

Tendring

District Council



Committee Services
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Our Ref: CAB/IDF/17.12.21
Please ask for: Ian Ford

9 December 2021

Dear Councillor

CABINET

A meeting of the Cabinet is to be held on **Friday 17 December 2021, commencing at 10.30 a.m. in the Essex Hall, in the Town Hall, Station Road, Clacton-on-Sea, CO15 1SE.**

The Agenda is set out over the page.

Yours faithfully

A handwritten signature in black ink that reads 'I.D. Ford'.

Ian D Ford
Committee Services Manager

To: The Councillors below, being the Members of the Cabinet of Tendring District Council:

Councillor Stock OBE	(Leader of the Council)
Councillor G V Guglielmi	(Deputy Leader, Corporate Finance and Governance Portfolio Holder)
Councillor P B Honeywood	(Housing Portfolio Holder)
Councillor McWilliams	(Partnerships Portfolio Holder)
Councillor Newton	(Business and Economic Growth Portfolio Holder)
Councillor Porter	(Leisure and Tourism Portfolio Holder)
Councillor Talbot	(Environment and Public Space Portfolio Holder)

AGENDA

1 Apologies for Absence

The Cabinet is asked to note any apologies for absence received from Members.

2 Minutes of the Last Meeting (Pages 1 - 22)

To confirm and sign the minutes of the last meeting of the Cabinet held on Friday

3 Declarations of Interest

Councillors are invited to declare any Disclosable Pecuniary Interests or Personal Interest, and the nature of it, in relation to any item on the agenda.

4 Announcements by the Leader of the Council

The Cabinet is asked to note any announcements made by the Leader of the Council.

5 Announcements by Cabinet Members

The Cabinet is asked to note any announcements made by Members of the Cabinet.

6 Matters Referred to the Cabinet by the Council

There are none on this occasion.

7 Matters Referred to the Cabinet by a Committee - Reference Report from Resources and Services Overview & Scrutiny Committee - A.1 - Tendring District Council Enforcement (Pages 23 - 26)

To enable the Cabinet to consider the recommendations made by the Resources and Services Overview & Scrutiny Committee following that Committee's scrutiny of the Council's Enforcement.

8 Leader of the Council's Items - A.2 - Freehold Disposal of Redundant Office Site at Weeley (Pages 27 - 38)

To consider whether Cabinet's decision of 16th December 2016 to sell the Council's office site at Weeley, once vacated, is still the best use of the site in achieving the goals of the Council, or whether the site should be used to deliver new homes including new, high quality Council Housing and hence to:-

- (a) appropriate the land at the of the Council's office site at Weeley for planning purposes, which will facilitate the carrying out of housing development; and
- (b) agree to the principle of disposing part of the site, at best consideration, for development to be secured on the whole site, including the part to be retained by the Council.

9 Leader of the Council's Items - A.3 - Furthering the Commitment to the Council's Corporate Plan 2020-24 - Developing Highlight Priority Actions for 2022/23 (Pages 39 - 52)

The Council's strategic direction is set out in its Corporate Plan. The Corporate Plan was adopted unanimously by Council on 21 January 2020 (Minute 78 refers) and the covers the period 2020-24 (and is reproduced at Appendix A to this report).

The Corporate Plan shapes the annual highlight priorities of the Cabinet and the 2021/22 priorities are set out at Appendix B to this report. At Appendix C, are initial thoughts for the highlighted priorities for year three (2022/23) of the Corporate Plan term.

Finalised proposals for the highlight priorities for 2022/23 and milestones will be considered by Cabinet on 28 January 2022. Prior to that, views on the highlight priorities are invited and will be reported to that meeting.

10 Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.4 - Updated Financial Forecast and Initial Budget Proposals 2022/23 (Pages 53 - 78)

To enable Cabinet to consider the updated financial forecast and proposed position for 2022/23 for consultation with the Resources and Services Overview and Scrutiny Committee.

11 Cabinet Members' Items - Report of the Leisure & Tourism Portfolio Holder - A.5 - The Future of Joint Use Sports Facilities (Pages 79 - 120)

Community use agreements with the Sigma Trust for the two Joint Use Sports Facilities at Brightlingsea and Harwich Sports Centres are due to expire on 31 December 2021. This report sets out options for consideration by Cabinet and a recommendation on how to proceed.

12 Joint Report of the Housing Portfolio Holder and the Corporate Finance and Governance Portfolio Holder - A.6 - Housing Revenue Account Estimates 2022/23 (Pages 121 - 134)

To set out and seek approval of the following for consultation with the Resources and Services Overview and Scrutiny Committee:-

- an Housing Revenue Account (HRA) Budget for 2022/23 including the movement in HRA Balances;
- the level of fees and charges for 2022/23; and
- the HRA Capital Programme.

13 Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - A.7 - Freehold Purchase of a Residential Property in Clacton-on-Sea (Pages 135 - 138)

To seek Cabinet's approval, in principle, for the freehold purchase of a three bedroom residential property in Clacton-on-Sea to meet local housing needs.

14 Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - A.8 - Freehold Purchase of Two Residential Properties in Clacton-on-Sea (Pages 139 - 142)

To seek Cabinet's approval, in principle, to agree revised terms for the freehold purchase of two 2 x bedroom bungalows in Clacton-on-Sea from a developer.

15 Management Team Items

There are none on this occasion.

16 Exclusion of Press and Public

The Cabinet is asked to consider passing the following resolution:

“That under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agendas Item 17, 18, 19 and 20 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.”

17 Exempt Minutes of the Meeting held on Friday 12 November 2021 (Pages 143 - 148)

To confirm and sign as a correct record the exempt minutes of the meeting of the Cabinet held on Friday 12 November 2021.

18 Cabinet Members' Items - Report of the Environment & Public Space Portfolio Holder - B.1 - Procurement Exemption: Replacement Cremators at Weeley Crematorium (Pages 149 - 154)

To inform Cabinet of the current situation regarding the cremators at Weeley Crematorium; and

To seek exemption from procurement rules in order to facilitate the urgent procurement of plant.

19 Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - B.2 - Terms for the Freehold Purchase of a Property in Clacton-on-Sea (Pages 155 - 180)

To agree terms for the freehold purchase of a residential property in Clacton-on-Sea.

20 Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder - B.3 - Terms for the Freehold Purchase of Two Properties in Clacton-on-Sea (Pages 181 - 198)

To agree terms for the freehold purchase of two (2 bedroom) residential properties in Clacton-on-Sea.

Date of the Next Scheduled Meeting

The next scheduled meeting of the Cabinet is to be held in the Committee Room, Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 10.30 am on Friday, 28 January 2022.

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Notice of Intention to Conduct Business in Private

Notice is hereby given that, in accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, Agenda Item Nos. 17, 18, 19 and 20 are likely to be considered in private for the following reasons:

The items detailed below will involve the disclosure of exempt information under:-

Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information));

to Schedule 12A, as amended, to the Local Government Act 1972:

Agenda Item 17

Exempt Minutes of the Meeting held on Friday 12 November 2021

Agenda Item 18

Cabinet Members' Items - Report of the Environment & Public Space Portfolio Holder – B.1 – Procurement Exemption: Replacement Cremators at Weeley Crematorium

Agenda Item 19

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder – B.2 – Terms for the Freehold Purchase of a Property in Clacton-on-Sea

Agenda Item 20

Cabinet Members' Items - Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder – B.3 – Terms for the Freehold Purchase of Two Properties in Clacton-on-Sea

Information for Visitors

FIRE EVACUATION PROCEDURE

There is no alarm test scheduled for this meeting. In the event of an alarm sounding, please calmly make your way out of any of the fire exits in the hall and follow the exit signs out of the building.

Please heed the instructions given by any member of staff and they will assist you in leaving the building and direct you to the assembly point. Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff.

Your calmness and assistance is greatly appreciated.

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**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 12TH NOVEMBER, 2021 AT 10.33 AM
IN THE ESSEX HALL, IN THE TOWN HALL, STATION ROAD, CLACTON-ON-SEA**

Present:	Councillor N R Stock OBE	Leader of the Council (Chairman)
	Councillor G V Guglielmi	Deputy Leader of the Council & Portfolio Holder for Corporate Finance and Governance
	Councillor P B Honeywood	Portfolio Holder for Housing
	Councillor L A McWilliams	Portfolio Holder for Partnerships
	Councillor A O J Porter	Portfolio Holder for Leisure and Tourism
	Councillor M J Talbot	Portfolio Holder for Environment & Public Space

Group Leaders Present by Invitation:

Councillors Jayne Chapman (Leader of the Independent Group) (except items 83 - 88), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group), Colin Winfield (Leader of the Holland-on-Sea Group), Michael Bush (Deputy Leader of the Tendring Independents Group) and Gina Placey (Deputy Leader of the Tendring First Group)

Also Present: None

In Attendance: Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Damian Williams (Corporate Director (Operations and Delivery)), Lee Heley (Interim Corporate Director (Projects Delivery)), Gary Guiver (Acting Director (Planning)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Keith Simmons (Head of Democratic Services and Elections), Ian Ford (Committee Services Manager), John Fox (Public Health, Wellbeing & Environmental Protection Manager) and Matt Cattermole (Communications Assistant)

65. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Mary Newton (the Portfolio Holder for Business & Economic Growth), Terry Allen (Leader of the Tendring First Group) and Mark Stephenson (Leader of the Tendring Independents Group).

The Chief Executive (Ian Davidson) was unable to attend the meeting as he was observing Covid-19 self-isolation protocols. He therefore joined the meeting remotely.

66. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 8 October 2021, be approved as a correct record and be signed by the Chairman.

67. DECLARATIONS OF INTEREST

In relation to Agenda Item 13 – the Report of the Corporate Finance & Governance Portfolio Holder relating to the Tendring Colchester Border Garden Community

(TCBGC) Joint Committee (A.7), Councillor G V Guglielmi declared for the public record that he was one of this Council's representatives on the TCBGC Member Group.

68. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL

The Leader of the Council (Councillor Stock OBE) announced that he would, at this point of the meeting, take an urgent item, namely a statutory report of the Monitoring Officer.

Cabinet was reminded that, under Section 5A of the Local Government and Housing Act 1989, the Monitoring Officer was under a statutory duty to report to Cabinet in relation to an executive function, if they considered that any omission had given rise to unlawfulness. The requirements of Section 5A were reflected within Article 12 of the Council's Constitution.

It was reported that a 50% reduction of the approved charge for the Leisure Centres Membership Fee had been implemented in 2020 during the transition back to a full service. A briefing note had been presented to the Council's Management Team at the time, which had included a proposal for a free month in August 2020, but highlighting that those suggestions would still be the subject of formal decisions. Fees had then been increased to 75% of the approved charge at the beginning of 2021. Unfortunately, no formal decisions had been made, recorded or published in relation to the reductions implemented.

Cabinet was informed that it was not able to retrospectively agree the backdated fees, but that it might wish to endorse the free month; the reduction to support the transitional period during restrictions being lifted (50% in 2020) and through the on-going refurbishment (25% in 2021). In addition, Cabinet was requested to approve the 25% reduction in fees going forward for the remainder of 2021/22 and request options available to future leisure centre fees, which would be reviewed in January 2022. The funding of those fees and its impact on the Council's Revenue Budget in 2021/22 was covered within the Financial Performance Report as reported under Minute 78 below.

Members were aware that, in respect of the financial implications in 2020/21, adjustments to the budget were included within the financial performance reports during the year, including the outturn position for 2020/21 that had reflected the phased reopening of the facilities. It was important to highlight that the adjustments made to the budget reflected the overall impact of the pandemic, which included the reduction in fees, along with the support from the Government's Sales, Fees and Charges Compensation Scheme.

The Interim Corporate Director (Lee Heley) outlined to Cabinet that internal control arrangements had been increased and an Economy and Leisure Governance Plan had been implemented and that the Monitoring Officer would receive regular updates on the decision making.

Having considered the information and advice contained within the Monitoring Officer's statutory report:-

It was moved by Councillor Stock, seconded by Councillor Porter and:-

RESOLVED that Cabinet –

- (a) receives and notes the Monitoring Officer's report and in response, endorses the reduction in Leisure Centre Membership Fees during 2020 and 2021 to support the transitional period during COVID-19 restrictions being lifted and the refurbishment of Clacton Leisure Centre;
- (b) approves the 25% reduction in Leisure Centre Membership fees for the remainder of 2021/22, subject to the agreement of the proposed in-year adjustments to the budget, as set out in Appendix H to the Financial Performance Report – Second Quarter 2021/22;
- (c) notes a review of Leisure Centre Membership Fees for 2022/23 will be undertaken and requests that the decision is made by the Portfolio Holder for Leisure & Tourism; and
- (d) acknowledges that internal control arrangements have been increased and an Economy and Leisure Governance Plan has been implemented and that the Monitoring Officer will receive regular updates on the decision making.

69. ANNOUNCEMENTS BY CABINET MEMBERS

There were no announcements made by members of the Cabinet on this occasion.

70. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

There were no matters referred to the Cabinet by the Council on this occasion.

71. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.1 - SCRUTINY OF THE LAWFUL AND UNLAWFUL USE OF E-SCOOTERS AND THE EXTENT OF THE POLICING ACTION AGAINST THOSE UNLAWFULLY USING THEM

Cabinet was aware that, at its meeting held on 27 September 2021 (Minute 12 referred) the Community Leadership Overview & Scrutiny Committee ("the Committee") had scrutinised the lawful and unlawful use of e-scooters and the extent of the policing action against those unlawfully using them.

After a detailed discussion the Committee had **RECOMMENDED** to Cabinet:-

"That representations be made to the Department of Transport to the effect that riders of E-Scooter must be required to wear safety helmets, that E-Scooters be required to generate a low level noise to make them audible for safety reasons and that they are fitted with indicator lights."

The Cabinet had before it the response of the Partnerships Portfolio Holder thereto as follows:-

"I endorse the Committee's recommendations that representations be made to the Department of Transport for the specified safety improvements."

Having considered the recommendation of the Community Leadership Overview & Scrutiny Committee, together with the response of the Partnerships Portfolio Holder thereto:-

It was moved by Councillor McWilliams, seconded by Councillor P B Honeywood and:-

RESOLVED that the recommendation made by the Community Leadership Overview & Scrutiny Committee be noted and that the response of the Partnerships Portfolio Holder thereto be endorsed.

72. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.2 - SCRUTINY OF THE COUNCIL'S SEAFRONT SERVICES

Cabinet was aware that, at its meeting held on 20 September 2021 (Minute 23 referred), the Resources and Services Overview & Scrutiny Committee ("the Committee") had scrutinised the Council's Seafronts Services and, in particular, coastal defence and cliff stabilisation projects.

After a detailed discussion the Committee had **RECOMMENDED** to Cabinet that:

- a) *"where observation reveals cliff slippages, all communication with Beach Hut Licensees in respect of Cliff Stabilisation and safety, is consistently shared with the relevant District Ward Councillors; and*
- b) *the undertaking of a survey of cliff vulnerability across the 26 kilometres of coast line for which this Council is responsible and beach levels in the 23 bays created in 2013/14 in the Clacton-on-Sea and Holland-on-Sea areas be undertaken as an imperative piece of work in the next few months and thereby address the concerns raised by the Committee on 22 June 2020 (Minute 62 refers) and on 21 September 2020 (Minute 85 refers)."*

The Cabinet had before it the response of the Leisure & Tourism Portfolio Holder thereto as follows:-

"I would like to thank the Committee for their comments. To reply specifically to the points made:

1. *I entirely agree with the idea of keeping ward councillors fully involved. I know that the officers involved in the beach huts service specifically already seek to keep ward councillors involved in decisions. I have asked that they redouble their efforts in this regard and hope that there are even fewer exceptions to this good practice in the future.*
2. *Past studies on the Holland-on-Sea cliffs have been carried out at some expense by a large engineering company. It's unrealistic to expect to be able to completely predict the location and extent of future cliff failures. That's because the cliffs tend to have naturally formed with a limited factor of safety and failures caused by changing factors outside of the Council's, or anyone's, control. I don't think that it is viable to commission further surveys of this kind. However, the Coastal Manager is working with a local engineer with regard to the conduct of a series of visual inspections and some analysis that will give us greater insight into the*

stability of the main cliffs in the District, at a cost that can be accommodated. I have asked that the findings are reported back to me when completed.

3. *The District Council has funded and begun a significant cliff stabilisation project at Holland-on-Sea this year. The work will be completed during the winter, in time for next year's season. This project has significantly affected the Council's reserves. It is my view that the Council cannot itself afford to address future cliff issues in isolation. I have requested further investigations and advice on the Council's liability for cliff work and the extent to which external funding can be called upon to assist."*

Having considered the recommendations of the Resources and Services Overview & Scrutiny Committee, together with the response of the Leisure & Tourism Portfolio Holder thereto:-

It was moved by Councillor Porter, seconded by Councillor McWilliams and:-

RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Leisure & Tourism Portfolio Holder thereto be endorsed.

73. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.3 - SCRUTINY OF PARTICULAR ELEMENTS OF THE COUNCIL'S SPORT AND LEISURE SERVICE

Cabinet was aware that, at its meeting held on 20 September 2021 (Minute 22 referred), the Resources and Services Overview & Scrutiny Committee ("the Committee") had scrutinised particular elements of the Council's Sport and Leisure Service, including the Council's developing Leisure Strategy (and how this would inform investment to address areas where Tendring was below comparable averages in activity levels), the commissioned works being undertaken at Clacton Leisure Centre (CLC) and the refurbishment of the CLC Skate Park.

After a detailed discussion the Committee had **RECOMMENDED** to Cabinet:-

"That the Committee's request that an updated draft District-wide Leisure Strategy be brought forward as speedily as possible for consultation and that the Strategy should seek to enable a fresh direction to the delivery of leisure facilities and address the issues facing the District, including encouraging people to progress from being fairly active to active and from inactive to fairly active and the provision for those with disabilities."

The Cabinet had before it the response of the Leisure & Tourism Portfolio Holder thereto as follows:-

"I would like to thank the Committee for proposing a fresh approach, and to commend staff for implementing it in a way that encourages more activity, including:-

- *£617,000 invested in Clacton Leisure Centre, upgrading changing rooms, sauna, LED lighting and the air handling unit in the health suite, and new wetside changing rooms, to complete by Christmas;*

- £250,000 allocated to a new Clacton Skatepark to be completed next Summer;
- £670,000 from ECC and the Football Foundation to fund and install a 3G football pitch at Clacton; and
- £30,000 to support up to 120 people on a 12 week GP referral scheme to TDC leisure facilities.”

Having considered the recommendation of the Resources and Services Overview & Scrutiny Committee, together with the response of the Leisure & Tourism Portfolio Holder thereto:-

It was moved by Councillor Porter, seconded by Councillor McWilliams and:-

RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Leisure & Tourism Portfolio Holder thereto be endorsed.

74. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.4 - SCRUTINY OF HOUSING VOIDS

Cabinet was aware that, at its formal meeting held on 15 July 2021 (Minute 15 referred) as well as two informal meetings held on 2 September and 15 September 2021 the Resources and Services Overview & Scrutiny Committee (“the Committee”) had scrutinised Housing Voids and the work of the Council’s Housing Allocations Team.

After those detailed discussions the Committee **RECOMMENDED** to Cabinet that:-

- “(1) the resources available for the Housing Allocations Service of the Council be reviewed in order to ensure that it is able to deliver the rapid response and excellent customer service to those on the Housing Register, and those applying, and thereby contribute further to reducing the average time Council Homes remain untenanted by moving all paper work to a digital format.
- (2) following the commission of an informal audit to review to allocation of adapted properties, that changes be made to the process, so that a selection of individuals on the Housing Register are waiting for adapted homes and we should rightly seek to achieve the best match, where possible, this should not be pursued to the extent that individual properties remain untenanted for long periods of time due to infrequent offers to those on the Register and in need of housing.
- (3) the temporary measures introduced in 2021 to control expenditure in year on improvements to void Council Homes be continued going forward (as such if the kitchen is functional and efficient to maintain it will not be replaced only for the reason of upgrading it).
- (4) the IT solutions for the separate sections of the Council dealing with Housing Allocations and Council Home repairs and maintenance be enhanced so that there is a shared resource that can support the council with a range of data that the current separate systems were unable assist efficiency of the Council as a whole.

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- (5) *a more active and purposeful approach be undertaken than at present in respect of the recharging of former tenants who had left items to be removed or otherwise in a condition requiring remedial/repair works and that these charges be linked from commencement with any debts for unpaid rents by those tenants in order to assist an efficient recovery process.*
 - (6) *the current 14 month trail in respect of an in house team to undertake Council House repairs, be actively reviewed to ensure opportunities are taken during that trial, to support skills development and recruitment and retention measures enhancement (including if appropriate market forces enhancements for certain specialist skills and attraction of those with relevant accreditation to work for the Council; maybe part-time).*
 - (7) *the Portfolio Holder for Housing be encouraged to establish a Housing Working Party to continue the focus on Housing Voids and the issues considered in the enquiry by this Committee (including those reflected in these recommendations).*
 - (8) *an appropriate Key Performance Indicators be developed around timescales for untenanted Council Homes to be offered and re-tenanted, the undertaking of repair/refurbishment of Council Homes and recovery of costs incurred due to the condition of properties once vacated by former tenants etc and shared with Councillors together with periodic detail of achievement against those Indicators.*
 - (9) *proposals for a stock condition survey be drawn up and consider the benefits to the Council in identifying issues with the Council's Housing Stock and thereby assist it to improve its plan for expenditure through the Housing Revenue Account in the short, medium and longer term."*

The Cabinet had before it the response of the Housing Portfolio Holder thereto as follows:-

"I would like to thank the Committee for their comments. To reply specifically to the points made:

- 1. Since the last meeting of the Committee the allocations team has been working hard to allocate available properties and I am pleased to be able to advise that at the time of writing there are no general purpose properties available to let that are not allocated or subject to offer to prospective tenants. I would like to particularly mention the Housing Solutions and Allocations Manager, the Senior Housing Solutions and Allocations Officer and the team's apprentice and thank them for the work that has been done to achieve this. Looking into the future the team is presently implementing a new software package which will make the process easier for the team and I hope and expect that this will allow the team to maintain the position that has been achieved.*
- 2. The team have reviewed processes internally as mentioned and rebalanced the allocations process to give a stronger emphasis on allocating properties at a higher frequency than on perfectly matching any adaptations present to prospective tenants.*
- 3. The nature of works carried out at properties has been severely cut back for timing and financial reasons. It may be advantageous to review that as the position is*

regularised into the future, time and financial constraints may allow a winding back of some of the control measures.

- 4. The teams are working with a shared spreadsheet at present. They also have separate specialist software for each. I agree that a link between the two packages would be a useful area for future development.*
- 5. I agree that once the position on void properties overall is dealt with a greater emphasis on recovery of costs would be appropriate, potentially including external debt recovery services. I think however that it is important to remember that former tenants can sometimes be untraceable or unable to pay any debts. A proportionate response will be required.*
- 6. I understand that Mr White's comments at the Committee's meeting were intended to highlight the potential issues with the recruitment of specialist tradespeople such as electricians and gas fitters. The limited duration of the trial period is also a consideration in the attractiveness of the team to potential tradespeople. The team is recruiting at the moment and depending on the outcome measures such as market forces could be applied.*
- 7. I have established a pattern of fortnightly meetings with my colleague the Portfolio Holder for Finance and Governance, Chief Executive, Corporate Director and Assistant Directors to monitor progress.*
- 8. The group above has established performance measures. The teams are currently adapting the spreadsheet and records seeking to calculate them efficiently:*

For publication:

- Quarterly financial void position – income lost and %*
- Quarterly void average time from date void to date re-let*

For internal monitoring only: the group has requested a small number of indicators focussing on monthly turnover of properties, number of long term voids, turn-around times and costs.

- 9. I have asked the teams to investigate the feasibility of a stock condition survey. I am aware of overspends on repairs in the last two years and the need for investment in energy efficiency and other programme items. The potential for expenditure on surveys needs to be considered against the need for direct investment in the stock. A balance has to be struck and I propose to make a decision on a stock survey when the pros and cons are reported."*

Having considered the recommendations of the Resources and Services Overview & Scrutiny Committee, together with the response of the Housing Portfolio Holder thereto:-

It was moved by Councillor P B Honeywood, seconded by Councillor G V Guglielmi and:-

RESOLVED that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Housing Portfolio Holder thereto be endorsed.

75. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE PLANNING POLICY & LOCAL PLAN COMMITTEE - A.5 - CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLANS AND CRITERIA FOR LOCAL LISTING OF 'NON DESIGNATED HERITAGE ASSETS'

Cabinet was aware that the Planning Policy & Local Plan Committee ("the Committee"), at its meeting held on 19 October 2021 (Minute 16 referred), had considered a comprehensive report (and appendices) of the Acting Director (Planning) which had reported to it the first five in a series of 'Conservation Area Appraisal and Management Plans' that had been prepared for the Council by Essex Place Services, as well as the proposed criteria for the inclusion of buildings and structures on a 'Local Heritage List'. The report had also sought the Committee's recommendation to Cabinet that they be published for public consultation purposes and that proposals for a Local List of non-designated heritage assets be invited.

The Committee's decision at its meeting held on 19 October 2021 had been as follows:-

"RESOLVED *unanimously that the Planning Policy and Local Plan Committee –*

- (a) approves, in principle, the new Conservation Area Appraisal and Management Plans for: Clacton Seafront (Appendix 1); Dovercourt (Appendix 2); St. Osyth (Appendix 3); Thorpe-le-Soken (Appendix 4); and Thorpe Station & Maltings (Appendix 5); as well as the proposed Criteria for assessing buildings and structures for inclusion on a 'Local Heritage List' of non-designated heritage assets (Appendix 6);*
- (b) recommends to Cabinet that the above documents (forming Appendices 1-6) be published for consultation with the public and other interested parties;*
- (c) recommends further to Cabinet that a six month exercise be undertaken to invite suggestions from the community and other interested parties for structures to include on the Local Heritage List of non-designated heritage assets; and*
- (d) notes that Conservation Area Appraisal and Management Plans for the District's other Conservation Areas will be brought before the Committee in due course over the next 12 months."*

Having considered the recommendations of the Planning Policy & Local Plan Committee, together with the information contained in the reference report and its appendices:-

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:-

RESOLVED that –

- (a) the new Conservation Area Appraisal and Management Plans for: Clacton Seafront (Appendix 1); Dovercourt (Appendix 2); St. Osyth (Appendix 3); Thorpe-le-Soken (Appendix 4); and Thorpe Station & Maltings (Appendix 5); as well as the proposed Criteria for assessing buildings and structures for inclusion on a 'Local Heritage List' of non-designated heritage assets (Appendix 6) be published for consultation with the public and other interested parties; and

- (b) a six month exercise be undertaken to invite suggestions from the community and other interested parties for structures to include on the Local Heritage List of non-designated heritage assets.

76. LEADER OF THE COUNCIL'S ITEMS - A.6 - GROUNDS MAINTENANCE SERVICE

Further to Minute 36 of the formal meeting of the Cabinet held on 17 September 2021, the Cabinet gave consideration to a report of the Leader of the Council (A.6) which sought to enable Cabinet to decide whether suggest to Council that an amended motion be supported in relation to a motion submitted by Councillor I J Henderson to the meeting of the Council held on 13 July 2021 relating to the Council's grounds maintenance service.

Members were aware that the Leader of the Council had suggested that the Cabinet could, in fact, recommend to Council that an amended motion be supported and that he had further suggested that the wording of that amended motion could be as follows:-

"This this Council:-

- (a) notes that concerns have been raised that a perceived lack of regular grass cutting and weed clearance could result in a negative visual impact for those seeking to enjoy Tendring's Sunshine Coast;*
- (b) commends the work and dedication of the Council's staff working within the Grounds Maintenance Service Team whilst acknowledging the need to avoid any complacency;*
- (c) therefore requests that the Portfolio Holder for the Environment & Public Space, in conjunction with the Corporate Director (Operations & Delivery), undertakes a review of the Council's Grounds Maintenance Policy and the operational procedures of the Grounds Maintenance Service Team with a view to seeking further performance improvements for the public good;*
- (d) recommends that the Portfolio Holder for the Environment & Public Space submits the outcome of that review to the Resources and Services Overview & Scrutiny Committee for its consideration and comments; and*
- (e) recommends that the Portfolio Holder for the Environment & Public Space submits the outcome of that review together with the comments of the Resources and Services Overview & Scrutiny Committee to Cabinet in order to enable Cabinet to decide if the Grounds Maintenance Policy should be amended."*

Having considered the Leader's suggested amended motion and in order to enable this matter to be brought to a conclusion at the meeting of the Full Council due to be held on 30 November 2021, without fettering the discussion of the original motion:-

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:

RESOLVED that Cabinet does not put forward an amended motion to Full Council.

77. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.7 - TENDRING COLCHESTER BORDERS GARDEN COMMUNITY JOINT COMMITTEE

Cabinet gave consideration to a report of the Corporate Finance & Governance Portfolio Holder (A.7) which sought its approval for referral to Full Council the draft terms of reference of a Joint Committee to be established for the Tendring Colchester Borders Garden Community together with Tendring District Council, Colchester Borough Council and Essex County Council.

Members were aware that the Tendring Colchester Borders Garden Community (TCBGC) was located across Tendring District Council's (TDC) and Colchester Borough Council's (CBC) Local Planning Authority's area, and that accordingly those Councils could consider establishing a Joint Committee made up of members from both of those Councils.

Cabinet recalled that both TDC and CBC had now adopted a common Section 1 of their Local Plan, which had the shared vision of sustainable development and allocation of TCB Garden Community, which would be further defined through a joint Development Plan Document (DPD) providing detailed parameters and policies (as required within Section 1 – Policies SP7 & 8).

It was felt that due to the joint nature of Section 1 there was a case to be made for a Joint Committee for Tendring and Colchester, which would also include members from Essex County Council (ECC), continuing with the existing partnership working on this project. This format had been adopted elsewhere and linked into decisions around infrastructure and possibly other County matters.

Cabinet was advised that it was possible to delegate various functions to a Joint Committee but that at this stage the proposed Terms of Reference for the Joint Committee would be limited to planning functions related to preparing for plan making through the DPD process; and development control and determination of planning applications for TCBGC against the common Section 1 and adopted DPDs.

It was reported that ECC had also proposed to transfer/delegate their relevant planning functions to the Joint Committee for the Tendring Colchester Borders Garden Community.

Members were informed that the alternative to establishing a Joint Committee, was to leave the current arrangements in place such that Cabinet and/or the relevant Committee of both Councils would be involved in the decision making process for production of the Draft DPD. Once the DPD was adopted, the relevant Council's Planning Committee would deal with any individual planning application in their area. This latter option could present some complications associated with managing the practicalities, introducing delay to the process and it was therefore considered beneficial to advance the joined up and partnership approach through to decision making.

Cabinet was reminded that the Tendring Colchester Borders Garden Community Member Group had assessed the various options and considered the joint committee approach for both the TCBGC joint DPD and Development Control functions would best demonstrate the Councils' continued partnership commitment to delivering the Garden

Community, provide increased confidence to developers and remove delayed individual decision making through working together for the benefit of the residents in both areas.

