7% from Q3 despite the high number of staff being off sick due to cold, flu and infectious diseases. The figures with regard to long term absence showed a notable decrease of 34% from Q3. Further information on this topic will be provided to Overview and Scrutiny Committee in June 2018.

The annual total days lost per FTE for 17/18 is 10.86 compared to 12.4 for 16/17 - a reduction of 1.54 total days lost per FTE - and the lowest seen since 2013/14. The reduction in long term absence is as a consequence of the revised Attendance Management Policy and HR and management implementing interventions, supported by Occupational Health that facilitate a return to work for staff.

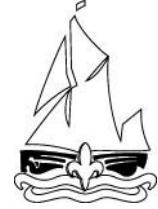
Internal audit recently audited the Attendance Management policy and procedure and assessed the control design as providing 'significant assurance' and the operational effectiveness assessed as providing 'moderate assurance'. Areas of non-compliance with the Managing Attendance policy and procedure across the Council were identified, with key requirements such as self-certification, return to work meetings and formal 'stage' meetings not being completed by managers or within an appropriate timeframe. Recommendations will be progressed and monitored to improve these areas.

Management and HR continue to work together in order to make interventions to help staff manage health conditions through a more flexible working agreement, which avoids staff taking sick days which could lead to a longer period of absence and maintains productivity.

There has been positive progress in improving this year's attendance figures. However, progress in achieving change following policy implementation does take time. Continuing to manage attendance as a priority coupled with greater manager compliance should further improve overall figures over the coming year.



Review of Performance 2017-18 Quarter 4 (Q4)



REPORT of DIRECTOR OF RESOURCES

to
OVERVIEW AND SCRUTINY COMMITTEE
6 JUNE 2018

PROCUREMENT AND DELIVERY OF THE 2016 / 17 CAPITAL PROGRAMME – IMPLEMENTATION OF RECOMMENDATIONS

1. PURPOSE OF THE REPORT

To provide members of the Overview and Scrutiny Committee with an update on the implementation of recommendations agreed by the Overview and Scrutiny Committee at its meeting on the 22 November 2017 relating to the procurement and delivery of the 2016/17 Capital Programme.

- 1.1 This report of the 22 November 2017 contained eight recommendations and all were for immediate implementation.

2. RECOMMENDATION

That the contents of this report be noted.

3. SUMMARY OF KEY ISSUES

- 3.1 This report is for Members' information only.
- 3.2 Following a review of the delivery of the Project 180 (also known as St Cedd's and car park) eight recommendations were agreed for implementation. **APPENDIX 1** shows the status of these recommendations. It should be noted that the Capital Programme for 2018/19 is significantly smaller than in previous years and therefore there is limited evidence of implementation of all recommendations due to a much lower number of items in the capital programme.

4. CONCLUSION

- 4.1 The eight recommendations are further embedded within the organisation with any exceptions or non-compliance reported to Overview and Scrutiny Committee.

5. IMPACT ON CORPORATE GOALS

- 5.1 This report links to the corporate goal of 'delivering good quality, cost effective and valued services'.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – Accurate allocation of capital funding enables maximum investment income to be obtained.
- (v) **Impact on Resources (human)** – Within existing resources.
- (vi) **Impact on the Environment** –None.

Background Papers: Agenda Item 8: Procurement and Delivery of the 2016-17 Capital Programme, Overview and Scrutiny Committee, 22 November 2018.

Enquiries to: Emma Foy, Director of Resources (Tel: 01621 875762).

APPENDIX 1

#	Recommendation	Update at 17 May 2018
1	Corporate Leadership Team (CLT) review the following year's capital programme and provide assurance over deliverability of it in entirety before it is proposed to Members as part of the Budget setting exercise. As part of providing this assurance CLT need to consider any underspends within the current year's capital programme.	CLT carried out a review of the 2018/19 capital programme and believe it to be deliverable. The total value of the 2018/19 capital programme is £369K excluding disabled facilities grants. The capital programme for 2017/18 was £662K excluding disabled facilities grants.
2	The Council has approved the re-introduction of the Asset Management Working Group. Regular monitoring will be reported to this Working Group and this Working Group will provide additional scrutiny over the delivery of the capital programme. The terms of reference of this Working Group should be reviewed to ensure that they include sufficient oversight, scrutiny and regular reporting of delivery back to relevant programme committees and the Council where necessary.	The asset management working group is now operating and the terms of reference have been updated according to this recommendation.
3	All capital schemes follow the required project management framework and report risks, performance and updates on budget to the Asset Management Working Group.	CLT is in the process of reviewing all project management documentation for 2018/19 capital projects. Project Initiation Documents must be submitted by the end of Quarter one.
4	Detailed scoring methodology is provided in advance of tender evaluation. If method statements and risk assessments are not provided then an automatic fail shall be applied to the tender. A specific section should be included within tenders around any sub-contracting taking place and the head contractor must provide assurances and guarantees where any sub-contracting is in place. The Tender Evaluation Process should be fully retained and reviewed and authorised by the relevant Director.	This has been confirmed with the Procurement Hub and will be applied to all future construction projects.
5	JCT Contracts used for all construction contracts in excess of £10,000 as previously considered by the Finance and Corporate Services Committee on 31 January 2017.	This has been confirmed with the Procurement Hub and will be applied to all future construction projects.
6	Where project budgets include a number of work streams, each work stream is itemised and allocated a separate budget. If virements are required these are authorised by the relevant Director and can only be authorised where the quality of delivery is not significantly adversely impacted.	This has been incorporated into the Finance regulations and all individual work streams are itemised in the budget for 2018/19.

