

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

CHIEF EXECUTIVE
Doug Wilkinson

08 January 2025

Dear Councillor

You are summoned to attend the meeting of the;

PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE

on **THURSDAY 16 JANUARY 2025** at **7.30 pm**

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

Please Note: 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 / attend in person please complete 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



Chief Executive

COMMITTEE MEMBERSHIP:

CHAIRPERSON	Councillor W Stamp, CC
VICE-CHAIRPERSON	Councillor N D Spenceley
COUNCILLORS	M G Bassenger S J Burwood J C Hughes N R Miller R G Pratt U C G Siddall-Norman J C Stilts M E Thompson





AGENDA
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
THURSDAY 16 JANUARY 2025

1. **Chairperson's Notices**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 10)

To confirm the Minutes of the Performance, Governance and Audit Committee held on 5 December 2024 (copy enclosed).

4. **Matters Arising** (Pages 11 - 14)

To note the Matters Arising from the last meeting of the Committee (5 December 2024).

5. **Disclosure of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members.

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

6. **Public Participation**

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

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

7. **Review of Corporate Risk - Quarter 2** (Pages 15 - 24)

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

8. **Corporate Performance - Quarter 2** (Pages 25 - 66)

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

9. **Annual Governance Statement Actions Update** (Pages 67 - 70)

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

10. **Amended Contract Procedure Rules in line with Legislation Under the Procurement Act 2023** (Pages 71 - 96)

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

For further information please see [the Council's website](#).

11. **One Maldon District Partnership Action Plan - Update** (Pages 97 - 112)
To consider the report of the Chief Executive, (copy enclosed).
 12. **UK Shared and Rural England Prosperity Funds** (Pages 113 - 122)
To consider the report of the Chief Executive, (copy enclosed).
 13. **Health and Safety Update - Quarter 2 2024 / 25** (Pages 123 - 132)
To consider the report of the Deputy Chief Executive, (copy enclosed).
 14. **Appointment of Representatives on Outside Bodies** (Pages 133 - 134)
To consider the report of the Assistant Director: Programmes, Performance and Governance (copy enclosed).
 15. **Any other items of business that the Chairperson of the Committee decides are urgent**
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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

We do not have any fire alarm testing scheduled for this meeting. In the event of a fire, a siren will sound. Please use either of the two marked fire escape routes. Once out of the building please proceed to the designated muster point located on the grass verge by the police station entrance. Please gather there and await further instruction. If you feel you may need assistance to evacuate the building, please make a member of Maldon District Council staff aware.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber.

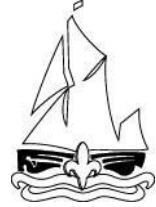
Closed-Circuit Televisions (CCTV)

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

Lift

Please be aware, there is not currently lift access to the Council Chamber.

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**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
5 DECEMBER 2024**

PRESENT

Chairperson	Councillor W Stamp, CC
Vice-Chairperson	Councillor N D Spenceley
Councillors	M G Bassenger, S J Burwood, R G Pratt, U C G Siddall- Norman and K M H Lagan (Substitute for J C Stilts)

1. CHAIRPERSON'S NOTICES

The Chairperson 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 J C Hughes, N R Miller, J C Stilts and M E Thompson and Mr Derek Smith, Independent Person.

In according with notice duly given it was noted that Councillor K M H Lagan was attending as a substitute for Councillor Hughes.

At this point the Chairperson referred to the Assistant Director - Strategy, Partnerships and Communications who advised that Mr Smith, Independent Person had submitted a number of questions, some of which were in relation to items on the agenda for this meeting. As Mr Smith was absent, it was noted that Officers would provide a written response to these questions outside of the meeting and a copy of this would be circulated to Members of the Committee.

3. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 19 September 2024 be approved and confirmed.

4. MATTERS ARISING

The Chairperson took Members through the matters arising report and the following updates were provided:

Date of Meeting	Minute Title	Action	Update
18 June 2024	Infrastructure Funding Statement	Details regarding the allotments at Handley Green to be provided to Councillor J Driver.	The Chairperson requested that this item remained on the matters arising list.

Date of Meeting	Minute Title	Action	Update
19 Sept. 2024	Minutes of the last meeting	A further update on Audit fees would be brought to a future meeting of the Committee	It was noted that the External Auditors would provide an update as part of their report later on the agenda.
		Officers would have an offline discussion with the Independent Person (Mr Smith) regarding some of the queries he raised.	The Chairperson and Deputy Chief Executive had met with Mr Smith and a further meeting would be arranged to provide further guidance.
	Annual Governance Statement Actions Update	Councillor R Pratt referred to the induction programme and suggested there were some areas for further development. In response the Chairperson suggested that the Assistant Director – Programmes, Performance and Governance or the Chairperson of the Working Group speak with Councillor Pratt regarding this.	Councillor R Pratt provided an update on the discussions that had taken place. The Chairperson requested that this remain on the matters arising list and that the Assistant Director - Programmes, Performance and Governance provide an update to the Committee.

5. DISCLOSURE OF INTEREST

There were none.

6. PUBLIC PARTICIPATION

No requests had been received.

7. INTERNAL AUDIT REPORT

The Committee considered the report of the Interim Chief Finance Officer and associated Internal Audit reports from BDP LLP, attached on the agenda as follows:

- 7a) Progress report
- 7b) Follow-Up of Recommendations
- 7c) Health and Safety 2024 / 25

Progress Report

Mr Aaron Winter (BDO LLP) presented his report to the Committee which summarised the current progress made against the 2024 / 25 internal audit plans. It was noted that since the last report to the Committee one review had been finalised, five were underway with management reporting taking place early in the new year and three remaining reviews were planned and scheduled for delivery early within quarter four.

Follow-Up of Recommendations

Mr Aaron Winter (BDO LLP) presented the report and advised that four recommendations had been closed including all outstanding recommendations for the 2020 / 21 year. There was one overdue recommendation from 2021 / 22, it was noted this was overdue to the number of times the timescales had changes, although the Council's management team had advised they were on track to meet the current deadline. One recommendation regarding the Licensing Audit was in progress and having agreed actions with management further work was being undertaken. The remainder three recommendations were not yet due for follow up.

Mr Winter thanked the Council's management team for their help which resulted in a number of recommendations being closed.

In response to a question as to why the review of assets had taken so long, the Assistant Director – Customer Services and Operations advised that delays had been caused by changes of personnel within the team and looking at what was possible in terms of IT systems. She advised that the Council had been able to utilise an existing software system, and this had been set up with a project, with dedicated resource and on target to meet the deadline of 31 March 2025.

Health and Safety 2024 / 25

Mr Andrew Bilingham (BDO) presented the report and advised that the review of the Council's Health and Safety (H&S) had been undertaken. It was noted that the review only covered certain aspects of H&S which had been agreed with the Council prior to the review taking place. The report set out the areas reviewed, along with areas of good practice. A number of improvements which had been identified and set out along with the detailed findings and management response.

The Assistant Director – Customer Services and Operations then read out a statement in response to this audit. She explained that the Council had chosen areas of H&S where it was known further work was required and which could be progressed based on the recommendations in the audit report. The Audit report gave an independent view on where the risks were, and the work required to resolve them. She reported that a large amount of this work was already underway and would continue through an audit action plan to achieve the deadlines stated in the report. The Assistant Director reminded Members of the quarterly H&S reports received by this Committee and reassured them that a lot of work was continuing to ensure the Council improved its H&S compliance. A 'meet the service' event was being organised and would give opportunity for Members to attend, meet Officers and find out more about the work that was being done in this area. She thanked the Corporate Health and Safety Manager for his hard work and cooperation with this audit.

In response to some concern raised, the Corporate Health and Safety Manager (the Manager) provided Members with detailed information on the work undertaken to update policies, including risk assessments and management involvement. He reported that going forward every Health and Safety policy had a Working Group and owner assigned to it. It was noted that a training matrix had also been established.

In response to questions, the Manager provided explanation for the delay in the review of the Council's overarching Health and Safety policy. The Chairperson then proposed that the Committee received the draft Health and Safety Policy in order to review it on a performance basis. This was agreed.

In respect of inspections, Members were advised that Officers would firstly carry out inspections, for example on a monthly basis, and the Manager follow this up with a more in-depth inspection on an annual basis. Guidance would be provided to

Officers on the frequency of their regular reviews along with any recommendations identified.

The Assistant Director clarified that in respect of Risk 7, the Council would be implementing a basic standard checklist which would apply to every event, although depending on the type of event, additional requirements may be added. In response to a request from the Chairperson for this information to be brought back to the Committee, the Assistant Director advised the quarterly report to the Committee in January could be expanded to include details regarding this.

The Chairperson then thanked the Corporate Health and Safety Manager.

Internal Audit report continued

The Chairperson then moved the three recommendations set out in the report, taking into consideration the earlier discussions. This was duly seconded and approved.

RESOLVED

- (i) that the Committee considered, commented, and approved the following reports as set out on the agenda:
 - (a) Progress Report 2024 / 25– at 7a;
 - (b) Follow-Up of Recommendations Report – December 2024 – at 7b;
 - (c) Health and Safety 2024 / 25 Final Report – November 2024 – at 7c.
- (ii) that the draft Health and Safety Policy be brought to a future meeting of this Committee for review in respect of performance.

The Chairperson thanked the Internal Auditors for their reports and attendance.

8. REPORT OF THE EXTERNAL AUDITOR ON THE AUDIT OF FINANCIAL YEARS 2021 / 22 AND 2022 / 23

The Committee considered the report of the Interim Chief Finance Officer presenting the International Standards on Auditing (ISA) 260 Audit report, attached as Appendix 1 to the report and the Annual Audit report (Appendix 2) for the financial years 2021 / 22 and 2022 / 23.

It was noted that the Audit Plan report (Appendix 3) was presented for review. Due to the constraints of the backstop dates issued by UK Government, the Audit Plan report was being presented alongside the main audit reports. Normally this would be presented before audits took place.

The Interim Chief Finance Officer presented the report and introduced the Council's External Auditors - Paul Hewitson (Associate Partner) and Tope Odunsi from Deloitte. He commented on the new backstop dates introduced by the Government and the work undertaken to deliver the audits on time in light of these, highlighting the work done by the Finance team in respect of this. Members were informed that the Chartered Institute of Public Finance and Accountancy (CIPFA) Audit Committee had just published a guidance document 'the Local Audit Backstop: Key Questions Answered for Audit Committees' regarding the backstop dates and how Audit Committees could help, and the Officer advised he would circulate this following the meeting. At this point the Chairperson, thanked the Interim Chief Finance Officer for his hard work since joining the Council.

The Chairperson then invited the Associate Partner from Deloitte to take the Committee through the report. He drew Members' attention to the key points in the report specifically in relation to ISA 260. It was noted that because of the backstop dates issued by the Government a disclosure of opinion in respect of both financial years would be provided and Members were informed that some key paragraphs in the 2021 / 21 Audit would be different to previous years because of this. Appendix 1 detailed any uncorrected and principle corrected mistakes, along with the response from the Council's management team. In respect of Value for Money (VFM) no risk of significant weakness in the Council's arrangement had been identified. No objections or queries had been received from local objectors, there were no matters resulting in the need to issue a public interest report and no further powers under the Local Accountability Act had been exercised. The Associate Partner informed Members the External Auditors would work the Council's appointed Auditor for 2023 / 24 onwards, KPMG, in respect of the handover of the audit of the Council and to ensure they understood the work completed and what was outstanding.

In response to questions the Interim Chief Finance Officer provided the Committee with the following information:

- In respect of the outstanding management responses, Officers had been through and addressed all efficiencies and management responses given. It was agreed that the Committee would be provided with a copy of the management response outside of the meeting.
- An update in respect of the work to build resilience within the finance team was provided along with proposals to continue this, including gaining CIPFA accreditation.
- The backstop deadline for the 2023 / 24 audit was tight, with accounts having to be published by next Friday. However, the Interim Chief Finance Officer advised he had confidence in the finance team that this would be delivered.

The Associate Partner then took the Committee through the Annual report for the financial years 2021 / 22 and 2022 / 23(Appendix 2 to the report). It was noted that under the backstop provisions, the areas considered in respect of VFM had been amended and the criteria 'improving economy, efficiency and effectiveness' dropped. No significant weaknesses or risk of significant weakness had been found and moderate assurance had been given. The Associate Partner commented that within the Council there was challenge, appropriate promotion of standards of conduct and a good commitment to budget reconciliation. There was one recommendation from the Auditors regarding triangulation and the Chairperson read this out, asking that it be Minuted.

The recommendation from the external Auditors was as follows:

"We recommend the Council clearly articulate how prioritised savings will support the long-term delivery of statutory services and explicitly link these savings to the financial projections within the MTFS. This will provide greater transparency and assurance to stakeholders regarding the financial sustainability of the Council's operations. We encourage the Council to embed this approach within its planning processes to ensure ongoing alignment between financial plans and service delivery."

In response to a question, the Associate Partner highlighted that they were satisfied that there were no significant weaknesses in the Council's arrangements. Along with sufficient financial stability, reserves and a programme of planning, management, and efficiency to secure financial sustainability.

The interim Chief Finance Officer expressed his thanks to the External Auditors for their commitment of hitting the backstop and supporting him and his team. The External Auditors also thanked the Officer and his team. The Chairperson asked that the Committee's thanks be given to the previous Interim Chief Finance Officer for the work she had done for the Council.

The Chairperson then moved the recommendations which were duly seconded and agreed.

RESOLVED

- (i) That Members considered the ISA 260 Audit Report for 2021 / 22 and 2022 / 23 at Appendix 1 to the report. The ISA 260 report aims to ensure that auditors communicate significant findings from the audit to those responsible for governance, such as the board of directors or Audit Committee;
- (ii) That Members considered the Annual Audit Report for 2021 / 22 and 2022 / 23 at Appendix 2 to the report. This report evaluates how effectively an organisation uses its resources to achieve its objectives;
- (iii) That Members considered the Audit Plan Report for 2021 / 22 and 2022 / 23 at Appendix 3 to the report. This report sets out the plan for the upcoming audit.

There being no other items of business the Chairperson closed the meeting at 8.35 pm.

W STAMP, CC
CHAIRPERSON

PERFORMANCE GOVERNANCE AND AUDIT COMMITTEE

MATTERS ARISING FROM THE MINUTES

18 JUNE 2024:

Minute Number	Minute Title	Action	Action By	Completion Date / Update
16	Infrastructure Funding Statement	Details regarding the allotments at Handley Green to be provided to Councillor J Driver.	Head of Service - Planning Policy and Implementation	Councillor Driver was emailed on 22 July 2024. <u>November 2024 update</u> – Officers have written twice to the developer for an update on the allotments. The allotments should be delivered when the housing is complete on Phase 1 (the phase in which the allotments lie). As the housing is well on the way to be delivered Officers will continue to pursue this for the delivery timetable and who will be taking over the management of the allotments. <u>05/12/24 – The Chairperson requested that this item remains on the matters arising list.</u>

19 SEPTEMBER 2024:

Minute Number	Minute Title	Action	Action By	Completion Date / Update
288	Minutes of the last meeting	A further update on Audit fees would be brought to a future meeting of the Committee	Chief Finance Officer	Deloitte should provide an update on fees as part of the 2021 / 22 and 2022 / 23 audit sign off at the Performance, Governance and Audit

PERFORMANCE GOVERNANCE AND AUDIT COMMITTEE

MATTERS ARISING FROM THE MINUTES

Minute Number	Minute Title	Action	Action By	Completion Date / Update
Page 12				Committee meeting on 5 December 2024. <u>05/12/24 – The Interim Chief Finance Officer advised that the External Auditors would provide an update as part of their report later on the agenda.</u>
		Officers would have an offline discussion with the Independent Person (Mr Smith) regarding some of the queries he raised.	Director of Strategy and Resources / Chief Finance Officer	The Director of Strategy and Resources and Councillor Stamp met with Mr Smith on 25/11/24 to discuss his queries and provide further background and understanding of the Council's constitution and the role of Performance Governance and Audit Committee. <u>05/12/24 Deputy Chief Executive and Chairperson met with Mr Smith and a further meeting would be arranged to provide further guidance.</u>

PERFORMANCE GOVERNANCE AND AUDIT COMMITTEE

MATTERS ARISING FROM THE MINUTES

Minute Number	Minute Title	Action	Action By	Completion Date / Update
295	Annual Governance Statement Actions Update	Councillor R Pratt referred to the induction programme and suggested there were some areas for further development. In response the Chairperson suggested that the Assistant Director – Programmes, Performance and Governance or the Chairperson of the Working Group speak with Councillor Pratt regarding this.	Assistant Director – Programmes, Performance and Governance or the Chairperson of the Working Group	<p>Assistant Director - Programmes, Performance and Governance has met with Councillors L J Haywood and R G Pratt. The Member Training Working Group is due to meet on 5 November 2024 to discuss training records, the plan for 2025 / 26 and identifying any additional training needs.</p> <p><u>05/12/24</u> <u>Councillor R Pratt provided an update on the discussions that had taken place.</u></p> <p><u>The Chairperson requested that this remains on the matters arising list and that the Assistant Director - Programmes, Performance and Governance provide an update to the Committee.</u></p>

PERFORMANCE GOVERNANCE AND AUDIT COMMITTEE

MATTERS ARISING FROM THE MINUTES

5 DECEMBER 2024:

Minute Number	Minute Title	Action	Action By	Completion Date / Update
	Apologies for Absence	The Assistant Director - Strategy, Partnerships and Communications to circulate a copy of Officer responses to the questions raised by the Independent Person.	Assistant Director - Strategy, Partnerships and Communications	<u>Circulated to Members via email on 13/12/24</u>
	Health and Safety 2024 / 25	That the draft Health and Safety Policy be brought back to a future meeting of the Committee to review on a performance basis.	Corporate Health and Safety Manager	
		The Health and Safety Quarterly report to the January 2025 Committee be expanded to include further clarification in respect of the basic standard checklist, as suggested by the Auditors.	Assistant Director - Place and Community / Corporate Health and Safety Manager	
	Report of the External Auditor on the Audit of Financial Years 2021 / 22 and 2022 / 23	A copy of the Chartered Institute of Public Finance and Accountancy Audit Committee document - The Local Audit Backstop: Key Questions Answered for Audit Committees be circulated to all Committee Members.	Interim Chief Finance Officer	<u>Circulated to Members via email on 17/12/24</u>



REPORT of CHIEF EXECUTIVE

to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025

REVIEW OF CORPORATE RISK – QUARTER 2

1. PURPOSE OF THE REPORT

- 1.1 The Risk Management Policy requires this Committee to undertake a quarterly review of the Corporate Risk Register as assurance that the corporate risks are being managed effectively.
- 1.2 Online versions of all previous risk reports are available to view on the Members' SharePoint site.

2. RECOMMENDATIONS

- (i) That Members review the Corporate Risk Register in **APPENDIX 1** and provide comment and feedback for consideration;
- (ii) That Members review progress of the Corporate Risk Mitigating actions in **APPENDIX 2** and provide comment and feedback for consideration;
- (iii) That Members are assured through this review that corporate risk and is being managed effectively;
- (iv) That Members challenge risk where the Committee feels that the Council's corporate goals may not be achieved.

3. SUMMARY OF KEY ISSUES

- 3.1 **APPENDIX 1** shows a summary and detailed table of the Corporate Risk Register, the latest ratings and officer commentary. The control strength of each risk is also included, also shown is, if there are any active mitigating actions. Note: Risk controls are an *embedded* action / process that help control or minimise the likelihood and/or impact of the risk.
- 3.2 No changes in existing corporate risk ratings or direction since last quarter.
- 3.3 New corporate risk raised: Uncertainty of impacts to project and service delivery due to national legislation changes due to change in government.
- 3.4 Service level risks are identified and monitored in Service Plans by the relevant Service Plan Owners. They are then escalated, if deemed appropriate and necessary, to committee level for consideration.

4. CONCLUSION

- 4.1 Overall, no major Corporate Risk Register concerns have been raised. Work continues to ensure all risks are mitigated, and where possible, working towards their closure.
- 4.2 All Risk Management criteria is set out in the Risk Management Framework.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

- 5.1 It is important that risk is monitored and managed effectively, to ensure that Maldon District Council progresses towards and / achieves its stated priorities.

6. IMPLICATIONS

- (i) **Impact on Customers** – Those risks in the Corporate Risk Register are defined as having a wider impact on our customers and delivery. The monitoring and mitigation of these will reduce the impact on customers.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk (including Fraud implications)** – If risk is not managed effectively by the Council, it puts the Council's strategic delivery at risk and increases unnecessary exposure to potential, operational, reputational, or regulatory consequences.
- (iv) **Impact on Resources (financial)** – All risk management is undertaken within existing planned budget. Exceptions being for a potential enactment of a recommendation outside of pre-defined resource.
- (v) **Impact on Resources (human)** – All risk management is undertaken within existing planned budget. Exceptions being for a potential enactment of a recommendation outside of pre-defined resource.

Background Papers: None.

Enquiries to: Doug Wilkinson, Chief Executive.

Corporate Risk Overview

2024/2025 Q2

Active Corporate Risks

14

Risks with active mitigating actions

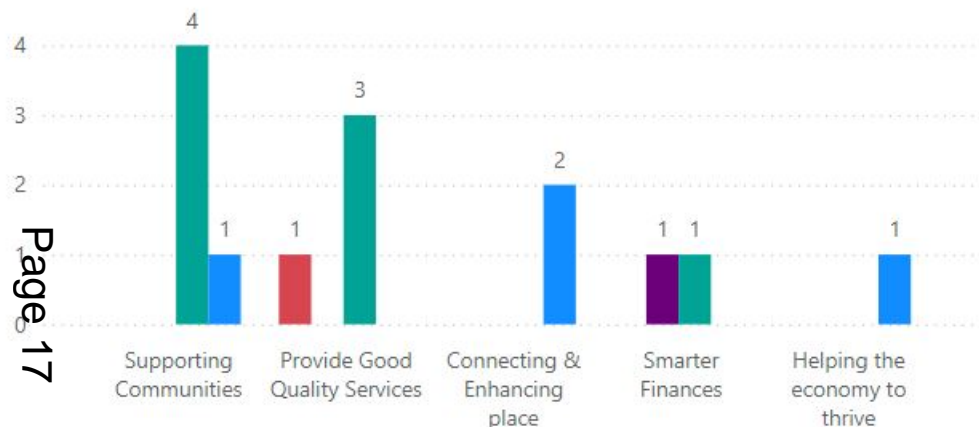
APPENDIX 1

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Mitigating actions are identified to strengthen existing controls &/ risk reduction. They should be clearly defined and delivered, with a lead officer and timescales for implementation/completion.

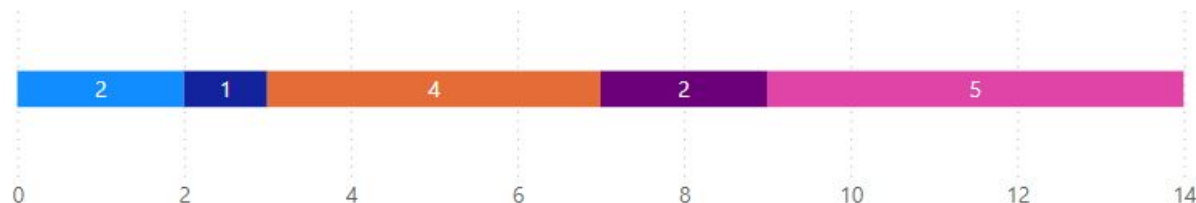
Risk Category

● Compliance ● Financial ● Operational ● Strategic



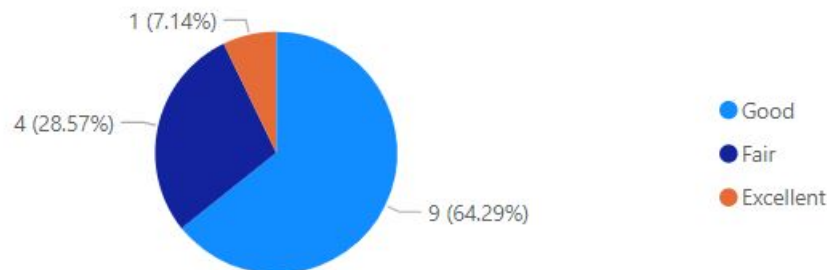
Affected Priority

● Connecting & Enhancing ... ● Helping the economy t... ● Provide Good Qu... ● Smarter Finances ● Supporting Co...



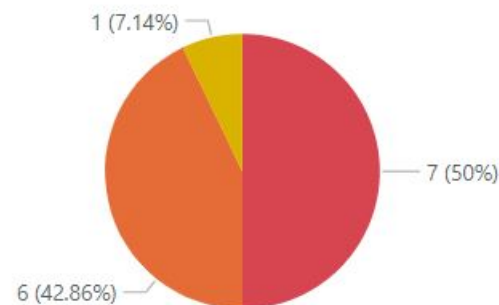
Risk Control Strength

A control is an embedded action or process that helps control or minimise the likelihood &/ impact of the risk

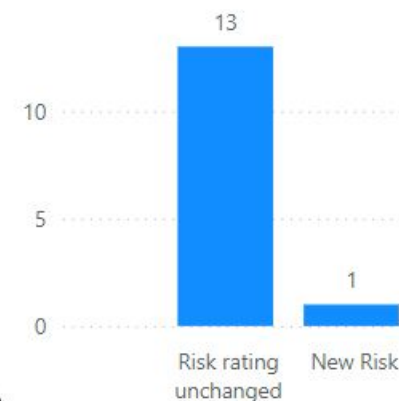


Tolerance Split

● Red Tolerance ● Amber Tolerance ● Yellow Tolerance



Risk Direction



Acronym Table

Acronym	Term
ASB	Anti-Social Behaviour
ECC	Essex County Council
ESAB	Essex Safeguarding Adults Board
LDP	Local Development Plan
MDC	Maldon District Council
OMD	One Maldon District
RP	Registered Provider
UKSPF	UK Shared Prosperity Fund
YHLS	Year Housing Land Supply

Corporate Risk Register

Ref	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Q2 2024/2025 Commentary	Control Strength	Additional Mitigating Action	Year Raised
R5	Damage to the Councils reputation associated with delays to planned infrastructure delivery in the District by third parties which is due to support approved development	4	5	20	Risk Rating Unchanged	MDC is not responsible for delivering and/ or providing much of the infrastructure needed to support the delivery of the District's approved growth; instead it must seek to use its position to influence and hold other organisations to account for that delivery. MDC does however still have a very important role in securing developer contributions (S106) from relevant schemes where a likely impact on infrastructure can be evidenced, to justify mitigation where a grant of permission could then be deemed acceptable. Whilst development is visibly occurring in the District, it has not been at the pace forecast in the LDP in 2017, which has had a knock on effect on the payment triggers for many S106 funds. This money will come when the triggers are met, but this is leading to a slowing in the pace of infrastructure delivery on the ground and can, seem to the public, as though development in the District is not providing infrastructure upgrades, despite the lawful process being followed by developers and MDC/ECC. MDC continues to secure S106 contributions and it is robustly monitoring them to ensure when sums are owed they are being paid and if not recovery action will be followed. This is reported annually every Q1/Q2 to PGA Committee in the Infrastructure Funding Statement. MDC's Infrastructure Delivery Plan remains under review as part of the LDP Review and officers are proactively engaging with infrastructure providers (e.g. ECC Highways and Education and the NHS) to keep track of projects being planned in the District that were expected to be delivered between 2014 and 2029 (the LDP period). This engagement helps ensure work is started through their organisation's capital investment business case procedures to design and programme works to improve local services or facilities as as quickly as possible. Officers remain alert to national spending reviews that could impact on budgets of third parties and possible Government funding and will remain in discussions with all partners such as ECC, Homes England	Good - controls in place are considered adequate and reduce the risk	None Required	2014/15
R8	Failure to meet the affordable housing need	5	4	20	Risk Rating Unchanged	Housing Officers continue to work with developers and registered providers (RPs) and other partners regarding the provision of affordable housing and have on certain schemes negotiated an increase in the required Policy compliant provision of affordable housing and secured the type of affordable housing currently in the greatest demand. With a new Head of Housing joining MDC from mid-October, they will begin working on a Strategic Housing Development & Regeneration Strategy. This strategy will use data to inform demand and the types of accommodation needed within the District, as well as providing a robust plan for how MDC will meet its affordable housing targets.	Fair - some controls in place and some reduction in risk but still not adequate	Under Review	2016/17
R15	Failure to plan and deliver balanced budgets over the medium term	5	4	20	Risk Rating Unchanged	No change to risk score or controls compared to last year. The medium term gap reported in February will potentially grow due to non-delivery of some savings, and new staffing pressures emerging; these are currently being reviewed by the Finance Member Group and savings options being considered before being recommended to Strategy & Resources Committee, however the longer term financial position remains challenging. The Leisure contract is in the process of being reviewed which may affect the MTFS if approved.	Good - controls in place are considered adequate and reduce the risk	None Required	2008/09

Ref	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Q2 2024/2025 Commentary	Control Strength	Additional Mitigating Action	Year Raised
R14	Unable to recruit and retain staff with specific skills sets in specialist areas to meet the demands of the service(i.e.) Planners	4	4	16	Risk Rating Unchanged	The work mentioned in Q1 continues and there has been some success in recruiting permanently to one of the planning post. The situation remains under discussion and review by Officers.	Good - controls in place are considered adequate and reduce the risk	Yes	2015/16
R31	Inadequate staffing structure and resource for resilience	4	4	16	Risk Rating Unchanged	The work mentioned in Q1 continues. The Chief Executive will commence duties with the Council on 14 October and begin to shape the structure to meet future needs.	Fair - some controls in place and some reduction in risk but still not adequate	Under Review	2021/22
R33	Lack of Temporary Accommodation & Social Housing to cope with demand	4	4	16	Risk Rating Unchanged	Completion of the final works at Cecil Mary House this month has ensured there is now provision for single people with low level support needs comprising 6 units (all ground floor have wet rooms) in the district. Whilst this is not temporary accommodation this additional accommodation will reduce the need for single people to be placed in Bed and Breakfast accommodation if threatened with homelessness. The purchase of Stephens House in April this year as temporary accommodation for families has increased MDC's provision of temporary accommodation from 1 to 6 units of accommodation.	Fair - some controls in place and some reduction in risk but still not adequate	Under Review	2022/23
R35	New policy/ legislation impacts work already in progress or our ability to deliver based on current service set up	4	4	16	New Risk	New risk raised and accepted onto the Corporate Risk Register as of Q2 24/25	Fair - some controls in place and some reduction in risk but still not adequate	Under Review	2024/25
R1	Failure to safeguard children and vulnerable adults	5	2	10	Risk Rating Unchanged	The Safeguarding Policy is being reviewed and will be ready for renewal in April. Officers are attending regular Essex Wide Safeguarding meetings to keep up to date, discuss best practice and relevant cases, along with attending peer review RE safeguarding audits & Essex Safeguarding Adult Board (ESAB) Conference. The Safeguarding and Anti-Social Behaviour(ASB) Forum has also been reinstated.	Good - controls in place are considered adequate and reduce the risk	None Required	2012/13

Ref	Risk Description	Impact	Likelihood	Overall Risk Rating	Rating direction	Q2 2024/2025 Commentary	Control Strength	Additional Mitigating Action	Year Raised
R7	Failure to maintain a 5 year supply of Housing Land	5	2	10	Risk Rating Unchanged	Update of Maldon District 5YHLS position confirmed as 6.3 years in May 2024. This is the baseline position that will be used to defend the Council's land supply position at planning appeals. Monitoring of 5YHLS will occur in-year when officers are required to support in-year data updates for the planning appeal process. There is an emerging risk due to changes to the Government's approach to setting housing targets for each local planning authority area as part of changes to the National Planning Policy Framework that may mean the 5YHLS falls without any further mitigation possible by Maldon District Council. It will continue to be closely monitored to determine how the land supply is influencing planning decisions in the District.	Good - controls in place are considered adequate and reduce the risk	None Required	2017/18
R32	Uncertainty of the cost of living crisis impacts	3	3	9	Risk Rating Unchanged	The work mentioned in Q1 continues and officers look to support residents and vulnerable persons. Officers will access any impacts resulting from the Budget in late October 2024	Good - controls in place are considered adequate and reduce the risk	None Required	2022/23
R2	Failure to target services and influence partners with the aim of having an effective outcome on the identified (health and wellbeing) needs of the vulnerable population	4	2	8	Risk Rating Unchanged	The risk rating remains unchanged due to our continued strong working relationships with district and regional partners. We continue to work in partnership to support our most vulnerable residents with Mid Essex Alliance, One Maldon District, Maldon District Community Forum, Livewell Board and Integrated Neighbourhoods. Between October 2024 and March 2025 One Maldon District will be rolling out UKSPF funded Thriving Places projects in partnership with Mid Essex Alliance and the Centre for Thriving Places to support our most vulnerable communities. Primary outcome being targeted is mental health and its interconnections with community cohesion, community safety and usage of green spaces	Good - controls in place are considered adequate and reduce the risk	Yes	2016/17
R4	Failure to influence Community Safety partners to address the key areas of public concern (including rural crime) and the negative perception of crime	4	2	8	Risk Rating Unchanged	Having one of the lowest rates of crime reported in Essex underlines the work being carried out by the Community Safety Partnership. A number of proactive engagement activities have been completed in this review period across the district. Work with schools and education continues with projects such as Crucial Crew (year 6) and hate crime training at Ormiston Academy to name but two. Members are updated twice a year through the Overview and Scrutiny Committee acting as the Crime and Disorder Committee	Good - controls in place are considered adequate and reduce the risk	None Required	2017/18

Ref	Risk Description	Impact	Likeli hood	Overall Risk Rating	Rating direction	Q2 2024/2025 Commentary	Control Strength	Additional Mitigating Action	Year Raised
R11	Failure to protect personal or commercially sensitive data	4	2	8	Risk Rating Unchanged	Data Protection Policy, Document Retention Policy and Sensitive Information Policy all approved by Council on 12 September 2024. Data Breaches have reduced and continue to remain low.	Good - controls in place are considered adequate and reduce the risk	None Required	2009/10
R34	Failure to have a structured way to engage and support local business	2	2	4	Risk Rating Unchanged	This risk continues to be mitigated by delivery of the funded Supporting Local Business engagement programme. The success of the delivery is evidenced through the Corporate KPI reporting. It should be noted the delivery of the above contract is externally funded, via the UK Shared Prosperity Fund, until mid-February 2025. If not renewed, this rating direction will change negatively.	Good - controls in place are considered adequate and reduce the risk	None Required	2023/24

Report End

Corporate Risk Mitigating Actions

Associated Risk	Mitigating action	Status	Q2 2024/2025 Updates	Completion date
R14 - Unable to recruit and retain staff with specific skills sets in specialist areas to meet the demands of the service(i.e.) Planners	<p>LGA Essex Town Planning Workforce Capacity Review Project</p> <p>Participation & delivery of Essex Planning Officer Association Recruitment and Retention project</p> <p>Introduce a Graduate level programme at MDC linked to day release study</p> <p>Consider retention payments or Market Supplements for more sought after roles, or where there is failure to recruit repeatedly</p> <p>Consider alternative professional skills supply models to move away from routine agency supply</p>	At Risk	The mitigation remains multi-faceted with further tweaks to the Planning & Implementation department's structure being undertaken to provide a solid basis for recruitment of new and retention of existing staff. MDC is one of five Essex Local Planning Authorities that is part of the Essex Planning Officers Association's (EPOA) Recruitment and Retention Task & Finish Group. Our model is changing to recognise the value of training and learning whilst in a planning job, including day release to university to undertake Apprenticeship/ traditional degrees, this includes introducing a rotational scheme for the junior planning officers to ensure they get better level of professional development across the planning disciplines. We consider offering retention payments or market supplements for harder to fill positions and keep these under review as we are competing with an agency sector which achieves greater salary levels, as well as neighbouring councils that have a broader pay grades. We continue to be in discussions with another Essex council as to whether we can fulfil a longer term secondment arrangement for Principal/Senior, more experienced planners.	March 2025
R2 - Failure to target services and influence partners with the aim of having an effective outcome on the identified health and wellbeing needs of the vulnerable population	Develop Livewell Strategy and formal action plan.	On Track	Strong partnership working continues with OMD partners. OMD partners have attended a Thriving Places workshop and agreed priority outcomes to target: accessibility, mental health, community cohesion, community safety and usage of green spaces. UKSPF funding being used to deliver projects against these priorities between October 24 and March 25 for vulnerable residents in our communities. Outcomes from this work will inform future tranches of Thriving Places work.	March 2025

Report End

Acronym Table

Acronym	Term
ASB	Anti-Social Behaviour
ECC	Essex County Council
ESAB	Essex Safeguarding Adults Board
LDP	Local Development Plan
MDC	Maldon District Council
OMD	One Maldon District
RP	Registered Provider
UKSPF	UK Shared Prosperity Fund
YHLS	Year Housing Land Supply



REPORT of CHIEF EXECUTIVE

to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025

CORPORATE PERFORMANCE – QUARTER 2

1. PURPOSE OF THE REPORT

- 1.1 The Corporate Performance framework requires this Committee to undertake a quarterly review of the Thematic Strategies performance as assurance that performance is being managed effectively to achieve the corporate priorities as set out in the Council's Corporate Plan 2023 – 2027.
- 1.2 **APPENDIX 1** to this report provides an overview of the corporate plan as of the end of Quarter 2 (July 2024 – September 2024) (Q2).
- 1.3 Online versions of all previous performance reports are available to view on the Members' SharePoint site.

