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HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

19 August 2019

Dear Councillor

You are summoned to attend the meeting of the;

OVERVIEW AND SCRUTINY COMMITTEE

on **WEDNESDAY 28 AUGUST 2019** at **7.30 pm.**

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

A copy of the agenda is attached.

Yours faithfully



Head of Paid Service

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor M W Helm

VICE-CHAIRMAN

Councillor R P F Dewick

COUNCILLORS

E L Bamford

V J Bell

M S Heard

C P Morley

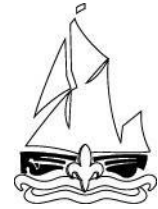
S P Nunn

R H Siddall

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

Maldon District Council's Strategic Themes

- Front line services retained
- Best value procurement and project management ensured
- Customers' expectations exceeded
- Customer access through technology promoted
- An open and transparent organisation
- Fair funding proactively sought
- Outcome led engagement and smart partnering
- Continuing to work sustainably
- Resilience and autonomy maintained
- Increased income through commercialisation
- Current Local Development Plan reviewed
- Preparation for the next Local Development Plan period
- A clean and tidy District
- Reduced household waste
- Our open spaces maintained for the enjoyment of all
- Improved air quality
- Partnership working to protect our countryside and coastline
- Sound and tested environmentally friendly initiatives delivered
- A five-year housing land supply maintained
- Strategic sites delivered in accordance with the Local Development Plan brought forward
- Affordable housing targets in the Local Development Plan achieved
- Section 106 planning agreements are effectively discharged
- Partnerships are developed to maintain coastal defences
- Improved access to Superfast Broadband across the District
- Working with communities and partners to support our health and wellbeing priorities: obesity, mental health, social isolation and loneliness, and older people's health
- Partnership working to safeguard vulnerable adults, children and families
- Effective engagement to support strong and resilient communities
- Delivery of strategic employment sites in accordance with the Local Development Plan
- Partnership working to provide an Enterprise Centre
- Rural business and diversification supported
- Improved access to Superfast Broadband across the District
- Tourism supported and encouraged
- Efficient and effective engagement with businesses



**AGENDA
OVERVIEW AND SCRUTINY COMMITTEE**

WEDNESDAY 28 AUGUST 2019

1. **Chairman's Notices (please see below).**

2. **Minutes of the last meeting** (Pages 7 - 12)

To confirm the Minutes of the meeting of the Overview and Scrutiny Committee held on 17 July 2019 (copy enclosed).

3. **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.

4. **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).

5. **Presentation from Anglian Water to Members** (Pages 13 - 28)

To receive a presentation from Anglian Water, (slides enclosed).

6. **Provision of Health Care Services within the District**

To receive an update from the Clinical Commissioning Group (CCG).

7. **Section 106 Agreements - Interim Update** (Pages 29 - 32)

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

8. **Review of Performance - Quarter 1** (Pages 33 - 54)

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

9. **Programme of Work** (Pages 55 - 62)

To consider the report of the Director of Strategy, Performance and Governance (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**

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. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

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

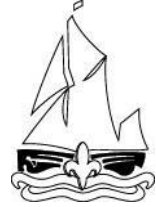
Health and Safety

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

Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.

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**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
17 JULY 2019**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	E L Bamford, V J Bell, M S Heard, C P Morley, R H Siddall and Mrs J C Stilts
Substitute Councillor(s)	Mrs J C Stilts

258. CHAIRMAN'S NOTICES

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

259. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor S P Nunn.

In accordance with procedure rule 17, paragraph 9, Councillor J C Stilts attended as substitute for Councillor S P Nunn.

260. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 5 June 2019 be approved and confirmed.

261. PUBLIC PARTICIPATION

There was none.

262. DISCLOSURE OF INTEREST

Councillor E L Bamford declared a non-pecuniary interest in Agenda Item 12, Monitoring of the Organisational Change Programme, as she sits on the Transformation Board and Audit Committee. The Chairman confirmed that she could remain in the Council Chamber to observe as a Member of the Council and not partake in any discussion on the item.

263. PARK AND RIDE SERVICE MALDON

The Committee received the report of the Director of Service Delivery which related to the item of scrutiny on the Provision of Car Parking within the District. The report provided background information on the park and ride service operated by Tesco as part of a Section 106 (S106) agreement as at appendix 1 of the report.

A discussion ensued where Members commended the Director of Service Delivery on his report which highlighted aspects of the S106 agreement that needed to be reviewed and progressed.

It was acknowledged that the current free service was being used to take shoppers from the high street to Tesco rather than increase the footfall within the Highstreet, which Members surmised this could be due to the lack of signage identifying the fifty free spaces allocated to the Park and Ride Service and the lack of a marketing plan. Further comment was made on the S106 agreement being legally enforceable.

Members explored the possibility of extending the Park and Ride Scheme, or creating a second route, to include the Garden Suburbs. Councillor R H Siddall proposed that the park and ride scheme was looked at with the inclusion of the Garden Suburbs. After much discussion the proposal was not seconded as it was considered that this would be a separate consideration under the item of scrutiny on the Programme of Work - *Car Parking within the District* to review the current scheme as set out in the S106 agreement.

Councillor R P F Dewick proposed that the Officers recommendations be approved, with the second recommendation "*That Officers identify opportunities to extend the service to serve the new Garden Suburbs and report back to Members with any options identified...*" instead becoming a separate item of scrutiny. This was duly seconded and upon a vote being taken the proposal was approved.

RESOLVED:

- (i) That a full review of the requirements as set out in the 106 agreement with Tesco is undertaken as a matter of urgency and Officers develop an action plan to ensure requirements are reviewed and progressed as required.
- (ii) That Officers report back to Members on progress relating activities associated with the existing 106 agreement within three months of the date of this committee.
- (iii) That a separate item of work is created to review parking arrangements within the Maldon and Heybridge Central Area.
- (iv) That a separate item of work is created to identify opportunities for a second park and ride scheme to serve the new Garden Suburbs and report back to Members with any options identified.

264. WATER CYCLE STUDY UPDATE

The Committee received the report of the Director of Strategy, Performance and Governance which provided an update on the development of a Water Cycle Study and proposed timescales.

Members were asked to note the report which contained the presentation from Anglian Water on the Planning Application Process at appendix 1. It was noted that Anglian Water were not in attendance, however, it was confirmed that they would be present at the August meeting.

The Committee commended Councillor Miss S White on bringing this as an item of scrutiny following issues within North Fambridge, as the item of work was significant to the entire district.

Councillor E L Bamford suggested that all Members of the Council be invited to the Anglian Water presentation. The Chairman advised that Members were always welcome to attend any meeting of the Committee.

In response to questions from the Committee, the Director of Strategy, Performance and Governance advised that Essex County Council were well placed to carry out the Water Cycle Study.

RESOLVED:

- (i) That Members note the content of the report.
- (ii) That all Members of the Council be invited to attend the Anglian Water presentation to the committee in August 2019.

265. PROGRAMME OF WORK

The Committee received the report of the Director of Resources which provided an update on the Committee's Programme of Work for 2019/20. It was requested that the content of the report be noted, and that sponsors were nominated for the *Section 106* and *Review of Fire and Rescue Services within the Dengie* items of scrutiny.

Following a brief discussion, it was agreed that Councillor M W Helm would be the Member Sponsor for Provision of Fire Services within the Dengie, and Councillors M S Heard and V Bell be the Member Sponsors for Section 106 Agreements.

In addition to comments made by the Committee, the Director of Strategy, Performance and Governance and Director of Service Delivery provided further information as detailed below:

Provision of Car Parking within the District

It was agreed that Future Parking Provision would be added as a sub-section on this item of scrutiny, and that the Specialist – Local Plan would provide a presentation to Members. The presentation would cover parking and transport issues identified within the Maldon and Heybridge Central Area Masterplan.