#	Recommendation	Update at 17 May 2018
7	Each Director is responsible and accountable for the quality and timely delivery of capital projects within their directorate.	This is built into each Director's performance objectives. On a quarterly basis Directors provide assurance to CLT of quality and timely delivery of projects in their directorate.
8	Professional Estimators are used to ascertain costs for all capital construction projects with budgets greater than £10,000.	This has been confirmed with the Procurement Hub and will be applied to all future construction projects.

REPORT of DIRECTOR OF CUSTOMERS AND COMMUNITY

to
OVERVIEW AND SCRUTINY COMMITTEE
6 JUNE 2018

MOORINGS, LEASES AND LICENSES UPDATE

1. PURPOSE OF THE REPORT

- 1.1 To provide further information and detail on moorings, leases, and licenses following the recent Overview and Scrutiny review of the same.

2. RECOMMENDATION

It is recommended that Members review and make comment on the contents of the report.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 Members will be aware that at its meeting of 28 March 2018 (Minute 952 refers) that Moorings, Leases and Licenses were reviewed. It was agreed that Members would be provided further detail on the following subjects :-

- Wharfage charges at Hythe Quay to be clarified
- Details to be provided on river income and areas leased
- An overview of Moorings charges and income

- 3.1.2 It was also agreed that a separate report would be prepared, at a later date, with regards to an action plan relating to the resolution of long standing issues at Heybridge Creek.

3.2 Hythe Quay Wharfage Charges

- 3.2.1 **APPENDIX 1** of this report provides a revised version of the table previously provided detailing charges at Hythe Quay compared to other similar locations on the East Coast. The table previously considered was not clear as some of the charges shown included VAT and others did not which caused some confusion. The rates in **APPENDIX 1** are all inclusive of VAT.

- 3.2.2 Since the last meeting the River Bailiff has developed, in consultation with Legal Services, a draft agreement for Berthing on Hythe Quay. This new document is intended to replace the current *Guidelines for use of Hythe Quay* and will give greater clarity over the responsibilities of all vessels using the facility. This document is currently subject to informal consultation with barge operators who have, on the whole, welcomed greater clarity. This document will also be sent to the Maldon

Harbour Improvement Commissioners for their views. The draft Agreement is attached as **APPENDIX 2**.

- 3.2.3 As part of the normal budget setting process each programme committee is requested to review Fees and Charges policies in relation to their committee. Fees Policy at Hythe Quay is delegated to Planning and Licensing Committee. It will be proposed that an option to pay an annual berthing fee is introduced from April 2019 for fully rigged sailing barges.

3.3 River Income (Leases and Licenses)

- 3.3.1 **APPENDIX 3** of this report provides an overview of income received from river moorings, leases and licenses. As some of the values are commercially sensitive, a summary of income from each agreement type is provided with individual leases / licences named as set out in the table below. Should Members wish to discuss specific leases or licenses then consideration will need to be given to whether that detail can be discussed in open session. A geographical representation of the same information is then provided within **APPENDIX 3 a-e** as set out below.

Agreement type	Income Received	Map Legend (Appendix 3a-e)
Commercial Foreshore and Boatyards	£70,525	Coloured Red
Fisheries	£8,482	Coloured Pink
Club Moorings and Access	£23,955	Coloured Blue
Caravan Park Launch Facilities	£1,585	Coloured Green
Other agreements, leases or licenses	£18,893	Coloured Brown
Total	£123,400	N/A

*Figure is rounded

APPENDIX 3a = Maldon and the upper reaches

APPENDIX 3b = Heybridge Basin and Northey Island,

APPENDIX 3c = Osea Island and Goldhanger Creek

APPENDIX 3d = Lawling Creek

APPENDIX 3e = Blackwater Estuary and St Peter's Flat (Natural England)

- 3.3.2 Each Lease or License, when renewed or when a rent review is required, is valued by either the District Valuer or an alternative independent, experienced and qualified valuer. Experience has demonstrated that on occasion market forces dictate that a higher rental income is achieved.
- 3.3.3 As reported at the last meeting, when a longer term or higher value lease is renewed or extended, a Committee decision is required. All river leases are managed by the Planning and Licensing Committee and Minute 1232 refers to the most recent set of amendments that were approved by that Committee in April 2017.

3.4 Moorings Income

- 3.4.1 Members expressed some concern that the Council was not maximising income received from individual river moorings while noting that a number of mooring areas were now operated directly by sailing clubs or associations (**APPENDIX 3 Refers**).

Following the meeting on the 28 March, Officers have carried out research locally and further afield on the demand for moorings.

- 3.4.2 The River Bailiff has contacted a number of marinas, sailing and watersports clubs to discuss their views. A number of industry reports have also been reviewed to give a wider perspective on the state of 'boating' as a pastime.
- 3.4.3 There is a widespread decline across the UK in the numbers of people that own boats. This is reflected in reduced participation levels at sailing and yacht clubs within the District and across the UK. Virtually all local sailing clubs contacted have reported a downturn in the numbers actively involved in clubs. Motorised vessels including small craft such as jet skis have also seen a reduction in ownership and participation levels over the last 10 years although some clubs retain healthy memberships.
- 3.4.4 This is a national trend which is recognised by the British Marine industry and the Royal Yachting Association (RYA) the governing body for boating. The RYA recently held a webinar to look at ways to reverse the decline in numbers participating in sailing. The reason for the change are complex and may relate to a reduction in younger people taking part in boating and the perception that boat ownership is expensive and time consuming. It is also likely that the economic downturn has also affected boat ownership.
- 3.4.5 The habits of boat owners has also changed over the last 15-20 years with many of the remaining owners preferring to keep their boats in marinas where they can 'step on board' their craft without the need to row out to a mooring. Generally the marinas in the District and elsewhere offer a greater tidal window than traditional swing moorings in the upper reaches of the Blackwater. However even these higher value facilities have seen a reduction in demand.
- 3.4.6 Overall there is a national trend of declining participation and boat ownership and this directly relates to the demand for moorings. Given the value of the marine industry to the local economy of the Maldon District, it may be worth Members considering whether there are any policy measures that could be put in place that could help reverse or slow the trend on a local level.

