



APOLOGIES Committee Services
Email: Committee.clerk@maldon.gov.uk

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

16 February 2022

Dear Councillor

You are summoned to attend the meeting of the;

COUNCIL

on **THURSDAY 24 FEBRUARY 2022 at 7.30 pm**

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

Please Note: Following the relaxation of Covid rules, members of the public can now physically access meetings in the Council Chamber. With physical attendance the Council encourages all attendees to wear a face mask and complete a lateral flow test. All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can continue to do so via Microsoft Teams.

To register your request to speak please submit a [Public Access form](#) (to be submitted by 12noon on the working day before the Committee meeting). All requests will be considered on a first-come, first-served basis.

A copy of the agenda is attached.

Yours faithfully

Director of Strategy, Performance and Governance





AGENDA COUNCIL

THURSDAY 24 FEBRUARY 2022

1. **Chairman's notices**

2. **Apologies for Absence**

3. **Minutes of previous meetings**

To confirm the following Minutes of the Council (copies enclosed)

- a) 2 September 2021 (Pages 7 - 18)
- b) 4 November 2021 (Pages 19 - 22)
- c) 16 December 2021 (Pages 23 - 26)
- d) 18 January 2022 (Extraordinary) (Pages 27 - 32)

4. **Declaration of Interest**

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

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

Local Government Finance Act 1992 – Section 106

Will any Members affected by Section 106 please note that any declarations to that effect should be made on the commencement of the meeting or immediately on arrival if this is later. Under Section 106 a Member who has not paid an amount due in respect of their Council Tax for at least two months after it became payable is precluded from voting on any matters affecting the level of Council Tax or the arrangements for administering the Council Tax. (The Member is, however, entitled to speak).

5. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon two clear working days before the day of the Council meeting).

Should you wish to submit a question please complete the online form at www.maldon.gov.uk/publicparticipation.

6. **Chairman's Announcements**

7. **Minute Book**

To receive the approved Minutes of the Committees detailed from a) – c) (copy enclosed) and consider their related recommendations as listed below.

To consider the recommendations coming forward from the Committees detailed at d) and e). Please note the Minutes of these meetings are not enclosed as they have not been approved at Committee level.

- a) Performance, Governance and Audit Committee - 18 November 2021 (Pages 33 - 38)
 - Minute No. 388 – Decision to Opt into the National Scheme for Audit Appointments
- b) Strategy and Resources Committee - 6 January 2022 (Pages 39 - 72)
 - Minute No. 426 – Pay Policy Statement 2022 / 23
 - Minute No. 428 – Discretionary Fees and Charges 2022 / 23
- c) Performance, Governance and Audit Committee - 13 January 2022 (Pages 73 - 76)
- d) Strategy and Resources Committee - 3 February 2022

Review of Memorials in Cemeteries, Parks and Open Spaces Policy

Recommended:

- (i) That the sale of benches as an individual item available for purchase, which are then installed in our Parks and Open spaces, cease;
- (ii) That a new scheme be introduced where customers can lease a plaque on a bench for ten-year periods;
- (iii) That the updated Memorials in Cemeteries, Parks and Open Spaces Policy (attached as **APPENDIX 1**) be agreed and implemented no later than 1 April 2022;
- (iv) That the new scheme be introduced with effect from 1 April 2022 and will not be applied retrospectively.

Lease Agreement.

Recommended:

- (i) That the Director of Service Delivery seek legal clarification in relation to Clauses 16 and 19 of the lease;
- (ii) That subject to (i) above the Council agrees a new lease for 30 years for the organisation outlined in the report;
- (iii) That in consultation with the Chairman of the Strategy and Resources Committee, the Director of Service Delivery be given authority to agree the annual rent figure in line with a current market valuation with annual Retail Price Index (RPI) adjustment.

Please note that the following recommendations coming forward from this Committee are not for consideration at this point as they form part of Agenda Item 9 - 2022 / 23 Budget and Medium-Term Financial Strategy, due to be considered at this meeting:

- Capital and Investment Strategies for 2022 / 23 and Minimum Reserve Statement 2022 / 23;
- Discretionary Fees and Charges;
- Medium-Term Financial Strategy 2022 / 23 – 2024 / 25;
- Revised 2021 / 22 Estimates, Original 2022 / 23 Budget Estimates and Council Tax 2022 / 23;
- Treasury Management 2022 / 23.

e) Joint Standards Committee - 8 February 2022 (Pages 77 - 92)

Adoption of New Code of Conduct for Members

Recommended:

That the Council adopt the Model Code of Conduct attached as **APPENDIX 1**, (version of May 2021) together with the amendment resolved at the Joint Standards Committee on 8 February 2022 to include 'or well-being' in Appendix B, paragraph 9 (a) of the code and that the code take effect by 1 November 2022 unless brought into effect prior by the Monitoring Officer depending on when Essex County Council bring into effect the New Code of Conduct.

8. **Minutes of Meetings of the Council**

To note that since the last Council, up until Wednesday 16 February 2022 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Central Area Planning Committee	15 December 2021
South Eastern Area Planning Committee	12 January 2022
District Planning Committee	19 January 2022
Overview and Scrutiny Committee	20 January 2022
Central Area Planning Committee	27 January 2022
North Western Area Planning Committee	2 February 2022

9. **2022 /23 Budget and Medium-Term Financial Strategy**

To receive a Budget Statement from the Leader of the Council, to consider the following reports of the Section 151 Officer (copies enclosed) and to determine the level of Council Tax.

Members' attention is drawn to the following Procedure Rules:

- **Voting** – Procedure Rule 13(5) set outs the requirement for any vote taken at a budget decision meeting (as defined by the Local Government Finance Act 1992) to be recorded in the Minutes.

- **Budget Speech** – Procedure Rule 1(13)(a) sets out the time limits in relation to the budget speech and (b) details the requirements for making alternative proposal or amendment as part of the Budget and Council Tax setting.
- a) Capital and Investment Strategies for 2021 / 22 and Minimum Reserve Strategy 2022 / 23 (Pages 93 - 138)
- b) Treasury Management Strategy 2022 / 23 (Pages 139 - 194)
- c) Discretionary Fees and Charges 2022 / 23 (Pages 195 - 218)
- d) Medium-Term Financial Strategy 2022 / 23 to 2024 / 25 (Pages 219 - 280)
- e) Revised 2021 / 22 and Original 2022 / 23 Budget Estimates and Council Tax 2022 / 23 (Pages 281 - 308)
- f) Council Tax 2022 / 23 (Pages 309 - 318)

10. **Notice of Motion**

In accordance with notice duly given under Procedure Rule 4, Councillor C Morris to move the following motion, duly seconded by Councillor M G Bassenger.

Motion:

“That MDC resolves to write an open letter to MP John Whittingdale asking him to raise the lack of GP access (by possible parliamentary question, if necessary) in our District and enquire about emergency funding for Maldon District and any other areas with high doctor to patient ratios, to assist the residents and the emergency departments of our hospitals which are also under strain in these medically deprived areas.”

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

12. **Council Tax Support Scheme 2022 / 23** (Pages 319 - 336)

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

13. **Updated Discretionary Non-Domestic Rate Relief Policy** (Pages 337 - 406)

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

14. **Taxi and Private Hire Policy and Licensing Conditions** (Pages 407 - 456)

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

15. **Committee Meetings and Future Options** (Pages 457 - 466)

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

16. **Update on Social Enterprise Accelerator Fund and Member Representation** (Pages 467 - 470)

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

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

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

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following 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.

19. **Leisure Contract Update** (Pages 471 - 476)

To consider the report of the Leisure Contract Member Task and Finish Working Group, (copy enclosed).

NOTICES

Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

Fire

In the 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 Televisions (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.



**MINUTES of
COUNCIL
2 SEPTEMBER 2021**

PRESENT

Chairman	Councillor M S Heard
Vice-Chairman	Councillor C Mayes
Councillors	M G Bassenger, Miss A M Beale, V J Bell, R G Boyce MBE, Mrs P A Channer, M F L Durham, CC, M R Edwards, A L Hull, J V Keyes, K M H Lagan, C P Morley, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, W Stamp, CC, E L Stephens, Mrs J C Stilts, C Swain, Mrs M E Thompson and Miss S White

228. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

229. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B S Beale MBE, R P F Dewick, Mrs J L Fleming, M W Helm, B B Heubner, K W Jarvis and N G F Shaughnessy.

230. DECLARATION OF INTEREST

Councillors M F L Durham and W Stamp declared non-pecuniary interests as a Member of Essex County Council.

231. MINUTES - 30 JUNE 2021

RESOLVED

- (i) that the Minutes of the Council held on 30 June 2021 be received

Minute 131 – One Maldon District

Councillor Mrs P A Channer referred to and detailed some of the discussion which she felt was not captured in the Minutes. She proposed that an additional bullet point be added to the fourth paragraph of this Minute, to read as follows:

- One Maldon would not replace direct discussions with the NHS around the Health Hub those would continue through the Maldon Operational Group as they do now which Maldon District Council are represented on directly.

The proposed amendment was duly seconded and agreed by the Council.

RESOLVED

- (ii) that subject to the above amendment, the Minutes of the Council held on 30 June 2021 be agreed.

232. PUBLIC QUESTIONS

There were none.

233. CHAIRMAN'S ANNOUNCEMENTS

The Chairman thanked the Vice-Chairman for representing him at some events.

234. STRATEGY AND RESOURCES COMMITTEE - 15 JULY 2021

RESOLVED

- (i) That the Minutes of the Strategy and Resources Committee held on 15 July 2021 be received.

Minute 166 – Land Purchase Option Agreement

Councillor R G Boyce advised that he wished to raise a matter in respect of this Minute item. It was agreed that because this related to a matter discussed in private session Councillor Boyce would raise his query once the Council was in private session.

The Council considered the following recommendations set out in the Minutes:

Minute 160 – A12 Chelmsford to A120 Widening Scheme – Response to Highways England Public Consultation on ‘Preliminary Design’

RESOLVED

- (ii) that the Council ratifies the response to the Highways England Public Consultation for the ‘Preliminary Design’ of the A12 Chelmsford to A120 Widening Scheme (as set out in Appendix 1 to the Minutes of the Strategy and Resources Committee).

Minute No. 163 – Advice Service Contract

RESOLVED

- (iii) that Bidder 1 be awarded the contract for delivering an Advice Service from October 2021.

RESOLVED

- (iv) that subject to the above decisions and with the exception of Minute 166, the Minutes of the Strategy and Resources Committee held on 15 July 2021 be agreed.

235. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 29 JULY 2021

RESOLVED that the Minutes of the Performance, Governance and Audit Committee held on 29 July 2021 be agreed.

236. JOINT STANDARDS COMMITTEE - 17 AUGUST 2021

RESOLVED

- (i) That the Minutes of the Joint Standards Committee held on 17 August 2021 be received.

The Council considered the following recommendations set out in the Minutes:

Minute No. 214 – Consultation on Complaints Process and Amendments to the Articles for Standards Arrangements

Councillor M G Bassenger, Chairman of the Joint Standards Committee, moved the recommendation detailed in the Minutes of the Committee.

Councillor Mrs P A Channer referred to Group Leaders also being notified of any complaints received regarding a Group member. She proposed an amendment to the recommendation that Group Leaders should be confidentially notified if a complaint was raised by one of their Members. The amendment was duly seconded.

A debate ensued. Following some discussion and advice from the Lead Legal Specialist and Monitoring Officer, Councillor Mrs Channer clarified her amendment that the Articles of the Constitution, Article 7- Standards Arrangements, Section 4, paragraph 3 (stage 1) be amended, requesting that Group Leaders also be notified of all complaints regarding a Group member. This proposal was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote. This was duly seconded. The Chairman put the proposal in the name of Councillor Mrs Channer and the voting was as follows:

For the recommendation:

Councillors Miss A M Beale, R G Boyce, Mrs P A Channer, M F L Durham, M R Edwards, A L Hull, KJ V Keyes, K M H Lagan, C Mayes, C P Morley, S P Nunn, R H Siddall, E L Stephens, Mrs J C Stilts, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors M G Bassenger, V J Bell, C Morris, W Stamp and C Swain.

Abstention:

Councillor M S Heard.

RESOLVED

- (ii) That subject to the above amendment, the changes to the Articles of the Constitution, Article 7 - Standards Arrangements and especially to the complaints process (as set out in Appendix 1 to the Minutes of the Joint Standards Committee), be approved.

RESOLVED

- (iii) that subject to the above decision, the Minutes of the Joint Standards Committee held on 17 August 2021 be agreed.

237. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Tuesday 24 August 2021 for which Minutes had been published.

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

There were none.

239. STATEMENT OF COMMUNITY INVOLVEMENT - ADOPTION

The Council considered the report of the Director of Strategy, Performance and Governance presenting the 2021 Statement of Community Involvement (SCI) (Appendix 1 to the report) for approval following completion of a six-week consultation period.

The report provided background information regarding the draft SCI, recent consultation process undertaken, and responses received (summarised in Appendix 2 to the report). It was noted that the SCI set out how the Council would consult on planning policy issues, planning applications and neighbourhood plans.

The Leader of the Council presented the report and put the recommendation. This was duly seconded. Members extended their thanks to Officers for the report and work undertaken.

The Chairman moved the recommendation which was duly agreed. Councillor C Morris asked that his dissent to the recommendation be recorded.

RESOLVED that the 2021 Statement of Community Involvement (attached at Appendix 1 to the report), be adopted.

240. TAXI AND PRIVATE HIRE POLICY

The Council considered the report of the Director of Service Delivery presenting an overarching taxi and private hire policy (attached at Appendix 1 to the report) based on recommendations in the Department for Transport's (DfT) statutory guidance. The report sought amendments to existing Council policy and conditions to reflect the DfT recommendations and outlined the consultation process with stakeholders.

The DfT guidance, issued in respect of licensed taxis and private hire, was set out in the report along with the recommendations the guidance made and proposals for the Council to consider. The report set out the main changes proposed to the Council's policy and licensing conditions. It was noted that the changes would strengthen the licensing regime and put safe-guarding at the core of the decision-making process.

The report outlined a proposed consultation with stakeholders on the changes recommended in the DfT's statutory guidance and set out the bodies to be consulted.

The Chairman drew Members' attention to a revised report, Appendix 1 and Appendix 1F which had been circulated prior to the meeting along with a new appendix 1G.

The Leader of the Council presented the report and put the recommendations as set out in the revised report. This was duly seconded.

Members discussed the report and the following points were raised:

- Appendix 1F referred to Quest Motors which no longer existed;
- there was no reference made to Covid within the documents;
- the policy required a notice to be displayed if different forms of payment were not accepted, but as cash was becoming the exception it was questioned if this should be specified.

In response the Director of Service Delivery, advised that those minor changes could be made to the documents and should for any reason it not be possible to make the changes he would advise Members accordingly. This was noted.

The Chairman moved the recommendations subject to the above minor amendment which were duly agreed. Councillor C Morris asked that his dissent to the recommendations be recorded.

RESOLVED

- (i) that subject to the minor amendments detailed above, the draft overarching policy on taxi and private hire be approved;
- (ii) that the amendments to existing policy and licensing conditions be approved;
- (iii) that the consultation process be approved;
- (iv) that the Vehicle Inspection Standards manual be approved for immediate use.

241. FUTURE COMMITTEE MEETINGS ARRANGEMENTS

The Council considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of ongoing arrangements for Committee meetings in light of changes to government restrictions (as set out in Appendix A to the report).

The report provided background information and reminded Members of the Council's decision in April 2021 to reinstate Committee meetings and the mitigations put in place.

The Leader of the Council presented the report and put the recommendations. This was duly seconded.

The Director of Strategy, Performance and Governance drew Members' attention to Appendix A to the report and in particular the current mitigations and options for Members' consideration including the costs relating to each option.

Councillor Miss S White proposed that the Council accept option 3 (as set out in Appendix 1) with a two monthly review to take into consideration Covid cases etc. She

added that should her proposal not be agreed Members consider option 4 but with live streaming. This proposal was duly seconded.

Councillor R H Siddall felt a more flexible approach should be agreed and proposed that meetings of the Council and District Planning Committee should remain to be held at the Stadium and all other meetings be held in the Council Chamber, removing screens and with individuals wearing masks if they could. He also proposed that the live streaming should continue. This proposal was duly seconded.

A debate ensued during which a number of views were expressed by Members and it was generally expressed that live streaming of meetings should continue. During the discussion reference was made to FFP3 face masks, sitting side by side, protecting the vulnerable, the requirement to complete Lateral Flow Tests, removal of screens from meetings, financial implications and risks to Officers.

The Chairman put the proposal in the name of Councillor Miss White to the Committee.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote.

For the recommendation:

Councillors M G Bassenger, Miss A M Beale, V J Bell, R G Boyce, Mrs P A Channer, M FL Durham, M R Edwards, A L Hull, J V Keyes, K M H Lagan, C P Morley, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors M S Heard, C Mayes, S P Nunn, R H Siddall, W Stamp, E L Stephens, Mrs J C Stilts and C Swain.

Abstention:

Councillor C Morris.

The Chairman declared that this proposal was duly agreed.

In response to a question regarding providing a higher standard of masks (FFP3) to Members and staff, the Director of Service Delivery advised that Officers would review the request and action it if appropriate.

Reference was made to recommendations (ii) and (iii) as set out in the report which the Council had not considered. Following further discussion, in respect of recommendation (ii) and additional mitigating actions it was suggested that the following be applied:

- side by side working, where possible;
- provision of FFP3 masks;
- a Lateral Flow Test should be undertaken, where a person was comfortable to do so;
- hand sanitiser should be provided on each individual workstation.

This was duly agreed.

The Chairman then put recommendation (iii) as set out in the report to the Council and this was agreed.

RESOLVED

- (i) That all meetings move back to the Council Chamber, removing social distancing, but with other current mitigations and protocols in place along with live streaming, with a two-monthly review;
- (ii) That the following additional mitigating measure be agreed:
 - side by side working, where possible;
 - provision of FFP3 masks;
 - a Lateral Flow Test should be undertaken, where a person was comfortable to do so;
 - hand sanitiser should be provided on each individual workstation.
- (iii) That should the Government revise legislation to again allow for remote meetings, the Corporate Governance Working Group bring a further report back.

242. PLANNING ADVISORY SERVICE - REVIEW OF RECOMMENDATIONS

The Council considered the report and recommendations (attached as Appendix 1 to the report) of the Corporate Governance Working Group (the Working Group) following the recommendations made in the report of the Planning Advisory Services (PAS). It was noted that the PAS was a Local Government Association (LGA) group which was an authoritative voice in planning policy, providing consultancy, peer support and resources to help Local Authorities respond to planning reform and embed best practice.

The report provided background information regarding the PAS review and the conclusions considered by the Working Group. It was noted that the majority were operational / procedural matters however should the Council adopt the recommendation to remove multiple Planning Committees constitutional amendments would be required and an updated Terms of Reference for the District Planning Committee was attached at Appendix B.

Members discussed the report and there was a lengthy debate regarding the proposal to move from three Area Planning Committees to one single Planning Committee. Although the proposal received some support, concern was raised particularly in respect of representing local residents.

Councillor Miss S White proposed that the Council did not accept the option for one Planning Committee as set out in the report and the three Area Planning Committees remain, as they were important to Members and kept the Council's democracy. This proposal was duly seconded.

Further debate ensued. In light of the discussion, Councillor R H Siddall commented that more information on the Planning Committees and the decisions they make was required. He proposed that this item of business be withdrawn for further analysis and information to be brought back to the Council next year (2022). This proposal was duly seconded.

The Chairman reminded the Council of the earlier proposition from Councillor Miss White which had been duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote, this was duly seconded. The Chairman then put the proposal in the name of Councillor Miss White to the Council.

Prior to the vote being taken clarification was given on the six-month rule and whether a Member could vote if they had not been present for the whole of the debate. Councillor Mrs P A Channer advised that she would not partake in this vote, having left the chamber during the debate. Councillor R G Boyce advised that although he had left the chamber during the debate he felt he had heard enough to enable him to vote. The voting on the proposal was as follows:

For the recommendation:

Councillors M G Bassenger, Miss A M Beale, A L Hull, J V Keyes, K M H Lagan, C P Morley, C Morris, S P Nunn, E L Stephens, Mrs J C Stilts, C Swain and Miss S White.

Against the recommendation:

Councillors V J Bell, M F L Durham, M R Edwards, C Mayes, R H Siddall, W Stamp and Mrs M E Thompson.

Abstention:

Councillor M S Heard.

The Chairman announced that this was therefore carried.

RESOLVED that the Council retains the three Area Planning Committees and rejects the proposal for one Planning Committee.

243. SEALING OF DOCUMENTS

The Council considered the report of the Director of Resources seeking agreement to change the procedure for the sealing of documents.

The report outlined the Council's current procedure for sealing documents and the proposal to amend the Constitution to require only one senior employee to sign whenever a document required sealing. It was noted that many authorities now only required one senior employee to sign a sealed document.

The Leader of the Council presented the report and put the recommendation as set out in the report.

Councillor Mrs P A Channer referred to how in the past Members had been involved in sealing of documents. She proposed that one employee (e.g. a Director, legal Officer or Officer reporting to a Director) and the Leader of the Council / Deputy Leader of the Council or Chairman of a Committee be required to sign whenever a document needs to be sealed. This proposal was duly seconded.

The Lead Legal Specialist and Monitoring Officer provided Members with some further clarification and explained that sealing a document did not include approval of the document but merely witnessing the sealing being applied.

The Chairman then put the proposal in the name of Councillor Mrs Channer to the Council and upon a vote being taken that was agreed.

RESOLVED that paragraph 3.1.2 of the Responsibility and Functions General Provisions document that forms a part of the Constitution be amended to require one employee (a Director, legal Officer or Officer reporting to a Director) and the Leader of

the Council / Deputy Leader of the Council / Chairman of a Committee be required to sign whatever document needs to be sealed.

244. QUESTIONS TO THE LEADER OF THE COUNCIL IN ACCORDANCE WITH PROCEDURE RULE 1 (3)(M)

Councillor R H Siddall referred to the covid challenge faced by the Council over the past year, having gone through the recent transformation. He asked the Leader of the Council, having read the report presented to the Overview and Scrutiny Committee, how she felt the Independent administration had faced those challenges and at the same time supported staff and services. In response, the Leader commented that she felt the administration had handled the challenge to the best of its ability. She referred to the transformation, its related cuts and the issues (some ongoing) as a result of it. The Leader reported that Directors and staff were working very hard under difficult circumstances and pressures.

Councillor C Swain referred to events taking place in the Promenade Park over the weekends of 24 / 25 July and 1 / 2 August and how some local residents felt the noise level was excessive and intrusive. He provided some example of the issues and asked the Leader of the Council how such problems could be avoided or mitigated in the future. In response the Leader of the Council acknowledged that the Council had received some complaints but also many comments saying what fantastic events they had been. She referred to the Director of Service Delivery who explained that mitigation had been put in place for a number of issues identified. An Officer review meeting was scheduled to take place along with a meetings with the promoter and issues discovered would be taken into account.

Councillor C Morris asked the Leader of the Council three questions and in response to comment from the Leader, the Chairman advised Councillor Morris that the Leader of the Council had opportunity to give him a written response if she wished.

Councillor Mrs Channer referred to recent correspondence in response to the Governments announcements regarding county deals - District and County Councils working together. The Leader of the Council advised that she would have to get back to Councillor Mrs Channer as she was unsure of the correspondence being referred to. The Chairman advised that the Leader of the Council would respond to Councillor Mrs Channer's questions in writing.

Councillor Mrs Channer referred to the recent closure of the Splash Park and asked the Leader of the Council if she could give an indication in terms of the refunds issued and numbers involved. The Leader informed Members that this information had been requested and was due to be produced by one of the Directors within the next few days. The Leader advised that she would provide Members with a written response once the information had been received.

Councillor M F L Durham referred to the first question asked by Councillor Mrs Channer and then to a summary of the MHCLG (Ministry of Housing, Communities and Local Government) proposal for Local Government reform in the form of county deals sent to the Leader of the Council by the Leader of Essex County Council. Councillor Durham asked the Leader of the Council when she would be advising the membership of Maldon District Council about the Government's reorganisation. In response the Chairman advised that he had already explained that the Leader would provide a written response.

Councillor R G Boyce left the meeting during this item of business and did not return.

245. BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERED BY THE CHAIRMAN TO BE URGENT

The Chairman announced that in accordance with Section 100B(4) of the Local Government Act 1972 he had agreed to allow the Director of Strategy, Performance and Governance to raise an urgent item of business as the matter needed confirmation before 14 September 2021.

246. URGENT BUSINESS - APPOINTMENT TO RIVER CROUCH COASTAL COMMUNITY TEAM STEERING GROUP

The Council considered the urgent report of the Director of Strategy, Performance and Governance seeking review and appointment of one representative to the River Crouch Coastal Community Team Steering Group. It was noted that this report was brought forward due to the need for the appointment to be confirmed before the Steering Group met on 14 September 2021.

It was noted that following the Statutory Annual meeting of the Council, the Chairmen and Vice-Chairmen of the Strategy & Resources and Performance, Governance & Audit Committees were appointed to the River Crouch Coastal Community Team Steering Group (the Steering Group). Since then it had come to light that following a review of the Steering Groups Terms of Reference the Council was only able to put forward one representative.

The Leader of the Council presented the report and proposed that Councillor M G Bassenger be appointed as the Council's representative on the River Crouch Coastal Community Team Steering Group. This proposal was duly seconded.

Councillor Mrs Channer proposed that Councillor A L Hull be appointed at the Council's representative advising how Councillor Hull had lived in Burnham-on-Crouch for a long time and had knowledge of the River Crouch. This proposal was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote. This was duly seconded.

The Chairman put the proposal to appoint Councillor Bassenger to the Council and the voting was as follows:

For the recommendation:

Councillors M G Bassenger, V J Bell, M R Edwards, M S Heard, K M H Lagan, C Mayes, C Morris, S P Nunn, R H Siddall, W Stamp, E L Stephens, Mrs J C Stilts and C Swain.

Against the recommendation:

Councillors Miss A M Beale, Mrs P A Channer, M F L Durham, A L Hull, J V Keyes, C P Morley, Mrs M E Thompson and Miss S White.

Abstention:

There were none.

RESOLVED that Councillor M G Bassenger be appointed to the River Crouch Coastal Community Team Steering Group for the remainder of the municipal year.

247. STRATEGY AND RESOURCES COMMITTEE - 15 JULY 2021

Councillor R H Siddall, Chairman of the Strategy and Resources Committee, reminded the Council of its earlier decision in respect of the Strategy and Resources Committee Minutes. He proposed that the Council accept in full the Minutes of the Strategy and Resources Committee held on 15 July 2021. This proposal was duly seconded and agreed.

RESOLVED that the Minutes of the Strategy and Resources Committee held on 15 July 2021 be agreed.

248. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test

249. CHANGE IN DECISION MAKING PROCESS RELATING TO LAND OWNED BY THE COUNCIL

The Council considered the report and recommendations of the Corporate Governance Working Group relating to the decision-making process for the release of council-owned land for residential development as a possible site for inclusion in the Local Development Plan (LDP) review.

The Lead Legal Specialist and Monitoring Officer outlined the detail of the report and the reasons behind the proposed changes.

Councillor Mrs P A Channer proposed that recommendation (i) as set out in the report be agreed. This proposal was duly seconded and agreed.

RESOLVED that the decision-making process for the release of Council-owned sites for possible inclusion in the Local Development Plan Review for residential development be temporarily amended by delegation of that decision to the Director of Resources and the Scheme of Delegation be amended, as set out below

New delegation under Section 2 – to the Director of Service Delivery:

Local Development Land

The identification of suitable and available land under the control of the Council for possible inclusion in the Local Development Plan Review begun in 2021 including the taking of any steps (e.g. re-appropriation) required to secure the availability of such land.

Note: This delegated power exists notwithstanding the powers of the Strategy and Resources Committee for the strategic control and management of the Council's assets and only for the duration of the selection of sites for inclusion in the Local Development Plan Review begun in 2021.

There being no further items of business the Chairman closed the meeting at 9.59 pm.

M S HEARD
CHAIRMAN

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MINUTES of COUNCIL 4 NOVEMBER 2021

PRESENT

Chairman Councillor M S Heard

Vice-Chairman Councillor C Mayes

Councillors M G Bassenger, Miss A M Beale, B S Beale MBE, V J Bell, Mrs P A Channer, R P F Dewick, M F L Durham, CC, Mrs J L Fleming, CC, A S Fluker, M W Helm, B B Heubner, A L Hull, K W Jarvis, J V Keyes, K M H Lagan, C P Morley, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, CC, E L Stephens, Mrs J C Stilts, C Swain, Mrs M E Thompson and Miss S White

354. CHAIRMAN'S NOTICES

Having welcomed everyone to the meeting the Chairman raise that from this Council the seating plan that had been given to Members this evening be approved. This was duly agreed.

RESOLVED that the Council seating plan given to Members at this meeting be approved.

The Chairman referred to the tragic death of Sir David Amess MP for Southend West and asked all Members to join him and the residents of the District for a moments' silent reflection to remember him and his family to whom deepest sympathies were sent.

Following this, the Chairman returned to the agenda and went through some general housekeeping arrangements for the meeting.

Following interruptions by Councillor C Morris the Chairman advised Councillor Morris that his behaviour was unacceptable and had breached the Council's Code of Conduct. He asked Councillor Morris to cease this behaviour.

The Chairman referred to the Nolan principles of accountability and integrity and then the Council's Procedure Rule 10 – Disorderly Conduct. He then moved that Councillor Morris be not heard. This was duly seconded and agreed by the Council.

RESOLVED that Councillor C Morris be not heard.

The Chairman moved that due to Councillor Morris' continued misconduct that he leave the meeting. This was duly agreed by the Council.

RESOLVED that Councillor C Morris leave the meeting.

The Chairman then requested that all Officers present leave the meeting referring to his duty and care towards Members of Staff.

At this point three Police officers arrived due to the continued disorderly conduct of Councillor Morris.

355. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R G Boyce MBE and M R Edwards.

356. DECLARATION OF INTEREST

Councillor M F L Durham, Mrs J L Fleming and W Stamp all declared a non-pecuniary interest as a Member of Essex County Council.

357. MINUTES - 2 SEPTEMBER 2021

RESOLVED

- (i) That the Minutes of the Council meeting held on 2 September 2021 be received.

Minute No. 239 – Statement of Community Involvement – Adoption

Councillor Mrs P A Channer referred to this item and how she along with the Council had acknowledged the good work of an officer, Leonie Alpin, when this item was considered. She asked that the Minutes be amended to include the Officers' name.

At this point, Councillor Mrs Channer indicated she had other items to raise in respect of the Minutes and the Chairman advised he would come back to the Minutes later in the meeting. However, this did not occur due to the adjournment and subsequent closure of the meeting.

358. JOINT STANDARDS COMMITTEE - 6 SEPTEMBER 2021

The Chairman advised that he wished to take this item of business next, this was duly agreed by Council.

RESOLVED

- (i) That the Minutes of the Joint Standards Committee held on 8 September 2021 be received.

The Council considered the following recommendation set out in the Minutes:

Minute 260 – Standards Complaints – Councillor Chrissy Morris – the Committee Decision

Councillor M G Bassenger, Chairman of the Joint Standards Committee, referred to the recommendation set out in the Minutes and proposed that Councillor C Morris be removed from all Committees, including Planning Committees, District Planning,

Working Groups and Outside Body for the remainder of the Municipal Year 2021 / 22 for approval. This was duly seconded.

Councillor K M H Lagan referred to the sanctions agreed in respect of another Councillor and proposed for consistency and openness that if agreed the sanctions in relation to Councillor Morris should be the duration of 12 months and not to the end of the municipal year.

The Chairman advised that this would be an amendment to the original proposal.

Councillor M W Helm also comments on sanctions applied to another Councillor and proposed an amendment to the original proposal that this be a for a period of 18 months.

At this point Councillor Lagan withdrew his earlier amendment and seconded the proposed amendment from Councillor Helm.

It was clarified that the 18 months would be until May 2023. The Chairman put the amendment to the Council, and this was duly agreed.

Councillor Mrs P A Channer advised that as a result of the vote there was now a substantive motion that Councillor Morris be removed from all Committees including District Planning and the Area Planning Committees, working groups and outside bodies up until May 2023. She proposed this be accepted by the Council, this was duly seconded and agreed.

RESOLVED

- (ii) that Councillor C Morris be removed from all Committees (including District Planning Committee and Area Planning Committees), Working Groups or Outside Body up to May 2023.

RESOLVED

- (iii) that subject to the above decision the Minutes of the Joint Standards Committee be agreed.

359. ADJOURNMENT OF THE MEETING

In response to a question the Chairman advised that the meeting would now adjourn for a short break and asked that the live stream be stopped.

RESOLVED that the meeting be adjourned at 19:50 for a short break.

360. RESUMPTION OF BUSINESS

RESOLVED that the meeting resumes in open session.

361. CLOSURE OF THE MEETING

At this point, the Chairman reminded Councillor C Morris that he had been asked to leave the meeting.

The Chairman asked all Members to rise and walk out of the meeting in protest at Councillor Morris' continued presence and continued disorderly conduct and then closed the meeting at 19:59.

M S HEARD
CHAIRMAN



**MINUTES of
COUNCIL
16 DECEMBER 2021**

PRESENT

Chairman Councillor M S Heard

Vice-Chairman Councillor C Mayes

Councillors M G Bassenger, Miss A M Beale, B S Beale MBE, V J Bell,
R G Boyce MBE, Mrs P A Channer, R P F Dewick,
M F L Durham, CC, M R Edwards, A S Fluker, M W Helm,
B B Heubner, A L Hull, K W Jarvis, J V Keyes, K M H Lagan,
C P Morley, C Morris, S P Nunn, N G F Shaughnessy,
R H Siddall, N J Skeens, W Stamp, CC, E L Stephens,
Mrs J C Stilts, C Swain, Mrs M E Thompson and
Miss S White

416. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting. He referred to arrangements for the meeting and that the Council was working to all mitigations within public guidance. He informed Members that further clarification had been received from the Director of Public Health and as a result of this, masks should be compulsory when not speaking. On this basis he had considered that the meeting would go ahead as planned.

417. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs J L Fleming.

418. DECLARATION OF INTEREST

Councillor K M H Lagan disclosed a non-pecuniary interest in Agenda Item 17 – Land North West of Hamberts Farm, Burnham Road, South Woodham Ferrers, Chelmsford Consultation as he had received and acknowledged email correspondence from a resident in that area.

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council in relation to in Agenda Item 17 – Land North West of Hamberts Farm, Burnham Road, South Woodham Ferrers, Chelmsford Consultation and advised he would not be voting as this land was under the ownership of the County Council, although there was no pecuniary element. He also declared an interest as a Governor of the Essex Partnership NHS Trust.

Councillor W Stamp disclosed a non-pecuniary interest as a Member of Essex County Council and in relation to in Agenda Item 17 – Land North West of Hamberts Farm,

Burnham Road, South Woodham Ferrers, Chelmsford Consultation advising she had a non-pecuniary interest but did not feel she could not vote.

Councillor C Mayes disclosed a non-pecuniary interest in Agenda Item 13 – Langford and Ulting Neighbourhood Plan – Decision on Examiner's Report as she lived in the Parish and Agenda Item 14 – South Essex Parking Partnership – Proposed New Working Arrangements for New Term of Partnership Agreement from April 2022 as she was the South Essex Parking Partnership representative.

Councillor Mrs P A Channer disclosed a non-pecuniary interest in relation to in Agenda Item 17 – Land North West of Hamberts Farm, Burnham Road, South Woodham Ferrers, Chelmsford Consultation as she had received correspondence since the proposed site was first raised.

Councillor Durham clarified that he would not be voting on Agenda Item 17 because in his capacity at Essex County Council he had been involved in meetings regarding this project.

Councillor C Morris advised that he had a declaration and preceded with some preamble. The Chairman asked Councillor Morris what his declaration was, following which some discussion took place and the Chairman repeated his request for Councillor Morris to make his declaration. Councillor Morris continued with his preamble at which point the Chairman moved that Councillor Morris no longer be heard. This was duly seconded and agreed by the Council.

RESOLVED that Councillor C Morris no longer be heard.

Following the Council's resolution and in response to further comment from Councillor Morris, the Chairman referred to Procedure Rule 10 – Disorderly Conduct and advised Councillor Morris that he needed to be quiet or would be asked to leave the meeting. The Chairman then moved that Councillor Morris leave the meeting and this was duly agreed by the Council.

RESOLVED that in accordance with Procedure Rule 10 Councillor C Morris leave the meeting.

419. ADJOURNMENT OF THE MEETING

The Chairman advised that he would now be adjourning the meeting to allow Councillor Morris to leave.

RESOVLED that the meeting of the Council be adjourned at 7:44pm.

420. RESUMPTION OF THE MEETING

RESOLVED that the meeting resumed in open session at 8:16pm.

The Chairman advised the Council that Councillor C Morris had been asked to obey the resolution of the Council and leave the chamber because of his disorderly conduct. If he did not leave, the meeting would be closed and Councillor Morris will have prevented the Council from transacting business. Councillor Morris was given a final chance to leave the meeting. Councillor Morris continued to remain in the meeting.

The Chairman informed Members that he was going to close the meeting because of Councillor Morris' refusal to obey the resolution of the Council and that his conduct had deliberately prevented the transaction of business.

Members were advised that within the Constitution the Directors had power to make decisions with their emergency powers and they would exercise these when necessary. He then closed the meeting at 8:17pm.

M S HEARD
CHAIRMAN

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MINUTES of COUNCIL (EXTRAORDINARY) 18 JANUARY 2022

PRESENT

Chairman Councillor M S Heard

Vice-Chairman Councillor C Mayes

Councillors M G Bassenger, Miss A M Beale, B S Beale MBE, V J Bell,
R G Boyce MBE, Mrs P A Channer, R P F Dewick,
M R Edwards, A S Fluker, M W Helm, B B Heubner, A L Hull,
J V Keyes, K M H Lagan, C P Morley, C Morris, S P Nunn,
N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, CC,
E L Stephens, Mrs J C Stilts, C Swain, Mrs M E Thompson
and Miss S White

1. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham CC and Mrs J L Fleming CC.

3. DECLARATION OF INTEREST

Councillor C Mayes declared a non-pecuniary interest in relation to Agenda Item 5 – Langford and Ulting Neighbourhood Plan – Decision on Examiner's Report as she lived in Ulting.

Councillor W Stamp declared a non-pecuniary interest as a Member of Essex County Council.

4. LEADERS AND COMPOSITION OF POLITICAL GROUPS

The Council considered the report of the Director of Strategy, Performance and Governance seeking Members' appointment of a Leader and Deputy Leader of the Council for the remainder of the Municipal year (to May 2022).

The Chairman advised that he had been informed that Councillor R H Siddall had stepped down as Leader designate and as a result of this, he would be nominating him for Leader of the Council. This proposal was duly seconded.

In response to a Point of Order raised by Councillor R G Boyce regarding the Leader Designate position, the Chairman advised that this was an extraordinary meeting of the Council, not the statutory annual and it was at his discretion to interpret the constitution.

Councillor Mrs M E Thompson proposed that Councillor Mrs P A Channer be nominated as Leader of the Council. This was duly seconded.

In response to a comment regarding the resignation of the Leader Designate, the Lead Legal Specialist and Monitoring Officer explained that without a Leader Designate, as the Independent Party had not elected another Leader, no ratification process could take place. This therefore left it open for the Chairman to call for nominations to the position of Leader of the Council.

There were no further nominations. The Chairman advised that as there were two nominations this would be put to the vote.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote. This was duly seconded.

The Chairman advised Members that they needed to vote for either Councillor Mrs Channer or Councillor Siddall as the nominated Members or choose to abstain. The voting was as follows:

For Councillor Mrs P A Channer:

Councillors Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, A S Fluker, M W Helm, B B Heubner, A L Hull, J V Keyes, K M H Lagan, C P Morley, S P Nunn, W Stamp, Mrs M E Thompson and Miss S White.

For Councillor R Siddall:

Councillors M G Bassenger, B S Beale, V J Bell, M R Edwards, M S Heard, C Mayes, C Morris, N G F Shaughnessy, R H Siddall, N J Skeens, E L Stephens, Mrs J C Stilts and C Swain.

Abstention:

None.

The Chairman therefore declared that Councillor Mrs P A Channer was elected as Leader of the Council. Councillor Mrs Channer thanked Members for voting for her, saying she was privileged and honored.

The Chairman then called for nominations for Deputy Leader of the Council. Councillor Mrs Channer nominated Councillor Mrs M E Thompson and this was duly seconded. There being no other nominations the Chairman declared that Councillor Mrs Thompson was Deputy Leader of the Council.

RESOLVED

- (i) That Councillor Mrs P A Channer be elected as Leader of the Council for the remainder of the Municipal year;
- (ii) That Councillor Mrs M E Thompson be elected as the Deputy Leader of the Council for the remainder of the Municipal year.

Councillor N G H Shaughnessy left the meeting at this point and did not return.

Councillor C Morris left the meeting at this point.

5. LANGFORD AND ULTING NEIGHBOURHOOD PLAN - DECISION ON EXAMINERS' REPORT

The Council considered the report of the Director of Strategy, Performance and Governance seeking approval of modifications made in the Examiner's Report for the Langford and Ulting Neighbourhood Plan (attached as Appendix 1 to the report) and to proceed the Neighbourhood Plan to Referendum.

The report provided background information regarding the Langford and Ulting Neighbourhood Plan including:

- the regulatory process that had to be followed
- the Local Planning Authorities role;
- consideration of the Examiner's report and proposed modifications (the draft decision statement was attached at Appendix 2 to the report);
- the referendum (the Neighbourhood Plan incorporating the Examiner's modifications was attached at Appendix 3).

It was noted that once a Decision Statement is approved and published, a Neighbourhood Plan was given significant weight in decision-making, for determining planning applications within its Neighbourhood Area.

The Chairman put the recommendations set out in the report and these were duly seconded.

It was noted that the Examiner's modifications had to be agreed to meet the requirements and move forward. Members paid tribute to the people involved in putting the Plan together and the importance of neighbourhood plans was highlighted.

RESOLVED

- (i) that the Examiner's modifications be agreed and that subject to these modifications the Neighbourhood Plan is determined to meet the Basic Conditions and other legislative requirements;
- (ii) that the draft Decision Statement attached at Appendix 2 to the report be approved to be published on the Council's website; and
- (iii) that the Langford and Ulting Neighbourhood Plan be agreed as modified (at Appendix 3 to the report) enabling it to proceed to a local Referendum based on the boundary of Langford and Ulting Neighbourhood Area as recommended by the Examiner.

6. COUNCIL TAX BASE 2022 / 23

The Council considered the report of the Director of Resources relating to the Council Tax Base for 2022 / 23. It was noted that the Council had to notify its tax base calculations to Essex County Council, Essex Fire Authority, the Police and Crime Commissioner for Essex and Parish Councils by 31 January.

The report explained that the tax base figure was an integral part of the calculations for setting the level of Council Tax. The detailed calculation of the relevant amounts for 2022 / 23 were shown in Appendix A to the report and Appendix B set out the tax base for each Parish / Town Council.

Members were informed that the tax base used for 2021 / 22 (the current year) was 24,959.1. The proposed new figure for the forthcoming year represented an increase of 565.2 or 2.26%. The key reason for the increase was a rise in the number of chargeable properties.

The Chairman reminded Members that if any Member had council tax arrears of more than two months they must declare this at this time and would not be able to vote. There being no declarations he moved that the recommendation as set out in the report be agreed. This was duly seconded and upon a vote being taken agreed.

RESOLVED that in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012 the amount calculated by Maldon District Council as its council tax base for the 2022 / 23 year shall be set at 25,524.3.

7. VACANCIES ON COMMITTEES, WORKING GROUPS AND OUTSIDE BODIES

The Council considered the report of the Director of Strategy, Performance and Governance seeking appointments to vacancies associated with withdrawal from Committees, Working Groups and Outside Bodies by some Members and Councillor K W Jarvis' resignation as a District Councillor. These vacancies and any nominations received were detailed in the report.

The Chairman went through the Committee vacancies set out in the report and the following nominations were made:

Performance, Governance and Audit Committee

Councillor Mrs P A Channer nominated Councillors A S Fluker and W Stamp to the Performance, Governance and Audit Committee. This was duly seconded and there being no other nominations was agreed.

Strategy and Resources Committee

Councillor C Swain nominated Councillors S P Nunn and K M H Lagan to the Strategy and Resources Committee. Councillor Mrs Channer nominated Councillors S P Nunn, K M H Lagan and A S Fluker to this Committee advising that they were the only three non-aligned Members who could sit on it. This was duly seconded and there being no other nominations was agreed.

Joint Standards Committee

Councillor Mrs Channer nominated Councillors M W Helm and Mrs M E Thompson to the Joint Standards Committee. This was duly seconded and there being no other nominations was agreed.

Councillor C Morris returned to the Chamber at this point.

Councillor Morris referred to a number of public outside and asked the Chairman if there was anything the Council could do to accommodate the viewing of this meeting by respectful members of the public at the back of the chamber. Councillor A S Fluker commented on the matter raised by Councillor Morris asking the Chairman if he could discuss the matter with the Monitoring Officer and Officers to see if there was a way to accommodate the public at future meetings.

In response to comments the Monitoring Officer reminded Members of the decision made by the Council in relation to attendance at meetings in light of the recent crisis with covid and keeping everyone (members, officers and the public) safe. He explained that the Council could change the resolution but at the moment the current decision stood. It was noted that in addition to the Local Government Act 1972 Access to the Public the Council also had health and safety responsibilities and the government guidance was clear regarding restricting numbers with only essential people being in meetings of this nature.

A debate ensued. The Chairman informed Members that it was his view that should members of the public wish to see this meeting it was being broadcast on YouTube. He further advised that on the advice of the Monitoring Officer and considering health and safety he would on this occasion keep the meeting with this number of people in it. At this point Councillor Morris advised he would be leaving the meeting. Further debate ensued, during which the request for the matter to be reviewed was repeated and the Monitoring Officer reminded Members that under Rule 4 of the Council's Procedure Rules they could consider submitting a notice of motion.

Councillor A S Fluker proposed that the Council deal with the outstanding appointments and discuss the matter raised at another time. Councillor Mrs Channer raised a Point of Order that the Council move forward. The Chairman agreed.

Investigating and Disciplinary Panel

Councillor Mrs P A Channer nominated Councillor K M H Lagan to the Investigating and Disciplinary Panel. This was duly seconded and there being no other nominations was agreed.

Investigating and Disciplinary Committee

Councillor Mrs P A Channer nominated Councillor S P Nunn to the Investigating and Disciplinary Committee. This was duly seconded and there being no other nominations was agreed.

Licensing Committee

Councillor Mrs P A Channer nominated Councillor R G Boyce to Licensing Committee. This was duly seconded and there being no other nominations was agreed.

Outside Bodies

The Chairman then moved onto the outside body vacancies set out in the report. This was duly seconded and agreed by assent.

Working Groups

Moving onto Working Group vacancies, the Chairman proposed that Councillor M R Edwards be nominated to the Corporate Governance Working Group and the Leisure Contract Task and Finish Working Group. This was duly seconded.

Councillor Mrs Channer proposed that Councillor R G Boyce be nominated to the Corporate Governance Working Group and Councillor S P Nunn to the Leisure Contract Task and Finish Working Group. This was duly seconded.

In response to a question from the Chairman, Councillor Edwards advised he was happy to give way to those nominations from Councillor Mrs Channer.

Councillor Morris returned to the chamber at this point.

The Chairman put the nominations from Councillor Mrs Channer to the Council and these were duly agreed.

RESOLVED

- (i) That the Committee vacancies as set out in section 3.5 of the report be appointed to as follows:

Committee	Member Appointed
Performance, Governance and Audit	Councillors A S Fluker and W Stamp
Strategy and Resources	Councillors A S Fluker, K M H Lagan and S P Nunn
Joint Standards	Councillors M W Helm and Mrs M E Thompson
Investigating and Disciplinary Panel	Councillor K M H Lagan
Investigating and Disciplinary Committee	Councillor S P Nunn
Licencing Committee	Councillor R G Boyce MBE

- (ii) That the Outside Body vacancies as set out in section 3.9 of the report be appointed to as follows:

Outside body	APPOINTED
Action for Family Carers Liaison Board	Councillor N G F Shaughnessy
Blackwater Estuary Siltation Steering Group	Councillor C Mayes
Bradwell B Community Forum	Councillor Miss S White
Bradwell Local Community Liaison Council	Councillor B S Beale MBE
Civilian and Military Partnership Board	Councillor B B Heubner
Essex Flood Partnership Board	Councillor Miss S White <i>Substitute: Councillor C Swain</i>
Maldon High Street Focus Group	Councillor J V Keyes
Southend Airport Consultative Committee	Councillor N J Skeens
Stow Maries Aerodrome Consultative Committee	Councillors Mrs J L Fleming and Miss S White

- (iii) That that Working Group vacancies set out in section 3.13 of the report be appointed to as follows:

Working Group	APPOINTED
Air Quality Management (Market Hill) Member Officer Working Group	Councillor Mrs J C Stilts
Bradwell 'B' Power Station Working Group	Councillor M F L Durham CC
Corporate Governance Working Group	Councillor R G Boyce MBE
Corporate Plan Task and Finish Working Group	Councillor C Swain
Finance Member working group	Councillor Mrs P A Channer
Leisure Contract Task and Finish Working Group	Councillors S P Nunn and C Swain

There being no further items of business the Chairman closed the meeting at 8.18 pm.

M S HEARD
CHAIRMAN



**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
18 NOVEMBER 2021**

PRESENT

Chairman	Councillor Mrs J C Stilts
Vice-Chairman	Councillor K W Jarvis
Councillors	Mrs J L Fleming, CC, M S Heard, A L Hull, J V Keyes and E L Stephens
In attendance	Councillor C Morris

381. CHAIRMAN'S NOTICES

The Chairman welcomed all present and took the Committee through some housekeeping arrangements for the meeting.

382. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce and M R Edwards.

383. MINUTES

RESOLVED that the Minutes of the meeting of the Committee held on 23 September 2021 be approved and confirmed.

384. DISCLOSURE OF INTEREST

Councillor Mrs J L Fleming, CC, declared a non-pecuniary interest as a Member of Essex County Council in relation to any items on the agenda pertaining to that organisation.

385. PUBLIC PARTICIPATION

No requests had been received.

386. INTERNAL AUDIT REPORTS

The Committee considered the report of the Director of Resources and associated Internal Audit reports from BDO LLP attached on the agenda at 6a to 6e, *Progress Report; Follow-up of Recommendations Report; Covid Recovery Plan Report; Partnerships Report and Fraud Risk Assessment*.

The Chairman introduced the reports and deferred to the Internal Audit Partner to present the detail. He took the Committee through the four reports in turn. The *Progress Report* referenced the reports on today's agenda, a further six reports on the work plan due to be considered at the February Committee meeting together with the sector update. The *Follow-up of Recommendations report* contained some outstanding recommendations around flooding and affordable housing which would be completed in time for the meeting in February 2022.

Addressing the *Covid Recovery Plan* he advised that this was a very positive report with a substantial level of assurance for both design and effectiveness of controls. A very clear plan with good scrutiny and reporting lines. The auditors had undertaken some benchmarking and it compared well to others in the sector.

With reference to the *Partnerships Report* he advised that the level of assurance was moderate on both design and effectiveness of controls. The Council had identified its partnerships and there were good arrangements in place for nominating members. Areas to address were around distinguishing between the two different types of partnerships, both the strategic and formal partnerships; updating the thematic strategies to align with the refresh of the Corporate Plan and more formal feedback from partnerships in terms of minutes and Terms of Reference. It was noted that work was already in train on the two latter areas.

Finally, he addressed the *Fraud Risk Assessment* which was an advisory piece of work. It was noted that the last fraud risk assessment, assisted by Internal Audit, had taken place in 2014/15, therefore this was in need of updating to help inform and support the Council's counter fraud strategy. Overall there were good controls in place however, the Council could benefit from more data reviews around procurement and flagged the removal of councillor signatures from documentation. On the whole the report was very positive and it was noted that the Council had an Action Plan in place to cover aforementioned issues.

In response to Councillor Heard's question regarding the impact of Covid on the CRM audit the Director of Resources advised that the delay was due to demands made on both officer time and availability, having to manage business as usual together with managing the impact of Covid-19.

Councillor Jarvis addressing the final three reports said that he welcomed the work being done to provide formal feedback from partnership meetings. He concluded by congratulating the officers and the Council on the Covid Recovery Plan and the fact that under the Fraud Risk Assessment review table none of the risks were in the red priority zone.

There being no further queries the Chairman moved the recommendations and these were seconded by Councillor Jarvis. She then put them to the Committee and they were agreed by assent.

RESOLVED that the Committee considered, commented, and approved the:

- (i) Internal Audit Progress Report – November 2021 at - **6a**;
- (ii) Follow-up of Recommendations Report - November 2021- **6b**;
- (iii) Covid Recovery Plan Report– October 2021 – **6c**;
- (iv) Partnerships Report– November 2021 at **6d**;
- (v) Fraud Risk Assessment Audit – November 2021 at **6e**.

387. UPDATE ON THE AUDIT OF THE 2020/21 ACCOUNTS

The Committee considered the report of the Director of Resources that provided an update for members on the audit of the 2020/21 accounts. The Chairman introduced the report and deferred to the Director of Resources to present the detail.

He took the Committee through the report and advised that since the last update the Public Sector Audit Appointments (PSAA) announced that only 9% of authorities had accounts audited by 30 September 2021, Covid-19 and pressures in the audit market were contributory factors.

As with the previous update the audit of Essex Pension Fund, which the auditors required for assurance on the Council's pension figures, was still outstanding and no completion date was yet known. However the audit of the accounts continued and the auditors had identified a classification error with some of the covid grants. In addition the auditors had used the gross figure, which included the covid grants, to inform their audit methodology and due to the high value of the grants this had a significant impact on the outcome. The auditors now needed to revisit their approach and conduct additional testing which impacted on both time and audit fees.

He concluded by reporting that revised figures were now with the auditors and that they were jointly working on a revised timetable to complete the audit.

In response to questions the Director of Resources advised:-

- That this was not a double audit, however, the usual round of checks and balances needed to be completed.
- That materiality was part of the methodology that set a threshold for items that the auditors were interested in. The materiality level informed the testing and reporting undertaken.
- That a written response regarding the top slicing of the Additional Restrictions Grant (ARG) would be circulated to all committee Members following the meeting.
- That the overall cost of the audit was not yet known, updated figures had been submitted to the auditors and the Council was awaiting further details.

Councillor Jarvis expressed concern regarding the additional fees as there should have been further options offered earlier given that the issue of uncertainty in dealing with covid grants was sector wide. He asked if the auditors had a figure regarding overall costs and if the late identification of the covid grants impact, which created repeat testing work, would be taken into consideration when determining the final cost.

The Director, Audit & Assurance from Deloitte said they were working on the updated figures from the Council, the final cost was not known, however, on the plus side, no new audit areas had been identified. He expected robust negotiations to reach a fair fee and reminded Members that should it not be possible to reach a mutually agreed level that the fees would be arbitrated through the PSAA.

There being no further discussion the Chairman moved the recommendation and it was seconded by Councillor Fleming. The Chairman then put this to the Committee and it was agreed by assent.

RESOLVED that the report was considered.

388. DECISION TO OPT INTO THE NATIONAL SCHEME FOR AUDIT APPOINTMENTS

The Committee considered the report of the Director of Resources that set out proposals for appointing the external auditor to the Council for the accounts for the five-year period from 2023/24. The Chairman introduced the report and deferred to the Director of Resources to present the detail.

He took the Committee through the report advising that in December 2016 the Council had opted into the Public Sector Audit Appointments scheme (PSAA) for the period 2022/2023. Procurement was now underway for 2022/2023 and there were three options available 1) the Council arranges its own procurement, 2) works in conjunction with other like bodies or 3) joined the PSAA. Given the additional work involved under options 1) and 2) the recommendation in the report was to opt into the PSAA. The rationale was that this would provide economies of scale, expertise and avoid the risk and resource required to operate an Independent Auditor Panel. Furthermore, in the last operating period only 9 of 485 qualifying authorities opted out of the national scheme, with 2 already opting back in. Those that remained outside were unhappy with current arrangements.

Councillor Jarvis echoed these views and said that it was very expensive to set up the required infrastructure locally and that the PSAA had the type of expertise an organisation needed, an economically sound approach. This view was corroborated by the External Auditor who said it was prudent to have the support of the national scheme should difficulties arise.

There being no further discussion the Chairman moved the recommendation and it was seconded by Councillor Jarvis. She then put the recommendation to the Committee and it was agreed by assent.

RECOMMENDED that the Council accepted public sector audit appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

389. SECTION 106 6-MONTHLY UPDATE AND INFRASTRUCTURE FUNDING STATEMENT 2021

The purpose of this report was to provide Members with the 6-monthly update on the monitoring of Section 106 planning obligations and to seek approval of the Maldon District Infrastructure Funding Statement 2021, in accordance with the Council's legal duties.

The Chairman introduced the report and deferred to the Lead Specialist: Local Plans to present the detail. The report provided a 6 month update on S106 activity and also sought approval from the committee to publish the council's Infrastructure Funding Statement (IFS) 2020/2021. With reference to S106 she advised that since the last committee report the council had received payments from developers of just under £140,000 which funded health and youth facilities and £8,000 towards allotments all in Burnham-on-Crouch. A sum of £50,000 was paid to Essex Wildlife Trust for works to the Blue House Farm nature reserve. In addition the council had secured 11 affordable houses, 9 rented and 2 shared accommodation homes.

Addressing the IFS she advised that this was a mandatory requirement on the Council to publish the statement by the 31 December each year. During the 12 month period covered by the IFS requests for payments had generated £121,620 together with 150 affordable homes, 116 of which were affordable rented and 34 affordable shared ownership homes.

In response to questions officers provided the following information:

- That a workshop would be arranged to provide a refresh on S106 activities and to explore more effective ways of reporting S106 income to include amounts due; amounts triggered; amounts received; amounts spent.
- That the Infrastructure Implementation Group was an operational group and Member oversight was through the Performance, Governance and Audit Committee.
- That there was regular review to ensure monies were spent on time, working proactively with partners to encourage prompt delivery.
- That once development started and triggers were met the developers have to meet the triggers and pay the monies due within the terms of the S106 and most were area specific. All requests for payment were up-to-date.
- That further details of which developments had generated monies and where this had been spent would be circulated following the meeting.
- That the health funds currently held in the balance sheet would be spent by the NHS. The process was that they requested the funds and the Council remit the NHS as appropriate.
- That an update regarding progress on the surgery in Southminster, together with details of the location and developer in respect of affordable homes, would be circulated following the meeting

There being no further discussion the Chairman moved the recommendations and they were seconded by Councillor Jarvis and the Committee agreed them by assent.

RESOLVED

- (i) That the Committee considered the 6-monthly update on Section 106 planning obligations.
- (ii) That the Committee approved the Maldon District Council Infrastructure Funding Statement 2020-2021 for publication and government submission as set out in Appendix 1.

390. PROCESS IMPROVEMENT FRAMEWORK

The Committee considered the report of the Director of Strategy, Performance and Governance that introduced Members to the process improvement framework which provided context and detail about how the Council delivered continual improvement in line with best practice.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She took the Committee through the report and drew attention to the full process improvement framework provided at Appendix 1 which outlined the Council's approach to continual improvement work at Maldon District Council.

The work commenced as part of the 2019 Council transformation and current activity was part of the existing staffing structure and formed an important part of the Council's

wider approach on performance issues and implementation of processes, identified as part of internal audits. The work also informed organisational learning from the last few years, supported both the value for money criteria of Maldon as a local authority, and wider corporate objectives, such as those set out in the Information and Communications Technology policy (ICT). The Committee noted the case studies of the type of work the team undertook, future plans, potential risks to delivery together with appropriate mitigations in place.

Finally she referred to recommendation (ii) and the request that the Committee appointed two members of the Performance, Governance and Audit Committee to work closely with the Process Improvement Team. The Chairman advised that two Members had declared an interest in doing so, namely, Councillor E L Stephens and Councillor Mrs J L Fleming and the Committee agreed this by assent.

Councillor Jarvis commended the report and said that the work had his full support as it added value. He asked for clarification that there was no additional cost involved and the Director of Resources advised the Committee that the process improvement activity required no additional resource input as it formed part of the existing Council structure.

There being no further discussion the Chairman moved the recommendations and these were seconded by Councillor Jarvis. She then put these to the Committee and they were agreed by assent.

RESOLVED

- (i) That the committee reviewed and fed back on the process improvement framework set out at Appendix A.
- (ii) That the committee appointed two member representatives and seeks two representatives from Overview and Scrutiny committee at its next scheduled meeting, to work closely with the team around website testing and customer feedback.

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

The meeting closed at 8.35 pm.

MRS J C STILTS
CHAIRMAN



**MINUTES of
STRATEGY AND RESOURCES COMMITTEE
6 JANUARY 2022**

PRESENT

Chairman	Councillor R H Siddall
Vice-Chairman	Councillor C Swain
Councillors	R G Boyce MBE, Mrs P A Channer, M F L Durham CC, N G F Shaughnessy, W Stamp CC and Mrs M E Thompson
Substitute Members	Councillor A L Hull
In attendance	Councillors C Morris and M W Helm

421. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

422. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

An apology for absence was received from Councillor Miss S White and in accordance with notice duly given it was noted that Councillor A L Hull was attending as a substitute for Councillor Miss White.

423. MINUTES OF THE LAST MEETING

RESOLVED

- (i) That the Minutes of the Strategy and Resources Committee held on 11 November 2021 be received.

Minute 362 Chairman's Notices

Councillor W Stamp referred to the statement made by the Chairman of the Committee and proposed that the first sentence be amended to read "...he *will* be resigning...". This was duly seconded and agreed.

RESOLVED

- (ii) That subject to the above amendment, the Minutes of the Strategy and Resources Committee held on 11 November 2021 be approved.

424. DISCLOSURE OF INTEREST

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council. He also declared that in respect of Agenda item 7 – Financial Pressures and Growths and in relation to Maldon Cemetery he owned a plot and his father-in-law had recently been interned there.

Councillor Mrs P A Channer declared a non-pecuniary interest specifically related to the proposed changes places funding for public conveniences, advising that this also related to severely disabled people and that she was a member of a charity who represented people suffering from specific conditions which could be related to that form of convenience.

Councillor W Stamp disclosed a non-pecuniary interest as a Member of Essex County Council and commented that there was nothing on the agenda she felt she could not vote or participate in.

425. PUBLIC PARTICIPATION

In accordance with the Council's Public Participation Scheme, Mr Rayment from the Thames Sailing Barge Trust addressed the Committee in relation to Agenda Item 8 – Discretionary Fees and Charges 2022 / 23, specifically the proposed introduction of car parking charges on Hythe Quay.

426. PAY POLICY STATEMENT 2022 / 23

The Committee considered the report of the Director of Resources, seeking the Council's approval of a Pay Policy Statement for 2022 (attached as Appendix 1 to the report).

It was noted to meet the requirements of the Localism Act 2011 the Council was required to publish a Pay Policy Statement which had been annually approved by the elected Members of the Council. The Pay Policy Statement had been reviewed and reflected the current arrangements for pay at Maldon District Council.

The Chairman put the recommendation as set out in the report, this was duly seconded.

In response to questions raised by Members it was agreed that the following information would be provided to Members outside of the meeting:

- Details of pay points and salary grades;
- The ratio between the top and lowest earners.

In response to questions raised, it was confirmed, the Council did not have a performance related pay policy and this was the case across all Local Authorities. The Resources Specialist Services Manager advised Members of the appraisal scheme operated by the Council for staff.

RECOMMENDED that the Pay Policy Statement attached at **APPENDIX 1** to these Minutes, be adopted for 2022.

427. FINANCIAL PRESSURES AND GROWTHS

The Committee considered the report of the Director of Resources providing Members with details of future years financial pressures and growths that would go forward for approval as part of the Medium-Term Financial Strategy (MTFS).

It was noted that financial pressures and growth bids (as set out in Appendices A – C of the report) had been identified as part of the budget setting process and in consultation with the Finance Working Group. Those items detailed in the final lists presented represented costs believed to be unavoidable, needed to comply with legal obligations, essential to deliver services or a false economy if investment was not made.

Members' attention was drawn to an Addendum to Appendix A circulated prior to the meeting. The Director of Resources explained how this related to a change in the funding source for the Climate Action Strategy and although it was hoped that match funding would be achieved this had been built into the budget at this time.

The Chairman moved the recommendation as set out in the report and this was duly seconded.

During the debate that ensued, and in response to questions raised Officers explained:

- in respect of Changing Places Toilets the £100k grant from Government would cover installation costs and therefore the Council would be responsible for any ongoing maintenance costs.
- how staff training needs were identified, assessed, prioritised and formed into a training plan. It was explained that in addition to corporate training requirements such as data protection etc. each directorate had a training budget.
- although Magnox and the Nuclear Decommissioning Authority had taken a step back in terms of considering a single tranche of funding, the Council was hopeful that alternative funding would be sought and the resource identified would help to identify future funding opportunities.

The Chairman put his earlier proposal to the Committee, and this was duly agreed by assent.

RESOLVED

- (i) That the financial pressures and growth bids identified as part of the 2022 / 23 budget setting process be noted;
- (ii) That the pressures and growths set out in Appendices A – C of the report are brought forward to the next meeting of the Strategy and Resources Committee for recommendation to the Council as part of the Medium-Term Financial Strategy and 2022 / 23 Budget.

428. DISCRETIONARY FEES AND CHARGES 2022 / 23

The Committee considered the report of the Director of Resources seeking Members' consideration of the fees and charges for 2022 / 23 which generated greater than £2,000. For those fees and charges that generated less than £2,000 delegation to the Director of Resources for their review and setting was sought.

The report advised that the proposed fees and charges for 2022 / 23 (set out in Appendix A to the report) had been based on policy decisions recently updated and agreed by this Committee at its last meeting. Appendix B to the report provided a summary of the proposed changes.

The Director of Service Delivery, during his presentation of the report, in response to the comments raised by the Member of the Public earlier in the meeting suggested that the fees and charges could be approved subject to Officers bringing forward more details in respect of parking at the Hythe Quay. In response, the Chairman suggested that the matter of parking at the Hythe Quay be deferred to the next meeting of the Committee.

The Chairman moved the recommendation as set out in the report. At this point Councillor C Swain advised that he wished to propose an amendment in relation to the charges at the Hythe Quay. Councillor Swain provided the Committee with further details advising that further examination of the use of the Hythe Quay area, particularly whether there should be any public parking there, was required. The Chairman clarified the Councillor Swain was proposing that all fees and charges are agreed with the exception of parking at the hythe.

In response to questions the Chairman advised that if Members were minded to agree the Committee would recommend to the Council that with fees and charges for 2022 / 23 apart from Hythe Quay parking be agreed and Hythe Quay parking would be brought back to the next meeting of the Committee once Officers had spoken to barge owners to identify if there was an option to move this forward.

Some questions were raised about car parking charges and in response, the Customers, Community and Casework Manager advised Members that changes proposed to Promenade Park permit charges were to bring them in line with other car parking charges in Maldon town centre.

It was noted that within Appendix A the 2022 / 23 Coach fees detailed was incorrect and this should have shown an inflation increase. The Chairman advised that this would be corrected.

The Chairman moved that subject to amendment of the coach charges and with the exception of Hythe Quay parking, which would come back to the next meeting, the 2022 / 23 detailed Fees and Charges be recommended to the Council for approval. This was duly agreed.

RESOLVED

- (i) That Officers undertake discussions with barge owners at the Hythe Quay, Maldon regarding proposed Hythe Quay parking and report back to the next meeting of the Strategy and Resources Committee;

RECOMMENDED

- (ii) that subject to amendment of the coach charges and with the exception of Hythe Quay parking, the detailed Fees and Charges for 2022 / 23 as set out in **APPENDIX 2** to these Minutes, be agreed.

429. SUPPLEMENTARY ESTIMATES, VIREMENTS, PROCUREMENT EXEMPTIONS AND USE OF RESERVES

The Committee considered the report of the Director of Resources reporting Virements and Supplementary Estimates agreed under delegated powers. The report also informed on procurement exemptions granted and the use of reserves.

It was noted that there was one virement, one supplementary estimate and three procurement requests agreed. In addition, one drawdown from Reserves was also set out in the report and duly noted. The Director of Resources highlighted that the paragraph numbers referred to in the recommendations were incorrect and provided the correct paragraph references which were noted.

The Chairman moved the recommendations as set out in the report. This was duly seconded and agreed.

RESOLVED

- (i) That the Virement as detailed in paragraph 3.3.1 of the report, be noted;
- (ii) That the Supplementary estimate as detailed in paragraph 3.4.1 of the report be noted;
- (iii) That the three Procurement exemptions as detailed in paragraph 3.5.1 of the report be noted;
- (iv) That the Drawdown from reserves as detailed in paragraph 3.6.1 of the report be noted.

430. SUPPLEMENTARY ESTIMATE - SPLASH PARK

The Committee considered the report of the Director of Resources seeking approval of a supplementary estimate for the cost of essential work to replace the surface of the Splash Park at Promenade Park and essential electrical work within the associated pump room.

The report provided background history regarding the installation of the Splash Park, its ongoing maintenance, income and expenditure. Members were advised that the surface of the Splash Park now required replacement and details of quotations received were set out in the report. It was noted that the poor condition of the surface along with health and safety risks had been highlighted following a recent inspection carried out by a consultant appointed by the Council.

Appendix 1 to the report detailed the estimated income and expenditure for 2022 / 23 (excluding any changes to the Council's charging and admissions policy). A supplementary estimate was required in this financial year to enable the work to be commenced in the spring to reduce risks of a significantly delayed opening of the facility.

The Chairman moved the recommendations set out the report. This was duly seconded.

In response to questions raised Officers provided some further clarification in relation to the cost of repairs, future budgets, proposed changes to the pricing policy and the Promenade Park Management Plan.

The Chairman put his earlier proposal to the Committee, and this was duly agreed.

RESOLVED

- (i) That a Supplementary Revenue Estimate of £10,000 for the cost of the electrical work to the Splash Park is approved;
- (ii) That a Supplementary Capital Estimate of £140,000 for the cost of the resurfacing work to the Splash Park is approved.

431. REVIEW OF MEMORIALS IN CEMETERIES, PARKS AND OPEN SPACES POLICY

The Committee considered the report of the Director of Service Delivery seeking Member's consideration of matters as part of the annual review of the Memorials in Cemeteries, Parks and Open Spaces Policy. An updated Policy was attached at Appendix C to the report.

The report highlighted some areas of the current policy where it was felt amendment / clarification was required.

The Chairman moved the recommendations set out in the report, noting that this was a recommendation to the Council. This was duly seconded.

Councillor R G Boyce proposed that this item of business be deferred to the next meeting of this Committee to allow consultation with the local Friends' groups (linked with the cemeteries). He also asked for an update on the status of the Council's Friends' groups in the District, whether they still existed, which were operating and how effective they were. This proposal was duly seconded.

In response to the proposal, the Director of Service Delivery advised that Officers could provide an update on Friends' groups and other core groups and how these groups were an important part of the Council's management plans. He confirmed that Officers would be happy to carry out the consultation proposed. The Cemeteries Officer explained how involvement with groups had been difficult during the pandemic and highlighted that the review was not proposing to take anything that anyone had away but to provide consistency and make it available to more people.

Members discussed the proposal and commented on the report. In response to comments made the following information was provided:

- The demand for benches in currently burial areas was high (the Council had a waiting list) and a part of this review Officers had considered options available for increasing the service provided without having the space for additional benches. The proposed changes to the scheme and suggested leasing of a plaque on a bench would make it available to more people.
- It was confirmed that the Council did plant trees in memorial and in response to a question regarding expanding this scheme Members were advised this could be looked into.
- Alternative options for memorials were raised and in response the Director of Service Delivery advised that Officers had been looking into alternatives and if Members agreed to defer this item of business a summary could be provided when Officers reported back.

The Chairman advised Members that they had to vote on the recommendations set out in the report as this was the first motion proposed and seconded. Councillor Boyce proposed an amendment to the recommendations that it be deferred for consultation. It was agreed that an additional recommendation be added to specify that a discussion with the Friends' Groups of the cemeteries take place and the result of which be brought back to the next meeting of this Committee (3 February 2022).

RESOLVED that a discussion with the Friends' Groups of the cemeteries take place and the result of which be brought back to the next meeting of this Committee (3 February 2022).

432. APPROVAL TO DESIGNATE THE WOODFIELD COTTAGES CONSERVATION AREA AND ADOPT THE WOODFIELD COTTAGES LOCAL LISTED BUILDING CONSENT ORDER

The Committee considered the report of the Director of Strategy, Performance and Governance seeking approval to designate the Woodfield Cottages Conservation Area and adopt the Woodfield Cottages Local Listed Building Consent Order.

The report provided detailed background information regarding numbers 116 – 156 Woodfield Cottages, their conservation and the initiatives for a Local Listed Building Consent Order and designating the area as a Conservation Area. Appendix 1 detailed the Woodfield Cottages Conservation Area Character Statement and Appendix 2 the Listed Building Consent Order.

During the presentation of his report the Conservation and Heritage Specialist advised that following publication of the report the Victorian Society who had previously not supported the proposal had clarified that they wouldn't have concerns about the Listed Building Consent Order being implemented.

The Chairman moved the recommendations as set out in the report. This was duly seconded.

The Committee thanked the Conservation and Heritage Specialist for his excellent report and related work.

In response to a question regarding general improvements detailed such as streetlights, the Officer advised he had a meeting a Historic England later this month and hoped the Council would be able to apply for a Conservation Area partnership scheme and things such as work to individual properties could be part of this.

The Chairman put his earlier proposition to the Committee which was agreed by assent.

RESOLVED

- (i) that the Woodfield Cottages Conservation Area is designated
- (ii) that the Woodfield Cottages Local Listed Building Consent Order is adopted.

433. APPROVAL OF THE MALDON DISTRICT HERITAGE AT RISK REGISTER 2022

The Committee considered the report of the Director of Strategy, Performance and Governance seeking approval of the Maldon District Heritage at Risk Register 2022 (Appendix 1 to the report) for publication.

The report highlighted the work undertaken to the Register and it was noted that having an up-to-date Heritage at Risk Register which highlighted and promoted the Districts most vulnerable heritage assets was an essential tool in meeting the Council's objective of 'safeguarding, enhancing and promoting the historic environment'.

The Chairman put the recommendation as set out in the report to the Committee. This was duly seconded.

Councillor M F L Durham declared a non-pecuniary interest regarding this item of business and specifically the trestle bridge at Wickham Bishops as this was owned by Essex County Council of which he was a Member.

Members thanked the Conservation and Heritage Specialist for his detailed report and in response to questions raised, the following additional information was provided:

- The Council was in regular contact with Essex County Council regarding the trestle viaduct at Wickham Bishops and Members were advised that the County Council had recently commissioned a condition survey and repair schedule for the structure. It was noted that this was a scheduled monument and nothing could be done to it without permission from Historic England.
- It was noted that the addition of a building onto the Heritage at Risk Register did not add any restrictions to it, it just highlighted it as a building to keep an eye on.
- In response to a specific comment regarding barns within the district and conversion it was noted that there had not been any barns added to the list and sometimes conversion of a barn was the only way for a building to survive for the future.
- Members were advised that the Council's Heritage Policy D3 of the Local Plan committed the Council to keeping an up-to-date heritage risk register and monitoring historic buildings, as well as encouraging their maintenance and conservation.
- The Officer explained that the Local Authority had powers of enforcement to arrest deterioration, although always a last resort and the Council would work to resolve such issues through negotiation and encouragement.
- Concern was raised regarding the Burnham-on-Crouch Cemetery Chapel and it was requested if repair of its roof could be made a priority along with the possibility of creating a long term project to bring it back into use. In response the Director of Service Delivery advised that he was happy to carry out a review of the Cemetery. He informed Members that Officers would work with the Conservation and Heritage Specialist to look at some options which would be brought back to the Committee.
- The bombing range observation tower at Bradwell was in private ownership, but the Bradwell Bay Preservation Group had met with the owner who seemed open to restoration. The Control Tower had been added to the Risk Register because if the power station at Bradwell went ahead this would face destruction.

The Chairman thanked the Officer for his report and put the proposal set out in the report which was duly agreed by agreed.

RESOLVED that the publication of the Maldon District Heritage at Risk Register 2022 be approved.

**434. COVID-19 ECONOMIC RECOVERY AND TRANSFORMATION (CERT)
PROGRAMME - ADDITIONAL RESTRICTIONS GRANT PROPOSAL**

The Committee considered the report of the Director of Service Delivery seeking Members' approval of the proposed defrayal for the remaining Additional Restrictions Grant.

Members were reminded that the Additional Restrictions Grant (ARG) was provided to Local Authorities by the Department of Business, Energy and Industrial Strategy to provide direct business grants and wider business support. The report set out the monies received by the Council in relation to this grant and use of it. There were a number of business support schemes which were proposed to use the remainder of the fund on to provide sustainable economic return on investment and the report provided detail of these.

The Chairman thanked the Lead Specialist Prosperity for her informative report and moved the recommendations set out within the report. These were duly seconded.

Councillor M F L Durham declared a non-pecuniary interest in this item of business as he was Chairman of Visit Essex.

The Chairman then put this earlier proposal to the Committee which was agreed by assent.

RESOLVED

- (i) That Members approve the defrayal approach for the remaining Additional Restrictions Grant funding and endorse the business support schemes (set out in section 3.6 of the report);
- (ii) That the Director of Service Delivery be given delegated authority in consultation with the Chairman of the Strategy and Resources Committee, to approve schemes for the remaining Additional Restrictions Grant to ensure defrayal can be targeted to changing business needs and restrictions.

There being no other items of business the Chairman closed the meeting at 9.18 pm.

R H SIDDALL
CHAIRMAN

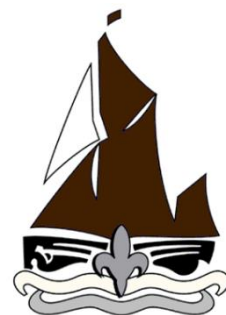
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Document Control Sheet

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Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.



MALDON DISTRICT
COUNCIL

Pay Policy Statement

Note: This Statement has been written to meet the statutory requirements of the Localism Act 2011 and to aid transparency in respect of Maldon District Council's policy regarding pay to all staff.

The Council seeks to be able to recruit and retain employees in a way which is competitive and fair.

1. General policy

- 1.1 During 2018 the Council initiated a transformation programme. As part of this a Council wide Job Evaluation exercise was carried out on all posts based on a uniform set of criteria and placing all roles within a single unified pay scale. The pay scale was benchmarked and designed to be consistent with best practice. In accordance with the Council's constitution, the remuneration of the Director post's are set by the Appointments Committee made up of elected Members of the authority and based upon the above principles.
- 1.2 The Job Evaluation process was designed to achieve compliance with Equal Pay legislation and to standardise the contractual terms and conditions of staff. Remuneration of all Council employees is now governed by a single set of policies and procedures.

2. Policy on Payments

2.1 Chief Officer Pay

Definition of "Chief Officers" for the purposes of this statement

- 2.1.1 The term "Chief Officer" as employed in the Localism Act has a different meaning to the use made of it at Maldon District Council. For the purposes of this Pay Policy Statement only, the relevant posts are considered to be as listed below. To note; there is no Chief Executive post in the Maldon structure.

- The three Director posts
- The Monitoring Officer

2.2 Pay

- 2.2.1 Pay for the post of Directors is set by the Appointments Committee and approved by the Council. The role of Director was introduced following the 2014 Senior Management Review and pay set by the Job Evaluation process in 2018. The pay line of Directors is subject to the same factors as the rest of staff pay, for example any annual pay award granted.
- 2.2.2 Any exception to this, such as a proposal to change the pay of senior staff out of line with normal pay awards would be subject to a report to the Council and approval being given.

- 2.2.3 Directors have delegated powers to award discretionary points on an officer's salary scale within approved budgetary limits where they deem it to be in the interests of the Authority. This only applies to points up to the maximum of the salary band for that post.

2.3 Performance related pay and bonuses

- 2.3.1 Maldon District Council does not have performance related pay or bonus payments for any post. As there is no mechanism for linking pay and performance in this way 'earn back' arrangements are not appropriate.

2.4 Fees, allowances, benefits in kind and expenses

- 2.4.1 The Director of Strategy, Performance and Governance is also the Returning Officer for the District, meaning that the post holder has specific responsibilities in respect of all elections and national referenda held in the District. These duties attract fees that are variable depending on the election. For Parliamentary, Police, Fire and Crime Commissioner, European elections and national referenda these are set by the Government, for County elections by Essex County Council and for District and Parish elections these are set locally.

- 2.4.2 Apart from this no fees, allowances, benefits in kind or expenses are available to the posts listed in 2.1, other than those available to all staff and on the same basis.

- 2.4.3 Staff appointed as Deputy Returning Officer's by the Returning Officer can receive a proportion of the above fees dependent upon the responsibilities undertaken at each separate election.

2.5 Pension

- 2.5.1 All staff are eligible to join the Local Government Pension Scheme in accordance with the terms of that scheme. No special considerations apply to the posts listed in 2.1.

2.6 Severance payments

- 2.6.1 Where senior staff leave in the normal course of business (resignation, retirement, etc.) the same procedures would be applied as for any other staff member and no additional payments would arise as a result.

- 2.6.3 Should a staff member leave as a result of a settlement agreement these, by their nature, are subject to negotiation with the individual and their representatives and so are variable in their terms. Such agreements are formal legal arrangements and confidentiality binding on both parties is a key component, so any payment arising from such an agreement would not be published. Authorisation of the payment would be in accordance with the

Council's terms of reference and scheme of delegation and it would need to represent value for money for the taxpayer in the circumstances.

- 2.6.4 Senior staff that were previously employed by the Authority and left with a severance or redundancy payment may be re-employed on a consultancy basis to cover short term staff pressures where it is considered appropriate and in the public interest to do so.

2.7 Additional Payments

- 2.7.1 When recruiting to a senior post the salary offered would be that applicable to the grade of the post, as determined by Job Evaluation, and within the established pay line. No additional payments would arise, unless a market supplement to enable recruitment was considered justified due to a recognised technical skill shortage in the job market.
- 2.7.2 In the event that a senior post was to be filled by a person who had retired from another Authority and was in receipt of a pension it would be arranged so that the person was not better off overall, through abatement of pension and/or pay as applicable.
- 2.7.3 In accordance with the guidance set out in the Localism Act, The Strategy and Resources Committee should be given the opportunity to vote before large salary packages (£100k or above) are offered in respect of a new appointment.

2.8 Monitoring Officer

- 2.8.1 The Monitoring Officer is not subject to any additional payment.

2.9 Publication of remuneration of senior staff

- 2.9.1 This Pay Policy Statement, once approved by the Council, will be published on the Council's website.
- 2.9.2 The remuneration and pension contributions of the Directors are published annually in the Financial Statements of the Authority, along with the numbers of employees whose remuneration and pension contributions are £50,000 and over. These are placed on the Council's website.

3. Lowest paid staff and Real Living Wage

3.1 Definition

- 3.1.1 Maldon District Council are committed to paying the Real Living Wage currently this is £9.90 per hour. Staff in Pay Bands A to C, on spinal points 1 to 9 are paid the real living wage rate which is currently £9.90 per hour from 15th November 2021.

3.2 Pay Policy in respect of lowest paid staff

- 3.2.1 No special considerations apply to the lowest paid staff. They are subject to identical terms and conditions, procedures and policies as all other staff. In some cases, these policies give slightly different benefits to different levels of staff. For example, for the lowest five pay bands (A to E) enhanced pay rates for overtime are paid. No enhancement above grade E is paid. In contrast the basic amount of annual leave increases with grade bands.