Section 106

A new S106 Officer was to be employed by the Council. Whilst candidates were being considered two contractors would be employed to ensure business continuity.

This item of scrutiny would have its next six-monthly update presented at the August 2019 meeting of the Committee.

Provision of Healthcare within the District

The Clinical Commissioning Group (CCG) had confirmed their attendance for the August 2019 meeting of the Committee.

Waste Water within the District

Anglian Water were expected to present to Members at the August 2019 meeting of the Committee.

Waste Disposal within the District

Members sought clarification as to whether the green bags for waste within the district had stopped being distributed to residents. The Director of Service Delivery advised that he would seek clarification and report back on this question.

RESOLVED:

- (i) That for the following items of scrutiny Member Sponsors were agreed:
 - a. Provision of Fire Services within the Dengie - *Councillor M Helm*;
 - b. Section 106 – *Councillors M S Heard and V Bell*.
- (ii) That the points raised, as detailed above, be noted by Members and the Programme of Work updated accordingly with any further points for action.

266. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

There was none.

267. EXCLUSION OF THE PUBLIC AND PRESS

Following a short discussion, the Chairman confirmed that Members present at the meeting who did not sit on the Committee or those who held a non-pecuniary interest in this agenda item be allowed to remain in the Council Chamber to observe, but not contribute to any discussion on the following item of work.

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

268. MONITORING OF THE ORGANISATIONAL CHANGE PROGRAMME

The Committee received a verbal update from the Corporate Leadership Team (CLT), which included the report on the Full Council Transformation: Gateway Review that

was presented to a meeting of the Council on 27 June 2019 (as attached at appendix 1 to the report).

In addition to comments made by the Committee, the Director of Strategy, Performance and Governance and Director of Service Delivery provided further information as detailed below:

Front Line Services

It was acknowledged that there had been a period of leavers and redundancies as a result of the restructure. Front-line services were continuing to be effectively delivered and, where necessary, contractors were being brought in to cover any shortages.

Parks and Green Spaces

Staff for parks worked varied hours depending on the seasons, with additional contractors brought in over the summer months. It was agreed that the Director of Service Delivery would liaise with Councillor V Bell to discuss concerns within the Burnham-on-Crouch area.

Commercial Strategy

It was acknowledged that, if left unresolved, the lack of a Commercial Manager would impact on delivery. Development of the commercial strategy was being progressed through close collaboration with Ignite.

Strategic Project

Staff savings were considered ahead of schedule with gaps to be identified prior to being put before Members in February 2020. Significant changes were going to be made to the Council website and Firmstep had already been introduced.

Updates for Members

Agendas and minutes from the Transformation Board are located on the internal iDrive. Members had received a briefing in June 2019 and updates continue to be reported to Council through the quarterly report on the Gateway Reviews.

The Director of Strategy, Performance and Governance advised the Committee that MDC is currently where it had planned to be at this stage of the Organisational Change Programme.

RESOLVED:

- (i) That the content of the report and verbal updated be noted by Members.
- (ii) That the Director of Service Delivery liaise with Councillor V Bell to discuss concerns around the parks and green spaces within Burnham.
- (iii) That the Director of Programmes, Performance and Governance meet with Councillor R Siddall regarding milestones for scrutiny on the Organisational Change Programme.

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

M W HELM
CHAIRMAN

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Anglian Water

Planning Application Process

LOVE EVERY DROP. PUT WATER AT THE HEART
OF A WHOLE NEW WAY OF LIVING.

Agenda



- Planning Applications
- Assessment Process
- Pre Planning
- Funding Mitigation

Anglian Water Overview



- Responsible for public foul sewers, including some surface water pipes
- 64 LPAs
- Encourage sustainable growth
- Regulated by Ofwat and EA



Pre Development Team



Pre Development Team	Contact Details	
Pre Development Advisors Sandra Olim Michael Poore	planningliaison@anglianwater.co.uk 0345 6066 087 Option 1	Contact for all general enquires.
Pre Development Engineers Luke Crump (East of AW region) Mark Rhodes (West of AW region)	planningliaison@anglianwater.co.uk 0345 6066 087 Option 1	Contact for enquires regarding planning application responses
Pre Development Senior Engineers Future Manyumba Richard Lyon Jonathan Hardy	planningliaison@anglianwater.co.uk 0345 6066 087 Option 1	The senior engineers complete detailed design solutions.
Pre Development Planning Manager Hannah Wilson	Hwilson4@anglianwater.co.uk 07976688423	Contact for specific site enquires/issues Pre-applications Scoping Opinions Appeals LPA /member engagement Parish engagement Process concerns Meeting requests
Market Insight Market Insight Manager – vacant Market Insight Analyst - Rory Davidson Market Insight Advisor - Charlotte Booker		Forecasting and monitoring growth in the AW region.

Planning Applications



- Developer has the right to connect
- Not statutory consultee
- Respond to major planning applications
- Minor applications when requested – planningliaison@anglianwater.co.uk
- Discharge of conditions
- Variation of condition
- Pre Applications

Assets Affected



- Notifying the applicant they have a duty to check for existing assets
- Build over/diversion agreement
- Easements
 - AW may object if impact on water abstraction – SPZ1
 - WRC proximity

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Wastewater Services



- Water Recycling Centre (WRC)
- Model the flows and check capacity
- WRC improvements are AW responsibility
 - Water recycling long term plan
- No conditions requested



WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Cambridge Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Used Water Network



Review submitted plans to confirm:

- Proposed connection point (exact manholes)
 - Discharge regime via gravity or pumped and if so, pump rate.
-
- **We will then make the decision on whether a condition is recommended based on foul or surface elements:**
 - Previous consultations with the developer (if any).
 - Submitted documents.
 - Risk to the network from our assessment (detriment or not).

 - **Conditions requested:**
 - On-site drainage strategy
 - Phasing plan (dependant on scale of development)
 - Pre commencement only when necessary

Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a gravity discharge regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be

Additional Info to Inform Assessment



- We take into account surrounding developments with permission / allocated in LP/NP
- Customers reports of flooding (DG5 register)
- We do not take into account blockages!!!!



Wet-wipes, nappies and other unflushables are to blame for 80% of blockages



Surface Water Disposal



- Surface water strategy has followed surface hierarchy (Building Regulations)
- Surface water discharge rate is in accordance with surface water policy
- If proposed strategy is un-clear or a connection is proposed to our network we will request a condition

Anglian Water & SuDS adoption

- <https://www.anglianwater.co.uk/developers/suds.aspx>

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Pre Planning Report



- Paid for service
- Developers encouraged to liaise with us prior to planning submission
- Report to be submitted with planning application
- Valid for 12 months

Funding Mitigation



- April 2018 introduction of Zonal Charging
 - Previously site by site schemes
 - Developer part funded
- AW able to plan where and how mitigation is delivered
 - On-site solutions
 - Strategic catchment solutions
- Market Insight

Next steps



- Continued effective engagement
- Feedback
- Process improvements
- LPA guidance note
- Member training/seminar
- Parish Council meetings



Over To You.....



- What are we doing well?
- Where can we improve & how

Timing of responses.....

Details within responses.....

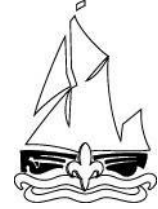
Easy to contact...?



Thanks for listening
hwilson4@anglianwater.co.uk

LOVE EVERY DROP. PUT WATER AT THE HEART
OF A WHOLE NEW WAY OF LIVING.

