



CABINET

DATE:	Friday, 15 July 2022
TIME:	10.30 am
VENUE:	Committee Room - Town Hall, Station Road, Clacton-on-Sea, CO15 1SE

MEMBERSHIP:

Councillor Stock OBE	- Leader of the Council
Councillor Bray	- Planning Portfolio Holder
Councillor C Guglielmi	- Deputy Leader; Corporate Finance & Governance Portfolio Holder
Councillor P Honeywood	- Housing Portfolio Holder
Councillor McWilliams	- Partnerships Portfolio Holder
Councillor Newton	- Business & Economic Growth Portfolio Holder
Councillor Porter	- Leisure & Tourism Portfolio Holder
Councillor Talbot	- Environment & Public Space Portfolio Holder

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DATE OF PUBLICATION: THURSDAY, 7 JULY 2022

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 - 20)

To confirm and sign the minutes of the last meeting of the Cabinet held on Friday 17 June 2022.

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 from the Resources and Services Overview & Scrutiny Committee - A.1 - Corporate Investment Plan (Pages 21 - 22)

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to this matter, together with the Corporate Finance & Governance Portfolio Holder's response thereto.

8 Matters Referred to the Cabinet by a Committee - Reference from the Resources and Services Overview & Scrutiny Committee - A.2 - Waste Recycling and Littering Enquiry (Pages 23 - 28)

To enable the Cabinet to consider recommendations made by the Resources and Services Overview & Scrutiny Committee in relation to this matter, together with the Environment & Public Space Portfolio Holder's response thereto.

9 Leader of the Council's Items - A.3 - Renewal of the North Essex Parking Partnership Agreement (Pages 29 - 94)

To enable the Cabinet to formally endorse the Leader's decision in relation to this matter which was taken as a matter of urgency on 30 June 2022.

10 Cabinet Members' Items - Report of the Business & Economic Growth Portfolio Holder - A.4 - Shared Prosperity Fund Investment Plan (Pages 95 - 112)

To agree the approach to completion of the Council's Investment Plan submission for its allocation of the UK Shared Prosperity Fund, and to authorise a delegation to the Portfolio Holder for Business & Economic Growth to approve the final Plan ahead of the 1 August 2022 deadline.

11 Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.5 - Initiation of the Property Dealing Procedure in order to explore the Development Potential of Various Areas of Council Land (Pages 113 - 258)

To consider whether to initiate the Property Dealing Procedure in respect of each of the 69 proposed areas of land identified in order for development/disposal proposals to be explored and to seek Cabinet's approval to the short-listing and prioritisation principles.

12 Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.6 - Financial Outturn 2021/22 (Pages 259 - 306)

To provide an overview of the financial outturn for the year 2021/22 and to seek approval of associated financial decisions related to the end of year accounting processes.

13 Cabinet Members' Items - Report of the Corporate Finance and Governance Portfolio Holder - A.7 - Treasury Management Performance 2021/22 (Pages 307 - 320)

To report on the Council's treasury management activities and Prudential Indicators for 2021/22.

14 Management Team Items

There are none on this occasion.

15 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 Agenda Item 16 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act."

16 Exempt Minute of the Meeting held on Friday 17 June 2022 (Pages 321 - 322)

To confirm and sign as a correct record the exempt minute of the meeting of the Cabinet held on Friday 17 June 2022.

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, 16 September 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 No. 16 is likely to be considered in private for the following reason:

The item 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 16 - Exempt Minute of the Meeting held on Friday 17 June 2022

Information for Visitors

COMMITTEE ROOM **FIRE EVACUATION PROCEDURE**

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**MINUTES OF THE MEETING OF THE CABINET,
HELD ON FRIDAY, 17TH JUNE, 2022 AT 10.30 AM
IN THE COMMITTEE ROOM, TOWN HALL, STATION ROAD, CLACTON-ON-SEA,
CO15 1SE**

**Cabinet Members Present &
Portfolio**

Councillors Neil Stock OBE (Leader of the Council; Chairman), Jeff Bray (Portfolio Holder for Planning), Carlo Guglielmi (Deputy Leader of the Council; Portfolio Holder for Corporate Finance & Governance), Paul Honeywood (Portfolio Holder for Housing), Lynda McWilliams (Portfolio Holder for Partnerships), Mary Newton (Portfolio Holder for Business & Economic Growth) and Michael Talbot (Portfolio Holder for Environment & Public Space)

Group Leaders Present by Invitation:

Councillors Terry Allen (Leader of the Tendring First Group), Jayne Chapman BEM (Leader of the Independent Group), Ivan Henderson (Leader of the Labour Group), Gary Scott (Leader of the Liberal Democrats Group), Colin Winfield (Leader of the Holland-on-Sea Group) and Andy Baker (Deputy Leader of the Tendring Independents Group) (except items 27 – 29)

Also Present:

Councillor Dan Casey

In Attendance:

Ian Davidson (Chief Executive), Lisa Hastings (Deputy Chief Executive & Monitoring Officer), Damian Williams (Corporate Director (Operations and Delivery)), Lee Heley (Interim Corporate Director (Projects Delivery)) (except items 24 - 29), Gary Guiver (Acting Director (Planning)), Richard Barrett (Assistant Director (Finance and IT) & Section 151 Officer), Anastasia Simpson (Assistant Director (Partnerships)), Tim Clarke (Assistant Director (Housing and Environment)), Ian Ford (Committee Services Manager) and Mark Wilson (Development Technician - Technical)

13. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors A O J Porter (Portfolio Holder for Leisure & Tourism) and M E Stephenson (Leader of the Tendring Independents Group).

14. MINUTES OF THE LAST MEETING

It was **RESOLVED** that the minutes of the meeting of the Cabinet, held on Friday 20 May 2022, be approved as a correct record and be signed by the Chairman.

15. DECLARATIONS OF INTEREST

There were no declarations of interest made by Members on this occasion.

16. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL**Congratulations**

The Leader congratulated HM The Queen on her platinum Jubilee and remarked on the tremendous success of all of the celebrations within communities across the nation.

The Leader also congratulated Colchester on being awarded City status.

East Anglian Green

The Leader reported that the Essex Leaders and Chief Executives Group (EL&ECG), which he chaired, had recently considered the National Grid's proposed 'East Anglia Green' project, which involved:

- *a new 400kV powerline between Norwich and Bramford (near Ipswich);*
- *a new 400kV powerline between Bramford and Tilbury; and*
- *a new 400kV substation in the Tendring area to facilitate the connection to the proposed North Falls Offshore Windfarm and Five Estuaries Offshore Windfarm – both of which were to be located off the Tendring coast.*

He informed Cabinet that the EL&ECG had decided to object to the proposals and the consultation proposals as being outdated and fundamentally flawed.

The Chief Executive also informed Members that, at a recent meeting of the East of England Local Government Association, a number of Local Authorities had also raised objections.

The Planning Portfolio Holder reported that similar sentiments had been expressed at a recent meeting of Essex Planning Portfolio Holders.

House Fire at Church Street, Harwich

The Leader thanked Essex Fire & Rescue Services and TDC Officers and officers from the Gas and Electric utility providers for their prompt and professional response to a recent house fire in Church Street, Harwich.

The Chief Executive updated Members on the on-going situation and thanked the Salvation Army and Gail Cheeseman and her staff at the Park Pavilion community centre in Barrack Lane, Harwich for all their help and assistance.

Councillor I J Henderson outlined the role and the response of Harwich Town Council and the local community to this incident.

Councillor Allen referred to a recent fire at a former residence for senior citizens in Elm Tree Avenue, Frinton-on-Sea. He also thanked Fire and Rescue Services for their response but raised concerns about the security of this site.

On a personal note, Councillor Chapman, submitted the thanks of her Son, an Officer in charge of the Fire Brigade's response and his colleagues to the TDC staff, members of the public and local Councillors who had kept them provided with water throughout.

The Leader urged everyone in the community to fit and maintain a smoke alarm in their property and reminded the meeting that the Fire Brigade fitted smoke alarms free of charge.

17. ANNOUNCEMENTS BY CABINET MEMBERS

Tendring Education Strategic Board

The Partnerships Portfolio Holder reported that on Thursday 16 June at Clacton Town Hall a "Let's Celebrate" event had been held to mark the achievements since the launch of the Tendring Education Strategic Board (TESB). Youngsters from several schools across the area had led presentations on the Princes theatre stage, featuring everything from mathematics to the arts and showing off their hard work in front of their peers and parents.

The TESB had been formed in January 2020 with the aim of tackling educational disadvantage in both primary and secondary schools across the District prompted by the need for strategies to support schools to improve pupils' language and communication, school attendance and emotional and social needs.

The board was made up of a wide range of partners including Essex County Council , Tendring District Council, Tendring schools, the Department for Education and the Academy Transformation Trust.

The Chief Executive concurred that it had been a fantastic event.

18. MATTERS REFERRED TO THE CABINET BY THE COUNCIL

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

19. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE - A.1 - FREEPORT EAST

Cabinet was aware that, at its meeting held on 19 May 2022 (Minute 5 referred), the Community Leadership Overview & Scrutiny Committee ("the Committee") had undertaken an enquiry into the issue of Freeports generally, and specifically, into the progress of the proposals for Freeport East (its interlinking with Thames Freeport); specific measures on site (and particularly on the Harwich site); impact on previous planning permissions being implemented; and measures outside of the Freeport to harness the maximum socio-economic benefit from them into the local community.

The Committee had been informed of the progress of the Freeport East Development as follows:

- *"Throughout 2020, the Council had worked with public and private sector partners on a bid to present the case for developing Freeport East as one of the Government's nominated Freeports.*

- *In the March 2021 Budget, Government had announced the intention to designate sites in Essex and Suffolk as 'Freeport East'.*
- *At their meeting on April 2021, Cabinet had received the initial Freeport East report, which set out the purpose of Freeports and the process and roadmap the public / private sector partnership would follow to receive formal designation by Government.*
- *The Council's Freeport East Portfolio Holder Working Party took place on the 2 September 2021 and agreed to support the Leader of the Council in providing a letter of support in respect of the Freeport East Outline Business Case.*
- *That Working Party also recommended that the Council pursue steps that Hutchinson Ports Ltd could undertake as part of its commitment to Harwich International Port, the skills agenda so the local population could take on careers that would become available as a consequence of Freeport East, and the need to actively pursue the improvements to the A120 from the A12 through to Harwich.*
- *In September 2021 Cabinet had endorsed the urgent decision taken by the Leader of the Council, on behalf of the Cabinet, to provide a letter of support for the principles in regard to retained business rates generated within the Freeport East Tax Site, to accompany the Freeport East Outline Business Case, which was submitted to Government on 10 September 2021.*
- *On the 13 December 2021 the Outline Business Case was formally approved by Government, the three tax sites in Felixstowe, Harwich and at Gateway 14 near Stowmarket were agreed, published on GOV.UK and Statutory Instruments laid to enshrine them in legislation.*
- *Tendring District Council supported the approach to the Freeport East Full Business Case at Cabinet in March 2022 and included Freeport East in its Policy and Budget Framework at Full Council that month.*
- *East Suffolk Council as the Lead Authority, alongside Freeport East, submitted the Full Business Case (FBC) to Government for Freeport East on behalf of partners on 14 April 2022.*
- *Government will now respond to Freeport East's FBC, with the final Full Business Case to be agreed between Government and Freeport East by August 2022."*

Members of the Committee had developed key lines of enquiry in relation to this matter and through their questioning, and the answers provided, the Committee had explored the issues related to the Freeport concept and the particular proposals for Freeport East. The Committee's discussion had looked at the infrastructure required in, around and to/from the Freeport East site at Bathside Bay, Harwich and the planning processes that would seek to ensure the necessary infrastructure was provided (alongside investment by agencies such as Highways England).

The Committee had also enquired into the number of jobs that was estimated to be created through the development. The Committee had been informed that the estimation was that around 10,000 jobs would be created over the three Freeport East sites (Harwich, Felixstowe and Stowmarket) and that 2000 of those could be created within this District. The Committee was also advised that, whilst the details of the Full Business Case were confidential, the Government in its Guidance expected the local skills supply to be a key component of Freeports and that Freeport East was committed to provide apprenticeships as part of its overall offer and to engage closely with schools to promote opportunities that would be coming forward. The benefit from Freeport East was envisaged as being at a regional scale.

After a discussion the Committee had RECOMMENDED to Cabinet:-

“That Cabinet:-

- (1) Endorses the approach of the Council, in wholeheartedly welcoming, supporting and embracing the Freeport East proposal, as something that has the potential to radically transform in a good way the Town of Harwich, the wider District of Tendring and beyond;*
- (2) Recognises that the jobs and skills commitments in the Full Business Case for Freeport East should be kept to the fore by this Council and that the development of the first careers hub be implemented as swiftly as possible;*
- (3) Recognises furthermore that the urgent need to enhance the A120 from its junction with the A133 at Great Bromley to Harwich is something that could delay or prevent the full potential of Freeport East being realised if commitments were not given to achieve those enhancements in the immediate forthcoming period; and*
- (4) Agrees that there is a need to ensure that pro-active steps are taken to offer solutions to any issues that arise in achieving any advantage across all parts of the District in developing supply chains, business-to-business links, skills development, supportive public investment and jobs creation associated with the Freeport East.”*

The Cabinet had before it the response of the Leader of the Council thereto as follows:-

“I welcome the report from the Committee and agree that Freeport East has the potential to radically transform in a good way the Town of Harwich, the wider District of Tendring and beyond. Jobs, skills and transport are key benefits the Council wants to see come forward as a result, including investment in the A133 / A120 junction, and I recognise that these benefits, if the Freeport is successful, have the potential to reach all corners of the District.”

Having considered the recommendations of the Community Leadership Overview & Scrutiny Committee, together with the response of the Leader of the Council thereto:-

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

RESOLVED that the recommendations made by the Community Leadership Overview & Scrutiny Committee be endorsed and that the response of the Leader of the Council thereto be approved.

20. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE PLANNING POLICY & LOCAL PLAN COMMITTEE - A.2 - CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLANS FOR HARWICH OLD TOWN; MANNINGTREE & MISTLEY; FRINTON & WALTON; BRIGHTLINGSEA; AND GREAT BENTLEY

Cabinet was aware that the Planning Policy & Local Plan Committee (“the Committee”), at its meeting held on 11 May 2022 (Minute 7 referred), had considered a comprehensive report (and appendices) of the Acting Director (Planning) which had reported to it the second tranche of five in a series of ‘Conservation Area Appraisal and Management Plans’ that had been prepared for the Council by Essex Place Services. That report had also sought the Committee’s recommendation to Cabinet that they be approved for public consultation purposes.

After discussion the Committee’s decision was to:-

“RESOLVE unanimously that the Planning Policy and Local Plan Committee –

- (a) notes and welcomes the new Conservation Area Appraisal and Management Plans for Harwich Old Town (Appendix 1); Manningtree and Mistley (Appendix 2); Frinton and Walton (Appendix 3); Brightlingsea (Appendix 4); and Great Bentley (Appendix 5);*
- (b) recommends to Cabinet that the above documents (forming Appendices 1-5) be approved for consultation with the public and other interested parties; and*
- (c) notes that Conservation Area Appraisal and Management Plans for the District’s other remaining Conservation Areas will be brought before the Committee in due course over the next 9 months.”*

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

“I thank the Planning Policy and Local Plan Committee for its consideration of the next five Conservation Area Character Appraisal and Management Plans and I welcome the recommendation to Cabinet that these be published for consultation. Reviewing all of the District’s Conservation Areas is one of the key actions in the Council’s Heritage Strategy and the progress so far has been very good. Ensuring we have an up-to-date appraisal for each and every Conservation Area will enable residents, developers, planners and our Planning Committee to understand the key characteristics that make each area special and which need to be preserved and enhanced when making planning applications and determining them. They will also enable us to reconsider the boundaries of each area and determine whether or not any Article 4 Directions are needed to provide an extra level of protection and control.

I furthermore welcome and agree with the Committee’s comments around the importance of engaging local residents and heritage societies who hold an irreplaceable wealth of local knowledge that will improve and strengthen the content of the appraisals; and I also welcome the opportunity for local people to put forward suggestions for buildings and structures to go onto a local list of non-designated heritage assets.”

Having considered the recommendation of the Planning Policy & Local Plan Committee, together with the response of the Planning Portfolio Holder thereto:-

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

RESOLVED that the new Conservation Area Appraisal and Management Plans for: Harwich Old Town (Appendix 1); Manningtree and Mistley (Appendix 2); Frinton and Walton (Appendix 3); Brightlingsea (Appendix 4); and Great Bentley (Appendix 5) be approved for consultation with the public and other interested parties.

21. LEADER OF THE COUNCIL'S ITEMS

There were no such items to consider on this occasion.

22. CABINET MEMBERS' ITEMS - REPORT OF THE BUSINESS & ECONOMIC GROWTH PORTFOLIO HOLDER - A.3 - LEVELLING UP FUND BID SUBMISSIONS

Cabinet considered a detailed report of the Business & Economic Growth Portfolio Holder (A.3) which:-

- (1) request Cabinet's endorsement to the Council submitting two Levelling Up Fund bids, one for Clacton and one for Harwich and Dovercourt, each requesting up to £20m from Government;
- (2) sought Cabinet's approval to allocate £2.295m from funding already set aside by the Council for Town Centre Levelling Up in order to provide match funding to the bids; and
- (3) sought Cabinet's approval that the Leader of the Council be authorised to approve the final bids for submission by the 6 July 2022 deadline.

Cabinet was aware that the Government's Levelling Up Fund (LUF) aimed to support local economic growth and investment in communities across the UK. The £4.8 billion fund had been designed to be released across a number of funding rounds, and would support town centre and high street regeneration, local transport projects, and cultural and heritage assets.

Members were reminded that the Chancellor of the Exchequer's Spring Statement on 23 March 2022 had confirmed the scope and submission deadline for the second round of bids to the LUF.

It was reported that, working in partnership with Essex County Council (ECC), Essex Housing, Essex Highways, and an external consultant (Volterra), Tendring District Council (TDC) intended to submit two bids to the LUF namely one for Clacton Town Centre, and one for Dovercourt Town Centre. That Town Centre focus reflected the Government's levelling up aspiration to increase pride in place, and specifically aimed to increase people's satisfaction with their town centre and engagement in local culture and community by 2030. The projects comprising the bids reflected local priorities as drawn from the Clacton Future High Streets Fund plans, and the Dovercourt Masterplan Revisited. The government deadline for final submission of the bids was 6 July 2022.