4. CONCLUSIONS

- 4.1 This report provides Members with further information in relation to Moorings, Leases and Licenses.
- 4.2 A further report setting out an action plan to resolve long standing issues in relation to Heybridge Creek will be brought to this Committee and Planning and Licensing Committee at a future date.

5. IMPACT ON CORPORATE GOALS

- 5.1 The Council has a corporate goal to create opportunities for economic growth and prosperity. The Blackwater estuary and activities that take place on and around it

provide a significant contribution to the local economy as well as income to the Council.

6. IMPLICATIONS

- (i) **Impact on Customers** – None identified with this report
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – There are no corporate risks associated with this report.
- (iv) **Impact on Resources (financial)** – Income received from Moorings, Leases and Licenses totals in excess of £123,400.
- (v) **Impact on Resources (human)** – None identified
- (vi) **Impact on the Environment** – None identified.

Background papers: None

Enquiries to:

Ben Brown, Group Manager, (Leisure, Countryside and Tourism),
Telephone, 01621 876210

Hythe Quay Fees and Charges compared to other venues

Venue	Daily Charge Inc.VAT	Monthly charge (based on the daily charge).	Quarterly charge	Annual charge
Hythe Quay Maldon	£21.00 (no discount)	£630.00 (30 days)	£1,950 (or £975.00 with 50%** Quarterly berthing discount applied)	£7,800 (or £3900.00 with 50% Quarterly berthing discount applied).
Ipswich Dock	£68.04	£1144.36	£3433.10	£13,732.41
St Katherine's London	£170.10	£5103.00(30 days).	£15,309.00	£61,236.00
Shotley	£71.55	£2146.50(30 days)	£5265.00 (summer) £3543.75 (Winter)	£8808.75 (combined annual charge).
Limehouse	N/A	£1377.00	£2721.00	£9434.00
Ramsgate	£79.92	£459.81(Not based on daily charge).	£1379.43	£5517.72
Swale	N/A	£498.75	£1495.29	£5981.18
Brightlingsea	£26.00	£520.00(Not based on daily charge).	£1560.00	£6240.00

** The Quarterly 50% Discount is only available to fully rigged Sailing Barges moored at Hythe Quay.

These figures are based on charges effective from April 2018

All figures shown are inclusive of VAT.

Nb. Some vessels that use Hythe Quay Maldon (and other locations) are zero rated for VAT purposes. This is a private arrangement between the owner and Customs and Excise. It does not affect the charges shown below.

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Licence for Berthing on Hythe Quay Maldon

In this Licence the Owner and the Council agree that the Owner can berth the vessel at the Quay for 1 to 12 months from the date shown at the end of this Licence and subject to the conditions contained in this Licence.

The following definitions shall apply;

'The Council' shall mean Maldon District Council.

'The Owner' shall mean the person who owns the vessel or the holding company and who signs this Licence

'The Quay' shall mean the area of land known as The Quay or Hythe Quay which is owned by Maldon District Council

'vessel' shall mean Fully rigged sailing Thames Barge operational between April and October each year and laid up alongside Hythe Quay during winter months or other large power or sail driven boats

'regular annual maintenance' shall mean that work which can reasonably be expected to be undertaken on the Quay to maintain the vessel such as sail dressing, painting, rigging, victualing etc.

'static event' shall mean any event held on a vessel whilst that vessel is moored, tethered, tied or chained to Hythe Quay

'All vessels' shall mean every vessel regardless of type or size that comes alongside Hythe Quay

1. The Owner agrees to indemnify the Council against all actions, suits, losses, damages, claims or demands which may arise in consequence of the breach or failure to observe, perform or abide by such conditions, rules or byelaws.
2. Any damage caused to the Quay must be reported to the Council at the earliest opportunity.
3. All navigational regulations must be observed at all times.
4. No sewerage, oil, petrol or contaminated bilge water shall be discharged or allowed to escape into the River Blackwater at any time.
5. Crews must be made available in the event a vessel is required to be moved
6. Vessels may only be used as accommodation for crews whilst alongside the Quay and engaged in operations
7. It shall be the Owner's responsibility to maintain the seaworthy condition of the vessels under his/her control.
8. (a) The Council shall not be liable for any loss, damage or theft to any vessel berthing alongside Hythe Quay, property stored on, or vehicles parked on the Quay unless such loss or damage may be caused by the negligence or willful act of the Council, its employees or its agents.

(b) The Owner shall indemnify the Council against all loss, damage, cost, claim or proceedings incurred by or instigated against the Council which may be caused by the Owners vessel or vehicle or by the Owner his servants, sub-contractors, agents, crew, guests or customers except to the extent that such loss, damage, cost, claims or proceedings has been caused by the negligence or willful act of the Council or from its employees or agents.

(c) The Owner shall maintain third party insurance in respect of himself and each of his vehicles and vessels, crew, agents, visitors, guests, customers and sub-contractors, and in respect of his vessels adequate salvage insurance.
9. No vessel while berthed shall be used for any full time commercial purpose of a primarily static nature without the prior agreement of the Council. Revised charges may apply.
10. The Owner shall in all respects have responsibility for the safety of his crew, guests, customers, sub-contractors, visitors and agents whilst boarding, loading, unloading, cross-decking or transferring to or from other vessels whilst alongside the Quay.