2. RECOMMENDATIONS

- (i) That Members review the information as set out in this report and **APPENDIX 1** with priority focus given to the Strategic Priority level performance;
- (ii) That Members confirm they are assured through this review that corporate performance is being managed effectively.

3. SUMMARY OF KEY ISSUES

- 3.1 Any concerns affecting the corporate priorities are set out in **APPENDIX 1**. To summarise:
 - 3.1.1 Overall: Work is progressing positively, the performance delivery of the corporate plan is on-track, there are some conditional elements identified which are not currently a concern.

Priority	Overview	Concerns	Indicators at risk
Supporting our communities	On Track – Conditional Elements	Not applicable (N/A)	
Enhancing and connecting place	On Track	N/A	
Helping the economy to thrive	On Track	N/A	
Smarter finances	On Track – Conditional	N/A	

Priority	Overview	Concerns	Indicators at risk
	Elements		
A greener future	On Track – Conditional Elements	N/A	
Provide good quality services.	On Track	N/A	

4. CONCLUSION

- 4.1 All the reported performance measures are on track at Q2 despite varying influences and resource constraints.
- 4.2 Where negative impacts to performance are seen, priority and focused recovery work will progress to bring measures back on track.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

- 5.1 It is important that performance is monitored and managed effectively, to ensure that Maldon District Council progresses towards and/ or achieves the priority.

6. IMPLICATIONS

- (i) **Impact on Customers** – Performance management covers the monitoring of corporate priorities. The Corporate Plan includes delivery for our customers.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk (including Fraud implications)** – If performance is not managed effectively by the Council, it puts the Council's corporate priorities delivery at risk and increases unnecessary exposure to potential, operational, reputational, or regulatory consequences.
- (iv) **Impact on Resources (financial)** – All performance management is undertaken within existing planned budgets.
- (v) **Impact on Resources (human)** – All performance management is undertaken within existing planned budgets.

Background Papers: None.

Enquiries to: Doug Wilkinson, Chief Executive.

Corporate Performance Report Q2

Year: 2024/2025

Report Generated: November 2024



Acronym Key

Term	Acronym
BAU	Business As Usual
CAF	Climate Action Friends
DFC	Dementia Friendly Community
ECC	Essex County Council
ECO4	Energy Company Obligation
EV	Electric Vehicle
GDPR	General Data Protection Regulation
HIG2	Home Upgrade Grant
KPI	Key Performance Indicator
LA	Local Authority
LCWIP	Local Cycling and Walking Infrastructure Plan
LDP	Local Development Plan
LTP4	Local Transport Plan 4

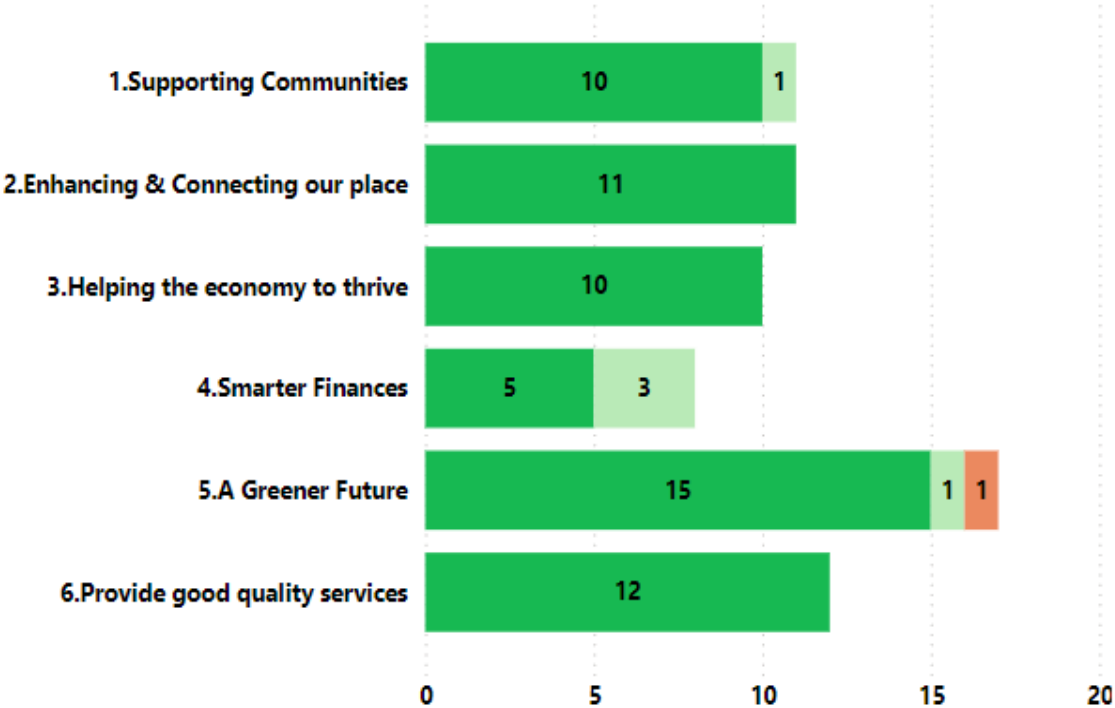
Term	Acronym
LEVI	Local Electric Vehicle Infrastructure
MDC	Maldon District Council
MDFTS	Maldon District future transport strategy
MTFS	Medium Term Financial Strategy
NZWG	Net Zero Working Group
NPPF	National Planning Policy Framework
OMD	One Maldon District
REPF	Rural England Prosperity Fund
STEN	Smarter Travel for Essex Network
TPI	Thriving Places Index
UKSPF	UK Shared Prosperity Fund

Priority & KPI overview

1.Supporting our communities	2.Enhancing and connecting our place	3.Helping the economy to thrive	4.Smarter Finances	5.A greener future	6.Provide good quality services
On Track - Conditional Element	On Track	On Track	On Track - Conditional Element	On Track - Conditional Element	On Track

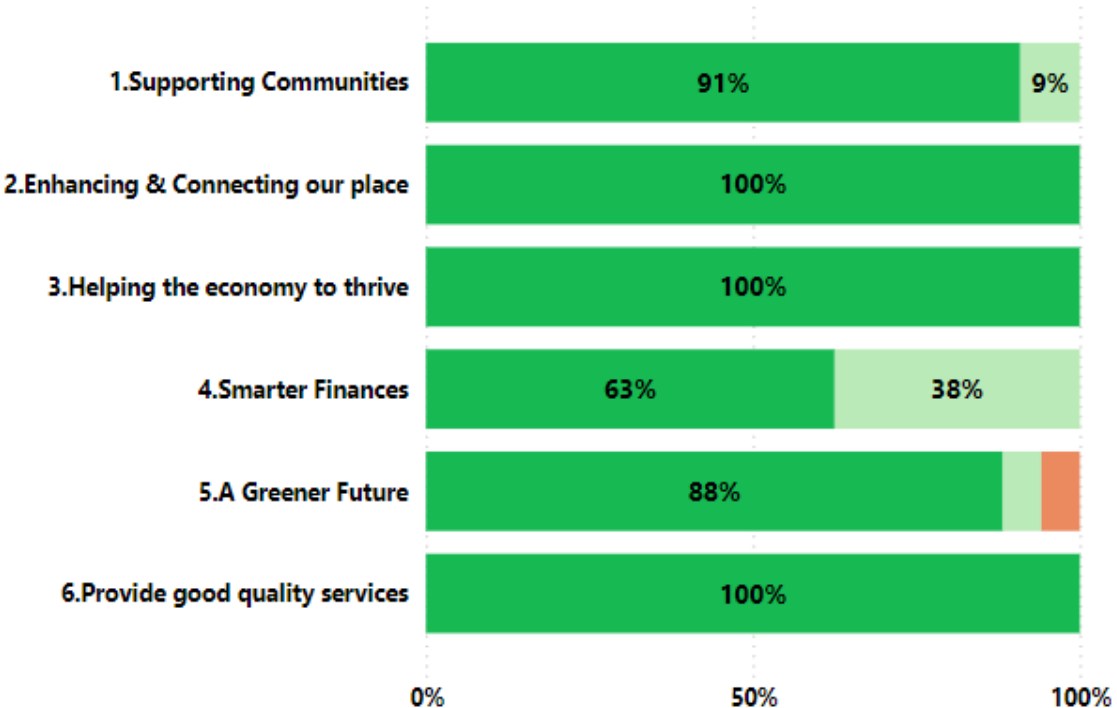
KPI status summary - Count

Status ● On Track ● On Track - Conditional Elements ● Under Review



KPI status summary - %

Status ● On Track ● On Track - Conditional Elements ● Under Review



Supporting our Communities

Supporting our communities

RAG

Q2 24/25

On Track -
Conditional
Elements

Overall the delivery of the priority is progressing well. Only one activity, Involvement in the strategic housing board initiatives, is rated as "On Track - Conditional elements".

What we want to achieve

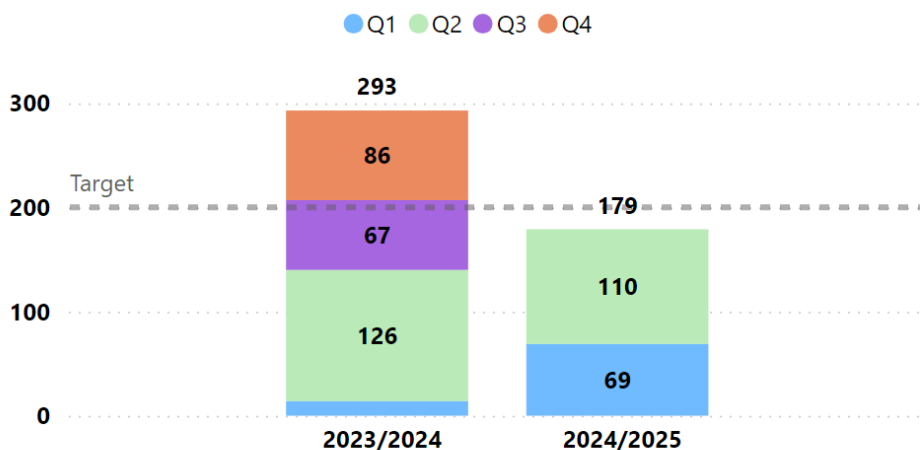
- Better quality of life
- Keep people safe
- Improve health, inclusion, happiness and reduce isolation
- Give our younger people a voice
- Improve access to services and housing
- Be a social value champion

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KPI	RAG	Q2 24/25	Target
Develop and launch of Maldon's youth engagement programme	On Track	Delivery of six engagement events has been planned and agreed with external partners. A performance group, N-Act, will run 2 performances in 3 secondary schools. Remaining funding allocation is transferring to Planning team for Local Development Plan youth engagement.	12 events
Health and wellbeing initiative satisfaction "Would you recommend this event to a friend of family member?"	On Track	98 surveys filled in at UFEST by members of the public – 100% answered yes to "Would you recommend UFEST to friends and family members?"	80% agreement

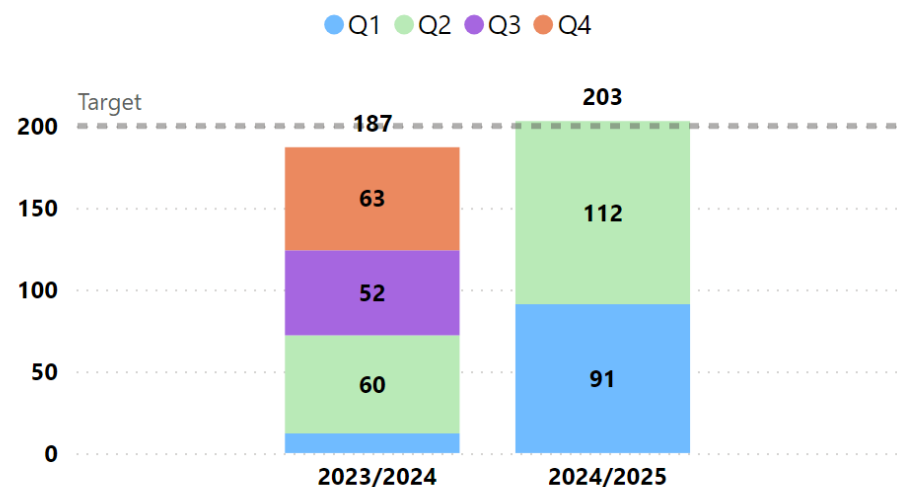
Activities supporting delivery of mental health & social isolation initiatives

Includes promotions, organisation support & community opportunities



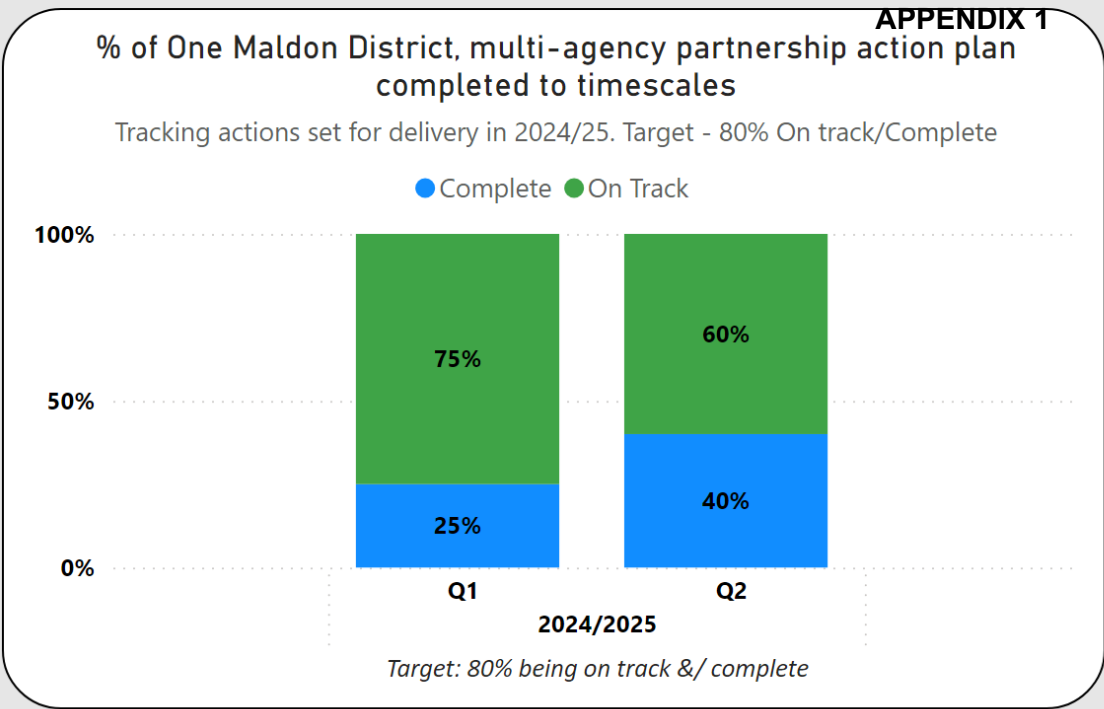
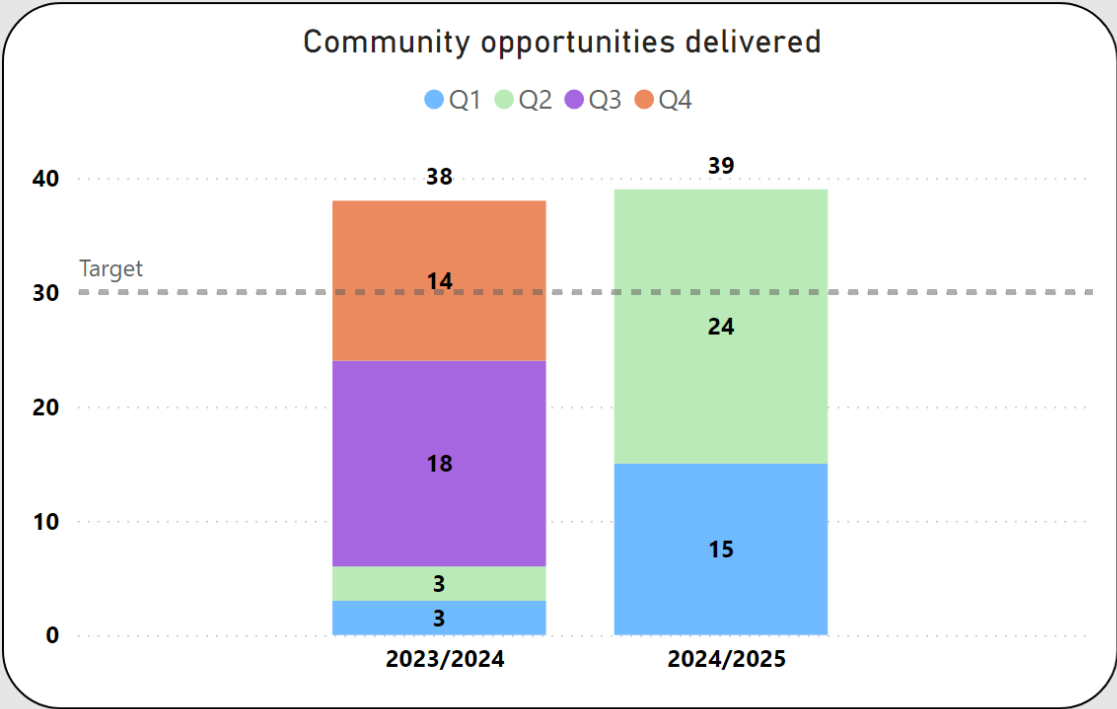
Activities supporting delivery of obesity reduction initiatives

Includes promotions, organisation support & community opportunities



KPI	RAG	Q2 24/25	Target
Activities supporting delivery of health & wellbeing initiatives - Reduce obesity	On Track	Activities supporting delivery of health and wellbeing initiatives targeting physical activity: 112: 49 social media posts; 2 club visits; 8 clubs funded or supported to gain funding; 27 football sessions led by MDC personnel; 14 walks for the Saltmarsh walking festival; 12 organisations attending UFEST.	200pa
Activities supporting delivery of health & wellbeing initiatives - Mental Health & isolation	On Track	Activities supporting delivery of health and wellbeing initiatives targeting mental health and social isolation: 110: 59 social media posts; 47 organisations attended UFEST; 3 Social supermarket pilot sessions; September community in a cup/ One Maldon District community hub collaboration.	200pa

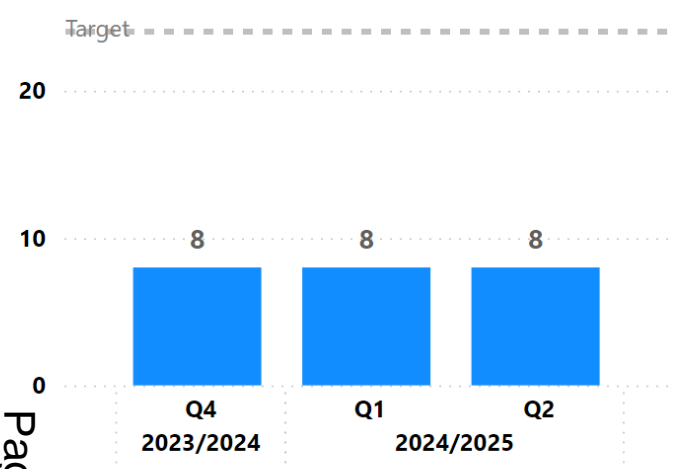
APPENDIX 1



KPI	RAG	Q2 24/25	Target
Number of community opportunities delivered	On Track	13 sessions of employment support coach attending Chelmsford job centre to provide support to Maldon District residents attending who have complex needs; 3 community hubs; 1 UFEST with 63 stall holders and 2000 attendees; 6 events run or attended by community safety and/or community engagement; 1 community information event attended by council officers.	30pa
Deliver One Maldon District, multi-agency partnership action plan	On Track	Thriving Places Index(TPI) data driven approach to defining One Maldon District(OMD) priorities progressing well. TPI priority outcomes agreed with partners. New actions have been added to the action plan during the summer as was originally scheduled. This is to enable tracking of 5x TPI UKSPF projects that will deliver activities to impact against priority outcomes between October 24 and March 25. Action plan revised and shared with OMD.	Quarterly Progress

Dementia Friendly Businesses & Health and Wellbeing Partners

Cumulative counts delivered in partnership with Maldon Dementia friendly communities (DFC)



Extra Care

Geared towards elderly people with higher needs

Supported Living

vulnerable adults and children who are working with support partners

Temporary Accommodation

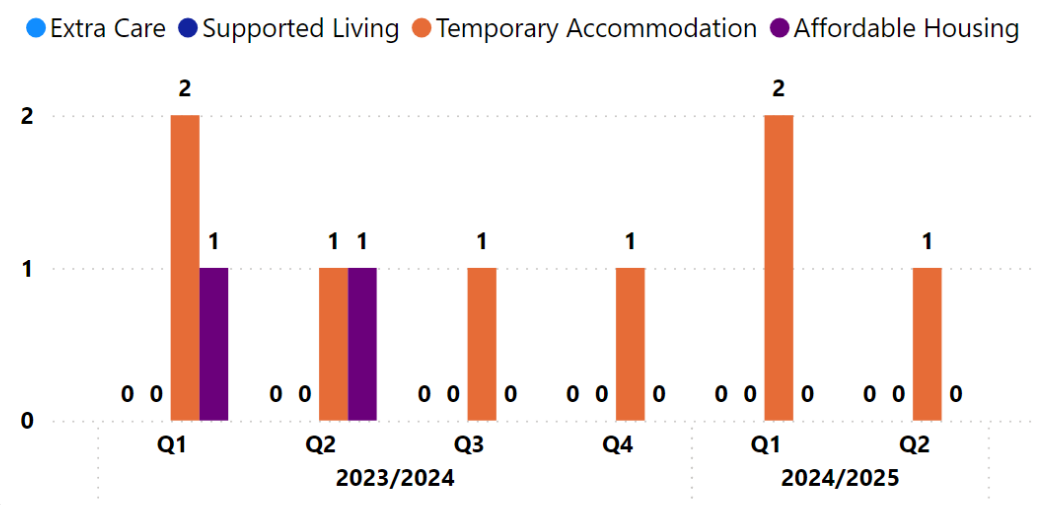
homeless approaches or those with short term housing issues

Affordable Accommodation

general needs, stock for those requiring social rented

APPENDIX 1

Active housing projects being progressed via commuted sums, grants and schemes

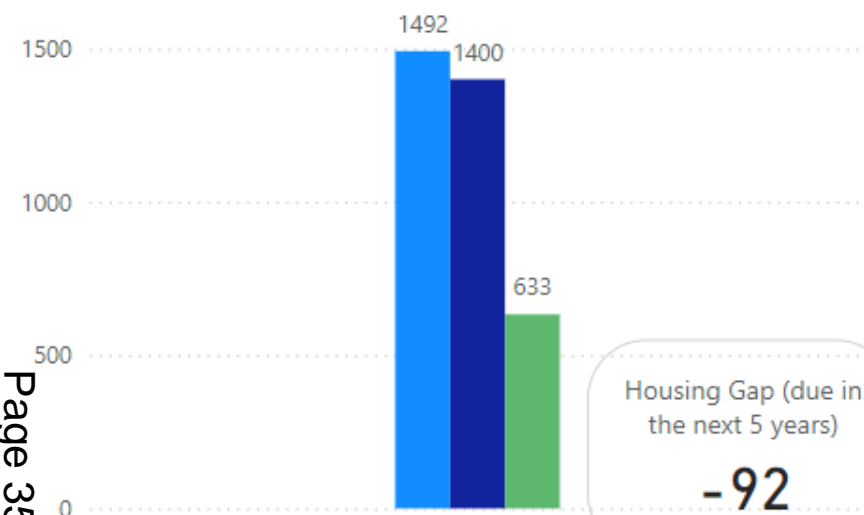


KPI	RAG	Q2 24/25	Target
Supporting the Maldon District to become a Dementia friendly & inclusive community.	On Track	Officers have requested closer working with Dementia Friendly Communities (DFC). 4x officers have been offered the opportunity to be panel representatives for the district's Dementia Accreditation moving forward. This will help DFC with greater resource and expertise to increase the number of dementia accreditations being achieved across the district. No update available on accreditation numbers this quarter.	24 dementia friendly partners
Involvement in the strategic housing board initiatives	On Track - Conditional elements	The name of the Strategic Housing Board has changed to the Housing & Homelessness Reference Group and it is due to meet on 9 October. This precedes the start date for our new Head of Housing (15 October), so this meeting will be attended by the Assistant Director for Place & Community and the Housing Managers as normal. Work continues with the Homes 4 Ukraine Resettlement programme, Domestic Abuse (a new Domestic Abuse Navigator joined MDC on 18 September and the Domestic Abuse Policy was approved by S&R on 26 September) and the new Head of Housing will work with officers and members to set out a strategy for how MDC will meet the need for both temporary accommodation and affordable housing within the District, linking to the S106 Strategy and Local Development Plan targets	Quarterly progress (4 meetings pa)

Affordable housing units approved through Local Development Plan (LDP)

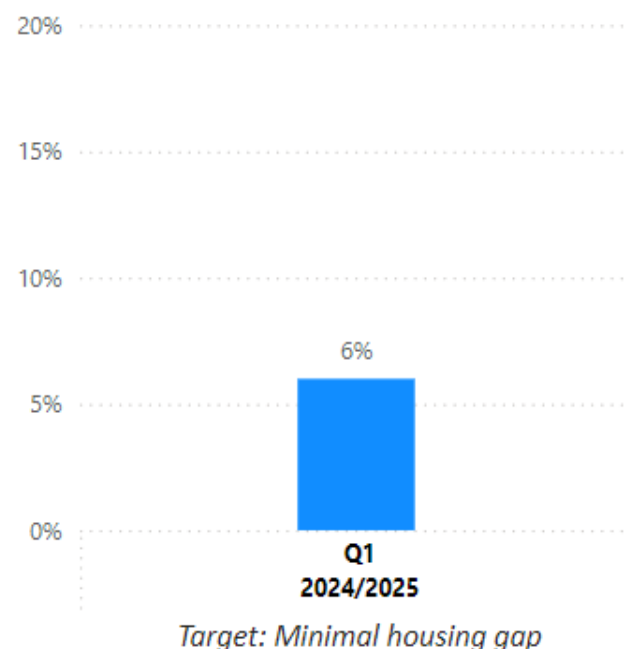
Data covers Local development policy time frames. 2014 to August 2024

● Policy Requirement ● Total Approved ● Completed



Housing gap %

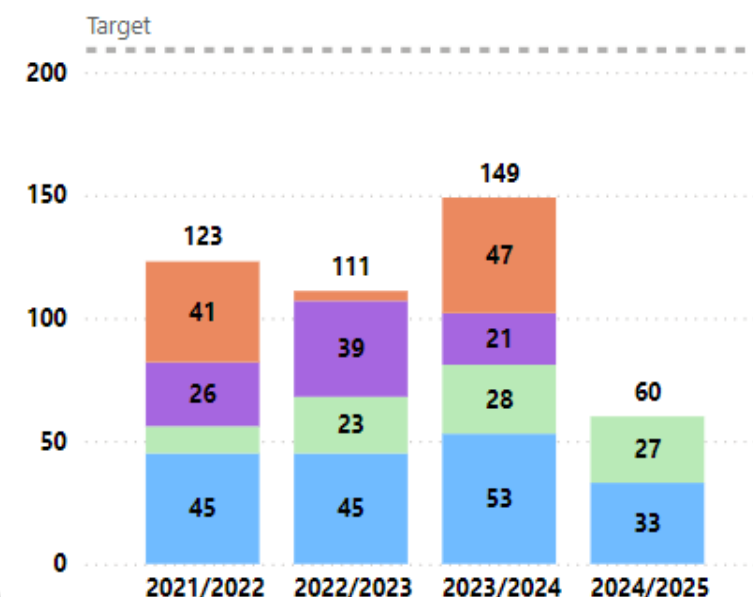
Bi- annual indicator



APPENDIX 1

Number of affordable homes delivered

● Q1 ● Q2 ● Q3 ● Q4



KPI

RAG

Q2 24/25

Target

Affordable housing units approved through Local Development Plan (LDP)

On Track

Bi-Annual indicator, update will be provided next quarter.