Members were assured that the establishment of the Joint Committee would be limited to the TCBGC and all other local planning authority functions would remain unaffected and rest with TDC and CBC.

The proposed Terms of Reference and Scheme of Delegation of the TCBGC Joint Committee were set out in Appendix A to the Portfolio Holder's report and consequential amendments to TDC's Planning Policy and Local Plan Committee delegated functions and responsibilities were set out in Appendix B thereto.

Cabinet was informed that further executive functions related to the TCBGC could be delegated by the Leader of the Council, as the project developed and a partnership agreement might be deemed necessary between the Councils to formulate arrangements between them.

Cabinet was aware that the Planning Policy & Local Plan Committee had considered this same matter at its meeting held on 11 November 2021. At that meeting that Committee had decided:-

"That the Planning Policy & Local Plan Committee recommends to Full Council that –

- (a) a joint Development Plan Document is prepared together with Colchester Borough Council in accordance with Section 28 of the Planning and Compulsory Purchase Act 2004;*
- (b) a Joint Committee is established with Colchester Borough Council and Essex County Council in relation to the Tendring Colchester Borders Garden Community for the discharge of executive and non-executive functions related to TCBGC, pursuant to Sections 101(5), 102(1)(b) and 102(2) of the Local Government Act 1972 on the terms of reference attached at Appendix A to item A.1 of the Report of the Deputy Chief Executive & Monitoring Officer; and*
- (c) the third elected Member of the Joint Committee to be appointed by the Full Council should be a Member from a political group that is not represented on the Cabinet."*

The Leader of the Council made the following statement on this matter:-

"We are confident that this recommendation of the TCB Member Group will prove to be a success, however, as with any new governance arrangements, including the terms of reference, they can be reviewed over time."

Having considered all of the information and advice contained in the Portfolio Holder's report and its appendices:-

It was moved by Councillor G V Guglielmi, seconded by Councillor Stock OBE and:-

RESOLVED that Cabinet –

- (a) endorses the proposal that a joint Development Plan Document be prepared together with Colchester Borough Council, and further that a Joint Committee is established with Colchester Borough Council and Essex County Council in relation to the Tendring Colchester Borders Garden Community;
- (b) agrees that all three Councils should be represented on the appointed Joint Committee with full voting rights;
- (c) agrees that executive functions in relation to the preparation of the joint Development Plan Document are delegated to be discharged by the appointed Joint Committee in accordance with Sections 101(5) and 102(1)(b) of the Local Government Act 1972;
- (d) agrees that each Council should be represented on the appointed Joint Committee with 3 members each under Section 102(2) of the Local Government Act 1972, one of which will be a member of the Cabinet, appointed by the Leader of the Council;
- (e) agrees the Terms of Reference for the Joint Committee, as set out in Appendix A to item A.7 of the Report of the Leader of the Council, for recommendation onto Full Council in respect of non-executive functions;
- (f) endorses the Leader of the Council to delegate further executive functions to the Tendring Colchester Borders Garden Community Joint Committee, in consultation with the Monitoring Officer and the Section 151 Officer;
- (g) authorises the Acting Director (Planning), in consultation with the Leader of the Council and the Portfolio Holder for Corporate Finance and Governance to enter into a partnership agreement between the Councils, if deemed necessary, in order to support the operation of the Joint Committee and Tendring Colchester Borders Garden Community project; and
- (h) authorises the Portfolio Holder for Corporate Finance and Governance to allocate further financial contributions from the existing Garden Communities budget to support the Tendring Colchester Borders project for the purposes of local plan making.

RECOMMENDED TO FULL COUNCIL that:

- (i) a Tendring Colchester Borders Garden Community Joint Committee be appointed for the discharge of executive and non-executive functions related to TCBGC, pursuant to Sections 101(5), 102(1)(b) and 102(2) of the Local Government Act 1972 on the terms of reference attached at Appendix A to item A.7 of the Report of the Portfolio Holder for Corporate Finance & Governance;
- (j) Part 3 of the Constitution (Responsibility of Functions) be amended to include the Terms of Reference of the Joint Committee; and
- (k) the Terms of Reference of the Planning Policy and Local Plan Committee be amended, as set out in Appendix B to the aforementioned report.

78. **CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.8 - FINANCIAL PERFORMANCE REPORT - IN-YEAR PERFORMANCE AGAINST THE BUDGET AT END OF THE SECOND QUARTER 2021/22 AND LONG TERM FINANCIAL FORECAST UPDATE**

The Cabinet gave consideration to a report of the Corporate Finance & Governance Portfolio Holder (A.8) which provided it with an overview of the Council's financial position against the budget as at the end of September 2021 and also with an updated long term forecast.

In respect of the in-year financial position at the end of September 2021:

Cabinet was informed that the position to the end of September 2021, as set out in more detail within the appendices to the Portfolio Holder's report, showed that overall the General Fund Revenue Account was underspent against the profiled budget by £8.483m (after excluding variances against COVID 19 grant supported activities, such as business grants, this position was revised to a net overspend of £4.372m). It was acknowledged that other expenditure or income trends might still be emerging with the position also largely reflecting the timing of other general expenditure and/or income budgets. However, any significant issues arising to date had been highlighted and comments provided as necessary within the Portfolio Holder's report.

In respect of other areas of the budget such as the Housing Revenue Account, capital programme, collection performance and treasury activity, apart from additional details set out within the report, there were other no major issues that had been identified to date. Any emerging issues would be monitored and updates provided in future reports, which would include their consideration as part of updating the long term financial forecast.

It was reported that some necessary changes to the 2021/22 budget had been identified which were set out in Appendix H, with an associated recommendation also included within the report. That same appendix also set out a number of further changes to the budget that reflected the on-going impact of COVID 19, the costs of which would be met by using the general financial support provided by the Government.

Members were advised that the net impact of the budget adjustments would be moved to, or from, the Forecast Risk Fund. At the end of the second quarter, it had been possible to make a small contribution to the fund of £40,000, which supported the requirement set out in the long term forecast of identifying in-year savings of £500,000 each year.

Cabinet was made aware that a half-year treasury management review had been carried out with a summary set out within the report along with an associated recommendation to temporarily increase the aggregate limit of funds that could be placed overnight with the Council's bankers for the period that the offices would be closed over the Christmas break.

It was proposed that this Council continue to be a member of the Essex Business Rates Pool if it remained advantageous to do so in 2022/23.

It was also proposed to bring the Member's COVID-19 small grant scheme to a close by 31 March 2022.

In respect of the updated long term financial forecast:

It was reported that the forecast had been reviewed and updated at the end of September 2021 and that it continued to reflect the ongoing impact of COVID-19 as necessary. The updated forecast was set out in Appendix I.

Members were informed that work remained on-going in consultation with the various Services across the Council in order to identify savings within a zero based approach along with unavoidable cost pressures, that remained subject to review for inclusion or otherwise in the detailed budget report that would be presented to Cabinet in December 2021.

Cabinet was advised that, overall, the long term forecast could still provide an effective method of managing financial risks but that the annual deficit or surplus position for each year of the forecast had been revised. The on-going impact from the COVID-19 pandemic was still evolving and it was therefore important to highlight that the money set aside in the Forecast Risk fund should not be seen as overly cautious as sensitivity testing had indicated that the fund could be depleted within as little as 3 years if a number of factors arose during the same period.

A detailed review of risks associated with the long term forecast was subject to on-going review and was separately reported within Appendix J.

As mentioned during the development of the longer term approach to the budget over recent years, it was important to continue to deliver against the plan as it continued to provide a credible alternative to the more traditional short term approach, which would require significant savings to be identified in 2022/23.

In terms of delivering against the forecast for 2022/23 and beyond, work remained on-going across the various strands set out in Appendix I.

Having considered the detailed information and advice contained in the Portfolio Holder's report and its appendices:-

It was moved by Councillor G V Guglielmi, seconded by Councillor McWilliams and:-

RESOLVED –

1. That, in respect of the financial performance against the budget at the end of September 2021:-
 - (a) the current position be noted;
 - (b) the proposed in-year adjustments to the budget, as set out in Appendix H to item A.8 of the Report of the Portfolio Holder for Corporate Finance & Governance, be approved;
 - (c) in respect of the Council's Treasury Management Practices, the aggregate amount of money that can be placed overnight with the Council's bankers be increased temporarily from £1.000m to £1.500m for each day the offices are closed over the Christmas 2021 break;

- (d) the Council continues to be a member of the Essex Business Rates Pool in 2022/23 if it remains financially advantageous to do so; and
- (e) the closing date for Members to submit claims under the Members' COVID-19 small grant scheme be set as 31 March 2022.

2. That, in respect of the Updated Long Term Forecast:-

the updated forecast be approved and that the Resources and Service Overview and Scrutiny Committee be consulted on the latest position.

79. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.9 - FREEHOLD SALE OF LAND AT BEACON HILL FORT, HARWICH

Cabinet gave consideration to a report of the Corporate Finance & Governance Portfolio Holder (A.9) which sought its approval, in principle, for the freehold disposal of land at Beacon Hill Fort, Harwich.

Members were aware that Tendring District Council (TDC) owned part of the Beacon Hill Fort, which was a Scheduled Ancient Monument and that the other part was in private ownership. Over the years suitable uses for the site had been explored and agreements proposed between TDC and the private owners but none of those had come to fruition.

It was reported that, one of the past difficulties in bringing this site into use had been the complications created by there being more than one owner. TDC's past attempts to purchase the privately owned parts of the Fort had proved unsuccessful and, in June 2018, a decision had been taken to initiate the Property Dealing Procedure in order to explore disposal options for TDC's land at this site.

All those with an interest in the area had been contacted and details of the provisional terms for the disposal were contained within item B.1 of the private and confidential Report of the Portfolio Holder for Corporate Finance & Governance which would be considered by Cabinet later on in the meeting following the exclusion of the press and public.

Having considered the information and advice contained within the Portfolio Holder's report:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

RESOLVED that Cabinet agrees, in principle, to the freehold sale of the Council owned land at Beacon Hill Fort, Harwich.

80. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.10 - UPDATE ON THE TENDRING DISTRICT COUNCIL CHILDREN & YOUNG PEOPLE (C&YP) STRATEGY 2021 - 2024, & TENDRING C&YP PARTNERSHIP DELIVERY PLAN 2021/2022

The Cabinet gave consideration to a report of the Partnerships Portfolio Holder (A.10) which presented it with an update of the Tendring District Council's Children and Young People (C&YP) Strategy 2021 – 2024, including the Tendring C&YP Partnership Delivery Plan for 2021/2022.

It was reported that the updated Tendring C&YP Strategy 2021-2024 (Appendix A), identified the key priorities for the Council as follows:-

- (i) Feeling Safe and Connected to Place;
- (ii) Improving attainment levels, enhancing skills and career opportunities;
- (iii) Enjoying active, healthy lifestyles and good mental health; and
- (iv) Working to encourage active young citizens who have a voice.

Members were informed that the new Tendring Delivery Plan for 2021/2022 (Appendix C) reflected those key strategic priorities. Fundamental to this strategy was the Council's commitment to working in partnership, recognising that much more could be delivered by working together with all agencies.

Cabinet was aware that the overall responsibility and accountability for meeting the needs of children and young people in the District of Tendring lay with Essex County Council (ECC) as the lead authority. However, this Council played an important role to:-

- Identify local needs of the community;
- Agree local priorities;
- Support and influence partners in respect of these priorities; and
- Ensure that resources are targeted effectively.

Appendix B to the Portfolio Holder's report provided Cabinet with an update on the C&YP Delivery Plan for 2019/2020.

Cabinet was informed that the Tendring Children and Young People Strategy aimed to support the Council's Corporate Plan 2020-2024, Essex County Council's Children and Young People's Strategic Plan 2016 and the North East Essex Alliance Live Well/Start Well model. A number of those projects would contribute to the developing Anchors work across Essex.

Members were advised that consideration had also been given to the young person's voice/feedback through the ECC Youth Service survey and the recent 'deep dive' work regarding C&YP undertaken by Healthwatch Essex to inform Community Asset Mapping.

Having considered all of the information and advice contained in the Portfolio Holder's report and its appendices:-

It was moved by Councillor McWilliams, seconded by Councillor G V Guglielmi and:-

RESOLVED that Cabinet endorses -

- (a) the update of the Tendring Children and Young People Strategy 2021-2024 (Appendix A); and

- (b) the new Tendring District Council Children and Young People Partnership Delivery Plan 2021/2022 (Appendix C) in support of the Council's Corporate Plan priorities.

81. **CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - A.11 - FREEHOLD SALE OF A RESIDENTIAL PROPERTY IN HARWICH BY AUCTION**

Cabinet had before it a joint report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder (A.11) which sought its approval, in principle, for the freehold sale at Auction of a five bedroom residential property in Harwich requiring substantial structural and maintenance work.

Cabinet recalled that, in December 2019, it had made the decision to dispose of a five bedroom residential property in Harwich that required substantial structural repairs and maintenance work.

In December 2020 the price of the sale had been re-negotiated following a structural engineer's report on the condition of the property, which had been commissioned by the prospective purchaser. That sale had since fallen through and approval was now sort for the property to be put to Auction, on the terms set out in item B.2 of the private and confidential Joint Report of the Portfolio Holder for Corporate Finance & Governance and the Portfolio Holder for Housing which would be considered by Cabinet later on in the meeting following the exclusion of the press and public.

Members were reminded that the house was currently vacant and had not been let since the last tenant had moved out in April 2019. Due to the nature and age of the house, the maintenance and running costs were high and selling the property would avoid the Council having to spend upwards of £50,000 in capital works to solve dampness and structural problems. The use of the receipts could be added to funds already held from Right to Buy and/or Section 106 receipts and used to bring a more suitable additional dwelling(s) into the Housing Revenue Account that could immediately begin generating a return.

Having considered all of the information and advice contained in the Portfolio Holders' joint report:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

RESOLVED that Cabinet agrees, in principle, the property be now sold at Auction.

82. **CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.12 - ACQUISITION OF LAND AT THE JUNCTION OF SEA WAY AND TAMARISK WAY, JAYWICK SANDS**

Cabinet had before it a joint report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder (A.12) which sought its approval, in principle, for the acquisition of the freehold of the former café building and adjoining dwelling in Sea Way, Jaywick Sands.

It was reported that the land in question adjoined the ten starter homes recently constructed by the Council off Tamarisk Way, Jaywick. It was a key location that marked the transition between the Village and Brooklands areas and the first visual reference point of the manifestation of the Council's regeneration aspirations.

Members were informed that the café building had been vacant and derelict for some time and that the adjoining dwelling was currently occupied by a private sector tenant.

The Portfolio Holders felt that an opportunity existed to acquire the two properties in order to further commit to the regeneration of Jaywick; improve the environment around the new homes; and potentially provide for some further development in the future.

Cabinet was advised that the Council had recognised that due to the difficult market conditions in the Jaywick area, high quality private sector housing development was potentially not viable and therefore unlikely to take place. The Council, in its Community Leadership and housing provider roles, was seeking to kick-start regeneration of the area by direct housing development in order to both improve housing conditions for local residents and stimulate a change in market conditions. Normal valuation models did not work in Jaywick given the viability issues. Whilst viability was a concern, the Council could take a longer term view in respect of its investment in the area and take account of non-financial factors.

Having considered all of the information, advice and proposals contained in the Portfolio Holders' joint report:-

It was moved by Councillor G V Guglielmi, seconded by Councillor P B Honeywood and:-

RESOLVED that Cabinet approves, in principle, the acquiring of the site of the former café building and adjoining dwelling in Sea Way, Jaywick.

83. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.13 - THE LOCAL COUNCIL TAX SUPPORT SCHEME, DISCRETIONARY COUNCIL TAX EXEMPTIONS / DISCOUNTS / PREMIUMS FOR 2022/23 AND ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT 2022/23

The Cabinet gave consideration to a joint report of the Housing Portfolio Holder and Corporate Finance & Governance Portfolio Holder (A.13) which sought its agreement for recommending to Full Council the following:

- Local Council Tax Support Scheme 2022/23 (LCTS) (including associated exceptional hardship policy);
- Discretionary Council Tax Exemptions, Discounts and Premiums for 2022/23; and
- Annual MRP Policy Statement for 2022/23.

Cabinet was aware that this report outlined the proposed Local Council Tax Support (LCTS) scheme and council tax exemptions, discounts and premiums for 2022/23.

It was reported that given the impact on residents from welfare reforms, including universal credit, along with the on-going impact from COVID19, it was proposed to

continue with the principle of providing financial stability wherever possible to Tendring claimants. It was therefore proposed to keep the 2022/23 LCTS scheme the same as for 2021/22, which provided for a maximum discount of 80% for working age claimants.

Members were informed that the associated exceptional hardship policy had also been subject to annual review and it was not proposed to make any changes from the scheme operating this year and so it would remain available to support eligible claimants. Additional financial support had been made available to claimants via this scheme, supported by associated COVID-19 grant funding from the Government.

Cabinet was advised that, in respect of discretionary council tax discounts and exemptions, it was proposed to continue with the same level of discounts set for 2021/22 with no changes therefore proposed for 2022/23.

Members were reminded that, following on from Full Council agreeing, in principle, to implement council tax premiums on empty properties from 1 April 2022, the maximum premiums allowable were now included in this report for Cabinet's approval.

Cabinet recalled that a policy to enable council tax discounts to be awarded to young people leaving care had been agreed as part of the budget setting process for 2021/22. It had also been agreed to back date the support to 1 April 2020. It was proposed to continue to provide the same level of support in future years, with the unchanged policy for 2022/23 set out within the Portfolio Holders' joint report and associated recommendations.

The Annual Minimum Revenue Provision Policy Statement had also been reviewed for 2022/23 with no changes proposed.

Cabinet was advised that if it was agreed that no changes were necessary to the proposed LCTS scheme, there would be no need for public consultation. However, if any amendments were proposed and approved at Full Council on 30 November 2021, then public consultation would be required before the final scheme could be agreed and adopted. Consequently, if consultation was required, this Council would have to notify the precepting authorities that the final council tax base would be delayed and not available until later on in the budget cycle.

Cabinet was informed that given the recommendation to continue with the existing LCTS scheme, it was not proposed to formally refer it to the Resources and Services Overview and Scrutiny Committee, but it would be considered by Full Council at its scheduled meeting on 30 November 2021.

Having considered the proposals submitted by the Portfolio Holders and in order to enable these matters to be forwarded onto Full Council for final adoption:-

It was moved by Councillor P B Honeywood, seconded by Councillor G V Guglielmi and:-

RESOLVED that Cabinet agrees that -

- a) the LCTS scheme for 2022/23 remains the same as the current year, as set out as Appendix A to item A.13 of the joint report of the Housing Portfolio Holder and Corporate Finance & Governance Portfolio Holder and recommends to full Council:

- i) that the LCTS set out as Appendix A be approved with the maximum LCTS award being 80% for working age claimants;
 - ii) that subject to a)i) above, delegation be given to the Assistant Director Finance and IT in consultation with the Housing Portfolio Holder to undertake the necessary steps to implement the LCTS scheme from 1 April 2022;
- b) the Council Tax Exceptional Hardship Policy be as set out in Appendix B to the aforementioned joint report;
- c) the discretionary Council Tax exemptions, discounts and premiums for 2022/23 be as set out in the appendices to the aforesaid joint report and recommends to full Council:
 - i) that the locally determined council tax discounts, as set out in Appendix C be approved;
 - ii) that the council tax discount policy for young people leaving care, as set out in Appendix D, be approved;
 - iii) that the discretionary council tax premiums, as set out in Appendix E, be approved;
 - iv) that the Assistant Director (Finance and IT), in consultation with the Housing Portfolio Holder, be authorised to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2022; and
- d) it further recommends to full Council that the Annual Minimum Revenue Provision (MRP) Policy Statement for 2022/23, as set out in Appendix F, be approved.

84. MANAGEMENT TEAM ITEMS

There were none on this occasion.

85. EXCLUSION OF PRESS AND PUBLIC

It was moved by Councillor Stock OBE, seconded by Councillor G V Guglielmi and:-

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of Agenda Items 22 to 24 on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.

86. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - B.1 - TERMS FOR THE FREEHOLD SALE OF LAND AT BEACON HILL FORT, HARWICH

RESOLVED that Cabinet approves that –

- (a) the freehold sale of the land at Beacon Hill Fort, excluding the Radar Tower to the named individual be completed on the terms set out in the report and for the sum of £150,000;

- (b) the freehold sale of the Radar Tower to the named organisation be completed on the terms set out in the report and for the sum of £1; and
- (c) in the event that the terms require variation, the Portfolio Holder for Corporate Finance and Governance be authorised to agree any other such terms as he sees fit.

87. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - B.2 - TERMS FOR THE FREEHOLD SALE BY AUCTION OF A RESIDENTIAL PROPERTY IN HARWICH

RESOLVED that Cabinet approves –

- (a) the sale at Auction of the freehold property in question subject to a reserve price of £110,000.00; and
- (b) the completion of the freehold sale following the auction date at the price achieved, provided this is no less than the reserve price set above.

88. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - B.3 - ACQUISITION OF LAND AT THE JUNCTION OF SEA WAY AND TAMARISK WAY, JAYWICK SANDS

RESOLVED that -

- (a) the proposed terms for the acquisition of the properties, as set out in the Current Position section of item B.3 of the Joint Report of the Housing Portfolio Holder and the Corporate Finance & Governance Portfolio Holder be approved and that the acquisitions be completed on these terms; and
- (b) should a variation to the terms be required, the Assistant Director (Governance) be authorised to agree any other such other terms as she considers appropriate.

The Meeting was declared closed at 11.53 am

Chairman

CABINET

17 DECEMBER 2021

REFERENCE REPORT FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE

A.1 TENDRING DISTRICT COUNCIL - ENFORCEMENT

(Report prepared by Keith Durran and Keith Simmons)

BACKGROUND

At its meeting held on 1 November 2021 (Minute 33 refers) the Resources and Services Overview & Scrutiny Committee ("the Committee") had scrutinised Enforcement throughout the Council.






The Committee undertook an enquiry into the Council's enforcement function as "Effective Enforcement and Regulation" was a priority in the Council's Corporate Plan 2020-24 (within the theme of Delivering High Quality Services).

To assist the Committee with its enquiry, the Committee received a report in the name of the Portfolio Holder for Corporate Governance and Finance. His report referenced at the Corporate Enforcement Group (CEG) and which had been formed in 2017 with a view to coordinating the enforcement response across the Council under the overarching Corporate Enforcement Strategy. The group had a number of iterations and the current group comprised of Portfolio Holders, Directors, Assistant Directors and Senior Managers within the Council with the aim to improve and develop the enforcement response across the Authority.

It was also reported to the Committee that all authorised Officers when making enforcement decisions should abide by the Corporate Enforcement Strategy, and the supporting documented procedures, both within the appendices and departmental processes.

Enforcement enabled the Council to ensure rules were followed in a way that improved outcomes for residents in Tendring. The Council's investment and wide range of enforcement activity successfully helped to keep the district clean and tidy, supported high quality housing, kept people safe travelling, and ensured better health.

The Council would exercise its regulatory activities in a way which was:

-  ***"Proportionate*** – *our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence.*
-  ***Accountable*** – *our activities will be open to public scrutiny, with clear and accessible policies, and fair and efficient complaints procedures.*
-  ***Consistent*** – *our advice to those we regulate will be robust and reliable and we will respect advice provided by others. Where circumstances are similar, we will endeavour to act in similar ways to other local authorities.*
-  ***Transparent*** – *we will ensure that those we regulate are able to understand what is expected of them and what they can anticipate in return.*
-  ***Targeted*** – *we will focus our resources on higher risk enterprises and activities, reflecting local need and national priorities".*

The report also provided an overview of training for officers to equip them to enforce in accordance with the legislative requirements and the Corporate Enforcement Strategy. In addition details of enforcement activity across the Council, including against fly tipping, littering, to address stray dogs, dog fouling, noise nuisance, situations prejudicial to health, filthy and verminous premises, pests, contaminated land, permitting of polluting processes, abandoned vehicles, regulated housing conditions in the owner occupied and privately rented housing (including in respect of the licensing of mobile home sites and houses in multiple occupation), enforcement of tenancy conditions and the collection of rent for those properties the Council is the landlord, planning enforcement and anti-social behaviour (with partners).

In response to questions, Members were advised that the Community Ambassadors had also been trained in issuing Fixed Penalty Notices for dog fouling, littering and fly tipping. These Notices had been printed.

RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE'S RECOMMENDATION(S) TO CABINET

After a detailed discussion, the Committee had **RECOMMENDED** to Cabinet that:-

1. the protection of trees on land to be developed be considered with the view to seeking to prevent a loss of trees in sites that are approved for development,
2. Essex County Council be requested to plant a tree for each highway or other tree removed by it as close as possible to the site of the removed tree,
3. the Council looks at the reintroduction of Perspex lamp post signs to reinforce the message about not dog fouling and the penalty for those that allow their dogs to foul in conjunction with ward Councillors,
4. the Council discuss again the relative advantage of deploying covert cameras as part of enforcement, particularly for those specific areas where there is reoffending, in order to identify those offenders,
5. the legal position be considered on the responsibility of those who sell fast food for litter that comes from the packaging provided by those who sell fast food,
6. the reasoning why there have been no FPN's issued in respect of breaches of the PSPO, dog fouling, fly-tipping and littering be shared with the Committee
7. the Council uses social media and the press to make a push to highlight our Community Ambassadors, ASB case officer and Town Centre Officer, the powers they have and the tickets, fines they can issue.

PORTFOLIO HOLDER COMMENT(S) AND RECOMMENDATION(S) TO CABINET

Portfolio Holder's Comments

Cllr Michael Talbot, Portfolio Holder for Environment and Public Space

As the portfolio holder under whose remit most of the recommendations fall I acknowledge that they are all issues that contribute to the corporate plan priority of Effective Enforcement and Regulation. I shall therefore be discussing the recommendations with the relevant officers such that should they be accepted by Cabinet we can either implement or explore further with other agencies as appropriate.

Recommendations to Cabinet:

That the recommendation made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Portfolio Holder thereto be endorsed.

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Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET

17 DECEMBER 2021

REPORT OF THE LEADER

A.2 FREEHOLD DISPOSAL OF REDUNDANT OFFICE SITE AT WEELEY

(Report prepared by Andy White and Lisa Hastings)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider whether Cabinet's decision of 16th December 2016 to sell the Council's office site at Weeley, once vacated, is still the best use of the site in achieving the goals of the Council, or whether the site should be used to deliver new homes including new, high quality Council Housing and hence to;

- (a) appropriate the land at the of the Council's office site at Weeley for planning purposes, which will facilitate the carrying out of housing development; and
- (b) agree to the principle of disposing part of the site, at best consideration, for development to be secured on the whole site, including the part to be retained by the Council.

Authorising delegations to enable the Heads of Terms to be agreed, necessary consents to be obtained and legal agreements to be entered into.

EXECUTIVE SUMMARY

The disposal of the Council office site at Weeley ("the Weeley site") is a key part of the Council's Office Transformation programme. Disposal of the Weeley site will reduce ongoing revenue costs and will reduce the Council's emissions.

The Cabinet agreed Basic Rationalisation as the preferred option for Office Transformation proposals on 16 December 2016, which included selling the Weeley site.

The Chief Executive signed off a business case based on the option agreed by Cabinet on 14 September 2017.

The essence of the business case proposals was to improve efficiency services and facilities by:

- Facilitating flexible working
- Making more services and information available electronically
- Extending buildings at Barnes House and refurbishing other offices at Pier Avenue and at the Town Hall
- Disposing of facilities at Westleigh House, Clay Hall and the Weeley site

The Office Transformation project is primarily aimed at service improvement and ongoing revenue savings.

At the time of writing the bulk of these measures are in place with the final phase of the project at the Town Hall is under way and the remodelling of the Council's office building in Pier Avenue has been completed.

Work has been delayed by various factors and is now scheduled to be complete on all office phases in late autumn 2021.

In preparation for the vacation of the Weeley site, officers invited bids for the disposal of the site from two identified potential Special Purchasers.

The RICS Valuation – Global Standards of 31 January 2020 define Special Purchaser as: *“A particular buyer for whom a particular asset has a special value because of advantages arising from its ownership that would not be available to other buyers in a market.”*

The potential Special Purchasers identified were:

- a builder/developer with controlling interests in land adjoining the site on three sides (the fourth is adopted highway); and
- The housing partnership set up by the County Council with the objective of working with other public bodies to facilitate efficiency in the public estate and creation of additional housing within Essex.

In order to validate whether offers from the potential Special Purchasers represent Special Value, officers and the professional Valuer appointed, have carried out additional soft market testing. In addition one of the original bidders has made an improved offer.

In this case, the bids received include alternatives to cash consideration in the form of the retention by the Council of some homes to be constructed on the site. The consideration of any proposals will involve not taking a capital receipt for the General Fund, but to allow homes to be constructed for the benefit the Housing Revenue Account.

The RICS Valuation – Global Standards of 31 January 2020 define Special Value as: *“An amount that reflects particular attributes of an asset that are only of value to a special purchaser.”*

The soft market testing demonstrated that open marketing or disposing at auction is potentially advisable if the Council were to seek an entirely financial consideration for the site. Alternatively, the Council can appropriate land for any purpose for which the Council is authorised. Consequently, the Weeley site could be appropriated for planning purposes, which will facilitate the carrying out of development which is likely to contribute to the economic, social or environmental well-being of the area, or which is required in the interests of the proper planning of the area in which the land is situated.

The site has been allocated for housing within Section 2 of the Local Plan, which the Planning Inspector has recently confirmed is sound and can be adopted. Delivering additional Council homes is a priority established through the Corporate Plan and Housing Strategy both approved by Full Council. The Council has been undertaking transformation and relocation of its services delivered from the Weeley site for some time, accelerated through the pandemic with many services being delivered on-line and remotely, therefore the public need within the locality for the existing use has reduced considerably with the offices being closed to the public for over 20 months. The criteria for planning purposes is clearly met.

Once appropriated, it is recommended that, subject to planning permission being obtained, part of the land is disposed for private residential development, with part being retained and developed as council housing. Such an arrangement must ensure the Council receives best consideration, therefore detailed heads of terms will need to be negotiated and legal agreements being entered into to secure the necessary development delivers the Council's priorities. Once endorsed by Cabinet, the Leader will make the necessary decisions, in

consultation with the Portfolio Holder for Housing and Officers, within the principles established within the Report.

Prior to occupation of the Council housing, it will be necessary for Cabinet to appropriate the land for housing purposes and at that time, the relevant accounting requirements can be undertaken following the requisite decisions.