APPENDIX 2

11. The Owner shall provide evidence of insurance for all ancillary activities taking place upon that vessel prior to the event i.e. discos, entertainers, caterers etc.
12. Each vessel shall be properly moored at all times to ensure public safety and all gangways, boarding ladders and means of access/egress to and from vessels moored alongside the Quay are secured to prevent tipping, sliding, collapsing or moving to ensure safe access/egress prior to use.
13. During the hours of darkness good lighting must be provided for guests using gangways for the entirety of any static event.
14. Vessels engaged in static events must provide at least one crew member on call and available to assist for the duration of the event.
15. All reasonable steps must be taken to remove trip hazards
16. Vessels shall be moored in such a way as to ensure the safety of that vessel and not to impede damage or cause distress to other vessels in the vicinity. All mooring warps, fenders and associated equipment shall be provided by the Owner and shall be in a good and reasonable state of repair and shall be adequate to hold the vessel in all conditions.
17. Nothing in this agreement shall entitle the Owner to the exclusive use of a particular berth.
18. Any persons using any part of the Quay premises or facilities for whatsoever purposes and whether by invitation or otherwise do so at their own risk, unless any injury or damage to person or property sustained within the said Council premises was caused by or as a result of the Councils negligence.
19. The Quay is in a residential area and the Owner is responsible for the conduct of the crew, guests, visitors, customers, agents and sub-contractors whilst onboard vessels alongside the Quay or on Council premises and must ensure they conduct themselves in a reasonable manner at all times when boarding or leaving vessels, leaving the Quay or whilst being entertained on the vessel or on Council premises.
20. No refuse shall be thrown overboard, left on the Quay or pontoon and shall be disposed of in the bins provided. In the event the bins are full, Owners are reminded it is an offence to litter Council premises and must not leave sacks of rubbish, waste oil, large items or any other such waste materials on the Quay. Recycling bins are provided at the Queens Head end of the Quay and the Councils main waste reception facility which is situated at the end of Park Drive, Maldon.
21. Barge operators and their Guests are requested to refrain from using sea toilets whilst alongside Hythe Quay if possible.
22. Regular annual maintenance only, may be undertaken onboard vessels alongside Hythe Quay. Heavy installations may take place by first obtaining the consent of the Council.
23. No large vehicles such as cranes, or other such vehicles may enter the Quay without first obtaining the consent of the Council. Fuel deliveries may be undertaken without prior notice being given.
24. No items of boat gear, stores, fittings, supplies or equipment shall be left unattended on the Quay, pontoon or Council premises at any time.
25. The Council does not permit advertising banners, hoardings, 'A' boards or any other form of advertising on its property without prior written consent.
26. The Council recognises the need for vessels to refuel from time to time alongside the Quay. It shall be the Owners responsibility to ensure all necessary precautions are undertaken to prevent spillages, pollution or contamination of the River Blackwater, Quay area or Council owned premises. In the event of a spillage, contamination or pollution event all associated clean-up costs will be sought from the Owner by the Council.
27. The Council reserves the right to introduce regulations or amendments to these Conditions from time to time as is deemed necessary.

Berthing Fees

28. Berthing charges shall be displayed on the River Bailiffs workshop.

APPENDIX 2

29. Berth holders will be informed of any changes to berthing charges at least three months prior to any changes coming into effect.
30. All invoices are strictly to be paid within fourteen days and accounts are required to be settled during that period.

Waste Disposal

31. Waste reception facilities are for the disposal of domestic waste only. Large items shall not be disposed of by Council or its contractors nor should they be left on the Quay for later disposal. Liquid waste such as oil, bilge water or solvents must be taken to the Civic Amenity point in Park Drive, Maldon. No waste should be left alongside or next to the waste bins.
32. It is the Owners responsibility to remove any non-domestic waste from the Quay without delay. All boxes and containers must be disposed of sympathetically and collapse or crush whenever possible. Glass can be recycled in the bins provided at the Queens Head end of the quay. It is prohibited to leave waste material next to the bins provided.

Electrical Installations

33. All electrical installations must comply with current legislation.
35. Only approved type electrical cables and extension leads bearing the BS mark will be permitted for use on the Quay.
37. All electrical supplies should be secured from public access at all times, and isolated when they are not required.

Static Events

38. Any events on a barge or barges alongside the Quay will comply with Maritime and Coastguard Agency regulations, Health and Safety Executive guidance and all other regulations relating to events onboard vessels.
39. A comprehensive briefing will be given to all guests attending any event on the vessel. The briefing shall address access, egress, use of gangways, safety equipment, fire precautions, emergency evacuation and actions in the event of falling overboard or injury.
40. A crew member will be positioned at the gangway to assist guests disembarking from the vessel to the Quay
41. A written risk assessment shall be undertaken for each static event alongside the Quay. A copy of the risk assessment must be kept onboard and available for inspection if required.
42. A crew member will be required to be onboard the vessel for the duration of the event

Termination

43. If any berthing fees are not paid within 28 days of the date of the invoice the Council shall be entitled to terminate this Licence in writing with immediate effect
44. If there is any breach of any condition the Council shall be entitled to terminate this Licence by giving 28 days written notice, unless the Council considers the breach to be serious in which case the Council shall be entitled to terminate in writing with immediate effect.
45. The Council and the Owner shall be entitled to terminate this Licence by giving 3 months notice for any reason whatsoever whether, or not, there has been any breach of this Licence
46. **All vessels are required to observe the above terms and conditions while alongside Hythe Quay.**