Sites to provide up to 40% of affordable housing units (only on sites over 10)

Number of affordable homes delivered (delivered by partners/developers)

On Track

Total Affordable - 27 (Shared ownership - 12 Affordable rented - 15). On some of the rented and all of the shared ownerships were delivered through the strategic site of Wick place at Limebrook. The remainder of the rented units were from phase 1 parcels 1 & 2 from the countryside scheme at Heybridge.

209pa

Enhancing & Connecting. **Place**

RAG

Q2 24/25

On Track

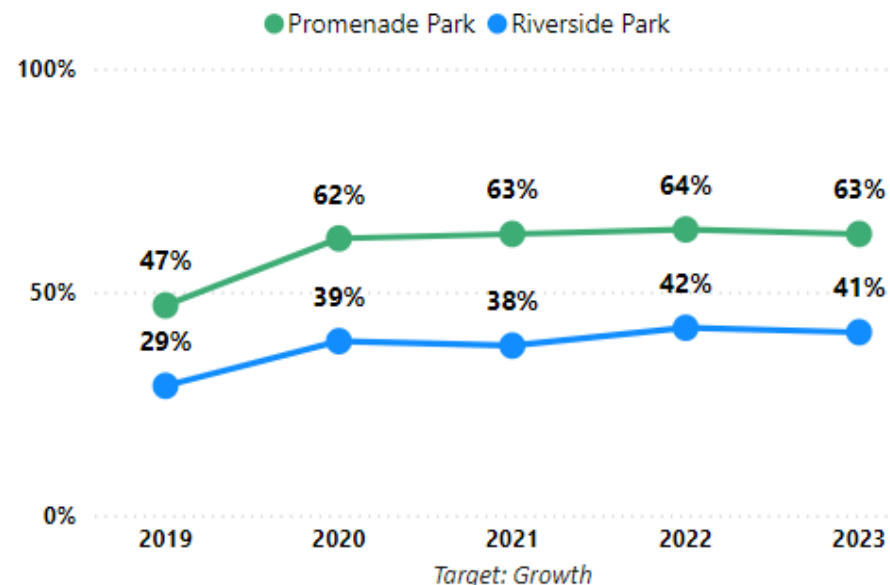
Continued progress on LDP Review evidence gathering and improved Member access via new LDP Review Dashboard for progress, next steps and decision audit trail. Programmed updates to Members via All Member Briefings and Member-led working groups to ensure new local data is discussed with Members to inform policy drafting and decision making. Regular S106 meetings are now set up with finance to ensure that any funding payments are monitored and checked. KPIs relating to 'enhancing our place' - Continued efforts with ECC to install the signage for the Voluntary Clean Air Route on Market Hill to improve air quality and publicise the alternative route around the bypass, to residents and businesses. Continued cross service work with climate action lead on EV charging infrastructure bid and promoting alternative sustainable transport modes (walking, cycling, public and community transport). Promenade Park Management Plan is prepared in first draft form to manage the competing demands on the District's main leisure attraction. UKSPF project delivery progressing as per Investment Plan. KPIs relating to 'connecting our place' - the Maldon District Future Transport Strategy is complete and awaiting publication by ECC. Route prioritisation for the Essex Local Cycling and Walking Infrastructure Plan (LCWIP) has been completed for the Maldon District working with ECC as highway authority and their consultants. Continued partnership working with ECC as the highway authority and regionally with Transport East to improve sustainable transport connections in our rural, coastal authority.

What we want to achieve

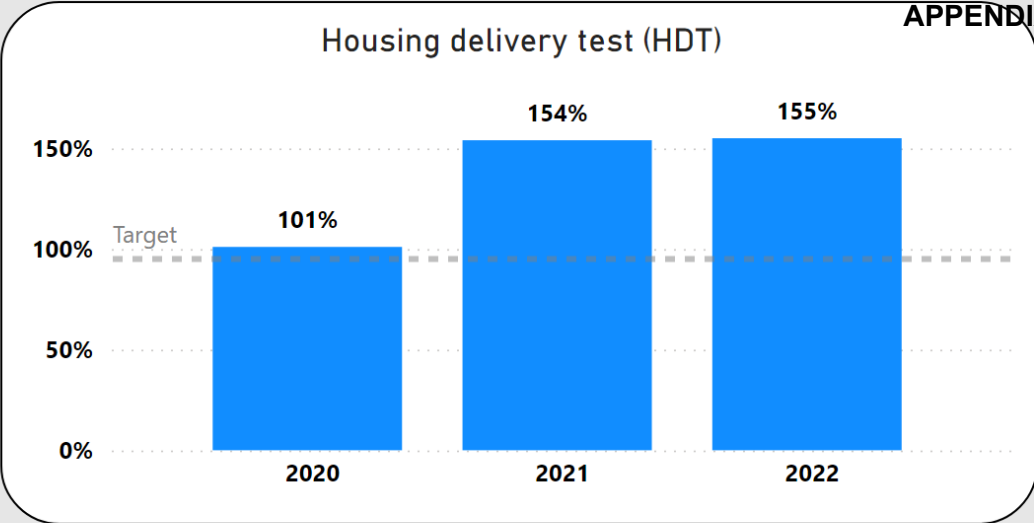
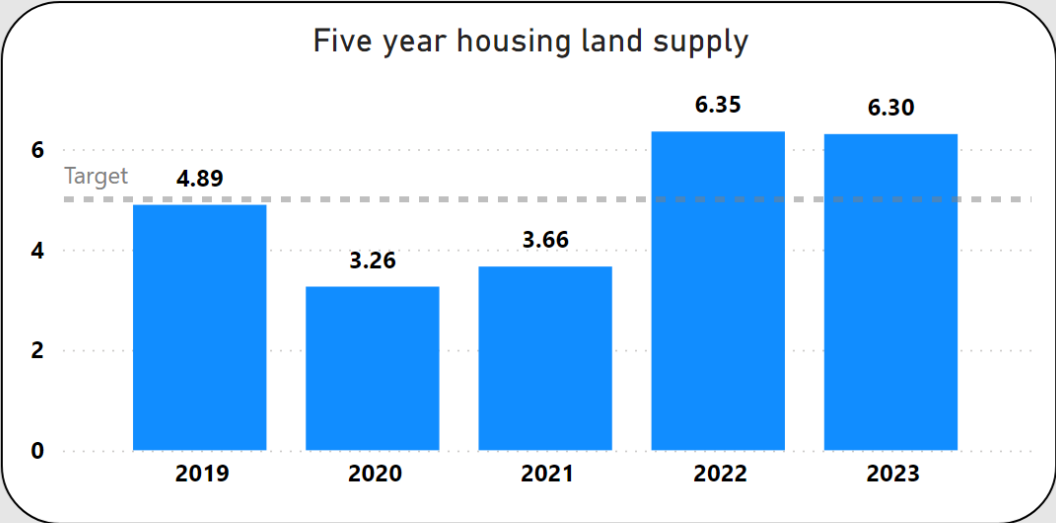
- Making our assets work better for us
- Sustainable growth and development
 - Deliver housing need
- Improve ways to travel sustainably
- Leveling up fund as priority 1 authority
 - Actively lobby for infrastructure
- Improve digital connectivity & inclusion

Resident satisfaction to our flagship open spaces (Promenade Park & Riverside)

**Excludes those who responded as 'unaware of the facility'*



APPENDIX 1



KPI	RAG	Q2 24/25	Target
Progress of Local Development Plan review	On Track	The LDP Review is underway in accordance with the timetable approved by Council in Sept 2023. New Member LDP Review Dashboard launched with aim to improve Member's accessibility to project progress, next steps and decision audit trail. Studies nearing conclusion include Strategic Flood Risk Assessment and Gypsy & Traveller Accommodation Needs Assessment. Studies getting underway are Economic Viability Study and Playing Pitch & Sports Facilities Study & Strategy. Planning Policy Working Group & All Member Briefings programmed to help ensure new local data and findings are discussed to inform policy and decision-making. Work to prepare a Design Code for the Maldon District underway with officers attending Office for Place training and further member workshops being programmed. The Planning Policy Working Group remain engaged on evidence progression and policy development, including the review of the Maldon & Heybridge Central Area Masterplan which has included site visits and progress assessments. Work remains underway on Water Cycle assessments and retail studies are advancing. Timetable to be reconsidered once new NPPF has been published by the Government.	Quarterly progress

KPI	RAG	Q2 24/25	Target
Delivery of Promenade Park management plan with a view of adopting for all Maldon District Council owned public open spaces	On Track	Good progress on the plan has been made with internal stakeholders comments built into the draft plans. Member presentation planned for Oct for feedback on the content of the plan and format. Consultation planned to start in half term week, with aim to have staff at the Prom to take feedback and coincide with opening of Galleon to maximise participation. Work continues to be supported by our consultant and remains on track for completion by the revised delivery date of 31.3.25	Delivered to project timescales (Q4 24/25)
Implement Air Quality Management Area (AQMA) action plan 2020-2025	On Track	Officers are continuing to work with Essex County Council on the signage scheme for the Clean Air Route. Additionally AirText is now live for residents and will be promoted by our Communications contractor and social media. Signage promoting the Clean Air Route was installed in the former Barclays Bank on the High Street.	To AQMA Action Plan Timetable
Monitor all S106 agreements including any delivery, and publication of the infrastructure delivery statement	On Track	The monitoring of all S106 agreements continues to be undertaken as a BAU activity. The team have a new finance partner and monthly meetings have been set up with them to ensure that any funding payments are monitored and checked on a regular basis with finance.	100% implementation and publish yearly
Progress of Levelling up funding (Culture Funding)	On Track	No comment/outcome on the submission of the investment plan has been received as of yet. Further information is expected as part of the Autumn Budget statement.	Align to government timelines
Projects delivered in partnership as part of the 'kick the car habit' pledge	On Track	Four projects currently underway – working with ECC to supporting development of the Maldon District Future Transport strategy including member briefing. Essex wide LCWIP route prioritisation and public consultation, Heybridge and Maldon LCWIP public consultation and the Local Electric Vehicle Infrastructure bid.	1per year

KPI		RAG	Q2 24/25	APPENDIX 1 Target
Delivery of UK shared prosperity fund investments plan (Bi annual)	*supports multiple priorities*	On Track	The Ministry of Housing, Communities and Local Government reporting for 1st April 2024 to 30th September 2024 will be commissioned on 1st October 2024 to 31st March 2024. As per the latest report to Performance, Governance and Audit Committee on 19th September, all projects are delivering according to the investment plan.	▲ Delivery of plan to timescale
				Endorsing Future Transport Strategy
Support delivery of ECCs District Future Transport strategy	*supports multiple priorities*	On Track	All Member Briefing well attended on 2 September arranged for Essex County Council(ECC) to present the changes to the draft Maldon District future transport strategy following the public consultation. ECC explained how the MDFTS as an 'area plan' will sit with LTP4 (ECC's statutory transport plan) and integrate with the transport strategies for Chelmsford, Braintree and Colchester as neighbouring authorities and transport hinterlands. ECC will publish the MDFTS shortly, by the end of October 2024.	

**Helping the economy_
thrive**

Help the economy to thrive

RAG

Q2 24/25

On Track

Delivery of the priority and KPIs remain on track as evidenced by the statistical data and in some cases, has overachieved. The Tourism Officer vacancy was recruited to in August which has provided resource to deliver activities mid-way through this reporting period. The Saltmarsh Coast Walking Festival commenced in September. 511 participants (additional 249 on the waiting list) took part in 34 walks/events, and attracted visitors from the USA. In total 3,530 miles. This event significantly supported the delivery of this KPI with 416 interactions, 35,307 reach, observed on social media channels for this event alone. UKSPF and REPF continue to deliver on track, with both funds now in their last 6 months of delivery

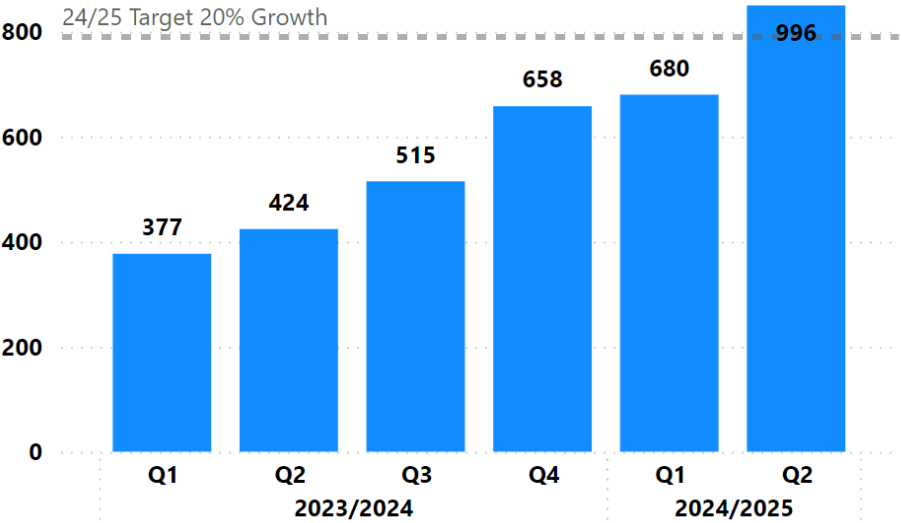
What we want to achieve

- Support growth, sustainability and skills generation
- Attract new businesses to locate, grow and thrive across the district
- Help high growth and rural businesses to adapt to challenges
- Promote the district as a quality and inclusive tourism

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Total number of subscribers to business communications channels

Delivered by supplier: Lets do business group



Business engagement activities - 4pa

2

Opportunities within the Business newsletter - 48pa

26

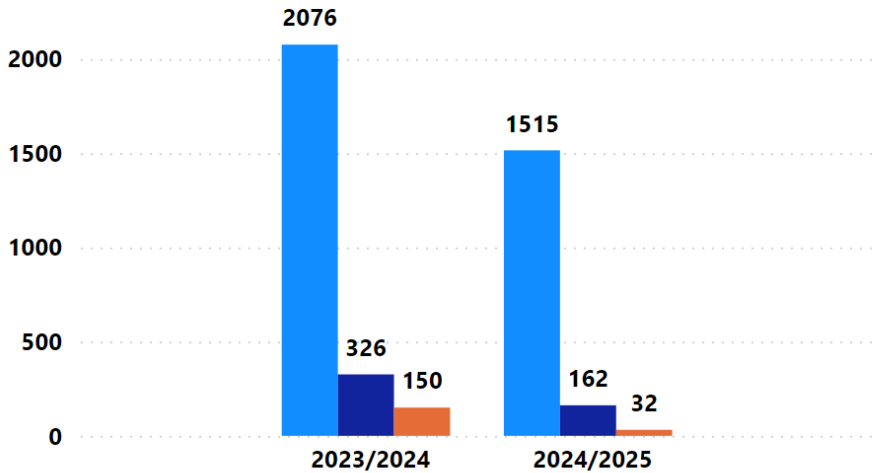
Business newsletters shared - 12pa

6

Total number of businesses 'reached' by each activity

Delivered by supplier: Lets do business group

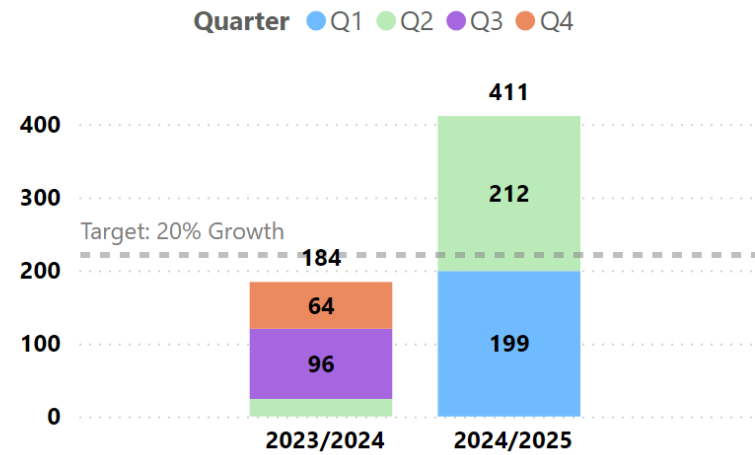
● Newsletters displays ● Newsletter link clicks ● In person event



Target: Maintain 2023/2024 Performance

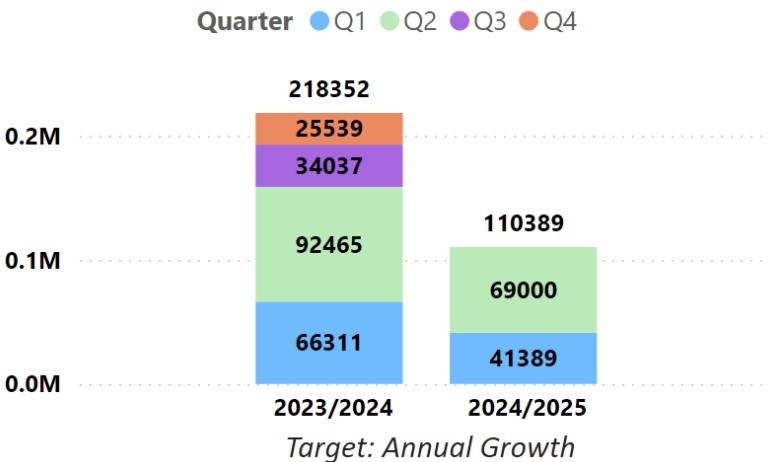
Digital reach of 'Locate Maldon District' website

*Online data is subject to cookies being accepted by the custom...

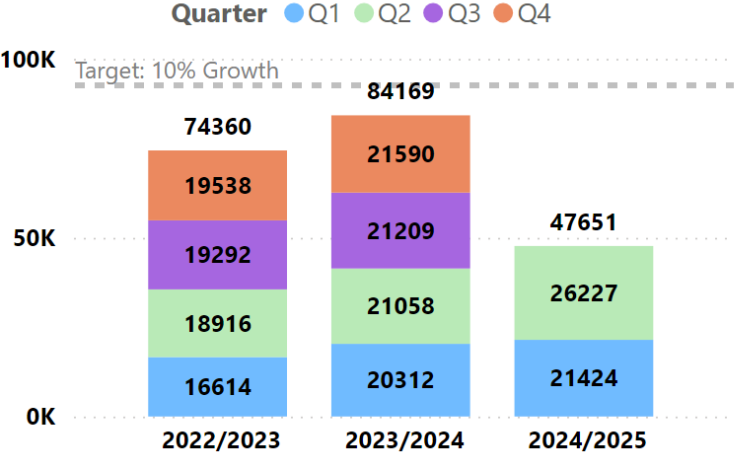


Digital reach of Visit Maldon District

Online data is subject to cookies being accepted by the customer



Number of followers on tourism social media platforms (Facebook & Instagram)



APPENDIX 1

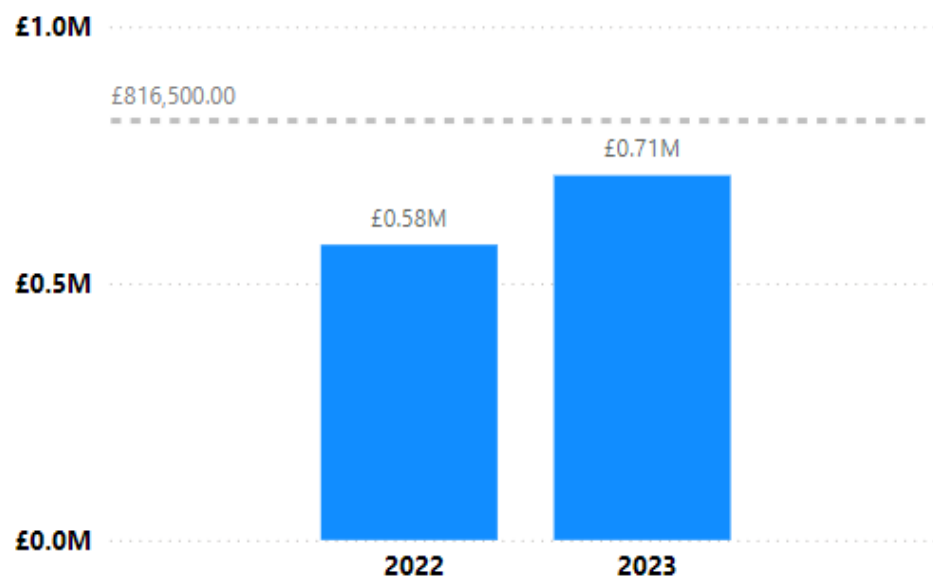
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KPI	RAG	Q2 24/25	Target
Engagement with campaigns	On Track	Social media engagement has performed well overall throughout the quarter with targeted content around the promotion of the beach huts, commercial bar operator in Promenade Park, D-Day event, UFest, promotion of Promenade Park as a visitor location, amplification of splash park promotion, as well as localised content related to tourism-specific awareness days. This was supplemented by one-off/non-campaign work during quiet periods	10% Growth
Opportunities within the direct to business engagement	On Track	Most popular link 2024 Maldon District Resident and Business Survey	48pa

KPI	RAG	Q2 24/25	Target
Delivery of UK shared prosperity fund investments plan	On Track	The Ministry of Housing, Communities and Local Government reporting for 1st April 2024 to 30th September 2024 will be commissioned on 1st October 2024 to 31st March 2024. As per the latest report to Performance, Governance and Audit Committee on 19th September, all projects are delivering according to the investment plan.	Delivery of plan to timescale
supports multiple priorities			
Economical value of events	On Track	Data for events covering Q1 & Q2 is being collated and analysed to determine economic impact, detailed update will be reported in Q3	15% Growth

Economic Value of Events

This is an approximate calculation of value brought to the Maldon District businesses through ticketed events



Smarter Finances

Smarter Finances

APPENDIX 1

What we want to achieve

- Set out a robust Medium Term Finance Strategy
 - Deliver projects in the Commercial Strategy
 - Sustainable expenditure
 - Make prudent investments
 - Be digitally efficient
 - Modern and effective procurement

RAG

Q2 24/25

On Track - Conditional Elements

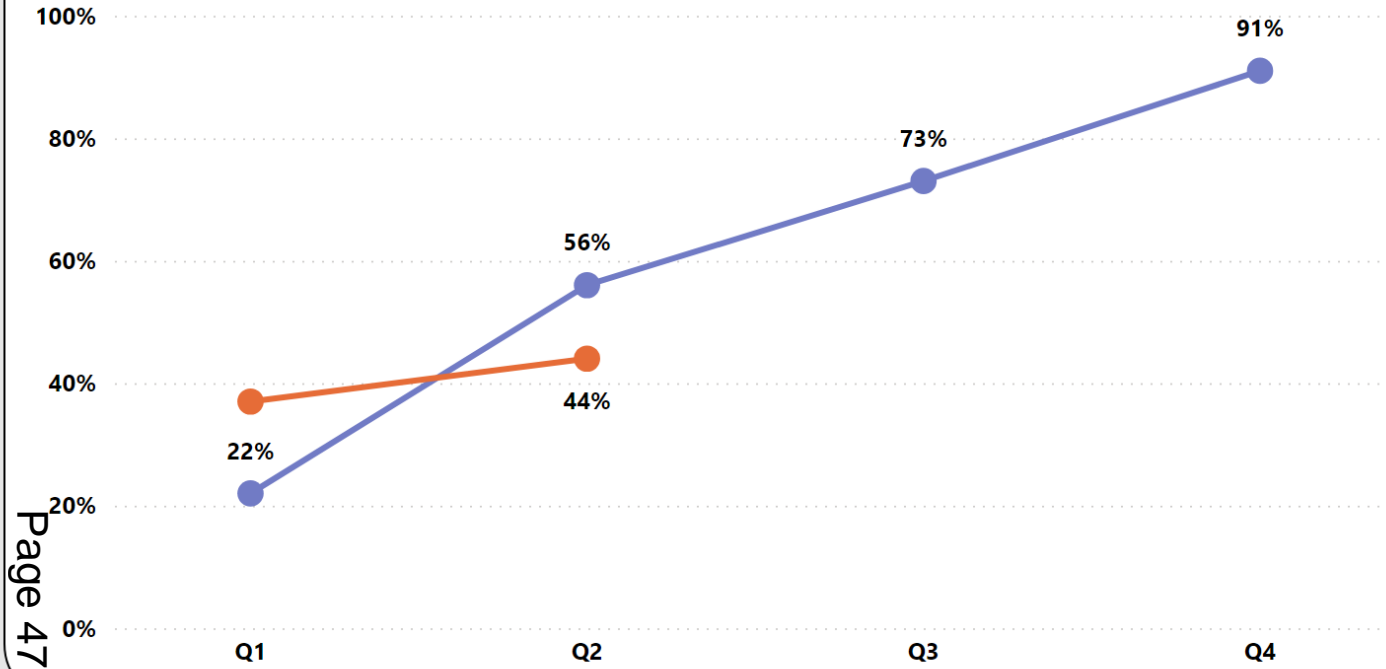
Annual setting of MTFS to align with corporate priorities: The Council approved a fully balanced budget for 2024/25 and a three-year Medium Term Financial Strategy (MTFS) on 15th February 2024, aligning with corporate priorities. The budget for 2025/26 is currently being developed and is at an advanced stage, with growth and savings proposals already reviewed by the Member Finance Working Group. After the Local Government Settlement in January and the decision on the leisure contract in November, the updated budget and MTFS will be presented to the Council for approval. Budget Monitoring report reported to S&R, along with benchmarking activity: The Q1 Budget monitoring report for 2024/25 was agreed by Strategy & Resources (S&R) Committee in September 2024. The Q2 Budget monitoring report has been prepared and will be presented to the S&R committee on 21st Nov 2024 for Member scrutiny. Annual Benchmarking reporting will take place in Q3. MTFS assumptions regularly reviewed and reported: The Finance team has been working closely with the Member Finance Working Group to understand and address the challenges with agreeing a balanced budget for 2025/26. After the Local Government Settlement in January and the decision on the leisure contract in November, the updated budget and MTFS will be presented to the Council for approval. Financial risks are managed through corporate risk management framework: The financial risk position remains unchanged for Q2 2024/25, with an overall risk rating of 20 which is outside of the council's risk tolerance levels.; however overall funding levels and demand pressures remain largely outside the Council's direct control. Work continues to control the risk, and this was considered in detail as part of the MTFS and Reserves Strategy reports considered by Council in February, which will be refreshed for the next budget setting round.

The 2024 events season has been successful within a challenging environment. The cost of living has impacted on expected ticket sales & in addition to this there is more competition in the market for outdoor events with more being hosted locally & nationally. It is unlikely that officers will meet the budgeted target for commercial income this year with only a few minor events in the winter season which will not be sufficient to cover the shortfall. Overall the commercial income in QTR2 is down from the previous year largely due to timings of invoices for rental income. The forecast remains in line with expectations & greater levels of income are anticipated in QTR's 3 & 4

APPENDIX 1

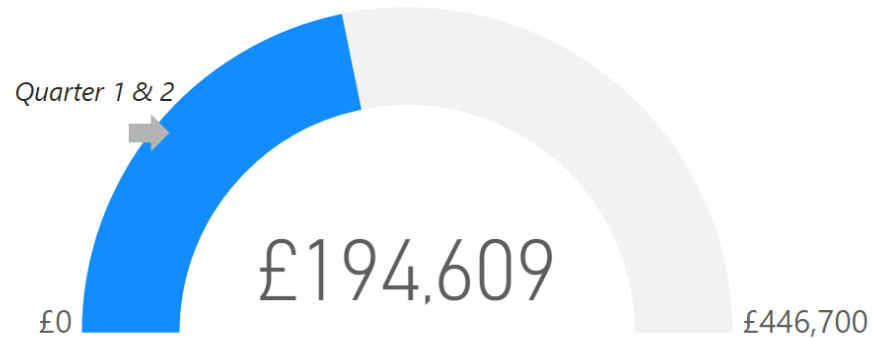
% of forecasted commercial income generated

● 2023/2024 ● 2024/2025



Total commercial income year to quarter (2024/25)

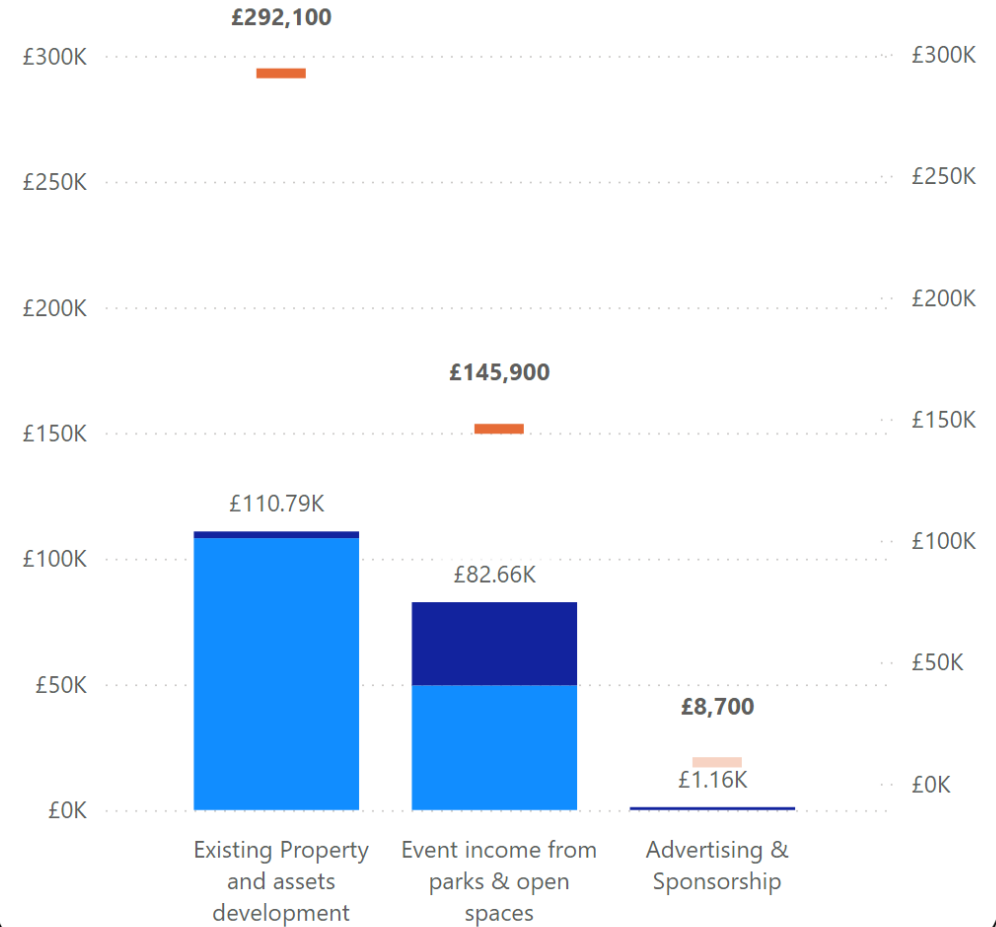
Income actual from all commercial income streams against end of year forecast.



2024/2025 Commercial forecast income V actual income

New Commercial income only

● Q1 ● Q2 — Full Year Forecast

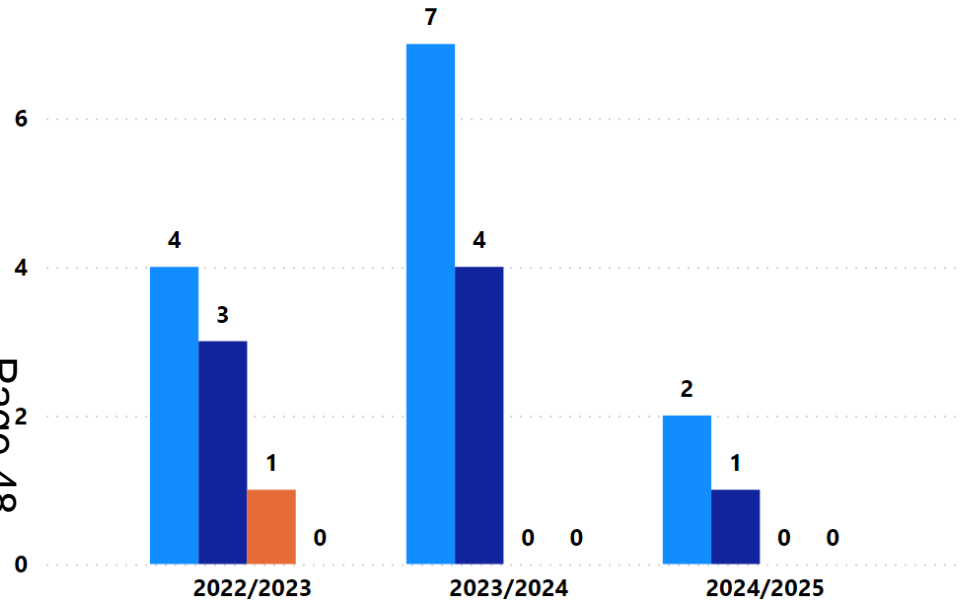


APPENDIX 1

Design assurance levels given from internal audit

Data dependent on Audit reports going through PGA committee cycle

Assurance Level ● Substantial ● Moderate ● Limited ● No Assurance



Design assurance definition is where there is a sound system of internal control designed to achieve system objectives.