RECOMMENDATION(S)

That Cabinet:

- (a) Determines the Council's office site at Weeley, once vacated by the Authority, is no longer required for the purposes for which it is currently held and should be used for development to deliver new homes including new, high quality Council Housing;**
- (b) appropriates the land including the Council's office site at Weeley for planning purposes, which will facilitate the carrying out of housing development;**
- (c) agrees to the principle of disposing of part of the site, at best consideration, and subject to planning permission, for development to be secured on the whole site, including the part retained by the Council;**
- (d) acknowledges that any legal agreement for redevelopment of the land will require specified works relating to the construction of Council housing and therefore, grants an exemption under the Council's Procurement Procedure Rules for the procurement of such construction works; and**
- (e) that subject to best consideration being demonstrated / secured and meeting the requirements set out within the Housing Acquisitions and Development Policy, delegates authority to the Leader, in consultation with the Portfolio Holder for Housing, Corporate Director Operations and Delivery, Section 151 Officer and Monitoring Officer, to enable the Heads of Terms to be agreed, necessary consents to be obtained and legal agreements to be entered into within the principles established within this report.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The potential disposal are pertinent to the following Council priorities:

• 24 hour a day digital services – My Tending	• Modern, high quality buildings and facilities for customers and staff
• Building and managing our own homes	• Carbon Neutral by 2030
• Use assets to support priorities	• Joined up public services for the benefit of our residents and businesses
• Balanced annual budget	• 10 year financial plan

Housing Strategy:

At the heart of this strategy is a commitment to deliver new council housing in the district for the first time in a generation. The Council has an excellent reputation as a landlord and we

want to be an excellent enabler and provider of new, quality, energy efficient homes in our towns and villages.

We remain committed to work with other partners to deliver new homes across the district from larger developments to smaller, community based schemes in our villages.

The Council will encourage and enable new housing schemes in the district from large scale developments such as the proposed Garden Communities settlement on the border with neighbouring Colchester to providing smaller numbers in our towns and villages such as rural exception sites.

Work in partnership with developers, land owners and registered providers to deliver quality affordable homes and cohesive vibrant communities.

Housing Strategy Action Plan – this includes the following:

Facilitate the development of at least two rural exception sites in the district - To deliver homes in villages to meet local needs

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The Office Transformation project is primarily aimed at service improvement and ongoing revenue savings. However the business case model also anticipated a substantial capital receipt but it was not directly linked to offsetting investment in sites to be retained.

Therefore, if a capital receipt was generated from the disposal of the site, it could be invested elsewhere in the budget, such as supporting the delivery of the Council's key priorities.

As set out within the Delivering Priorities section above, housing forms one of the Council's key priorities which provides a direct value for money link to support the option of accepting new Council homes in exchange for the transfer of the freehold of the remaining site instead of a capital receipt.

However in accepting houses instead of a capital receipt, it is acknowledged that the ability to investment in other council priorities is foregone, such as those within the general fund where the asset is currently held.

Demonstrating Best Consideration and Value for Money

Generally, best consideration is considered as equating to the highest cash price. However, the Council is currently active in the open market acquiring housing at full market value and it is therefore appropriate to consider whether a deal involving the provision of housing in exchange for the site provides better value for money.

Independent valuers commissioned by the Council to provide professional advice on the disposal have assisted with the seeking and evaluation of best and final offers from two potential special purchasers. Seeking to address issues behind changes in anticipated price the bids were invited to be expressed either as a cash sum or a number of dwellings. If the open market value of the houses proposed is equal to or exceeds the open market value of the site, then best consideration can be demonstrated.

In terms of wider value for money considerations along with managing key financial risks, a number of issues will be reviewed. The intention of which will be to maximise any additional

opportunities from the disposal of the site or to limit financial risk wherever possible and will include:

- Structuring the transactions to maximise GF revenue savings from the disposal of the site such as those that would be associated with changes to the minimum revenue provision contributions when land / property is appropriated between the GF and HRA.
- Structuring the transactions to ensure that any Stamp Duty Land Tax payable is minimised.
- Ensuring the timing of any transactions are designed to limit risk to the Council such as avoiding the title to the site being transferred to a purchaser before houses have been delivered.

In addition to the above, the necessary activities will need to be undertaken in-line with the Council's Housing Acquisitions and Development Policy to ensure that any 'acquisition' of new homes meets the associated requirements. The same review will also include the impact from potential future right to buy sales, which also forms part of the Housing Acquisitions and Development and Policy.

In respect of the above, these activities will be need to be undertaken to support the delegated authority set out within recommendation e) above.

It is also worth highlighting the current operational costs of the Weeley site. The site incurs running costs in the order of £90,000 per year, a proportion of which will be ongoing during any disposal process. Officers will take steps to minimise costs but it will remain a priority to reach the earliest conclusion possible.

Risk	Control/Mitigation
General fund not receiving the Capital Receipt	Any Development Agreement will secure delivery of additional Council housing for the benefit of the area.
The purchaser of the site delays in progressing the development	Development agreements would be entered into with the disposal being completed upon construction of the council housing, as this would be the consideration for the site.
Significant downturn in the property market.	At the time of writing the local property market is relatively strong with wider economic trends including the Covid pandemic supporting local demand rather than depressing it.
Failure to obtain planning permission	The site is identified for potential residential development in Section 2 of the Local Plan, which the Planning Inspector has recently confirmed as sound for adoption.
Failure to achieve vacant possession	Services' work to clear the buildings is ongoing. The position with regard to the informal tenant at the rear of the site will be the subject of future decisions.
Conclusion of legal agreements by way of option or conditional contract may take significant time.	Costs would be incurred in maintaining safety and security of the site during this period. Rates management and other temporary occupancy arrangements could be used to

	limit the exposure of the Council to costs in this period. External solicitors will be instructed to act on the Council's behalf due to limited in-house resources.
Risk of further marketing	
Risk	Control/Mitigation
One or both of the current bidders withdraws interest.	The Council would rely upon the open market, potentially including auction if the site is not sold by other means.
Significant downturn in the property market.	At the time of writing the local property market is relatively strong with wider economic trends including the Covid pandemic supporting local demand rather than depressing it. An additional period involved in marketing could expose the council to market movement in either direction.
Marketing of the site does not lead to any real increase in the price offered or to an increase that does not offset the agents, marketing, and vacant property costs incurred in the process.	The council can work to limit vacant property costs as above.

LEGAL

In coming to decisions in relation to management of General Fund assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the district.

In this case, bids received include alternatives to cash consideration in the form of the retention by the Council of some homes to be constructed on the site. In considering such an offer Members must ensure they are making an informed decision and in particular what General Fund capital receipt the Council is foregoing, even though the Housing Revenue Account will benefit.

The general appropriation power is contained within section 122(1) of the Local Government Act 1972 and states councils *"may appropriate for any purpose for which council are authorised by this or any other enactment to acquire land by agreement any land which belongs to the council and is no longer required for the purpose for which it is held immediately before the appropriation..."*

The Council is permitted pursuant to Sections 226 and 227 of the Town and Country Planning Act 1990 (as amended) to appropriate land for planning purposes which will facilitate the carrying out of development, re-development or improvement which is likely to contribute to the economic, social or environmental well-being of the area, or which is required in the interests of the proper planning of the area in which the land is situated.

Appropriation for planning purposes must consider the public need within the locality for the existing use, but it is for the local authority to determine, taking into account the relevant considerations.

Section 233 Town and Country Planning Act 1990 (as amended) provides the power to dispose of land held for planning purposes to such person, in such manner and subject to such conditions as appear to them to be expedient in order:

- (a) to secure the best use of that or other land and any buildings or works which have been, or are to be, erected, constructed or carried out on it (whether by themselves or by any other person), or
- (b) to secure the erection, construction or carrying out on it of any buildings or works appearing to them to be needed for the proper planning of the area of the authority.

Secretary of State consent is required for disposal for a consideration less than the best that can reasonably be obtained, therefore it is important that best consideration is obtained through any future disposal, accepting that this can be demonstrated in many ways with professional advice from an Independent Valuers. The Council's Property Dealing Procedure (within Part 5 of the Constitution) sets out various decision making requirements for the disposal of freehold interests in land and at this level two independent valuations are required prior to any decisions being made. This information will be contained within future decisions.

Pursuant to the Local Authorities (Land) Act 1963, the Council has the power to develop land for the benefit or improvement of their area.

Once the Council homes are constructed and prior to occupation, the land on which they are situated would need to be appropriated for housing purposes, to be held within the Housing Revenue Account.

Case law around the application of the duty to obtain Best Consideration Reasonably Obtainable indicates that marketing of land is not necessarily a requirement, but it is a requirement to take account of reasonable professional advice. In this case external valuers and agents have advised on and been involved in the disposal process including the invitation and evaluation of bids and soft market testing. The site has not at this stage been advertised on the open market because of the potential existence of Special Purchasers. The soft market testing has indicated that the potential Special Purchasers may have offered Special Value in particular in relation to the potential provision of Council Housing. Prior to the disposal being agreed, the Council must be satisfied that best consideration has been obtained, further information will be contained in subsequent decisions.

The Council's Property Dealing Procedure sets out various decision making requirements to and at this level any disposal would be approved by Cabinet, however Cabinet are approving the disposal subject to the principles established within the report, with the detail to be agreed by the Leader. The Leader is able to undertake decisions delegated to Cabinet.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of:

Equality and Diversity:	A detailed Equalities Impact Assessment has been completed and design of works at the Council's retained office sites include a range of measures aimed at inclusivity.
Health Inequalities:	
Crime and Disorder:	

Consultation and Public Engagement:	Planning applications within the transformation project have been/ will be subject to statutory and standard public consultation
Wards:	Weeley and Tendring. Ward member comments are included within the comments made by Members of the Resources and Service Delivery Overview and Scrutiny Committee at their informal meeting are set out in the Current Position section of this report.
Net Zero Emissions:	<p>The disposal of the Weeley site will involve the closure of an oil fired heating system and an overall reduction in the amount of office accommodation and therefore energy consumption.</p> <p>Within the wider project new accommodation is built to high insulation standards with air source heating/cooling. Roof insulation built in at Pier Avenue and LED lighting and controls fitted throughout.</p>

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The disposal of the Weeley site is a key part of the Council's Office Transformation programme. Disposal of the Weeley site will reduce ongoing revenue costs and will reduce the Council's emissions.

The Cabinet agreed transformation proposals on 16 December 2016

The Chief Executive signed off a business case based on the option agreed by Cabinet on 14 September 2017.

At the time of writing the penultimate phase of the project at the Town Hall is under way and the remodelling of the Council's office building in Pier Avenue has been completed.

Work has been delayed by various factors and is now scheduled to be complete on all office phases late in autumn 2021.

CURRENT POSITION

In preparation for the vacation of the Weeley site, officers have invited bids for the disposal of the site from two identified potential Special Purchasers.

The RICS Valuation – Global Standards of 31 January 2020 defines Special Purchaser as: "A particular buyer for whom a particular asset has a special value because of advantages arising from its ownership that would not be available to other buyers in a market."

The potential Special Purchasers identified were:

- a builder/developer with controlling interests in land adjoining the site on three sides (the fourth is adopted highway), where that developer might benefit from design options facilitated by wider ownership, economies of scale, shared accesses and service options giving advantage that could arise from ownership not available to other buyers in the market, and;
- The housing Partnership set up by the County Council with the objective of working with other public bodies to facilitate efficiency in the public estate and creation of additional housing within Essex In this case it was considered that the joint working between the organisations and the wider social objectives behind the establishment of the Partnership could lead to advantages arising from its ownership that would not be available to other buyers in a market.

In order to validate whether offers from the potential Special Purchasers represent Special Value officers and the Valuer appointed have carried out an additional soft market testing.

The RICS Valuation – Global Standards of 31 January 2020 define Special Value as: “An amount that reflects particular attributes of an asset that are only of value to a special purchaser.”

The result of the exercise was mixed, with one contact indicating that they could not meet the Council’s price expectations and another giving a view that they may be able (subject to detailed investigations etc.) to offer a price around 5% higher involving proposals that retain the existing main building. That developer’s housing based offer was not as advantageous as the higher of the existing ones.

One of the identified potential special purchasers has made an improved housing offer for the site.

During the course of the project discussions with other parties with regard to the disposal of the site were carried out and varying factors caused the anticipated return to vary over time.

Independent valuers commissioned by the Council to advise on the disposal have assisted with the seeking and evaluation of best and final offers and have assisted with a soft market testing aimed at evaluating whether bids made by the potential special purchasers represent special value.

Seeking to address issues behind changes in anticipated price the bids were invited to be expressed either as a cash sum or a number of dwellings. Bids were received from bidders for both options.

Higher bids received are contingent on achieving planning permission for redevelopment. Bidders were also able to put forward offers for a simple direct purchase of the site without conditions. One offer only was received, at a substantially lower level.

Initial assessment of bids received indicates that an exchange for housing is likely to be more efficient than the gaining of a capital receipt and the subsequent acquisition of housing on the open market. Details of terms arrangements and successful bidder will be subject to further decision.

The Assistant Director for Building and Public Realm met informally with members of the Resources and Service Delivery Committee. The members had four principal points:

- a) Generally supportive of acquiring dwellings rather than money.
- b) Gain as many properties for local needs as possible.
- c) Dwellings should be of the same type and standard as market housing on the development.
- d) Consideration should be given to securing one bedroom homes in line with the highest demand for homes identified in the housing Strategy.

Members are correct that the largest number of families on the housing register are seeking 1 bedroom accommodation in the Clacton area. However, if Cabinet were minded to accept one of the housing based offers, there are some factors that steer officers towards recommending the acceptance of 2/3 bedroom houses in this case:

- a) Fitting into the character of the development(s)
- b) Facilitating families in inadequately sized Council accommodation to move up
- c) Rebalancing the local social housing mix where 37 of 56 houses have been sold under right to buy legislation.
- d) Potential developments being proposed in Clacton town centre being best suited to the delivery of significant numbers of flats.
- e) Outline planning permission on adjoining land includes the provision of 84 affordable homes, 59 should be for rent and 25 for low cost home ownership representing a

further opportunity that may include smaller units which the Council could consider acquisition of or influence over through nomination rights.

The soft market testing demonstrated that open marketing or disposing at auction is potentially advisable if the Council were to seek an entirely financial consideration for the site. Alternatively, the Council can appropriate land for any purpose for which the Council is authorised. Consequently, the Weeley site could be appropriated for planning purposes, which will facilitate the carrying out of development which is likely to contribute to the economic, social or environmental well-being of the area, or which is required in the interests of the proper planning of the area in which the land is situated.

The site has been allocated for housing within Section 2 of the Local Plan, which the Planning Inspector has recently confirmed is sound and can be adopted. Delivering additional Council homes is a priority established through the Corporate Plan and Housing Strategy both approved by Full Council. The Council has been undertaking transformation and relocation of its services delivered from the Weeley site for some time, accelerated through the pandemic with many services being delivered on-line and remotely, therefore the public need within the locality for the existing use has reduced considerably with the offices being closed to the public for over 20 months. The criteria for planning purposes is clearly met.

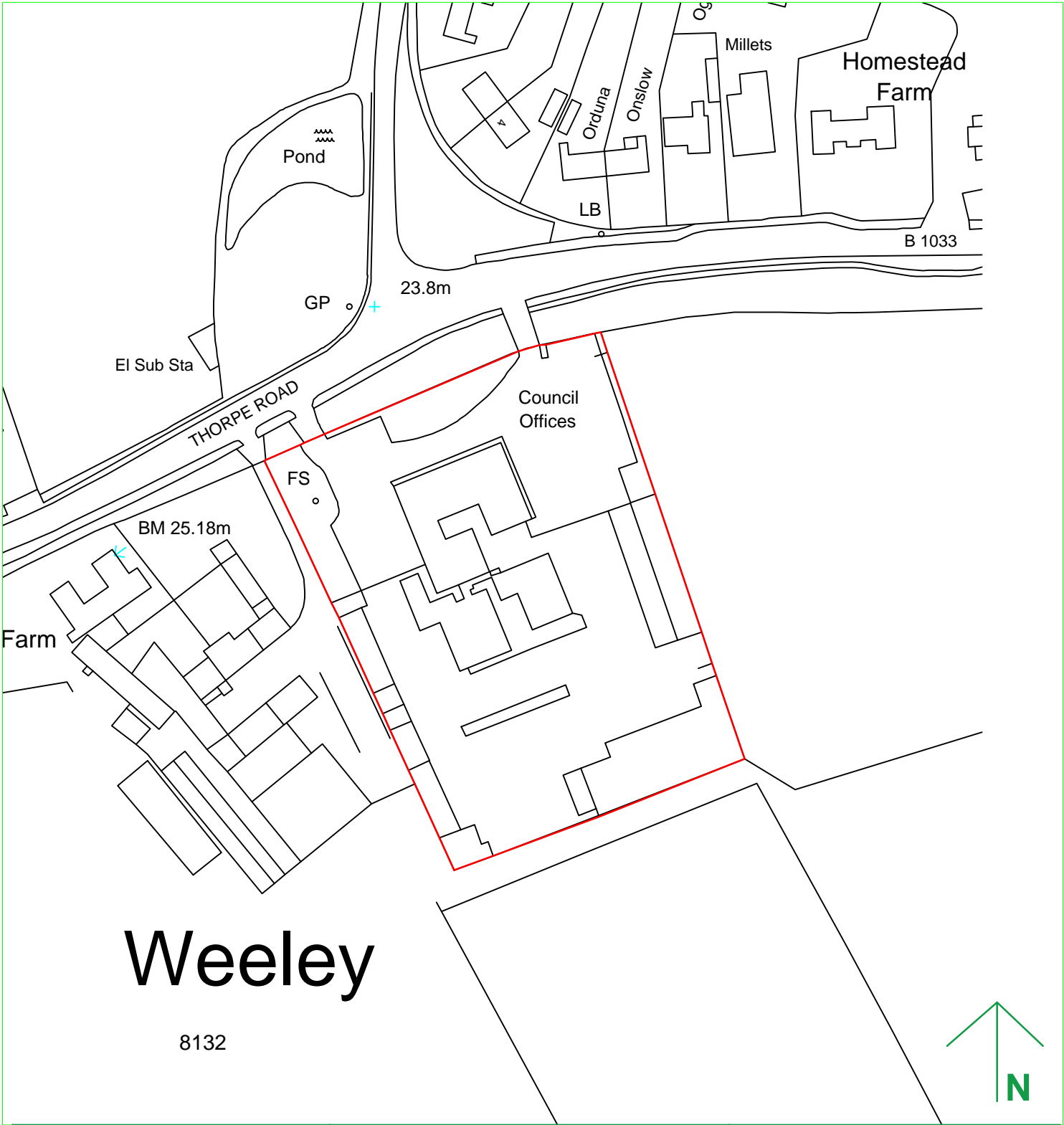
Once appropriated, it is recommended that, subject to planning permission being obtained, part of the land is disposed for private residential development, with part being retained and developed as council housing. Such an arrangement must ensure the Council receives best consideration, therefore detailed heads of terms will need to be negotiated and legal agreements being entered into to secure the necessary development delivers the Council's priorities. Once endorsed by Cabinet, the Leader will make the necessary decisions, in consultation with the Portfolio Holder for Housing and Officers, within the principles established within the Report.

APPENDICES

Appendix A – Location Plan

BACKGROUND PAPERS

Office Transformation Business Case.



TENDRING DISTRICT COUNCIL M. KNAPPETT BA(hons). DMS. MCIH. HEAD OF CORPORATE PERFORMANCE	Title Weeley Council Offices Date: 30 March 2016	Scale: 1:1250 Drawn By: J. Weavers Drawing No. & Revision 1 A
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Key Decision Required:	NO	In the Forward Plan:	NO
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CABINET

17 DECEMBER 2021

REPORT OF THE LEADER OF THE COUNCIL

A.3 FURTHERING THE COMMITMENT TO THE COUNCIL'S CORPORATE PLAN 2020-24 – DEVELOPING HIGHLIGHT PRIORITY ACTIONS FOR 2022/23

(Report prepared by Keith Simmons and Lisa Hastings)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

The Council's strategic direction is set out in its Corporate Plan. The Corporate Plan was adopted unanimously by Council on 21 January 2020 (Minute 78 refers) and the covers the period 2020-24 (and is reproduced at Appendix A to this report). The Corporate Plan shapes the annual highlight priorities of the Cabinet and the 2021/22 priorities are set out at Appendix B to this report. At Appendix C, are initial thoughts for the highlighted priorities for year three (2022/23) of the Corporate Plan term. Finalised proposals for the highlight priorities for 2022/23 and milestones will be considered by Cabinet on 28 January 2022. Prior to that, views on the highlight priorities are invited and will be reported to that meeting.

EXECUTIVE SUMMARY

The Council's Corporate Plan 2020/24 sets out its strategic direction. That strategic direction itself seeks to reflect the issues that matter most to local people, the national requirements from Government and the challenges that face the District over that time period.

The themes of the 2020/24 Corporate Plan are:

- Delivering High Quality Services
- Building Sustainable Communities for the Future
- Strong Finance and Governance
- Community Leadership through Partnerships
- A Growing and Inclusive Economy

The Corporate Plan itself is set out at Appendix A to this report.

Cabinet establishes each year its priority actions to deliver against the Corporate Plan and thereby ensure that the ambition of that Plan is central to its work. The priority actions do not cover every separate element of the ambition of the four year Corporate Plan; nor are they intended to indicate that other projects, schemes or activities are not being pursued. They are though intended to reflect imperatives across the Council and for the District and actions that it is right to focus on in this year.

When the Corporate Plan was adopted we could not have predicted that the world would have experienced the Coronavirus pandemic that has engulfed it. The UK was impacted as most, if not all, countries globally have been impacted by the pandemic. It is in the face of the pandemic that this Council has responded to the particular challenges that emerged.

While that has impacted on the work of the Council, including individual schemes, activities and projects, progress against the Corporate Plan priorities has continued.

The highlight priorities for 2021/22 are set out at Appendix B for reference purposes only.

As we look forward to year three of the Corporate Plan 2020-24, the following highlights of successes across the first year years of the Plan are noteworthy:

It is against this backdrop that the Cabinet intends to make further steps to deliver the intentions of the Corporate Plan.

The initial highlight priorities for 2022/23 has been prepared following consultation with individual Portfolio Holders and the Leader of the Council and this are set out at Appendix C to this report for consideration.

RECOMMENDATION(S)

- (a) That Cabinet approves the initial highlight priorities for 2022/23, as set out at Appendix C to this report, for consultation;**
- (b) that all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and**
- (c) that the outcome of the consultation referred to in (b) above be reported to Cabinet on 28 January 2022 in order that Cabinet can formally adopt its finalised key priority actions for 2022/23.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The initial highlight priorities set out at Appendix A seeks to deliver in the year 2022/23 on the ambitions of the four year Corporate Plan. Other actions in 2022/23 will also be undertaken as the Council applies the strategic direction of the Corporate Plan to its work overall. In addition, Cabinet will establish a further set of key actions for 2023/24 to advance further achievements against the Corporate Plan.

FINANCE, OTHER RESOURCES AND RISK

The initial highlight priorities set out at Appendix A includes the delivery of the financial savings target within the Medium Term Financial Strategy. In considering all matters, it is vital that the balance of resources can be accommodated by this Council and that it does not put further strain on the Council being able to balance its budget each year.

A key risk as Cabinet prepares its highlight priorities for 2022/23 is the continuing impact of the Covid-19 pandemic and the measures to address the pandemic. These risks will need to be assessed in a dynamic way as the situation develops over time. There may yet be further work for the Council to achieve, such as new grant schemes, as there has been in 2020/21 and 2021/22 and this too will impact on the capacity of the Council to achieve the Cabinet's adopted highlight priorities.

LEGAL

The legal implications of individual actions will be assessed when they are brought forward for formal decisions to be made.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

In preparing this report, due regard has been given to the likely effect of the exercise of the Council's functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. In addition, due consideration has been given to the District Council's statutory Equality Duty to eliminate unlawful discrimination, advance equality of opportunity and foster good relations, as set out in Section 149(1) of the Equality Act 2010.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The development of the Cabinet's annual highlight priorities in support of the Corporate Plan ambition, and the reporting on them, follows the rhythm set out below:

1. Initial draft proposals for the Highlight Priorities for the following financial year will be considered at the meeting of Cabinet that also considers the Initial budget for the Council for the same year (in December).
2. The initial proposals will be subject to consultation; including Overview and Scrutiny Committees.
3. The outcome of consultation and finalised proposals for the Annual Highlight Priorities for the following financial year will be considered at the meeting of the Cabinet that also considers the draft budget for the Council for that same year (at the end of January). This will include Quarter 3 report on performance against the Annual Key Priority Actions for the current year.
4. Following the adoption of the Annual Key Priority Actions, the performance triggers will be built into the performance monitoring system of the Council based on the milestones approved as part of those Priority Actions.
5. Officers will report to the relevant Portfolio Holder on delivery of the Priority Actions and Portfolio Holders will determine, by exception, if issues need to be reported to Cabinet throughout the year.
6. Each quarter, a summary report on delivery against all of the Cabinet's Annual Key Priority Areas for the year will be reported to Portfolio Holders and then published as part of the Council's transparency data. Overview and Scrutiny Committee members may then identify specific key actions where there is performance against relevant milestones that should be subject to further enquiry and these may then be referred to the next relevant meeting of the Committee.
7. A half-yearly report on performance against the Annual Key Priority Actions will be submitted to the relevant Cabinet Meeting (in October). This not only enables the Cabinet to consider the delivery of key actions in that year but also to

encourage the start of the process to set key actions for the following financial year.

8. The half-yearly report will be available for Overview and Scrutiny Committees to include in their work programmes so as they can consider the likely achievement of the envisaged outcomes envisaged.

The Outturn position on performance against the Cabinet's Annual Key priority actions for the previous financial year will be timed to be reported to the Cabinet Meeting at which budget Outturn for that year will be reported.

CURRENT POSITION

For the reasons set out here it is opportune to revisit the development of highlight priority actions on an annual basis within the ambition of the Corporate Plan.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

A – Corporate Plan 2020-24

B – Highlight Priorities for 2021/22

C – Initial thoughts for Highlight Priorities for 2022/23 in support of the Corporate Plan themes

Our Vision

To put community leadership at the heart of everything we do through delivery of high quality, affordable services and working positively with others.

Delivering High Quality Services

- Modern, high quality buildings and facilities for customers and staff
- 24 hour a day digital services – My Tendring
- Minimise waste; Maximise recycling
- Proactive Planning Service
- Public spaces to be proud of
- Effective regulation and enforcement
- Carbon Neutral by 2030

Tendring District Council Corporate Plan 2020-2024



INVESTORS
IN PEOPLE | Gold

Community Leadership Through Partnerships

- Health and wellbeing - for effective services and improved public health
- Education - for improved outcomes
- Law and Order - for a safer community
- Sport England and Active Essex- for physical activity and wellbeing
- Joined up public services for the benefit of our residents and businesses
- Influence and lobby - for Tendring's future

Community Leadership Tendring4Growth

Building Sustainable Communities for the Future

- North Essex Garden Communities
- Jaywick Sands - more and better housing; supporting the community
- Vibrant Town Centres
- Building and managing our own homes
- Effective planning policies

Strong Finances and Governance

- Balanced annual budget
- 10 year financial plan
- Effective and positive Governance
- Strong and focused leadership
- Use assets to support priorities

A Growing and Inclusive Economy

- Develop and attract new businesses
- Support existing businesses
- More and better jobs
- Promote Tendring's tourism, cultural and heritage offers
- Maximise our coastal and seafront opportunities

Our Values

- ◆ Councillors and staff uphold **personal integrity, honesty** and **respect** for others
- ◆ **Innovative, flexible, professional** staff **committed** to delivering excellence
- ◆ Recognising the diversity and **equality** of individuals
- ◆ Working **Collaboratively**

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2021/2022 KEY PRIORITY ACTIONS

(as approved by the Council's Cabinet in March 2021)

**Keeping true to our vision and
our values at all times.**

WE ALL PLAY OUR PART

**Turning the
CORPORATE PLAN
2020-2024
into actions for
the benefit of
Tendring**

PULLING TOGETHER

Make good progress with the Climate Change Action Plan to be Carbon Neutral by 2030.

Strengthen effective regulations and enforcement with new FPN arrangements, a summertime partnership plan and introducing mobile CCTV capacity.

**DELIVERING HIGH
QUALITY SERVICES**

Delivering key schemes to improve physical activity and wellbeing within the District as part of the Sport England / Active Essex Pilot

**COMMUNITY
LEADERSHIP**

Promoting Tendring's Tourism Cultural and Heritage offers including Clacton 150 and Mayflower 400.

Delivering the Back to Business Agenda.

Pursuing Freeport East opportunities.

Build the Jaywick Sands covered market and commercial space.

**A GROWING AND
INCLUSIVE ECONOMY**

Make the Starlings Project in Harwich a reality.

Deliver 10 more Council homes.

Successfully implement Part 1 of the Local Plan and prepare for Part 2's examination.

**BUILDING SUSTAINABLE
COMMUNITIES**

Secure the savings needed to keep the Council's budget on track.

**STRONG FINANCES
AND GOVERNANCE**

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Cabinet – 17 December 2021

Initial Thoughts for Highlight Priorities for 2022/23

The initial thoughts for Highlight Priorities for 2022/23 are set out below and grouped by the appropriate theme within the Corporate Plan. The themes are:

- Delivering High Quality Services
- Building Sustainable Communities for the Future
- Strong Finance and Governance
- A Growing and Inclusive Economy
- Community Leadership through Partnerships

As part of the Delivering High Quality Services Theme

Climate Change Action Plan Actions for 2022/23

The Council has pledged to become carbon neutral by 2030 from The Council's own activities and from the electricity it uses. The Council has an Action Plan 2020-2023 to help it make progress towards this goal, and it will continue to deliver actions within the Action Plan. In particular, the Council will focus on electric vehicle charging infrastructure, and consideration of the opportunities for solar, alongside improving the efficiency of the Council's estate, and engaging externally with partners with common interests in climate action.

Commitments about Environmental service delivery

The Environment Act 2021 and subordinate legislation and guidance will have a defining influence on the forward direction of the Councils waste and recycling service. The failure of the County Council's proposals for the Mechanical Biological Treatment plant will impact on future waste collection rounds and costs. County wide waste collection authorities are working together to agree a new Municipal Waste Strategy. In order to deliver the new strategy Councillors will be presented with evaluated and costed options for consideration and appropriate level decision. At this moment in time the costs are unknown. The aim will be to meet regulatory requirements whilst increasing recycling rates in a manner that balances financial constraints.

Community Safety and Supporting good practice enforcement

The Covid response work continues, alongside a commitment to Enforcement. As agreed at the Corporate Enforcement Group the Community Ambassadors are being trained to respond to three key offences using Fixed Penalty Notices. The areas of priority are dog fouling, littering and fly tipping. The

Community Safety Team continue to use the powers available to the authority in the Anti- Social Behaviour 2014 Act. These powers are usually used in conjunction with partners such as Essex Police or Housing Associations.

As part of the Building Sustainable Communities Theme

Tendring-Colchester Borders and Development Planning Document

Working in partnership with Colchester Borough Council and Essex County Council to develop both the planning framework and a long-term stewardship model for a new Garden Community of 7,000-9,000 homes with associated employment opportunities and infrastructure. The Garden Community will be an exemplar development that incorporates the very highest standards of design, architecture, planning and carbon reduction measures and delivery of the scheme will require positive cooperation with the lead development partners Latimer Clarion and Mersea Homes and continuous engagement with both existing and future communities.