Volterra was supporting the technical aspects of the business case development for the bids through the financial and economic cases. Until that work was complete, the final financial case for the bid and the detail of investment required by the Council would not complete. However, given cost inflation, the full £2.295m was expected to be required.

Cabinet was informed that there were two projects to be included in the bid for Clacton-on-Sea namely:

- (1) Redevelopment of the Carnarvon House, Carnarvon Road, TDC owned site

The intention of this project was to provide up to 28 new homes, car parking, electric charging points, and start-up business units, with the potential for public sector use. The financial costs in the bid were under quality review and subject to change, but were currently £21 - £22m in total project costs, with a requested grant from Government of £14m - £15m. The project was planned to be delivered by TDC with consultant delivery partners and contractors, with the option to explore ECC-led delivery through Essex Housing. There was the potential for 40 per cent of those homes to be allocated for social or affordable housing, given the demand for one and two bedroom flats in the town.

(2) Redevelopment of the ECC Library site in Station Road

The aim of this project was to make provision for a new library and Adult Community Learning centre with additional flexible office space as part of a public sector hub. This project would be delivered by the County Council and Essex Housing if the bid was successful. Costs were currently under review, with total project costs currently £9m and the grant requirement from Government yet to be determined.

Discussions were underway with public sector partners on the potential for a public sector hub with health and skills providers. The University of Essex had also expressed an interest in a teaching space in the area. The hub could be located in the expanded library, or on the ground floor of the Carnarvon House development.

The projects forming the Clacton bid had been taken from unsuccessful bids to the Future High Streets Fund in 2020, and Round One of the Levelling Up Fund, in 2021. Feedback from assessors on those bids had encouraged a resubmission in the second round of Levelling Up funding, and their specific feedback had been incorporated into the bid.

The bid had also been revised in the light of deliverability and significant cost inflation. The earlier Round One bid had included an events space in Clacton town square and covered market/starter units and an under-cover walkway, which had been reliant on the demolition of the Marks & Spencer's building, which was no longer feasible. The earlier bid had also included public realm and highways works including the transport infrastructure between the town centre and Jaywick Sands, which had not been included in this Round Two bid, as those works would have resulted in a loss of car parking in Clacton.

Cabinet was made aware that there were three projects included in the bid for Harwich and Dovercourt Town Centre, namely:

(3) Development of the Milton Road site

This project would include nine homes, tree planting and public parking bays. The financial costs in the bid were under quality review and subject to change, but were currently £3m total project costs, with a requested grant from Government likely to be about £1.5m. The project would be delivered by TDC with consultant delivery partners and contractors, with the option to explore Essex County Council led delivery through Essex Housing. There was the potential for those homes to be social or affordable housing as part of the Council's or a Housing Association stock.

(4) Refurbishment of Harwich Library

This project would increase the current mezzanine space, which would, in turn, facilitate the re-introduction of Adult Community Learning to Harwich and Dovercourt and provide additional, flexible space for the co-location of services and community uses. The project would be delivered by Essex County Council.

(5) Public realm improvements from Dovercourt station to Kingsway

This project included the realignment of the road space with footway build-outs, formalisation of the station parking, and the provision of a new pedestrian crossing and

a direct pedestrian connection across the space from Station Road into Kingsway. The project would be delivered by Essex County Council, through Essex Highways.

The projects for Harwich and Dovercourt were taken from the Dovercourt Masterplan Revisited.

Cabinet was advised that the benefit-to-cost ratio in the economic case of each bid was an important part of the decision making process for funders, with the number of homes, economic floor space, and sustainable transport providing benefits, against the Government's financial risk. The previous Clacton bids had had significantly more flats than the current proposals, 129 compared to 28. This reduction had been due to cost inflation, whereby build costs had increased ahead of home sales values, making each flat less viable. Fewer flats also required a smaller scale multi-storey carpark, and freed up space for commercial, community and public sector uses. The Harwich and Dovercourt bid had nine homes, skills provision, and public realm improvements. The consultants would advise the Council ahead of its bid submission of any changes required to make the bids fundable in terms of the benefit/cost ratios.

It was reported that, alongside the two Tendring District Council led bids, Essex County Council's Sustainable Transport team intended to submit a Transport bid for up to £50m, subject to technical assessments. This was the connection between the A133 and the A120, which would enable a right turn from the A133 towards Harwich, and a left turn from the A120 towards Clacton, thereby joining up the District's two largest towns and enabling travel from Clacton to the Freeport, once it was operational. In addition the bid would include cycle-ways within Harwich to complement the District's bid, and improve transport links between Dovercourt and Bathside Bay, which was currently cut off by a rail line and a road.

Officers expected that the Council would hear whether it had been successful in the Autumn, likely in November 2022 based on past experience.

It was considered that these two bids should be supported for the following reasons:-

- (i) both bids, if successful, would allow TDC to implement improvements to support Town Centre economies in the District;
- (ii) the projects proposed in the Clacton bid would allow for joined up provision of public services in a convenient town centre location for residents, whilst also being easily accessible from Clacton Railway Station. There would also be an offer of housing, and start-up business units with flexible use. The presence of Essex University would bring an additional further education presence into Tendring, with a complimentary offer to Anglia Ruskin University's existing Into University programme.
- (iii) the projects proposed in the Harwich and Dovercourt bid would revitalise the area around the railway station and create a new public space with a better gateway to the town and seafront, and an improved transport interchange. The proposals for the High Street and Kingsway would encourage footfall and 'dwell time', with the amendments to the library allowing Adult Community Learning to establish a presence in the area. There was also potential for complimentary provision from Colchester Institute, which would allow residents to attend courses virtually, without having to travel outside of the locality.

- (iv) when feedback had been received on the first round LUF bid for Clacton, the Council had been encouraged to resubmit a revised application when the second round of Levelling Up Funding became available.

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

RESOLVED that Cabinet –

- a) endorses the principle of submitting two Tendring District Council led town centre bids as set out in the Portfolio Holder's report;
- b) approves allocating the entirety of the funding set aside by the Council for Town Centre Levelling Up (£2.295m) to support the bids, should it be needed once the financial cases are complete;
- c) authorises the Leader of the Council, in consultation with the Section 151 Officer, to give the final approval for both Tendring District Council led Levelling Up Fund final bids for submission to the Government by the deadline of 6 July 2022, including a decision on the final level of investment required to support the bids; and
- d) notes and supports the submission of the Essex County Council led transport bid.

23. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.4 - TENDRING CARELINE - FINANCIAL OPTIONS APPRAISAL

Cabinet considered a report of the Housing Portfolio Holder (A.4) which offered options with regards to the financial position of Tendring Careline and the future viability of the service.

Cabinet was reminded that, in order for Tendring Careline to retain its accreditation to the TEC Services Association (TSA – the national body of all Carelines across the UK) the service must match a number of key performance indicators (KPIs). Those KPIs could only be met if the service had enough trained staff to answer the incoming calls from service users and the responders to go out if necessary.

Members recalled that, on 19 April 2022, the contract for Tendring Careline to deliver out-of-hours call monitoring services to Provide CIC had been terminated. Although this meant that Tendring Careline could employ fewer staff, the lost income would also impact the financial viability of the service.

Cabinet was aware that a recent internal audit of Careline had also highlighted that the service needed improvement in a number of areas. The audit had concluded that: *'it would be timely to review the strategic direction of the service'*, and that *'Whatever options are chosen, one of the first targets will be renewed accreditation with the industry standards, TSA.'*

It was reported that, on 25 April 2022, the Audit Committee had sought assurances from the relevant Head of Service that an improvement plan was in place. That improvement plan formed the basis of the recommendations contained within the Portfolio Holder's report which aimed to stabilise and build confidence in the service; ensure that the TSA

accreditation was maintained; and concentrated on a measured, sustainable growth for the service in order to remain viable.

The current budget for 2022/23, which had been set before it was known that the Provide CIC contract income would be lost, showed a net cost to the authority of £501,800.

There were four options set out in the Portfolio Holder's report for Cabinet to consider.

Option 1 (This was to offer a baseline figure only and for comparison against the other options)

If the Council no longer offered Careline but did maintain an out-of-hours and CCTV service for Tendring residents, Careline service users would be given details of other service providers that they could transfer to and all external contracts would be given 3 months' notice. There was a reputational risk to this option as the Council had delivered Careline since 1987 and an Equality Impact Assessment had shown that such a decision would have the greatest impact on the elderly and vulnerable residents of Tendring, hence this option was not considered viable. This option showed a net cost to the authority of £608,000 as the loss of income from Careline was greater than the budgeted cost of staff.

Option 2

The Council maintained the staffing required to meet demand. This option showed the greatest net cost to the Authority, i.e. £764,724 as the combined cost of running the service was greater than the projected income.

Option 3

The Council maintained the staffing required to meet demand and increased its fees immediately in order to ensure the service broke even. If this option were however, to be delayed until the fee setting for financial year 2024/25 (see option 4 below) then, in the interim, any shortfall would be mitigated by a supplement from the Careline reserves. There was also the possibility of external funding from health partners for a new responsive welfare service, which would be delivered by Careline.

Tendring Careline currently charged existing analogue service users £23.82 per month and new digital service users £30.55 per month (this included the cost of the SIM card and the equipment, hence the difference in price). In order to reach breakeven using option 3 alone, the monthly fees for private pay service users would need to increase by £5.68 per month (24% and 19% respectively). It was believed that the local market could support this increase as Colchester Helpline (this Council's nearest alternative provider) currently charged in excess of £45 per month for an analogue service. It was considered that any fee increase normally resulted in a very small number of service users ending their contract however, if this was purely down to the ability to afford the service, then this Council would be able to recommend the new Essex County Council service whereby the resident could be means tested and might then be able to access a free or part funded service.

It was pointed out that this Council had been delivering Tendring Careline since 1987 and was considered to be a trusted provider of this service. The TSA accreditation

showed that the service was safe and reliable, which was the primary consideration for local people. Colchester Helpline were not accredited and Tendring residents were unlikely to have heard of Provide CIC.

However, it was noted that the Council's fees had already increased by 2% from 1st May 2022 and previously in August 2021. This option showed a net cost to the Authority of £611,636.

Option 4

The Council maintained the staffing required and increased the number of fee paying service users through an active marketing campaign, thus increasing income. It was noted however that there would be a delay between advertising and new income generation; all of those new service users would not join from day one. In mitigation of the risk of any year end shortfall a supplement could be called upon from Careline reserves, and there was also the possibility of new external funding from health partners for a pro-active welfare service for Tendring residents which could be delivered within existing staff resources. It was anticipated that by the end of 2023, when the service entered the normal fee setting cycle for 2024/25, the success of the marketing campaign would be understood, and accordingly the fees for the following year could be set to ensure a breakeven. It was anticipated that in this case the necessary rise in fees would be less than within option 3. Option 4 showed a net cost to the Authority of £612,974.

Cabinet was informed that the preferred course of action would be Option 4: an orderly and sustainable growth of the number of service users to increase income. Initially, the service would concentrate on the recruitment and training of enough staff to ensure a safe service was delivered to customers and that the TSA Accreditation was maintained at the next review in July 2022. Simultaneously, a marketing strategy would be drawn up to include online advertising, promotion of a new website with online retail capabilities, and demonstration appearances at relevant groups across Tendring. This strategy would be put into action once the service was fully staffed. Finally, fees and charges would be re-appraised towards the end of 2023 in time for implementation in April 2024.

Having decided that Option 4 allowed time for the service to stabilise and an advertising campaign to take effect and start generating new customers whilst delaying fees increases for service users until April 2024 and was the lowest risk to the Authority and to Tendring residents:-

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

RESOLVED that Cabinet -

- a) agrees to the continuation of a Tendring Careline Service for residents;
- b) adopts Options 4 as the basis for the longer term approach to deliver a viable and sustainable Careline Service in the long term;
- c) requests Officers to take steps to maximise marketing opportunities to increase the customer base in an orderly way through 2022/23 and 2023/24 in working towards the figures highlighted in Option 4 within Appendix A to the Portfolio Holder's report;

- d) approves the utilisation of the existing Careline Reserve of £221k to underwrite the financial risks associated with a), b) and c) above; and
- e) requires that detailed updates be presented to Cabinet as part of future financial performance and budget setting reports later in the year in order to provide an ongoing review.

24. CABINET MEMBERS' ITEMS - REPORT OF THE HOUSING PORTFOLIO HOLDER - A.5 - JAYWICK SANDS - FUTURE OF NEW BUILD HOMES & APPLICATIONS TO HOMES ENGLAND REGARDING DESIGNATED PROTECTED AREAS

Cabinet considered a report of the Housing Portfolio Holder (A.5) which updated it on the current situation regarding the Council's recently built discounted homes for sale in Jaywick Sands and which recommended an alternative option for the future of the dwellings. The report also sought the appropriate delegations for applications to Homes England for the waiver of Designated Protected Areas.

In November 2017, Cabinet had endorsed the development of 10 new homes in Jaywick Sands, with five to be retained in the Council's housing stock and the other five to be offered for discounted sale to Key Workers in line with the Government's Starter Homes policy. Cabinet had also endorsed the adoption of a Local Lettings and Sales Policy for the site in March 2021.

It was reported that, whilst the five homes for rent had now been let in accordance with the Council's lettings policy, the five homes for discounted sale remained vacant and had been marketed for sale since March 2021. So far, none had been sold for the reasons set out within the Portfolio Holder's report. Cabinet considered an alternative option to retain the homes as part of the Council's housing stock and held in the Housing Revenue Account and let in accordance with the Council's lettings policy.

Members were informed that Homes England had agreed that, under certain conditions, it would waive particular conditions of its grant relating to Designated Protected Area (DPA) status. This would enable Registered Providers to develop grant funded shared ownership stock on those sites (not within the Council's ownership) and allow buyers to staircase to 100% without an obligation on the provider to buy back the property if the leaseholder wished to sell.

In order to consider waiving the DPA lease requirements Homes England required an application to be made by the relevant Local Authority. If the Authority considered that a particular site to be developed did not meet the criteria set out in the original classification of why an area should be protected, or indeed had other reasons why they thought that grant funded shared ownership stock did not need to be protected in perpetuity, they could approach Homes England to request that the conditions of grant pertaining to Designated Protected Area status be removed. This relaxation specifically related to Homes England's conditions of grant for shared ownership homes developed in DPAs. It was not related to rural exception sites or other Section 106 agreements.

Cabinet was advised that a number of alternative options had been considered including altering the sale price, altering the sales policy and creating a rent to buy option. In summary, the options considered were:-

<i>Options Appraisal</i>		
<i>Option</i>	<i>Pros</i>	<i>Cons</i>
<i>Option 1 Retain the current asking price and keep the policy unchanged i.e. retain the status quo.</i>	<i>Offers the best possibility to maximise income and to meet the criteria set out in the policy</i>	<i>The lack of interest expressed so far at a time where the housing market remains buoyant means that extra costs are being incurred in terms of council tax and security for the site and the homes may be over-valued making sales more difficult. A failure to achieve occupation of the homes could damage the Council's reputation.</i>
<i>Option 2 Retain the current asking price but amend the terms of the policy to make it less restrictive.</i>	<i>Opens up the potential for more people to purchase the dwellings subject to there still being some eligibility criteria e.g. the requirement to occupy as an only or principal home to deter buy-to-let or other investors.</i>	<i>There is no guarantee that the homes will be sold to Key Workers or residents in Jaywick Sands as originally intended albeit the policy does allow the homes to be sold to households who have resided in the District for at least three years.</i>
<i>Option 3 Reduce the asking price but keep the policy unchanged.</i>	<i>Reducing the asking price will potentially allow Key Workers or residents of Jaywick Sands to purchase the homes in line with the adopted policy.</i>	<i>Reducing the price will impact on the revenue the Council receives from the future sales.</i>
<i>Option 4 Reduce the asking price and amend the policy.</i>	<i>Reducing the asking price and amending the policy will maximise the opportunities to sell the homes. The Council can still insist on some eligibility criteria but less restrictive than currently.</i>	<i>Reducing the price will impact on the revenue from future sales and amending the policy to shift the homes away from an affordable housing product could result in having to repay some or all of the £200,000 the Council received from the Homes and Communities Agency to fund starter homes on the site</i>
<i>Option 5</i>	<i>The Council could look to</i>	<i>As the Council will only</i>

<p><i>Seek to sell the homes as a different product and retain the current valuation and existing policy.</i></p>	<p><i>sell the homes on a shared ownership basis so they are more affordable for Key Workers or eligible applicants. The homes will remain an affordable housing product and applicants can eventually purchase the property outright.</i></p>	<p><i>be selling a share of the homes' value, the Council will not receive the anticipated revenues through sales costs. There is little expertise at the Council for the sale and management of shared ownership homes. Applicants may have difficulty obtaining a shared ownership mortgage as the number of providers offering shared ownership mortgages is limited.</i></p>
<p><i>Option 6 End plans to sell the homes and convert into social rental homes – the proposed option.</i></p>	<p><i>Renting the homes will result in them being occupied quicker and they will be let to households in need on the Housing Register. The lettings criteria in the policy to give priority to Jaywick Sands residents will still apply.</i></p>	<p><i>The Council will receive no revenue from sales, but as a stock-retained landlord, the Council has sufficient expertise to manage socially rented homes. However, the Council has publically stated the homes are for sale and not rent which could affect its reputation. Converting the homes into social rented homes may require the Council to pay back the grant it received under the Starter Homes funding initiative.</i></p>

With the permission of the Leader, Councillor Casey addressed the Cabinet on the subject of this matter.

In an effort to bring these dwellings into use as soon as possible and in order to provide an appropriate delegation to Officers to make Designated Protected Area waiver applications on behalf of Registered Providers as required by Homes England:-

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

RESOLVED that Cabinet -

- (a) notes the contents of the Portfolio Holder's report;
- (b) agrees to the retention of the five unsold properties within the Council's housing stock for letting in accordance with the local lettings and sales plan;

- (c) authorises the Corporate Director (Operations & Delivery), in consultation with the Portfolio Holder for Housing, to sign any amended grant agreement proposed by Homes England in respect of the Starter Homes funding received in 2015; and
- (d) authorises the Assistant Director (Housing & Environment), in consultation with the Portfolio Holder for Housing, to make applications, where appropriate, to Homes England for the waiver of Designated Protected Areas made under the Leasehold Reform Act 1967 and The Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009.

25. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - A.6 - POTENTIAL ACQUISITION OF PROPERTY AND LAND IN VICTORIA STREET, HARWICH

Cabinet considered a joint report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder (A.6), which sought its decision, in principle, to acquire certain land and property in Victoria Street, Harwich.

It was reported that the Council had been contacted at various times over several years with complaints over the condition of the subject land and property at Victoria Street, Harwich, both in terms of being a dangerous structure; antisocial behaviour and it being visually unappealing and a detriment to the area.

Following recent adverse weather and the Council having to secure the site in the interest of public safety, the site owners had been contacted. They had expressed their intent to place the property for sale in an auction unless the Council wanted to make a prior offer.

Due to the timeframe of the seller's auction date, the usual process initiation report to the Portfolio Holder had not been possible, so following consultation with the Portfolio Holder for Corporate Finance and Governance it had been agreed that Officers carried out negotiations and then submit the outcome to the Cabinet.

In order to secure the site for the benefit of the local residents and the wider District and to give potential effect to Members' priorities for Council Housing growth (subject to further decision on funding and contractual commitments and acquiring planning permission and other consents through the usual application processes):-

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

RESOLVED that Cabinet agrees, in principle, of the acquiring of the land and property in Victoria Street, Harwich.

26. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING PORTFOLIO HOLDER AND THE PLANNING PORTFOLIO HOLDER - A.7 - JAYWICK SANDS PLACE PLAN AND DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENTS

Cabinet considered a joint report of the Housing Portfolio Holder and the Planning Portfolio Holder (A.7), which reported on progress made towards developing a framework for regeneration in Jaywick Sands and reported the recommendations

submitted by the Planning Policy and Local Plan Committee in respect of proposals for statutory public consultation on a Jaywick Sands Place Plan and a draft Jaywick Sands Design Guide .

Members were aware that significant progress had been made in work towards developing a strategy and policy framework for regeneration and planning in Jaywick Sands with a view to commencing a programme of public engagement that would help to shape the approach going forward.

The regeneration of Jaywick Sands was a corporate priority for the Council. The current actions comprised of two key work streams related to the planning process:

- *the Jaywick Sands Place Plan Supplementary Planning Document (SPD) (referred to henceforth as the "Place Plan"); and*
- *the Jaywick Sands Design Guide Supplementary Planning Document (SPD) (referred to henceforth as the "Design SPD").*

The purpose of the Place Plan was to provide a long-term strategy for the regeneration of Jaywick Sands with the recommended objectives being to:

- *Transform housing quality and the built environment;*
- *Ensure long term flood resilience;*
- *Create greater connectivity to neighbouring areas;*
- *Attract commerce & new economic opportunities; and*
- *Improve people's life chances, access to public services & health & wellbeing*

As part of producing this strategy, it was felt essential to engage in consultation with the local community and stakeholders at an early stage. The proposed consultation strategy would be a mixture of in-person engagement including drop-in sessions as well as digital engagement including an online presentation and survey with short explainer videos.

Members were made aware that the content of the consultation strategy had been informed by the Jaywick Sands Place Plan Interim report, which provided an analysis of the current problems and base line conditions as well as potential solutions although, at this stage, it did not prescribe a preferred approach.

The Design SPD provided key guidance to the community, property owners and developers, helping to speed up the planning process and facilitate the re-development of poor quality housing with better quality flood resilient homes. This Design SPD would be a tool for:-

- *Property owners and developers, and their design and planning consultants, in producing proposals for their sites;*
- *Stakeholders and community members when commenting on planning applications or early stage proposals;*
- *Planning officers in determining planning applications and pre-application submissions.*

Cabinet was informed that the draft document was divided into a number of chapters covering characterisation; flood resistance and resilience; massing scale and building form; streetscape and parking; internal and external space standards; and climate

change and biodiversity. The appendices provided worked examples of designs so that the applicant could understand the practical implementation of the requirements. The draft document had been produced in consultation with the Environment Agency and other stakeholders.

Members were aware that, on 31st May 2022, the Planning Policy and Local Plan Committee (“the Committee”) had considered the Place Plan and the Design Guide.

Having considered and discussed those documents, the Committee had decided to recommend to Cabinet that a consultation with the public and other interested parties take place to inform the production of a Place Plan and a Design Guide for Jaywick Sands. This was with the intention that both documents would become Supplementary Planning Documents in support of policies in the Council’s new adopted Local Plan.

Members of the Committee had made the following comments and observations for the Cabinet’s consideration:

- *Need to ensure the Place Plan considers the need for, and the opportunity to deliver infrastructure such as health provision; and*
- *Need to ensure younger people are engaged in the consultation process, including through engagement via the local primary school.*

The Portfolio Holder for Planning and the Portfolio Holder for Housing both welcomed the recommendations and comments from the Planning Policy and Local Plan Committee.

The Portfolio Holder for Housing emphasised the importance of the Place Plan in providing a long-term strategy for the future regeneration of Jaywick Sands and, in particular, a strategy that needed to be developed through positive engagement with the community.

The Portfolio Holder for Planning welcomed the Design Guide as a practical tool that property owners, architects, developers and planners could refer to in the consideration of plans to redevelop sub-standard properties and under-utilised land in an appropriate and flood resilient manner.

Having duly considered the recommendations, comments and observations of the Planning Policy & Local Plan Committee:-

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

RESOLVED that Cabinet –

1. approves the recommended objectives for the regeneration of Jaywick Sands as set out in the Portfolio Holders’ joint report;
2. approves the Jaywick Sands Place Plan Consultation Strategy;
3. approves the draft Jaywick Sands Design Guide Supplementary Planning Document for publication and consultation with the public and other interested parties; and

4. requests that the responses received in response to the consultation exercises for both the Jaywick Sands Place Plan and Design Guide be reported to, and considered by, the Planning Policy and Local Plan Committee.

27. MANAGEMENT TEAM ITEMS

There were no such items to consider on this occasion.

28. 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 Item 17 on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, as amended, of the Act.

29. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER AND THE HOUSING PORTFOLIO HOLDER - B.1 - TERMS FOR THE ACQUISITION OF PROPERTY AND LAND IN VICTORIA STREET, HARWICH

RESOLVED that Cabinet -

- a) approves the terms set out in Appendix B to the Portfolio Holders' joint report (B.1) for the acquisition of the land as shown edged red on the Plan attached as Appendix A to item A.6 of the Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder;
- b) authorises the Corporate Director (Operations and Delivery) to agree any such other terms he considers necessary, in consultation with the Head of Legal Services, should that be required;
- c) approves that the purchase and associated acquisition costs of £161,000 be met from the existing New Build and Acquisitions Budget within the HRA Capital Programme to be funded 60% from Direct Revenue Financing and 40% from 1-4-1 Capital receipts;
- d) approves, in principle, of the acquisition of the land shown edged yellow on the plan appended as Appendix A to item A.6 of the Joint Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder and notes and authorises all further investigations, negotiations and processes that may be necessary; and
- e) authorises the Corporate Director (Operations and Delivery) to agree any terms he considers necessary, in consultation with the Head of Legal Services, to acquire the land shown edged yellow on the plan appended as Appendix A to item A.6 of the Report of the Corporate Finance & Governance Portfolio Holder and the Housing Portfolio Holder provided that any cost can be accommodated within the New Build and Acquisitions Budget within the HRA Capital Programme.

The Meeting was declared closed at 12.07 pm

Chairman

CABINET

15 JULY 2022

REFERENCE REPORT FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE

A.1 CORPORATE INVESTMENT PLAN

(Report prepared by Keith Simmons and Hattie Dawson-Dragisic)

BACKGROUND

The Resources and Services Overview & Scrutiny Committee (“the Committee”), at its meeting on 24 May 2022, had before it a report of the Corporate Finance and Governance Portfolio Holder which had provided it with an introduction on the Corporate Investment Plan (CIP) and its intended function. The Members of the Committee were advised that:

‘The Corporate Investment Plan has been under development over the last six months in response to recommendations by the Council’s external auditors and peer reviews. At its meeting on 25 February 2022, Cabinet agreed to implement a Corporate Investment Plan approach to investment and to establish a Corporate Investment Board. Cabinet asked Portfolio Holders to explore with Officers further items for consideration by the proposed first meeting of the Corporate Investment Board in March.’

There were discussions around the Corporate Investment Board prioritising projects on the Corporate Investment Plan and how this prioritisation took place, and the Committee was advised that this was done through a scoring mechanism to establish what priority the project should have. The Committee was also advised that the membership of the Corporate Investment Board was the Leader and Deputy Leader of the Council, the Chief Executive, Deputy Chief Executive, Assistant Director (Finance & IT) and Interim Corporate Director (Projects Delivery). The Committee had been interested to understand how all projects, including those that had been approved but not implemented prior to the Corporate Investment Plan approach would be incorporated in the Corporate Investment Plan to ensure that there was a complete view on such projects/schemes and the funding associated with them. The Committee was advised that currently the Corporate Investment Plan did not currently include all projects. However, it could be adapted to do this.

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

That Cabinet agrees that:-

- 1) the Corporate Investment Board is minuted and that these minutes are circulated to Councillors as a part of supporting transparency in this process;**
- 2) a mechanism is found to report quarterly on the projects that are funded through the Corporate Investment Plan and the delivery of them; and**
- 3) the report mechanism, mentioned above, include all (non-business as usual) projects for which capital or revenue funding has been allocated.**

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

Corporate Finance & Governance Portfolio Holder's Comments

“There has always been a dialogue between Cabinet members and senior officers to determine the issues that come to Cabinet as reports for discussion and decision. The Corporate Investment Plan is a means to make this process more formal in relation to projects, as it helps to finesse the order in which those Cabinet Papers come forward. The pipeline of projects will be published in the Cabinet Paper.

The Council regularly reports to Cabinet on significant projects through its performance reporting on highlight priorities. I will ask officers to review whether there are new projects funded through the Corporate Investment Plan which should be added to this reporting process, depending on their significance.”

Recommendations to Cabinet:

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

CABINET

15 JULY 2022

REFERENCE REPORT FROM THE RESOURCES AND SERVICES OVERVIEW AND SCRUTINY COMMITTEE ON ELEMENTS OF WASTE, RECYCLING AND LITTER

A.2 WASTE RECYCLING AND LITTERING ENQUIRY

(Report prepared by Keith Simmons and Hattie Dawson-Dragisic)

BACKGROUND

At the meeting of the Resources and Services Overview and Scrutiny Committee on 30 June 2022, it considered a report submitted by its own Task and Finish Group on Waste, Recycling, and Litter which had met on 16 May 2022. The terms of reference for the enquiry undertaken by the Task and Finish Group are set out at Appendix A to this report. These Terms of Reference had been set by Council on 13 July 2021 (Minute 53 refers). The Task and Finish Group was comprised of the Members of the Resources and Services Overview and Scrutiny Committee. Councillor Michael Talbot (Portfolio Holder for Environment and Public Space) addressed the meeting and set out an introduction to the material provided to the Task and Finish Group. A report had been provided to the Task and Finish Group that set out a range of information on the issue of waste, recycling, litter and fly tipping as referenced in the terms of reference for the enquiry. Some additional text had been included in the report on customer contact in relation to services provided by the Street Scene Service Area and the online forms for requesting services. At the invitation of the Chairman of the meeting, Mr Hamlet (Street Scene Manager) then gave a verbal update on the material set out in the report. Contributions were made by Damian Williams (Corporate Director Operations and Delivery) and Andy White (Assistant Director Building and Public Realm).

The Members of the Task and Finish Group had considered their key lines of enquiry on 5 May 2022 and had submitted these to the Officers in preparation for the meeting. At the meeting on 16 May 2022, Officers provided written responses to most of those questions. As such, the Members asked supplementary questions based on the responses provided. Subsequent to the meeting on 16 May 2022, a completed set of written responses was provided to the Members of the Task and Finish Group / Members of Resources and Services Overview and Scrutiny Committee.

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

That Cabinet is recommended the following:-

In respect of the recycling elements of the enquiry:

- (1) That the capacity of the Street Scene Team to undertake a range of engagement and recycling promotion work with school age children, members of community organisations and the public through roadshows, Council Tax Bills etc. be assessed and plans brought forward to support this capacity. The Committee believes that this work is vital to ensure we have a well-informed local population about recycling and the benefits of it and that the capacity of the team should provide for this work to be undertaken systematically and consistently;

- (2) That, in addition to the steps in (1) above, available data, or proxies for it, about recycling rates within the District be examined to identify those areas where recycling rates are lowest and that the available resources for promotional activity be targeted to those areas to increase recycling rates there. The Committee is conscious of the need to use data to guide action and that this is an area where finite resources can be directed where the need for action is most required.
- (3) That proposals for new style three chamber litter bins to separate out general waste from plastic/can recyclables and card recyclables be examined with a view to these being installed in the centres of towns in the District. The Committee considers that these new style bins would help reinforce the message around recycling and further the Council's commitment to it (and positively reinforce the Council's Community Leadership role);
- (4) That the expected standards for cleanliness/removal of broken glass at the recycling bring sites in the District be developed and publicised and, alongside these, deployment response times for the cleaning/clearing of those sites be established for reports of issues at those sites when the standards are not being met. This recording will include each incident of 'fly tipping' at the sites. The Committee believes the recycling bring sites provide a valuable addition to the kerbside recycling collection service and believes that working with the public we can look to keep the sites in the best possible condition by sharing with them the standards they should expect, the means of reporting when those standards are not met and a response regime to those reports that can manage expectations while returning the site to the expected standards as soon as possible; and
- (5) That the introduction of an online (MyTendring) form to report a missed bin collection for garden waste collections (Brown bin) be pursued. The Committee regards the availability of a missed bin collection online form for the general waste (Black bin) and recycling boxes (red and green boxes) as positive and that the same 24/7 reporting route should be provided for garden waste where there is a missed collection.

In respect of the public space litter elements of the enquiry:

- (6) That the proposals for uniquely coloured (purple) bags for those undertaking Community Litter picks (to distinguish these bags from other forms of waste/recycling) be warmly supported;
- (7) That the large blue litterbins used as part of the Summer Plan along the seafront should be retained throughout the low season to create a year round approach to litter collection in those spaces. The removal of the litterbins means that out of season there is a reduced litterbin service along the seafront. For residents in those areas and local individuals who use the seafront this reduced service is perceived as a lower standard for them than is provided for tourists. Retaining the bins, even with a reduced emptying regime would demonstrate the obvious commitment of the Council to its residents;
- (8) That consideration be given to a pilot scheme along the stretch of the A120 from Ardleigh Crown to Horsley Cross to install high visibility litter bins in the laybys and evaluate the extent of their use (and any potential consequential fly tipping from their introduction) for a 12 months period (and that the experience be used to inform the approach along this road and the A133 going forward). The Committee believes that the pilot approach will provide the Council with valuable information as to whether litter bins in the laybys of major roads in the District would be advantageous;

- (9) That the verge litter-picking schedule for the A120 from the new roundabout to the Auction roundabout be increased to six times a year. The current frequency is, in the view of the Committee, demonstrably insufficient to keep the verges concerned clear of litter and this then could encourage further littering to take place by those who see the extent of litter that is not cleared sufficiently frequently to deter it taking place;

In respect of future service provision

- (10) The Committee welcomed the opportunity to input into the specification for the waste, recycling and street cleaning contract that will be the basis of service provision in those areas from 2026.

[Note: Further to item (10) in the above recommendations, the Resources and Services Overview and Scrutiny Committee has proposed to Council on 12 July 2022 that the development of proposals for the waste, recycling and street cleaning contract specification from 2026 be included in the work programme of enquiries for the Committee for 2022/23.

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

Portfolio Holder for Environment and Public Space's Comments

The Portfolio Holder's comments and responses will be tabled at the meeting.

Recommendation to Cabinet

That the recommendations made by the Resources and Services Overview and Scrutiny Committee be noted and that the response of the Portfolio Holder for Environment and Public Space thereto be approved.

Terms of Reference for the Enquiry and Membership

(a) The terms of reference for the enquiry are as approved:

Item	Relevant Corporate Plan Theme/Annual Cabinet Priority	Information to be provided in advance	Those to be invited to attend	Articulated value of undertaking the review
Waste Recycling (1) Specifically waste material that is generated in connection with the Waste Transfer Station and occurs along the A12 and A133.	Delivering High Quality Services/Minimise waste: Maximise recycling and Public spaces to be proud of in urban and rural areas	Details of the services provided, the related budgets and service requests/performance data over the last five years. This is to include details on the points raised in the item details.	Cllr. Michael Talbot as Portfolio Holder Andy White, Assistant Director Jon Hamlet, Head of Service	To enquire into specific elements of the strategic approach to waste/recycling and the delivery against that approach with a view to determining whether refinements to one or both appear appropriate.

<p>(2) Public Litter bin provision (determination of such sites and gaps in provision), replacing damaged bins, bin emptying schedules and rotas. How will that provision accommodate increased litter due to increased visitor numbers during the usual tourism season and outside of that season (where popularity is increasing)?</p> <p>(3) Recycling bring sites – looking at previously discussed improvements and progress with these to ensure such sites are accessible, known about, the adequacy of the range of opportunities to recycle, the cleanliness of those sites and the recording of usage/provision of additional capacity.(4) Progress with increasing the recycling levels from residents.</p>		<p>The mean level of recycling for all local authority districts in the East of England, compared with the position for Tendring in each of those years and the aspiration of the service over the coming four years to reach that level (21 September 2020 (Minute 86 refers));</p> <p>The details of all bring sites detailing the recycling available, the extent of use as far it is known, the collection frequency and the plans for improving them, the range of recycling to be made available to extend that provision and address any excess of use over capacity for it and the signage at those sites to be clear that side waste should not be left.</p>		
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CABINET

15 JULY 2022

REPORT OF THE LEADER OF THE COUNCIL

A.3 JOINT COMMITTEE AGREEMENT OF THE NORTH ESSEX PARKING PARTNERSHIP

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To seek Cabinet endorsement for the decision of the Leader of the Council taken on 30 June 2022 (and published on the 4 July 2022) to sign up to the new Joint Committee Agreement of the North Essex Parking Partnership.