The Council employs Apprentices but these are not included within the definition of 'lowest paid employees' and are not subject to the living wage rate as they are paid the legal pay rate for Apprentices.

4. **Pay Ratio's**

- 4.1 The Pay Multiple is the ratio between the highest taxable earnings and the median earnings figure for the whole authority in accordance with the Transparency Code 2014.
- 4.2 Maldon, as at November 2021, has the ratio between the Director salary and the median of all staff is 1:3.76. The Government has considered setting twenty to one as a maximum. As Maldon District's Council's rate is currently below this amount it is not considered necessary to have a specific policy concerning the pay multiple. If the multiple starts to rise, for example above five to one, this could be reconsidered.

5. **Pay Award**

- 5.1 The National Joint Council (NJC) negotiates pay on behalf of Local Government and Maldon District Council are committed to paying its employees the nationally agreed pay award each year. The award for 2020.21 was 2.75%. The award for 2021.22 has not yet been finalised.
- 5.2 Employees who have left the Council's employment prior to their pay award being implemented may submit a written request for payment of monies owing to them.

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PLANNING & ENVIRONMENTAL SERVICES	Charge	VAT	2022/23	2021/22
	£	£	£	£
ENVIRONMENTAL HEALTH				
ENVIRONMENTAL PROTECTION				
Anti Social Behaviour Act 2003				
Fixed Penalty for Graffiti and Fly Posting S43	150.00	-	150.00	150.00
Clean Neighbourhoods and Environment Act 2005				
Repairing vehicle on a road (<i>New Charge</i>)	100.00	-	100.00	100.00
Fixed Penalty for failure to nominate key holder (within an alarm notification area) or failure to notify local authority in writing of nominated key holders details	80.00	-	80.00	80.00
Fixed Penalty for offences under dog control orders S59(2)	100.00	-	100.00	100.00
Environmental Protection Act 1990				
Copy of contaminated land register entry per A4 sheet	0.08	0.02	0.10	0.10
Copy of the contaminated land strategy: bound paper copy	45.00	-	45.00	44.00
emailed copy		Free		
Copy of radioactive substances notification per A4 sheet	0.08	0.02	0.10	0.10
Copy of radioactive substances register : bound paper copy	45.00	-	45.00	44.00
emailed copy		Free		
per A4 sheet	0.08	0.02	0.10	0.10
Copy of other EPA statutory register entries (per A4 sheet)	0.08	0.02	0.10	0.10
downloaded from website		Free		
Environmental searches / professional reports (per enquiry)	100.00	20.00	120.00	117.00
Charge for Housing Act Enforcement (per hour)	54.00	-	54.00	54.00
Licensing of houses in multiple occupation (New Licence): standard fee for 5 room house	965.00	-	965.00	965.00
charge per each additional room	54.00	-	54.00	54.00
Licensing of houses in multiple occupation (Renewal): standard fee for 5 room house	665.00	-	665.00	665.00
charge per each additional room	54.00	-	54.00	54.00
Request for housing inspection for immigration purposes	189.00	-	189.00	189.00
Fixed Penalty for Litter S88 (1)	150.00	-	150.00	150.00
Fixed Penalty for offences in relation to waste receptacles S47ZA(2)	110.00	-	110.00	110.00
Fixed Penalty for breach of street litter control notices and clearing notices S94A(2)		Deleted		115.00
Fixed Penalty for unauthorised distribution of literature on designated land S3A para.7(2)		Deleted		84.00
Failure to produce waste documentation (commercial)	300.00	-	300.00	300.00
Failure to produce waste documentation (domestic)	200.00	-	200.00	200.00
Noise Act 1996				
Fixed Penalty for noise from dwellings S8	100.00	-	100.00	100.00
FOOD SAFETY, & HYGIENE				
Export certificate: one off	54.00	-	54.00	54.00
Food Safety revisit	175.00	-	175.00	175.00
Replacement FHRS sticker	10.00	-	10.00	10.00
Sale of SFBB packs	26.00	-	26.00	26.00
Private Water Supplies				
Risk assessment (per hour of officer time maximum £500)	54.00	-	54.00	54.00
Private water supply sampling		Recovery of costs		
Skin Piercing Activities				
Ear piercing, electrolysis, tattooing, acupuncture: per practitioner	89.00	-	89.00	89.00
per premises	289.00	-	289.00	289.00
GAMBLING ACT 2005				
Annual Fee				
Adult Gaming Centre	918.00	-	918.00	890.00
Betting premises (other)	551.00	-	551.00	534.00
Betting Premises (track)	918.00	-	918.00	890.00
Bingo premises	918.00	-	918.00	890.00
Casino premises (converted)	2,756.00	-	2,756.00	2,671.00
Casino premises (large)	9,187.00	-	9,187.00	8,902.00
Casino premises (regional)	13,780.00	-	13,780.00	13,353.00
Casino premises (small)	4,593.00	-	4,593.00	4,451.00
Family entertainment centre	692.00	-	692.00	671.00
Application Fees for Premises and Application for Provisional Statements				
Adult gaming centre	1,837.00	-	1,837.00	1,780.00
Betting premises (other)	2,756.00	-	2,756.00	2,671.00
Betting premises (track)	2,296.00	-	2,296.00	2,225.00

<u>PLANNING & ENVIRONMENTAL SERVICES</u>	Charge	VAT	2022/23	2021/22
	£	£	£	£
Bingo premises	3,216.00	-	3,216.00	3,116.00
Casino premises (large)	9,187.00	-	9,187.00	8,902.00
Casino premises (regional)	13,780.00	-	13,780.00	13,353.00
Casino premises (small)	7,350.00	-	7,350.00	7,122.00
Family entertainment centre	1,837.00	-	1,837.00	1,780.00
Application Fee for Premises with Provisional Statement				
Adult gaming centre	1,102.00	-	1,102.00	1,068.00
Betting premises (other)	1,102.00	-	1,102.00	1,068.00
Betting premises (track)	877.00	-	877.00	850.00
Bingo premises	1,102.00	-	1,102.00	1,068.00
Casino premises (large)	4,593.00	-	4,593.00	4,451.00
Casino premises (regional)	7,350.00	-	7,350.00	7,122.00
Casino premises (small)	2,756.00	-	2,756.00	2,671.00
Family entertainment centre	877.00	-	877.00	850.00
Transfer / Reinstatement of Licence				
Adult gaming centre	1,102.00	-	1,102.00	1,068.00
Betting premises (other)	1,102.00	-	1,102.00	1,068.00
Betting premises (track)	877.00	-	877.00	850.00
Bingo premises	1,102.00	-	1,102.00	1,068.00
Casino premises (converted)	1,240.00	-	1,240.00	1,202.00
Casino premises (large)	1,978.00	-	1,978.00	1,917.00
Casino premises (regional)	5,971.00	-	5,971.00	5,786.00
Casino premises (small)	1,653.00	-	1,653.00	1,602.00
Family entertainment centre	877.00	-	877.00	850.00
Variation Fee				
Adult gaming centre	918.00	-	918.00	890.00
Betting premises (other)	1,378.00	-	1,378.00	1,335.00
Betting premises (track)	1,153.00	-	1,153.00	1,117.00
Bingo premises	1,608.00	-	1,608.00	1,558.00
Casino premises (converted)	1,837.00	-	1,837.00	1,780.00
Casino premises (large)	6,890.00	-	6,890.00	6,676.00
Casino premises (regional)	6,890.00	-	6,890.00	6,676.00
Casino premises (small)	3,675.00	-	3,675.00	3,561.00
Family entertainment centre	918.00	-	918.00	890.00
Other Gambling Act Licence Fees				
Change of circumstance	44.00	-	44.00	43.00
Copy of licence	22.00	-	22.00	21.00
LICENSING				
Animal Licensing				
Animal boarding establishments - new application	608.00	-	608.00	439.00
Animal boarding establishments - renewal	334.00	-	334.00	290.00
Animal home boarding - new application	533.00	-	533.00	439.00
Animal home boarding - renewal	309.00	-	309.00	290.00
Dangerous wild animal	342.00	-	342.00	245.00
Dog breeding establishments - new application	517.00	-	517.00	474.00
Dog breeding establishments - renewal	426.00	-	426.00	290.00
Pet shop - new application	658.00	-	658.00	439.00
Pet shop - renewal	384.00	-	384.00	290.00
Riding establishments - new application	551.00	-	551.00	610.00
Riding establishments - renewal	364.00	-	364.00	436.00
Zoo licence (individually determined fees)	Recovery of costs			
<i>Any costs incurred by the Council in licensing premises, e.g. Vet's fees, will be passed on to the licensee</i>				
Doggy Day Care (New Charge)	633.00		633.00	-
Doggy Day Renewal (New Charge)	384.00		384.00	-
Exhibition (New Charge)	658.00		658.00	-
Exhibition Renewal (New Charge)	533.00		533.00	-

<u>PLANNING & ENVIRONMENTAL SERVICES</u>	Charge	VAT	2022/23	2021/22
	£	£	£	£
Hackney Carriage Licences				
Driver licence (Hackney or Dual) - 3 yrs duration	237.00	0.00	237.00	237.00
Vehicle licence (excludes vehicles test) - 1 yr duration	238.00	0.00	238.00	238.00
<i>Licence fee reduced for wheelchair accessible vehicles 25%</i>				
Private Hire Licences				
Driver licence (PH or Dual) - 3 yrs duration	237.00	-	237.00	237.00
Private hire operators licence (1 car) - 5yrs duration	229.00	-	229.00	229.00
Vehicle licence (excludes vehicles test) - 1 yr duration *	238.00	-	238.00	238.00
* Licence fee reduced for wheelchair accessible vehicles 25%				
Town & Police Clauses Act 1847				
Street closures admin charge	73.33	14.67	88.00	88.00
+ Street closures press advert recovery of cost	Recovery of costs			
Local Government Miscellaneous Provisions Act 1982				
Sex establishment licence: application	2,718.00	-	2,718.00	2,634.00
renewal	544.00	-	544.00	527.00
variation	217.00	-	217.00	210.00
MOBILE HOMES ACT 2013				
Application to transfer a site licence	352.00	-	352.00	352.00
Deposit of Site Rules	65.00	-	65.00	65.00
Annual Fee				
Band 1 (1-8 Pitches)	0.00	-	0.00	-
Band 2 (9-24 Pitches)	298.00	-	298.00	298.00
Band 3 (25-99 Pitches)	503.00	-	503.00	503.00
Band 4 (100-199 Pitches)	790.00	-	790.00	790.00
Band 5 (more than 200 Pitches)	1,017.00	-	1,017.00	1,017.00
New Site Licence Application and renewals				
Band 1 (1-8 Pitches)	666.00	-	666.00	666.00
Band 2 (9-24 Pitches)	763.00	-	763.00	763.00
Band 3 (25-99 Pitches)	1,055.00	-	1,055.00	1,055.00
Band 4 (100-199 Pitches)	1,272.00	-	1,272.00	1,272.00
Band 5 (more than 200 Pitches)	1,537.00	-	1,537.00	1,537.00
Application to amend a site Licence fee				
Band 1 (1-8 Pitches)	390.00	-	390.00	390.00
Band 2 (9-24 Pitches)	400.00	-	400.00	400.00
Band 3 (25-99 Pitches)	417.00	-	417.00	417.00
Band 4 (100-199 Pitches)	422.00	-	422.00	422.00
Band 5 (more than 200 Pitches)	449.00	-	449.00	449.00
SCRAP METAL DEALERS LICENCES				
Scrap metal dealers collectors licence (3yrs duration)	204.00	-	204.00	204.00
Scrap metal dealers collectors licence renewal (3yrs duration)	158.00	-	158.00	158.00
Scrap metal dealers site licence (3yrs duration)	387.00	-	387.00	387.00
Scrap metal dealers site licence renewal (3yrs duration)	321.00	-	321.00	321.00
Scrap metal dealers variation of a licence	95.00	-	95.00	95.00
Scrap metal dealers additional site	75.00	-	75.00	74.00
ENVIRONMENTAL WASTE				
DOMESTIC REFUSE				
Black sacks - per roll of 26	Deleted			3.60
PEST CONTROL - COMMERCIAL				
Insects and rodents per hour (excluding materials)	105.83	21.17	127.00	123.00
Rodent contract work	By negotiation - minimum charge £100			
Treatment for squirrels	105.83	21.17	127.00	123.00
Treatment for moles	105.83	21.17	127.00	123.00

<u>PLANNING & ENVIRONMENTAL SERVICES</u>	Charge	VAT	2022/23	2021/22
	£	£	£	£
PEST CONTROL - DOMESTIC				
Call out charge	60.83	12.17	73.00	71.00
Ants (each property)	85.83	17.17	103.00	100.00
Bedbug infestation: 1-3 bed property	90.00	18.00	108.00	105.00
4-5 bed property	95.83	19.17	115.00	111.00
> 5 bed property	By negotiation			
Second call out within 6 weeks of initial treatment at 50% charge				
Bees	60.83	12.17	73.00	71.00
Brown-tailed moth	Based on hourly rate			
Fleas infestation: 1-3 bed property	90.00	18.00	108.00	105.00
4-5 bed property	95.83	19.17	115.00	111.00
> 5 bed property	By negotiation			
Second call out within 6 weeks of initial treatment at 50% charge				
Lice and cockroaches	60.83	12.17	73.00	71.00
Mice	60.83	12.17	73.00	71.00
Rats	60.83	12.17	73.00	71.00
Wasps nests	60.83	12.17	73.00	71.00
additional nest (treated at same time as first)	29.17	5.83	35.00	34.00
RECYCLING				
Green bins: standard annual fee	50.00	-	50.00	48.00
(standard fee: half year pro rata for new customers) (New Charge)	25.00	-	25.00	23.00
Isolated properties annual fe (new charge)	27.00	-	27.00	25.00
Purchase of Green Bin including Delivery	28.00	-	28.00	26.00
REFUSE COLLECTION				
Household Bulky Waste - 1 to 3 items	37.00	-	37.00	35.00
Household Bulky Waste - 4 to 6 items	70.00	-	70.00	70.00
Household Bulky Waste - 7 to 9 items	111.00	-	111.00	106.00
Household Bulky Waste - 10 to 12 items (maximum)	148.00	-	148.00	141.00
NEW PROPERTIES (6 or more properties)				
Cost per refuse / recycling container to developers including delivery	65.00	-	65.00	60.00
STRAY DOGS				
Stray dog destruction fee	Recovery of costs			
Collection Fee	55.00	-	55.00	50.00
Admin Fee	25.00	-	25.00	25.00
Kenneling per night	Recovery of costs			15.00
With Tag or Chip				
Vets fees	Recovery of costs			
Without Tag or Chip				
Vets fees	Recovery of costs			
STREET CLEANSING				
Return of abandoned trolleys	50.00	-	50.00	50.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
CEMETERIES					
Search in burial register	Yes	29.17	5.83	35.00	31.00
Use of chapel	No	220.00	-	220.00	217.00
Plot choosing: burial ex woodland non-resident	Yes	500.00	100.00	600.00	583.00
burial ex woodland resident	Yes	250.00	50.00	300.00	292.00
Plot choosing: cremated remains non-resident	Yes	166.67	33.33	200.00	163.00
Plot choosing: cremated remains resident	Yes	83.33	16.67	100.00	82.00
Cancellation Fee (Less than 48 hours) <i>New Charge</i>	No	250.00	-	250.00	-
Bronze Memorial Plaques					
Plaque on plinth: 6" x 4"	Yes	345.83	69.17	415.00	414.00
Brass plaque on stake 6" x 4"	No	185.00	-	185.00	153.00
Brass plaque on stake 7" x 5"	No	195.00	-	195.00	172.00
Brass plaque on stake 6" x 4" Cremation plots only (<i>New Charge</i>)	No	185.00	-	185.00	-
Brass plaque on stake 7" x 5" Cremation plots only (<i>New Charge</i>)	No	195.00	-	195.00	-
Perspex plaque on stake 5" x 3" Cremation plots only (<i>New Charge</i>)	No	55.00	-	55.00	-
Charges for Right to Place Monument					
Under 18 years		Free			
Additional inscription	No	85.00	-	85.00	83.00
Full kerb set	No	225.00	-	225.00	223.00
Full kerb set & headstone up to 1m	No	330.00	-	330.00	326.00
Headstone up to 1m	No	155.00	-	155.00	142.00
Other memorials (<i>cremated remains memorials</i>)	No	110.00	-	110.00	110.00
Exclusive Right of Burial - Non Resident					
10 Year (top up for existing Exclusive right of burial only)	Yes	350.00	70.00	420.00	420.00
10 Year (top up for existing Exclusive right of burial only child)	Yes	183.33	36.67	220.00	220.00
10 Year top up for cremated remains existing ERB only child (<i>New Charge</i>)	Yes	91.67	18.33	110.00	-
11 Year top up for cremated remains existing ERB only Adult (<i>New Charge</i>)	Yes	175.00	35.00	210.00	-
50 years next in line burial child		583.33	116.67	700.00	450.00
50 years next in line burial adult		1,166.67	233.33	1,400.00	1,100.00
50 years next in line cremated remains child		250.00	50.00	300.00	260.00
50 years next in line cremated remains adult		500.00	100.00	600.00	520.00
99 years next in line cremated remains child		416.67	83.33	500.00	450.00
99 years next in line cremated remains adult		833.33	166.67	1,000.00	900.00
99 years next in line burial adult		1,666.67	333.33	2,000.00	1,700.00
99 years next in line burial child		833.33	166.67	1,000.00	850.00
Transfer of exclusive rights of burial	No	70.00	-	70.00	68.00
Exclusive Right of Burial - Resident					
10 years top up for existing ERBs only adult	Yes	175.00	35.00	210.00	210.00
10 years top up for existing ERBs only child	Yes	87.50	17.50	105.00	105.00
10 years top up for cremated remains existing ERB only adult	Yes	91.67	18.33	110.00	106.00
10 year top up for cremated remains existing ERB only child	Yes	45.83	9.17	55.00	107.00
50 years next in line burial adult	Yes	583.33	116.67	700.00	550.00
50 years next in line burial child	Yes	291.67	58.33	350.00	225.00
50 years next in line cremated remains child	Yes	125.00	25.00	150.00	130.00
50 years next in line cremated remains adult	Yes	250.00	50.00	300.00	260.00
99 years next in line cremated remains child	Yes	208.33	41.67	250.00	225.00
99 years next in line cremated remains adult	Yes	416.67	83.33	500.00	450.00
99 years next in line burial adult	Yes	833.33	166.67	1,000.00	850.00
99 years next in line burial child	Yes	416.67	83.33	500.00	425.00
Transfer of exclusive rights of burial	No	70.00	-	70.00	68.00
Interment - Non Resident					
Under 18 years (no charge to customer) (<i>New Charge</i>)	Yes	833.33	166.67	1,000.00	-
18 years and over burial	Yes	1,666.67	333.33	2,000.00	2,000.00
Under 18 years (no charge to customer) (<i>New Charge</i>)	Yes	208.33	41.67	250.00	-
18 years and over cremated remains	Yes	416.67	83.33	500.00	500.00
Scattering of ashes: under 18 years (No charge to the customer) (<i>New Charge</i>)	Yes	75.00	15.00	90.00	-
18 years and over		141.67	28.33	170.00	170.00
Saturday 10.00 - noon only	No		Deleted		
Interment - Resident					
Under 18 years (no charge to customer) (<i>New Charge</i>)	Yes	416.67	83.33	500.00	
18 years and over burial	Yes	833.33	166.67	1,000.00	1,000.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Under 18 years (no charge to customer) (<i>New Charge</i>)	Yes	95.83	19.17	115.00	
18 years and over cremated remains	Yes	187.50	37.50	225.00	225.00
Scattering of ashes: under 18 years (No charge to the customer) (<i>New Charge</i>)	Yes	37.50	7.50	45.00	-
18 years and over		70.83	14.17	85.00	85.00
scattering at sea all ages (New Charge)		375.00	75.00	450.00	-
Disinterment of cremated remains (New Charge)		291.67	58.33	350.00	-
Exhumation of coffin		Price on request			
Memorialisation Scheme					
Memorial tree including planting	No	285.00	-	285.00	210.00
Neat and Tidy Scheme					
Ashes (bed): 1 year	Yes		Deleted		100.00
5 years	Yes		Deleted		400.00
Lawn (headstone bed): 1 year	Yes		Deleted		150.00
5 years	Yes		Deleted		600.00
Lawn (full burial): 1 year	Yes		Deleted		200.00
5 years	Yes		Deleted		800.00
PARKS TEAM					
Parks Ground Maintenance Contracts - Charges based on enquiry					
OFF STREET PARKING					
Vehicles that display up to date disabled persons badge		Free			
OFF STREET PARKING					
Maldon District Council offices:					
Weekdays 8am - 5pm (max stay 2 hrs)					
Up to 1 hr		0.92	0.18	1.10	1.10
Up to 2hrs		1.17	0.23	1.40	1.40
Weekends					
Pay & display: Saturday (8am to 5pm) up to 1 hour	Yes	0.92	0.18	1.10	1.10
Saturday (8am to 5pm) 1 to 2 hours	Yes	1.17	0.23	1.40	1.40
Saturday (8am to 5pm) 2 to 3 hours	Yes	1.67	0.33	2.00	2.00
Saturday (8am to 5pm) 3 to 4 hours	Yes	2.17	0.43	2.60	2.60
Saturday (8am to 5pm) over 4 hours	Yes	3.67	0.73	4.40	4.40
Saturday Evening 5pm to 10pm	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Butt Lane (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.17	0.23	1.40	1.40
2 to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	2.17	0.43	2.60	2.60
over 4 hours	Yes	3.67	0.73	4.40	4.40
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly	Yes	47.50	9.50	57.00	57.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			
Friary Fields (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	2.17	0.43	2.60	2.60
over 4 hours	Yes	3.67	0.73	4.40	4.40
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly	Yes	47.50	9.50	57.00	57.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Public sector partners (Monday - Friday)		Deleted			
High St. East (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.17	0.23	1.40	1.40
2 to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	2.17	0.43	2.60	2.60
over 4 hours	Yes	3.67	0.73	4.40	4.40
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly	Yes	47.50	9.50	57.00	57.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			
Public sector partners (Monday - Friday)		Deleted			
Hythe Quay					
Season ticket: Annual		Deleted			116.00
Annual parking (up to two days per week) (New Charge)	Yes	96.67	19.33	116.00	117.00
Annual Parking All day (New Charge)	Yes	531.67	106.33	638.00	118.00
Maldon Promenade (Monday to Sunday - 8am to 8pm)					
Car: up to 1 hour	Yes	1.08	0.22	1.30	1.20
1 to 2 hours	Yes	2.17	0.43	2.60	2.40
2 to 4 hours	Yes	Deleted			6.00
2 to 5 hours (New Charge)	Yes	5.42	1.08	6.50	
all day	Yes	7.08	1.42	8.50	7.70
Coach: up to 2 hours	Yes	6.08	1.22	7.30	7.30
over 2 hours	Yes	11.08	2.22	13.30	13.30
Coach park - coach / bus season tickets	Yes	183.33	36.67	220.00	220.00
Non residents season ticket	Yes	Deleted			176.00
Residents season ticket	Yes	531.67	106.33	638.00	132.00
Residents season ticket (two hours per day) (New Charge)	Yes	110.00	22.00	132.00	
Market Site					
Season ticket: annual	Yes	586.67	117.33	704.00	704.00
6 months	Yes	293.33	58.67	352.00	352.00
monthly	Yes	52.50	10.50	63.00	63.00
Silver Street					
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly		Pro rata charge			
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			
White Horse Lane (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.17	0.23	1.40	1.40
2 to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	3.08	0.62	3.70	3.70
over 4 hours	Yes	7.33	1.47	8.80	8.80
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
White Horse Lane	Yes				
Maldon Schools permit	Yes	183.33	36.67	220.00	220.00
	Yes				
Town Centre Car Parks					
Residents season ticket (Monday 5pm-10pm All Day Sunday)	Yes	65.83	13.17	79.00	79.00
Events Car Parking - day ticket					
Charge to be set by MDC prior to event	Yes				
Electricity Supply (Riverside & Promenade Park)					
Charge per day	Yes	70.83	14.17	85.00	56.00

<u>SERVICE DELIVERY</u>	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Deposit	No		Price on application		49.00
Water Supply (Riverside & Promenade Park)					
Stand Pipe Installation	No		Price on application		65.00
Charge per day	Yes		Price on application		31.00
Deposit	No		Price on application		56.00
Beach Hut Hire - Promenade Park					
Daily Charge					
High-Season (April - September)		45.83	9.17	55.00	45.00
Low-Season (October - March)		29.17	5.83	35.00	32.00
<i>A minimum charge of £10 (Inc. VAT) will apply for part days and later bookings</i>			Deleted		
FUNFAIRS AND CIRCUSES - Minimum of:					
Damage deposit	No		Price on application		500.00
Poster removal deposit (<i>New Charge</i>)	No		Price on application		500.00
Circus at Promenade Park					
Daily ground rate (whilst circus is in operation)	No		Price on application		158.00
Daily ground rate (whilst circus is not in operation)	No		Price on application		82.00
Circus at Riverside Park					
Daily ground rate (whilst circus is in operation)	No		Price on application		138.00
Daily ground rate (whilst circus is not in operation)	No		Price on application		71.00
Funfair at Riverside Park					
Daily ground rate (whilst fair is in operation)	No		Price on application		373.00
Daily ground rate (whilst fair is not in operation)	No		Price on application		186.00
Travelling Funfair at Promenade Park					
Daily ground rate (whilst fair is in operation)	No		Price on application		488.00
Daily ground rate (whilst fair is not in operation)	No		Price on application		196.00
PARKS AND OPEN SPACES					
Memorial Benches					
Rustic bench	No	1,272.00	-	1,272.00	1,233.00
Cast iron bench	No	1,293.00	-	1,293.00	1,253.00
Advertising and Sponsorship					
Events Banners per week (main gate entrances on railings x2 + free electronic advert)	Yes		Price on application		35.00
Events Banners per week (<i>community / charity</i>)	Yes	25.00	5.00	30.00	20.00
Internal park adverts TBA (<i>per week</i>)	Yes	25.00	5.00	30.00	20.00
Vehicle advertising TBA (<i>per day</i>)	Yes		Price on application		131.00
Sponsorship	Yes		By negotiation		
Event Land Hire Charge - Council Park or Open Space (<i>New Charges - per day</i>)					
Event licence / Permit fee (minimum fee payable on acceptance of event)	Yes	58.33	11.67	70.00	30.00
Charity - Small event (1-1,000 attendees)	Yes		Price on application		30.00
Charity - Medium event (1,001- 2,500 attendees)	Yes		Price on application		56.00
Charity - Large event (2,501 + attendees)	Yes		Price on application		109.00
Community - Small event (1-1,000 attendees)	Yes		Price on application		65.00
Community - Medium event (1,001- 2,500 attendees)	Yes		Price on application		121.00
Community - Large event (2,501 + attendees)	Yes		Price on application		POA
Commercial - Small event (1-1,000 attendees)	Yes		Price on application		322.00
Commercial - Medium event (1,001- 2,500 attendees)	Yes		Price on application		604.00
Commercial - Large event (2,501 + attendees)	Yes		Price on application		POA
Prom Park hire for Concessions			Price on application		POA
Other Council owned Land Hire for Concessions - (price is per operator, per day, per concession)					
Peak Time (<i>School Holidays/Bank Holidays/ Event Days</i>)					
Daily charge	No	65.00	-	65.00	55.00
Off Peak Time					
Daily charge	No	40.00	-	40.00	37.00
Pop Up Trading					
Peak Time (<i>School Holidays/Bank Holidays/ Event Days</i>)					

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Market Stall (Frame with Canopy)	No	70.00	-	70.00	56.00
Wheelie Cart	No	55.00	-	55.00	50.00
Wheelie Cart including Fridge	No	60.00	-	60.00	55.00
Electricity	Yes		Price on application		13.00
Off Peak Time			-		
Market Stall (Frame with Canopy)	No	60.00	-	60.00	45.00
Wheelie Cart	No	45.00	-	45.00	40.00
Wheelie Cart including Fridge	No	50.00	-	50.00	45.00
Electricity	Yes		Price on application		13.00
ROUNABOUT SPONSORSHIP					
1 Year agreement - Maldon Town site	Yes		Price on application	n application	
1 Year agreement - Other district site	Yes		Price on application	n application	
3 Year agreement - Maldon Town site	Yes		Price on application	n application	
3 Year agreement - Other district site	Yes		Price on application	n application	
Landscaping scheme (minimum 5 years)	Yes		Price on application	n application	
1 Year Boundary sign Agreement	Yes		Price on application	n application	
PARKS AND SPORTS PITCHES					
Cricket (per game)					
Adult	Yes	74.17	14.83	89.00	86.00
Junior	Yes	43.33	8.67	52.00	50.00
Sports pitch use - parking season ticket (per club)	Yes	107.50	21.50	129.00	125.00
Football (per game)					
Adult	Yes	45.83	9.17	55.00	53.00
Junior	Yes	34.17	6.83	41.00	40.00
Changing rooms (only)	Yes	11.67	2.33	14.00	14.00
Sports pitch use - parking season ticket (per team)	Yes	107.50	21.50	129.00	125.00
Sports club training / structured activities		9.17	1.83	11.00	11.00
Mini Soccer					
Juniors	Yes	27.50	5.50	33.00	32.00
Netball (per court, per hour)					
Adult	Yes	10.00	2.00	12.00	12.00
Junior	Yes	7.50	1.50	9.00	9.00
Tennis (per court, per hour)					
Adult	Yes		Deleted		9.00
Junior	Yes		Deleted		7.00
Organised Bootcamps / Personal Training in Council-owned Parks					
Hourly	Yes	29.17	5.83	35.00	12.00
3 Month Licence (2 hours per week)	Yes	125.00	25.00	150.00	91.00
6 Month Licence (up to 3 hours per week)	Yes	183.33	36.67	220.00	161.00
12 Month Licence (up to 5 hours per week)	Yes	291.67	58.33	350.00	282.00
RIVERS					
Moorings					
Annual charge: up to 7.99 metres	Yes	125.00	25.00	150.00	150.00
8 to 9.99 metres	Yes	204.17	40.83	245.00	245.00
10 to 14.99 metres	Yes	283.33	56.67	340.00	340.00
15 metres and above	Yes	375.00	75.00	450.00	450.00
Mooring registration fee	Yes	112.50	22.50	135.00	135.00
Transfer of mooring			50% of annual mooring fee		
Residential Mooring Charges					
up to 9.99 metres (per month)		166.67	33.33	200.00	200.00
10 to 14.99 metres (per month)		333.33	66.67	400.00	400.00
15 metres and above (per month)		500.00	100.00	600.00	600.00
Wharfage - Hythe Quay Maldon and Burnham Pontoon					
Daily fees: vessels and multihulls	Yes	17.50	3.50	21.00	21.00
Annual fees: Available to Fully Rigged Thames Sailing barges operators only	Yes	1,787.50	357.50	2,145.00	2,145.00
(annual fee can be paid quarterly with no penalty)	Yes	446.88	89.38	536.26	536.26
Monthly fees: Available to Fully Rigged Thames Sailing barges operators only	Yes	164.00	32.80	196.80	196.80
Weekly Fee: as per daily rate multiplied by 7, no rate change.	Yes	122.50	24.50	147.00	147.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
240/32 Amp Supply - Daily Charge (Maldon)	yes	4.17	0.83	5.00	5.00
Static Events on vessels using the Hythe Quay / Burnham (Daily charge)	Yes	116.67	23.33	140.00	140.00
Exclusive use of visitor pontoons Maldon / Burnham (Daily charge)	Yes	116.67	23.33	140.00	140.00
Visitor Pontoon - Weekly Winter charge Oct - April (Maldon)	yes	58.33	11.67	70.00	70.00
Commercial team					
Box Office services - commission rate to be set at 10% unless agreed by MDC					
Commercial Services Marketing - Price on enquiry					
SPLASH PARK					
Private bookings (per hour)	Yes			220.00	220.00
Private bookings (per half hour)	Yes			135.00	135.00
Changing rooms hire	Yes			14.00	14.00
Single use ticket (per 20 mins)	Yes			2.75	2.75
Towels	Yes	Deleted			6.00
T-Shirts	No	Deleted			
Swim Nappies	no	Deleted			1.50
Bottled Water	yes	Deleted			0.80
Gold Splash park all day wrist band ticket (off peak April - June & September)	Yes	Deleted			13.50
Gold Splash park all day wrist band ticket (peak season July & August) (<i>New Charge</i>)	Yes	Deleted			14.50

Appendix 2 - 2022.23 Fees Charges Schedule

	Charge	VAT	2022/23	2021/22
	£	£	£	£
PLANNING SERVICES				
BUILDING CONTROL				
New dwellings	See attached - table A			
Work to a single dwelling	See attached - table B			
All other non-domestic work	See attached - table C			
Copy document (completion certificate)			13.00	13.00
DEVELOPMENT CONTROL				
Designs and Patents Act 1989				
Plan copies - per sheet: A4	0.08	0.02	0.10	0.10
A3	0.17	0.03	0.20	0.20
A2	0.83	0.17	1.00	1.00
die line	1.67	0.33	2.00	2.00
Ordnance Survey Maps				
Handling fee	1.67	0.33	2.00	2.00
Site plans (max 6 copies) - per extract	30.83	6.17	37.00	37.00
Other Development Control				
High Hedge Complaints	510.00	102.00	612.00	612.00
Street Naming and Numbering				
Adding / removing a name	47.10	-	47.10	47.10
Renaming / renumbering a property	47.10	-	47.10	47.10
Naming / numbering 1-5 properties (per property) inc flats*	70.00	-	70.00	70.00
Naming / numbering 6-25 properties (per property) inc flats*	31.00	-	31.00	31.00
Naming / numbering 26-75 properties (per property) inc flats*	26.00	-	26.00	26.00
Naming / numbering 76+ properties (per property) inc flats*	20.00	-	20.00	20.00
Naming a street (per street)**	102.00	-	102.00	102.00
Change to development after notification	51.00	-	51.00	51.00
Street renaming at residents request	153.00	-	153.00	153.00
Written confirmation of postal address details	0.00	-	0.00	0.00
* numbers include dwellings within developments with new streets				
** number of new street names only				
LAND CHARGES				
Premises exempt as per legislation: church halls, village halls & non-commercial venues				
CON29 (part 1): standard fee	125.83	25.17	151.00	151.00
additional fee for non-residential searches	23.33	4.67	28.00	28.00
LLC1	23.00	0.00	23.00	23.00
additional fee for non-residential searches	34.17	6.83	41.00	41.00
CON290 (part 2) enquiry - per question: Q4-5 only (if purchased with full search)	15.83	3.17	19.00	19.00
Q6-21	15.83	3.17	19.00	19.00
Q22 only	23.33	4.67	28.00	28.00
Additional enquiry	33.33	6.67	40.00	40.00
Additional parcel of land LLC1	5.00	0.00	5.00	5.00
Additional parcel of land CON29	15.83	3.17	19.00	19.00
Copy of duplicate search	10.00	2.00	12.00	12.00
Search confirmation (up to 3mths old)	10.00	2.00	12.00	12.00
Personal Searches				
CON29R standard enquiry (when viewed in person)	Free			
Local land charges register (in person): print out	Free			
view	Free			
Local land charges LLC1 certificated	23.00	0.00	23.00	23.00

Planning Services Pre-Application Fees and Charges 2022/23

		2022/23		2021/22	
Further Details		Cost (£)	VAT (£)	Total (£)	Total (£)
Householder development (Duty Planner)	Only available for non-Complex Householder advice. This would include extensions to single dwellings, porches, garages, outbuildings and walls and fences. (No written advice).	Free		Free	Free
Householder development (Written advice)	Includes proposals to alter and extend individual houses and flats for residential purposes where the development relates to a building which is not listed as being of architectural or historic interest. In cases where the house or flat is listed then the charge will fall within Minor Development.	93.33	18.67	112.00	109.00
Householder development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals to alter and extend individual houses and flats for residential purposes where the development relates to a building which is not listed as being of architectural or historic interest. In cases where the house or flat is listed then the charge will fall within Minor Development.	177.50	35.50	213.00	207.00
Smallscale commercial development (Written advice)	Includes proposals for: Change of use up to 200m2 Extensions to commercial properties under 50m2 1-3 Advertisements Amendments to Previously Approved Schemes	93.33	18.67	112.00	109.00
Smallscale commercial development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Change of use up to 200m2 Extensions to commercial properties under 50m2 1-3 Advertisements Amendments to Previously Approved Schemes	177.50	35.50	213.00	207.00
Minor development (Written advice)	Includes proposals for: 1-4 residential units or gross external floorspace of up to 499m2 Change of use between 200 and 499m2 Extensions to commercial properties over 50m2 Over three advertisements Public Art Telecommunications Equipment Air Conditioning / Ventilation Equipment Amendments to Previously Approved Schemes	235.00	47.00	282.00	274.00
Minor development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 1-4 residential units or gross external floorspace of up to 499m2 Change of use between 200 and 499m2 Extensions to commercial properties over 50m2 Over three advertisements Public Art Telecommunications Equipment Air Conditioning / Ventilation Equipment Amendments to Previously Approved Schemes	528.33	105.67	634.00	615.00
Medium development (Written advice)	Includes proposals for: 5-9 residential units or gross external floorspace of 500-999m2	352.50	70.50	423.00	410.00
Medium development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 5-9 residential units or gross external floorspace of 500-999m2	587.50	117.50	705.00	684.00
Major development (Written advice)	Includes proposals for: 10-20 residential units Non-residential development with a gross external floorspace over 1,000m2	587.50 (Plus additional £21 +VAT per dwelling to a maximum of 74 dwellings)	117.50	705.00	684.00

Major development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 10-20 residential units Non-residential development with a gross external floorspace over 1,000m2	1,175.00 (Plus additional £21 +VAT per dwelling to a maximum of 74 dwellings)	235.00	1,410.00	1,368.00
Strategic Proposals (Planning Performance Agreements) (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Any application of 75 dwellings or more dwellings; or any outline residential development proposals whose site is 2 hectares or more. Any residential proposal promoted as an allocated site within the LDP. Any 100% Affordable Housing proposals of six dwellings or 0.3ha or more in outline form. Any non-residential development proposal, whose floor area is 1,500 square metres or more or whose site area is 2 hectares or more. Any non-residential proposals relating to development proposals allocated within the LDP. Any retail development 1,000 square metres or more or which of 250 square metres or more and is proposed to be beyond existing town centres as defined in the local plan or emerging LDP. Any mixed use development proposals whose site area is 2 hectares or more, or is of 75 dwellings or 1,000 square metres commercial floor area or more. Wind Turbines Any wind energy proposals whose output capacity is 1Mw or more or which proposes three or more turbines of 30m or more. Any Solar energy proposals whose output capacity is 1Mw or more or which proposes 4,000 or more solar panels. Energy from Waste Scheme which is 1KW capacity or more.	Individually determined at full cost recovery			
Minor Alterations to Listed Building (Written advice)	Only available for very minor and non-Complex advice. This would include replacement windows. This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	70.83	14.17	85.00	82.00
Alterations/Extension to Listed Building (Written advice)	Includes proposals for: Alterations to a listed building Extensions and additions to a listed building Demolition of an unlisted building within a conservation area This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	235.00	47.00	282.00	274.00
Alterations/Extension to Listed Building (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Alterations to a listed building Extensions and additions to a listed building Demolition of an unlisted building within a conservation area This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	573.33	114.67	688.00	667.00
Development in a Conservation Area (Written Advice)	This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	177.50	35.50	213.00	207.00
Development in a Conservation Area (Meeting* with Planning Officer of no more than one hour and written advice)	This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	516.67	103.33	620.00	601.00
Minor Tree advice (Tree within a conservation area only) (Written advice)	Includes proposals for: Works to 1-4 individually listed trees	70.83	14.17	85.00	82.00

Minor Tree advice (TPOs only) (Written advice)	Includes proposals for: Works to 1-4 individually listed trees Replacement of 1-4 individually listed trees	93.33	18.67	112.00	109.00
Minor Tree advice (TPOs only) (Meeting* with appropriate Officer of no more than one hour and written advice)	Includes proposals for: Works to 1-4 individually listed trees Replacement of 1-4 individually listed trees	235.00	47.00	282.00	274.00
Major Tree advice (TPOs only) (Meeting* with appropriate Officer of no more than one hour and written advice)	Includes proposals for: Works to 5 or more individually listed trees Replacement of 5 or more individually listed trees Works to trees within an area protected under a Tree Preservation Order Works to trees within a woodland protected under a Tree Preservation Order	470.83	94.17	565.00	548.00
Inspection of compliance with Enforcement Notice	Written confirmation that an enforcement notice has been complied with.	235.00	47.00	282.00	274.00
Compliance with Condition requests	Includes, but not exclusively: Written confirmation that a condition(s) has been complied with Written confirmation that a condition(s) has been discharged	177.50	35.50	213.00	207.00
Compliance with S.106 Agreement requests	Written confirmation that all/some S.106 obligations have been agreed	117.50 per obligation	23.50	141.00	137.00
Planning History requests	Includes, but not exclusively: Written confirmation of any restrictions imposed on a site on a site. Confirmation of authorised use of a site Confirmation of an absence of an agricultural occupancy condition	177.50	35.50	213.00	207.00

*All pre-application and advice Meeting*s will be held at the Council Offices. However, if it is agreed necessary to convene a Meeting* on site, travel time to and from the site will be charged at the hourly Meeting rate. Officers are unable to hold a site Meeting* without the prior deposit of plans or written proposals.

TABLE A - NEW DWELLINGS

2022/23

Dwelling-houses and Flats not exceeding 300m2

Please note that the Charges marked with an * have been reduced to reflect where controlled electrical installations are being carried out, tested and certified by a registered Part P electrician. If these reductions are claimed and a self certifying electrician is not subsequently employed, the applicant will be invoiced for supplementary charges equivalent to the discount (see D14 below)

VAT rate:	20.0%		2022/23	2022/23	2022/23	2022/23
Code	Bungalows or Houses less than 4 storeys		Plan Charge	Inspection Charge *	Building Notice Charge*	Regularisation Charge*
H01	1 Plot	Net	205.00	514.00	791.00	1,007.00
		VAT	41.00	102.80	158.20	-
		Total	246.00	616.80	949.20	1,007.00
H02	2 Plots	Net	308.00	822.00	1,243.00	1,582.00
		VAT	61.60	164.40	248.60	-
		Total	369.60	986.40	1,491.60	1,582.00
H03	3 Plots	Net	360.00	1,130.00	1,639.00	2,086.00
		VAT	72.00	226.00	327.80	-
		Total	432.00	1,356.00	1,966.80	2,086.00
H04	4 Plots	Net	411.00	1,438.00	2,034.00	2,589.00
		VAT	82.20	287.60	406.80	-
		Total	493.20	1,725.60	2,440.80	2,589.00
H05	5 Plots	Net	462.00	1,747.00	2,430.00	3,092.00
		VAT	92.40	349.40	486.00	-
		Total	554.40	2,096.40	2,916.00	3,092.00
	Flats					
F01	1	Net	205.00	514.00	791.00	1,007.00
		VAT	41.00	102.80	158.20	-
		Total	246.00	616.80	949.20	1,007.00
F02	2	Net	308.00	668.00	1,074.00	1,366.00
		VAT	61.60	133.60	214.80	-
		Total	369.60	801.60	1,288.80	1,366.00
F03	3	Net	360.00	822.00	1,300.00	1,654.00
		VAT	72.00	164.40	260.00	-
		Total	432.00	986.40	1,560.00	1,654.00
F04	4	Net	411.00	976.00	1,526.00	1,942.00
		VAT	82.20	195.20	305.20	-
		Total	493.20	1,171.20	1,831.20	1,942.00
F05	5	Net	462.00	1,130.00	1,752.00	2,229.00
		VAT	92.40	226.00	350.40	-
		Total	554.40	1,356.00	2,102.40	2,229.00
	Conversion to					
V01	Single Dwelling-House	Net	205.00	616.00	904.00	1,151.00
		VAT	41.00	123.20	180.80	-
		Total	246.00	739.20	1,084.80	1,151.00
V02	Single Flat	Net	205.00	514.00	791.00	1,007.00
		VAT	41.00	102.80	158.20	-
		Total	246.00	616.80	949.20	1,007.00
	Notifiable electrical work		(where applicable, in addition to the above, per dwelling)			
D14	(Where a satisfactory certificate will not be issued by a Part P registered electrician)	Net	This charge relates to a first fix pre-plaster inspection and final testing on completion. For Regularisation application a full appraisal and testing will be carried out.		216.00	274.00
		VAT			43.20	-
		Total			259.20	274.00

Where Standard Charges are not applicable please contact Building Control on 01621 876235

TABLE B - WORK TO A SINGLE DWELLING
2022/23

Limited to work not more than 3 storeys above ground level

Please note that the Charges marked with an * have been reduced to reflect where controlled electrical installations are being carried out, tested and certified by a registered Part P electrician. If these reductions are claimed and a self certifying electrician is not subsequently employed, the applicant will be invoiced for supplementary charges equivalent to the discount (see D14 below)									
VAT rate	20.0%		2022/23	2022/23	2022/23	2022/23	2022/23	2022/23	2022/23
Code	Extension & New Build		Full Plans		Full Plans - Multiple work reductions only **		Building Notice Charge *	Multiple work reductions only Building Notice Charge * at 50% reduced rate **	Regularisation Charge *
			Plan Charge	Inspection Charge *	Plan Charge at 50% reduced rate**	Inspection Charge * at 50% reduced rate **			
D01	Separate single storey extension with floor area not exceeding 40m²	Net VAT Total	205.00 41.00 246.00	411.00 82.20 493.20	103.00 20.60 123.60	206.00 41.20 247.20	678.00 135.60 813.60	339.00 67.80 406.80	863.00 - 863.00
D02	Separate single storey extension with floor area exceeding 40m² but not exceeding 100m²	Net VAT Total	205.00 41.00 246.00	514.00 102.80 616.80	103.00 20.60 123.60	257.00 51.40 308.40	791.00 158.20 949.20	396.00 79.20 475.20	1,007.00 - 1,007.00
D03	Separate extension with some part 2 or 3 storeys in height and a total floor area not exceeding 40m²	Net VAT Total	214.00 42.80 256.80	462.00 92.40 554.40	107.00 21.40 128.40	231.00 46.20 277.20	745.00 149.00 894.00	373.00 74.60 447.60	947.00 - 947.00
D04	Separate extension with some part 2 or 3 storeys in height and a total floor area exceeding 40m² but not ex 100m²	Net VAT Total	223.00 44.60 267.60	616.00 123.20 739.20	112.00 22.40 134.40	308.00 61.60 369.60	923.00 184.60 1,107.60	462.00 92.40 554.40	1,175.00 - 1,175.00
D05	A building or extension comprising SOLELY of a garage, carport or store - total floor area not exceeding 100m²	Net VAT Total	205.00 41.00 246.00	240.00 48.00 288.00	103.00 20.60 123.60	120.00 24.00 144.00	490.00 98.00 588.00	245.00 49.00 294.00	623.00 - 623.00
D06	Detached non-habitable domestic building with total floor area not exceeding 50m²	Net VAT Total	205.00 41.00 246.00	308.00 61.60 369.60	103.00 20.60 123.60	154.00 30.80 184.80	565.00 113.00 678.00	283.00 56.60 339.60	719.00 - 719.00
Conversions									
D07	First floor & second floor loft conversions	Net VAT Total	205.00 41.00 246.00	411.00 82.20 493.20	103.00 20.60 123.60	206.00 41.20 247.20	678.00 135.60 813.60	339.00 67.80 406.80	863.00 - 863.00
D08	Other work (e.g. garage conversions)	Net VAT Total	205.00 41.00 246.00	205.00 41.00 246.00	103.00 20.60 123.60	103.00 20.60 123.60	452.00 90.40 542.40	226.00 45.20 271.20	575.00 - 575.00
Alterations (including underpinning)									
D09	Renovation of a thermal element	Net VAT Total	103.00 20.60 123.60	103.00 20.60 123.60	52.00 10.40 62.40	52.00 10.40 62.40	226.00 45.20 271.20	113.00 22.60 135.60	288.00 - 288.00
D10	Replacement of windows, roof lights, roof windows or external glazed doors	Net VAT Total	103.00 20.60 123.60	103.00 20.60 123.60	52.00 10.40 62.40	52.00 10.40 62.40	226.00 45.20 271.20	113.00 22.60 135.60	288.00 - 288.00
D11a	Cost of work not exceeding £2,000 (Incl Renewable Energy systems)	Net VAT Total	103.00 20.60 123.60	154.00 30.80 184.80	52.00 10.40 62.40	77.00 15.40 92.40	283.00 56.60 339.60	142.00 28.40 170.40	360.00 - 360.00
D11	Cost of work exceeding £2,001 & not exceeding £5,000 (Incl Renewable Energy systems)	Net VAT Total	154.00 30.80 184.80	205.00 41.00 246.00	77.00 15.40 92.40	103.00 20.60 123.60	396.00 79.20 475.20	198.00 39.60 237.60	503.00 - 503.00
D12	Cost of work exceeding £5,001 & not exceeding £25,000	Net VAT Total	205.00 41.00 246.00	342.00 68.40 410.40	103.00 20.60 123.60	171.00 34.20 205.20	603.00 120.60 723.60	302.00 60.40 362.40	767.00 - 767.00
D13	Cost of work exceeding £25,001 & not exceeding £100,000	Net VAT Total	257.00 51.40 308.40	514.00 102.80 616.80	129.00 25.80 154.80	257.00 51.40 308.40	848.00 169.60 1,017.60	424.00 84.80 508.80	1,079.00 - 1,079.00
Notifiable Electrical work (in addition to the above, where applicable)									
D14	(Where a satisfactory certificate will not be issued by a Part P registered electrician)	Net VAT Total		This charge relates to a first fix pre-plaster inspection and final testing on completion. For Regularisation application a full appraisal and testing will be carried out.			361.00 72.20 433.20	n/a n/a n/a	461.00 - 461.00

****Multiple work reductions.** Where the proposed works consist of more than one of the above elements then the appropriate charge is calculated by paying the full amount for the most expensive element and only 50% for the other applicable elements **with the exception of D14 electrical Works**

Where Standard Charges are not applicable please contact Building Control on 01621 876235

TABLE C - ALL OTHER NON-DOMESTIC WORK
2022/23

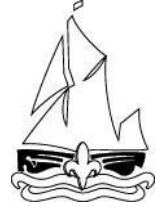
Limited to work not more than 3 storeys above ground level

VAT rate	20.0%		2022/23	2022/23	2022/23	2022/23	2022/23
Code	Extensions and New Build		Plan Charge	Plan Charge at 50% reduced rate** (for multiple works only)	Inspection Charge	Inspection Charge * at 50% reduced rate ** (for multiple works only)	Regularisation Charge
N01	Single storey with floor area not exceeding 40m2	Net VAT Total	214.00 42.80 256.80	107.00 21.40 128.40	411.00 82.20 493.20	206.00 41.20 247.20	875.00 - 875.00
N02	Single storey with floor area not exceeding 40m2 but not exceeding 100m2	Net VAT Total	240.00 48.00 288.00	120.00 24.00 144.00	531.00 106.20 637.20	266.00 53.20 319.20	1,079.00 - 1,079.00
N03	With some part 2 or 3 storey in height and a total floor area not exceeding 40m2	Net VAT Total	257.00 51.40 308.40	129.00 25.80 154.80	582.00 116.40 698.40	291.00 58.20 349.20	1,175.00 - 1,175.00
N04	With some part 2 or 3 storey in height and a total floor area exceeding 40m2 but not exceeding 100m2	Net VAT Total	274.00 54.80 328.80	137.00 27.40 164.40	668.00 133.60 801.60	334.00 66.80 400.80	1,318.00 - 1,318.00
Alterations							
N05	Cost of work not exceeding £5,000	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
	Replacement of windows, roof lights, roof windows or external glazed doors (not exceeding 20 units)	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
	Renewable Energy systems (not covered by an appropriate competent persons scheme)	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
	Installation of new shop front	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
N06	Cost of work exceeding £5,000 & not exceeding £25,000	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
	Replacement of windows, roof lights, roof windows or external glazed doors (exceeding 20 units)	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
	Renovation of thermal elements	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
	Installation of a Raised Storage Platform within an existing building	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
N07	Cost of works exceeding £25,000 & not exceeding £100,000	Net VAT Total	308.00 61.60 369.60	154.00 30.80 184.80	411.00 82.20 493.20	206.00 41.20 247.20	1,007.00 - 1,007.00
	Fit out of building up to 100m2	Net VAT Total	308.00 61.60 369.60	154.00 30.80 184.80	411.00 82.20 493.20	206.00 41.20 247.20	1,007.00 - 1,007.00

Multiple work reductions. Where the proposed works consist of more than one of the above elements then the appropriate charge is calculated by paying the full amount for the most expensive element and only 50% for the other applicable elements.

Where Standard Charges are not applicable please contact Building Control on 01621 876235

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**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
13 JANUARY 2022**

PRESENT

Chairman	Councillor Mrs J C Stilts
Councillors	M R Edwards, Mrs J L Fleming, CC, M S Heard and A L Hull
In attendance	Councillor C Morris

392. CHAIRMAN'S NOTICES

The Chairman welcomed all present and took the Committee through some housekeeping arrangements for the meeting.

393. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R G Boyce, J V Keyes and E L Stephens.

394. MINUTES

RESOLVED by assent that the Minutes of the meeting of the Committee held on 18 November 2021 be approved and confirmed.

395. DISCLOSURE OF INTEREST

Councillor Mrs J L Fleming declared a non-pecuniary interest as a Member of Essex County Council on any agenda items pertaining to that organisation.

396. PUBLIC PARTICIPATION

The Chairman reported that detailed questions regarding agenda item 7 Review of Corporate Risk (Q2) had been received from a member of the public, Mr Fittock. She advised the Committee that these were currently with officers and a detailed response would be circulated to both Mr Fittock and the Committee in due course.

397. REVIEW OF CORPORATE PERFORMANCE - QUARTER 2

The Committee considered the report of the Director of Strategy, Performance and Governance that required the committee to undertake a quarterly review of the Thematic Strategies performance, as assurance that performance was being managed effectively to achieve the corporate outcomes as set out in the Council's Corporate

Plan 2021 - 2023. Appendix 1 to this report provided an overview of performance as of the end of Quarter 2 (July – September 2021).

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She took the Committee through the report that dealt with targets that were on track; those under review to determine if they were the right measures and some that were at risk.

As shown in section 3.3 of the report, strategic delivery was broadly on track. There was a review of the environment champions Key Performance Indicators (KPIs) in light of the climate action strategy being approved, and a new target would be aligned to this strategy which would be reflected in Quarter 3 (Q3) reporting.

At 3.4 there was one indicator at risk which was the Five Year Housing Land Supply (5YHLS) Statement updated and Published. The next data update was due in April 2022 when a clearer picture would be available.

In response to a question from Councillor Fleming, the Director of Strategy, Performance and Governance said that the risk highlighted at section 3.4 in respect of the Neighbourhood Plans and the 5YHLS was based on the potential for the housing land supply to slip below three years, resulting in policies within the Local Development Plan, including the Neighbourhood Plans, to become out-of-date and therefore not carry any weight in decision-making. He added that he would not like to speculate on the likelihood of this occurrence until all the review work, particularly delivery in the current year, was completed.

There being no further discussion the Chairman put the duly seconded recommendations to the Committee, and they were agreed by assent.

RESOLVED

- (i) That Members reviewed the information as set out in the report and appendix 1 with priority focus given to the Strategic Outcome level performance;
- (ii) That Members confirmed they were assured through this review that corporate performance was being managed effectively.

398. REVIEW OF CORPORATE RISK - QUARTER 2

The Committee considered the report of the Director of Strategy, Performance and Governance that required the committee to undertake a quarterly review of the Corporate Risk Register as assurance that the corporate risks were being managed effectively. Appendix 1 was attached to the report for this purpose.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She reported that section 3.2.1 covered risks that had changed direction between Quarter 1 (Q1) and Quarter 2 (Q2).

- R11 - failure to protect commercial or personally sensitive data had seen an increase due to councillors sharing information of this nature publicly;
- R25 – failure to deliver finances of the transformation programme was recommended for closure as this had been addressed through Medium Term Financial Forecasts and budgets revised to account for this, therefore the risk had already been realised and managed through wider processes.

Section 3.2.2 also set out emerging risk areas, this was where scoring had not changed between the quarters reported, but they had been identified as areas that could change due to wider pandemic response. Overall, there were no significant changes to Corporate risk for Q2 as outlined in appendix 1. There being no further discussion the Chairman put the duly seconded recommendations to the Committee and they were agreed by assent.

RESOLVED

- (i) That Members reviewed the Corporate Risk Register in appendix 1 and provided comment and feedback for consideration;
- (ii) That Members were assured through this review that corporate risk was being managed effectively;
- (iii) That Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.

399. REVIEW OF HEALTH AND SAFETY - QUARTER 2

The Committee considered the report of the Director of Service Delivery that provided an update on Health and Safety statistics and activity during quarter 2 (1 July 2021 to 30 September 2021).

The Chairman introduced the report and deferred to the Director of Service Delivery to present the detail. He took the Committee through the report highlighting the new format that provided more information around outcomes of reported accidents and incidents of unacceptable behavior. It was noted that once the Health and Safety Consultant's remit on the Health and Safety Action Plan concluded circa April, the role would be replaced with a permanent Health and Safety Officer.

The new Operations Manager for Parks then addressed the Committee outlining the work the consultant had recently undertaken. He advised that in liaison with the Health & Safety Consultant and Human Resources work was underway to implement new Health and Safety procedures for all staff, backed up by individual meetings to embed the Health and Safety brief and documented to provide an audit trail. A training matrix had been introduced to monitor progress and highlight refresher training needs. The Health and Safety Working Group was now meeting on a regular basis, monitoring and updating best working practices, safeguarding the health and safety of both staff and members of the public.

In response to a question from Councillor Edwards regarding staff training, the Director of Service Delivery assured the Committee that the Community Engagement Team was included in the training programme together with teams across the Council.

There being no further discussion the Chairman put the duly seconded recommendations to the Committee, and they were agreed by assent.

RESOLVED

- (i) That Members considered the accident and incident statistics;
- (ii) That Members considered the progress with the health and safety action plan;
- (iii) That Members considered health and safety improvements not identified in the action plan.

RECOMMENDED that the council adopt the new Hand Arm Vibration Policy attached at appendix 2 to the report.

400. ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE

The Committee considered the report of the Director of Strategy, Performance and Governance that provided an update on the actions identified in the 2020/21 Annual Governance Statement.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to present the detail. She informed the Committee that the annual governance statement actions were set out as ways the Council might improve its governance arrangements in the Annual Governance Statement. The progress on these actions were tracked and reported back to the Performance, Governance and Audit Committee (PGA).

It was noted that section 3.5 of the report outlined the actions identified and their current status, together with commentary for member review.

In response to a question from Councillor Edwards regarding the work of the Corporate Governance Working Group (CGWG) in relation to this report it was noted that these were separate processes. The CGWG reviewed constitutional matters whilst the Annual Governance Statement (AGS) was a statutory document reported directly to PGA. The activity of the CGWG would be incorporated at year end in the statement.

In response to a query from Councillor Fleming regarding the location of the AGS the Programmes Performance and Governance Manager said she would circulate the website link following the meeting. There being no further discussion the Chairman put the duly seconded recommendation to the Committee and it was agreed by assent.

RESOLVED that the Committee reviewed the Annual Governance Statements table updates and challenged where necessary.

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

The Chairman, addressing the Vice-Chairman vacancy, thanked former Councillor Jarvis for his work and support as Vice-Chairman of the Performance, Governance and Audit Committee. She then nominated Councillor Fleming as Vice-Chairman, this was duly seconded and agreed by assent.

Subsequent to the meeting and due to unforeseen circumstances, the acceptance was retracted therefore this will now be dealt with at the Performance Governance and Audit Committee on 10 February 2022.

The meeting closed at 7.52 pm.

MRS J C STILTS
CHAIRMAN



Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviors and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. Respect

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. Bullying, harassment and discrimination

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and

contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the council

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the local authority; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport

- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. Complying with the Code of Conduct

As a Councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. Interests

As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority .

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

- 10.1** I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.
- 10.2** I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.
- 10.3** I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. [Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
- a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registerable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
- a. to a greater extent than it affects the financial interests **or well-being** of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it]

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p style="text-align: right;">APPENDIX 1</p> <p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor’s knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registrable Interest :

- a) any unpaid directorships
 - b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
 - c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
- of which you are a member or in a position of general control or management

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

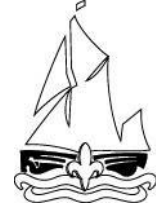
Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.



REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

CAPITAL AND INVESTMENT STRATEGIES FOR 2022 / 23 AND MINIMUM REVENUE STATEMENT 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 The Council is required to approve an annual Capital Strategy and Investment Strategy before the start of the financial year to which they relate.

2. RECOMMENDATION

The Council considers this report and approves the below recommendations as set out in the appendices for 2022 / 23:

- (i) the Capital Strategy (**APPENDIX 1**),
- (ii) the Capital Project Bids (**APPENDIX 2**),
- (iii) Investment Strategy (**APPENDIX 3**), and
- (iv) Minimum Revenue Provision Statement (**APPENDIX 4**)

3. SUMMARY OF KEY ISSUES

- 3.1 This report details the intended capital expenditure plans and funding arrangements and sets Prudential Indicators against which actual expenditure and borrowing should be monitored. The Capital Strategy for 2022 / 23 is at **APPENDIX 1**.
- 3.2 The Capital Project Bids is at **APPENDIX 2** as discussed at the Strategy and Resources Committee on 6 January and 3 February 2022.
- 3.3 The Investment Strategy is at **APPENDIX 3**.
- 3.3 The Minimum Revenue Provision is at **APPENDIX 4**.
- 3.4 The Strategies have been compiled with the advice and support of the Council's treasury advisor, Arlingclose Ltd, with the latest available 'outlooks' and interest rate forecasts at the time the strategies were drafted in December 2021.

4. CONCLUSION

- 4.1 The Capital Strategy has been prepared considering the future plans of the Council, ensuring that they are affordable and prudent. It links with the Council's Investment Strategy.
- 4.2 The Annual Investment Strategy has been updated in line with statutory requirements and good practice. It takes into account the Council's financial position and wider strategies, plans and aims. It also draws on the advice of the Council's external treasury advisor.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The Strategies and the Minimum Revenue Provision Statement support all three of the Council's strategic themes of Place, Community and Prosperity. There is a regulatory requirement for the Strategies and therefore the Council will be compliant in approving them before the start of the financial year on 1 April 2022.

6. IMPLICATIONS

- (i) **Impact on Customers** – None directly.
- (ii) **Impact on Equalities** – None directly.
- (iii) **Impact on Risk** – Any new investment decision will be entered with suitable due diligence to ensure that any risk is mitigated.
- (iv) **Impact on Resources (financial)** – Approved Capital Project Bids impact on the Council's reserves. Investment interest received is a financial resource available to support spending on service provision.
- (v) **Impact on Resources (human)** – None directly.
- (vi) **Impact on the Environment** – None directly.

Background papers:

Economic Background and Outlook and Interest Rate Forecasts provided by Arlingclose Ltd, the Council's treasury management advisors.

Capital and Investment Strategies For 2022 / 23 And Minimum Revenue Statement 2022 / 23 Report to the Strategy and Resources Committee, 3 February 2022.

Enquiries to: Lance Porteous, Lead Specialist, Finance.

Capital Strategy Report 2022/23

Maldon District Council

Introduction

This capital strategy report for 2022/23 gives a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability. It has been written in an accessible style to enhance members' understanding of these technical areas.

Decisions made this year on capital and treasury management will have financial consequences for the Council for many years into the future. They are therefore subject to both a national regulatory framework and to local policy framework, summarised in this report.

Capital Expenditure and Financing

Capital expenditure is where the Council spends money on assets, such as property or vehicles, that will be used for more than one year. In local government this includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets. The Council has some limited discretion on what counts as capital expenditure, for example assets costing below £10,000 are not capitalised and are charged to revenue in year.

Governance: Service managers bid annually in September to include projects in the Council's capital programme. Bids are collated by the finance team who calculate the financing cost (which can be nil if the project is fully externally financed). The Corporate Leadership Team (CLT) and recently formed finance working group appraise all bids based on a comparison of service priorities against financing costs and makes recommendations to Strategy and Resources committee. The final capital programme is then presented to Council in February each year.

Full details of the Council's proposed capital programme for 2022 / 23, including the project appraisals undertaken, will be presented to Council for approval 24 February 2022.

Projects that generate savings or income may be progressed in year subject to a valid Business Case and Committee Approval.

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 1: Capital financing in £thousands

	2020/21 actual	2021/22 forecast	2022/23 budget	2023/24 budget	2024/25 budget
External sources (Government Grant)	539	420	420	420	420
Own resources (Capital Receipts)	548	516	537	339	69
TOTAL	1,087	936	957	759	489

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as Minimum Revenue Provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Planned MRP and use of capital receipts are as follows:

Table 2: Replacement of debt finance in £thousands

	2020/21 actual	2021/22 forecast	2022/23 budget	2023/24 budget	2024/25 budget
Own resources (Capital Receipts)	548	516	537	339	69

- The Council's full minimum revenue provision statement is shown at Appendix 4.

Table 3: Estimates of Capital Financing Requirement in £thousands

	31.3.2021 actual	31.3.2022 forecast	31.3.2023 budget	31.3.2024 budget	31.3.2025 budget
General Fund services	(409)	(409)	(409)	(409)	(409)
TOTAL CFR	(409)	(409)	(409)	(409)	(409)

Asset management: To ensure that capital assets continue to be of long-term use, the Council is developing an asset management strategy. There is a risk that without a strategy, future repairs work will not identified, leaving an under-provision in the budget.

Asset disposals: When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. The Council is currently also permitted to spend capital receipts on service transformation projects until 2022 / 23.

Treasury Management

Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Council's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by borrowing, to avoid excessive credit balances or overdrafts in the bank current account. The Council is typically cash rich in the short-term as revenue income is received before it is spent.

Due to decisions taken in the past, the Council currently has £0m borrowing and £29m treasury investments at an average rate of 0.74%.

Borrowing strategy: The Council is currently debt free, and there is currently no intention to borrow to fund projects included in the Capital Programme. However, if any substantial commercial investment projects are considered in the future then the Council would need to borrow any large amounts of funding that may be required.

Affordable borrowing limit: The Council is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower "operational boundary" is also set as a warning level should debt approach the limit.

Table 4: Prudential Indicators: Authorised limit and operational boundary for external debt

	2020 / 21 limit £000	2021 / 22 limit £000	2022 / 23 limit £000	2023 / 24 limit £000	2024 / 25 limit £000
Authorised limit – borrowing	16,500	16,500	16,500	16,500	16,500
Operational boundary – borrowing	7,000	7,000	7,000	7,000	7,000

Treasury investment strategy: Treasury investments arise from receiving cash before it is paid out again. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.

The Council's policy on treasury investments is to maximise investment return where satisfactory results of due diligence are found and risk mitigated, although security and liquidity are still considerations. Cash that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, including in bonds, shares and property, to balance the risk of loss against the risk of receiving returns below inflation. Both near-term and longer-term investments may be held in pooled funds, where an external fund manager makes decisions on which particular investments to buy and the Council may request its money back at short notice.

Table 5: Treasury management investments in £thousands

	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget	31.3.2025 budget
Near-term investments	5,000	5,000	5,000	5,000	5,000
Longer-term investments	5,000	5,000	5,000	5,000	5,000
TOTAL	10,000	10,000	10,000	10,000	10,000

Governance: Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Director of Resources and staff, who must act in line with the treasury management strategy approved by Council. Half yearly reports on treasury management activity are presented to Overview & Scrutiny Committee. The audit committee is responsible for scrutinising treasury management decisions.

Investments for Service Purposes

The Council does not make investments to assist local public services.

Commercial Activities

The Council currently do not have any significant commercial activities for investment returns, however with the continuing pressures on external funding, and the implementation of the Future Model, consideration is being given to potential projects, which, when evaluated, will follow the governance for approval outlined on page 1 of this strategy.

Liabilities

The Council is committed to making future payments to cover its pension fund deficit (valued at £27.8m). It has also set aside £1.8 m to cover risks of Business Rates appeals, Planning appeals and Insurance claims.

Governance: Decisions on incurring new discretionary liabilities are taken by managers in consultation with the Director of Resources. The risk of liabilities crystallising and requiring payment is monitored by departments in conjunction with the finance team and are reported to committee/management as appropriate.

Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Prudential Indicator: Proportion of financing costs to net revenue stream

	2020 / 21 budget	2021 / 22 budget	2022 / 23 budget	2023 / 24 budget	2024 / 25 budget
Financing costs (£m)	-	-	-	-	-
Proportion of net revenue stream	%	%	%	%	%

- The borrowing referred to in this strategy relates to proposals that are still in planning stages, therefore these haven't been included in the table above due to wider implications of potential new revenue streams that would impact on the revenue stream. This table will be updated once there is more detail on the proposed projects.

Sustainability: Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for the duration of any borrowing arrangements. The Director of Resources is satisfied that the proposed capital programme is prudent, affordable and sustainable because for the main General Fund programme, there are existing reserves to fund the expenditure. Projects will only be progressed where they prove to generate savings or an income stream to the Council, and the Business Case will assess the risks and mitigations of the projects.

Knowledge and Skills

The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, when recruited the Director of Resources will need to be a qualified accountant with relevant experience. The Council pays for junior staff to study towards relevant professional accounting qualifications.

Where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisors and the Valuation Office as property advisors. This approach is more cost effective than employing such staff directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

The Council's Treasury Management policy on the use of external advisers is available on request.

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CAPITAL PROJECT BIDS 2022/23

1. SUMMARY

- 1.1 This appendix outlines the Capital projects that have been put forward by officers prior to the approval of the 2022/23 budget and updated Medium Term Financial Strategy. The projects were taken to the 6th January Strategy and Resources Committee after members of the Finance Working Group review them in detail and made recommendations to this meeting.

The Council's capital programme will need to reflect the three strategic themes set out in the Council's Corporate vision of Place, Community and Prosperity.

- 1.2 The 2022/23 project bids set out in the table below and detailed projects sheets can be found at **APPENDIX A**. The projects have been categorised by the Finance Working Group into the following two groups and shown on the first page of appendix A:

- Proposed Capital Programme 2022/23: These projects are deemed as essential as failure to carry out the project is likely to have health and safety implications and/or will have fundamental impact on service provision;

- 1.3 As part of the budget strategy the broad principles adopted in relation to capital are that expenditure will be financed from existing useable capital resources and not directly from revenue.

- 1.4 At the start of 2021/22 the Council had capital reserves totalling £2.0m. £0.5m is scheduled to be used to support the 2021/22 capital programme, which will leave £1.5m to support future programmes for 2022/23 and beyond.

The current 5-year capital programme is set out within MDC's Medium-Term Financial Strategy. In the absence of a sizeable capital receipt from a disposal of an asset, the Council will have used up its usable capital receipts within 3 years, at the rate of the capital programme suggested for 2022/23. That would mean that any capital programme extending beyond that would have to be funded from borrowing. The Council is currently debt free.

- 1.5 The Committee should note that any large capital project(s) as a result of the Commercial Strategy will be presented for consideration on a project by project business case basis under the governance arrangements for the delivery of the Commercial Strategy. The financing options of those project(s) would be included as part of the business case for the project(s).

It is essential that the Council's assets are maintained to ensure continued reliability and service provision either at current or improved level. To that end, repairs and renewals of Council assets are programmed into MDC's Medium-Term Financial Strategy.


2022/23 Service Capital Bids

Category	Project	£000
Vehicle and Plant Replacement		
SF	Replacement Electric Utility Vehicle (replaces fuel vehicle)	17
E	Replacement Parks 2004 Vehicle	32
E	Replacement Animal Warden Vehicle	12
E	Depot Forklift	19
E	Maintenance team vehicle	32
Maldon Promenade		
E	Prom Park new footpath alongside entrance road	25
E	Prom Entrance road bollard lighting (for Prom Park footpath)	16
E	Prom Park Marine Lake pumping station	11
E	Entrance Road Resurfacing	32
SF	Skate park resurfacing	45
Car Parks		
SF	White Horse Lane resurfacing	77
SF	Butt Lane Car Park Subsidence repairs	60
Leisure Centres		
SF	New Hot Water Boilers - Blackwater Leisure Centre (BLC)	31
Parks and Open Spaces		
SF	Oak tree Meadow surfacing	21
Rivers		
E	Burnham-on-Crouch (BoC) Pontoon Renovation	60
Total Capital Bids		490

KEY:

E	Essential
SF	Service Failure


Replacement Electric Utility Vehicle (replaces fuel vehicle)

Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Electric replacement John Deere Gator Utility Vehicle				
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial (C) 	Service Failure				
Project Lead Officer	Joe Poole				
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	To renew parks John Deere 'Gator' utility vehicle which is 9 years old and used daily on Promenade Park or across parks and open spaces in Maldon/Heybridge. This vehicle is essential for the day to day activities of the Parks team and basic maintenance duties within Promenade Park. Some capital may be raised through part exchange of old vehicle. The new vehicle would be the electric version with zero emissions, which would be the first such vehicle in the whole MDC fleet.				
Project Start Date <i>(Month and year)</i>	Apr-22				
Project Completion Date <i>(Month and year)</i>	Jun-22				
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Procurement process				
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>					
	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	17,000				
2024/25					
2025/26					
2026/27					
TOTAL	17,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) <i>Strengthening communities to be safe, active and healthy</i></p> <p>2) <i>Protecting and shaping the District</i></p> <p>3) <i>Creating opportunities for economic growth and prosperity</i></p> <p>4) <i>Delivering good quality, cost effective and valued services</i></p>	<p>Protecting and shaping the district: Newer utility vehicle moving to electric therefore greener, reducing emissions. Delivering good quality, cost effective and valued services: current vehicle has spent much time out of action needing repair and cost the service on numerous times for these repairs.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>Due to transport of the machine into the country the sooner this project progresses the more likely the machine will be in use with the parks team before we spend anymore on repairing our old machine</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	
<p>Are there Health & Safety implications? If so, please state</p>	<p>Ageing vehicle which is breaking down with increasing frequency. Whole body vibration exposure levels to staff expected to be much higher on current utility vehicle than a new one due to improved safety features that a new vehicle will have</p>
<p>Is this part of a statutory obligation? If so, state how</p>	
<p>Is the project contractually committed to in any way? If so, please describe</p>	
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>Deilvery of current ground maintainence obligations and can be used as part of commercial development of the parks department</p>

Replacement Parks 2004 Vehicle


Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	1 x Replacement Parks Team Vehicle	
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial (C) 	Essential	
Project Lead Officer	Joe Poole	
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Replacement of Parks Vehicle EF04 AFU with new vehicle which is suitable for carrying a ride on mower as we have a lack of suitable vehicles for this purpose. Current vehicle is close to 18 years old and although still roadworthy has many current issues that will need addressing soon. Indicative price below based upon similar replacement purchase in 2020/21 or potential to look at leasing as alternative (but would require ongoing Revenue Budget growth as an alternative)	
Project Start Date <i>(Month and year)</i>	Apr-21	
Project Completion Date <i>(Month and year)</i>	Jun-21	
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Procurement Process	
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>		

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	31,700				
2024/25					
2025/26					
2026/27					
TOTAL	31,700	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Protecting and shaping the district in aiding the team provide a maintenance service to its parks and open spaces. Delivering good quality, cost effective services by not paying for a vehicle which is old and in need of repair.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>Potential to look at second hand vehicles to reduce cost but this brings the risk of acquiring vehicles with issues from day one whereas new they will come with a lengthy warranty etc. Potential to look at leasing to spread costs.</p> <p>New Ford vehicles not available until April</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	
<p>Are there Health & Safety implications? If so, please state</p>	<p>High likelihood of breakdowns if we keep with current vehicle which is by far the oldest in the fleet of vans.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	
<p>Is the project contractually committed to in any way? If so, please describe</p>	
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>Delivery of current Ground Maintenance obligations and will aid future commercial growth of the parks department.</p>

Replacement Animal Warden Vehicle


Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Replacement of Animal Warden Vehicle
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) 	Essential
Project Lead Officer	Pat Mackshea
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	<p>This vehicle is approaching 9 years old and for a commercial vehicle its effective / economical working life is decreasing rapidly. Recent Servicing and repair costs are increasing due to its age related wear. It has also transported dogs around for most of its working life resulting in high levels of wear especially in the rear load area. Its reliability is now becoming an operational issue due to the increased pressure on our vehicle fleet to perform a wider variety of frontline services.</p>
Project Start Date <i>(Month and year)</i>	Apr-22
Project Completion Date <i>(Month and year)</i>	Jul-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	On going maintenance costs per year which will increase with life span
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	12,000				
2024/25			500		
2025/26			500		
2026/27					
TOTAL	12,000	0	1,000	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) <i>Strengthening communities to be safe, active and healthy</i></p> <p>2) <i>Protecting and shaping the District</i></p> <p>3) <i>Creating opportunities for economic growth and prosperity</i></p> <p>4) <i>Delivering good quality, cost effective and valued services</i></p>	<p>Goals 1,2,3& 4 applicable</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>None</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>Non required</p>
<p>Are there Health & Safety implications? If so, please state</p>	
<p>Is this part of a statutory obligation? If so, state how</p>	<p>The vehicle is an integral part of the council delivering many statutory services inc the stray dog service</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>N/A</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	

Depot Forklift


Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Electric Forklift - MDC Office Depot
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) Commercial © 	Essential
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	To purchase a new electrically powered 1.5 ton forklift truck for use in the Princes Road Depot. Deliveries to the depot are increasingly palletised and of considerable weight which is currently handballed off trucks and lorries which is a high amount of manual handling. Without the advantage of having an asset such as a forklift on site, some deliveries are being returned to the sender as they cannot be unloaded by hand or there is an additional cost from the delivery company to offload. There is a health and safety risk as it requires that staff are being expected to manhandle which may require moving around the depot several times before being stored or loaded again and taken for use. This equipment will require a certificate of competence to be issued prior to use and the cost of training has been included in this submission.
Project Start Date <i>(Month and year)</i>	Apr-22
Project Completion Date <i>(Month and year)</i>	Jun-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	No additional costs other than those maintenance costs associated with the vehicle
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	19,000			0	0
2023/24					
2024/25					
2025/26					
TOTAL	19,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>2 & 4</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>None</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>None</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>Manual handling large loads from delivery trucks and around the depot is likely to cause impact on staff. There is also a risk of accidents and accidents while manual handling is occurring.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>No</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>No</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	

Maintenance team vehicle


Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	1 x Maintenance Team Vehicle
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) Commercial (C) 	Essential
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Replacement of the maintenance team vehicle reg VA65 OYE. This vehicle is now at an age where it is experiencing faults and issues. This vehicle can be used as PX on a new vehicle and it would be beneficial to MDC to do so now before the value drops further and the mechanical works required start to outweigh the value of the vehicle. Replacement is essential as this vehicle is in operational daily and travel a fair distance on a weekly basis. The new vehicle would be inkeeping with the current vehicle i.e. double cab, twin axle but with the addition of a tipper back which will very much aid with maintenance works.
Project Start Date <i>(Month and year)</i>	Dec-22
Project Completion Date <i>(Month and year)</i>	Jan-23
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	NA
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	32,000				
2024/25					
2025/26					
2026/27					
TOTAL	32,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Protecting and shaping the district in aiding the team provide a maintenance service to its parks and all assets.</p> <p>Delivering good quality, cost effective services by not paying for a vehicle which is old and in need of repair.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>Potential to look at second hand vehicles to reduce cost but this brings the risk of acquiring vehicles with issues from day one whereas new they will come with a lengthy warranty etc. Potential to look at leasing to spread costs.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>High likelihood of breakdowns if we keep with current vehicle which is approaching end of life and become uneconomical to repair.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Prom Park new footpath alongside entrance road


Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	New footpath and lighting on main access road into Promenade Park.
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial (C) 	Service Improvement
Project Lead Officer	Frank Britt
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	The existing main entrance into Promenade Park is a 'one way' road from Park Drive down to the car parking areas. This access road is very often used by pedestrians, families with children, mothers with pushchairs, the wheelchair bound etc to access the park. There are obviously risks here for those pedestrians from any vehicular traffic using the road at the same time. We are proposing that we construct a dedicated footpath alongside the roadway and in association with this to install low energy bollard lighting or similar down the length of the path. This would be required during dusk or night time access and maybe other reduced daylight times as the pathway would be in the shadow of the trees.
Project Start Date <i>(Month and year)</i>	Jun-22
Project Completion Date <i>(Month and year)</i>	Nov-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Staff time to draw up the tender documents and carry out tender appraisal once received. There will be management time for the works phase and for agreeing the final account. Contractor costs to carry out the works following tender.
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	25,000				
2024/25					
2025/26					
2026/27					
TOTAL	25,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>To provide safer pedestrian access into Promenade Park, encouraging more people to access the park and enhancing the offer to the community at Promenade Park.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>Consideration will have to be given to the exact location of the path as we would not want to affect the tree roots etc</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>None</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>Increased safety for the park users through not having to walk down the access road. Also there is increased safety through having a suitable surface to walk on and the lighting for when the light conditions are poor.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>No</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>No</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>No</p>

Prom Entrance road bollard lighting


Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Prom Park Entrance & Entrance Road Lighting
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial (C) 	Essential
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Promenade Park entrance lighting bollards. Replacement of the current timber protection bollards along the main Prom entrance with new toughened plastic lighting bollards. The installation of lighting bollards along the main entrance route will provide vehicles and pedestrians with adequate lighting for safer travel along the road way.
Project Start Date <i>(Month and year)</i>	Oct-22
Project Completion Date <i>(Month and year)</i>	Nov-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractors
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2021/22	15,500				
2022/23					
2024/25					
2025/26					
TOTAL	15,500	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Strengthening communities to be safe, active and healthy -</p> <p>These works will ensure that the Prom Park entrance is well lit and safer for pedestrians and vehicles to use during periods where visibility is not good. The works will also help to improve the H&S risk rating and reduce the potential for slips, trips and falls via the public when natural light is at a low level or not present.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>There is currently no form of lighting present along the Prom Park entrance roadway, installation of lighting bollards will improve H&S levels for pedestrians and vehicles to use during periods where visibility is not good. The works will also help to improve the H&S risk rating and reduce the potential for slips, trips and falls via the public when natural light is at a low level or not present.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Prom Park Marine Lake pumping station

Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Prom Park Marine Lake Pumping Station
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial © 	Essential
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	The Prom Park marine lake currently has no overflow system or pumping system to reduce the level of the lake during the winter / rainy season which results in the lake overflowing from both sides and ends. When the lake overflows there is a considerable amount of standing water in place that could be measured in inches, due to the standing water being around the exterior of the lake fencing it impacts on many visitors and especially young families / elderly. The installation of a dual pumping station at the marine lake could operate on auto or hand would mitigate the flooding and ensure the lake level is managed. The current management of the lake relies on manual handling and set up of depreciated pumps which rid lake water over the seawall or into the amphitheatre drainage run. There is a large element of H&S concerns and risks due to the manual set up and the area of operation.
Project Start Date <i>(Month and year)</i>	May-22
Project Completion Date <i>(Month and year)</i>	May-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractors
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	10,500				
2024/25					
2025/26					
2026/27					
TOTAL	10,500	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <ol style="list-style-type: none"> 1) Strengthening communities to be safe, active and healthy 2) Protecting and shaping the District 3) Creating opportunities for economic growth and prosperity 4) Delivering good quality, cost effective and valued services 	<p>Strengthening communities to be safe, active and healthy - These works will ensure that the Prom Park marine lake is a safe feature to visit all year round. The works will also help to improve the H&S risk rating and reduce the potential for slips, trips and falls via standing surface water around the lake when it overflows.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>There is currently no form of overflow, run off or pumping station present at the marine lake which is control by manual labour, installation of a dual pumping station (2 x 3 inch pumps with a run into a tank and then appropriately dispatched into the drainage system will improve H&S levels due to removal of manual handling, risk of equipment operating in an area near the public. The works will also help to improve the H&S risk rating and reduce the potential for slips, trips and falls via the public when surface water has overflowed from the lake.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Entrance Road Resurfacing

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Essential
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Resurfacing of the Prom Park entrance road due to depreciation and H&S concerns / risk (large surface holes / cracks). The Prom Park has a huge amount of vehicle footfall through the main entrance and road across the year, this results in depreciation of the road surface. There are currently real concerns with the life expectancy of the current surface which has been patch repaired on numerous occasions over the years. This is now not an option as the majority of the tarmac surface is breaking up and out. Failure to resurface the 200m x 5m stretch of road could result in incidents and accidents including slips, trips and falls to the public and also other H&S concerns with vehicle access / usage.
Project Start Date <i>(Month and year)</i>	Apr-22
Project Completion Date <i>(Month and year)</i>	Apr-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractor



	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	32,000				
2024/25					
2025/26					
2026/27					
TOTAL	32,000	0	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Works required under H&S</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>The current road surface is now very high risk of breaking up and out which would create large and multiple potholes, cracks and diverts which could cause harm to the public and staff. The H&S implications are high for slip, trips and falls with a high likeness and high severity. Completion of the road surfacing works will mitigate the H&S risks that are currently present.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Skate park resurfacing

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Service Failure
Project Lead Officer	David Burnham
Project Description <small>(Clearly set out what the overall purpose and main aims of the project are)</small>	Resurfacing of the Promenade Park skate park including fencing and replacement of ramps. This facility is extremely popular with young people and families and it has now reached a level of depreciation that poses H&S risks due to surface safety and ramp condition and conformity. A new surface would see the facility become fit for purpose and and a safe surface for all riders to use. The new ramps would meet industry regulation and ensure the safety of users. (Alternative Capital bid for complete renewal of skate park to Concrete also submitted)
Project Start Date <small>(Month and year)</small>	May-22
Project Completion Date <small>(Month and year)</small>	Jun-22
Resource Implications <small>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</small>	Works to be completed via external contractor




	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	45,000				
2024/25					
2025/26					
2026/27					
TOTAL	45,000	0	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Strengthening communities to be safe, active and healthy - These works will ensure that the Skate Park at the Prom Park is in a safe and fit condition for children, youths, families and the general public to use. Delivering good quality, cost effective and valued services - The series of works will ensure that the skate park is presentable and that the quality is of a good standard for all users. Failure to complete the works will result in further depreciation of the asset and a potential closure in the near future under H&S.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>The current surface at the facility is now very abrasive and uneven in places which presents a risk to users which could be severe in impact on the risk scale. With a series of works accident and incidents linked to the surface and ramps can be largely mitigated for a number of years.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

White Horse Lane resurfacing

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Service Failure
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Resurfacing and relining of the White Horse lane lower car park due to depreciation and H&S concerns / risk (large surface holes / cracks). The car park has a high amount of vehicle footfall and usage via visitors, shoppers and local workers across the year, this results in depreciation of the car park lines and surface. There are currently real concerns with the life expectancy of the current surface which has been patch repaired on occasions over the years to prevent accidents or incidents. This is now not an option as the majority of the tarmac surface is breaking up and out. Failure to resurface the 1850m2 lower car park could result in slips, trips and falls to the public and also other accidents, incidents and H&S concerns with vehicle access / usage.
Project Start Date <i>(Month and year)</i>	Feb-23
Project Completion Date <i>(Month and year)</i>	Mar-23
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractor
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	77,500				
2024/25					
2025/26					
2026/27					
TOTAL	77,500	0	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Works required under H&S</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>The current car park surface is now very high risk of breaking up and out which would create large and multiple potholes, cracks and diverts which could cause accidents, incidents and harm to the public. The H&S implications are high for slip, trips and falls with a high likeness and high severity. Completion of the surfacing and lining works will mitigate the H&S risks that are currently present.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

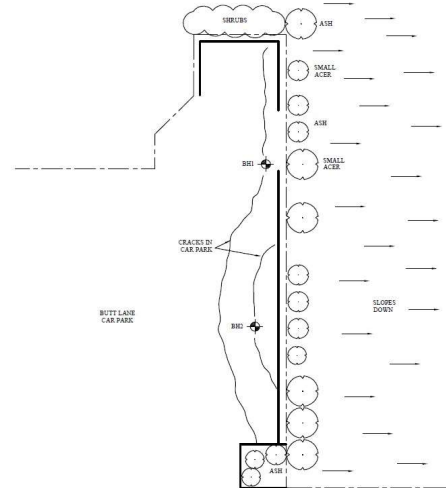
Butt Lane Car Park Subsidence repairs

Reserve Required (Please add detail of the reserve you are requesting funds from)	Butt lane car park subsidence repairs
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) 	Service Failure
Project Lead Officer	Frank Britt
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	The north western boundary of Butt Lane car park is adjacent to a sloped area of land that falls away towards 'The Downs' private road. At this point the edge of the car park is subsiding and appears to be slipping down the hill. To ensure the safety of car park users some of this area has been fenced off which has removed some parking bays from use. MDC commissioned a structural survey of this issue and the engineer has reported back that to prevent more of the car park subsiding and causing a greater issue that a new sheet pile retaining wall needs to be built along this edge and the car park reinstated.
Project Start Date <i>(Month and year)</i>	Sep-22
Project Completion Date <i>(Month and year)</i>	Dec-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Staff time to draw up the tender documents and carry out tender appraisal once received. There will be management time for the works phase and for agreeing the final account. Contractor costs to carry out the works following tender.