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**REPORT of
THE DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**OVERVIEW AND SCRUTINY COMMITTEE
28 AUGUST 2019**

SECTION 106 AGREEMENTS – INTERIM UPDATE

1. PURPOSE OF THE REPORT

- 1.1 This report puts forward a proposal to modify the existing timelines for periodic reporting to the various Committees. Also, it provides an interim update on the status of the current day to day operations of Section 106 (S106) and the Community Infrastructure Levy (CIL).
- 1.2 A more detailed update will be made available to the relevant Committees in September, covering the complete activities of S106. Also, the report to Committee in September will fully address the Committees' request for a CIL update, at the March Planning and Licencing Committee, and will provide further details on the potential for reviewing the existing CIL evidence base and for progressing a revised CIL Charging Schedule.

2. RECOMMENDATIONS

- (i) Members are asked to note the proposal to modify the Council's methodology for reporting on the financial and operational activities of S106 and the CIL, which will go to Planning and Licensing Committee for approval.
- (ii) That the progress towards S106 and the commencement of works (inhouse) to assess the potential for implementing a revised CIL Charging Schedule be noted.

2.1 S106 and CIL Policy Context

- 2.1.1 In 2015, the Government conducted an independent review into the CIL and its relationship with planning obligations (S106). The Review, A New Approach to Developer Contributions, was meant to make improvements to the workings of the existing S106/CIL regime and was published in February 2017.
- 2.1.2 More recently, several recommendations from the CIL Review Team, 2016, have been adopted. Some of the more notable changes, due to come into effect on 1 September 2019, are outlined below as follows:
- 2.1.3 Requirement for councils to publish annual infrastructure funding statements, (Schedule 2) setting how much CIL is collected, how much is spent and what it is

spent on, as well as making similar provision in relation to planning obligations, (Regulation 9).

- 2.1.4 Removal of the pooling restriction (Regulation 11), which restricted the number of agreements that a charging authority could ‘enter into’ in funding local infrastructure (resulting in the removal of CIL Regulation 123).
- 2.1.5 Addressing the time taken for local authorities to introduce or revise existing CIL charging schedules by reducing the consultation requirement from two rounds of consultation (before adoption) to one (Regulation 3).
- 2.1.6 Allowances for councils to seek S106 contributions towards the monitoring and reporting of planning obligations (Regulation 10).
- 2.1.7 Improving the administering of exemptions through the introduction of a small penalty for failure to submit a commencement notice (CIL form6); rather than loss of entitlement to CIL exemption (Regulation 6).

2.2 **Overview and Scrutiny Brief Update**

- 2.2.1 The Council has recently appointed two senior consultants to oversee a review into the workings of the current S106 and CIL. Over the next three months, this work will undertake an extensive review into the existing S106 policies, systems, processes and procedures.
- 2.2.2 In addition, the consultants will have the mandate to undertake an inhouse review of the existing CIL evidence base with the view to making recommendations on the potential for adopting a revised charging schedule to support a more robust S106/CIL regime.

2.3 **Findings and Update**

- 2.3.1 An initial assessment into the workings of S106 has determined that there are adequate measures in place to allow for the continuity of the Council’s day to day monitoring and collection of existing obligations.
- 2.3.2 However, the preliminary stages of the review have also revealed an urgent need to update the existing committee reporting methodology. Essentially, this will mean that periodic S106/CIL reports submitted to the relevant Committees, in the current period, should cover only financial and operational activities relating to the previous period.
- 2.3.3 For example, quarterly committee reports covering the first financial period (1 April - 30 June) will be submitted to Committees held in the second financial period (1 July - 30 September) and quarterly reports covering the third financial period (1 October 2019- 31 December) will be submitted to Committees held in the fourth financial period (1 January - 31 March, of the following year).
- 2.3.4 Similarly, biannual Committee reports covering the first financial period (1 April - 30 September) will be submitted to the relevant Committees held in the second financial period (1 October - 31 March).

- 2.3.5 The proposed changes to the current reporting methodology are necessary to facilitate the new government requirements for the Council to publish annual infrastructure funding statements.

3. CONCLUSION

- 3.1 The Maldon District Council (MDC) is well prepared in terms of monitoring S106s, forecasting S106 income and preparing Project Initiation Document (PID) for its existing projects. Regular meetings and communication are in place with all MDC service managers to share the latest information on S106 income and discuss possible funding for identified projects. The Council has set up a communication channel to the NHS England and the Essex County Council to ensure that all relevant information on S106 income is provided as soon as possible.
- 3.2 The requirement for all charging authorities to keep their charging schedules under review is emphasised in para. 2.2.6.3 of the CIL Guidance, February 2014. Therefore, should the Council choose to implement its charging schedule, it will need to demonstrate that the 2014 “levy charges remain appropriate over time”.

4. IMPACT ON STRATEGIC THEMES

- 4.1 The use of S106 agreements to prescribe, compensate and mitigate the impacts of development enables the Council to enhance services to meet new local demands.

5. IMPLICATIONS

- (i) **Impact on Customers** – Plans to work in partnership with ECC and NHS England to ensure the delivery of key infrastructure within the MDC for the benefit of residents.
- (ii) **Impact on Equalities** – S106 projects are delivered to all sectors of the community in the District. All projects will go through the consultation of the local community and will be subject to an Equality Impact Assessment.
- (iii) **Impact on Risk** – MDC needs to ensure that all contributions from S106 agreements are spent as per the specification in the legal agreement. It is important that the Council delivers key infrastructure, in a timely manner, to sustain the level of growth within the District.

Most S106 agreements are time limited by the developer in terms of allocating and spending the contribution. If a developer pays a contribution and the Council fails to allocate within the time period specified, the Council runs the risk that the developer might seek to clawback the contribution. The nearest clawback periods run until 2021 and programming has started to ensure that the risk of clawback is minimised.

Delays in getting projects underway as soon as possible after the contributions are received lead to additional risks. Once the S106 contributions have been received they are not protected against cost inflation, which can result in

insufficient funding to provide facilities in full. Therefore, the programme of works needs to be closely aligned to the receipt of the contributions. All the MDC's projects need to be delivered on time to minimise the Council's potential financial exposure.

- (iv) **Impact on Resources (financial)** – The negotiation of Section 106 agreements remains part of the planning services core budget. Also, the developer pays for the Council's costs in drafting and completing the agreements.

Regular monitoring of S106 is essential to enable the delivery of infrastructure and new S106/CIL regulations will introduce a monitoring fee. This new fee will provide an additional source of funding for monitoring more complex S106 applications. Particularly, where triggers for the obligations might be phased over long periods.

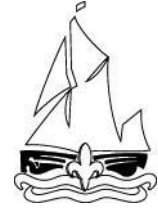
- (v) **Impact on the Environment** – Agreements can seek to compensate and mitigate for the impacts of development on the local environment. Infrastructure design and concept should respect the future social, environment and economic aspects of sustainable development. Infrastructure Delivery Programme will enable the Council to endorse sustainable development and safeguard the local environment.

Background Papers:

None

Enquiries to:

Clayton DeBeauville - Local Plan Specialist, 01621 875862
clayton.debeauville@maldon.gov.uk



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**OVERVIEW AND SCRUTINY COMMITTEE
28 AUGUST 2019**

REVIEW OF PERFORMANCE - QUARTER 1 2019/20

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to supply Members with details of performance for quarter one 2019/20.
- 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 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.
- (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 Directors, the appropriate Committee and/or Council arising from the outcome of the scrutiny process.

3. SUMMARY OF KEY ISSUES

- 3.1 Council approved the Corporate Plan 2019-23 at its meeting on 14 February 2019. The new Corporate Plan has moved from an activity-based focus and adopted an impact and outcome focussed approach, where long and medium term consequences the Council is striving to secure are outlined at the highest level.
- 3.2 Three strategic themes have been identified – Place, Community and Prosperity - and following approval of the Corporate Plan, thematic strategies are being drafted for each theme which will be submitted to Council in August for adoption.
- 3.3 Following agreement of the strategies, the key activities and priority measures to be monitored at a corporate level are being determined, together with the format for reporting. It is anticipated that the new performance reporting arrangements will be introduced from Quarter 2 2019/20 which will coincide with the implementation of Phase 2 of the Future Model and the new Committee structure.
- 3.4 In the meantime, for Q1 2019/20 the existing 2018/19/key corporate activities and performance indicators/measures and targets are reported in the existing format.
- 3.5 **APPENDIX 1** to this report shows the status of all KCAs and service priorities, but additional comments are only provided for those activities and indicators/measures that were behind schedule, at risk or not on target to facilitate the effective scrutiny of performance.