Licence Start date:

Until

APPENDIX 2

Licence End Date:

Signed by the Owner

Signed on behalf of the Council

Dated

DRAFT

APPENDIX 3

Income recieved for River related, Leases and Licenses excluding individual moorings

Commercial Foreshore & Boatyard Leases

Blackwater Marina Ltd (Mayland)	
Caterelle (Maldon)	
Fairplay Outdoor Education (Heybridge Basin)	
Glenord Ltd (Hythe Quay)	
Landbreach Ltd (Various)	
Maldon Chandlery Ltd (North Street)	
Mr S (Heybridge Basin)	
Stebbens Boatyard (Heybridge Basin)	
Topsail Charters (Hythe Quay)	
Total	£ 70,525.00

Fisheries Licenses

Shellfish Production	
Total	£ 8,482.00

Club Moorings and Access

Blackwater sailing club (Heybridge Basin)	
Goldhanger Sailing Club	
Heybridge Basin Sailing Association	
Marconi Sailing Club (seeple)	
Maylandsea Bay Yacht Club	
Milbeach Seaside Resort (Heybridge)	
Saltcote Sailing Club (Heybridge Basin)	
Total	£ 23,955.00

Caravan Park Launch Facilities

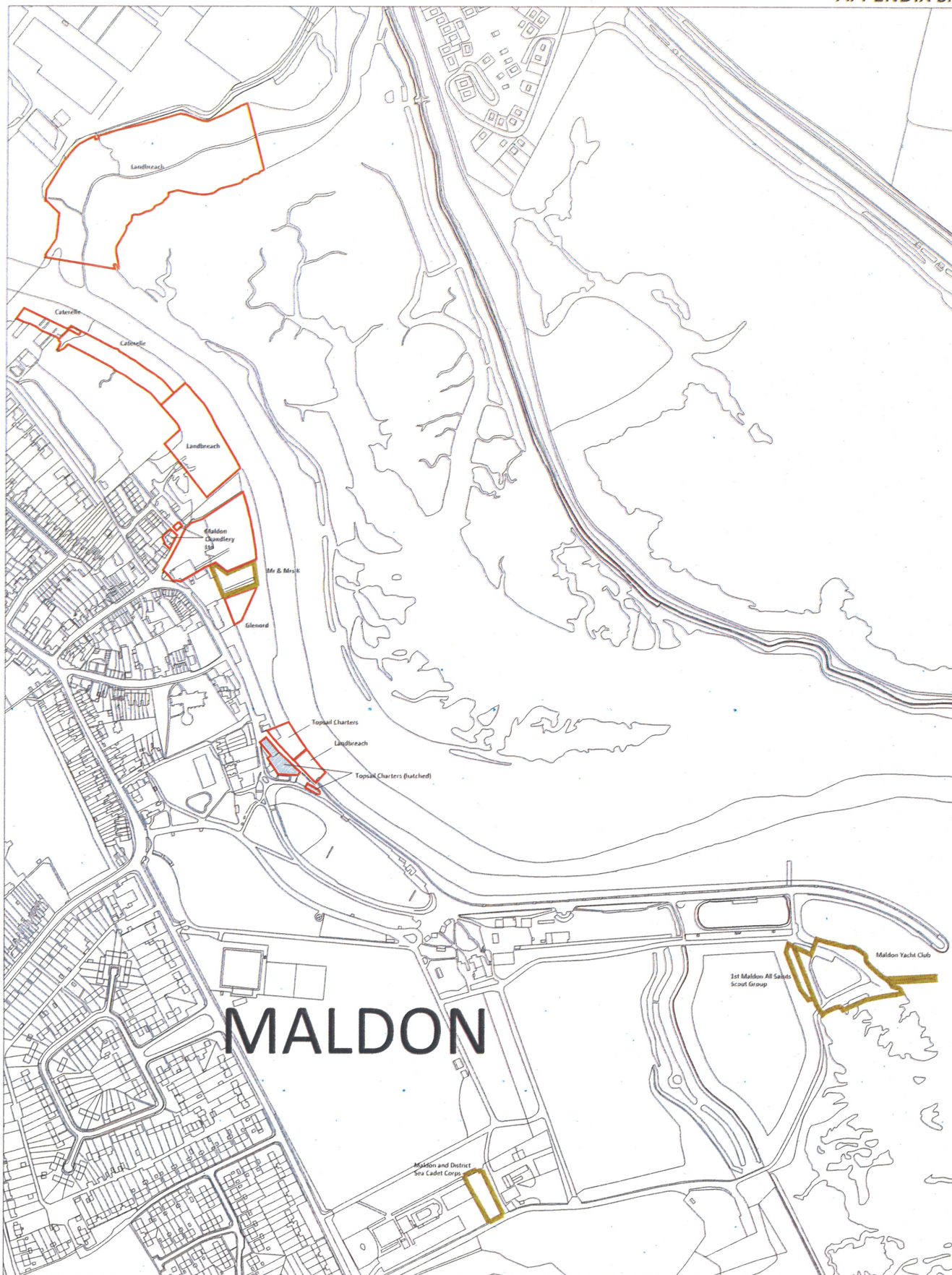
Milbeach Seaside Resort (Heybridge)	
Osea Road Leisure Caravan Park (Heybridge)	
Park Holidays UK Ltd (Steeple Bay)	
Waterside Caravan Park (St Lawrence)	
Total	£ 1,585.00