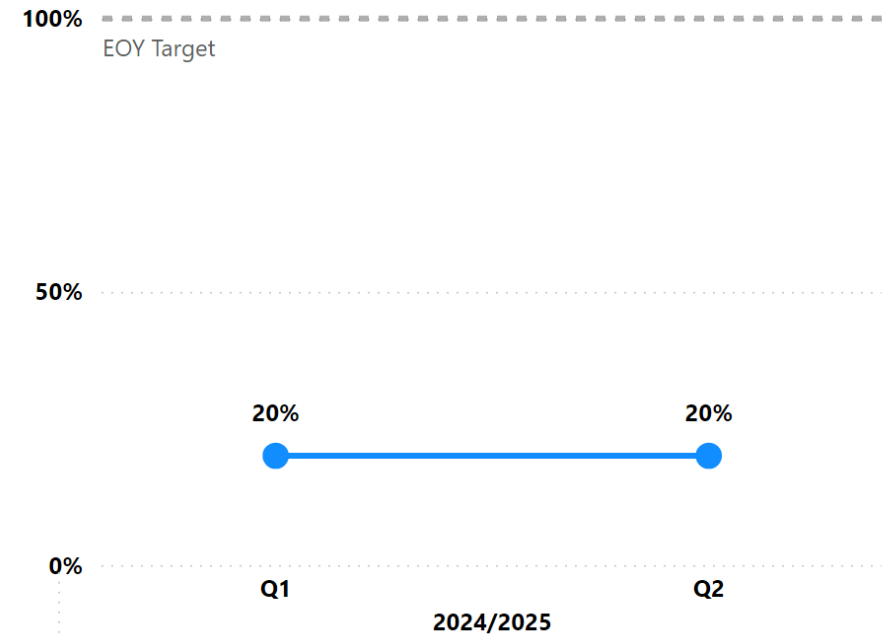
Number of 'no assurance' ratings given on internal audit reports

0

Target: Zero 'No assurance' ratings.

% of annual governance statement actions delivered

There are 5 actions committed to being delivered in 2024/2025



KPI

RAG

Q2 24/25

Target

Delivery of agreed internal audit plan

On Track

Fieldwork is currently ongoing for the following audits: • Health and Safety • Capital Commercial Project Management • Business Continuity and Disaster Recovery. The following audits have been planned and fieldwork for all three is due to commence on 07/10/2024: • Contract Management • GDPR • Health and Wellbeing The remaining three audits (Building Control, Asset Management and Main Financial Systems) are scheduled to begin in January 2025

Completion of agreed internal audit plan by year-end

APPENDIX 1

Target

KPI

RAG

Q2 24/25

Budget monitoring report is regularly reported to S&R highlighting key variances, as well as annual benchmarking activity to compare Maldon to CIPFA nearest neighbours

On Track -
Conditional
elements

The Provisional outturn for 2023/24 was agreed by Strategy & Resources Committee in July 2024 - the final outturn will not be confirmed until the 2023/24 accounts are closed and audited - the backstop date for this is February 2025. The Q1 2024/25 position was agreed by Strategy & Resources Committee in September 2024 - an in-year underspend is currently forecast but will continue to be closely monitored throughout the year.

Reviewed and reported to S&R (x3)

Financial risks are managed through the Corporate Risk Management framework

On Track

The financial risk position remains unchanged for Q2 2024/25, with an overall risk rating of 20 which is outside of the councils risk tolerance levels.; however overall funding levels and demand pressures remain largely outside the Council's direct control. Work continues to control the risk, and this was considered in detail as part of the MTFS and Reserves Strategy reports considered by Council in February, which will be refreshed for the next budget setting round.

Reviewed and reported to PGA (4x)

MTFS assumptions are regularly reviewed and reported throughout the year as part of the budget setting process

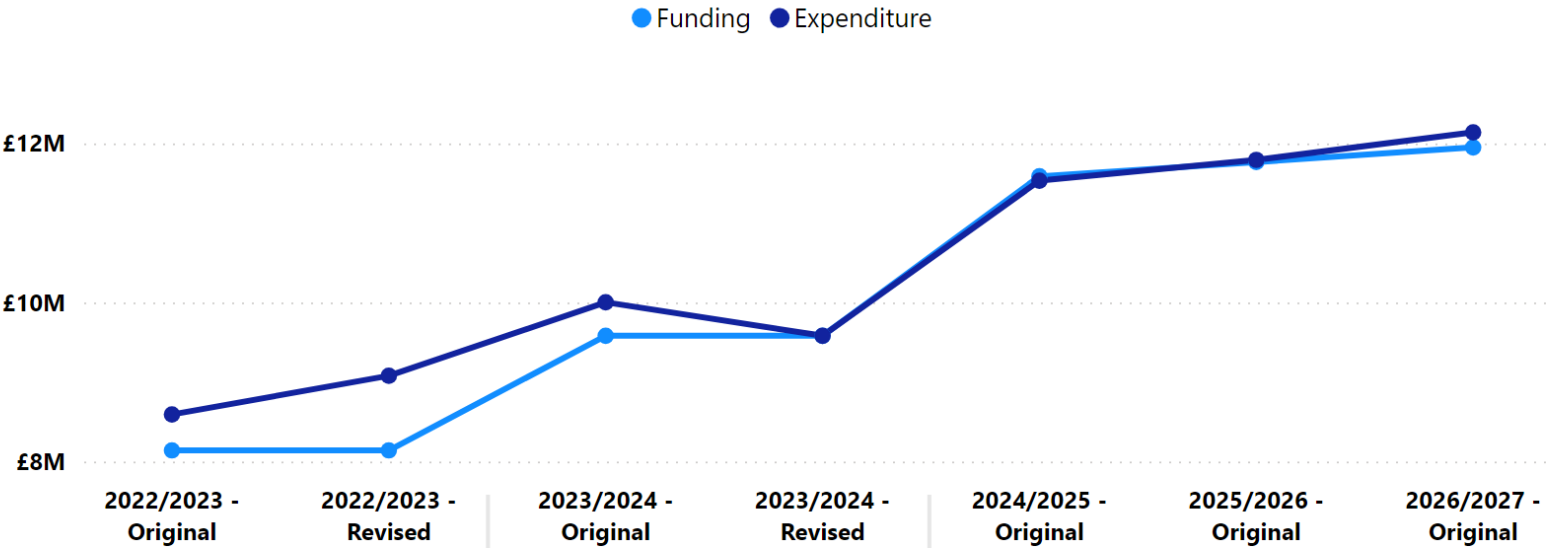
On Track

MTFS assumptions and budget risks/opportunities are being considered by the Finance Member Group over the autumn. Local benchmarking and comparison of assumptions is being undertaken across Essex LAs. The Council awaits the national Autumn Budget Statement on 30th October and the subsequent finance settlement for local government before Christmas, to inform its overall budget assumptions.

Budget update reports are presented to S&R Committee during the year, ahead of the MTFS being agreed by Council

Council expenditure plans are contained within available resources over the medium term

Supplementary reports to S&R could impact this data in year. KPI is updated at year end.



Target: To reduce the projected funding gap over the next 4 years compared to the position reported in the 2024/25 MTFS

KPI	RAG	Q2 24/25	Target
Annual setting of MTFS to align with corporate priorities (Annual KPI)	On Track - Conditional elements	A fully balanced 2024/25 budget was approved by Council on 15th February, along with a 3 year MTFS. The medium term gap reported in February 2024 will potentially grow due to non-delivery of some savings, and new staffing pressures emerging; these are currently being reviewed by the Finance Member Group and savings options being considered before being recommended to Strategy & Resources Committee, however the longer term financial position remains challenging.	MTFS agreed by full council (by statutory deadline of March)

A Greener Future

A Greener future

What we want to achieve

- To show nature we care
- Help people kick the car habit
 - Create less waste
- Be an authority that leads by example
- Develop a strong commitment to climate action

RAG

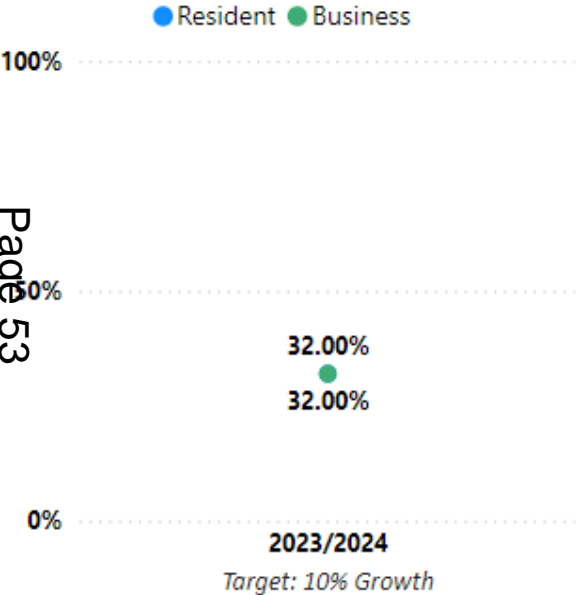
Q2 24/25

On Track -
Conditional
Elements

KPI targets are progressing. Work was completed on the Princes Road decarbonisation report, and the findings were presented to the Officer/Member Net Zero working group (NZWG). A number of Council decision papers were requested by the NZWG, specifically around our Net Zero and Carbon Neutral targets, EV transition and options around office decarbonisation. We have commissioned a Fleet decarbonisation review. Climate action community engagement figures remain steady. We have organised and/or attended 5 home energy events through our energy project, which aims to provide advice to homeowners on energy reduction and provide grant funding information to residents most in need. Delivery of the officer training for 'Introduction to carbon literacy' experienced supplier issues which resulted in a change of delivery approach, it has now been soft launched and some further changes may still be required after Member discussion at a member working group. Currently the forecasted tree planting numbers for MDC and our partners across the district are currently lower than 23/24. Our latest analysis suggests that as a result the current target is unlikely to be met due to there being a lower demand from landowners for trees and hedges from planting schemes offered by external partners (such as the Essex Forest Initiative and the Forestry Commission) and in 23/24 there was a large project that lifted our tree and hedge planting numbers significantly, and unfortunately, there is unlikely to be a project of this scale within the current year. The Council continues to promote the Tree hedge planting schemes to encourage more planting before the end of 2024/2025 monitoring period and we are forecasting to plant 1000 trees in Q3/4.

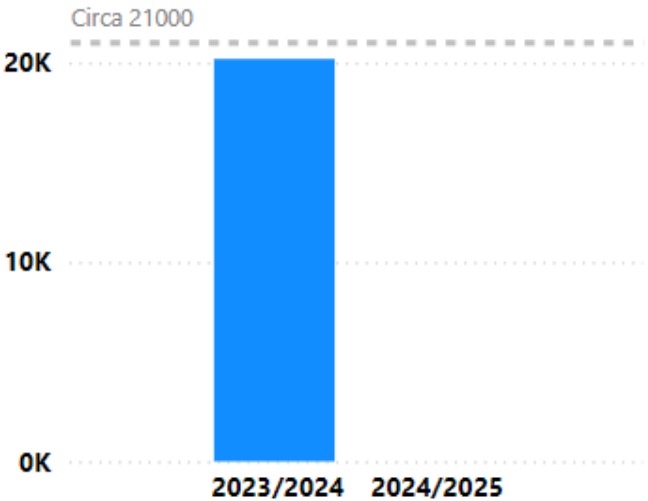
A Greener future

Awareness rates to 'I am aware of the community climate activities happening in the District' (annual)



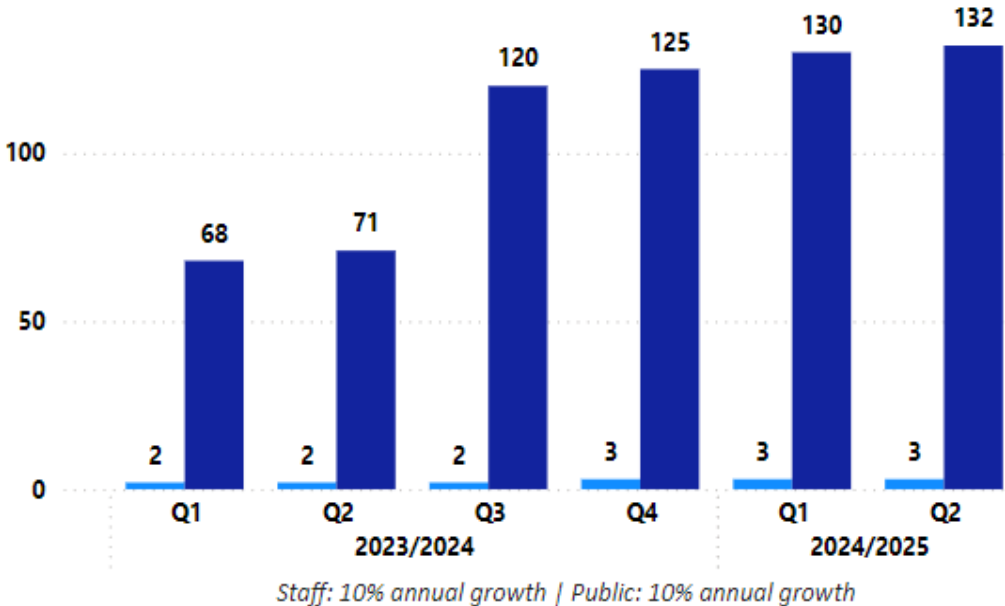
Trees planted within the District in partnership

This is a bi-annual indicator. Tree planting season is Q2, Q3 & Q4

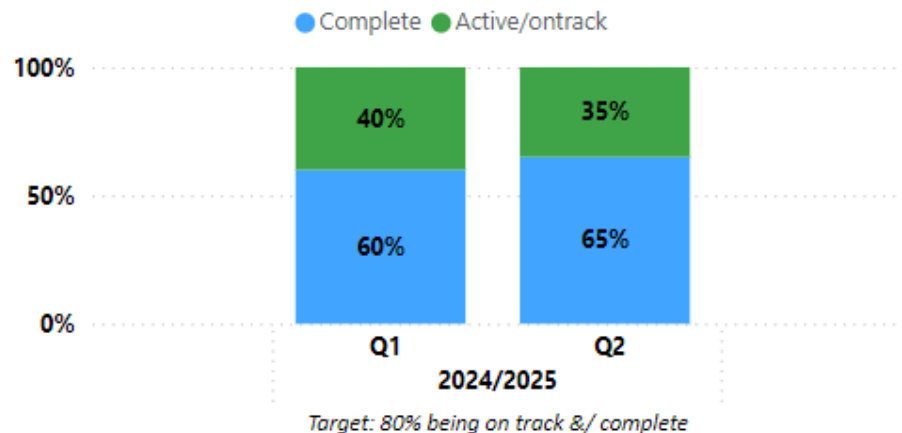


Number of climate action friends

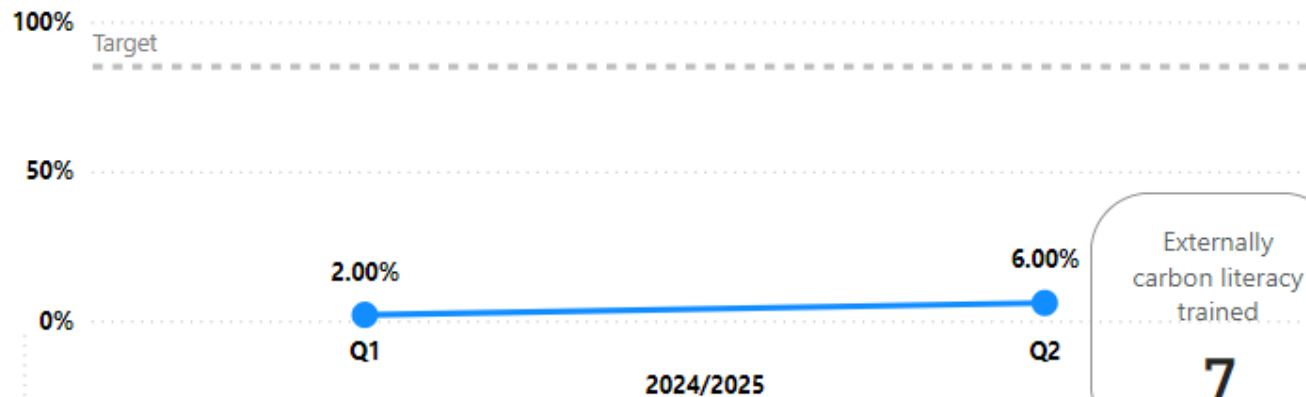
● Staff ● Members, Parish Councils, Public



% of Climate action plan progressing/delivered on time.



% Staff internally trained for introduction to carbon literacy completed (E-Learning)



KPI	RAG	Q2 24/25	Target
Climate action plan update	On Track	Web update of the 23/24 climate Action Plan launched. The new Officer Member Net Zero working group are developing a timeline to NetZero and developing a priority list of action for the remainder of 24/25 and 25/26. 23/24 in progress and long-term actions are being progressed. In Q2 work has focused on the establishment of the member officer net zero working group and the production of a Decarbonisation report for Prince Road and the work depots.	Quarterly progress
Launch of Staff & Members training completed for carbon literacy (including % trained)	On Track	Carbon Induction training currently being piloted with select staffing with 15 officers now trained and 2 Members have signed up for Carbon Literacy training. We have encountered difficulties with our supplier during the development of the carbon literacy e-learning module which has delayed the full-roll out to staff and is the reason for the 'soft-launch' with select officers for testing. The Council's Net-Zero ambition will be discussed within a paper to be presented to Council on 12th December 2024. The outcome of this decision paper may necessitate some minor changes to the module as currently constructed. In addition to the above, we are currently sourcing Carbon Literacy Training and Accreditation for both members and senior managers within Q4.	External training: 5pa Internal training: 85% Completion

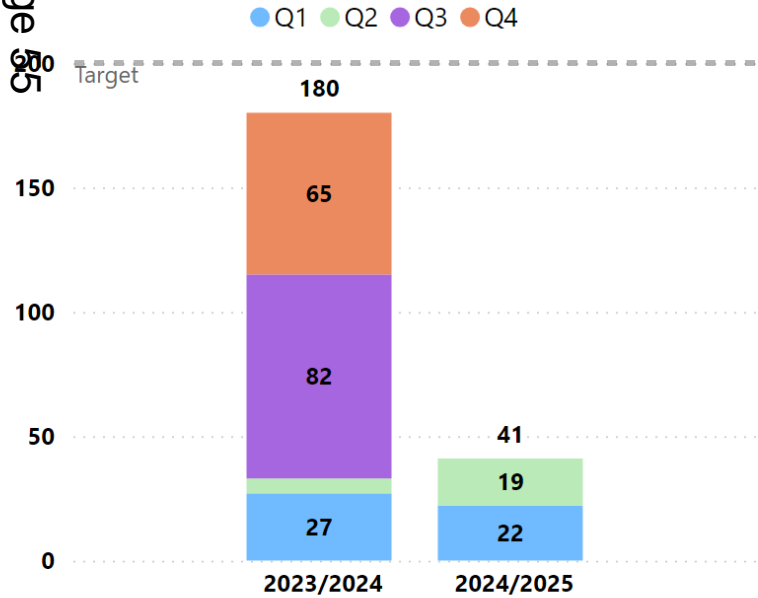
EV charging points in the District

64

KPI	RAG	Q2 24/25	APPENDIX 1 Target
<div>▲</div> Lobby for delivery of local Maldon District EV charging points	On Track	MDC on street and off street sites have been included in the ECC LEVI bid. Further details will be provided in the next quarterly update. Priority on street sites across the district are likely to be delivered from 2025. Climate action to prepare a paper for full Council asking for Member agreement on the provision of EV charging in MDC owned car parks and Council asset to allow for transition to EV fleets. Additionally 4 EV chargers are due to be installed in Providence car park in Burnham On Crouch by Burnham Town Council	Provide representation to the District borough EV strategy working group (ECC led)

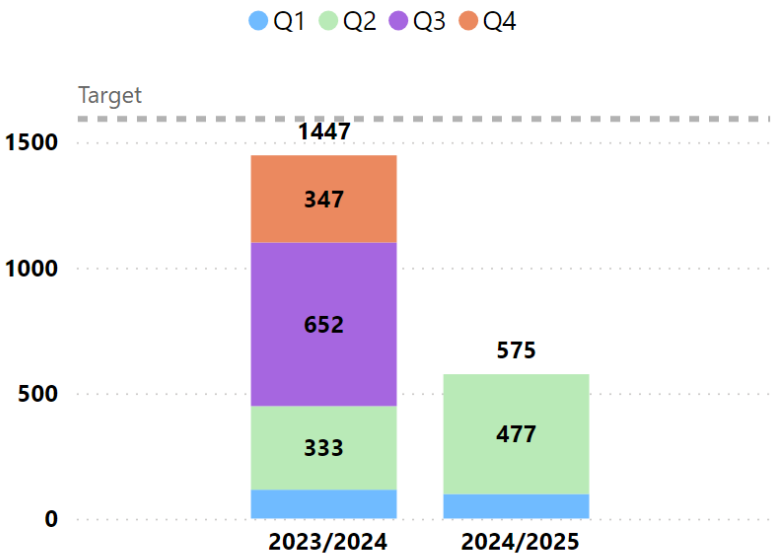
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Digital climate activity promotions

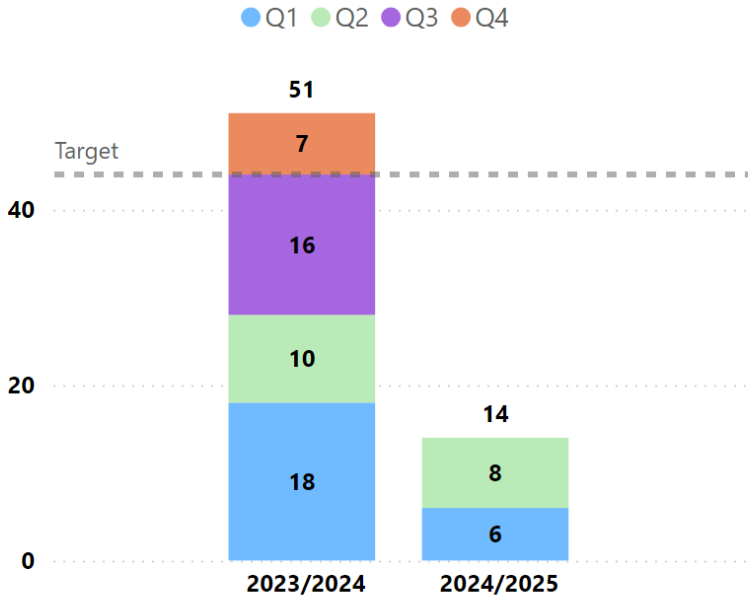


Digital climate activity promotion engagement

Engagement = interaction (i.e) like, share, comment



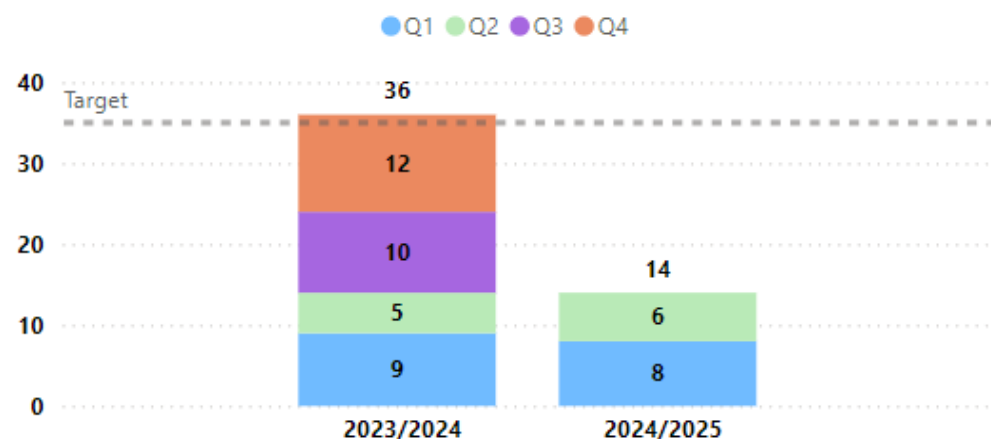
Opportunities promoted for climate action friends



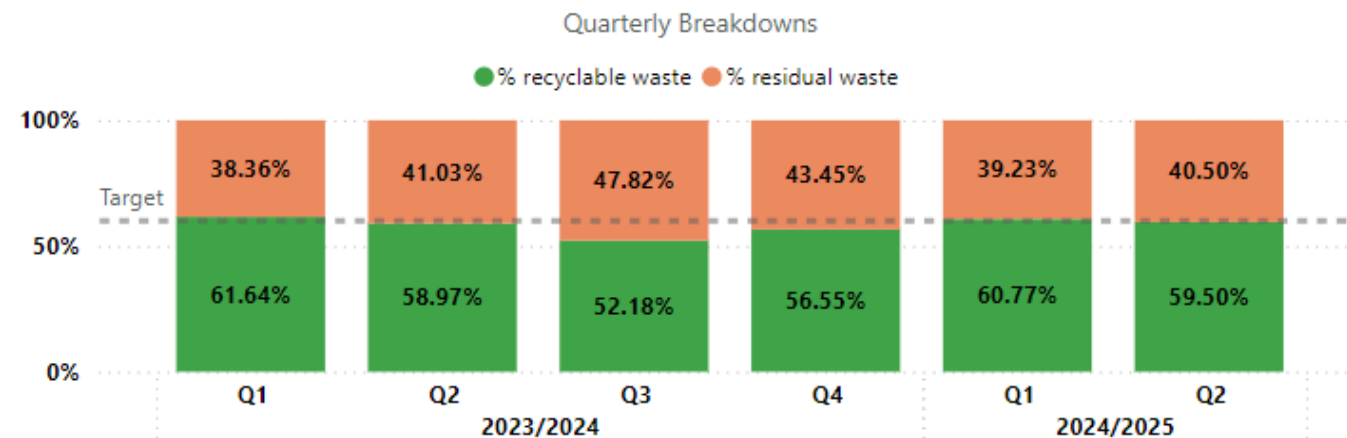
APPENDIX 1

KPI	RAG	Q2 24/25	Target
Number of opportunities promoted for climate action friends (CAF)	On Track	The following eight initiatives have been shared with the CAFs: 1.Chelmer and Blackwater Nature Reserve 2. Ufest 24 3. Local Walk and Cycling Infrastructure plan public consultations 4. Local Nature Recovery Strategy consultation 5. St Lawrence Seascape 6. Maldon District Energy Efficiency Clinics 7. Essex Cycling Strategy 8. Market Hill Clean Air route.	200pa
Number of climate action initiatives and activities delivered.	On Track	We have worked of six specific initiatives. 1.working in partnership with ECC and Community Energy South to roll out a home energy efficiency programme across the Maldon District 2. working with ECC to deliver HIG2 and ECO4 3. Working with partners to develop a Rain Garden project on the causeway. 4. Working on the Prince Road decarbonisation project. 5. Climate action induction training for staff 5. Development of the green code of practice for events. 6. development of the Officer Member Net Zero working group	35pa

Climate actions initiatives and activities delivered



% breakdown of residual and recyclable waste



APPENDIX 1

KPI	RAG	Q2 24/25	Target
Maldon District Council working to become STEN accredited	Under Review	Officers attended STEN Member meeting and networking event on 2 October 2024 coordinated by ECC's sustainable travel/active travel teams. Behavioural change and mode shift are difficult to achieve without incentives and resources. ECC have advised a review of our staff travel plan in the following areas: HR Policy for recruitment i.e. how are you to travel to work; employee buy with a staff travel plan, improvements to car share technology, salary sacrifice schemes for EV cars only, EV charging rollout and upgrades to internal facilities to cater for cycling to work especially. Presentations by Colchester CC's dedicated STP (staff travel plan) officer, NHS Broomfield STP and Ford Dagenham STP coordinators has highlighted weak areas in our MDC staff travel plan where internal review need to address these 'weak areas'. MDC cannot obtain STEN accreditation until issues addressed and this could be unlikely to be this year.	Quarterly progress
Quarterly attendance to ECC Climate action commission group	On Track	<p>Attended an Essex Climate Action Commission meeting. Agenda as follows:</p> <ul style="list-style-type: none"> • Land use and Green Infrastructure • Energy • Waste • Transport • Community Engagement • Building Environment • Just Transition - Supporting green Businesses • Forest School Impacts • Essex School Climate Action Network • Sustainable care (children under 5) • Essex Manifesto 	Quarterly progress (4pa)
Support delivery of ECCs District Future Transport strategy	On Track	All Member Briefing well attended on 2 September arranged for ECC to present the changes to the draft MDFTS following the public consultation. ECC explained how the MDFTS as an 'area plan' will sit with LTP4 (ECC's statutory transport plan) and integrate with the transport strategies for Chelmsford, Braintree and Colchester as neighbouring authorities and transport hinterlands. ECC will publish the MDFTS shortly, by the end of October 2024.	Quarterly progress
supports multiple priorities			

KPI	RAG	Q2 24/25	APPENDIX 1 Target
Develop a 'green' code of practice for event organisers & concession owners.	On Track	Testing due to be completed in Oct 2024. Results will be analysed and report to be provided to MDC and other authorities. This report could be used to amend and update our events policy.	Toolkit adoption by Q3 24/25
Initiation of a Maldon District net zero road map	On Track	Following the full Council meeting on the 11 July the officer Member Net Zero working group was established. Officers have produced an additional report on the decarbonisation of Prince Road and our depots. This has been presented to Members. We have also commissioned a roof survey, Mechanical and Electrical Survey, scoped a fleet review and produced the 1st iteration of a timeline to net zero. See attached. we continue to work closely with Members of the Net Zero working group and the Assets team to develop a roadmap to net zero.	Quarterly progress to develop net zero road map

Providing good quality_ Services

Provide good quality services

RAG

Q2 24/25

On Track

Good progress is being made overall with this priority. Customer contact targets related to online form usage, call wait times, enquiries dealt with at initial point of contact (both telephone and online) all remain on track, despite the reduction in resources levels from Apr 24. Calls handled (measure by comparing calls received v calls abandoned) slightly under target by 1% but is still providing a good level of service compared to other Essex LA's. Our service plans continue to be monitored and scrutinised monthly by the senior leadership team, and at the end of Q2 8 were reporting as green, 4 amber and 1 red. Those that are not on track are due to resource pressures. The % of actions completed within service plans remains slightly over target for Q2. The changes to the business improvement performance is related to a change in the way in which performance is recorded and measured from Q1 24/25.