4. IMPACT ON STRATEGIC THEMES

- 4.1 The purpose of this report is to supply Members with details of performance and to ensure that progress is being achieved towards the overall outcomes outlined in the Corporate Plan 2019-23.
- 4.2 To ensure that Maldon District Council progresses towards or achieves its stated outcomes, 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:

Paul Dodson, Director of Strategy, Performance and Governance (Tel: 01621 875756).

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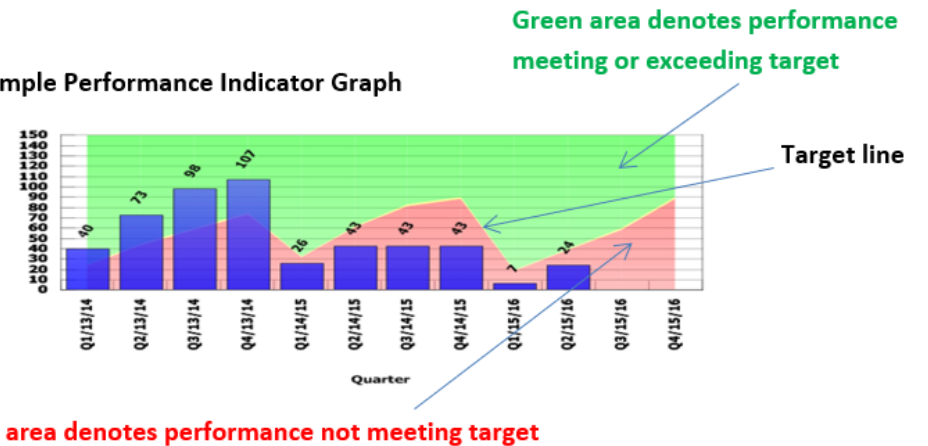


OVERVIEW & SCRUTINY COMMITTEE
QUARTERLY REVIEW OF PERFORMANCE
2019-20
QUARTER 1

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



Corporate Goal - Protecting and shaping the District (PLACE)

Key Corporate Activities/Service Priorities contributing to this theme – 6				
Activity not being taken forward	At Risk	Behind Schedule	On Track	Completed
	1	2	2	1

Key Corporate Activities (KCAs) / Service Priorities	Target Date	Status as at end of Q1	Comments for activities “At Risk” or “Behind Schedule”
Delivery of the strategic sites as set out in the adopted Local Development Plan for the Maldon District	Strategic Sites have varying timescales as set out in the adopted LDP	At Risk	<p>The benchmark timetable for the delivery of the LDP Strategic Sites is the Housing Trajectory set out in Figure 4 (page 24) of the approved LDP.</p> <p>Overall the status is considered at risk.</p> <p>The following sets out the status of each site:</p> <p>Site 2a - South of Limebrook Way Development has commenced on Phase 1 Eastern Parcel (Taylor Wimpey) - 200 dwellings. Phase 2 Eastern Parcel (Taylor Wimpey) 406 dwellings approved 4 July 2019.</p> <p>Site S2b - North of Wycke Hill No additional information. S106 negotiations ongoing.</p> <p>Site S2c - South of Wycke Hill Development progressing well. This site is on schedule to be completed within the 5-year Housing Land Supply period.</p> <p>Site S2d - North Heybridge. A new application received July 2019 but not validated as at 5 July.</p> <p>Site S2e - Holloway Road Development progressing well. This site is on schedule to be completed within the 5-year Housing Land Supply period.</p> <p>Site Sf - West of Broad Street Green Road Development progressing well. The development is to be completed within the 5-year Housing Land Supply period.</p> <p>Site S2g Park Drive Development of 131 units is now complete.</p>

Review of Performance 2019-2020 Quarter 1 (Q1)

			<p>Site S2h Heybridge Swifts This site is stalled. Its trajectory is outside of the 5-Year housing supply monitoring period so not critical at this point.</p> <p>Site S2i West of Burnham on Crouch Development commenced. This site is behind schedule as the LDP anticipated a start in 2017/18 nevertheless it is expected to be completed in the 5-year Housing Land Supply period.</p> <p>Site S2j North of Burnham on Crouch West Development progressing well. The development is to be completed within the 5-year Housing Land Supply period.</p> <p>Site S2k North of Burnham on Crouch East Pre-app meetings taking place with Taylor Wimpey to progress site.</p>
Co-ordinate delivery, management and maintenance of strategic infrastructure	As set out in the Infrastructure Delivery Plan (2014 to 2029)	Behind Schedule	<p>The benchmark timetable for the delivery of the strategic infrastructure is set out in the Infrastructure Delivery Plan, which was updated as part of the Post Examination Modifications to the LDP, published in March 2017.</p> <p>Whilst the S106/CIL Officer post has been vacant since March 2019 there remains in place a mechanism for the programming, coordination and monitoring of infrastructure. The timing of delivery of infrastructure is dependent on the delivery of the related sites, due to the trigger mechanisms in the S106 Agreements. This will need to be updated as soon as the S106/CIL post is filled.</p>
<p>Implement the Housing Strategy to meet the District's Housing need, specifically:</p> <p><i>For older people:</i></p> <ul style="list-style-type: none"> • development of independent living schemes for older people in Burnham and Maldon; • review Disabled Facilities Grants policy. <p><i>Affordable housing:</i></p> <ul style="list-style-type: none"> • progress Community Led Housing; • implement proposals for investment if Housing Infrastructure Fund bid successful; • assess need for Key Worker housing to support local economy. 	March 2019	Completed	The MDC Homelessness and Housing Strategy 2018-2023 was adopted by Council in March 2019 – implementation will be ongoing

<p><i>Supported and temporary housing:</i></p> <ul style="list-style-type: none">• identify Registered Providers willing to develop supported housing in the District and establish sources for future revenue funding;• explore potential to support conversion from commercial to residential where this would help meet need for temporary accommodation.			
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Review of Performance 2019-2020 Quarter 1 (Q1)

Key Corporate Activities (KCAs)/Service Priorities	Target Date	Status as at end of Q1	Comments for activities "At Risk" or "Behind Schedule"
Establish management plans with community groups re management/maintenance of open spaces at prom Park	March 2019	Not started	This will be incorporated into the commercial plan to maximise the use of assets.
Influence and co-ordinate partners to prioritise and deliver flood relief projects for identified surface and coastal flooding risk areas in District	March 2020	North Heybridge Flood Alleviation Scheme Behind schedule	<p>The Environment Agency has been leading on a partnership project with Essex County Council and ourselves. The project is to identify alternative and potentially affordable options to reduce the fluvial flood risk to properties in Heybridge. The Environment Agency has engaged Jacobs from their Consultancy Framework to review the possible options and complete an options appraisal to identify a preferred value for money option.</p> <p>A stakeholder workshop was held in July last year to review a long list of options and a subsequent partnership workshop in August helped to reduce this list to four shortlisted options to take forward for further evaluation. Two of these options look at diverting high ditch flows away from the Maypole Road/Holloway Road and Langford Ditch systems, one option looks at improving the flow through the existing Holloway Road ditch and Langford Ditch chunker system and the final option looks at Property level Protection measures for the properties most frequently affected by flooding.</p> <p>The EA are funding the formal business case development which is a 3 stage process for all projects that are looking to be funded, whether all or in part, by treasury funding (grant-in aid). The Business Case process provides a detailed evaluation of costs, benefits and procurement/management arrangements for delivering any scheme taken forward. The attached Plain English Guide to Business Cases gives an insight into the stages that the Project must go through to achieve assurance and access to central government investment.</p> <p>The Strategic Outline Case was signed off in February 2019, which allows the project to progress towards the Outline Business Case. This next stage will establish which of the four options are likely to be cost beneficial and therefore appropriate to consider further. The assessment of costs and benefits for each option will give us an idea of how much funding support is likely to come from treasury funds (Flood Defence Grant-in-Aid) and how much will have to come from other sources (Local Levy and Partnership funding) before the scheme can be built. This is a very important stage for Maldon District Council and other project</p>