Council Housing/Building (including Honeycroft)

Working in partnership with procurement specialists at Essex County Council in order to run a tender exercise for the design and construction single storey homes suitable for older and disabled persons. The procurement exercise will result in a high profile redevelopment of around 20 bungalows at the Honeycroft site.

The redevelopment will seek to provide homes achieving appropriate energy efficiency and lifetime homes standards along with meeting other industry benchmarks for quality and design. Options for the use of Modern Methods of Construction will be included along with offering the opportunity to Small & Medium size Enterprise (SME) developers. The overall design is to recognise current landscape constraints and provide a secure yet welcoming micro community that supports independent living and quality lifestyle.

Further to the redevelopment of Honeycroft site, two further sites held within the Housing Revenue Account (HRA) will be progressed to design and tender phase such that construction can follow on once Honeycroft is completed, or in parallel if funding permits. These sites could deliver a total of ten additional council homes for rent.

Discussions with Councillors will be facilitated on a range of further potential development sites identified within the HRA and General Fund estates. Proposals around a range of disposal or development options will touch on a spectrum of priority themes and balance financial and service considerations.

All of the above will be subject to appropriate (further) Cabinet and Full Council level decisions on scheme design, cost and funding.

Jaywick Sands Place Plan

Working with the community of Jaywick Sands and other stakeholders to develop a long-term strategic plan for the area which will provide both a basis for making future planning decisions and a strategy for seeking and securing external private and public funding towards ongoing rejuvenation of the area and tackling deprivation. Key matters to address will include improving housing conditions, provide access to training and employment opportunities, improving community facilities and infrastructure and, perhaps most challenging of all, providing a long-term sustainable future of the community in the face of climate change and the increased likelihood and risk to life and property associated with of coastal flooding.

As part of the Strong Finances and Governance Theme

Achieving Savings target

To continue the development of a zero based approach to deliver the required savings over the remaining years of the long-term forecast.

This will need to be balanced against the level of cost pressures that may emerge over the same timescales along with the delivery against the emerging Corporate Investment Plan.

Improving governance arrangements further

The Council continually seeks to improve and enhance its governance arrangements and in 2022/23 further enhancements will be made. This includes actions from the Centre for Governance and Scrutiny's Scrutiny Development Review of the Council and actions to keep the Constitution and Councillor training opportunities up to date.

Through this highlight priority the progress with such activities such as the development of a revised strategy for Inclusion and Equality will be captured. The revised Strategy, including an updated People Impact Assessment is aimed at securing robust governance arrangements are in place across the organisation.

Use of the Council's assets

Appropriately disposing of land at the redundant Weeley Office Site in support of priorities.

To facilitate member decision on a range of potential development sites identified within the Housing Revenue Account and General Fund estates. Propose a range of disposal or development options that touches on a spectrum of priority themes and balances financial and service considerations.

To ensure that the Council's general fund assets support in the delivery of the Council's key priorities including health, the provision of modern high quality

buildings for customers and staff along with a commitment to carbon neutrality.

As part of the Growing and Inclusive Economy Theme

Freeport East

Partners have submitted a successful Outline Business Case for Freeport East, with the potential to bring investment and jobs to the Port at Harwich. The Council will be an effective partner in the Freeport East programme, working with other local authorities and the Port to support efforts to bring forward Bathside Bay. The Council will work with Essex County Council and other partners to develop future proposals for the regeneration benefits that Freeport East could bring to District of Tendring.

Exploring Town Centre Renewal/improvement

The Council has the opportunity to seek government funding to invest in its major town centres in Clacton and Harwich through the Levelling Up Fund. The Council will develop a pipeline of projects to support the District's town centres, working with partners, and seek funding for them.

Tourism Offer/Events

Tourism is a major industry for District of Tendring. The sector is worth almost £402 million to Tendring, with the industry responsible for almost 9,000 jobs, equivalent to 17.9% of the District's employment. Most recently Clacton 150 has demonstrated the capacity of the Council to bring forward events and animate the seafront. The Council's Tourism Strategy aims to grow the value and volume of tourism for the wider benefit of the District, with a 10 point plan. The Council will co ordinate a programme of events including the Clacton Airshow and celebrations of the Queen's Platinum Jubilee, and bring forward proposals to support the visitor economy.

As part of the Community Leadership Theme

Health Inequalities Grant funded initiatives

The Council has agreed a number of health Memoranda of Understanding primarily to support the work around health inequalities across the District. At the current time the evaluation framework is being constructed with a view to recruiting additional post holders on a temporary basis to move this work forward across communities. For example, an additional Family Solutions worker is to be recruited to support families in the Harwich area. This work will be completed with communities, stakeholders, statutory and voluntary bodies.

Education

Working with Education partners including ECC, local schools, universities and business to address the four key work streams – teacher recruitment, retention, school attendance and Post 16 opportunities. This work is in line with the Council's Children and Young Person's Strategy.

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Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET

17 DECEMBER 2021

REPORT OF CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER

A.4 UPDATED GENERAL FUND FINANCIAL FORECAST / BUDGET 2022/23

(Report prepared by Richard Barrett)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To enable Cabinet to consider the updated financial forecast and proposed budget position for 2022/23 for consultation with the Resources and Services Overview and Scrutiny Committee.

EXECUTIVE SUMMARY

- A 'live' 10-year forecast is maintained and reported to Members throughout the year. The most up to date position in December each year is translated into the detailed budget for the following year for consultation with the Resources and Services Overview and Scrutiny Committee.
- As part of maintaining a 'live' forecast, this report 'builds' on the last position that was presented to Cabinet on 12 November 2021.
- Despite the challenging financial and economic environment, confidence in the long term approach to the forecast remains, which is supported by the forecast risk fund.
- The Council has maintained a prudent and sustainable approach to its long term plan and has continued to 'live within its means', which has to date enabled it to respond to exceptional issues such as the COVID 19 pandemic without the need to make short term / adverse decisions that could have affected the provision of front-line services.
- There are a number of emerging cost pressures that are currently reflected in the forecast, and this report also highlights a number of items that are planned to be mitigated via one-off funding or via the use of existing reserves / budgets to underwrite their overall risk to the forecast.
- Cost pressures to date largely reflect unavoidable items. Given the pressures on the 'base' budget, it is proposed to consider 'optional' cost pressures via a separate process that will include the development of a Corporate Investment Plan that will seek to prioritise further investment from available funding such as the reprioritisation of existing budgets or from additional funding that may become available from the Government.
- On-going savings of just over **£0.200m** have been identified as part of the early phase of developing a zero based approach to budget setting. This is behind the target of **£0.450m**, which highlights the importance of quickly developing this framework during 2022 to identify the required level of savings over the remaining life of the forecast.
- At this stage of the budget process, there is a net deficit of **£1.488m** forecast in 2022/23,

an improvement of **£0.154m** compared with the **£1.642m** deficit reported to Cabinet on 12 November 2021. Therefore, the forecast remains within the financial boundaries set out in the long-term plan.

- Although subject to potential changes over the remaining budget-setting period, the current forecasted deficit of **£1.488m** will be met by drawing money down from the Forecast Risk Fund.
- A review of reserves has also been undertaken, which highlights the need to hold a number of reserves to support key actions / activities as part of the Council's overall prudent and sustainable approach to managing its finances. However, a number of reserves will remain under review as part of the development of the budget and the Corporate Investment Plan highlighted above.
- At the time of finalising this report, the Local Government Finance Settlement for 2022/23 had yet to be announced. If announced in time, any changes emerging from the settlement will be reported directly at the meeting, otherwise they will be included in the figures that will be presented to Cabinet in January 2022 when it considers its final budget proposals for recommending to Full Council in February 2022. The budget includes a council tax levy increase of £5, with this level of increase expected to be confirmed as allowable as part of the finance settlement announcements. No revenue support grant has been included in the budget for 2022/23, but similarly to the late announcement last year, the Government may provide some funding again next year, especially when reflecting on the on-going financial impact of COVID 19 on Local Authorities.
- With the above in mind, the final position for 2022/23 is likely to be more positive than the **£1.488m** currently reported, especially as the final expected income position for business rates has also yet to be finalised.
- Once the final position for 2022/23 is determined, the remaining years of the 10-year forecast will be revised, set against the budget position for 2022/23 and will be reported to members later in the budget setting process.

RECOMMENDATION(S)

That Cabinet:

- a) Approves the updated Financial Forecast and proposed position for 2022/23 as set out in this report and Appendices; and**
- b) requests the Resources and Services Overview and Scrutiny Committee's comments on this latest financial forecast and proposed position for 2022/23.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The forecasting and budget setting process will have direct implications for the Council's ability to deliver on its objectives and priorities. At its heart, the 10-year approach to the forecast seeks to establish a sound and sustainable budget year on year through maximising income whilst limiting reductions in services provided to residents, business and visitors.

2022/23 sees the start of the development of a zero based approach to budget setting, which is one of the Council's key priorities as it forms one of the most important elements of delivering a sustainable budget year on year.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The financial implications are set out in the body of the report.

Although the availability of financial resources is a key component in the delivery of services there will also need to be appropriate input of other resources such as staffing, assets and IT.

Risk

There are significant risks associated with forecasting such as cost pressures, inflation and changes to other assumptions that form part of the financial planning process. There are a number of areas that could lead to additional expenditure being incurred, such as: -

- Economic environment / instability;
- Emergence of additional cost pressures;
- Changes to the local authority funding mechanisms such as the Government's fairer funding review that is still expected;
- New legislation placing unfunded duties on the Council or reducing the level of the Council's core funding;
- Local or national emergency;
- Income is less than that budgeted for, including business rate income retained locally.
- On-going impact from the COVID 19 pandemic

One of the primary risks introduced by the COVID 19 crisis is the potential medium to longer-term impact to key income streams for the Council such as from council tax, business rates and general fees and charges.

Although income from council tax and business rates is seeing the continuing trend of recovering back to pre-COVID 19 levels, there remains a secondary impact in areas of the budget such as court costs (existing annual income budget of **£0.323m**) and money receivable under the terms of the council tax sharing agreement with the major preceptors (existing annual income budget of **£0.631m**). Also the timing and trajectory of the recovery in fees and charges within leisure centres remains a key financial risk. Although it is expected that the above are expected to continue to recover over the course of the year, they will remain under review as part of the on-going development of the budget and as part of future quarterly financial performance reports.

In addition to the above, there are a number of unmitigated cost pressures set out within **Appendix C**. However it is proposed to review these during the year where managed interventions may be necessary and as part of developing the long term forecast in later years. As part of the on-going development of the budget, there may also be opportunities to fund them on a one-off basis from elsewhere within the budget or via additional funding that may become available via the Local Government Financial Settlement, which may include further COVID financial support.

However given the significant risk that the above presents, it is proposed to underwrite this risk via re-focusing the existing Building for the Future Reserve. As highlighted later on in this report, this reserve has been used to fund the Council's pension deficit payments upfront, which in turn has generated significant annual revenue savings. This upfront payment is repaid

over three years, which is built into the underlying budget. The estimated balance in this reserve at the end of March 2022 is **£1.654m**, which is therefore available to underwrite the identified risks during 2022/23.

The specific risk to income budgets should be seen as separate from the underlying risk to the forecast, which are underwritten via the Forecast Risk Fund. As previously discussed, the Council's ability to financially underwrite the wider forecast is an important element of the 10-year plan. As with any forecast, some elements of income and expenditure will be different to that forecasted. It is fair to say that many may offset each other over the longer term. However, an update against the two important aspects to how this is being managed are as follows:

- 1) **£2.704m** remains within the Forecast Risk Fund (excluding 2021/22 contributions) to support the budget in future years. This money is available to be drawn down if the timings within the forecast differ in reality and the net position is unfavourable compared to the forecast in any one year. Based on the current position, it is proposed to draw down **£1.488m** from this reserve in 2022/23, a slightly reduced position from the **£1.642m** presented to Cabinet on 12 November 2021. Annual surplus balances are still expected to remain within this reserve over the remaining life of the forecast as set out in **Appendix A**.
- 2) The forecast will remain 'live' and be responsive to changing circumstances and it will be revised on an on-going basis. If unfavourable issues arise, that cannot be mitigated via other changes within the forecast then the forecast will be adjusted and mitigating actions taken. Actions to respond will, therefore, need to be considered but can be taken over a longer time period where possible. In such circumstance, the Council may need to consider 'topping' up the funding mentioned in 1) above if required. This may impact on the ability to invest money elsewhere but will need to demonstrate that its use is sustainable in the context of the ten-year forecast.

The long-term approach to the forecast therefore still provides flexibility to respond to risks such as those presented by the potential on-going impact from the COVID 19 pandemic. However, it must be highlighted that the savings targets set out in the forecast will still need to be delivered in the longer term but they need to remain flexible and react as a counterbalance to other emerging issues and it is therefore accepted that this figure may need to be revised up or down over the life of the forecast.

It is important to continue to deliver against the forecast to build confidence in the longer-term approach. This will therefore continue to need robust input from members and officers where decisions may be required in the short term or on a cash flow basis.

Another aspect to this approach is the ability to 'flex' the delivery of services rather than cut services. As would be the case with our own personal finances, if we cannot afford something this year because of a change in our income, we can potentially put it off until next year. There is a practical sense behind this approach as we could flex the delivery of a service one year but increase it again when the forecast allows.

In addition to the above, it is important to note that the Council has already prudently set aside money for other significant risks in the forecast such as **£1.758m** (NDR Resilience Reserve) and **£1.000m** (Benefits Reserve), which can be taken into account during the period of the forecast if necessary. The Council also holds **£4.000m** in uncommitted reserves, which supports its core financial position.

As discussed later on in this report money has been set side to mitigate cost pressures associated with the repair and maintenance of Council assets. When they arise, they are

usually significant and the approach taken aims to 'protect' the underlying revenue budget from such items. An Asset Refurbishment Reserve of **£1.269m** has therefore been established for this purpose and the use of this fund can be considered outside of the annual budget setting cycle via a separate decision making process and/or as part of the emerging Corporate Investment Plan.

LEGAL

The arrangements for setting and agreeing a budget and for the setting and collection of council tax are defined in the Local Government Finance Act 1992. The previous legislation defining the arrangements for charging, collecting and pooling of Business Rates was contained within the Local Government Finance Act 1988. These have both been amended as appropriate to reflect the introduction of the Local Government Finance Act 2012.

The Local Government Finance Act 2012 provided the legislative framework for the introduction of the Rates Retention Scheme and the Localisation of Council Tax Support.

The Calculation of Council Tax Base Regulations 2012 set out arrangements for calculation of the council tax base following implementation of the Local Council Tax Support Scheme. These arrangements mean that there are lower tax bases for the district council, major preceptors and town and parish councils.

The Localism Act 2012 introduced legislation providing the right of veto for residents on excessive council tax increases.

Under Section 25 of the Local Government Act 2003, the Chief Finance Officer (S151 Officer) must report to Council, as part of the budget process, on the robustness of estimates and adequacy of reserves. The proposed approach can deliver this requirement if actively managed and will be an issue that remains 'live' over the course of the forecast period and will be revisited in future reports to members as the budget develops.

In respect of special expenses that form part of the budget setting process, expenditure is classed as a Special Expense if it satisfies the requirements of the Local Government Finance Act 1992, Section 35. The only category relevant to this Council is contained within Section 35(2)(d) relating to concurrent functions with Parish and Town Councils. Under the Local Government Finance Act 1992, the Council must identify as its Special Expense, proposed expenditure on those functions which the Council performs in part of the district but which Parish or Town Councils perform elsewhere in the District. If, in the Council's view, a special expense should properly be charged over the whole of the district's area, the Council may pass an express resolution to this effect (known as a **contrary resolution**).

In order for expenditure to be a Special Expense, there are two conditions that must be fulfilled:

1. Expenditure is estimated to be incurred by the District Council in the whole or part of its area on the provision of a function;
2. Expenditure on the provision of the same function is to be incurred by at least one parish/town council elsewhere in the district.

The proposals set out in this report are in accordance with the Council's budget and policy framework.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and

any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement / Carbon Neutrality

There are no other implications that significantly and directly impact the financial forecast. However, the ability of the Council to appropriately address these issues will be strongly linked to its ability to fund relevant schemes and projects and determination of the breadth and standard of service delivery within the Council's overall financial position.

An impact assessment will be undertaken as part of any separate budget decisions such as those that will be required to deliver the necessary savings.

Special expenses are based on the principle of ensuring there is equality across the district in levying Council Tax to residents based on services and facilities provided by Town and Parish Councils in specific areas that are also provided by the District Council.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The long term forecast is updated on an on-going basis, which is reported to Members quarterly, with the most recent position (at the end of September 2021) being reported to Cabinet at its 12 November 2021 meeting.

The Resources and Services Overview and Scrutiny Committee considered the report referred to above at its meeting on 13 December 2021, and their comments will be provided separately.

UPDATED FINANCIAL FORECAST 2022/23

Appendix A sets out an updated forecast for 2022/23 that reflects changes since Cabinet considered the earlier position at its 12 November 2021 meeting. The changes required reflect a slightly improved position – a reduction of **£0.154m** in the annual forecast deficit (from **£1.642m** to **£1.488m**).

Work remains on-going as part of the continuing development of the budget, which will need to react to a number of issues such as any announcements from the Government as part of the annual local government financial settlement process. Any changes will be reported to Members as they arise throughout the remainder of the budget setting process and will be included in the final budget proposals to be considered by Cabinet in January before recommendations are made to Full Council.

The following table provides a commentary on the changes to the initial forecast set out in **Appendix A** (excludes items where there has been no significant change to the relevant line of the forecast considered by Cabinet on 12 November 2021):

Item in the Forecast	Change since forecast was considered on	Comments
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	12 November 2021	
<i>Underlying Funding Growth in the Budget</i>		
Line 3 – Growth in Business Rates – Inflation	No change	Although there has been no change to the figure previously included, it is important to highlight that the Government have now confirmed that they will be ‘freezing’ the business rate multiplier for 2022/23. The figure of £0.139m currently included in the forecast would ordinarily be removed from the forecast as this additional income will no longer be receivable. However, it is understood that the Government will be ‘making good’ this loss of income via the wider business rate system and so this level of income is still expected, albeit via a different route.
Line 4 – Growth in Business Rates / Council Tax – general property growth	Income increased by £0.159m	<p>As the economy starts to recover from the COVID 19 pandemic, there is a related / favourable trend reflected within the forecast. The revised figure reflects an expected increase in the council tax property base, driven primarily from a direct increase in property numbers rather than other more technical items included within the calculations.</p> <p>No increases in the business rate property base have been included at the present time as these remain subject to further work as part of the more detailed calculations undertaken in January.</p>
Line 5 – Collection Fund Surpluses b/fwd	Income increased by £0.224m	<p>Similarly to the comment above, as the economy starts to recover from the pandemic there is a positive knock on impact on income. The revised figure on the left reflects the estimated surplus on the collection fund relating to council tax that can now be included within the forecast.</p> <p>No adjustments have been made to business rates at the present time as these will not be finalised until January.</p>
<i>Net Cost of Services and Other Adjustments</i>		
Line 10 - Inflation – Other	Expenditure reduced by	Following the Government ‘freezing’ the business rate multiplier for 2022/23, this has

	£0.023m	the knock on impact of reducing the rates paid by the Council on its own properties.
Line 15 - On-going savings / increases in income A detailed list of items is set out in Appendix B	Savings achieved total £0.213m.	A number of items have been identified as part of the initial review involved in the development of the zero based approach to budget setting. This review will remain a 'live' process over the remaining budget cycle for 2022/23 but more importantly as the forecast looks ahead to 2023/24 and beyond as it will become increasingly important to identify on-going savings to support the delivery of a sustainable budget year on year.

The above position excludes changes to indirect costs such as internal recharges within the General Fund and technical accounting adjustments that do not have an overall net impact on the budget. However, the full detailed budget, reflecting the above changes, will be presented to Cabinet at its January 2022 meeting.

In terms of cost pressures included within the forecast, their mitigation continues to form an important element of the long-term financial plan. The cost pressures identified for inclusion in the budget largely reflect unavoidable items with further commentary on emerging / mitigated items set out within the risk section above.

As set out in **Appendix A**, taking the above adjustments into account, there is now a forecast deficit for 2022/23 of **£1.488m**, compared with the forecasted deficit of **£1.642m** considered by Cabinet at its 12 November 2021 meeting – an overall reduction of **£0.154m**

The impact on the forecast from sensitivity testing and risk management reviews are reported as part of the quarterly financial performance reports throughout the year (the latest one being reported to Cabinet on 12 November 2021). It is important to highlight that there are no new / significant adverse issues that have arisen in terms of the annual forecast risk fund surpluses since the last position was reported. The sensitivity testing has therefore not been repeated as part of this report. However, it will continue to form part of the regular reporting of the financial forecast going forward.

Corporate Investment Plan

Given the pressures on the on-going 'base' revenue budget, it is very unlikely that the long term forecast can generate significant 'surpluses' that can be used to invest in 'optional' cost pressures such as those that support the Council's Corporate Priorities.

However, it is important that they are still considered but this will be done outside of the annual 'base' budget setting cycle. Therefore, as part of a key governance action identified within the Annual Governance Statement, a Corporate Investment Plan is currently being developed that will form part of the overall governance framework in terms of linking corporate priorities and strategies to investment priorities. It is proposed to strengthen the delivery of priorities set against the Council's financial plans within this framework that will take into account a number of key priority 'drivers' such as financial viability / sustainability, non-financial consequences such as reputation / health and safety, the outcome from external assessment / regulatory reviews along with being outcome driven. This approach would also consider the allocation of resources such as staff capacity, capital and IT.

In terms of identification of funding, this could come from external income, money receivable from the government as part of the financial settlement e.g. New Homes Bonus or other new burdens funding. It could also come from the reprioritisation of existing budgets.

This approach will also provide a solid platform to consider additional use of the ‘accelerated delivery budget’ to further build on the capacity already identified.

It is proposed to take the above approach forward via a separate report to Cabinet in January 2022. This will also provide the opportunity to review the delivery against the Back to Business Plan, which is currently proposed to be incorporated within this wider Corporate Investment Plan going forwards.

Reserves

As part of the audit of the Council’s Statement of Accounts last year, the External Auditor recommended the following:

Assess, at least once every two years, the appropriateness of the levels of individual reserves and their continued validity based on factors such as historic utilisation rates, associated risk / sensitivity analysis and their underlying purpose and release any excess reserves.

Following the associated review, a summary of the reserves held and their purpose is set out in the following table:

Reserve	Purpose of the Reserve	Estimated Balance 2022/23	Available for Release
Revenue Commitments Reserve	This is earmarked for revenue items of committed expenditure for which financial provision was made in the previous or current year.	£0.221m	No
Capital Commitments Reserve	This is earmarked for capital items of committed expenditure for which financial provision was made in the previous or current year.	Nil	No
Forecast Risk Fund	This reserve has been established to support planned annual budget deficits as part of the Long Term Financial Sustainability Plan.	£3.205m	No (use of this reserve will continue to be considered as part of the development of the long term plan)
Asset Refurbishment/Replacement Reserve	To meet the cost of the maintenance of the Council’s assets, including those associated with the Council’s commitment to carbon neutrality. This reserve ‘protects’ the underlying revenue budget from significant one-	£1.269m	Subject to review as part of the Corporate Investment Plan

	off expenditure items with expenditure against this reserve planned to be considered as part of the emerging Corporate Investment Plan during 2022.		
Benefit Reserve	To meet any potential costs arising from the obligation to pay benefits and to support future changes to the Welfare Regime. The future remains uncertain given the on-going extension to the roll-out of universal credit.	£1.000m	No (but will remain under review as part of future welfare reforms)
Building for the Future Reserve	To support the delivery of a balanced budget in future years. To date this reserve has also been used to fund the upfront costs associated with the triannual pension process, which has enabled significant revenue savings to be achieved along with underwriting the risk of the longer term impact from the COVID 19 pandemic. It is expected that the reserve will continue to provide the Council with further opportunities to reduce revenue costs associated with the regular review of pension contributions or other spend to save initiatives along with supporting the long term forecast again in 2022/23.	£1.654m	Subject to review as part of the next pension revaluation during 2022, the quarterly financial performance reports and emerging Corporate Investment Plan
Business Rates Resilience Reserve	To support the Council in reacting to potential future changes in Business Rate appeals and income, especially in light of the potential for changes to the business rate reforms and associated 'resets'.	£1.758m	No (use of this reserve will continue to be considered as part of the development of the long term plan)
Commuted Sums Reserve	Established from commuted sums paid to the Council to cover such items as maintenance costs of Open Spaces and CCTV, in line with the associated agreements.	£0.386m	No
Crematorium Reserve	To finance future replacement and improvement works to the crematorium plant and equipment at Weeley. This reserve will support the current cremator replacement works / expected loss of operational income.	£0.154m	The use of this reserve will be reviewed as part of future financial performance

			reports.
Election Reserve	To finance future costs associated with holding District Elections on a four yearly cycle.	£0.090m	No
Haven Gateway Partnership Reserve	To support the costs associated with the Haven Gateway Partnership e.g. costs that may be incurred on termination / withdrawal from the current arrangements.	£0.075m	No
Leisure Capital Projects Reserve	This reserve has been established to fund ongoing investment in Leisure Facilities and will form an important element of supporting the delivery of the upcoming Leisure Strategy.	£0.138m	No
Planning Inquiries and Enforcement Reserve	To meet associated costs relating to planning services.	£0.039m	No
Section 106 Agreements Reserve	This reserve holds income received from developers under Section 106 of the Town and Country Planning Act 1990 to be spent on specific projects over a number of years in accordance with the terms of the agreements.	£1.524m	No (but it is released as part of separate decisions made during the year in consultation with the relevant Portfolio Holder)
Uncommitted Reserve	General Reserve held to respond to key financial risks such as inflation, income loss, additional burdens etc. which is subject to a risk based assessment on a regular basis.	£4.000m	No

As highlighted above, a number of reserves will be reviewed as part of the emerging Corporate Investment Plan highlighted earlier in this report.

Local Government Finance Settlement and Government's Spending Review

At the time of finalising this report, the Local Government Finance Settlement announcements were still awaited. However they are expected to only cover 2022/23 rather than a three year period. It could be argued that this provides the flexibility in responding to the economic recovery from the COVID 19 pandemic where issues remain uncertain, but it does not necessarily help financial planning.

No revenue support grant or further COVID 19 support grants have been included within the budget at the present time. It is hoped that an update can be provided by the time Cabinet consider the next budget report at its January 2022 meeting.

Although yet to be confirmed, it is expected that Council's will be able to increase council tax by the greater of 2% or £5. It is also expected that the New Homes Bonus will continue into 2022/23.

ADDITIONAL INFORMATION

Council Tax Levy 2022/23

Based on a proposed £5 increase, the Council Tax for a band D property would be **£182.64** in 2022/23. The updated property base is **49,892.2**, an increase of **1,456.6** over the 2021/22 figure of **48,435.6**

The ability to increase Council Tax by £5 remains subject to confirmation from the Government. This is expected to be confirmed within the Local Government Financial Settlement, which is expected shortly.

If such an increase is not permissible and it is necessary to revert back to an increase of 1.99%, on-going income would be reduced by **£0.073m**, which would require corresponding savings to be identified over the forecast period.

Locally Retained Business Rates

As part of recent Government announcements, the following changes have been confirmed for 2022/23:

- the Business Rates Multiplier is to remain unchanged for 2022/23;
- that revaluations will be increased from every five years to every three years; and
- a series of new reliefs will be introduced, including a 50% relief for eligible retail, hospitality, and leisure premises in 2022/23 (to a maximum of £110,000 per business)

The Government also confirmed that local government would be fully compensated for these changes. However, there were no further announcements on the subject of further business rates reform or any prospective business rate resets.

The Council has agreed to remain a member of the Essex Business Rates Pool in 2022/23. No income generated from being a pool member is currently included in the forecast but it is proposed to continue to treat this income on a one-off basis during the year. Given the likely medium term impact from COVID 19, the financial benefits of being in the pool may not be as advantageous as previous years, but it still provides the opportunity to generate additional funding to support the Council's overall financial position.

Fees and Charges

Fees and charges are agreed separately by the relevant Portfolio Holder and are reviewed within the framework of the financial forecast and therefore they will be considered against the following key principles:

- general inflationary increases where possible or lower where appropriate / justified
- amounts rounded for ease of application, which may result in a slightly above inflation increase.

- on a cost recovery basis as necessary
- reflect statutory requirements.
- increases where market conditions allow
- to meet specific priorities or service delivery aims / objectives

Any changes to income will be considered alongside the financial forecast. No changes to the budget are proposed at the present time.

Although agreed separately, a full schedule of fees and charges will be provided to members ahead of the Full Council budget meeting in February 2022.

GENERAL FUND CAPITAL PROGRAMME 2022/23

As has been the case in prior years, only 2 schemes are included automatically in the base budget on a recurring basis and these relate to the on-going cost of replacing the Council's core IT infrastructure along with disabled facilities grants. Estimates of **£0.055m** and **£0.757m** have therefore been included within the 2022/23 Capital Programme respectively, although the latter item is likely to change once confirmation of the actual level of grant support is received next year.

The investment in IT core infrastructure is funded by a direct revenue contribution, with disabled facilities grants funded by the Government via ECC.

Other items included in the Capital Programme for 2022/23 reflect the fact that existing schemes have been reprofiled across years as set out in previous financial performance reports considered by Cabinet.

Based on the above, a summary of the proposed Capital Programme for 2022/23 is as follows:

On-going Schemes	Budget 2022/23 £
Information and Communications Technology Core Infrastructure	55,000
Disabled Facilities Grants	757,000
Existing Schemes - Reprofiled	
Replacement of Beach Hut Supports	11,620
Total General Fund Capital Programme 2022/23	823,620

The full 5-year capital programme incorporating the above will be included within the final budget proposals that will be considered by Cabinet in January before being presented to Full Council in February.

SPECIAL EXPENSES 2022/23

Special expenses amounts cannot be finalised until the budget for the year has been completed and the associated technical adjustments reflected in the budget. Therefore, at this stage of the budget process it is more practical to review the principles against which the special expenses will be calculated rather than the specific amounts themselves, which are subject to change as the budget develops.

It is not proposed to make any changes to the principles behind the calculation of special

expenses with the key principles remaining the same as in 2021/22 as set out below:

- A de minimus amount of **£0.025m** is applied to determine which expenses are excluded from the special expenses calculations;
- Any allocation to specific areas less than **£0.001m** is excluded for the purposes of determining special expenses.

Although subject to the final budget calculations, expenses to be allocated as special expenses are likely to remain as in 2021/22 and apply to open space and recreation area costs.

For completeness, the underlying technical background to the calculation of special expenses is set out below:

Certain expenditure referred to as 'Special Expenses' is regarded as being chargeable to only certain parts of the district. The rest of the Council's expenditure is regarded as being chargeable over the whole district and is referred to as 'General Expenses'. Local authorities have the power to pass a resolution in respect of any particular Special Expense to the effect that the amount of that expense should be charged across the whole district. This is referred to as the contrary resolution.