EXECUTIVE SUMMARY

- Essex County Council (ECC) has a statutory responsibility for the delivery of on-street parking enforcement.
- ECC delegates on-street parking management and enforcement to two partnerships consisting of boroughs and districts within Essex. The North Essex Parking Partnership (NEPP) and the South Essex Parking Partnership (SEPP). Tendring is within the NEPP.
- Within each partnership, there is a lead authority responsible for the employment of staff engaged in both frontline and back-office requirements for delivering the service.
- The NEPP was formed in April 2011 and reports to a Joint Committee (JC) of ECC under terms agreed within a Joint Committee Agreement (JCA).
- The original JCA was for seven years with an option for a further four-year extension. The extension was agreed in 2018 and the current JCA expired on 31 March 2022.
- A further three-month extension was agreed subject to provision of a new JCA with individual districts or boroughs expected to sign up to the new JCA by the 30th June 2022.
- On 30 June 2022 the Leader, with the agreement of the Chairman of the Resources and Services Overview and Scrutiny Committee, made an urgent decision to commit to the new JCA in the form appended to this report.
- This report seeks Cabinet endorsement for the decision made by the Leader of the Council to sign up to a new JCA of the NEPP as above, on terms broadly similar to the previous agreement, but this time for five years with options for the Joint Committee to renew annually for up to three further years.

RECOMMENDATION(S)

It is recommended that Cabinet endorse the decision taken by the Leader of the Council for Tendring District Council to sign up to a new Joint Committee Agreement of the North Essex Parking Partnership under the terms proposed.

REASON(S) FOR THE RECOMMENDATION(S)

Failure to sign up to the new agreement within the ECC proposed timescale would exclude Tendring District Council from the partnership then being unable to influence its priorities and actions. Tendring could apply for membership of the Joint Committee later, increasing the risk of additional officer time and including the possibility of a refusal of membership.

ALTERNATIVE OPTIONS CONSIDERED

The Council could choose not to sign up to the new JCA. However, if other authorities signed up, then on-street enforcement services would continue in the District under the proposed arrangements via the NEPP, under the entire control of the partnership and its member authorities, excluding Tendring.

In such an eventuality there is a risk the Council would not be able to influence priorities and actions of the NEPP including requesting new Traffic Regulation Order (TRO) schemes with the same degree of involvement as currently exists.

PART 2 – IMPLICATIONS OF THE DECISION**DELIVERING PRIORITIES**

Delivering High Quality Services

- Effective regulation and enforcement of roads will improve services to the community, promoting businesses and tourism.

Community Leadership Through Partnerships

- Joined up public services benefit residents and businesses. The parking partnership will improve public safety and enable the Council to influence and lobby for the benefit of Tendring in the future.

OUTCOME OF CONSULTATION AND ENGAGEMENT

None.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES	If Yes, indicate which by which criteria it is a Key Decision	<input checked="" type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	The proposed decision to be published in the Notice of forthcoming decisions for the Council was made on the 04/02/2022.

The Partner Authorities previously agreed to form a Joint Committee to manage the North Essex Parking Partnership in accordance with the provisions contained in sections 101 and 102 of the Local Government Act 1972, section 9EB (previously quoted as section 20) of the Local

Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and The Local Authorities (Alternative Arrangements) (England) Regulations 2001 (as amended) and any other enabling legislation.

The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

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FINANCE AND OTHER RESOURCE IMPLICATIONS

There are no direct financial or resource implications arising from this decision over and above those that existed under the previous agreement

At the time of establishment of the NEPP in 2011, there were concerns around the partnership operating at a financial deficit with districts and boroughs required to meet this cost from their own budgets.

The NEPP and SEPP have operated with an annual surplus for a number of years with any surplus being carried forward from the Joint Parking Account at the close of each financial year and overseen by the Joint Committee of the Partner Authorities. Subject to an agreed “deficit reserve” set by the Partner Authorities to offset the possibility of future financial operating deficits, the surplus held in that account is reinvested in accordance with the provisions set out in Section 55 of the Road Traffic Regulation Act 1984.

Specifically, any Surplus achieved during the term of this Agreement will be invested into three key areas referenced as Part 1, Part 2 and Part 3 of the new Joint Committee Agreement.

There are no additional staff or other resources required arising from this decision.

The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

As was the case under the previous agreement, if there is a structural deficit across the Partnership in any one-year then a liability would accrue for TDC.

However, as confirmed by ECC, any previous deficit was apportioned between the six districts whereas any deficit arising under the new arrangements will be shared across seven authorities, as ECC would now be included. As also confirmed by ECC, there is also a new deficit reserve fund held to meet any deficits in the first instance. Taking the above into account, the financial risks should be lower than under the previous arrangements.

It is also important to mention that the new agreement covers an initial five year period, which provides a timely opportunity to review the financial risks and performance of the Partnership before agreeing any extension to the agreement.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

<p>A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;</p>	<p>At the time of the initial JC agreement in 2011 the main concerns around the agreement were in respect of potential financial losses arising from the partnership arrangement.</p> <p>Since that time, the partnerships (both NEPP and SEPP) have consolidated their financial position by means of extending fixed charges in respect of permits for residents parking and visitors to resident parking areas along with new on-street charging in key areas.</p> <p>The partnerships currently and for at least the past five to eight years have each year generated financial surpluses.</p> <p>This is reflected in the new terms proposed by ECC in respect of any future JCA.</p>
<p>B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,</p>	<p>The NEPP operates under specific legislation , as noted above, and including its management of its finances to provide for reinvestment and potential operating deficits.</p>
<p>C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.</p>	<p>Refer to financial and other resource implications and A) above.</p>
<p>MILESTONES AND DELIVERY</p>	
<p>The new JCA is for five years with an option for a further three years. The option to extend is to be taken annually for a maximum of three years.</p>	
<p>ASSOCIATED RISKS AND MITIGATION</p>	
<p>Risks associated with the JCA and the operation of the NEPP are managed by the lead authority.</p> <p>The financial risk for the Council relates to any deficits incurred by the NEPP, which under the terms of the original JCA were to be shared equally amongst all partners. This term remains within the new agreement.</p> <p>However, the on-street account maintained by the lead authority Colchester Borough Council on behalf of the North Essex Parking Partnership Joint Committee has been in surplus for the last eight financial years and in addition, the NEPP has maintained a reserve fund to cover the possibility of any deficit, or other eventuality.</p> <p>The new terms for distribution and use of any surplus, is to be included in the new JCA.</p> <p>The NEPP via the lead authority does maintain a comprehensive risk register that is reviewed annually by the Joint Committee.</p>	

Failure to join the new partnership would lose influence on on-street parking policy and practice matters within the District which is otherwise entirely in the control of ECC and the membership of the partnership.

EQUALITY IMPLICATIONS

The proposal does not impact on the protected characteristics of any individuals in any currently identifiable way.

SOCIAL VALUE CONSIDERATIONS

None identified

IMPLICATIONS FOR THE COUNCIL’S AIM TO BE NET ZERO BY 2030

Partnership with and participation in decision making and policy for on-street parking and the highway will support proposals and plans in respect of electric vehicles and associated charging infrastructure.

OTHER RELEVANT CONSIDERATIONS OR 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	Regulation of the highway supports crime reduction and anti-social behaviour initiatives.
Health Inequalities	None identified
Area or Ward affected	All

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The NEPP was formed in April 2011 and reports to a Joint Committee (JC) of ECC, initially under a seven-year agreement known as the Joint Committee Agreement (JCA) with an option to extend for a further four years. The six District and Borough Councils in North and West Essex, namely Colchester, Braintree, Uttlesford, Harlow, Epping Forest and Tendring are members of the JC, and Councillors are Executive Members. Essex County Council (ECC) is also represented at meetings.

The JC meets four times a year, with its AGM in June. The NEPP JC receives operational, financial and other relevant reports from officers. The officers are employed by Colchester Borough Council, which is named in the Joint Committee Agreement (JCA) as ‘lead authority’. Each of the District and Borough Councils (the “client authorities” of NEPP) has a client officer with whom the NEPP officers maintain regular contact and an officer from ECC also attends the Joint Committee meetings.

ECC has an Agreement with the NEPP JC to delegate the delivery of its on-street parking function. The NEPP provides these services in the districts and boroughs who are members of the JC. ECC has also delegated powers to make parking Traffic Regulation Orders (TRO) to the NEPP. These are the underpinning regulations for the making of parking restrictions/permissions such as “yellow lines” and parking bays and permit areas.

The new JCA will retain the vast majority of its existing clauses. However, the main features of the proposed new Partnership include:

- a) Continuation of the Joint Committee approach for managing operations, and proposing new schemes;
- b) Share of any surplus being paid to a new Essex County Council Panel, which will decide on its investment in either NEPP, SEPP or ECC parking schemes, or other transport projects (in accordance with uses set out in legislation);
- c) A different approach to Traffic Regulation Order (TRO) provision, where this is budgeted in advance and supported from a surplus share underwritten by ECC Highways even in the event of no surplus;
- d) A new option to take on other work for Essex County Council.

The length of the new JCA is proposed to be five years with an option for a further three-year extension.

As noted above, the previous JCA was a seven-year agreement with an option to extend for four years.

Alternative Options

The Council can choose not to sign up to the new agreement. However, if other authorities do, then on-street enforcement services would continue in the District under powers held by ECC and delegated to the partnership, but without TDC membership or influence.

In this eventuality there is a risk the Council would not be able to influence priorities and actions of the NEPP, or request new TRO schemes with the same degree of involvement as currently exists.

The Council has invested a significant amount of time and energy in making the partnership work and influencing how best to make it work in accordance with Tendring's approach to on-street parking.

Some notable successes include the partnership work agreed with the NEPP outside of schools; the improved system for introducing new parking related Traffic Regulation Orders (TRO's), the agreement not to introduce CCTV cars in the Tendring District and a greater understanding of local needs including a desire not to introduce further on-street charging within the District.

Areas in which TDC officers will seek to continue to influence partnership policy and practice include:

- reaction to local parking needs and addressing a perceived one size fits all approach to parking enforcement;
- encouraging a flexible partnership approach to issues that respects local issues rather than policy that is directed at the majority membership on the JC, and;
- extending the delegation of enforcement powers to TDC employed officers to cover areas other than schools.

PREVIOUS RELEVANT DECISIONS

The original decision to sign up to the Joint Committee Agreement for the North Essex Parking Partnership was taken in 2011.

The Council supported the option to extend the original agreement by a further four years in 2018.

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

Joint Committee Agreement 2022- attached for information as Appendix A

APPENDICES

Appendix A – New Joint Committee Agreement

REPORT CONTACT OFFICER(S)

Name	Ian Taylor
Job Title	Head of Public Realm
Email/Telephone	itaylor@tendringdc.gov.uk 01255 686982

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The North Essex Parking Partnership Joint Committee Agreement 2022

A combined parking service for North Essex

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THIS AGREEMENT is made on the day of 2022

Between:

- (1) **Essex County Council**, of PO Box 11 County Hall, Chelmsford, Essex (“the Council”); and
- (2) **Colchester Borough Council** of Rowan House, 33 Sheepen Road Colchester CO3 3WG (“the Lead Authority”); and
- (3) **Braintree District Council** of Causeway House, Bocking End, Braintree, CM7 9HB; and
- (4) **Epping Forest District Council** of Civic Offices, High Street, Epping CM16 4BZ; and
- (5) **Harlow District Council** of Civic Offices, The Water Gardens, Harlow, CM20 1WG; and
- (6) **Tendring District Council** of Town Hall, Station Road, Clacton on Sea CO15 1SE; and
- (7) **Uttlesford District Council** of Council Offices, London Road, Saffron Walden, CB11 4ER.

BACKGROUND

- (A) The Council has power and responsibilities under the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984 and otherwise for the enforcement of on street civil parking enforcement.
- (B) The Council seeks to delegate the control of local parking policies and the management of the associated functions to be delivered in accordance with the terms of this Agreement.
- (C) The efficient and effective delivery of policy objectives will be achieved through the creation of an integrated service that joins together enforcement, signs and lines maintenance and traffic regulation order activity.
- (D) The overarching objective is to establish a sustainable parking enforcement service that meets countywide and local policy objectives.

1. Definitions and Interpretation

1.1 In this Agreement:

- | | |
|-------------------------------|--|
| “the Act” | means the Local Government Act 1972; |
| “Annual Business Plan” | means the document prepared in accordance with paragraph 23.15 which details the Joint Committee’s strategy, objectives, and financial performance and forecast information; |

“Annual Report”	means the report(s) which sets out the Joint Committee’ activities, finance and performance for the preceding year;
“Commencement Date”	means the date set out in paragraph 3.1;
“the Committee Members”	means those members appointed to the Joint Committee in accordance with paragraph 5.2;
“the Council”	means Essex County Council;
“Deficit Reserve Fund”	means a sum of up to £400,000 which is maintained in the Joint Parking Account by the Lead Authority as set out in Appendix F;
“Executive”, “Executive Member” and “Executive Leader”	have the same meaning as in the Local Government Act 2000;
“Income”	means the sum paid into the Joint Parking Account by the Lead Authority from the enforcement of PCNs plus any fees received for Parking Permits and any other sum received for any enforcement-related activity in relation to the functions set out in clause 2.2 and clause 10;
“Joint Committee”	means the governance body established under the agreement to oversee the North Essex Parking Partnership;
“Joint Parking Account”	means the account(s) provided for the Joint Committee for the on street fund as set out in paragraph 25.1, which may be through a single account or by partitioned accounts for each Partner Authority;
“Joint Parking Service”	means the integrated service joining together enforcement, signs and lines maintenance and traffic regulation order activity;
“Lead Authority”	means Colchester Borough Council for North Essex Parking Partnership;
“New Provider”	means the person or entity operating the Partner Authorities’ parking from the date upon which this Agreement terminates;

“North Essex”	means the administrative areas of the districts of Braintree, Epping Forest, Harlow, Tendring and Uttlesford and the borough of Colchester;
“North Essex Parking Partnership or NEPP”	means the Joint Committee set up for the purposes of civil parking enforcement in the administrative areas of the districts of Braintree, Epping Forest, Harlow, Tendring and Uttlesford, and the borough of Colchester as may be varied from time to time;
“Operational Period”	means the period set out in paragraph 3.1;
“Part 1”	as set out in Appendix F;
“Part 2”	as set out in Appendix F;
“Part 3”	as set out in Appendix F;
“PCNs”	means Penalty Charge Notices;
“Parking Policy Framework”	means the parking policy published by NEPP;
“the Partner Authorities”	means; <ul style="list-style-type: none"> (a) Essex County Council; (b) Colchester Borough Council; (c) Braintree District Council; (d) Epping Forest District Council; (e) Harlow District Council; (f) Tendring District Council; and (g) Uttlesford District Council;
“South Essex Parking Partnership”	means the Joint Committee set up for the purposes of civil parking enforcement in the administrative areas of the districts of Maldon and Rochford, the city of Chelmsford and the boroughs of Brentwood, Castlepoint and Basildon as may be varied from time to time;
“Surplus”	means the sum remaining from the Income derived from business-as-usual functions set out in Appendix F after deduction of: operating costs (including staff costs) required for the provision of on street civil

	parking enforcement and charging, relevant signs and lines maintenance;
“Transfer Deficit Reserve”	means a sum of £300,000 brought forward from the previous operating arrangements;
“Treasurer”	means the Treasurer of the Lead Authority;
“TRO”	means Traffic Regulation Order.

- 1.2 In this Agreement, except where the context otherwise requires:
- 1.2.1 the masculine includes the feminine and vice-versa;
- 1.2.2 the singular includes the plural and vice-versa;
- 1.2.3 a reference in this Agreement to any Clause, Sub-Clause, Paragraph, Schedule, Appendix or Annex is, except where it is expressly stated to the contrary, a reference to such Clause, Sub-Clause, Paragraph, Schedule, Appendix or Annex of this Agreement;
- 1.2.4 save where stated to the contrary, any reference to this Agreement or to any other document shall include any permitted variation, amendment, or supplement to such document;
- 1.2.5 any reference to any enactment, order, regulation or other similar instrument shall be construed as a reference to the enactment, order, regulation or instrument including any EU instrument) as amended, replaced, consolidated or re-enacted;
- 1.2.6 headings are for convenience of reference only.

2. The Joint Committee

- 2.1 The Partner Authorities have agreed to form a Joint Committee to manage the North Essex Parking Partnership in accordance with the provisions contained in sections 101 and 102 of the Act, section 20 of the Local Government Act 2000, the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 and The Local Authorities (Alternative Arrangements) (England) Regulations 2001 (as amended) and any other enabling legislation.
- 2.2 The Council shall delegate to the Joint Committee the responsibility for on street civil parking enforcement and charging, relevant signs and lines maintenance and the power to make relevant traffic regulation orders in accordance with the provisions contained within the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984 to enable the Joint Committee to carry out the functions set out in paragraph 10.
- 2.3 The Joint Committee shall operate under the name “The North Essex Parking Partnership” (or such other name as may from time to time be decided on by the Joint Committee).

3. The Term

- 3.1 The Joint Committee shall be operational for a period of five years (“the Operational Period”) commencing on 1 April 2022 (“the Commencement Date”) unless, with the written consent of all the Partner Authorities, the Operational Period is extended for an additional 12 months on three consecutive occasions, to a maximum term of eight years.
- 3.2 The decision whether to extend the Operational Period shall be taken by the Council not less than fifteen months before the end of the Operational Period.
- 3.3 The Joint Committee’s consent must be obtained in writing to the proposed extension and shall be delivered to the Council not less than twelve months before the end of the Operational Period.

4. Service Level

- 4.1 The vision and aim of the Joint Committee will be to provide a parking service that results in a merging of services to provide a single, flexible enterprise providing full parking services for the Partner Authorities. It will be run from a central office, with outstations providing bases for local operations. There will be a common operating model, adopting best practices and innovation, yet also allowing variation in local policies and decision-making. Progress will be proportional to the level of investment in the Annual Business Plan.

5. Membership of the Joint Committee

- 5.1 The Joint Committee shall consist of seven members of the Partner Authorities, appointed by those authorities in accordance with paragraph 5.2.
- 5.2 Subject to paragraphs 5.3 and 5.4, each of the Partner Authorities shall appoint one of its Members to be a member of the Joint Committee (“Committee Members”).
- 5.3 The Council, the Lead Authority, Braintree District Council, Epping Forest District Council, Harlow District Council, Tendring District Council and Uttlesford District Council shall each appoint no more than one Executive Member.
- 5.4 A person who is disqualified under Part 5 of the Act from being a Member of a relevant authority shall be disqualified from membership of the Joint Committee.
- 5.5 Each Partner Authority may change its appointed Committee Member at any time provided that written notice of any such change is given to the Clerk to the Joint Committee, taking effect upon receipt. Such written notice may be given by electronic mail.
- 5.6 Each Partner Authority may send up to two appropriate officers to meetings of the Joint Committee (or any Sub-Committee) to support their Committee Member and Parking Partnership Group Manager in attendance at that meeting.