Review of Performance 2019-2020 Quarter 1 (Q1)

			<p>partners as once the indicative costs, benefits and partnership funding requirements are established.</p> <p>The EA are hoping to have the high-level detail completed with the economically preferred option by early Autumn, and thereafter a community information session will be held once there is reasonable certainty around what options can be taken forward</p>
		<p>CDA 2 Scheme Brickhouse Farm Behind schedule</p>	<p>This is an ECC scheme. Ecology works complete awaiting a start date, no further update</p>
		<p>CDA 3 Scheme and Masterplan Area On track</p>	<p>Modelling being completed and gap analysis being considered. On track for completion in November 2019.</p> <p>This is the causeway strategic flood risk review.</p>
		<p>Wickham Bishops Flood Scheme On track</p>	<p>small FAS granted for 4 properties in Wickham Bishops who suffer flooding. Grant money obtained from ECC through their Community Improvement Fund. Total value of grant £23K. MDC staff will project manage the scheme to enable this to go ahead. The scheme has been delayed in Q2 due to the relevant access permissions being contested however, ECC are chasing these and will advise of the start date in the near future.</p>

Review of Performance 2019-2020 Quarter 1 (Q1)

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	18/19 Actual	19/20 Target	Q1 18/19	Q4 18/19	Q1 19/20	Cumulative for the year 2019/20	On track to achieve annual target
Total household waste arising per household <i>Low performance is good</i>	825.8kgs. (provisional)	750 kgs. per household	Monitored on an annual basis			Not applicable	
Residual household waste per household <i>Low performance is good</i>	339 kgs. (provisional)	340 kgs. per household	Monitored on an annual basis			Not applicable	
Percentage of household waste sent for reuse, recycling and composting (including separate green waste) <i>High performance is good</i>	58.8% (provisional subject to ECC verification)	59%	63.93%	52.9% (provisional subject to ECC verification)	61.90%	61.90%	On Track
Comment on current performance Lower % than same quarter last year, however similar trend emerging of similar % for last 3 years. Slightly under Q1 Target of 63%, however on currently seen as track for annual target of 59%							
Average number of justified missed collections per collection day <i>Low performance is good</i>	13.00	<15 per collection day	14	12.07	10.7	10.7	On Track
Comment on current performance Target for 19/20, has risen to <15per day, there for currently within target for both Quarter and Annual.							

Review of Performance 2019-2020 Quarter 1 (Q1)

Indicator	18/19 Actual	19/20 Target	Q1 18/19	Q4 18/19	Q1 19/20	Cumulative For the Year 19/20	Annual target achieved
Quality of decision: % of total number of decisions on applications made during the assessment period overturned at appeal <i>Low performance is good</i>	2.7 % (major applications) 3.2% (non major applications) (for the 2 year minus 9 months period as per MHCLG assessment re quality of decisions)	8.5% (for both major and non-major applications)	5% (major applications) 3.2% (non major applications) (for the 2 year minus 9 months period as per MHCLG assessment re quality of decisions)	2.7% (major applications) 3.2% (non major applications) (for the 2 year minus 9 months period)	1.7% (major applications) 3.1% (non major applications) (for the 2 year minus 9 months period)	Not applicable	Yes
Total number of homes delivered <i>High performance is good</i>	Figures available in September 2019	310	Monitored on an annual basis				Not applicable
Total number of affordable homes delivered (through legal agreements and other means) <i>High performance is good</i>	Figures available in September 2019	130	Monitored on an annual basis				Not applicable
Total number of long term (i.e. longer than 6 months) empty homes in the District <i>Low performance is good</i>	258 as at 31/3/19 (of which 33 have been empty in excess of 5 years)	Not applicable	Monitored on an annual basis				Not applicable
Number of long term empty homes as a % of total stock <i>Low performance is good</i>	0.9% National average 0.9% based on latest figures available: • 1/4/17 England Total Stock 23,950,000; • Long Term Vacant properties as at 01/10/18 216,186.	< national average	Monitored on an annual basis				Not applicable

Review of Performance 2019-2020 Quarter 1 (Q1)

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	16/17 Actual	17/18 Actual	18/19 Actual	Q1 18/19	Q4 18/19	Q1 19/20	Cumulative for the year 19/20
Fly tipping	- 381	- 472	- 468	- 118	- 129	- 105	- 105
- No. of incidents	- 100%	- 100%	- 98%	- 100%	- 94%	- 100%	- 100%
- % removed within standard time							
No. of reports received from the public regarding litter	26	20	35	8	17	8	8
No. of fixed penalty notices issued relating to litter offences	30	87	113	34	36	12	12
No of reports received from the public re dog fouling	74	58	45	11	17	12	12
No. of fixed penalty notices issued relating to dog fouling offences	10	9	6	0	2	3	3
No. of sites in District (out of 29) where NO2 levels exceed 90th percentile of National Air Quality annual mean objective	Not applicable	Not applicable	Not applicable	19	27	11	Not applicable
Average Levels of Nitrous Dioxide across the whole District	29.60µ/m ³	31.66µ/m ³ (For year to December 2017)	30.18µ/m ³	Monitored on an annual basis			
Number of flood alleviation schemes implemented in the District as a result of grant funding/partnership working	New indicator 17/18	0	0	Monitored on an annual basis			
Number of households removed from flood risk as a result of schemes implemented	30	0	0	Monitored on an annual basis			
Affordable housing needs assessment	130	520	Data not available	Monitored on an annual basis			
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	Not applicable	Not applicable	192 (As at end of June 2018)	201 (As at end of March 2019)	170 (As at end of June 2019)	Not applicable
Number of properties available to offer those with a housing need during the quarter	New indicator 17/18	Not applicable	Not applicable	32	52	73	Not applicable
Number of households in temporary accommodation at the end of the quarter	New indicator 17/18	Not applicable	Not applicable	15 (As at end of June 2018)	15 (As at end of March 2019)	14 (As at end of June 2019)	Not applicable

Corporate Goal: Strengthening communities to be safe, active and healthy (Community)

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

Key Corporate Activities (KCAs)/Service Priorities	Target Date	Status as at end of Q1	Comments for activities “At Risk” or “Behind Schedule”
Implement the Homelessness Reduction Act to prevent and relieve homelessness	March 2020	Completed	We have implemented the legal duties associated with the Homelessness Reduction Act introduced in April 2018.
Implement the measures to reduce level of crime and support victims of crime and ASB	March 2020	On track	
Work with partners to identify/tackle health and wellbeing needs	Ongoing	On track	

Review of Performance 2019-2020 Quarter 1 (Q1)