Picture 1 shows the severe cracking in the car park surface.



Picture 2 shows the engineers drawing of the subsidence area



	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	60,000				
2024/25					
2025/26					
2026/27					
TOTAL	60,000	0	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Providing safe parking for visitors and residents.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>There is potential that the tender price for this project could come back at a higher cost than estimated.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>None</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>Yes, the existing surface is unsafe and could potentially cause damage to vehicles or provide trip hazards to pedestrians.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>No</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>No</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>No</p>

New Hot Water Boilers - BLC

Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Replacement Hot Water Boilers, Blackwater Leisure Centre
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial (C) 	Service Failure
Project Lead Officer	Frank Britt
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	<p>Blackwater Leisure Centre was built in the 1990's, with some additions in the early 2000's, to provide leisure activities and facilities for the people of Maldon. Part of the original design for the facility is the supply of hot water using 2 No. gas fired Andrews Water Heaters. The age of these Andrews units is such that they are now obsolete and spare parts are unavailable. At the current time, one of the heaters has failed and as the spares cannot be sourced, it cannot be repaired. Therefore the remaining unit is operating alone with the chance it could fail at any time with no back up.</p> <p>We are proposing to replace both water heaters, and the associated set ups, with four number smaller gas fired water heaters that can operate individually or in combination as the demand changes. These new boilers will also be more efficient and will provide reliability for approx 10 years.</p>
Project Start Date <i>(Month and year)</i>	May-22
Project Completion Date <i>(Month and year)</i>	Aug-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractors with MDC oversight and final sign off.

Picture - One of the existing
Andrews Water Heaters



	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	31,000				
2024/25					
2025/26					
2026/27					
TOTAL	31,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Strengthening communities to be safe, active and healthy. Delivering a cost saving on energy and being more efficient and therefore a greener option.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>Should the remaining Water Heater fail before new have been fitted then the Leisure Centre will be unable to offer hot water for hand washing and showering for its customers. This is obviously a crucial requirement under the measures currently in place to prevent Covid transmission.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>Although Places Leisure are contracted by MDC to operate the leisure centre on our behalf and have a maintenance element within this contract, there are certain elements that are outside this scope and are still the responsibility of MDC to maintain. These Water Heaters are one such element. If MDC fail to replace these heaters and the leisure centre is unable to offer customers hot water in which to wash their hands or shower then that could lead to MDC having to compensate Places Leisure for the loss of income/profit should the lack of hot water lead to loss of custom.</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Oak tree Meadow surfacing

Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Oak Tree Meadow Play Site (Heybridge) Play Site Safety Matting Installation
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) Commercial (C) 	Service Failure
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Oak Tree Meadow play site requires new safety matting installed under the current multi play equipment and in key walk way and play areas within the play site. This falls under H&S due to current surfaces having a number of defects which include surface edges and perimeter lifting, dents and corrosion to the surfaces along which subsidence in some parts. All these factors have an increased the risk of trip / fall hazards which could result in serious injury to users.
Project Start Date <i>(Month and year)</i>	Apr-22
Project Completion Date <i>(Month and year)</i>	Jun-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	The works will be completed via contractors





	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	21,000				
2024/25					
2025/26					
2026/27					
TOTAL	21,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Strengthening communities to be safe, active and healthy - the works are required under Health & Safety to ensure we act in a reasonable manner and that we protect the public against slips, trips and falls within our play sites.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>The current condition of aspects of the play site surfaces present H&S risks due to lifting edges and perimeter, diverts in the surfaces and corrosion in the surfaces. These factors heighten the risk rating for these sites.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

BoC Pontoon Renovation

Project Name & Location <i>(Enter a meaningful title for the project and provide details of the location of the project)</i>	Burnham on Crouch Pontoon Renovation
Project Category <ul style="list-style-type: none"> • Essential (E) • Service failure (SF) • Service improvement (SI) • Commercial (C) 	Essential
Project Lead Officer	Katy Moore
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	<p>The BOC 'Town Steps' Pontoon is accessible to the public and is used as a right of way to access a private ferry across the river. The existing pontoon was installed in 2006 following the successful application for European funding through the MAYA2 project. MDC are liable for the pontoon for all river users and have an obligation to ensure its maintained appropriately. However, the projected life of the pontoon was 15 years and due to an absence of any maintenance agreement/budget following its installation, the pontoon now demands a comprehensive assessment and renovation to assure its longevity as a servicable walkway for river users. Images below demonstrate significant rust damage which must be addressed in the next 12months to reinstate the integrity of the structure.</p>
Project Start Date <i>(Month and year)</i>	Oct-21
Project Completion Date <i>(Month and year)</i>	Nov-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	<p>1. Internal resources 0.125 FTE (12mths) (Finance/Commercial/Legal/Planning)</p> <p>2. External resources: Project Manager 0.5FTE (12mths) Waterside Engineering</p>
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	 

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23	60,000				
2024/25					
2025/26					
2026/27					
TOTAL	60,000	0	0	0	0

CAPITAL PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) <i>Strengthening communities to be safe, active and healthy</i></p> <p>2) <i>Protecting and shaping the District</i></p> <p>3) <i>Creating opportunities for economic growth and prosperity</i></p> <p>4) <i>Delivering good quality, cost effective and valued services</i></p>	1. 2. and 4.
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>Unable to complete an onsite assessment to fully determine cost until October when public access/river traffic will be reduced</p> <p>Leadtimes for MMO license may impact desired timeframe for renovations to be completed by Summer 2022</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	MMO License
<p>Are there Health & Safety implications? If so, please state</p>	<p>Yes - pontoon has been in place for 15years and now urgently requires renovation work to prevent accidents/significant damage</p>
<p>Is this part of a statutory obligation? If so, state how</p>	No
<p>Is the project contractually committed to in any way? If so, please describe</p>	No
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	Health and Safety obligations

Investment Strategy Report 2022/23

Maldon District Council

Introduction

The Authority invests its money for two broad purposes:

- because it has surplus cash as a result of its day-to-day activities, for example when income is received in advance of expenditure (known as **treasury management investments**),
- to earn investment income (known as **commercial investments** where this is the main purpose).

Treasury Management Investments

The Authority typically receives its income in cash (e.g. from taxes and grants) before it pays for its expenditure in cash (e.g. through payroll and invoices). It also holds reserves for future expenditure and collects local taxes on behalf of other local authorities and central government. These activities, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy. The balance of treasury management investments is expected to fluctuate between £13m and £32m during the 2022/23 financial year.

Contribution: The contribution that these investments make to the objectives of the Authority is to support effective treasury management activities

Further details: Full details of the Authority's policies and its plan for 2022/23 for treasury management investments are covered in a separate document, the treasury management strategy.

Capacity, Skills and Culture

Elected members and statutory officers: The team involved in investment decision making have a number of years' experience in treasury management. They attend sessions run by our treasury management advisors in relation to investments and treatment. The Treasury Management advisors are consulted on potential changes to our portfolio. Members are also provided with treasury management training, the frequency of which is dependent on requirements and changes.

Commercial deals: The Finance Specialists and Section 151 Officer are involved in projects which have a financial impact and therefore communicate with those negotiating commercial deals the principles of the prudential framework and regulatory regime.

Corporate governance: The annual strategies are reviewed by the Strategy & Resources Committee before being presented to the Strategy and Resources Committee and the Council for approval.

Investment Indicators

The Authority has set the following quantitative indicators to allow elected members and the public to assess the Authority's total risk exposure as a result of its investment decisions.

Total risk exposure: The first indicator shows the Authority's total exposure to potential investment losses. This includes amounts the Authority is contractually committed to lend but have yet to be drawn down and guarantees the Authority has issued over third-party loans. Therefore, the potential investment risk is limited to the Council's treasury management investments which comprise call accounts, deposits, Money Market Funds and longer-dated pooled property and multi-asset funds.

Table 1: Total investment exposure in £millions

Total investment exposure	31.03.2021 Actual £000	31.03.2022 Forecast £000	31.03.2023 Forecast £000
Treasury management investments	£20,793	£24,000	£24,000
TOTAL INVESTMENTS	£20,793	£24,000	£24,000
TOTAL EXPOSURE	£20,793	£24,000	£24,000

How investments are funded: The Council's investments are funded by usable reserves and income received in advance of expenditure.

Rate of return received: This indicator shows the investment income received less the associated costs, as a proportion of the sum initially invested. Note that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Table 2: Investment rate of return (net of all costs)

Investments net rate of return	31.03.2021 Actual £000	31.03.2022 Forecast £000	31.03.2023 Forecast £000
Treasury management investments	2.2%	0.7%	0.7%
ALL INVESTMENTS	2.2%	0.7%	0.7%

There are not currently any other investment indicators, however as the Council moves towards more commercial service provision, then suitable indicators will be adopted.

Minimum Revenue Provision Statement 2022/23

Annual Minimum Revenue Provision Statement 2022/23

Where the Authority finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the Authority to have regard to the Ministry of Housing, Communities and Local Government's *Guidance on Minimum Revenue Provision* (the MHCLG Guidance) most recently issued in 2018.

The broad aim of the MHCLG Guidance is to ensure that capital expenditure is financed over a period that is either reasonably commensurate with that over which the capital expenditure provides benefits, or, in the case of borrowing supported by Government Revenue Support Grant, reasonably commensurate with the period implicit in the determination of that grant.

The MHCLG Guidance requires the Authority to approve an Annual MRP Statement each year and recommends a number of options for calculating a prudent amount of MRP. The following statement is an option recommended in the Guidance

For assets acquired by leases, MRP will be determined as being equal to the element of the rent or charge that goes to write down the balance sheet liability.

Based on the Authority's latest estimate of its capital financing requirement (CFR) on 31st March 2021, the budget for MRP has been set as follows:

Replacement of debt finance in £ 000's

	2020/21 forecast £000's	2021/22 budget £000's	2022/23 budget £000's	2023/24 budget £000's	2024/25 budget £000's
Own resources (General Fund services)	226	226	226	226	226

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REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

TREASURY MANAGEMENT STRATEGY 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 The Code of Practice for Treasury Management requires the Council to approve a Treasury Management Strategy before the start of each financial year. This report fulfils the Council's legal obligation under the Local Government Act 2003 to have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) Code. Members are therefore asked to consider and recommend to Council the Treasury Management Strategy for 2022 / 23.

2. RECOMMENDATIONS

- (i) That the Treasury Management Strategy 2022 / 23 be approved, along with the following amendments:
 - a. The counterparty limit for Operational Banking be increased from £2m to £3m to allow for larger value transactions to be managed within the counterparty limit, as per Table 3 at **APPENDIX 1**.
 - b. The sector limit for Money Market Funds be increased from £12m to £20m to allow for larger investment within this safe and flexible sector without exceeding the sector limit, as per Tables 3 and 4 at **APPENDIX 1**.
- (ii) That the Treasury Management Policy (TMP 5) amendment be noted as being brought into line with the Treasury Management Strategy as per TMP 5 at **APPENDIX 2**.

3. SUMMARY OF KEY ISSUES

- 3.1 The Treasury Management Strategy for 2022 / 23 (the Strategy) is attached at **APPENDIX 1** and the supporting Treasury Management Practices are attached at **APPENDIX 2**.
- 3.2 The Strategy has been reviewed by the Council's Treasury Advisor, Arlingclose Ltd and includes their latest Interest Rate and Economic Outlooks at the time of writing in December 2021.
- 3.3 The Strategy is unchanged from the 2021 / 22 Treasury Management Strategy except for the two following proposed amendments.
- 3.4 The Council now regularly receives large amounts of funds, including relief grants for defrayal to businesses, over and above the other large regular receipts for Council

Tax and Housing Benefit Subsidy. This puts the Council more at risk of exceeding its £2m operational bank counterparty limit before the funds can be moved to other investments. Therefore, it is proposed to increase this limit to £3m (as per table 3 at **APPENDIX 1**), which is a much more manageable limit to keep the Council's operational bank account within.

- 3.5 Money Market Funds (MMF) are a low risk, low return, on-call investment sector, with a current sector limit of £12m. In recent years the Councils overall Investment portfolio has been increasing in value. This has meant that the Council now regularly reaches this limit. With interest rates still very low and there being much uncertainty in the financial markets, the current economic climate is a good one for MMF investments. Therefore, it is proposed to increase this sector limit from £12m to £20m as per the above table. This will enable the Council to invest more in this sector instead of needing to look to fixed term or higher risk sectors to invest.
- 3.6 The Treasury Management Policy is unchanged from 2021 / 22, although TMP 5 has been edited to remove the '£3m' transaction limit figure (which is not represented by the Council's counterparty limits) and clarify that it is subject to the Treasury Management Strategy, which sets a range from £2m to £5m for transactional limits. This is not an amendment but rather the removal of an ambiguity and a clarification of the policy.

4. CONCLUSION

- 4.1 The Treasury Management Strategy has been updated in line with statutory requirements and good practice, having regard to the Council's financial position, links to wider strategies, plans and aims and the advice of the Council's external treasury advisor.

5. IMPACT ON STRATEGIC THEMES

- 5.1 This Strategy links to the Councils organisational focus on performance and efficiency.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – A key element of the strategy is effective control of the risks associated with treasury management activities.
- (iv) **Impact on Resources (financial)** – Investment interest received is a financial resource available to support spending on service provision. Appropriately qualified and trained staff are involved in the day-to-day operation of the Treasury Management function.
- (v) **Impact on Resources (human)** – None directly.
- (vi) **Impact on the Environment** – None.

Background papers:

Economic Background and Outlook and Interest Rate Forecasts provided by Arlingclose Ltd, the Council's treasury management advisors.

Treasury Management Strategy Report to the Strategy and Resources Committee, 3 February

Enquiries to: Lance Porteous, Lead Specialist, Finance.

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Treasury Management Strategy Statement 2022/23

Maldon District Council

Introduction

Treasury management is the management of the Council's cash flows, borrowing and investments, and the associated risks. The Council has invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Council's prudent financial management.

Treasury risk management at the Council is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2017 Edition* (the CIPFA Code) which requires the Council to approve a treasury management strategy before the start of each financial year. This report fulfils the Council's legal obligation under the *Local Government Act 2003* to have regard to the CIPFA Code.

Investments held for service purposes or for commercial profit are considered in a different report, the Investment Strategy

External Context

Economic background: The ongoing impact on the UK from coronavirus, together with higher inflation, higher interest rates, and the country's trade position post-Brexit, will be major influences on the Council's treasury management strategy for 2022/23.

The Bank of England (BoE) increased Bank Rate to 0.25% in December 2021 while maintaining its Quantitative Easing programme at £895 billion. The Monetary Policy Committee (MPC) voted 8-1 in favour of raising rates, and unanimously to maintain the asset purchase programme.

Within the announcement the MPC noted that the pace of the global recovery was broadly in line with its November Monetary Policy Report. Prior to the emergence of the Omicron coronavirus variant, the Bank also considered the UK economy to be evolving in line with expectations, however the increased uncertainty and risk to activity the new variant presents, the Bank revised down its estimates for Q4 GDP growth to 0.6% from 1.0%. Inflation was projected to be higher than previously forecast, with CPI likely to remain above 5% throughout the winter and peak at 6% in April 2022. The labour market was generally performing better than previously forecast and the BoE now expects the unemployment rate to fall to 4% compared to 4.5% forecast previously but notes that Omicron could weaken the demand for labour.

UK CPI for November 2021 registered 5.1% year on year, up from 4.2% in the previous month. Core inflation, which excludes the more volatile components, rose to 4.0% y/y from 3.4%. The

most recent labour market data for the three months to October 2021 showed the unemployment rate fell to 4.2% while the employment rate rose to 75.5%.

In October 2021, the headline 3-month average annual growth rate for wages were 4.9% for total pay and 4.3% for regular pay. In real terms, after adjusting for inflation, total pay growth was up 1.7% while regular pay was up 1.0%. The change in pay growth has been affected by a change in composition of employee jobs, where there has been a fall in the number and proportion of lower paid jobs.

Gross domestic product (GDP) grew by 1.3% in the third calendar quarter of 2021 according to the initial estimate, compared to a gain of 5.5% q/q in the previous quarter, with the annual rate slowing to 6.6% from 23.6%. The Q3 gain was modestly below the consensus forecast of a 1.5% q/q rise. During the quarter activity measures were boosted by sectors that reopened following pandemic restrictions, suggesting that wider spending was flat. Looking ahead, while monthly GDP readings suggest there had been some increase in momentum in the latter part of Q3, Q4 growth is expected to be soft.

GDP growth in the euro zone increased by 2.2% in calendar Q3 2021 following a gain of 2.1% in the second quarter and a decline of -0.3% in the first. Headline inflation has been strong, with CPI registering 4.9% year-on-year in November, the fifth successive month of inflation. Core CPI inflation was 2.6% y/y in November, the fourth month of successive increases from July's 0.7% y/y. At these levels, inflation is above the European Central Bank's target of 'below, but close to 2%', putting some pressure on its long-term stance of holding its main interest rate of 0%.

The US economy expanded at an annualised rate of 2.1% in Q3 2021, slowing sharply from gains of 6.7% and 6.3% in the previous two quarters. In its December 2021 interest rate announcement, the Federal Reserve continue to maintain the Fed Funds rate at between 0% and 0.25% but outlined its plan to reduce its asset purchase programme earlier than previously stated and signalled they are in favour of tightening interest rates at a faster pace in 2022, with three 0.25% movements now expected.

Credit outlook: Since the start of 2021, relatively benign credit conditions have led to credit default swap (CDS) prices for the larger UK banks to remain low and had steadily edged down throughout the year up until mid-November when the emergence of Omicron has caused them to rise modestly. However, the generally improved economic outlook during 2021 helped bank profitability and reduced the level of impairments many had made as provisions for bad loans. However, the relatively recent removal of coronavirus-related business support measures by the government means the full impact on bank balance sheets may not be known for some time.

The improved economic picture during 2021 led the credit rating agencies to reflect this in their assessment of the outlook for the UK sovereign as well as several financial institutions, revising them from negative to stable and even making a handful of rating upgrades.

Looking ahead, while there is still the chance of bank losses from bad loans as government and central bank support is removed, the institutions on the Council's counterparty list are well-capitalised and general credit conditions across the sector are expected to remain benign. Duration limits for counterparties on the Council's lending list are under regular review and will continue to reflect economic conditions and the credit outlook.

Interest rate forecast: The Council's treasury management adviser Arlingclose is forecasting that Bank Rate will continue to rise in calendar Q1 2022 to subdue inflationary pressures and the perceived desire by the BoE to move away from emergency levels of interest rates.

Investors continue to price in multiple rises in Bank Rate over the next forecast horizon, and Arlingclose believes that although interest rates will rise again, the increases will not be to the extent predicted by financial markets. In the near-term, the risks around Arlingclose's central case are to the upside while over the medium-term the risks become more balanced.

Yields are expected to remain broadly at current levels over the medium-term, with the 5, 10 and 20 year gilt yields expected to average around 0.65%, 0.90%, and 1.15% respectively. The risks around for short and medium-term yields are initially to the upside but shifts lower later, while for long-term yields the risk is to the upside. However, as ever there will almost certainly be short-term volatility due to economic and political uncertainty and events.

A more detailed economic and interest rate forecast provided by Arlingclose is attached at Appendix A.

For the purpose of setting the budget, it has been assumed that new treasury investments will be made at an average rate of 0.74%, and that no new long-term loans will be borrowed.

Local Context

As of 30 November 2021 the Council held zero borrowing and £29m of treasury investments. This is set out in further detail later in this appendix. Forecast changes in these sums are shown in the balance sheet analysis in table 1 below.

Table 1: Balance sheet summary and forecast

	31.3.21 Actual £000	31.3.22 Estimate £000	31.3.23 Forecast £000	31.3.24 Forecast £000	31.3.25 Forecast £000
General Fund CFR	-409	-409	-409	-409	-409
Usable reserves	-16,282	-14,793	-12,073	-9,083	-7,962
Working capital	-2,300	-2,300	-2,300	-2,300	-2,300
Investments	-18,991	-17,502	-14,782	-11,792	-10,671

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Council's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing.

The Council is currently debt free and its capital expenditure plans imply no need to borrow over the forecast period. Investments are forecast to fall to £11.1m by 31 March 2025 as capital receipts are used to finance capital expenditure and reserves are used to finance the revenue budget.

CIPFA's *Prudential Code for Capital Finance in Local Authorities* recommends that the Council's total debt should be lower than its highest forecast CFR over the next three years. Table 1 shows that the Council expects to comply with this recommendation during 2022/23.

Liability benchmark: To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes the same forecasts as table 1 above, but that cash and investment balances are kept to a minimum level of £10m at each year-end to maintain sufficient liquidity but minimise credit risk. The table shows MDC will not drop below the £10m minimum investment from for the foreseeable future.

Table 2: Liability benchmark

	31.3.21 Actual £000	31.3.22 Estimate £000	31.3.23 Forecast £000	31.3.24 Forecast £000	31.3.25 Forecast £000
General Fund CFR	-409	-409	-409	-409	-409
Usable reserves	-16,282	-14,793	-12,073	-9,083	-7,962
Working capital	-2,300	-2,300	-2,300	-2,300	-2,300
Minimum Investments	10,000	10,000	10,000	10,000	10,000
Liability benchmark	-8,991	-7,502	-4,782	-1,792	-671

Borrowing Strategy

The Council is currently debt free and its capital expenditure plans indicate a very small requirement to borrow and the Council will fulfil this requirement from short dated borrowing. Short-term interest rates are currently much lower than long-term rates, so this is likely to be more cost effective.

In addition, the Council may borrow short-term loans to cover unplanned cash flow shortages.

Sources of borrowing: The approved sources of long-term and short-term borrowing are:

- HM Treasury's PWLB lending facility (formerly the Public Works Loan Board)
- any institution approved for investments (see below)
- any other bank or building society authorised to operate in the UK
- any other UK public sector body
- UK public and private sector pension funds (except our Local Government Pension Fund)
- capital market bond investors
- UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues

Other sources of debt finance: In addition, capital finance may be raised by the following methods that are not borrowing, but may be classed as other debt liabilities:

- leasing
- hire purchase
- Private Finance Initiative
- sale and leaseback

Municipal Bonds Agency: UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. It issues bonds on the capital markets and lends the proceeds to local authorities. This is a more complicated source of finance than the PWLB for two reasons: borrowing authorities will be required to provide bond investors with a guarantee to refund their investment in the event that the agency is unable to for any reason; and there will be a lead time of several months between committing to borrow and knowing the interest rate payable. Any decision to borrow from the Agency will therefore be the subject of a separate report to full Council.

Short-term and variable rate loans: These loans leave the Council exposed to the risk of short-term interest rate rises and are therefore subject to the interest rate exposure limits in the treasury management indicators below.

Treasury Investment Strategy

The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. In the past 12 months, the Council's investment balance has ranged between £21m and £32 million. Levels are expected to decrease in the forthcoming year as reserves are used to fund capital and revenue expenditure.

Objectives: The CIPFA Code requires the Council to invest its treasury funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Council will aim to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested.

Negative interest rates: The COVID-19 pandemic has increased the risk that the Bank of England will set its Bank Rate at or below zero, which is likely to feed through to negative interest rates on all low risk, short-term investment options. Since investments cannot pay negative income, negative rates will be applied by reducing the value of investments. In this event, security will be measured as receiving the contractually agreed amount at maturity, even though this may be less than the amount originally invested.

Strategy: Given the increasing risk and very low returns from short-term unsecured bank investments, the Council will look to further diversify into more secure and/or higher yielding asset classes during 2022/23. This is especially the case for the funds available for longer-term investment. The majority of the Council's surplus cash remains invested in short-term unsecured bank deposits, certificates of deposit and money market funds. This diversification will represent a continuation of the new strategy adopted in 2017.

Business models: Under the new IFRS 9 standard, the accounting for certain investments depends on the Council's "business model" for managing them. The Council aims to achieve value from its treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost.

Approved counterparties: The Council may invest its surplus funds with any of the counterparty types in table 3 below, subject to the limits shown.

Table 3: Treasury investment counterparties and limits

Sector	Time limit	Counterparty limit	Proposed Counterparty Limit	Current Sector limit	Proposed Sector Limit
The UK Government	50 years	Unlimited	Unlimited	n/a	n/a
Local authorities & other government entities	25 years	£2m	£2m	Unlimited	Unlimited
Secured investments	25 years	£2m	£2m	Unlimited	Unlimited
Banks (unsecured investments)	13 months	£2m	£2m	Unlimited	Unlimited
Banks (operational banking)	Ongoing	£2m	£3m	Unlimited	Unlimited
Building societies (unsecured)	13 months	£2m	£2m	£5m	£5m
Registered providers (unsecured)	5 years	£2m	£2m	£5m	£5m
Money market funds	n/a	£5m	£5m	£12m	£20m
Strategic pooled funds	n/a	£5m	£5m	£12m	£12m
Real estate investment trusts	n/a	£5m	£5m	£12m	£12m
Other investments	5 years	£2m	£2m	£5m	£5m

This table must be read in conjunction with the notes below

Credit rating: Investment limits are set by reference to the lowest published long-term credit rating from a selection of external rating agencies. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings, and all other relevant factors including external advice will be taken into account.

Government: Loans to, and bonds and bills issued or guaranteed by, national governments, regional and local authorities and multilateral development banks. These investments are not subject to bail-in, and there is generally a lower risk of insolvency, although they are not zero risk. Investments with the UK Government are deemed to be zero credit risk due to its ability to create additional currency and therefore may be made in unlimited amounts for up to 50 years.

Secured investments: Investments secured on the borrower's assets, which limits the potential losses in the event of insolvency. The amount and quality of the security will be a key factor in the investment decision. Covered bonds and reverse repurchase agreements with banks and building societies are exempt from bail-in. Where there is no investment specific credit rating, but the collateral upon which the investment is secured has a credit rating, the higher of the collateral credit rating and the counterparty credit rating will be used. The combined secured and unsecured investments with any one counterparty will not exceed the cash limit for secured investments.

Banks and building societies (unsecured): Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks. These investments are subject to the risk of credit loss via a bail-in should the regulator determine that the bank is failing or likely to fail. See below for arrangements relating to operational bank accounts.

Registered providers (unsecured): Loans to, and bonds issued or guaranteed by, registered providers of social housing or registered social landlords, formerly known as housing associations. These bodies are regulated by the Regulator of Social Housing (in England), the Scottish Housing Regulator, the Welsh Government and the Department for Communities (in Northern Ireland). As providers of public services, they retain the likelihood of receiving government support if needed.

Money market funds (MMF): Pooled funds that offer same-day or short notice liquidity and very low or no price volatility by investing in short-term money markets. They have the advantage over bank accounts of providing wide diversification of investment risks, coupled with the services of a professional fund manager in return for a small fee.

MMF's are a low risk, low return, on-call investment sector, with a current sector limit of £12m. In recent years the Councils overall Investment portfolio has been increasing in value. This has meant that the Council now regularly reaches this limit. With interest rates still very low and there being much uncertainty in the financial markets, the current economic climate is a good one for MMF investments. Therefore, it is proposed to increase this sector limit from £12m to £20m as per Table 3. This will enable the Council to invest more in this sector instead of needing to look to fixed-term or higher risk sectors to invest.

Strategic pooled funds: Bond, equity and property funds that offer enhanced returns over the longer term but are more volatile in the short term. These allow the Council to diversify into asset classes other than cash without the need to own and manage the underlying investments. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Council's investment objectives will be monitored regularly.

Real estate investment trusts: Shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As

with property funds, REITs offer enhanced returns over the longer term, but are more volatile especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties.

Operational bank accounts: The Council may incur operational exposures, for example through current accounts, collection accounts and merchant acquiring services, to any UK bank with credit ratings no lower than BBB- and with assets greater than £25 billion. These are not classed as investments but are still subject to the risk of a bank bail-in, and balances will therefore have kept below £2m per bank. The Bank of England has stated that in the event of failure, banks with assets greater than £25 billion are more likely to be bailed-in than made insolvent, increasing the chance of the Council maintaining operational continuity.

However, the Council now regularly receives large amounts of funds, including relief grants for defrayal to businesses, over and above the other large regular receipts for Council Tax and Housing Benefit Subsidy. This puts the Council more at risk of exceeding its £2m operational bank counterparty limit before the funds can be moved to other investments.

Therefore, it is proposed to increase this limit to £3m (as per the table above), which is a much more manageable limit to keep the Council's operational bank account within.

Risk assessment and credit ratings: Credit ratings are obtained and monitored by the Council's treasury advisers, who will notify changes in ratings as they occur. The credit rating agencies in current use are listed in the Treasury Management Practices document at Appendix 2. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:

- no new investments will be made,
- any existing investments that can be recalled or sold at no cost will be, and
- full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

Where a credit rating agency announces that a credit rating is on review for possible downgrade (also known as "rating watch negative" or "credit watch negative") so that it may fall below the approved rating criteria, then no investments will be made with that organisation until the outcome of the review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

Other information on the security of investments: The Council understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support, reports in the quality financial press and analysis and advice from the Council's treasury management adviser. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may otherwise meet the above criteria.

When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008 and 2020, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Council will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments

to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Council's cash balances, then the surplus will be deposited with the UK Government, or with other local authorities. This will cause investment returns to fall but will protect the principal sum invested.

Investment limits: The Council's revenue reserves available to cover investment losses were forecast to be £5.8 million on 31st March 2022. In order that available reserves will not significantly be put at risk in the case of a single default, the maximum that will be lent to any one organisation including UK Local Government Authorities (other than the UK Government) will be £2 million (excluding Natwest, the Council's operational bank). A group of banks under the same ownership will be treated as a single organisation for limit purposes. Limits will also be placed on fund managers, investments in brokers' nominee accounts, foreign countries and industry sectors as below. Investments in pooled funds and multilateral development banks do not count against the limit for any single foreign country, since the risk is diversified over many countries.

Table 4: Investment limits

	Cash limit
Any single organisation, except the UK Central Government	£2m each
UK Central Government	unlimited
UK Local Government Authorities	£2m per Council
Any group of organisations under the same ownership	£2m per group
Any group of pooled funds under the same management	£5m per manager
Negotiable instruments held in a broker's nominee account	£10m per broker
Registered providers and registered social landlords	£2m in total
Unsecured investments with building societies	£5m in total
Loans to unrated corporates	£2m in total
Money market funds	Change to: £20m in Total Currently: £12m in total

Liquidity management: The Council uses purpose-built cash flow forecasting methods to determine the maximum period for which funds may prudently be committed. The forecast is compiled on a prudent basis to minimise the risk of the Council being forced to borrow on unfavourable terms to meet its financial commitments. Limits on long-term investments are set by reference to the Council's medium-term financial plan and cash flow forecast.

The Council spreads its liquid cash over at multiple providers to ensure that access to cash is maintained in the event of operational difficulties at any one provider.

Treasury Management Indicators

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

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit score of its investment portfolio.

This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Target
Portfolio average credit score	4.6

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

Liquidity risk indicator	Target £000
Total cash available within 3 months	£14,000

Interest rate exposures: This indicator is set to control the Council's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates will be:

Interest rate risk indicator	Limit
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£270,000
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	-£63,000

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at current rates.

Maturity structure of borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

Refinancing rate risk indicator	Upper limit	Lower limit
Under 12 months	100%	0%
12 months and within 24 months	100%	0%
24 months and within 5 years	100%	0%
5 years and within 10 years	100%	0%
10 years and above	100%	0%

As the Council does not have any external debt, the broad limits, above, have been set to allow any borrowing to be undertaken in the appropriate maturity band.

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal sums invested for periods longer than a year: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its

investments. The limits on the long-term principal sum invested to final maturities beyond a 12-month period will be:

Price risk indicator	2021/22 £000	2022/23 £000	2023/24 £000
Limit on principal invested beyond year end	£7,500	£7,500	£7,500

Related Matters

The CIPFA Code requires the Council to include the following in its treasury management strategy.

Financial derivatives: Councils have previously made use of financial derivatives embedded into loans and investments both to reduce interest rate risk (e.g. interest rate collars and forward deals) and to reduce costs or increase income at the expense of greater risk (e.g. LOBO loans and callable deposits). The general power of competence in section 1 of the *Localism Act 2011* removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment).

The Council will only use standalone financial derivatives (such as swaps, forwards, futures and options) where they can be clearly demonstrated to reduce the overall level of the financial risks that the Council is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be considered when determining the overall level of risk.

Embedded derivatives, including those present in pooled funds and forward starting transactions, will not be subject to this policy, although the risks they present will be managed in line with the overall treasury risk management strategy.

Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria, assessed using the appropriate credit rating for derivative exposures. An allowance for credit risk calculated using the methodology in the Treasury Management Practices document will count against the counterparty credit limit and the relevant foreign country limit.

In line with the CIPFA Code, the Council will seek external advice and will consider that advice before entering into financial derivatives to ensure that it fully understands the implications.

Markets in Financial Instruments Directive: The Council has opted up to professional client status with its providers of financial services, including advisers, banks, brokers and fund managers, allowing it access to a greater range of services but without the greater regulatory protections afforded to individuals and small companies. Given the size and range of the Council's treasury management activities, the Section 151 Officer considers this to be the most appropriate status.

Financial Implications

The budget for investment income in 2022/23 is £214,000, based on an average investment portfolio of £29 million at an average interest rate of 0.74%. The budget for debt interest paid in 2021/22 is currently zero as there is not a confirmed timeline for any borrowing requirement. If actual levels of investments and borrowing, or actual interest rates, differ from that forecast, performance against budget will be correspondingly different.

Other Options Considered

The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. The Section 151 Officer believes that the above strategy represents an appropriate balance between risk management and cost effectiveness. Some alternative strategies, with their financial and risk management implications, are listed below.

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Lower chance of losses from credit related defaults, but any such losses may be greater
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults, but any such losses may be smaller
Borrow additional sums at long-term fixed interest rates	Debt interest costs will rise; this is unlikely to be offset by higher investment income	Higher investment balance leading to a higher impact in the event of a default; however long-term interest costs may be more certain
Borrow short-term or variable loans instead of long-term fixed rates	Debt interest costs will initially be lower	Increases in debt interest costs will be broadly offset by rising investment income in the medium term, but long-term costs may be less certain
Reduce level of borrowing	Saving on debt interest is likely to exceed lost investment income	Reduced investment balance leading to a lower impact in the event of a default; however long-term interest costs may be less certain

Appendix A – Arlingclose Economic & Interest Rate Forecast - December 2021**Underlying assumptions:**

- The global recovery from the pandemic has entered a more challenging phase. The resurgence in demand has led to the expected rise in inflationary pressure, but disrupted factors of supply are amplifying the effects, increasing the likelihood of lower growth rates ahead. The advent of the Omicron variant of coronavirus is affecting activity and is also a reminder of the potential downside risks.
- Despite relatively buoyant activity survey data, official GDP data indicates that growth was weakening into Q4 2021. Other data, however, suggested continued momentum, particularly for November. Retail sales volumes rose 1.4%, PMIs increased, and the labour market continued to strengthen. The end of furlough did not appear to have had a significant impact on unemployment. Wage growth is elevated.
- The CPI inflation rate rose to 5.1% for November and will rise higher in the near term. While the transitory factors affecting inflation are expected to unwind over time, policymakers' concern is persistent medium term price pressure.
- These factors prompted the MPC to raise Bank Rate to 0.25% at the December meeting. Short term interest rate expectations remain elevated.
- The outlook, however, appears weaker. Household spending faces pressures from a combination of higher prices and tax rises. In the immediate term, the Omicron variant has already affected growth – Q4 and Q1 activity could be weak at best.
- Longer-term government bond yields remain relatively low despite the more hawkish signals from the BoE and the Federal Reserve. Investors are concerned that significant policy tightening in the near term will slow growth and prompt the need for looser policy later. Geo-political and coronavirus risks are also driving safe haven buying. The result is a much flatter yield curve, as short-term yields rise even as long-term yields fall.
- The rise in Bank Rate despite the Omicron variant signals that the MPC will act to bring inflation down whatever the environment. It has also made clear its intentions to tighten policy further. While the economic outlook will be challenging, the signals from policymakers suggest their preference is to tighten policy unless data indicates a more severe slowdown.

Forecast:

- The MPC will want to build on the strong message it delivered this month by tightening policy despite Omicron uncertainty.
- Arlingclose therefore expects Bank Rate to rise to 0.50% in Q1 2022, but then remain there. Risks to the forecast are initially weighted to the upside but becoming more balanced over time. The Arlingclose central forecast remains below the market forward curve.
- Gilt yields will remain broadly flat from current levels. Yields have fallen sharply at the longer end of the yield curve, but expectations of a rise in Bank Rate have maintained short term gilt yields at higher levels.
- Easing expectations for Bank Rate over time could prompt the yield curve to steepen, as investors build in higher inflation expectations.
- The risks around the gilt yield forecasts vary. The risk for short and medium term yields is initially on the upside but shifts lower later. The risk for long-term yields is weighted to the upside.

	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24
Official Bank Rate													
Upside risk	0.15	0.15	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Arlingclose Central Case	0.10	0.10	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Downside risk	0.00	0.00	-0.15	-0.15	-0.15	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40
3-month money market rate													
Upside risk	0.10	0.15	0.20	0.20	0.30	0.30	0.30	0.30	0.35	0.35	0.35	0.35	0.35
Arlingclose Central Case	0.10	0.15	0.35	0.40	0.45	0.60	0.65	0.65	0.60	0.60	0.60	0.60	0.60
Downside risk	0.00	-0.05	-0.25	-0.25	-0.30	-0.45	-0.50	-0.50	-0.45	-0.45	-0.45	-0.45	-0.45
5yr gilt yield													
Upside risk	0.25	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30	0.30
Arlingclose Central Case	0.65	0.65	0.65	0.65	0.65	0.60	0.60	0.60	0.60	0.60	0.60	0.60	0.60
Downside risk	-0.25	-0.25	-0.35	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40	-0.40
10yr gilt yield													
Upside risk	0.30	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35	0.35
Arlingclose Central Case	1.05	1.05	1.05	1.05	1.05	1.05	1.00	0.95	0.95	0.95	0.90	0.90	0.90
Downside risk	-0.25	-0.35	-0.40	-0.40	-0.40	-0.40	-0.45	-0.45	-0.50	-0.50	-0.50	-0.50	-0.50
20yr gilt yield													
Upside risk	0.30	0.35	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40
Arlingclose Central Case	1.40	1.40	1.40	1.40	1.35	1.35	1.30	1.30	1.30	1.30	1.30	1.30	1.30
Downside risk	-0.35	-0.40	-0.45	-0.45	-0.45	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
50yr gilt yield													
Upside risk	0.35	0.35	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40
Arlingclose Central Case	1.30	1.30	1.30	1.30	1.25	1.25	1.20	1.20	1.20	1.20	1.20	1.20	1.20
Downside risk	-0.35	-0.35	-0.35	-0.40	-0.40	-0.45	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50

PWLB Standard Rate (Maturity Loans) = Gilt yield + 1.00%

PWLB Certainty Rate (Maturity Loans) = Gilt yield + 0.80%

PWLB Infrastructure Rate (Maturity Loans) = Gilt yield + 0.60%

Appendix B – Existing Investment & Debt Portfolio Position

	30 Nov 2021 Actual Portfolio £m	30 Nov 2021 Average Rate %
Total external borrowing	0	n/a
Total gross external debt	0	n/a
Treasury investments:		
UK Banks	4	0.1
Building societies (unsecured)	2	0.5
Certificate Deposit	0	0.0
Money Market Funds	10	0.6
Local Authorities	8	0.7
Other Financial Intermediaries	5	2.6
Debt management office	0	0.0
Total treasury investments	29	0.8

TREASURY MANAGEMENT PRACTICES PRINCIPLES AND SCHEDULES

Introduction:

The CIPFA Code of Practice on Treasury Management in the Public Services (the Code) was last revised in November 2017. The Code requires the setting out of the responsibilities and duties of members and officers, allowing a framework for reporting and decision making on all aspects of treasury management. This Council had adopted the original Code and has similarly adopted the revised 2017 Code. The Code recommends the creation and maintenance of:

- A Treasury Management Policy Statement, stating the policies and objectives of its treasury management activities,
- Suitable Treasury Management Practices setting out the manner in which the organisation will seek to achieve those policies and objectives and prescribing how it will manage and control those activities.

The Treasury Management Practices (TMPs) comprise:

- TMP 1: Risk management
- TMP 2: Performance measurement
- TMP 3: Decision-making and analysis
- TMP 4: Approved instruments, methods and techniques
- TMP 5: Organisation, clarity and segregation of responsibilities and dealing arrangements
- TMP 6: Reporting requirements and management information arrangements
- TMP 7: Budgeting, accounting and audit arrangements
- TMP 8: Cash and cash flow management
- TMP 9: Money laundering
- TMP 10: Training and qualifications
- TMP 11: Use of external service providers
- TMP 12: Corporate governance

Schedules supporting these practices and other documents held at an operational level specify the systems and routines to be employed and the records to be maintained in fulfilling the Council's treasury functions.

TMP 1: RISK MANAGEMENT

All treasury management activities involve both risk and the pursuit of reward or gain for the Council. The council's policies and practices emphasise that the effective identification, management and containment of risk are the prime objectives of treasury management activities.

The Section 151 Officer will design, implement and monitor all arrangements for the identification, management and control of treasury management risk, will report at least annually on the adequacy/suitability thereof, and will report, as a matter of urgency, the circumstances of any actual or likely difficulty in achieving the organisation's objectives in this respect, all in accordance with the procedures set out in **TMP6 Reporting requirements and management information arrangements**. In respect of each of the following risks, the arrangements which seek to ensure compliance with these objectives are set out as schedules below.

- 1) **Credit and Counterparty Risk Management:** the risk of failure by a counterparty to meet its contractual obligations to the Council under an investment, borrowing, capital, project or partnership financing, particularly as a result of the counterparty's diminished creditworthiness, and the resulting detrimental effect on the Council's capital or current (revenue) resources.

Principle: *The Council regards a key objective of its treasury management activities to be the security of the principal sums it invests. Accordingly, it will ensure that its counterparty lists and limits reflect a prudent attitude towards organisations with whom funds may be deposited, and will limit its investment activities to the instruments, methods and techniques referred to in TMP4 Approved instruments, methods and techniques, and listed in the schedule. It also recognises the need to have, and will therefore maintain, a formal counterparty policy in respect of those organisations from which it may borrow, or with whom it may enter into other financing arrangements.*

Schedule:

Criteria to be used for creating/managing approved counterparty lists/limits	<p>The Section 151 Officer is responsible for setting a prudent criteria and the Council's treasury advisors will also provide guidance and assistance in setting the criteria.</p> <p>The criteria will be agreed by Strategy and Resources Committee.</p> <p>The Council's treasury management advisors will advise on credit policy and creditworthiness related issues. The Council will maintain a counterparty list based on its criteria and will monitor and update the credit standing of the institutions on a regular basis. This assessment will include consideration of credit ratings from all 3 ratings agencies and other alternative assessments of credit strength (for example, statements of potential government support which now includes resolution mechanisms for failing financial institutions, CDS information, the composition of an institution's balance sheet liabilities). The Council will also take into account information on corporate developments of and market sentiment towards investment counterparties.</p> <p>The credit rating criteria will also apply to securities issued by financial and non-financial institutions, which in some instances, might be higher than that of the issuing institution.</p> <p>Higher time and cash limits may be set for secured investments (e.g. those with underlying collateral or which are by regulation excluded from being bailed-in/restructured in the event of financial</p>
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	<p>distress.)</p> <ul style="list-style-type: none"> - Where there is no investment-specific rating, but collateral upon which the investment secured is rated, then the higher of the collateral and counterparty rating will be used to determine time and cash limits.
<p>Approved methodology for changing limits and adding/removing counterparties</p> <p>Risk management :</p> <p>(a) creditworthiness deteriorates below the minimum criteria</p> <p>(b) ratings are placed on review for downgrade</p>	<p>The Section 151 Officer has delegated responsibility to add or delete counterparties and to review limits within the parameters of the criteria detailed above.</p> <p>Where an entity's credit rating is downgraded so that it fails to meet the minimum criteria, then</p> <ul style="list-style-type: none"> - No new investments will be made, - Any existing investments that can be recalled or sold at no cost will be, and - Full consideration will be given to the recall or sale of other existing investments with the affected counterparty. <p>Where a credit rating is placed on review for possible downgrade (also termed 'rating watch negative' or 'credit watch negative') so that it may fall below the minimum approved credit criteria, then only investments that can be withdrawn on [the next working day] will be made with that organisation until the rating review has been completed and its outcome known.</p> <p>The policy in (b) will not apply for 'negative outlooks' which indicate a long-term direction of travel rather than a possibility of an imminent downgrade.</p>
Counterparty list and limits	<p>A full individual listing of banking counterparties based on the criteria will be maintained. As credit ratings etc. are subject to change without notice, an up-to-date lending list will be maintained on an ongoing basis.</p> <p>It may be impractical to have a pre-determined list of non-financial counterparties in whose securities investments might be made. The minimum credit rating criteria and whether the security is secured or unsecured will determine its selection for investment.</p> <p>No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may meet the minimum credit rating criteria.</p>
Details of credit rating agencies' services and their application	<p>The Council considers the ratings of all 3 ratings agencies (Standard & Poor's, Moody's and Fitch) when making investment decisions. Credit rating agency information is just one of a range of instruments used to assess creditworthiness of institutions.</p>

Description of the general approach to collecting/using information other than credit ratings for counterparty risk assessment	<p>The Council's Treasury Advisor provides timely information on counterparties, in terms of credit rating updates and economic summaries. Credit default swap information is received monthly, as well as information on share price.</p> <p>The Council's Treasury Advisor also undertakes analysis on the balance sheet structure of key banking institutions to help inform the potential restructure (i.e. bail-in) of a bank's unsecured liabilities should this be required by the regulatory Authorities.</p> <p>In addition, the Section 151 Officer reads quality financial press for information on counterparties.</p>
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- 2) **Liquidity Risk Management:** the risk that cash will not be available when it is needed, that ineffective management of liquidity creates additional unbudgeted costs, and that the Council's business/service objectives will be thereby compromised.

Principle : *The Section 151 Officer will ensure the Council has adequate though not excessive cash resources, borrowing arrangements, overdraft or standby facilities to enable it at all times to have the level of funds available to it which are necessary for the achievement of its business/service objectives.*

The Council will only borrow in advance of need where there is a clear business case for doing so and will only do so for the current capital programme or to finance future debt maturities.

Schedule:

Cash flow and cash Balances	<p>The Council will aim for effective cash flow forecasting and monitoring of cash balances and will maintain an annual cash flow forecast.</p> <p>The Senior Accountant shall seek to optimise the balance held in the Council's main bank accounts at the close of each working day in order to minimise the amount of bank overdraft interest payable or maximise the amount of interest that can be earned by investing surplus funds.</p>
Short term investments	<p>The Council uses various Current and Call Accounts and Money Market Funds to manage its liquidity requirements. These Accounts/Funds are named on the Council's approved counterparty list. The maximum balance on each of these accounts is reviewed and set as part of the Council's investment strategy.</p>
Temporary Borrowing	<p>Temporary borrowing up to 364 days through the money market is available should there be a cash flow deficit at any point during the year.</p> <p>At no time will the outstanding total of temporary and long-term borrowing together with any bank overdraft exceed the Prudential Indicator for the Authorised Borrowing Limit agreed by the Council before the start of each financial year.</p>
Bank Overdraft and standby facilities	<p>The Council has no authorised overdraft limit with its bankers.</p>

- 3) **Interest Rate Risk Management:** The risk that fluctuations in the levels of interest rates create an unexpected or unbudgeted burden on the Council's finances, against which the Council has failed to protect itself adequately.

Principle: *The Council will manage its exposure to fluctuations in interest rates with a view to containing its interest costs, or securing its interest revenues, in accordance with the amounts provided in its budgetary arrangements as amended in accordance with TMP6 Reporting requirements and management information arrangements.*

Schedule:

Minimum/ maximum proportions of fixed/variable rate debt/interest	<p>Borrowing/investments may be at a fixed or variable rate.</p> <p>The Prudential Code requires the Council to determine each year the maximum proportion of interest payable on net borrowing which is subject to fixed and variable interest rates. This is set each year as part of the annual budget setting process.</p> <p>In setting its forward Treasury Strategy on an annual basis, the Council will determine the necessary degree of certainty required for its plans and budgets but will, at the same time, allow sufficient flexibility to enable it to benefit from potentially advantageous changes in market conditions and level of interest rates and also to mitigate the effects of potentially disadvantageous changes.</p> <p>The Council will achieve this by the prudent use of its approved financing and investment instruments, methods and techniques, primarily to create stability and certainty of costs and revenues, but at the same time retaining a sufficient degree of flexibility.</p> <p>The Council may determine it is more cost effect in the short-term to fund its borrowing requirement through the use of internal resources ('internal borrowing') or through borrowing short-term loans. The benefits of such borrowing will be monitored regularly against the potential for incurring additional costs by deferring borrowing or refinancing in future years when interest rates are expected to be higher.</p>
Managing changes to interest rate levels	<p>The main impact of changes in interest rate levels is to monies borrowed and invested at variable rates of interest.</p> <p>Interest rate forecasts are provided by the Council's treasury advisors and are closely monitored by the Finance Manager. Variations from original estimates and their impact on the Council's debt and investments are notified to the Strategy and Resources Committee as necessary.</p> <p>For its investments, the Council also considers dealing from forward periods dependent upon market conditions. The Council's counterparty term limits will apply and will include the forward period of the investment.</p>

- 4) **Exchange Rate Risk Management:** The risk that fluctuations in foreign exchange rates create an unexpected or unbudgeted burden on the Council's finances against which the Council has failed to protect itself adequately.

Principle: *The Council will manage any exposure to fluctuations in exchange rates so as to minimise any detrimental impact on its budgeted income/expenditure levels.*

Schedule:

Exchange rate risk management	This Council does not, on a day to day basis, have foreign currency transactions or receipts. Unexpected receipt of foreign currency will be converted to sterling at the earliest opportunity.
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- 5) **Refinancing Risk Management:** The risk that maturing borrowings, capital, project or partnership financings cannot be refinanced on terms that reflect the provisions made by the organisation for those refinancings, both capital and current (revenue), and/or that the terms are inconsistent with prevailing market conditions at the time.

Principle: *The Council will ensure that its borrowing, private financing and partnership arrangements are negotiated, structured and documented, and the maturity profile of the monies so raised are managed, with a view to obtaining offer terms for renewal or refinancing, if required, which are competitive and as favourable to the organisation as can reasonably be achieved in the light of market conditions prevailing at the time.*

It will actively manage its relationships with its counterparties in these transactions in such a manner as to secure this objective, and will avoid over reliance on any one source of funding if this might jeopardise achievement of the above.

Schedule:

Projected capital investment requirements	4 year projections are in place for capital expenditure and its financing or funding. Financing will be from capital receipts, reserves and any grants or contributions awarded, revenue resources or reserves. Funding will be from internal or external borrowing, as decided. The Council's projected long-term borrowing requirement will be linked to the projected Capital Financing Requirement.
Debt profiling, policies and practices	Any longer term borrowing will be undertaken in accordance with the Prudential Code and will comply with the Council's Prudential Indicators and the Annual Treasury Management Strategy. Where the lender to the Council is a commercial body the Council will aim for diversification in order to spread risk and avoid over-reliance on a small number of counterparties.
Policy concerning limits on revenue consequences of capital financings	The revenue consequences of financing the capital programme are included in cash flow models, annual revenue estimates and medium term forecasts.

- 6) **Legal and Regulatory Risk Management:** The risk that the Council itself, or an organisation with which it is dealing in its treasury management activities, fails to act in accordance with its legal powers or regulatory requirements, and that the Council suffers losses accordingly.

Principle: *The Council will ensure that all of its treasury management activities comply with its statutory powers and regulatory requirements. It will demonstrate such compliance, if required to do so, to all parties with whom it deals in such activities. In framing its credit and counterparty*

policy under TMP1(1) Credit and counterparty risk management, it will ensure that there is evidence of counterparties' powers, Council and compliance in respect of the transactions they may effect with the Council, particularly with regard to duty of care and fees charged.

The Council recognises that future legislative or regulatory changes may impact on its treasury management activities and, so far as it is reasonably able to do so, will seek to minimise the risk of these impacting adversely on the organisation.

Schedule:

References to relevant statutes and regulations	<p>The treasury management activities of the Council shall comply fully with legal statute and the regulations of the Council. These are:</p> <ul style="list-style-type: none"> ▪ CIPFA's Treasury Management Code of Practice 2017 and subsequent amendments ▪ CIPFA Guide for Chief Financial Officers on Treasury Management in Local Authorities ▪ CIPFA Prudential Code for Capital Finance in Local Authorities and subsequent amendments ▪ CIPFA Standard of Professional Practice on Treasury Management ▪ The Local Government Act 2003 ▪ The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 SI 2003 No 3146, and subsequent amendments ▪ Pensions, England and Wales - The Local Government Pension Scheme (Management and Investment of Funds) Regulations 2009 – SI 2009 No 3093 ▪ The CLG's statutory Guidance on Minimum Revenue Provision (MRP) ▪ The ODPM's (now CLG's) Guidance on Local Government Investments in England issued March 2004 and subsequent amendments ▪ The Local Authorities (Contracting out of Investment Functions) Order 1996 SI 1996 No 1883 ▪ LAAP Bulletins ▪ Code of Practice on Local Authority Accounting in the United Kingdom based on International Financial Reporting Standards (from 2010/11 onwards) ▪ Accounts and Audit Regulations 2015, as amended together with CLG's Guidance ▪ The Non Investment Products Code (formerly known as The London Code of Conduct) for principals and broking firms in the wholesale markets ▪ Council's Constitution including:- <ul style="list-style-type: none"> ○ Standing Order relating to Contracts ○ Financial Regulations ○ Scheme of Delegation
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Procedures for evidencing the organisation's powers/ Authorities to counterparties	<p>The Council's Financial Regulations contain evidence of the power/ Authority to act as required by section 151 of the Local Government Act 1972, under the general direction of the Strategy and Resources Committee.</p> <p>The Council will confirm, if requested to do so by counterparties, the powers and Authorities under which the Council effects transactions with them.</p> <p>Where required, the Council will also establish the powers of those with whom they enter into transactions, including any compliance requirements in respect of a duty of care and best practice.</p>
Required information from counterparties concerning their powers/ Authorities	<p>Lending shall only be made to institutions on the Council's authorised lending list or in securities which meet the Council's approved credit criteria.</p> <p>The Council will only undertake borrowing from approved sources such as the PWLB (and its successor body), organisations such as the European Investment Bank and from commercial banks who are on the Council's list of authorised institutions, thereby minimising legal and regulatory risk. The list of approved sources of borrowing are contained in TMP 4.</p>
Statement on political risks and management of the same	<p>Political risk is managed by:</p> <ul style="list-style-type: none"> • adoption of the CIPFA Treasury Management Code of Practice • adherence to Corporate Governance (<u>TMP 12 – Corporate Governance</u>)

- 7) **Fraud, Error and Corruption, and Contingency Management:** The risk that the Council fails to identify the circumstances in which it may be exposed to the risk of loss through fraud, error, corruption or other eventualities in its treasury management dealings, and fails to employ suitable systems and procedures and maintain effective contingency management arrangements to these ends. It includes the area of risk referred to as operational risk.

Principle: *The Council will ensure that it has identified the circumstances which may expose it to the risk of loss through fraud, error, corruption or other eventualities in its treasury management dealings. Accordingly, it will employ suitable systems and procedures, and will maintain effective contingency management arrangements, to these ends.*

Schedule:

Details of systems and procedures to be followed, including Internet services	<p>Segregation of duties minimises the possibility of fraud and loss due to error, and is detailed in TMP5 Organisation, clarity and segregation of responsibilities, and dealing arrangements.</p> <ol style="list-style-type: none"> 1. <u>Electronic Banking and Dealing</u> (a) <u>Banking</u>: The Council's online banking service provided by Nat West is subject to separate log-on and password control allowing varying levels of access. Details of transactions and balances are available as required, and the system also holds historic data. Officers having access to the bank's online system are as follows: <ul style="list-style-type: none"> • Financial Services • Audit • IT Officer access is reviewed at least 6 monthly or as necessary. <ol style="list-style-type: none"> 2. <u>Standard Settlement Instructions (SSI)</u> list : <ul style="list-style-type: none"> • Brokers and counterparties with whom the Council deals direct are provided a copy of the SSI's. • Named officers will have Council to borrow from the PWLB and invest with the Debt Management Agency Deposit Facility. <ol style="list-style-type: none"> 3. <u>Payment Authorisation</u> : <ul style="list-style-type: none"> • Payments can only be authorised by agreed signatories of the Council, the list of signatories having previously been agreed with the Council's bank. • Inflow and outflow of monies borrowed and invested will only be from the counterparty's bank accounts.
Verification	<p>Loans and investments will be maintained on spreadsheets</p> <p>Transactions will be cross-checked against broker notes, counterparty confirmations and PWLB loan schedules by verifying dates, amounts, interest rates, maturity, interest payment dates etc.</p> <p>When receiving requests for change of payment details, due care will be exercised to ascertain the bona fide of the request and avoid potential fraud. Additional checks will be made through pre-existing contact details for the payee (and not those on the notice received for change of payment details) before altering payment details.</p>
Substantiation	<ol style="list-style-type: none"> 1. The Treasury Management system balances are reconciled with financial ledger codes at the end of each month and at the financial year end. 2. Working papers are retained for audit inspection. 3. The bank reconciliation is carried out monthly from the bank statement to the financial ledger.

Internal Audit	Internal Audit carry out an annual regulatory review of the treasury management function including probity testing. See <u>TMP7 Budgeting, accounting and audit arrangements</u> .
Contingency Management	<ol style="list-style-type: none"> 1. All treasury spreadsheets are retained on the Council's network. Daily back-ups are taken and maintained and network back-ups can be used by the IT services department to restore files, if necessary. 2. Network backups are held off site in a secure location. 3. Temporary off-site working facility: The officers who can avail of this facility following an emergency are Finance Manager and Senior Accountant who will individually be made aware of the procedures to follow. 4. Electronic Banking System Failure : Balance details will be obtained by phone from the Banks Corporate Service Team. Instructions for CHAPS payments will be made by Telephone or email. 5. The Business Continuity Plan is maintained by the Finance Manager.
Insurance Cover details	The Council has Crime cover. Details of the provider and cover are held by the Senior Accountant

- 8) **Market Risk Management:** This is the risk that, through adverse market fluctuations in the value of the principal sums the Council borrows and invests, its stated treasury management policies and objectives are compromised, against which effects it has failed to protect itself adequately.

Principle: *This Council will seek to ensure that its stated treasury management policies and objectives will not be compromised by adverse market fluctuations in the value of the principal sums it invests, and will accordingly seek to protect itself from the effects of such fluctuations.*

Schedule:

Details of approved procedures and limits for controlling exposure to investments whose capital value may fluctuate (gilts, CDs etc)	<p>Investment instruments used by the external fund managers are subject to fluctuation in capital movements and exposed to interest rate risk. In order to minimise these risks capital preservation is set as the primary objective and pursuit of investment performance should be commensurate with this objective.</p> <p>Pooled funds with a Constant Net asset Value (CNAV) – The Council currently uses pooled funds as per its Treasury</p>
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	<p>Management Strategy and on advice from its treasury advisors.</p> <p>Additionally the following risk control guidelines are set for each fund as part of the fund management agreement to control market risk :</p> <p>(a) Maximum weighted average duration of the fund;</p> <p>(b) Maximum permitted exposure to gilts/bonds;</p> <p>(c) Maximum maturity of any instrument.</p>
Accounting for unrealised gains/losses	The method of accounting for unrealised gains or losses on the valuation of financial assets comply with Accounting Code of Practice.

TMP 2: PERFORMANCE MEASUREMENT

Principle: *The Council is committed to the pursuit of value for money in its treasury management activities, and to the use of performance methodology in support of that aim, within the framework set out in its treasury management policy statement.*

Accordingly, the treasury management function will be the subject of ongoing analysis of the value it adds in support of the Council's stated business or service objectives. It will be the subject of regular examination of alternative methods of service delivery, or the availability of fiscal or other grant or subsidy incentives, and of the scope for other potential improvements. The performance of the treasury management function will be measured using the criteria set out below.

Schedule:

Policy concerning methods for testing value for money	<p>Best value reviews will include the production of plans to review the way services are provided by</p> <ul style="list-style-type: none"> ▪ Challenging ▪ Comparing performance ▪ Consulting with other users and interested parties ▪ Applying competition principles <p>in order to pursue continuous improvement in the way the Council's functions are exercised, having regard to a combination of value for money, efficiency and effectiveness.</p>
Policy concerning methods for performance measurement	<ul style="list-style-type: none"> • Performance measurement at this Council is intended to calculate the effectiveness of treasury activity in delivering the strategic objectives set through the Treasury Management Strategy and the Council's Prudential Indicators and to enhance accountability. • Prudential Indicators are local to the Council and are not intended as a comparator between Authorities. • The performance review will be made in the light of general trends in interest rates during the year and how the decisions made corresponded with these trends and the Council's agreed strategy, i.e. the Council will avoid hindsight analysis. <p>Any comparison of the Council's treasury portfolio against recognised industry standards, market indices and other portfolios is intended to:</p> <ul style="list-style-type: none"> (i) allow the Council the opportunity to assess the potential to add value through changes to the existing ways in which its portfolio is managed and (ii) permit an informed judgement about the merits or otherwise of using new treasury management techniques or instruments. <p>In drawing any conclusions the Council will bear in mind that the characteristics of its treasury operations may differ from those of other councils, particularly with regard to the position on risk.</p>

Methodology to be applied for evaluating the impact of treasury management decisions	<p>Monitoring of the outcome of treasury management activity against Prudential Indicators approved by the Council will be carried out.</p> <p>The year-end Annual Treasury Report will also include, as a matter of course, the outturn against the PIs set prior to the commencement of the financial year and any in-year amendments.</p> <p>The Councils Treasury Management advisors compare the performance of the Councils in-house funds against all its other clients and submits the results quarterly.</p>
Methodology to be employed for measuring the performance of the Council's treasury management activities	<p>Treasury management activity is reported annually against strategy and prevailing economic and market conditions. The report will include</p> <ul style="list-style-type: none"> a) Total debt including average rate and maturity profile (where appropriate) b) The effect of new borrowing and/or maturities on the above c) The effect of any debt restructuring on the debt portfolio d) Total investments including average rate, credit and maturity profile e) The effect of new investments/redemptions/maturities on the above f) The rate of return on investments against their indices for internally and externally managed funds g) An analysis of any risks inherent within the investment portfolio (e.g. exposure to market movements in the value of CDs, gilts/bonds, callable deposits in their call period) h) A statement whether the treasury management activity resulted in a breach of the Prudential Indicators and other limits set within treasury strategy.
Best value	<p>The treasury management function will be the subject of ongoing analysis of the value it adds in support of the Council's stated corporate and service objectives.</p> <p>When tendering for treasury-related or banking services, the Council adheres to its Financial Regulations. These require that :</p> <ul style="list-style-type: none"> a) For a contract with a value below an agreed threshold, at least 1 but preferably 3 quotes and service delivery proposals are obtained b) For a contract with a value above an agreed threshold but below an agreed tender threshold, at least 3 written quotes and service delivery proposals are obtained c) For a contract above an agreed tender threshold but below the EU threshold a tender exercise in line with CIPFA best practice is performed. d) When placing a contract with a value in excess of the EU Threshold a tendering process that meets the requirements of the EU procurement procedures (OJEU) is undertaken. e) If necessary, the Council will also consult with other users of similar services as well as with interested parties. f) The Council will also evaluate alternative methods of the availability of fiscal, grant or subsidy initiatives, and service delivery.

TMP 3: DECISION-MAKING AND ANALYSIS

Principle: *The Council will maintain full records of its treasury management decisions, and of the processes and practices applied in reaching those decisions, both for the purposes of learning from the past, and for demonstrating that reasonable steps were taken to ensure that all issues relevant to those decisions were taken into account at the time. The issues to be addressed and processes and practices to be pursued in reaching decisions are detailed below.*

Schedule:

Major treasury decisions	<p>As a public service organisation, there is a requirement to demonstrate openness and accountability in treasury management activities. Accordingly, the Council will create and maintain an audit trail of major treasury management decisions which comprise either :</p> <ul style="list-style-type: none"> a) Options Appraisal to determine a funding decision b) raising a new long-term loan / long-term source of finance c) prematurely restructuring/redeeming an existing long-term loan(s) d) investing longer-term (i.e. in excess of 1 year) e) utilisation of investment instruments which constitute capital expenditure (i.e. loan capital/share capital in a body corporate) f) leasing g) change in banking arrangements h) appointing/replacing a treasury advisor i) appointing/replacing a fund manager
Process	The Council's strategy for the application of its treasury policy is set out in the annual Treasury Management Strategy.
Delegated powers for treasury management	The Section 151 Officer has delegated powers to carry out the Council's strategy for debt management, capital finance and borrowing, depositing surplus funds and managing the cash flows of the Council.
Issues to be addressed, evaluation, authorisation	<p>In exercising these powers, the Section 151 Officer and those to whom the treasury activity have been delegated will</p> <ul style="list-style-type: none"> • have regard to the nature and extent of any associated risks to which the Council may become exposed; • be certain about the legality of the decision reached and that the necessary authority to proceed has been obtained; • be satisfied that the documentation is adequate to deliver the Council's objectives, protect the Council's interests, and to maintain an effective audit trail; • ensure that the perceived credit risk associated with the approved counterparties is judged satisfactory and is within agreed limits; • be satisfied that the terms of any transactions have been fully checked against the market, and have been found to be competitive;

	<ul style="list-style-type: none"> • follow best practice in implementing the treasury transaction. <p>In exercising Borrowing and Funding decisions, the Section 151 Officer will :</p> <ul style="list-style-type: none"> • evaluate economic and market factors that may influence the manner and timing of any decision to fund; • consider alternative forms of funding, including use of revenue resources, leasing and private partnerships; • consider the use of internal resources and/or the most appropriate periods to fund and repayment profiles to use; • consider ongoing revenue liabilities created; • where applicable, monitor regularly the benefits of internal borrowing against the potential for incurring additional costs by deferring borrowing into future years • consider the alternative interest rate bases available, the most appropriate periods to fund and repayment profiles to use; • consider ongoing revenue liabilities created. <p>In exercising Investment decisions, the Section 151 Officer will :</p> <ul style="list-style-type: none"> • Determine that the investment is within the Council's strategy and pre-determined instruments and criteria; • consider the optimum period, in the light of core balances and reserves, cash flow availability and prevailing market conditions; • consider the alternative investment products and techniques available if appropriate.
Processes to be followed	The processes to be followed will be in keeping with TMP 4: The Council's Approved, Instruments, Methods and Techniques.
Evidence and records to be kept	<p>The Council will maintain a record of all major treasury management decisions, the processes undertaken and the rationale for reaching the decision made. These will allow for an historical assessment of decisions made and verification that any checks and safeguards are indeed in place and operating correctly.</p> <p>Records and working papers will be maintained by the Council electronically and in relevant files.</p>

TMP 4: APPROVED INSTRUMENTS, METHODS AND TECHNIQUES

Principle: *The Council will undertake its treasury management activities by employing only those instruments, methods and techniques detailed in the schedule to this document, and within the limits and parameters defined in **TMP1 Risk Management**.*

Schedule:

Approved treasury management activities	<p>The Council is permitted to undertake the following activities:</p> <ul style="list-style-type: none"> ▪ Managing cashflow ▪ Capital financing ▪ Borrowing including debt restructuring and debt repayment ▪ Lending including redemption of investments ▪ Banking ▪ Leasing ▪ Managing the underlying risk associated with the Council's capital financing and surplus funds activities. <p>The above list is not finite and the Council would, from time to time, consider and determine new financial instruments and treasury management techniques; however, the Council will consider carefully whether the officers have the skills and experience to identify and manage the advantages and risks associated with using the instruments/techniques before undertaking them, more so as some risks may not be wholly or immediately transparent.</p>
Approved capital financing methods and types/sources of funding	<p><u>On balance sheet</u></p> <ul style="list-style-type: none"> • Public Works Loans Board (PWLB) loans and loans from its successor body • long term money market loans including LOBOs • temporary money market loans (up to 364 days). • bank overdraft • loans from bodies such as the European Investment Bank (EIB) • Stock issues • Finance Leases • Deferred Purchase • Government and EU Capital Grants • Lottery monies • Other Capital Grants and Contributions ▪ PFI ▪ Operating and finance leases ▪ Hire purchase ▪ Sale and leaseback <p><u>Internal Resources</u></p> <ul style="list-style-type: none"> • Capital Receipts • Revenue Balances • Use of Reserves <p><u>Off balance sheet</u></p> <ul style="list-style-type: none"> ▪ Operating Leases ▪ Structured Finance

	<p>The level of debt will be consistent with the Treasury Management Strategy and the Prudential Indicators.</p>
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Approved investment instruments	<p>The Council will determine through its Annual Investment Strategy (AIS) which instruments it will use, giving priority to the security and liquidity (in that order) of its invested monies. The investments will be categorised as 'Specified' or 'Non Specified' based on the criteria set out by the ODPM (now CLG) in its Investment Guidance March 2004 (as amended).</p> <p>The Council will determine through the AIS which instruments will be used in-house and which will be used by the appointed external fund manager(s) including the maximum exposure for each category of non-specified investments. Where applicable, the Council's credit criteria will also apply.</p> <p><u>Banks Unsecured</u>: Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks.</p> <p><u>Banks Secured</u>: Covered bonds, reverse repurchase agreements and other collateralised arrangements with banks and building societies.</p> <p><u>Government</u>: Loans, bonds and bills issued or guaranteed by national governments, regional and local Authorities and multilateral development banks.</p> <p><u>Corporates</u>: Loans, bonds and commercial paper issued by companies other than banks and registered providers</p> <p><u>Registered Providers</u>: Loans and bonds issued by, guaranteed by or secured on the assets of Registered Providers of Social Housing, formerly known as Housing Associations</p> <p><u>Pooled Funds</u>: Shares in diversified investment vehicles consisting of the any of the above investment types, plus equity shares and property. Money Market Funds that offer same-day liquidity and aim for a constant net asset value</p> <p><u>Bond, equity and Property Funds</u></p>
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TMP 5: ORGANISATION, CLARITY AND SEGREGATION OF RESPONSIBILITIES, AND DEALING ARRANGEMENTS

Principle: *The Council considers it essential, for the purposes of the effective control and monitoring of its treasury management activities, for the reduction of the risk of fraud or error, and for the pursuit of optimum performance, that these activities are structured and managed in a fully integrated manner, and that there is at all times a clarity of treasury management responsibilities.*

The principle on which this will be based is a clear distinction between those charged with setting treasury management policies and those charged with implementing and controlling these policies, particularly with regard to the execution and transmission of funds, the recording and administering of treasury management decisions, and the audit and review of the treasury management function.

If and when the Council intends, as a result of lack of resources or other circumstances, to depart from these principles, the Section 151 Officer will ensure that the reasons are properly reported in accordance with TMP6 Reporting requirements and management information arrangements, and the implications properly considered and evaluated.

The Section 151 Officer will ensure that there are clear written statements of the responsibilities for each post engaged in treasury management, and the arrangements for absence cover. The Section 151 Officer will also ensure that at all times those engaged in treasury management will follow the policies and procedures set out. The present arrangements are detailed in the schedule below.

The Section 151 Officer will ensure there is proper documentation for all deals and transactions, and that procedures exist for the effective transmission of funds. The present arrangements are detailed in the schedule below.

The delegations to the Senior Accountant in respect of treasury management are set out in the schedule below. The Senior Accountant will fulfil all such responsibilities in accordance with the organisation's policy statement and TMPs and, if a CIPFA member, the Standard of Professional Practice on Treasury Management.

Schedule:

Limits to responsibilities at Executive levels	<p>Full Council</p> <ul style="list-style-type: none"> • budget consideration and approval <p>Strategy and Resources Committee:</p> <ul style="list-style-type: none"> • receiving and reviewing Prudential Indicators as part of the budget setting process • receiving and reviewing reports on treasury management policies, practices and activities • approval of amendments to adopted clauses, treasury management policy statement and treasury management practices • receiving and reviewing external audit reports and acting on recommendations • approving the selection of external service providers and agreeing terms of appointment
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Principles and practices concerning segregation of duties	<p>The segregation of duties will be determined by the Section 151 Officer.</p> <p>Segregation of duties exists in that:</p> <ul style="list-style-type: none"> the officer(s) responsible for negotiating and closing treasury management deals is separate from officer(s) authorising payments all borrowing/investments decisions must be authorised by the Section 151 Officer.
Statement of duties/ responsibilities of each treasury post	<p>Examples:</p> <p>The Section 151 Officer :</p> <ul style="list-style-type: none"> submitting budgets and budget variations recommending clauses, treasury management policy, practices for approval, reviewing the same regularly and monitoring compliance determining Prudential Indicators and Treasury Management Strategy including the Annual Investment Strategy submitting regular treasury management policy reports receiving and reviewing management information reports reviewing the performance of the treasury management function and promoting best value reviews ensuring the adequacy of treasury management resources and skills, and the effective division of responsibilities within the treasury management function recommending the appointment of external service providers determining long-term capital financing and investment decisions. The Section 151 Officer has delegated powers to determine and undertake the most appropriate form of borrowing from the approved sources, and to make the most appropriate form of investments in approved instruments. The Section 151 Officer may delegate their power to borrow and invest to members of his staff <p>Head of Paid Service</p> <ul style="list-style-type: none"> ensuring the adequacy of internal audit and liaising with external audit <p>Senior Accountant</p> <ul style="list-style-type: none"> execution of transactions adherence to agreed policies and practices on a day to day basis maintaining relationships with third parties and external service providers monitoring performance on a day to day basis submitting management information reports to the responsible officer identifying and recommending opportunities for improved practices. recording treasury management transactions, reconciling treasury management transactions with the financial ledger

	<ul style="list-style-type: none"> • recording/reconciling counterparty documentation.
Absence cover arrangements	<p>In the absence of the Section 151 Officer, the Lead Specialist - Finance will assume their responsibilities in respect of the Treasury Management function.</p> <p>In the absence of the Specialist - Finance staff, the Lead Specialist - Finance will provide cover.</p> <p>Cover is reviewed as necessary.</p> <p>Full procedure notes are available, detailing the processes required to enable the day to day operation of the treasury management function.</p>

Dealing

Authorised officers	<p>Responsible officers for borrowing/investment decisions :</p> <p>Borrowing activity: <i>Specialist – Finance, Lead Specialist - Finance</i></p> <p>Lending activity : <i>Specialist – Finance, Lead Specialist - Finance</i></p> <p>Authorising payments for borrowing/lending : <i>Directors</i></p> <p>Transaction recording : <i>Specialist – Finance, Lead Specialist - Finance Senior Accountants</i></p>
Dealing limits	<p>Internally Managed Investments:</p> <ul style="list-style-type: none"> • the maximum for any one investment deal is as per the lending limits detailed in the Council's Annual Investment Strategy. <p>Currently:</p> <ul style="list-style-type: none"> • the maximum for any one investment deal is £3 million (subject to the lending limits detailed in the Council's Annual Treasury Management Strategy).
List of approved brokers	Brokers used by the Council are named in TMP 11 : External Service Providers
Policy on brokers' services	It is the Council's policy to utilise the services between at least two brokers. The Council will maintain a spread of business between them in order to avoid relying on the services of any one broker.
Policy on taping of conversations	Conversations with brokers may be taped by the brokers.
Direct dealing practices	<p>Direct dealing is carried out with institutions and with external pooled funds identified in the Operational Schedule subject to counterparty and maturity limits and dealing limits.</p> <p>Prior to undertaking direct dealing, the Council will ensure that each counterparty/fund has been provided with the Council's list of authorised dealers and the Council's Standard Settlement Procedures.</p>

Settlement transmission procedures	<ul style="list-style-type: none"> • settlements are made by CHAPS. • all CHAPS payments relating to settlement transactions require authorisation by a designated officer • all CHAPS payments require 2 bank signatures • the details are transmitted electronically to the Council's bankers.
Documentation requirements	<p>For each deal undertaken a record should be prepared giving details of dealer, amount, period, counterparty, interest rate, dealing date, payments date(s), broker.</p> <p>Investments</p> <ul style="list-style-type: none"> • deal ticket authorising the investment • confirmation from the broker • confirmation from the counterparty • Contract notes for purchase and sale of shares/units in pooled funds from the fund's manager/administrator • Chaps payment transmission document <p>Loans:</p> <ul style="list-style-type: none"> • deal ticket with signature to agree loan • confirmation from the broker • confirmation from PWLB/market counterparty • Chaps payment transmission document for repayment of loan.

TMP 6: REPORTING REQUIREMENTS AND MANAGEMENT INFORMATION ARRANGEMENTS

Principle: *The Council will ensure that regular reports are prepared and considered on the implementation of its treasury management policies; on the effects of decisions taken and transactions executed in pursuit of those policies; on the implications of changes, particularly budgetary, resulting from regulatory, economic, market or other factors affecting its treasury management activities; and on the performance of the treasury management function.*

As a minimum, the Strategy and Resources Committee will receive:

- *An annual report on the strategy and plan to be pursued in the coming year*
- *An annual report on the performance of the treasury management function, on the effects of the decisions taken and the transactions executed in the past year, and on any circumstances of non-compliance with the organisation's treasury management policy statement and TMPs.*
- *A mid year review of Treasury activity*

The present arrangements and the form of these reports are outlined below.