In exercising this power, the Council also has to consider how the burden of Special Expenses will be charged to the taxpayers of the district.

Information from parish/town councils

Each year parish councils complete a return to identify changes to the services they undertake

Consideration of Determining the Contrary Resolution

In judging whether the contrary resolution should be passed in respect of any special expenses, the following matters are relevant:

- i) Whether in respect of this Council's expenditure the function is to be provided generally for the whole district or is to be restricted to a part or parts of the district?*
- ii) To what extent, if any, are restrictions placed on any part of the district as to the accessibility of the function?*
- iii) The use of the facility/activity to which the Special Expense relates.*

These matters must each be considered and a view taken as to whether it would be appropriate to pass the contrary resolution in respect of some of the budgeted expenditure on Special Expenses.

In determining how the burden of special items should be charged to the taxpayer of the district, the following matters need to be considered.

- i) Where is the facility situated?*
- ii) Who uses it?*
- iii) How much expenditure is to be spent in the various parts of the district?*

Wherever possible the Council aims to charge the cost incurred in performing a function in a part of the district, to the taxpayers of that part. In assessing the area of benefit to which a

function identified as a special expense relates, parish boundaries have been treated as the appropriate areas.

The tax base for apportioning Special Expenses to each parish and the unparished area is that used to determine the Council's overall Council Tax base.

ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT

Where relevant, figures included in the 2022/23 budget are based on the following policy statement that was agreed by Full Council on 30 November 2021.

In accordance with the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008, the Council's policy for the calculation of MRP for 2022/23 shall be the Capital Financing Requirement Method for supported borrowing and the Asset Life (equal instalment) Method for prudential borrowing.

BACKGROUND PAPERS FOR THE DECISION

Working papers held in Accountancy

APPENDICES

- Appendix A** Updated Financial Forecast 2022/23
- Appendix B** Updated Net Savings Items 2022/23
- Appendix C** Updated Cost Pressure Summary 2022/23

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UPDATED FINANCIAL FORECAST 2022/23

Line	Prior Year Budget	Updated Forecast (12 November 2021)	Updated Forecast (17 December 2021)	Change between November and December Positions
	2021/22	2022/23	2022/23	
	£m	£m	£m	£m
Underlying Funding Growth in the Budget				
1 Council Tax Increase 1.99%	(0.166)	(0.168)	(0.176)	(0.008)
2 Council Tax increase by £5 (amounts set out are over and above 1.99% above)	(0.076)	(0.074)	(0.073)	0.001
3 Growth in Business Rates - Inflation	0.000	(0.139)	(0.139)	0.000
4 Growth in Business Rates / Council Tax - general property growth	(0.183)	(0.100)	(0.259)	(0.159)
5 Collection Fund Surpluses b/fwd	6.018	0.323	0.099	(0.224)
	5.593	(0.158)	(0.548)	(0.390)
Net Cost of Services and Other Adjustments				
6 Reduction in RSG	(0.002)	0.431	0.431	0.000
7 Remove one-off items from prior year	(0.412)	0.000	0.000	0.000
8 Remove one-off items from prior year - Collection Fund Surplus	1.360	(6.018)	(6.018)	0.000
9 Inflation - Employee Costs (including annual review adjustments)	0.478	0.598	0.605	0.007
10 Inflation - Other	0.124	0.221	0.198	(0.023)
11 First / Second / Third year impact of PFH WP Savings	(0.045)	(0.045)	(0.045)	0.000
12 LCTS Grant to Parish Council's	0.000	(0.037)	(0.037)	0.000
13 Revenue Contribution to the Capital Programme	(0.209)	0.008	0.008	0.000
14 Specific Changes in Use of Reserves	(4.050)	5.794	5.794	0.000
15 On-going savings / increases in income	(0.239)	(0.450)	(0.213)	0.237
16 Unmitigated Cost Pressures	0.516	0.250	0.265	0.015
17 Other Adjustments	(2.065)	0.000	0.000	0.000
	(4.544)	0.752	0.988	0.236
Net Total	1.048	0.594	0.440	(0.154)
Add back General Use of Reserves in Prior Year to Balance the Budget	0.000	1.048	1.048	0.000
Net Budget Position	1.048	1.642	1.488	(0.154)
Use of Forecast Risk Fund to support the Net Budget Position	(1.048)	(1.642)	(1.488)	0.154

Use of Forecast Risk Fund

Estimated Outturn b/fwd from prior years	(3.753)	(3.205)	(3.205)	
Contribution from / (to) reserve	1.048	1.642	1.488	(0.154)
Planned additional contributions generated in year	(0.500)	(0.500)	(0.500)	0.000
Balance to Carry Forward	(3.205)	(2.063)	(2.217)	(0.154)

Forecast Risk Fund - Estimated Surplus Balance at the end of the year	Year	Updated Forecast (12 November 2021)	Updated Forecast (17 December 2021)	Change between November and December Positions
		2022/23	2022/23	
		£m	£m	
	2022/23	2.063	2.217	(0.154)
	2023/24	1.439	1.516	(0.077)
	2024/25	0.933	0.927	0.006
	2025/26	0.539	0.444	0.095
	2026/27	0.254	0.064	0.190

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APPENDIX B

NET ON-GOING SAVINGS ITEMS 2022/23

	2022/23 £	Comments
Manningtree Joint Use Sports Centre	50,300	The current agreement was terminated by the School during 2021/22. As the centre operated with an overall budget subsidy, this can now be removed from the estimates.
Revised rental income following annual rent review exercise	43,370	Additional income can be added to the budget to reflect the outcome of this annual review process across a number of properties owned by the Council.
Recycling Credit Income	65,000	This reflects the ongoing recycling performance and includes both kerbside and bring bank collections.
Investment Income	20,000	A relatively small increase in investment income is expected to reflect minor increases in interest rates during 2022/23.
Income from Legal Fees	25,000	Services such as the administration of S106 have recently been brought in-house, with external income now receivable. The figure is net of the estimated cost of providing additional staff resources that is subject to a proposed restructure to ensure capacity matches demand.
Reduction in interest payments and Minimum Revenue Provision	8,930	As debt is repaid, interest payments reduce year on year along with a corresponding reduction in the money 'set aside to repay debt'.
Total	212,600	

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COST PRESSURE SUMMARY 2022/23

Status		2022/23 £	2023/24 £	2024/25 £	2025/26 onwards £	Comments
Unavoidable Items 2022/23 Budget						
On-going Impact from Items Agreed as part of the 2021/22 Budget	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - Expenditure to compliment the on-going digital transformation programme (<i>IT, Emergency Planning and Business Continuity</i>)	2,500	15,300	15,300	15,300	The amounts reflect a varied range of expenditure to support continued digitalisation, such as equipment to support home working (H&S requirement), hosting costs, mobile telephony costs, website / intranet hosting costs and cyber security costs.
	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - Cost of Insurance Premiums (<i>Finance - Other Corporate Costs</i>)	61,100	61,100	61,100	61,100	This reflects the increased costs chargeable to the general fund following the retender process during 2021/22. Increases in future years remain subject to the annual renewal process over the remaining 3 year 'contracted' term of cover.
	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - LCTS Administration Subsidy (<i>Revenues & Benefits - Local Council Tax Support Scheme</i>)	6,770	6,770	6,770	6,770	This amount adjusts the on- going base position to reflect the reduction in 2021/22. Further reductions may be required, which will become clearer during the current budget cycle as its remains subject to further Government announcements.

Status		2022/23 £	2023/24 £	2024/25 £	2025/26 onwards £	Comments
New Items for 2022/23	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - Apprenticeship Levy (<i>Finance - Other Corporate Costs</i>)	8,000	8,000	8,000	8,000	To reflect the increase to the levy payment which is linked to the inflationary uplift to the wider salary budget.
	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - Carnarvon House Rental Income (<i>Finance - Other Corporate Costs</i>)	0	0	72,970	72,970	This represents the loss of income following the end of the current lease and decision to demolish the building. As part of the early termination agreement, the current tenant paid a one-off payment that effectively met the rent due in 2022/23 and 2023/24, which is why there is no cost pressure for those years.
	REVENUE - Operations & Delivery - Contract Costs (<i>Waste Management - Recycling & Waste Collection</i>)	67,000	67,670	68,350	69,030	This reflects increased contract costs due to property growth.
	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - IT Digital Transformation Programme (<i>IT, Emergency Planning and Business Continuity</i>)	120,000	120,000	120,000	120,000	This reflects the 'natural' growth in the provision of digital services and includes licences, data costs and the hardware replacement programme.
Total of Unavoidable Items Included in the 2022/23 Budget		265,370	278,840	352,490	353,170	

Status		2022/23 £	2023/24 £	2024/25 £	2025/26 onwards £	Comments
Items to be mitigated / met via reductions elsewhere within the overall budget						
NOT Included in Forecast 2022/23 and beyond	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - Estimated Reduction in Housing Benefit Administration Grant (<i>Revenues & Benefits - Rent Allowances / Rebates</i>)	49,000	93,100	132,790	168,500	There will be a reduction in the housing benefit administration grant receivable from the Government on a year on year basis to reflect reduced housing benefit workload over the period that Universal Credit is being rolled out. The figures reflect a year on year reduction in caseload of 10%, which will be mitigated via a corresponding reduction in employee costs via the management of vacancies etc.
	REVENUE - Energy Costs (<i>Various</i>)	71,000	71,000	71,000	71,000	The outlook remains volatile with the figures reflecting a 10% increase in prices. However given the current level of market uncertainty in respect of future prices, it is proposed to underwrite this risk via the existing Contingency Budget of £322k. This will enable the time to review the longer term impact and trend that may need to be reflected in the forecast in future years.
	REVENUE - Operations & Delivery Crematorium Net Income - loss in the first quarter of 2022/23 (<i>Public Realm - Crematorium</i>)	250,000	0	0	0	An expedited procurement process is underway to limit periods of non-operation as far as possible. Due to this being a one-off issue, it is not proposed to include this in the base budget for 2022/23 but it will remain under review as part of the quarterly financial performance reports and outturn for the year.

Status		2022/23 £	2023/24 £	2024/25 £	2025/26 onwards £	Comments
NOT Included in Forecast 2022/23 and beyond	REVENUE - Review of Posts previously funded on a one-off basis (<i>Various</i>)	352,460	352,460	352,460	352,460	These relate to posts previously funded from one-off money / external income and include: 6 Community Ambassadors 4 Street Rangers 1 Technical / Administration Officer (Waste and Recycling). This cost has not been included in the budget at this stage as alternative options are being explored such as external funding / grants or use of existing budgets.
	Revenue - Operations & Delivery - Cost of Temporary Accommodation / Homelessness Initiatives (<i>Housing & Homelessness</i>)	100,000	100,000	100,000	100,000	The Government have continued to support homelessness via grant funding, a position that is expected to continue into 2022/23. Initiatives to increase / maintain the supply of temporary accommodation also continue such as the remodelling of Spendells House and the use of hotel accommodation. Similarly to previous years, the situation will be reviewed as part of the on- going forecast as it may be necessary to include additional costs in the base budget in future years.

Status		2022/23 £	2023/24 £	2024/25 £	2025/26 onwards £	Comments
NOT Included in Forecast 2022/23 and beyond	REVENUE - Chief Executive, Finance, IT, Governance and Partnerships - External Audit Fees (Finance - Other Corporate Costs)	25,000	25,000	25,000	25,000	These fee are expected to increase from 2023/24 when the PSAA undertake the necessary procurement to appoint auditors for the next 5 year accounting period. Fees are also likely to increase in 2022/23 as part of additional work expected to be generated from the revised use of resources assessment and potentially from the Redmond Review. It is currently proposed to respond to this issue in-year rather than adjust the base budget at this stage, as clarity is expected to emerge over the coming months in terms of the scale of the potential fee increase. The current base fee is £45k so the above approach does not introduce an unreasonable level of financial risk to the current forecasting process.
Total of Mitigated Items		847,460	641,560	681,250	716,960	
TOTAL OF ALL COST PRESSURES ABOVE		1,112,830	920,400	1,033,740	1,070,130	
TOTAL OF COST PRESSURES INCLUDED IN THE 2022/23 BUDGET (Total of all cost pressures less mitigated items)		265,370	278,840	352,490	353,170	

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Key Decision Required:	YES	In the Forward Plan:	YES
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CABINET

17 DECEMBER 2021

REPORT OF THE PORTFOLIO HOLDER FOR LEISURE AND TOURISM

A.5 THE FUTURE OF JOINT USE SPORTS FACILITIES

(Report prepared by Mike Carran and Lee Heley)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

Community use agreements with the Sigma Trust for the two Joint Use Sports Facilities at Brightlingsea and Harwich Sports Centres are due to end on 31 December 2021. This paper sets out options for consideration by Cabinet and a recommendation on how to proceed.

EXECUTIVE SUMMARY

- Over a period of 30 years and 15 years respectively, the Council has managed community use arrangements at Brightlingsea (BSC) and Harwich Sports Centres (HSC). Agreements with the respective schools have enabled the Council to open facilities to the public on these non-Council owned sites after curriculum hours, and in some cases for daytime use also.
- In August 2021, the Council in conjunction with the Sigma Trust decided to extend the agreements for five months, from their original expiry date of 31 July 2021, until 31 December 2021. This was to ensure all appropriate residents and stakeholders were consulted and an evaluation could be undertaken for a considered decision by Cabinet on the Council's future involvement.
- The combined subsidy for managing community use facilities on the school sites is £146,969 and prior to the Covid-19 pandemic, combined attendances decreased year on year from 68,832 to 61,864 (between 2017 and 2019). In order to address that decline, a significant investment programme is considered necessary.
- The Council's own facilities at Dovercourt and Walton have been subject to investment over recent years and a refurbishment is close to completion at Clacton Leisure Centre. The Joint Use Facilities also require investment and Cabinet would need to consider the viability of investing in facilities which the Council does not own. This should also be considered in the context of longer term investment requirements for the three facilities under the Council's ownership at Clacton Leisure Centre (CLC), Dovercourt Bay Lifestyles (DBL) and Walton on the Naze Lifestyles (WONL).
- In order to establish local views on current and future community use of these facilities prior to a Cabinet decision, a six week consultation exercise was carried out. The consultation focussed on those facilities incorporated into the Joint Use Agreements and the full breakdown of this exercise is set out in Appendix C. Consultation has also taken place with both Brightlingsea and Harwich Town Councils, to establish opinions and whether they would consider future involvement

in the operation of BSC and HSC respectively. Officers could facilitate further discussions with the respective Town Councils and the Trust, to establish if there is appetite for involvement in opening the facilities for community use. This would also apply to any health partners, who may consider opening up a dialogue.

- The Schools which host the Joint Use Sports Facilities at BSC and HSC are managed by the Sigma Trust, who also retain responsibility for Clacton County High School. BSC has been under the Trust's management since 1 January 2019 and HSC from 1 June 2017. Consultation with the Sigma Trust has also taken place.
- How people access physical activity changed throughout the Covid-19 pandemic, with a visible increase in those exercising in public open space and making use of the natural environment. This included walking, running, cycling and water sports such as Stand up Paddle Boarding. Involvement with partners in the Sport England Local Delivery Pilot is one of the Council's key priorities for 2021/22 and that scheme has invested in alternative activities which do not rely on built facilities, such as Essex Pedal Power and community 'gamification' such as Street Tag and Beat the Street.
- A Sports Facilities Strategy was due to be brought forward for consideration by Cabinet in 2020, but postponed due to the Covid-19 pandemic. As there was significant turbulence in the leisure sector and wider economy, largely instigated by two national lockdowns, it was not considered appropriate to adopt a strategy at that time. Proposals are in place to develop the sports facilities strategy by March 2022.
- The aim in taking decisions on the future of the joint-use agreement is to sustain the greatest use of facilities for sport and leisure, while reducing significant pressure on the council's overall financial position. In addition, to look at meeting the Council's strategic ambitions for sport and leisure in improving local activity levels and opportunities for improving health outcomes.
- It is recommended that Cabinet follow Option C and note that the Joint Use Agreements for BSC and HSC on sites outside of the Council's ownership, expire on 31 December 2021.

RECOMMENDATION(S)

Cabinet is asked to:

- a) note that the Joint Use Agreements for the Harwich and Brightlingsea Sports Centres managed by Sigma Trust end on 31 December 2021;**
- b) consider the development of the leisure and sports offer within the District through the emerging Sports Facility Strategy at its meeting in March 2022;**
- c) in the light of b) postpone consideration of the reallocation of the Joint Use Facilities budget; and**
- d) Propose that officers:**
 - a. engage with health partners and the Town Councils to consider if they wish to enter discussions with the Sigma Trust; and**

b. Signpost existing Joint Use Facilities customers to appropriate alternative provision.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The District's Sports Facilities contribute to the following priorities set out in the Council's Corporate Plan:

Improving the financial efficiency of the Council's Sports Facilities would support the target for '*strong finances and governance*', through strong financial management to achieve a balanced annual budget.

Under the banner of the Council's Community Leadership through Partnership objective, the Corporate Plan sets out a partnership with Sport England and Active Essex to increase and improve local physical activity and wellbeing. In partnership with Essex County Council, Basildon Council and Colchester Borough Council, the Council is part of a ground breaking 'Local Delivery Pilot' Sport England scheme, to pilot new activity schemes.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The following breakdown of costs for opening the Joint Use Facilities is taken from 2018/19, which was the last full year of operation prior to the Covid-19 pandemic. It should be noted that there is a difference between the budgeted cost and the actual subsidy, which was largely due to a reduction in income generated. Attendances declined over the three year period the attendances were evaluated, which may be due to the overall quality of facilities.

Sports Facilities	Budget Cost 2018/19 (£)	Actual Subsidy 2018/19 (£)
Brightlingsea Sports Centre	62,390	76,513
Harwich Sports Centre	61,090	70,456
Total	123,480	146,969

Note: These figures are based on the last full year of operation in 2018/19.

The following table shows the budget allocated for 2021/22, to reflect the current and future financial position:

Sports Facilities	Budget 2021/22 (£)
Brightlingsea Sports Centre	68,880
Harwich Sports Centre	62,410
Total	131,290

The annual direct cost of operating Manningtree Sports Centre was £55,300. This subsidy ended after that agreement expired on 31 July 2021 and savings have been realised.

Risk

There is a risk that attendances accrued at the Joint Use Facilities would be lost if the facilities are not open for community use. Under these circumstances, it is recommended a system be implemented to signpost customers to other facilities.

If Cabinet are minded to continue with the Joint Use of the facilities, consideration would

need to be given to investment in the facilities, and the subsequent financial viability given the wider Sports Facilities under the Council's ownership.

LEGAL

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

The Council has a statutory responsibility to consult when considering alternative service provision or external funding. The consultation process included online and face to face evaluations for residents and customers. Further to this, consultation has also taken place with both Brightlingsea and Harwich Town Councils and the Sigma Trust.

If Cabinet select Option C and note the expiry of the Joint Use Agreements, the Reorganisation Policy will be initiated and work with those permanent members of staff employed at the Joint Use Facilities, to find suitable alternative employment. This process and procedure will comply with employment law and the Council's Reorganisation Policy. It is expected that there are suitable alternative positions for those contracted staff within the Council's existing Sports Facilities establishment. Consultation will commence with those affected staff in January 2022.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

Area or Ward Affected

The two joint use Sports Facilities are located in Brightlingsea and Dovercourt All Saints Wards respectively. The Sports Facilities, also attract users from other parts of the District.

Equality & Diversity

An Equality Impact Assessment has been completed in the event of the Council ceasing involvement with the respective Sports Centres. One of the key issues identified are potential additional travel issues which may impact on those without access to a car. The Council will provide a signposting service, to ensure customers are aware of alternative facilities both inside and outside of the District. The Council will work with Sigma Trust to explore whether block bookings, clubs and other hirers can be accommodated within BSC and HSC. Furthermore, the recent refurbishments at CLC, DBL and WONL ensure that accessibility and facilities for those with disabilities are of a high standard at those sites owned by the Council. As such, customers relocating to alternative facilities in the District should experience a higher level of service.

Health Inequalities

Engaging in physical activity has a proven benefit to health outcomes. The key driver for the emerging Sports Facilities strategy will be to encourage more people to become active, more frequently. The Council's involvement in the Sport England Local Delivery Pilot project is a key priority and looks at new ways of encouraging physical activity, outside of traditional sports facilities. The Council continues to work with partners and in particular Active Essex, to address the challenges around physical activity levels.

Consultation/Public Engagement

A consultation exercise was undertaken with residents from 13 September 2021 until 24 October 2021. The scope and questions were agreed with the Cabinet Member for Leisure and Tourism and the key information is set out below:

- 495 people completed the questionnaire
- 94% believed the facilities were a valuable part of the community
- 78% said losing these facilities would impact on their ability to access physical activities
- 68% said they would continue to use the facilities if there were managed by another operator

Free text comments in the consultation highlight a range of issues, including the age of facilities given the price of entry. Due consideration has been given to the consultation responses and comments raised and a full breakdown is provided in Appendix C.

Consultation has also taken place with both Brightlingsea and Harwich Town Councils, to establish their opinions and whether they would consider future involvement in the operation of BSC and HSC respectively. Both organisations stated that they were open to discuss future involvement. There is potential for the Council to support both organisations in exploring the feasibility of operating BSC and HSC respectively.

Options for Consideration

The following options are set out for consideration by Cabinet:

	Option	Issues to consider
Option A	Renew Joint Use Agreements'	<p>The current subsidy of the Joint Use Facilities is almost £147,000 and attracts approximately 66,000 combined visits per annum. The subsidy per attendance between the two facilities is £2.23.</p> <p>Feedback from the consultation highlighted the standard of the Joint Use Facilities is well below the Council's other facilities, and other providers.</p>
Option B	Continue with Joint Use Agreements on revised terms and opening hours	<p>There is potential to reduce the current subsidy by discussing new terms for the Joint Use Agreements. Furthermore, a reduction in opening hours would also reduce overheads, such as employee costs. Unless significant investment is made into the facilities however, the standard of customer offer will be far lower than that of the facilities under the ownership of the Council. Cabinet will need to consider the viability of investment into facilities it does not own, in the context of the long term financial sustainability of its own stock. It should be noted that there would be an interim period where agreements would continue on the current terms and conditions (and subsequently</p>

		existing subsidy), whilst new arrangements were put in place.
Option C (recommended)	Agreements End	If agreements end, the current level of attendances would be lost in those facilities, so Cabinet should consider signposting customers to alternative facilities to retain the current level of activity. The Council will work with Sigma Trust to explore whether block bookings, clubs and other hirers can be accommodated within BSC and HSC. A decision on the best use of the Joint Use Facilities budget should be addressed in the light of the Council's wider financial position and the Sports Facilities Strategy, due in March 2022.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

Scope of the Joint Use Sports Facilities

The scope of the community use agreements at BSC and HSC, includes the following:

Brightlingsea Sports Centre

Facilities: Two Sports Halls, two Fitness Suites, two Squash Courts and a Dance Studio.

Subsidy: £62,390

Attendances: Approximately 33,108 visits per year (at pre Covid levels). It should be noted that this includes the artificial grass pitch, despite this facility falling outside of the agreement).

Harwich Sports Centre

Facilities: Sports Hall, two Squash Courts, four Tennis Courts and a Hard Court Area (free to use multi use games area)

Subsidy: £70,456

Attendances: Approximately 32,792 visits per year (at pre Covid levels).

Note: Due to the impact of Covid-19 on the Council's Sports Facilities, the subsidy provided is the last full financial year which was not impacted by national restrictions (2018/19).

In addition to the three Joint Use Facilities, the Council has the following three further Sports Facilities, under direct ownership and management:

Clacton Leisure Centre

Dovercourt Bay Lifestyles

Walton-on-the-Naze Lifestyles

Over recent years, there has been significant investment at the Dovercourt and Walton facilities as part of a refurbishment programme to improve the Council's leisure stock. In addition to this, work is near completion on a £575,000 refurbishment of Clacton Leisure Centre. As a District with historically low levels of participation in sport, the Council has invested significant sums in encouraging increased activity and offering high-quality facilities.

Prior to the pandemic, there was an aspiration to bring forward a Sports Facilities

Strategy and set out a plan to develop the leisure stock over the lifetime of the Council's financial plan. The recommendations in the strategy were underpinned by the financial position at that time, together with the number of pre-paid members. Due to the restrictions placed on the Sports Facilities opening over the last 18 months, the position has changed significantly since that time, and the strategy will be considered by Cabinet at its March 2022 meeting.

The Covid-19 pandemic required the Council's Sports Facilities to shut for periods during 2020/21 and operating restrictions have been in place even when allowed to open. As such, usage across the service was 7.5% down in June 2021 compared to June 2019 and live pre-paid memberships (direct debits and annual memberships) have also decreased by 10% within this period. The number of memberships has been rising month on month and in September, the number of pre-paid members, passed that of pre Covid levels.

The Council also managed Community Use facilities at Manningtree Sports Centre until 31 July 2021. The governing Alpha Trust, took a decision not to renew that agreement and as such, the school took responsibility for community use from 1 August 2021. Manningtree High School committed to making all its facilities available for community hire for sports and leisure activities following the end of their agreement with the Council

Physical Activity Levels in Tendring

- 'Inactivity' in Tendring remained the same year on year between 2017/18 and 2018/19 and increased 3.4% in 2019/20, sitting alongside Basildon and Braintree;
- 'Active' activity levels in Tendring were at 56.8% in the year 2017/18, which was one of the lowest, and this decreased further by 2.4% in 2018/19; however, it saw a rise of 3.4% in 2019/20 and was slightly ahead of Harlow and Basildon Districts;
- 'Fairly active' levels in Tendring were reasonably high in 2017/18 compared to other Districts and increased in 18/19 by 2.7%, the highest across all Districts. Unfortunately, it became the lowest level at 10.2% in 19/20, sitting alongside Basildon and Braintree;

Note: Tendring has a larger older population than other Essex Districts, and the survey did not include some gentle activity such as gardening.

BACKGROUND PAPERS FOR THE DECISION

JOINT USE SPORTS FACILITIES REPORT, 3 August 2021

APPENDICES

Appendix A Joint Use Attendance Figures

Appendix B Financial Breakdown

Appendix C Joint Use Consultation Exercise

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Appendix A – Just-Use Attendance Figures

Site	Activity Group	2017	2018	2019
Brightlingsea Sports Centre	Aerobics	4838	3628	1660
	Lifestyles Fitness Rooms	777	511	761
	Main Hall	8504	7180	8168
	Squash Courts	752	596	571
	Tennis Courts	85	14	40
	Spinning	569	551	1082
	Fitness Classes	457	1463	2443
	Studio	3762	4083	4986
	Artificial Grass Pitch*	11415	13380	9540
	Grass Pitches*	4390	2140	980
	Total	35549	33546	30231
Harwich Sports Centre	Hardcourts	3072	4004	3996
	Main Hall	17461	17618	16861
	Squash Courts	12498	11669	10646
	Tennis Courts	252	171	130
	Total	33283	33462	31633

*These facilities fall outside of the Joint Use Agreements

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Brightlingsea Sports Centre Budget v Actuals 18/19

Type of Cost	£ Budget	£ Actuals	£ Variance
5800 Salaries	118,920	122,025.64	-3,105.64
5800 Premises	29,540	35,407.34	-5,867.34
5800 Transport	280	0.00	280.00
5800 Supplies & Services	30,340	28,876.24	1,463.76
5800 Advertising & Sales Related Costs	4,570	3,551.93	1,018.07
5800 Income	-121,260	-113,348.56	-7,911.44
Total	62,390	76,512.59	-14,122.59

Harwich Sports Centre Budget v Actuals 18/19

Type of Cost	£ Budget	£ Actuals	£ Variance
5820 Salaries	101,460	102,825.37	-1,365.37
5820 Premises	18,800	18,352.43	447.57
5820 Transport	0	21.60	-21.60
5820 Supplies & Services	13,200	10,579.59	2,620.41
5820 Advertising & Sales Related Costs	5,900	2,762.82	3,137.18
5820 Income	-78,270	-64,085.41	-14,184.59
Total	61,090	70,456	-9,366

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What additional indoor or outdoor facilities would you like at Harwich or Brightlingsea Sports Centre/s, and how can the existing facilities be improved?
<p>There are some many activities that could be put on and have been on at Harwich. Why does Harwich have issues keeping instructors? Where is tennis coaching, badminton, netball, volleyball, basketball, all of these facilities for these sports, but no instructors - there has been instructors but sadly no longer.</p> <p>Tendring leisure need to look for better ways to keep people using their facilities and not having to travel miles out if town</p>
More for 11 year olds.
<p>A 3/4g football pitch.</p> <p>The floor in the sports hall needs upgrading. It's terrible on the knees.</p> <p>Also, there's a clear lack of investment on the "school side" of Harwich sports centre compared to the reception area. The main hall roof leaks when it rains and it needs a serious makeover.</p> <p>I am afraid this isn't a good survey without the correct answers/options for some of the questions. In my case I was a yearly member at Brightlingsea but cancelled recently due to the poor quality of the gym equipment there, the excessive cost and the low standard of cleanliness. Also, there's not even a proper changing room. There's just no way that the fees can be justified, maybe if it was half the cost it would be approaching decent value for a gym. I can't comment on anything other than BSC as a gym.</p>
A dedicated studio for classes at Harwich. Modern changing rooms and toilets.
the tennis court are under used. i would like to see organised adult training and play on these courts.
We use Brightlingsea for fitness classes, and, during winter monthe for indoor cricket training. If the tennis/netball courts were to be lit, it would enable additional outdoor training during winter months
I would like to be able to access a gym during school hours, but the gym with the weight machines etc is used by the school.
<p>Tennis classes</p> <p>Swimming pool</p>
Swimming pool and climbing wall Brightlingsea
<p>Highly unlikely one would be built but I would be a regular user of a swimming pool in Brightlingsea.</p> <p>With a full time job and young children I don't have time to travel to clacton and often the lane swims aren't convenient times.</p>
Up grade tennis courts and include paddle tennis courts
Better gym machines
Basketball courts
Early morning classes , upgraded facilities.
Increase accessibility to the squash courts at Brightlingsea - glass back to court on the right.
<p>I am a member of Brightlingsea walking football team an updated g4 pitich replacing the very old astro turf at Brightlingsea would really help, as the current old pitch is inadequate for us to use safely. We have many local teams in Brightlingsea and the surrounding towns and villages who would all benefit from a better artificial pitch. Also an advantage of keeping a local artifical pitch is a reduction in travel which then helps to reduce our carbon footprint which I'm sure we can all agree is very important.</p>

It would be advantage to have a 4g pitch installed this would be used by Hockey, Football and Walking Football and would provide good income for the centre and excellent facilities for the town.