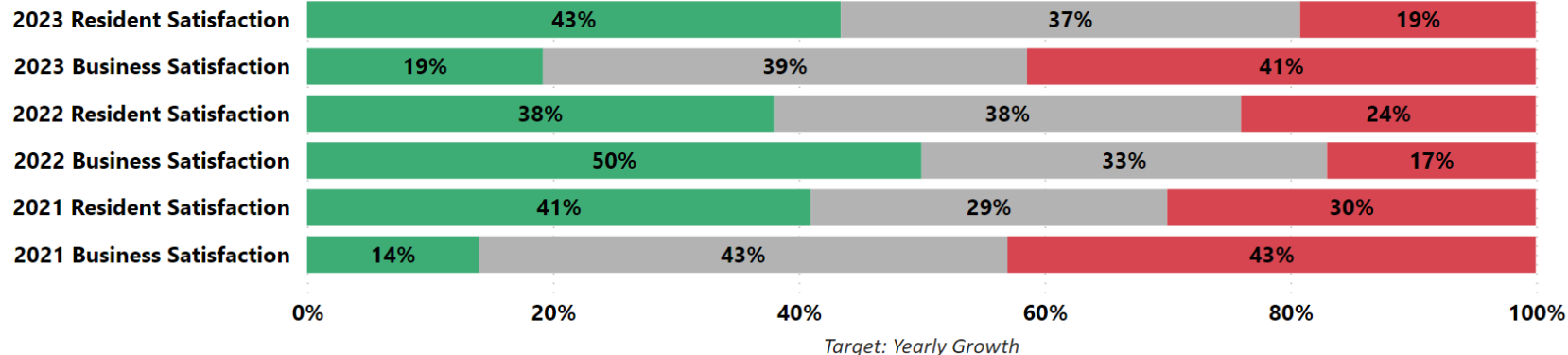
APPENDIX 1 What we want to achieve

- An updated customer strategy
- Deliver accessible services
- Early intervention for our most vulnerable people
- To be fair and inclusive
- Get things right, first time
- Improved processes that improve efficiency
- Ensure value for money

Resident and Business survey satisfaction rates to 'I am satisfied with the Maldon District Council services I received'

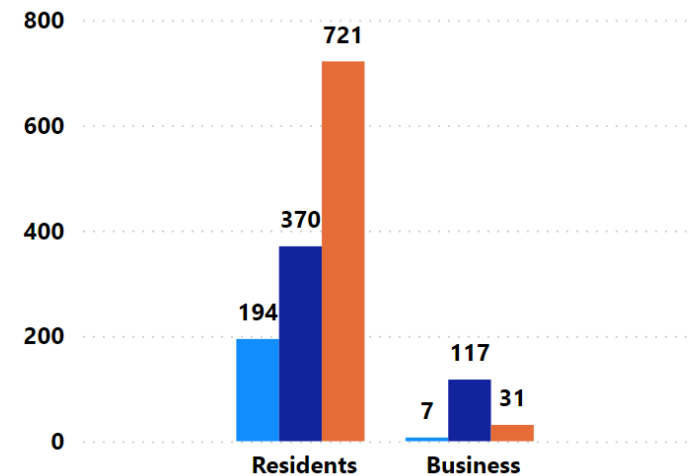
*Excludes those who responded as 'do not know'

● Strongly Agree & Agree ● Neutral ● Disagreed & Strongly Disagreed



Resident & Business survey participation

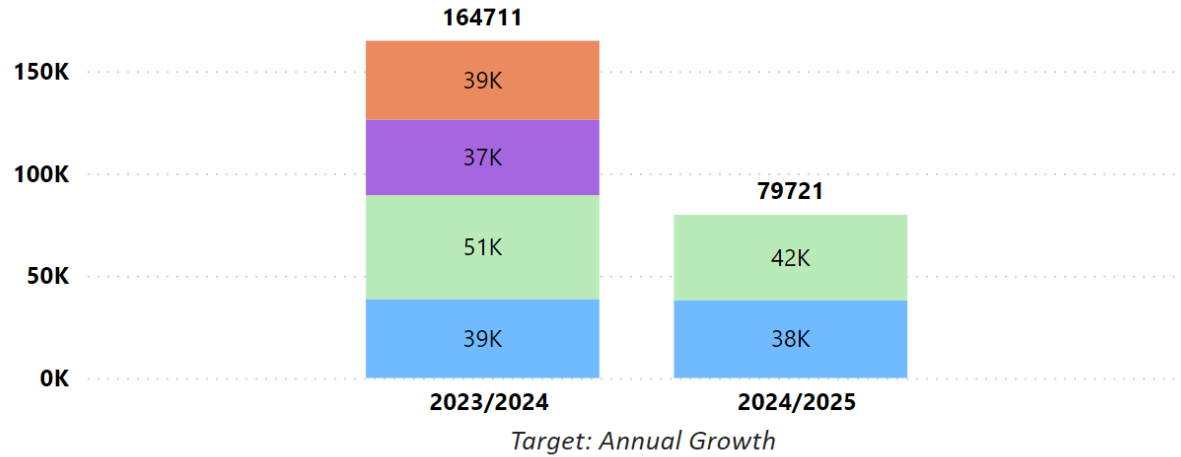
● 2021 ● 2022 ● 2023



Digital Reach of Maldon.Gov website

Reach = Active Users

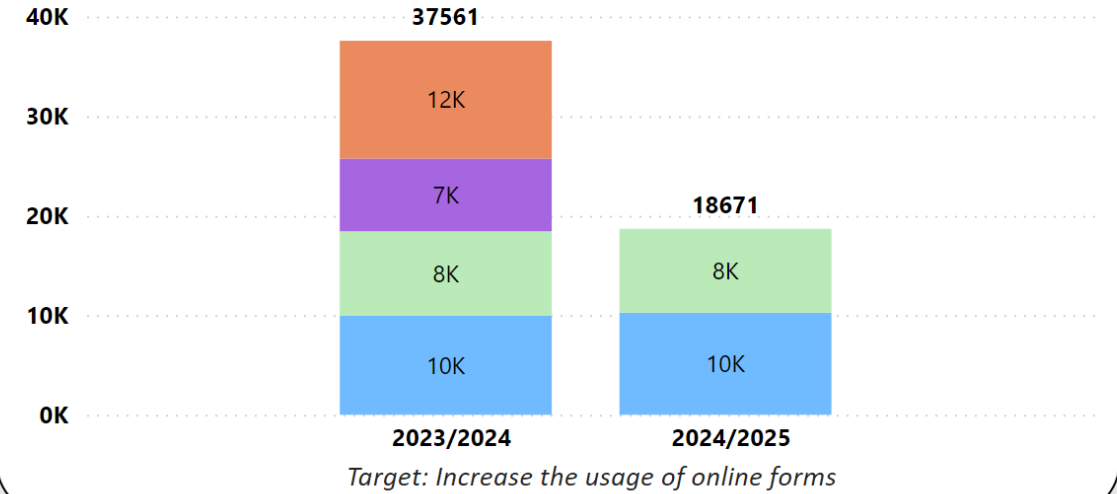
● Q1 ● Q2 ● Q3 ● Q4



Online form usage

APPENDIX 1

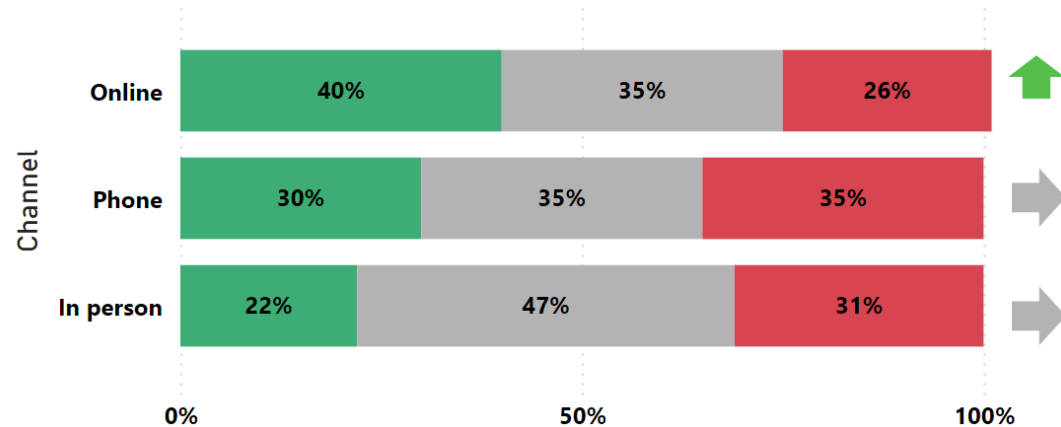
● Q1 ● Q2 ● Q3 ● Q4



2023 Resident agreement to 'How easy do you find it to contact MDC via...'

*Excludes those who responded as 'Do not use this service'

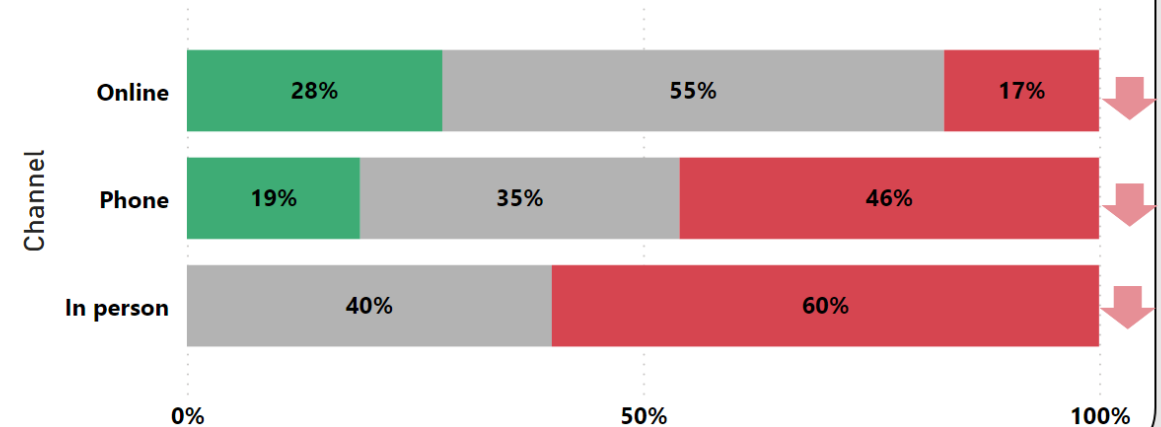
● Strongly Agree & Agree ● Neutral ● Disagreed & Strongly Disagreed



2023 Business agreement to 'How easy do you find it to contact MDC via...'

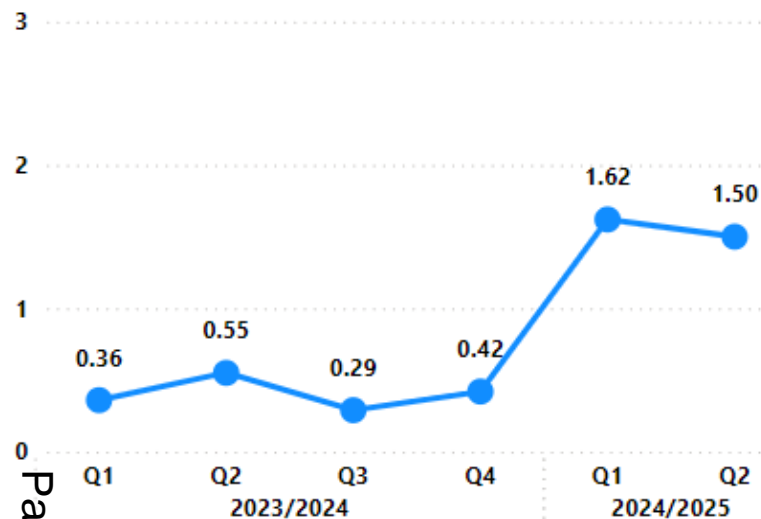
Business survey response rate was low, therefore not representative of the District

● Strongly Agree & Agree ● Neutral ● Disagreed & Strongly Disagreed

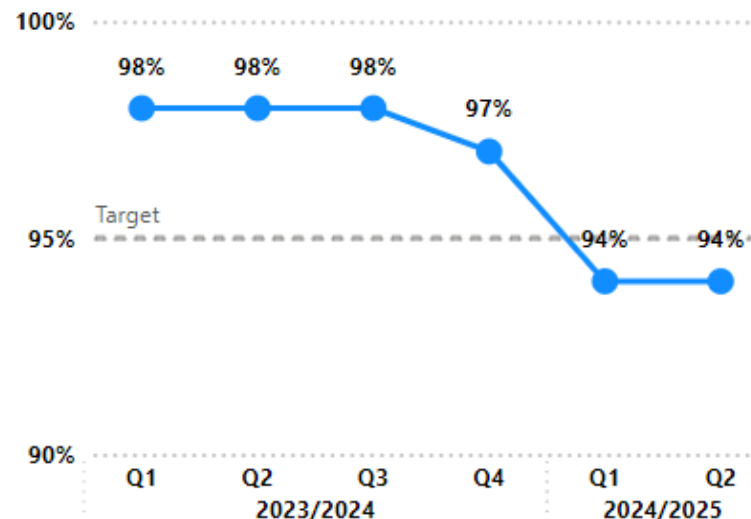


APPENDIX 1

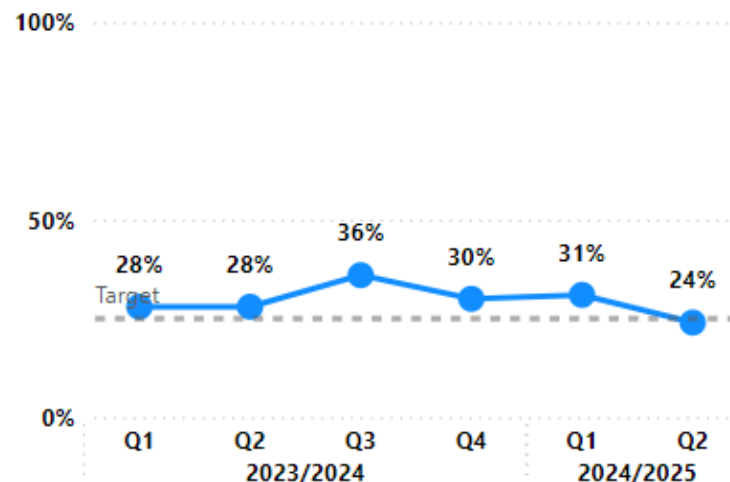
Average call wait time (m:s)



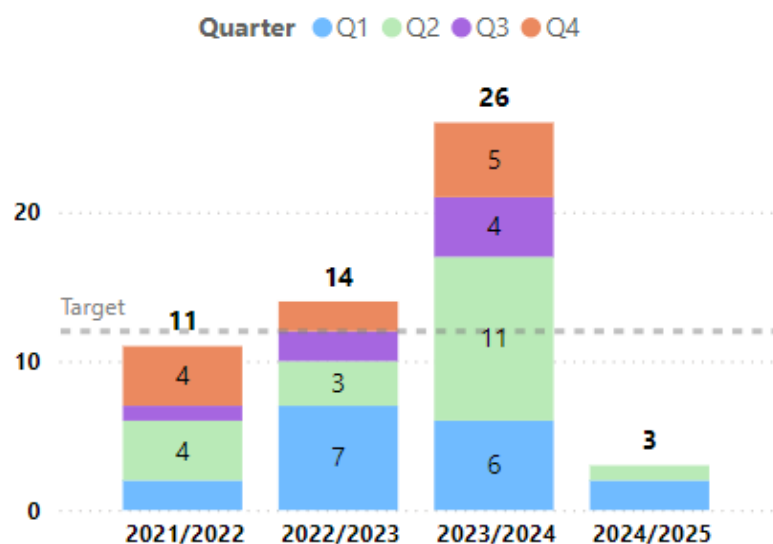
Calls handled (%)



Online contact us enquiries responded to at first point of contact (contact us form)

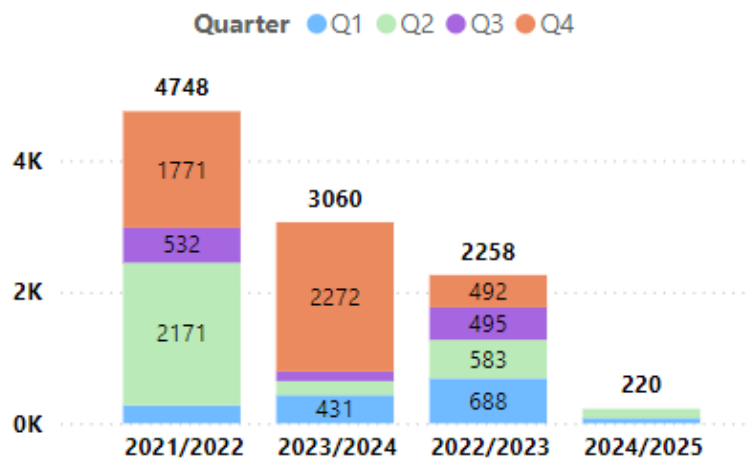


Number of process improvements delivered

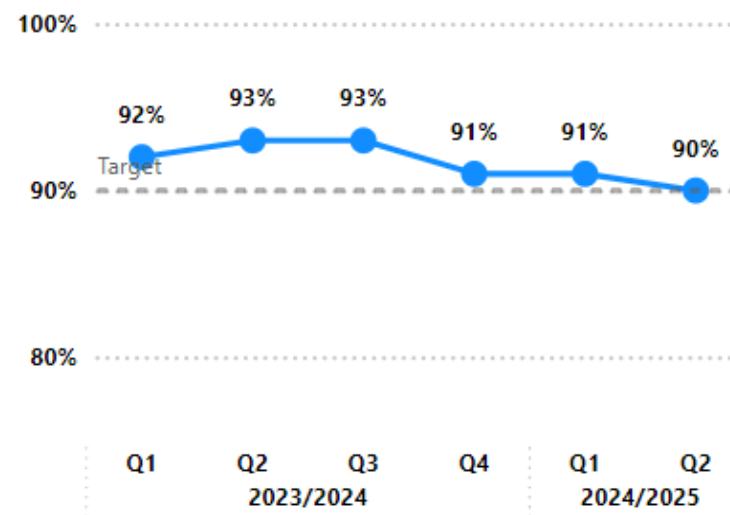


Time saved through delivered process improvements (hrs)

Formula used to calculate time saved has changed from Q1 24/25



Phone Enquiries responded to at first point of contact



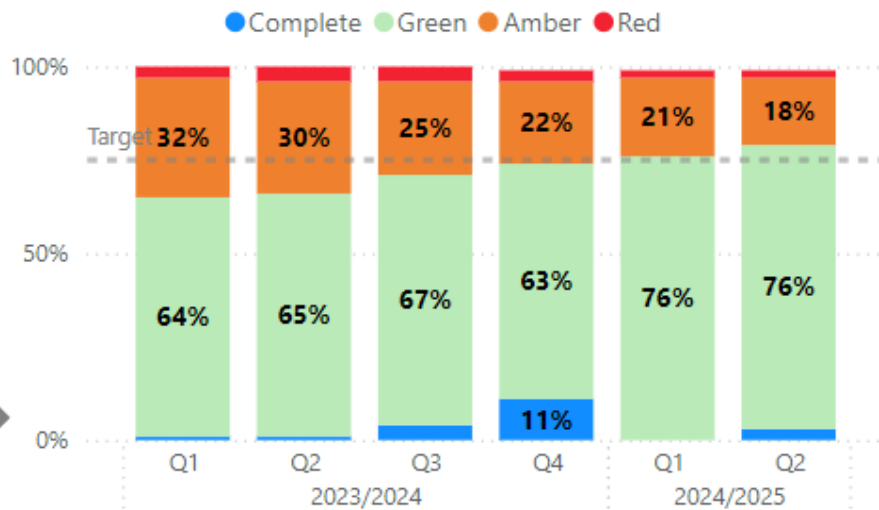
APPENDIX 1

Risks and issues are reported monthly to the Corporate Leadership Team through highlight reports.

Common issues reported are:

- Staff vacancy/sickness and impact to delivery
- New projects or government requirements and impact to business as usual (BAU) delivery
- Decision making impacts on planned delivery
- Increases to delivery costs/additional delivery costs not within service budget

Percent of service plan action reporting 'green'



Service plans reviewed (annually)

100%

Target: 75% positive landscape

Service area performance overview

Asset, Coast & Countryside

Green

Commercial

Amber

Community Engagement

Green

Customer Services

Green

Development Management & Building Control

Green

Environmental Health

Amber

Please note: Where there are individual service performance concerns these will be reported through the Balance Scorecard Exceptions Report

Service area performance overview

Finance

Amber

Housing

Amber

Planning Policy & Implementation

Red

Programmes, Performance & Governance

Green

Resources

Green

Revenues & Benefits

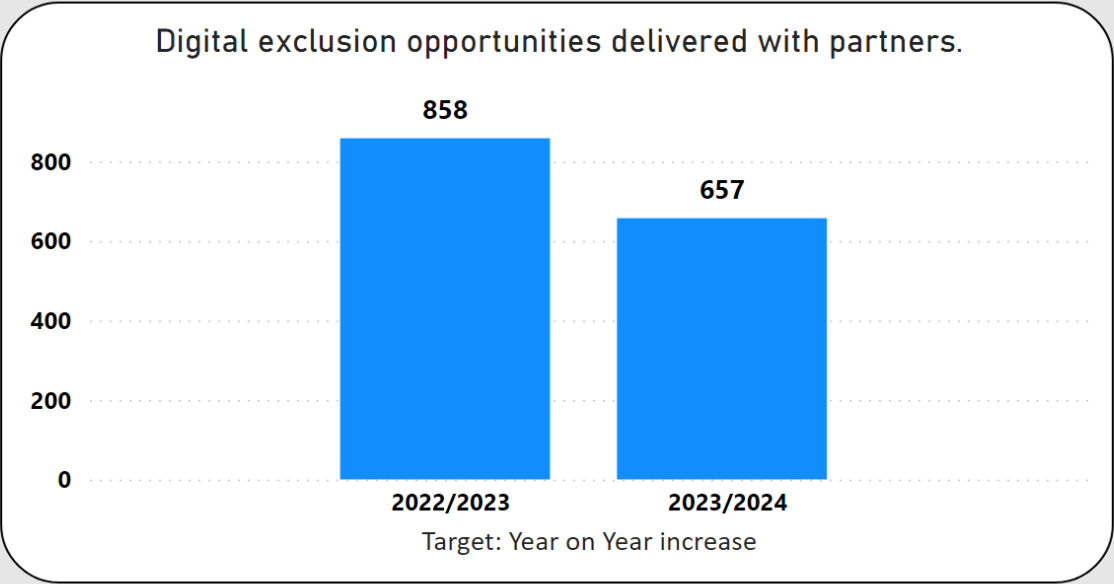
Green

Strategy, Partnerships & Communications

Green

APPENDIX 1

KPI	RAG	Q2 24/25	Target
Delivery of resident & business feedback through bitesize learning & improvements	On Track	Action plan developed to deliver a range of actions in response to the customer feedback. This is being delivered with our communications team to ensure that there is visibility of those actions. The first of those actions has been completed with a review of the current telephone message system, and a simplified set of options being developed which will be implemented in the next few weeks.	1 per quarter
Digital exclusion opportunities delivered with partners.	On Track	Bi Annual indicator, an update will be provided next quarter	Year on Year increase



End of report

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REPORT of CHIEF EXECUTIVE

to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025

ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE

1. PURPOSE OF THE REPORT

- 1.1 To update the Committee on the actions identified in the Annual Governance Statement.

2. RECOMMENDATION

That the Committee reviews the Annual Governance Statements table and updates below and challenges where necessary.

3. SUMMARY OF KEY ISSUES

- 3.1 The Annual Governance Statement in its current format was approved by the Performance, Governance and Audit Committee on 10 June 2021. In line with the Chartered Institute of Public Finance and Accountancy (CIPFA) best practice, it is reflective of governance matters, and forward looking about where we could make improvements.
- 3.2 The report has an updated action plan for the year looking forwards and the Committee agreed that progress on the actions would be reported to and reviewed by the Committee.
- 3.3 The Action Plan is held on the Council's SharePoint system and updated by responsible officers.
- 3.4 The Actions highlighted in Grey have been previously reported as **completed**.
- 3.5 The current table of actions and officer updates are detailed below for Member consideration.

Title	Owner	Status	Target Completion	Commentary
Draw out and link all of our policies and their objectives through a review of the Local Development Plan (LDP) (e.g., corporate plan, climate change)	Matt Winslow	Ongoing	01/09/2026	Quarter Two (Q2) - Work is progressing on the LDP Review to ensure the planning policy framework for the district can be updated to cascade and interpret national, regional and local policies and any new legal requirements as required.

Title	Owner	Status	Target Completion	Commentary
Build engagement and information sharing with Parish Councils as part of the Local Development Plan review work through the new Parish and Town Council Engagement Forum	Matt Winslow	Ongoing	01/09/2026	Q2 - The Planning and Implementation department continues to respond to requests from Town and Parish Councils for subject specific briefings and Neighbourhood Plan support, including Mayland and Woodham Walter recently. The department now features as a standing item at the relaunched Maldon District Parish Forum chaired by Councillor A M Lay and had positive feedback from the meeting in Summer 2024.
Build on member induction process and training plan in collaboration with the member training and development working group	Cheryl Hughes	Ongoing	31/12/2024	Q2 - Training requirements flagged so far for 2023 / 24 have been delivered. Member training Working Group meeting November 2024 to look at annual plan for training next year.
Review governance housekeeping matters through the Performance, Governance and Audit Working Group.	Paul Dodson	Ongoing	31/03/2025	Q2 - Regular updates have been made to the governance of the Council, including recent update to reflect the appointment of the Chief Executive and to appoint him to the Returning Officer and Electoral Registration Officer (ERO) role.
Communications and roll out of whistleblowing policy and procedure	Annette Cardy	Ongoing	31/03/2025	Q2 - This action is on the BDO Audit action plan and is being progressed to ensure meets above deadline. The current policy is fit for purpose and still in use and has been communicated to all staff and is not due for review until 2026, but some amendments were suggested as part of an internal audit that will be completed but are not urgent
Delivery of finance peer review actions (tracked through SharePoint)	Naomi Lucas Cheryl Hughes	Ongoing	31/03/2025	Q2 - Action plan is separately loaded and tracked, and work continues to progress
Include e-learning to balance scorecard reporting, so that completions for staff and members is clear, particularly around governance areas such as risk management.	Eloise Howard Cheryl Hughes	Complete	01/07/2024	Q1 - BSC reporting is now in place and non-completion discussed, minuted and followed up as part of extended leadership team monthly meeting. member completion rates are also being shared by email to group leaders, and all members now have desktop shortcuts to e-learning and boxphish to improve access

4. CONCLUSION

- 4.1 The information provided gives progress updates against the key actions defined in the Annual Governance Statement.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025- 2028

- 5.1 Good governance will enable delivery of strategic priorities going forwards.

6. IMPLICATIONS

(i) **Impact on Customers** – Not applicable (N/A).

(ii) **Impact on Equalities** – N/A.

Impact on Risk (including Fraud implications) – Good governance will help minimise our corporate risk for the future.

Impact on Resources (financial) – The monitoring and delivery of this item is provided within existing resources.

Impact on Resources (human) – The monitoring and delivery of this item is provided within existing resources.

(iii) **Impact on the Environment** – N/A.

(iv) **Impact on Strengthening Communities** – N/A.

Background papers: None.

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager.

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REPORT of CHIEF EXECUTIVE

to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025

AMENDED CONTRACT PROCEDURE RULES IN LINE WITH LEGISLATION UNDER THE PROCUREMENT ACT 2023

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to obtain approval to put in place the new and amended Contract Procedure Rules 2025 attached at **APPENDIX A**.
- 1.2 The Council's Contract Procedure Rules have been amended to support the implementation of the new Procurement Act 2023 (the Act) which received Royal Assent in October 2024.
- 1.3 The new Act is due to go live at the end of February 2025 and the Council are required to implement the changes in legislation.

2. RECOMMENDATIONS

To the Council:

- (i) That the Contract Procedure Rules 2025 (**APPENDIX A**) are approved to ensure the Council is compliant with the Procurement Act 2023.
- (ii) That Council approve that the Constitution at pages 218 to 242 is updated with the Contract Procedure Rules 2025.

3. SUMMARY OF KEY ISSUES

- 3.1 Following Brexit taking effect in 2021, European Union (EU) Procurement law no longer applied to the UK. The Government took this as an opportunity to reform the UK's public procurement regulations. The aim of the Act is to reduce red tape and to support British business by simplifying public sector procurement, encouraging innovation and improving transparency.
- 3.2 The Act was set to come into force on 28 October 2024, however on 12 September 2024, the Government announced its intention for a proposed new implementation / go live date of 24 February 2025. Procurements that go live after that date must be conducted under the new Act.
- 3.3 The Council's procurement activity is currently governed by its Contract Procedure Rules and the Public Contracts Regulations 2015 (PCR 2015). These set out the rules and legislation that must be followed when conducting procurement exercises and they are placed within the Council constitution.

- 3.4 Once implemented as of February 2025 the Procurement Act 2023 will replace the current Public Contracts Regulations 2015 (PCR 2015). The change in the Procurement regulations necessitates the need to amend the Councils contract Procedure Rules to ensure compliance with the Act for the procurement of supplies, services, and works.
- 3.5 All new procurements over threshold carried out as of February 2025 will follow the new rules, while any contracts placed prior to this date and under the Public Contracts Regulations 2015 will remain under those rules, until they expire.
- 3.6 There will be greater scrutiny of procurements with the introduction of the Procurement Reform Unit to review Local Authority procurement activity.
- 3.7 There is also a requirement and introduction of moving from Procurement publishing a maximum of three notices at advert and award stage of a contract to a number of notices depending on the value and the requirements of the contract in question throughout the lifetime of the contract.
- 3.8 The Act fully comes into play at 'over threshold' set by the Government thresholds, which change every two years (due to change on 1 January 2025), currently £213,904 including VAT for Goods and services and £5,372,609 including VAT for Works, however best practice is to observe the Act where appropriate for all below threshold procurements that are governed by the Council's Contract Procedure Rules and the thresholds set under the Contract Procedure Rules. There are still requirements for contracting authorities to observe for below threshold procurements in terms of transparency requirements and notice publication.
- 3.9 In the Government green papers and consultations throughout the period of reviewing public procurement, the Government identified that a key driver for reform was to ensure that public contract opportunities were open to more small businesses and social enterprises to innovate contract delivery and to meet a number of the UKs targets such as net zero carbon reduction target. The Act also addresses further objectives by placing a requirement on contracting authorities to consider the barriers that a Small and medium-sized Enterprise (SME) might face in accessing opportunities, and to consider what can be done to overcome them.
- 3.10 The introduction of the Central Digital Platform (CDP) a legal requirement for buyers and suppliers will be where all UK contracting authorities publish information relating to procurement. It is also the place where identifiers are recorded and/or issued and for suppliers to input their commonly used information. It will be a fully integrated digital platform where noticing, sign-in, registration and supplier information all works together to support public sector procurement. The CDP is expected to be released as a later phase to the February go live date.
- 3.11 The Councils e-tendering solution provider Delta has been working extensively with the Cabinet office to ensure they are ready for go live in terms of the amount of transparency reporting that will be required, along with the new notices for publishing opportunities. Delta has supported throughout with training sessions and webinars to ensure users both buyers and suppliers are prepared for go live. Delta will link directly with the CDP once in place.
- 3.12 The Act's key features are:
- Moving from the principle of Most Economically Advantageous Tender (MEAT) to Most Advantageous Tender (MAT) recognising the need to take into consideration social and environmental factors when procuring.

- The reduction of five procurement procedures to two.
 - Enhanced transparency – the introduction of multiple new procurement notices which will span the lifecycle of the procurement and the contract.
 - Contract Management features for the first time in procurement legislation with all contracts over £5m requiring a minimum of three Key Performance Indicators (KPIs) or justification of why they are not needed. All contract modifications, variations, extensions, and terminations require notices to be published.
 - Engagement with supplier markets is strongly encouraged and if the Council does not engage, then it must explain why, however there are strict rules around pre-tender market engagement and the Council should ensure that no supplier is put at a disadvantage through this process. This process does not allow authorities to obtain quotes prior to any potential tender process. A notice must be published to report on any pre-market engagement.
 - A further requirement is that the Council maintain conflict assessments right through the procurement process at certain thresholds.
- 3.13 Cabinet office support and information for suppliers has been posted on the Council's Procurement webpage and further guidance will be provided as work progresses.

4. CONCLUSION

- 4.1 The Council is required by law to amend its contract procedure rules to encompass the changes to the Procurement regulations as this is a change in the governing regulations, implementing the changes brought about by the Procurement Act 2023, and will ensure that procurement and contracting requirements are lawfully delivered.
- 4.2 The aims of the Procurement Act 2023 are to;
- Transform Public Procurement
 - Introduce flexibility in procurement processes
- 4.3 Embed transparency throughout the commercial lifecycle so that the spend of taxpayer's money can be properly scrutinised.
- 4.4 Increase visibility and accessibility of public procurement to new entrants such as small businesses and social enterprises so that they can compete for and win more public contracts.
- 4.5 The Council currently carries out the majority of procurements below the government threshold, however there is still an obligation to observe the rules and regulations to ensure the Council always remains compliant in procurements.
- 4.6 The Councils Contract Procedure Rules have been amended to support the new Procurement Act 2023. These also now include the reporting requirements for projects and title changes / reporting lines where necessary under the Councils new structure. All below thresholds previously set and agreed by Council in 2021 will remain the same.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

- 5.1 The Contract Procedure Rules state, all purchasing, and disposal procedures must support the Council's corporate and departmental objectives, plan, and policies.
- 5.2 The Council's priorities are considered pre-procurement for each contract and applied in a proportionate and relevant manner to the subject matter of the contract.

6. IMPLICATIONS

- (i) **Impact on Customers** – None arising from this report.
- (ii) **Impact on Equalities** – None arising from this report.
- (iii) **Impact on Risk (including Fraud implications)** – There are legal, financial, and reputational risks if the council is non-compliant with the Procurement Act 2023. The Council is required to implement the changes brought about by the Procurement Act 2023, to ensure that procurement and contracting activities are legally compliant.
- (iv) **Impact on Resources (financial)** – None arising from this report.
- (v) **Impact on Resources (human)** – Greater administrative work for procurement to ensure all reporting and notices are published as required under the Act for transparency and compliance.