Other Agreements Leases or Licenses



1st Maldon Scout Unit (Dinghy Compound)	
Maldon & District Sea Cadet Corps (Prom Park)	
Maldon Yacht club (club grounds at Prom Park)	
Mr & Mrs K (Maldon)	
Natural England (St peter's flats and St Lawrence bay flats)	
War Memorial Mud Berth (Burnham on Crouch)	
West Quay Houseboat Association (Burnham on Crouch)	
Total	£ 18,893.00

Total Income	£ 123,440.00
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<p>May 2018</p>	<p>Income received for river related leases and licences, excluding individual moorings.</p> <p>MALDON AREAS</p>	<p>Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown Copyright Reserved. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Maldon District Council 2018. Licence no. MALDON000008.</p>			<p>MALDON DISTRICT COUNCIL PRINCES ROAD MALDON ESSEX CM9 5DL tel: 01621 854477</p>
<p>Not to scale</p>					

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MALDON DISTRICT COUNCIL
PRINCES ROAD
MALDON
ESSEX
CM9 5RL
Tel: 01621 854477

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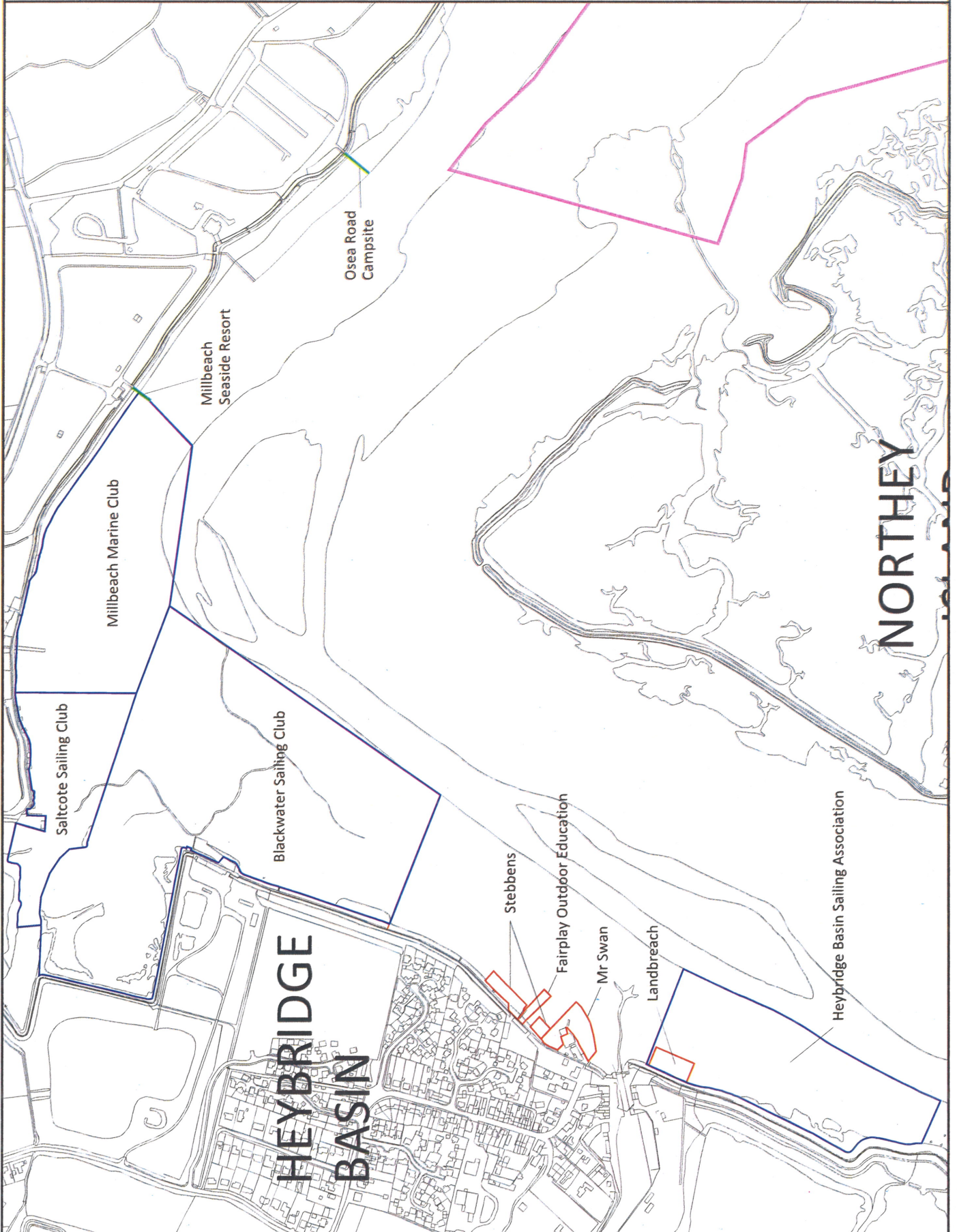


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Income received for river related
leisure and tourism, excluding
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HEYBRIDGE BASIN AREAS

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May 2018



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MAY 2018
MALDON
ESSEX
CM9 5DL
Tel: 01621 854177