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	16/17 Actual	17/18 Actual	18/19 Actual	Q1 18/19	Q4 18/19	Q1 19/20	Cumulative for the year 19/20
Level of reported crime.	2,422 Incidents of all crime	2,572 Incidents of all crime	3,330 Incidents of all crime	734 Incidents of all crime	872 Incidents of all crime	964 Incidents of all crime	964 Incidents of all crime
ASB incidents.	1,000	987	889	232	195	217	217
Solved rate.	16.9% (for the year to March 2017)	13.3% (for the year to March 2018)	10.9% (for the year to March 2019)	5.9% (for the year to June 2018)	10.9% (for the year to March 2019)	13.7% (for the year to June 2019)	13.7% (for the year to June 2019)
Number of households where prevention of homelessness duty has been accepted.	New indicator w.e.f. Q3 18/19		Not available	New indicator w.e.f. Q3 18/19	We are experiencing difficulties with the IT system used to provide statistics to the Government and currently unable to collate data for these indicators. This is a national issue, not isolated to MDC	We are experiencing difficulties with the IT system used to provide statistics to the Government and currently unable to collate data for these indicators. This is a national issue, not isolated to MDC	We are experiencing difficulties with the IT system used to provide statistics to the Government and currently unable to collate data for these indicators. This is a national issue, not isolated to MDC
Number of households where relief of homelessness duty has been accepted.	New indicator w.e.f. Q3 18/19		Not available	New indicator w.e.f. Q3 18/19			
Number of households where full homelessness duty has been accepted.	New indicator w.e.f. Q3 18/19		18 (w.e.f. Q3)	New indicator w.e.f. Q3 18/19	8	10	10
Number of households where homelessness has been successfully prevented.	New indicator w.e.f. Q3 18/19		Not available	New indicator w.e.f. Q3 18/19	See comments above	See comments above	See comments above
No. of aids, adaptations and improvements implemented for older and disabled households by the Home Improvements Team.	69	50	94	18	27	18	18
No. of households where living conditions were improved through Council interventions.	10	8	14	5	2	1	1
Overall no. of households within the Maldon District that have been assisted through the Ecoflex fund.	New measure 18/19			27		Measured on a half yearly basis	
Number of food premises within the District whose Food Hygiene rating has improved through Council intervention.	New measure 18/19			Not available To enable accurate data to be provided, an access report needs to be prepared by IT. Other priorities have delayed this work		Measured on an annual basis	

Corporate Goal - CREATING OPPORTUNITIES FOR ECONOMIC GROWTH AND PROSPERITY(PROSPERITY)

Key Corporate Activities/Service Priorities contributing to this goal - 14				
Not started	At Risk	Behind Schedule	On Track	Completed
5	1		7	1

Key Corporate Activities (KCAs) / Service Priorities	Target Date	Status as at end of Q1	Comments for activities "At Risk" or "Behind Schedule"
Work with local businesses and agencies to prepare for/implement projects for the following Central Area Masterplan sites: a) Lower High Street (LHS) b) Butt Lane Car Park c) Hythe Quay d) Maldon Riverside Path e) The Causeway Corridor f) North Quay Regeneration (inc. Heybridge Creek improvements and Heybridge Creek Connection) g) Former Wyndeham Heron premises h) Destination Hub – Promenade Park/Hythe Quay i) Promenade Park	Various	a) On Track	The Gateway Review confirmed Project 2 is progressed in accordance with the Masterplan Programme. The Lower High Street Improvement Action Plan will be prepared by mid July 2019 and approved by end of August 2019. The 'Future High Streets Fund' Eol was unsuccessful.
		b) Behind schedule	Future High Streets Funding Eol unsuccessful. The car park enhancements can be pursued through the Town Centre Greening Project. The wayfinding and signage can be pursued through an area strategy for the town centre linking to Masterplan Project 1 Upper High Street Improvements, Project 2 Lower High Street Improvements and the car parking strategy in the Masterplan.
		c) Not started	Hythe Quay activity and events factored into draft Lower High Street Improvements Action Plan. Future High Streets Fund Eol unsuccessful
		d) Not started	Future High Streets Fund Eol unsuccessful. Revert to Masterplan Programme for this project
		e) Not started	Scope for the Landscape Strategy for the Causeway Corridor received June 2019 under Discharge of Conditions application. Reviewed and comments made via case officer.
		f) On track	Scope of North Quay Development Brief presented to Masterplan Delivery Group on 4 June 2019 and agreed. Dates for P&L tracked, and public consultation factored in to deliver on time.
		g) Not started	No progress since last update.
		h) On track	
		i) Not started	Future High Streets Fund Eoi unsuccessful. Car parking strategy remains within Masterplan and therefore the Masterplan Programme of work.
		Co-ordinate the delivery of an Enterprise Centre for the District	Plan delivered by 2021

Review of Performance 2019-2020 Quarter 1 (Q1)

<p>Identify and work with partners to implement the strategy to meet the skills need within the District</p>	<p>TBC following approval of strategy</p>	<p>On track</p>	<p>Work ongoing to implement elements of the skills strategy including maintaining regular meetings and conversations with the Careers Leads at Ormiston Rivers and Plume Academies and arranging for some of the local businesses in the District to provide interview practice and sit on a Dragon's Den panel as part of a 3 day work experience programme for sixth formers at the Plume Academy mid-July.</p> <p>Also had recent visits by the new Enterprise Careers Co-ordinator at Essex County Council to continue working with the schools on the Careers Enterprise Company Agenda, to link SLT members of local businesses with the schools to help them deliver world class careers support for all young people. An apprenticeship event is also being looked at by the Plume Academy.</p> <p>In addition, attended 'Help Shape the Future of Construction Skills in Greater Essex' event on the 11th March and encouraged Maldon District businesses to attend the Creating a Thriving Essex Economy - Business Breakfast & Workshop that took place on 26 March so they could play a part in the future economy of Essex and set the focus for a new economic business board which would also be incorporating the previous Essex Employment and Skills Board.</p>
<p>Develop a Planning Performance Agreement to mitigate the impact and maximise the benefits from the development of a new nuclear power station at Bradwell</p>	<p>Review in September 2019</p>	<p>On track</p>	<p>MOU being written with Essex county council, JMBB due in August. Discussions with Bradwell B(CGN/EDF) regarding PPA progressing.</p>
<p>Develop inward investment offer for new businesses looking to start/grow a business in the District</p>	<p>September 2018</p>	<p>On Track</p>	<p>Prosperity Strategy currently under review in July council, which incorporates SMART partnering to develop business growth opportunities.</p>
<p>Promote District as destination of choice by implementing key projects with partners to increase visitor numbers/visitor spend</p>	<p>March 2019</p>	<p>Completed</p>	

Review of Performance 2019-2020 Quarter 1 (Q1)

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	16/17 Actual	17/18 Actual	18/19 Actual	Q1 17/18	Q4 18/19	Q1 19/20
Within the District total number of employee jobs Source: NOMIS (ONS Business Register and Employment Survey)	20,000 2016	21,000 2017	2018 figure not yet available	Monitored on an annual basis		
Number of business enterprises within the District Source: NOMIS	3,295 (2016)	3,400 (2017)	3,400 (2018)	Monitored on an annual basis		
Number of empty NNDR properties within the District	168 (as at March 2017)	166 (as at March 2018)	183 (as at March 2019)	170 (as at June 2018)	183 (as at March 2018)	186 (as of July 19)
Growth in number of NNDR Properties during the year	New indicator 18/19	+9	+16	Monitored on an annual basis		
In year rateable value movement	New indicator 18/19	+ £392, 273	+ £179,180	Monitored on an annual basis		
Number/percentage of 16 – 18 year olds in the District not in employment, education or training Source: ECC	31 (as at March 2017) Equivalent to 2.1% of 16 – 18 year olds in the District not in employment, education or training	34 (as at March 2018) Equivalent to 2.4% of 16 – 18 year olds in the District not in employment, education or training	40 (as at March 2019) Equivalent to 3% of 16 – 18 year olds in the District not in employment, education or training	Monitored on an annual basis		
Number of participants starting in apprenticeship schemes within the District Source: DfE	480	380	Figures not yet available	Monitored on an annual basis		
Total visitor spend in the District Source: TIC – Economic Impact of Tourism report	£160.8m (2016)	£172.8m (2017)	Figure available September 2019	Monitored on an annual basis		