Background Papers:

APPENDIX A Contract Procedure Rules 2025.

Enquiries to:

Debbie White, Lead Specialist – Procurement.

Document Control Sheet

Document title	Contract Procedure Rules
Summary of purpose	To promote good purchasing practice and public accountability and deter corruption.
Prepared by	Lead Specialist Procurement
Status	Final
Version number	1.0
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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

Contract Procedure Rules

Approved by Council February 2025

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INTRODUCTION

These Contract Procedure Rules apply to all officers, members and agents acting on behalf of the Council involved in Procurement and Contract Management and are issued in accordance with section 135 of the Local Government Act(1972) and section 1-29 of Local Government Act (1999). These rules are intended to promote good purchasing practice and public accountability and deter corruption. Following the rules is the best defence against allegations that a purchase has been made incorrectly or fraudulently.

Officers responsible for procurement and contract management activities and decision making must be fully aware of and comply with these rules. Officers have a duty to report breaches of these Contract Procedure Rules to an appropriate Assistant Director, the Monitoring Officer, and Lead Specialist Procurement.

Should a conflict be found between these rules, the law and procurement guidance, the order of precedence shall be the law, these rules, and any guidance. The Chief Finance Officer in consultation with the Lead Specialist Procurement may make minor changes to these Contract Procedure Rules.

Minor changes are defined as:

- Changes in statutory framework, such as references to new or updated legislation
- Changes in titles, names, or terminology
- Changes consequential to other constitutional changes already made.

Legislation

The Councils procurements are regulated by the Procurement Act 2023 and the Procurement Regulations 2024. There is other legislation that needs to be considered such as the Social Value Act 2012 and the Transparency Code 2015, which will impact on procurement and it is important that officers are aware of the wider legislative framework.

Where a procurement was started under the Public Contracts Regulations (2015) then that procurement or contract will continue to be under these regulations until the end of the contract or framework.

Objectives

The Procurement Act 2023 sets out a series of objectives which procurements must have regard to they are;

- Delivering value for money
- Maximising public benefit
- Sharing information for the purposes of allowing suppliers and others to understand the Councils policies and decisions
- Acting and being seen to act with integrity.

Procurements must also have regard to the National Procurement Policy statement which sets out national priorities for procurement;

- Value for money
- Social Value
- SMEs

It is important that procurements support the delivery of the Councils wider ambitions

1. BASIC PRINCIPLES

All procurement and disposal procedures must:

- Ensure value for money and propriety in spending of public money; be consistent with the highest standards of integrity
- consider all necessary procurement, legal, financial, and professional advice
- Comply with all legal requirements and these rules
- Ensure that the Council is not exposed to unnecessary risk and likelihood of challenge arising from non-compliant procurement activity
- Consider and incorporate necessary health and safety, inclusion and diversity, and safeguarding children and vulnerable adults' requirements.
- Support the council's corporate and departmental objectives, plan and policies
- Consider the Council's duty to have regard to the fact that SMEs may face particular barriers in competing for a contract and consider whether such barriers can be removed or reduced, before commencing the procurement

2. OFFICER RESPONSIBILITIES

2.1 Responsible Officers

2.1.1 Officers responsible for purchasing or disposal must comply with these contract procedure rules, Financial Regulations, the Code of Conduct and with all UK binding legal requirements. Officers must ensure that any Agents, Consultants, and contractual partners acting on their behalf also comply.

2.1.2 All officers should undertake procurement in a manner which avoids any potential conflicts of interest.(section 16)

2.1.3 Officers must:

- obtain all appropriate authorisations and check that appropriate budget provisions exist before the procurement commences
- have regard to the Procurement guidance
- have a business case completed and approved prior to commencing on contracts with a value of £50,000 or above
- consider whether the procurement constitutes a key decision. If so, approval must be sought from the Corporate Leadership Team (CLT), Project board and from the relevant committee.
- Check whether a suitable Corporate Contract exists before seeking to let another contract; where a suitable Corporate Contract exists, this must be used unless there is an auditable and valid reason not to do so.
- Follow the Council's duty to have regard to the fact that Small and Medium-Sized Enterprises (SMEs) may face particular barriers in competing for a contract and consider whether such barriers can be removed or reduced, before commencing the procurement.
- Take all necessary Procurement, legal, financial, and professional advice.
- Officers must ensure that the contracts for which they are responsible are effectively managed and monitored to ensure they deliver the requirement as intended and to address any performance issues as soon as possible.

- must keep a record of decisions made in connection with the procurement, this should include minutes from any meetings held.
- 2.1.4 When any employee either of the authority or of a service provider may be affected by any transfer arrangement, Officers must ensure that the Transfer of Undertaking (Protection of Employment) (TUPE) issues are considered and obtain legal advice before proceeding with inviting Tenders or Quotations.

2.2 Assistant Directors

- 2.2.1 Assistant Directors must:
- Ensure that their staff comply with these rules at all times
 - Appoint a Contract Manager for the life time of all contracts
 - Ensure that all Exemption requests have followed the correct procedure.

3. EXEMPTIONS, COLLABORATIVE ARRANGEMENTS

- 3.1 The Council has the power to waive requirements within these contract procedure rules for specific projects
- 3.2 Where a proposed contract is likely to exceed the UK Threshold, There are no delegated powers, and the matter has to be determined by the council.
- 3.3 Where an exemption is necessary because of an unforeseeable emergency involving immediate risk to life and/or safety of people or property arising from unforeseen events or incidents or serious disruption to council services, the Officer and the Chief Finance Officer may jointly approve the exemption but they must prepare a report for the next Strategy and Resources Committee to support the action taken.
- 3.4 All exemptions, and the reasons for them, must be recorded using the form in the Procurement guidance. Exemptions shall be signed by the Officer and countersigned by the S151 Officer, Deputy Chief Executive and where appropriate the Chief Executive in consultation with the Chairperson of the Strategy and Resources Committee.
- 3.5 Grant Allocations; where the Council has been allocated a grant and there has been no time to procure during the grant application process or because the grant conditions required spend in too short a time period. Evidence of the application process will be required with the exemption. If the grant spend is not required within a twelve (12) month period then an exemption may not be used.
- 3.6 Financial Officers must monitor the use of all exemptions.
- 3.7 All purchases made via a local authority are deemed to comply with these contract procedure rules, and no exemption is required. However, purchases above the UK Threshold must be let under the UK Procedure, The Council must be satisfied of this requirement by letting their contract in accordance with the UK Procedures on behalf of the authority and other members.
- 3.8 Any contracts entered into through collaboration with other local authorities or other public bodies, where a competitive process has been followed that complies with the contract procedure rules of the leading organisation, will be deemed to comply with these contract procedure rules, and no exemption is required. However, advice must be sought from the Lead Specialist Procurement.

4. RELEVANT CONTRACTS

4.1 All Relevant Contracts must comply with these contract procedure rules. A Relevant Contract is any arrangement made by, or on behalf of, the authority for the carrying out of works or for the supply of goods, materials, or services. These include arrangements for:

- The supply or disposal of goods;
- The hire, rental or lease of goods or equipment;
- The delivery of services, including (but not limited to) those related to:
 - Financial and Consultancy Services
 - Legal Services

4.2 **Relevant Contracts do not include:**

- Contracts of employment which make an individual a direct employee of the authority, or
- Agreements regarding the acquisition, disposal, or transfer of land (for which *Financial Regulations* shall apply).
- Contracts for retention of legal Counsel, or the appointment of expert witnesses in legal proceedings.
- Membership/Subscriptions (not applicable to software licensing) where the Council makes an arrangement to receive goods or services regularly by paying in advance and competition is absent for technical reasons.
- Any contract between the Council and another Contracting Authority where the contract has the aim of achieving public function related objectives and is solely in the public interest.

4.3 **Contract Value Calculation**

- Contract value means the estimated aggregate or recurring value payable inclusive of Value Added Tax over the entire contract period including any extensions of the contract.
- Contracts must not be artificially underestimated or disaggregated into two or more separate contracts where the effect is to avoid the application of the rules.
- Where a framework agreement is planned the contract value must be calculated to include the total value of all of the individual contract arrangements envisaged under the Framework Agreement.
- Where the estimated value cannot be determined, the procurement must be managed as though it was over the relevant UK Procurement Threshold

5. STEPS PRIOR TO PURCHASE

5.1 The Officer must appraise the purchase, in a manner commensurate with its complexity and value and taking into account any guidance in the Procurement guidance, by:

- Taking into account the requirements from any relevant Best Value review appraising the need for the expenditure and its priority defining the objectives of the purchase.
- Assessing the risks associated with the purchase and how to manage them considering what procurement method is most likely to achieve the purchasing objectives, including internal or external sourcing, partnering,

strategy and collaborative procurement arrangements with another local authority, government department, statutory undertaker or public service purchasing consortium.

- Consulting users as appropriate about the proposed procurement method, contract standards and performance and user satisfaction monitoring.
- Allowing time to obtain approvals and the time necessary to complete a tender process.
- Consider the whole life cycle of the contract including any maintenance or service requirements once the contract is in place.
- There is Council or delegated approval for the expenditure and the purchase accords with the approved policy framework and scheme of delegation as set out in the Constitution.

6. FRAMEWORK AGREEMENTS, DYNAMIC MARKETS, DYNAMIC PURCHASING SYSTEM

6.1 A framework, Dynamic Market or Dynamic Purchasing System is considered compliant when;

- It has been entered into by the Council in compliance with these rules, or;
- Another contracting authority, purchasing consortium or central government.

Officers should ensure the rules as set by the framework are followed.

Further guidance and details on Frameworks, Dynamic Markets and Dynamic Purchasing systems can be found in the Procurement guidance

6.2 Contracts based on Framework Agreements may be awarded by either:

- applying the terms laid down in the Framework Agreement (where such terms are sufficiently precise to cover the particular call-off) without reopening competition, or
- where the terms laid down in the Framework Agreement are not precise enough or complete for the particular call-off, by holding a mini competition in accordance with the following procedure:
- inviting the organisations within the Framework Agreement that are capable of executing the subject of the contract to submit written Tenders;
- fixing a time limit which is sufficiently long to allow Tenders for each specific contract to be submitted, taking into account factors such as the complexity of the subject of the contract;
- Awarding each contract to the tenderer who has submitted the Most Advantageous Tender on the basis of the Award Criteria set out in the specifications of the Framework Agreement

6.3 Approved Lists

6.3.1 The Council does not as a rule agree the use of Approved Lists. Where the use of an approved list may be required, you should seek guidance from the Lead Specialist Procurement. a full business case and Assistant Director level approval must be obtained, prior to appointing an approved list.

7. REQUIREMENTS FOR PURCHASE, DISPOSAL AND PARTNERSHIP ARRANGEMENTS

The Officer must calculate the Total Value over the term of the contract including any extensions.

- 7.1 The following procedures apply where there are no other procedures which take precedence. Other procedures may include agency agreements with government. If in doubt, Officers must seek the advice from Procurement.

7.2 Assets for Disposal

- 7.2.1 Assets for disposal must be sent to public auction (including electronic auction sites such as eBay) except where better Value for Money is likely to be obtained by inviting Quotations. (These may be invited by advertising on the council's internet site.) In the latter event, the method of disposal of surplus or obsolete stocks/stores or assets other than land must be formally agreed with the relevant Assistant Director.
- 7.2.2 The Chief Finance Officer has the discretion to agree other methods for disposal of Assets up to a value of £5,000 in consultation with the relevant Assistant Director.
- 7.2.3 In the first instance surplus vehicles, plant and equipment should be offered to Parish Council's within the District at a fair price (sold as seen) agreed by the Chief Finance Officer in consultation with the relevant Assistant Director.

7.3 Providing Services to External Purchasers

- 7.3.1 The Chief Finance Officer and Financial Regulations and procedures must be consulted where contracts to work for organisations other than the authority are contemplated.

7.4 The Appointment of Consultants to Provide Services

- 7.4.1 Consultant architects, engineers, surveyors, and other professional Consultants shall be selected, and commissions awarded in accordance with the procedures detailed within these contract procedure rules and as outlined below.
- 7.4.2 The Officer must produce suitable Terms of Reference (ToRs) setting out the scope of the assignment/study. This should be used to invite proposals from the Consultant[s]
- 7.4.3 The *Officer* must be satisfied that the fees and charges are reasonable and that appropriate procedures have been followed having regard to the type of work, prevailing market conditions and the particular knowledge or expertise of the consultant.
- 7.4.4 All consultants used must have:
- performed satisfactory work of a similar nature within the previous two years, or provided satisfactory evidence of relevant work carried out for other similar organisations within the last three years;
 - relevant specialist knowledge and experience which is likely to be of value to Maldon;
 - Hold professional indemnity of a sufficient level to protect the Council's interest

8. PRE-MARKET ENGAGEMENT

8.1 Officers must engage with procurement prior to commencing Market engagement.

Market engagement is permitted for the purposes of:

- Developing the Council's requirements and approach to the procurement
- Designing a procedure, conditions of participation or award criteria
- Preparing the tender notice and associated tender documents
- Identifying suppliers that may be able to supply the requirement (understanding the market).
- Identifying contractual terms
- Building capacity amongst suppliers in relation to the contract.

8.2 Market engagement must not have the effect that suppliers participating are put at an unfair advantage or that competition is otherwise distorted. If an officer deems that a supplier has been put at an unfair advantage, they must contact Procurement and Legal Services before progressing further with the procurement.

8.3 If the procurement is valued over the relevant UK procurement threshold, a preliminary market engagement notice must be published on the government's Central Digital Platform/Find a Tender.

9. STANDARDS AND AWARD CRITERIA

9.1 The Officer must ascertain what are the relevant British, European, or international standards which apply to the subject matter of the contract. The Officer must include those standards which are necessary to describe the required quality. .

9.2 The Officer must define award criteria that are appropriate to the requirement and designed to secure an outcome giving Value for Money for the authority. Where The award criteria;

- Is the 'Most Advantageous Tender' where considerations other than price also apply.
- Savings over the life of the contract
- Sustainable Procurement
- Social Value
- The subject matter of the contract

9.3 Award Criteria must not include:

- Non-commercial Considerations
- Matters which discriminate against suppliers or signatories to the Government Procurement Agreement.

10. INVITATIONS TO TENDER / QUOTATIONS

10.1 Procurements £5,000 up to £50,000

10.1.1 The Officer responsible must ensure they have the budget and appropriate approvals in place to commence the quote process. Where the value of the contract exceeds £50,000 then a tender process must be followed using the Councils nominated e-tendering portal via Procurement. Guidance should be sought from the Lead Specialist Procurement as to the correct process to follow at the earliest stage.

10.1.2 Where possible the Council shall ensure that for purchases of a value of up to £50,000 that at least two SME / Local supplier is invited to quote for suitable and relevant contracts. While there are no legislative timescales for return of quotes the deadline given to suppliers should be proportionate to the level of work expected for their submission. All documents and communications should be kept and where the lowest price is not accepted this must be recorded.

10.1.3 Once approval to proceed has been obtained by the necessary delegated authority the process should include the following:

- Details of the goods, services or works to be supplied;
- Where and when delivery is to take place;
- The total value of the contract; and
- The terms and conditions to apply including the price and payment terms.
- The terms of the purchase order should suffice for a contract.
- Use of the correct templates found on freshservice or obtained from Procurement

10.1.4 Where a quote is of a value of £30,000 and above then a below threshold tender notice must be published on the Central Digital Platform via the Council's e-tendering solution. All documentation/evidence and approval to award must be retained by the officer and forwarded to Procurement.

10.2 Procurements valued between £50,000 up to UK Threshold

10.2.1 Prior to commencing a tender process the Responsible Officer should engage with procurement at the earliest opportunity and ensure;

- (a) Approval to proceed to a procurement and award of contract in compliance with the Councils internal governance policies has been obtained. A business case / procurement plan will be required.
- (b) Responsible Officers must create a robust risk assessment as part of the procurement planning process in conjunction with Procurement.
- (c) The risk assessment must be reviewed and updated regularly during the procurement process and through the contract term.
- (d) Ensure there is no existing Council contract, framework, Dynamic Market or Dynamic Purchasing System before procuring the requirement.
- (e) Have a specification that describes the authority's requirements in sufficient detail to enable the submission of competitive offers has been completed. The inclusion of social value criteria should also be considered.

- (f) An open tender process must be followed, for the avoidance of doubt it is not possible to restrict the submission of tenders by reference to an assessment of suppliers' suitability to perform the contract.
- (g) All relevant procurement documentation, including details of the evaluation criteria, will be developed by the Responsible Officer and Procurement.
- (h) The Council must have regard to the fact that small and medium sized enterprises may face particular barriers in competing for a contract and consider whether such barriers can be removed or reduced
- (i) Tenders must be evaluated according to the advertised evaluation criteria. clarification questions may be asked of bidders providing the response would not have the effect of materially changing the tender received.
- (j) A tender report will be prepared by Procurement for approval to award the contract.
- (k) Following approval to award the contract, a contract details notice must be published on the Central digital platform via the Councils e-tendering solution.
- (l) All bidders will be notified of the outcome via the e-tendering solution.
- (m) The contract must be signed by both parties prior to the contract commencing.
- (n) The contract must be managed throughout the life cycle.

10.3 Procurements valued over the UK threshold

10.3.1 The Responsible Officer must engage with Procurement at the earliest opportunity. There are strict deadlines and requirements for all over threshold procurements which are legal requirements under the Act.

- (a) Approval to proceed to a procurement and award of contract in compliance with the Councils internal governance policies has been obtained. A business case/procurement plan will be required.
- (b) Responsible Officers must create a robust risk assessment as part of the procurement planning process in conjunction with Procurement.
- (c) The risk assessment must be reviewed and updated regularly during the procurement process and through the contract term.
- (d) Procurement will confirm the most appropriate procurement process to use.
- (e) Where preliminary market engagement is used to inform the procurement process, a preliminary market engagement notice must be published on the Central Digital Platform via the Council's e tender solution.
- (f) All relevant procurement documentation, including details of the evaluation criteria, will be developed by the Responsible Officer in consultation with the Procurement.
- (g) A tender notice must be published on the Central Digital Platform via the Council's e tender solution with associated tender documents.
- (h) Tenders must be evaluated according to the published evaluation criteria. Clarification questions may be asked of bidders as long as the response would not have the effect of materially changing the tender received.
- (i) The bidder with the highest evaluation score will normally be awarded the contract, if this is not the case further advice must be sought from the Procurement and Legal Services.

- (j) An award report will be prepared by Procurement for approval to proceed to awarding the contract.
- (k) All bidders must be notified of the award decision simultaneously via the Council's e tender solution whether or not their tender was successful, Procurement will prepare the relevant assessment summaries. Once assessment summaries have been sent to bidders a Contract Award Notice must be published on the Central Digital Platform via the Council's e tender solution.
- (l) The publication of the Contract Award Notice starts the mandatory eight (8) working days standstill period. If, during the standstill period, a challenge or request for feedback is received from an unsuccessful bidder, the standstill period must be paused until the matter is successfully resolved. No contract award can take place in the intervening period.
- (m) A Contract Details Notice must be published within thirty (30) days of the contract being entered into. Where the value of the contract is more than £5m, a redacted copy of the contract must be published within ninety (90) days of the contract being entered into and the Notice must contain details of the KPIs (at least three (3)) that will be used to monitor the contract.
- (n) The contract must be signed or sealed by both parties before contract delivery starts. The Responsible Officer must ensure that procurement is in receipt of a copy of the fully signed contract.

10.4 Light Touch Contracts

10.4.1 Light touch contracts cover certain social, health, education or other public services provided directly to individuals or groups of individuals and therefore have some differences such as threshold limits and a greater flexibility. Contracts of this nature with a value below the threshold are subject to the remainder of the rules. The Council still remains bound by the requirement to ensure procurements do not result in non-compliance with the Act.

10.4.2 Where a Responsible Officer considers their contract may fall under the Light Touch regime they should contact procurement in the first instance.

10.5 Concession Contracts

10.5.1 Concession contract is a contract that is concluded in writing where the consideration for the contract is the concessionaires right to profit from the works / services that are the subject of the contract.

10.5.2 Where a Responsible Officer considers their contract may fall under the Concession regime they should contact procurement in the first instance.

11. TENDER EVALUATION

11.1 Tenders received after the fixed closing date and time or tenders which are not submitted in accordance with these rules and any criteria set out in the procurement documentation will be disqualified unless otherwise agreed by Procurement and where appropriate Legal Services.

11.2 If there is an obvious ambiguity or error in the tender and that ambiguity or error has a simple explanation, bidders may be invited to correct their tender.

- 11.3 Bidders may seek clarifications throughout the procurement process, such clarification requests must be recorded in writing and where the response may be of value to potential bidders, the anonymised response must be circulated to all those potential bidders. Under no circumstances can clarification processes be used as an opportunity to conduct negotiations.
- 11.4 Evaluation must be conducted in accordance with the published criteria. Evaluations will be by way of individual evaluation and where appropriate include a final moderation meeting.
- 11.5 The Procurement Act 2023 places an obligation on the Council to notify a bidder if it considers a price to be abnormally low and give the bidder reasonable opportunity to demonstrate that it will be able to perform the contract for the price offered. If the bidder is unable to demonstrate that, its tender may be disregarded

12. BONDS AND PARENT COMPANY GUARANTEES

- 12.1 The Officer must consult the Chief Finance Officer about whether a Parent Company Guarantee is necessary when a Candidate is a subsidiary of a parent company and:
- the Total Value exceeds £250,000; or
 - award is based on evaluation of the parent company; or
 - there is some concern about the stability of the Candidate.
- 12.2 The Officer must consult the Chief Finance Officer about whether a Bond is needed:
- where the Total Value exceeds £250,000, or
 - where it is proposed to make stage or other payments in advance of receiving the whole of the subject matter of the contract and there is concern about the stability of the Candidate.

13. CONTRACT DOCUMENTS

- 13.1 All Contracts that exceed £50,000 shall be in writing.
- 13.2 All Relevant Contracts, irrespective of value, shall clearly specify:
- what is to be supplied (i.e. the works, materials, services, matters or things to be furnished, had, or done);
 - the provisions for payment (i.e. the price to be paid and when);
 - the time, or times, within which the contract is to be performed;
 - the provisions for the council to terminate the contract.
- 13.3 In addition, every Relevant Contract of purchase over £50,000 must also state clearly as a minimum:
- that the contractor may not assign or sub-contract without prior written consent;
 - any insurance requirements;
 - health and safety requirements;
 - ombudsman requirements;

- data protection Act 2018 (General Data Protection Regulation (GDPR) requirements, if relevant;
- that charter standards are to be met if relevant;
- race relations requirements;
- Disability Discrimination Act requirements;
- Freedom of Information Act requirements;
- where Agents are used to let contracts, that Agents must comply with the council's contract procedure rules;
- a right of access to relevant documentation and records of the contractor for monitoring and audit purposes if relevant.

13.4 The formal advice of Procurement and Legal Services must be sought for the following contracts:

- where the Total Value exceeds UK Threshold;
- those involving leasing arrangements;
- where it is proposed to use a supplier's own terms;
- those involving the purchase of application software with a Total Value of more than £50,000;
- those that are complex in any other way.

13.5 All contracts must be concluded in writing or by email before the supply, service or construction work begins.

13.6 The Officer responsible for securing signature of the contract must ensure that the person signing for the other contracting party has authority to bind it.

13.7 Sealing

13.7.1 Where contracts are completed by each side adding their formal seal, such contracts shall be signed in accordance with the Council's constitution.

13.7.2 Every council sealing will be consecutively numbered, recorded and signed by the person witnessing the seal.

13.7.3 A contract must be sealed where:

- the Council may wish to enforce the contract more than six years after its end;
- the price paid or received under the contract is a nominal price and does not reflect the value of the goods or services.

14. CONTRACT MANAGEMENT

14.1 The Procurement Act 2023 now specifies a number of requirements in terms of Contract Management. All contract performance requirements throughout the life cycle of the contract must be considered at pre-tender stage and included in the tender documents. Contract performance requirements should be proportionate to the individual contract.

- 14.2 Contract Managers must keep a record of key dates with the lifecycle of a contract including but not limited to the dates of reviews, insurance renewals, any contractual ability to extend a contract, the notice periods required and the expiry of the term of contract.
- 14.3 At least six months prior to the expiry of a contract the contract manager should consult with procurement to agree if there is an option to extend and if taking up that option or renewal of a contract.
- 14.4 Contract managers are responsible for contract management on a day to day basis and in addition to contract inception meetings, and agreed implementation plans, as required shall be responsible for the regular review and monitoring of a contract with the supplier, and on an annual basis ensuring that all required insurances are renewed and that Business continuity plans, if used are reviewed.
- 14.5 For all contracts at or above the UK threshold value, information has to be published on the Councils e-tendering solution annually throughout the life cycle of the contract, including performance against any Key Performance indicators (KPIs) (a minimum of 3 KPIs should be set) and on termination of the contract
- 14.6 For all contracts with a value higher than the UK Threshold limits, or which are High Risk, an annual report must also be submitted to the relevant Committee.
- 14.7 Where the Total Value of the contract exceeds £250,000, the Officer must make a written report to the relevant Committee evaluating the extent to which the purchasing need and the contract objectives were met by the contract. This should be done normally when the contract is completed. Where the contract is to be re-let, a provisional report should also be available early enough to inform the approach to re-letting of the subsequent contract.

15. MODIFYING A CONTRACT

- 15.1 Contracts may only be extended or varied if all of the following conditions have been met;
- The extension or variation is in accordance with the terms and conditions of the existing contract;
 - The contract has not been extended before the extension or variation and has an approved budget allocation
 - Legal advice must be sought before assignments or novation's are entered into;
- 15.2 For the avoidance of doubt, extensions are not permitted where they are not provided for in the original contract.
- 15.3 If the contract is valued over the relevant UK Procurement Threshold, advice from the Procurement and Legal should be sought before a substantial modification is made. A substantial modification is one which would;
- Increase or decrease the term of the contract by more than 10% of the maximum term provided for,
 - Materially change the scope of the contract, or
 - Materially change the economic value of the contract in favour of the supplier.

- 15.4 Before modifying a contract valued over the relevant UK procurement threshold or when a modification takes the value over the relevant UK procurement threshold, a Contract Change notice must be published except where:
- The modification increases or decreases the estimated value of the contract in the case of goods/services by less than 10% or in the case of works by less than 15%, or
 - The modification increases or decreases the term of the contract by less than 10%.
- 15.5 If the value of the contract is over £5m a redacted copy of the modified contract must be published via an updated Contract Details Notice on the Central Digital Platform via the Council's e-tendering solution.

16. CONFLICTS OF INTEREST

- 16.1 Officers must take all reasonable steps to identify and keep under review any conflicts of interest or potential conflicts of interest.
- 16.2 Any person who influences a decision must be included in the conflict of interest review.
- 16.3 Officers must take all reasonable steps to ensure that a conflict of interest does not put a supplier at an unfair advantage or disadvantage. If the officer deems that the advantage or disadvantage cannot be avoided, they should contact the Procurement and Legal Services before progressing further with the procurement. This obligation starts when the need for the procurement is first identified and continues until the termination of the contract.
- 16.4 Where the procurement is valued over £100,000, a conflicts assessment must be prepared by the Responsible Officer in conjunction with Procurement before the procurement is published. This should include details of all conflicts or potential conflicts of interest and any steps that the Council has taken or will take to mitigate that conflict of interest. This may include any steps taken to demonstrate that there is no conflict of interest where one might be perceived.
- 16.5 The conflicts assessment must be kept under review and revised as necessary during the procurement and contract term.
- 16.6 Officers and Members involved in a procurement will, at all times, act in a way that is consistent with their Code of Conduct.

17. DECLARATION OF INTERESTS

- 17.1 If it comes to the knowledge of a member or an employee of the authority that a contract in which he or she has a pecuniary interest as described in the Code of Conduct has been or is proposed to be entered into by the Council, he or she shall immediately give written notice to the Monitoring Officer. The Monitoring Officer shall report such declarations to the appropriate Committee.
- 17.2 The Monitoring Officer shall maintain a record of all declarations of interests notified by members and Officers

- 17.3 The Deputy Chief Executive shall ensure that the attention of all members is drawn to the Council's Code of Conduct when taking office.
- 17.4 Any officer or Member who fails to declare a conflict of interest may be subject to disciplinary proceedings and risks being prosecuted under the Bribery Act 2010.

18. PREVENTION OF CORRUPTION

- 18.1 The Officer must comply with the Code of Conduct and must not invite or accept any gift or reward in respect of the award or performance of any contract. High standards of conduct are obligatory. Corrupt behaviour will lead to dismissal and is a crime under the statutes referred to in Rule 18.2 below.

- 18.2 The following clause **must** be put in every written Council contract:

"The Council may terminate this contract and recover all its loss if the Contractor, its employees, or anyone acting on the Contractor's behalf do any of the following things:

- (a) offer, give or agree to give to anyone any inducement or reward in respect of this or any other Council contract (even if the Contractor does not know what has been done), or*
- (b) commit an offence under the Prevention of Corruption Acts 1889 to 1916 or Section 117(2) of the Local Government Act 1972, or*
- (c) commit any fraud in connection with this or any other Council contract whether alone or in conjunction with Council members, contractors, or employees. Any clause limiting the Contractor's liability shall not apply to this clause."*

DEFINITIONS APPENDIX

Agent	A person or organisation acting on behalf of the council or on behalf of another organisation.
Assistant Director	Responsible for operational delivery of services and designated as such in the constitution
Approved Buyer	Officer Designated by an Assistant Director who is authorised to generate electronic orders on behalf of the Council.
Award Criteria	The criteria by which the successful Quotation or Tender is to be selected
Award Procedure	The procedure for awarding a contract
Best Value	The duty, which Part I of the Local Government Act 1999 places on local authorities, to secure continuous improvement in the way in which functions are exercised, having regard to a combination of economy, efficiency and effectiveness as implemented by the council. This terminology has now in many instances been superseded by Value for Money.
Bond	An insurance policy: if the contractor does not do what it has promised under a contract with the council, the council can claim from the insurer the sum of money specified in the bond (often 10% of the contract value). A bond is intended to protect the council against a level of cost arising from the contractor's failure.
Candidate	Any person who asks or is invited to submit a Quotation or Tender.
Chief Finance Officer	The Officer Designated Chief Finance Officer (Section 151 Officer) by the Council.
Code of Conduct	The respective codes regulating the conduct of Members and Officers.
Committee	A Committee which has power to make decisions for the Council, for example a joint Committee with another local authority, but not the scrutiny Committee.
Constitution	The constitutional document approved by the council which: <ul style="list-style-type: none"> • allocates powers and responsibility within the council and between it and others; • delegates authority to act to the Committees, and Officers; • regulates the behaviour of individuals and groups through rules of procedure, codes, and protocols.
Consultant	Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, who brings specialist skills or knowledge to the role, and where the council has no ready access to employees with the skills, experience, or capacity to undertake the work.
Corporate Contract	A contract let by the Council to support the council's aim of achieving Value for Money.
UK Procedure	The procedure required by the UK where the Total Value

	exceeds the UK Threshold.
UK Threshold	The contract value at which the UK public procurement directives apply.
European Economic Area	The members of the European Union, and Norway, Iceland, and Liechtenstein.
Financial Officer	The most senior Officer representing the Chief Finance Officer or designated by him/her to provide financial advice to the Deputy Chief Executive and/or the Chief Executive
Financial Regulations and procedures	The financial regulations and procedures outlining Officer responsibilities for financial matters issued by the Chief Finance Officer in accordance with the Constitution.
Framework Agreement	An agreement between one or more authorities and one or more economic operators, the purpose of which is to establish the terms governing contracts to be awarded during a given period, in particular with regard to price and, where appropriate, the quantity envisaged.
Government Procurement Agreement	The successor agreement to the General Agreement on Trade and Tariffs. The main signatories other than those in the European Economic Area are the USA, Canada, Japan, Israel, South Korea, Switzerland, Norway, Aruba, Hong Kong, China, Liechtenstein, and Singapore.
High Profile	A high-profile purchase is one that could have an impact on functions integral to council service delivery should it fail or go wrong.
High Risk	A high-risk purchase is one which presents the potential for substantial exposure on the council's part should it fail or go wrong.
High Value	A high-value purchase is where the value exceeds the UK Threshold values.
Invitation to Tender	Invitation to tender documents in the form required by these contract procedure rules.
Key Decision	Decisions that are defined as key decisions in the Constitution.
Members	Persons currently elected to serve on the Council
Monitoring Officer	The Officer defined as such in the Constitution
Nominated Suppliers and Sub-contractors	Those persons specified in a main contract for the discharge of any part of that contract.
Non-commercial Considerations	<ul style="list-style-type: none"> a) The terms and conditions of employment by contractors of their workers or the composition of the arrangements for the promotion, transfer, or training of or the other opportunities afforded to, their workforces ('workforce matters'). b) Whether the terms on which contractors contract with their sub-contractors constitute, in the case of contracts with individuals, contracts for the provision by them as self-employed persons of their services only. c) Any involvement of the business activities or interests of

contractors with irrelevant fields of government policy.