Proper and safe netball courts I have to travel to Colchester the University and Clacton.Brightlingsea it's not fit for purpose how do the school teach netball properly I'm an ex county player it is very important to teach both boys and girls just look at the media next year's Commonwealth games I could go on. Indoor and outdoor facilities walking neball for the older age needs to be inside and Back to Netball for all ages. Contact Louise Taggart England Essex East she will tell you what court and floodlight standard are needed . Thank you

The equipment in the Gym is old and regulaly breaks down. Need new equipment

I would like to see a 3G/4G surface for all grass based sports ie football, hockey, walking football etc instead of the current surface that is now of poor quality. I believe it would encourage a lot more people to take part in team sports and would benefit the local community.

We do not have a good quality 3 or 4g pitch that could be used for community sports.....especially for my age group...eg walking football which i enjoy. This type if facility is of course suitable for a wide range of sports.

If the facilities were improved I would consider the cost of membership was worth it.....but to have to pay the same as the clacton facilities with no where near the same standard is not acceptable.

There are lots of people who travel out of town (environmental impact) to access a quality gym.....which the current one is not. Public transport to clacton is poor. The town has grown in size with several very large new housing estates....the viability of improved sports facilities, inside and out, would im sure be attractive and therefore financially viable.

Although not on the plan the outdoor Astro surface at Brightlingsea is not fit for purpose and has been worn out for many years.A new 4g surface would bring in much needed revenue from teams/clubs wishing to train on it every week.

General updating.

Classes provided are good at Brightlingsea but the outdoor courts need total revamp

I would like to see:
earlier opening times.
bigger free weight and cardio studios
Indoor swimming pool

a 3G Pitch would be a good start and some kind of regular 5 a side football leagues. At present the only Tendring facility I use is the indoor swimming pool at Clacton due to the lack of alternatives. As a child I used to use the tennis courts, squash courts and badminton courts but it is difficult to know when I can turn up to use them. Also, it would be good if a proper Tennis surface could be used as opposed to the stoney courts as they are now.

The existing astro turf facillity at Brightlingsea is well passed its sell by date. There are holes in it, litter all over the place and the goals are in poor repair. I also feel that it is not acceptable for such a largely used facility to not have one set of 11 a side goals and just one pair of 7 a side goals. I would imagine that the local football club are the heaviest users of the facility, with a good source of income for the centre and yet it doesn't feel as though this is valued. The centre are perhaps fortunate that the club has no suitable alternative throughout the winter and thus the complaints end up falling on deaf ears. I would add that the staff are always very friendly and happy to help where possible so that is in no way a reflection of them.

The main question that Tendring Council should be asking throughout the period of this consultation is how can we support the local community, including its local sports groups to

encourage more children to participate in sport and what facilities are required to make that happen!

I used to play indoor football at harwich regularly ever Sunday evening, but now the the sports centre I'm not open on a Sunday evening and we have nowhere to play indoor football.

We just want the sports hall open to public. Why its been closed is unacceptable- no good reason.

Install a sprung wood floor in the sports hall as the concrete one in place is dangerous.

Extend the opening hours on Sundays to pre-pandemic level

Paddle tennis courts as nearest in maldon. Full size 5g football pitch as lots of football teams in the area. Update to the reception area making it more of a sports club with live sport on TVs etc.

I wouldn't change it. It is ideal for use, we play football in there. Price is good, staff are friendly, it's especially good in poor weather months, where I am there more with other groups to play football

4g pitches could easily be constructed at rear of additional sports hall. The changing existing changing rooms could then be refurbished for the second time in the last 30 years but more importantly you might end up with a modern facility that could actually generate some interest, money and well being in the community

Walking football

Buy bring the Center up to date (ie) new spring flooring in sports hall so out dated

4g football pitch, harwich showers are poor.

Bring up to the 21st century provide a 4 g pitch subsidise every one who uses it

3G football pitch

A bigger sports hall for basketball/ netball game or indoor football. Cover over the Astro for winter use. Ice rink, more seating area at the pool side, bigger gym.

All fine

I find the Brightlingsea gym in a poor location. The size makes it impossible for it to grow customers. The equipment is often in a poor condition/damaged for long periods of time. The cost for gym membership is way above contending gyms.

More variety in the big hall!

Daytime use of the sports hall.

New sports hall flooring.

Modern changing rooms.

Paddle Court.

Modern decoration throughout, not enough has changed since I went to school in the 80s.

These aren't the only squash courts in the area, there are courts at Frinton tennis club too.

Pilates classes

Indoor pool.

Upgrade equipment in gym

Longer opening hours(particularly early mornings)

Brightlingsea is so outdated and the equipment is often broken. You can only use one side of the gym until evening time which isn't suitable. It's very expensive for a very dated old gym.

They would need to be open earlier in the mornings and later into the nights.. also costs need looking at.

I can access a very good multi gym and sauna 24/7 by driving to Colchester and this is any time entry. Even with travel costs its still loads cheaper than it would be to use the one I can walk to that is only open when I'm at work.

My answers are more towards the gym facilities at Brightlingsea. They are quite poor and the whole gym area needs updating and improving to encourage people to use it. I've went to join a few times but the actual gym is quite a depressing are in my opinion. However as a family we are at the centre regularly for kids clubs etc which are great.

Newer, cleaner equipment, including steps, mats, barbell weights as these are looking shabby

Inclusion of disabled members of the community, I appreciate this would probably incur more costs as the programme would need to be bespoke but at the moment I feel excluded.

A separate room for yoga classes, at the moment we share the hall with badminton and table tennis, as you can imagine it's not relaxing at all. The ceiling is awful it's just not very pleasing on the eye.

Wider gym facilities Brightlingsea

There's a serious lack of affordable activities for children. Trampolining has been cut, there's no gymnastics or coached sports clubs like tennis, badminton or boxing. For someone like me who can't drive, I don't have the option of visiting a neighbouring town, my children go without. Such a shame, it could be a real asset to the town.

I have always been a casual

User. I was keen to start classes there now my children are older (they take dance classes and used to do trampoline classes there) but due to covid I haven't signed up yet. When I am comfortable going inside again, I would like to use it. I can't afford a private gym price and I wouldn't travel - I don't have the childcare to allow it. It's invaluable.

I don't understand why you are taking a survey now, when people are still unsure about sharing these facilities whilst COVID is still present. I would assume footfall has dropped, but that is not surprising, nor probably indicative of the use of the Centre pre COVID. Question 15 is only half a question, as if another operator were to take over the chances are that the cost of using the Gym will rise, though it may mean that broken equipment would get repaired sooner. For someone like me, a price rise could be a make or break, as would travelling to another area! I hope there is not a hidden agenda behind this survey. Brightlingsea Sports Centre is vital in this growing Town. It's is used by all age groups and with the population growing as it is mote important than ever.

If the gym was more competitively priced, especially considering that it has limited opening hours, so many more people would use it. I can't afford membership to the gym there.

Brightlingsea Sports Centre does really cheap rates for children and this has been incredible for my four children who use it most weeks, sometimes several times. They go to the gym (one membership, one payg), play tennis, badminton and basketball. One of my sons is a ballroom dancer and Brightlingsea Sports Centre is a huge part of his success. This is the only place he has to practice and so a massive part of why we like living in Brightlingsea. Without the opportunity to practice there in the hall he wouldn't be able to dance and compete at the level he does (National level). We are so grateful to have this facility so locally and at an affordable price as we couldn't afford to go anywhere else.

My only complaint is that the dance studio has still not reopened despite covid restrictions all being lifted. Staff say that they are not allowed to let people use it yet. My son would desperately love to be able to use that space again.

Please don't close it down or sell it. It is so important to this community who are so cut off.

Improved Hockey Astro

I used to use BS sports centre for keep fit classes/spin etc but the facilities are below average and it was expensive. I now go to Bannatyne in Colchester. BS facilities need a serious face lift. We also need things like boot camp/ running clubs and they need to be well advertised.

Sports for teenagers to attend

Opening at 9am is a huge negative, a lot of people like to use other gyms that open from 5am or 24/7 gyms like anytime fitness

The Astro pitch at Harwich is in a terrible state, an improvement in that area would be fantastic

For Brightlingsea an indoor swimming pool, with adult specific times as well as the opportunity to teach Brightlingsea children to swim

As above. Up to date equipment, proper squat rack not a Smith machine, able to access during school hours

Netball

Aerobic groups

Classes for less physically fit

More evening classes

I think this is a vital part of our community and should not be taken away from all the children and adults that use this facilities, the class my child goes to has at least 30 children, in and that is without the other classes, it would shame on the council take thus facilities away especially for mental health issues and exercise is a part to help recover.

Needs cleaner gym equipment and some changing rooms, not a toilet to change in

Update the existing facilities as they have been neglected for YEARS!

Better hockey pitch

Indoor pool in Brightlingsea is essential

Cheaper gym membership, longer opening hours

I use the Brightlingsea Gym and weights room. Having visited Clacton Leisure Centre, it is quite apparent that Brightlingsea are the poor relation with lack of investment. There are not many exercise machines in Brightlingsea, often many are broken and awaiting an engineer. The main reason for their failure I suspect is due to their age, unlike Clacton who brims with state of the art equipment. To elaborate on this, for example, there is just one cross trainer. Often there is a que to get on this and often members are disappointed. Luckily it is the running machines and training bikes that seem to brake, there are 3 each of those so although inconvenient you are usually able to get to use one eventually. If the cross trainer failed there is no other.....

As an active member of the local sporting community, I am aware of people's frustration with your facilities over the years. People often question why I pay monthly membership when much of the equipment is old or broken. Many of my friends travel to use better facilities.

Your gym is a vital part of the community and gives access to exercise to many that would not travel elsewhere. With a little bit of thought and investment, I am sure you would attract back

many that have found alternative facilities. Support Brightlingsea better as a community facility. Please, do not sell it off to some organisation that would increase prices or change membership conditions over time to make large profits.

If you go and look around any gym in Colchester you will see the high level they're operating at, for example the university gym is 10 times the size with all the best up to date equipment for £30pm, pump gym in Colchester has even newer more up to date equipment in a larger space along with saunas in the well equipped changing rooms and is open 24 hours a day for only £20pm, this trend goes on with all the other gyms in the area. The price for Brightlingsea Sports Center is the same as for Bannatynes Health Club on Whitehall in Colchester, which has a swimming pool, saunas, jacuzzi, state of the art new equipment and various fitness classes or leisure world in Colchester which includes everything including all pools, classes, gym and aqua springs. I could not believe how bad the Brightlingsea Sports Center gym was, it's like the kind of set up a teenager would have in their garage. Even the staff that showed me around it and told me the price were embarrassed and admitted it's all old out of date equipment which is split over two small rooms, one of which you can only use out of school hours and it's well overpriced. I would struggle parting with £10pm for those facilities. Needs updating completely and the price needs to be lowered drastically.

An indoor swimming pool in Brightlingsea

I have taken up walking football and an all weather surface would be brilliant.

I cannot comment on Harwich. The Brightlingsea centre needs to install a full 3G pitch to replace the ageing astroturf and upgrade their tennis courts to make them playable - presently neither is really fit for purpose. I cannot understand why there has been no reference to these facilities in this questionnaire. The Q15 is meaningless without qualification of costs - If the level of service remaining the same means access, provision and costs are the same then it would make no difference who was operating it would it?

The center is a vital part of Brightlingsea Sports provision and should be upgraded to meet the needs of a growing population.

The equipment in the gym has been there for 20 years!! It's very old

Improved Gym at Brightlingsea and facilities to move to Dovercourt pool from Harwich Sports Centre

The Brightlingsea gym is great, but the machines need some updating.

Brightlingsea needs a 4G pitch outside. The current sand based one is no longer suitable and is becoming dangerous

Better changing rooms. Modernised decoration and facilities, it's very dated. Staff are excellent - couldn't ask for better customer service and interaction than what I experience at Harwich Sports Centre

The outdoor pitch is very old and needs replacing with a modern football surface.

Astro needs replacing. Indoor bowls would be good. We definitely need to keep a Sports Centre in Brightlingsea and keep improving it. It is essential to the town. I can't use it at the moment due to health issues.

there are very few things that would be better but they are as follows.

1. paddle tennis court. it's a great game and loads of locals want to play it but do not want to travel miles to play.
2. make the tennis courts available for a longer period of time, could even look at putting in a "bubble" over the courts.
3. replace the floor in the sports hall.

4. if possible cut the ties with the school as to use of the hall. it can cause problems and the school do not look after it as well as the sports centre staff.

More fitness classes in the morning for those of us who cannot attend after school.

The facilities need updating. Better promotion of what's on would encourage more users. Better variety of classes with newer equipment.

Flooring in the sports hall can be improved and decorated

Skating, hire, late opening

Sauna, steam room. Tennis courts that be used all year round. more badminton courts. make it cheaper for over 60's to use all facilities not just swimming. All classes include in one card and not separate, eg. yoga, pilates ect. They go to wick lodge for squash courts.

Daytime access for classes or badminton, dance classes ect. new changing rooms, decorated, new flooring in squash courts.

sauna and steam room

Sauna, steam room, Jacuzzi

Bar, Sauna and steam room and tennis courts

Frinton has squash and Wick lodge. more coaching for juniors (advertise) Tennis retro on the court. water fountain

Tennis courts all year around with a bubble for winter. Steam room

better lighting

new Sports hall floor, new lighting, air con, dance studio, 2nd hall- daytime use, new ladies changing room

more squash courts, mulit sports

Padel court, new sports hall floor

2nd hall for use in daytime, padelcrt

padel court, boogie bounce class

Spa, extra squash courts, padel court, 4g pitch, new sports hall floor

updated sport hall and flooring, more squash courts, larger changing rooms, sports hall for day hire use.

to question 18- Excellent service not building. The changing rooms are the same as when i came to school here, no upgrade ever. clacton have numerous upgrades newly refurb everywhere- sports hall is grim

The Astro trig is important to local sports and the tennis courts are importing local people in Brightlingsea

More fitness classes like yoga and Pilates. Family fitness classes I can attend with my children or a childcare facility or area they could stay in while I used the faculties. As a single mum it can be difficult to get out and use the sports centre.

Indoor swimming pool.

Having recently moved to Brightlingsea I would say that the facilities at the Sports Centre are poor and tired. I played walking football pre-Covid but obviously it wasn't possible during the pandemic.

I play tennis but there are no courts in Brightlingsea apart from those at the Sports Centre which are (in my view) unplayable so I play at Wivenhoe Tennis Club.

Sports provision by Tendring in Brightlingsea is as poor as I have ever experienced in the various places I have lived in over the past 50 years. The Angel Centre in Tonbridge is far more welcoming and a centre of the community. There needs to be some updating of the facilities and some energetic management to promote the place in a post-Covid era.

The lack of any playable tennis courts is disgraceful in a town of this size. I gather that the previous tennis club on the Rec was destroyed in the 1987 hurricane and the Council was indifferent to it being re-established. Wheathampstead in Hertfordshire (a town of 5,000 people) has three floodlight courts and junior tennis court. Kimpton, (a village of 2,000) has three courts alongside a cricket pitch whereas Brightlingsea - with a population of 10,000 has none.

Any village in Kent or Hertfordshire has better council funded sports and leisure facilities than are provided in Brightlingsea Tonbridge and Malling in Kent provide two excellent centres within easy travelling distance at Larkfield and the Angel Centre in Tonbridge. Admittedly travel is more difficult in Tendring but as an isolated sizeable community Brightlingsea is badly served.

The astro pitch at Brightlingsea needs to be completely updated it is so outdated and dangerous. In bad need of replacement. This would be the hub for youth football use in Brightlingsea

More exercise classes like HIIT as currently these do not exist in Harwich/ Dovercourt. The classes seemed to be aimed at those who have a lower level of fitness. Lifestyles at Dovercourt is also very limited.

There is no mention of the outside AstroTurf which is constantly in use by local youth sports teams? They are very well utilised

It is unfair to review these so close to the pandemic when not able to operate as normal. I look forward to attending my weekly classes there as well as the gym as well as my daughter using it for both karate and dance. The holiday sessions were a great idea and maybe expanding on the use of the space available to host parties and other events would make it more useful.

New AstroTurf on pitches and grass pitch for football. Gym has outdated equipment it needs replacing and adding to so it can compete with other facilities

Astro to be updated at Brightlingsea as it is in a shocking state

Extend weekend opening hours. Create a club facility for tennis - many members of Wivenhoe Tennis club are from Brightlingsea. Due to lower levels of facilities/poorer opening times give a reduced monthly membership fee compared to Clacton for Brightlingsea residents, or add access to Brightlingsea Lido as part of the membership.

This questionnaire does not address the needs of peoples and families who access the centre for provisions of privately run activities e.g karate, ballet. There is no other suitable location for these activities to be held within brightlingsea and withdrawing access would be beyond detrimental to the community. Lack of local access to activities has direct impacts on health and welfare with lower socio economic groups being most adversely affected.

More choice of exercise classes and on different days yoga/Pilates eg

Improvement needed on the Astro, I have used this for the last 9 years coaching various groups from Brightlingsea Regent, in the winter months the surface is simply dangerous and not fit for purpose.

More class variety eg Zumba

The brightlingsea sport Center is great I used to go everyday to the gym. The staff are great I now play football on the Astro every week 2 times a week. The Astro is great only thing they could improve is letting students from the school go on there at lunch, as a lot of rubbish is left on there. It can be very dirty also with bird poo rubbish and not much sand left.
Advertising as i only knew about spin. Childcare.
Need to be open for longers on days needed.
having things that are flexible times, dance classes that are during the day.
Childcare - Accessible for adults to bring children
Zumba, classes with weight and age requirements.
Crossfit.
Larger facilities with appropriate levels of equipment, integrated INDOOR swimming publicly accessible 6am-10pm, on a par with Colchester Sports centre. Having facilities overpriced and unavailable during school hours is pointless given the average age in Brightlingsea.
Fun activities for families
More advertising - Social media. More signs. Re vamp inside and outside
Brightlingsea sports centre is excellent I attend many classes, and enjoy meeting up with friends, it would be good to have more classes like spin with different instructors like it was about 6 years ago.
Can drive, no cars prefer to use cycle.
Would be good if the Tennis at Harwich could be available through to end of Sept as weather perfectly good to play then?
2 Badminton courts for daytime use (because i work night shifts) Upgrade sports hall and changing rooms. Padel courts
Paddle board court. Extra squash court. Referb sports hall and changing rooms, New sports hall floor.
Harwich needs bringing up to date- shower facilities in mens updates a while ago but not ladies near squash courts. Facilities near hall are way out of date. maybe a sauna/ steam room like Clacton. Wick lodge also have squash courts.
Question- Why is discounts available for over 60's when paying on the day but no such discount for loyal members that pay monthly.? Outside tennis courts should be available all year. Even if school is not using them a net could be kept in sports hall and put up as needed.
Another squash court. Upgraded GH.RMS New sports hall floor - too hard/ dangerous. Additional hall for day use.
socialise + eat + drink after Facility upgrade 2 glass courts + a gallery to view Padel court
New hall floor - very hard and slippery. Redo changing rooms. Gets very hot in hall
Air con would be great Changing rooms need upgrading. Have been the same since i was at school. Lighting could be better
Fan

The Harwich Centre desperately needs up grading, the floor should be sprung, the air conditioning needs upgrading, or looking at, in summer it gets pretty warm in there. I run a Badminton club on a Monday night and things are just not ideal.
Question 13- Not true, Wick lodge Clacton More day time classes- prop not cost effective.
Nothing!!!
Friday night class or Sunday morning class.
day time classes on sundays
it has everything i think i need
The Machines & equipment need updating to make it value for money. They are very old. The classes are good, staff are great but the gym needs updating.
Some newer equipment. the mats are a bit grim & smelly! but love it here, great staff!
in my experience the facilities at the Brightlingsea sport centre are well run and the services are excellent.
for myself it has been and remains an essential component of my health and well being. Two years ago i had a hip replacement and stopped exercising. The multi gym ensured i made a full recovery to normal in the space of a year!
Brightlingsea is such an important part of the local community-especially for people who lack a car. it is a safe space where people can help themselves to maintain their physical and mental well-being.
swimming indoors
new better equipment, need investing some money it these places.
Machines need to be updated. less weights machines in the lifestyles gym and more fitness machines. never use machines as most break down regularly.
could be cleaner and more value for money
Quite a lot of the equipment in the gym is regularly out of order, which means i come less.
can be improved by updating gym equipment such as the machines. why does CLC get all the upgrades and not BSC or HSC?
Spend money on new equipment!
swimming pool
I want a heated all year round, covered swimming pool. It could provide scuba diving lessons, water polo, aqua-size, early years swimming lessons. This list is endless!!
more gym equipment available in the day. i cant use the other room in the evenings.
use Clacton only
gym is too small and often equipment is out of order. more often that not something is not working. People seem to want to use the same piece of equipment while others equipment is not being used. A survey on what people use could determine this.
enjoy small quiet gym. don't enjoy the "testosterone" fuelled environment. existing facilities could be improved by having all equipment working. Brightlingsea staff are great!
outdoor changing for swimmers
need a better gym
I USE THE BRIGHTLINGSEA SQUASH COURT AND ITS THE ONLY COURT APART FROM ESSEX UNI, I WOULD HATE TO LOSE THIS FACILITY. I HOPE THE SPORTS CENTRE CAN REMAIN OPEN
step class, DDmix dance class
YOGA AND OVER 50+ KEEP FIT- SOCAIL ACTIVITIES

More classes that we used to be able to access at Manningtree ie Hiit, fit ball etc. Brightlingsea and Clacton too far as I work. Not acceptable to do Pilates when people are playing badminton. We need the same access to classes that they have at other centres

Pilates class Any exercise for retired persons during the day
External a Pétanque Court

Always- check disabled access! At Clacton we all queue to use 1 disabled baby change facility as the two end, larger area toilets have low seats and not even not even a bar at the side to help us stand up. Also, name of activity! 50+ Inclusive edges out disabled (5 that i recognise stopped coming) as people focus on 50+ ignore "INCLUSIVE" and we are kicked and jabbed by people swimming breaststroke up the middle lane, get a face full of water by people who splash. Are edged out by couples swimming alongside each other, racing. Adults inclusive and a gentle suggestion to the very competent able racing sporting to time couples would make every minute of the only 2 50+ inclusive swimming sessions instead of the 5 minute at start and 10-15 at end before the sprint couple and boy races arrive. I only keep going because i have no other option and i am too stubborn to be forced out! I have informed swim England and Tending authority disabled access must be improved.

Some people will/ can go to Clacton, Walton and Harwich e.g. to aqua size so people rely on local LC wont get a space.

Massively detrimental, physically and mental well-being.

Opening times - needs to open earlier in the mornings and weekends and open later at weekends. 3 family members currently use Colchester due to the inflexible opening times in Brightlingsea i would like the gym to open at an earlier time in the mornings, please at Dovercourt.

I'd make sure the staff are really good, genuinely friendly, helpful and not obviously bored, perhaps from doing the same job too long. Brightlingsea has some really unpleasant staff my experience over a number of years, who aren't motivated at all. It's like they're saying "ive got a job on the Council and I'm only here for the salary"

Better maintenance of some of the gym equipment. Some items, eg leg press machine, are consistently out of order for long periods.

Some sort of ventilation in the summer would be valued greatly.

the centre is looking tired, it is really need a major update.

Great customer service

the floor in the sports hall could be less hard for sports such as badminton.

invest in the facilities, update showers, share money equally between all the centres.

Modern Facilities

Hockey astro

New sports hall

sports hall and changing rooms are unchanged since 1970s, looking very tired and dark and generally neglected. Harwich also is in dire need of a studio for dance, yoga, Pilates etc. we shouldn't have to travel to Clacton for classes such as bounce.

I went to the Harwich school back in the 80's and the sports hall still stands the same. There hasn't been any improvements. Playing badminton you stick to the floor. There are plenty of times i have gone to take a shot and nearly fallen over. We shouldn't have to play badminton, whilst a class of yoga or Pilates is next to us. Its off putting.

There should be another room for classes (fitness).

The changing rooms are disgusting and haven't been updated or improved since i was a young school girl.

The Harwich and Dovercourt high school has been updated, so its about time the sports hall follow suit into the 21st Century.

The opening times are terrible. The equipment is very dated
Table tennis league
Swimming pool open earlier in the morning at harwich
Happy with facilities as they are. Sufficient I would have thought for 90% of general public's needs
A better outdoor all weather pitch to allow more training during the darker months for the local teams to train on. Floodlighting for the tennis/netball courts again to allow these facilities to be used all year.
Less emphasis on having to sign up for membership. It is impossible to find out online the cost of a badminton court, for example, until you've signed up as a casual member & gone the whole way through the booking process. Booking further in advance would be helpful. Cafe.
i am sure these centres are as useful to locals as Clacton is to myself. I do not think I would use a gym that is not local or a swimming pool.
<ol style="list-style-type: none"> 1. the skate park needs investing to ensure the young riding around the car park & playing in the baby park have an area for activities. 2. tennis courts need investment and a coach. 3. courts at the back need investment.
every part of Tendring needs an leisure facility- we have lived through a pandemic and to raise our health please invest .
More working machines are needed at Brightlingsea.
Greater liaison with the Harwich Primary Schools Sports Association
For Brightlingsea Cricket Club this is an essential resource. It provides localised facilities that have a low carbon footprint for our membership. Concessionary costs for youth are vital to be affordable and we would be concerned that prices would increase and concessions removed if taken over by another provider.
Brightlingsea has a higher than average obesity issue that other parts of the UK. The half term and holiday activities provide a low cost way of children keeping active. Children can walk to this provision making it an attractive venue to be used. Many clubs use the facilities and the location ensures that people can use it easily. Public transport is a real issue in Brightlingsea. Accessing other areas of Tendring require at least two buses and costs a lot of money for people on low incomes.
I would be concerned that if management was changed to the Sigma Trust the community focus of the management would change and would be diverted to meet the needs of the school. Charges would increase and concessionary policies would be removed.
This facility helps people to keep active, and Sport England and indeed Tendring should be looking to create environments that support 'more people to be active more of the time'. Any change to this overall aim would be detrimental to peoples access and experience of activity in Brightlingsea.
As someone who organises cricket activities for young people in Brightlingsea, the sports centre is essential to run activity when the weather does not allow us to work outside. It would be great to have more opportunities to block book in the main hall but without the small hall at least, running activities for local young females and disabled young people, as we currently do, would not be possible. The facilities could do with some refurbishment but costs need to be kept at a reasonable level to avoid stopping young people from less well-off families from becoming excluded. As a club we cannot afford to run sessions to keep young people engaged and active if we cannot cover the costs of hiring facilities.

Padel courts

I stopped my membership at Brightlingsea due to the high cost, outdated equipment, space, opening and access times.

Any kit that requires power quite often was in need of repair, and the age and state of the free and assisted weights was worrying and did not instil confidence that I would be safe using them. Along with these issues, only being allowed in the weights room after 4pm is frankly absurd given how much is being charged. I am currently paying a lot less a month at a gym that I can visit before 9am, has excellent changing rooms, has up to date equipment that is regularly serviced and if faulty, usually repaired within 24 hours.

All of the focus is placed on the centre in Clacton, the other centres are well overdue a facelift, equipment replaced, rooms extended and longer opening times.

some good hardcourt tennis courts would make a good addition

Happy with what's currently on offer

Morning classes

I assume you are considering whether to get rid of Harwich Sports Centre, which is ridiculous. The provision of leisure centres in this area is dreadful... nothing in Manningtree!! It was bad enough when there was no swimming pool, but to have lost it completely is terrible given the rapidly growing population. The lack of squash courts in the area is surprising, it's a popular game and provides a great opportunity for families to exercise together. I'd like to see netball and hockey being made available at Harwich along with gymnastics (perhaps the M'tree gymnastics classes could move there). After school activities such as racket club would be great too. Roller disco could move to Harwich too.

Please engage with the local squash community to get grassroots squash going

The Astro is widely used by the youth teams at Brightlingsea Regent, amongst others. An upgrade on this would be a brilliant investment.

More classes. Indoor pool/spa

Lifestyles gym needs equipment that works. It has always had second hand out of date equipment...it is like the poor relation of Tendring..brightlingsea people matter and this is our only option for a gym..the older generation need these facilities..we talk about reducing our carbon footprint yet you will encourage people to drive out of town to access other facilities..it's disgraceful 😞

The equipment at Brightlingsea Sports centre is extremely poor, iv always felt like we are the poor relative when it comes to Brightlingsea as they always seem to be getting hand me downs from everyone else, there is also far too much in these gyms half of which dont work properly (it's seems a bit like a dumping ground)

Brightlingsea needs to keep their gym yet your talk of closing is letting people down

Better equipment

The equipment at Brightlingsea needs upgrading. There's always equipment not working and takes ages to be fixed. It's like Brightlingsea is the forgotten about gym. With this being the only gym in the town it should be thriving as no real competition. In my opinion it should be treated the same as other gyms like clacton. Brightlingsea has the opposite to be a great place to work out if money is spent to improve it.

Holiday sports and activity clubs available adhoc

The astro at Brightlingsea (last time I went) is still the old doormat type. 3g pitches would get used I think. At the moment it's way out of date.

The tennis courts are also in bad condition. All the nets sag and there is litter everywhere.

For me to use the fitness gym it'd have to be open earlier or later, current hours have never worked for me

A wider range of evening fitness classes (Zumba used to be great fun) for working people, and for only one class to use the sports hall at a time - currently the Yoga class have to contend with users of the basketball court making noise and chatting, which isn't conducive to relaxation and focus on breathing. This has put me off attending the class. Can the Yoga and Pilates classes not be held in the Dance Studio instead, where it is a smaller environment and quieter?

I have used Brightlingsea centre at least once a week for the last 30+ years for badminton and basketball and always found that being local is a great benefit. The changing rooms are often not clean and the showers not always working. Although I appreciate it is a shared facility with the school, improvements for the public are necessary.

I have run a very successful basketball club at Brightlingsea every week for nearly 30 years. The team are mostly local residents and funding and sponsorship grant applications have focused on the community benefits that this activity provides in a remote area with few alternatives nearby. National campaigns are calling for children to be more active and the club has just started a junior session which is proving very popular.

I fear for the future of the club if Brightlingsea centre is not available and for the health and well-being of the local community as I doubt many would seek alternatives that are so far away.

Update toilets and showers.

Gym needs updating

A swimming pool would be excellent.

Existing facilities are very good and well maintained under the current operator.

A better all weather surface. The current pitch is old & in a bad condition

As a youth football club , we block use the sports centre throughout the year ,

This is very much a part of our youth set up ,

And would be a major blow to us if this was to close .

I attended the yoga at Brightlingsea Sports Centre for several years but, now that I am retired, I prefer to go during the day. However, at a time when there is serious concern about the physical and mental wellbeing of our population, this 'consultation' should not be used as an excuse to close the facility. I am sure that many people will be avoiding places like the sports centre whilst Covid infections continue to be high.

Love the Astro turf pitch but think this may need replacing

There has been a badminton club since the Colne school opened. It is incredibly important to keep badminton going for all age groups. It is integral to Brightlingsea and the local villages.

Astro needs to be updated to an artificial pitch, tennis courts need modernising, gym facilities need an overhaul.

An indoor heated swimming pool would be amazing.

Inside Roller Skating events for roller derby matches/training or roller discos. Outside the artificial pitch needs modernising desperately, it's dangerous to use.