Schedule:

Frequency of executive reporting requirements	<p>The Section 151 Officer will annually submit budgets and will report on budget variations as appropriate.</p> <p>The Section 151 Officer will submit the Prudential Indicators and the Treasury Strategy Statement, Annual Investment Strategy and report on the projected borrowing and investment strategy and activity for the forthcoming financial year to the Strategy and Resources Committee before the start of the year.</p> <p>The Annual Treasury Report will be prepared as soon as practicable after the financial year end and, in all cases, before the end of September.</p> <p>A Mid-Year Treasury Report will be prepared by the Section 151 Officer, which will report on treasury management activities for the first part of the financial year. The Mid-Year Report will be submitted to Strategy and Resources Committee during the year.</p>
<p>Content of Reporting:</p> <p>1. Treasury Strategy Statement</p>	<p>The Treasury Strategy will include the following:</p> <ul style="list-style-type: none"> • Link to Capital Financing Prudential Indicators for the current and ensuing three years • Strategy for financing new borrowing requirements (if any) and refinancing maturing borrowing (if any) over the next three years and for restructuring of debt • the extent to which surplus funds are earmarked for short term requirements • the investment strategy for the forthcoming year(s) (see <i>below</i>*) • the minimum to be held in short term/specified investment during the coming year • the interest rate outlook against which the treasury activities are likely to be undertaken. <p>*Based on the ODPM's (now CLG's) Guidance on Investments, the Council will produce an Annual Investment Strategy (AIS) which sets out</p> <ul style="list-style-type: none"> ▪ the objectives, policies and strategy for managing its investments;

2. Annual Treasury Report	<p>The Section 151 Officer will produce an annual report for the Strategy and Resources Committee on all activities of the treasury management function (including the performance of fund managers) as soon as practicable after year end and in all cases no later than 30 September of the succeeding financial year.</p> <p>The main contents of the report will comprise :</p> <ul style="list-style-type: none"> ▪ confirmation that the Council calculated its budget requirements and set a balanced budget for the financial year; ▪ the prevailing economic environment ▪ a commentary on treasury operations for the year, including their revenue effects; ▪ commentary on the risk implications of treasury activities undertaken and the future impact on treasury activities of the Council ▪ compliance with agreed policies/practices and statutory/regulatory requirements ▪ performance measures.
3. Content and frequency of management information reports	<p>The Section 151 Officer will produce a half yearly monitoring report for Strategy and Resources Committee</p> <p><i>Example</i> : This report includes details of :</p> <ul style="list-style-type: none"> • borrowing and investment activity undertaken including forward deals • performance of investments against benchmark • extent of compliance with the treasury strategy and reasons for variance (if any)
4. Scrutiny	<p>The Section 151 Officer will present the Treasury Strategy Statement to the Performance, Governance and Audit committee prior to agreement by the Strategy and Resources Committee.</p> <p>The Performance, Governance and Audit committee will have responsibility for the scrutiny of treasury management policies and practices (TMP's)</p>

TMP 7: BUDGETING, ACCOUNTING AND AUDIT ARRANGEMENTS

Principle: *The Section 151 Officer will prepare, and the Council will approve and, if necessary, from time to time will amend, an annual budget for treasury management, which will bring together all of the costs involved in running the treasury management function, together with associated income. The matters to be included in the budget will at minimum be those required by statute or regulation, together with such information as will demonstrate compliance with **TMP1 Risk management, TMP2 Performance measurement, and TMP4 Approved instruments, methods and techniques.** The form which the Council's budget will take is set out in the schedule below.*

*The Section 151 Officer will exercise effective controls over this budget and will report upon and recommend any changes required in accordance with **TMP6 Reporting requirements and management information arrangements.***

The Council will account for its treasury management activities, for decisions made and transactions executed, in accordance with appropriate accounting practices and standards, and with statutory and regulatory requirements in force for the time being. The present form of the Council's accounts is set out in the schedule.

Schedule:

Statutory/regulatory requirements	<p>Balanced Budget Requirement: The provisions of S32 and S43 of the Local Government Finance Act 1992 require this Council to calculate its budget requirement for each financial year including, among other aspects;</p> <p>(a) the expenditure which is estimated to be incurred in the year in performing its functions and which will be charged to a revenue account and</p> <p>(b) revenue costs which flow from capital financing decisions.</p> <p>S33 of the Act requires the Council to set a council tax sufficient to meet expenditure after taking into account other sources of income.</p>
Proper accounting practice	<p>CIPFA's Code of Practice on Local Authority Accounting in the United Kingdom (the local Authority code) constitutes "proper accounting practice under the terms of S21 (2) of the Local Government Act 2003".</p>

Financial Statements	<p>The Financial Statements comprise:</p> <ul style="list-style-type: none"> ▪ A Narrative Statement ▪ Accounting policies, changes in accounting estimates and errors ▪ Presentation of financial statements ▪ Movement in reserves statement ▪ Comprehensive income and expenditure statement ▪ Balance sheet ▪ Cash flow statement ▪ Collection Fund (England) ▪ Statement of Responsibilities ▪ The Accounting Statements ▪ Notes to the financial statements ▪ Statements reporting reviews of internal controls or internal financial controls ▪ Events after the reporting period ▪ Related party disclosures
Format of the Council's accounts	The current form of the Council's accounts is available within the Resources Service of the Council.
Disclosures relating to treasury management	Due regard will be given to the disclosure requirements under CIPFA's Accounting Code of Practice.
Treasury-related information requirements of external auditors	<p>The following information is specifically requested by the external auditor and should be considered an initial request for information. It is usually followed by more detailed audit testing work which often requires further information and/or explanations from the Council's officers.</p> <p>Information in this context includes internally generated documents, externally generated documents, observation of treasury management practices which support and explain the operation and activities of the treasury management function.</p> <ul style="list-style-type: none"> ▪ Determination of Affordable Borrowing Limit under Section 3 of the Local Government Act 2003. ▪ Prudential Indicators. ▪ Treasury Management Strategy including Annual Investment Strategy. <p><u>External borrowing:</u></p> <ul style="list-style-type: none"> • New loans borrowed during the year : PWLB certificates / documentation in relation to market loans borrowed (including copy of agreements, schedule of commitments) • Loan maturities. • Compliance with proper accounting practice, regulations and determinations for the amortisation of premiums and discounts arising on loans restructured during the year and previous years. • Analysis of loans outstanding at year end including maturity analysis.

	<ul style="list-style-type: none"> • Analysis of borrowing between long- and short-term • Debt management and financing costs <ul style="list-style-type: none"> ▪ calculation of (i) interest paid (ii) accrued interest ▪ interest paid • MRP calculation and analysis of movement in the CFR. • Bank overdraft position. • Brokerage/commissions/transaction related costs. <p><u>Investments:</u></p> <ul style="list-style-type: none"> • Investment transactions during the year including any transaction-related costs • cash and bank balances at year end • Short-term investments at year end • Long-term investments at year end (including investments in associates and joint ventures) by asset type, including unrealised gains or losses at year end • calculation of (i) interest received (ii) accrued interest • actual interest received • External fund manager valuations including investment income schedule and movement in capital values, transaction confirmations received (if any) • Basis of valuation of investments • Evidence of existence and title to investments (e.g. Custodian's Reports) • Schedule of any investments in companies together with their latest financial statements); statement of transactions between the company and the Council.
	<p><u>Cash Flow</u></p> <ul style="list-style-type: none"> ▪ Reconciliation of the movement in cash to the movement in net debt ▪ Cash inflows and outflows (in respect of long-term financing) ▪ Cash inflows and outflows (in respect of purchase/sale of long-term investments) ▪ Net increase/decrease in (i) short-term loans (ii) short-term deposits (iii) other liquid resources <p><u>Other</u></p> <p>Details of (treasury-related) material events after balance sheet date not reflected in the financial statements.</p> <ul style="list-style-type: none"> ▪ External advisors'/consultants' charges
Internal Audit	<p>Internal Audit generally conducts an annual review of the treasury management function and probity testing.</p> <p>The internal auditors will be given access to treasury management information/documentation as required by them.</p>

Compliance with CIPFA Treasury Management and Prudential Codes	<p>Auditors may require evidence/demonstration of compliance with external and internal treasury management policies and strategy.</p> <p>Any serious breach of the TM Code's recommendations or Prudential Indicators should be brought to the attention of the external auditor.</p>
Costs for treasury management	The budget for treasury management forms part of the Financial Services budget.

TMP 8: CASH AND CASH FLOW MANAGEMENT

Principle: Unless statutory or regulatory requirements demand otherwise, all monies in the hands of the Council will be under the control of the Section 151 Officer and will be aggregated for cash flow and investment management purposes. Cash flow projections will be prepared on a regular and timely basis, and the Section 151 Officer will ensure that these are adequate for the purposes of monitoring compliance with **TMP1 [2] liquidity risk management**. The present arrangements for preparing cash flow projections and their form are set out in the schedule below.

Schedule:

<p>Arrangements for preparing /submitting cash flow statements</p>	<p>A Cash flow forecasts will be used to formulate the Council's borrowing and investment strategy by identifying periods of surplus or shortfall of cash balances during the year.</p> <p>The cash flow forecasts and statements are held at operational level.</p> <p>The accuracy and effectiveness of the Council's cash flows are dependent on the accuracy of estimating expenditure, income and their corresponding time periods.</p> <p>Daily cash flows show forecast and planned movements of cash on a daily basis, including the matching of known inflows and payments. This is recorded in the Investments spreadsheet (IOSF yyyy-yyyy)</p>
<p>Content and frequency of cash flow projections</p>	<p>The detailed annual cash flow model includes the following:</p> <ul style="list-style-type: none"> • revenue income and expenditure based on the budget. • profiled capital income and expenditure as per the capital programme. <p>Revenue activities: <u>Inflows:</u></p> <ul style="list-style-type: none"> ▪ Precepts received ▪ Non domestic rates receipts ▪ Council tax receipts ▪ Housing subsidy ▪ DSS / other government grants ▪ Cash for goods and services ▪ Other operating cash receipts <p><u>Outflows:</u></p> <ul style="list-style-type: none"> ▪ Salaries and payments on behalf of employees ▪ Operating cash payments ▪ Housing Benefit paid ▪ Precepts paid ▪ NDR payments <p>Capital activities including financing <u>Inflows:</u></p> <ul style="list-style-type: none"> ▪ Capital grants received ▪ Sale of fixed assets

	<ul style="list-style-type: none"> ▪ Other capital cash receipts <p><u>Outflows:</u></p> <ul style="list-style-type: none"> ▪ Purchase of fixed assets ▪ Purchase of long-term investments ▪ Other capital cash payments
Monitoring, frequency of cash flow updates	<p>The annual cash flow statement is updated periodically with the actual cash inflows and outflows after taking account of any revisions including those relating to grant income and capital expenditure and will be reconciled with :</p> <ul style="list-style-type: none"> • net RSG and NNDR payments as notified; • county council and police Authority precepts as notified; • actual salaries and other employee costs paid from account bank statements; • actual payments to Inland Revenue from general account bank statements; • actual council tax received from general account bank statement; • actual rent allowances paid from payments account bank statement; • actual housing benefit and housing subsidy grant received from CLG; • actual capital programme expenditure and receipts.
Bank statements procedures	<p>The Council accesses its bank statements online and these are downloaded on a daily basis. The statements are processed and posted independently to the treasury function and are reconciled to the general ledger on a monthly basis.</p>
Payment scheduling	<p>The Council has a policy of paying suppliers in line with agreed terms of trade and the following service standards:</p> <ul style="list-style-type: none"> • <i>Undisputed invoices are to be paid within 30 days.</i>
Monitoring debtor/ creditor levels	<p>Debtor levels are monitored by a monthly Sundry Debtors Monitoring Report to the Finance Manager which will include an analysis of debt by age and details and details of recovery status.</p>
Banking of funds	<p>Instructions for the banking of income are set out in the Financial Regulations. Cheques received in the customer services section are banked daily. Generally the council does not take cash payments.</p> <p>All the Council's sections are advised of the requirement to bank on a regular basis in order to comply with recommended best practice and also remain within the particular insurance limits for the Council's premises.</p>

TMP 9: MONEY LAUNDERING

Background: The Proceeds of Crime Act (POCA) 2002 consolidated, updated and reformed criminal law in the UK in relation to money laundering. The principal offences relating to money laundering are:

- Concealing, disguising, converting, transferring or removing criminal property from England and Wales, from Scotland or from Northern Ireland
- Being concerned in an arrangement which a person knows or suspects facilitates the acquisition, retention use or control of criminal property
- Acquiring, using or possessing criminal property.

Other offences include failure to disclose money laundering offences, tipping off a suspect either directly or indirectly, and doing something that might prejudice an investigation.

Organisations pursuing relevant businesses were required to appoint a nominated officer and implement internal reporting procedures; train relevant staff in the subject; establish internal procedures with respect to money laundering; obtain, verify and maintain evidence and records of the identity of new clients and transactions undertaken and report their suspicions.

In December 2007, the UK Government published the Money Laundering Regulations 2007, which replaced the 2003 Regulations.

CIPFA believes that public sector organisations should “embrace the underlying principles behind the money laundering legislation and regulations and put in place anti money laundering policies, procedures and reporting arrangements appropriate and proportionate to their activities”.

Principle: *The Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, it will maintain procedures for verifying and recording the identity of counterparties and reporting suspicions, and will ensure that staff involved in this are properly trained. The present arrangements, including the name of the officer to whom reports should be made, are detailed in the schedule below.*

Schedule:

Anti money laundering policy	<p>This Council's policy is to prevent, wherever possible, the organisation and its staff being exposed to money laundering, to identify the potential areas where it may occur and to comply with all legal and regulatory requirements, especially with regard to the reporting of actual or suspected cases.</p> <p>The Council has accepted responsibility to ensure that those of its staff who are most likely to be exposed to money laundering can make themselves fully aware of the law and, where necessary, are suitably trained.</p>
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Nomination of Responsible Officer(s)	<p>(a) The Council nominates the Legal and Democratic Services Manager to be the responsible body to whom any suspicions relating to transactions involving the Council will be communicated.</p> <p>(b) The responsible officer will be conversant with the requirements of the Proceeds of Crime Act 2002 and will ensure relevant staff are appropriately trained and informed so they are alert for suspicious transactions.</p> <p>(c) The responsible officer will make arrangements to receive and manage the concerns of staff about money laundering and their suspicion of it, to make internal enquiries and to make reports, where necessary, to National Criminal Intelligence Services (NCIS).</p>
Procedures for establishing the Identity of Lenders and Borrowers	<p>(a) In the course of its treasury activities, the Council will only borrow from permitted sources identified in TMP 4.</p> <p>(b) The Council will not accept loans from individuals.</p> <p>(c) In the course of its treasury activities, the Council will only invest with those counterparties which are on its approved lending list.</p> <p>(d) The identity and authenticity of commercial institutions (banks, building societies and other financial institutions) authorised to carry out borrowing and lending activity in the UK will be checked via the Bank of England/ Prudential Regulation Authority's website.</p> <p>(e) All receipts/disbursements of funds will be undertaken by <u>BACS or CHAPS</u> settlement.</p> <p>(f) Direct Dealing mandates: The Council will provide (in the case of lending) / obtain (in the case of borrowing) and maintain on file dealing mandates with any new money market counterparty. The mandates should be on letter-headed paper, dated and signed.</p> <p>(g) All banking transactions will only be undertaken by the personnel authorised to operate the Council's banks accounts.</p> <p>(h) When receiving requests for change of payment details, due care will be exercised to ascertain the bona fide of the request and avoid potential fraud. Additional checks will be made through <u>pre-existing</u> contact details for the payee before altering payment details.</p>

TMP 10: TRAINING AND QUALIFICATIONS

Principle: *The Council recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. It will therefore seek to appoint individuals who are both capable and experienced and will provide training for staff to enable them to acquire and maintain an appropriate level of expertise, knowledge and skills. The Section 151 Officer will recommend and implement the necessary arrangements.*

The Section 151 Officer will ensure that council members tasked with treasury management responsibilities, including those responsible for scrutiny, have access to training relevant to their needs and responsibilities.

Those charged with governance recognise their individual responsibility to ensure that they have the necessary skills to complete their role effectively.

The present arrangements are detailed in the schedule below.

Schedule:

Qualifications/ experience for treasury staff	<i>Treasury Staff should have the AAT qualification as a minimum and preferably prior experience in Treasury management.</i>
Details of approved training courses	<p>The courses/events the Council would expect its treasury personnel to consider are <i>(examples below)</i>:</p> <ul style="list-style-type: none"> ▪ Training courses for Accounting, Auditing, Best Value/Competition, Budgeting, Capital Finance & Borrowing, Financial Management run by CIPFA and IPF ▪ Any courses/seminars run by Treasury Management Consultants. ▪ Attending CIPFA Conference ▪ Training provided by those responsible for scrutiny of the treasury function

TMP 11: USE OF EXTERNAL SERVICE PROVIDERS

Principle: *The Council recognises that responsibility for the treasury management decisions remains with the organisation at all times. It recognises the potential value of employing external providers of treasury management services, in order to acquire access to specialist skills and resources. When it employs such service providers, it will ensure it does so for reasons which will have been submitted to a full evaluation of the costs and benefits. It will also ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review. And it will ensure, where feasible and necessary, that a spread of service providers is used, to avoid over reliance on one or a small number of companies. Where services are subject to formal tender or re-tender arrangements,*

legislative requirements will always be observed. The monitoring of such arrangement's rests with the Section 151 Officer, and details of the current arrangements are set out in the schedule below.

Schedule:

Contract threshold	The Council's Financial Regulations require that a formal written contract is in place with external service providers where the contract value exceeds £50,000 over the term. The contract will clearly state the services to be provided and the terms on which they will be provided.
Details of service providers and procedures and frequency for tendering services	<p>(a) Bankers to the Council: Nat West, Po Box 333, Silbury House 300 Silbury Boulevard , Central Milton Keynes, MK9 2ZF Tel. 0845 308 8969 Contract period : 1 April 2019 – March 2020 Formal agreement in place : yes This service will be re-tendered every 5 years</p> <p>(b) Treasury advisor Arlingclose 35 Chiswell Street London EC1Y 4SE Tel. 08448 808201 Contract period : 1 April 2018-31 March 2021 Formal agreement in place : yes This service may be re-tendered every 3 years</p> <p>(d) Brokers: It is considered good practice for the Council to have a minimum of two brokers and to spread business between them.</p> <p>Sterling Treasury BGC Partners Sterling Products 5 Churchill Place, Canary Wharf, London, E14 5HU Tel. 0207 894 7742 Formal agreement in place: no</p> <p>King & Shaxson Cutlers Court, 115 Houndsditch, London. EC3A 7BR Tel. 0207 929 8527 Formal agreement in place: no</p> <p>Tradition Beaufort House 15 St. Botolph Street, London, EC3A 7QX Tel. 0207 198 1500 Formal agreement in place: no</p>

	<p>(e) Trading Platforms:</p> <p>iDealTrade Arlingclose 35 Chiswell Street London EC1Y 4SE Formal agreement in place: no</p> <p>ICD Portal 30 Crown Place London, EC2A 4EB Formal agreement in place: no</p>
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TMP 12: CORPORATE GOVERNANCE

Principle: The Council is committed to the pursuit of proper corporate governance throughout its businesses and services, and to establishing the principles and practices by which this can be achieved. Accordingly, the treasury management function and its activities will be undertaken with openness and transparency, honesty, integrity and accountability.

The Council has adopted and has implemented the key recommendations of the Code. This, together with the other arrangements detailed in the schedule below, are considered vital to the achievement of proper corporate governance in treasury management, and the Section 151 Officer will monitor and, if and when necessary, report upon the effectiveness of these arrangements.

Schedule:

Stewardship responsibilities	The Section 151 Officer ensures that systems exist to deliver proper financial administration and control and maintaining a framework for overseeing and reviewing the treasury management function.
List of documents to be made available for public inspection.	<p>The following documents are freely available for public inspection:</p> <p><i>Examples</i></p> <ul style="list-style-type: none"> ▪ Annual Statement of Accounts ▪ Revenue and Capital Estimates Book ▪ Treasury Management Policy ▪ Treasury Management Strategy ▪ Budget Monitoring Reports ▪ Annual Treasury Report
Council's website.	Financial information is additionally available on the Council's website.
Procedures for consultation with stakeholders.	Members and senior officers of the Council are consulted via reports to the Strategy and Resources Committee and officer/member briefing sessions.



REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

DISCRETIONARY FEES AND CHARGES 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to review the fees and charges set at the discretion of the Council that generate greater than £2,000.
- 1.2 Fees and Charges that generate less than £2,000 are reviewed and set by the Director of Resources under delegated powers.

2. RECOMMENDATION

That the detailed Fees and Charges for 2022 / 23 as set out in **APPENDIX A** be agreed.

3. SUMMARY OF KEY ISSUES

- 3.1 The proposed fees and charges for 2022 / 23 are set out in **APPENDIX A** and are based on the policy decisions recently updated and agreed by the Strategy and Resources Committee on 11 November 2021.
- 3.2 The 2021 / 22 and 2022 / 23 budgets for income generated from these fees and charges are detailed in the following table:

Area of Income	2021/22 Budget £'000	2021/22 Forecast £'000	Variance £'000	2022/23 Budget £'000
Environmental Protection	7	1	-6	7
Food Safety and Hygiene	2	2	0	3
Taxis and Private Hire licencing	35	31	-4	33
Premises Licencing	47	43	-4	45
Animal Licencing	14	11	-3	14
Gambling licencing	3	3	0	2
Pest Control	33	25	-8	33
Garden Waste Bin Service	672	615	-57	700
Funfairs and Circuses	77	28	-49	77
River Moorings	19	19	0	19
River Wharfage	16	16	0	16
Land Charges	124	124	0	124
Pre-Application Advice	44	44	0	44
Building Control	199	199	0	199
Cemeteries	112	112	0	112
Town Centre Car Parks	1,294	1,184	-100	1,294

Area of Income	2021/22 Budget £'000	2021/22 Forecast £'000	Variance £'000	2022/23 Budget £'000
Parks sports pitches	8	8	0	8
Beach Huts	36	18	-18	36
Splash Park	110	55	-55	110
	2,852	2,538	-304	2,876

- 3.3 The table shows the loss of income from fees and charges i.e. expected to be down on budget by £304k in 2021 / 22. (Income was down £632,000 in 2020 / 21). This, again, is due to reduced activity caused by the Covid 19 pandemic rather than the fees and charges rates themselves.
- 3.4 **APPENDIX A** is a schedule of all 2022 / 23 fees and charges compared to the current fees and charges.
- 3.5 To assist in identifying and understand the changes, a summary of these is available at **APPENDIX B**.
- 3.6 The inflationary and above inflation increases are not actually reflected in higher income budgets above, due to uncertainty around recovering volumes in these services.
- 3.7 The replacement charges and new charges have also not led to animal licensing budgets being increased because ongoing uncertainty around car parking habits means these income budgets also remain the same for 2022 / 23.
- 3.8 The higher demands on garden waste have led to the increase in the green waste bin budget rather than an increase in fees. However, some of the subscriptions received this year partly relate to next financial year. Hence the underachievement this financial year.
- 3.9 All other fees and charges income budgets reflecting no change in the fees and charges schedule.
- 3.10 The total income in the table excludes those generated from statutory fees and charges.

4. CONCLUSION

- 4.1 The Discretionary Fees and Charges be updated in accordance with the agreed policies from 1 April 2022.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The Discretionary Fees and Charges are a vital element of the overall sources of funding to the Council to deliver its services and achieve its goals.
- 5.2 The fees and charges are linked to the to all three Strategic Themes – Place, Community and Prosperity.

6. IMPLICATIONS

- (i) **Impact on Customers** – This has been considered when setting fees and charges policy.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – The actual income generated from fees and charges is subject to fluctuation due to changes in demand. This risk is managed by factoring potential losses in the calculation of the minimum general fund balance used in the budget setting process.
- (iv) **Impact on resources (financial)** – Fees and charges are one of the three major sources of funding for the Council; the other two being Council Tax and retained Business Rates. The impact of the changes to fees and charges have been incorporated into the 2022 / 23 budget proposals.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – Sustainability has been considered, as far as possible when setting Fees and Charges policies.

Background Papers:

2022 / 23 Fees and Charges Policies Report to the Strategy and Resources Committee, 11 November 2021.

Discretionary Fees and Charges Report to the Strategy and Resources Committee, 3 February 2022.

Enquiries to: Lance Porteous, Lead Finance Specialist (lance.porteous@maldon.gov.uk).

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PLANNING & ENVIRONMENTAL SERVICES	Charge	VAT	2022/23	2021/22
	£	£	£	£
ENVIRONMENTAL HEALTH				
ENVIRONMENTAL PROTECTION				
Anti Social Behaviour Act 2003				
Fixed Penalty for Graffiti and Fly Posting S43	150.00	-	150.00	150.00
Clean Neighbourhoods and Environment Act 2005				
Repairing vehicle on a road (<i>New Charge</i>)	100.00	-	100.00	100.00
Fixed Penalty for failure to nominate key holder (within an alarm notification area) or failure to notify local authority in writing of nominated key holders details	80.00	-	80.00	80.00
Fixed Penalty for offences under dog control orders S59(2)	100.00	-	100.00	100.00
Environmental Protection Act 1990				
Copy of contaminated land register entry per A4 sheet	0.08	0.02	0.10	0.10
Copy of the contaminated land strategy: bound paper copy	45.00	-	45.00	44.00
emailed copy		Free		
Copy of radioactive substances notification per A4 sheet	0.08	0.02	0.10	0.10
Copy of radioactive substances register : bound paper copy	45.00	-	45.00	44.00
emailed copy		Free		
per A4 sheet	0.08	0.02	0.10	0.10
Copy of other EPA statutory register entries (per A4 sheet)	0.08	0.02	0.10	0.10
downloaded from website		Free		
Environmental searches / professional reports (per enquiry)	100.00	20.00	120.00	117.00
Charge for Housing Act Enforcement (per hour)	54.00	-	54.00	54.00
Licensing of houses in multiple occupation (New Licence): standard fee for 5 room house	965.00	-	965.00	965.00
charge per each additional room	54.00	-	54.00	54.00
Licensing of houses in multiple occupation (Renewal): standard fee for 5 room house	665.00	-	665.00	665.00
charge per each additional room	54.00	-	54.00	54.00
Request for housing inspection for immigration purposes	189.00	-	189.00	189.00
Fixed Penalty for Litter S88 (1)	150.00	-	150.00	150.00
Fixed Penalty for offences in relation to waste receptacles S47ZA(2)	110.00	-	110.00	110.00
Fixed Penalty for breach of street litter control notices and clearing notices S94A(2)		Deleted		115.00
Fixed Penalty for unauthorised distribution of literature on designated land S3A para.7(2)		Deleted		84.00
Failure to produce waste documentation (commercial)	300.00	-	300.00	300.00
Failure to produce waste documentation (domestic)	200.00	-	200.00	200.00
Noise Act 1996				
Fixed Penalty for noise from dwellings S8	100.00	-	100.00	100.00
FOOD SAFETY, & HYGIENE				
Export certificate: one off	54.00	-	54.00	54.00
Food Safety revisit	175.00	-	175.00	175.00
Replacement FHRS sticker	10.00	-	10.00	10.00
Sale of SFBB packs	26.00	-	26.00	26.00
Private Water Supplies				
Risk assessment (per hour of officer time maximum £500)	54.00	-	54.00	54.00
Private water supply sampling		Recovery of costs		
Skin Piercing Activities				
Ear piercing, electrolysis, tattooing, acupuncture: per practitioner	89.00	-	89.00	89.00
per premises	289.00	-	289.00	289.00
GAMBLING ACT 2005				
Annual Fee				
Adult Gaming Centre	918.00	-	918.00	890.00
Betting premises (other)	551.00	-	551.00	534.00
Betting Premises (track)	918.00	-	918.00	890.00
Bingo premises	918.00	-	918.00	890.00
Casino premises (converted)	2,756.00	-	2,756.00	2,671.00
Casino premises (large)	9,187.00	-	9,187.00	8,902.00
Casino premises (regional)	13,780.00	-	13,780.00	13,353.00
Casino premises (small)	4,593.00	-	4,593.00	4,451.00
Family entertainment centre	692.00	-	692.00	671.00
Application Fees for Premises and Application for Provisional Statements				
Adult gaming centre	1,837.00	-	1,837.00	1,780.00
Betting premises (other)	2,756.00	-	2,756.00	2,671.00
Betting premises (track)	2,296.00	-	2,296.00	2,225.00

PLANNING & ENVIRONMENTAL SERVICES	Charge	VAT	2022/23	2021/22
	£	£	£	£
Bingo premises	3,216.00	-	3,216.00	3,116.00
Casino premises (large)	9,187.00	-	9,187.00	8,902.00
Casino premises (regional)	13,780.00	-	13,780.00	13,353.00
Casino premises (small)	7,350.00	-	7,350.00	7,122.00
Family entertainment centre	1,837.00	-	1,837.00	1,780.00
Application Fee for Premises with Provisional Statement				
Adult gaming centre	1,102.00	-	1,102.00	1,068.00
Betting premises (other)	1,102.00	-	1,102.00	1,068.00
Betting premises (track)	877.00	-	877.00	850.00
Bingo premises	1,102.00	-	1,102.00	1,068.00
Casino premises (large)	4,593.00	-	4,593.00	4,451.00
Casino premises (regional)	7,350.00	-	7,350.00	7,122.00
Casino premises (small)	2,756.00	-	2,756.00	2,671.00
Family entertainment centre	877.00	-	877.00	850.00
Transfer / Reinstatement of Licence				
Adult gaming centre	1,102.00	-	1,102.00	1,068.00
Betting premises (other)	1,102.00	-	1,102.00	1,068.00
Betting premises (track)	877.00	-	877.00	850.00
Bingo premises	1,102.00	-	1,102.00	1,068.00
Casino premises (converted)	1,240.00	-	1,240.00	1,202.00
Casino premises (large)	1,978.00	-	1,978.00	1,917.00
Casino premises (regional)	5,971.00	-	5,971.00	5,786.00
Casino premises (small)	1,653.00	-	1,653.00	1,602.00
Family entertainment centre	877.00	-	877.00	850.00
Variation Fee				
Adult gaming centre	918.00	-	918.00	890.00
Betting premises (other)	1,378.00	-	1,378.00	1,335.00
Betting premises (track)	1,153.00	-	1,153.00	1,117.00
Bingo premises	1,608.00	-	1,608.00	1,558.00
Casino premises (converted)	1,837.00	-	1,837.00	1,780.00
Casino premises (large)	6,890.00	-	6,890.00	6,676.00
Casino premises (regional)	6,890.00	-	6,890.00	6,676.00
Casino premises (small)	3,675.00	-	3,675.00	3,561.00
Family entertainment centre	918.00	-	918.00	890.00
Other Gambling Act Licence Fees				
Change of circumstance	44.00	-	44.00	43.00
Copy of licence	22.00	-	22.00	21.00
LICENSING				
Animal Licensing				
Animal boarding establishments - new application	608.00	-	608.00	439.00
Animal boarding establishments - renewal	334.00	-	334.00	290.00
Animal home boarding - new application	533.00	-	533.00	439.00
Animal home boarding - renewal	309.00	-	309.00	290.00
Dangerous wild animal	342.00	-	342.00	245.00
Dog breeding establishments - new application	517.00	-	517.00	474.00
Dog breeding establishments - renewal	426.00	-	426.00	290.00
Pet shop - new application	658.00	-	658.00	439.00
Pet shop - renewal	384.00	-	384.00	290.00
Riding establishments - new application	551.00	-	551.00	610.00
Riding establishments - renewal	364.00	-	364.00	436.00
Zoo licence (individually determined fees)	Recovery of costs			
<i>Any costs incurred by the Council in licensing premises, e.g. Vet's fees, will be passed on to the licensee</i>				
Doggy Day Care (New Charge)	633.00		633.00	-
Doggy Day Renewal (New Charge)	384.00		384.00	-
Exhibition (New Charge)	658.00		658.00	-
Exhibition Renewal (New Charge)	533.00		533.00	-

<u>PLANNING & ENVIRONMENTAL SERVICES</u>	Charge	VAT	2022/23	2021/22
	£	£	£	£
Hackney Carriage Licences				
Driver licence (Hackney or Dual) - 3 yrs duration	237.00	0.00	237.00	237.00
Vehicle licence (excludes vehicles test) - 1 yr duration	238.00	0.00	238.00	238.00
<i>Licence fee reduced for wheelchair accessible vehicles 25%</i>				
Private Hire Licences				
Driver licence (PH or Dual) - 3 yrs duration	237.00	-	237.00	237.00
Private hire operators licence (1 car) - 5yrs duration	229.00	-	229.00	229.00
Vehicle licence (excludes vehicles test) - 1 yr duration *	238.00	-	238.00	238.00
* Licence fee reduced for wheelchair accessible vehicles 25%				
Town & Police Clauses Act 1847				
Street closures admin charge	73.33	14.67	88.00	88.00
+ Street closures press advert recovery of cost	Recovery of costs			
Local Government Miscellaneous Provisions Act 1982				
Sex establishment licence: application	2,718.00	-	2,718.00	2,634.00
renewal	544.00	-	544.00	527.00
variation	217.00	-	217.00	210.00
MOBILE HOMES ACT 2013				
Application to transfer a site licence	352.00	-	352.00	352.00
Deposit of Site Rules	65.00	-	65.00	65.00
Annual Fee				
Band 1 (1-8 Pitches)	0.00	-	0.00	-
Band 2 (9-24 Pitches)	298.00	-	298.00	298.00
Band 3 (25-99 Pitches)	503.00	-	503.00	503.00
Band 4 (100-199 Pitches)	790.00	-	790.00	790.00
Band 5 (more than 200 Pitches)	1,017.00	-	1,017.00	1,017.00
New Site Licence Application and renewals				
Band 1 (1-8 Pitches)	666.00	-	666.00	666.00
Band 2 (9-24 Pitches)	763.00	-	763.00	763.00
Band 3 (25-99 Pitches)	1,055.00	-	1,055.00	1,055.00
Band 4 (100-199 Pitches)	1,272.00	-	1,272.00	1,272.00
Band 5 (more than 200 Pitches)	1,537.00	-	1,537.00	1,537.00
Application to amend a site Licence fee				
Band 1 (1-8 Pitches)	390.00	-	390.00	390.00
Band 2 (9-24 Pitches)	400.00	-	400.00	400.00
Band 3 (25-99 Pitches)	417.00	-	417.00	417.00
Band 4 (100-199 Pitches)	422.00	-	422.00	422.00
Band 5 (more than 200 Pitches)	449.00	-	449.00	449.00
SCRAP METAL DEALERS LICENCES				
Scrap metal dealers collectors licence (3yrs duration)	204.00	-	204.00	204.00
Scrap metal dealers collectors licence renewal (3yrs duration)	158.00	-	158.00	158.00
Scrap metal dealers site licence (3yrs duration)	387.00	-	387.00	387.00
Scrap metal dealers site licence renewal (3yrs duration)	321.00	-	321.00	321.00
Scrap metal dealers variation of a licence	95.00	-	95.00	95.00
Scrap metal dealers additional site	75.00	-	75.00	74.00
ENVIRONMENTAL WASTE				
DOMESTIC REFUSE				
Black sacks - per roll of 26	Deleted			3.60
PEST CONTROL - COMMERCIAL				
Insects and rodents per hour (excluding materials)	105.83	21.17	127.00	123.00
Rodent contract work	By negotiation - minimum charge £100			
Treatment for squirrels	105.83	21.17	127.00	123.00
Treatment for moles	105.83	21.17	127.00	123.00

<u>PLANNING & ENVIRONMENTAL SERVICES</u>	Charge	VAT	2022/23	2021/22
	£	£	£	£
PEST CONTROL - DOMESTIC				
Call out charge	60.83	12.17	73.00	71.00
Ants (each property)	85.83	17.17	103.00	100.00
Bedbug infestation: 1-3 bed property	90.00	18.00	108.00	105.00
4-5 bed property	95.83	19.17	115.00	111.00
> 5 bed property	By negotiation			
Second call out within 6 weeks of initial treatment at 50% charge				
Bees	60.83	12.17	73.00	71.00
Brown-tailed moth	Based on hourly rate			
Fleas infestation: 1-3 bed property	90.00	18.00	108.00	105.00
4-5 bed property	95.83	19.17	115.00	111.00
> 5 bed property	By negotiation			
Second call out within 6 weeks of initial treatment at 50% charge				
Lice and cockroaches	60.83	12.17	73.00	71.00
Mice	60.83	12.17	73.00	71.00
Rats	60.83	12.17	73.00	71.00
Wasps nests	60.83	12.17	73.00	71.00
additional nest (treated at same time as first)	29.17	5.83	35.00	34.00
RECYCLING				
Green bins: standard annual fee	50.00	-	50.00	48.00
(standard fee: half year pro rata for new customers) (New Charge)	25.00	-	25.00	23.00
Isolated properties annual fee (new charge)	27.00	-	27.00	25.00
Purchase of Green Bin including Delivery	28.00	-	28.00	26.00
REFUSE COLLECTION				
Household Bulky Waste - 1 to 3 items	37.00	-	37.00	35.00
Household Bulky Waste - 4 to 6 items	70.00	-	70.00	70.00
Household Bulky Waste - 7 to 9 items	111.00	-	111.00	106.00
Household Bulky Waste - 10 to 12 items (maximum)	148.00	-	148.00	141.00
NEW PROPERTIES (6 or more properties)				
Cost per refuse / recycling container to developers including delivery	65.00	-	65.00	60.00
STRAY DOGS				
Stray dog destruction fee	Recovery of costs			
Collection Fee	55.00	-	55.00	50.00
Admin Fee	25.00	-	25.00	25.00
Kenneling per night	Recovery of costs			15.00
With Tag or Chip				
Vets fees	Recovery of costs			
Without Tag or Chip				
Vets fees	Recovery of costs			
STREET CLEANSING				
Return of abandoned trolleys	50.00	-	50.00	50.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
CEMETERIES					
Search in burial register	Yes	29.17	5.83	35.00	31.00
Use of chapel	No	220.00	-	220.00	217.00
Plot choosing: burial ex woodland non-resident	Yes	500.00	100.00	600.00	583.00
burial ex woodland resident	Yes	250.00	50.00	300.00	292.00
Plot choosing: cremated remains non-resident	Yes	166.67	33.33	200.00	163.00
Plot choosing: cremated remains resident	Yes	83.33	16.67	100.00	82.00
Cancellation Fee (Less than 48 hours) <i>New Charge</i>	No	250.00	-	250.00	-
Bronze Memorial Plaques					
Plaque on plinth: 6" x 4"	Yes	345.83	69.17	415.00	414.00
Brass plaque on stake 6" x 4"	No	185.00	-	185.00	153.00
Brass plaque on stake 7" x 5"	No	195.00	-	195.00	172.00
Brass plaque on stake 6" x 4" Cremation plots only <i>(New Charge)</i>	No	185.00	-	185.00	-
Brass plaque on stake 7" x 5" Cremation plots only <i>(New Charge)</i>	No	195.00	-	195.00	-
Perspex plaque on stake 5" x 3" Cremation plots only <i>(New Charge)</i>	No	55.00	-	55.00	-
Charges for Right to Place Monument					
Under 18 years		Free			
Additional inscription	No	85.00	-	85.00	83.00
Full kerb set	No	225.00	-	225.00	223.00
Full kerb set & headstone up to 1m	No	330.00	-	330.00	326.00
Headstone up to 1m	No	155.00	-	155.00	142.00
Other memorials <i>(cremated remains memorials)</i>	No	110.00	-	110.00	110.00
Exclusive Right of Burial - Non Resident					
10 Year (top up for existing Exclusive right of burial only)	Yes	350.00	70.00	420.00	420.00
10 Year (top up for existing Exclusive right of burial only child)	Yes	183.33	36.67	220.00	220.00
10 Year top up for cremated remains existing ERB only child <i>(New Charge)</i>	Yes	91.67	18.33	110.00	-
11 Year top up for cremated remains existing ERB only Adult <i>(New Charge)</i>	Yes	175.00	35.00	210.00	-
50 years next in line burial child		583.33	116.67	700.00	450.00
50 years next in line burial adult		1,166.67	233.33	1,400.00	1,100.00
50 years next in line cremated remains child		250.00	50.00	300.00	260.00
50 years next in line cremated remains adult		500.00	100.00	600.00	520.00
99 years next in line cremated remains child		416.67	83.33	500.00	450.00
99 years next in line cremated remains adult		833.33	166.67	1,000.00	900.00
99 years next in line burial adult		1,666.67	333.33	2,000.00	1,700.00
99 years next in line burial child		833.33	166.67	1,000.00	850.00
Transfer of exclusive rights of burial	No	70.00	-	70.00	68.00
Exclusive Right of Burial - Resident					
10 years top up for existing ERBs only adult	Yes	175.00	35.00	210.00	210.00
10 years top up for existing ERBs only child	Yes	87.50	17.50	105.00	105.00
10 years top up for cremated remains existing ERB only adult	Yes	91.67	18.33	110.00	106.00
10 year top up for cremated remains existing ERB only child	Yes	45.83	9.17	55.00	107.00
50 years next in line burial adult	Yes	583.33	116.67	700.00	550.00
50 years next in line burial child	Yes	291.67	58.33	350.00	225.00
50 years next in line cremated remains child	Yes	125.00	25.00	150.00	130.00
50 years next in line cremated remains adult	Yes	250.00	50.00	300.00	260.00
99 years next in line cremated remains child	Yes	208.33	41.67	250.00	225.00
99 years next in line cremated remains adult	Yes	416.67	83.33	500.00	450.00
99 years next in line burial adult	Yes	833.33	166.67	1,000.00	850.00
99 years next in line burial child	Yes	416.67	83.33	500.00	425.00
Transfer of exclusive rights of burial	No	70.00	-	70.00	68.00
Interment - Non Resident					
Under 18 years (no charge to customer) <i>(New Charge)</i>	Yes	833.33	166.67	1,000.00	-
18 years and over burial	Yes	1,666.67	333.33	2,000.00	2,000.00
Under 18 years (no charge to customer) <i>(New Charge)</i>	Yes	208.33	41.67	250.00	-
18 years and over cremated remains	Yes	416.67	83.33	500.00	500.00
Scattering of ashes: under 18 years (No charge to the customer) <i>(New Charge)</i>	Yes	75.00	15.00	90.00	-
18 years and over		141.67	28.33	170.00	170.00
Saturday 10.00 - noon only	No		Deleted		
Interment - Resident					
Under 18 years (no charge to customer) <i>(New Charge)</i>	Yes	416.67	83.33	500.00	
18 years and over burial	Yes	833.33	166.67	1,000.00	1,000.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Under 18 years (no charge to customer) (<i>New Charge</i>)	Yes	95.83	19.17	115.00	
18 years and over cremated remains	Yes	187.50	37.50	225.00	225.00
Scattering of ashes: under 18 years (No charge to the customer) (<i>New Charge</i>)	Yes	37.50	7.50	45.00	-
18 years and over		70.83	14.17	85.00	85.00
scattering at sea all ages (New Charge)		375.00	75.00	450.00	-
Disinterment of cremated remains (New Charge)		291.67	58.33	350.00	-
Exhumation of coffin		Price on request			
Memorialisation Scheme					
Memorial tree including planting	No	285.00	-	285.00	210.00
Neat and Tidy Scheme					
Ashes (bed): 1 year	Yes		Deleted		100.00
5 years	Yes		Deleted		400.00
Lawn (headstone bed): 1 year	Yes		Deleted		150.00
5 years	Yes		Deleted		600.00
Lawn (full burial): 1 year	Yes		Deleted		200.00
5 years	Yes		Deleted		800.00
PARKS TEAM					
Parks Ground Maintenance Contracts - Charges based on enquiry					
OFF STREET PARKING					
Vehicles that display up to date disabled persons badge		Free			
OFF STREET PARKING					
Maldon District Council offices:					
Weekdays 8am - 5pm (max stay 2 hrs)					
Up to 1 hr		0.92	0.18	1.10	1.10
Up to 2hrs		1.17	0.23	1.40	1.40
Weekends					
Pay & display: Saturday (8am to 5pm) up to 1 hour	Yes	0.92	0.18	1.10	1.10
Saturday (8am to 5pm) 1 to 2 hours	Yes	1.17	0.23	1.40	1.40
Saturday (8am to 5pm) 2 to 3 hours	Yes	1.67	0.33	2.00	2.00
Saturday (8am to 5pm) 3 to 4 hours	Yes	2.17	0.43	2.60	2.60
Saturday (8am to 5pm) over 4 hours	Yes	3.67	0.73	4.40	4.40
Saturday Evening 5pm to 10pm	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Butt Lane (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.17	0.23	1.40	1.40
2 to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	2.17	0.43	2.60	2.60
over 4 hours	Yes	3.67	0.73	4.40	4.40
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly	Yes	47.50	9.50	57.00	57.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			
Friary Fields (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	2.17	0.43	2.60	2.60
over 4 hours	Yes	3.67	0.73	4.40	4.40
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly	Yes	47.50	9.50	57.00	57.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Public sector partners (Monday - Friday)		Deleted			
High St. East (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.17	0.23	1.40	1.40
2 to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	2.17	0.43	2.60	2.60
over 4 hours	Yes	3.67	0.73	4.40	4.40
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
Sunday All Day	Yes	1.25	0.25	1.50	1.50
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly	Yes	47.50	9.50	57.00	57.00
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			
Public sector partners (Monday - Friday)		Deleted			
Hythe Quay					
Season ticket: Annual		96.67	19.33	116.00	116.00
Maldon Promenade (Monday to Sunday - 8am to 8pm)					
Car: up to 1 hour	Yes	1.08	0.22	1.30	1.20
1 to 2 hours	Yes	2.17	0.43	2.60	2.40
2 to 4 hours	Yes	Deleted			6.00
2 to 5 hours (New Charge)	Yes	5.42	1.08	6.50	
all day	Yes	7.08	1.42	8.50	7.70
Coach: up to 2 hours	Yes	8.33	1.67	10.00	7.30
over 2 hours	Yes	11.08	2.22	20.00	13.30
Coach park - coach / bus season tickets	Yes	Deleted			220.00
Non residents season ticket	Yes	Deleted			176.00
Residents season ticket	Yes	531.67	106.33	638.00	132.00
Residents season ticket (two hours per day) (New Charge)	Yes	110.00	22.00	132.00	
Market Site					
Season ticket: annual	Yes	586.67	117.33	704.00	704.00
6 months	Yes	293.33	58.67	352.00	352.00
monthly	Yes	52.50	10.50	63.00	63.00
Silver Street					
Season ticket: annual	Yes	531.67	106.33	638.00	638.00
6 months	Yes	265.83	53.17	319.00	319.00
monthly		Pro rata charge			
Bulk purchases (Monday - Saturday): minimum 10 tickets		Deleted			
minimum 15 tickets		Deleted			
minimum 20 tickets		Deleted			
White Horse Lane (Monday to Saturday - 8am to 5pm)					
Pay & display: up to 1 hour	Yes	0.92	0.18	1.10	1.10
1 to 2 hours	Yes	1.17	0.23	1.40	1.40
2 to 3 hours	Yes	1.67	0.33	2.00	2.00
3 to 4 hours	Yes	3.08	0.62	3.70	3.70
over 4 hours	Yes	7.33	1.47	8.80	8.80
Weekday & Saturday Evening (5pm to 10pm)	Yes	1.25	0.25	1.50	1.50
White Horse Lane	Yes				
Maldon Schools permit	Yes	183.33	36.67	220.00	220.00
	Yes				
Town Centre Car Parks					
Residents season ticket (Monday 5pm-10pm All Day Sunday)	Yes	65.83	13.17	79.00	79.00
Events Car Parking - day ticket					
Charge to be set by MDC prior to event	Yes				
Electricity Supply (Riverside & Promenade Park)					
Charge per day	Yes	70.83	14.17	85.00	56.00
Deposit	No		Price on application		49.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Water Supply (Riverside & Promenade Park)					
Stand Pipe Installation	No		Price on application		65.00
Charge per day	Yes		Price on application		31.00
Deposit	No		Price on application		56.00
Beach Hut Hire - Promenade Park					
Daily Charge					
High-Season (April - September)		45.83	9.17	55.00	45.00
Low-Season (October - March)		29.17	5.83	35.00	32.00
<i>A minimum charge of £10 (Inc. VAT) will apply for part days and later bookings</i>			Deleted		
FUNFAIRS AND CIRCUSES - Minimum of:					
Damage deposit	No		Price on application		500.00
Poster removal deposit (<i>New Charge</i>)	No		Price on application		500.00
Circus at Promenade Park					
Daily ground rate (whilst circus is in operation)	No		Price on application		158.00
Daily ground rate (whilst circus is not in operation)	No		Price on application		82.00
Circus at Riverside Park					
Daily ground rate (whilst circus is in operation)	No		Price on application		138.00
Daily ground rate (whilst circus is not in operation)	No		Price on application		71.00
Funfair at Riverside Park					
Daily ground rate (whilst fair is in operation)	No		Price on application		373.00
Daily ground rate (whilst fair is not in operation)	No		Price on application		186.00
Travelling Funfair at Promenade Park					
Daily ground rate (whilst fair is in operation)	No		Price on application		488.00
Daily ground rate (whilst fair is not in operation)	No		Price on application		196.00
PARKS AND OPEN SPACES					
Memorial Benches					
Rustic bench	No	1,272.00	-	1,272.00	1,233.00
Cast iron bench	No	1,293.00	-	1,293.00	1,253.00
Advertising and Sponsorship					
Events Banners per week (main gate entrances on railings x2 + free electronic advert)	Yes		Price on application		35.00
Events Banners per week (<i>community / charity</i>)	Yes	25.00	5.00	30.00	20.00
Internal park adverts TBA (<i>per week</i>)	Yes	25.00	5.00	30.00	20.00
Vehicle advertising TBA (<i>per day</i>)	Yes		Price on application		131.00
Sponsorship	Yes		By negotiation		
Event Land Hire Charge - Council Park or Open Space (<i>New Charges - per day</i>)					
Event licence / Permit fee (minimum fee payable on acceptance of event)	Yes	58.33	11.67	70.00	30.00
Charity - Small event (1-1,000 attendees)	Yes		Price on application		30.00
Charity - Medium event (1,001- 2,500 attendees)	Yes		Price on application		56.00
Charity - Large event (2,501 + attendees)	Yes		Price on application		109.00
Community - Small event (1-1,000 attendees)	Yes		Price on application		65.00
Community - Medium event (1,001- 2,500 attendees)	Yes		Price on application		121.00
Community - Large event (2,501 + attendees)	Yes		Price on application		POA
Commercial - Small event (1-1,000 attendees)	Yes		Price on application		322.00
Commercial - Medium event (1,001- 2,500 attendees)	Yes		Price on application		604.00
Commercial - Large event (2,501 + attendees)	Yes		Price on application		POA
Prom Park hire for Concessions			Price on application		POA
Other Council owned Land Hire for Concessions - (price is per operator, per day, per concession)					
Peak Time (<i>School Holidays/Bank Holidays/ Event Days</i>)					
Daily charge	No	65.00	-	65.00	55.00
Off Peak Time					
Daily charge	No	40.00	-	40.00	37.00
Pop Up Trading					
Peak Time (<i>School Holidays/Bank Holidays/ Event Days</i>)					
Market Stall (Frame with Canopy)	No	70.00	-	70.00	56.00
Wheelie Cart	No	55.00	-	55.00	50.00

SERVICE DELIVERY	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Wheelie Cart including Fridge	No	60.00	-	60.00	55.00
Electricity	Yes		Price on application		13.00
Off Peak Time			-		
Market Stall (Frame with Canopy)	No	60.00	-	60.00	45.00
Wheelie Cart	No	45.00	-	45.00	40.00
Wheelie Cart including Fridge	No	50.00	-	50.00	45.00
Electricity	Yes		Price on application		13.00
ROUNABOUT SPONSORSHIP					
1 Year agreement - Maldon Town site	Yes		Price on application	n application	
1 Year agreement - Other district site	Yes		Price on application	n application	
3 Year agreement - Maldon Town site	Yes		Price on application	n application	
3 Year agreement - Other district site	Yes		Price on application	n application	
Landscaping scheme (minimum 5 years)	Yes		Price on application	n application	
1 Year Boundary sign Agreement	Yes		Price on application	n application	
PARKS AND SPORTS PITCHES					
Cricket (per game)					
Adult	Yes	74.17	14.83	89.00	86.00
Junior	Yes	43.33	8.67	52.00	50.00
Sports pitch use - parking season ticket (per club)	Yes	107.50	21.50	129.00	125.00
Football (per game)					
Adult	Yes	45.83	9.17	55.00	53.00
Junior	Yes	34.17	6.83	41.00	40.00
Changing rooms (only)	Yes	11.67	2.33	14.00	14.00
Sports pitch use - parking season ticket (per team)	Yes	107.50	21.50	129.00	125.00
Sports club training / structured activities		9.17	1.83	11.00	11.00
Mini Soccer					
Juniors	Yes	27.50	5.50	33.00	32.00
Netball (per court, per hour)					
Adult	Yes	10.00	2.00	12.00	12.00
Junior	Yes	7.50	1.50	9.00	9.00
Tennis (per court, per hour)					
Adult	Yes		Deleted		9.00
Junior	Yes		Deleted		7.00
Organised Bootcamps / Personal Training in Council-owned Parks					
Hourly	Yes	29.17	5.83	35.00	12.00
3 Month Licence (2 hours per week)	Yes	125.00	25.00	150.00	91.00
6 Month Licence (up to 3 hours per week)	Yes	183.33	36.67	220.00	161.00
12 Month Licence (up to 5 hours per week)	Yes	291.67	58.33	350.00	282.00
RIVERS					
Moorings					
Annual charge: up to 7.99 metres	Yes	125.00	25.00	150.00	150.00
8 to 9.99 metres	Yes	204.17	40.83	245.00	245.00
10 to 14.99 metres	Yes	283.33	56.67	340.00	340.00
15 metres and above	Yes	375.00	75.00	450.00	450.00
Mooring registration fee	Yes	112.50	22.50	135.00	135.00
Transfer of mooring			50% of annual mooring fee		
Residential Mooring Charges					
up to 9.99 metres (per month)		166.67	33.33	200.00	200.00
10 to 14.99 metres (per month)		333.33	66.67	400.00	400.00
15 metres and above (per month)		500.00	100.00	600.00	600.00
Wharfage - Hythe Quay Maldon and Burnham Pontoon					
Daily fees: vessels and multihulls	Yes	17.50	3.50	21.00	21.00
Annual fees: Available to Fully Rigged Thames Sailing barges operators only	Yes	1,787.50	357.50	2,145.00	2,145.00
(annual fee can be paid quarterly with no penalty)	Yes	446.88	89.38	536.26	536.26
Monthly fees: Available to Fully Rigged Thames Sailing barges operators only	Yes	164.00	32.80	196.80	196.80
Weekly Fee: as per daily rate multiplied by 7, no rate change.	Yes	122.50	24.50	147.00	147.00
240/32 Amp Supply - Daily Charge (Maldon)	yes	4.17	0.83	5.00	5.00
Static Events on vessels using the Hythe Quay / Burnham (Daily charge)	Yes	116.67	23.33	140.00	140.00

<u>SERVICE DELIVERY</u>	VAT	Charge	VAT	2022/23	2021/22
		£	£	£	£
Exclusive use of visitor pontoons Maldon / Burnham (Daily charge)	Yes	116.67	23.33	140.00	140.00
Visitor Pontoon - Weekly Winter charge Oct - April (Maldon)	yes	58.33	11.67	70.00	70.00
Commercial team					
Box Office services - commission rate to be set at 10% unless agreed by MDC					
Commercial Services Marketing - Price on enquiry					
SPLASH PARK					
Private bookings (per hour)	Yes			220.00	220.00
Private bookings (per half hour)	Yes			135.00	135.00
Changing rooms hire	Yes			14.00	14.00
Single use ticket (per 20 mins)	Yes			2.75	2.75
Towels	Yes	Deleted			6.00
T-Shirts	No	Deleted			
Swim Nappies	no	Deleted			1.50
Bottled Water	yes	Deleted			0.80
Gold Splash park all day wrist band ticket (off peak April - June & September)	Yes	Deleted			13.50
Gold Splash park all day wrist band ticket (peak season July & August) (<i>New Charge</i>)	Yes	Deleted			14.50

Appendix A - 2022.23 Fees Charges Schedule

	Charge	VAT	2022/23	2021/22
	£	£	£	£
PLANNING SERVICES				
BUILDING CONTROL				
New dwellings	See attached - table A			
Work to a single dwelling	See attached - table B			
All other non-domestic work	See attached - table C			
Copy document (completion certificate)			13.00	13.00
DEVELOPMENT CONTROL				
Designs and Patents Act 1989				
Plan copies - per sheet: A4	0.08	0.02	0.10	0.10
A3	0.17	0.03	0.20	0.20
A2	0.83	0.17	1.00	1.00
die line	1.67	0.33	2.00	2.00
Ordnance Survey Maps				
Handling fee	1.67	0.33	2.00	2.00
Site plans (max 6 copies) - per extract	30.83	6.17	37.00	37.00
Other Development Control				
High Hedge Complaints	510.00	102.00	612.00	612.00
Street Naming and Numbering				
Adding / removing a name	47.10	-	47.10	47.10
Renaming / renumbering a property	47.10	-	47.10	47.10
Naming / numbering 1-5 properties (per property) inc flats*	70.00	-	70.00	70.00
Naming / numbering 6-25 properties (per property) inc flats*	31.00	-	31.00	31.00
Naming / numbering 26-75 properties (per property) inc flats*	26.00	-	26.00	26.00
Naming / numbering 76+ properties (per property) inc flats*	20.00	-	20.00	20.00
Naming a street (per street)**	102.00	-	102.00	102.00
Change to development after notification	51.00	-	51.00	51.00
Street renaming at residents request	153.00	-	153.00	153.00
Written confirmation of postal address details	0.00	-	0.00	0.00
* numbers include dwellings within developments with new streets				
** number of new street names only				
LAND CHARGES				
Premises exempt as per legislation: church halls, village halls & non-commercial venues				
CON29 (part 1): standard fee	125.83	25.17	151.00	151.00
additional fee for non-residential searches	23.33	4.67	28.00	28.00
LLC1	23.00	0.00	23.00	23.00
additional fee for non-residential searches	34.17	6.83	41.00	41.00
CON290 (part 2) enquiry - per question: Q4-5 only (if purchased with full search)	15.83	3.17	19.00	19.00
Q6-21	15.83	3.17	19.00	19.00
Q22 only	23.33	4.67	28.00	28.00
Additional enquiry	33.33	6.67	40.00	40.00
Additional parcel of land LLC1	5.00	0.00	5.00	5.00
Additional parcel of land CON29	15.83	3.17	19.00	19.00
Copy of duplicate search	10.00	2.00	12.00	12.00
Search confirmation (up to 3mths old)	10.00	2.00	12.00	12.00
Personal Searches				
CON29R standard enquiry (when viewed in person)	Free			
Local land charges register (in person): print out	Free			
view	Free			
Local land charges LLC1 certificated	23.00	0.00	23.00	23.00

Planning Services Pre-Application Fees and Charges 2022/23				2022/23	2021/22
Further Details		Cost (£)	VAT (£)	Total (£)	Total (£)
Householder development (Duty Planner)	Only available for non-Complex Householder advice. This would include extensions to single dwellings, porches, garages, outbuildings and walls and fences. (No written advice).	Free		Free	Free
Householder development (Written advice)	Includes proposals to alter and extend individual houses and flats for residential purposes where the development relates to a building which is not listed as being of architectural or historic interest. In cases where the house or flat is listed then the charge will fall within Minor Development.	93.33	18.67	112.00	109.00
Householder development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals to alter and extend individual houses and flats for residential purposes where the development relates to a building which is not listed as being of architectural or historic interest. In cases where the house or flat is listed then the charge will fall within Minor Development.	177.50	35.50	213.00	207.00
Smallscale commercial development (Written advice)	Includes proposals for: Change of use up to 200m2 Extensions to commercial properties under 50m2 1-3 Advertisements Amendments to Previously Approved Schemes	93.33	18.67	112.00	109.00
Smallscale commercial development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Change of use up to 200m2 Extensions to commercial properties under 50m2 1-3 Advertisements Amendments to Previously Approved Schemes	177.50	35.50	213.00	207.00
Minor development (Written advice)	Includes proposals for: 1-4 residential units or gross external floorspace of up to 499m2 Change of use between 200 and 499m2 Extensions to commercial properties over 50m2 Over three advertisements Public Art Telecommunications Equipment Air Conditioning / Ventilation Equipment Amendments to Previously Approved Schemes	235.00	47.00	282.00	274.00
Minor development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 1-4 residential units or gross external floorspace of up to 499m2 Change of use between 200 and 499m2 Extensions to commercial properties over 50m2 Over three advertisements Public Art Telecommunications Equipment Air Conditioning / Ventilation Equipment Amendments to Previously Approved Schemes	528.33	105.67	634.00	615.00
Medium development (Written advice)	Includes proposals for: 5-9 residential units or gross external floorspace of 500-999m2	352.50	70.50	423.00	410.00
Medium development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 5-9 residential units or gross external floorspace of 500-999m2	587.50	117.50	705.00	684.00
Major development (Written advice)	Includes proposals for: 10-20 residential units Non-residential development with a gross external floorspace over 1,000m2	587.50 (Plus additional £21 +VAT per dwelling to a maximum of 74 dwellings)	117.50	705.00	684.00

Major development (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: 10-20 residential units Non-residential development with a gross external floorspace over 1,000m2	1,175.00 (Plus additional £21 +VAT per dwelling to a maximum of 74 dwellings)	235.00	1,410.00	1,368.00
Strategic Proposals (Planning Performance Agreements) (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Any application of 75 dwellings or more dwellings; or any outline residential development proposals whose site is 2 hectares or more. Any residential proposal promoted as an allocated site within the LDP. Any 100% Affordable Housing proposals of six dwellings or 0.3ha or more in outline form. Any non-residential development proposal, whose floor area is 1,500 square metres or more or whose site area is 2 hectares or more. Any non-residential proposals relating to development proposals allocated within the LDP. Any retail development 1,000 square metres or more or which of 250 square metres or more and is proposed to be beyond existing town centres as defined in the local plan or emerging LDP. Any mixed use development proposals whose site area is 2 hectares or more, or is of 75 dwellings or 1,000 square metres commercial floor area or more. Wind Turbines Any wind energy proposals whose output capacity is 1Mw or more or which proposes three or more turbines of 30m or more. Any Solar energy proposals whose output capacity is 1Mw or more or which proposes 4,000 or more solar panels. Energy from Waste Scheme which is 1KW capacity or more.	Individually determined at full cost recovery			
Minor Alterations to Listed Building (Written advice)	Only available for very minor and non-Complex advice. This would include replacement windows. This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	70.83	14.17	85.00	82.00
Alterations/Extension to Listed Building (Written advice)	Includes proposals for: Alterations to a listed building Extensions and additions to a listed building Demolition of an unlisted building within a conservation area This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	235.00	47.00	282.00	274.00
Alterations/Extension to Listed Building (Meeting* with Planning Officer of no more than one hour and written advice)	Includes proposals for: Alterations to a listed building Extensions and additions to a listed building Demolition of an unlisted building within a conservation area This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	573.33	114.67	688.00	667.00
Development in a Conservation Area (Written Advice)	This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	177.50	35.50	213.00	207.00
Development in a Conservation Area (Meeting* with Planning Officer of no more than one hour and written advice)	This only relates to development that does not fall within any category above. In those instances where it does the higher fee will be required.	516.67	103.33	620.00	601.00
Minor Tree advice (Tree within a conservation area only) (Written advice)	Includes proposals for: Works to 1-4 individually listed trees	70.83	14.17	85.00	82.00

Minor Tree advice (TPOs only) (Written advice)	Includes proposals for: Works to 1-4 individually listed trees Replacement of 1-4 individually listed trees	93.33	18.67	112.00	109.00
Minor Tree advice (TPOs only) (Meeting* with appropriate Officer of no more than one hour and written advice)	Includes proposals for: Works to 1-4 individually listed trees Replacement of 1-4 individually listed trees	235.00	47.00	282.00	274.00
Major Tree advice (TPOs only) (Meeting* with appropriate Officer of no more than one hour and written advice)	Includes proposals for: Works to 5 or more individually listed trees Replacement of 5 or more individually listed trees Works to trees within an area protected under a Tree Preservation Order Works to trees within a woodland protected under a Tree Preservation Order	470.83	94.17	565.00	548.00
Inspection of compliance with Enforcement Notice	Written confirmation that an enforcement notice has been complied with.	235.00	47.00	282.00	274.00
Compliance with Condition requests	Includes, but not exclusively: Written confirmation that a condition(s) has been complied with Written confirmation that a condition(s) has been discharged	177.50	35.50	213.00	207.00
Compliance with S.106 Agreement requests	Written confirmation that all/some S.106 obligations have been agreed	117.50 per obligation	23.50	141.00	137.00
Planning History requests	Includes, but not exclusively: Written confirmation of any restrictions imposed on a site on a site. Confirmation of authorised use of a site Confirmation of an absence of an agricultural occupancy condition	177.50	35.50	213.00	207.00

*All pre-application and advice Meeting*s will be held at the Council Offices. However, if it is agreed necessary to convene a Meeting* on site, travel time to and from the site will be charged at the hourly Meeting rate. Officers are unable to hold a site Meeting* without the prior deposit of plans or written proposals.

TABLE A - NEW DWELLINGS
2022/23

Dwelling-houses and Flats not exceeding 300m2

Please note that the Charges marked with an * have been reduced to reflect where controlled electrical installations are being carried out, tested and certified by a registered Part P electrician. If these reductions are claimed and a self certifying electrician is not subsequently employed, the applicant will be invoiced for supplementary charges equivalent to the discount (see D14 below)						
VAT rate:	20.0%		2022/23	2022/23	2022/23	2022/23
Code	Bungalows or Houses less than 4 storeys		Plan Charge	Inspection Charge *	Building Notice Charge*	Regularisation Charge*
H01	1 Plot	Net	205.00	514.00	791.00	1,007.00
		VAT	41.00	102.80	158.20	-
		Total	246.00	616.80	949.20	1,007.00
H02	2 Plots	Net	308.00	822.00	1,243.00	1,582.00
		VAT	61.60	164.40	248.60	-
		Total	369.60	986.40	1,491.60	1,582.00
H03	3 Plots	Net	360.00	1,130.00	1,639.00	2,086.00
		VAT	72.00	226.00	327.80	-
		Total	432.00	1,356.00	1,966.80	2,086.00
H04	4 Plots	Net	411.00	1,438.00	2,034.00	2,589.00
		VAT	82.20	287.60	406.80	-
		Total	493.20	1,725.60	2,440.80	2,589.00
H05	5 Plots	Net	462.00	1,747.00	2,430.00	3,092.00
		VAT	92.40	349.40	486.00	-
		Total	554.40	2,096.40	2,916.00	3,092.00
	Flats					
F01	1	Net	205.00	514.00	791.00	1,007.00
		VAT	41.00	102.80	158.20	-
		Total	246.00	616.80	949.20	1,007.00
F02	2	Net	308.00	668.00	1,074.00	1,366.00
		VAT	61.60	133.60	214.80	-
		Total	369.60	801.60	1,288.80	1,366.00
F03	3	Net	360.00	822.00	1,300.00	1,654.00
		VAT	72.00	164.40	260.00	-
		Total	432.00	986.40	1,560.00	1,654.00
F04	4	Net	411.00	976.00	1,526.00	1,942.00
		VAT	82.20	195.20	305.20	-
		Total	493.20	1,171.20	1,831.20	1,942.00
F05	5	Net	462.00	1,130.00	1,752.00	2,229.00
		VAT	92.40	226.00	350.40	-
		Total	554.40	1,356.00	2,102.40	2,229.00
	Conversion to					
V01	Single Dwelling-House	Net	205.00	616.00	904.00	1,151.00
		VAT	41.00	123.20	180.80	-
		Total	246.00	739.20	1,084.80	1,151.00
V02	Single Flat	Net	205.00	514.00	791.00	1,007.00
		VAT	41.00	102.80	158.20	-
		Total	246.00	616.80	949.20	1,007.00
	Notifiable electrical work		(where applicable, in addition to the above, per dwelling)			
D14	(Where a satisfactory certificate will not be issued by a Part P registered electrician)	Net	This charge relates to a first fix pre-plaster inspection and final testing on completion. For Regularisation application a full appraisal and testing will be carried out.		216.00	274.00
		VAT			43.20	-
		Total			259.20	274.00

Where Standard Charges are not applicable please contact Building Control on 01621 876235

TABLE B - WORK TO A SINGLE DWELLING
2022/23

Limited to work not more than 3 storeys above ground level

Please note that the Charges marked with an * have been reduced to reflect where controlled electrical installations are being carried out, tested and certified by a registered Part P electrician. If these reductions are claimed and a self certifying electrician is not subsequently employed, the applicant will be invoiced for supplementary charges equivalent to the discount (see D14 below)

VAT rate	20.0%		2022/23	2022/23	2022/23	2022/23	2022/23	2022/23	2022/23
Code	Extension & New Build		Full Plans		Full Plans - Multiple work reductions only **		Building Notice Charge *	Multiple work reductions only Building Notice Charge * at 50% reduced rate **	Regularisation Charge *
			Plan Charge	Inspection Charge *	Plan Charge at 50% reduced rate**	Inspection Charge * at 50% reduced rate **			
D01	Separate single storey extension with floor area not exceeding 40m²	Net VAT Total	205.00 41.00 246.00	411.00 82.20 493.20	103.00 20.60 123.60	206.00 41.20 247.20	678.00 135.60 813.60	339.00 67.80 406.80	863.00 - 863.00
D02	Separate single storey extension with floor area exceeding 40m² but not exceeding 100m²	Net VAT Total	205.00 41.00 246.00	514.00 102.80 616.80	103.00 20.60 123.60	257.00 51.40 308.40	791.00 158.20 949.20	396.00 79.20 475.20	1,007.00 - 1,007.00
D03	Separate extension with some part 2 or 3 storeys in height and a total floor area not exceeding 40m²	Net VAT Total	214.00 42.80 256.80	462.00 92.40 554.40	107.00 21.40 128.40	231.00 46.20 277.20	745.00 149.00 894.00	373.00 74.60 447.60	947.00 - 947.00
D04	Separate extension with some part 2 or 3 storeys in height and a total floor area exceeding 40m² but not ex 100m²	Net VAT Total	223.00 44.60 267.60	616.00 123.20 739.20	112.00 22.40 134.40	308.00 61.60 369.60	923.00 184.60 1,107.60	462.00 92.40 554.40	1,175.00 - 1,175.00
D05	A building or extension comprising SOLELY of a garage, carport or store - total floor area not exceeding 100m²	Net VAT Total	205.00 41.00 246.00	240.00 48.00 288.00	103.00 20.60 123.60	120.00 24.00 144.00	490.00 98.00 588.00	245.00 49.00 294.00	623.00 - 623.00
D06	Detached non-habitable domestic building with total floor area not exceeding 50m²	Net VAT Total	205.00 41.00 246.00	308.00 61.60 369.60	103.00 20.60 123.60	154.00 30.80 184.80	565.00 113.00 678.00	283.00 56.60 339.60	719.00 - 719.00
Conversions									
D07	First floor & second floor loft conversions	Net VAT Total	205.00 41.00 246.00	411.00 82.20 493.20	103.00 20.60 123.60	206.00 41.20 247.20	678.00 135.60 813.60	339.00 67.80 406.80	863.00 - 863.00
D08	Other work (e.g. garage conversions)	Net VAT Total	205.00 41.00 246.00	205.00 41.00 246.00	103.00 20.60 123.60	103.00 20.60 123.60	452.00 90.40 542.40	226.00 45.20 271.20	575.00 - 575.00
Alterations (including underpinning)									
D09	Renovation of a thermal element	Net VAT Total	103.00 20.60 123.60	103.00 20.60 123.60	52.00 10.40 62.40	52.00 10.40 62.40	226.00 45.20 271.20	113.00 22.60 135.60	288.00 - 288.00
D10	Replacement of windows, roof lights, roof windows or external glazed doors	Net VAT Total	103.00 20.60 123.60	103.00 20.60 123.60	52.00 10.40 62.40	52.00 10.40 62.40	226.00 45.20 271.20	113.00 22.60 135.60	288.00 - 288.00
D11a	Cost of work not exceeding £2,000 (Incl Renewable Energy systems)	Net VAT Total	103.00 20.60 123.60	154.00 30.80 184.80	52.00 10.40 62.40	77.00 15.40 92.40	283.00 56.60 339.60	142.00 28.40 170.40	360.00 - 360.00
D11	Cost of work exceeding £2,001 & not exceeding £5,000 (Incl Renewable Energy systems)	Net VAT Total	154.00 30.80 184.80	205.00 41.00 246.00	77.00 15.40 92.40	103.00 20.60 123.60	396.00 79.20 475.20	198.00 39.60 237.60	503.00 - 503.00
D12	Cost of work exceeding £5,001 & not exceeding £25,000	Net VAT Total	205.00 41.00 246.00	342.00 68.40 410.40	103.00 20.60 123.60	171.00 34.20 205.20	603.00 120.60 723.60	302.00 60.40 362.40	767.00 - 767.00
D13	Cost of work exceeding £25,001 & not exceeding £100,000	Net VAT Total	257.00 51.40 308.40	514.00 102.80 616.80	129.00 25.80 154.80	257.00 51.40 308.40	848.00 169.60 1,017.60	424.00 84.80 508.80	1,079.00 - 1,079.00
Notifiable Electrical work (in addition to the above, where applicable)									
D14	(Where a satisfactory certificate will not be issued by a Part P registered electrician)	Net VAT Total	This charge relates to a first fix pre-plaster inspection and final testing on completion. For Regularisation application a full appraisal and testing will be carried out.				361.00 72.20 433.20	n/a n/a n/a	461.00 - 461.00

****Multiple work reductions.** Where the proposed works consist of more than one of the above elements then the appropriate charge is calculated by paying the full amount for the most expensive element and only 50% for the other applicable elements **with the exception of D14 electrical Works**

Where Standard Charges are not applicable please contact Building Control on 01621 876235

TABLE C - ALL OTHER NON-DOMESTIC WORK
2022/23

Limited to work not more than 3 storeys above ground level

VAT rate	20.0%		2022/23	2022/23	2022/23	2022/23	2022/23
Code	Extensions and New Build		Plan Charge	Plan Charge at 50% reduced rate** (for multiple works only)	Inspection Charge	Inspection Charge * at 50% reduced rate ** (for multiple works only)	Regularisation Charge
N01	Single storey with floor area not exceeding 40m2	Net VAT Total	214.00 42.80 256.80	107.00 21.40 128.40	411.00 82.20 493.20	206.00 41.20 247.20	875.00 - 875.00
N02	Single storey with floor area not exceeding 40m2 but not exceeding 100m2	Net VAT Total	240.00 48.00 288.00	120.00 24.00 144.00	531.00 106.20 637.20	266.00 53.20 319.20	1,079.00 - 1,079.00
N03	With some part 2 or 3 storey in height and a total floor area not exceeding 40m2	Net VAT Total	257.00 51.40 308.40	129.00 25.80 154.80	582.00 116.40 698.40	291.00 58.20 349.20	1,175.00 - 1,175.00
N04	With some part 2 or 3 storey in height and a total floor area exceeding 40m2 but not exceeding 100m2	Net VAT Total	274.00 54.80 328.80	137.00 27.40 164.40	668.00 133.60 801.60	334.00 66.80 400.80	1,318.00 - 1,318.00
Alterations							
N05	Cost of work not exceeding £5,000	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
	Replacement of windows, roof lights, roof windows or external glazed doors (not exceeding 20 units)	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
	Renewable Energy systems (not covered by an appropriate competent persons scheme)	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
	Installation of new shop front	Net VAT Total	154.00 30.80 184.80	77.00 15.40 92.40	154.00 30.80 184.80	77.00 15.40 92.40	432.00 - 432.00
N06	Cost of work exceeding £5,000 & not exceeding £25,000	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
	Replacement of windows, roof lights, roof windows or external glazed doors (exceeding 20 units)	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
	Renovation of thermal elements	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
	Installation of a Raised Storage Platform within an existing building	Net VAT Total	205.00 41.00 246.00	103.00 20.60 123.60	205.00 41.00 246.00	103.00 20.60 123.60	575.00 - 575.00
N07	Cost of works exceeding £25,000 & not exceeding £100,000	Net VAT Total	308.00 61.60 369.60	154.00 30.80 184.80	411.00 82.20 493.20	206.00 41.20 247.20	1,007.00 - 1,007.00
	Fit out of building up to 100m2	Net VAT Total	308.00 61.60 369.60	154.00 30.80 184.80	411.00 82.20 493.20	206.00 41.20 247.20	1,007.00 - 1,007.00

Multiple work reductions. Where the proposed works consist of more than one of the above elements then the appropriate charge is calculated by paying the full amount for the most expensive element and only 50% for the other applicable elements.

Where Standard Charges are not applicable please contact Building Control on 01621 876235

FEES AND CHARGES 2022/23**Summary of Changes****No Change**

Environmental Protection
 Food Safety & Hygiene
 Mobile Homes
 Scrap Metal
 Cemeteries
 Hythe Quay car parking
 Town centre car parking
 Parks and Sports pitches
 Wharfage
 Moorings
 Splashpark
 Street Naming and Numbering
 Land Charges

Inflation Increase (3.2%)

Licences
 Pest Control
 Recycling
 Building control
 Planning development

Above Inflation

Recycling - new properties
 Stray Dogs
 Cemeteries
 Prom Car Parking - All day Charge
 Prom Coach Parking
 Prom Park Events
 Beach Huts
 Concessions
 Funfairs and Circuses
 Advertising and Sponsorship
 Electricity & Water Supply Prom & Riverside park
 Event Land Hire Charge
 Refuse Collection

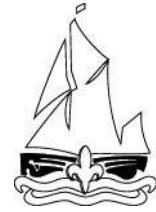
New Charges replacing Old Charges

Cemeteries
 Prom Car Parking - Part Tarriff change

New Charges

Licences - Doggy day care

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REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

MEDIUM-TERM FINANCIAL STRATEGY 2022 / 23 TO 2024 / 25

1. PURPOSE OF THE REPORT

- 1.1 To present the revised Medium-Term Financial Strategy for 2022 / 23 to 2024 / 25.

2. RECOMMENDATION

That the Medium-Term Financial Strategy for 2022 / 23 to 2024 / 25 (as at 24 February 2022) at **APPENDIX 1** be approved.

3. SUMMARY OF KEY ISSUES

- 3.1 The Medium-Term Financial Strategy (MTFS) sets out how the Council will manage its revenue finances up to the 2024 / 25 financial year. The MTFS supports the delivery of the Council's objectives and priorities as set out in the Council's Corporate Plan.
- 3.2 This MTFS builds on the MTFS for 2021 / 22 to 2023 / 24 that was approved by the Council on 23 February 2021. The current MTFS now covers the financial years 2022 / 23 to 2024 / 25 and is at **APPENDIX 1**.
- 3.3 There remains a great level of uncertainty around the global economy, particularly with an ongoing pandemic, and the impact this will have on the Council's finances, especially Council Tax and Business Rates. Therefore, the MTFS will need to be regularly updated and kept under review.

4. MEDIUM TERM FINANCIAL STRATEGY 2022 / 23 TO 2024 / 25

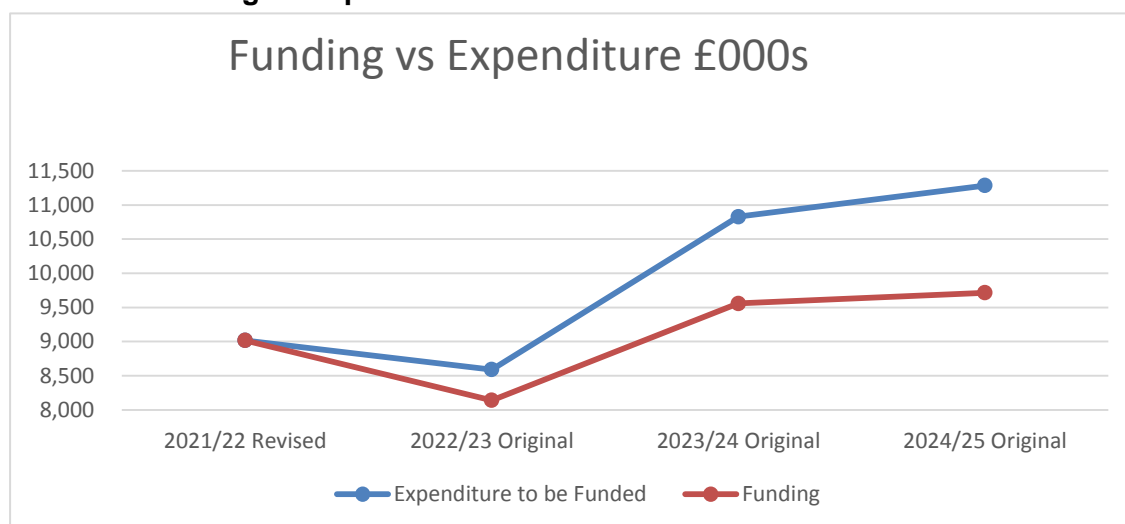
- 4.1 A review of budgets has been undertaken to identify changes required from the 2021/22 budget. The updated MTFS is attached at **APPENDIX 1** and a summary of the budget changes are provided in the following table.

Table 1 – MTFS Summary

Components	2021/22 Original £000	2021/22 Revised £000	2022/23 Original £000	2023/24 Original £000	2024/25 Original £000
Prior Year Expenditure to be Funded	9,945	9,945	11,916	13,736	14,067
Inflation	346	346	648	390	458
Contractual Pressures	0	0	251	157	0
Lost Income from Events	0	0	17	0	0
2020 / 21 Revenue Commitments and Additional Reserve Funded Expenditure	0	409	0	0	0
Repairs and Renewals and Supplementary Estimates	289	342	0	0	0
Pension Adjustment	242	242	0	0	0
Original Growth	1,094	1,094	354	-216	-343
Mid-Year Growth	0	44	133	0	0
Increased Pension Service Costs	0	0	991	0	0
Reduced Capital Charges	0	0	-121	0	0
Savings – Housing Benefit (HB) Overpayments and Released Contingency	0	0	-218	0	0
Staffing Vacancy Factor 3%	0	0	-235	0	0
Cost of Services	11,916	12,422	13,736	14,067	14,182
Investment Income	-133	-214	-214	-214	-214
Fwd Funding of Pension Fund Deficit	0	0	0	1,556	0
Pension Fund Adjustment	0	0	0	0	0
Statutory Adjustments	-2,330	-2,330	-3,200	-3,200	-3,200
Contribution to Reserves	520	520	520	0	520
Contribution from Reserves for Commitments & Drawdowns	0	-409	0	-1,036	0
Contribution from Reserves for Growth	-793	-793	-546	-343	0
Contribution from Reserves for Collection Fund Deficit	-163	-179	-1,705	0	0
Expenditure to be Funded	9,017	9,017	8,591	10,830	11,288
Funding	9,017	9,017	8,139	9,558	9,716
Gap / Funded from General Fund	0	-0	452	1,272	1,572

- 4.2 The summary shows higher expenditure this year due to approved in-year growths and supplementary estimates. Improved investment income has mitigated this but a greater contribution from earmarked reserves is required to prevent a General Fund gap this financial year. For future years a favourable provisional local government settlement for 2022 / 23 may have closed the funding gap, likewise new identified savings largely offset growth items, but increased pension service costs create a General Fund gap for the rest of the medium term. Chart 1 below illustrates this below.

Chart 1 – Funding vs Expenditure



5. GROWTHS

- 5.1 During the budget review several budget growth items were identified as being required to meet service demand and carry out Council policy. These have been scrutinised by the Strategy and Resources Committee and Finance Working Groups and reduced to the following amounts. The specific details of these are available at **APPENDIX 2** and are summarised in the table below:

Table 2 – Growth Summary

	22/23 £000	23/24 £000	24/25 £000	Total £000
Funded from Reserves (one-offs):				
Project Comms Resource	38	0	0	38
Reserves Funded Total	38	0	0	38
Funded from Annual Budgets:				
Service Delivery Staffing	217	217	217	651
SPG Staffing	65	65	65	195
Staff Training and Equipment	38	38	38	114
Refuse and Recycling	204	188	188	580
Other	165	168	168	501
Annual Budget Total	689	676	676	2,041
Grand Total	727	676	676	2,079

6. RISKS FROM COVID-19

- 6.1 The impact of Coronavirus will continue in future years and assumptions have been made regarding how this might affect the Council's income streams. The following table sets some of these out.