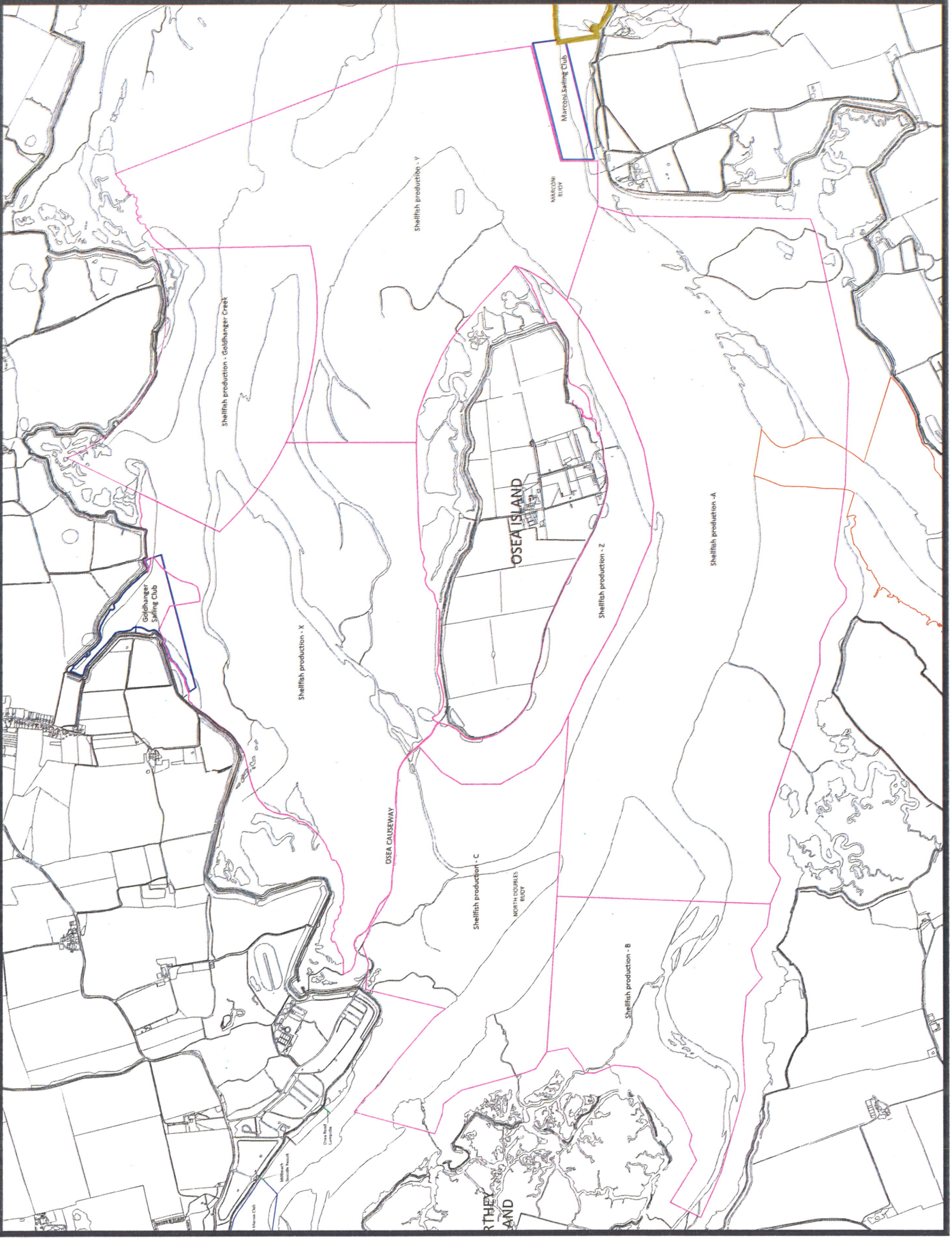
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Income received for love related
flowers and biscuits, including
individual income.
DSEA ISLAND AREAS

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May 2018



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MALDON DISTRICT COUNCIL
Planning and
Development
Maldon
Essex
CM9 5DL
Tel: 01223 834777

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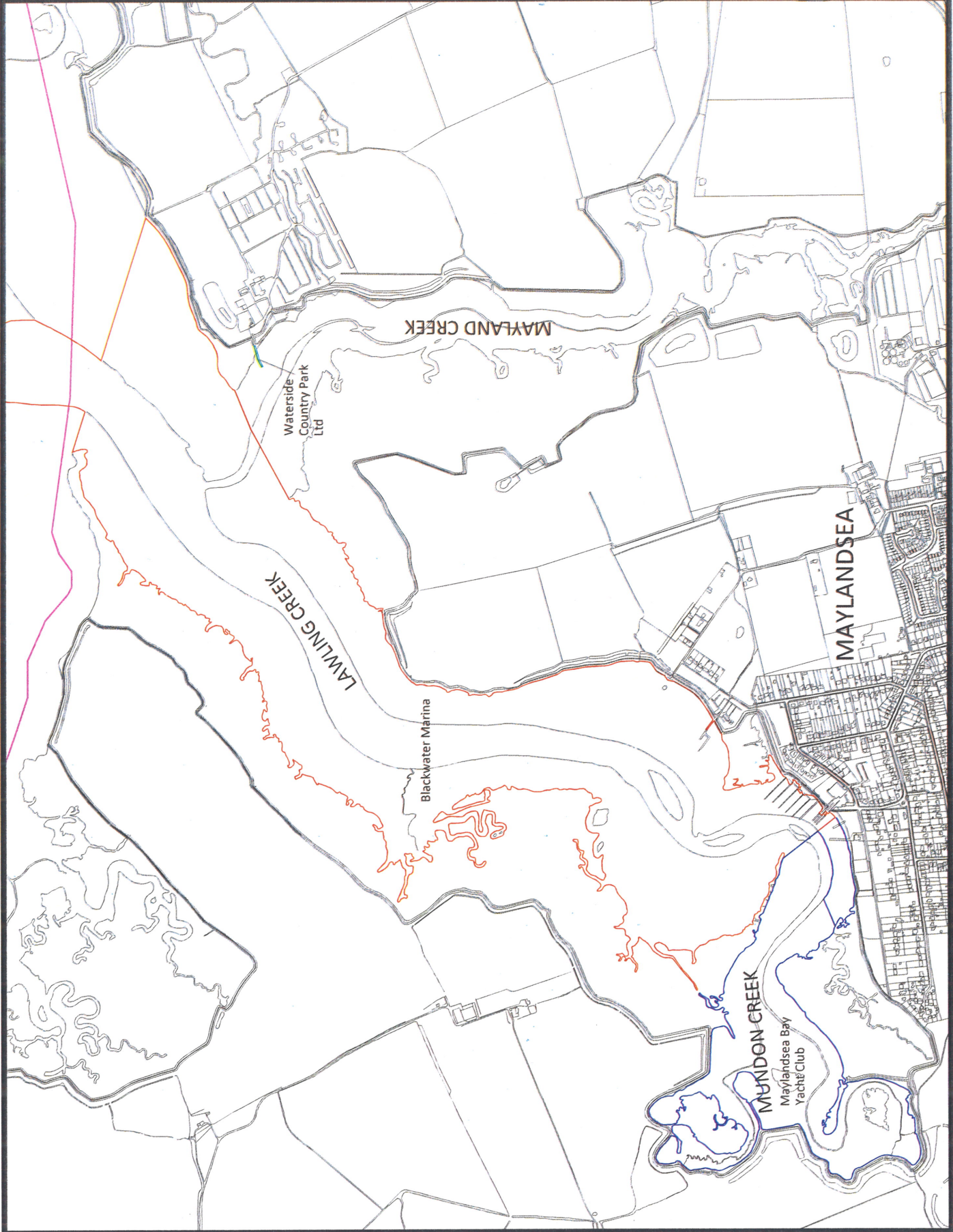