- 5.7 For the avoidance of doubt decisions relating to the functions set out in paragraph 10 concerning those borough and districts within North Essex shall be taken by the Joint Committee only.
- 5.8 Each Partner Authority will identify a key contact who will be the first point of contact for communications regarding this Agreement and functions relating to the Joint Committee and shall be identified in Appendix C, this Appendix will be kept updated as changes occur.
- 5.9 Any administrative area within North Essex, not forming part of the Joint Committee from 1 April 2022, may be joined as a member at a later date provided;
- 5.9.1 all governance processes have been adhered to for the relevant authority;
- 5.9.2 the Joint Committee agrees to their membership;
- 5.9.3 the authority's membership is on the basis of this Agreement, and shall not be varied, save for acknowledgement of the new membership, whose signatories shall form a new appendix and shall be signed by the Joint Committee; and
- 5.9.4 provided they are permitted by law/regulation to join a joint committee.
- 5.10 A Member of any borough or district may be able to attend any meeting of the Joint Committee, or sub committee, provided consent to do so has been given by the Chairman of the Joint Committee and may take part in any discussions, but may not vote.

6. Tenure of office and casual vacancies

- 6.1 A member of the Joint Committee will hold office until one of the following occurs;
- 6.1.1 they resign in writing and deliver such resignation to the Chairman of the Joint Committee, who shall forthwith notify such resignation to the Chief Executive of the relevant Partner Authority or to his nominating body;
- 6.1.2 they are removed or replaced by the Partner Authority that appointed them;
- 6.1.3 they are disqualified from membership of the Joint Committee as they have failed to attend any meeting of the Joint Committee, or any meeting of a sub committee, for a continuing six month period, unless approved by the relevant Partner Authority, and communicated to the Clerk;
- 6.1.4 they cease to be eligible for appointment to the Joint Committee in the capacity in which they were appointed; or
- 6.1.5 the Partner Authority withdraws from the Joint Committee in accordance with the provisions set out in paragraph 38.

6.2. Such vacancies occurring under paragraph 6.1.1 – 6.1.4, shall be filled as soon as possible by the relevant Partner Authority which appointed the member to the Joint Committee whose membership has ceased.

7. Voting

7.1 Each Partner Authority shall have one vote at meetings of the Joint Committee or any sub-committee. Each Partner Authority member, if present, or the substitute member at the meeting will cast the Partner Authority's vote.

7.2 Any question coming before the Joint Committee shall be decided by a simple majority of those present and voting.

7.3 All voting shall be by a show of hands, unless recorded votes have been requested by any Committee Member, and any member shall have the right to have the way he voted (or abstained) recorded in the minutes.

7.4 In the case of an equality of votes the Chairman or in his absence the Vice Chairman, or the person presiding over the meeting in their absence, shall have the casting vote.

8. Substitute Members

8.1 A Partner Authority may appoint another Executive Member or Member of the Policy Committee (subject to paragraph 5.3 and 5.4) of the same Partner Authority to be a substitute member and attend a meeting of the Joint Committee in the absence of the Member appointed under paragraph 5.2.

8.2 In such circumstances that member shall give the Clerk written notice not later than the day before the start of the meeting on the day advising that they are unable to attend and that the substitute member named in the notice will attend in their place.

9. Chairman and Vice Chairman of the Joint Committee

9.1 The Joint Committee shall at its annual meeting appoint a Chairman who shall be a member of the Joint Committee, who shall unless paragraph 6 applies, remain in office until his successor is appointed.

9.2 The Joint Committee shall at its annual meeting appoint a Vice Chairman, who shall, unless paragraph 6 applies, remain in office until his successor is appointed.

10. Functions to be exercised by the Joint Committee

10.1 The Joint Committee shall exercise the functions set out in Appendix A.

10.2 Any sub committee established by any of the individual Partner Authorities may not exercise any function set out Appendix A.

10.3 The Joint Committee may perform such other functions as the Partner Authorities may from time to time delegate to the Joint Committee with the written agreement of the Joint Committee.

- 10.4 The Joint Committee is authorised to delegate any of its functions (including for the avoidance of doubt the enforcement and/or cancellations of PCN's) to the Parking Partnership Group Manager or nominated deputy of the Lead Authority.
- 10.5 This Agreement is without prejudice to each Partner Authority's other powers and responsibilities for their respective areas and each Partner Authority agrees that it will not exercise its functions in relation to the function of the Joint Committee except;
 - 10.5.1 via the Joint Committee;
 - 10.5.2 via powers delegated to an officer by the Joint Committee; or
 - 10.5.3 after consulting the other Partner Authorities.

11. The Lead Authority

- 11.1 The Lead Authority via its Parking Partnership Group Manager and staff shall deliver all aspects of on street civil parking enforcement (the "Joint Parking Service"). Specifically it will;
 - 11.1.1 ensure that any significant change to the machines, signage, surface or lines in any of the Partner Authority areas are subject to prior agreement of the Joint Committee;
 - 11.1.2 ensure each Partner Authority area shall receive a share of the available management, enforcement and operational resources in line with identified needs and priorities within the approved Annual Business Plan;
 - 11.1.3 discharge the Joint Committee's responsibilities in relation to health and safety and welfare legislation;
 - 11.1.4 investigate complaints about the operational functions of the Joint Committee; and
 - 11.1.5 handle and respond to Freedom of Information Act and Environmental Information Regulations requests concerning the overall functions or decisions of the Joint Committee.
 - 11.1.6 with the approval of the Joint Committee, enter into and sign contracts and agreements on behalf of the Joint Committee to deliver the functions set out in Appendix A.
 - 11.1.7 operate in accordance with the Privacy arrangements set out in Annex A.

12. The Partner Authorities

- 12.1 The Partner Authorities agree;
 - 12.1.1 any intellectual property created by or on behalf of the Joint Committee shall belong to the Council. The Council grants to the Lead Authority a royalty-free, non-

exclusive licence in any such intellectual property for the sole purpose of managing the operation of on street parking for the North Essex Parking Partnership during the term of the agreement.

- 12.1.2 each will handle and respond to Freedom of Information Act and Environmental Information Regulations requests for information relating to on street parking services for their respective Authorities;
 - 12.1.3 upon receipt of a request under the Freedom of Information Act and Environmental Information Regulations which relate to the functions of the Joint Committee, shall notify and cooperate with the Lead Authority as soon as possible; and
 - 12.1.4 to provide reasonable facilities within their respective areas (if so required by the Lead Authority on behalf of the Joint Committee) for the essential use by staff employed on behalf of the Joint Committee to enable them to perform their duties (including welfare and IT facilities) without any charge over and above the annual contribution which will be reviewed as part of the annual review process.
- 12.2 The following functions will not be delegated to the Joint Committee unless otherwise agreed separately by the Partner Authorities;
- 12.2.1 ownership and/or stewardship of car-park assets, including maintenance, repair and upgrading; or
 - 12.2.2 responding to customers who contact the Partner Authorities directly. The Partner Authorities response will be limited to provision of a form to complete for 'appeals', provision of e-forms or via enhanced Internet. Other administrative functions will be transferred to the Lead Authority where they relate to the functions of the Joint Committee. The Partner Authorities will not have direct access to back office staff (except recourse to the Lead Authority for telephone advice if necessary).
 - 12.3.3 be bound by the Privacy arrangements set out in Annex A.

13. The Council

- 13.1 The Council agrees to;
- 13.1.1 review all complaints not falling within paragraph 11.1.4 relating to the Joint Committee;
 - 13.1.2 handle and respond to all Freedom of Information Act and Environmental Information Regulations requests relating to the terms and conditions of this Agreement; and
 - 13.1.3 be bound by the Privacy arrangements set out in Annex A.

14. Level of Joint Committee Decision Making

- 14.1 The Joint Committee will be responsible for;

- 14.1.1 overseeing the provision of the baseline services contained in Appendix A;
 - 14.1.2 agreeing future Annual Business Plans for the Joint Committee;
 - 14.1.3 agreeing all new, or revised, strategies and processes for the implementation of the Partner Authorities' policies (such as enforcement);
 - 14.1.4 agreeing the level of service provision through the annual budget setting process and as set out in this Agreement;
 - 14.1.5 annually agreeing the level of fees and charges pertaining to the Joint Committee (to be proposed to each Partner Authority's appropriate decision-making body for final approval as appropriate);
 - 14.1.6 agreeing an annual budget proposal to be submitted to each Partner Authority's appropriate decision making body for final approval;
 - 14.1.7 making decisions relating to the use of funding of end of year deficits and surpluses as set out in clause 23;
 - 14.1.8 determining whether the Joint Committee should continue as a member of the British Parking Association and any other partnership arrangements;
 - 14.1.9 approving an Annual Report to be made available to the Partner Authorities; and
 - 14.1.10 functions under the Road Traffic Regulation Act 1984, Traffic Management Act 2004 (Part 6 s. 72/3) and regulations pertaining to it.
- 14.2 The Joint Committee may not delegate the functions referred to in paragraph 14.1.
- 14.3 The Joint Committee will not have responsibility for staffing decisions but the Partner Authorities agree that the appointment of a replacement for the Parking Partnership Group Manager will be carried out in consultation between all Partner Authorities.
- 14.4 Operational decisions and details for the Joint Parking Service will be delegated by the Joint Committee to the Parking Partnership Group Manager of the Lead Authority or a nominated deputy as set out in this Agreement and the Annual Business Plan as a framework within which operational implementation and decisions will be taken as appropriate by the Parking Partnership Group Manager or a nominated deputy.

15. Parking Policy Framework

- 15.1 The Joint Committee will have and keep under review the North Essex Parking Partnership county wide Parking Management Policy Framework relating to on street civil parking enforcement.

16. The Council's Contractors

- 16.1 The Joint Committee shall delegate the Lead Authority to make use of the Council's current contractual arrangements with third parties if it so chooses in respect of signs

and lines related activity, where such contractual arrangements allow or with agreement of the third party and the Council.

- 16.2 Such use shall be restricted to the Council's integrated service provider, namely;
 - 16.2.1 Ringway Jacobs Limited of Albion House Springfield Road, Horsham RH12 2RW;
 - 16.2.2 where applicable their successors during the Operational Period.
- 16.3 The Lead Authority shall notify the Council of its intention to use of the Council's Contractor and shall issue to the Council's key contact named in Appendix C those instructions to be provided to the third party contractor.
- 16.4 The Council shall ensure that such instructions are provided to the third party contractor as soon as reasonably possible.
- 16.5 The Council shall invoice the Lead Authority for those works carried out under those instructions, and such payment shall not unreasonably be withheld, and in any event shall be paid within 28 days of receipt of such invoice.
- 16.6 The Lead Authority shall be permitted to utilise the Council's contractors in relation to the operation of the Joint Parking Service but shall not be precluded from appointing alternative contractors as it sees fit.

17. Meetings of the Joint Committee

- 17.1 The first meeting of the Joint Committee shall be the annual meeting for the year and thereafter the first meeting held after 1 April in any year shall be the annual meeting.
- 17.2 The Joint Committee shall meet at least four times in each year save and except that;
 - 17.2.1 the Chairman may in his discretion cancel any meeting if in his opinion there is insufficient business to be transacted; or
 - 17.2.2 a meeting may be convened at any time on the requisition of the Chairman or not less than three members of the Joint Committee delivered in writing to the Lead Authority.
- 17.3 The dates and locations for the meetings in any year shall be agreed at the annual meeting of the Joint Committee.
- 17.4 The Lead Authority shall ensure that a digital or printed copy of the agenda for each meeting, any relevant reports and the minutes of the previous meeting shall be despatched by the Clerk to the Joint Committee, at least five (5) clear days before such meeting to each Committee Member, excepting that other items of urgent business may be considered with the agreement of the Chairman, at the end of business at any meetings.

- 17.5 At the same time, such papers, or digital versions of the same, will also be despatched to all relevant parties and /or posted on the relevant website(s) as notified to the Clerk to the Joint Committee from time to time.
- 17.6 The agenda shall contain notice of all business, except urgent business, which is required to be brought before the Joint Committee either in the ordinary course of business, or which is brought by the Chairman, the Vice-Chairman or the Clerk to the Joint Committee.
- 17.7 Meetings of the Joint Committee will be open to the public and press except where the Joint Committee resolves that the press and public be excluded (which may only be during consideration of items containing confidential or exempt information within the meaning of Schedule 12A of the Act). Each meeting will have a public question time in which members of the public may ask questions or make statements on a matter within the remit of the Joint Committee.
- 17.8 In addition to paragraph 5.10, the Chairman in consultation with the Vice Chairman, Lead Authority, Parking Partnership Group Manager, or a Partner Authority may invite any person to attend a meeting of the Joint Committee for the purpose of making a presentation, or participating in discussion, on any item relevant to the Joint Committee's functions where that person is able to provide a professional or commercial viewpoint, which the proposer considers would be of assistance to the Joint Committee.

18. Quorum

- 18.1 The Quorum for meetings of the Joint Committee is three members present.

19. Minutes

- 19.1 The minutes of the meeting shall be recorded as an accurate account of the meeting and circulated to all members of the Joint Committee, and shall be reviewed at the next available meeting, signed by the Chairman or in his absence the Vice Chairman or the person presiding over the meeting in their absence, confirming that they are an accurate account of that meeting.
- 19.2 Minutes of the Joint Committee shall (subject to the provisions of paragraph 17.7) be available to the public and press as though they were minutes of a meeting of a Partner Authority by posting on the relevant website(s).

20. Support

- 20.1 The Clerk to the Joint Committee shall be appointed by the Lead Authority.
- 20.2 The functions and responsibilities of the Clerk to the Joint Committee shall be as follows;
- 20.2.1 to make all necessary arrangements for the convening of meetings of the Joint Committee and any Sub-Committees;

- 20.2.2 to provide, or where necessary, procure the provision of, all necessary advice on the technical, legal and financial implications of matters under consideration by the Joint Committee or relevant to the Joint Committee's functions;
- 20.2.3 to bring to the attention of the Joint Committee matters which are relevant to the Joint Committee's functions and which merit consideration by the Joint Committee;
- 20.2.4 to arrange for the taking and maintenance of the minutes of meetings, and circulate the agendas, notices and other communications to all members of the Joint Committee and any sub-committees and any other as notified, and ensure that the business of the Joint Committee at its meetings are conducted in accordance with legal requirements; and
- 20.2.5 to manage and co-ordinate the day-to-day affairs of the Joint Committee and its administrative support.
- 20.3 The business address for all communications relating to the administration of the Joint Committee's affairs shall be the Lead Authority's address as set out in Appendix B.
- 20.4 The Clerk appointed under paragraph 20.1 for the time being providing such support will discharge the proper officer functions under the Act that relates to the meetings of the Committee.
- 20.5 The Partner Authorities agree that reasonable costs incurred as a result of providing the Clerk's support shall be payable from the Joint Parking Account.

21. Sub Committees

- 21.1 The Joint Committee may appoint such sub committees as it considers appropriate to exercise such functions as may be delegated to it by the Joint Committee and to advise the Joint Committee in the discharge of its functions, save and except that the Joint Committee may not delegate to any sub committee that approval of the Joint Committee's budget or Annual Business Plan or the fixing of the annual contributions by the Partner Authorities.
- 21.2 The Joint Committee will determine the membership and terms of reference of the sub committee, and the quorum for its meetings, when it is appointed.
- 21.3 If the Joint Committee appoints more than one sub committee to exercise one or more of its functions then it shall ensure that the Lead Authority allocates particular matters to a sub committee first on the basis of the availability of the members required to constitute the sub committee, and thereafter by rotation, and summons meetings accordingly.

22. Finance Arrangements

- 22.1 Any Surplus carried forward from the Joint Parking Account at the close of financial year 2021-22 and prior to this agreement shall be retained by the Joint Committee and the Joint Committee shall be responsible for the allocation of such Surplus between the Partner Authorities; with the Surplus to be re invested in accordance with the

provisions set out in Section 55 of the Road Traffic Regulation Act 1984 subject to the Partnerships maintaining from these funds the agreed Deficit Reserve.

- 22.2 Any Surplus achieved during the term of this agreement will be invested into three key areas referenced as Part 1, Part 2 and Part 3.
- 22.3 The provision of enforcement services outside of the Business As Usual Services will be reported separately and will have their own surplus sharing arrangements (not held in the Joint Parking Account) and will be added to Table 2 in Appendix F.
- 22.4 The Joint Committee shall provide to the Council full audited annual returns within 28 days of the date of approval of such annual returns by the Joint Committee.
- 22.5 The Joint Committee will develop an Annual Business Plan no later than the 31 December prior to the start of each financial year.
- 22.6 All signs and lines maintenance or replacement required as part of a new county council capital scheme will be funded through that scheme by the Council, regardless of whether the Joint Committee will deliver the work.
- 22.7 All signs and lines maintenance or replacement required as part of a development proposal will be funded by the relevant developer, regardless of whether the Joint Committee will deliver the work.
- 22.8 All signs and lines requiring reinstatement due to work carried out during the Operational Period by the Council or its Contractors shall be funded by the Council.
- 22.9 The Section 151 Officer of the Lead Authority will appoint a treasurer to the Joint Committee (“the Treasurer”).
- 22.10 The Treasurer will maintain the Joint Parking Accounts and will ensure that any monies due to the Joint Parking Account are only applied to the expenses of the Joint Committee.
- 22.11 The Treasurer shall produce to the Joint Committee a financial report for the Joint Committee at least 6 monthly.
- 22.12 The Treasurer shall prepare an annual budget which shall be presented to the Joint Committee for consideration, challenge and approval in accordance with the budgetary timetable of the Lead Authority.
- 22.13 It is agreed that the basis upon which each of the Partner Authorities charge the Joint Parking Account with overheads will be consistent with that used in their authority for their own services provided always that any such charges are reasonable and can be supported by any financial or management information required by the Treasurer.
- 22.14 All interest generated on funds held by either the Lead Authority or the Council shall be held within a Joint Parking Account shall remain within that Joint Parking Account.