Income Stream	2022 / 23 £000
Leisure Contract	-247
Business Rates compared to pre-COVID	-235
Increase in Kerbside Waste	-188
Lower Council Tax Collection Rate	-39
Total	-709

6.2 In the local government settlement for 2021 / 22 the following two grants were announced which we kept aside as a Covid-19 contingency:

- Covid 19 Funding, £306,149,
- Lower Tier Services Grant, £65,264.

6.3 In the provisional local government settlement for 2022 / 23 the Covid 19 Funding will cease but the Lower Tier Services Grant will increase by £3,481. The Covid contingency budget has now been removed and the remaining £68,745 taken as savings.

7. GENERAL FUND

7.1 When the assumed COVID-19 pressures in section 7 are combined with the pension adjustment in section 8 and the forecast in section 4 there is a significant impact on the general fund balance. However, there is a high level of uncertainty around these figures and ongoing government support, which hasn't been factored in. e.g. if the current omicron variant will force greater restrictions.

Table 4 – Projected General Fund Balance

	21/22 £000	22/23 £000	23/24 £000	24/25 £000
Opening General Fund Balance	5,800	5,688	5,236	3,964
Budget Gap (Table 1)	-112*	-452	-1,272	-1,572
Closing General Fund Balance	5,688	5,236	3,964	2,392

7.2 *The Budgetary Control report taken to the Strategy and Resources Committee on 11 November 2021 showed a net budget pressure of £0.112m for 2021 / 22. Although originally there was no 2021 / 22 Budget Gap, this pressure creates one, and will need to be met by the General Fund reserve. As will the Budget Gaps for the next three years unless addressed.

7.3 The projections in the above table show that the balances would fall below the recommended minimum of £2.6m by 2024 / 25 if no action was taken to mitigate the position. However, these figures could still be heavily impacted by COVID-19 pressures if they continue beyond this financial year.

7.4 It must be emphasised that the current MTFs projections are unsustainable. The figures in Table 4 are based on a 'do nothing' scenario and assumptions. Therefore, actions will be required to address the budget gaps and develop a sustainability plan. Actions may include:

- (i) Closer working with partners - to address resilience and improve efficiency;

- (ii) Commercial activity - projects are underway but no income has been included in the budget at this stage;
- (iii) Service standards review - to ensure value for money.

8. CONCLUSION

- 8.1 Medium-Term financial planning is an important component of the Council's strategic planning framework. No more so than in the current uncertain economic climate due to the global Covid pandemic and its variants, and the ongoing threat of restrictions, along with unprecedented financial pressures in the public sector. Key financial decisions need to be set in the context of a plan that looks beyond the next financial year. Forward planning offers the opportunity to link service and financial planning, as decisions taken on an annual basis are limited in what they can achieve.

9. IMPACT ON STRATEGIC THEMES

- 9.1 The MTFS provides the foundation against which the Council will strive to deliver the best possible value for money in the provision of efficient and cost-effective services across the District. Through the effective development and delivery of the Council's financial and other resource strategies it seeks to build upon past achievements as well as provide clear direction to the attainment of the Council's longer-term goals.

10. IMPLICATIONS

- (i) **Impact on Customers** – None arising directly from this report.
- (ii) **Impact on Equalities** – None arising directly from this report.
- (iii) **Impact on Risk** – The risks to the Council in respect of the available forecast resource envelope over the medium term are discussed at **APPENDIX 1**.
- (iv) **Impact on Resources (financial)** – The financial implications are set out in this report.
- (v) **Impact on Resources (human)** – None arising directly from this report.
- (vi) **Impact on the Environment** – None arising directly from this report.

Background Papers:

Mid-Year Growth bids to the Strategy and Resources Committee, 15 July 2021,
 Budgetary Control Report to Strategy and Resources Committee, 11 November 2021.
 Annual Growth bids to the to the Strategy and Resources Committee, 6 January 2022.
 MTFS to the Strategy and Resources Committee, 3 February 2022.

Enquiries to: Lance Porteous, Lead Specialist Finance.

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MALDON DISTRICT COUNCIL
MEDIUM TERM FINANCIAL STRATEGY

2022/23 TO 2024/25

(FEBRUARY 2022)



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1 INTRODUCTION

- 1.1 Medium term financial planning is an important component of the Council's strategic planning framework. Key financial decisions need to be set in the context of a plan that looks beyond the current financial year. Forward planning offers the opportunity to link service and financial planning, as decisions taken on an annual basis are limited in what they can achieve.
- 1.2 The Medium-Term Financial Strategy (MTFS) provides the foundation against which the Council will strive to deliver the best possible value for money in the provision of efficient and cost-effective services across the District. Through the effective development and delivery of the Council's financial and other resource strategies it seeks to build upon past achievements as well as provide clear direction to the attainment of the Council's longer-term goals.
- 1.3 The medium-term financial planning process is an established part of the budget setting and financial review processes. It sets out a forecast of the cost of continuing provision of existing levels of service and the resources that are likely to be available to the Council over the period. It identifies any shortfalls and sets out how this will be managed. This document is reviewed at least annually; regular review and update is essential to ensure the MTFS takes full account of any changes in the Council's aspirations, strategic and service delivery priorities, changes in government legislation, financial regulation and funding streams and the general socio/economic environment that the Council operates in.
- 1.4 This MTFS reviews how the Council will manage its revenue finances up to 2024 / 25 and covers a five-year capital programme. The MTFS supports the delivery of the Council's 32 outcomes as set out in the Council's Corporate Plan 2019-23 and delivered and measured through the three strategic themes of Place; Community; Prosperity.
- 1.5 Underpinning the Corporate Plan are the individual service plans and several other key strategies and plans as set out below. In each case, these set out the detail of how the Council will achieve its objectives and the relevant milestones that will measure progress under the thematic strategies of Place; Community; Prosperity.
 - Information Technology Strategy
 - Workforce Development Strategy
 - Procurement Strategy
 - Risk Management Strategy
 - Treasury Management Strategy
 - Investment Strategy
 - Capital Strategy

The base position for this MTFS is the current 2021 / 22 budget. The development of the 2021 / 22 budget took place within the context of a longer term strategic and resource planning process. It took account of the latest settlement data and the uncertain economic climate. However, it did not take into account the impact of the Coronavirus Pandemic, as it was completed before the outbreak and subsequent social distancing measures imposed by the Government in March 2020.

- 1.6 Those reports concluded that the Council's future financial outlook was forecast to be more challenging over the next few years, because of continuing financial constraints in the public sector and the continued high expectation of public service delivery from the public. Council agreed on 9 August 2018 the Future Model Transformation Programme to achieve the required savings of £1.89m by 2022/23 when compared to the 2018/19 net budget. These already challenging financial targets have become significantly more challenging with the arrival of the pandemic.

2 OBJECTIVES

- 2.1 The objectives of this updated Medium-Term Financial Strategy are:

- To ensure outcomes and priorities identified in the Corporate Plan inform the MTFS including importance, timing and financial implications, and reconsider them in the light of emergency measures required due to the pandemic
- To provide updated projections of spending, including spending pressures and income; and set expectations on council tax increases, over the next three years
- To provide projections for our investment in assets, (our capital expenditure) and its impact on general day to day revenue spending
- To test sensitivity of, and apply risk analysis, to projections.
- To provide a framework for consultation with the public and partners about our service priorities and resources allocated to them.

3 VISION FOR MALDON

- 3.1 The MTFS aims to support the Council's overall vision for the District:

“Sustainable Council – Prosperous Future.”

4 LOCAL CONTEXT

- 4.1 The Maldon District covers some 138 square miles and has a resident population of some 65,400 (2020 UK National Statistics). With one of the lowest population densities in Essex, the District offers a wide range of residential properties, from period country cottages to brand new executive homes.

- 5 Maldon is an attractive and predominantly rural district. It retains an unspoilt nature and its own special character, forged largely by the principal waterways of the Blackwater and Crouch estuaries. Much of the District's 60 miles of coastline of tidal salt marshes and mudflats is recognised as of international and national environmental significance and protected as such.

MALDON DISTRICT COUNCIL CORPORATE PLAN

- 5.1 The updated Corporate Plan 2021-23 identifies all local and many national priorities.
- 5.2 The Corporate Plan will be delivered through three thematic strategies – Place, Community and Prosperity. The three thematic strategies are underpinned by a focus on ‘Performance and Value’ with the aim of providing:

- excellent services and value for money; and
- becoming a financially independent and sustainable Council in the future.

- 5.3 The aims of the thematic strategies are:

Place:

- A protected and improved environment for residents and visitors;
- Sustainable growth and new infrastructure in the District

Community:

- Healthy, safe and vibrant communities

Prosperity:

- Local businesses are supported and new ones are attracted into the District

- 5.4 The three thematic strategies have the detailed outcomes and impacts that the Council is seeking to achieve over the period of the Corporate Plan.
- 5.5 The Workforce Strategy sets out the key priorities for improving the way in which the Council manages its workforce to achieve the corporate targets. Our greatest asset is our employees and we must have committed skilled and empowered employees to provide the best possible service standards to the residents of the District. The Council’s new organisational structure, which went fully live from November 2019 as a result of the Future Model Transformation Programme, is delivering this aim.
- 5.6 The MTFS therefore provides the resource strategy required to deliver the priorities and outcomes set out in the Corporate Plan through the three thematic strategies.

6 ECONOMIC OUTLOOK

- 6.1 Due to the success of the vaccination process against Coronavirus, HM Treasury's economic outlook, as released in the Forecasts for the UK Economy Report December 2021, is a positive one and compares favourably against all other G7 nations. It is shown in the table below. The 2020 growth of -10.9% reflected the plummeting of economic growth by 20.4% during the first Covid lockdown and then approximately half of this being recovered during the remainder of the year. After a further prolonged lockdown at the beginning of the year, a continued yet incomplete recovery has ensued during 2021. HM Treasury have not forecast beyond 2022.

Year	Economic Growth (GDP)	
	HM Treasury (December 2020)	HM Treasury (December 2021)
2020	-10.9%	-10.9%
2021	5.4%	7.0%
2022	N/A	4.7%
2023	N/A	N/A
2024	N/A	N/A

- 6.2 However, UK individuals and businesses continue to feel the effects of the pandemic on supply chains which has led to soaring inflation. The change of forecasts for the Consumer Prices Index (CPI¹) are shown below:

Year	CPI (% change)	
	HM Treasury (December 2020)	HM Treasury (December 2021)
2020	0.7%	0.7%
2021	1.9%	4.3%
2022	N/A	3.1%
2023	N/A	N/A
2024	N/A	N/A

- 6.3 In the medium term, the CPI inflation is now forecast to be above the Bank of England's target of 2%. It is important to note that the Council's major contracts are linked to CPI as an inflationary increase with others linked to RPI. It is therefore expected that the contractual inflation will see an increase in the council's costs in the medium term based on the forecasts.

¹ Chancellor's Spring Statement – March 2019

- 6.4 Due to the first wave of Coronavirus, in March 2020 the Bank of England decreased its base rate. First down to 0.5% and then to 0.1%. The interest base rate has remained at this level until December 2021, when it increased to 0.25%, mainly to curb the rise in inflation. Further interest rate increases can be expected. The Council has no borrowing but a relatively large amount of Treasury Investments, so increasing interest rates are good news, although they are still very low which means returns on these investments are still very low in a historical sense.

7 GENERAL FUND REVENUE BUDGET

Financial Context

- 7.1 The development of the 2021/22 to 2024/25 Medium Term Financial Strategy took place at a time which continued to be one of the most challenging periods for Local Government. This MTFS for the period 2022/23 to 2022/25 has since become even more challenging with the onset of Coronavirus.
- 7.2 Ten years of austerity measures have led to unprecedented reductions in local authority funding. The public sector and the local government sector are under increasing and relentless pressures in respect of funding for adult social care and children's services and a significant shift of resources is taking place from non-social care authorities such as Maldon to social care authorities. Funding pressures for mental health services has also been in the news recently. Additionally, the government is progressing preparations for changing the local government finance system. All this before the financial impact of the pandemic.

Local government is transitioning away from a world where councils were dependent on central government grants and towards greater self-sufficiency, although support through the pandemic has certainly bucked that trend.

The 2022/23 Provision Local Government Financial Settlement was published on 16 December 2021. The result was that Maldon District Council will not receive any Revenue Support Grant but its Business Rates Pool (consisting of the Essex Councils) will retain 50% of Business Rates collected. The final 2022/23 settlement is not expected until February 2022.

Risks and Opportunities

7.3 This section highlights the risks and opportunities facing the Council in the medium term.

- Demographic
- External Income
- Inflation
- Service Demand
- Business Rates Retention
- Other Developments
- Fairer Funding Review

Demographic

7.4 Demographic factors affect the Council's planning in several ways:

- Changes in the number of households affect the tax base for Council Tax purposes, and hence the total amount which will be raised from this source
- The characteristics of both population and households can help identify specific implications for the type and nature of many services provided by the Council
- All the above factors affect the level of demand for, and use of, services provided by the Council

7.5 The total population in Maldon, according to the 2014 based ONS Sub-national population projections, is projected to grow by 12%, 7,000 more people by 2039.

External Income

7.6 The Council relies on several external income sources. During the past few years, the economic downturn had an adverse impact on some income streams.

Several income streams to the council are at risk whereby they can be reducing year on year or subject to significant variances between years. The reasons for these are mainly outside the direct control of the Council such as macro-economic and/or seasonal conditions. These income streams are principally from refuse and recycling, development control, building control, land charges, leisure and car parking related such as from the Splash Park and Promenade Park.

The garden waste collection service is now a significant source of income to the Council which goes to support the costs of providing the overall waste collection function, the costs of which are increasing with the growth of housing in the District.

Historically a key income stream for the council has been the income generated from investment of cash balances. The low interest rate has seen a large reduction in this income in recent years. Every 0.5% of movement in interest rates is equivalent to approximately £145k in income; however, the actual interest earned is also dependant on the level of free cash flow balances during the year.

The Council has a policy to maximise income from existing and new fees and charges where possible and practicable.

The recent social distancing measures imposed by Central Government and reduction of base interest rates by the Bank of England have had a significant adverse effect on these external income sources.

Inflation

- 7.7 The financial impact of a 1.0% movement in pay inflation represents around a £0.082m change in the general fund employee budget. A 2.0% uplift was built into the 2021 / 22 pay inflation. This has not yet been confirmed. In the meantime, there has been an increase in the cost of living and pay inflation meaning the Council is forecasting 2.5% increase in employee salaries for 2022 / 23. However, this is estimated to return to 2.0% for 2023 / 24 onwards.
- 7.8 For the 2022 / 23 budget setting process, the contract prices have been uplifted by appropriate indices as stated in the conditions of the contracts. The financial impact of a 1% movement in contractual inflation is £0.074m. No inflationary increase has been applied to the general services budget, except known specific items such as utilities and IT costs.
- 7.9 For future years, the projection assumes an overall averaged inflation rate of around 3.2% for 2022 / 23 based on CPI and 2% in each year thereafter.

Service demand

- 7.10 Under the current economic climate the pressure on the Council to deliver services within a constrained financial base remains high compared to historic levels. There is also an imposed demand by Central Government on local authorities to take a major part in revitalising the local economy whilst, at the same time, bearing a significant part of the government's overall austerity measures, via reduced funding.
- 7.11 While there has been a recent massive fall in UK growth, economic forecasts show a strong recovery, although the new variants could always slow this recovery significantly. However, the increase in the demand on our services, coupled with the loss of external income, will restrict the Council's ability to make radical improvements to our discretionary services.

2022/23 Provisional Local Government Finance Settlement

- 7.13 The provisional 2022 / 23 LGFS was announced on 16 December 2021. The table below shows Maldon's final settlement for 2022 / 23. The final settlement for 2022 / 23 and future years is expected to be announced in February 2022.

Local Government Financial Settlement 2017/18 to 2022/23	2018/19 Final LGFS £m	2019/20 Final LGFS £m	2020/21 Final LGFS £m	2021/22 Final LGFS £m	2022/23 Provisional LGFS £m
Settlement Funding Assessment of which:	1.474	1.508	1.532	1.532	1.532
Revenue Support Grant (RSG)	-	-	-	-	-
Baseline Funding Level (Business Rates)	1.474	1.508	1.532	1.532	1.532
Tariff/Top-up Adjustment	-	-	-	-	-
Annual Change (%)	-7.9%	2.3%	1.6%	0.0%	0.0%
Cumulative Change (%)	-25.0%	-23.2%	-22.0%	-22.00%	-22.00%
New Homes Bonus – MHCLG	0.696	0.832	0.898	0.930	0.961
Compensation for under indexing the Business Rates multiplier	0.034	0.049	0.061	0.080	0.126
Rural Services Delivery Grant	0.031	0.031	0.031	0.032	0.032
Transition Grant	-	-	-	-	-
COVID-19 Funding	-	-	-	-	-
Local Council Tax Support Grant	-	-	-	-	-
Lower Tier Services Grant	-	-	-	0.065	0.069
Services Grant	-	-	-	-	0.106
Council Tax Requirement excluding parish precepts (incl. base growth and levels increasing by CPI)	4.635	4.809	4.982	5.293	5.361
	0.034	0.035	0.062	0.000	0.000

Potential additional Council Tax from £5 referendum principle for all Districts					
Total Core Spending Power	6.904	7.264	7.566	7.932	8.187
Change since 2018/19 (£ million)					1.283
Change since 2018/19 (% change)					18.6%

- 7.14 Over the period of the previous Spending Review the government used a new methodology to determine authorities' Revenue Support Grant (RSG) allocations. Rather than applying the same percentage cut to all authorities, the new approach considers individual authorities' council tax raising ability and the type of services they provide. The change in methodology has led to a fundamental shift of resources from authorities such as Maldon.

New Homes Bonus Scheme

- 7.15 The New Homes Bonus Scheme (NHBS) was introduced in 2011/12 to encourage local authorities to facilitate housing growth. For every additional property built or brought back into use, the government match funds the additional council tax, with an additional amount for affordable homes, for the following six years. The grant is not ring-fenced and is split 80% to the lower tier and 20% to the upper tier. Previous changes to the NHBS were the introduction of a baseline housing growth of 0.4% before NHBS would be payable and a reduction in duration of legacy payments from the six years to five years and to four years. The government has announced a consultation on the future of the NHB in 2021/22. The Council will receive its last legacy payments for previous years of £0.198m in 2022/23. However, in the 2022 / 23 Provisional LGFS the government has announced a further one-off NHB payment of £0.763. In 2018/19 the Council decided to reduce its reliance to support the General Fund expenditure from the NHB. Therefore, since then only legacy payments received have been utilised to support the General Fund budget. A NHB reserve was established which by the start of the financial year 2022 / 23 will total £0.391m.

Pension

- 7.17 Maldon District Council employees are eligible to be members of the Local Government Pension Scheme (LGPS), for which the Government sets the terms and conditions nationally. This is a statutory condition of employment available to all local government employees. Essex County Council is the administering authority of the LGPS in Essex. In accordance with statutory requirements the

Essex Pension Fund, of which this Council is a member, was actuarially valued as at 31 March 2019 as part of the triennial valuation cycle.

7.18 The 2019 Valuation shows that there has been a decrease in the Council's deficit position by 35% to £5.318m. This means that the funding level of the Council's element of the Fund will have increased from 81.7% in 2016 to 90.2% in 2019. Funding levels are taken as the ratio of assets to liabilities. In general, for the 2019 valuation, funding levels have increased due to:

- Salary increases being lower than expected
- Investment returns have been better than expected
- Deficit contributions paid by the Council to the Fund

The recovery period for the deficit was reduced from 15 years, set at the 2016 Valuation, to 12 years or less in the 2019 Valuation, depending on the individual circumstances of the Council. The effects of the pandemic on the Pension Fund are yet to be determined.

7.19 The 2019 Valuation showed an increase in the employer's ongoing contribution from 15.9% of pensionable pay to 19.9% of pensionable pay (£221k). Whilst the recovery of deficits covers up to a date, an ongoing contribution rate is also needed to obtain the level of contributions required to meet the cost of new pension benefits and this is usually based on the same assumptions as are used for the deficit.

7.20 Automatic Enrolment has been established by the Government as a requirement for employers to provide a pension scheme for employees. The Local Government Pension Scheme (LGPS) is a qualifying scheme for the purposes of Automatic Enrolment within the terms set out by the Pension Regulator.

7.21 The Pensions Act 2008 includes a duty on employers to automatically enrol their eligible jobholders into a workplace pension scheme that meets certain requirements and provide a minimum employer contribution. From early 2014, the Council must have:

- Enrolled any new employees into the qualifying approved scheme;
- Enrolled any employees who are not a member of the scheme but reach the age of 22; and
- Enrolled any employee who is passing the rate of salary to £9,440 per annum for the first time

- 7.22 It should be noted the employee can still choose to opt out of the scheme, but the Council must not mention any option of how to opt out of the scheme during enrolment as it could be seen as an inducement not to join the scheme and could expose the council to a fine from the Pensions Regulator.

Universal Credits

- 7.23 Universal Credit (UC) is being rolled out through the Welfare Reform Bill and this is the biggest shake up of the system for 60 years. UC is an integrated working-age credit that will provide a basic allowance with additional elements for children, disability, housing and caring. It will support people both in and out of work, replacing Working Tax Credit, Child Tax Credit, Housing Benefit, Income Support, income-based Jobseeker's Allowance and income-related Employment and Support Allowance. For local authorities, this means the link between Housing Benefit and Council Tax Support will be broken for working age customers and that UC will be administered by the Department of Work and Pensions.

- The digital roll out of Universal Credits for Maldon, using the newer software started in December 2018 for new claims only.
- The precise details of the full transfer date of all claims are yet unclear and the timescales have slipped on several occasions. Claimants affected by Covid-19 will have meant the rate of migration to UC will have increased recently.
- The Council would retain responsibility for Local Council Tax Support, as well as pensioner claims, and some working age claims, even after a full transfer of claims to UC. As such, the Council would retain 70-80% of existing workload even after UC has been fully introduced.

- 7.24 The transition to UC has had significant implications for local Council and its systems. There will continue to be a reduction in the Housing Benefit Administration Grant going forward, but this may not be proportional to the reduction in the workload or staffing. The financial impact of Universal Credits continues to be monitored on an ongoing basis.

Land Charges (transfer of responsibility to Land Registry)

- 7.24 The Infrastructure Act 2015 provided for the transfer of some of the Land Charges responsibilities from local authorities to the Land Registry. The implications for the Council are:

- Loss of local land charges income
- Incurring on-going costs for the supply of standardised accurate information related to local land charges to Land Registry to keep the register updated.
- Legal liability will rest with Local Authorities for any inaccurate information provided
- Transfer requires digital and business transformation
- Local authorities will continue to provide Con 29 searches

7.25 The timing of the transfer is still not confirmed with relevant legislation being required. There is not yet a go live date but MDC made preparations by putting in a growth bid of £50,000 for 2021/22 to fund this.

7.26 The financial implication on the land charges transfer continues to be monitored on an ongoing basis.

2022 / 23 General Fund Budget

7.27 As part of the financial planning process, Members examine information provided by officers relating to the level of existing resources. All budget options are considered in the context of current service performance and priorities. Also, all the growth, savings and capital bids have gone through a challenge process, including being reviewed by the Finance Working Group.

8 RISK MANAGEMENT

8.1 Risk Management is a key feature of the Council's financial planning process.

8.2 The Council is very aware of the need for effective risk management and considers that the assessment and minimisation of all types of risk to be vital. It has an adopted Risk Management Strategy in place, and the financial risks to the Council are assessed in the context of the Council's overall approach to risk management.

8.3 To mitigate risk the Council regularly monitors its budgets. The performance management system is used by the Council to identify, monitor and reports on risks. Regular reporting of the Corporate Risks, financial and non-financial performance occurs on at least a quarterly basis to the Corporate Leadership Team and the Performance, Governance and Audit Committee, and is programmed in the annual timetable.

8.4 The table below summarises the financial implications if assumptions made in the MTFS change in the future. This gives some indications to

the kind of risks which need to be allowed for in considering the level of reserves in future years.

Estimated Financial Impact

Sensitivity Scenario	2022/23	2023/24	2024/25
	£m	£m	£m
Inflation - Pay award 1% higher than assumed	0.082	0.083	0.084
Other Inflation - 1% higher than assumed	0.074	0.075	0.075
Average investment interest rate - 0.5% lower than assumed (ave £29m invested)	-0.145	-0.145	-0.145
Council Tax Collection - 1% lower than assumed	-0.054	-0.055	-0.056
NNDR Collection - 1% lower than assumed	-0.034	-0.034	-0.034
Net Operating Expenditure - 1% overspent	0.133	0.134	0.135

9 COUNCIL TAX

Council Tax

9.1 It is important to note that the Council has limited income generated from council tax. As shown in paragraph 8.4, for every 1% increase in the average Band D council tax; an additional £0.054m of income is raised. The MTFS allows an increase in the Basic Amount of Council Tax of £5 for 2022 / 23 and subsequently £5 for the rest of the MTFS period in accordance with current District Council Tax increase allowance principles.

Tax base for Council tax setting

9.2 The tax base for council tax setting assumed in the MTFS is shown below:

Year	2021/22	2022/23	2023/24	2023/24
	Calculated	Projected	Projected	Projected
Band D Equivalents	24,959.9	25,524.3	26,034.8	26,555.5

9.3 Using past trends together with information on already approved and likely future planning applications, projected housing growth has been used to forecast the council tax-base for the period of the MTFS. The tax-base forecast has been arrived at by considering the completion dates of the strategic housing developments in the District.

9.4 A copy of the medium-term financial forecast on the general fund is attached at Appendix A.

10 VALUE FOR MONEY AND EFFICIENCY

- 10.1 Value for Money (VFM) is an assessment of whether we obtain the maximum benefit from the goods and services we both acquire and provide, within the resources available to achieve it. This assessment includes considerations about suitability, quality, whole life costs and the relationship between economy, efficiency and effectiveness.
- 10.2 Value for money remains an integral part of the external audit opinion. The general feedback was that the council had consolidated previous improvements and demonstrates good value for money across services.
- 10.3 A key part of the Council's ethos is its focus on achieving efficiencies. This is a main driver during the budget and planning process; ensuring resources are directed in the appropriate areas and is embedded across the whole authority. Services are monitored and reviewed for efficiencies with a view to identify where savings and or productivity gains can be made. The Council is committed to delivering efficiencies to drive costs down and maintain or improve services.

Finding efficiencies year on year to deliver a balanced budget and invest in services is a significant challenge. The Council commenced the implementation of the Future Model Transformation Programme in August 2018 to achieve savings and additional income totalling £1.89m by the end of the financial year 2022/23. Of this £1m has been achieved from the salaries cost by reducing the establishment headcount from 219.5 FTE to 181.5 FTE with a new salary structure.

The Transformation Programme included, but was not limited to, the following considerations:

- Alternative delivery model of our services - where practicable and where there was a financial business case to do so
- Effective use of assets – challenging the asset base and the use of assets, and looking to manage and plan maintenance in the most effective way
- Working in partnership with both private and public bodies to improve quality and scope of service and reduce costs.
- Improving efficiency where possible - but the scale of the financial constraint will almost certainly require considerations on the number and levels of services that the Council provides.
- Exploring new areas of income generation and adopting the 'commercial council' approach
- Smarter procurement processes and ways of working.

- The Council uses several service review methods to identify efficiency savings, for example, best value reviews, benchmarking performance with other authorities, testing costs in a range of alternative service delivery options.

11 INCOME GENERATION

Forecasting Income

- 11.1 This section covers the income from fees and charges.

Policy on Fees and Charges

- 11.2 The Council has looked to maximise the potential from fees and charges. A significant proportion of its income comes from fees and charges and a balance must be struck between meeting statutory responsibilities and the subsidy on providing discretionary services. The Council takes the view that raising charges to recover part or all the costs of providing is preferable to removing the service completely. Charges are set after considering local circumstances and the user's ability to pay. The Council's fees and charges will normally increase at least in line with inflation or, where appropriate statutory defined, fees and charges increase. Increased or reduced income due to volume changes, or charge proposals above or below inflation, are addressed through the budget setting process.
- 11.3 The full list of fees and charges is shown in the Discretionary Fees and Charges 2022 / 23 report to the Strategy & Resources Committee on 6 January 2022.
- 11.4 The Council's longer-term policy has three fundamental principles:
- Services should raise income wherever there is a power or duty to do so.
 - The income raised should cover the full costs of providing the service including all overheads.
 - Any departures from this policy must be justified in a transparent manner with reference to the Council's priorities and policies.
- 11.5 When the Council does not raise income in areas where it has the power to do so, it foregoes the opportunity to raise money to improve services and leaves less money available for spending on high priority services.

A decision to forego income or to subsidise a service is a policy decision about resources as significant as any decision made in the budget setting process especially since the Council is expected to be become more self-sufficient. The cost will eventually fall on the council taxpayer if the service is to be protected to any extent.

- 11.6 Although volumes of transactions incurring Fees and Charges are affected by Covid 19, the policies themselves are not anticipated to be altered. The Fees and Charges Policy is reported to Strategy & Resources Committee and Council separately to the MTFS.

Income and Debt Management

- 11.7 The Council has a good history of debt collection. The Council continues to build on this to maximise income received and minimise income written off. Monitoring information has been enhanced to provide information on evaluating the effectiveness of debt recovery actions, associated costs, and the cost of not recovering debt promptly.

12 USE OF RESERVES

- 12.1 The minimum General Fund Reserve is set at £2.6m. A minimum level is intended to allow sufficient resources to respond to un-forecast events such as Coronavirus, however even during this pandemic we aim to maintain this minimum reserve as far as possible.
- 12.2 Risks to the Council's financial position could derive potentially from a budget overspend due to higher than budgeted expenditure or lower than budgeted income or a combination of both, loss of investment income, contractual/legislative failure or challenging/emergency events. Historically, the Council has had a very good record of outturn financial position being within budget and of predicting investment income well so hasn't had to make additional significant provision. However, Covid-19 has brought about an unprecedented emergency response from the Council, which will test its reserves if Central Government do not reimburse MDC for its losses. The Reserves Table in paragraph 12.4 shows that the General Fund Reserve should not fall below the minimum level before 2024-25 without the use of earmarked reserves or additional government funding.
- 12.3 Equally, it is important that the use of reserves is not increasing year on year, creating an unsustainable future problem. Normally, it is a Council goal to meet the budget gap by making savings.
- 12.4 A summary of the proposed use of reserves is shown in the table below and is based on a budget projection that includes Covid-19 pressures, other pressures, aspects such as inflation, further salary increase, pension fund contributions and savings identified.

It is worth noting that the financial impact of Coronavirus is not as great as reported in July as further reliefs have since been announced by the Government, some of which have already been received, but is still significant, as shown in the table below.

Predicted General Fund Balance Movement	Revised 2021/22	2022/23	2023/24	2024/25
	£000	£000	£000	£000
Balance b/f				
General Fund Reserves	5,800	5,688	5,236	3,964
Earmarked Reserves	8,414	7,553	5,822	4,443
Total	14,214	13,241	11,058	8,407
Projected Movement				
General Fund Reserves	-112	-452	-1,272	-1,572
Earmarked Reserves	-861	-1,731	-1,379	520
Total	-973	-2,183	-2,651	-1,052
Balance c/f				
General Fund Reserves	5,688	5,236	3,964	2,392
Earmarked Reserves	7,553	5,822	4,443	4,963
Total	13,241	11,058	8,407	7,355

13 CAPITAL

Capital spend and funding

13.1 The Council's Capital Programme is agreed on an annual basis and serves the following purposes:

- It sets out how capital projects contribute to the achievement of the Council's corporate objectives.
- It establishes the criteria for the allocation of capital resources.
 - It provides a framework for the administration of capital projects and monitoring of outcomes.

- 13.2 It is important to note that all capital investment and disposal decisions have been made with reference to the strategic objectives.
- 13.3 The Council's capital programme has in general always been funded using capital receipts, external contributions or from capital grants and the current five-year capital programme is underpinned mainly by capital receipts.
- 13.4 The programmes for 2022 / 23 to 2026 / 27 have been set in detail, any schemes above this level would need to seek alternate external funds or new capital receipts from the sale of assets. However, it should be noted that the diminishing levels of capital receipts in future years would warrant a comprehensive review of the way the capital programme is supported in the long term. The indicative five-year capital programme as shown would cost the Capital Receipts Reserve a total of £1.233m. The Capital Receipts Reserve will be £1.493m from 1 April 2022 meaning more capital receipts may be required for the capital programme to continue beyond 31 March 2027. It should be noted that the capital programme for 2022 / 23 to 2026 / 27 has been developed by Officers and the Finance Working Group, and bids for asset acquisitions and improvements have been considered by the Strategy & Resources Committee. Therefore, the use of capital receipts will change over the period and may be required sooner.
- 13.5 Although the Capital Projects report is a separate report to the Strategy & Resources Committee, a summary of the programme and funding is given at Appendix B.

Revenue implications of capital programme

- 13.6 The key driver for the Council's approach to capital expenditure is revenue affordability.
- 13.7 Most Capital Projects have financial implications on the annual Revenue Budget. The revenue implications can take a variety of forms and they include:
- Capital financing costs
 - Loss of investment income
 - Annual non-capital financing costs, e.g.
 - Salaries
 - Rent
 - Rates
 - Energy costs
 - On-going maintenance costs
 - Income generated from the scheme or project

- 13.8 The revenue implications of the previously approved capital programme have been built into this MTFS. For the proposed future capital programme, there are no revenue implications for 2022 / 23 and any revenue implications beyond that will be built in upon approval.
- 13.9 However, there have been new maintenance issues identified relating to the existing capital assets. These are known as Repairs & Renewals, some of which are essential to avoid service failure and others are to improve service levels. A list of bids for these works are set out at **APPENDIX 3** to the report.

Members need to be aware that 2022 / 23 repairs and renewals bids recommended by the Finance Working Group total £85k, but there is currently only £177k in the repairs and renewals earmarked reserves. Therefore, the approved 2022 / 23 repairs and renewal work will not draw down from this reserve at this stage. This will allow the reserves to cover any emergency repairs and renewals that may emerge.

14 TREASURY MANAGEMENT LINKS WITH FINANCIAL STRATEGY

- 14.1 The Council will continue to invest in accordance with the approved Treasury Management Strategy and will plan any consideration of borrowing closely through the MTFS and five-year Capital Budget.
- 14.2 Investment income is used to support the budgets of the authority and movements in interest rates can result in significant changes. Since February 2020, the Bank of England has decreased its base rate down to 0.1%, following the arrival of Coronavirus in the UK, and only increased it slightly in December 2021 to 0.25%. This continues to keep MDC's investment income very low for the foreseeable future.

15 EQUALITY IMPACT ASSESSMENTS (EIA)

- 15.1 The council is committed to ensuring equality and diversity issues are given proper consideration. Equality Impact Assessments form an important part of our decision making to enable us to assess the impact of decisions on our residents, stakeholders and customers. Where the impact is high mitigation plans can be developed to reduce that impact of decisions. These are completed in accordance with national guidance and best practice.

16 CONCLUSION

16.1 The MTFS should be considered in the context of the following issues:

- The impact of further Covid-19 variants. Most government and local measures have lifted but these could be reimposed at any time.
- The unprecedented reductions to local government funding since the 2010 Comprehensive Spending Review.
- The Council's current satisfactory financial strength as shown by the General Fund reserves, robust financial management and excellent track record in achieving efficiency savings.
- That challenging decisions will still need to be made to safeguard frontline services and maintain a balanced budget together with an adequate level of General Fund reserves.
- That the Usable Capital Receipts Reserve is likely to be fully utilised over the MTFS period but bearing in mind the comment in paragraph 13.4 above.

16.2 The financial position over the medium term is shown in Appendix A. This also shows that the level of General Fund un-ringfenced reserves is not expected to fall below the minimum level of balance of £2.6m over the medium term to 31 March 2025. This needs to be considered in the context that for 2022 / 23 – 2024 / 25 budget estimates have been constructed with great economic uncertainty, high level assumptions and the detailed work will be undertaken in line with the Council's budget cycle timetable for those years and taking into account the further government grants announced at the time.

List of Appendices

Appendix A sets out medium term projections for the General Fund (below)

Appendix B sets out the medium-term projections for Capital (below)

Appendix C shows the Policy on reserves and balances (below)

APPENDIX 2 shows the a of proposed Budget Growth items 2022 / 23 to 2022 / 25 (separate document)

APPENDIX 3 shows a list of proposed Repairs and Renewals items 2022 / 23 to 2024 / 25 (separate document)

Appendix A - Medium Term Financial Strategy 2022 / 23 – 2024 / 25

	2022/23 £000	2023/24 £000	2024/25 £000
Prior Year Net Expenditure Before Reserves	11,916	13,736	14,067
<i>Operational Service Pressures:</i>			
Staff Inflation	453	278	287
Non-Staff inflation	195	112	171
Contractual Pressures	251	157	0
Lost Event Income	17	0	0
<i>Growth Items:</i>			
Reversal of Prior Year Growth	-458	-822	-771
Service Delivery Posts	350	350	350
SPG Posts	103	65	65
2 x Additional refuse vehicles	330	330	330
Suez additional payment	16	0	0
Recyclate Income	-142	-142	-142
Parks John Deere Tractor	12	12	12
Homelessness	11	11	11
Planning Performance Agreements	50	50	50
E-shot marketing tool	4	2	2
Changing Places Toilets	5	10	10
Climate Action Strategy	83	83	83
BMX Track Prom Park	23	0	0
Maldon Cem Road repairs	10	0	0
White Horse Lane Public Conveniences	9	0	0
Tollesbury Public Conveniences	15	0	0
Maldon Cem Pond	3	0	0
Maldon & Heybridge Cess pits	4	0	0
Maldon Chapel repairs	3	0	0
Riverside pathway resurfacing	14	0	0
Maldon Cemetery Wall	4	0	0
<i>Projects Funded from Earmarked Reserves:</i>			
Budget to support Workforce Planning.	20	0	0
CPD/Training for Parks, Cemeteries & Maintenance teams	12	0	0

PPE for Parks, Cemeteries & Maintenance teams	6	0	0
Local Development Scheme 2020-2022	0	-165	-9
LDP Review	0	0	-334
Savings:			
Housing Benefits Overpayments	-150	0	0
Staffing Vacancy Factor 3%	-235	0	0
Release of Covid Contingency	-68	0	0
Non-Operational Service Pressures:			
Increased Pension Service Costs	991	0	0
Reduced Capital Charges	-121	0	0
Net Cost of Services	13,736	14,067	14,181
Pension Fund Deficit Contribution	0	1,556	0
Investment Income	-214	-214	-214
Statutory Adjustments	-3,200	-3,200	-3,200
Net Expenditure Before Reserves	10,322	12,209	10,767
Contributions to/(from) Earmarked Reserves	-1,731	-1,379	520
Expenditure to Be Funded	8,591	10,830	11,287
Funding			
New Homes Bonus	-961	-763	-763
Rural Services Delivery Grant	-32	-32	-32
Compensation for NNDR under-indexing	-126	-126	-126
Services Grant	-106	0	0
Renewable Energy	-746	-768	-790
Business Rates Baseline Funding	-1,533	-1,557	-1,582
Business Rates Growth incl. S31	-987	-987	-987
Business Rates levy/benefit	205	205	205
CTAX and NDR collection fund (surplus) / deficit	1,568	0	0
Estimated Yield from Council Tax	-5,421	-5,530	-5,640
Total Funding	-8,139	-9,558	-9,716
Budget Gap	452	1,272	1,572

Appendix B – Capital Programme & Capital Receipts Reserve

Capital Programme 2021/22 - 2026/27					
Project Title	Original	Original	Original	Original	Original
	2022/23	2023/24	2024/25	2025/26	2026/27
	£'000	£'000	£'000	£'000	£'000
Vehicle & Plant Replacement					
Parks Vehicle - Rolling replacement programme	32	22	22	22	22
Replacement Electric Utility Vehicle (replaces fuel vehicle)	17				
Replacement Animal Warden Vehicle	12				
Depot Forklift	19				
Maintenance team vehicle	32				
Information & Communication Technology					
PC and Printer Replacement Programme	47	47	47	47	47
Maldon Promenade					
Prom Park new footpath alongside entrance road	25				
Prom Entrance road bollard lighting	16				
Prom Park Marine Lake pumping station	11				
Entrance Road Resurfacing	32				
Skate park resurfacing	45				
Car Parks					
White Horse Lane resurfacing	77				
Butt Lane Car Park Subsidence repairs	60				
Blackwater Leisure Centre					
New Hot Water Boilers - Blackwater Leisure Centre (BLC)	31				
Removal and renovation of Jungle river ride		80			
New sports hall floor		60			
Parks & open Spaces					
Oaktree Meadow and Orchard Meadow resurfacing improvement	21				
Riverside Park youth activity site					

APPENDIX 1

Maldon District Council Medium Term Financial Strategy 2020/21 to 2023/24

Rivers					
BOC Pontoon Renovation	60				
New River Bailiff WorkBoat		50			
Housing					
Mandatory Disabled Facilities Grants	420	420	420	420	420
Sport					
Replacement and update to 5G Carpet - AGP Plume school		80			
Maldon Town AGP replacement and update carpet				150	
Total Capital Programme	957	759	489	639	489
Funding					
Capital Receipts Applied	537	339	69	219	69
Government Grant	420	420	420	420	420
Total Funding	957	759	489	639	489

Capital Receipts Reserves Movements	2022/23	2023/24	2024/25	2025/26	2026/27
	£000	£000	£000	£000	£000
Opening Balance	1,493	956	617	548	329
Capital Receipts Utilised on Capital Programme	-537	-339	-69	-219	-69
Closing Balance	956	617	548	329	260

Appendix C – Policy on Reserves and Balances

Purpose

A Policy for Reserve and Balances represents good financial management and should be reviewed annually.

Application

The general principles set out in this Reserves and Balances Policy apply to the General Fund for Maldon District Council. It applies to reserves only and not provisions.

The Existing Legislative/Regulatory Framework

The requirement for financial reserves is acknowledged in statute. Sections 32 and 43 of the Local Government Finance Act 1992 require billing and precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement.

The Local Government Finance Act 1992 and Local Government Act 2003 set out that a range of safeguards to mitigate against local authorities over-committing themselves financially. These include:

- the balanced budget requirement
- Chief Finance Officers' duty to report robustness of estimates and adequacy of reserves when considering the budget requirement.
- Requirement for local authority to make arrangements for proper administration of their financial affairs and that the Chief Finance Officer is that responsible person (section 151 duties)
- the requirements of the prudential code.
- the auditor will consider whether audited bodies have established adequate arrangements to ensure that their financial position is soundly based.

Generally, the balanced budget requirement is sufficient discipline for the majority of local authorities. This requirement is reinforced by section 114 of the Local Government Finance Act 1988 which requires the Chief Finance Officer in England and Wales to report to all the authority's councillors if there is or is likely to be unlawful expenditure or an unbalanced budget. This would include situations where reserves have become seriously depleted and it is forecast that the authority will not have the resources to meet its expenditure in a particular financial year. The issue of a

section 114 notice by the Chief Finance officer cannot be taken lightly and has serious operational implications.

The prudential code requires chief finance officers to have full regard to affordability when making recommendations about future capital programmes.

Guidance on specific levels of reserves and balances is not given in statute or by CIPFA (the recognised accountancy body for local government finance). There is no statutory minimum level of reserves. It is up to local authorities themselves to set their own level of reserves and balances on the advice of the Chief Finance Officer.

The Role of the Section 151 Officer

Within the existing statutory and regulatory framework, it is the responsibility of Section 151 Officer to advise the Council about the level of reserves that it should hold and to ensure that there are clear protocols for their establishment and use.

The Council then, acting on and giving due regard to the advice of the Section 151 Officer must make its own judgements on the level of reserves and balances taking into account all the relevant local circumstances. These include the operational and financial risks, and the arrangements in place to manage them, including adequate and effective systems of internal control. The duties of the Chief Finance Officer in relation to the level of reserves are covered by the legislative framework described in 3 above. Under the Local Government Act 2003, the Chief Finance Officer must report to the Council on the adequacy of reserves (section 27) and reserve transactions must be taken account of within the required budget monitoring arrangements (section 28).

Types of Reserves

Reserves can be held for three main purposes:

- a working balance to help cushion the impact of uneven cash flows and avoid unnecessary temporary borrowing – this forms part of general reserves
- a contingency to cushion the impact of unexpected events or emergencies – this also forms part of general reserves
- a means of building up funds, often referred to as earmarked reserves, to meet known or predicted liabilities.

The Council also holds other reserves that arise out of the interaction of legislation and proper accounting practice. These reserves are not resource backed and cannot be used for other purposes include:

- a Pensions Reserve (required under IAS19). This is a specific accounting mechanism used to recognise the Council's share of pension fund liabilities in its balance sheet. As this is a reserve which arises from an accounting standard it is not available to finance Council expenditure.

- a Revaluation Reserve – this records unrealised gains in the value of fixed assets.
- a Capital Adjustment Account – this is a specific accounting mechanism used to reconcile different rates at which assets are depreciated under proper accounting practice.

For each earmarked reserve held by the Council there should be a clear protocol setting out:

- the reason for/purpose of the reserve
- how and when the reserve can be used
- procedures for the reserve's management and control
- a process and timescale for review of the reserve to ensure continuing relevance and adequacy.

This Reserves and Balances Policy ensures that when establishing reserves, Maldon District Council complies with the Code of Practice on Local Authority Accounting in the United Kingdom (the Code) and the need to distinguish between reserves and provisions.

Policy and Principles to Assess the Adequacy of Reserves

The principles used by the Chief Finance Officer to assess the adequacy of unallocated general reserves when setting the budget, ensure that account is taken of the strategic, operational and financial risks facing the authority.

Setting the level of reserves is just one of several related decisions in the formulation of the medium term financial strategy and the budget for a year. This is carried out as part of the four-year Service and Resource Planning Process. Account is taken of the key financial assumptions underpinning the budget alongside a consideration of the authority's financial management arrangements. In addition to the cash flow requirements of the authority the following factors are considered:

- The treatment of inflation and interest rates
- Estimates of the level and timing of capital receipts
- The treatment of demand led pressures
- The treatment of planned efficiency savings / productivity gains
- The financial risks inherent in any significant new funding partnerships, major outsourcing arrangements or major capital developments
- The availability of other funds to deal with major contingencies and the adequacy of provisions.

- The economic situation, unforeseen events etc.
- The risks identified by the authority as part of its risk management arrangements

The Council holds two types of reserves

- General non-earmarked reserves (the Council's General Fund Balances)
- Earmarked reserves held for specific purposes

It is the current policy of Maldon District Council for the *General Fund reserves* (the General Fund Balances) to be held at a level of, at least, £2.6m. This is reviewed at least annually, during the setting of the budget. Factors which are considered during the review include; the level of balances as a percentage of the net revenue requirement, budget management and monitoring procedures, risk levels and financial projections for future years.

Reserves can be created or increased to ensure that the Service and Resource Planning Process takes account of any need to increase due to factors which may arise and to fully account for these factors.

In addition, the regular budget monitoring process carried out by the Council throughout the year will report on any changes in the level of balances or reserves.

The Reserves and Balances Policy is set in the context of the authority's Medium-Term Financial Strategy and does not focus exclusively on short-term considerations. Balancing the annual budget by drawing on general reserves may be viewed as a legitimate short-term option. However, where reserves are to be deployed to finance recurrent expenditure this will be made explicit. Advice will be given by the Chief Finance Officer on the adequacy of reserves over the lifetime of the medium-term financial projections. This is addressed in the Medium-Term Financial Strategy.

A New Reporting Framework

The Chief Finance Officer has a fiduciary duty to local tax-payers and must be satisfied that the decisions taken on balances and reserves represent proper stewardship of public funds. Compliance with this Reserves and Balances Policy assists in allowing the Chief Finance Officer to be satisfied that there is proper stewardship of public funds. The level and utilisation of reserves is determined formally by the Council at its meetings to approve the annual budget and the final accounts. These decisions are informed by the advice and judgement of the Chief Finance Officer.

The Reporting Policy for Maldon District Council is:

- The Medium-Term Financial Strategy report to the Council includes a statement showing the proposed use of, or contribution to, general and earmarked reserves for the year ahead. Reference should be made as to the extent to which such reserves are to be used to finance recurrent expenditure

- The budget report itself includes a statement from the Chief Finance Officer on the adequacy of reserves in respect of the forthcoming financial year and the authority's medium-term financial strategy.
- The Councils' annual statement of accounts includes a schedule of all reserves in the balance sheet, showing opening balance, net movement in year and year-end balance. Notes to individual reserves are given in the accounts and significant reserve movements are explained in the Chief Finance Officer's foreword to the accounts and the covering report to Council which accompanies the presentation of the accounts.
- The regular in-year Budget Monitoring reports to the Strategy and Resources Committee include details of any transactions affecting the Council's reserves.

Good Governance

It is important that local authority councillors take responsibility for ensuring the adequacy of reserves and provisions when they set the budget. This will be subject to the advice of the Chief Finance Officer and the arrangements for reviewing and reporting on the level of reserves and balances as set out above.

Revenue Growth Summary			
Area	22/23 £000	23/24 £000	24/25 £000
Staffing	320	282	282
Environmental Waste Service	204	188	188
Other	165	168	168
Training & Equipment	38	38	38
Total	727	676	676
Funded From Corporate Delivery Reserve	38	-	-
Funded from the General Fund	689	676	676
Total Funding	727	676	676

Title of the proposal	Further Description	Growth 22/23 £000	Growth 23/24 £000	Growth 24/25 £000	Staffing Implications (FTE)	Explanation
Staffing						
Graphic design resource	To meet demands of all Council graphic design needs for general design, project communications and statutory/corporate design with the option of offering our capacity to other LAs (Braintree currently offer this).	45	45	45	1	Enables MDC to provide designs for all corporate needs and for major projects, including the LDP, Climate Action Strategy and all partnerships and projects we wish to bring to life through effective design. It also ensures brand assurance. We can utilise this resource to provide design capacity to other LAs or local businesses requiring designed materials/content. Potential to claw back costs and to part fund via LDP allocated reserve, I propose 20%/9k in year 1, bringing year 1 down to 32.8k.
Project Comms Resource	Extension of existing resource to support the promotion of Council projects, partnerships, events and community engagement. To develop a conversational tone of voice through this work over and above the social media activity we execute.	38	-	-	1	There is a business need to extend this contract for a further 12 months as activity moves away from Events support/Covid recovery to Corporate Project delivery, namely Climate Action and LDP.
Democratic Manager post	Democratic services manager post- graded K by recent JE panel. Supported by report of Resources Specialist Manger and Programmes, Performance and Governance Manager to CLT (attached). There is £50k in the elections budget that can be used to offset the cost of the new post so £70,162 - £50,000 = £20,162 growth.	20	20	20	1	Additional post to manage elections team and delivery, and committees team directly. Will mitigate our corporate risk around managing and delivering elections, and bring together a corporate role that can lead areas such as technology development in the two teams, that current resourcing does not have capacity to deliver
Revenues & Benefits Lead Specialist replaced Senior Specialist (Grade I)	Existing Grade I. Cost is Diff between Grade I and K. This role was added to the structure due to the need for a more senior functional lead to oversee the team's development and manage the specific R&B service risks. To avoid requesting growth for a full FTE, this was an uplift from the Senior Specialist role, but the variance needs to be built into the salary budget going forward.	14	14	14	n/a	Grade reflects responsibilities of the work and has been contained by COVID grants. However, the actual grade of the role is higher than the budget.
Revenues & Benefits Caseworker Level 1	Curently post is a fixed term contract funded by New Burdens grant.	47	47	47	1.7	Growth item from 2022-23 to directly employ staff to replace Meritech resource. Pressure contained by external funding which has ceased but posts are still required to maintain the service.
Revenues & Benefits Caseworker Level 1	Curently post is a fixed term contract funded by COVID grant.	19	19	19	0.5	Invest to save to secure New Homes funding. Someone in post on a fixed-term basis. Part time invest to save (would also cover NDR additional income and empties).
Specialist Level 1 Homeless Prevention	Staff - Specialist Team	39	39	39	1	Post has been funded from the housing reduction act grant but this is no longer avalaible to cover the post which is still required to handle the caseload.
Building Control Caseworker L3b	Funded from EH post in 2021-22 (COMF grant covering the EH post)	38	38	38	1	Look to make this a career grade role from Caseworker (Grade F) to Specialist (Grade G). Someone in post on a fixed-term basis.
Health & Safety - Senior Specialist Level	New post dedicated to Health & Safety.	60	60	60	1	Dedicated Health and Safety Post required to fulfil statutory duties. Post and directorate/team TBC
Total Staffing		320	282	282	5.2	
Environmental Waste						
Additional refuse vehicle	Potential contribution to additional vehicle for refuse and recycling.	330	330	330	n/a	Needed due to increased tonnages and new developments within the district. A contribution to hiring in 2 new vehicles plus crews from Suez. This will off set an additional £100k of gatefees as the vehciles can tip at Bell House.
Suez additional payment	Additional bank holiday awarded for the Queens Jubilee not included in contract.	16	-	-	n/a	Unavoidable as Suez will be working on this additional Bank Holiday and we need to pay for this as its outside contractual T&Cs.
Recyclate Income	Additional income from recyclate as per income sharing element of contract with Suez.	(142)	(142)	(142)	n/a	Price of recyclate has increased.
Total Environmental Waste		204	188	188		

Title of the proposal	Further Description	Growth 22/23 £000	Growth 23/24 £000	Growth 24/25 £000	Staffing Implications (FTE)	Explanation
Other						
Parks John Deere Tractor	Alternative Lease model for replacement JD Tractor (see corresponding Capital bid)	12	12	12	n/a	Lease figures are indicative, based upon a 5 year agreement with supplier and subject to a procurement process due to value. John Deere 6100M 750 hours per annum lease with extended warranty - 5 years , 60 monthly payments of £857.22 pcm. Plus Maintenance allowance @ £2000 p.a. Capital Purchase cost of single Tractor + Warranty indicated at c. £82,000
Homelessness	Expected additional increases in homelessness cases.	11	11	11	n/a	We require growth to meet the additional demand on the homeless service going in 2022-23. There will be people presenting as homeless through the new Domestic Voilence Bill and also the courts returning. The DV Bill means anyone who claims to be a victim of DV is automatically entitled to housing. The return to courts will see more evictions and again, people presenting as homeless.
Planning Performance Agreements	Income budget not expected to be achieved.	50	50	50	n/a	Historical budget based on assumed large developments coming through. Income can't been guaranteed so this needs to reduce from 2022-23.
Climate Action Strategy	Match funding to meet the financial expectation of the Climate Action funding proposal to Magnox and the NDA.	83	83	83	n/a	Magnox and the NDA have taken a step back in terms of considering a single tranche of funding to support the work of the Climate Strategy. The reason being is that the funding can be broken down into two phases. A gateway review will take place once the climate action officer has completed engagement sessions with the community and local businesses to collate projects and behaviour change initiatives, this will be classed at Phase. Match funding from Magnox will be sought in the first instance to help fund this and if sucessful will be used to reduce this growth item to £42k per year.
E-shot marketing tool	E-shot is a simple and secure automated internal and external marketing platform which is used by a number of private and public sector organisations (including ECC) to deliver highly effective email newsletter campaigns. E-shot would help us embrace and more efficiently target our communications to our staff, residents and businesses, whilst adhering to the highest data protection and security standards. It would provide us with an effective digital tool to enhance our communications channels.	4	2	2	n/a	Enables us to deliver more modern, focused marketing, comms and engagement campaigns and will improve internal communications (vastly improving One Team).
Changing Places Toilets	Co-funding in order to maximise the impact of government funding for delivery of Changing Places Toilet (CPT) scheme. The scheme enables severely disabled people to access toilet facilities when they are in public spaces. CPT provides equipment such as hoists, privacy screens, adult-sized changing benches and space for carers.	5	10	10	n/a	Provides necessarmaintenance for CPTs. If successful, MDC will secure £100k from Government to install new CPTs in Dengie100 and Blackwater Leisure Centre ensuring severely disabled people can access toilet facilities with confidence. The £100k from Government will cover the cost of the installation of a Modular CPT Unit and an Internal CPT unit. The revenue growth will pay for additional cleaning and ongoing maintenance of the CPTs.
Total Other		165	168	168		

Title of the proposal	Further Description	Growth 22/23 £000	Growth 23/24 £000	Growth 24/25 £000	Staffing Implications (FTE)	Explanation
Staff Training & Equipment						
Budget to support Workforce Planning.	We need to invest in staff training to support Workforce Planning and grow our own specialists in what is a competitive market.	20	20	20	n/a	SD has very limited budget to train staff and support career progression within MDC. This presents a risk and potential service failure if staff aren't developed within their roles and we lose them as a result. We already have significant agency staff costs, as well as significant recruitment costs to cover vacancies and have many single points of failure. This needs to be addressed now to realise the benefits within the next 3-5 years. Currently agency and increased recruitment costs have to be met from existing salary budgets, and due to higher costs we will often have less resource in place than we need in a number of key areas such as Development Management. Some roles we are having to go out up to three times to attract any suitable candidates.
CPD/Training for Parks, Cemeteries & Maintenance teams	New budget required for CPD and training across all teams in Commercial including items such as play site inspections, Chapter 8 accreditation H&S courses, Specific machinery training, handling of chemicals etc.	12	12	12	n/a	Budget to ensure that all basic/mandatory training requirements (including H&S) are kept up to date and current. Will ensure qualification compliance and that the team can be upskilled as and when required. We have allowed for a budget of £500 per person in the team which equates to £500 x 24 = £12k.
PPE for Parks, Cemeteries & Maintenance teams	New budget required for maintenance team PPE. Items are renewed as and when required by regulation.	6	6	6	n/a	H&S / regulation requirement for all team members to have the required PPE to perform role and job task in a safe manner. Items of PPE need renewal on a regular basis to ensure compliance and team safety. We have allowed for a budget of £250 per person in the team which equates to £250 x 24 = £6k
Total Staff Training & Equipment		38	38	38		
Total Revenue Growths		727	676	676	5.2	
Funded From Corporate Delivery Reserve		38	-	-		
Funded from the General Fund		689	676	676		
Total Funding		727	676	676		

Repairs & Renewals 22/23 Summary

No.	Description	Category	£000
1	BMX Track Prom Park	Service Failure	23
2	Maldon Cem Road repairs	Essential	10
3	White Horse Lane Public Conveniences	Service Failure	9
4	Tollesbury Public Conveniences	Essential	15
5	Maldon Cem Pond	Essential	3
6	Maldon & Heybridge Cess pits	Essential	4
7	Maldon Chapel repairs	Service Failure	3
8	Riverside pathway resurfacing	Service Failure	14
9	Maldon Cemetery Wall	Essential	4
Total Repairs & Renewals Bids			85

BMX Track Prom Park


Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Service Failure
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Resurfacing of track with asphalt, bitumen / cedek and new safety fencing installation at the Prom Park BMX track. This facility is very popular with children, youths and families and has now depreciated to a level that poses H&S risks (slip, trips and falls) in places due to undulation, uneven elements and base materials coming through to the track surface. The installation of a new subbase and quality surface will ensure the track is of a safe standard and fit for purpose for a good number of years for community use.
Project Start Date <i>(Month and year)</i>	Jun-22
Project Completion Date <i>(Month and year)</i>	Jul-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractor
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		22,500			
2023/24					
2024/25					
2025/26					
TOTAL	0	22,500	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) <i>Strengthening communities to be safe, active and healthy</i></p> <p>2) <i>Protecting and shaping the District</i></p> <p>3) <i>Creating opportunities for economic growth and prosperity</i></p> <p>4) <i>Delivering good quality, cost effective and valued services</i></p>	<p>Strengthening communities to be safe, active and healthy - These works will ensure that the Prom Park BMX track is in a safe and fit condition for children, youths, families and the general public to use. Delivering good quality, cost effective and valued services - The series of works will ensure that the Prom Park BMX track is safe, presentable and that the quality is of a good standard for all users. Failure to complete the works will result in further depreciation, H&S risk for users and a potential closure in the near future.</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>The current surface at the Prom Park BMX track is depreciating, undulating and pushing materials to the riding surfacing, this is causing a H&S risk to users. Completion of new track and surface will see these risks largely mitigated for a number of years. The track is reaching an end of life stage with a high likeliness of accident and incidents which could be high risk in there severity.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Maldon Cem Road repairs

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) 	Essential
Project Lead Officer	Debbie Horrey
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Road repairs at Maldon cemetery due to partial collapse. 32m2 area and to a depth of 30mm.
Project Start Date <i>(Month and year)</i>	Jun-22
Project Completion Date <i>(Month and year)</i>	Jul-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Contractor
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		9,500			
2023/24					
2024/25					
2025/26					
TOTAL	0	9,500	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	1,4
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	no
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	no
<p>Are there Health & Safety implications? If so, please state</p>	Yes, trip hazards and damage to vehicles
<p>Is this part of a statutory obligation? If so, state how</p>	<p>Local Authorities Cemeteries Order (LACO) 4</p> <p>(3). A burial authority shall be responsible as such for maintaining in a proper state of repair any road constructed by them or any predecessor of theirs, not being a highway which is for the time being maintainable at the public expense.</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	no
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	A cemetery business plan to improve services.

White Horse Lane Public Conveniences


Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Service Failure
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	The White Horse Lane public convenience requires 8 x toilet system flush mechanism replacements due to depreciation and approaching end of life. 5 out of 8 of the systems and mechanisms have operational issues which impacts the users. There are many occasions where toilets are now taken out of use until maintenance can be provided to get systems back in operation. During peak seasons like the summer holidays this causes a big impact to the public. The new toilet system will see the current flush mechanism replaced with new and modern non touch infrared flush buttons. This also improves the the hygiene of the toilets and reduces the risk of transmission of virus, infection and disease etc. The works will also include replacement of the rotten windows at the facility and a decoration program.
Project Start Date <i>(Month and year)</i>	Dec-22
Project Completion Date <i>(Month and year)</i>	Dec-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractor
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		8,500			
2023/24					
2024/25					
2025/26					
TOTAL	0	8,500	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>Works required under H&S</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>H&S risks are due to the transmission of virus such as covid and / or other infections and diseases. The current systems being replaced with a non touch infrared flush system would help mitigate this risk and help safeguard the health and wellbeing of users in a facility that can receive very high footfall.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Tollesbury Public Conveniences


Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) 	Essential
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Renovation of the current heavily depreciated and end of life Tollesbury public conveniences. The toilets require urgent works to ensure they are fully functional, safe (hygienic) and to the standard required for a public convenience. There are currently some H&S concerns due to uneven / broken floor tiles, sanitising issues, general depreciation and hygiene issues due to the very poor condition of the facilities.
Project Start Date <i>(Month and year)</i>	Sep-22
Project Completion Date <i>(Month and year)</i>	Sep-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractor
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		15,000			
2023/24					
2024/25					
2025/26					
TOTAL	0	15,000	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p style="text-align: center;">Works required under H&S</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p style="text-align: center;">No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p style="text-align: center;">NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>H&S risks are increasing as the facility is heavily depreciated. Slips, trips and falls likeliness is increasing due to the condition of the floors, the hygiene and functions are a concern under H&S. If the facility is not renovated i.e. flooring, new wall tiles, replacement urinal and replacement toilets this could lead to incidents / accidents occurring.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p style="text-align: center;">NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p style="text-align: center;">NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p style="text-align: center;">NA</p>

Maldon Cem Pond

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) 	Essential
Project Lead Officer	Debbie Horrey
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Pond area at maldon cemetery made safe. The pond area in Maldon cemetery does not have adequate safety measures in place. A defined edge needs to be created with a boundaary to make clear to visitors where the water begins, boeyncy aid and signage installed.
Project Start Date <i>(Month and year)</i>	asap
Project Completion Date <i>(Month and year)</i>	4 weeks from project start date
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	contractor required
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		3,000			
2023/24					
2024/25					
2025/26					
TOTAL	0	3,000	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	1,2,4
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	no
<p>Are there Health & Safety implications? If so, please state</p>	Yes, pond area does not have adequate safety measures in accordance to advice from Steven Brown MDC consultant
<p>Is this part of a statutory obligation? If so, state how</p>	Health and Safety at work etc act 1974
<p>Is the project contractually committed to in any way? If so, please describe</p>	no
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	This bid links to the Woodland Glade commercial project and is the essential element required regardless of outcome of project approval.

Maldon & Heybridge Cess pits

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Essential
Project Lead Officer	Debbie Horrey
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Cesspits for Maldon and Heybridge cemetery toilets. The current cesspits are 750 litres which is not fit for purpose with usage from visitors, staff, volunteers, payback and Friends Groups. This is not cost effective as they need to be emptied more often. Larger cesspits (2,000 litres) would keep running costs lower. Each clearance costs £70 and each tank needs to be emptied at approximately 100 flushes. This equates to £1820 per toilet per year.
Project Start Date <i>(Month and year)</i>	May-22
Project Completion Date <i>(Month and year)</i>	Jun-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Staff time from maintenance department

Picture *(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))*



Premier Tech Cesspit 2000L CP2/2
£1,430.00
 £1,716.00
 The Premier Tech 2000 Litre Cesspit is constructed from high strength GRP (Glass-Reinforced-Plastic). Available in 2 versions for either concrete surround or granular surround (dry sites only).
 Free Delivery - Excludes Highlands and Islands
[VIEW DETAILS](#)

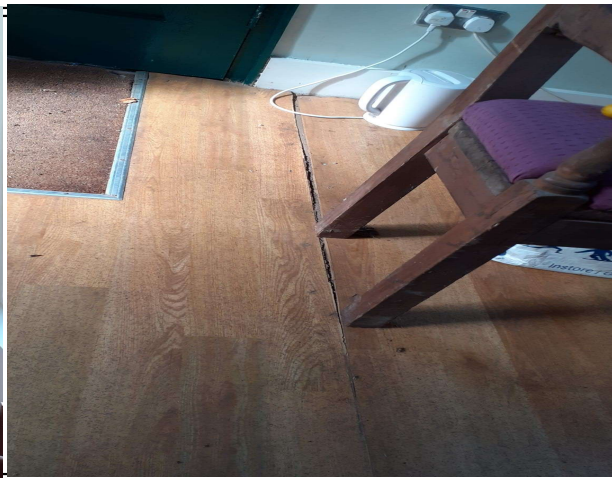
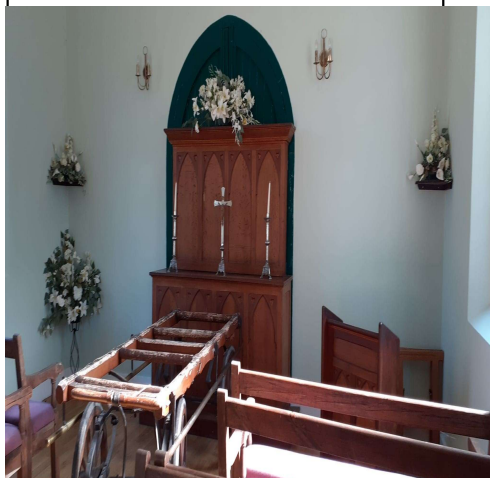
	Capital Expense	Revenue Implications		External Funding	
	£	One-off £	On-going £	Amount £	Source of costs
2022/23		4,000			
2023/24					
2024/25					
2025/26					
TOTAL	0	4,000	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>4</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>staff resources</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>no</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>overflow if current cesspits cannot be emptied quickly enough</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>no</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>no</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	

Maldon Chapel repairs

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) 	Service Failure
Project Lead Officer	Debbie Horrey
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Renovation of chapel to make fit for services to be held thus generating income. Pews need to be sanded, revarnished and recovered, floral tributes purchased and bier renovated. Repairs to floor and door, patch up paint work.
Project Start Date <i>(Month and year)</i>	May-22
Project Completion Date <i>(Month and year)</i>	Aug-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Contractor required for renovation works. Maintenance team for initial floor work.

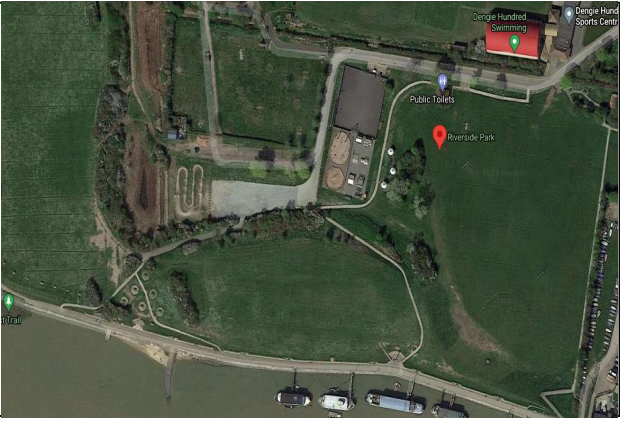


	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		3,000			
2023/24					
2024/25					
2025/26					
TOTAL	0	3,000	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	4
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	no
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	no
<p>Are there Health & Safety implications? If so, please state</p>	Yes, floor is trip hazard
<p>Is this part of a statutory obligation? If so, state how</p>	Burial law requires that bereaved people are treated with sensitivity, dignity and respect. The chapel must be maintained to this standard if to be offered for funeral services.
<p>Is the project contractually committed to in any way? If so, please describe</p>	no
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	Cemetery business plan to improve services and increase revenue.

Riverside pathway resurfacing


Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category • Essential (E) • Service failure (SF) • Service improvement (SI)	Service Failure
Project Lead Officer	David Burnham
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	Resurfacing of the grit pathways that connects and runs around Riverside Park for public use park due to depreciation and H&S concerns / risk (undulation and unevenness). The park has a high amount of public footfall and usage via visitors, activities and users across the year, this results in depreciation and heavy wear of the footpaths and surface. There are currently concerns with the life expectancy of the current surface which has been topped up on occasions over the years to reduce the chance of accidents or incidents. This is now not an option as the majority of the surface is in poor condition and needs full remedial works. Failure to resurface the park pathways could result in slips, trips and falls to the public, users and staff and also other accidents, incidents and H&S concerns.
Project Start Date <i>(Month and year)</i>	Dec-22
Project Completion Date <i>(Month and year)</i>	Dec-22
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Works to be completed via external contractor
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		14,000			
2023/24					
2024/25					
2025/26					
TOTAL	0	14,000	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i> 1) Strengthening communities to be safe, active and healthy 2) Protecting and shaping the District 3) Creating opportunities for economic growth and prosperity 4) Delivering good quality, cost effective and valued services</p>	<p>Works required under H&S</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>No foreseen risks to the delivery of the project.</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	<p>NA</p>
<p>Are there Health & Safety implications? If so, please state</p>	<p>The park pathway surface is becoming a risk due to undulation, unevenness, cracks and diverts which could cause accidents, incidents and harm to the public (especially the elderly). The H&S implications are high for slip, trips and falls with a high likeliness and high severity. Completion of the surfacing works will mitigate the H&S risks that are currently present.</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>NA</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>NA</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>NA</p>

Maldon Cemetery Wall

Reserve Required (Please add detail of the reserve you are requesting funds from)	Repairs and Renewals
Project Category <ul style="list-style-type: none"> Essential (E) Service failure (SF) Service improvement (SI) 	Essential
Project Lead Officer	Debbie Horrey
Project Description <i>(Clearly set out what the overall purpose and main aims of the project are)</i>	The cemetery wall has had bricks stolen and is partially collapsed. This poses a health and safety risk. Removal of remainder of cemetery wall and replacement with hedge line. £2,000. Hedging as replacement £1,700 (7.5 plants per linear metre) Total £3,700 The cost to replace the wall with brick (many stolen) would estimated as £28,000, subject to detailed quotation (indicatively, brick laying & pointing for c.135 sq.m approx £16,200, Ground works and underpinning approx£4,500, Additional materials £2,700, contingency at 15% £3,510.
Project Start Date <i>(Month and year)</i>	ASAP
Project Completion Date <i>(Month and year)</i>	1 week from project start date
Resource Implications <i>(Identify what resources are needed (i.e. staff time, contractor resources, maintenance costs))</i>	Staff resources to remove bricks and correct pillars. Staff resources to plant hedge line
Picture <i>(Insert a picture in relation to the project (i.e. the defective site, the area for improvement, the asset due for replacement))</i>	

	Capital Expense	Revenue Implications		External Funding	
		One-off	On-going	Amount	Source of costs
	£	£	£	£	
2022/23		3,700			
2023/24					
2024/25					
2025/26					
TOTAL	0	3,700	0	0	0

RESERVES PROJECT SHEET

<p>Describe links to Corporate Goals</p> <p><i>Corporate goals:</i></p> <p>1) Strengthening communities to be safe, active and healthy</p> <p>2) Protecting and shaping the District</p> <p>3) Creating opportunities for economic growth and prosperity</p> <p>4) Delivering good quality, cost effective and valued services</p>	<p>1, 4</p>
<p>Are there any risks to the delivery of this project in the timeframe and/or costs detailed above. (Please provide details).</p>	<p>no</p>
<p>Are any statutory consents required as part of this project? If so, please state (i.e. planning consent, MMO licence etc)</p>	
<p>Are there Health & Safety implications? If so, please state</p>	<p>Yes, it is a health and safety risk not to complete this project</p>
<p>Is this part of a statutory obligation? If so, state how</p>	<p>Article 4 (1) of the Local Authorities Cemeteries Order "a burial authorityshall keep the cemetery in good order and repair together with all buildings, walls and fences....."</p>
<p>Is the project contractually committed to in any way? If so, please describe</p>	<p>no</p>
<p>Is there any linkage to other plans (i.e. business plan objectives)? If so, please provide details</p>	<p>Cemetery business plan to improve services and increase revenue.</p>

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REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

REVISED 2021 / 22 ESTIMATES, ORIGINAL 2022 / 23 BUDGET ESTIMATES AND COUNCIL TAX 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 To note the Provisional Local Government Finance Settlement 2022 / 23 which was announced by the Government on 16 December 2021.
- 1.2 To present to the Council the revised 2021 / 22 and original 2022 / 23 General Fund Revenue Budget estimates for approval.
- 1.3 To present the options for proposed level of Council Tax increase for 2022 / 23 for approval.
- 1.4 To present for to the Council the policy on use of reserves for approval.

2. RECOMMENDATIONS

- (i) that the following be approved:
 - (a) the Revised 2021 / 22 and Original 2022/23 General Fund Revenue Budget Estimates (**APPENDICES 1, 2 and 3**),
 - (b) an average Band D council tax of £212.40 (excluding parish precepts) (£5 increase) for 2021 / 22 (**APPENDIX 1**),
 - (c) policies on the designated use of financial reserves (**APPENDIX 4**),
 - (d) maintain the current policy of a minimum general fund balance of £2,600,000.
- (ii) that the Council gives due regard to the Director of Resources' (Section 151 Officer) statement on the robustness of budgets and adequacy of reserves in **APPENDIX 5**.

3. SUMMARY OF KEY ISSUES

- 3.1 The Council no longer receives revenue support grant funding from the Government meaning that the majority of the funding for the Council's services is from income raised directly by the Authority. The main sources of funding are Council Tax, Fees and Charges and Business Rates.

3.2 The requirement to set a balanced budget has required stringent processes to deliver efficiencies, preserve as far as possible front-line services, retain the ability to generate income and to recognise the increasing demand for services.

3.3 It should be noted that, at the time of writing this report, the National Non-Domestic Rates Return (NNDR1) for 2022 / 23 was not completed and, therefore, the funding figures from Business Rates are likely to change, which will affect the contributions to / (from) balances as shown in **APPENDIX 1**.

3.4 **Provisional Local Government Finance Settlement 2022 / 23**

3.4.1 The provisional 2022 / 23 local government finance settlement was announced on 16 December 2021. The Settlement Funding Assessment is the amount of funding consisting the 50% of the Business Rates Baseline Funding Level uprated by the increase in the small business rates multiplier that is identified by the Government under the current system of 50% Business Rates Retention Scheme and adjusted for the tariff that the authority pays.

	2017/18 £m	2018/19 £m	2019/20 £m	2020/21 £m	2021/22 £m	2022/23 £m
Settlement Funding Assessment – Maldon	1.601	1.474	1.508	1.532	1.532	1.532
of which:						
Revenue Support Grant	0.169	0	0	0	0	0
Business Rates Baseline Funding under 50% Business Rates Retention (BRR)	1.432	1.474	1.508	1.532	1.532	1.532
Annual % Change	-18.5%	-7.9%	2.3%	1.6%	0.0%	0.0%
Cumulative % Change	-18.5%	-25.0%	-23.2%	-22.0%	-22.0%	-22.0%

3.4.2 The Government each year also calculates an amount called the 'Core Spending Power' for each local authority which is an estimate of the amount of funding available to each authority to spend on their core services. It is made up of estimated Council Tax and Business Rates income, Revenue Support Grant, New Homes Bonus and a number of government grants.

CORE SPENDING POWER								
Please select authority								
maldon								
Illustrative Core Spending Power of Local Government:								
	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
	£ millions	£ millions	£ millions	£ millions	£ millions	£ millions	£ millions	£ millions
Settlement Funding Assessment	2.4	2.0	1.6	1.5	1.5	1.5	1.5	1.5
Compensation for under-indexing the business rates multiplier ¹	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.1
Council Tax Requirement excluding parish precepts ^{2,3}	4.1	4.3	4.5	4.7	4.8	5.1	5.2	5.4
Improved Better Care Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
New Homes Bonus	0.6	0.8	0.8	0.7	0.8	0.9	0.9	1.0
New Homes Bonus returned funding	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Rural Services Delivery Grant	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Transition Grant	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Adult Social Care Support Grant	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Winter Pressures Grant ⁴	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Social Care Support Grant	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Social Care Grant ⁵	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Market Sustainability and Fair Cost of Care Fund	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Lower Tier Services Grant	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1
2022/23 Services Grant	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Core Spending Power	7.2	7.1	7.0	6.9	7.3	7.6	7.8	8.2
Change since 2015-16 (£ millions)								1.0
Change since 2015-16 (% change)								13.2%

Source: Provisional Local Government Finance Settlement 2022 to 2023 published by MHCLG 16/12/2021

- 3.4.3 It can be seen from the above illustrative table that, in the Government's view, the total Core Spending Power includes the potential additional Council Tax from the £5 referendum principle for all Districts. The Council did increase its Council Tax by £5 in 2017 / 18, the first year that the Government introduced the £5 into the referendum principle in acceptance and recognition of the financial pressures that district councils have been experiencing.

Key Information for Local Authorities (£m)							
Select local authority by clicking on the box below and using the drop-down button							
Maldon							
	2016-17	2017-18 ¹	2018-19 ¹	2019-20 ¹	2020-21 ¹	2021-22 ¹	2022-23 ¹
Settlement Funding Assessment	2.0	1.6	1.5	1.5	1.5	1.5	1.5
of which:							
Revenue Support Grant ²	0.6	0.2	0.0	0.0	0.0	0.0	0.0
Baseline Funding Level	1.4	1.4	1.5	1.5	1.5	1.5	1.5
Tariff/Top-Up ²	-3.8	-3.6	-3.7	-3.8	-3.9	-3.9	-3.9
2017-18 Tariff and Top-up reconciliation			0.0				
Safety Net Threshold	1.3	1.3	1.4	1.4	1.4	1.4	1.4
Levy Rate	0.5	0.5	0.5	0.5	0.5	0.5	0.5

Source: Provisional Local Government Finance Settlement 2021 to 2022 published by MHCLG 16/12/2021

- 3.4.4 For 2022 / 23, government funding consists of the Business Rates Baseline funding, New Homes Bonus, Lower Tier Services Grant, Services Grant and the Rural Services Delivery Grant.
- 3.4.5 The New Homes Bonus (NHB) Scheme was introduced in 2011 / 12 to encourage local authorities to facilitate housing growth. For every additional property built or empty property brought back into use, the government match funds the additional council tax, with an additional amount for affordable homes.
- 3.4.6 There have been changes to the scheme over the years such as:
- the payments have reduced from six years to four years,
 - the introduction of an annual baseline housing growth of 0.4% below which no NHB would be payable,
 - from 2020 / 21 the government no longer pays NHB legacy payments relating to 2020 / 21.

3.4.7 For 2022 / 23 the government has maintained the Rural Services Delivery Grant at £85 million and the Council's allocation of £32,339, the same as 2021 / 22. However, they have added a Services Grant of £822 million (Council allocation £105,646) to help alleviate the 1.25% increase in National Insurance.

3.4.8 Finally, the Council's allocation for the provisional base Homelessness Prevention Grant for 2022 / 23 has also been maintained at £142,320, although an additional £3,690 has been added for Domestic Abuse New Burdens. Further allocations may be announced for the Flexible Housing Support Grant, and the Homelessness Reduction Grant in the future.

3.5 Revised General Fund Revenue Budget Estimates 2021 / 22

3.5.1 There have been some necessary changes to the 2021 / 22 budget since its approval in February 2021. £405,700 of revenue commitments unspent in 2020 / 21 needed paying for in 2021 / 22, so budget was carried forward from 2020 / 21 for this. Various approved supplementary estimates and mid-year growths this year have added up to £53,400 and £43,000 respectively. These have been offset by improved investment income returns of £81,000.

3.5.2 Also, the Budgetary Control report taken to the Strategy and Resources Committee on 11 November 2021 showed a net budget pressure of £0.112m. This pressure will need to be met by the General Fund reserve.

3.5.3 The original 2021 / 22 budget estimates showed a total of £Nil contribution from the General Fund Balances. The revised estimates continue to show a contribution of £Nil from the General Fund Balances after contributions from earmarked reserves, as per **APPENDIX 4**. This maintains the General Fund Balance of £5.8m.

3.5.4 The Council continues to receive additional income from growth above the baseline in local business rates and pooling arrangements within the Essex Region Business Rates Pool. The final benefits from being in the pool will not be known until the year end.

3.5.5 £793,000 is being drawn down for the Local Development Plan (LDP) from the New Homes Bonus (NHB) reserve and £163,000 from the Council Tax and Business Rates Equalisation reserve as per 2021 / 22 Budget Setting. Also, as previously budgeted, the General Fund made its annual contribution of £520,000 to the Pensions reserve towards the tri-annual payment towards the Pension Fund. Since then, £405,700 has been drawn from 2020 / 21 via the Revenue Commitments reserve, £3,500 from the Feasibility reserve, and a further £15,400 will be required from the Council Tax and Business Rates Equalisation reserve this year. These have been built into the revised budget for 2021 / 22 only.

3.6 Original General Fund Revenue Budget Estimates 2022 / 23

3.6.1 The proposed 2022 / 23 net operating expenditure budget after adjusting for statutory adjustments, but before any non-service specific funding and use of reserves totals £10.322m and is therefore £0.869m (9.19%) higher than 2021 / 22 (£9.453m).