Corporate Goal - Delivering good quality, cost effective and valued services (Performance and Efficiency)

Key Corporate Activities/Service Priorities contributing to this goal - 6			
At Risk	Behind Schedule	On Track	Completed
		4	2

Key Corporate Activities (KCAs)/Service Priorities	Target Date	Status as at end of Q1	Comments for activities "At Risk" or "Behind Schedule"
Implement the ICT Strategy projects for 2018/19 - Implement new telephony system - Upgrade e-mail system - Develop the 2019/23 ICT Strategy	June 2019	New telephony system On track	
		E-mail system Completed	
		ICT Strategy Completed	
Deliver the Future Model projects: a) Workforce Development Strategy b) Information Governance c) Commercial Investment	October 2019	Workforce Development Strategy On track	
		Information Governance On Track	
		Commercial Investment On Track	

Review of Performance 2019-2020 Quarter 1 (Q1)

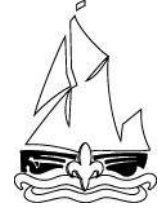
Performance Indicators: For comparison purposes, where available, the figures for the previous year, for the same period in the previous year and the previous quarter are provided.

Indicator	18/19 Actual	19/20 Target	Q1 18/19	Q4 18/19	Q1 19/20	Cumulative For the Year 19/20	On track to achieve annual target
% of rentable assets let on estates portfolio	97.36%	95%	Monitored on an annual basis				Not applicable
Average rate of return on Treasury investments	Figures not available	1.5%	Monitored on an annual basis				Not applicable
Time taken to process Housing Benefit/Council Tax Support new claims <i>Low performance is good</i>	28.63 days	15 days	35.2 days	24.13 days	15.9 days	15.9 days	At Risk
Comment on current performance This is the same as in quarter 1 17/18 and significantly lower than at this point last year (35.2 days) due to having put into place specific measures to address the down turn in performance, including off site processing (funded through vacancy savings and additional New Burdens Funding from DWP) and work prioritisation measures. It will be an ongoing challenge to maintain performance through the period of transformation ahead.							
Time taken to process Housing Benefit/Council Tax Support change of circumstances <i>Low performance is good</i>	6.27 days	6.5 days	13.7 days	2.69 days	8.1days	8.1days	At Risk
% Council Tax collected <i>High performance is good</i>	98.55%	98.3%	38.3%	4.05%	38.17%	38.17%	On Track
% Business Rates collected <i>High performance is good</i>	97.95%	98%	37.10%	8.71%	35.92%	35.92%	On Track
Comment on current performance Missed quarter target by 0.58%, no concerns as it its within trend for past years Q1, and due to service having some large assessments being added to the rating list with payment profiles outside of the first quarter.							

Review of Performance 2019-2020 Quarter 1 (Q1)

Indicator	18/19 Actual	19/20 Target	Q1 18/19	Q4 18/19	Q1 19/20	Cumulative For the Year 19/20	On track to achieve annual target
Percentage of major planning applications determined within 13 weeks. <i>High performance is good.</i>	91.23%	90%	90.91%	91.23%	90.91%	90.91%	Yes
Percentage of minor planning applications determined within 8 weeks. <i>High performance is good.</i>	97.00%	90%	96.74%	97.00%	97.56%	97.56%	Yes
Percentage of other planning applications determined within 8 weeks. <i>High performance is good.</i>	99.24%	90%	99.26%	99.24%	97.81%	97.81%	Yes
Planning applications validated within 6 working days of receipt of the application.	New indicator 19/20	85%	New indicator 19/20	New indicator 19/20	70.42%	70.42%	At Risk
Planning applications validated within 10 working days of receipt of the application.	New indicator 19/20	95%	New indicator 19/20	New indicator 19/20	93.43%	93.43%	At Risk
Average number of days lost per (Full Time Equivalent) FTE due to sickness. <i>Low performance is good.</i>	7.02 days Per FTE • 4.51 days short term absence • 2.51 days long term absence	8 days Per FTE	2.13 days Per FTE • 1.07 days short term absence • 1.06 days long term absence	1.28 days Per FTE • 1.13 days short term absence • 0.15 days long term absence	1.74 days Per FTE • 1.02 days short term absence • 0.72 days long term absence	1.74 days Per FTE • 1.02 days short term absence • 0.72 days long term absence	On Track

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**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
**OVERVIEW AND SCRUTINY COMMITTEE
28 AUGUST 2019**

2019/20 PROGRAMME OF WORK UPDATE

1 PURPOSE OF THE REPORT

- 1.1 The purpose of this paper is to provide an update on the work programme of this Committee for 2019/20.

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 The Committee has previously considered and agreed a programme of work for 2018/19; other issues have been added subsequently. **APPENDIX 1** provides an update on each of the agreed scrutiny topics. **APPENDIX 2** lists the items under a watching brief.

4. CONCLUSION

- 4.1 The work programme for 2019/20 progressed in line with expectation.
- 4.2 Additional areas arising from discussion at this Committee meeting will be scoped and added to a work programme which will be presented at the next Committee meeting.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The work of the Overview and Scrutiny Committee supports an open and transparent organisation.

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:

Paul Dodson, Director of Strategy, Performance and Governance, (Tel: 01621 875726).

Overview and Scrutiny Committee
2019 / 20 Programme of Work

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
Waste Water	Councillor C P Morley	Director of Strategy, Performance and Governance	<p>The Committee raised concerns over the use of an experimental pumping system for foul water removal at new developments within the district, the lack of capacity at pumping stations, and the liability for any failure of foul water drainage which may occur. Members discussed the responsibility of foul water removal at new developments within the District and voiced frustration over conflicting reports from Anglian Water Authority (AWA). It was requested that Anglian Water attend a future meeting of the Committee and provide a report on the removal of foul water.</p> <p>Following on from the Committee's request, a meeting was held with Councillor Miss S White in attendance which identified two key issues and two work streams:</p> <ol style="list-style-type: none"> 1. consistency between Anglian Water Authority's consultation responses to planning applications and comments that have been made in meetings about capacity constraints; and 2. the wider issue of the long-term adequacy of the sewerage and surface water drainage systems (combined in many areas) to cope with growth and storms. <p>Officers have actioned the above matters as follows:</p> <ul style="list-style-type: none"> • The principle of a position statement has been requested from Anglian Water and officers are awaiting confirmation that this approach is feasible. It was confirmed that the scope of such a statement will be agreed directly. • The Coastal and Flooding meeting, on 26th February 2019, noted that the numerous issues raised by Members had been linked to Anglian Water who were not in attendance. A position statement was still outstanding, and discussions were expected to take place with senior contacts at Anglian Water. <p>A separate meeting has taken place with Essex County Council with regards to working in partnership to develop a district wide Water Cycle Study as a future project. In 2010 the Council commissioned a Scoping Water Cycle Study for Maldon Town & Heybridge only. Any future Study will extend the area across the whole district and will be aimed at a strategic approach to the management of all water streams alongside any proposed growth for the Maldon district. At the April 2019 meeting the Director of SPG advised that the results will be reported back to a future meeting.</p> <p>The Maldon Harbour Improvement Commissioners (MHIC) had started a water pollution watch group with a number of parties, including Northumbrian Water (Essex & Suffolk). Councillor Miss White requested that Maldon District Council work in partnership with other agencies to prevent pollution and protect the Blackwater and Chelmer rivers.</p> <p>At the July 2019 meeting the Director of SPG advised that Essex County Council had a vested interest in the Water Cycle Study and would be working with MDC in delivering their findings.</p> <p>Anglian Water will present to Members at the August 2019 meeting. This invitation is to be extended to all Members of the Council.</p>