23. Income

- 23.1 All Income received by the Joint Committee shall cover the cost of; i) the on-street parking enforcement operation and; ii) the provision of enforcement services outside the business as usual process, as specified in Appendix F, and any surplus above these costs will be allocated as set out in Appendix F and shall be re-invested in accordance with the provisions set out in Section 55 of the Road Traffic Regulation Act 1984.
- 23.2 All income payable in respect of penalty charge notices issued prior to termination or expiry of this Agreement shall be paid to the Joint Parking Account.

24. Accounting

- 24.1 The Lead Authority shall maintain a ring-fenced cost centre within its general fund for balances for the Joint Committee's on-street fund ("the Joint Parking Account") as set out in Appendix E.
- 24.2 The Lead Authority shall ensure that money paid or transferred into the Joint Parking Account is only applied to the expenses of the Joint Committee and shall not transfer or pay any money out of any of the Joint Parking Accounts except in accordance with this Agreement or with the written permission of the Joint Committee.
- 24.3 The Financial Provisions and the Financial Management of Deficits and Surpluses which are set out in clause 23.2 and 23.4 are shown in more detail in Appendices E and F.

25. Budget Setting for the Joint Committee

- 25.1 In each year the Partner Authorities shall, when they each set their annual general fund budget for the next financial year, fix the amount that they commit to pay or transfer into the Joint Parking Account for on-street parking (in respect of deficit support if applicable) during the financial year, and in recommending the final contribution to their council, each Partner Authority's appropriate decision making body shall have regard to any recommendations made by the Joint Committee.

26. Capital Expenditure

- 26.1 The Joint Committee may from time to time seek capital funding from any or all the Partner Authorities in accordance with any of the Partner Authorities' capital approval processes, and for the avoidance of doubt any capital monies advanced by a Partner Authority may only be spent for the purpose for which those monies were advanced.
- 26.2 In the event that a capital advance is made by a Partner Authority in accordance with paragraph 26.1, repayment (in whole or in part) of the capital and interest thereof may be made to the Partner Authority if there are sufficient funds available in the Joint Parking Account for that Partner Authority.
- 26.3 The Joint Committee will repay any capital money paid by that Partner Authority to the Joint Committee for the purposes of the functions of the Joint Committee where one or more of the following applies;

- 26.3.1 the money has not been spent or contractually committed within twelve months of the payment of capital to the Joint Committee; or
- 26.3.2 legislation provides that such monies will no longer become payable provided that such monies have not been contractually committed at that time.

27 Audit

- 27.1 The Partner Authorities agree that any costs incurred by the Joint Committee by any audit required by the Audit Commission or any replacement body in relation to the accounting records and accounts of the Joint Committee shall be payable from the Joint Parking Account.
- 27.2 Internal and external Audit requirements shall be determined by the Lead Authority.

28. Monitoring and Assessment

- 28.1 The Joint Committee will be responsible for monitoring and assessing in terms of its:
 - 28.1.1 general strategic performance as measured by a range of indicators as the Partner Authorities may agree from time to time including but not limited to, financial performance, ticket sales figures, income, national indicators, customer satisfaction levels, funding leverage and key achievements;
 - 28.1.2 performance in carrying out this Agreement; and
 - 28.1.3 progress in fulfilling the Annual Business Plan.
- 28.2 The Joint Committee will receive presentations and progress reports on key issues and notable projects.
- 28.3 The Joint Committee will issue an Annual Report of its activities, finances and performance to the Partner Authorities and other appropriate parties. The Joint Committee will publish the report on its website.

29 Scrutiny Arrangements

- 29.1 The decisions made by (and, for the avoidance of doubt, not mere recommendations of) the Joint Committee may be subject to the individual scrutiny arrangements of each Partner Authority operating under executive arrangements.
- 29.2 Decisions or actions of the Joint Committee shall be notified to all those to whom the papers etc are despatched in accordance with paragraph 18.6 within seven (7) working days of the decision being reached or the actions being taken, as the case may be.
- 29.3 Committee Members and their officer advisers shall fully co-operate with the relevant Scrutiny Committee of any of the Partner Authorities and shall, where requested, attend any meeting of any relevant Scrutiny Committee.

30. Call in

- 30.1 The provisions set out in paragraphs 30.3 – 30.14 shall apply to all relevant Partner Authorities with executive responsibility for the function to which the decision or action relates.
- 30.2 Those functions delegated to the Joint Committee under paragraph 2.2 remain part of the Councils executive function, to which only the Council shall apply paragraph 30.3 – 30.14.
- 30.3 Any decision or other action taken of the Joint Committee may be called in for scrutiny by Members of any Partner Authority operating under executive arrangements. A decision is called in by Members of such a Partner Authority in the same way in which they would call in a decision of each Partner Authority's Executive or Committee except that;
- 30.3.1 decision or other action taken may not be called-in after 5pm on the 5th working day after the date upon which the decision is published; and
- 30.3.2 a call in of such a decision or other action taken may only be made if the decision or other action taken affects that Partner Authority whose membership wishes to call in the decision or action.
- 30.4 Once a decision or other action taken has been called in it may not be implemented until the scrutiny arrangements of the relevant Partner Authority whose membership has called in the decision or action has been completed. Where a relevant Scrutiny Committee (or full Council) makes recommendations to the Joint Committee, the Joint Committee shall arrange for the decision or action to be reconsidered in the light of comments made by the relevant Scrutiny Committee (or full Council) and the final decision or action of the Joint Committee shall not be subject to call in.
- 30.5 The call-in procedure set out in paragraph 30.1 shall not apply where the decision or action being taken by the Joint Committee is certified by the Joint Committee as urgent. (A decision will be deemed to be urgent if any delay likely to be caused by the call in procedure would prejudice the Joint Committee, the public's or a third party's interests or the decision relates to the commencement of a statutory consultation process).
- 30.6 A Scrutiny Committee of a Partner Authority must notify the Joint Committee if it includes in its work programme any aspect of policy development or review relating to the work or functions of the Joint Committee.
- 30.7 Where a Scrutiny Committee of a Partner Authority has formed recommendations on proposals for policy development as referred to in paragraph 30.6, a Scrutiny Committee shall prepare a formal report and submit it for consideration by the Joint Committee.
- 30.8 The Joint Committee shall consider the report of a Scrutiny Committee within fifteen (15) working days of it being submitted to the Clerk to the Joint Committee and shall issue a formal response to such a report.

- 30.9 Where any Partner Authority member or officer is required to attend a Scrutiny Committee, the Chairman of that Committee will inform the Monitoring Officer (or Chief Executive as appropriate) of their own authority.
- 30.10 That Monitoring Officer (or Chief Executive as appropriate) shall inform the Partner Authority member or officer in writing giving at least ten (10) working days notice of the meeting at which he is required to attend, such notice to state the nature of the item on which he is required to attend to give account and whether any papers are required to be produced for the Scrutiny Committee.
- 30.11 Where the account to be given to the Scrutiny Committee will require the production of a report, the Partner Authority member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- 30.12 Where in exceptional circumstances, the Partner Authority member or officer is unable to attend on the required date, the Scrutiny Committee shall in consultation with the Partner Authority member or officer arrange an alternative date for attendance which shall be as soon as practicable in relation to the original date specified.
- 30.13 If, having considered the decision or action, a Scrutiny Committee remains concerned about it, then it may refer it back to the Joint Committee for reconsideration, setting out in writing the nature of its concerns. If referred back to the Joint Committee for reconsideration the Joint Committee will have a further seven (7) working days to consider whether to amend the original decision or revise the original action taken before reaching a final decision or taking final action.
- 30.14 The operation of the provisions relating to call-in and urgency shall be monitored annually by the Clerk to the Joint Committee, and a report to the Joint Committee with proposals for review if necessary.

31. Conduct and expenses of members

- 31.1 All Committee Members shall observe at all times the provisions of the Code of Conduct adopted by their respective authorities.
- 31.2 Each Partner Authority shall be responsible for meeting any expenses to which any Committee Member or officer appointed by them, as its representative, is entitled as a result of their attendance at meetings of the Joint Committee.

32. Liability of Joint Committee Members

- 32.1 Committee Members appointed by each of the Partner Authorities shall have the same responsibilities and liabilities as those which apply when sitting on other committees and bodies as appointed representative on behalf of their respective authorities.
- 32.2 Where any contractual arrangements are authorised by the Joint Committee, any liabilities arising under those arrangements will be met by the relevant Partner Authority.

32.3 Indemnification for any liabilities which arise shall be resolved as a matter between the Committee Member and their respective authority.

33. Expenses of the Joint Committee

33.1 The expenses of the Joint Committee incurred in the discharge of the Joint Committee functions (except the costs associated with the Clerks duties covered in paragraph 20.5) will be paid by the Lead Authority and by any Partner Authority whose Monitoring Officer has dealt with or exercised their functions in relation to such matters.

33.2 The other Partner Authorities will make payments to the Partner Authority that has incurred expenses under paragraph 33.1, to pay them in such proportions as the Partner Authorities shall all agree or in the case of disagreement as shall be determined by a single arbitrator agreed on by the Partner Authorities, or, in default of agreement, appointed by the Secretary of State.

33.3 In determining the allocation of expenses the Partner Authorities or any arbitrator appointed under paragraph 34.2 will have regard to the following principles:

33.3.1 the nature and purpose of the expense;

33.3.2 whether such expense relates to North Essex or a particular district or borough; and

33.3.3 whether the agreement of the Joint Committee was given to the incurring of such an expense.

34. Insurance

34.1 The costs of Public Liability Insurance and employee insurance for the Joint Parking Service will be covered by Lead Authority's corporate insurance arrangements where that liability arises due to the actions of the Joint Parking Service. Where a liability arises due to the actions of an individual Partner Authority, that Partner Authority shall remain responsible for the liability.

34.2 All costs including claims administration and legal costs associated with this insurance will be paid out of the Joint Parking Account.

34.3 All insurance claims made against or on behalf of the Joint Parking Service or the Joint Committee will be managed by the Lead Authority.

34.4 All Partner Authorities will cooperate with insurance claims investigations and notify the Lead Authority of any potential claims as soon as is reasonably practicable and take all reasonable action to prevent and minimise any loss.

34.5 In relation to insurance for buildings & contents and other assets, it is the responsibility of the individual Partner Authorities separately to ensure that the appropriate insurance arrangements are in place. Consequently, the insurance cost for buildings and assets shall not be charged to the Joint Parking Account.

34.6 The Lead Authority shall consider any reasonable request made by the Partner Authorities for the purpose of facilitating the procurement, administration and maintenance of any insurance relating to the Joint Parking Service.

35 TUPE

35.1 The Provisions set out in Appendix D shall be applicable in relation to any claims brought against the Lead Authority by former staff of the other Partner Authorities where such claims seek to rely on the operation of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (as amended).

36. Variation

36.1 Any future amendments to this Agreement will be put before a meeting of the appropriate decision-making body of each of the Partner Authorities and will be adopted by each Partner Authority committing that authority to membership of the Joint Committee and to the terms and conditions of this Agreement.

37. Withdrawal from the Joint Committee

37.1 A Partner Authority may serve notice in writing to the Lead Authority at least twelve (12) months before the date on which it is to take effect, that they will be withdrawing from the Joint Committee, provided that any such notice is co-terminus with the end of a financial year.

37.2 Upon which the Lead Authority shall as soon as practical draw up accounts showing the financial out turn of the Joint Parking Accounts which will be dealt with in accordance with the process set out in Appendix E.

38. Termination of the Joint Committee

38.1 The Council or the Lead Authority may terminate this Agreement on twelve (12) months written notice to the other and remaining Partner Authorities to be provided where possible, but not exclusively, to coincide with the end of the financial year.

38.2 The Council or the Lead Authority may terminate this Agreement if another Partner Authority commits a fundamental breach of this Agreement.

38.3 In the event of this Agreement being terminated in accordance with paragraph 38, Appendix C, shall have effect.

38.4 Without affecting any other right or remedy available to it, the Lead Authority or Council may terminate this Agreement on four (4) weeks' written notice as a result of a structural change order implementing a proposal submitted to the Secretary of State under section 2 of the Local Government and Public Involvement in Health Act 2007 which results in the Lead Authority or Council being wound up and dissolved.

38.5 Without affecting the rights of the Lead Authority or the Council to terminate this Agreement pursuant to clause 38.4, any party's rights and obligations under this Agreement shall be transferred to a successor authority (the "Successor Authority")

notified to the Council as a result of a structural change order implementing a proposal submitted to the Secretary of State under section 2 of the Local Government and Public Involvement in Health Act 2007 which results in that party being wound up and dissolved (the “Exiting Party”).

- (a) The Exiting Party shall notify the Council and the Lead Authority in writing of the name of the Successor Authority. All of the Exiting Party’s rights, benefits, interest, liabilities and title to and in the Agreement shall vest in the Successor Authority. For the avoidance of doubt, such Successor Authority may comprise a unitary authority, a town council, a parish council or a combined authority.
- (b) The remaining parties to the Agreement hereby accept the transfer of the Exiting Party’s rights, benefits, interest, liabilities and title to and in the Agreement to the Successor Authority.
- (c) Following such transfer, any references in this Agreement relating to the exiting party shall be construed as a reference to the Successor Authority.

39. Third party rights

- 39.1 No term of this Agreement is intended to give any entitlement as against either party to any person who is not a party to this Agreement.
- 39.2 No term of this Agreement may be enforced by any person other than a party to this Agreement under the Contracts (Rights of Third Parties) Act 1999.

40. Dispute Resolution

- 40.1 Any dispute or difference shall be first referred to a meeting of each of the Partner Authorities involved in the dispute. The Partner Authorities agree to discuss and, in good faith, attempt to resolve any such dispute or difference in accordance with the spirit of partnership working. In the event that the relevant Partner Authorities are unable to resolve the dispute then the matter shall be referred to the Chief Executives of each of the Partner Authority involved in the dispute who shall try to resolve the dispute by agreement.

41. Counterparts

- 41.1 This Agreement may be executed in any number of counterparts, each of which shall constitute a duplicate original, but all the counterparts shall together constitute the one Agreement.

THE COMMON SEAL OF
Essex County Council
was hereunto affixed in the presence of:-

Attesting Officer

The Common Seal of)
Colchester Borough Council)
was hereunto affixed)
in the presence of:)

Mayor

Proper Officer

The Common Seal of)
Braintree District Council)
was hereunto affixed)
in the presence of)

Authorised Signatory

The Common Seal of)
Epping Forest District Council)
was hereunto affixed)
in the presence of)

Authorised Signatory

The Common Seal of)
Harlow District Council)
was hereunto affixed)
in the presence of)

Authorised Signatory

The Common Seal of)
Tendring District Council)
was hereunto affixed)
in the presence of)

Authorised Signatory

The Common Seal of)
Uttlesford District Council)
was hereunto affixed)
in the presence of)

Authorised Officer

APPENDIX A

The Joint Committee shall exercise the following functions:

1. Collection of charges for on street parking within the permitted parking area;
2. The administration of residents' parking schemes and the collection of charges for permits;
3. Issuing Penalty Charge Notices;
4. Deal with all correspondence, appeals, adjudication and representations to the Traffic Tribunal arising from those functions set out in paragraph 10 and Appendix A where appropriate;
5. Take steps necessary to recover payments and charges due under these functions;
6. Immobilisation, removal, recovery, storage and disposal of vehicles in connection with the above activities;
7. Procurement and maintenance of signs and lines relating to on-street enforcement;
8. Determine the levels and nature of fees and charges in respect of on street car parking provisions in North Essex;
9. Establish and manage the cost of the operation incurred under the Joint Committee;
10. Manage any surplus or deficit in accordance with the requirements contained in paragraphs 23.1 to 23.3 and Appendix F of the Joint Committee Agreement;
11. Provide a forum to discuss strategic issues relating to parking across North Essex;
12. Provide a forum to review at a strategic level the success of the Joint Committee;
13. Set local parking policies, ensuring that primary legislation obligations are met. This includes design of parking policies with respect to:
 - a. Traffic network;
 - b. Safety;
 - c. Environment;
 - d. Public transport quality and accessibility;
 - e. Disabled persons;
 - f. Kerb space demands; and
 - g. Sustainable/Active travel
14. Make relevant traffic regulation orders as permitted under the Road Traffic Regulation Act 1984 and in line with the agreed Parking Management Policy Framework and other local policies.

15. Maintain parking related road signs and road markings to ensure compliance with the Traffic Regulation Order.
16. Other duties which legislation as amended from time to time requires, or which are added by virtue of clauses within the Joint Committee Agreement.

APPENDIX B

Partner Authorities key contacts:

Essex County Council, Seax House County Hall, Chelmsford, Essex, CM1 1QH.	Jo Heynes, Interim Head of Network and Safety.	07720 097272 jo.heynes@essexhighways.org
Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester, Essex, CO3 3WG.	Richard Walker, Parking Partnership Group Manager.	01206 282708 richard.walker@colchester.gov.uk
Braintree District Council, Causeway House, Bocking End, Braintree, Essex, CM7 9HB.	Paul Partridge, Head of Operations.	01376 552525 paulpa@braintree.gov.uk
Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ.	James Warwick, Director Contracts	01992 564350 jwarwick@eppingforestdc.gov.uk
Harlow District Council, Civic Offices, The Water Gardens, Harlow, Essex , CM20 1WG.	Joe McGill, Property and Facilities Manager.	01279 446800 joe.mcgill@harlow.gov.uk
Tendring District Council, Town Hall, Station Road, Clacton on Sea, Essex, CO15 1SE.	Ian Taylor, Assistant Head of Technical and Procurement Services.	01255 686982 itaylor@tendring.gov.uk
Uttlesford District Council, Council Offices, London Road, Saffron Walden, Essex, CB11 4ER.	Angela Knight, Assistant Director Resources	01799 510510 aknight@uttlesford.gov.uk

APPENDIX C

Provisions which shall have effect on termination of this Agreement.

1. Financial liability on dissolution

- 1.1 At the termination of this Agreement the Lead Authority shall as soon as practicable draw up accounts showing the financial out-turn of the Joint Parking Accounts.
- 1.2 The Joint Committee shall be managed so that as the final out-turn of the Joint Parking Accounts is maintained. At the dissolution of the Partnerships; the Part 1 will be retained by NEPP and agreement will be reached on how this will be allocated across all partner authorities, Part 2 will be retained by NEPP for distributions to the partners as determined by the Joint Committee, and Part 3 is retained by the Council.
- 1.3 In the event that the Agreement is terminated then any final surplus (including any and all deficit reserves) will be distributed in accordance with the distribution provisions set out in Parts 1, 2 and 3.