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LAWLING CREEK AREAS

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CM9 5SL
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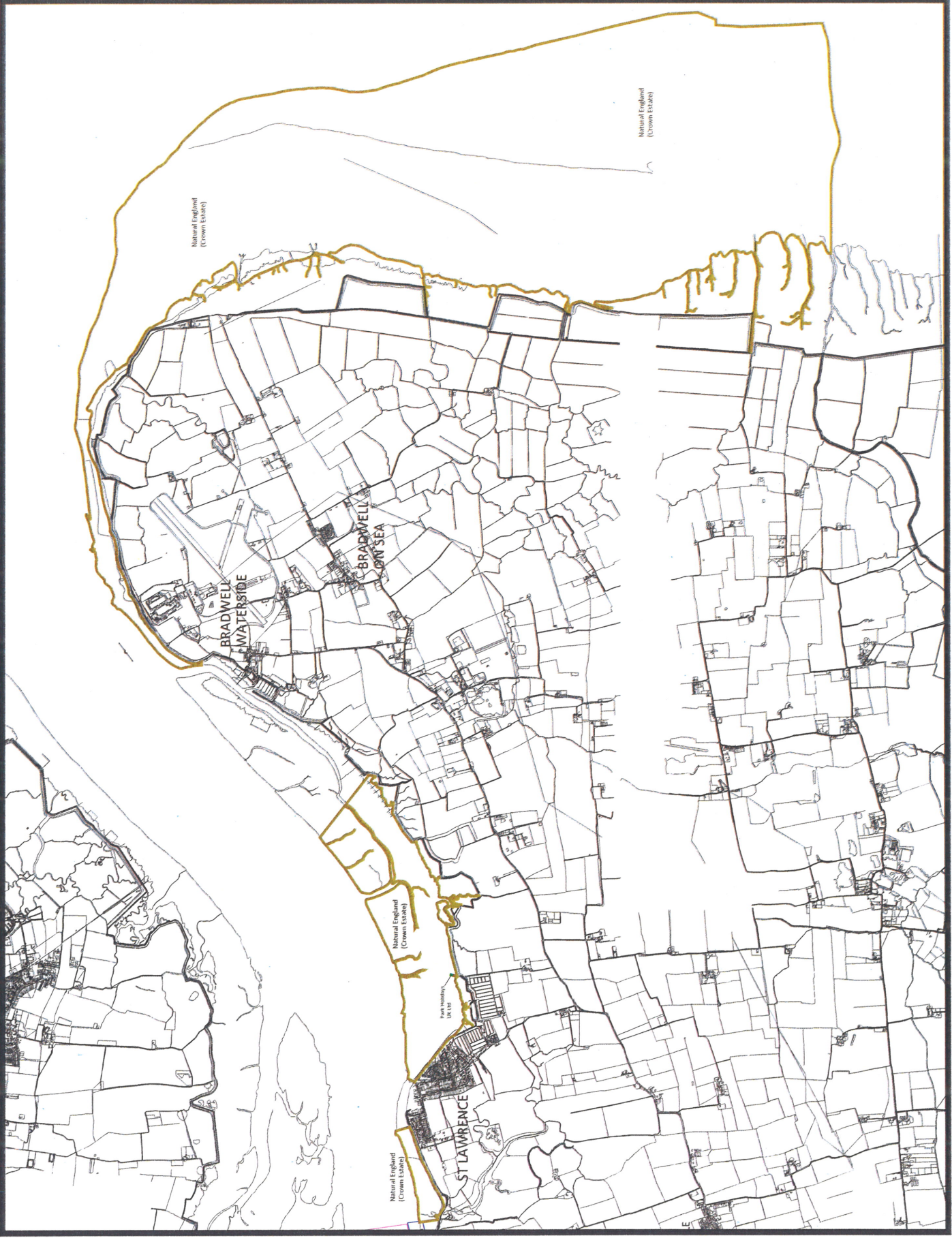


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NATURAL ENGLAND AREAS

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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