3.6.2 There are additional growth pressures such as an increase for inflation of £648,000, due to:

- an estimated 2.5% increase on gross salaries,
- an additional increase in National Insurance contributions from 13.80% to 15.05%,

- plus net incremental salary grade pressures,
 - an increase in national minimum wage from £8.36 per hour to £8.91 (6.6%) pushing up contract costs,
 - 4.8% and 3.2% increases for Retail Price Index (RPI) and Consumer Price Index (CPI) indexed expenditure respectively, measured in August 2021. This mainly applies to operational contracts related to waste services, street cleansing and parks, and corporate contracts such as transaction charges and IT licences, which are collectively increasing by £251,000.
- 3.6.3 Due to recent budget growth bids and forecast increased pension service costs, it is estimated that in 2022 / 23 there will need to be a net contribution to General Fund balances of £452,000.
- 3.6.4 The Council Tax increase is considered in Section 3.13. Proposals for the usage of earmarked reserves are discussed in more detail in Section 3.14.
- 3.6.5 2022 / 23 Budgets have initially been built up as follows:
- Embedded New Council Structure;
 - Inflation assumptions on existing contracts - 2.5% for pay, 1.25% for NI and contractual inflation on goods and services based upon CPI or RPI dependent of terms within contracts;
 - Expected income from fees and charges and grant income;
 - Implications of statutory and contractual changes, non-inflation cost pressures;
 - Growth and Savings, as discussed later in this report.
- 3.6.6 As part of the budget setting process for 2022 / 23 the Maldon District residents were consulted and the results of the survey are at **APPENDIX 6**.
- 3.7 Budget Growth, Savings and Income Generation in 2021 / 22**
- 3.7.1 On 6 January 2022, the Strategy and Resources Committee and considered a report on the budget growth and savings for 2022 / 23. These proposals have been built into the core 2022 / 23 budget in consultation with the Finance Working Group for approval at the Strategy and Resources Committee meeting. The estimates currently stand at £0.727m for Growth; £0.453m in Savings.
- 3.7.2 Furthermore, the Strategy and Resources Committee considered non-recurring growth in 2022 / 23 in relation to repairs and renewals of Council assets, which would not form part of the capital programme, totalling £0.085m (£0.128m in 2021/22). The difference of £43k has been retained as a repairs and renewals contingency budget for other unexpected expenditure of a similar nature.
- 3.7.3 The Essex Local Council Tax Sharing Agreement will continue for the foreseeable future, along with the performance targets. For 2022 / 23 the Council has budgeted the benefit at £142,500. This is up £18,200 from the £124,300 budgeted in the current year, due the improving trend in collecting Council Tax from last financial year.

3.8 New Homes Bonus (NHB)

- 3.8.1 NHB is not ring-fenced and, therefore, it can be used by the Council for whatever purpose it wishes. A couple of years ago, the government has stated that the NHB scheme would change and, as a result, 2022 / 23 will be the last year legacy payments will be received by councils. Helpfully, a further £763,304 has been announced in the provisional local government settlement on top of the legacy payment of £418,142. This means the amount in 2022 / 23 to support the general fund revenue expenditure is £961,172 (£929,981 in 2021 / 22).

3.9 Pension Fund Deficit Recovery

- 3.9.1 The Pension Fund Triennial Valuation 2019 was concluded and the results at that time showed that the deficit on the Council's element of the overall Fund in respect of assets and liabilities had reduced from £8.181m to £5.318m with the funding level improving from 81.7% to 90.2%. The deficit recovery period has reduced from 15 years to 12 years. The primary employer's contribution rate has increased from 15.9% to 19.9% of pensionable pay from the current financial year. The Council chose to pay the triennial deficits up front so a payment of £1.556m was paid in the 2020/21 financial year using the General Fund Reserves / Balance, then making a £0.520m contribution in each of the year's 2021 / 22 and 2022 / 23 be transferred to the Pension Reserve in the earmarked reserves in readiness for the next Triennial Valuation in 2023 / 24 to mitigate the impact of the deficit recovery payment at the time.

3.10 Essex Region Business Rates Pool

- 3.10.1 As agreed by the Council in October 2015, the Council joined the Essex Region Business Rates Pool in April 2016. The Pool will continue to operate in 2022 / 23 and the Council will continue to benefit by being in the Pool.

3.11 Interest on Investments

- 3.11.1 Interest from investment income is an integral part of the budget considerations. Bank of England base rate decreased in March 2020 to 0.1% and it remained at that rate until December 2021 when the Bank of England increased the base rate to 0.25%. The 2022 / 23 budget estimate for investment interest income is £214,000 at an average investment balance of £29m during the year at a rate of 0.74%. This is equivalent to our recent forecasts for 2021 / 22.

3.12 Council Tax

- 3.12.1 The Council Tax referendum threshold set by the Secretary of State for 2022 / 23 was announced as part of the Provisional Settlement; and for Maldon, the threshold has been set at 2% increase over 2021 / 22 or £5, whichever is the greater. Any Council proposing increases more than the threshold faces the substantial cost of conducting a local referendum and, if it results in a 'No' vote, the rebilling cost as well.

- 3.12.2 The Government, in calculating the core spending power for each council, assumes they will have taken the benefit of the £5 increase (see table in paragraph 3.4.2) it is important that the Council considers the option of the £5 increase for 2022 / 23.

Options for Increase in Council Tax from 2021 / 22 to 2022 / 23	Increase on 2020 / 21 Band D Council Tax of £207.40		Additional Income Band D
Tax Base = 25,524.3	0.00%	£5.00	
Band D Council Tax 2022/23	£207.40	£212.40	£5.00
Maldon District Council: Council Tax	£5,293,741	£5,421,361	£127,620

- 3.12.3 Increasing the council tax by £5 to £212.40 instead of a Council Tax freeze of 0% (£0) to £207.40 would raise an additional income of £127,620 in 2022 / 23, thus reducing the requirement from General Fund Balances by that amount to support the General Fund net expenditure.
- 3.12.4 A £5 increase represents a 2.41% increase on 2021/22 Council Tax as every 1% increase in Council Tax will bring in an additional £54,214.
- 3.12.5 The Council's net expenditure budget (excluding parish precepts but after service specific funding and contribution from reserves) for 2022 / 23 is £6,914,021. This is matched by the estimated total resources with the Band D council tax at £212.40 i.e. £5 increase on 2021 / 22 (**APPENDIX 1**).
- 3.12.6 The tax base to be used for setting the 2022 / 23 Council Tax. It has been calculated at 25,524.3 "Band D equivalent" properties, after allowing for a non-collection rate of 2.7%. This tax base is being applied for the purposes of setting the 2022 / 23 Council Tax.
- 3.12.7 In terms of the estimated (surplus) / deficit on the Collection Fund as at 31 March 2022, Maldon District Council's share of the net deficit, which has increased our Council Tax, was £1,567,750 comprised of a surplus distribution on Council Tax of £181,866 and a deficit distribution on Business Rates of £1,749,616. We are still awaiting the 2021 / 22 Business Rates pooling results which will be finalised at the end of the financial year.
- 3.12.8 In accordance with the legislation under the Local Government Finance Act 1992, all parish precepts must be charged to the Council's General Fund. At the time of writing this report not all parish precepts had been received. It is envisaged that all the parish precepts will be reported at the Council meeting on 24 February 2022 for Council Tax setting purposes.

3.13 Council Tax £5 increase on 2021 / 22 Band D Basic amount of £207.40

- 3.13.1 The Budget estimates have been constructed on the basis that the Council is proposing to increase council tax by £5.00 which is within the referendum threshold for 2022 / 23. This represents a prudent approach having regard to the balance of the risks and opportunities facing the Council in future years; in the context of its underlying financial base with subsequent increases to be reviewed each year in the light of emerging risks. The budget for 2022 / 23 is balanced, however, there are some uncertainties still facing local government finance. Inflation has increased significantly over the past year (5.1% as of November 2021) and is forecast to remain high throughout 2022 / 23. The move from the 50% Business Rates Retention to 75% Business Rates Retention system is on hold and it is not known when or

whether it will be implemented. Any change to the Business Rates retention system will, most likely result in a reset of the Business Rates Baseline, which it is expected will remove the growth that has been achieved since the system was introduced. This could take away resources from this Council. However, it is not possible to predict what the exact impact would be without knowing the details of the new system. There is also the ongoing uncertainty around the impact of Covid-19. The pandemic has created challenges for financial forecasting, due to the uncertainty involved. Possible impacts are covered in more detail in paragraph 3.16.3.

- 3.13.2 Council Tax increases become part of the overall financial base of the Council. The proposed £5 increase in Council Tax will generate an additional £127,622 of income in 2022 / 23. If this increase is not approved for 2022 / 23 then the gap in future years widens and any necessary Council Tax increase would then be greater.

3.14 General Fund Balance and Revenue Reserves

- 3.14.1 Detailed policy information for each earmarked revenue reserve and anticipated balances is set out in **APPENDIX 4**.

- 3.14.2 Based on the latest risk assessment it is considered that the Council maintains the approved minimum working balance level from £2.6m this will be regularly reviewed in the light of changing circumstances.

- 3.14.3 A summary of the proposed use of reserves is summarised in the table overleaf and is based on a budget projection that includes aspects such as inflation and a number of priority and statutory growth pressures offset by savings identified. The overall aim is to ensure that reserves do not fall below £2.6m and the current projections keep within this target.

3.14.4

The NHB Working Holds Projections on Reserves	Balances Movement (taking into account estimated use in 2021 / 22)	2021 / 22 (Revised) £0	2022 / 23 £0
	Balance brought forward		
	General Fund Reserves	5,800	5,688
	Earmarked Reserves	8,414	7,553
	Total	14,214	13,241
	Projected Movement		
	General Fund Reserves	-112	-452
	Earmarked Reserves	-861	-1,731
	Total	-973	-2,183
	Balance carried forward		
	General Fund Reserves	5,688	5,236
	Earmarked Reserves	7,553	5,822
	Total	13,241	11,058

reserve (NHB) has been building up from unutilised payments and legacy payments received since 2018 / 19. The government has conducted a consultation on the future of the NHB during 2021 / 22. The results of which are yet to be announced. The NHB Reserve balance as at 31/03/22 will be £390,949. This is because £793,000 of the reserve will be utilised during 2021 / 22 to fund the work on Local Development Scheme 2020 - 2022 and Local Development Plan Review. A further £391,000 will be utilised on the same projects during 2022/23. Therefore, the NHB reserve balance is projected to be £Nil as at 31/03/23.

3.14.5 In setting budgets and projections for individual years, it is important that the Council is not reliant on the use of reserves to support revenue expenditure thus creating an unsustainable future. Therefore, the use of these reserves is for one-off expenditure, not to fund ongoing revenue costs and should be replenished where required over time.

3.15 Medium Term Financial Strategy (MTFS)

3.15.1 The MTFS is currently also being reported to the Strategy and Resources Committee and will be presented to the Council on 24 February 2022 for consideration at the same time as the suite of financial reports for 2022 / 23.

3.16 View on Risks

3.16.1 Risks to the Council's financial position could derive potentially from budget overspend, loss of investment income, contractual / legislative failure, shortfall in forecast business rates growth or challenge and emergency events. Historically, the Council's outturn has been within budget and investment income has been above budget; therefore, this is not seen as a high risk to the Council and it is not necessary to make additional significant provision. However, robust budget management, monitoring and reporting will be a key discipline for all budget managers and ensuring that savings and income levels included in the budget are achieved, will be a key focus.

3.16.2 The level of risk posed by contractual or legislative failure and emergency events is difficult to predict, but it would be a low probability with a potentially high impact. However, it is not appropriate to set aside large amounts of reserve against the possibility of this happening and that appropriate bond / Parent Company Guarantee have been built into large contracts.

3.16.3 It is important to recognise that with the introduction of the Business Rates Retention, there is a considerable degree of uncertainty in the forecast for business rates growth as much of it depends on external factors including the impact of successful appeals. The Council's own economic development policies can have an impact on business rates growth and therefore it is important that the planning services, economic development services and the business rates service have a co-ordinated approach to inward investment policies. It is important to ensure a high level of growth in the District, as any empty properties create a risk on the level of Business Rates income the Council will receive.

3.16.4 The impact of Coronavirus will continue in future years and assumptions have been made regarding how this might affect the Council's income streams. The following table sets some of these out.

Income Stream	2022 / 23 £000
Leisure Contract	-247
Business Rates compared to pre-COVID	-235
Increase in Kerbside Waste	-188
Lower Council Tax Collection Rate	-39
Total	-709

3.16.5 In the local government settlement for 2021/22 the following two grants were announced which we kept aside as a Covid-19 contingency:

- Covid 19 Funding, £306,149;
- Lower Tier Services Grant, £65,264.

3.16.6 In the provisional local government settlement for 2022 / 23 the Covid 19 Funding will cease but the Lower Tier Services Grant will increase by £3,481. The Covid contingency budget has now been removed and the remaining £68,745 taken as savings.

3.16.7 Section 25 of the 2003 Local Government Act requires the Section 151 Officer to make a formal report to the Council on the robustness of the budget and adequacy of reserves (**APPENDIX 5**).

4. CONCLUSION

4.1 After including all items within the financial projections, general fund and earmarked reserves at the start of 2022 / 23 are expected to be £13.241m with all known movements considered. The government has set the referendum threshold for the increase in the average band D council tax in 2022 / 23 for district councils at 2% or £5, whichever is the greater. Due to the unknown impact of future changes to Local Government finance, it is proposed that the Council should take the opportunity to increase its financial base by increasing the average band D council tax by £5, the maximum allowed for by the government before a referendum is required.

5. IMPACT ON STRATEGIC THEMES

5.1 This report sets out the resources that are and will be available to the Council in 2022 / 23 to meet the outcomes set out in the three strategic themes of Place, Community and Prosperity.

6. IMPLICATIONS

- (i) **Impact on Customers** – The budget process ensures that changes in service delivery resulting in budget changes are reviewed by Officers and Members so that any impact can be considered. In 2022 / 23, only essential budget growth has been considered.
- (ii) **Impact on Equalities** – The budget affects all residents in the District, it is not considered that the growth bids for 2022 / 23 individually impact negatively on an individual user group.
- (iii) **Impact on Risk** – The distribution of resources reflected in the revenue and capital budgets is designed to support the Authority's approach to risk management (i.e. to reduce all major corporate risks to a level within approved tolerances through the implementation of approved mitigation plans).
- (iv) **Impact on Resources (financial)** – This report details the impact on financial resources.
- (v) **Impact on Resources (human)** – The budget includes a pay inflationary increase.

(vi) **Impact on the Environment** – None directly.

Background papers:

Budgetary Control Report to the Strategy and Resources Committee, 11 November 2021.

Growths Report to the Strategy and Resources Committee, 6 January 2022.

Revised 2021 / 22 Estimates, Original 2022 / 23 Budget Estimates and Council Tax 2022 / 23 Report to the Strategy and Resources Committee, 3 February 2022.

Enquiries to: Lance Porteous, Lead Specialist, Finance.

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Council Tax Summary 2022 / 23

REVENUE ESTIMATES SUMMARY 2022/23					
		Original	Revised	Original	
		2021/22	2021/22	2022/23	
		Original	Revised	Original	
Directorates		£000	£000	£000	
	Resources	3,676	3,876	3,714	
	Service Delivery	5,606	5,879	7,091	
	Strategy Performance and Governance	2,634	2,667	2,931	
Net Cost of Services		11,916	12,422	13,736	
	Interest on Investments	(133)	(214)	(214)	
Net Operating Expenditure		11,783	12,208	13,522	
Appropriations & Adjustments					
	Statutory Adjustments	(2,330)	(2,330)	(3,200)	
	Govt Direct Grants				
	- New Homes Bonus	(930)	(930)	(961)	
	- Other Direct Grants	(200)	(200)	(264)	
	To/(From) Earmarked Revenue Reserves	(436)	(861)	(1,731)	
	To/(From) General Fund Reserve	0	0	(452)	
Expenditure to be Funded		7,887	7,887	6,914	
		2021/2022		2022/2023	
	Property Tax Base (Band D equivalent)	24,959.1		25,524.3	
	Council Tax Charges	Charge @	Total	Charge @	Total
		Band D	Cost	Band D	Cost
		£ : p	£	£ : p	£
	Revenue Expenditure to be Funded	316.00	7,887,143	270.88	6,914,021
	Revenue Support Grant	0.00		0.00	
	Business Rates Retention				
	- Renewable Energy	(29.80)	(743,687)	(29.23)	(746,164)
	- Base Line Funding	(61.40)	(1,532,486)	(60.05)	(1,532,729)
	- Business Growth Retention	(39.54)	(986,804)	(72.36)	(986,804)
	- Levy on Business Rates Growth net to ECC Pool	8.22	205,288	19.53	205,288
	- NDR Collection Fund Adjustment (Surplus)/Deficit	13.52	337,467	68.55	1,749,616
	Council Tax Collection Fund Adj (Surplus)/Deficit	0.38	9,596	(7.13)	(181,866)
	Maldon District Council Charge	207.40	5,176,517	212.40	5,421,362

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ORIGINAL 20/21 Top
REVISED 20/21 Bottom (GREEN)

		Direct Costs				Recharges			Income			APPENDIX 2
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £
<u>Service Management & Support Services</u>												
172	Strategy, Performance & Governance	1,446,000	4,400	10,700	0	8,200	0	0	0	0	0	1,469,300
		1,795,800	4,400	10,700	0	8,400	0	0	0	(73,100)	0	1,746,200
171	Resources	2,332,500	0	28,100	0	101,600	0	0	0	0	0	2,462,200
		2,296,200	0	107,100	0	103,800	0	0	0	0	0	2,507,100
170	Service Delivery	6,019,300	9,500	39,800	0	154,200	0	0	0	0	0	6,222,800
		6,095,700	15,000	39,800	0	157,500	0	0	0	(57,000)	0	6,251,000
101	Corporate Core	0	0	2,000	0	0	0	0	0	0	0	2,000
		0	0	900	0	0	0	0	0	0	0	900
102	Election Services	0	0	200	0	0	0	0	0	0	0	200
		0	0	0	0	0	0	0	0	0	0	0
103	Policy & Comms	0	0	0	0	0	0	0	0	0	0	0
		0	0	39,200	0	0	0	0	0	0	0	39,200
104	Training	0	0	49,200	0	0	0	0	0	0	0	49,200
		0	0	82,600	0	0	0	0	0	(3,500)	0	79,100
105	Human Resources	0	0	32,800	0	0	0	0	0	0	0	32,800
		0	0	34,000	0	0	0	0	0	0	0	34,000
106	Apprentices	18,000	0	0	0	0	0	0	0	0	0	18,000
		20,500	0	0	0	0	0	0	0	0	0	20,500
108	Committee Services	0	0	23,100	0	0	0	0	(10,000)	0	0	13,100
		0	0	17,600	0	0	0	0	0	0	0	17,600
109	General Office Support	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
110	Customer Services	0	0	16,700	0	0	0	0	0	0	0	16,700
		0	0	16,000	0	0	0	0	0	0	0	16,000
111	Internal Audit & Perf. Review	0	0	72,400	0	0	0	0	0	0	0	72,400
		0	0	0	0	0	0	0	0	0	0	0
113	Finance	0	0	39,400	0	0	0	0	0	0	0	39,400
		0	0	38,200	0	0	0	0	0	0	0	38,200
114	Revenues & Benefits	0	0	105,000	0	0	0	0	0	(227,000)	0	(122,000)
		0	0	192,700	0	0	0	0	0	(287,000)	0	(94,300)
118	Leisure & Community	0	200	65,800	0	0	0	0	0	(9,000)	0	57,000
		0	0	61,200	0	0	0	0	0	(9,000)	0	52,200
119	IT Services	0	0	534,300	164,300	0	0	0	0	0	0	698,600
		0	0	534,300	164,300	0	0	0	0	0	0	698,600
121	Council Offices	400	0	261,700	94,900	(304,000)	0	0	0	(53,000)	0	0
		0	0	251,700	94,900	(310,500)	0	0	0	(36,100)	0	0
124	Princes Rd Depot	0	0	15,500	3,100	0	0	0	0	0	0	18,600
		0	0	39,200	3,100	0	0	0	0	0	0	42,300
129	Legal	0	0	0	0	0	0	0	0	0	0	0
		0	0	18,400	0	0	0	0	0	(10,000)	0	8,400
132	Environmental Health	0	0	11,200	0	0	0	0	0	0	0	11,200
		0	0	12,900	0	0	0	0	0	0	0	12,900
133	Environmental Waste	0	0	1,700	0	0	0	0	0	0	0	1,700
		0	0	2,600	0	0	0	0	0	0	0	2,600
134	Housing	0	0	7,400	0	0	0	0	0	0	0	7,400
		0	0	1,100	0	0	0	0	0	0	0	1,100
141,523,602	Parks & Countryside Services	74,600	46,900	104,300	33,800	0	0	0	(46,400)	(75,000)	0	138,200
		72,800	51,200	113,300	33,800	0	0	0	(46,400)	(75,000)	0	149,700
149	Nursery	0	0	0	400	0	0	0	0	0	0	400
		0	0	0	0	0	0	0	0	0	0	0
153	Parks Rangers	0	7,200	8,700	4,300	0	0	0	0	(96,200)	0	(76,000)
		0	6,600	124,700	4,700	0	0	0	0	(203,800)	0	(67,800)
155	Prom Depot	0	0	10,900	3,600	0	0	0	0	(2,500)	0	12,000
		0	0	13,000	3,600	0	0	0	0	0	0	16,600

ORIGINAL 20/21 Top REVISED 20/21 Bottom (GREEN)		Direct Costs				Recharges			Income			APPENDIX 2	
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £	
163	Enforcement	0	0	6,200	0	0	0	0	0	0	0	6,200	
		0	0	6,200	0	0	0	0	0	0	0	6,200	
164	Economic Development	0	0	500	0	0	0	0	0	0	0	500	
		0	0	0	0	0	0	0	0	0	0	0	
165	Planning Policy Services	0	0	3,100	0	0	0	0	0	0	0	3,100	
		0	0	0	0	0	0	0	0	0	0	0	
166	Planning Admin Services	0	0	24,900	0	0	0	0	0	0	0	24,900	
		0	0	23,600	0	0	0	0	0	0	0	23,600	
167	Development Control Services	0	0	11,900	0	0	0	0	0	0	0	11,900	
		0	0	11,900	0	0	0	0	0	0	0	11,900	
168	Building Control Services	0	5,500	5,100	0	0	0	0	0	0	0	10,600	
		0	0	3,000	0	0	0	0	0	0	0	3,000	
TOTAL Service Management & Support Services		9,890,800	73,700	1,492,600	304,400	(40,000)	0	0	(56,400)	(462,700)	0	11,202,400	
		10,281,000	77,200	1,795,900	304,400	(40,800)	0	0	(46,400)	(754,500)	0	11,616,800	
		1,589,500											
Central Services													
Corporate Core & Democratic													
256	Corporate Management	0	0	545,900	0	0	0	0	0	0	(371,400)	174,500	
		0	0	620,700	0	0	0	0	0	0	(371,400)	249,300	
260	Democratic Representation & Mgt	228,600	14,000	27,200	1,100	40,000	0	0	0	0	0	310,900	
		228,600	14,000	25,900	1,100	40,800	0	0	0	0	0	310,400	
270	Future Model Transformation	0	0	0	0	0	0	0	0	0	0	0	
		0	0	70,400	0	0	0	0	0	0	0	70,400	
TOTAL Corporate & Democratic Core		228,600	14,000	573,100	1,100	40,000	0	0	0	0	(371,400)	485,400	
		228,600	14,000	717,000	1,100	40,800	0	0	0	0	(371,400)	630,100	
		(317,000)											
Central Services to the Public													
202	Business Rates Collection	0	0	4,300	0	0	0	0	0	(5,100)	(90,000)	(90,800)	
		0	0	5,900	0	0	0	0	0	(5,100)	(90,000)	(89,200)	
209	Council Tax Benefit Admin	0	0	3,200	0	0	0	0	0	0	(54,300)	(51,100)	
		0	0	9,500	0	0	0	0	0	0	(61,800)	(52,300)	
216	Council Tax Collection	0	0	34,600	0	0	0	0	(101,200)	0	0	(66,600)	
		0	0	48,800	0	0	0	0	0	(101,200)	0	(52,400)	
213	Electoral Registration	0	0	43,600	0	0	0	0	0	0	0	43,600	
		0	0	39,200	0	0	0	0	0	0	0	39,200	
253	Civil Emergencies	0	0	37,900	0	0	0	0	0	0	0	37,900	
		0	0	5,284,800	0	0	0	0	0	(27,500)	(5,219,400)	37,900	
254	Election Management	0	0	96,500	600	0	0	0	0	0	0	97,100	
		0	0	114,300	600	0	0	0	0	0	0	114,900	
255	Land Charges	0	0	70,400	0	0	0	0	(124,300)	0	0	(53,900)	
		0	0	70,400	0	0	0	0	(124,300)	0	0	(53,900)	
TOTAL Central Services		0	0	290,500	600	0	0	0	(225,500)	(5,100)	(144,300)	(83,800)	
		0	0	5,572,900	600	0	0	0	(124,300)	(133,800)	(5,371,200)	(55,800)	

ORIGINAL 20/21 Top REVISED 20/21 Bottom (GREEN)		Direct Costs				Recharges		Income				APPENDIX 2	
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £	
												89,100	
Cultural, Environmental & Cultural Services													
501, 502, 503, 509, 520, 522	Sport	0	0	184,200	24,400	0	0	0	0	(638,200)	0	(429,600)	
		0	0	182,200	24,400	0	0	0	(5,000)	(638,200)	0	(436,600)	
122, 506, 508	Community Centres	0	0	25,600	9,300	0	0	0	0	(7,400)	0	27,500	
		0	0	33,700	9,300	0	0	0	0	(7,400)	0	35,600	
505, 511, 514, 516, 518, 519	Parks & Open Spaces	32,000	0	319,200	219,300	0	0	0	(635,400)	(224,700)	0	(289,600)	
		35,500	0	164,500	219,300	280,000	0	0	(582,700)	(266,700)	0	(150,100)	
542, 546	Heritage	0	0	4,000	3,400	0	0	0	0	0	0	7,400	
		0	0	0	3,400	4,700	0	0	0	0	0	8,100	
309	Rivers	0	6,100	36,900	2,400	0	0	0	(37,000)	(136,100)	0	(127,700)	
		0	6,600	33,000	2,400	0	0	0	(37,000)	(136,100)	0	(131,100)	
320, 325, 330	Tourism	0	0	47,500	0	0	0	0	0	0	0	47,500	
		0	0	19,300	0	0	0	0	0	(4,000)	0	15,300	
TOTAL Cultural Services		32,000	6,100	617,400	258,800	0	0	0	(672,400)	(1,006,400)	0	(764,500)	
		35,500	6,600	432,700	258,800	284,700	0	0	(624,700)	(1,052,400)	0	(658,800)	
												(422,800)	
Environmental Services													
340	Public Entertainment Licences	0	0	30,600	0	0	0	0	(51,000)	(5,700)	0	(26,100)	
		0	0	30,600	0	0	0	0	(51,900)	(5,700)	0	(27,000)	
341	Hackney Carriage	0	0	18,800	0	0	0	0	(1,800)	(33,400)	0	(16,400)	
		0	0	18,800	0	0	0	0	(1,800)	(33,400)	0	(16,400)	
550	Public Conveniences	0	0	114,700	18,900	0	0	0	0	0	0	133,600	
		0	0	119,700	18,900	0	0	0	0	0	0	138,600	
555	Cemeteries	0	0	47,600	14,600	0	0	0	(139,000)	(300)	0	(77,100)	
		0	0	86,600	0	0	0	0	(139,000)	(300)	0	(52,700)	
562, 563	Community Safety	0	0	38,100	0	0	0	0	0	(14,300)	0	23,800	
		0	0	38,100	0	0	0	0	0	(14,300)	0	23,800	
576, 579, 581	Waste Management	0	2,500	3,794,900	222,200	0	0	0	(2,168,300)	(700)	0	1,850,600	
		0	1,800	4,041,300	222,200	0	0	0	(12,400)	(2,338,100)	0	1,914,800	
566, 567, 570, 571, 572, 573, 577	Other Environmental Health	0	1,400	53,700	2,200	0	0	0	(59,200)	(700)	0	(2,600)	
		0	1,200	78,000	2,200	0	0	0	(53,900)	(3,700)	0	23,800	
TOTAL Environmental Services		0	3,900	4,098,400	257,900	0	0	0	(2,419,300)	(55,100)	0	1,885,800	
		0	3,000	4,413,100	243,300	0	0	0	(259,000)	(2,395,500)	0	2,004,900	
												223,400	
Planning & Development Services													
232	Discretionary Rate Relief	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
301	Planning Policy	0	0	796,500	0	0	0	0	0	0	0	796,500	
		0	0	576,400	0	0	0	0	0	0	(20,000)	556,400	
302	Development Control	0	0	119,000	0	0	0	0	(807,800)	(15,600)	0	(704,400)	
		0	0	119,000	0	0	0	0	(773,600)	(10,000)	0	(664,600)	
303	Building Regs - Fee Related	0	0	500	0	0	0	0	(151,500)	0	0	(151,000)	
		0	0	500	0	0	0	0	(165,400)	(900)	0	(165,800)	
313	Building Regs - Non Fee Related	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
304	Building Conservation	0	0	1,800	0	0	0	0	0	0	0	1,800	
		0	0	1,800	0	0	0	0	0	0	0	1,800	
305	Economic Development	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
307	Gypsy & Traveller	0	0	8,400	0	0	0	0	0	0	0	8,400	
		0	0	8,400	0	0	0	0	0	0	0	8,400	
317	Bradwell B	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
565	Community Grants	0	0	75,000	0	0	0	0	0	0	0	75,000	
		0	0	75,000	0	0	0	0	0	0	0	75,000	
TOTAL Planning & Development Services		0	0	1,001,200	0	0	0	0	(959,300)	(15,600)	0	26,300	
		0	0	781,100	0	0	0	0	(939,000)	(10,900)	(20,000)	(188,800)	

ORIGINAL 20/21 Top REVISED 20/21 Bottom (GREEN)		APPENDIX 2										
Cost Centre	Description	Direct Costs				Recharges		Income				Net Budget
		Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	
												599,500
<u>Highways, Roads & Transport</u>												
311	Highways	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
312	Street Naming	0	0	8,900	0	0	0	0	0	0	0	8,900
		0	0	7,900	0	0	0	0	0	0	0	7,900
534, 535	Off Street Parking	0	0	172,000	15,000	0	0	0	(900,200)	0	0	(713,200)
		0	0	166,000	15,000	0	0	0	(863,200)	0	0	(682,200)
<u>TOTAL Highways, Roads & Transport Services</u>		0	0	180,900	15,000	0	0	0	(900,200)	0	0	(704,300)
		0	0	173,900	15,000	0	0	0	(863,200)	0	0	(674,300)
		(106,800)										
<u>Housing Services</u>												
204	Rent Allowances	0	0	11,559,600	0	0	0	0	0	(345,100)	(11,054,600)	159,900
		0	0	10,331,100	0	0	0	0	0	(211,800)	(10,109,400)	9,900
203	Housing Benefits Admin	0	0	12,200	0	0	0	0	0	(7,000)	(110,000)	(104,800)
		0	0	21,700	0	0	0	0	0	(7,000)	(113,000)	(98,300)
591, 592, 593, 598	Other Housing Services	0	0	177,900	0	0	0	0	(13,000)	(32,500)	(142,300)	(9,900)
		0	0	183,700	0	0	0	0	(21,000)	(32,500)	(148,000)	(17,800)
<u>TOTAL Housing Services</u>		0	0	11,749,700	0	0	0	0	(13,000)	(384,600)	(11,306,900)	45,200
		0	0	10,536,500	0	0	0	0	(21,000)	(251,300)	(10,370,400)	(106,200)
		300										
<u>Non Distributed Costs</u>												
257	Non Distributed Costs	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
<u>TOTAL Non Distributed Costs</u>		0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
<u>Other Services</u>												
224	Misc Land & Property	0	0	4,400	0	0	0	0	(68,500)	0	0	(64,100)
		0	0	3,200	0	0	0	0	0	(35,500)	0	(32,300)
225	Industrial Sites	0	0	2,800	0	0	0	0	(114,900)	0	0	(112,100)
		0	0	1,800	0	0	0	0	0	(114,900)	0	(113,100)
<u>TOTAL Other Services</u>		0	0	7,200	0	0	0	0	(183,400)	0	0	(176,200)
		0	0	5,000	0	0	0	0	0	(150,400)	0	(145,400)
		(2,200)										
<u>SUB TOTAL</u>												
	ORIGINAL 21/22	10,151,400	97,700	20,011,000	837,800	0	0	0	(5,429,500)	(1,929,500)	(11,822,600)	11,916,300
	REVISED 21/22	10,545,100	100,800	24,428,100	823,200	284,700	0	0	(2,877,600)	(4,748,800)	(16,133,000)	12,422,500
Less Vacancy/Savings Allowance												
<u>TOTAL AGREED BUDGET</u>												
	ORIGINAL 21/22	10,151,400	97,700	20,011,000	837,800	0	0	0	(5,429,500)	(1,929,500)	(11,822,600)	11,916,300
	REVISED 21/22	10,545,100	100,800	24,428,100	823,200	284,700	0	0	(2,877,600)	(4,748,800)	(16,133,000)	12,422,500

ORIGINAL 22/23 Top
ORIGINAL 21/22 Bottom
(YELLOW)

		Direct Costs				Recharges			Income			APPENDIX 3
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £
Service Management & Support Services												
172	Strategy, Performance & Governance	2,188,500	4,400	10,700	0	8,000	0	0	0	(50,500)	0	2,161,100
		1,446,000	4,400	10,700	0	8,200	0	0	0	0	0	1,469,300
171	Resources	2,526,500	0	122,100	0	99,000	0	0	0	0	0	2,747,600
		2,332,500	0	28,100	0	101,600	0	0	0	0	0	2,462,200
170	Service Delivery	7,327,000	15,000	71,800	0	154,200	0	0	0	0	0	7,568,000
		6,019,300	9,500	39,800	0	154,200	0	0	0	0	0	6,222,800
101	Corporate Core	0	0	800	0	0	0	0	0	0	0	800
		0	0	2,000	0	0	0	0	0	0	0	2,000
102	Election Services	0	0	0	0	0	0	0	0	0	0	0
		0	0	200	0	0	0	0	0	0	0	200
103	Policy & Comms	0	0	43,200	0	0	0	0	0	0	0	43,200
		0	0	0	0	0	0	0	0	0	0	0
104	Training	0	0	49,200	0	0	0	0	0	0	0	49,200
		0	0	49,200	0	0	0	0	0	0	0	49,200
105	Human Resources	0	0	32,800	0	0	0	0	0	0	0	32,800
		0	0	32,800	0	0	0	0	0	0	0	32,800
106	Apprentices	18,000	0	0	0	0	0	0	0	0	0	18,000
		18,000	0	0	0	0	0	0	0	0	0	18,000
108	Committee Services	0	0	17,600	0	0	0	0	0	0	0	17,600
		0	0	23,100	0	0	0	0	0	(10,000)	0	13,100
109	General Office Support	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
110	Customer Services	0	0	16,400	0	0	0	0	0	0	0	16,400
		0	0	16,700	0	0	0	0	0	0	0	16,700
111	Internal Audit & Perf. Review	0	0	0	0	0	0	0	0	0	0	0
		0	0	72,400	0	0	0	0	0	0	0	72,400
113	Finance	0	0	39,100	0	0	0	0	0	0	0	39,100
		0	0	39,400	0	0	0	0	0	0	0	39,400
114	Revenues & Benefits	0	0	105,700	0	0	0	0	0	(245,200)	0	(139,500)
		0	0	105,000	0	0	0	0	0	(227,000)	0	(122,000)
118	Leisure & Community	0	0	61,100	0	0	0	0	0	(9,000)	0	52,100
		0	200	65,800	0	0	0	0	0	(9,000)	0	57,000
119	IT Services	0	0	550,000	195,400	0	0	0	0	0	0	745,400
		0	0	534,300	164,300	0	0	0	0	0	0	698,600
121	Council Offices	0	0	244,600	87,100	(300,200)	0	0	0	(35,500)	0	(4,000)
		400	0	261,700	94,900	(304,000)	0	0	0	(53,000)	0	0
124	Princes Rd Depot	0	0	15,400	2,800	0	0	0	0	0	0	18,200
		0	0	15,500	3,100	0	0	0	0	0	0	18,600
129	Legal Services	0	0	5,500	0	0	0	0	0	(10,000)	0	(4,500)
		0	0	0	0	0	0	0	0	0	0	0
132	Environmental Health	0	0	12,600	0	0	0	0	0	0	0	12,600
		0	0	11,200	0	0	0	0	0	0	0	11,200
133	Environmental Waste	0	0	2,300	0	0	0	0	0	0	0	2,300
		0	0	1,700	0	0	0	0	0	0	0	1,700
134	Housing	0	0	1,400	0	0	0	0	0	0	0	1,400
		0	0	7,400	0	0	0	0	0	0	0	7,400
141	Parks & Countryside Services	81,300	59,500	110,400	47,700	0	0	0	(46,400)	(75,000)	0	177,500
		74,600	46,900	104,300	33,800	0	0	0	(46,400)	(75,000)	0	138,200
149	Nursery	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	400	0	0	0	0	0	0	400
153	Parks Rangers	0	6,600	8,700	4,700	0	0	0	0	(87,800)	0	(67,800)
		0	7,200	8,700	4,300	0	0	0	0	(96,200)	0	(76,000)
155	Prom Depot	0	0	10,900	3,300	0	0	0	0	0	0	14,200
		0	0	10,900	3,600	0	0	0	0	(2,500)	0	12,000

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ORIGINAL 22/23 Top ORIGINAL 21/22 Bottom (YELLOW)		APPENDIX 3											
Cost Centre	Description	Direct Costs				Recharges				Income			
		Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £	
163	Enforcement	0	0	6,200	0	0	0	0	0	0	0	0	6,200
		0	0	6,200	0	0	0	0	0	0	0	0	6,200
164	Economic Development	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	500	0	0	0	0	0	0	0	0	500
165	Planning Policy Services	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	3,100	0	0	0	0	0	0	0	0	3,100
166	Planning Admin Services	0	0	24,900	0	0	0	0	0	0	0	0	24,900
		0	0	24,900	0	0	0	0	0	0	0	0	24,900
167	Development Control Services	0	0	11,900	0	0	0	0	0	0	0	0	11,900
		0	0	11,900	0	0	0	0	0	0	0	0	11,900
168	Building Control Services	0	0	3,000	0	0	0	0	0	0	0	0	3,000
		0	5,500	5,100	0	0	0	0	0	0	0	0	10,600
TOTAL Service Management & Support Services		12,141,300	85,500	1,578,300	341,000	(39,000)	0	0	(46,400)	(513,000)	0	13,547,700	
		9,890,800	73,700	1,492,600	304,400	(40,000)	0	0	(46,400)	(472,700)	0	11,202,400	
		1,175,100											
Central Services Corporate Core & Democratic Core													
256	Corporate Management	0	0	308,500	0	0	0	0	(304,400)	0	0	0	4,100
		0	0	545,900	0	0	0	0	0	(371,400)	0	0	174,500
260	Democratic Representation & Mgt	234,300	14,000	26,200	1,100	39,000	0	0	0	0	0	0	314,600
		228,600	14,000	27,200	1,100	40,000	0	0	0	0	0	0	310,900
270	Future Model Transformation	0	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0	0
TOTAL Corporate & Democratic Core		234,300	14,000	334,700	1,100	39,000	0	0	(304,400)	0	0	318,700	
		228,600	14,000	573,100	1,100	40,000	0	0	0	(371,400)	0	485,400	
		(461,700)											
Central Services to the Public													
202	Business Rates Collection	0	0	5,600	0	0	0	0	0	(5,100)	(90,000)	(89,500)	
		0	0	4,300	0	0	0	0	0	(5,100)	(90,000)	(90,800)	
209	Council Tax Benefit Admin	0	0	8,500	0	0	0	0	0	0	(61,800)	(53,300)	
		0	0	3,200	0	0	0	0	0	0	(54,300)	(51,100)	
216	Council Tax Collection	0	0	47,100	0	0	0	0	0	(101,200)	0	(54,100)	
		0	0	34,600	0	0	0	0	(101,200)	0	0	(66,600)	
213	Electoral Registration	0	0	49,400	0	0	0	0	0	0	0	49,400	
		0	0	43,600	0	0	0	0	0	0	0	43,600	
253	Civil Emergencies	0	0	37,900	0	0	0	0	0	0	(144,900)	(107,000)	
		0	0	37,900	0	0	0	0	0	0	0	37,900	
254	Election Management	0	0	36,000	600	0	0	0	0	0	0	36,600	
		0	0	96,500	600	0	0	0	0	0	0	97,100	
255	Land Charges	0	0	20,400	0	0	0	0	(124,300)	0	0	(103,900)	
		0	0	70,400	0	0	0	0	(124,300)	0	0	(53,900)	
TOTAL Central Services		0	0	204,900	600	0	0	0	(124,300)	(106,300)	(296,700)	(321,800)	
		0	0	290,500	600	0	0	0	(225,500)	(5,100)	(144,300)	(83,800)	

ORIGINAL 22/23 Top
ORIGINAL 21/22 Bottom
(YELLOW)

ORIGINAL 21/22 Bottom (YELLOW)		Direct Costs				Recharges		Income				APPENDIX 3	
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	Net Budget £	
												61,100	
Cultural, Environmental & Planning Services													
Cultural Services													
501, 502, 503, 509, 520, 522	Sport	0	0	99,100	23,700	0	0	0	0	(319,600)	0	(196,800)	
		0	0	184,200	24,400	0	0	0	0	(638,200)	0	(429,600)	
122, 506, 508	Community Centres	0	0	25,500	8,800	0	0	0	0	(7,400)	0	26,900	
		0	0	25,600	9,300	0	0	0	0	(7,400)	0	27,500	
505, 511, 514, 516, 518, 519	Parks & Open Spaces	32,000	0	114,200	81,100	167,800	0	0	(657,500)	(197,800)	0	(460,200)	
		32,000	0	319,200	219,300	0	0	0	(635,400)	(224,700)	0	(289,600)	
542, 546	Heritage	0	0	2,500	2,200	1,500	0	0	0	0	0	6,200	
		0	0	4,000	3,400	0	0	0	0	0	0	7,400	
309	Rivers	0	6,100	32,400	7,400	0	0	0	(37,000)	(136,100)	0	(127,200)	
		0	6,100	36,900	2,400	0	0	0	(37,000)	(136,100)	0	(127,700)	
320, 325, 330	Tourism	0	0	0	0	0	0	0	0	0	0	0	
		0	0	47,500	0	0	0	0	0	0	0	47,500	
TOTAL Cultural Services		32,000	6,100	273,700	123,200	169,300	0	0	(694,500)	(660,900)	0	(751,100)	
		32,000	6,100	617,400	258,800	0	0	0	(672,400)	(1,006,400)	0	(764,500)	
		(528,500)											
Environmental Services													
340	Public Entertainment Licences	0	0	30,600	0	0	0	0	(51,800)	(5,700)	0	(26,900)	
		0	0	30,600	0	0	0	0	(51,000)	(5,700)	0	(26,100)	
341	Hackney Carriage	0	0	18,800	0	0	0	0	(1,800)	(33,400)	0	(16,400)	
		0	0	18,800	0	0	0	0	(1,800)	(33,400)	0	(16,400)	
550	Public Conveniences	0	0	125,500	16,700	0	0	0	0	0	0	142,200	
		0	0	114,700	18,900	0	0	0	0	0	0	133,600	
555	Cemeteries	0	0	53,100	2,300	0	0	0	(112,100)	(300)	0	(57,000)	
		0	0	47,600	14,600	0	0	0	(139,000)	(300)	0	(77,100)	
562, 563	Community Safety	0	0	38,100	0	0	0	0	0	(14,300)	0	23,800	
		0	0	38,100	0	0	0	0	0	(14,300)	0	23,800	
576, 579, 581	Waste Management	0	2,300	4,440,000	220,100	0	0	0	(12,000)	(2,456,000)	0	2,194,400	
		0	2,500	3,794,900	222,200	0	0	0	(2,168,300)	(700)	0	1,850,600	
566, 567, 570, 571, 572, 573, 577	Other Environmental Health	0	1,200	54,400	1,100	0	0	0	(51,000)	(8,900)	0	(3,200)	
		0	1,400	53,700	2,200	0	0	0	(59,200)	(700)	0	(2,600)	
TOTAL Environmental Services		0	3,500	4,760,500	240,200	0	0	0	(228,700)	(2,518,600)	0	2,256,900	
		0	3,900	4,098,400	257,900	0	0	0	(2,419,300)	(55,100)	0	1,885,800	
		104,300											
Planning & Development Services													
232	Discretionary Rate Relief	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
301	Planning Policy	0	0	299,600	0	0	0	0	0	0	0	299,600	
		0	0	796,500	0	0	0	0	0	0	0	796,500	
302	Development Control	0	0	117,000	0	0	0	0	(757,800)	(15,600)	0	(656,400)	
		0	0	119,000	0	0	0	0	(807,800)	(15,600)	0	(704,400)	
303	Building Regs - Fee Related	0	0	500	0	0	0	0	(198,900)	0	0	(198,400)	
		0	0	500	0	0	0	0	(151,500)	0	0	(151,000)	
313	Building Regs - Non Fee Related	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
304	Building Conservation	0	0	1,800	0	0	0	0	0	0	0	1,800	
		0	0	1,800	0	0	0	0	0	0	0	1,800	
305	Economic Development	0	0	83,000	0	0	0	0	0	0	0	83,000	
		0	0	0	0	0	0	0	0	0	0	0	
307	Gypsy & Traveller	0	0	8,700	0	0	0	0	0	0	0	8,700	
		0	0	8,400	0	0	0	0	0	0	0	8,400	
317	Bradwell B	0	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0	
565	Community Grants	0	0	77,400	0	0	0	0	0	0	0	77,400	
		0	0	75,000	0	0	0	0	0	0	0	75,000	
TOTALPlanning & Development Services		0	0	588,000	0	0	0	0	(956,700)	(15,600)	0	(384,300)	
		0	0	1,001,200	0	0	0	0	(959,300)	(15,600)	0	26,300	

APPENDIX 3

ORIGINAL 22/23 Top ORIGINAL 21/22 Bottom (YELLOW)		Direct Costs				Recharges			Income			Net Budget £ 814,600
Cost Centre	Description	Staffing £	Transport £	Goods and Services £	Capital Charges £	Offices and Depots £	Support in £	Support out £	Fees and Charges £	Other Income £	Government Grant £	
Highways, Roads & Transport Services												
311	Highways	0	0	0	0	0	0	0	0	0	0	
		0	0	0	0	0	0	0	0	0	0	0
312	Street Naming	0	0	8,900	0	0	0	0	0	0	0	8,900
		0	0	8,900	0	0	0	0	0	0	0	8,900
534, 535	Off Street Parking	0	0	173,400	10,900	0	0	0	(890,300)	0	0	(706,000)
		0	0	172,000	15,000	0	0	0	(900,200)	0	0	(713,200)
TOTAL Highways, Roads & Transport Services		0	0	182,300	10,900	0	0	0	(890,300)	0	0	(697,100)
		0	0	180,900	15,000	0	0	0	(900,200)	0	0	(704,300)
Housing Services												(136,800)
204	Rent Allowances	0	0	10,331,100	0	0	0	0	0	(211,800)	(10,109,400)	9,900
		0	0	11,559,600	0	0	0	0	0	(345,100)	(11,054,600)	159,900
203	Housing Benefits Admin	0	0	20,300	0	0	0	0	0	(7,000)	(110,000)	(96,700)
		0	0	12,200	0	0	0	0	0	(7,000)	(110,000)	(104,800)
591, 592, 593, 598	Other Housing Services	0	0	186,400	0	0	0	0	(13,000)	(32,500)	(143,000)	(2,100)
		0	0	177,900	0	0	0	0	(13,000)	(32,500)	(142,300)	(9,900)
TOTAL Housing Services		0	0	10,537,800	0	0	0	0	(13,000)	(251,300)	(10,362,400)	(88,900)
		0	0	11,749,700	0	0	0	0	(13,000)	(384,600)	(11,306,900)	45,200
Non Distributed Costs												151,700
257	Non Distributed Costs	0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
TOTAL Non Distributed Costs		0	0	0	0	0	0	0	0	0	0	0
		0	0	0	0	0	0	0	0	0	0	0
Other Services												
224	Misc Land & Property	0	0	3,200	0	0	0	0	0	(35,500)	0	(32,300)
		0	0	4,400	0	0	0	0	0	(68,500)	0	(64,100)
225	Industrial Sites	0	0	2,800	0	0	0	0	0	(114,900)	0	(112,100)
		0	0	2,800	0	0	0	0	0	(114,900)	0	(112,100)
TOTAL Other Services		0	0	6,000	0	0	0	0	0	(150,400)	0	(144,400)
		0	0	7,200	0	0	0	0	0	(183,400)	0	(176,200)
												(33,000)
SUB TOTAL												
	ORIGINAL 22/23	12,407,600	109,100	18,466,200	717,000	169,300	0	0	(3,258,300)	(4,216,100)	(10,659,100)	13,735,700
	ORIGINAL 21/22	10,151,400	97,700	20,011,000	837,800	0	0	0	(5,236,100)	(2,494,300)	(11,451,200)	11,916,300
Less Vacancy/Savings Allowance 1%												
TOTAL AGREED BUDGET												
	ORIGINAL 22/23	12,407,600	109,100	18,466,200	717,000	169,300	0	0	(3,258,300)	(4,216,100)	(10,659,100)	13,735,700
	ORIGINAL 21/22	10,151,400	97,700	20,011,000	837,800	0	0	0	(5,236,100)	(2,494,300)	(11,451,200)	11,916,300

Reserve	Purpose	Review Mechanism	Balance 31-Mar-22 £000's	Movement £000's	Balance 31-Mar-23 £000's	Movement £000's	Balance 31-Mar-23 £000's	Movement £000's	Balance 31-Mar-24 £000's
Community Housing Fund Grant	Reserve to support Community-led housing delivery. Objective is to help deliver affordable housing aimed at first time buyers in response to the problem second homes can cause in reducing supply.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(116)		(116)		(116)		(116)
Community Infrastructure levy and LDP review	Money has been put aside from unspent budgets to support the creation and adoption of the delayed LDP	Annually by the Strategic and Resources Committee at final accounts approval stage	(130)		(130)		(130)		(130)
Community Sports Network/Health & Wellbeing	The Council has schemes for awarding grants. The time limits on these grants exceed the financial year in which budget provision is made, necessitating a reserve to cover outstanding liabilities.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(41)		(41)		(41)		(41)
Council Tax and Business Rates equalisation	This reserve is to counter the timing differences in Council Tax and Business Rates funding.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(4,658)	1,705	(2,953)		(2,953)		(2,953)
Feasibility Study reserve	Funds set aside for cost incurred in studying the feasibility of various commercial projects.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(77)		(77)		(77)		(77)
Homeless reduction Act Grant	Reserve set up to use three years of grant funding for Homelessness Reduction Officer.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(57)		(57)		(57)		(57)
Insurance liability	The Council maintains external insurance policies to cover major risks. In many cases the policies have excess clauses that require the Council to meet the first part of each claim. The Council has established this reserve to cover its liabilities under policy excesses, finance any claims for small risks not insured externally and cover any future liability that may arise from winding up of Municipal Mutual Insurance.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(52)		(52)		(52)		(52)
Neighbourhood Plan Applications	To provide funding for preparation of Neighbourhood Plans	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(29)		(29)		(29)		(29)
New Homes Bonus reserve	Committed to funding the Local Development Plan Review	Annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(391)	391	0		0		0
Pensions Reserve	To provide a reserve to enable the Authority to forward fund the pension deficit for 3 years in 2020.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(520)	(520)	(1,040)	1,036	(4)	(520)	(524)
Repairs & Renewals fund	To provide funds to support additional revenue / capital costs arising from the need to maintain the Council's Asset base	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(177)		(177)		(177)		(177)
Revenue commitments	This reserve exists to smooth out the timing differences between monies being earmarked to expenditure from the annual revenue budget and the expenditure actually occurring	Annually by the Strategic and Resources Committee at final accounts approval stage	(11)		(11)		(11)		(11)
Corporate Delivery Reserve	Set aside to assist in funding corporate priorities.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(127)	38	(89)		(89)		(89)
Transformation	To provide funds to meet the one-off investment costs of efficiency savings or service reductions to be realised in future years. Also to enable the upfront costs of potential income generating projects.	Annually by the Strategic and Resources Committee at final accounts approval stage	(952)	117	(835)	343	(492)		(492)
Waste Contract Implementation	Money set aside towards the procurement and mobilisation of the new Waste contract	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(15)		(15)		(15)		(15)
Other Reserves	Other reserves have been set up in relation to the continuation of projects for which external funds have been received but have not been fully utilised within that particular year. These include Community Safety and Economic Development.	Bi-annually by the Strategic and Resources Committee at budget setting and final accounts approval stages	(200)		(200)		(200)		(200)
Total Earmarked Reserves			(7,553)	1,731	(5,822)	1,379	(4,443)	(520)	(4,963)

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Section 151 Officer's statement on robustness of budgets and adequacy of reserves

Introduction

The Section 151 Officer (S151 of the Local Government Act 1972) is required to make a statement on the adequacy of reserves and the robustness of the budget. This is a statutory duty under section 25 of the 2003 Local Government Act which states the following:

(1) Where an authority to which section 32 or 43 of the Local Government Finance Act 1992 (billing or major precepting authority) or section 85 of the Greater London Authority Act 1999 (c.29) (Great London Authority) applies is making calculations in accordance with that section, the chief finance officer of the authority must report to it on the following matters-

(a) The robustness of the estimates made for the purposes of the calculations, and

(b) The adequacy of the proposed financial reserves.

(2) An authority to which a report under this section is made shall have regard to the report when making decisions about the calculations in connection with which it is made.

This includes reporting and taking into account:

- The key assumptions in the proposed budget and to give a view on the robustness of those assumptions.
- The key risk areas in the budget and to assess the adequacy of the Council's reserves when reviewing the potential financial impact of these risk areas on the finances of the Council. This should be accompanied by a Reserves Strategy.

This report has to be considered and approved by Council as part of the budget approval and Council Tax setting process.

This document concentrates on the 2022/23 Revenue Budget Estimates, the proposed Capital Programme, Capital Strategy and Investment Strategy, but in addition it also considers key medium-term issues faced by the Council.

Assurance Statement of the Council's Section 151 Officer

The following are the summary assurances and recommendations of the Council's Section 151 Officer.

In relation to the 2022/23 budget, I have examined the budget proposals and I believe that, whilst the spending and service delivery proposals are challenging, they are nevertheless achievable given the political and management will to implement them, good management, and the sound monitoring of performance and budgets. I am satisfied that sufficient management processes exist within the Council to deliver this budget and to identify and deal with issues which may arise unexpectedly during the year.

1. My assurance is conditional upon:

- The agreement of a Medium-Term Financial Strategy for 2022/23 to 2024/25.
 - The continued impact of the COVID-19 pandemic. Whilst the Council has identified finances to utilise as contingencies against the pandemic the future remains uncertain as to the exact path of the recovery and timescale. Of particular concern is the £637k income from the leisure centre management fee and support for the centres. The conclusion to the government's income compensation scheme on 30 June 2021 ended a period of government support in terms of this income.
 - A recognition in the medium term planning approach that the level of reserves and corporate risk assessment need to be regularly reviewed in the light of changing circumstances and that it may not be possible to match the two at any single point in time. The Council needs to show a commitment to maintain reserves at a level which provides adequate cover for most identified risks during the planning period. This approach is pragmatic and shows a clear commitment to prudent financial planning.
 - Councillors, Directors, Service Managers and budget holders managing their services with challenge on spending decisions and giving due regard to and exercising the financial controls and checks set out within the Council's Financial Regulations and Contract Standing Orders and delegations and spending within budget.
 - That the Council has arrangements and resources in place to consider value for money in preparation for future years' budgets.
2. In relation to the adequacy of reserves, the overall position is that the authority has healthy balances across the General Fund and Capital but recognises that over the medium term these are reducing rapidly. The

policy on reserves and use of balances is set out annually and agreed in the medium term financial strategy.

3. In relation to the General Fund Capital Programme 2022/23, balances remain healthy, but the position is changing as capital receipts decline.

Assurance

Given all these factors, I, as the Council's Section 151 Officer, consider the estimates for 2022/23 to be sufficiently robust, but challenging, for approval by the Council. I am also able to advise the Council that the planned level of usable General Fund Reserves and the working balance is adequate.

Chris Leslie, Director of Resources (Section 151 Officer)

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REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

COUNCIL TAX 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 The Council is required to set out the total amount that needs to be raised from Council Tax in the forthcoming year. This is known as the Council Tax precept (Council Tax Requirement) for Maldon District Council and forms part of the funding that supports the services provided by the Council. Ultimately, this report sets the amount of Council Tax charged to each household in the District.
- 1.2 The report not only details the average amount of Council Tax charged by Maldon but also includes the total amounts of Council Tax expected to be collected for Essex County Council, the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority (EPFCCFRA) for both Fire and Police services, and the various Parish Councils within the District.

2. RECOMMENDATIONS

- (i) that Maldon District Council's Council Tax Requirement for 2022 / 23 is set at £5,421,362;
- (ii) that the Maldon District Council's Band D Council Tax (excluding Parish precepts) is set at £212.40, reflecting an increase of £5.00, all other bands being determined in accordance with the relevant Sections of the Local Government Finance Act 1992, as amended;
- (iii) that the precept demands and level of Band D Council Tax of the Essex County Council, the EPFCCFRA for both Police and Fire, and the various Parish Councils within the District be determined as set out in the report, all other bands being determined in accordance with the relevant Sections of the Local Government Finance Act 1992, as amended;
- (iv) that the Council agrees the resolution set out at **APPENDIX A**.

3. SUMMARY OF KEY ISSUES

- 3.1 The Council is statutorily required to determine its own Council Tax Requirement and, including precepts determined by the other precepting authorities, to determine the Council Tax for the 2022 / 23 financial year (**APPENDIX A**).
- 3.2 Setting the level of council tax to be charged and calculating the total amount of council tax to be drawn from the collection fund is the final stage of the budget

process. Council tax is a major form of funding that pays for the services provided to residents. The amount of funding the council may raise in council tax is limited by:

- the number and council tax valuation band of the properties in the district on which a charge for council tax can be applied (referred to as the council tax base); and
- the maximum increase that may be applied to the current council tax level (without a referendum being triggered).

3.3 Maldon's council tax base for 2022 / 23 expressed as Band D equivalent properties is 25,524.3 and was agreed by the Council on 18 January 2022.

3.4 The Government laid before the House of Commons a written ministerial statement on the Final Referendum Principles for approval. For Maldon District Council, if it wished to raise its relevant basic amount of Council Tax for 2022 / 23 by:

(a) 2%, or more, greater than its relevant basic amount of council tax for 2021 / 22;

and

(b) more than £5 greater than its relevant basic amount of council tax for 2021 / 22.

then a referendum of the local electorate would be required to approve or veto the increase.

3.5 The Council is intending to increase its own Council Tax by £5, which is within the referendum thresholds. The table below illustrates the impact of the £5 increase for each of the council tax bands:

A	B	C	D	E	F	G	H
£3.33	£3.89	£4.44	£5.00	£6.11	£7.23	£8.33	£10.00

3.6 Essex County Council is reporting a budget and precept increase of 4.49%, including an increase of the Adult Social Care Precept by 2.5%. The Police and Crime Commissioner for Essex and Essex County Fire and Rescue Service are reporting their budget increases of 4.79% and 1.95% respectively.

3.7 Maldon District Council's Council Tax Requirement 2022 / 23

3.7.1 The Council Tax Requirement as calculated and recommended is £5,421,362. The table below illustrates the calculation:

	2021 / 22	2022 / 23
	£	£
Maldon District Council Net Budget Requirement	7,887,143	6,914,021
Government Grant		
Baseline Business Rates	(1,532,486)	(1,532,729)
Business Rates Retention Scheme	(781,517)	(781,516)
Renewable Energy	(743,687)	(746,164)
Collection Fund Net Deficit	347,064	1,567,750
Maldon District Council Tax Requirement	5,176,517	5,421,362

- 3.7.2 The Council Tax Requirement including all preceptors is shown in the table below. The percentage increase is due to both an increase in the Tax Base and the Budget Requirement.

Precepting and Billing Authority	2021 / 22 £	2022 / 23 £	Change %
Essex County Council	33,467,907	35,762,664	6.86%
Essex County Fire and Rescue Service	1,844,228	1,922,749	4.26%
Office of the Police and Crime Commissioner for Essex	5,204,721	5,577,579	7.16%
Maldon District Council	5,176,517	5,421,362	4.73%
Parish Council's (Aggregate)	1,570,952	1,603,414	2.07%
Total	47,264,325	50,287,766	6.40%

- 3.7.3 The Average Council Tax for each household is calculated by taking the precept requirement and dividing it by the Council Tax Base. The average is always shown as Band D equivalent. All other bands are calculated by applying a ratio to the Band D Council Tax.
- 3.7.4 The table below shows the resulting Band D Council Tax amount for each of the precepting authorities that make up the Council Tax bill. The Parish element is not shown in this table as it will be different for each Parish area depending on the amount of the Parish precept. The individual Parish Precepts are show in **APPENDIX A** section 3 (g).

Precepting and Billing Authority	2021 / 22 £	2022 / 23 £	Change %
Essex County Council	1,340.91	1,401.12	4.49%
Essex County Fire and Rescue Service	73.89	75.33	1.95%
Office of the Police and Crime Commissioner for Essex	208.53	218.52	4.79%
Maldon District Council	207.40	212.40	2.41%
Total	1,830.73	1,907.37	4.19%

- 3.7.5 The 2022 / 23 average Parish Band D Council Tax increase equates to £76.64 and gives an overall Band D average charge of £1,907.37 compared to the current year Band D average charge of £1,830.73
- 3.7.6 In accordance with Section 30-36 of the Local Government and Finance Act, 1992, as amended, the Council Tax payable for each band of property by Parish taking into account the individual precept requirement for each Parish Council has been calculated as set out in **APPENDIX A** – Table A.

4. CONCLUSION

- 4.1 The Council as the billing authority is statutorily required to determine its own Council Tax Requirement and include the precepts determined and notified to the Council by the precepting authorities, to determine the Council Tax for the 2022 / 23 financial year. This report and the Appendices do that.

5. IMPACT ON STRATEGIC THEMES

- 5.1 This report discharges the Council's statutory function as a Council Tax billing authority.

6. IMPLICATIONS

- (i) **Impact on Customers** – The report and the Appendices sets out the Council Tax that will be payable by residents of the District for the financial year commencing 1 April 2022.
- (ii) **Impact on Equalities** – None arising directly from this report.
- (iii) **Impact on Risk** – Significant legal and statutory default risk if the Council fails to set the Council Tax for its area for 2022 / 23.
- (iv) **Impact on Resources (financial)** – Significant financial and statutory default risk if the Council fails to set the Council Tax for its area for 2022 / 23.
- (v) **Impact on Resources (human)** – None arising from this report.
- (vi) **Impact on the Environment** – None arising directly from this report.

Background Papers:

Council Tax Base Report to Council, 18 January 2022.

Enquiries to: Lance Porteous, Lead Finance Specialist.

COUNCIL TAX 2022 / 23 RESOLUTION

The Council is recommended to resolve as follows:

1. That it be noted that at its meeting on 18 January 2022 the Council calculated its Council Tax Base for the year 2022 / 23:
 - (a) for the whole district as 25,524.3 Item T in the formula in Section 31B of the Local Government Finance Act 1992 (the Act), as amended by the Localism Act 2011; and
 - (b) for dwellings in those parts of its district to which a Parish precept relates as listed below:

Althorne	511.5
Asheldham	64.3
Bradwell-on-Sea	340.7
Burnham-on-Crouch	3,465.4
Cold Norton	504.3
Dengie	49.1
Goldhanger	313.9
Great Braxted	175.2
Great Totham	1,276.5
Hazeleigh	60.6
Heybridge	2,813.3
Heybridge Basin	272.0
Langford	90.8
Latchingdon	470.1
Little Braxted	82.2
Little Totham	196.1
Maldon	5,541.6
Mayland	1,493.9
Mundon	149.0
North Fambridge	435.5
Purleigh	578.3
Southminster	1,618.8
St. Lawrence	591.7
Steeple	189.8
Stow Maries	86.2
Tillingham	395.7
Tollesbury	998.9
Tolleshunt D'arcy	450.7
Tolleshunt Knights	421.8
Tolleshunt Major	276.1
Ulting	74.2
Wickham Bishops	1,004.4
Woodham Mortimer	259.6
Woodham Walter	271.9
	25,524.3

2. Calculate that the Council Tax Requirement for the Council's own purposes for 2022/23 (excluding Parish precepts) is £5,421,362.

3. That the following amounts be calculated by the Council for the year 2022 / 23 in accordance with new Sections 31 to 36 of the Act as amended:
- (a) £28,809,602 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils **(i.e. gross expenditure including Parish precepts)**
 - (b) £21,064,827 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act **(i.e. gross income including government grants)**
 - (c) £7,024,775 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax Requirement for the year (Item R in the formula in Section 31B of the Act) **(i.e. Council Tax Requirement including Parish precepts)**.
 - (d) £275.22 being the amount at 3(c) above (Item R) divided by the amount at 1(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year **(i.e. average Band D Council Tax including Parish precepts)**
 - (e) £1,603,414 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act **(i.e. Parish Council precepts)**
 - (f) £212.40 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates **(i.e. District Council Band D Council Tax excluding Parish precepts)**.

(g) Basic Amount of Council Tax by Parish 2022 / 23

Town/Parish	Local Precept	Town/Parish Band D	District + Town/Parish Band D
Althorne	25,000.00	48.88	261.28
Asheldham	3,569.95	55.52	267.92
Bradwell-on-Sea	27,540.00	80.83	293.23
Burnham-on-Crouch	198,390.00	57.24	269.64
Cold Norton	38,749.00	76.84	289.24
Dengie	2,726.05	55.52	267.92
Goldhanger	10,000.00	31.86	244.26
Great Braxted	9,550.00	54.51	266.91
Great Totham	17,054.00	13.36	225.76
Hazeleigh	1,161.47	19.15	231.55
Heybridge	200,000.00	71.09	283.49
Heybridge Basin	34,000.00	125.00	337.40
Langford	6,183.00	68.12	280.52
Latchingdon	54,590.00	116.12	328.52
Little Braxted	4,500.00	54.74	267.14
Little Totham	8,790.00	44.81	257.21
Maldon	380,581.00	68.68	281.08
Mayland	100,249.00	67.11	279.51
Mundon	5,500.00	36.91	249.31
North Fambridge	20,250.00	46.50	258.90
Purleigh	44,000.00	76.08	288.48
Southminster	140,990.00	87.10	299.50
St. Lawrence	26,763.00	45.23	257.63
Steeple	10,531.00	55.45	267.85
Stow Maries	6,695.00	77.66	290.06
Tillingham	36,200.00	91.49	303.89
Tollesbury	92,599.50	92.70	305.10
Tolleshunt D'arcy	21,514.00	47.73	260.13
Tolleshunt Knights	10,000.00	23.70	236.10
Tolleshunt Major	8,900.00	32.23	244.63
Ulting	4,317.00	58.20	270.60
Wickham Bishops	21,545.00	21.45	233.85
Woodham Mortimer	4,975.53	19.17	231.57
Woodham Walter	26,000.00	95.62	308.02

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

APPENDIX A

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

PARISH	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Althorne	174.19	203.22	232.25	261.28	319.34	377.40	435.47	522.56
Asheldham	178.61	208.38	238.15	267.92	327.46	387.00	446.53	535.84
Bradwell-on-Sea	195.49	228.07	260.65	293.23	358.39	423.55	488.72	586.46
Burnham-on-Crouch	179.76	209.72	239.68	269.64	329.56	389.48	449.40	539.28
Cold Norton	192.83	224.96	257.10	289.24	353.52	417.79	482.07	578.48
Dengie	178.61	208.38	238.15	267.92	327.46	387.00	446.53	535.84
Goldhanger	162.84	189.98	217.12	244.26	298.54	352.82	407.10	488.52
Great Braxted	177.94	207.60	237.25	266.91	326.22	385.54	444.85	533.82
Great Totham	150.51	175.59	200.68	225.76	275.93	326.10	376.27	451.52
Hazeleigh	154.37	180.09	205.82	231.55	283.01	334.46	385.92	463.10
Heybridge	188.99	220.49	251.99	283.49	346.49	409.49	472.48	566.98
Heybridge Basin	224.93	262.42	299.91	337.40	412.38	487.36	562.33	674.80
Langford	187.01	218.18	249.35	280.52	342.86	405.20	467.53	561.04
Latchingdon	219.01	255.52	292.02	328.52	401.52	474.53	547.53	657.04
Little Braxted	178.09	207.78	237.46	267.14	326.50	385.87	445.23	534.28
Little Totham	171.47	200.05	228.63	257.21	314.37	371.53	428.68	514.42
Maldon	187.39	218.62	249.85	281.08	343.54	406.00	468.47	562.16
Mayland	186.34	217.40	248.45	279.51	341.62	403.74	465.85	559.02
Mundon	166.21	193.91	221.61	249.31	304.71	360.11	415.52	498.62
North Fambridge	172.60	201.37	230.13	258.90	316.43	373.97	431.50	517.80
Purleigh	192.32	224.37	256.43	288.48	352.59	416.69	480.80	576.96
Southminster	199.67	232.94	266.22	299.50	366.06	432.61	499.17	599.00
St. Lawrence	171.75	200.38	229.00	257.63	314.88	372.13	429.38	515.26
Steeple	178.57	208.33	238.09	267.85	327.37	386.89	446.42	535.70
Stow Maries	193.37	225.60	257.83	290.06	354.52	418.98	483.43	580.12
Tillingham	202.59	236.36	270.12	303.89	371.42	438.95	506.48	607.78
Tollesbury	203.40	237.30	271.20	305.10	372.90	440.70	508.50	610.20
Tolleshunt D'arcy	173.42	202.32	231.23	260.13	317.94	375.74	433.55	520.26
Tolleshunt Knights	157.40	183.63	209.87	236.10	288.57	341.03	393.50	472.20
Tolleshunt Major	163.09	190.27	217.45	244.63	298.99	353.35	407.72	489.26
Ulting	180.40	210.47	240.53	270.60	330.73	390.87	451.00	541.20
Wickham Bishops	155.90	181.88	207.87	233.85	285.82	337.78	389.75	467.70
Woodham Mortimer	154.38	180.11	205.84	231.57	283.03	334.49	385.95	463.14
Woodham Walter	205.35	239.57	273.80	308.02	376.47	444.92	513.37	616.04

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

APPENDIX A

That it be noted for the year 2022 / 23 the major precepting authorities have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below:

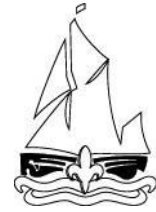
Precepting Authority	Valuation Bands			
Essex County Council	A	£934.08	E	£1,712.48
	B	£1,089.76	F	£2,023.24
	C	£1,245.44	G	£2,335.20
	D	£1,401.12	H	£2,802.24
Essex Police, Fire Crime Commissioner (PFCC) Fire and Rescue Association (F&RA)	A	£145.68	E	£267.08
Essex Police and Crime Commissioner	B	£169.96	F	£315.64
	C	£194.24	G	£364.20
	D	£218.52	H	£437.04
Essex PFCC F&RA	A	£50.22	E	£92.07
Essex Fire and Rescue Authority	B	£58.59	F	£108.81
	C	£66.96	G	£125.55
	D	£75.33	H	£150.66

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 as amended, hereby sets the following amounts as the amounts of Council Tax for the year 2021/22 for each part of its area and for each of the categories of dwelling shown in Table A attached.
6. Determines that the Council's basic amount of Council Tax for 2022 / 23 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2022 / 23 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992, as amended.

TABLE A**Total Council Tax Amounts (£) by Band and Area 2022 / 23**

Parish/Area	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Althorne	1,304.17	1,521.53	1,738.89	1,956.25	2,390.97	2,825.69	3,260.42	3,912.50
Asheldham	1,308.59	1,526.69	1,744.79	1,962.89	2,399.09	2,835.29	3,271.48	3,925.78
Bradwell-on-Sea	1,325.47	1,546.38	1,767.29	1,988.20	2,430.02	2,871.84	3,313.67	3,976.40
Burnham-on-Crouch	1,309.74	1,528.03	1,746.32	1,964.61	2,401.19	2,837.77	3,274.35	3,929.22
Cold Norton	1,322.81	1,543.27	1,763.74	1,984.21	2,425.15	2,866.08	3,307.02	3,968.42
Dengie	1,308.59	1,526.69	1,744.79	1,962.89	2,399.09	2,835.29	3,271.48	3,925.78
Goldhanger	1,292.82	1,508.29	1,723.76	1,939.23	2,370.17	2,801.11	3,232.05	3,878.46
Great Braxted	1,307.92	1,525.91	1,743.89	1,961.88	2,397.85	2,833.83	3,269.80	3,923.76
Great Totham	1,280.49	1,493.90	1,707.32	1,920.73	2,347.56	2,774.39	3,201.22	3,841.46
Hazeleigh	1,284.35	1,498.40	1,712.46	1,926.52	2,354.64	2,782.75	3,210.87	3,853.04
Heybridge	1,318.97	1,538.80	1,758.63	1,978.46	2,418.12	2,857.78	3,297.43	3,956.92
Heybridge Basin	1,354.91	1,580.73	1,806.55	2,032.37	2,484.01	2,935.65	3,387.28	4,064.74
Langford	1,316.99	1,536.49	1,755.99	1,975.49	2,414.49	2,853.49	3,292.48	3,950.98
Latchingdon	1,348.99	1,573.83	1,798.66	2,023.49	2,473.15	2,922.82	3,372.48	4,046.98
Little Braxted	1,308.07	1,526.09	1,744.10	1,962.11	2,398.13	2,834.16	3,270.18	3,924.22
Little Totham	1,301.45	1,518.36	1,735.27	1,952.18	2,386.00	2,819.82	3,253.63	3,904.36
Maldon	1,317.37	1,536.93	1,756.49	1,976.05	2,415.17	2,854.29	3,293.42	3,952.10
Mayland	1,316.32	1,535.71	1,755.09	1,974.48	2,413.25	2,852.03	3,290.80	3,948.96
Mundon	1,296.19	1,512.22	1,728.25	1,944.28	2,376.34	2,808.40	3,240.47	3,888.56
North Fambridge	1,302.58	1,519.68	1,736.77	1,953.87	2,388.06	2,822.26	3,256.45	3,907.74
Purleigh	1,322.30	1,542.68	1,763.07	1,983.45	2,424.22	2,864.98	3,305.75	3,966.90
Southminster	1,329.65	1,551.25	1,772.86	1,994.47	2,437.69	2,880.90	3,324.12	3,988.94
St. Lawrence	1,301.73	1,518.69	1,735.64	1,952.60	2,386.51	2,820.42	3,254.33	3,905.20
Steeple	1,308.55	1,526.64	1,744.73	1,962.82	2,399.00	2,835.18	3,271.37	3,925.64
Stow Maries	1,323.35	1,543.91	1,764.47	1,985.03	2,426.15	2,867.27	3,308.38	3,970.06
Tillingham	1,332.57	1,554.67	1,776.76	1,998.86	2,443.05	2,887.24	3,331.43	3,997.72
Tollesbury	1,333.38	1,555.61	1,777.84	2,000.07	2,444.53	2,888.99	3,333.45	4,000.14
Tolleshunt D'arcy	1,303.40	1,520.63	1,737.87	1,955.10	2,389.57	2,824.03	3,258.50	3,910.20
Tolleshunt Knights	1,287.38	1,501.94	1,716.51	1,931.07	2,360.20	2,789.32	3,218.45	3,862.14
Tolleshunt Major	1,293.07	1,508.58	1,724.09	1,939.60	2,370.62	2,801.64	3,232.67	3,879.20
Ulting	1,310.38	1,528.78	1,747.17	1,965.57	2,402.36	2,839.16	3,275.95	3,931.14
Wickham Bishops	1,285.88	1,500.19	1,714.51	1,928.82	2,357.45	2,786.07	3,214.70	3,857.64
Woodham Mortimer	1,284.36	1,498.42	1,712.48	1,926.54	2,354.66	2,782.78	3,210.90	3,853.08
Woodham Walter	1,335.33	1,557.88	1,780.44	2,002.99	2,448.10	2,893.21	3,338.32	4,005.98



REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

COUNCIL TAX SUPPORT SCHEME 2022 / 23

1. PURPOSE OF THE REPORT

- 1.1 To approve a significantly unchanged Local Council Tax Support Scheme (LCTS) and associated policies for 2022 / 23, with minor technical amendments as set out at section 2 (a) to (c) below.

2. RECOMMENDATIONS

- (i) That the following changes to the existing schemes are approved:
 - a. a cost of living increase in line with the Department for Work and Pensions schemes be included in the Local Council Tax Support Scheme for 2022/23 for Pensioners only;
 - b. that any legislative changes being introduced to the Housing Benefit Scheme, for 2022 / 23 are mirrored in the Councils LCTS scheme to ensure consistency;
 - c. minor technical amendments to ensure that we are able to administer the scheme reflecting current local and national guidance;
- (ii) that this decision has been made following Members careful reading of and regard to the Equality Impact Assessment at **APPENDIX 1**;
- (iii) That the updated Exceptional Hardship Fund for Council Tax Support Framework (**APPENDIX 2**) be endorsed.

3. SUMMARY OF KEY ISSUES

- 3.1 Following the abolition of the National Council Tax Benefit Scheme in 2013 a replacement LCTS Scheme was approved by the Council on 13 December 2012 (Minute No. 688 refers), and a substantially unchanged scheme was approved for the subsequent years up to and including 2021 / 22.
- 3.2 The current scheme reflects the Council's decision to deliver a long-term sustainable scheme based on cost neutral principles, and it proposed that minimal changes be introduced to the scheme to ensure that it reflects national legislative changes

3.3 **Scheme Costs and impact on Council Tax Collection**

- 3.3.1 The net cost of the Council Tax Support Scheme for 2021/22 to date is being largely contained within the collection fund. The consequence of future welfare reform and the continuing impact on collection rates due to the pandemic may adversely affect this, but based upon current projections the proposed LCTS scheme remains sustainable for 2022 / 23.
- 3.3.2 Additional support and advice continue to be provided to customers who have difficulty in paying, including independent budgeting and financial advice provided by Maldon Citizens Advice.

3.4 **Hardship Provision**

- 3.4.1 It is proposed that the Council continues to offer this scheme for 2022 / 23 and that the framework is updated only to reflect universal credit arrangements. Members are asked to endorse the updated framework at **APPENDIX 2**.

3.5 **Discretionary reduction provision**

- 3.5.1 It is proposed that the Council continues to adopt a largely unchanged policy and that it is updated only to reflect the absence of the one off £150 hardship payment scheme as there is longer any central government funding to available to deliver this.

4. **CONCLUSION**

- 4.1 The significantly unchanged scheme supports the delivery of a largely cost neutral LCTS Scheme within the budget proposed for 2022 / 23.
- 4.2 An Equality Impact Assessment has been undertaken showing no significant issues with the proposed documents.

5. **IMPACT ON STRATEGIC THEMES**

- 5.1 A Local Council Tax Support Scheme supports the Councils Goal of “Healthy, safe and vibrant communities” by ensuring that the service can be targeted to reduce inequalities and the goal of “excellent services and value for money” by complying with its statutory obligations in the most efficient and effective way.

6. **IMPLICATIONS**

- (i) **Impact on Customers** – 3,332 residents are currently entitled to LCTS which is a decrease from 3,512 in the previous year.
- (ii) **Impact on Equalities** – An Equalities Impact Assessment of the LCTS scheme has been undertaken. Members are asked to carefully consider the content of the assessment as part of their decision to approve the proposed LCTS scheme for 2022 / 23.
- (iii) **Impact on Risk** – The proposed scheme is expected to continue to deliver a cost neutral scheme. The cumulative effects of various welfare reforms and Pandemic continue to have an effect both upon Council Tax collection and the number of customers with housing issues. The impacts are being

monitored with help and advice being provided by the Council and its partners to support customers

- (iv) **Impact on Resources (financial)** – The cost of the proposed scheme is largely within budget. The expenditure on the scheme is monitored on a monthly basis, and any significant variations will be reported to Members.
- (v) **Impact on Resources (human)** – The proposed LCTS scheme can be delivered within existing staffing resources.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: No

Enquiries to: Michelle LaMarre, Lead Specialist Revenues and Benefits.

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Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

Title Council Tax Support scheme for 2022 / 23	Date February 2022	Officer Preparing Michelle Lamarre
1. Background		
<p>1.1 Description of proposal / policy / service (Including aims, outcomes and in the case of an existing service how long it has been delivered in its current format)</p> <p>Council Tax Support aims to help people with low incomes to meet their Council Tax obligations, covering payment of Council Tax and Discounting of Council Tax</p> <p>The aim of Council Tax Support is</p> <ul style="list-style-type: none"> • To have a fair and equitable scheme • To maintain support for particularly vulnerable people within the constraints imposed by Government policy <p>The service areas or partner agencies involved are</p> <ul style="list-style-type: none"> • Maldon District Council • Any authority that can levy a charge to contribute to Council tax • Essex authorities who are sharing the scheme • All Essex precepting authorities • Department for Work and Pensions • Department for Communities and Local Government <p><i>There are no proposals to change the current scheme, other than to mirror national scheme changes.</i></p>		
<p>1.2 Who are the users of the proposal / policy / service (Refer to data held about the users of the service i.e. numbers of users, demographic breakdown. Having this information is important to understand which sectors of the community might be affected. If that is not available refer to the demographic data held on the intranet.)</p> <p>Broadly, this affects those liable for Council Tax within the District and adults on a low income with low savings</p> <p>There are 3332 Council Tax Support Claimants</p>		

Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

1.3 Have users been consulted with? (Have you carried out consultation with users or stakeholders while drawing up the proposal / policy / service? For example, have you carried out a formal consultation, discussed the issue with a Friends/User Group or consulted with stakeholders? If so, outline the results and how it has informed your plans. It's also important to show whether the target audience was reached during the consultation.)

There are no changes proposed to existing policy.

1.4 If the analysis is regarding an existing Service, what are users' views of that Service? (Base your view on evidence such as satisfaction surveys, levels of compliments and levels of complaints).

The Revenues and Benefits team is a well performing team that historically has met locally set performance targets. For the current financial year (2021-22) the team is striving to meet those targets, but continued high demand as a result of the pandemic coupled with the ongoing impact of organisational change and resource challenges mean that those targets are likely to remain a challenge,

The service is making good progress, and ensures that claims are prioritised to reduce impact on our most vulnerable customers.

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Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

2. Equality Aims – consider how the proposal / policy / service meets the three Equality Aims listed in the Equality Act.

Aim	How does the proposal / policy / service meet the equality aim?	Action or addition needed in order that the proposal / policy / service meets the aim?
2.1 To eliminate unlawful discrimination, harassment and victimisation	<ul style="list-style-type: none"> Higher Rate Disability benefits will continue to be disregarded thereby protecting those with specific long term conditions who fall within this group. Without such action to protect this group the policy could potentially be discriminatory. There is also an Exceptional Hardship Scheme which can assist customers with specific circumstances. 	None required
2.2 To advance equality of opportunity between people who share a protected characteristic and those who do not	<ul style="list-style-type: none"> Older people are protected in the policy, which follows specific Government Regulations. Parents who receive a child benefit will continue to have this disregarded as part of the CTS calculation, which is consistent with the Council's duty to safeguard and promote the welfare of children. Higher rate Disability Benefits will continue to be disregarded thereby protecting those with specific long term conditions who fall within this group. In 2014 it was also agreed that Lone Parents receive a disregard of £15 per week from Child Maintenance payments A hardship fund exists to ensure provision for those residents who have exceptional circumstances. 	

Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

2.3 To foster good relations between those who share a protected characteristic and those who do not	<ul style="list-style-type: none"> The scheme remains means tested so the scope for discrimination is limited. All working age customers 				
3. Equality Impacts – examine how the proposal / policy / service impacts on the community. Base the analysis on evidence. Attach additional documents if necessary.					
Impacts	Positive impact (X)	Could adversely impact (X)	No impact (X)	How different groups could be affected: Summary of impacts	Actions to reduce negative or increase positive impact
3.1 Age (What will the impact be on different age groups such as younger or older people?)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Older People (60+) are specifically protected under Government Regulations	
3.1 Age (What will the impact be on different age groups such as younger or older people?)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Due to the protection afforded to those of pensionable age, customers of working age are impacted directly by any changes to the scheme. People over 18 of working age will potentially be required to pay more.	Parents will continue to have Child Benefit disregarded in the CTS calculation which is consistent with the Council's duty to safeguard and promote the welfare of children. The Council will continue to provide information and advice on income maximisation and a contracted Independent Advice Service to support residents
3.2 Disability (Consider all disabilities such as hearing loss, dyslexia etc as well as access issues for wheelchair users where appropriate)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	People with disabilities who are below pensionable age may need to pay more.	Higher Rate Disability Benefits continue to be disregarded (i.e. Disability Living Allowance) thereby protecting those with specific long term conditions. A hardship fund exists to ensure provision for those residents who

Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

					have exceptional circumstances.
Impacts	Positive impact (X)	Could adversely impact (X)	No impact (X)	How different groups could be affected: Summary of impacts	Actions to reduce negative or increase positive impact
3.3 Pregnancy and Maternity (Think about pregnancy, new and breastfeeding Mums)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>		
3.4 Sex (is the service used more by one gender and are the sexes given equal opportunity?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CTS is means tested and therefore gender is not a factor in the calculation of support.	
Impacts	Positive impact (X)	Could adversely impact (X)	No impact (X)	How different groups could be affected: Summary of impacts	Actions to reduce negative or increase positive impact
3.5 Gender Reassignment (Is there an impact on people who are going through or who have completed Gender Reassignment?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CTS is means tested and therefore gender is not a factor in the calculation of support	
3.6 Religion or belief (Includes not having a religion or belief)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CTS is means tested and therefore religion is not a factor in the calculation of support	
3.7 Sexual Orientation (What is the impact on heterosexual, lesbian, gay or bisexual people?)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CTS is means tested and therefore this characteristic is not a factor in the calculation of support	
3.8 Race (Includes ethnic or national origins including Gypsies and Travellers)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	CTS is means tested and therefore this characteristic is not a factor in the calculation of support.	

Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

3.9 Socio-Economic Group (Will people of any particular socio-economic group be particularly affected?)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Council Tax Support is designed to help people who have restricted incomes. Any additional changes to the proposed scheme will therefore have an impact on those who claim support – particularly those of working age.	A hardship fund exists to ensure provision for those residents who have exceptional circumstances.
<p>4. Is there a Cumulative Impact? (If the same group is the subject of many changes or reductions the overall impact is much greater. Consider what else is happening within Maldon District Council that may have an impact and also what we know is happening elsewhere (such as Essex County Council). See Guidance for further advice.)</p> <p>The requirement to introduce a local Council Tax scheme and to make savings has been introduced via Government policy so each year our scheme must be reviewed and a proposal must be pursued following a public consultation.</p> <p>Whilst the authority may choose to allocate funding to ensure full protection for all customers, to date this has not been considered to be financially sustainable. Furthermore, the results from public consultations would appear to agree that customers claiming support should pay towards their Council Tax.</p>					
5. Outcome					
<p>5.1 Consider all the analysis and evidence above and indicate</p> <p>(1) No change needed <input checked="" type="checkbox"/> (2) Adjust <input type="checkbox"/> (3) Adverse impact but continue <input type="checkbox"/> (4) Stop, remove the proposal / policy / service <input type="checkbox"/></p>					
<p>5.2 Adjustments</p> <p>If option (2) above is selected please detail what adjustments are needed, who is responsible and how that will be reviewed. Also outline how that will be agreed (i.e. Committee, CMT).</p>					
<p>5.3 Decision Making (How will this equality analysis be taken into account during the decision making process? For example will it be included with a report to Committee/CMT? Will it be considered at department level or by a Head of Service? How will community/stakeholders views be taken into account?)</p>					

Maldon District Council Equality Analysis

Please complete the questions below as fully as possible - the boxes will expand to accommodate your text. Please include the document version in the footer below.

The Equality analysis will be included within the decision making process which includes consideration at

- Full Council on 24 February 2022

6.0 Next Steps**6.1 If there was a lack of evidence or data held on which to base this assessment, how will that gap be addressed for the future?**

Not applicable

6.2 Summary of actions highlighted within this analysis (Include how this will be picked up within service/work plans)

None

6.3 Arrangements for future monitoring of equality impact of this proposal / policy / service

To be reviewed at least annually, or where relevant changes occur which may have an impact.

6.4 Approved by

Michelle Lamarre (Lead Specialist, Revenues and Benefits)

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Exceptional Hardship Fund for Council Tax Support Framework for Decision Making

1.0 Introduction and Background

- 1.1 The Exceptional Hardship Fund (EHF) is a local scheme introduced from 1 April 2013 and intended to provide additional financial help to residents on low incomes claiming Council Tax Support. An award made from the EHF will be referred to as an Exceptional Hardship Payment (EHP).
- 1.2 An EHP is extra money that we can pay in addition to an award of Council Tax Support (CTS) if it is considered that the customer needs extra help. The main principles of the scheme are outlined below:
- EHF is intended to provide some additional help to those customers who are suffering from severe or exceptional circumstances. It is not intended to compensate working age customers who receive less financial support just as a result of the CTS Scheme;
 - An award is to address short-term need only and should not be considered as a long-term solution to a customer's circumstances;
 - The scheme is discretionary; therefore, the customer has no statutory right to a payment;
 - All applications must be treated on their own merit, having regard to the priorities set out in this framework;
 - The scheme is administered by Maldon District Council;
 - The level of payment will be decided by the Council and administered via the Council Tax Support system;
 - Payment from the EHF is not an award of CTS and as such is not subject to the statutory appeals mechanisms. We do have a review process further information can be found in the Reviews section of this policy;
 - We have the right to amend, suspend or cancel a EHF when necessary or appropriate;
 - Total amount payable in any financial year is cash limited and therefore applications cannot be progressed once the funding is fully allocated within that financial year;
 - All applicants will be expected to engage with the Council and undertake the full application process. Failure to do so will inevitably mean that no payment will be made.

2.0 Purpose of the EHF

- 2.1 The purpose of the fund is to:
- Prevent homelessness;
 - Alleviate poverty;
 - Safeguard residents in their home;
 - Help customers through personal crises, severe or exceptional circumstances and difficult life events such as death, family illness;
 - Assisting customers where they or their family members are sick or disabled;
 - Other reasons or circumstances not listed above where they are considered to be exceptional or severe.

3.0 How to claim

- 3.1 The main elements of claiming are as follows:
- We encourage electronic claims to be submitted wherever possible;
 - The link to the electronic claim form is on our website in the 'Making an Application' section of the Do it online page. The claim must contain sufficient evidence/information to enable the local authority to get a balanced view of the claimant's situation and circumstances.
 - A paper version of the form is available on request. The EHP application form requests the following information:
 - Reasons why financial assistance is required;

- A declaration that the information given is correct
- Authorisation for us to verify information given
- A declaration that the customer will repay any overpayment

- 3.2 If additional evidence is required and requested, this must be provided within one month of the request date.
- 3.3 As part of the process of applying for additional support from the Exceptional Hardship Fund, all applicants must be willing to undertake **all** of the following:
- Make a separate application for assistance;
 - Provide full details of their income and expenditure;
 - Accept assistance from either the Council or third parties such as the CAB or similar organisations to enable them to manage their finances more effectively including the termination of non-essential expenditure;
 - Identify potential changes in payment methods and arrangements to assist the applicant;
 - Assist the Council to minimise liability by ensuring that all discounts, exemptions and reductions are properly granted; and
 - Maximise their income through the application for other welfare benefits, cancellation of non-essential contracts and outgoings and identifying the most economical tariffs for the supply of utilities and services generally.
- 3.4 In addition a pre-requisite to receive a payment from the Fund is that an amount of Council Tax Support **must be in payment** for any day that an EHF payment is requested.

4.0 Who can make a claim for an EHP

- 4.1 We will accept claims from:
- Customers;
 - Anyone acting on the customer's behalf such as an appointee, a relative or social worker and other support/advice agencies such the Council's Housing Options Team, Citizens Advice Bureau, other recognised support agency.
- 4.2 The claimant must be aware that an application for an EHP is being made on their behalf.

5.0 Who can claim?

- 5.1 Customers can be considered for an EHP if:
- they are already receiving some Council Tax Support (CTS);
 - **and** they get less than the maximum CTS allowed under the scheme;
 - **and** need further financial assistance with their Council Tax.

6.0 What an EHP cannot cover

- 6.1 An award of EHP cannot be paid in the following circumstances:
- Deductions for the recovery of Council Tax arrears or Council Tax Support overpayments;
 - Reduction in any benefit as a result of Jobseeker's sanctions, Child Support Agency sanctions or sanctions following benefit related offences;
 - Council Tax Support that is suspended;
 - Due to hardship caused by previous proven fraudulent activity

7.0 Priority for award of EHP

7.1 The fund is cash limited, meaning that we are not able to make an award to all customers in receipt of support. Consequently, whilst claims from *any* customer will be considered, we have identified vulnerable customers whose claims will be given priority.

- Those at risk of homelessness;
- Where the customer or members of their dependant family are sick or disabled and who are entitled to a disability premium; and
- Where the household includes any children under 5 years old.

8.0 Guidelines for consideration

8.1 The following guidelines should be used to assess each case. The list is not exhaustive but will give a starting point to ensure consistent and transparent decision making.

- Is the customer claiming all of the benefits that they are entitled to?
- Is there danger of eviction and homelessness?
- Are there any social or health problems currently being faced by the customer and/or their family that could cause them extra financial costs?
- Does the customer or his dependant family have any income that is disregarded under the CTS? Is it reasonable to use that disregarded income to meet the shortfall?
- Does the customer or his dependant family have any savings or capital?
- Has the customer provided a budget statement showing his income and outgoings?
- Is there evidence to show that the customers' financial situation has been caused by or worsened by non-priority expenditure?
- Does the customer have any priority debts; these include Rent, Mortgage, fuel bills, arrears of maintenance, unpaid Income tax or VAT, and Television licence.
- What is likely to happen to the family if an EHP is not awarded?
- Are there any other fund/funding schemes available via Benevolent funds or charitable organisations that would be appropriate to use instead of an EHP.
- Is it reasonable to award an EHP having regard to the amount of unallocated budget in the EHP?

8.2 The Council will not make any allowance for the following:

- Any loss resulting from the claimant's failure or delay in claiming any income to which they are entitled;
- Any debt arising from overpayment/arrears of Council Tax;
- Any debt, which, in the opinion of the Council arises from the financial imprudence of the claimant including proven fraud.

9.0 Decision

9.1 We will write to the customer advising them of the decision. The notification will contain the following information:

Award Made

- Period of the EHP award;
- Weekly amount of EHP;
- The customers right to ask for a review/appeal of the award and the time and manner of doing so; and
- The right of the Council to amend suspend or cancel a EHP when deemed necessary or appropriate.

Application Refused

- Reason for refusal; and
- The right of the customer to ask for a review/appeal of the award and the time and manner of doing so.

10.0 Start dates

- 10.1 The start date of the EHF payment will normally be from the Monday following the date the written request was received. If a claim is received at the same time as a CTS claim the start date of the EHF can be matched to the start of CTS award.

11.0 Length of award

- 11.1 When considering an EHP claim it should be taken into account that the EHP scheme should in most cases be seen as a short-term emergency fund. Customers must be made aware that they must seek advice with regard to their housing needs and ways to manage financially in the long term. EHPs cannot be paid indefinitely.

12.0 Payments

- 12.1 An award of EHP will be paid directly into the customer's Council Tax account.

13.0 Change in circumstance

- 13.1 Customers must report immediately, in writing, any change in circumstance that might affect the amount of EHP they get. Examples of these changes include:
- If they change address;
 - If they leave their home temporarily;
 - If their income changes;
 - If the household make up changes.

14.0 Fraud and overpayments

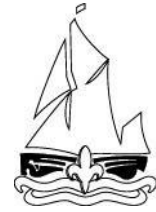
- 14.1 The Council is committed to protect public funds and ensure funds are awarded to the people who are rightfully eligible to them.
- 14.2 An applicant who tries to fraudulently claim an EHP by falsely declaring their circumstances, providing a false statement or evidence in support of their application, may have committed an offence under The Fraud Act 2006.
- 14.3 Where the Council suspects that such a fraud may have been committed, this matter will be investigated as appropriate and may lead to criminal proceedings being instigated.
- 14.4 We may seek recovery of an overpaid EHP in certain circumstances:
- Misrepresentation or failure to disclose a material fact, fraudulently or otherwise;
 - An error made when the claim was determined.

15.0 Reviews

- 15.1 Customers can request a review of EHP decisions. They must do this in writing within one month of the date they are notified of the decision. The customer (or appointee) must sign the review request letter. Late requests will be only considered where the Council is satisfied that there

were good reasons for the delay.

- 15.2 If a review is requested regarding the decision this will be looked at by a Senior Officer who was not involved in the original decision. The customer will be notified of the outcome of the review within 14 days.
- 15.3 Following the review the customer can submit an appeal if he remains dissatisfied with the outcome of the review. The appeal will be dealt with by a Lead Specialist, and that decision will be final. The customer will be notified of the outcome of the appeal within 14 days.
- 15.4 Once the review has been completed, the officer will write to the customer informing them of the decision within one week.
- 15.5 The customer has no further right of review against this decision. However, applicants may still seek a Judicial Review of the Authority's decision.



REPORT of DIRECTOR OF RESOURCES

to
COUNCIL
24 FEBRUARY 2022

UPDATED DISCRETIONARY NON-DOMESTIC RATE RELIEF POLICY

1. PURPOSE OF THE REPORT

- 1.1 For Members to approve the updated Discretionary Non-Domestic Rate Relief Scheme at **APPENDIX 1**, which updates and replaces our existing policy to reflect changes announced by Central Government to support businesses. The new relief will be fully funded by Central Government.

2. RECOMMENDATION

That the proposed Discretionary Non-Domestic Rate Relief Scheme at **APPENDIX 1** be approved.

3. SUMMARY OF KEY ISSUES

- 3.1 As part of the 2021 Autumn Statement the Chancellor announced from 1 April 2022 additional measures to support businesses. These include
- an extension to the Retail, Hospitality and Leisure Relief scheme which would offer relief equivalent to fifty percent of the bill for occupied properties being used for eligible purposes up to a cash cap of £110,000 per business for 2022 / 23;
 - an extension to the Transitional Relief and Supporting Small Business Relief for Small and Medium properties Scheme to the end of the current valuation cycle. The scheme will restrict increases in 2022/23 bills to 15% for businesses with small properties (up to and including £20,000 rateable value) and 25% for medium properties (up to and including £100,000 rateable value);
- 3.2 Guidance published in December 2021 provided for the Covid 19 Additional Relief (CARF) fund enabling the granting of relief to reduce chargeable amounts in respect of 2021 / 22 to support businesses in England affected by COVID-19 but not eligible for existing support linked to business rates.
- 3.3 The amended policy at **APPENDIX 1** provides for the granting of the new and extended reliefs in line with the published guidelines. This relief is fully funded by Central Government.

4. CONCLUSION

- 4.1 The proposed Discretionary Non-Domestic Rate policy at **APPENDIX 1** will enable additional financial support for eligible businesses

5. IMPACT ON STRATEGIC THEMES

- 5.1 The updated Discretionary Non-Domestic Rate Relief policy will enable the granting of additional Discretionary Rate Relief and Rural Rate Relief which will support the Councils goal of “prosperity” and enabling businesses to arrive, thrive and survive.

6. IMPLICATIONS

- (i) **Impact on Customers** – Eligible ratepayers will receive a rates bill reduction.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – The schemes should provide financial support to local businesses.
- (iv) **Impact on Resources (financial)** – None. The additional schemes are fully funded by Central Government.
- (v) **Impact on Resources (human)** – None. The additional schemes will be delivered within existing resources.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers: None.

Enquiries to: Michelle Lamarre, Lead Specialist Revenues and Benefits.



MALDON DISTRICT COUNCIL

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

Version Control

<i>Version</i>	<i>Version date</i>	<i>Revised by</i>	<i>Description</i>
1	June 2017	LM	Policy
2	June 2017	DA	Revisions
3	July 2017	LM	Revisions
4	July 2017	DA	Sign Off
5	October 2017	LM	Revisions MLM
6	November 2017	LM	Revisions MLM
7	January 2019	LM	Full update of policy
8	April 2020	LM/DA	Full update of policy & inclusion of COVID-19 reliefs
9	April 2021	LM/DA	Full update of policy & inclusion of COVID-19 reliefs
10	February 2022	LM/DA	Full update of policy & inclusion of COVID-19 reliefs

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1.0 Purpose of the Policy

- 1.1 The purpose of this policy is to determine the level of discretionary relief and related areas to be granted to certain defined ratepayers within the Council's area. The policy includes all changes effective from 1st April 2022 and includes all extended reliefs due to the COVID-19 crisis. The Council is keen to support businesses during the crisis, as far as possible.
- 1.2 The Local Government Finance Act 1988 and subsequent legislation requires the Council to grant mandatory relief for premises occupied by Charities and similar organisations that own or occupy them wholly or mainly for charitable purposes. Likewise, certain premises situated within a rural settlement area will be eligible for mandatory relief. Powers have also been granted under the Localism Act 2011, which allow for the granting of discretionary rate relief to any premises where the Council feels the granting of such relief would be of benefit to the local community.
- 1.3 In addition to the above, Central Government is keen that in certain cases, assistance should be provided to businesses who have had increases in their rate liability due to the revaluation of premises in April 2017. In these cases, and where the Council meets Central Government guidelines, grants are available under section 31 of the Local Government Act 2003.
- 1.4 Whilst the Council is obliged to grant relief to premises, which fall within the mandatory category, the Council also has powers to grant discretionary relief and reductions to ratepayers, subject to certain criteria being met. In the case of the new reliefs, some guidance has been issued by Central Government outlining actions expected to be taken by local authorities. This policy includes Government guidance where appropriate but also looks to target discretionary relief in line with the Council's priorities.
- 1.5 This document outlines the following areas:
 - Details of the criteria for receiving Discretionary Reliefs for all relevant areas;
 - The Council's policy for the granting of all types of Discretionary Reliefs;
 - Guidance on granting and administering the reliefs and awards; and
 - The Council's Scheme of Delegation.
- 1.6 Where organisations apply for relief they will be granted (or not granted) relief or reductions in line with the following policy.

2.0 Mandatory Relief - Legislative Background

Charity Relief

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

Rural Rate Relief

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

¹ S43 & S45 Local Government Finance Act 1988

² S47 & S48 Local Government Finance Act 1988

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

- 2.6 Where businesses in rural settlements have a Rateable Value of up to £16,500 **and** are not in receipt of mandatory relief, the Council may decide to give up to 100 per cent discretionary relief if it is satisfied that the business is of benefit to the community and having regard to the interests of its Council Taxpayers.

3.0 Discretionary Relief – Legislative Background

Introduction

- 3.1 The original purpose of discretionary relief was to provide assistance where the property does not qualify for mandatory relief, or to 'top' up cases where ratepayers already receive mandatory relief.
- 3.2 Over recent years and particularly since 2011, the discretionary relief provisions have been amended to allow authorities the flexibility to provide more assistance to businesses and organisations.
- 3.3 The range of bodies, which are eligible for discretionary rate relief, is wide and not all of the criteria laid down by the legislation will be applicable in each case.
- 3.4 Unlike mandatory relief, ratepayers are obliged to make a written application to the Council. The Council will expect all businesses to make applications in such a format as is required (which may vary from time to time) and for the business to provide such information and evidence as required in order to determine whether relief should be awarded.
- 3.5 The Council is obliged to consider carefully every application on its merits, taking into account the contribution that the organisation makes to the amenities within the authority's area. There is no statutory appeal process or Tribunal against any decision made by the Council although, as with any decision of a public authority, decisions can be reviewed by Judicial Review. The authority will however, upon request, review decisions made. Details of the internal review process are given within this policy.
- 3.6 Granting of the relief falls broadly into the following categories:
- a. Discretionary Relief – Charities who already receive mandatory relief.
 - b. Discretionary Relief – Premises occupied by organisations not established or conducted for profit whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts **or** premises occupied by organisations not established or conducted for profit and wholly or mainly used for purposes recreation;
 - c. Discretionary Relief – Rural Rate relief - premises that already receive mandatory relief;
 - d. Discretionary Relief – Rural Rate relief - premises not receiving mandatory relief but of benefit to the local community and less than £16,500 RV;
 - e. Discretionary Relief – Granted under the Localism Act 2011 provisions;
 - f. Local Newspaper Relief (from 1st April 2017 until 2025);
 - g. Supporting Small Businesses Relief (from 1st April 2017 for a period of up to five years);
 - h. Expanded Business Rates Discount Relief (from 1st April 2021 for a period of one year);
 - i. Nursery Discount (from 1st April 2021 for a period of one year);

- j. COVID Additional Relief Fund (from 1st April 2021 for a period of one year);
- k. Extension to Transitional Relief and Supporting Small Business Rates Relief (from 1st April 2022 for a period of one year);
- l. Retail, Hospitality and Leisure Business Rates Relief (from 1st April 2022 for a period of one year);
- m. S49 Hardship Relief.

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

The Council's general approach to granting Discretionary Relief

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

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

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

4.0 Effect on the Council's Finances

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

Appendix	Relief Type	Granted after 1 st April 2013
	Charity Relief	
A	Discretionary relief granted to Mandatory Relief recipients	40% borne by the Council
B	Non-profit Making Organisations including Sports Clubs and societies	40% borne by the Council
	Rural Rate Relief	
C	50% Discretionary relief granted to Mandatory Rural Relief recipients	Section 31 Grant
D	Other premises within a rural settlement under £16500 RV	40% borne by the Council
	Localism	
E	Discretionary Relief granted to ratepayers generally and not covered by any other section	40% borne by the Council

Appendix	Relief Type	Granted after 1 st April 2013
	Local Newspaper Relief	
F	Discretionary Relief granted to local newspapers meeting the criteria (From 1 st April 2017 up until 2025)	Section 31 Grant
	Supporting Small Business Relief	
G	Supporting Small Businesses Relief (from 1 st April 2017 for a period of up to five years if conditions are met)	Section 31 Grant
	Expanded Business Rates Discount Relief	
H	Expanded Business Rates Discount Relief (from 1 st April 2021 for a period of one year)	Section 31 Grant
	Nursery Discount	
I	Nursery Discount (from 1 st April 2021 for a period of one year)	Section 31 Grant
J	COVID Additional Relief Fund (CARF)	
	The Council's COVID Additional Relief Fund (for 2021/22 only)	Section 31 Grant
K	Extension to Transitional Relief and Supporting Small Business Rates Relief	
	Extension to Transitional Relief and Supporting Small Business Rates Relief (from 1 st April 2022 for a period of one year)	Section 31 Grant
L	Retail, Hospitality and Leisure Business Rates Relief	
	Retail, Hospitality and Leisure Business Rates Relief (from 1 st April 2022 for a period of one year);	Section 31 Grant
	S49 Hardship Relief	
M	Partial or full relief for cases of hardship where it would be reasonable to do so having due regard to the interests of council taxpayers	40% borne by the Council

5.0 Administration of Discretionary Relief

- 5.1 The following section outlines the procedures followed by officers in granting, amending or cancelling discretionary relief and reduction. This is essentially laid down by legislation⁴

Applications and Evidence

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

Granting of relief

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

⁴ The Non-Domestic Rating (Discretionary Relief) Regulations 1989

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

Variation of a decision

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

6.0 Scheme of Delegation

Granting, Varying, Reviewing and Revocation of Relief

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

Reviews

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

Appeals

- 6.5 Where the Council receives an appeal from the ratepayer regarding the granting, non-granting or the amount of any discretionary relief, the case will be reviewed by the Lead Specialist, Service Delivery. Where a decision is revised then the ratepayer shall be informed, likewise if the original decision is upheld.
- 6.6 Where the ratepayer wishes to appeal the decision of the Lead Specialist, Service Delivery the case will be considered by the Section 151 officer or another member of the Corporate Leadership team, whose decision on behalf of the Council will be final
- 6.7 Ultimately the formal appeal process for the ratepayer is Judicial Review although the Council will endeavour to explain any decision fully and openly with the ratepayer.

7.0 Reporting changes in circumstances

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

8.0 Fraud

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

Appendix A

Discretionary Relief - Mandatory Relief recipients

Discretionary Relief – Mandatory Relief recipients

General Explanation

- A.1 S43 of the Local Government Finance Act 1988 allows mandatory relief (80%) to be granted on premises if the ratepayer is a charity or trustees for a charity and the premises are wholly or mainly used for charitable purposes. No charge is made in respect of unoccupied premises where it appears that *when next in use* it will be used wholly or mainly for those purposes.
- A.2 The legislation has been amended by the Local Government Act 2003 (effective from 1st April 2004) to include registered⁵ Community Amateur Sports Clubs (CASC). These organisations can now receive the mandatory (80%) relief.

Charity registration

- A.3 Charities are defined within the legislation as being an institution⁶ or other organisation established for charitable purposes only or by persons administering a trust established for charitable purposes only.
- A.4 The question as to whether an organisation is a charity may be resolved in the majority of cases by reference to the register of charities maintained by the Charity Commissioners under s.4 of the Charities Act 1960. Entry in the register is conclusive evidence. By definition, under the Non-Domestic Rating legislation, there is no actual need for an organisation to be a registered charity to receive the relief and this has been supported by litigation⁷, however in all cases the organisation must fall within the following categories:
- trusts for the relief of poverty;
 - trusts for the advancement of religion;
 - trusts for the advancement of education; and
 - trusts for other purposes beneficial to the community, but not falling under any of the preceding heads.
- A.5 Certain organisations are exempted from registration generally and are not required to make formal application to the Charity Commissioners these are:
- the Church Commissioners and any institution administered by them;
 - any registered society within the meaning of the Friendly Societies Acts of 1896 to 1974;
 - units of the Boy Scouts Association or the Girl Guides Association; and
 - voluntary schools within the meaning of the Education Acts of 1944 to 1980.
- A.6 The Council will consider charitable organisations, registered or not, for mandatory relief.

⁵ Registered with HMRC as a CASC

⁶ S67(10) Local Government Finance Act 1988

⁷ Income Tax Special Commissioners v Pemsell (1891)

Use of Premises – wholly or mainly used

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

Offices, administration and similar premises

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

Charity shops

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

Granting of Mandatory Relief - the Council's Policy

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

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

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

Appendix B

Discretionary Relief - Non-Profit Making Organisations including Recreation

Discretionary Relief – Non-Profit Making Organisations including Recreation

General explanation

Non-Profit

- B.1 The legislation⁸ allows the Council to grant discretionary relief where the property is not an *excepted* one and all or part of it is occupied for the purposes of one or more institutions or other organisations none of which is established or conducted for profit and each of whose main objects are charitable or are otherwise philanthropic or religious or concerned with education, social welfare, science, literature or the fine arts.
- B.2 Relief cannot be granted to any premises occupied by the Council, or any town, parish council or major Precepting Authority (*excepted premises*).
- B.3 A number of issues arise from the term 'not established or conducted for profit'. This requires the Council to make enquiries as to the overall purpose of the organisation although if surpluses and such amounts are directed towards the furtherance or achievement of the objects of the organisation then it does not necessarily mean that the organisation was established or conducted for profit.⁹

Recreation Clubs

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

⁸ S47 Local Government Finance Act 1988

Definition of Recreation

B.7 Recreation is clearly defined by the Sports Council as any of the following¹⁰

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

Access to clubs

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

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

¹⁰ Definition last reviewed by Sport England in 2002

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

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

Provision of facilities

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

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

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

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

Appendix C

Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

Discretionary Relief - Rural Rate Relief – Mandatory Relief recipients

What are the qualifying criteria for Mandatory Relief?

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

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

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

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

What is the definition of a General Store?

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

What is the definition of a Public House?

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

What is the definition of a Petrol Filling Station?

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

What is the definition of a Food Shop?

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

What are the qualifying criteria for Discretionary Relief?

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

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

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

Appendix D

Discretionary Relief - Premises within Rural Settlements

Discretionary Relief – Premises within Rural Settlements

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

Benefit to the local community

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

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

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

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

Appendix E

Discretionary Relief - Localism Act 2011

Discretionary Relief – Localism Act 2011

General explanation

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

Discretionary Relief – Localism – the Council's Policy

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

- i. whether the premises occupied are considered to be reasonable having regard to the size and location of the premises, the size and nature of the organisation, and the use being made of the premises by the organisation; **and**
 - j. The ratepayer **must** show that the activities of the organisation are consistent with the Council's core values and priorities.
- E.5 Where a ratepayer can demonstrate that **all** of the above criteria are met, relief will be considered for initially a short period.

Appendix F

Local Newspaper Relief

General Explanation

- F.1 This is a temporary relief that will be awarded until 2025 and the Government is not changing the legislation around the reliefs available to these properties. Central Government will reimburse local authorities that use their discretionary relief powers (under section 47(3)) of the Local Government Finance Act 1988 to grant relief in line with the eligibility criteria set out in this guidance.
- F.2 The Council will be compensated by Central Government through a grant under section 31 of the Local Government Act 2003.

Eligibility criteria

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

Local Newspapers

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

Office Space

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

Amount of Relief

- F.6 The amount of relief is limited to a maximum of one discount per newspaper title (e.g. per newspaper name) **AND** per hereditament.

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

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

Appendix G

Supporting Small Businesses Relief (until 31st March 2022)

General Explanation

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

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

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

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

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

Recalculation of relief

- G.12 The amount of relief awarded under the Supporting Small Businesses relief scheme will be recalculated in the event of a change of circumstances including the following:
- This could include, for example, a backdated change to the rateable value or the hereditament; or
 - The awarding of another relief.
- G.13 The Council will, in effect, calculate the award on a daily basis taking into account the above, and the relief will be re-calculated if the rateable value changes.

Other Reliefs

- G.14 Hereditaments eligible for charity or Community Amateur Sports Club relief or hereditaments which are unoccupied are not eligible for Supporting Small Businesses Relief. Likewise, the same principle applies to properties for which a Section 44A certificate has been granted (apportionment of rateable values for partly occupied properties). The presence of a section 44A certificate will not further reduce the bill found under the Supporting Small Business scheme.
- G.15 In accordance with Central Government guidelines, all other discretionary reliefs, will be considered **after** the application of Supporting Small Businesses relief.

Supporting Small Businesses Relief – the Council’s policy for granting discretionary relief.

G.16 The Council has decided to grant relief strictly in accordance with Central Government guidelines

Appendix H

Expanded Retail Discount Scheme (2021/22 only)

General Explanation

- H.1 In response to the coronavirus pandemic (COVID-19), in the Budget on 3rd March 2021, the Government announced that it would provide an extension to the discount granted under the Expanded Retail Discount provisions into the financial year 2021/22 **only** to all those premises that received the discount during 2020/21 and meet the full eligibility criteria

Who is eligible for the relief?

- H.2 Properties that will benefit from the relief will be occupied hereditaments that which meet **all** of the following conditions for each chargeable day, namely that they are **wholly or mainly** being used as:
- a. shops, restaurants, cafes, drinking establishments, cinemas and live music venues;
 - b. for assembly and leisure; or
 - c. as hotels, guest & boarding premises and self-catering accommodation,
- H.3 The Council considers shops, restaurants, cafes, drinking establishments, cinemas and live music venues to mean:

Hereditaments that are being wholly or mainly used for the sale of goods to visiting members of the public:

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

Hereditaments that are being wholly or mainly used for the provision of the following services to visiting members of the public:

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

- Photo processing;
- Tool hire;
- Car hire;
- Employment agencies;
- Estate agents and letting agents; and
- Betting shops.

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

- Restaurants;
- Takeaways;
- Sandwich shops;
- Coffee shops;
- Pubs; and
- Bars.

Hereditaments which are being used wholly and mainly as cinemas

Hereditaments that are being used wholly and mainly as live music venues

- The Council considers that live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended).
- Hereditaments can be a live music venue even if used for other activities, but only if those other activities:
 - i. are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members); or
 - ii. do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).
- There may be circumstances in which it is difficult to tell whether an activity is a performance of live music or, instead, the playing of recorded music. Although the Council would expect this would be clear in most circumstances, guidance on this may be found in Chapter 16 of the statutory guidance issued in April 2018 under section 182 of the Licensing Act 2003

Sport and leisure

- Hereditaments that are being used wholly or mainly for the provision of sport, leisure and facilities to visiting members of the public (including for the viewing of such activities) including:
 - Sports grounds and clubs
 - Museums and art galleries
 - Nightclubs
 - Sport and leisure facilities

- Stately homes and historic houses
- Theatres
- Tourist attractions
- Gyms
- Wellness centres, spas, massage parlours
- Casinos, gambling clubs and bingo halls

Assembly

- Hereditaments that are being used for the assembly of visiting members of the public;
- Public halls;
- Clubhouses, clubs, and institutions.

Hotels, guest & boarding premises, and self-catering accommodation

- The Council considers guest & boarding premises and self-catering accommodation to mean hereditaments where the non-domestic part is being used wholly or mainly for the provision of living accommodation as a business such as:
 - Hotels, Guest and Boarding Houses
 - Holiday homes
 - Caravan parks and sites

H.4 To qualify for the discount the hereditament should be **wholly or mainly** being used for the above qualifying purposes. Hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

H.5 For the avoidance of doubt, hereditaments which have closed due to the government's advice on COVID-19 but would have otherwise remained open will be treated as occupied for the purposes of this relief.

H.6 It should be noted that the list set out above is not intended to be exhaustive and each case will be considered on its individual merits.

H.7 In line with Government guidance the list below sets out the types of uses that **will not be considered as eligible** for the purpose of this discount.

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

- Financial services (e.g., banks, building societies, cash points, bureaux de change, short-term loan providers);
- Medical services (e.g., vets, dentists, doctors, osteopaths, chiropractors);
- Professional services (e.g., solicitors, accountants, insurance agents/ financial advisers); and
- Post office sorting offices

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

- H.8 In line with the legal restrictions in section 47(8A) of the Local Government Finance Act 1988, Council may not grant the discount to itself or a precepting authority.

The Closed Cash Cap

- H.9 In addition to meeting the criteria laid down within the previous paragraphs, consideration will also be given as to whether the ratepayers also meet the 'Closed Cash Cap' provisions as follows:
- a. Ratepayers that meet the eligibility criteria for the closed cash cap will be ratepayers who for a chargeable day occupy one or more hereditaments whose use on the chargeable day would, based on the law and guidance applicable on 5 January 2021, have meant that the business or activity would have been mandated to close by the government. For the avoidance of doubt, hereditaments which have closed due to the government's response to coronavirus will be treated as occupied for the purposes of the closed cash cap;
 - b. If, under this eligibility test, a person would have been required to close its main, in-person service but could have adapted its business to operate takeaway, click and collect or online with delivery services, it will be considered closed and be eligible for the closed cash cap because its substantive business would have been mandated to close;
 - c. In cases where hereditaments would have remained open to provide services that can continue as they are exempt from the regulations (e.g. post office services, food banks etc.) the ratepayer may still be eligible for the closed cash cap, because they would have been unable to provide their main in-person service.
- H.10 The following hereditaments **will not meet** eligibility for the closed cash cap:
- a. Hereditaments occupied by businesses and other ratepayers that would have been able to conduct their main service because they do not depend on providing direct in-person services from premises and can operate their services effectively remotely (e.g., accountants, solicitors); and
 - b. Hereditaments whose occupiers may have chosen to close but not been required to.

How much relief will be available?

- H.11 Subject to the cash caps, the total amount of government-funded relief available for each property for 2021/22 under this scheme is:
- a. For chargeable days from 1 April 2021 to 30 June 2021 100% of the chargeable amount: and
 - b. For chargeable days from 1 July 2021 to 31 March 2022, 66% of the chargeable amount.
- H.12 The relief will be applied after mandatory reliefs and, other discretionary reliefs funded by Section 31 grants from Central Government have been applied, excluding those where the Council has used its wider discretionary relief powers introduced by the Localism Act, which are not funded by Section 31 grants.
- H.13 Subject to the cash cap, the eligibility for the discount and the discount itself will be assessed by the Council and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for a particular hereditament in the financial year 2021/22:

- Amount of relief to be granted = $V \times \text{percentage Expanded Retail Discount}$, where:
- V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs
- The calculation will be undertaken ignoring any prior year adjustments in liabilities which fall to be liable on the day.

H.14 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties subject to the cash caps explained below.

The calculation and the cash caps

H.15 No cash caps will apply for the period between 1 April 2021 to 30 June 2021.

H.16 Under the cash caps, a ratepayer may only receive up to the following cash caps of Expanded Retail Discount in 2021/22 ignoring any relief for the period before 1 July 2021:

- £2 million for ratepayers meeting the eligibility for the closed cash cap test set out above;
- £105,000 for all other ratepayers

H.17 No ratepayer can, in any circumstances, exceed the £2 million cash cap across all of their hereditaments in England. Where a ratepayer eligible for the closed cash cap also occupies hereditaments which do not meet the criteria for the closed cash cap and the value of the discount on the closed hereditaments is less than £2 million then they may also claim the discount on other eligible hereditaments but only up to the cap of £105,000 in respect of those other eligible hereditaments. For example, such a ratepayer whose rate bill from 1 July 2021 onwards on hereditaments eligible for the closed cash cap is £1 million and also occupies other eligible hereditaments with a rates bill of £3 million is able to claim up to £1,105,000 in discount from 1 July 2021 onwards (£1million on their closed hereditament and then up to the £105,000 cash cap on their other eligible hereditaments).

H.18 Where a ratepayer has a qualifying connection with another ratepayer then those ratepayers will be considered as **one** ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another:

- where both ratepayers are companies, and
 - one is a subsidiary of the other; or
 - both are subsidiaries of the same company; or
- where only one ratepayer is a company, the other ratepayer (the "second ratepayer") has such an interest in that company as would, if the second ratepayer were a company, result in its being the holding company of the other.

H.19 In those cases where it is clear to the Council that the ratepayer is likely to breach the cash caps, then the Council will automatically withhold the discount. The Council reserves the right to request information from ratepayers to assist in its decision and to determine whether any relief should be paid.

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

- H.20 The Council has decided to grant relief in accordance with Central Government guidelines and in accordance with this policy.

Appendix I

Nursery Discount Scheme (2021/22 only)

General Explanation

- I.1 The Government announced an extension to the business rates Nursery Discount on 3rd March 2021. This relief will apply to hereditaments occupied by providers on Ofsted's Early Years Register and wholly or mainly used for the provision of the Early Years Foundation Stage and which are subject to business rates in the year 2021/22. There will be no rateable value limit on the relief and Ofsted will ensure that all local authorities can access the Ofsted Early Years Register to help authorities identify eligible properties.

Who is eligible for the relief?

- I.2 Properties that will benefit from the relief will be hereditaments occupied by providers on Ofsted's Early Years Register and wholly or mainly used for the provision of the Early Years Foundation Stage.
- I.3 To qualify for the relief the hereditament should be wholly or mainly being used for the above qualifying purpose. For the avoidance of doubt, hereditaments which have closed temporarily due to the government's advice on COVID19 should be treated as occupied for the purposes of this relief.
- I.4 In line with the legal restrictions in section 47(8A) of the Local Government Finance Act 1988, the Council may not grant the discount to itself or a precepting authority.

How much relief will be available?

- I.5 Subject to the cash caps, the total amount of government-funded relief available for each property for 2021/22 under this scheme is:
- For chargeable days from 1 April 2021 to 30 June 2021 100% of the chargeable amount: and
 - For chargeable days from 1 July 2021 to 31 March 2022, 66% of the chargeable amount.
- I.6 The relief will be applied after mandatory reliefs and, other discretionary reliefs funded by Section 31 grants from Central Government have been applied, excluding those where the Council has used its wider discretionary relief powers introduced by the Localism Act, which are not funded by Section 31 grants
- I.7 Subject to the cash cap, the eligibility for the discount and the discount itself will be assessed by the Council and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a chargeable day for a particular hereditament in the financial year 2021/22:
- Amount of relief to be granted = $V \times \text{percentage Expanded Retail Discount}$, where:
 - V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any other discretionary reliefs
 - The calculation will be undertaken ignoring any prior year adjustments in liabilities which fall to be liable on the day.

- I.8 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties subject to the cash caps explained below.

The calculation and the cash caps

- I.9 No cash caps will apply for the period between 1 April 2021 to 30 June 2021.
- I.10 Under the cash caps, a ratepayer may only receive Nursery Discount up to £105,000 for 2021/22 ignoring any relief for the period before 1 July 2021:
- I.11 No ratepayer can in any circumstances can exceed the cash cap across all of their hereditaments in England.
- I.12 Where a ratepayer has a qualifying connection with another ratepayer then those ratepayers will be considered as one ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another:
- a. where both ratepayers are companies, and
 - i. one is a subsidiary of the other; or
 - ii. both are subsidiaries of the same company; or
 - b. where only one ratepayer is a company, the other ratepayer (the "second ratepayer") has such an interest in that company as would, if the second ratepayer were a company, result in its being the holding company of the other.
- I.13 In those cases where it is clear to the Council that the ratepayer is likely to breach the cash caps then the Council will automatically withhold the discount. The Council reserves the right to request information from ratepayers to assist in its decision and to determine whether any relief should be paid.

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

- I.14 The Council has decided to grant relief in accordance with Central Government guidelines and in accordance with this policy

Appendix J

COVID Additional Relief Fund (2021/22 only)

General Explanation

- J.1 The purpose of this policy is to determine the level of discretionary relief payable under the Council's COVID-19 Additional Relief Fund (CARF) scheme.
- J.2 Central Government has provided the authority with funding to assist those ratepayers whose businesses have been (and continue to be) affected by the pandemic but that are ineligible for existing support linked to business rates.
- J.3 The Government has not changed the legislation relating to the business rates reliefs available to properties. Instead, the Government will, in line with the eligibility criteria set out in this policy, reimburse local authorities where relief is granted using discretionary relief powers under section 47 of the Local Government Finance Act 1988.
- J.4 Whilst funding is provided by Central Government, it is for the Council to decide its own local scheme and determine in each individual case whether to grant this particular relief.
- J.5 Relief under the CARG scheme will only be available to reduce chargeable amounts in respect of the 2021/22 financial year.
- J.6 Where ratepayers apply for relief they will be granted (or not granted) relief under the COVID-19 Additional Relief Fund (CARF) scheme in line with the following policy.

Eligibility for discretionary relief under the COVID-19 Additional Relief Fund (CARF) scheme

- J.7 Whilst the Council has determined its own scheme, the Department for Levelling Up, Housing and Communities has stated that, in order for the Council to receive the allocated funding, it must:
 - (a) **not** award relief to ratepayers who for the same period of the relief either are or would have been eligible for the Expanded Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS);
 - (b) **not** award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become closed temporarily due to the government's advice on COVID-19, which should be treated as occupied for the purposes of this relief), and
 - (c) direct their support towards ratepayers who have been adversely affected by the pandemic and have been unable to adequately adapt to that impact.
- J.8 In line with section 47(8) of the Local Government Finance Act 1988, the Council must not grant any relief to itself or to either local or major precepting authorities.
- J.9 The relief will be applied after mandatory reliefs and other discretionary reliefs funded by section 31

grants have been applied, excluding those where the Council has provided relief using its wider discretionary relief powers introduced by the Localism Act 2011 which are not funded by section 31 grants.

- J.10 Where any reduction or remission is granted to a ratepayer under S49 Local Government Finance Act 1988 (where hardship is proven to the Council), then there will be no requirement to grant CARF Discretionary Rate Relief for that amount.
- J.11 In certain cases, the order in which relief is granted is specified. Mandatory relief shall be granted in all cases where the relevant criteria are met irrespective of whether discretionary relief can be granted or not.

Council's policy for granting relief under the COVID-19 Additional Relief Fund.

- J.12 Over the past few years, a number of schemes (such as the COVID-19 Additional Relief Fund) have been led by Central Government but without specific legislative changes.
- J.13 The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximise any grants receivable.
- J.14 In view of this, the Council has decided that where a ratepayer meets **all** of the relevant criteria, relief will be xx% (*to be confirmed*) of the 2021/22 liability **after** any other reliefs and reductions have been applied.
- J.15 The criteria for the COVID-19 Additional Relief Fund are as follows:
- (a) the ratepayer is **not** eligible (or would be eligible) for the Expanded Retail Discount (covering Retail, Hospitality and Leisure), the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS);
 - (b) the ratepayer is not entitled to either Small Business Rate Relief or Rural Rate Relief granted at 100%;
 - (c) the ratepayer is **not** entitled to mandatory relief (80%) and discretionary (top up) of 20% which is funded through business rates retention;
 - (d) the hereditament is treated as occupied by the Council;
 - (e) the ratepayer confirms that they have been adversely affected by the pandemic and have been unable to adequately adapt to that impact;
 - (f) the ratepayer is **not** subject to Subsidy Control and
 - (g) the hereditament is not excluded as shown below

Excluded hereditaments

- J.16 The Council has decided that the following hereditaments / ratepayers will be excluded from relief under the Council's COVID-19 Additional Relief Fund (CARF) scheme:

To be confirmed

Subsidy Control

- J.17 The Council's COVID-19 Additional Relief Fund (CARF) scheme is subject to the subsidies chapter within the UK-EU Trade and Cooperation Agreement (TCA). However, for CARF there is an exemption for subsidies under the value of approximately £2,243,000 per economic actor (broadly speaking, for example, a holding company and its subsidiaries).
- J.18 This allowance comprises 325,000 Special Drawing Rights (at current exchange rates about £343,000) for Small Amounts of Financial Assistance and a further £1,900,000 for COVID-19 related subsidy.
- J.19 Therefore, to be awarded CARF the ratepayer must not have claimed over the period 2019/20 to 2021/22 more than £2,243,000 from schemes which fell within the Small Amounts of Financial Assistance or COVID-19 related allowances.
- J.20 Any COVID-19 business grants a ratepayer has received from local government generally and the 2019/20 Retail Relief should count towards this limit, but the ratepayer should not count any Extended Retail Discount they have received since 1 April 2020.
- J.21 Further details of subsidy control can be found at:
<https://www.gov.uk/government/publications/covid-19-additional-relief-fund-carf-local-authority-guidance>
- J.22 The ratepayer will need to indicate to the Council:
- if they have not to date received any subsidy which fell within the Small Amounts of Financial Assistance or COVID-19 related allowances; or
 - if the ratepayer has received other such subsidies, they will be required to provide the name and total value of those subsidies.
- J.23 A ratepayer must not apply for CARF if they have already exceeded the £2,243,000 allowance. However, the Council will still consider applications for support under the CARF scheme if they have reached this limit provided you can evidence that they:
- (a) Intend to use the support to fund uncovered fixed costs (costs not covered by profits for insurance etc) during the period of COVID-19. Economic actors may claim for up to 70% of their uncovered costs (although this 70% limit does not apply to small businesses with less than 50 employees and less than £9 million turnover where the limit is instead 90%); and
 - (b) Have shown a decline in turnover of at least 30% within the April 2020 to March 2021 period, compared to the same 2019 to 2020 period.
- J.24 The ratepayer may claim up to a further £10 million of additional allowance (on top of the £2,243,000) if they meet the above tests and they have not claimed any other support from the additional allowance up to an aggregate £10 million limit (such as from the COVID-19 business grants).

- J.25 Government and the Council will not tolerate any business falsifying their records or providing false evidence to gain this relief including claiming support above these thresholds.
- J.27 A ratepayer who falsely applies for any relief or provides false information or makes false representation in order to gain relief may be guilty of fraud under the Fraud Act 2006.

Effect on the Council's Finances

- J.28 As Central Government leads this initiative, funding will be provided through section 31 of the Local Government Act 2003. This is not automatic and Central Government will look to the Council to adopt the recommended approach when granting in these areas.
- J.29 In order to guarantee funding, the Council will ensure that the criteria in this policy are met in full

Appendix K

Extension to the Transitional Relief Scheme Supporting Small Business Rates Relief Scheme (2022/23 only)

Purpose of the Policy

- K.1 The purpose of this policy is to determine the level of discretionary relief to be awarded in respect of Transitional Relief (TR) and Supporting Small Business Rates relief (SSB) for the financial year commencing 1st April 2022.
- K.2 This is a government led initiative and the Council is keen to support businesses as far as possible.

General Explanation

- K.3 The Transitional Relief scheme was introduced in 2017 to help those ratepayers who were faced with higher bills as a result of the revaluation. The scheme ends on 31 March 2022 and, as a result, a small number of ratepayers would face a significant increase to their full rates bill from 1 April 2022.
- K.4 Government has announced that it would like to extend the current Transitional Relief (TR) scheme and the Supporting Small Business scheme (SSB) for one year to the end of the current revaluation cycle.
- K.5 This scheme, which has been adopted by the Council, will restrict increases in bills to 15% for businesses with small properties (up to and including £20,000 rateable value) and 25% for medium properties (up to and including £100,000 rateable value).

How will the relief be provided?

- K.6 As this is a temporary measure for 2022/23, the government is not changing the legislation around transitional relief. Instead, the government will, in line with the eligibility criteria set out in this guidance, reimburse the Council if it uses its discretionary relief powers, under section 47 of the Local Government Finance Act 1988, to grant relief.

Who is eligible for the relief?

- K.7 Hereditaments that will benefit are those with a rateable value up to and including £100,000 who would have received transitional relief and/or SSB in 2022/23. In line with the existing thresholds in the Transitional Relief scheme, the £100,000 rateable value threshold will be based on the rateable value shown for 1st April 2017 or the substituted day in the cases of splits and mergers.
- K.8 This policy does **not** apply to those in downward transition to lower bills, those will fall to their full bill on 1 April 2022.

How much relief will be available?

- K.9 Government will fund the discretionary relief to ensure eligible properties receive the same level of protection they would have received had the statutory Transitional Relief scheme and Supporting Small Business scheme extended into 2022/23.
- K.10 The practical effects of the Transitional Relief scheme will be assumed to remain as it is in the current statutory scheme (As prescribed in the Non-Domestic Rating (Chargeable Amounts) (England) Regulations 2016 No. 1265) except that:
- (a) the cap on increases for small properties (with a rateable value of less than or equal to £20,000/£28,000 in London) in 2022/23 will be assumed to be 15% (before the increase for the change in the multiplier). Specifically, X in regulation 10(6) for the year commencing 1 April 2022 will be assumed to be 115. Q in regulation 10(12) should be assumed to be 1; and
 - (b) the cap on increases for other properties (up to and including £100,000 rateable value) in 2022/23 will be assumed to be 25% (before the increase for the change in the multiplier). Specifically, X in regulation 10(4) for year commencing 1 April 2022 will be assumed to be 125. Q will be assumed to be 1.
- K.11 This scheme applies only to hereditaments up to and including £100,000 rateable value based on the value shown for 1st April 2017 or the substituted day in the cases of splits and mergers.
- K.12 Changes in rateable value which take effect from a later date will be calculated using the normal rules in the Transitional Relief scheme. For the avoidance of doubt, properties whose rateable value is £100,000 or less on 1st April 2017 (or the day of merger) but increase above £100,000 from a later date will still be eligible for the relief.
- K.13 Where necessary, the Valuation Office Agency will continue to issue certificates for the value at 31st March 2017 (regulation 17, SI 2016 No. 1265) or 1st April 2017 (as required under regulations 16 and 18 SI 2016 No.1265).
- K.14 The relief will be calculated on a daily basis.
- K.15 The Supporting Small Business scheme will be assumed to remain as it is in the Council's current scheme (for periods up to 31st March 2022) with a percentage cap in 2022/23 of 15% plus inflation (or a cash value increase of £600 if greater).
- K.16 Where a ratepayer would have been in receipt of both Transitional Relief and Supporting Small Business in respect of 2022/23, a single award of section 47 relief will be granted resulting in a chargeable amount equivalent to that had the original Transitional Relief and Supporting Small Business schemes continued.

Recalculations of relief

- K.17 As with the original Transitional Relief scheme, the amount of relief awarded will be recalculated in the event of a change of circumstances. This could include, for example, a backdated change to the rateable value or to the hereditament. This change of circumstances could arise during the year in question or during a later year.

Calculating the extension of Transitional Relief and Supporting Small Business where other reliefs apply

- K.18 Under the statutory Transition scheme which ends on 31 March 2022, Transitional Relief is measured before all other reliefs. But the extension of Transitional Relief and Supporting Small Business scheme into 2022/23 will be delivered via section 47 of the Local Government Finance Act 1988 which will be measured **after** other reliefs (including other funded reliefs granted under section 47).

Subsidy control

- K.19 The extension of Transitional Relief and Supporting Small Business relief scheme is likely to amount to subsidy. Any relief provided by the Council under this scheme will need to comply with the UK's domestic and international subsidy control obligations.
- K.20 To the extent that the Council is seeking to provide relief that falls within the Small Amounts of Financial Assistance Allowance, Article 364 of the TCA allows an economic actor (e.g. a holding company and its subsidiaries) to receive up to 325,000 Special Drawing Rights (£343,000 as at 9 December 2021) in a three-year period (consisting of the 2022/23 financial year and the two previous financial years) Expanded Retail Discount granted in either 2020/21 or 2021/22 does not count towards the £343,000 allowance but BEIS business grants (throughout the 3 years) and any other subsidies claimed under the Small Amounts of Financial Assistance limit, should be counted.
- K.21 In those cases where it is clear to the Council that the ratepayer is likely to breach the Small Amounts of Financial Assistance Allowance then the Council will automatically withhold the relief.

Transitional Relief & Supporting Small Business Rates Relief (2022/23) - the Council's policy for granting discretionary relief.

- K.22 Over the past few years, a number of schemes have been led by government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximise any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.

- K.23 In the case of transitional relief and supporting small business rates relief, the Council will grant the relief strictly in accordance with government guidance.

Effect on the Council's Finances

- K.24 As this is a government led initiative, grants for the full amount awarded will be available through section 31 of the Local Government Act 2003.

Appendix L

Retail, Hospitality and Leisure Relief (2022/23 only)

Purpose of the Policy

- L.1 The purpose of this policy is to determine the level of discretionary relief to be awarded in respect of the Retail, Hospitality and Leisure Business Rates Relief Scheme for the financial year commencing 1st April 2022.
- L.2 This is a government led initiative and the Council is keen to support businesses as far as possible.

General Explanation

- L.3 The 2022/23 Retail, Hospitality and Leisure Business Rates Relief scheme will provide eligible, occupied, retail, hospitality, and leisure properties with a 50% relief, up to a cash cap limit of £110,000 per business.

Who is eligible for the relief?

- L.4 Hereditaments which benefit from the relief will be those which for a chargeable day in 2022/23:
 - (a) meet the eligibility criteria; and
 - (b) the ratepayer for that chargeable day has not refused the relief for the eligible hereditament. The ratepayer may refuse the relief for each eligible hereditament anytime up to 30 April 2023. The ratepayer cannot withdraw their refusal for either all or part of the financial year.
- L.5 In line with the legal restrictions in section 47(8A) of the Local Government Finance Act 1988, the Council may not grant the discount to themselves certain precepting authorities (e.g., a parish or county council) or a functional body, within the meaning of the Greater London Authority Act 1999.

How much relief will be available?

- L.6 Subject to the £110,000 cash cap per business, the total amount of government-funded relief available for each property for 2022/23 under this scheme is for chargeable days from 1 April 2022 to 31 March 2023, 50% of the chargeable amount.
- L.7 The relief will be applied after mandatory reliefs and other discretionary reliefs funded by section 31 grants have been applied, but before those where the Council has used their wider discretionary relief powers introduced by the Localism Act 2011, which are not funded by section 31 grants.
- L.8 Subject to the cash cap, the eligibility for the discount and the relief itself will be assessed and calculated on a daily basis. The formula that will be used to determine the amount of relief to be granted for a chargeable day for a particular hereditament in the financial year 2022/23 is $V \times 0.5$, where V is the daily charge for the hereditament for the chargeable day after the application of any mandatory relief and any certain other discretionary reliefs.

- L.9 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties up to the maximum £110,000 cash cap, per business.

The cash cap and subsidy control

- L.10 Under the cash cap, no ratepayer can in any circumstances exceed the £110,000 cash cap across all of their hereditaments in England.
- L.11 Where a ratepayer has a qualifying connection with another ratepayer then those ratepayers will be considered as one ratepayer for the purposes of the cash caps. A ratepayer shall be treated as having a qualifying connection with another:
- (a) where both ratepayers are companies, and
 - (i) one is a subsidiary of the other; or
 - (ii) both are subsidiaries of the same company; or
 - (b) where only one ratepayer is a company, the other ratepayer (the "second ratepayer") has such an interest in that company as would, if the second ratepayer were a company, result in its being the holding company of the other.
- L.12 Furthermore, the Retail, Hospitality and Leisure Scheme is likely to amount to subsidy. Any relief provided by the Council under this scheme will need to comply with the UK's domestic and international subsidy control obligations
- L.13 To the extent that the Council is seeking to provide relief that falls within the Small Amounts of Financial Assistance Allowance, Article 364 of the TCA allows an economic actor (e.g., a holding company and its subsidiaries) to receive up to 325,000 Special Drawing Rights (£343,000 as at 9th December 2021) in a three-year period (consisting of the 2022/23 year and the two previous financial years). Expanded Retail Discount granted in either 2020/21 or 2021/22 does not count towards the £343,000 allowance but BEIS business grants (throughout the 3 years) and any other subsidies claimed under the Small Amounts of Financial Assistance limit should be counted.
- L.14 In those cases where it is clear to the Council that the ratepayer is likely to breach the cash cap or the Small Amounts of Financial Assistance limit then the authority will automatically withhold the relief.
- L.15 The amount of relief awarded will be recalculated in the event of a change of circumstances. This could include, for example, a backdated change to the rateable value or the hereditament. This change of circumstances could arise during the year in question or during a later year.

Eligibility for the Retail, Hospitality and Leisure Relief Scheme

- L.16 Hereditaments that are eligible for Retail, Hospitality and Leisure scheme will be occupied hereditaments which meet all of the following conditions for the chargeable day:
- (a) they are wholly or mainly being used:
 - (i) as shops, restaurants, cafes, drinking establishments, cinemas or live music venues;

- (ii) for assembly and leisure; or
- (iii) as hotels, guest & boarding premises or self-catering accommodation.

L.17 The Council considers shops, restaurants, cafes, drinking establishments, cinemas, and live music venues to mean:

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

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

(ii) Hereditaments that are being used for the provision of the following services to visiting members of the public:

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

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

- Restaurants;
- Takeaways;
- Sandwich shops;
- Coffee shops;
- Pubs; and
- Bars.

(iv) Hereditaments which are being used as cinemas**(v) Hereditaments that are being used as live music venues:**

- Live music venues are hereditaments wholly or mainly used for the performance of live music for the purpose of entertaining an audience. Hereditaments cannot be considered a live music venue for the purpose of business rates relief where a venue is wholly or mainly used as a nightclub or a theatre, for the purposes of the Town and Country Planning (Use Classes) Order 1987 (as amended);
- Hereditaments can be a live music venue even if used for other activities, but only if those other activities (i) that are merely ancillary or incidental to the performance of live music (e.g. the sale/supply of alcohol to audience members) or (ii) do not affect the fact that the primary activity for the premises is the performance of live music (e.g. because those other activities are insufficiently regular or frequent, such as a polling station or a fortnightly community event).

L.18 The Council considers assembly and leisure to mean:

(i) Hereditaments that are being used for the provision of sport, leisure, and facilities to visiting members of the public (including for the viewing of such activities):

- Sports grounds and clubs;
- Museums and art galleries;
- Nightclubs;
- Sport and leisure facilities;
- Stately homes and historic houses;
- Theatres;
- Tourist attractions;
- Gyms;
- Wellness centres, spas, massage parlours; and
- Casinos, gambling clubs and bingo halls.

(ii) Hereditaments that are being used for the assembly of visiting members of the public:

- Public halls; and
- Clubhouses, clubs, and institutions.

L.19 The Council considers hotels, guest & boarding premises, and self-catering accommodation to mean:

(i) Hereditaments where the non-domestic part is being used for the provision of living accommodation as a business:

- Hotels, guest, and boarding houses;
- Holiday homes; and
- Caravan parks and sites.

L.20 To qualify for the relief, the hereditament should be wholly or mainly being used for the above qualifying purposes. This is a test on use rather than occupation, therefore hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.

L.21 The lists set out above are not intended to be exhaustive as it would be impossible to list the many and varied uses that exist within the qualifying purposes.

Ineligible uses

- L.22 The lists below set out the types of uses that the government **does not** consider to be an eligible use for the purpose of this discount.

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

- Financial services (e.g., banks, building societies, cash points, bureaux de change, short-term loan providers, betting shops);
- Medical services (e.g., vets, dentists, doctors, osteopaths, chiropractors);
- Professional services (e.g., solicitors, accountants, insurance agents/ financial advisers, employment agencies, estate agents, letting agents); and
- Post office sorting offices.

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

Retail, Hospitality and Leisure Business Rates Scheme (2022/23) - the Council's policy for granting discretionary relief.

- L.23 Over the past few years, a number of schemes have been led by government but without specific legislative changes. These are administered under S47 of the Local Government Finance Act 1988. The Council is keen to support such initiatives especially where they are designed to help local businesses and will look to maximise both the reliefs given as well as maximise any grants receivable. However, the Council reserves the right to vary its approach where thought appropriate.
- L.24 In the case of Retail, Hospitality and Leisure Business Rates Relief scheme, the Council will grant the relief strictly in accordance with government guidance.

Effect on the Council's Finances

- L.25 As this is a government led initiative, grants for the full amount awarded will be available through section 31 of the Local Government Act 2003.

Appendix M

Section 49 - Hardship Relief

Section 49 – Hardship Relief

General explanation

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

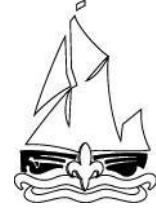
Section 49 Hardship Relief – the Council’s Policy

- M.2 The Council will consider applications for hardship relief from individuals and organisations based on their own merits on a case-by-case basis. The Lead Specialist – Service Delivery will consider applications. Application forms are available at the following links:

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

- M.3 In making decisions on whether to award the relief the Council takes into account the following criteria (not listed in any priority):
- Any reduction or remission of rates on the grounds of hardship should be the exception rather than the rule;
 - Any reduction of the rates must be shown to be significant to the future viability of the business;
 - The business must continue to trade;
 - Cash flow forecasts for a minimum of the next twelve months must be provided together with a comprehensive Business Plan incorporating a brief history of the business;
 - The test of "hardship" is not strictly confined to financial hardship and that this, in itself, is not a deciding factor;
 - The loss of the business would reduce amenities of an area if it is the sole provider of a service in the area;
 - The loss of the business would worsen the employment prospects in the area;
 - The interests of the Council Tax payers of the area would be best served by awarding the relief;
 - The business must demonstrate how it is beneficial to the local community and why it is currently suffering financial hardship;
 - The business provides employment to local residents in an area where employment opportunities are limited;
 - Independent advice given by banks or financial advisors should be sought to demonstrate the future viability of the business;
 - Applications will only be considered where signed by the ratepayer, or, where an organisation is the ratepayer, an appropriately authorised representative of the organisation; and
 - The ratepayer will provide additional information as deemed necessary by the Council to be essential in order for a fair evaluation of the application.

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REPORT of DIRECTOR OF SERVICE DELIVERY

to
COUNCIL
24 FEBRUARY 2022

TAXI AND PRIVATE HIRE POLICY AND LICENSING CONDITIONS

1. PURPOSE OF THE REPORT

- 1.1 To provide feedback following consultation with the taxi trade and other stakeholders on the proposed Taxi and Private Hire Policy (the Policy) and licensing conditions. This Policy is based on the Department of Transport's (DfT) statutory guidance issued in 2020. The main purpose of the Policy and new licensing conditions is to enhance safeguarding measures to better protect children and vulnerable adults.
- 1.2 The Policy, licensing conditions and proposed consultation were considered by the Council on 2 September 2021, Minute No. 240 who resolved: -
 - (i) that subject to the minor amendments, the draft overarching policy on taxi and private hire be approved;
 - (ii) that the amendments to existing policy and licensing conditions be approved;
 - (iii) that the consultation process be approved.
- 1.3 To propose amendments to the licensing conditions based on trade feedback.

2. RECOMMENDATIONS

- (i) that the amendments to the licensing conditions (**APPENDICES 2 and 3**) be approved;
- (ii) that the Taxi and Private Hire Policy (**APPENDIX 4**) be approved.

3. SUMMARY OF KEY ISSUES

- 3.1 A letter advising of the consultation was sent to stakeholders, including all taxi and private hire drivers, proprietors and private hire operators licensed by Maldon District Council. The consultation was announced in a news release and details were provided on the Council's website. The consultation was open from 14 October to 30 November 2021.
- 3.2 Stakeholders were able to complete an online questionnaire relating to the main changes. There were four online responses: two from residents; one from another public agency; and one from a member of the trade. A member of the trade responded directly to the Senior Specialist by email.

- 3.3 The online responses can be seen in **APPENDIX 1** – certain details, such as names, addresses and telephone numbers, have been removed as these are data protected and to provide anonymity for the responders.
- 3.4 Overall, responders agreed with the proposed changes to policy and conditions to improve safeguarding measures. Only one responder was not in agreement with the questions. A member of the trade disagreed with the following three questions.
- a) Do you agree that the Council should undertake more stringent checks on licence holders?
 - b) Do you agree that the Council should provide other agencies with relevant information on the criminality or suitability of individuals involved in the taxi and private hire licensing process?
 - c) Do you agree that authorised officers from other Licensing Authorities (outside the Maldon District) should be able to request information from licensed drivers operating within their area?

3.4.1 In response:

- a) The more stringent checks primarily relate to:
 - the frequency of enhanced Disclosure and Barring (DBS) checks on drivers (every six months rather than every three years as is current practice);
 - undertaking annual basic DBS checks on vehicle proprietors and private hire operators (currently not undertaken at all); and
 - placing licensing conditions on private hire operators to undertake DBS checks on all staff involved in bookings and dispatch of vehicles.

These proposed checks follow recommendations made in the DfT's statutory guidance to improve safeguarding measures within the licensing regime. As such, it is recommended that these checks are approved and implemented.

3.4.2 In response:

- b) The sharing of information with other agencies relates to: -
 - putting information on the national NR3 register (hosted by the anti-fraud network) so that other licensing authorities can check to see if an applicant for a driver's licence has ever had a licence revoked or refused and providing further information to that authority if requested; and
 - referring information to the DBS service where an applicant has had a licence refused or revoked as the individual is thought to present a safeguarding risk.

This proposed sharing of information follows recommendations made in the DfT's statutory guidance to improve safeguarding measures within the licensing regime. As such, it is recommended that the proposed sharing of information is approved and implemented.

3.4.3 In response:

- c) Giving taxi and private hire licensing officers authority to request appropriate documents and information from licensees when operating within their local authority districts (outside the Maldon District).

This allows cross border and 'county lines' enforcement and follows recommendations made in the DfT's statutory guidance to improve safeguarding measures within the licensing regime. As such, it is recommended that authorised licensing officers are enabled to ask for appropriate documents and information when Maldon licensees are operating within their areas. Issues can also be fed back to the Council to help inform decisions about licensees: whether further action is required and if licensees meet the fit and proper person test.

- 3.5 Email correspondence from a member of the taxi trade on the licensing conditions was constructive, although most related to existing conditions rather than the proposed changes. Amendments to the licensing conditions are proposed based on this feedback. For details of the proposed amendments, please refer to **APPENDIX 2** Hackney Carriage Licensing Conditions and **APPENDIX 3** Private Hire Licensing Conditions – reasons for the amendments have been indicated in italics and will not form part of the final approved licensing conditions.
- 3.6 There was no specific feedback in relation to the overall policy. There is one material change to the policy to reflect a change in the licensing conditions as the Council no longer requires mandates to check driver licences as this is now done by other means. The final version of the Policy may be viewed in **APPENDIX 4**.
- 3.7 If the Policy and licensing conditions are agreed, it is proposed that these changes take effect from 1 April 2022. This will allow time for the trade to be notified by letter that these changes are taking place and all applications received after this date and all licence holders will need to meet the standards set out in the new Policy and conditions.

4. CONCLUSION

- 4.1 Feedback on the consultation was limited, however, based on the responses received, there is general agreement that the proposed changes are required to improve safeguarding measures through the licensing regime. The only descension came from a member of the trade, however, the proposals follow recommendations made by the DfT and the Council would require compelling reasons not to follow the statutory guidance.
- 4.2 Amendments to the licensing conditions are proposed based on constructive feedback from the trade. As no feedback was received in relation to the overall policy, only a minor amendment is proposed to reflect the change in the licensing conditions. It is proposed that the Policy and licensing conditions are effective from 1 April 2022, and the trade will be notified of the implementation date.
- 4.3 The new Policy and amendments to existing Policy, licensing conditions and procedures will strengthen the licensing regime. It puts safeguarding at the core of the decision-making process, thereby protecting children and vulnerable adults and consequently, better protects all passengers and the public.

5. IMPACT ON STRATEGIC THEMES

- 5.1 Improvements to the licensing regime, in particularly around safeguarding measures, will better protect local communities.

6. IMPLICATIONS

- (i) **Impact on Customers** – An overarching policy drawing together all the Council's policy, byelaws, conditions and procedures provides clarity to applicants and the public. As safeguarding is core to the Policy and licensing conditions, the licensing regime will better protect children and vulnerable adults, and consequently protects all passengers and the public.
- (ii) **Impact on Equalities** – The new Policy and procedures, especially around the training of taxi and private hire drivers, will bring greater awareness of equality legislation, providing more accessible and better services for disabled people.
- (iii) **Impact on Risk** – The Council could be challenged for not implementing recommendations in the DfT's statutory guidance, thereby failing in its safeguarding role and bringing the licensing regime into disrepute.
- (iv) **Impact on Resources (financial)** – Currently £1,600 for annual membership of the Anti-Fraud Network which gives access to the National Register of Taxi and Private Hire Licence Revocations and Refusals (NR3) register to check that applicants for a taxi or private hire driver's licence meet the 'fit and proper person' test. Driver and Vehicle Licensing Agency (DVLA) checks are also undertaken for each driver, currently £4 per applicant. All these charges are recouped through the licensing fees.
- (v) **Impact on Resources (human)** – None, the licensing regime will be administered through existing resources.
- (vi) **Impact on the Environment** – By ensuring new and replacement taxis and private hire vehicles are to Euro VI standard or better from 2022, this will help improve air quality.
- (vii) **Impact on Strengthening Communities** – Improving the licensing regime to protect children and vulnerable adults will help protect local communities. Working with the trade and other agencies will strengthen local communities and bring better protection for them.

Background Papers:

DfT statutory guidance, see

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/904369/statutory-taxi-and-private-hire-vehicle-standards-english-28-07-2020.pdf

Enquiries to:

Gillian Gibson, Senior Specialist – Environmental Health or
Damien Ghela, Lead Specialist - Community

ID	Completion time	What is your connection to the taxi and private hire trade?	Do you agree that the Council should undertake more stringent checks on licence holders?	Do you agree that the Council should provide other agencies with relevant information on the criminality or suitability of individuals involved in the taxi and private hire licensing process?	Do you agree that licensed drivers should undertake training on safeguarding?	Do you agree that authorised officers from other Licensing Authorities (outside the Maldon District) should be able to request information from licensed drivers operating within their area?	Do you agree that information on how to make complaints should be displayed in all licensed vehicles?	Do you agree that private hire operators should keep more records in relation to bookings and dispatch?	Do you agree that private hire operators should ensure that staff working in bookings and dispatch are suitable?	Do you have any comments in relation to safeguarding issues and the safety of passengers?
1	10/21/21 12:51:30	Resident;	Yes	Yes	Yes	Yes	Yes	Yes	Yes	NOTHING FURTHER TO ABOVE
2	11/9/21 15:26:31	Resident;	Yes	Yes	Yes	Yes	Yes	Yes	Yes	This is especially important fir drivers of school taxi services
3	11/19/21 8:39:24	Local Authority;	Not sure	Yes	Yes	Yes	Yes	Yes	Yes	Yes - what guidelines are in place for drivers when driving unaccompanied children? eg - if the driver or child needs a toilet stop, if a driver or child becomes unwell in the vehicle
4	11/23/21 15:32:50	Taxi or Private Hire Licence Holder;	No	No	Yes	No	Yes	Yes	Yes	Will MDC publish results of this survey?

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**Pre-licensing and Licensing Conditions
for
Hackney Carriages and Drivers**



Pre-licensing conditions for hackney carriage and private hire (dual) drivers

To ensure that licensed drivers are reliable and of good character, a person applying for a Hackney Carriage and Private Hire Driver's Licence must comply with the following requirements.

1. Produce an enhanced Disclosure and Barring Service (DBS) certificate.¹

If an applicant has spent six continuous months or more outside the UK, the Licensing Authority will expect to see evidence of a criminal record check from the country/countries covering this period. The criminal record check must be in English, if not, it must be translated into English by a certified translator acceptable to the Licensing Authority.

2. Fully complete an application form showing all convictions, spent and unspent, including any conviction for which the applicant has been rehabilitated under the Rehabilitation of Offenders Act 1974, as amended.²
3. Not have been convicted or cautioned for a criminal offence during the previous three years to ten years (depending upon the offence) or convicted or cautioned for a serious criminal offence or a sexual offence.²
4. Have a current GB or Northern Ireland Driving Licence which is a full licence to drive a motor car and has been held for at least three years prior to the date of application (or successful completion of an advanced driving assessment).

If an overseas driving licence, applicants must have a full UK driving licence and at least a year's experience of driving on UK roads within three years of their application for a Driver's Licence. Applicants must evidence this by providing, for example, proof of insurance; UK vehicle registration forms; or employment as a driver in the UK.

5. Produce a medical certificate in the prescribed form on application for initial and renewal of the licence and on an annual basis once reaching 65 years of age.³
6. Applicants shall satisfactorily complete training and produce a certificate. New applicants shall pass a geographical knowledge test.⁴
7. Be over 21 years of age.
8. Produce documentation to prove the right to live and work in the UK.

Notes to accompany the conditions

1. DBS applications may be submitted through a "DBS Umbrella Organisation" such as personnel checks. The applicant must pay the fee direct to the processing body on application. The fee is not refundable if the licence application is refused. DBS disclosures must be current and issued no more than 28 days before the licence application.
2. The licensing of hackney carriage and private hire drivers is an exemption to the non-disclosure rule set out in the Rehabilitation of Offenders Act. A licence will not be granted to an applicant who has been convicted of or received a caution in relation to a serious criminal or sexual offence. Older convictions and less serious offences will be considered in relation to their relevance to the application. Refer to the Council's Assessment of Criminal Convictions for further details.

~~Applicants are required to submit a DVLA Driving entitlement consent form — three year mandate with their application. This is no longer required by the licensing authority as a third party undertakes these checks on the Council's behalf.~~

3. The medical examination should be completed by your own doctor at your expense. ~~A medical certificate should be returned by your doctor directly to the Council. – following feedback from the trade, it is accepted that this may not be possible and places more pressure on GP's.~~ Licensees who have reached the age of 65 years shall submit themselves for an annual medical examination, the completed medical certificate to be submitted to the Council. The Council reserves the right to demand additional medical examinations at any time. A medical assessment can be carried out by another registered GP practice or suitably qualified medical practitioner if the applicant's full medical history has been viewed and assessed by that person on request.
4. The test will cover geographical knowledge of the Maldon District, the test will not apply to existing drivers who renew licences without a break. Training will cover awareness of the legislation covering hackney carriages, private hire vehicles and drivers, disability and safeguarding.
5. All relevant facts will be considered when determining an application for a Driver's Licence. Each applicant is considered on his or her own merit and where any doubt exists, the applicant will be interviewed by the Licensing Sub-Committee. Any applicant refused a driver's licence on the grounds the applicant is not a fit and proper person to hold such a licence has a right of appeal to a Magistrates' Court.
6. Hackney Carriage and Private Hire Driver's Licences are renewable every three years. In specific circumstances, a licence may be issued for less than three years.

Licensing conditions for drivers

1. The driver shall immediately report to the Licensing Authority, in writing, any health matter which could affect his or her driving. If requested by the Licensing Authority, a medical certificate shall be provided within seven days.
2. The driver shall within 48 hours disclose to the Licensing Authority, in writing, details of any arrest and release, charge or conviction (including cautions), fixed penalty notice or driving licence endorsement during the period of the licence.
3. The driver shall notify the Licensing Authority in writing of any change to his/her name or address within seven days of such change taking place.
4. The driver shall always when driving a hackney carriage or private hire vehicle affix to his/her clothing the identity badge issued by the Licensing Authority and display the window badge in the vehicle, to be clearly and distinctly visible to passengers and prospective hirers.
5. The driver shall produce this licence on request to an authorised hackney carriage and private hire licensing officer of any Licensing Authority or Police Officer.
6. The driver shall not carry, or permit to be carried, a greater number of persons than that prescribed in the vehicle licence.
7. The driver shall give reasonable assistance to passengers with luggage, wheelchairs or walking aids.

8. The driver shall carry a disabled person's dog (e.g. guide or hearing dogs) and allow it to remain with that person or, if a driver of a designated wheelchair accessible vehicle, wheelchair passengers at no additional cost, as specified in sections 165 and 168 of the Equality Act 2010, unless exempted by the Council on medical grounds.
9. The driver shall not call out or ~~solicit otherwise importune~~ any person to hire the vehicle or allow another person to do so and shall not make use of the services of any other person in hiring the vehicle. *Following feedback from the trade that the condition is difficult to understand.*
10. The driver shall not at any time play a radio or other sound reproducing equipment in the vehicle without the express consent of the hirer, unless for the sending and receiving of messages in connection with the operation of the vehicle.
11. The driver shall search the vehicle immediately after completion of a hiring for any property left by a passenger. If any such property is found, it shall be returned to the owner or reported on the Essex Police website within 48 hours. Records of lost property (including description of property; date found; date returned to owner or reported on the Essex Police website; and date of disposal) to be maintained for 12 months.
12. The licence is not transferable and must be renewed at the end of the period for which the licence is in force; such period shall not exceed three years.
13. If not renewed, or on revocation or surrender, the driver shall forthwith return the driver and window badges to the Licensing Authority.
14. The driver shall register with the DBS update service and maintain registration during the life of the licence, including renewal licences.²

Notes to accompany the conditions

1. For these conditions, the Licensing Authority shall be Maldon District Council.
2. To facilitate regular DBS checks by the Council, all licence holders must register with the DBS update service and nominate the Council (or its agents) access to their records. The fee to register and maintain registration must be met by the licence holder.

Pre-licensing conditions for hackney carriages and proprietors

Hackney carriages

The vehicle subject to an application for a hackney carriage licence is expected to comply with the following conditions.

1. The vehicle shall be in satisfactory mechanical order and body condition and in operational order in all respects.
2. The applicant shall submit the vehicle for mechanical inspection at his or her own expense at an approved testing station as directed by the Licensing Authority and provide a completed certificate of inspection. The frequency of testing required thereafter is set out in the conditions below.
3. The vehicle shall be either: -
 - a saloon, hatchback, estate vehicle, minibus or people carrier type which is unaltered from the manufacturer's original specification except for approved conversions to alternative fuels; or
 - a purpose-built vehicle or a vehicle suitably converted to a disabled access vehicle.
4. The vehicle shall be right hand drive.
5. Vehicles submitted for licensing shall meet the following standards for design and equipment.
 - a) The vehicle shall have a least two doors for use by passengers, in addition to a separate door for the driver (except for minibuses and similar vehicles).
 - b) The vehicle shall have rear seat accommodation for not less than three persons.
 - c) The vehicle shall have separate front seats for at least one person in addition to the driver (except for London style cabs).
 - d) Where the vehicle is a minibus or people carrier type, with two rows of seats behind the driver and front passenger seats, the seat nearest the door of the middle row must be able to fold or move forward as per the manufacturer's original specification to allow ingress or egress to the rear seats. Clear instructions for operating the seats must be provided in full view of the rear seat passengers. Where this is not possible, the seat must be permanently removed.
 - e) The vehicle shall be: -
 - of such design that the driver can communicate verbally with any passenger carried;
 - fitted with an interior light capable of illuminating the interior and for the use of any passenger carried;
 - fitted with flooring of proper matting, carpet or other suitable material;
 - fitted with cushioned seats, the upholstery of which is free from splits, holes, cuts or other damage;
 - fitted with adequate seatbelts for use by passengers;
 - capable of accommodating a reasonable amount of luggage in a safe and secure manner (if the vehicle is a hatchback or estate vehicle, it shall be fitted with a guardrail of approved construction to separate the luggage area from the passenger compartment);
 - capable of accommodating a wheelchair either constructed or collapsed in a reasonable manner;
 - provided with a means of opening and closing not less than one window on each side of the vehicle; and
 - have the roof covered and watertight.

- f) The vehicle shall be fitted with a spare wheel / space saving wheel / run flat tyre that is in a serviceable condition unless otherwise agreed with the Licensing Authority as being unachievable due to the manufacturer's design. This follows feedback from the trade that many new vehicles do not have accommodation for spare wheels.
 - g) Hackney carriages, except for a London style taxi, shall display a roof sign which is white in colour and bearing the word 'TAXI' in black letters to the front and rear. It will be a minimum size of 450mm (18 inches) in length and 150mm (6 inches) in height. The sign shall be capable of being illuminated when the vehicle is plying for hire in its controlled area and if a taximeter is fitted to the vehicle must work in conjunction with that meter.
6. The proprietor must submit the following documents prior to issue of the licence. The documents must be current at the time the licence commences.
- a) An insurance certificate or cover note that expressly indicates ON RISK cover for hire and reward.
 - b) A mechanical inspection certificate.
 - c) A Department for Transport Certificate (MOT certificate) – to clarify as trade feedback indicated that they didn't know what this was as required by section 47 Road Traffic Act 1988, when the vehicle is one year old from the date of first registration.
 - d) A current vehicle excise licence. – recommended that this is removed as there are other methods of checking status online, thereby reducing the burden on business and paperwork.
 - e) The Vehicle Registration Document showing the proprietor's current name and address.
7. No advertising shall be displayed on the vehicle that in the opinion of the Licensing Authority detracts from the visibility of its licence plates and such other forms of livery and identification required by the Licensing Authority.

Proprietors

To ensure that the proprietor is a fit and proper person, applicants must comply with the following requirements. Where the application is in the name of a company or partnership, the fit and proper person test will be applied to all directors or partners.

8. The proprietor to provide a basic Disclosure and Barring Service (DBS) certificate. If a company or partnership, each director or partner must produce a certificate.¹

If the applicant has spent six continuous months or more outside the UK, the Licensing Authority will expect to see evidence of a criminal record check from the country/countries covering this period. The criminal record check must be in English, if not, it must be translated into English by a certified translator acceptable to the Licensing Authority.

9. Fully complete an application form showing unspent convictions.
10. Not have been convicted or cautioned for a criminal offence during the previous three years to ten years (depending upon the offence) or convicted or cautioned for a serious criminal offence or a sexual offence.²
11. Be over 21 years of age.

Notes to accompany the conditions

1. DBS applications may be submitted through a DBS umbrella organisation such as personnel checks. The applicant must pay the fee direct to the processing body on application. The fee is

not refundable if the licence application is refused. DBS disclosures must be current and issued no more than 28 days before the licence application. Basic disclosures are not required if the applicant is a licensed driver/private hire operator and: -

- a recent disclosure and barring certificate has been produced; or
- he/she is signed up to the DBS update service (provides further clarification to the trade and reduces the burden placed upon them).

2. A licence will not be granted to an applicant who has been convicted of or received a caution in relation to a serious criminal or sexual offence. Older convictions and less serious offences will be considered in relation to their relevance to the application. Refer to the Council's Assessment of Criminal Convictions for further details.