I cancelled my membership with the Brightlingsea Sports Centre due to a chronic underinvestment in the equipment and facilities. The gyms in particular had equipment in various states of disrepair, often broken for extended periods of time and not maintained to a good quality. In addition the facilities also have reduced opening hours compared to other facilities, for example no early morning sessions and only 4 hours open on a Sunday. I feel that the council has

not provided the same level of investment that it has in the centres in Clacton or Walton and continue to charge the same price for membership, this leads to a second class service for the residents of brightlingsea compared to other areas within Tendring. If the services are to be commercially viable for the council to provide then they need to be treated as a commercial entity, with the investment that is required.

adding a health & wellbeing club.
adding music to aerobics classes.
change of music at aquasize.

Something similar to 'Active for Life' which runs (used to run) at Clacton Leisure Centre. This combination of sports - badminton, table tennis and outdoor tennis was excellent.

indoor tennis

The quality of some machines are not up to scratch, some must be 40 years old.

Down time of machines; runs sometimes from weeks to months.

A company who are on the ball for repairs

Should be free for O.A.Ps

Staff are always helpful

Brightlingsea gets Clacton throw-outs.

better equipment and more money put into the centre.

Extra weight machine's and more up to date ones, the one we have at brightlingsea are old and keep breaking!

Better equipment

sit up machine in Clacton

Since COVID I have been using the sports centre as Pilates has been relocated there. Harwich is in great need of a place for Pilates, HIIT and other studio work out sessions. This is a massive issue for many who would love to see more studio sessions. The floor in the sports hall is very cold indeed and can make exercise even on a mat difficult. As the cold travels up and causes cramp.

Please please create a studio space for Pilates, yoga, HIIT, bounce and some other fitness classes in the Dovercourt area.

Dovercourt bay lifestyles facilities are not suitable for spin and studio classes. They have to move the bikes for other sessions.

I believe that the brightlingsea sports Center could really benefit from upgrading the Astro turf football facility to the more up to day 3G pitches this would really enhance the space for the community and would be the best facilities in the area.

Upgraded outdoor area 3G all weather pitch for local teams to use for training and recreation, basketball courts, tennis courts, netball, hockey, football all need access to these facilities, bringing people in to create jobs and money for the town and local area.

If Brightlingsea was to be closed it would mean that all the football clubs that use it for training they would have no where else to go which would mean that youth football in Brightlingsea could not carry on due to the fact to the one place they can train is going to be closed.

As usual total madness.

Not only do we use the sports centre for sports but also parties and the 3G courts play a big part of our local football clubs as it is one of the only places with flood lights for winter useage!

Tennis courts 3G football pitch
With all the use the Astro gets in Brightlingsea with colne students and numerous of different clubs it would be great to have it turned into a 3G football pitch. It may be more appealing for others to come and use it as the Astro has been around for many years now and is looking very dated and run down.
3G football pitch, netball classes, tennis lessons
New gym, Astro needs updating Swimming pool
The astroturf is very old and worn out. It needs a 3G pitch put in ASAP.
Daytime classes
Grass rather than astroturf and updated gym equipment
The astro turf should be replaced with all purpose pitch so can be used day and night all year round and paid for by users. The council should keep and modernise this sports centre to provide for current and future generations and healthy living. It would be a disgrace should council funding not be put towards a community asset when it is ploughed into numerous housing projects that do not help the community nor keep the community healthy and active.
Improved 4G outside surface at Brightlingsea would be excellent
A swimming pool
Working bikes and equipment, not taken away instead of repaired ..
B,sea new Astra turf would be helpful
If we dont have the astro, then 150 youth football players wont be able to train.
Replace Artificial pitch Brightlingsea
Have a indoor pool
Swimming pool
Replace astro with a proper 4g facility
A separate sports centre that is not attached tot he school and is more private for adults.
Tennis court, updated facilities, better /3d astro pitch.
New Astro turf it's in a bad condition, and is used by many kids from Brightlingsea football club for training in the winter months it's also used by Bentley football teams.
I don't know, as not a user, due to age, 87, but every possible facility needing improvement should be made. If necessary for new facilities fundraising within the town might be worth considering, if there is inadequate finance - it is a generous and community-minded town. Question 17 not applicable but had to tick as no opting out available.
Better astro surface
Outdoor football pitches, the surface could do with improving along with bigger and better goals.
Change to 4g pitch as current is too sandy and slippery for football ,, run keep fit classes when kettle bells was on this was really good
Swimming pool with jacuzzi More modern gym at low cost Athletics track 3G pitch Tennis courts
3G pitch, and a decent gym with up to date cardio workout machines, tennis and swimming pool
Swimming pool ! Dance classes for adults! This place is invaluable to the community, we cannot travel so far out of town to attend a gym.

Swimming pool

Sauna

Jacuzzi

Classes in the day

Our community needs the sports centre. I've used it at some of that hardest times in my life and it means a lot. Don't close it!!

Brightlingsea:

1. Changing rooms and toilet/shower facilities are absolutely disgusting.
2. It smells of urine as soon as you enter the premises.
3. The whole place needs a complete revamp and overhaul.

Brightlingsea- update to the Astro tuff.

New 3G or 4G Astro turf for outdoor activities football

Tennis courts

Proper size basketball court

The changing facilities are rarely open for public use, and when they are they are often in very poor condition. Showers often broken and floors dirty. It's a school but it could definitely be improved to bring it to a reasonable standard.

Basketball courts. Please don't close Brightlingsea Sports Centre. I use it all the time with my mates. Cl

Luck of paint at Brightlingsea. Don't close it, we need this facility. My son plays basketball there for 2 teams. He would be devastated without it.

To have a four g pitch and better goals

Small hall floor is in a shocking state and in desperate need of sealing as it is so slippery and dusty. It's almost impossible to play basketball on and potentially dangerous. Also the brackets on the walls are a hazard when playing. Changing rooms are always filthy but we are told they are the schools responsibility. Surely if you are offering a service it's your responsibility to ensure that they are clean and tidy?

Sports hall is important to me and having access to the facility is important as I could not do my physical activity

Brightlingsea sport centre is an important part of the community we run Junior and senior activities without these facilities will be contributing to inactivity. The council and the community should be reducing inactivity and encouraging physical activity on a regular bases getting people to do the minimum of 150min a week.

This preventative work and helping people to lead a healthy happy life

Closing these facilities will be signing a death certificate to the community

Please don't close them keep them going

The shower facilities could be improved, but all of the rest of it is great!

Properly surfaced outdoor netball court. Better showers.

Changing facilities dated and small

Larger basketball court in Brightlingsea

Sauna /. Steam room

3G football pitch

Shower facilities at Brightlingsea could be improved.

Question 15 is unclear: which provider (private) and at which costs (higher, I guess); so can't be properly answered.

Also, Brightlingsea has outdoor pitches which do not feature in your survey.

Brightlingsea gym is too small and feels packed if more than a few people use it at the same time. The equipment feels dated and has second hand equipment.
 Can use a modern gym at Ballantynes for the same monthly fee.
 No private locker space - it is in the lobby!!
 The gym could benefit from an upgrade if they are going to attract more people and grow the business.

Q8 doesn't offer the option to indicate we use the Astro pitch at the back of the school. If this was 3G it would be fantastic and attract a lot more use.

Swimming pool, but unlikely to happen! Brightlingsea sports centre is an integral part of the community. Were it to close the impact would be massive most people over 30 aren't prepared to travel into Colchester or elsewhere to exercise in its place. They are far more likely to stop exercising. I exercise at the sports centre incredibly frequently but I wouldn't have the time to travel 30 minutes each way to go to classes and as such would stop using a gym. I would be concerned if someone else took over the sports centre that within a very short period of time the membership costs would rise and quality of service would plummet.

More classes, like zumba , a second legs bums and tums session , spinning back on a monday. I have been attending the sports centre for 20 years and have attended all the different exercise classes over the years and the most popular ones seem to be taken away. Clacton have a lot more choice but who wants a total of 50mins drive plus petrol and driving alone in the dark and sometimes frosty nights in the winter to attend a class that could be taking part at brightlingsea. Good advertising, cheaper classes I feel would be the way forward.

The hours that fit around the school means the facilities are not always accessible.

Flexible membership and paint options, and expansion of the gym equipment and area. It is too crowded. They also could do with much better marketing and social media presence. Make the information easier to access online. Almost everyone has a smartphone these days, use that to their advantage. Facebook, Instagram, Twitter, Website e.t.c.

Brightlingsea sports centre really needs a revamp. It hasn't changed since I left school (2008), it's just deteriorated and the equipment is ancient. It would be so lovely to have a local gym in Brightlingsea that had all of the new weights and multiple machines that all of the modern gyms have. I think being a sports school and college really lets itself down with the gym area.

It would save a lot of people driving out of Brightlingsea to attend gyms, I think it's missing out on a lot of potential gym goers. I work from home in Brightlingsea now, and it would be nice to have it on your doorstep rather than driving to colchester or clacton. I think it would also benefit from an indoor swimming pool. Thank you.

Better reception service and for it to be open longer in weekends

The sports centre could do with a refurbishment.

Needs to be open longer in the weekends.

More clubs for children, or better advertisement for these(perhaps I'm not aware).

Classes that Mum's can go with their children(who can also participate).

Better refreshment facilities and seating area.

A previous manager was very dedicated and knowledgeable, this gave you confidence if you needed help or advice.

Better tennis courts at Brightlingsea with coaching for kids and adults

New equipment and the centre needs revamping its very dilapidated and run down I have now joined David Lloyd gym as there is much better facilities there. It's a shame that Brightlingsea being so close would be a lot easier to get to but it doesn't provide a good service.

the gym is far too small. most people want use the same equipment at the same time. The equipment is out of date and needs replacing every time I go in there something is out of order. since there are two other sports halls in the vicinity why can't the dance studio be a replacement for the gym? The gym is now a two part affair and part is closed to the paying public during the school day and is sometimes used by the school.

Very happy with Brightlingsea Sports Centre

More use of tennis courts over the weekend. Teenagers (and some grannies) don't get up early at the weekends! I like to play tennis and I am 79 and want to play at weekends with my grandchildren!

I feel the gym needs to be bought up to date a bit with some better and more varied equipment

An indoor swimming pool would be a huge asset to Brightlingsea and would complement the Lido. Along with this sauna and jacuzzi facilities would be useful.

Basketball 🏀

My needs are met at Brightlingsea

Greater timetable of activities

Brightlingsea - 3G pitch, tennis courts, swimming pool. The facilities in general could do with being upgraded, toilets, reception area etc.

Brightlingsea-a lick of paint

It's great to have more of these places to encourage friendship and healthy life style. It should have a good cafe and a swimming pool. Then i would be a member and go 4 times a week

I would like the current facilities to be improved. I value the fact there is a gym but it could be better for example. But really it is just a really valuable community resource. My kids attend about 4 times a week for various activities and we would really struggle as a family to access these things without it

The gym needs to be improved. I know it has been hit by Covid but they used to offer a lot more things for young children and teenagers.

One of my children attend the Colne and we have discussed a youth membership now it's winter as a good way to keep active. Safe environment to meet friends etc.

Often attend children's parties in the sports hall too.

Would be devastating to the community to lose this.

Indoor swimming pool

Better gym facilities

Good range of classes

More gym equipment

Better gym equipment

A 24 hour fully functional gym.

A swimming pool

Classes for children. Gymnastics, trampolining, on PAYG basis. Climbing wall practice PAYG. And likewise for adults, variation in classes, not just yoga! Perhaps parent & child classes to add diversity to families who can use facilities together rather than separately.

I find the present facilities adequate enough for my personal use.I value Brightlingsea Centre greatly as it provides a much needed facility within cycling or walking distance from mine, and many other users home.

I use the multi gym during quiet periods during the day and I can usually access the equipment without having to wait.

I would like to see more classes for senior citizens only e.g. mature moves, armchair aerobics. We are constantly told the importance of exercise and communication for the elderly but there is nothing provided at Brightlingsea.

It would be lovely to have a 3G astro pitch at Brightlingsea Sports Centre. Myself as the company director of MASS, would be massively impacted if the Sports Centre closed the astro and we could no longer use it. It would impact us massively as a business but also it would impact so many children in and around the town that we know love attending our sessions, look forward to the sessions and we help them have a great childhood. We all know sports is people's release and children coming from all backgrounds of life, we have created a really positive environment for all the attending children, which they have responded to brilliantly.

I really hope something can be done instead of the sports centre closing down, as this would negatively impact on the children massively, for their enjoyment, discipline, but also sanity.

If I could speak to someone directly, who is involved in this, I would love to, so we could fully express our views & feelings towards this.

Thank you & please contact me directly if need-be.

More sports facilities outside.

I have only recently moved to Brightlingsea. My son and his family (two young children) have also moved here. I consider the existence of a sports centre in the town where we live to be an essential facility for all the family and particularly for the children as they grow. Personally I would like to see more classes (pilates, yoga, Zumba) and particularly for some daytime classes for the many retired people in the town. I would be unlikely to travel out of town to go to classes.

A swimming pool.

There is clear evidence to suggest the obesity rate is rising nationally. Whilst I do not have empirical evidence to support this, here in Dovercourt/Harwich there would appear to be a number of residents who carry excess weight. The availability of take outs is on the increase with 3 new ones planned for close by to Morrisons. So diet may well be an issue? I had a spinal op several years ago and it was suggested that Pilates would be good for me. I scoured the area for local classes but came up with nothing. Only because of this survey have I found out that Harwich Sports Centre now offer Pilates several times a week and at a very reasonable rate particularly as I am of pensionable age. There are also Yoga classes, however in my opinion I feel that Yoga and Pilates are directed to a niche market. With increasing weight problems and evenings when nothing seems to take place at the Sports Centre (?) there should be more beginner through to more experienced classes in aerobic exercise, zumba classes or indeed anything else that will fire up the over weight and indeed the older population or physically compromised to make full use of the facilities. Even an elementary discussion about how many calories need to be burned off after eating a big MAC before weight is added. This is not about dictating to people but enabling them to make the right choices. In summary : More communication about what is available...local newspapers, posters in GP practice surgeries , The Dovercourt Hub etc. I was totally unaware that Pilates had started up at the Harwich Sports Centre. Liaison with GP surgeries or other medical centres to identify those who would benefit from exercise, a range of different types of exercise classes. Facilities seem to be great but take up poor. For example I was told that there are about 6/7 people who attend Pilates but the class can accommodate 13.

Currently attending Yoga and Pilates classes. Find it difficult to concentrate and relax due to noise coming from the badminton courts which are only divided by a curtain.

I feel investment into Brightlingsea Sports Centre would be money well spent. The football/hockey astro turf is outdated and needs to be upgraded. A 4G pitch would certainly be a good improvement on the existing facility.

Football training camps

Netball club and running/athletics club would be good locally. Having squash courts in Brightlingsea is good for my family as adults and children play. We've enjoyed a range of activities

from sports court hire, birthday parties, grass roots football training and weight management programme. A real asset to the community.

Improve the outdoor courts at Brightlingsea, 3G pitch , tennis courts

I use Brightlingsea sports centre on a regular basis using the gym, sports classes etc and my children use the Astro as do hundreds of others for football training and various clubs. It's well loved and well needed in our community and without it I don't know what we'd do.

Better air conditioning in the gym

The layout of the Brightlingsea sport center needs remodeling, providing better changing facilities, larger reception area and a bigger multi function gym which members can use during school times (currently only the small gym is available) during school hours which has old, broken or worn out equipment (which was Harwich's sports center old equipment).

The small garden area outside of the reception could be a new purpose built reception giving space for a larger reception/cafe/waiting area. The old reception could be incorporated into a revamped gym.

Unfortunately due to the lack of investment and maintenance Brightlingsea sport center has only seen a lick of paint in the last few years and currently gym equipment is old, damaged or broken, there broken mirrors in the gym, tiles which are missing, stained or damage on the suspended ceiling around the building. I believe that suitable investment would be regenerated in an uplift in memberships and casual usage. I believe Brightlingsea sport center could become a places to meet, greet, exercise and relax making it a figurehead attraction in Brightlingsea attracting people not only from Brightlingsea, but servicing people from the surrounding areas.

extended opening times at harwich at weekends.

tennis courts opened the whole year - not just summer. even just one court open.

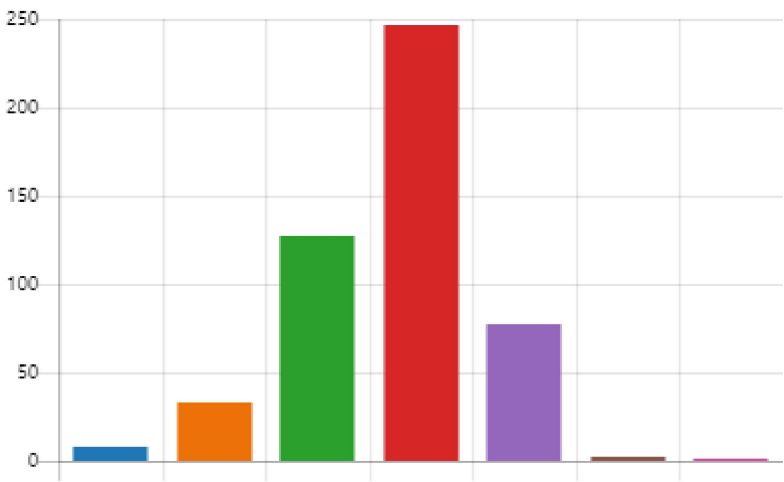
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Have your say on Joint Use Facilities

495 Responses 08:09 Average time to complete Closed Status

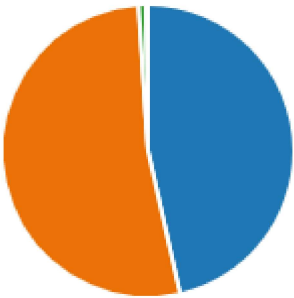
1. Please can you select your age category:

Under 16 Years Old	8
Between 16 - 25 Years Old	33
Between 26 - 40 Years Old	127
Between 41 - 65 Years Old	247
Between 66 - 79 Years Old	77
Over 80 Years Old	2
Prefer not to say	1



2. Please provide your gender:

Male	230
Female	260
Prefer not to say	4
Other	1



3. Please provide the first part of your postal code:

495
Responses

Latest Responses

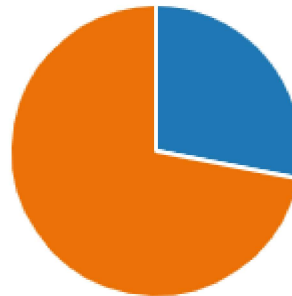
"co12"

"co12"

"co12"

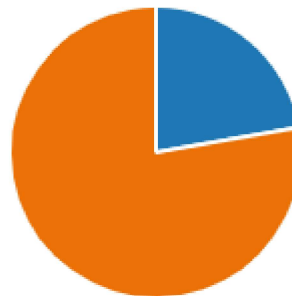
4. Do you or have you used the Harwich or Brightlingsea Sports Centre/s?

● Harwich	132
● Brightlingsea	339



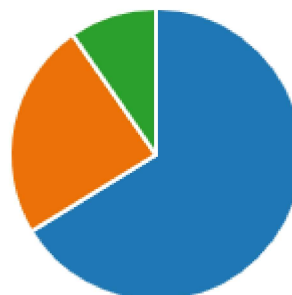
5. If yes, do you have a Pre-Paid monthly or Annual Membership?

● Yes	104
● No	363



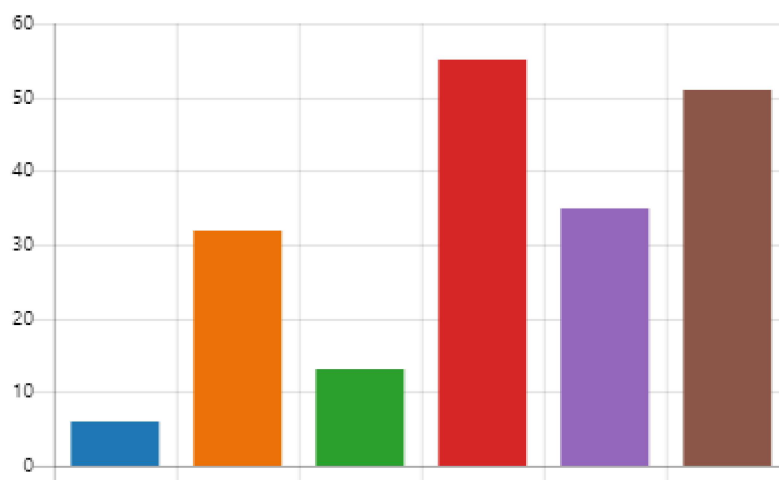
6. On average, how many times a week do you attend?

● 1 - 2 times a week	267
● 2 - 4 times a week	97
● 4+ times a week	39



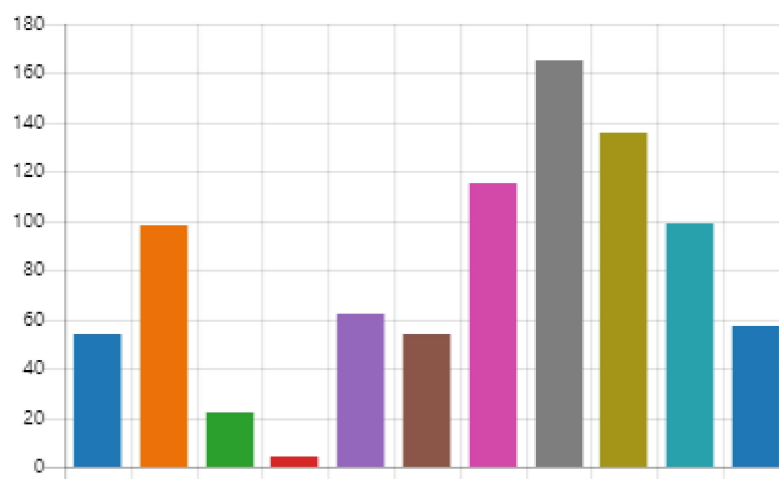
7. If you have not used the Harwich or Brightlingsea Sports Centres, please could you tell us why?

Unaware of the centre/s	6
Cost	32
No interest	13
Facilities or programming	55
Due to time	35
Other	51



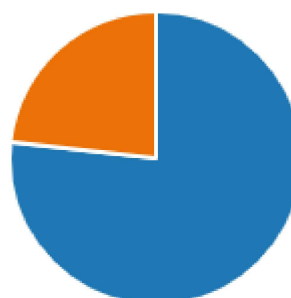
8. What facilities do you use at Harwich or Brightlingsea Sports Centre/s? (Please select all)

Harwich - Squash Courts	54
Harwich - Sports Hall	98
Harwich - Tennis Courts	22
Harwich - Muga Court (Youth ...	4
Harwich - Changing Rooms	62
Brightlingsea - Squash Courts	54
Brightlingsea - Small Sports H...	115
Brightlingsea - Large Sports H...	165
Brightlingsea - Multi-Gym	136
Brightlingsea - Changing Roo...	99
Brightlingsea - Studio	57



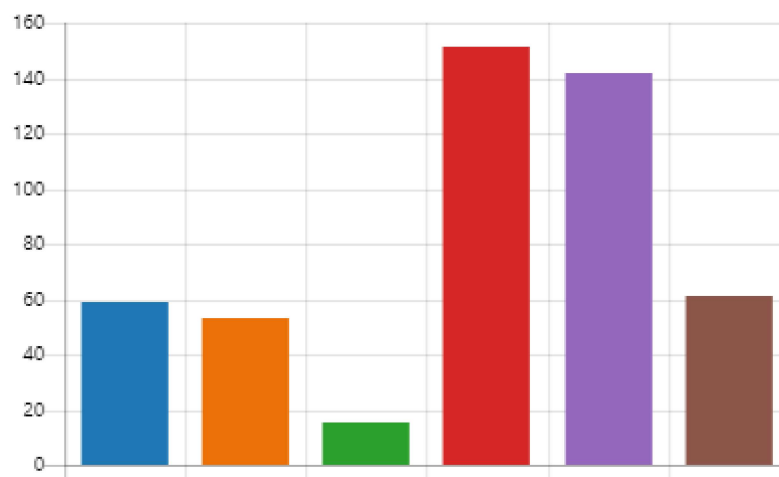
9. Do any of your friends, family or children use the centre/s?

Yes	380
No	115



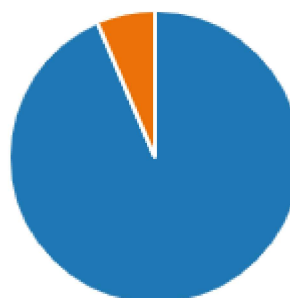
10. Do you use the centre/s as a casual user, regular user or as a block booker?

● Harwich - Casual User	59
● Harwich - Regular User	53
● Harwich - Block Booker	15
● Brightlingsea - Casual User	151
● Brightlingsea - Regular User	142
● Brightlingsea - Block Booker	61



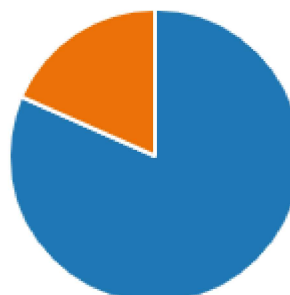
11. Do you believe that the centre/s are a key part of your local community?

● Yes	463
● No	32

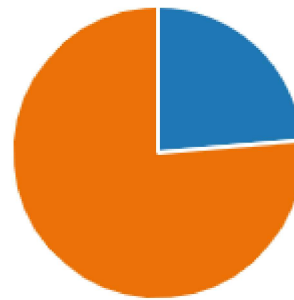


12. Do you feel the activities/services provided are good value for money?

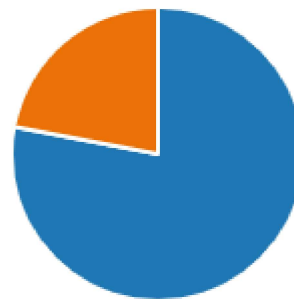
● Yes	390
● No	88



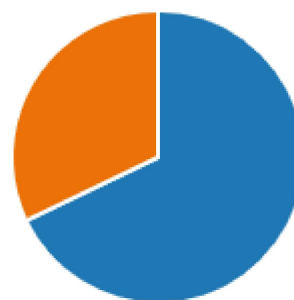
13. Did you know that these centres provide access to the only squash courts in Tendring?



14. If you couldn't access these facilities, would this impact upon your ability to access physical activities?

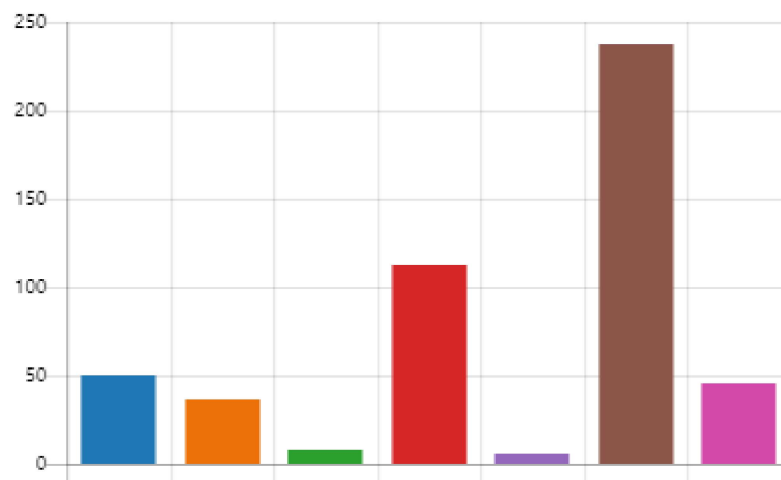


15. Would you use the facilities if another operator ran these, and the level of the service was the same?



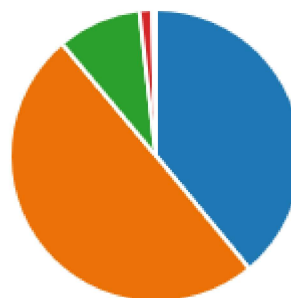
16. Where would you go if you could no longer access these facilities/services?

Clacton Leisure Centre	50
Dovercourt Bay Lifestyles	36
Walton on the Naze Lifestyles	8
Colchester	113
Ipswich	6
None	237
Other	45



17. How many additional miles would you need to travel to do the same activities you participate in at Harwich or Brightlingsea Sports Centre/s.

1 - 10 Miles	193
10 - 20 Miles	247
20 - 30 Miles	46
30 - 40 Miles	7
40+ Miles	2



18. How would you rate the quality of the Harwich Sports Centre? (if applicable)

Excellent	56
Good	63
Average	46
Below Average	28



19. How would you rate the quality of the Brightlingsea Sports Centre? (if applicable)

Excellent	70
Good	138
Average	90
Below Average	51



20. What additional indoor or outdoor facilities would you like at Harwich or Brightlingsea Sports Centre/s, and how can the existing facilities be improved?

329
Responses

Latest Responses
"extended opening times at harwich at weekends. tennis cou..."

Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET

17 DECEMBER 2021

JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER

A.6 HOUSING REVENUE ACCOUNT BUSINESS PLAN AND BUDGET PROPOSALS 2022/2023

(Report prepared by Richard Barrett and Richard Hall)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To set out and seek approval of an updated 30 year HRA Business Plan and budget proposals for 2022/23.

EXECUTIVE SUMMARY

- Similarly, to the General Fund's long term forecast, a 'live' HRA Business Plan is maintained on an on-going basis, with the most up to date position in December each year being translated into the detailed budget for the following year for consultation with the Resources and Services Overview and Scrutiny Committee.
- A number of changes have been made to the business plan for 2022/23 onwards that largely reflect a 'reset' in terms of a number of budget lines in response to recent increases in costs / prices and demands on the service.
- A significant risk also remains in terms of the potential cost pressure relating to the major repairs contribution to the capital programme in response to expected changes to the 'decent homes standard' and recommendations that may emerge from the Hackett review that followed the Grenfell Tower tragedy.
- With the above in mind, a stock condition survey is planned on being undertaken during 2022/23 to inform the potential cost pressure involved, which needs to be reflected within the business plan before any future major investment decisions can be made to maintain the balance between the investment in existing tenant's homes and the delivery of new affordable homes for local people.
- As part of supporting the balance above and in-line with rent setting guidance issued by the Regulator for Social Housing, rents are proposed to be increased by CPI + 1% in 2022/23 (a 4.1% increase). This also allows for the continued recovery from the 4 years of rent reductions from 2016/17 to 2019/20.
- Due to the relatively volatile CPI rates experienced since the start of the COVID 19 pandemic, if the proposed level of rent increase is taken together with relatively low figure of 1.5% last year, the average annual increase would be 2.8% over the two years, which broadly reflects the Bank of England's longer term CPI rate.
- Based on the above, the average weekly rent proposed for 2022/23 is **£87.55** (£84.10 in 2021/22)
- The budget currently proposed for 2022/23 generates an overall surplus of

£0.143m. This 'base' position provides a strong foundation against which to consider future risks to the forecast such as those mentioned above along with supporting the commitment to the on-going new build and acquisition policy.