- d) The conduct of contractors or workers in industrial disputes between them or any involvement of the business activities of contractors in industrial disputes between other persons ('industrial disputes').
- e) The country or territory of origin of supplies to, or the location in any country or territory of the business activities or interests of, contractors.
- f) Any political, industrial, or sectarian affiliations or interests of contractors or their directors, partners, or employees.
- g) Financial support or lack of financial support by contractors for any institution to or from which the authority gives or withholds support.
- h) Use or non-use by contractors of technical or professional services provided by the authority under the Building Act 1984 or the Building (Scotland) Act 1959. Workforce matters and industrial disputes, as defined in paragraphs (a) and (d), cease to be non-commercial considerations to the extent necessary or expedient to comply with Best Value; or where there is a transfer of staff to which the Transfer of undertakings. (Protection of Employment) Regulations 1981 (TUPE) may apply.

Officer	The Officer designated by the Assistant Director to deal with the contract in question.
Parent Company Guarantee	<p>A contract which binds the parent of a subsidiary company as follows:</p> <ul style="list-style-type: none"> • if the subsidiary company fails to do what it has promised under a contract with the council, the council can require the parent company to do so instead.
Procurement Strategy	The document setting out the council's approach to procurement and key priorities for the next few years.
Project Management Methodology	The process set up by the Council to ensure that a project is executed in a disciplined and structured manor
Procurement guidance	The suite of guidance documents, together with a number of standard documents and forms, which supports the implementation of these Contract Procedure Rules. The guidance is available on the council's intranet.
Procurement Act 2023	An Act of the parliament of the United Kingdom to simplify procurement processes, become more transparent and deliver better value for money.
Quotation	A quotation of price and any other relevant matter (without the formal issue of an Invitation to Tender).
Relevant Contract	Contracts to which these Contract Procedure Rules apply (see Rule 4).
Strategy and Resources	The directorate of the Council that includes responsibility for discharging the Council's procurement responsibilities

Directorate	
Service	The services provided by the Council are currently broken down into two directorate.
Solicitor	Any Solicitor designated by the Council's Chief Executive or the Monitoring Officer.
Tender	A Candidate's proposal submitted in response to an Invitation to Tender.
Total Value	<p>The whole of the value or estimated value (in money or equivalent value) for a single purchase or disposal calculated as follows:</p> <ul style="list-style-type: none"> (a) where the contract is for a fixed period, by taking the total price to be paid or which might be paid during the whole of the period. (b) where the purchase involves recurrent transactions for the same type of item, by aggregating the value of those transactions in the coming 12 months. (c) where the contract is for an uncertain duration, by multiplying the monthly payment by 48. (d) for feasibility studies, the value of the scheme or contracts which may be awarded as a result. (e) for Nominated Suppliers and Sub-contractors, the total value shall be the value of that part of the main contract to be fulfilled by the Nominated Supplier or Sub-contractor.
TUPE (Transfer of Undertakings (Protection of Employment) Regulations 2006) (SI 2006 No.246)	<p>Subject to certain conditions, these regulations apply where responsibility for the delivery of works or services for the authority is transferred from one organisation (e.g. private contractor, local authority in-house team) to another (e.g. following a contracting out or competitive tendering process) and where the individuals involved in conducting the work are transferred to the new employer. These regulations seek to protect the rights of employees in such transfers, enabling them to enjoy the same terms and conditions, with continuity of employment, as existed with their former employer. Broadly, TUPE regulations ensure that the rights of employees are transferred along with the business.</p>
Value for Money	Value for money is not the lowest possible price; it combines goods or services that fully meet your needs, with the level of quality required, delivery at the time you need it, and at an appropriate price.



REPORT of CHIEF EXECUTIVE

to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025

ONE MALDON DISTRICT PARTNERSHIP ACTION PLAN - UPDATE

1. PURPOSE OF THE REPORT

- 1.1 To update the Committee on the delivery of One Maldon District Partnership action plan. Further to the high-level view given in corporate performance reporting, this report drills down into the action plan and specific delivery detail of the partnership.

2. RECOMMENDATION

That the Committee acknowledges the update provided on One Maldon District Partnership action plan and continues to monitor delivery.

3. SUMMARY OF KEY ISSUES

3.1 One Maldon District partnership (OMD)

- 3.1.1 Established in April 2022, the OMD Partnership is a partnership that works together to ensure the health and wellbeing of Maldon District residents. The OMD Partnership meets quarterly and brings together senior representatives from local statutory, voluntary and private sectors.
- 3.1.2 **APPENDIX 1** is the OMD partnership Terms of Reference.
- 3.1.3 In alignment with strategic work being undertaken by Essex County Council and NHS partners through the Mid Essex Alliance, the OMD partnership's approach to overseeing the District's health and wellbeing activities is informed by the wider determinants of health.
- 3.1.4 In 2023, Mid Essex Alliance commissioned the Centre for Thriving Places to create a Thriving Places Index framework for Mid Essex. This amalgamated data from historically siloed policy areas including health, housing, transport, and environment. In June 2024 this year, the OMD partnership held a workshop to understand this data framework locally and jointly agree interconnected priority outcomes. These are mental health, community cohesion, accessibility, community safety and green spaces.
- 3.1.5 £65,835 UK Shared Prosperity Fund (UKSPF) funding was allocated to Mid Essex Alliance this year. This was devolved to the OMD Partnership to deliver activities that will impact against Thriving Places outcomes in-year.
- 3.1.6 In August 2024, community partners were invited to express an interest to receive grant funding. A panel convened and shortlisted five projects. Collectively, the

projects focus on the mental health outcome and its interconnections with community cohesion, community safety and green spaces. Project activities will be delivered between October 2024 and March 2025. Learning will inform the next tranche of the OMD partnership's Thriving Places work, to take place from April 2025. The likely priority outcome to be focussed on is accessibility.

3.2 The OMD Partnership Action Plan

3.2.1 The OMD Partnership action plan is created in collaboration with OMD partners. It provides OMD partners with a means of holding each other to account for delivery of agreed actions.

3.2.2 **APPENDIX 2** is the OMD Partnership action plan.

3.2.3 The action plan defines roles and responsibilities for OMD partners to undertake a coherent and collaborative approach to delivery of OMD's work. It defines roles and responsibilities for key actions that deliver against OMD's in-year priorities.

3.2.4 The action plan is reviewed with OMD partners and updated at the start of each financial year. To ensure robust accountability, OMD's performance against the action plan is reported to this Committee. As at the end of November 2024, the action plan is 57% complete. It is on track to be at least 90% complete at financial year end.

3.2.5 The early learning from OMD partners in delivering this action plan suggests that the OMD Partnership has matured to a point where it is better able to strategically plan its work over the next three to five years. Further conversations are due to take place in 2025.

3.2.6 The OMD Partnership is keen to positively influence partners with its 'connect, inspire, impact' philosophy. It continually seeks to strengthen its communications and key messaging. **APPENDIX 3** is a new quarterly bulletin that is being trialled and has been well received.

4. CONCLUSION

4.1 The OMD Partnership is a senior level partnership that has translated strategic discussions into delivery of an in-year action plan. The action plan is forecast to be at least 90% complete at financial year end.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Supporting our communities

5.1.1 The OMD Partnership's multi-agency action plan delivers evidenced based Thriving Places projects to support and strengthen local vulnerable groups. The OMD Partnership champions an Asset Based Community Development (ABCD), a worldwide adopted approach to help local communities build on their passions and strengths. The OMD Partnership oversees inclusive community hubs and events throughout the year including U-Fest and 'Living Well In Winter' hubs with provision of winter advice packs.

5.2 Growing our economy

- 5.2.1 The OMD Partnership includes a Job Fair in its annual programme and ensures that residents have access to work and skills advice at community hub events.

5.3 Investing in our District

- 5.3.1 The OMD Partnership ensures its UKSPF funding allocation is spent sustainably for the benefit of the District's vulnerable residents.

5.4 Protecting our environment

- 5.4.1 The OMD Partnership's Thriving Places approach has identified usage of green spaces as being a key outcome. Its partners are jointly committed to recognising the importance of green spaces during the design and rollout of OMD UKSPF activities.

6. IMPLICATIONS

- (i) **Impact on Customers** – OMD Partnership projects are designed using ABCD principles to ensure that maximum benefits are realised for vulnerable groups that OMD is supporting, in line with their needs.
- (ii) **Impact on Equalities** – OMD Partnership projects are delivered in accordance with the Public Sector Equality Duty.
- (iii) **Impact on Risk (including Fraud implications)** – The OMD Partnership has strong links with community and voluntary groups. This helps the Council, and its strategic partners better understand the risks our communities are facing in terms of cost of living, social isolation etc. This puts OMD and the Council in a stronger position to positively influence coordination of funding and activities.
- (iv) **Impact on Resources (financial)** – The OMD Partnership has a named finance lead (Maldon CVS) that manages a pooled funding arrangement for OMD's administrative and training costs. The finance lead manages OMD's UKSPF budget allocation. The OMD Partnership is maturing its financial oversight processes to better understand the pipeline of funding opportunities that are available to OMD partners, to ensure OMD is best placed to grow and sustain its partnership work.
- (v) **Impact on Resources (human)** – The Council takes a lead role in the programme management of OMD partnership's action plan but with responsibilities for administration, communications, finance and project delivery shared across a number of OMD partner organisations.

Background Papers:

APPENDIX 1 – The OMD Partnership Terms of Reference

APPENDIX 2 – The OMD Partnership Action Plan

APPENDIX 3 – The OMD Partnership Quarter 2 Bulletin

Enquiries to: Matt Turner, Health Integration and Community Manager.

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One Maldon District Partnership Terms of Reference

1. What is One Maldon District?

One Maldon District is a senior level partnership, working together to ensure a healthier and prosperous Maldon District. One Maldon District seeks to maximise collaboration to ensure there is an abundance of opportunities for enhanced health, wellbeing, community safety and feeling of safety within communities across the District.

2. One Maldon District purpose

One Maldon District has been established to bring together senior representatives from the local statutory, voluntary and private sectors to enhance local quality of life, jointly bid and draw down funding, discuss and link strategies and initiatives. The main purpose of One Maldon District is to:

- Focus on a 'wider determinants of health' approach to jointly agree key outcomes and priorities – informed by data.
- Provide a joined-up approach to these key outcomes and priorities.
- Provide oversight to performance and delivery of Maldon District Livewell Group and Responsible Authorities Group; and
- Aspire to be an example of best strategic partnership working.

3. One Maldon District aims

One Maldon District is a vehicle to ensure strategic leaders collaborate and work together to drive and lead change, our key aims will include:

- Act as a vehicle which provides a united voice from and into Maldon District at both a regional and national level.
- To horizon scan new opportunities and challenges for Maldon District, translating them into local action for partners and partnerships.
- To lead efforts to better align organisational resources, including pooling resources where appropriate, to reduce duplication and deliver improved outcomes at less cost.
- To provide strong and effective leadership to the Maldon District, by challenging one another, holding each other to account and overcoming any blockages within own organisations.
- To work to integrate relevant data, research and intelligence functions and promote shared understand and analysis of needs.



- To ensure effective links between the Strategic Boards and with communities through communication, networking, and engagement.
- To escalate or refer matter where there is changing demographic needs or issue in Maldon District that needs further exploration.
- Ensure community is at the heart of what we do by leading on social cohesion, fostering asset-based community development and ensure priorities and outcomes are informed by effective community engagement.
- Maximising and sharing funding opportunities to strengthen and provide expert support of bid submission and grant distribution.

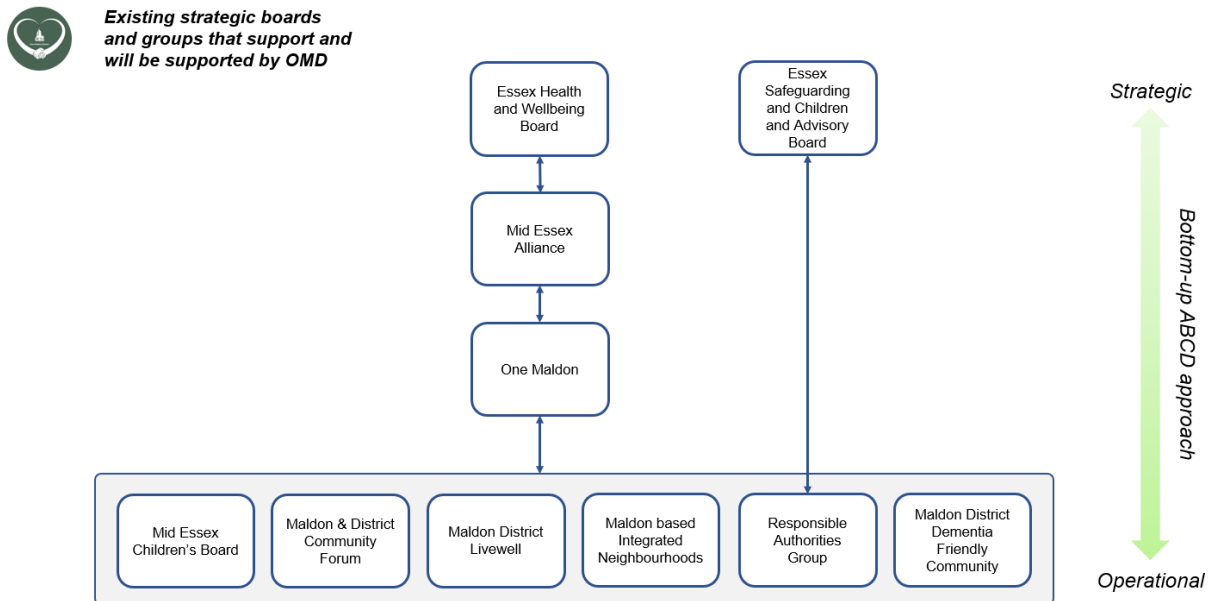
4. Membership

- One Maldon District is a strategic level board that unites organisations from the community, business, public and voluntary sector.
- The level of membership required is so a member can represent whole organisations or sectors, devise and confirm a joint strategic plan, make high level decisions, commit resources, and seek to break down any operational barriers.
- Organisations and sectors included in One Maldon District membership includes but is not limited to:
 - Local Authority – Maldon District Council and Essex County Council
 - Health – NHS Mid Essex Alliance, Active Essex
 - Voluntary Sector – Maldon and District CVS
 - Faith representation
 - Education – Schools, Further Education, Higher Education
 - Housing
 - Business
 - Political Leadership – Maldon District Council Leader and Leader of Opposition
 - Guest Speakers

Please see separate file for the **One Maldon District Membership List**. This is a live document that is held by the One Maldon District Administrator (see Section 9 below). New member requests are to be brought to the attention of the Chair. Requests will be authorised by vote at the next One Maldon District meeting.



Figure 1. Existing strategic boards and groups that will support and be supported by One Maldon District



Nature and frequency of meetings

The One Maldon District board shall meet quarterly to develop its strategic plan and review progress towards achieving the priorities within the plan.

The board will have the ability to meet more often if required.

5. Roles and responsibilities

Chair

The One Maldon District Chair shall be elected annually and shall Chair for no more than 2 consecutive years. The Chair shall also be supported by a Vice Chair. Characteristics of the Chair suggested are:

- Integrity
- Clear vision and passion for One Maldon District
- Emotional intelligence
- Decisiveness
- Ability to chair meetings
- Personal strength and courage

Chair responsibilities:

- Ensure that One Maldon District meetings are run effectively, focusing on the key priorities and making best use of time available.
- Ensure that all members have an equal opportunity to participate in discussion and decision-making.



- Ensure clear lines of communication with all One Maldon District representatives.
- If the Chair is absent for any meeting, the Vice Chair shall chair that meeting and shall be entitled to exercise the Chair's casting vote if required.

Vice Chair

Vice Chair responsibilities:

- Carry out the role as described above when the Chair is not available.

Members

Members' responsibilities:

- Attend meetings regularly.
- Actively participate in discussions and decision making.
- Share updates and information from their respective organisations.
- Implement agreed actions within their organisations.

Administrator

Administrator responsibilities:

- Organise pre- and post-meets for key One Maldon attendees wishing to help jointly set the agenda for each meeting.
- Distribute agenda and meeting materials in advance.
- Organise venue hire.
- Oversee set-up of electronic equipment for meetings.
- Liaise with minute taker to ensure sharing of meeting minutes for ratification at post-meets.
- Track action items and ensure follow-up.

6. Quorum

The minimum number of partners who must be present at any meeting must include five partners. If there are less than five partners present, it can be recommended to seek ratification through e-mail of decisions to keep processes fluid and action focused.

7. Reporting and communication

The Chair of this board will agree and distribute an agenda at least seven working days in advance of the meeting along with any reports or updates.

Any reports or agenda items for presentation to the group must be lodged with the Chair for agreement with a minimum of ten days prior to the meeting date.

Meeting summary and action points will be provided to the membership within ten working days of the meeting.



It is to be agreed by the board that a minute taker is supplied by one organisation (for consistency).

8. Accountability

One Maldon District is accountable to the people of Maldon District. This accountability is through the existing accountability structures of the partner organisations. One Maldon District is committed to being transparent and responsible to the people it serves, and it will use the existing methods of accountability that are already in place for the different organisations involved.

9. Oversight of Delivery against One Maldon District priorities

At One Maldon District workshops held in October and December 2022, members agreed that One Maldon District needs to be 'action focused' as a strategic group. It was agreed that, from January 2023, a One Maldon action plan will be created to hold members to account for delivering actions against One Maldon District priorities. This action plan will be agreed and ratified by One Maldon District members. It will be reported on through governance arrangements that are in place at Maldon District Council to oversee delivery of the Council's Corporate Plan.

Key roles and responsibilities for delivery of the action plan are as follows:

- **One Maldon District Programme Manager** – Integrated Health and Community Manager, Maldon District Council
- **One Maldon District Administrator** – Mid Essex Alliance Business Support, NHS Mid Essex Alliance
- **One Maldon District Communications Lead** – Relationship Manager – Mid Essex, Active Essex
- **One Maldon District Data Lead** – Public Health Officer, Maldon District Council
- **One Maldon District Finance Lead** – Director, Maldon & District CVS

Updates on the One Maldon District Action Plan will be a standing agenda item at each quarterly meeting.

10. Financial processes

Pooled budget to cover ongoing One Maldon District costs

One Maldon District partners have agreed that members can contribute to a small, pooled annual budget. The suggestion for a non-mandatory, nominal contribution from each partner is £500.00 per annum. The pooled budget is to cover the ongoing costs of One Maldon District such as venue hire and training. The One Maldon District Finance Lead holds this budget on behalf of One Maldon District at the business bank account of their employing organisation.



Spend of £100.00 or below from this budget can be authorised virtually by ALL three of the following:

One Maldon District Chair

One Maldon District Programme Manager

One Maldon District Finance Lead

Spend of over £100.00 will need to be agreed with and authorised by all One Maldon District members.

The One Maldon District Finance Lead is required to monitor spend against the pooled budget and proactively flag to One Maldon District members if there is forecast under- or overspend within the financial year. In Quarter 3 each year, the Finance Lead will ask for pooled contributions from One Maldon District members for the upcoming financial year. At the end of Quarter 4, an annual financial summary will be presented to One Maldon District. This will be filed with the meeting minutes.

Grant Funding

In addition to holding a small, pooled budget, the One Maldon District Finance Lead can hold grant funding on behalf of One Maldon District. This is on the premise that the funding is utilised to deliver against One Maldon District's priorities as per the aims and purpose of One Maldon District outlined in this Terms of Reference. Responsibility for ensuring compliance with financial regulations and funding body requirements lies with the One Maldon District Finance Lead and the applicant organisation. Financial monitoring processes are to be agreed between the One Maldon District Finance Lead and the applicant organisation in accordance with the funding requirements. Grant financial monitoring will be amalgamated into existing One Maldon District reporting, to the satisfaction of One Maldon District members.



OMDP Action Plan FY24/25

57% of actions currently rated as Complete

Status key

Complete
Green - on track
Amber - at risk / under review
Red - severe slippage

Work Area	Action	Lead	Start date	End date	Current status	Comment
Programme Management						
Programme Team and Oversight	Secure OMDP Chair and Deputy Chair for year	Police, Fire and Crime Commissioner for Essex	Apr-24	Apr-24	Complete	
	Secure Programme Manager for year	Maldon District Council	Apr-24	Apr-24	Complete	
	Secure Programme Administrator for year	NHS ICB	Apr-24	Apr-24	Complete	
	Secure Programme Finance / Budget Holder for year	Maldon and District CVS	Apr-24	Apr-24	Complete	
	Secure Programme Data Lead for year	Maldon District Council	Apr-24	Apr-24	Complete	
	Secure Communications Lead for year	Active Essex	Apr-24	Apr-24	Complete	
	Update ToR	Maldon District Council	Jun-24	Sep-24	Complete	
Finance	Share FY2324 end-of-year financial position with OMDP members	Maldon and District CVS	Apr-24	Apr-24	Complete	Document shared with OMDP group in Q4 FY2324
	Create financial process for discretionary spend from OMDP budget up to the value of £100 and incorporate into ToR	Maldon and District CVS	Jun-24	Sep-24	Complete	
	Agree with OMDP group the intended approach for utilising in-year UK Shared Prosperity funding to be spent on TPI projects	Maldon and District CVS	Jun-24	Jul-24	Complete	
	Agree FY2526 contributions for pooled funding pot with OMDP partners	Maldon and District CVS	Oct-24	Dec-24	Green - on track	
	Understand appetite and potential from OMDP partners to keep a central record of funding pots and collectively horizon scan for additional funding opportunities	Maldon and District CVS	Oct-24	Dec-24	Green - on track	Consider Livewell, future HI funding pots, etc.
Communications	Create Communications Strategy to outline comms approach that aligns with this action plan and maximises potential reach and influence of OMDP across partners and residents	Active Essex	Apr-24	Jun-24	Complete	Document shared with OMDP members on 08/08/24
	Create Q1 OMDP briefing to share with partners	Active Essex	May-24	Jul-24	Complete	Briefing shared on 08/08/24
	Create Q2 OMDP briefing to share with partners	Active Essex	Aug-24	Sep-24	Complete	Briefing shared on 24/10/24
	Create Q3 OMDP briefing to share with partners	Active Essex	Dec-24	Jan-25	Green - on track	
	Create Q4 OMDP briefing to share with partners	Active Essex	Mar-25	Apr-25	Future action - not due yet	
	Create OMDP case studies with partners, project groups and residents	Active Essex	Jan-25	Apr-25	Future action - not due yet	To demonstrate through OMDP community hub work and TPI projects
	Present recommendation to OMDP group on best way of communicating OMDP work with residents	Active Essex	Apr-25	Apr-25	Future action - not due yet	Get comms right with partners first, understand their reach and potential for communicating OMDP vision, values, approach with residents

Work Area	Action	Lead	Start date	End date	Current status	Comment
Priority Outcome Work Areas						
Agreement of Outcome Priority Areas for FY24/25	Hold Thriving Places data workshop	Mid Essex Alliance	Jun-24	Jun-24	Complete	Workshop held on 13th June
	Collectively agreed key interconnected TPI outcomes and priorities	One Maldon District	Jun-24	Jul-24	Complete	Interconnected outcomes shared with OMDP group. Opportunity given to OMDP members to feedback on shortlisting of outcomes from 5th July to 19th July 2024.
	Roll out grant framework EOI to invite applications for SPF TPI funding to demonstrate delivery of in-year TPI projects	Maldon District Council	Aug-24	Aug-24	Complete	Application phase went live on 1st August.
	Shortlist projects	One Maldon District	Sep-24	Sep-24	Complete	
	Notify applicants on outcome of shortlisting process	One Maldon District	Sep-24	Sep-24	Complete	
Create OMDP Thriving Places 'Community of Practice'	Agree support offer and funding terms with Centre for Thriving Places	One Maldon District	Sep-24	Sep-24	Complete	
	Hold Community of Practice Workshop 1 with project leads and key OMDP partners	Centre for Thriving Places	Oct-24	Oct-24	Complete	
	Hold Community of Practice Workshop 2 with project leads and key OMDP partners	Centre for Thriving Places	Jan-25	Jan-25	Green - on track	Date agreed is 28/01/25.
	Hold Community of Practice Workshop 3 with project leads and key OMDP partners	Centre for Thriving Places	Mar-25	Mar-25	Future action - not due yet	
TPI project 1 - BoxSmart On The Ropes and Girls Inspired Courses	Agree and sign off grant agreement and set up processes for ongoing monitoring of deliverables	One Maldon District	Sep-24	Sep-24	Complete	
	Commence project	Project Lead 1	Oct-24	Oct-24	Complete	
	Attend Community of Practice Workshops	Project Lead 1	Oct-24	Mar-25	Green - on track	
	Complete project and submit end of project evaluation - joint and individual	Project Lead 1	Mar-25	Jun-25	Future action - not due yet	
TPI project 2 - Mental Health Counselling and Toolkit Training for Secondary School Children	Agree and sign off grant agreement and set up processes for ongoing monitoring of deliverables	One Maldon District	Sep-24	Sep-24	Complete	
	Commence project	Project Lead 2	Oct-24	Oct-24	Complete	
	Attend Community of Practice Workshops	Project Lead 2	Oct-24	Mar-25	Green - on track	
	Complete project and submit end of project evaluation - joint and individual	Project Lead 2	Mar-25	Jun-25	Future action - not due yet	
TPI project 3 - Walking Football	Agree and sign off grant agreement and set up processes for ongoing monitoring of deliverables	One Maldon District	Sep-24	Sep-24	Complete	
	Commence project	Project Lead 3	Oct-24	Oct-24	Complete	
	Attend Community of Practice Workshops	Project Lead 3	Oct-24	Mar-25	Green - on track	
	Complete project and submit end of project evaluation - joint and individual	Project Lead 3	Mar-25	Jun-25	Future action - not due yet	
TPI project 4 - Men's Health Project	Agree and sign off grant agreement and set up processes for ongoing monitoring of deliverables	One Maldon District	Sep-24	Sep-24	Complete	
	Commence project	Project Lead 4	Oct-24	Oct-24	Complete	
	Attend Community of Practice Workshops	Project Lead 4	Oct-24	Mar-25	Green - on track	
	Complete project and submit end of project evaluation - joint and individual	Project Lead 4	Mar-25	Jun-25	Future action - not due yet	
TPI project 5 - Maldon Pioneers in the Dengie	Agree and sign off grant agreement and set up processes for ongoing monitoring of deliverables	One Maldon District	Sep-24	Sep-24	Complete	
	Commence project	Project Lead 5	Oct-24	Oct-24	Complete	
	Attend Community of Practice Workshops	Project Lead 5	Oct-24	Mar-25	Green - on track	
	Complete project and submit end of project evaluation - joint and individual	Project Lead 5	Mar-25	Jun-25	Future action - not due yet	
OMDP TPI projects - evaluation	Compile report and data summary for each individual project	One Maldon District	Apr-25	Apr-25	Future action - not due yet	
	Compile report cotaining coproduced outcomes and recommendations from Community of Practice	One Maldon District	Apr-25	Jun-25	Future action - not due yet	
	Present evaluation to OMDP and agree next steps for recommendations	One Maldon District	Jul-25	Jul-25	Future action - not due yet	
Medium-term TPI actions	Agree medium-term actions to progress and incorporate into OMDP Action Plan - consider overlaying 'WIDER DETERMINANTS OF HEALTH' STRATEGIC FRAMEWORK	One Maldon District	Oct-24	Dec-24	Green - on track	
	Add 'conversations' / future agenda items - e.g. Health in Planning...					
	Health in Housing					

Work Area	Action	Lead	Start date	End date	Current status	Comment
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Key work areas brought forward from FY23/24:

Community Hubs	Present findings from first five months of Community Hubs to OMDP	Maldon District Council	Apr-24	Apr-24	Complete	
	Present calendar of Community Hubs scheduled for FY2425 and receive OMDP endorsement to proceed	Community Hub sub-group	Apr-24	Apr-24	Complete	
	Oversee delivery of OMDP Community Hub events throughout calendar year	Community Hub sub-group	Apr-24	Mar-25	Green - on track	
	Present learning from OMDP Community Hubs to OMDP. Transition delivery of hubs to BAU, to be evidenced to OMDP through bulletins.	Community Hub sub-group	Apr-25	Apr-25	Future action - not due yet	

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ONE MALDON DISTRICT

QUARTERLY BULLETIN (Q2 24/45)

This Bulletin is the second edition from One Maldon District (OMD) to highlight key achievements this quarter. OMD is a partnership of senior representatives, working together to better align resources, strategy and initiatives to positively impact communities.

APPENDIX 3



GET IN TOUCH
To find out more about OMD or the work of partners please contact Alex Card:
alexandra.card@maldon.gov.uk

WHAT'S COMING UP?

Living Well this Winter events - the community hub group are working together on what support OMD can give to residents over the winter.

COMMUNITY ENGAGEMENT

63
FAMILIES
ENGAGED

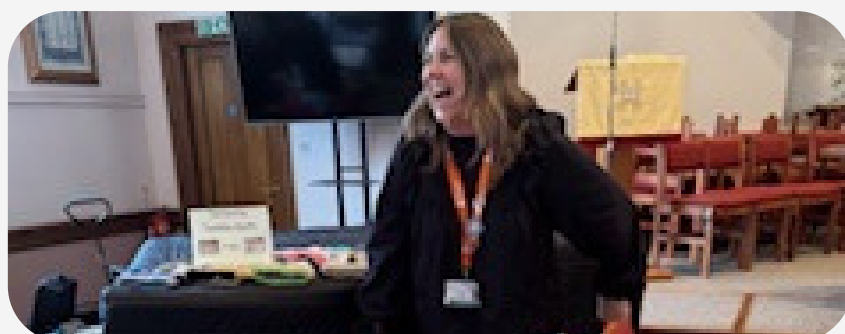
FREE FAMILY ACTIVITIES

In partnership with Places Leisure, OMD delivered two multi sport activities days in Maldon & Burnham.

78
ATTENDED

COMMUNITY IN A CUP

OMD supported Septembers Community in a Cup event which focused on respiratory and engaged new partners and residents.



TPI FUNDING

Following the TPI workshop last quarter, Maldon District Council launched their new fund which looked to award projects supporting the TPI data:

- Mental Health
- Community Safety & Cohesion
- Green spaces

19 Applications Submitted

5 Shortlisted & Approved

Project leads joining a Thriving Places community of practice to codesign shared aims, evaluation processes and recommendations.

NETWORKS & COLLABORATION

Community Supermarket



537 CYP ENGAGED 11% INCREASE

The Summer 2024, Essex ActivAte Programme engaged over 500 families across 7 Clubs in the District. An increase of 11% from summer 2023.



U FEST 2024

2000 Attendances

63 Stall holders

8 Zones

Integrated Neighbourhoods

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REPORT of CHIEF EXECUTIVE

**to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025**

UK SHARED AND RURAL ENGLAND PROSPERITY FUNDS

1. PURPOSE OF THE REPORT

- 1.1 To update the Committee on the delivery of Maldon District's UK Shared and Rural England Prosperity Fund allocations.

2. RECOMMENDATION

That the Committee acknowledges the update provided on Maldon District's UK Shared and Rural England Prosperity fund allocations and continues to monitor the delivery in its final three months.

3. SUMMARY OF KEY ISSUES

3.1 UK Shared Prosperity Fund (UKSPF)

- 3.1.1 **APPENDIX 1** sets out the projects being delivered via the funding over the three-year period and their current status.
- 3.1.2 As advised in previous reports, where projects are not being progressed due to feasibility, funding will be reallocated to other existing projects within the investment plan. As we are in the final quarter of delivery, any deviations to the investment plan will be discussed and agreed with the Corporate Leadership Team as per the delegation given by the Strategy and Resources Committee on 14 July 2022.
- 3.1.3 At the time of writing this report, all of the funding, £1m, has been allocated to the progression of projects and agreed costs for management and administration.
- 3.1.4 The current financial year is the third, and final year of the initial UKSPF funding period 2022 - 2025. Officers continue to work very closely with project managers to ensure delivery is on track, within budget and completed before the deadline. Currently 87% of the total allocation has been spent; with the remaining projects schedule to complete as per the profile of the funding from government.
- 3.1.5 In the Autumn Budget 2024, the government announced the UKSPF will be extended for a transition year in 2025 / 26. Further guidance on the transition year was issued on 13 December 2024, and a report will be brought to the Strategy and Resources Committee on 23 January 2025 to update Members. The technical guidance confirmed that underspends from the initial allocation (2022 - 2025) cannot be carried forward to 2025 / 26 and will require a return of any unspent monies to the Ministry of Housing, Communities and Local Government (MHCLG).