<p>Provision of Healthcare Services - including the recruitment and retention of GPs</p>	<p>Councillor E L Bamford</p>	<p>Director of Service Delivery</p>	<p>Representatives from the Clinical Commissioning Group (CCG) attended the February 2019 meeting and provided Members with an update on the work of the CCG over the past twelve months and updates on the following current and future projects:</p> <ul style="list-style-type: none"> • Primary Care Foundations Project (Mid Essex); • NHS Long Term Plan; • GP Recruitment. <p>The Committee was informed of a visit to Holland in October 2018 where progressive work was identified and is being translated into working practice within the Dengie. Projects included the following:</p> <ul style="list-style-type: none"> • 15 Minute Project; • Neighbourhood Care; <p>At the May 2019 concern over the lack of Surgeries within Southminster was raised and the Director of Resources advised this would be raised in her next communication with the regional Head of Estates for NHS England.</p> <p>The CCG have agreed to provide an update for Members at the August 2019 meeting.</p>
<p>Section 106</p>	<p>Councillor M S Heard Councillor V Bell</p>	<p>Director of Strategy, Performance and Governance</p>	<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 2019 meeting which set out the progress on Section 106 projects delivered by Maldon District Council, NHS England, and Essex County Council.</p> <p>The Committee was advised in May 2019 that the monitoring and recording of Section 106 Agreements (S106) had significantly improved. It was agreed that:</p> <ul style="list-style-type: none"> • Provision of funds for allotments within the Garden Suburb will be reported back to the Committee. • Clarification on the spending of £12,000.00 to Burnham Town Council to be confirmed and provided to the relevant parties. <p>The next six-monthly report will be presented at the September 2019 meeting.</p>
<p>Business Opportunities for the Council</p>	<p>Councillor M S Heard</p>	<p>Corporate Leadership Team</p>	<p>To look at the allocation of space within the foyer and identify business opportunities across all Council owned properties to generate income for the Council.</p> <p>Councillor M S Heard asked that an area that could be explored was the use by Police of an alcove area for confidential meetings with members of the public. This was to be discussed with the tenant at the next Landlord and Tenant Liaison meeting.</p> <p>Updates from previous meetings are as follows:</p> <ul style="list-style-type: none"> • May 2019 - Officers were already in talks with prospective clients and current tenants. • June 2019 - The item of scrutiny related to all Council owned sites and was not exclusive to the Princes Road offices. • July 2019 – A second Park and Ride scheme will be looked at to mitigate congestion. Areas for consideration will include Heybridge and the Garden Suburbs (please see Provision of Car Parking).

<p>Monitoring of the Organisational Change Programme</p>	<p>Councillor R H Siddall</p>	<p>Corporate Leadership Team</p>	<p>Following the decision by Council on 7th June 2018 to progress with Ignite’s Future Council model, the Committee will monitor the implementation of this organisational change programme.</p> <p>An update on the implementation was provided to the Committee for its October 2018 meeting when it was agreed that Members will receive regular updates on the progress of the Council Transformation and that minutes of the Transformation Board will be available through the Modern.Gov application.</p> <p>The following information has been provided in response to Members concerns:</p> <ul style="list-style-type: none"> • Consideration would be given to holding training sessions with Members within business hours, a training session for Members would take place with Ignite and Officers in June 2019. • Agile working was to be encouraged throughout the authority and would be complimented by systems such as Skype. It was noted that work is an activity and not a place. • The Council would do as much as is reasonably practicable to ensure the safe agile working of staff, however staff were equally responsible for their individual safety. • Concerns over staff morale, motivation, welfare and the creation of an impersonal workforce were raised. The Director of Service Delivery confirmed that a culture project was looking into addressing these issues. <p>The verbal update provided to Members at the July 2019 meeting of the Committee included the following information:</p> <ul style="list-style-type: none"> • Front line services were continuing to be delivered, and where necessary contractors had been employed. • The Commercial Plan was expected to be provided to Members and the public in September 2019. • Members could find minutes from meetings of the Transformation Board on the internal iDrive. • Cllr Siddall will meet with the Director of SPG to identify milestones for scrutiny. <p>An update will be provided to a future meeting of this Committee.</p>
<p>Provision of Car Parking</p>	<p>Councillor M W Helm Councillor R P F Dewick</p>	<p>Director of Service Delivery</p>	<p>Events at Promenade Park The Director of Service Delivery called a meeting with the South Essex Parking Partnership (SEPP) on 17 April. In attendance was Councillor S J Savage and The Senior Community Protection Officer. It was agreed to review parking restrictions in the area which are affected by seasonal parking difficulties. At the June 2019 meeting it was confirmed that SEPP would review parking restrictions within the residential areas around Promenade Park and undertake a safety report as part of this review.</p> <p>Park and Ride Schemes within the District: Members requested that the following points were investigated and fed back to the Committee:</p> <ul style="list-style-type: none"> • Promotion of the scheme • Designation of area with the Leisure Quarter. <p>The following points were covered in discussions between Members and Officers at the July 2019 meeting:</p> <p>1. Tesco Park and Ride</p> <ul style="list-style-type: none"> ▪ A full review of S106 requirements is to be undertaken as a matter of urgency with an action plan progressed & reviewed as required. ▪ Specialist – Area Plan to present to Members at the October meeting of the committee. <p>2. Identifying a second Park and Ride Service within the district</p> <ul style="list-style-type: none"> ▪ To consider/identify the creation of a second route within the District. ▪ Areas for consideration include Heybridge and the Garden Suburbs. <p>The Director of Service Delivery will report back to the October 2019 meeting.</p>

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Overview and Scrutiny Committee
2019 / 20 Programme of Work: Items with a Watching Brief

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
<p>Waste Contract – reliability of the contractor vehicles</p>	<p>Councillor R P F Dewick Councillor M S Heard</p>	<p>Director of Service Delivery</p>	<p>In response to questions raised, Members were advised that the waste contractor was being scrutinised following issues surrounding the reliability of vehicles and the impact on the delivery of service. Members were also seeking clarification/confirmation of where the Districts recycling is sent to following processing. A detailed report was provided to the Committee in October 2018 which updated Members on the collection of waste within the District and addressed concerns surrounding contractor vehicles and the end destination of recycling. The Recycling and Recovery UK Regional Manager from Suez was also in attendance. The following information on recycling was provided to Members at the October 2018 meeting:</p> <ul style="list-style-type: none"> • Officers were satisfied that waste is being sorted and disposed of properly. • A monthly return is provided to the Environment Agency on the end destination for all materials from the site and checked against Essex Reclamations permit. • The majority of waste that is sent abroad is from paper, whilst plastics remain within the UK: <ul style="list-style-type: none"> ▪ Paperlink exports the majority of paper waste. ▪ Monoworld – sorts the plastic waste. • Recycled material is sent abroad in sealed containers which are photographed prior to departure and on arrival to confirm no tampering has occurred. <p>Following discussions at the meeting, the content of the report and actions being undertaken were noted. No further action on this scrutiny topic is required.</p> <p>At the May 2019 meeting Councillor R P F Dewick advised that the vehicles used were not conducive to the nature of the work carried out so future problems were to be expected.</p> <p>This item remains on the agenda with a watching brief on performance, with a further update to be provided at the November 2019 meeting.</p>
<p>Review of Fire and Rescue Service provision in the Dengie</p>	<p>Councillor M W Helm</p>	<p>Director of Service Delivery</p>	<p>Concern was raised that the Fire Authority was looking into closing fire stations within the Maldon District.</p> <p>A public meeting with the Essex Police, Fire and Crime Commissioner (PFCC) took place on 8th January 2019. A private briefing for Members took place on 7th February 2019 where the PFCC reassured Members that Fire Stations at Burnham and Tillingham would not be closing.</p> <p>Further information on the Fire Break Project has been requested and will be shared with Members once received.</p>

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