2. Transfer of Staff on dissolution

- 2.1 In this paragraph “New Provider” means the person operating the Partner Authorities parking from the date upon which this Agreement terminates.
- 2.2 All employees who, during the last year of operation of this Agreement, spent more than 50% of their time on issues specifically relating to the Partner Authority parking shall be eligible to transfer to the New Provider (unless the TUPE regulations which are in force at the relevant time provide otherwise).
- 2.3 Other employees shall continue to be employed by the Lead Authority, unless the parties agree otherwise.
- 2.4 The Lead Authority shall use all reasonable endeavours to ensure that their employees co-operate with, the New Provider for a period of 1 year after the termination of this Agreement in order to effect a seamless transfer of Partner Authority parking to the New Provider.
- 2.5 For the purpose of facilitating the transfer of any person’s employment from the Lead Authority to the New Provider, the Lead Authority shall supply to the Partner Authority (as appropriate) promptly on request (which may be earlier than any timescales set under TUPE legislation) such information as Partner Authority shall reasonably require (including information required under TUPE legislation) in order to facilitate the transfer of employees from the Lead Authority to the New Provider.

3. Assets on dissolution

- 3.1 Subject to paragraph 3.2, when this Agreement expires or is terminated for any reason, any assets which belong to one Partner Authority but which are in the custody of the other Partner Authority shall, if requested, be returned to the original Partner Authority.

3.2 Where this Agreement terminates and assets are stored by the Lead Authority on behalf of the service, then to the extent that those assets are not collected by the New Provider within one (1) month from the date of termination, the Partner Authority storing the assets shall continue to store the assets for up to one (1) year from the date of termination, subject to the payment of reasonable storage charges by the New Provider.

4. Property

4.1 Title to the following property shall be transferred to each Partner Authority or New Provider (as appropriate) on the termination of this Agreement;

4.1.1 All fixed property belonging to the Lead Authority which is used at or in the Partner Authority's premises (other than temporarily) on the termination or expiry of this Agreement;

4.1.2 All property belonging to the Lead Authority to the extent that it relates to an individual Partner Authority's parking asset base (including the relevant part of any database records). 'Property' in this paragraph includes plant, software licenses and operating leases.

4.2 All property belonging to the Partner Authorities but in Lead Authority's possession shall be returned to the respective Partner Authority immediately upon termination or expiry of this Agreement.

4.3 The Lead Authority shall promptly supply each Partner Authority with a copy of all intellectual property which belongs to each respective Partner Authority or which each respective Partner Authority is entitled to use (such copy to be supplied in such format as each Partner Authority shall reasonably require).

4.4 The Lead Authority shall provide reasonable assistance with the installation of any software on any computer equipment.

4.5 If plant equipment or services has been purchased for the use (directly or indirectly) of the Partner Authorities parking then the parties shall sell the equipment and split the proceeds of sale as agreed by the Joint Committee.

APPENDIX D

Transfer of Undertakings (Protection of Employment) Regulations 2006 (“TUPE”) Indemnity provisions etc in favour of the Lead Authority (Colchester Borough Council).

Indemnity provisions

1. Each Partner Authority undertakes to indemnify and keep indemnified the Lead Authority against all costs liabilities and expenses incurred or suffered in connection with any claim by one of their former employees (“the claimant”) where;
 - a). the claimant has, by operation of TUPE, transferred to the Lead Authority in connection with the set up/operation of the North Essex Parking Partnership; and
 - b). the claim arises from, or is otherwise referable to, the claimant’s employment with the Partner Authority prior to the TUPE transfer date.
2. Each Partner Authority also undertakes to indemnify and keep indemnified the Lead Authority against all costs liabilities and expenses incurred or suffered in connection with any claim by an employee or former employee of the Partner Authority (or by an individual asserting such status) that s/he has, or should have, transferred to the Lead Authority under TUPE.
3. For the avoidance of any doubt it is hereby declared that the indemnity provisions set out in paragraphs 1 and 2 above shall be applicable to all TUPE transfers that may occur in connection with the operation of the North Essex Parking Partnership.

Duty to co-operate

4. Where the Lead Authority is in receipt of a claim (or has good reason to believe that it may receive a claim in the near future) the Partner Authority concerned shall, if so required by the Lead Authority, use its best endeavours to supply any background information (including any relevant correspondence or records) which is in its possession and which is reasonably required by the Lead Authority for the purpose of assessing/defending such claim.
5. In addition, the Partner Authority shall, if so required by the Lead Authority, designate one of its own staff (e.g. from its own Human Resources Department (or equivalent)) as a point of reference for any inquiries or requests that the Lead Authority may have.

Handling of Claims

6. Where the Lead Authority is in receipt of a claim which falls within paragraphs 1 or 2 above, the Lead Authority may (at its absolute discretion) require the Partner Authority concerned to handle such claim (including the conduct of any court/tribunal proceedings) at its own expense and as agent for the Lead Authority.

APPENDIX E: North Essex Parking Partnership Provisions

Financial Provisions

1. Further to paragraph 22.6, and subject to the provisions combined within paragraph 9 below, each Partner Authority shall be responsible for any deficit shown in the Partner Authority's partitioned account and shall be required to meet such deficit from their respective General Fund.
2. The Treasurer shall in his absolute discretion decide the amount of working balance which will be maintained for the Joint Parking Account.

The Financial Management of Deficit and Surpluses

3. The Treasurer shall produce forecasts, estimates and targets of income and expenditure for each Partner Authority.
4. Any total deficit in relation to a specific Partner Authority parking account not exceeding £15,000 will be carried forward to that Partner Authority's parking account for the next financial year.
5. In the event that a forecast or estimate suggests that a deficit exceeding £15,000 will arise in relation to a specific Partner account the North Essex Parking Partnership Manager and relevant Partner Authority will develop and deliver to the Joint Committee for consideration and approval at their next quarterly meeting a plan (which shall include an implementation timescale) to deal with any current and forecast deficit to bring their account back into balance within 12 months of the submission of the Partner Authority plan hereinafter referred to.
6. The Joint Committee shall consider the plan set out above and shall only be at liberty to amend or modify the same where the Joint Committee considers that the plan is not financially viable or will not reduce or address any deficit forecast within the 12 month period set out in paragraph 5 above. The Joint Committee shall approve the plan with or without amendment.
7. In the event the Partner Authority agrees to implement the plan agreed by the Joint Committee the deficit in the relevant Partner Authority account at the end of that financial year will be carried forward to the next financial year.
8. In the event that the Partner Authority either fails to submit a plan (as set out above), does not implement a plan or the plan fails to reduce the deficit (within the specified timescale) as approved by the Joint Committee in paragraphs 9 and 10 the deficit shown in the Partner Authority's partitioned account shall, upon the expiry of 28 days from the date of service by the Lead Authority of a formal written demand on the relevant Partner Authority for payment, become payable by the relevant Partner Authority as a contract debt AND the Lead Authority may institute court proceedings in its own name for recovery of such debt as agent for and on behalf of the Joint Committee.

9. Any surplus in the Joint Parking Account shall first be applied to create/maintain a working balance in the Joint Parking Accounts after which the Treasurer may at his absolute discretion apply any surplus to meet current or future deficits or to fund new capital projects within the boundary area of the Partner Authorities whose accounts are in surplus.
10. Where a Partner Authority is in deficit and can demonstrate to the satisfaction of the Joint Committee that it has:
 - (i) fully complied with the aforementioned provisions set out in this Appendix E and explored all avenues available to it to increase income, and
 - (ii) has implemented all income generating schemes which are available to it and which it might reasonably be expected to pursue, and
 - (iii) has taken all reasonable steps to reduce costs to the lowest possible level:then such deficit shall be underwritten by the Joint Parking Account.
11. Where conditions set out within paragraph 10 above have not been met the individual Partner Authority will be responsible for the recorded deficit.

APPENDIX F

Financials

- Diagram 1 below sets out the funding model for Business-As-Usual Services described in this Agreement, as well as Enforcement Services outside the business-as-usual process.

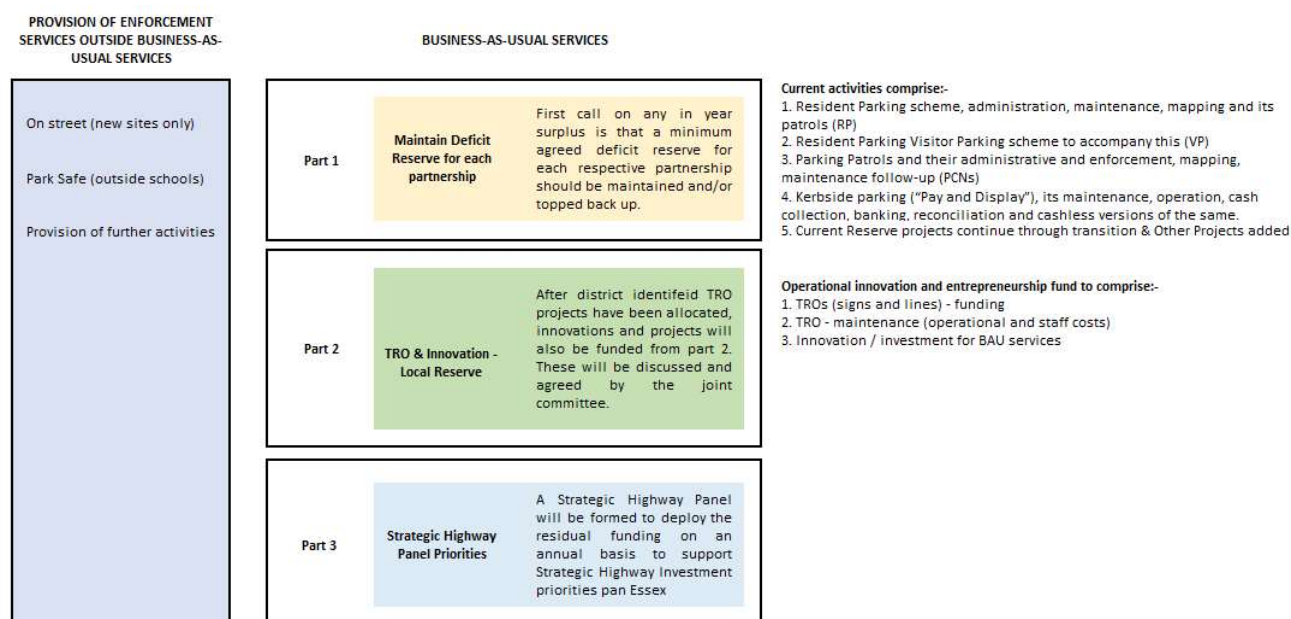


Diagram 1: Model for Services within the Agreement

- Further to clause 22.2, any Surplus from the civil enforcement of on street parking arrangements achieved during the term of this Agreement will be invested into three key areas, referenced as Part 1, Part 2 and Part 3 in Diagram 1 above;
 - 2.1.1 The principle in **Part 1** ensures the maintenance of a suggested Deficit Reserve Fund of up to £400,000 per partnership (as defined in this Agreement). This level of reserve must be maintained (and topped up as appropriate) before any Surplus is moved into Part 2 and Part 3 of the diagram. The level of Deficit Reserve Fund will be monitored through the quarterly meetings. Provided that the Deficit Reserve Fund is maintained, any deficit risk will be minimised to the members of the partnership.
 - 2.1.2 In the unlikely event that an operational deficit occurs which is not able to be contained within the Annual Business Plan (i.e. the Deficit Reserve Fund or the cessation of spending in Part 2 and Part 3, or the reduction of any other part of operational expenditure as appropriate), then the remaining deficit will be supported on an equal basis by each of the 7 members of the respective Joint Committees.

- 2.1.3 Note that any cessation of spending in Part 2 and Part 3 as described in 2.1.2 above is to be agreed between the Lead Authority and ECC.
- 2.1.4 At the commencement of the Agreement, it is recognised that North Essex Parking Partnership and South Essex Parking Partnerships already have the required funding for the Deficit Reserve Fund.
- 2.1.5 Any Surplus generated after the Part 1 Deficit Reserve Fund has been maintained at the agreed level will be split on the following basis between Part 2 (55%) and Part 3 (45%) subject to the conditions of Part 2 below.
- 2.2 **Part 2** is used for local needs as set out in the Annual Business Plan and specifically;
- the operational and funding costs for TROs and the essential maintenance of parking related signs and lines; and
 - innovation around different ways to manage parking within each partnership.
- 2.2.1 Any capital and/or innovation funds required above the level agreed in the Annual Business Plan that cannot be contained within Part 2 can be bid for in Part 3 and will be considered on merit against other county-wide priorities.
- 2.2.2 It is recognised that there are fixed and ongoing commitments in relation to ongoing TRO costs therefore any in-year Surplus must cover the costs set out in Table 1: Part 2 Breakdown. Therefore a priority is to ensure that these costs are always covered within the 55% split.
- 2.2.3 In the event that the 55% share does not cover the required costs in the table below, those costs will be covered but the remainder will be allocated to Part 3.

Table 1: Part 2 Breakdown

Part 2 breakdown	Value
a) TRO delivery (operational and funding costs plus essential maintenance of parking related signs and lines)	£339,000
b) Innovation to manage on street parking	within existing reserve
TOTAL ANNUAL CAP	£339,000

*These figures will be reviewed on an ongoing basis and any changes will be agreed between ECC and the Lead Authority

Note: The surplus generated in one year will be allocated for spend in the subsequent year.

- 2.3 The principle in **Part 3** is to cover Essex wider strategic highways priorities and is to be governed through a Strategic Panel. The Panel will be led by the ECC cabinet member however recognising the two Parking Partnership chairmen will also be closely involved in the Strategic Panel bid review. Bids for the allocation of the funding contained in Part 3 will be put forward by officers from each Partner Authority, the Joint Parking Committees and/or the Council.

- 2.3.1 The remainder of the Surplus after Part 1 and Part 2 has been fulfilled will be utilised for county-wide priorities within the respective districts, in line with section 55 of the RTA 1984. ECC will work with the two Lead Authorities to develop the assessment criteria for bids for the distribution of funding in Part 3; bids will be put forward by officers from both the partnerships and ECC.
- 2.3.2 In Diagram 1, the box to the left of the model for Part 1, Part 2 and Part 3 shows the Provision of Enforcement Services outside the business-as-usual process, as described in 2.6 below.
- 2.4 It is proposed that existing parking operational activities will be expanded in addition to the business-as-usual activities in 2.1 to 2.3 above. The model for these activities is detailed below; these are not included within Parts 1, 2 and 3 above as they are delivered under a separate arrangement, as set out in Table 2 – Arrangements for services outside of business-as-usual activities.

Table 2 – Model for new and existing services

Description	NEPP
On Street P&D Parking:	
a) existing sites	All costs, P&D income and PCN income flow into the BAU model (parts 1, 2 and 3)
b) additional sites	Equipment investment and maintenance costs funded by ECC
	Net income (P&D and PCN) to ECC after management / operational costs
	Where ECC don't want to pursue any proposed new sites but JC do, the JC would fund but income would flow through the business as usual model (parts 1, 2 and 3)
Park Safe (outside schools):	Camera equipment investment and maintenance cost, plus management cost - all funded by ECC
	PCN income returned to ECC

Annex A

Information Handling

1. Definitions and Interpretation

- 1.1 In this Annex A, the definitions set out in Section 1 of the Agreement and Annex B (Data Protection) of this Agreement will apply.

2. Resolution of Inconsistency

- 2.1 The Lead Authority shall immediately upon becoming aware of the same notify the Council of any inconsistency between the provisions of the Data Protection Legislation and the standards, guidance and policies applicable under this Schedule (or between those standards, guidance and policies) and the Council, as soon as practicable, shall advise the Lead Authority which provision the Lead Authority shall be required to comply with (but not so as to place the Lead Authority in breach of any Data Protection Legislation or other obligation under legislation).

3. Protection of Information

- 3.1 The confidentiality, integrity and availability of Information and on the security provided in relation to Information is a material element of this Agreement.
- 3.2 The Lead Authority shall and shall at all times provide a level of security which:
- 3.2.1 is in accordance with Good Industry Practice, Data Protection Legislation and this Agreement;
- 3.2.2 complies with the Council's Information Policy;
- 3.2.3 meets any specific security threats identified from time to time by the Council; and
- 3.2.4 complies with applicable ISO standards and in particular ISO/IEC27001 and ISO/IEC27002.

- 3.3 The Lead Authority shall ensure that it provides comparable technical and policy coverage of security to Information as if it were being processed directly by the Council. This shall include but not be limited to the following:
 - 3.3.1 All mobile storage systems and hardware shall be encrypted to at least industry standards.
 - 3.3.2 All staff shall be appropriately vetted before use in the services which are the subject of this Agreement.
 - 3.3.3 All staff shall receive adequate information governance training which shall be regularly refreshed.
 - 3.3.4 All buildings and physical environments shall be subject to appropriate physical security and protection.
 - 3.3.5 The Lead Authority shall permit access to Information by employees of the Council only as may be specifically designated by the Council.
 - 3.3.6 The Lead Authority shall securely destroy all Information provided or created under this Agreement and no longer required to be retained in accordance with this Agreement.
- 3.4 The Lead Authority will have in place fully tested and effective disaster recovery and business continuity plans.
- 3.5 The Lead Authority shall observe the following principles when handling data.
 - 3.5.1 Every proposed use or transfer of Personal Data within or from the organisation should be clearly defined and scrutinised, with continuing uses regularly reviewed by an appropriate guardian as appropriate.
 - 3.5.2. Personal Data shall not be used unless it is absolutely necessary. Personal Data shall not be used unless there is no alternative.