- It is proposed to 'hold' this surplus within the Capital Programme to support the on-going development of the new build and acquisition programme.
- HRA General Balances are currently estimated to total **£4.325m** at the end of 2022/23 that further supports 30 year Business Plan and associated risks to the forecast.
- The proposed HRA Capital Programme for 2022/23 totals **£3.457m**, the same level of investment as in 2021/22, which continues to provide for a range of schemes and projects.
- 'Old' HRA debt continues to reduce year on year as principal is repaid with a total debt position at the end of 2022/23 forecast to be **£35.350m**, which also reflects the proposed refinancing of an historic loan.
- In addition to requesting comments from the Resources and Services Overview and Scrutiny Committee, it is also proposed to consult with the Tenant's panel during January, with the outcome reported to Cabinet in January, where the final HRA budget proposals will be considered for recommending onto to Full Council in February 2022.

RECOMMENDATION(S)

That Cabinet:

- Approves the updated HRA 30 year Business Plan and proposed position for 2022/23 as set out in this report and Appendix; and**
- requests the Resources and Services Overview and Scrutiny Committee's comments on this latest HRA financial forecast and proposed position for 2022/23.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

The HRA budget and Business Plan plays a significant role in the delivery of affordable and decent housing in the district and the Council's responsibilities as a landlord has direct implications for the Council's ability to deliver on its objectives and priorities.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The financial implications are set out in this report and its appendices.

Although the availability of financial resources is a key component in the delivery of HRA services, there will also be a need for appropriate input of other resources such as staffing, assets, IT etc.

Risk

There are inherent risks associated with the forecast such as:

Changes in income achieved and future rent setting policy

Emergence of additional areas of spend
Emergence of new or revised guidance
New legislation / burdens
Changing stock condition requirements
Adverse changes in interest rates
National welfare reforms

In view of the above, it is important that a sufficient level of balances / reserves is available to support the HRA. HRA General Balances are currently forecast to be **£4.325m** at the end of 2022/23, which although required to support the business plan and HRA investment in future years, provides a 'buffer' to the 30 year Business Plan if, for example, some of the items highlighted above emerge or are required to deal with changing financial and service demand issues.

A 30 year HRA Business Plan is maintained on an on-going basis that continues to demonstrate the sustainability and resilience of the HRA within a self financing environment and the ability to provide opportunities for housing investment and associated housing services in the future, although it is acknowledged that the longer term view always remains subject to the Government's housing policies.

To date the HRA has been largely unaffected financially from the impact of the COVID 19 pandemic and at the present time it is not expected that this situation will significantly change over the remainder of this financial year and into 2022/23. However, the position will be kept under on-going review and the financial sustainability of the HRA remains underwritten by the current level of general balances, which are forecast to be **£4.325m** at the end of 2022/23 as mentioned above.

LEGAL

It is a statutory requirement on a local authority to determine its Housing Revenue Account budget before the upcoming financial year and to ensure that its implementation will not result in an overall debit balance on the Account.

The self-financing regime for the Housing Revenue Account that came into effect from April 2012 was enabled by the Localism Act 2011.

The Regulator of Social Housing and its predecessor bodies have, at the Direction of Government, issued requirements and guidance to registered providers of social housing (which includes Local Authorities) in respect of rents. This has included the maximum levels of rent they can charge and annual increases in rents.

In 2016, Parliament passed the Welfare Reform and Work Act, which, together with Regulations made under it, created a legislation-based regime of rent reduction across the sector by 1% per year until 2020. Therefore, over this 4-year period, providers have been required to reduce rents by 1% per year across its housing stock.

In October 2017, the Government announced that at the end of the 4 year rent reduction period it intended to return to annual rent increases of up to CPI + 1%, implemented through the regulator's Rent Standard rather than through legislation.

The Secretary of State for Housing, Communities and Local Government published on 26 February 2019 a 'Direction to the Regulator' to set a Rent Standard that will apply from 1 April 2020. That Direction was published alongside the Government's Policy Statement on Rents (the Policy Statement) and the regulator is required to have regard to this when setting its Rent Standard.

The regulator may under section 194(2A) of the Housing and Regeneration Act 2008 set standards for registered providers requiring them to comply with specified rules about their levels of rent (and the rules may, in particular, include provision for minimum or maximum levels of rent or levels of increase or decrease of rent).

The Regulator of Social Housing has confirmed rents can be increased by up to CPI+1% per year for a period of 5 years starting from 1 April 2020. The rent standard does not apply to properties let to high-income social tenants, so rather than this being a mandatory requirement that the Government had previously looked to implement, it is now a voluntary decision taken at a local level. However, given the very challenging administrative issues associated with charging higher rents to high-income tenants, it is not proposed to introduce this at the present time. However, it is acknowledged that this flexibility may be subject to review in future years, for example, as part of developing future policy decisions within the HRA.

The Housing and Planning Act 2016 introduced a number of changes that had an impact on social housing, which via associated regulations are reflected in the HRA estimates as necessary.

The original HRA 30 Year Business Plan was agreed as part of the self-financing reforms and associated borrowing agreed by Full Council in February 2012 and the budget proposed for 2022/23 reflects the latest / updated forecast position set out in **Appendix A**.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement / Carbon Neutrality

In carrying out its functions as a social landlord, the Council has regard to the need to reduce the potential for criminal activity by improving the security of dwellings as part of maintenance and repair programmes and for combating anti-social behaviour through effective management procedures.

Although there are no direct equality and diversity issues, the overall HRA and associated financial planning processes aim to recognise and include such issues where appropriate and relevant.

Whilst this report does not have a direct impact on the Council's commitment to carbon neutrality, any work undertaken within the HRA and associated capital programme will take into account any opportunities to contribute to this key priority where possible. The proposed stock condition survey will also support this approach.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The HRA is the Council's landlord account and it is 'ring fenced' for this purpose. Comprehensive rules and requirements surround the HRA such as specific accounting treatment and what items can or cannot be charged to the account. Authorities are required to set a balanced HRA budget each year and agree the level of rents it wishes to charge.

From April 2012, the Housing Revenue Account has operated under the self-financing

approach introduced as part of the Localism Act 2011, which required the Council to 'buy' itself out of the previous subsidy arrangements via a debt settlement process.

From 2016/17, the Government imposed annual rent reductions of 1% each year for a period of 4 years. As mentioned above, the Regulator of Social Housing has confirmed rents can be increased by up to CPI+1% per year for a period of 5 years starting from 1 April 2020. The rate of CPI used is the figure for September of the preceding year that the increase will apply to. For 2022/23, the figure for September 2021 was 3.1%. Therefore, the maximum that rents can be increased by in 2022/23 is 4.1%.

As highlighted within budget reports in previous years, one area that is important to note as it may have a bearing on the overall financial position of the HRA in future years is the regulatory regime emerging from the Hackett review, which followed the Grenfell fire incident. The Council remains alert to any changes that may be required in managing its housing stock, which are reflected in the 30 year business plan as necessary, with further commentary set out below.

HOUSING REVENUE ACCOUNT PROPOSED BUDGET 2022/23

An updated 30 year Business Plan is set out within **Appendix A**, with the column for 2022/23 effectively representing the proposed budget for that year. The table below sets out the changes proposed in 2022/23 along with additional commentary:

The relevant line of the 30 year Business Plan	2021/22 Original Budget £m	2022/23 Proposed Budget £m	Comments
Maintenance	3.050	3.272	The figure for 2022/23 includes a necessary inflationary uplift to better reflect current prices.
Depreciation and the Revenue Contribution to the Major Repairs Allowance	3.176	3.176	Although there are currently no increases proposed, please see additional commentary immediately after this table.
Management Costs	1.355	1.573	This increase reflects a proposed restructure to better reflect the required capacity across a range of activities such as housing allocations / tenancy management along with the cost of a comprehensive stock condition survey to inform future investment decisions.

Utilities	0.206	0.225	The increase to this budget reflects current energy prices.
Provision for Bad Debts	0.055	0.055	There are currently no significant changes in collection performance that require this budget to be revised at the present time.
Council Tax in Empty Properties	0.130	0.130	Although performance in the management of voids continues to improve, this budget has been maintained at the same level as in 2021/22 as a cautionary approach to 2022/23, although the cost is expected to reduce in the later years of the plan.
Debt Management Expenses	0.066	0.066	These are relatively fixed costs that reflect the costs of managing the treasury management activities within the HRA.
HRA Interest Payments on Debt	1.322	1.304	These budgets have reduced to reflect the repayment schedule for existing debt. However, please see additional commentary immediately below this table.
Principal Repayments on Debt – MRP	1.664	1.428	
Revenue Contribution to the Capital Programme	0.281	0.281	This reflects the current available budget that is currently committed to the supporting the new build and acquisition programme. Further commentary is provided immediately after this table.
Recharges	2.407	2.671	The increase currently included, reflects the

			latest recharge position from the General Fund. An increase would be expected given the increase in general fund costs such as salaries, national insurance and insurance premiums, which would 'feed' through to the HRA.
Total Expenditure	13.712	14.181	
Dwelling Rents	(12.870)	(13.492)	This reflects a proposed 4.1% increase – further commentary is set out later on in this report.
Service Charges	(0.516)	(0.522)	Similarly to the above, increases of up to 4.1% have been included where appropriate
Garage Rents	(0.150)	(0.156)	
Non Dwelling Rents	(0.081)	(0.081)	
Misc. Income	(0.033)	(0.033)	
Investment Income	(0.013)	(0.013)	Although there is an expected increase in interest rates during 2022/23, the level will be very marginal, so no changes to the budget have been included at the present time.
Capital Receipts	(0.026)	(0.026)	No changes are proposed to this budget, which reflects the charge against capital receipts to recover the administration costs of right to buy sales.
Total Income	(13.690)	(14.325)	
Net Position	0.022	(0.143)	

* Although the table above reflects the changes for 2022/23, the 30 year Business Plan set out in **Appendix A** includes inflationary uplifts where necessary from 2023/24 onwards along with known changes such as those relating to the repayment of debt and interest charges as they represent fixed costs over the life of the respective loans.

Depreciation and the Revenue Contribution to the Major Repairs Allowance

As set out within **Appendix A**, this line of the plan presents one of the highest risks in the context of the associated RAG rating.

This line of the plan represents the capital investment in existing stock that is over and above the more routine maintenance included within a separate line of the forecast. This therefore includes major items such as replacement kitchens, bathrooms, windows and doors.

The risks to this line of the plan are not only future commodity / material prices but as highlighted in earlier reports, the Council is likely to have to respond to changes that are likely to emerge from the upcoming review into the 'decent homes standard' and the outcome of the Hackett review that followed the Grenfell Tower tragedy.

As mentioned within the table above, a stock condition survey is proposed to be funded in 2022/23 to inform the necessary investment across the later years of the current business plan that in turn will reflect the risks discussed above.

This issue will be kept under review, but it is recognised that there is a need to balance the maintenance of the existing stock with the affordability, scale and speed of investing in housebuilding / acquisitions.

The business plan will be updated during 2022/23 to reflect the required adjustments to the forecast, which will be required before any major investment in housebuilding or acquisitions is undertaken given the potential financial risks to the long term sustainability of the HRA.

HRA Interest Payments on Debt and Principal Repayments on Debt – MRP

A loan taken out to support the self-financing reforms back in 2012 will shortly be repaid resulting in lower debt and interest payments from 2022/23 onwards.

As part of previous business plan reviews it was agreed that more historic debt would be considered in future years, especially as it became repayable. Historic debt was traditionally based on 'interest only' type loans, which were 'replaced' as they matured. With this in mind, an historic loan of **£0.800m** matures during 2022/23. However rather than simply refinance the loan with a further 'interest only' type deal, it is proposed to replace it with a 'repayment' type loan over 30 years to reduce future interest costs and to prudently pay off the loan over reasonable timescales. The annual cost of this approach is estimated to be just over **£0.042m**, based on current interest rates.

The alternative approach would be to repay the **£0.800m** loan via reserves rather than refinance it. However, it is felt that it would be a better use of resources to not deplete reserves at the present time, as they will then remain available to support the HRA in the medium term, including delivering on the key priority of providing additional affordable homes in the district. It is proposed to apply the same approach to other historic loans as they mature over the next few years, which is reflected in the updated business plan.

Even though a refinancing approach is being taken to historic debt, the overall cost to the HRA has reduced in 2022/23, as the **£0.042m** highlighted above is more than offset by the saving from repaying one of the 'self-financing' loans taken out back in 2012.

Dwelling Rents

As set out within the table above, it is proposed to increase rents by the maximum allowable amount of CPI + 1% to continue the recovery from the unsustainable 1% reduction in rents over the period 2016/17 to 2019/20 and to continue to invest in tenants homes.

Based on CPI + 1%, rents are proposed to be increased by 4.1%, which results in an average rent of **£87.55** (an increase from **£84.10** in 2021/22).

This is estimated to generate an additional **£0.623m** in income in 2022/23, after adjusting

for void periods, which continue to improve over 2021/22.

It is worth highlighting the unusual / volatile level of CPI since the COVID 19 pandemic started back in March 2020. Last year saw a CPI rate of 0.5%, which resulted in rents increasing by 1.5% (based on CPI + 1%). This has had a knock on impact on the CPI rate for this year of 3.1%. However, taking the two years together, the average annual increase is 2.8%, which broadly reflects the longer term Bank of England target rate.

In conclusion and as mentioned in the executive summary, the business plan for 2022/23 onwards largely reflects a 'reset' in terms of a number of budget lines that respond to recent increases in costs / prices, demands on the service, loan refinancing and other timely changes to the forecast.

As highlighted in the table above, there is an overall initial net surplus of **£0.143m** in 2022/23, which is planned to be transferred to the capital programme as a further commitment to delivering affordable homes in the district, which is discussed in more detail below.

Delivering on the Key Priority of the Provision of More Affordable Homes in the District

An on-going amount of **£0.281m** is already included within the HRA budget that remains available to support the commitment to the new build and acquisition project, either directly or as a platform to identify further opportunities to increase funding to this important programme in future years. This budget can therefore be used to directly meet the cost of building / acquiring new homes or could be used to meet the costs if money was borrowed as part of the overall approach to deliver new homes.

Although subject to separate investment decisions, this budget could therefore potentially provide the necessary funding to support the borrowing costs to deliver the new build project on the site of the now demolished Honeycroft Sheltered Scheme. This will be considered over the remaining budget cycle, which may result in potential delegations / borrowing decisions being included within the final budget proposals that will be considered by Cabinet in January 2022.

Based on current projections, the 30 Year Business Plan is expected to deliver annual surpluses in future years to provide on-going financial support to deliver additional affordable homes within the district, which remains one of the Council's key priorities.

HRA Capital Programme

The proposed HRA Capital Programme is set out below:

	Proposed Budget 2022/23 £m
Improvements, enhancement & adaptation of the Council's housing stock	2.696
Disabled adaptations for Council Tenants	0.400
Information Technology upgrade and replacement	0.020
New Build Initiatives and Acquisitions	0.281
Cash Incentive Scheme	0.060
Total	3.457
Funded by:	

Major Repairs Reserve	3.176
Direct Revenue Financing	0.281
Total	3.457

There are no changes proposed, so the capital programme remains the same as the current year (2021/22). The above currently excludes the transfer of the estimated surplus in 2022/23 of **£0.143m** as highlighted earlier in the report. This figure is expected to change as the development of the budget continues over the coming weeks, but the principle of contributing any surplus to the capital programme will remain, with the final figure included in the final HRA budget proposals that will be presented to Cabinet in January 2022.

HRA BALANCES / RESERVES

The forecast position for HRA balances at 31 March 2022 and 31 March 2023 will vary over time depending on the outturn positions for 2021/22 and 2022/23 as well as the emergence of other unexpected or unplanned matters that could occur in or across these years.

Based on the updated Business Plan attached, the total HRA reserves are forecast to total **£8.992m** by the end of 2022/23, with the general balances element within this amount being **£4.325m**.

HRA DEBT

The total HRA debt at the end of 2021/22 is estimated to be **£36.777m**.

With forecast repayments of principal along with the proposed refinancing of an historic loan highlighted earlier, the level of HRA debt at the end of 2022/23 is forecast to be **£35.350m**

With the Government's removal of the HRA debt cap, any future borrowing will need to be considered against the 30 Year Business Plan and underlying prudential code principles.

It is possible to use the Major Repairs Reserve that currently supports the capital programme to pay down historic debt where it is financially advantageous to do so. The total of this reserve is estimated to be **£4.668m** at the end of 2022/23, but a balance needs to be struck between investing in capital projects and tenant's homes and reducing / managing debt repayment costs as highlighted earlier on in this report. Although no adjustments are included within the proposed budget for 2022/23, this option can be revisited in future years of the business plan.

OTHER HRA RELATED MATTERS

Although there are no significant issues to raise at this stage of the budget setting process, it is acknowledged that the Government may reconsider previous housing policy decisions or introduce new housing related initiatives / requirements on local authorities.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

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HRA 30 Year Business Plan (revised Year 10 to Year 30)

	RAG Rating						Medium Term			Longer Term			Totals
		Year 10 2021/22	Year 11 2022/23	Change 2022/23	Year 12 2023/24	Year 13 2024/25	Year 14 2025/26	Year 15 2026/27	Years 16 To 20 2031/32	Years 21 to 25 2036/37	Years 26 to 30 2041/42		
Expenditure													
Maintenance incl stock reduction factor		3,049,610	3,272,232	222,622	3,376,943	3,485,005	3,596,525	3,711,614	20,417,507	23,900,181	27,976,906	92,786,523	
Depreciation - Capital Programme		2,906,670	2,906,670	0	2,906,670	2,906,670	2,906,670	2,906,670	14,533,350	14,533,350	14,533,350	61,040,070	
Revenue Contribution to MRA		269,740	269,740	0	269,740	269,740	269,740	269,740	1,348,700	1,348,700	1,348,700	5,664,540	
Management Costs (incl Sweeping and Grounds Maint & RTB Admin)		1,354,560	1,573,140	218,580	1,589,033	1,605,242	1,621,777	1,638,641	8,458,224	8,933,409	9,458,052	36,232,078	
Utilities		205,950	224,727	18,777	229,104	229,549	235,541	241,748	1,309,983	1,502,910	1,734,882	5,914,394	
Provision for Bad Debts		55,440	55,440	0	55,440	55,440	55,440	55,440	277,200	277,200	277,200	1,164,240	
Council Tax In Empty Properties		130,090	130,090	0	76,302	77,828	79,385	80,973	429,812	474,547	523,938	2,002,965	
Debt Management Expenses		65,750	65,750	0	67,065	68,406	69,774	71,170	377,779	417,098	460,510	1,663,302	
HRA Interest Repayments on Debt		1,322,220	1,303,871	(18,349)	1,275,242	1,261,935	1,224,484	1,205,804	5,534,665	4,853,489	4,409,884	22,391,594	
Principal Payments on Debt - MRP		1,664,300	1,427,633	(236,667)	1,440,967	1,480,967	1,514,300	1,545,672	6,061,692	4,186,692	2,486,693	21,808,915	
Revenue Contribution to the Capital Programme		280,820	280,820	0	280,820	280,820	280,820	280,820	1,404,100	1,404,100	1,404,100	5,897,220	
Recharges		2,269,580	2,499,015	229,435	2,548,996	2,599,976	2,651,975	2,705,015	14,358,544	15,852,993	17,502,985	62,989,079	
Insurances		180,730	215,630	34,900	215,630	215,630	215,630	215,630	1,078,150	1,078,150	1,078,150	4,493,330	
Pension Costs (over and above recharges) (share of deficit) (- lower than deficit)		(43,430)	(43,430)	0	(43,430)	(43,430)	(43,430)	(43,430)	(217,150)	(217,150)	(217,150)	(912,030)	
		13,712,030	14,181,329	469,299	14,288,521	14,493,778	14,678,631	14,885,506	75,372,556	78,545,670	82,978,200	323,136,221	
Income													
Dwelling Rents (incl.stock reduction factor)		(12,869,970)	(13,492,620)	(622,650)	(13,856,921)	(14,231,058)	(14,615,296)	(15,009,909)	(81,351,883)	(92,943,672)	(106,187,170)	(364,558,499)	
Service Charges (incl.stock reduction factor)		(515,570)	(522,380)	(6,810)	(529,374)	(536,557)	(543,933)	(551,509)	(2,878,538)	(3,101,078)	(3,355,327)	(12,534,265)	
Garage Rents (incl. stock reduction factor)		(150,260)	(155,970)	(5,710)	(160,181)	(164,506)	(168,948)	(173,509)	(940,399)	(1,074,396)	(1,222,699)	(4,210,867)	
Non Dwelling Rents		(81,570)	(81,570)	0	(81,570)	(81,570)	(81,570)	(81,570)	(407,850)	(407,850)	(407,850)	(1,712,970)	
Misc Income		(32,910)	(32,910)	0	(32,910)	(32,910)	(32,910)	(32,910)	(164,550)	(164,550)	(164,550)	(691,110)	
Investment Income (income on cash balances and Mortgages)		(13,350)	(13,350)	0	(13,350)	(13,350)	(13,350)	(13,350)	(66,750)	(66,750)	(66,750)	(280,350)	
Capital Receipts (to cover Admin Costs of RTB's)		(26,000)	(26,000)	0	(26,000)	(26,000)	(26,000)	(26,000)	(130,000)	(130,000)	(130,000)	(546,000)	
		(13,689,630)	(14,324,800)	(635,170)	(14,700,306)	(15,085,950)	(15,482,007)	(15,888,757)	(85,939,970)	(97,888,296)	(111,534,346)	(384,534,062)	
Surplus (-)/Deficit (+) on HRA Balance		22,400	(143,471)	(165,871)	(411,784)	(592,172)	(803,376)	(1,003,251)	(10,567,413)	(19,342,626)	(28,556,146)	(61,397,840)	

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Key Decision Required:	YES	In the Forward Plan:	YES
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CABINET

JOINT REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE & GOVERNANCE AND THE PORTFOLIO HOLDER FOR HOUSING

17 DECEMBER 2021

A.7 FREEHOLD PURCHASE OF A RESIDENTIAL PROPERTY IN CLACTON-ON-SEA

(Report prepared by Matthew Wicks)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval, in principle, from Cabinet for the leasehold purchase of a three bedroom residential property in Clacton on Sea to meet local housing needs.

EXECUTIVE SUMMARY

The Council has a target to bring 200 additional homes into the council housing stock in order to meet rising demands for high quality, affordable housing in the District. These homes will be acquired or built via a range of approaches.

This proposal is in respect of an opportunity to purchase a vacant three bedroom ex-Council house that is currently for sale on the open market in Clacton-on-Sea.

For a number of years the Council has had a strong demand for three bedroom houses and this property meets the criteria set out in the Housing Acquisitions and Development Strategy.

In October 2021 Portfolio Holder approval was obtained to initiate the Council's Property Dealing Procedure, to obtain an independent valuation of the property and to negotiate a price with the owners.

An independent market valuation has now been obtained and negotiations with the owner have been completed satisfactorily, to enable the purchase to be progressed to a conclusion. Purchasing this property will add an additional property to the Council's housing stock in the Housing Revenue Account in an area of high demand.

Part B refers to the detail of negotiations.

RECOMMENDATIONS

It is recommended that Cabinet:

- **Authorises, in principle, the terms of the freehold purchase of the property for inclusion into the Council's housing stock; and,**
- **Subject to its decision on terms, authorises the Corporate Director for Operations and Delivery to enter into a contract and transfer deed to complete the purchase of the property as set out in the report in Part B of this agenda.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Our priorities include providing decent affordable housing and to ensure all our residents live in high quality housing which meets local needs. The Council's Housing Strategy adopted in October 2020 has delivering homes to meet the needs of local people as one of its key strategic priorities. Since the Housing Strategy was adopted, an additional 17 dwellings have been added to the Council's housing stock through acquisitions on the open market or through S106 agreements.

Supporting the supply of affordable housing and to add additional properties to the Council's own housing stock – working towards the 200 home target. Managing public money effectively meaning value for money principles are embedded in the delivery of all our services.

FINANCE, OTHER RESOURCES AND RIS,

Finance and other resources

The purchase of properties carry a financial cost but would bring an additional dwelling into the Housing Revenue Account that could immediately begin generating a return.

The purchase is to be wholly funded by section 106 agreements for affordable housing. Further detail is set out in the Part B report.

Balance of S106 receipts as at 1/04/2021	£1,444,655
Expenditure incurred in 2021/22	£ 185,400
Purchase of Property in Question	£ 205,000
Other Commitments	£ 420,000
Balance remaining	£ 634,255

There is also £359,548 available of pooled capital receipts available to fund future acquisitions or development.

Risk

Officers have not identified any significant risk associated with the proposals other than the risk associated with the Right to Buy – a financial risk that is inherent to almost all Council owned housing. Since the adoption of the Housing Strategy, 12 homes have been sold to tenants exercising theory right to buy.

LEGAL

In coming to decisions in relation to the management or procurement of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the District.

Section 17 of the Housing Act 1985 provides the principal power for the acquisition of land for housing purposes, including land as a site for the erection of houses; this includes the

power to acquire land for the purposes of disposing of the land to a person who intends to provide housing accommodation on it.

Pursuant to Section 9 of the Housing Act 1985 ("the 85 Act"), a local housing authority may provide housing accommodation by acquiring houses. Section 24 of the 85 Act provides that the Council acting as a housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement.

Ward Coppins Ward, Clacton-on-Sea

Climate Impacts

The purchase of this property does not present a direct impact on the Council's target for net zero greenhouse gas emissions from its business operations by 2030. It does however present an opportunity to improve the energy efficiency of the property as part of the refurbishment process and thereby reduce the greenhouse gas emissions generated by the eventual tenants. The aim will be to improve the energy performance of the property as much as reasonably possible.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

For a number of years the Council has had a very strong demand for three bedroom houses in Clacton on Sea. However our stock has dwindled and turnover of tenancies is very slow.

Officers have sourced a vacant three bedroom ex-Council house in a fair condition that is currently for sale on the open market. The property has been viewed by the Development & Building Manager and Housing Manager and have been identified as a property of high demand and the construction is known to the Building Services Team. It is located within a road where the Council owns most of the properties.

The property is located in Clacton-on-Sea which is a priority area for acquisitions as set out in the Housing Acquisitions and Development Strategy adopted by Cabinet in October 2020.

CURRENT POSITION

The Housing Tenancy Management and Building Services Teams have viewed the property and carried out a full assessment. In October 2021 Portfolio Holder approval was obtained to initiate the Property Dealing Process and an independent valuation was undertaken.

FURTHER HEADINGS RELEVANT TO THE REPORT
None

BACKGROUND PAPERS FOR THE DECISION
None

APPENDICES
None

Key Decision Required:	Yes	In the Forward Plan:	Yes
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CABINET

17 DECEMBER 2021

JOINT REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE & GOVERNANCE AND THE PORTFOLIO HOLDER FOR HOUSING

A.8 FREEHOLD PURCHASE OF TWO (2 BEDROOM) RESIDENTIAL PROPERTIES IN CLACTON-ON-SEA

(Report prepared by Saira Mahboob, Tim R Clarke and Peter Russell)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek approval from Cabinet to agree revised terms for the freehold purchase of two x 2 bedroom bungalows in Clacton from a developer.

EXECUTIVE SUMMARY

In February 2021 Cabinet made the decision to purchase two x 2 bedroom residential properties in Clacton as part of the Council's Housing Acquisitions & Development Policy.

The terms of the purchase are set out in the Part B report.

RECOMMENDATION(S):

It is recommended that Cabinet:

- **Authorises, in principle, the terms for the freehold purchase of the two properties for inclusion into the Council's housing stock; and,**
- **Authorises, in principle, the Corporate Director for Operations and Delivery to enter into a contract and transfer deed to complete the purchase of the properties, including completion of the necessary statutory agreements prior to completion of the purchase and subject to the Cabinet's decision to be taken later in the meeting (following the exclusion of the press and public) in respect of the related Part B report.**

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Our priorities include providing decent affordable housing and to ensure all our residents live in high quality housing which meets local needs. The Council's Housing Strategy, adopted in October 2020, has delivering homes to meet the needs of local people as one of its key strategic priorities. Since the Housing Strategy was adopted, 17 dwellings have been acquired by the Council either from the open market or through S106 agreements.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The properties are newly developed and are currently vacant.

The purchase of properties carries a financial cost but would bring additional dwellings into

the Housing Revenue Account that could immediately begin generating a return.
The purchase will be funded from the s106 Agreement receipts that have been received.

Balance of S106 receipts as at 01/04/2021	£1,444,655
Expenditure incurred in 2021/22	£ 185,400
Purchase of Plots 13 & 14 Melinda Lane	£ 420,000
Other Commitments	£ 205,000
Balance remaining	£ 634,255

There is also £359,548 available of pooled capital receipts available to fund future acquisitions or development.

Risk

Officers have not identified any significant risk associated with the proposals. However, the properties will be subject to the Right to Buy. Since the Housing Strategy was adopted in October 2020, 12 Council dwellings have been sold to tenants exercising their right to buy.

LEGAL

In coming to decisions in relation to the management or procurement of assets, the Council must act in accordance with its statutory duties and responsibilities. Under case law following Section 120 of Local Government Act 1972, the Council is obliged to ensure that the management of its assets are for the benefit of the District.

Section 17 of the Housing Act 1985 provides the principal power for the acquisition of land for housing purposes, including land as a site for the erection of houses; this includes the power to acquire land for the purposes of disposing of the land to a person who intends to provide housing accommodation on it.

Pursuant to Section 9 of the Housing Act 1985 ("the 85 Act"), a local housing authority may provide housing accommodation by acquiring houses. Section 24 of the 85 Act provides that the Council acting as a housing authority may make such reasonable charges as they may determine for the tenancy or occupation of their houses.

OTHER IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.

Crime and Disorder / Equality and Diversity / Health Inequalities / Area or Ward affected / Consultation/Public Engagement/Climate Impact

Climate Impact

The dwellings are recently constructed and are of traditional build. They meet standards in terms of insulation and double glazing and are energy efficient.

Area or Ward Affect

St. Osyth

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The properties are being delivered to the Council through a Section 106 agreement that was entered into for affordable housing on the site. The developer initially approached another registered provider, Chelsea Housing Partnership (CHP) to purchase the

properties but CHP withdrew as their development pipeline was fully committed. The properties are located in Clacton-on-Sea which is a priority area for acquisitions as set out in the Housing Acquisitions and Development Policy adopted by Cabinet in October 2020. There are currently 105 households on the Housing Register in need of a two bedroom bungalow in Clacton-on-Sea.

The Council's original offer of £188,000 per bungalow (£376,000 in total) was accepted by the developer in October 2020. As completion of the freehold purchase has not taken place within a year of the original offer being accepted, the bungalows have been re-valued and following a significant increase in house prices, the purchase price has now been agreed at £210,000 per bungalow (£420,000 in total). The statutory agreements required to complete the transfer have now been received.

CURRENT POSITION

The Housing Manager and the Development & Building Manager have visited the property and are agreed that it is suitable to bring back into the Council's housing stock.

A Chartered Surveyor valuation has been obtained and a purchase price agreed.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

None

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