Licensing conditions for hackney carriages and proprietors

Proprietors

1. If the vehicle licence is transferred, the new proprietor must submit a basic Disclosure and Barring Service (DBS) certificate to the Licensing Authority ~~(unless a licensed driver or private hire operator and the Council is in possession of a current DBS certificate)~~ – repeated in Note 1 above. If a company or partnership, each director or partner must produce a certificate.¹ – see Notes above
2. The proprietor shall disclose to the Licensing Authority within 48 hours, in writing, any arrest and release, charge or conviction, fixed penalty or caution imposed on him or her or any person concerned in the operation of this licence.
3. The proprietor must notify the Licensing Authority within seven days of any change of his/her name or address.
4. A company or partnership must notify the Licensing Authority within seven days of any change in the directors or partners and submit a basic disclosure and barring (DBS) certificate for that person.¹ – see Notes above
5. The proprietor shall take all proper and reasonable steps to ensure that all vehicles which he/she operates and all drivers he/she employs comply with licensing conditions and other relevant statutory provisions or byelaws.
6. Notices giving details of how to make a complaint about drivers or vehicles must be displayed inside vehicles and clearly visible to passengers. The notice to include the following details: -
 - name of the vehicle proprietor – deletions made following feedback from the trade relating to the amount of notice information required to be displayed in or on vehicles – the reduced amount of information to be displayed will still provide enough information to enable the Council to investigate complaints
 - contact details where a customer can make a complaint
 - vehicle registration and licence plate number
 - name of the Licensing Authority and contact details
7. The proprietor to maintain a record (written or electronic) of complaints received about drivers and vehicles. Records to include: -
 - date and time of incident
 - location of incident

- name of complainant and contact details
- name of driver and/or vehicle Licence number
- details of the complaint
- outcome of investigation

Any complaint of a criminal nature must be reported to the Licensing Authority within 72 hours of receipt.

Vehicle Identification

8. The identification plates issued by the Licensing Authority shall be fixed to the front and rear of any vehicle being operated as a hackney carriage in a position that is clearly visible to the public.
9. The door stickers provided by the Licensing Authority shall be permanently attached and displayed on the upper panels of both front doors.
10. The vehicle and driver identity badges shall be displayed in the passenger compartment in a conspicuous position that is clearly visible to passengers.
11. A roof sign in the form approved by the Licensing Authority shall be fitted and maintained.
12. No advertising shall be displayed on the vehicle that in the opinion of the Licensing Authority detracts from the visibility of its licence plates and such other forms of livery and identification required by the Licensing Authority.

Vehicle maintenance

13. New or replacement vehicles to be of a Euro VI standard or better from 2022.
14. The vehicle shall be kept in a clean and well-maintained condition.
15. No material alteration or change to the manufacturer's specification, design, condition or appearance of the vehicle shall be made at any time when the licence is in force without the prior approval of the Licensing Authority.
16. Adequate and secure luggage facilities must be provided and maintained.
17. The vehicle shall be equipped with a fire extinguisher maintained in accordance with ISO 7165.
18. In respect of any minibus or people carrier type vehicle where a seat has been removed to meet pre-licensing conditions, the seat shall not be replaced at any time the vehicle is licensed as a hackney carriage.

Vehicle Testing

19. The vehicle shall be submitted for mechanical inspection at an approved testing station at the licensee's expense ~~and provide a completed certificate of inspection to the Licensing Authority-~~ covered in condition 22 below at the following intervals: -
 - a) vehicles less than three year's old, one test per year on application for renewal;
 - b) vehicles between three and six years old, two tests per year at six monthly intervals;
 - c) vehicles older than six years, three tests per year at four monthly intervals.

20. The vehicle shall be submitted for mechanical or other inspection at any time if required by the Licensing Authority in addition to the intervals set out in 19 above.
21. The vehicle shall be submitted for inspection in a condition that renders it suitable for that inspection, including being clean inside and out.
22. A completed mechanical inspection test certificate shall be submitted to the Licensing Authority as soon as practicable after the test has been completed. If the vehicle fails the test for any mechanical or safety reason, it shall not be used as a hackney carriage until the defects are corrected and the vehicle passes a re-test.
23. The proprietor ~~of a licensed hackney carriage~~ shall report to the Licensing Authority as soon as practicable, and within 72 hours, the occurrence of any accident involving any damage to the vehicle, whether or not the damage affects the safety, performance or appearance of the vehicle, or the comfort or convenience of passengers.

Insurance and documentation

24. The proprietor must: -
 - a) comply with the relevant legislation in relation to the insurance cover of the vehicle;
 - b) ensure a current certificate of motor insurance is on display or available in the vehicle for inspection on request;
 - c) produce to the Licensing Authority proof of continuous insurance cover for the vehicle.
25. The proprietor must: -
 - a) produce the vehicle licence on request to an authorised hackney carriage and private hire licensing officer of any Licensing Authority or a Police Officer;
 - b) permit the officer ~~Licensing Authority~~ to photocopy or otherwise deal with any document produced as evidence to support the application for renewal of the licence or enforcement of licence conditions.
26. The proprietor who permits or employs any person to act as the driver of the hackney carriage shall retain in his or her possession the licence of such driver while the driver is permitted or employed to drive the vehicle.

Conduct of business

27. Whilst the vehicle is being used as a hackney carriage, it shall not be driven by anyone other than a driver licensed by the Licensing Authority and wearing the official badge as required by the conditions of their Driver's Licence.
28. The vehicle shall not be permitted to carry more than the number of persons specified on the Licence, irrespective of the age of the passenger.
29. The vehicle shall not be used as a hackney carriage whilst towing a trailer or whilst fitted with a roof box without the express consent of the Licensing Authority who may call for an additional inspection certificate.
30. Any trailer authorised by the Licensing Authority for use with a licensed vehicle will be fitted with a suitable spare wheel and a licence plate issued by the Licensing Authority.
31. ~~A daily record of the mileage covered by each licensed driver and the time and condition of the vehicle at handover shall be kept in the hackney carriage. The record shall be kept for 12~~

~~months and must be produced on the request of an authorised hackney carriage and private hire licensing officer of any Licensing Authority or a Police Officer.~~ Following feedback from the trade, considered to be burdensome.

32. Drivers must accept cash as well as other forms of payment. If drivers are unable to accept cheques, debit card or credit card payments, a clear notice to that effect must be displayed and clearly visible to passengers and potential passengers.

Renewal

33. This licence must be renewed annually.

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Pre-licensing and Licensing Conditions
for
Private Hire Vehicles, Drivers
and
Operators



Pre-licensing conditions for hackney carriage and private hire (dual) drivers

To ensure that licensed drivers are reliable and of good character, a person applying for a Hackney Carriage and Private Hire Driver's Licence must comply with the following requirements.

1. Produce an enhanced Disclosure and Barring Service (DBS) certificate.¹

If an applicant has spent six continuous months or more outside the UK, the Licensing Authority will expect to see evidence of a criminal record check from the country/countries covering this period. The criminal record check must be in English, if not, it must be translated into English by a certified translator acceptable to the Licensing Authority.

2. Fully complete an application form showing all convictions, spent and unspent, including any conviction for which the applicant has been rehabilitated under the Rehabilitation of Offenders Act 1974, as amended.²
3. Not have been convicted or cautioned for a criminal offence during the previous three years to ten years (depending upon the offence) or convicted or cautioned for a serious criminal offence or a sexual offence.²
4. Have a current GB or Northern Ireland Driving Licence which is a full licence to drive a motor car and has been held for at least three years prior to the date of application (or successful completion of an advanced driving assessment).

If an overseas driving licence, applicants must have a full UK driving licence and at least a year's experience of driving on UK roads within three years of their application for a Driver's Licence. Applicants must evidence this by providing, for example, proof of insurance; UK vehicle registration forms; or employment as a driver in the UK.

5. Produce a medical certificate in the prescribed form on application for initial and renewal of the licence and on an annual basis once reaching 65 years of age.³
6. Applicants shall satisfactorily complete training and produce a certificate. New applicants shall pass a geographical knowledge test.⁴
7. Be over 21 years of age.
8. Produce documentation to prove the right to live and work in the UK.

Notes to accompany the conditions

1. DBS applications may be submitted through a "DBS Umbrella Organisation" such as personnel checks. The applicant must pay the fee direct to the processing body on application. The fee is not refundable if the licence application is refused. DBS disclosures must be current and issued no more than 28 days before the licence application.
2. The licensing of hackney carriage and private hire drivers is an exemption to the non-disclosure rule set out in the Rehabilitation of Offenders Act. A licence will not be granted to an applicant who has been convicted of or received a caution in relation to a serious criminal or sexual offence. Older convictions and less serious offences will be considered in relation to their relevance to the application. Refer to the Council's Assessment of Criminal Convictions for further details.

~~Applicants are required to submit a DVLA Driving entitlement consent form — three year mandate with their application. This is no longer required by the licensing authority as a third party undertakes these checks on the Council's behalf – this reference has also been removed from the overarching licensing policy.~~

3. The medical examination should be completed by your own doctor at your expense. ~~A medical certificate should be returned by your doctor directly to the Council. – following feedback from the trade, it is accepted that this may not be possible and places more pressure on GP's.~~ Licensees who have reached the age of 65 years shall submit themselves for an annual medical examination, the completed medical certificate to be submitted to the Council. The Council reserves the right to demand additional medical examinations at any time. A medical assessment can be carried out by another registered GP practice or suitably qualified medical practitioner if the applicant's full medical history has been viewed and assessed by that person on request.
4. The test will cover geographical knowledge of the Maldon District, the test will not apply to existing drivers who renew licences without a break. Training will cover awareness of the legislation covering hackney carriages, private hire vehicles and drivers, disability and safeguarding.
5. All relevant facts will be considered when determining an application for a Driver's Licence. Each applicant is considered on his or her own merit and where any doubt exists, the applicant will be interviewed by the Licensing Sub-Committee. Any applicant refused a driver's licence on the grounds the applicant is not a fit and proper person to hold such a licence has a right of appeal to a Magistrates' Court.
6. Hackney Carriage and Private Hire Driver's Licences are renewable every three years. In specific circumstances, a licence may be issued for less than three years.

Licensing conditions for drivers

1. The driver shall immediately report to the Licensing Authority, in writing, any health matter which could affect his or her driving. If requested by the Licensing Authority, a medical certificate shall be provided within seven days.
2. The driver shall within 48 hours disclose to the Licensing Authority, in writing, details of any arrest and release, charge or conviction (including cautions), fixed penalty notice or driving licence endorsement during the period of the licence.
3. The driver shall notify the Licensing Authority in writing of any change to his/her name or address within seven days of such change taking place.
4. The driver shall always when driving a hackney carriage or private hire vehicle affix to his/her clothing the identity badge issued by the Licensing Authority and display the window badge in the vehicle, to be clearly and distinctly visible to passengers and prospective hirers.
5. The driver shall produce this licence on request to an authorised hackney carriage and private hire licensing officer of any Licensing Authority or Police Officer.
6. The driver shall not carry, or permit to be carried, a greater number of persons than that prescribed in the vehicle licence.
7. The driver shall give reasonable assistance to passengers with luggage, wheelchairs or walking aids.

8. The driver shall carry a disabled person's dog (e.g. guide or hearing dogs) and allow it to remain with that person or, if a driver of a designated wheelchair accessible vehicle, wheelchair passengers at no additional cost, as specified in sections 165 and 168 of the Equality Act 2010, unless exempted by the Council on medical grounds.
9. The driver shall not call out or ~~solicit~~*otherwise importune* any person to hire the vehicle or allow another to do so. ~~and shall not make use of the services of any other person in hiring the vehicle.~~ *Following feedback from the trade that the condition is difficult to understand.*
10. The driver shall not at any time play a radio or other sound reproducing equipment in the vehicle without the express consent of the hirer, unless for the sending and receiving of messages in connection with the operation of the vehicle.
11. The driver shall search the vehicle immediately after completion of a hiring for any property left by a passenger. If any such property is found, it shall be returned to the owner or reported on the Essex Police website within 48 hours. Records of lost property (including description of property; date found; date returned to owner or reported on the Essex Police website; and date of disposal) to be maintained for 12 months.
12. The licence is not transferable and must be renewed at the end of the period for which the licence is in force; such period shall not exceed three years.
13. If not renewed, or on revocation or surrender, the driver shall forthwith return the driver and window badges to the Licensing Authority.
14. The driver shall register with the DBS update service and maintain registration during the life of the licence, including renewal licences.²

Notes to accompany the conditions

1. For these conditions, the Licensing Authority shall be Maldon District Council.
2. To facilitate regular DBS checks by the Council, all licence holders must register with the DBS update service and nominate the Council (or its agents) access to their records. The fee to register and maintain registration must be met by the licence holder.

Pre-licensing conditions for private hire vehicles and proprietors

Private hire vehicles

The vehicle subject to an application for a private hire licence is expected to comply with the following conditions.

1. The vehicle shall be in satisfactory mechanical order and body condition and in operational order in all respects.
2. The applicant shall submit the vehicle for mechanical inspection at his or her own expense at an approved testing station as directed by the Licensing Authority and provide a completed certificate of inspection. The frequency of testing required thereafter is set out in the conditions below.
3. The vehicle shall be either: -
 - a saloon, hatchback, estate vehicle, minibus or people carrier type which is unaltered from the manufacturer's original specification except for approved conversions to alternative fuels; or
 - a purpose-built vehicle or a vehicle suitably converted to a disabled access vehicle.
4. The vehicle shall be right hand drive.
5. Vehicles submitted for licensing shall meet the following standards for design and equipment.
 - a) The vehicle shall not be of such design or appearance as to lead any persons to believe that it is a hackney carriage.
 - b) The vehicle shall have a least two doors for use by passengers, in addition to a separate door for the driver (except for minibuses and similar vehicles).
 - c) The vehicle shall have rear seat accommodation for not less than three persons.
 - d) The vehicle shall have separate front seats for at least one person in addition to the driver (except for London style cabs).
 - e) Where the vehicle is a minibus or people carrier type, with two rows of seats behind the driver and front passenger seats, the seat nearest the door of the middle row must be able to fold or move forward as per the manufacturer's original specification to allow ingress or egress to the rear seats. Clear instructions for operating the seats must be provided in full view of the rear seat passengers. Where this is not possible, the seat must be permanently removed.
 - f) The vehicle shall be: -
 - of such design that the driver can communicate verbally with any passenger carried;
 - fitted with an interior light capable of illuminating the interior and for the use of any passenger carried;
 - fitted with flooring of proper matting, carpet or other suitable material;
 - fitted with cushioned seats, the upholstery of which is free from splits, holes, cuts or other damage;
 - fitted with adequate seatbelts for use by passengers;
 - capable of accommodating a reasonable amount of luggage in a safe and secure manner (if the vehicle is a hatchback or estate vehicle, it shall be fitted with a guardrail of approved construction to separate the luggage area from the passenger compartment);
 - capable of accommodating a wheelchair either constructed or collapsed in a reasonable manner;

- provided with a means of opening and closing not less than one window on each side of the vehicle; and
 - have the roof covered and watertight.
- g) The vehicle shall be fitted with a spare wheel / space saving wheel / run flat tyre that is in a serviceable condition unless otherwise agreed with the Licensing Authority as being unachievable due to the manufacturer's design. This follows feedback from the trade that many new vehicles do not have accommodation for spare wheels.
- h) The vehicle shall not be fitted with any roof sign without the prior consent of the Licensing Authority.
6. The proprietor must submit the following documents prior to issue of the licence. The documents must be current at the time the licence commences.
- a) An insurance certificate or cover note that expressly indicates ON RISK cover for hire and reward.
 - b) A mechanical inspection certificate.
 - c) A Department for Transport Certificate (MOT certificate) as required by section 47 Road Traffic Act 1988 – to clarify as trade feedback indicated that they didn't know what this was, when the vehicle is three years old from the date of first registration.
 - d) A current vehicle excise licence. – recommended that this is removed as there are other methods of checking status online, thereby reducing the burden on business and paperwork.
 - e) The Vehicle Registration Document showing the proprietor's current name and address or bill of sale.
7. No advertising shall be displayed on the vehicle that in the opinion of the Licensing Authority detracts from the visibility of its vehicle licence plates and such other forms of livery and identification required by the Licensing Authority.
8. In the case of limousines, one of the following must be submitted to the Licensing Authority: -
- a) UK single vehicle approval certificate
 - b) European whole vehicle approval certificate
 - c) UK low volume type approval certificate
 - d) limousine declaration of condition use

Proprietors

To ensure that the proprietor is a fit and proper person, applicants for a licence must comply with the following requirements. Where the application is in the name of a company or partnership, the fit and proper person test will be applied to all directors or partners.

9. The proprietor to provide a basic Disclosure and Barring Service (DBS) certificate. If a company or partnership, each director or partner must produce a certificate.¹

If the applicant has spent six continuous months or more outside the UK, the Licensing Authority will expect to see evidence of a criminal record check from the country/countries covering this period. The criminal record check must be in English, if not, it must be translated into English by a certified translator acceptable to the Licensing Authority.

10. Fully complete an application form showing unspent convictions.
11. Not have been convicted or cautioned for a criminal offence during the previous three years to ten years (depending upon the offence) or convicted or cautioned for a serious criminal offence or a sexual offence.²

13. Be over 21 years of age.

Notes to accompany the conditions

1. DBS applications may be submitted through a DBS umbrella organisation such as personnel checks. The applicant must pay the fee direct to the processing body on application. The fee is not refundable if the licence application is refused. DBS disclosures must be current and issued no more than 28 days before the licence application. Basic disclosures are not required if the applicant is a licensed driver/private hire operator and: -
 - a recent disclosure and barring certificate has been produced; or
 - he/she is signed up to the DBS update service. – this provides further clarification to the trade and reduces the burden imposed upon them.
2. A licence will not be granted to an applicant who has been convicted of or received a caution in relation to a serious criminal or sexual offence. Older convictions and less serious offences will be considered in relation to their relevance to the application. Refer to the Council's Assessment of Criminal Convictions for further details.

Licensing conditions for private hire vehicles and proprietors

Proprietors

1. If the vehicle licence is transferred, the new proprietor must submit a basic Disclosure and Barring Service (DBS) certificate to the Licensing Authority ~~(unless a licensed driver or private hire operator and the Council is in possession of a current DBS certificate).~~ - repeated in Note 1 above. If a company or partnership, each director or partner must produce a certificate.^{1 – see Notes above}

Vehicle Identification

2. The identification plates issued by the Licensing Authority shall be fixed to the front and rear of any vehicle being operated as a private hire vehicle in a position that is clearly visible to the public. This condition may be suspended at the discretion of the Licensing Authority if reasonable cause can be shown, in which case alternative requirements for carrying and displaying plates may be substituted.^{1 – see Notes below}
3. The door stickers provided by the Licensing Authority shall be permanently attached and displayed on the upper panels of both front doors. This condition may be suspended at the discretion of the Licensing Authority if reasonable cause can be shown, in which case alternative requirements for carrying and displaying plates may be substituted.^{1 – see Notes below}
4. The vehicle and driver identity badges shall be displayed in the passenger compartment in a conspicuous position that is clearly visible to passengers.
5. A roof sign shall not be displayed on the vehicle in any form.
6. The words 'TAXI', 'CAB' or 'FOR HIRE' shall not be displayed on/in the vehicle or in any advertisement for the service.
7. Reference to Maldon District Council in any advertisement for the service must be limited to the phrase 'Licensed by Maldon District Council' and must not suggest any other form of approval or endorsement by the Council.

8. No advertising shall be displayed on the vehicle that in the opinion of the Licensing Authority detracts from the visibility of its licence plates and such other forms of livery and identification required by the Licensing Authority.

Vehicle maintenance

9. New or replacement vehicles to be of a Euro VI standard or better from 2022.
10. The vehicle shall be kept in a clean and well-maintained condition.
11. No material alteration or change to the manufacturer's specification, design, condition or appearance of the vehicle shall be made at any time when the licence is in force without the prior approval of the Licensing Authority.
12. Adequate and secure luggage facilities must be provided and maintained.
13. The vehicle shall be equipped with a fire extinguisher maintained in accordance with ISO 7165.
14. In respect of any minibus or people carrier type vehicle where a seat has been removed to meet pre-licensing conditions, the seat shall not be replaced at any time the vehicle is licensed as a private hire vehicle.

Vehicle Testing

15. The vehicle shall be submitted for mechanical inspection at an approved testing station at the licensee's expense ~~and provide a completed certificate of inspection to the Licensing Authority covered in condition 18 below~~ at the following intervals: -
 - a) vehicles less than three year's old, one test per year on application for renewal;
 - b) vehicles between three and six years old, two tests per year at six monthly intervals;
 - c) vehicles older than six years, three tests per year at four monthly intervals.
16. The vehicle shall be submitted for mechanical or other inspection at any time if required by the Licensing Authority in addition to the intervals set out in 15 above.
17. The vehicle shall be submitted for inspection in a condition that renders it suitable for that inspection, including being clean inside and out.
18. A completed mechanical inspection test certificate shall be submitted to the Licensing Authority as soon as practicable after the test has been completed. If the vehicle fails the test for any mechanical or safety reason, it shall not be used as a private hire vehicle until the defects are corrected and the vehicle passes a re-test.
19. The proprietor shall report to the Licensing Authority as soon as practicable, and within 72 hours, the occurrence of any accident involving any damage to the vehicle, whether or not the damage affects the safety, performance or appearance of the vehicle, or the comfort or convenience of passengers.

Insurance and documentation

20. The proprietor must: -
 - a) comply with the relevant legislation in relation to the insurance cover of the vehicle;
 - b) ensure a current certificate of motor insurance is on display or available in the vehicle for inspection on request;

- c) produce to the Licensing Authority proof of continuous insurance cover for the vehicle.

21. The proprietor must: -

- a) produce the vehicle licence on request to an authorised hackney carriage and private hire licensing officer of any Licensing Authority or a Police Officer;
- b) permit the officer Licensing Authority to photocopy or otherwise deal with any document produced as evidence to support the application for renewal of the licence or enforcement of licence conditions.

22. The licensee who permits or employs any person to act as the driver of the private hire vehicle shall retain in his or her possession the licence of such driver while the driver is permitted or employed to drive the vehicle.

Conduct of business

23. The vehicle must always be registered with an operator who holds a Private Hire Operator's Licence.
24. Whilst a vehicle is being used as a private hire vehicle, it shall not be driven by anyone other than a driver licensed by the Licensing Authority and wearing the official badge as required by the conditions of their Driver's Licence.
25. The vehicle shall not be permitted to carry more than the number of persons specified on the Licence, irrespective of the age of the passenger.
26. The vehicle shall not be used as a private hire vehicle whilst towing a trailer or whilst fitted with a roof box without the express consent of the Licensing Authority who may call for an additional inspection certificate.
27. Any trailer authorised by the Licensing Authority for use with a licensed vehicle will be fitted with a suitable spare wheel and a licence plate issued by the Licensing Authority.
28. ~~A daily record of the mileage covered by each licensed driver and the time and condition of the vehicle at handover shall be kept in the private hire vehicle. The record shall be kept for 12 months and must be produced on the request of an authorised hackney carriage and private hire licensing officer of any Licensing Authority or a Police Officer.~~ Following feedback from the trade, considered to be burdensome.
29. Drivers must accept cash as well as other forms of payment. If drivers are unable to accept cheques, debit card or credit card payments, customers should be advised on pre-booking and a clear notice to that effect must be displayed and clearly visible to passengers and potential passengers.

Renewal

30. This licence must be renewed annually.

Notes to accompany the conditions

1. In relation to conditions 2 and 3, permanent exemptions may be granted in the case of vintage vehicles or specialist hire.

Pre-licensing conditions for private hire operators

To ensure that the operator is a fit and proper person, applicants must comply with the following requirements. Where the application is in the name of a company or partnership, the fit and proper person test will be applied to all directors or partners.

1. The operator to provide a basic Disclosure and Barring Service (DBS) certificate. If a company or partnership, each director or partner must produce a certificate.¹

If the applicant has spent six continuous months or more outside the UK, the Licensing Authority will expect to see evidence of a criminal record check from the country/countries covering this period. The criminal record check must be in English, if not, it must be translated into English by a certified translator acceptable to the Licensing Authority.

2. Fully complete an application form showing unspent convictions.
3. Not have been convicted or cautioned for a criminal offence during the previous three years to ten years (depending upon the offence) or convicted or cautioned for a serious criminal offence or a sexual offence.²
4. The operator to provide a copy of the: -
 - register of employees involved in bookings or dispatch;
 - ex-offenders' policy for employment in bookings or dispatch.
5. Be over 21 years of age.

Notes to accompany the conditions

1. DBS applications may be submitted through a DBS umbrella organisation such as personnel checks. The applicant must pay the fee direct to the processing body on application. The fee is not refundable if the licence application is refused. DBS disclosures must be current and issued no more than 28 days before the licence application. Basic disclosures are not required if the applicant is a licensed driver/vehicle proprietor and: -
 - a recent disclosure and barring certificate has been produced; or
 - he/she is signed up to the DBS update service – this provides further clarification to the trade and reduces the burden imposed upon them.
2. A licence will not be granted to an applicant who has been convicted of or received a caution in relation to a serious criminal or sexual offence. Older convictions and less serious offences will be considered in relation to their relevance to the application. Refer to the Council's Assessment of Criminal Convictions for further details.

Licensing conditions for private hire operators

~~The following conditions apply to Private Hire Operator Licences issued by Maldon District Council- superfluous~~

1. The operator shall keep a record of all private hire vehicles operated under this licence in the form of a book or in electronic form containing the following.
 - a) Type and make of vehicle
 - b) Vehicle registration number

- c) Owner's name and address
 - d) Driver's name and address
 - e) Private Hire Vehicle Licence number
2. The operator shall keep a record of every booking of a private hire vehicle, invited or accepted, in the form of a book or electronic record containing the following.
- a) Date and time of booking
 - b) Date and time hiring to commence
 - c) Destination
 - d) Address at which hiring to commence
 - e) Name of hirer and contact details
 - f) Name of driver or Private Hire Driver Licence number
 - g) Private Hire Vehicle Licence number or vehicle registration
 - h) Name of person taking the booking and dispatching the vehicle

All information in the book shall be completed before the commencement of any journey.

- 3. The operator shall disclose to the Licensing Authority within 48 hours, in writing, any arrest and release, charge or conviction, fixed penalty or caution imposed on him/her or any person concerned in the operation of private hire vehicles in relation to this licence.¹
- 4. The operator must notify the Licensing Authority within seven days of any change of either his/her address or the address of the operating premises during the period of the licence.
- 5. It shall be made clear in any trade description or advertising material used by the operator that the service is a private hire vehicle service and the use of the words 'TAXI', 'CAB' or 'FOR HIRE' is expressly prohibited.
- 6. The operator shall take all proper and reasonable steps to ensure that vehicles which he/she operates and drivers he/she employs comply with licensing conditions and other relevant statutory provisions or byelaws.
- 7. Reference to Maldon District Council in any advertisement for the service must be limited to the phrase 'Licensed by Maldon District Council' and must not suggest any other form of approval or endorsement by the Council.

~~The operator shall register with the DBS update service and maintain registration during the life of the licence, including renewal licences.~~⁴ Not required of operators, only applies to drivers

- 8. A company or partnership must notify the Licensing Authority within seven days of any change in the directors or partners and submit a basic disclosure and barring service (DBS) certificate for that person.²
- 9. Notices giving details of how to make a complaint about drivers and vehicles must be displayed inside vehicles and clearly visible to passengers. The notice to include the following details: -

- ~~name of the private hire operator – deletions made following feedback from the trade relating to the amount of notice information required to be displayed in or on vehicles – the reduced amount of information to be displayed will still provide enough information to enable the Council to investigate complaints~~
- ~~contact details where a customer can make a complaint~~
- vehicle registration and licence plate number
- name of the Licensing Authority and contact details

10. The operator to maintain a record (written or electronic) of complaints received about employees, drivers and vehicles. Records to include: -

- date and time of incident
- location of incident
- name of complainant and contact details
- name of driver/employee and/or vehicle Licence number
- details of the complaint
- outcome of investigation

Any complaint of a criminal nature must be reported to the Licensing Authority within 72 hours of receipt.

11. The operator must undertake basic disclosure and barring service (DBS) checks on all individuals who may be involved in the acceptance of bookings or dispatch of drivers and vehicles before being so employed.^{1&2}

12. The operator shall keep a register of employees involved in bookings or dispatch and a record of all basic disclosure and barring service (DBS) checks whilst employees remain on the register, to be provided to an authorised officer of the Licensing Authority on request.

13. The operator must have an employment of ex-offender's policy where applicable, to be provided to an authorised officer of the Licensing Authority on request.

14. All records in the conditions above must be: -

- kept for not less than 12 months from the date of the last entry;
- produced on request to an authorised officer of the Licensing Authority or Police Officer for inspection and may be copied as required;
- in the case of electronic records, kept in a format that can be reproduced for inspection.

Notes to accompany the conditions

- ~~To facilitate regular DBS checks by the Council, all licence holders must register with the DBS update service and nominate the Council (or its agents) access to their records. The fee to register and maintain registration must be met by the licence holder. Not required of operators, only applies to drivers.~~
- As a condition of their employment, employees involved in booking and/or dispatch must advise the operator of any offences.
- DBS disclosures must be current and issued no more than 28 days before their appointment ~~as a director or partner. – as applies to employees of the operator too~~ Basic disclosures are not required if directors or partners are a licensed driver/vehicle proprietor and: -
 - a recent disclosure and barring certificate has already been provided to the Licensing Authority; or
 - he/she is signed up to the DBS update service – this provides further clarification to the trade and reduces the burden imposed upon them.

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Licensing conditions for private hire/January 2022

DRAFT



Hackney Carriage and Private Hire Policy

Issued 2022

Document Control Sheet

Document title	Hackney Carriage and Private Hire Policy
Summary of purpose	To introduce an overarching taxi and private hire policy based on recommendations in the Department for Transport's (DfT) statutory guidance, pulling together all the Council's policies, conditions, byelaws and procedures into one document.
Prepared by	Gill Gibson
Status	Final
Version number	2
Approved by	Council
Approval date	24 February 2022
Date of implementation	1 April 2022
Review frequency	5 years
Next review date	April 2027
Circulation	Trade and other interested stakeholders
Published on the Council's website	Yes

Validity Statement

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.



MALDON DISTRICT
COUNCIL

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1. Introduction

The over-riding aim of the licensing regime is to protect the public. This policy provides guidance to applicants, existing licence-holders and the public of the Council's standards and procedures in place to fulfil its function as a licensing authority.

To protect the public, the Council will: -

- determine if an applicant is a fit and proper person;
- act if a licence-holder is no longer considered a fit and proper person;
- implement measures to safeguard children and vulnerable adults;
- determine if vehicles are safe;
- improve air quality by placing conditions on vehicles.

This policy will be reviewed as and when required and at least every 5 years.

2. Delegation

The Planning and Licensing Committee is empowered to discharge the Council's powers, duties and functions in respect of hackney carriage and private hire licences. It is responsible for determining whether applicants meet the fit and proper person test.

The Licensing Sub-Committee is delegated on behalf of the Planning and Licensing Committee to determine applications where: -

- the applicant has unspent convictions; or
- endorsements exceeding 6 points* accrued on his/her domestic driving licence (where the application is for a driver's licence).

*This allows more serious and persistent breaches to be determined by Committee.

The Senior Specialist is delegated to: -

- determine all other hackney carriage (taxi) and private hire licences;
- in consultation with the Chairman of the Planning and Licensing Committee, suspend or revoke hackney carriage and private hire licences;
- authorise officers and appoint contractors who are appropriately qualified and experienced to discharge the powers and duties delegated.

3. Gathering and sharing information

The Council will consider a range of information when deciding to grant a licence and to meet the ongoing obligation to ensure a licensee remains suitable to hold a licence.

3.1 The Disclosure and Barring Service (DBS)

The Council will require either a basic or enhanced DBS (includes barred lists) check for all applicants. Those with enhanced certificates can subscribe to the DBS Update Service, this allows individuals and nominees to access their records. The Department for Transport's statutory standards require these update checks to be carried out six monthly. Subscription

to the service removes the need for further certificates to be requested, unless there has been a change or the subscription to that service has failed to be maintained by the licence holder. This reduces the administrative burden and mitigates potential delays in relicensing.

To facilitate regular DBS checks, drivers must register with the DBS update service: an annual fee is required to ensure continuation of the service. The Council (or its agent) will check the disclosure status every 6 months.

Basic DBS checks will be undertaken annually for vehicle proprietors on renewal of the licence. Private hire operators (including all partners or directors) will need to submit annual basic DBS checks. These basic checks will not be required, if applicants or licence holders are drivers and current DBS checks have already been undertaken.

3.2 Applicant and Licensee self-reporting

Applicants and licensees are required to disclose if they hold or have previously held a licence with another authority. They are also required to disclose if they have had a licence application refused or a licence revoked or suspended by another licensing authority.

Licence-holders are required to notify the Council of arrest and release, criminal charge or conviction (including cautions), and fixed penalty notice in writing within 48 hours. Licensed drivers must also notify the Council of domestic driving licence endorsements during the term of the licence.

The Council will consider whether a licence holder is fit to continue to hold the licence based on the balance of probabilities. A failure to disclose an arrest (regardless of the outcome), charge or conviction brings into question the honesty of the licence holder and their status as a fit and proper person.

3.3 Referrals to the DBS

If the Council refuses or revokes a licence where the licence holder is considered to present a risk of harm to a child or vulnerable adult, they will be referred to the DBS. A referral will be made when it is believed that the person has: -

- harmed or poses a risk of harm to a child or vulnerable adult;
- satisfied the 'harm test' – for more information, see <https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs#what-is-harm>;
- received a caution or conviction for a relevant offence; and
- has worked or might work in a regulated activity.

These referrals may result in the person being added to a barred list and enable other licensing authorities to consider this should they receive applications.

3.4 Working with other agencies

One of the most effective ways to minimise the risk to children and vulnerable adults when using taxis and private hire services is to ensure that decisions are made with the fullest knowledge possible. The Council will work with other agencies to gain as much information as possible about applicants and to monitor the ongoing suitability of existing licensees.

The Council will engage with Essex Police and neighbouring licensing authorities to highlight potential risks to the public, sharing information if it is appropriate to do so. Common Law Police Disclosure allows the Police to pass on timely and relevant information. Information is shared as soon as possible following an arrest or charge, rather than on conviction, allowing measures to protect the public to be put in place immediately.

The Council will make use of and contribute to the NR3 register: a national register of hackney carriage (taxi) and private hire driver licence refusals and revocations which was commissioned by the LGA as part of a national anti-fraud network (NAFN). If there is notification that an applicant has been refused a licence or had one revoked, the Council will contact the relevant licensing authority for more information. The relevance of information received will be considered when determining the applicant's fitness to be licensed. Likewise, the Council will share details of revocations or refusals of licences with other licensing authorities on request, in line with the data sharing agreement between the Council and the NAFN and national data protection legislation.

Should the Council receive information that a licence holder did not disclose relevant information, it may consider whether the non-disclosure represents dishonesty and may review whether the applicant or licence holder is or remains a 'fit and proper' person.

The Council will, where it is appropriate to do so, work with the taxi and private hire trade to raise awareness of local criminal activities that may engage with their services. By working with licensees, the Council can assist in the identification of activities that might be related to 'county lines', modern slavery and exploitation of vulnerable groups and individuals.

4. Decision-making

Members and officers that determine whether a licence is granted are required to undertake training. Officers acting on behalf of licensing authority will be suitably qualified commensurate with their role.

Training for Members of a licensing committee will include: -

- licensing procedures;
- natural justice;
- understanding the risks of child sexual abuse and exploitation;
- disability and equality awareness; and
- making of difficult and potentially controversial decisions.

Training will include the use of case study material to provide context and real scenarios. All training will be formally recorded.

If an applicant or licence holder has any convictions, warnings, cautions or charges awaiting trial, the Council will consider: -

- how relevant the offence(s) are;
- how serious the offence(s) are;
- when the offence(s) were committed;
- the date of conviction;
- circumstances of the individual concerned;

- sentence imposed by the court;
- the applicant's age at the time of conviction;
- whether there is a pattern of offending;
- any other character check considered reasonable (e.g. personal references); and
- any other relevant factors.

Existing licence-holders are required to notify the Council in writing within 48 hours of arrest and release, criminal charge or conviction (including cautions), and fixed penalty notices. In addition, drivers must also notify the Council of receiving driving endorsements within 48 hours.

Applicants are entitled to a fair and impartial determination of their application. Each case will be determined on its own merits within the constraints of policy and relevant legislation. Should a decision maker have a prejudicial interest in a case - financial or a personal - with those involved they should declare their interest at the earliest opportunity. This must be prior to any discussions or decisions.

The Council will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. Unless specifically prevented through policy, the Council may consider that a person with a conviction(s) need not be automatically barred from obtaining a licence. Normally an applicant would be required to: -

- remain free of conviction for an appropriate period; and
- show adequate evidence that he or she is a fit and proper person to hold a licence (the onus is on the applicant to produce such evidence). Simply remaining free of conviction may not be regarded as adequate evidence that a person is a fit and proper person).

Where an applicant has been convicted of a criminal offence, the Council cannot review the merits of the conviction. When determining an application, decision-makers must have regard to the Taxi and Private Hire Assessment of Criminal Convictions – appendix A.

In determining whether a person is fit and proper, Members can ask themselves the following question: "Without any prejudice, and based on the information before you, would you allow a person for whom you care, regardless of their condition, to travel alone in a vehicle driven by this person at any time of day or night?"

The discharge of licensing functions will be undertaken in accordance with the following general principles: -

- policies will be used as internal guidance and are supported by a member/officer code of conduct;
- implications of the Human Rights Act;
- rules of natural justice;
- decisions must be reasonable and proportionate;
- hearings to be fairly conducted and allow for consideration of all relevant factors;
- decision makers must avoid bias and predetermination;
- data protection legislation.

4.1 'Fit and proper person' checks

When considering the suitability of applicants, the safeguarding of the public is paramount. All applicants (drivers, vehicle proprietors and private hire operators) are required to pass the 'fit and proper person' test. All decisions on the suitability of an applicant or licensee will be made on the balance of probability. This means that an applicant or licensee will not be 'given the benefit of doubt'.

If the committee or delegated officer is only "50/50" as to whether the applicant or licensee is 'fit and proper', the licence will not be granted or, if already granted, suspended or revoked. The threshold used is lower than for a criminal conviction (beyond reasonable doubt) and can take into consideration conduct that has not resulted in a criminal conviction or met the criminal threshold of proof.

Enhanced disclosures from the Disclosure and Barring Service (DBS), which includes the adult and child barred lists, are required for drivers. Basic disclosures are required for vehicle proprietors and private hire operators (unless they are drivers and recent criminal record checks have already been undertaken).

The Council will also use other records and information in determining applications, including those wanting to renew a licence. This may include information held by the Council or other Councils and information disclosed by the Police. All applicants must have the right to live and work in the UK – see Home Office website for details.

4.2 NR3 Register

In relation to drivers only, checks will also be undertaken on the National Register of Refusals and Revocations also known as NR3, part of the National Anti-Fraud Network (NAFN). The register has been developed to support public safety through the potential sharing of information that is relevant when considering whether an individual is a fit and proper person to hold a licence.

The Council will record details of hackney carriage or private hire driver licences that have been refused or revoked. Details will be kept on the register for a period of 25 years as it is sufficiently serious for it to remain relevant to future licence applications. For example, where it concerns an issue of sexual misconduct in relation to a passenger. The data retention period for the register has, therefore, been set to reflect the potential gravity of some revocations and refusals, and the need for this information to be shared.

The information recorded on NR3 itself will be limited to: -

- name
- date of birth
- address and contact details
- national insurance number
- driving licence number
- decision taken
- date of decision
- date decision effective

It is an offence for any person to knowingly make a false declaration or to omit any material facts when making an application. Where an applicant has given a false statement or declaration, the licence will normally be refused or revoked if already issued.

In the interests of public safety, the Council will not normally issue a licence to any individual that appears on either barred list. If there are exceptional circumstances which means that, based on the balance of probabilities, the Council considers an individual named on a barred list to be 'fit and proper', the reasons for reaching this conclusion will be recorded.

4.3 Vehicle proprietors and private hire operators

A refusal to license a driver or to suspend or revoke a driver's licence does not automatically mean that person cannot be issued or continue to hold either a vehicle or private hire operator's licence. These decisions will be independent of the driver's licence and based on appropriate information (the Council will only consider what would be disclosed on a basic check). The Council acknowledges the different roles that a driver and a proprietor or operator perform and will assess convictions and information accordingly.

Vehicle and private hire operator licences may be applied for by a company or partnership. The Council will apply the 'fit and proper' test to each of the directors or partners in that company or partnership. Vehicle proprietors and private hire operators must notify the Council of any change in directors or partners and submit a basic disclosure and barring service (DBS) check for each unless they are subscribed to the enhanced DBS update service.

Where the Council is notified of a vehicle licence being transferred to a third party, the Council will expect to see a current DBS check from the new proprietor(s). This will not be necessary if a new proprietor is an existing driver or private hire operator licensed by the Council and DBS checks have already been undertaken (within the last 12 months if a basic check or subscribed to the DBS update service following an enhanced check).

4.4 Time spent outside the UK

If the applicant has spent 6 continuous months or more living outside the UK, they must provide a criminal record check from the country/countries covering this period. This must be of a similar standard to DBS checks. If these records are not available, a 'Certificate of Good Character' must be produced – see Home Office guidance. Please note that any such information must be produced with an English translation provided by an independent, competent translator.

4.5 Duration of licences

The standard length of licences: -

- 1 year for vehicles (taxis and private hire)
- 3 years for drivers
- 5 years for operators

Shorter duration licences will only be issued when the Council thinks it is appropriate in the specific circumstances of the case. For example, if a licensee has requested one; where

required (e.g. when the licence holder's leave to remain in the UK is time-limited); or when the licence is only required to meet a short-term demand. Licences will not be issued on a 'probationary' basis. The fee for shorter duration licences will be the same as for standard length licences as the same amount of work is required to process the application regardless of the duration of the licence.

5. Drivers

Relevant documentation must be submitted with each application (applications will be invalid until **all** relevant documentation has been received). Licences will only be granted where the applicant is 21 years of age or older and has: -

- the right to live and work in the UK;
- a minimum of 3 years post-qualification driving experience and held a full UK driving licence for at least 1 year;
- successfully completed training from the Council's approved training provider and provided a certificate of completion, including the separate topographical test (roads, routes and places of interest);
- adequate literacy and numeracy skills, including sufficient ability to speak and understand English, to provide the service that they wish to be licensed for (assessed as part of the training requirement).

Applicants must also submit the following documentation: -

- enhanced criminal record check within 28 days of application (drivers are required to sign up to the DBS update service so that DBS status checks can be undertaken every 6 months);
- current certificate of medical fitness (to group 2 standard);
- ~~DVLA Driving entitlement consent form—3 year mandate (the Council or its nominated agent will undertake annual checks) – this is no longer required by the licensing authority as a third party undertakes these checks on the Council's behalf – it is proposed that this is removed from the licensing conditions and, therefore, the policy needs to reflect the conditions;~~
- passport standard photograph.

5.1 Drivers

The 'fit and proper person' test will be applied to all drivers. The Council will consider all convictions recorded against the applicant, whether spent or not. For more information, see section 4 of this Policy and the Taxi and Private Hire Assessment of Criminal Convictions, appendix A. Licences will not normally be granted if the applicant is on a child and/or vulnerable adult barring list. Other intelligence will also be considered when determining an application (e.g. complaints; information from the Police and other agencies, including information on the NR3 register; certificate of training; etc.)

5.2 Medical assessment

The Council recognises that licensed drivers should have more stringent medical standards than those applicable to normal car drivers because they: -

- carry members of the public who have expectations of a safe journey;
- are on the road for longer hours than most car drivers; and
- may have to assist disabled passengers and handle luggage.

Drivers are, therefore, required to pass a Group 2 Standards of Medical Fitness as applied by the DVLA for lorry and bus drivers. This must be submitted to the Council along with their application. All applicants (both first time applicants or those wishing to renew their licence) shall provide a medical examination form (available on the Council's website). A medical assessment can be carried out by your G.P., another registered G.P. practice or a suitably qualified medical practitioner and the applicant's full medical history is provided if required by the medical assessor.

Once a licence holder reaches 65 years of age, a medical examination form must be completed annually and submitted to the Council. Failure to submit this within a reasonable timeframe will result in the licence being suspended until a satisfactory medical examination certificate has been received.

Licence holders with certain medical conditions (for example certain neurological conditions) may also be required to submit annual medical forms and adhere to additional requirements to retain their driver's licence.

Licence holders must advise the Council of any deterioration or other change in their health that may affect their driving capabilities.

The Council reserves the right to ask for a medical certificate at any time throughout the life of the licence at the licence holder's expense. This must be provided within 7 days.

5.3 Medical exemptions

Drivers are required to assist disabled passengers. If a driver is incapable of providing this assistance, he/she can apply for an exemption certificate. For more information, see Equality Act: Taxis, Private Hire Vehicles and Driver Requirements, appendix B.

5.4 Training

All taxi and private hire drivers must undertake training from the Council's approved training provider at their own expense. Details of current providers can be found on the Council's website. The training will cover: -

- disability awareness and safeguarding issues;
- knowledge of relevant legislation, byelaws, Council policies and licensing conditions relating to hackney carriages and private hire;
- an assessment of the applicant's literacy and numeracy skills.

This is required to: -

- provide a safe and suitable service to vulnerable passengers of all ages;
- recognise what makes a person vulnerable;
- understand how to respond and report safeguarding concerns and where to get advice;
- ensure compliance with the law and licensing conditions;

- ensure that the applicant has suitable reading, writing and numeracy skills so that they can understand the requirements for holding a driver's licence and are able to communicate effectively with passengers.

Existing licence holders are required to have training on renewal of their licence. Once drivers satisfactorily complete training, they will require refresher training every 3 years, however, where a licence expires before a renewal application is made, full rather than refresher training will be required.

All applicants must successfully complete the training and provide a satisfactory certificate of completion together with their application (for both new and renewal applications) before a licence can be determined. A fee is payable direct to the training provider each time training is undertaken.

The Council may require drivers to undertake other training during the life of the licence where proportionate and necessary. For example, following a complaint or as part of a decision made by Committee in pursuance of the licensing objectives and this Policy.

5.5 Geographical knowledge tests

New applicants for a dual driver's licence are required to pass a geographical knowledge test of the district of Maldon. This test to be undertaken with the Council's approved training provider at their own expense. A new applicant must pass the knowledge test within 2 years of an application and will be allowed 4 attempts during this period. Applicants who fail to pass within 2 years will be required to wait a calendar year before reapplying for a driver's licence. A separate fee is payable to the training provider each time the test is taken.

5.6 Renewals

It is the licence holder's responsibility to make applications for renewal prior to expiry of their licence: it is recommended that this is done 2 months before the expiry date. If made during this period, the new licence will commence immediately following the current licence. Applications forms are available on the Council's website. Licences will not be extended beyond the expiry date. If the licence expires, any further application will be treated as new and the driver will need to re-sit the knowledge test and undertake the required training unless either were received within the previous 3 years. Drivers will be unable to operate until a new licence is issued where a licence has been allowed to expire.

6. Vehicles and vehicle proprietors

Relevant documentation must be submitted with each application (applications will be invalid until all relevant documentation has been received).

Licences will only be granted where the vehicle proprietor: -

- is 21 years of age;
- has the right to live and work in the UK;

and submits a

- basic criminal record check within 28 days of application (unless a taxi/private hire driver or a private hire operator where enhanced or basic checks have already been

undertaken) - in the case of a company or partnership, each of the partners and/or directors are required to submit a basic DBS check and the Council to be advised of any new partners/directors during the period of the licence;

- bill of sale or vehicle registration document or registration counterfoil;
- valid and appropriate certificate of motor insurance;
- vehicle inspection certificate – MOT (if applicable);
- mechanical inspection certificate completed by a garage approved by the Council.

6.1 Vehicle proprietors

The 'fit and proper person' test will be applied to each vehicle proprietor. The Council will consider whether an applicant or licence holder with a criminal conviction (but not those relating to driving) meet the 'fit and proper' threshold. For more information, see section 4 of this Policy and the Taxi and Private Hire Assessment of Criminal Convictions, appendix A.

6.2 Vehicle standards

Vehicles are subject to high mileage and wear and tear, therefore, a stringent maintenance and inspection regime is required to protect all concerned. The Council considers the MOT inspection manual for private passenger and light commercial vehicles issued by VOSA as the basic inspection standard. Vehicles must also comply with the standards set out in the hackney carriage and private hire vehicle pre-licensing and licensing conditions (appendix C and D). See section 6.4 for more details on vehicle inspections and frequency of MOTs.

In relation to equality and accessibility issues, refer to the Council's Policy - Equality Act: Taxis, Private Hire Vehicles and Driver Requirements, appendix B.

6.3 Air quality and environmental considerations

Emissions from licensed vehicles to be reduced to improve air quality within the district of Maldon. All new and replacement vehicles licenced after 1st ~~April~~^{January} 2022 are required to comply with the Euro 6 emissions standards.

6.4 Vehicle inspection and MOTs

In addition to routine maintenance, servicing and MOTs, vehicles must be inspected by a garage approved by the Council (see appendix F) when applying for a vehicle licence. Approved garages must inspect vehicles in accordance with the Council's Hackney Carriage and Private Hire Vehicle Inspection Standards manual (appendix G). This manual has been developed from a best practice guide produced by the Department for Transport Hackney Carriage and Private Hire Inspection Technical Officer Group.

Thereafter, vehicles must then be inspected at intervals specified in the licensing conditions. Where considered necessary, authorised licensing officers may require additional mechanical inspections at the licence holder's expense.

Vehicles must pass MOTs at the following intervals: -

- hackney carriages – 1 year from first registration;
- private hire vehicles – 3 years from first registration;

and annually thereafter.

Licence holders who fail to maintain their vehicles in a safe and roadworthy condition may have their licence(s) suspended or revoked by the Council.

If a licensed vehicle is damaged, the proprietor must report this damage to the Council within 72 hours. The licence holder may be requested to present the vehicle for inspection by authorised licensing officers.

6.5 Safety: CCTV and screens

Closed circuit television (CCTV) and screens are not mandatory licensing requirements. Proprietors and operators may install these to protect drivers and discourage criminal behaviour following a full risk assessment as set out by the information commissioner. They must also be formally registered as a data controller. For more information, see <https://ico.org.uk/for-organisations/sme-web-hub/checklists/data-protection-self-assessment/cctv-checklist/>

Installation must: -

- be undertaken by a competent person;
- not interfere with vehicle construction or other equipment;
- not increase the risk of injury or discomfort to the driver and passengers;
- be included in maintenance and inspection regimes;
- meet any applicable safety certification requirements.

The Council must be informed of any installations if the licence has already been issued. Installations should be present at the time of mechanical inspections and noted on the examination record. Screens must be of the solid polycarbonate type. Specific conditions may be applied to a licence on a case by case basis. Guidance on this installation can be found at: <https://www.gov.uk/government/publications/coronavirus-covid-19-safety-screens-for-taxis-and-phvs/coronavirus-covid-19-safety-screens-for-taxis-and-phvs>.

Where CCTV is fitted, proprietors and operators will become 'data controllers' and must comply with all aspects of data protection and the CCTV codes of practice. There must be clear signage that the vehicle uses CCTV. Further information can be found through the Information Commissioners Office (<https://ico.org.uk/>).

CCTV must not routinely be used to record conversations of passengers. Sound must only be used by way of a panic switch as advised by the ICO and can be activated by either the driver or passenger in extreme circumstances, e.g. threat of physical violence. The footage should only be accessed by the Police or authorised licensing officers of the Council, not by the proprietor, operator or driver. Footage must be kept for no longer than necessary and in accordance with the owner's own data retention policy.

6.6 Renewals

It is the licence holder's responsibility to make applications for renewal prior to expiry of their licence: it is recommended that this is done within 2 months of the expiry date. Applications forms are available on the Council's website. Licences will not be extended beyond the expiry date: if the licence lapses, all applications will be treated as new and vehicles will be unable to operate until a new licence is issued.

Where officers are unable to grant licences in accordance with the scheme of delegation, the licence will be deemed to be granted until it can be determined by Committee (unless there is a compelling reason for it not to be e.g. safety risk to the public).

It is recommended that vehicles are examined at an approved testing station within 1 month prior to the expiry date so that repair work and re-testing can be completed. Mechanical inspections carried out within 1 month of the expiry of the previous examination will take effect from the date of expiry and not from the date of the test (as with MOTs). Mechanical inspections carried out after the date of expiry will be valid from the date of the expiry and not the date of the inspection (as with MOTs).

6.7 Private hire vehicles

Vehicles used to carry passengers for hire and reward, including those contracted by an organisation, must be licensed as a private hire vehicle. As a general guide, this shall include executive hire, chauffeur services, airport travel, stretch limousines and novelty vehicles. Vehicles used **only** for weddings or funerals are exempt from being licensed.

Vehicles, including limousines and speciality vehicles, will be licensed for a maximum seating capacity of 8 passengers or less. Limousines and speciality vehicles may be subject to additional specialist conditions: these will prevail when in conflict with the Council's standard conditions.

Operators may seek permission to waive certain conditions. Operators are recommended to contact the Council's Licensing team to discuss whether a speciality vehicle is likely to be granted a licence prior to purchase, including the waiver of conditions, to avoid unnecessary expense. Each application will be determined on a case by case basis.

The Council is empowered to add any reasonable condition to an operator's licence in addition to the standard conditions.

6.8 Waiver of conditions (plate exemptions)

Vehicles that are granted plate exemptions are expected to undertake executive chauffeur work and not normal day to day private hire work. If standard private hire work is being undertaken, exemptions granted may be forfeited.

Examples of the type of services that might benefit from 'plate exempt' status include: -

- contracts with national or local government to convey personnel on official business;
- contracts associated with VIP and close protection;
- contracts with large companies to convey managing directors and clients.

Examples of the services that may not be considered suitable for 'plate exempt' status: -

- school and social service contracts;
- routine journeys to public transport hubs;
- journeys to entertainment venues, e.g. theatres, sporting venues, hospitality.

The list is not exhaustive and intended only to be indicative.

Vehicles with exemptions must not display any advertisements, signage, logos or insignias advertising the operating company inside or outside the vehicle.

Operators and proprietors who wish to apply for an exemption certificate must complete the application form and provide adequate supporting documentation (e.g. business cards, advertising materials, web address, etc.) to establish that the vehicle will be used solely for executive bookings. The Council may request further supporting information. The need for plate exemption shall be for the applicant to evidence and not for the authority to disprove.

The decision whether to grant exemption status is delegated to the lead Licensing Officer and their decision may be reviewed by the Senior Specialist. The applicant must be able to demonstrate a benefit to the customer rather than the business.

Limitations may be placed on the licence allowing only **certain** types of work to be undertaken without having to display vehicle and driver licences. Exempted vehicles are subject to additional conditions: these will prevail when in conflict with standard conditions.

If a vehicle is no longer to be used for the purpose identified in the exemption application, the exemption plate and certificate must be surrendered and returned to the Council. If still to be used for hire, the authority will provide the appropriate licence plates and door stickers, etc.

6.9 Vehicle transfer or replacement

To **transfer** ownership of a licensed vehicle, the licence holder must notify the Council in writing within 14 days giving the name and address of the person to whom the vehicle has been transferred. This can be done by emailing licensing@maldon.gov.uk. A proprietor who fails to give notice without reasonable excuse is guilty of an offence and may lead to prosecution.

New owners must make an application to transfer the vehicle licence: a form is available on the Council's website. Each new owner(s) must provide: -

- a basic DBS check (unless the Council is already in possession of a current one);
- a valid certificate of appropriate motor insurance;
- a bill of sale or a vehicle registration document or a registration counterfoil.

Vehicle proprietors will need to meet all policy requirements and licensing conditions. The vehicle must not be hired out until the new vehicle licence is issued.

To **replace** a licensed vehicle, details of the new vehicle must be provided to the Council. Licence plates for the new vehicle will not be issued until the old plates have been returned to the Council and all documentation has been received and licensing conditions met.

6.10 Fares and Fees

Fares: fare tariffs can only be established in respect of hackney carriages. Due to the rural nature of the Maldon district and taking into consideration trade feedback, the Council has no approved fare system. Fares are a matter to be agreed between the licence holder and the hirer. If requested, a written receipt of the cost of the fare to be provided to the customer. As cash payments are becoming the exception, proprietors of licensed vehicles are encouraged to provide electronic payment methods.

Fees: the law allows the Council to recover the costs involved in granting licences. Changes in the fee will be advertised as required and the relevant Committee will consider any comments received. Fees can be found on the Council's website.

6.11 Taxi Stands

There are 2 stands within the district of Maldon: -

- High Street, Maldon
- Mill Road, Maldon

If first in line, drivers must remain with their vehicle and be available for immediate hire. There is no obligation, however, for a customer to take the first available taxi and a fare can not be refused without reasonable cause.

A proprietor or driver when standing or plying for hire must not call out or importune a person to hire or use others to do so. It is an offence to breach Maldon District Council's byelaws.

7. Private hire operators

Although private hire vehicle operators may not have direct contact with passengers, they must ensure that vehicles and drivers are appropriately licensed and so maintain the safety benefits of the licensing regime.

Any person who operates a private hire service must apply for a private hire operator's licence – application forms are available on the Council's website. Relevant documentation must be submitted with each application (applications will be invalid until all relevant documentation has been received). Every application must be accompanied by satisfactory evidence that the operator has: -

- the right to live and work in the country;
- a basic disclosure from the DBS (within 28 days of application) (unless a licensed driver or vehicle proprietor where a recent check has been undertaken) – to be

provided annually*; if a company or partnership, each of the directors or partners are required to submit a DBS check;

- a register of all employees that will take bookings and/or dispatch vehicles plus evidence that DBS checks have been obtained for each of them; DBS disclosures must be recent (within 28 days of the check);
- an ex-offenders' policy for employing individuals with convictions.

* Basic DBS disclosures are required annually unless signed up to the DBS update service following the issue of an enhanced check certificate.

7.1 Fit and proper person

The 'fit and proper person' test will be applied to all operators. The Council will consider whether an applicant or licence holder with a criminal conviction, but not those relating to traffic offences, meet the 'fit and proper' threshold. For more information, see section 4 of this policy and the Assessment of Criminal Convictions, appendix A. If a company or partnership, a basic DBS disclosure will be required for each director or partner. The Council must be informed of any changes in directors or partners during the period of the licence: basic DBS checks must be submitted for each.

If operators (including directors and partners) are also licensed by the Council as drivers or vehicle proprietors and a DBS check has been completed, there will be no requirement for the operator to submit a further basic DBS disclosure. Under these circumstances, the applicant is considered a fit and proper person unless there are other extenuating circumstances that might indicate otherwise. If a driver or vehicle licence is refused, suspended or revoked, this may not automatically affect their operator's licence.

The Council will normally only consider information that would be disclosed in a basic DBS check. This may need to be decided by a Committee based on all relevant information. Should the person cease to hold a driver licence, annual basic DBS disclosures will be required for the remaining duration of the licence.

Operators must undertake their own basic DBS checks on all employees engaged in the booking or dispatch of vehicles. DBS disclosures need to be recent and within 28 days of taking up employment. Alternatively, a responsible organisation may undertake these checks on the operator's behalf.

All employees in bookings and dispatch must be suitable for the role. Employees must inform the operator of any convictions when employed in this role as part of their employment contract. Suitability for this role shall not be solely reliant upon the DBS check, but, may take into account requirements of the ex-offenders' policy or other information known to the licence holder.

7.2 Employee register

Operators must maintain a register of employees involved in bookings and/or dispatch, evidencing that they have had sight of a basic DBS disclosure for each. Basic DBS checks must be undertaken on any individuals added to the register. Records of DBS checks must be maintained whilst the employee remains on the register.

Should an employee cease to be on the register and later re-entered, the operator must request a new basic DBS certificate and record sight of this. The register must be provided to authorised licensing officers upon request.

If employing ex-offenders for bookings or dispatch, it must be compatible with the operator's ex-offenders' policy. Those with a conviction for offences provided in the Assessment of Criminal Convictions, appendix A, other than those relating to driving, may not be suitable to decide who is sent to carry a child or vulnerable adult unaccompanied in a car. The operator must consider this when establishing their ex-offenders' employment policy.

Operators may outsource booking and dispatch functions, but they cannot pass on responsibility or the obligation to protect children and vulnerable adults. Operators are required to evidence that comparable protections are applied by the company to which they outsource these functions.

If any person on the register or an outsourced company is not found to be suitable to carry out the work of the operator, the matter will be referred to Committee for determination. The operator will be accountable and required to demonstrate that they undertook all reasonable steps to ensure the person or outsourced company were suitable.

7.3 Record of Bookings

There is a legal requirement for private hire operators to keep records of every booking invited or accepted whether from a member of the public or another operator. Before the commencement of any journey and to comply with licensing conditions, a record of the booking must be kept for 12 months. For details of the records to be kept, see licensing conditions, appendix D.

7.4 Renewal

It is the licence holder's responsibility to make applications for renewal prior to expiry of their licence: it is recommended that this is done 2 months before the expiry date. Applications forms are available on the Council's website. Licences will not be extended beyond the expiry date: if the licence lapses, all applications will be treated as new and operators will be unable to operate until a new licence is issued.

8. Enforcement

The Council is committed to providing an adequately resourced licensing service where decision-makers are suitably trained and supported by robust policies, systems and procedures. This will help prevent those that are not deemed 'fit and proper' being licensed and will allow for suitable monitoring and enforcement of existing licence-holders.

The Council will, where the need arises, jointly authorise officers from other authorities so that compliance and enforcement action can be taken against licensees from outside their area.

8.1 Complaints

Those wishing to complain about drivers, vehicles and private hire operators may do so by contacting the Council. This can be done on the Council's website or by emailing licensing@maldon.gov.uk. All complaints will be logged and investigated: where necessary, further action will be taken, e.g. further training, formal review of the licence or enforcement.

To facilitate passengers making complaints, a notice must be displayed inside licensed vehicles so that it is clearly visible to all passengers. Complaints will be recorded, forming intelligence that will be considered during the application process for renewal of licences.

Operators and vehicle proprietors must make a record of complaints made directly to them. Each complaint must be investigated, and action taken if required. Vehicle proprietors and operators should liaise with licensing officers if they have any concerns about drivers. Where the nature of the complaint amounts to a criminal offence or non-compliance with hackney carriage and private hire licensing conditions, the Council must be informed as soon as possible (and within 72 hours).

Licence holders must co-operate with any investigation by authorised licensing officers of the Council or the licensing authority of any other area through which they travel. Vehicle proprietors and operators must disclose records relating to complaints when lawfully requested. Any refusal, undue delay or obstruction may bring into question the suitability of the licence holder.

Complaints will not be accepted from persons who wish to remain anonymous, however, identities will not be released to the licence holder if there is a genuine concern for personal safety. Complaints considered to be repetitive, vexatious or malicious in nature will not be investigated and the complainant informed accordingly.

8.2 Whistleblowing

The Council is committed to the highest possible standards of openness and accountability. Employees can report any suspected malpractice or wrongdoing – see the Council's whistleblowing policy for further information. Where staff raise concerns, these will be dealt with openly and fairly.

8.3 Powers

In the interest of public safety, the Council can refuse, suspend or revoke a licence if the applicant/licence holder is not considered a fit and proper person. The Council can suspend or revoke a driver's licence where he/she has been convicted of an: -

- offence involving dishonesty; indecency; or violence;

- offence under or failed to comply with the provisions of the Town Police Clauses Act 1847 or Part II of the Local Government (Miscellaneous Provisions) Act 1976;
- immigration offence or required to pay an immigration penalty; or
- any other reasonable cause.

Common law police disclosure focuses on providing timely and relevant information which might indicate a public protection risk. Information is passed on at arrest or charge, rather than on conviction which may be some time after, allowing any measures to mitigate risk to be put in place immediately. The Senior Specialist in consultation with the Chair or Deputy Chair of the Licensing Committee may consider all information available and decide as soon as possible whether to suspend or revoke a hackney carriage or private hire licence.

Before any decision is made, the Council will consider all available evidence and a driver will be given the opportunity to state their case. If a period of suspension is imposed, it cannot be extended or changed to revocation later unless further information is made available. A decision to revoke a licence does not, however, prevent the Council from reissuing or restoring a licence where further information is made available affecting the balance of probability.

For example, if allegations against a driver were later considered to be unfounded, a licence could be re-issued if it had been revoked. A suspension may be appropriate if a minor issue that can be addressed through, for example, additional training. In this instance, the licence would be returned to the driver once the training had been completed.

The Council will keep appropriate records for all licences refused, suspended or revoked and will share this information as required with other Licensing Authorities if appropriate to do so and in line with data protection requirements.

8.4 Appeals

Any person who has their driver or operator's licence application: -

- refused or their licence suspended or revoked on the grounds of not being a fit and proper person; or
- wishes to challenge a licensing condition;

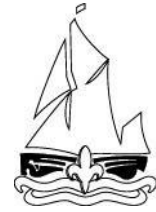
has a right of appeal to the Magistrates' Court within 21 days of being given notice of refusal, suspension, revocation or to challenge the requirements of a licence condition.

If a vehicle licence is suspended, revoked, refused or had a licence condition attached, the applicant or licence holder has a right of appeal to the Crown Court in the case of a hackney carriage or Magistrates Court in respect of a private hire vehicle.

9. Data Protection

All information will be processed in accordance with the Data Protection Act (DPA) and General Data Protection Regulation (GDPR). Any searches and the provision or receipt of information are necessary to the Council's statutory licensing functions of ensuring that all drivers, vehicle proprietors and private hire operators are fit and proper to hold a licence.

If you wish to raise any issue related to the data protection legislation, including any of the rights afforded to data subjects under the GDPR, you can do so to the authority's Data Protection Officer. This includes submitting a subject access request. For more information, see the Council's website.



REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

to
COUNCIL
24 FEBRUARY 2022

COMMITTEE MEETINGS AND FUTURE OPTIONS

1. PURPOSE OF THE REPORT

- 1.1 To consider ongoing arrangements for Committee Meetings in light of changes to government restrictions.

2. RECOMMENDATIONS

- (i) That Members review and note the updated risk assessment set out at **APPENDIX A** for physical meetings;
- (ii) That Members extend the emergency decision for physical public meeting attendance, subject to capacity numbers as outlined in **APPENDIX A**;
- (iii) That Members review other mitigations listed and confirm which of those set out in 3.3 they would like to procedurally continue upon consideration of current guidance;
- (iv) That Members confirm continuation of YouTube live streaming of meetings past the removal of Covid restrictions in light of the information set out at section 3.8 of the report;
- (v) That for non-regulatory matters, to allow those members unable to physically attend, to join remotely to ask questions/engage in debate, subject to Chairman approval, (noting that they would not be able to vote).

3. SUMMARY OF KEY ISSUES

- 3.1 Members last considered covid arrangements for meetings on 2 September 2021 based on the legislation at the time.
- 3.2 Mitigations were put in place based on our duty of care for staff, members and residents that would be involved in meetings and legislation that has since been updated.
- 3.3 On 2 September 2021, Members voted to drop social distancing and move back to the chamber for meetings with the mitigations set out in the table below in place:

Measure previously agreed	Current legislation/ guidance
Windows open for ventilation	The guidance- How to stay safe and help to prevent the spread highlights that ' <i>the more fresh air you let into your home or other</i>

Measure previously agreed	Current legislation/ guidance
	<i>enclosed spaces, the less likely a person is to inhale infectious particles’.</i>
One way system for movement around building	The guidance does not refer to one-way systems other than in the context of “still acknowledging covid risks and limiting contacts with each other”.
Registration forms with mask and Lateral Flow Test (LFT) registration before the meeting for Members and Staff	Removal of the legal requirement to wear masks and take Lateral Flow Tests for large gatherings now means masks and tests are guidance only and Members can decide whether to continue this practice, but it could not be compulsory.
Public to watch via YouTube unless participating	<p>Whilst online participation and streaming was considered the best way to deliver Section 100A of the Local Government Act to allow public access to meetings, the need to enable physical attendance is now once again possible and appropriate.</p> <p>However, the Risk Assessment has reviewed physical capacity numbers based on general crowd management and space. This recommends six in the Council chamber and 25 in the Northey room as overflow.</p>
Council to purchase FFP3 (Filtering Face Pieces 3) masks to be available to those in meetings	<p>Guidance now reads:</p> <p><i>“You will not be required to wear a face covering, including in communal areas of schools, but the government suggests you continue to wear one in crowded and indoor spaces where you may come into contact with people you do not normally meet”.</i></p>

- 3.4 Additionally, on 23 December 2021, under emergency powers our Constitution was updated to allow for remote public participation via Microsoft (MS) Teams. Participation requires a registration form and MS Teams is our current default method, and once mitigations are removed it will be an option for in person or via MS Teams
- 3.5 From 27 January 2022 the government removed legal restrictions associated with covid, and this is replaced with guidance or ‘suggestions’ for managing covid, as highlighted against each of our original mitigations in the table at 3.3.
- 3.6 A review of the risks around physical meetings in light of the change to restrictions has taken place and identified risks and mitigations are set out at the Risk Assessment in **APPENDIX A**.
- 3.7 On 25 January 2022, the Corporate Leadership Team made a temporary decision to allow physical public access to meetings in light of the change in restrictions. This is because section 100A of the Local Government Act provides for public access, and there are no legislative barriers to allowing this physically now.
- 3.8 Public access is also provided to all our meetings via YouTube at <https://www.maldon.gov.uk/watchlive> and has seen increased engagement with our meetings. We consider this is also more accessible for those who are unable to travel, watch live at the time of the meeting, or have childcare responsibilities etc – but providing it does have resource implication. As of 26 January 2022, over the last

11 meetings that are published to YouTube the average number of views is 166, and for an average meeting of 2 hours it costs an additional £53.91 in officer costs to provide the stream. Members are invited to consider this information, and whether they would like to continue the YouTube stream as a matter of course.

- 3.9 Health and safety advice without the consideration of Covid has been reviewed for size of chamber, and an overflow room for physical public access. This is included in the Risk Assessment at **APPENDIX A**.
- 3.10 We have a number of Non-aligned Members, who are unable to arrange a group substitute if they are unable to attend a meeting. The intention of allowing members to join remotely as per recommendation (v) is to allow for those who are unwell or physically unable to attend non-regulatory meetings remotely. Committee members who join in this way would not be able to vote on items but would still be able to raise questions. This would be subject to Chairman discretion and review.

4. CONCLUSION

- 4.1 This paper asks for operational decisions around future meetings in light of Covid requirements moving to guidance only. A temporary decision was made under emergency powers to allow public access until 25 February 2022 – members of the public are invited to complete a lateral flow test and wear a mask. This paper asks members to make a formal decision on this.

5. IMPACT ON STRATEGIC THEMES

- 5.1 Reviewing our processes for meetings helps to contribute to Performance and Efficiency goal

6. IMPLICATIONS

- (i) **Impact on Customers** – Youtube streaming of meetings gives better customer accessibility.
- (ii) **Impact on Equalities** – The recommendations provide for multiple options of public access to be as inclusive as possible to the Public and Members.
- (iii) **Impact on Risk** – This report reviews our risks around physical meetings for Members to confirm future steps – the full risk assessment is attached at **APPENDIX A**.
- (iv) **Impact on Resources (financial)** – YouTube streaming decision could incur an additional officer cost.
- (v) **Impact on Resources (human)** – Risks to staff and Members are identified in the risk assessment
- (vi) **Impact on the Environment** – YouTube streaming could reduce carbon emissions of those who would have ordinarily travelled to observe.
- (vii) **Impact on Strengthening Communities** - NA

Background Papers:

National guidance [Coronavirus: how to stay safe and help prevent the spread - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/coronavirus/coronavirus-safety-and-prevention/gov-uk-coronavirus-safety-guidance)

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager.

Council Chambers Publicly Attended Meetings RISK ASSESSMENT

DEFINITIONS:

Hazard

Something with the potential to cause harm.

Risk

The likelihood of hazard reaching its potential.

**MALDON DISTRICT
COUNCIL**

Princes Road
Maldon
Essex CM9 5DL

www.maldon.gov.uk



Department :	Democratic Services/Elections Guidance provided by Central Government Covid Assessment
Description of Task:	Risk Assessment for: Covid considerations whilst operating Committee Meetings Risk within Chambers whilst operating Committee Meetings, including: <ul style="list-style-type: none"> • Overcrowding • Violent disorder • Medical Assistance
People at Risk:	Maldon District Council staff, Councillors Volunteers, General Public.

Risk	1 = Remote	5 = Definite
Severity	1 = Slight	5 = Fatal
Risk x Severity = Rating		
16 – 25 =	Urgent attention	
8 – 15 =	Attention may be required	
Objectives		
1. Eliminations	4. Use of Procedures	
2. Substitution	5. Warning System	
3. Use of Barriers	6. PPE	

Residual Risk / Likelihood						
	1	2	3	4	5	
Severity	1	2	3	4	5	
	2	4	6	8	10	
	3	6	9	12	15	
	4	8	12	16	20	
	5	10	15	20	25	

Covid Related Risks								
Identified Hazards Associated with the work activity / tools / COSHH and possible injury.	Risk of Injury Before controls are in place.	Severity of Injury Before controls are in place.	Total Rating Risk x Severity	Control measures Measures which must be in place before work is allowed to start (Including provisions such as Personal Protective Equipment).	Risk of Injury After controls are in place.	Severity of Injury After controls are in place.	Total Rating Risk x Severity	
Transmission from touch points	3	3	9	<p>Chambers to be prepared for use as per Plan A</p> <p>Based on an area of 2m x 3m the Council Chambers can accommodate 6 chairs for safe public use (chairs within public gallery to be spaced within 1sqm up to a maximum of 6 chairs).</p> <p>X3 sanitising stations (1 at top table, 1 at entrance, 1 at exit)</p> <p>Cleaning of toilets facilities prior to meeting commencement</p> <p>Cleaning of Chambers, Councillor lounge and Stairwell to Chambers prior to meeting commencement with a focus on – Tables, Chairs, Desks, Mics, door handles, grab rails, banisters,</p> <p>Provision of suitable containers to aid disposal of PPE and cleaning materials</p> <p>All rooms ventilated prior to and during meeting</p> <p>Do not use any air blowing heating systems (convex/radiator heaters are allowed)</p>	1	3	3	

Aerosol Transmission	4	3	12	<p>All rooms ventilated prior to and during meeting</p> <p>Do not use any air blowing heating systems (convex/radiator heaters are allowed)</p> <p>Based on an area of 2m x 3m the Council Chambers can accommodate 6 chairs for safe public use (chairs within public gallery to be spaced within 1sqm up to a maximum of 6 chairs).</p> <p>External Signage – ‘Do not attend if suffering from these symptoms ...’</p> <p>X3 sanitising stations (1 at top table, 1 at entrance, 1 at exit) Signage – ‘Please use hand sanitiser’</p> <p>Signage – ‘Please wear face coverings where possible.’ Provision of face masks upon request</p>	2	3	6
Attendance by Infected Person/s	3	3	9	<p>Registration system for public to prebook a seat at the Meeting</p> <p>Request for pre-attendance LFT to be taken</p> <p>External Signage – ‘Do not attend if suffering from these symptoms’</p> <p>X3 sanitising stations (1 at top table, 1 at entrance, 1 at exit) Signage – ‘Please use hand sanitiser’</p> <p>Signage – ‘Please wear face coverings where possible.’ Provision of face masks upon request</p> <p>Provision of QR code at entrance points and within the Council Offices and Chambers, to assist Test & Trace</p>	2	3	6

Risk within Chambers whilst operating Committee Meetings, including:								
<ul style="list-style-type: none"> • Overcrowding • Violent disorder • Medical Assistance 								
Identified Hazards Associated with the work activity / tools / COSHH and possible injury.	Risk of Injury Before controls are in place.	Severity of Injury Before controls are in place.	Total Rating Risk x Severity	Control measures Measures which must be in place before work is allowed to start (Including provisions such as Personal Protective Equipment).	Risk of Injury After controls are in place.	Severity of Injury After controls are in place.	Total Rating Risk x Severity	
Overcrowding of Council Chambers	2	4	8	<p>Public overspill to be mitigated through use of Northey Room</p> <p>Room to be prepared for use as per Plan B</p> <p>Based on an area of 5m x 5m the Northey Room can accommodate 25 chairs for safe public use (chairs within Northey Room to be spaced within 1sqm up to a maximum of 25 chairs).</p> <p>X1 Council Officer to be present throughout meeting to deal with any support requests from Public. (This Officer is not to facilitate the democratic processes but to provide hosting assistance where requested/appropriate)</p> <p>No more than 25 members of the public to be allowed in the Northey Room after which time the Council Offices must be closed for public access (numbers to be managed by MDC staff).</p> <p>Provision of streaming via social media for remote public viewing</p>	1	3	3	
Violent Public Disruption within Chambers	4	4	16	<p>Upon the meeting being abandoned due to violent disorder, all Councillors and Officers to exit the Chambers via the rear Fire Exit into the main Office floor and be escorted to a safe Refuge Point by the Designated Officer.</p> <p>Any Council Officer in Northey Room to leave room and join other Officers and Members in the Refuge Point</p> <p>All Officers in the building pulled back to the Refuge Point and/or the Community Engagement Office</p>	2	4	8	

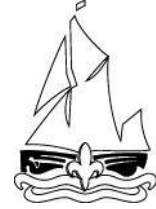
				<p>Call to 999 to request Emergency Services (Police) – loss of control of public building/public disorder/protest</p> <p>Council to use all available CCTV systems to record evidence for later use</p> <p>CEOs present in building to activate Body Worn Cameras to record evidence for later use</p>			
Requirement for medical assistance in Chambers	2	4	8	<p>Person seeking medical assistance to be taken to Respite Room if appropriate</p> <p><i>Where the Person requiring medical assistance cannot be moved, the Council Meeting should be abandoned to facilitate medical care</i></p> <p>Designated Officer to remain with person and deliver first aid where trained and appropriate</p> <p>First Aid box to be kept in Respite Room</p> <p>Emergency Services 999 medical assistance to be sought</p>	2	2	4
Requirement for medical assistance in Northey Room	2	4	8	<p>Person seeking medical assistance to be taken to Respite Room if appropriate</p> <p><i>Where the Person requiring medical assistance cannot be moved, the Designated Officer should ask all members of the Public to leave the Northey Room to facilitate medical care</i></p> <p>Designated Officer to remain with person and deliver first aid where trained and appropriate</p> <p>First Aid box to be kept in Respite Room</p> <p>Emergency Services 999 medical assistance to be sought</p>	2	2	4

Specifics, Actions & Further Considerations

Date of Assessment:	24/01/22	Date of Review:	
Name: <i>(Please Print)</i>	Damien Ghela	Signed:	Once signed please scan and attach to database

All assessments should be reviewed, as and when there is any significant change or annually whichever is sooner.

Generic risk assessments are acceptable where activities/processes/operations are consistent across the workplace. However, these must be adapted, as appropriate, to consider individuals and local environment.



REPORT of DIRECTOR OF SERVICE DELIVERY

**to
COUNCIL
24 FEBRUARY 2022**

UPDATE ON SOCIAL ENTERPRISE ACCELERATOR FUND AND MEMBER REPRESENTATION

1. PURPOSE OF THE REPORT

- 1.1 To update Members on the Additional Restriction Grant (ARG) funded Social Enterprise Accelerator Fund and to consider the appointment of Member representation to an Internal Awarding Panel.

2. RECOMMENDATION

- (i) That the creation of an Internal Award Panel for the Social Enterprise Accelerator Fund be approved;
- (ii) That the Member nominations set out in section 3.11 be ratified and one additional Member appointment be approved for the remainder of the Municipal Year.

3. SUMMARY OF KEY ISSUES

- 3.1 On 6 January 2022, the Strategy and Resources Committee approved the defrayal approach for the remaining ARG funding and endorsed the business support schemes set out in the report presented, in which this project was included. The Committee also approved the Director of Service Delivery be given delegated authority in consultation with the Chairman of the Strategy and Resources Committee, to approve schemes for the remaining ARG to ensure defrayal can be targeted to changing business needs and restrictions.
- 3.2 Maldon District Council (MDC) is working in partnership with Social Enterprise East of England (SEEE) to deliver a Social Enterprise Accelerator Fund. The project forms part of the wider business support under the COVID-19 Economic Recovery and Transformation Plan (CERT) with funding for its delivery provided via the authorities ARG allocation. Projects delivered under the ARG must be defrayed (spent) by 31 March 2022 in accordance with the guidance received from Government.
- 3.3 £250,000 has been allocated to this project for grants up to £50,000 made available to social enterprises, community focussed organisations and social entrepreneurs to enhance the economic, social and cultural life in the Maldon District. These activities will develop a resilient social economy for the benefit of residents and local communities.
- 3.4 A grant application process has been developed whereby applications to the fund are administered by SEEE who will undertake initial eligibility checks. Applications will then be forwarded to MDC who has ultimate approval of awards.

- 3.5 To ensure a fair and clear decision making, it is proposed that an Internal Awarding Panel is formed who will review and approve / decline applications in accordance with the eligible criteria.
- 3.6 The Internal Awarding Panel is proposed to meet on two occasions, in line with the closing deadline for applications. Applications up to £5,000 can be made until 28 February 2022 with applications up to £50,000 open until 15 March 2022. The Terms of Reference for this Internal Awards Panel will be agreed at the initial meeting once Members have been appointed.
- 3.7 The Internal Awarding Panel will be sent the applications to be reviewed within three days of the relevant closing deadline. The Panel is to individually review applications and have questions (if any) ready for panel approval / review. The Panel will convene and approve or question specific applications within seven days of the relevant closing deadline. This review of the applications will be based on set criteria.
- 3.8 Applicants will be notified of the outcome of their application. With successful applicants being asked to submit further information to satisfy the audit requirements of the ARG policy.
- 3.9 It is proposed the Internal Awarding Panel is made of four Members, a Director and the Lead Specialist for Prosperity.
- 3.10 The spend approved within this project will be reported back to Strategy and Resources Committee under the CERT programme.
- 3.11 The Group Leaders have nominated the following three Members for appointment and the rationale for these nominations is set out in the table below:

Member Nominations	
Cllr Mrs P A Channer	As Leader of the Council
Cllr R H Siddall	As Chairman of Strategy and Resources Committee
Cllr C Mayes	As liaison with the Maldon Business Forum

4. CONCLUSION

- 4.1 The Social Enterprise Accelerator Fund provides the authority with the opportunity to enhance the economic, social and cultural life in the Maldon District. This in turn will support the economic and community recovery of the district.
- 4.2 Any unspent funds would need to be returned to Central Government if not defrayed by 31 March 2022.
- 4.3 This project forms part of the wider business support under the CERT programme.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The CERT programme primarily supports the Council Prosperity Objectives of Supporting Existing Local Businesses and Enhancing and Promoting the District Visitor Economy.

6. IMPLICATIONS

- (i) **Impact on Customers** – The proposal will provide organisations with additional support opportunities and enhance the current offering available via Maldon District Council.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – Defrayal is at risk and it is vital that programme activity is aligned and adequately reported to the funder to ensure the funding is not subject to return.

The programme will reduce the risk to the economy presented by COVID-19.

The Council faces increased reputation risk if it fails to deliver to the expectations of stakeholders.

- (iv) **Impact on Resources (financial)** – Project is grant funded (paid in advance). Whilst the cost of officer time cannot be recouped from this fund, however, all scheme activity will be.
- (v) **Impact on Resources (human)** – The activity is being led by the Lead Specialist Prosperity, whose position is part funded externally by the Welcome Back Fund. However, inevitably, there may be additional work to enhance efforts of existing staff (within existing establishment).
- (vi) **Impact on the Environment** – None anticipated.
- (vii) **Impact on Strengthening Communities** – The grants awarded will aim to enhance the economic, social and cultural life in the Maldon District therefore increasing opportunities for the community to come together.

Background Papers:

[Additional Restrictions Grant Local Authority Allocations](#)

[Additional Restrictions Grant Guidance for Local Authorities \(updated 20 January 2022\)](#)

[Strategy and Resources Committee Paper – 6 January 2022 – agenda item 14](#)

Enquiries to: Leanda Cable, Lead Specialist Prosperity.

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

Document is Restricted

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