3.2 Rural England Prosperity Fund (REPF)

- 3.2.1 As noted in the previous updates, the Council's REPF grant programme officially launched on 15 February 2024. Since the launch, 33 applications have been received, 21 under Supporting Rural Business and 12 under Supporting Rural Communities. At the time of writing this report, 19 applications have been approved and accepted by the applicants, to a value of £ £396,320 with £34,320 remaining.
- 3.2.2 Due to the number and value of the applications received, we are no longer accepting submissions to this fund. Any residual funds will be discussed with enquirers on a waiting list in the order received prior to the closure of the application period to ensure a fair process.
- 3.2.3 **APPENDIX 2** of this report details the grants issued and the purpose of the funding. Officers from the Council and our delivery partner, Rural Community Council of Essex (RCCE), will continue to work with grant recipients to monitor the projects progression where not yet complete.
- 3.2.4 The current financial year is the second, and final year of REPF delivery. Officers and RCCE will be working very closely with grant recipients to ensure the projects are delivered and completed before the deadline.
- 3.2.5 No further information has been provided from government regarding any potential extension or continuation of this specific fund.

4. CONCLUSION

- 4.1 UKSPF and REPF continue to present a significant opportunity for the District to support, through direct investment, in our economy, businesses and communities.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Supporting our communities

- 5.1.1 The UKSPF will support the UK government's wider commitment to level up all parts of the UK by delivering on each of the levelling up objectives, two of which are 'Restore a sense of community, local pride and belonging, especially in those places where they have been lost' and 'Empower local leaders and communities, especially in those places lacking local agency'.

5.2 Investing in our District

- 5.2.1 The primary goal of the UKSPF is to build pride in place and increase life chances across the UK. This aligns to the 'Promote civic pride in place and improve environmental quality' aspect of this priority.

5.3 Growing our economy

- 5.3.1 UKSPF delivery is delivering the Supporting Local Business engagement programme under this priority.
- 5.3.2 REPF will provide direct capital grants to eligible applicant businesses within the District.

5.4 Protecting our environment

- 5.4.1 Projects within the UKSPF investment plan will directly support the authority's Climate Action Strategy and yearly Climate Action Plan.
- 5.4.2 REPF will provide direct capital grants to eligible organisations within the District for rural circular economy projects.

6. IMPLICATIONS

- (i) **Impact on Customers** – Any project delivered will be designed to enable community groups and businesses to engage with to ensure there is significant customer benefit from its outputs.
- (ii) **Impact on Equalities** – Projects will be delivered in accordance with the Public Sector Equality Duty.
- (iii) **Impact on Risk (including Fraud implications)** – Should projects not progress as anticipated, future spend is at risk, so it is vital that activity is aligned and adequately reported to the funder to ensure compliance. The Council faces increased reputation risk if it fails to deliver to the expectations of stakeholders.
- (iv) **Impact on Resources (financial)** – The authority has agreement to use 6% of its revenue allocation to support the management and administration of the UKSPF programme. However, with the cost of doing business and supply chain pressures increasing it will be prudent to regularly assess pipeline projects to ensure viability and value for money.
- (v) **Impact on Resources (human)** – The coordination work for UKSPF and REPF work will be undertaken by the Lead Specialist Prosperity for the remainder of their contract. The delivery will be reviewed and reallocated as necessary afterwards. Project delivery is being well supported by resources drawn from the wider organisation and a Project Delivery Group with clear Terms of Reference has been developed.

Background Papers:

APPENDIX 1 - UK Shared Prosperity Fund Project Delivery Update

APPENDIX 2 - Rural England Prosperity Fund Grant Recipients

Enquiries to: Leanda Cable, Lead Specialist Prosperity.

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Appendix 1: UK Shared Prosperity Fund (UKSPF) Project Delivery Update

UKSPF Funding Year	Project	Update	Original Budget*	Revised	Spend to date
Year 1	Maldon Market	COMPLETED - moved to business as usual.	£26,000.00	£26,817.28	£26,807.94
Year 1	BID feasibility study	Project stopped due to viability. Funding reallocated to the Supporting Local Business engagement programme and Maldon Market.	£27,001.00	£0.00	£0.00
Year 1	Supporting Local Business engagement programme	Delivery of this contract through Let's Do Business Group has seen great success as evidenced in the relevant Corporate KPI reporting.	£10,000.00	£29,850.00	£29,850.00
Year 1-2	Men's Shed relocation	Contractor successfully appointed with physical works due to start in February 2025. Permitted Development Certificate has been obtained.	£70,000.00	£150,000.00	£143,825.02
Year 1-3	Mid Essex Alliance collaboration work/projects	<p>A total of 5 projects have been funded through the One Maldon District Partnership Thriving Places Index grants programme. Project delivery has commenced and are summarised as follows:</p> <ul style="list-style-type: none"> • BoxSmart On The Ropes and Girls Inspired Courses • Mental health counselling and toolkit training for secondary school children and the community • Walking Football • Men's Health Project • Maldon Pioneers in the Dengie 	£81,416.00	£81,416.00	£81,416.00
Year 2	Beat The Street	Beat The Street took place between 15 May and 26 June. 5225 residents took part, covering 38,673 miles. A final report will be issued in January. A summary video has been produced highlighting the community benefits, available at	£16,000.00	£12,000.00	£12,000.00

APPENDIX 1

UKSPF Funding Year	Project	Update	Original Budget*	Revised	Spend to date
		https://bit.ly/btsmaldon			
Year 2-3	North Essex Economic Board (NEEB)	Delivery of this contract through Let's Do Business Group has seen better results than previously commissioned business support programmes. Officers are working with the NEEB Programme Manager to ensure all KPIs are met.	£76,105.00	£76,104.31	£76,104.31
Year 2-3	Cost of living – Mobile Community Supermarket	The successful trial has led to further sessions being scheduled for 20 th , 23 rd and 30 th December. A van will be purchased imminently to transfer stock more easily.	£47,478.00	£32,188.41	£32,188.41
Year 3	Lower High Street Improvements (CAMP Project 2)	Officers are awaiting the final costings for the work to be progressed. This has been pursued with Senior Highways Officers to expediate its production.	£105,000.00	£85,000.00	£9,133.20
Year 3	Burnham On Crouch Pontoon	COMPLETED	£250,000.00	£135,000.00	£134,997.39
Year 3	District accessibility - BOC Accessible Play	COMPLETED	£0.00	£120,000.00	£120,000.00
Year 3	District accessibility - Promenade Park Accessible Play/Sensory Garden	COMPLETED	£110,000.00	£110,000.00	£110,000.00
Year 3	Promenade Park Management Plan	Public consultation is now underway with the project due to complete by 31 March 2025.	£62,000.00	£60,000.00	£25,025.00

APPENDIX 1

UKSPF Funding Year	Project	Update	Original Budget*	Revised	Spend to date
Year 3	Holiday Activity and Food (HAF) programme capacity funding	COMPLETED	£6,000.00	£4,000.00	£4,000.00
Year 3	District Youth Council	Work is being scoped with the Planning Policy Team to engage students and young people on the development of the local plan.	£16,000.00	£9,000.00	£0.00
Year 3	People and Skills	ACL are progressing the work as expected, with a dedicate Career & Skills Progression Advisor attending community events to promote the programme.	£10,000.00	£8,624.00	£8,623.50
Year 3	Cycling facilities	Project stopped due to viability and lack of interest from local areas.	£12,000.00	£0.00	£0.00
Year 3	Gateways	Project stopped due to viability.	£75,000.00	£0.00	£0.00
Year 1-3	Management and Admin Fee	Approved 6% management and administration fee as per original investment plan submission.	Not requested as a separate calculation in original submission	£60,000.00	£60,000.00
Total			£1,000,000.00	£1,000,000.00	£873,970.77

*6% management and administration fee included within costings as required by DLUHC

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Appendix 2: Rural England Prosperity Fund (REPF) Grant Recipients

Grant Recipient	Project	Value of grant	REPF Theme
Joyces Farm Trading	Creation of self storage containers and hardstanding for safe, secure affordable storage solutions for local residents/businesses	£10,000.00	Supporting Rural Business
IDC Greenscapes Ltd	Purchase of new mower and topper	£12,935.70	Supporting Rural Business
Temprd	Purchase of equipment to facilitate expansion of business	£36,160.00	Supporting Rural Business
Othona Community	Replacement canvases for camping yurts	£12,000.00	Supporting Rural Business
Hollands Wine	Procure winemaking equipment to increase capacity, including the production of sparkling wines on-site and the scale up of still wine	£49,642.40	Supporting Rural Business
Beacon Hill Yacht and Caravan Storage	Improve the environment of the site and enhance the visitor experience	£22,864.80	Supporting Rural Business
Clayhill Vineyard	Purchase of equipment to mechanise working practices and assist environmental sustainability	£7,750.00	Supporting Rural Business
D4G Consultancy Limited	Conversion of derelict building into modern work spaces	£19,322.65	Supporting Rural Business
Datum Attitude Brewing	Purchase of advanced packing equipment	£35,360.00	Supporting Rural Business
Howie and Sons	Provision of meeting room and upgraded toilets to business farmyard	£18,709.02	Supporting Rural Business
Honeywood Farm	Investment in solar panel and battery storage purchase	£38,000.00	Supporting Rural Business
Black Pig Catering	Creation of open kitchen, installation of pergola and contribution towards food trailer	£42,322.00	Supporting Rural Business
Burnham Heritage Wharf	Phase 1 restoration of wharves and jetties	£6,000.00	Supporting Rural Communities
Maldon and District CVS	Small panel van to facilitate the delivery of; community hubs, public living room, community gaming initiative, crisis response and as a community asset for the VCS	£9,000.00	Supporting Rural Communities

APPENDIX 2

Grant Recipient	Project	Value of grant	REPF Theme
Maldon Archaeological & Historical Group	Update to aging equipment to attract new people in gaining experience of archaeological and research approaches.	£6,100.00	Supporting Rural Communities
Friends of St George's Church, Heybridge Basin	Roof repairs and construction of footpath and patio area	£19,805.96	Supporting Rural Communities
Dawn Barge Sailing Trust	Capital items to fit out barge with generator, batteries, lighting and stove	£20,000.00	Supporting Rural Communities
St Peters Studio and Community Radio Limited	Purchase of studio and outside broadcast equipment	£6,835.24	Supporting Rural Communities
Combat Academy for Sport Limited	Refurbishment of Southminster MUGA	£23,200.00	Supporting Rural Communities
Total		£396,007.77	



REPORT of DEPUTY CHIEF EXECUTIVE

PERFORMANCE, GOVERNMENT AND AUDIT COMMITTEE 16 JANUARY 2025

HEALTH AND SAFETY UPDATE - QUARTER TWO 2024 / 25

1. PURPOSE OF THE REPORT

- 1.1 To provide an update on Health and Safety (H&S) statistics and activity during Quarter Two (1 July to 31 September 2024) (Q2).

2. RECOMMENDATIONS

- (i) That Members consider the accident and incident statistics and incidences of unacceptable behaviour reported;
- (ii) That Members consider progress of key health and safety themes (as per Section 3.2).

3. SUMMARY OF KEY ISSUES

3.1 Q2 2024 / 25

- 3.1.1 There were four accidents and incidents, seven hazards and three near misses reported during Q2. One of the accidents involved a report from a member of the public but could not be investigated further due to receiving no further contact. Hazards continue to be reported at depot sites, supporting the need for routine inspections of these areas. One accident concerned a road traffic collision where a staff member was taken to hospital as a precaution.

ACCIDENT/ INCIDENT REPORTS Q2 2024 / 25			
Event	Action	Note	Person
15-7-2024 (incident) Member of Parks team caused minor damage to wooden play equipment when ride on mower clipped a supporting post.	Minor debris (wood splinters) cleared. Maintenance teams asked to inspect due to incident.	Noted that this play site equipment is inspected by Maintenance team on a weekly basis as routine.	Employee
20-08-2024 (accident) Insect / other / unknown bite to parks operative leading to infection and significant swelling of wound	Staff members advised to take antihistamine due to possible allergic reaction.	Lost time accident leading to two days absence. Non RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) event due to limited duration of absence	Employee

ACCIDENT/ INCIDENT REPORTS Q2 2024 / 25			
Event	Action	Note	Person
14/08/2024 (accident) Member of the public reported young child (age unknown) being nearly strangled by play site equipment 'chains' whilst being supervised by the parent.	Equipment inspected as a result of the incident and no defect found. Equipment determined to meet current BSEN (British Standard European Norm) standards for such items.	Equipment inspected routinely by trained staff and annually by external contractor. Incident noted for further similar reports. Attempts to contact report owner unsuccessful.	Member of the public
27/09/2024 (accident). Member of staff involved in a road traffic collision whilst returning from a site visit. Staff Member taken to hospital by ambulance as a precaution. Lost time incident.	Accident investigated by the Police who concluded that member of staff was not at fault. Internal H&S investigation recommended improvements to site visit risk assessments (although this was not related to cause of the incident)	Staff member offered appropriate support (not accepted). Non RIDDOR reportable, as road traffic accident and not related to working practices on the road/roadside.	Employee

NEAR MISS / HAZARD REPORTS Q2 2024 / 25			
Event	Action	Note	Person
31/7/2024 (near miss) Private event on barge (berthed alongside MDC (Maldon District Council) property) reported to have taken place where guests were inebriated and no crew member present.	Berthing guidelines stating rules re-issued to all barge operators using MDC property.	MDC was not informed of any accident or incident associated with this event, although potential for such is acknowledged.	Member of the public
14/08/2024 (hazard) First aid kits in Maintenance Depot offices expired	Informed Depot Supervisor. Kits re-ordered and replaced.	Key staff member (responsible for kit checks) absent. Use of an area inspection proforma (with routine checks) recommended.	Employee
14/08/2024 (hazard) Fire alarm/detection system not tested for over a month	Informed Depot Supervisor. System tested post report.	Key staff member (responsible for alarm testing) absent.	Employee
21/08/2024 (hazard) Tent/Gazebo peg found protruding from grassed area after smoke and fire festival held there the previous week.	Area inspected for further pegs – none found. Due to size of area concerned, it is accepted that the possibility of such items being left behind remains a possibility.	To monitor and report as necessary in response to future events. No further action proposed.	Employee
12/09/2024 (hazard) Whilst working late in the offices a member of staff reported doors on fire escape route	Member of staff spoke to the facilities officer. Request made by Health and Safety		Employee

NEAR MISS / HAZARD REPORTS Q2 2024 / 25			
Event	Action	Note	Person
being locked by facilities officers prior to the agreed office closing time.	Manager to Facilities Team Leader to leave internal doors unlocked, where security not affected. Action complied with.		
25/09/2024 (near miss) Staff of a contractor company were verbally abused by a member of the public regarding the release of their dog (collected as a stray animal) from the kennels	Relevant MDC staff met with contractor and advised they report the incident to the Police. Actions agreed with the contractor regarding risk assessments and protocols required to mitigate against such events in future.	Report involves unacceptable behaviour.	Contractor
25/09/2024 (hazard). Fire exit in the Park's depot was locked and not in compliance with current requirements for operation or signage.	Reported to the Depot Supervisor, Team Manager and Head of Service		Employee
25/09/2024 (hazard) First aid kits in the Parks depot had expired and required replacement	Reported to the site Supervisor		Employee
25/09/2024 (hazard) Spill kits within the Parks depot were found to be extremely dirty and soiled	Reported to the site Supervisor		Employee
25/09/2024 (near miss) A number of items of electrical equipment (work tools) that were in use showed PAT (Portable Appliance Testing) dates that had exceeded their annual inspection period	Reported to the Site Supervisor	Annual PAT test now conducted. Tools should be assessed to determine if more frequent testing should be conducted.	Employee

3.1.2 There were two incidents of unacceptable behaviour reported. One report concerned an interaction between officers and a member of the public whilst undertaking work in the district. One report was received due to an interaction via e-mail.

UNACCEPTABLE BEHAVIOUR REPORTS Q2 2024 / 25			
Incident	Action	Note	Method
1/07/2024 Abusive e-mail to elections member of staff by a member of the public, who could not meet their request due to restriction put in place by relevant regulations.	No Action taken.	Incident is being followed up to determine if action is required.	e-mail.

UNACCEPTABLE BEHAVIOUR REPORTS Q2 2024 / 25			
Incident	Action	Note	Method
(19/09/2024) Community Engagement Officers subject to verbal abuse by member of the public, who also took photographs of them, when they undertook a speed check on their vehicle.	Incident logged, along with registration number and vehicle type. Incident reported to the Police	Officers conduct task in pairs. Incident not reported using correct internal procedure. Staff Members informed.	In person

3.2 Health and Safety Actions

3.2.1 A number of actions have been set out below. Work continues to progress these, however those now completed have been removed.

Subject	Action	Update / Progress
Emergency Procedures	(i) To revise and improve the fire an evacuation procedure (and supporting hardware) at main MDC locations.	(i) Final procedure for main offices now approved. Communication with partners ongoing. (ii) Procedures required for Depot sites.
Unacceptable Behaviour	(i) To revise the policy (ii) To improve system for reporting Unacceptable behaviour	(i) Draft in progress (workshop held) Ongoing / No update. (ii) Drafted system for comment and trial use. System modified on user comments. To be implemented
H&S Training	(i) To determine H&S training requirements (Corporate and Teams)	(i) Training requirements determined. (ii) Decision to track progress of department completion via balanced scorecard report on a monthly basis. Reiterated as part of recent audit finding.
Risk Assessment	(i) To implement a new risk assessment register / master list	(i) Framework complete. (ii) Teams currently revising risk assessments to ensure they are up to date. Reiterated as part of recent audit finding.
Lone Working	(i) To revise lone working procedure and to ensure implementation of appropriate hardware to support these measures.	(i) Ongoing. Questionnaire to be issued to managers to establish current precautions in place across the authority. No update.

Subject	Action	Update / Progress
Audit / Inspection	(i) To ensure service teams and work locations across MDC is in compliance with H&S Legislation	(i) Mini-audit action plans of Parks and Maintenance depots complete. Actions for completion with respective teams. (ii) Inspections of managed assets/services in progress. Protocol for sharing accident an incident data agreed for waste and leisure contractors. No update. Reiterated as part of recent audit finding. (iii) Observation of working practices to be established. No update. Reiterated as part of recent audit finding.

3.3 Health and Safety Groups

3.3.1 A senior managers and staff representatives' group for health and safety have been established and meetings continue at the scheduled frequency. Items are raised and tracked as appropriate. H&S communications are being issued to staff via the One Team briefing, as e-mails to relevant Supervisors and Managers and as News items on the H&S SharePoint Page.

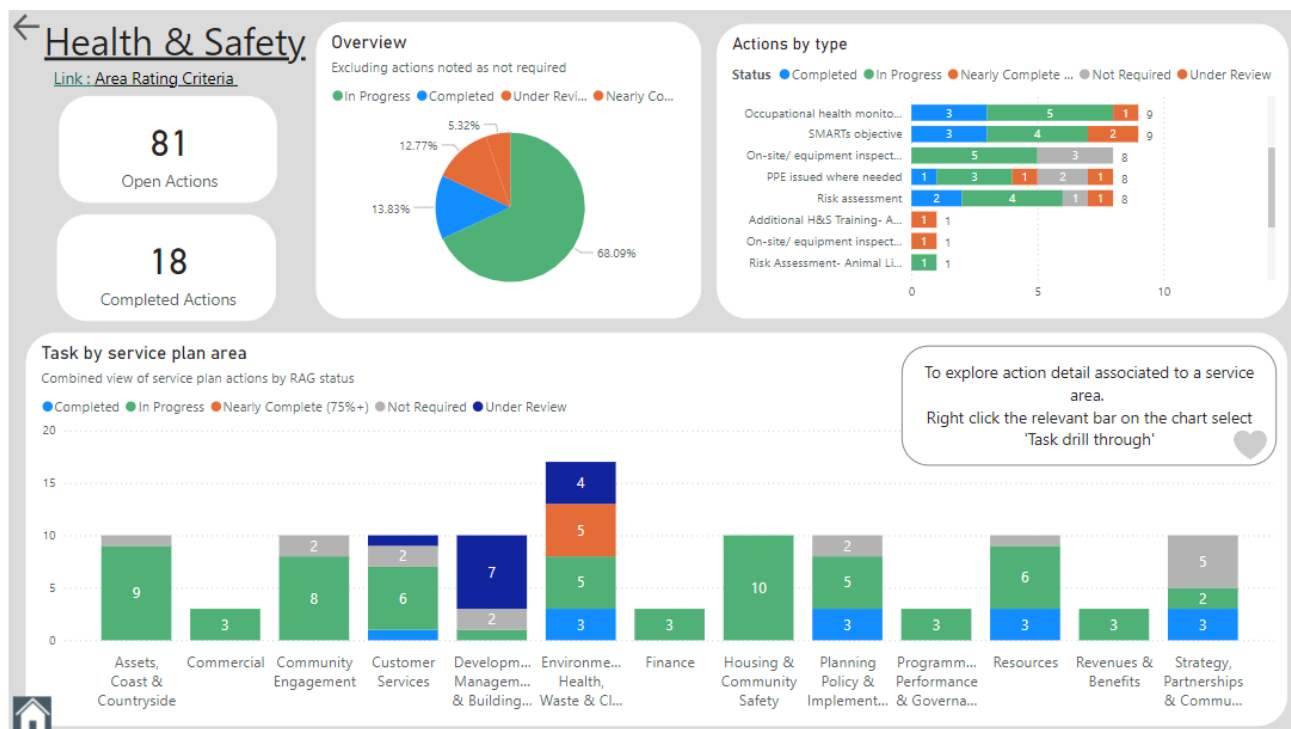
3.4 System Resources

3.4.1 Activities to embed health and safety within Corporate Service Plans are ongoing. Service areas have been graded in accordance with their health and safety risks (see below) and assigned tasks in accordance with this. Performance against the ten key tasks is now being monitored. Meetings with service heads to set out the activities that must be taken to ensure progress in these are being scheduled.

Table of Departmental Health and Safety Activities vs Risk Grading

Risk Level	H&S Policies	Mandatory H&S training	DSE assessment	Risk assessment	SMARTs objective	Additional H&S training	On-site/ equipment inspections	On-Site supervisions	PPE issued where needed	Occupational health monitoring requirements
Low	✓	✓	✓	Under remit of Corporate H&S RA's	H&S objectives available for use					
Medium	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
High	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

Department Performance for each assigned Health and Safety activity



3.5 Fire Risk Assessments

- 3.5.1 A contractor has been engaged to conduct reviews of the fire assessments for the main offices and cemetery chapels. Evacuation drills have been scheduled for the Maintenance and Parks depots.

3.6 Policies and Procedures

- 3.6.1 A revised Health and Safety Policy is in its final stages, requiring amendment to accommodate the new Leadership Structure. This will require Member approval in the coming months. The Fire and Evacuation procedure was approved in November 2024 and discussion with Partners is ongoing.

3.7 Health and Safety Inspections

- 3.7.1 No inspections have been conducted in the period. A schedule was agreed with leisure contractor regarding inspections in future, due to contract renewal. These are due to commence shortly. The accident and incident reporting data of the Council's main contractors continue to be monitored. **No further update.**

3.8 Legionella

- 3.8.1 No updates.

3.9 Training

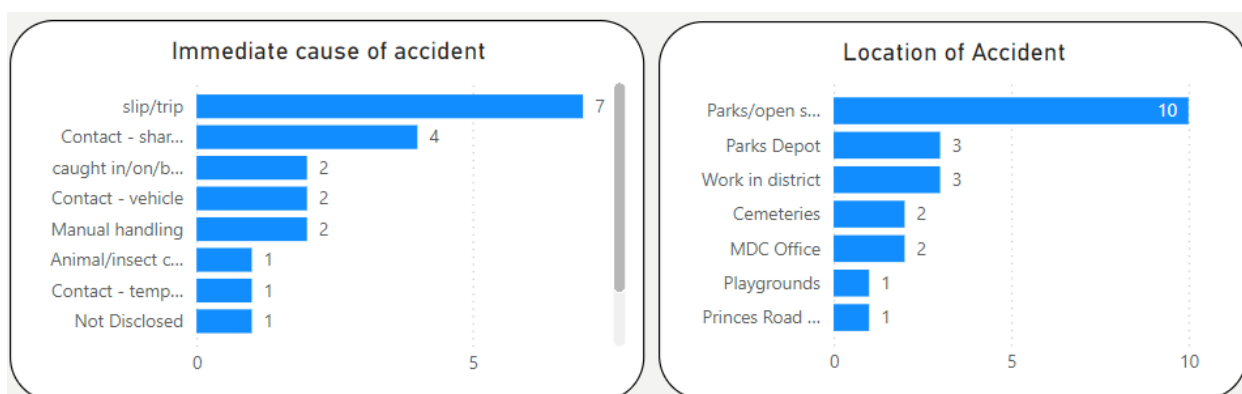
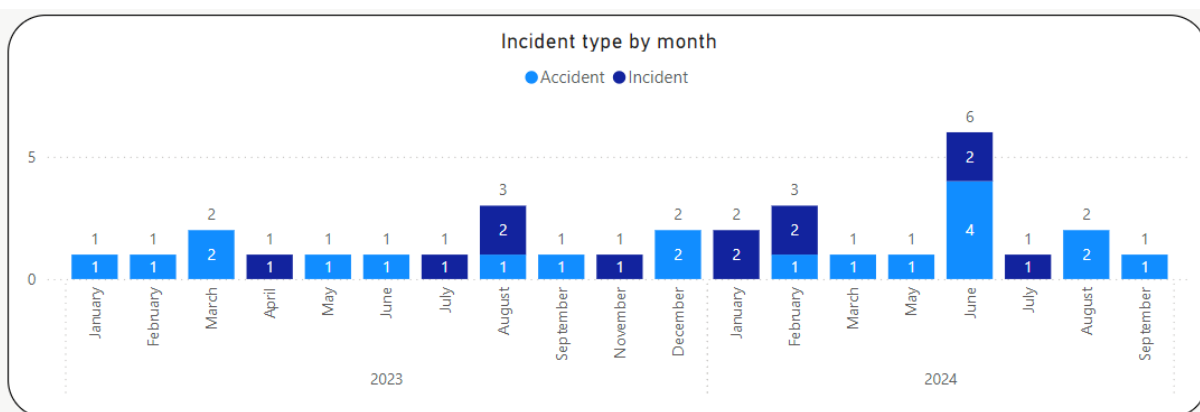
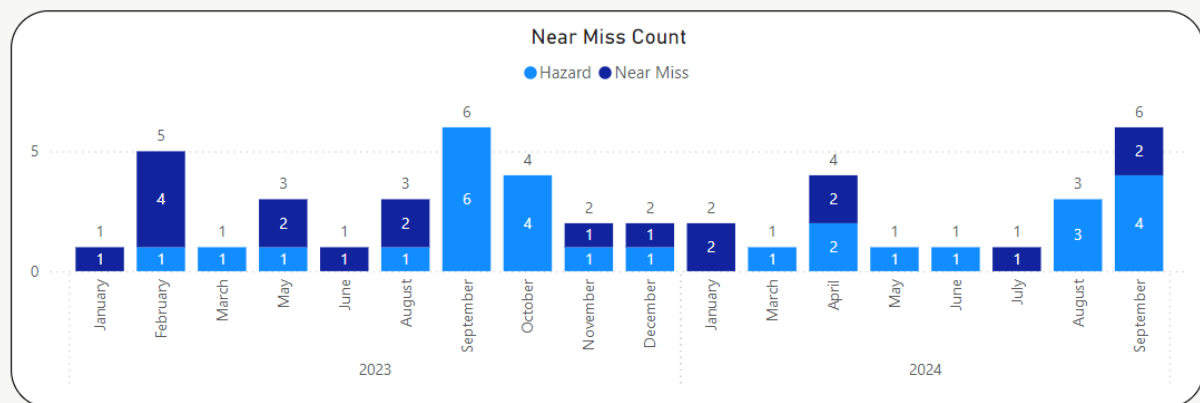
- 3.9.1 Departmental training has been agreed with a number of teams for the 2024 / 25 period. Corporate training is planned for Manual Handling and Ladder Safety with refresher sessions for Lone Working, Fire Warden and potentially, dealing with violent and aggressive behaviour. Toolbox talks for the Service Delivery teams have been suspended and await team input before resumption. A proposed schedule from the Service delivery teams is still awaited.

3.9.2 The E-learning training modules for Health and Safety training are awaiting implementation by the Council's E-learning support contractor. Those that will be mandatory for all staff will be prioritised for earliest implementation.

3.10 Accident-Near Miss Reporting

3.10.1 The number of accidents reported in the period was very low. This was surprising for the busy summer period. It is noted that grave digging operations were moved to a contractor during this period, however this is not thought on its own, to explain the trend.

Health & Safety Reporting



3.11 Health and Safety Audit

- 3.11.1 The Corporate Health and Safety Manager has been working closely with BDO (Internal Audit) to ensure the audit findings represent an accurate picture of the current health and safety management system and its associated arrangements. Much work has been undertaken since the creation of the Corporate Health and Safety Manager post; however it is acknowledged that there is still much work to do. It is felt that the findings reinforce the work that is being undertaken, with the actions presented in the audit report being in accordance with areas of focus highlighted in previous reports to the Performance, Governance and Audit Committee and senior managers meetings.
- 3.11.2 The report findings concluded that there were two high, three medium and one low priorities for action. An action plan to close out the areas identified in the report has been drafted with realistic timescales agreed with Assistant Directors. Updates will be given in forthcoming reports.

3.12 Priorities going forward

- 3.12.1 The priorities for the next quarter will be to continue to focus on the policies and procedures that present most risk to the council and its staff. Time will be dedicated to the close-out of audit findings, which will include amongst other things, revision of risk assessments, the re-establishment of inspections and implementing mechanisms to ensure greater clarity when reporting completion of health and safety training.

4. CONCLUSION

- 4.1 Accidents, near misses and incidents of unacceptable behaviour during Q2 2024 / 25 have been set out within this report.
- 4.2 Proactive work on the main health and safety themes continues. Additional health and safety improvements will continue to be implemented alongside close-out actions arising from the recent health and safety audit.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Delivering good quality services

- 5.1.1 Good health and safety management of the workplace, for example, management of asbestos and legionella, helps provide a safer and healthier environment in which to live and work.

6. IMPLICATIONS

- (i) **Impact on Customers** – Good health and safety management reduces the number of accidents and injuries to both customers and employees alike. Reduced staff absence resulting from work related injuries or ill health ensures a better service is provided to customers.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk (including Fraud implications)** – Poor management of health and safety can lead to accidents, injuries, occupational ill health or

dangerous occurrences. This may result in avoidable sickness absence and these incidents may be investigated by the Health and Safety Executive (HSE). This could result in prosecution with fines or custodial sentences and an award of costs if found guilty by the courts. In addition, the HSE has adopted a "Fee for Fault" policy in which it recharges the cost of investigations if liability is identified. Civil claims by individuals could lead to significant cost to the Council, both financial and resources to manage. These could in turn lead to increased insurance premiums. It can also lead to poor publicity, reputational damage and impacts on staff morale.

- (iv) **Impact on Resources (financial)** – No additional resources required, however, by managing health and safety, there should be less impact on financial resources as identified in (iii) above.
- (v) **Impact on Resources (human)** – No additional resources are required, however, additional processes / procedures to manage health and safety effectively will impact upon current resource capacity. The positive impact should be preventing accidents and ill health, having a mitigating impact.

Background Papers: None.

Enquiries to: Paul Baccarini, Corporate Health and Safety Manager.

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**REPORT of
ASSISTANT DIRECTOR: PROGRAMMES, PERFORMANCE AND GOVERNANCE**
to
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
16 JANUARY 2025

APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to appoint to Outside Bodies of the Performance, Governance and Audit Committee for the remainder of the Municipal Year.

2. RECOMMENDATION

That the Committee appoints representatives to the Outside Bodies as listed in section 3.1 below for the remainder of the Municipal Year.

3. SUMMARY OF KEY ISSUES

- 3.1 Members are asked to consider appointments to the following Outside Bodies which were not appointed to at the start of this municipal year:

Outside Body	To be appointed
Chairs of Audit Committee Forum	Chairperson of the PGA
Parish Clerks Forum	Chairperson of the Performance, Governance and Audit Committee (PGA) <i>Substitute: Vice-Chairperson of the PGA</i>

Background Papers: None.

Enquiries to: Cheryl Hughes, Assistant Director - Programmes, Performance and Governance.

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