- 3.5.3 The minimum necessary Personal Data shall be used. Where use of Personal Data is considered essential, each individual item of information shall be justified with the aim of reducing identification.
- 3.5.4 Access to Personal Data shall be on a strict need to know basis. Only those individuals who need access to Personal Data shall have access to it, and they shall only have access to the data that they need to see for the stated purpose.
- 3.5.5 All staff handling Personal Data shall be made aware of their responsibilities and obligations to respect personal confidentiality.
- 3.5.6 All persons handling Personal Data shall understand and comply with the Data Protection Legislation. Every use of Personal Data information must be lawful.
- 3.6 Any Information received by the Lead Authority from the Council under this Agreement or generated by the Lead Authority pursuant to this Agreement shall remain at all times the property of the Council. It shall be identified, clearly marked and recorded as such by the Lead Authority on all media and in all documentation.
- 3.7 The Lead Authority shall not, save as required by this Agreement, without the prior written consent of the Council disclose to any other person any Information provided by the Council under this Agreement.
- 3.8 The Lead Authority shall advise the Council of any intention to procure the services of any other agent or subcontractor in connection with this Agreement and shall pay due regard to any representations by the Council in response.
- 3.9 The Lead Authority shall observe and comply with the Council's confidentiality requirements applicable from time to time.
- 3.10 The Lead Authority shall take all necessary precautions to ensure that all Information obtained from the Council under or in connection with this Agreement, is given only to such of the Lead Authority's staff and professional advisors or consultants engaged to advise the Lead Authority in connection with this Agreement as is strictly necessary for the performance of this Agreement, and is treated as confidential and not disclosed (without prior written approval) or used by any such staff or such professional advisors or consultants otherwise than for the purposes of this Agreement.

- 3.11 The Lead Authority shall not use any Information it receives from the Council otherwise than for the purposes of this Agreement.
- 3.12 With regard to Council Data:
- 3.12.1 The Lead Authority shall not delete or remove any proprietary notices contained within or relating to the Council Data.
- 3.12.2 The Lead Authority shall not store, copy, disclose, or use the Council Data except as necessary for the performance of its obligations under this Agreement or as otherwise expressly authorised in writing by the Council.
- 3.12.3. To the extent that Council Data is held and/or processed by the Lead Authority, the Lead Authority shall supply that Council Data to the Council in a mutually agreed format.
- 3.12.4. The Lead Authority shall take responsibility for preserving the integrity of Council Data and preventing the corruption or loss of Council Data.
- 3.12.5 The Lead Authority shall perform secure back-ups of all Council Data and shall ensure that up-to-date back-ups are stored off-site in accordance with the Business Continuity and Disaster Recovery Plan. The Lead Authority shall ensure that such back-ups are available to the Council at all times upon.
- 3.12.6 The Lead Authority shall ensure that any system on which the Lead Authority holds any Council Data, including back-up data, is a secure system that complies with the Council's Information Policy.
- 3.12.7 If the Council Data is corrupted, lost or sufficiently degraded as a result of the Lead Authority's Default so as to be unusable, the Council may:
- 3.12.7.1 require the Lead Authority (at the Lead Authority's expense) to restore or procure the restoration of Council Data in full and in not later than three (3) days (subject to any agreed business continuity and disaster recovery plan); and/or
- 3.12.7.2 in default thereof itself restore or procure the restoration of Council Data, and shall be repaid by the Lead Authority any reasonable expenses incurred in doing so.

- 3.12.8 If at any time the Lead Authority suspects or has reason to believe that Council Data has or may become corrupted, lost or sufficiently degraded in any way for any reason, then the Lead Authority shall notify the Council immediately and inform the Council of the remedial action the Lead Authority proposes to take.

4. Disclosures by the Council

4.1 Nothing in this Agreement shall prevent the Council disclosing any Information:

4.1.1 for the purpose of the examination and certification of the Council's accounts; or

4.1.2 any examination pursuant to Section 6 (1) of the National Audit Act 1983 of the economy, efficiency and effectiveness with which the Council has used its resources; or

4.1.3 to any government department or any other contracting authority (as defined in The Public Contracts Regulations 2015). All government departments or contracting authorities receiving such Confidential Information shall be entitled to further disclose the Confidential Information to other government departments or other contracting authorities on the basis that the information is confidential and is not to be disclosed to a Lead Authority which is not part of any government department or any contracting authority; or

4.1.4 to any person engaged in providing any services to the Council for any purpose relating to or ancillary to this Agreement provided that in disclosing information the Council discloses only the information which is necessary for the purpose concerned and requires that the information is treated in confidence and that a confidentiality undertaking is given where appropriate.

5. Accessibility of Data

5.1 Where the Lead Authority is undertaking work on behalf of the Council to develop new systems, practices or documentation in processing of data, the Lead Authority shall ensure that these have the ability to extract data in an accessible format.

6. Know-how

6.1 Nothing in this Agreement shall prevent either party from using any techniques, ideas or know-how gained during the performance of this Agreement in the course of its normal business, to the extent that this does not result in a disclosure of Information the subject of this Agreement.

7. Information Breach

7.1 The Lead Authority shall ensure any Information Breach is reported to the Council within 1 Working Day whether actual, potential or attempted.

7.2 The Lead Authority will ensure any Information Breach is internally investigated, and appropriate remedial action is taken, along with supporting the Council in any investigation by it.

7.3 The Lead Authority will immediately take all reasonable steps to remedy such breach and to protect the integrity of both parties against any actual, potential or attempted breach or threat and any equivalent attempted breach in the future.

8. Breach, termination and continuance

8.1 The Lead Authority shall indemnify the Council for any breach of the requirements of this schedule which renders the Council liable for any costs, fines, claims or expenses under Data Protection Legislation howsoever arising.

8.2 A material failure on the part of the Lead Authority to comply with the provisions of this schedule shall entitle the Council to terminate this Agreement with immediate effect and to recover the costs incurred in consequence as a civil debt from the Lead Authority.

8.3 On termination of this Agreement howsoever arising the Lead Authority shall when directed to do so by the Council, and instruct all its agents and Sub-Lead Authorities to:

8.3.1 transfer to the Council the whole or any part of the Personal Data and other Information received or acquired by the Lead Authority for the purposes of or in the course of the delivery of the services the subject of this Agreement; and

- 8.3.2 destroy or erase the whole or any part of such Personal Data and other Information retained by the Lead Authority and provide to the Council such proof of destruction as the Council may reasonably require.
- 8.4 The provisions of this paragraph shall continue in effect notwithstanding termination of this Agreement.

Annex B

Data Protection

1. The terms and expression used in this Annex B (Data Protection) shall have the meanings set out below in so far as they are not defined in Annex A or elsewhere in this Agreement.

Agreed Purposes	such data sharing of Personal Data for the purposes of the Council being enabled to discharge its statutory functions and duties and corporate aims and objectives arising from its duty to commission and ensure the provision of the Joint Parking Service under this Agreement and such other services similar or complementary to the Joint Parking Service under this Agreement;
Controller	has the meaning given to it in section 6 of the DPA 2018.
Council Data	means any and all of the following: (a) all data, records, information, text, drawings, reports diagrams, images, or sounds generated or processed by the Lead Authority or provided to the Lead Authority for processing under this Agreement which at all times shall remain the property of the Council or; (b) any documentation and information produced by or received from or on behalf of the Council in relation to the Agreement and stored on whatever media; (c) any information or data provided by, obtained or created on behalf of the Council in performing the Agreement and in the case of Personal Data, any data processed on behalf of the Council where the Council is the Controller
Data Loss Event	means any event that results, or may result, in unauthorised access to Personal Data under this Agreement and/or actual or potential loss and/or destruction of Personal Data in breach of this Agreement including any Personal Data Breach.
Data Processing Schedule	means Part1 of this Annex B (Data Protection) that sets out the processing the Lead Authority is authorised to undertake under this Agreement.
Data Protection Impact Assessment	means an assessment by the Council of the impact of the envisaged processing on the protection of Personal Data.

Data Protection Legislation	means all applicable data protection and privacy legislation in force from time to time in the UK including without limitation: <ul style="list-style-type: none"> (a) the UK GDPR; (b) the DPA 2018; (c) the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426) as amended; and (d) the guidance and codes of practice issued by the Information Commissioner or other relevant regulatory authority and which are applicable to a Party.
Data Protection Officer	has the meaning given to it in the Data Protection Legislation.
Data Subject	means the identified or identifiable living individual to whom the Personal Data relates.
Data Subject Right Request	means a request made by, or on behalf of, a Data Subject in accordance with rights granted pursuant to the Data Protection Legislation.
DPA 2018	means the Data Protection Act 2018 and regulations made thereunder.
FOIA	means the Freedom of Information Act 2000 and any subordinate legislation made under this Act from time to time together with any guidance and/or codes of practice issued by the Information Commissioner in relation to such legislation as amended or re-enacted from time to time and any Act substantially replacing the same
Information	has the meaning given under Section 84 of the FOIA, which shall include (but is not limited to) information in any form whether relating to the past, present or future and may in particular consist of data, documentation, programs, (including the source code of any programs which the Council has the right to use), computer output, voice transmissions, correspondence, calculations, plans, reports, graphs, charts, statistics, records, projections, maps, drawings, vouchers, receipts and accounting records and may consist of or be stored in any form including paper,

microfilm, microfiche, photographic negative, computer software and any electronic medium and references herein to Information shall include reference to the medium in which it is stored.

Information Breach

means any event that results, or may result, in unauthorised access to Council Data held by the Lead Authority under this Agreement, and/or actual or potential loss and/or destruction of Council Data in breach of the Agreement, including any Personal Data Breach.

Personal Data

has the meaning given in the Data Protection Legislation being any information relating to an identified or identifiable living individual that is processed by the Lead Authority on behalf of the Council as a result of, or in connection with, the provision of the Joint Parking Service; an identifiable living individual is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the individual.

Permitted Recipients

the Parties to this Agreement, the employees of each Party and any third parties properly engaged by the Parties to this Agreement to perform obligations in connection with this Agreement.

Personal Data Breach

has the meaning given in the Data Protection Legislation.

Processor

has the meaning given in the Data Protection Legislation being a natural or legal person, public authority, agency or other body which processes personal data on behalf of the Controller.

Protective Measures

means appropriate technical and organisational measures which may include: pseudonymising and encrypting Personal Data, ensuring confidentiality, integrity, availability and resilience of systems and services, ensuring that availability of and access to Personal Data can be restored in a timely manner after an incident, and regularly assessing and evaluating the effectiveness of the such measures adopted by it.

Records of Processing Activities

has the meaning given in the Data Protection Legislation.

Shared Personal Data

means:

- (a) all such Personal Data shared between the Parties in relation to the Joint Parking Service by the Lead Authority; and/or all such Personal Data that is reasonably required by the Council in order to ensure compliance with the Council's statutory duties and other duties in relation to its functions, powers and responsibilities under the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984 and otherwise for the enforcement of on street civil parking and highways duties
- (b) details of all outstanding PCNs on expiry or termination of this Agreement
- (c) correspondence and enquiries from the general public relating to the Joint Parking Service in accordance with the categories of specified personal data and special category personal data set out in Part 2 (Shared Personal Data) of Annex B (Data Protection) and all practices, protocols and agreements agreed between the Parties from time to time.

Standard Contractual Clauses (SCC)

means the Information Commissioner's Standard Contractual Clauses for the transfer of Personal Data from the European Union to processors established in third countries (controller-to-processor transfers), or such alternative clauses as may be approved by the Information Commissioner from time to time.

Sub-processor

means any third party appointed to process Personal Data on behalf of the Lead Authority related to this Agreement.

UK GDPR

means the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) as defined within section 3(10) (as supplemented by section 205(4)) of the DPA 2018, as amended or re-enacted from time to time and any United Kingdom Act recognised in UK law substantially replacing the same.

2. Each Party, including its Sub-Contractors and their Staff shall comply with all applicable requirements of the Data Protection Legislation. The provisions in this Annex B (Data Protection) are in addition to, and does not relieve, remove or replace, a Party's obligations under the Data Protection Legislation.
3. The Lead Authority shall give all reasonable assistance to the Council necessary to enable it to comply with its obligations under the Data Protection Legislation and to meet its duties in the commissioning and delivery of the Joint Parking Service. The parties shall comply with Annex A (Information Handling). Each Party shall not knowingly or negligently by any act or omission, place the other Party in breach, or potential breach, of the Data Protection Legislation.
4. In the event that the Lead Authority does not have a security policy that complies with the Council's relevant standard, the Council shall be entitled to establish its own systems audit for evaluating and monitoring the effectiveness of the Lead Authority's data protection systems and shall be entitled to deduct the reasonable cost of so doing from sums due to the Lead Authority.
5. The Parties acknowledge that under this Agreement for the purposes of the Data Protection Legislation: the Council shall be the Controller of any Personal Data it provides to the Lead Authority in relation to the Joint Parking Service and the Lead Authority (and its permitted contractor, sub-contractor or agent if applicable) shall be the Processor of that Personal Data and shall process (or shall ensure that its permitted contractor, sub-contractor or agent if applicable processes) that Personal Data in accordance with the Data Processing Activities and this Annex B (Personal Data). The Lead Authority agrees that:
 - 5.1.1 the only processing it is authorised by the Council to do is listed in the Data Processing Schedule and may not be amended or otherwise determined by the Lead Authority;
 - 5.1.2 the Parties shall enter into any supporting data processing agreements necessary to ensure compliance with the Data Protection Legislation and good practice; and
 - 5.1.3 the Lead Authority shall notify the Council immediately if it considers that any of the Council's instructions infringe the Data Protection Legislation.
6. The Lead Authority shall be the Controller of any Personal Data generated or processed in relation to the Joint Parking Service that has not been provided by the Council and shall process (or shall ensure that its permitted contractor, sub-contractor or agent if applicable processes) that Personal Data in accordance with this Annex B and the Data Protection Legislation.
7. Each Party agrees that the disclosure of the Shared Personal Data is necessary and such sharing and disclosure shall be compliant with the Agreed Purposes and the Data Protection Legislation. The relevant Shared Personal Data is set out within Part 2 of this Annex B (Data Protection). The Council and the Lead Authority agree to share the Shared Personal Data in accordance with this Agreement including Annex A (*Information Handling*) and agree to:

- 7.1.1 ensure that it has all necessary notices and consents in place to enable lawful transfer of the Shared Personal Data to the Permitted Recipients for the Agreed Purposes;
 - 7.1.2 give full information to any data subject whose Personal Data may be processed under this Agreement of the nature of such processing. This includes giving notice that, on the termination of this Agreement, Personal Data relating to them may be retained by or, as the case may be, transferred to one or more of the Permitted Recipients, their successors and assignees;
 - 7.1.3 process the Shared Personal Data only for the Agreed Purposes;
 - 7.1.4 not disclose or allow access to the Shared Personal Data to anyone other than the Permitted Recipients;
 - 7.1.5 ensure that all Permitted Recipients are subject to written contractual obligations concerning the Shared Personal Data (including obligations of confidentiality) which are no less onerous than those imposed by this Agreement.
8. The Lead Authority shall provide all reasonable assistance to the Council in the preparation of any Data Protection Impact Assessment prior to commencing any processing. Such assistance may, at the discretion of the Council, include:
 - 8.1. a systematic description of the envisaged processing operations and the purpose of the processing;
 - 8.2. an assessment of the necessity and proportionality of the processing operations in relation to the Joint Parking Service;
 - 8.3. an assessment of the risks to the rights and freedoms of Data Subjects; and
 - 8.4. the measures envisaged to address the risks, including safeguards, security measures and mechanisms to ensure the protection of Personal Data.
 9. The Lead Authority shall, in relation to any Personal Data processed in connection with its obligations under this Agreement process that Personal Data only in accordance with the Data Protection Legislation and Data Processing Schedule, unless the Contactor is required to do otherwise by Legislation. If it is so required, the Lead Authority shall promptly notify the Council before processing the Personal Data unless prohibited by Legislation.
 10. The Lead Authority shall ensure that it has in place Protective Measures that comply with the Data Protection Legislation and the Council's Information Policy to protect against a Data Loss Event having taken account of the:
 - 10.1. nature of the data to be protected;
 - 10.2. harm that might result from a Data Loss Event;

- 10.3. state of technological development; and
 - 10.4. cost of implementing any measures.
11. The Council reserves the right to review the Protective Measures at any point and the Lead Authority shall facilitate such review. Where the Protective Measures in paragraph 10 do not comply with the Data Protection Legislation or the Council's Information Policy, the Lead Authority shall implement any remedial changes to the Protective Measures requested by the Council at the Lead Authority's expense.
12. The Lead Authority shall ensure that:
- 12.1. the Staff do not process Personal Data except in accordance with this Agreement (and in particular the Data Processing Schedule);
 - 12.2. it takes all reasonable steps to ensure the reliability and integrity of any Staff who have access to the Personal Data and ensure that they:
 - 12.2.1. are aware of and comply with the Lead Authority's duties under this Annex B (Data Protection), Annex A (Information Handling) and the Data Processing Schedule;
 - 12.2.2. are subject to appropriate confidentiality undertakings with the Lead Authority or any permitted Sub-processor;
 - 12.2.3. are informed of the confidential nature of the Personal Data and do not publish, disclose or divulge any of the Personal Data to any third party unless directed in writing to do so by the Council or as otherwise permitted by this Agreement; and
 - 12.2.4. have undergone adequate training in the use, care, protection and handling of Personal Data.
13. The Lead Authority shall notify the Council immediately if it:
- 13.1. receives any Data Subject Right Request or purported Data Subject Right Request;
 - 13.2. receives a request to rectify, block or erase any Personal Data;
 - 13.3. receives any other request, complaint or communication relating to either Party's obligations under the Data Protection Legislation;
 - 13.4. receives any communication from the Information Commissioner or any other regulatory authority in connection with Personal Data processed under this Agreement;

- 13.5. receives a request from any third party for disclosure of Personal Data where compliance with such request is required or purported to be required by Legislation; or
 - 13.6. becomes aware of a Data Loss Event,
- and the Lead Authority's obligation to notify shall include the provision of further information to the Council in phases, as details become available.
14. Taking into account the nature of the processing, the Lead Authority shall provide the Council with full assistance in relation to either Party's obligations under Data Protection Legislation and any complaint, communication or request made (and insofar as possible within the timescales reasonably required by the Council) including by promptly providing:
 - 14.1. the Council with full details and copies of the complaint, communication or request;
 - 14.2. such assistance as is reasonably requested by the Council to enable the Council to comply with a Data Subject Right Request within the relevant timescales set out in the Data Protection Legislation;
 - 14.3. the Council, at its request, with any Personal Data it holds in relation to a Data Subject;
 - 14.4. assistance as requested by the Council following any Data Loss Event;
 - 14.5. assistance as requested by the Council with respect to any request from the Information Commissioner's Office, or any consultation by the Council with the Information Commissioner's Office.
 15. The Lead Authority shall maintain complete and accurate Records of Processing Activities. This requirement does not apply where the Lead Authority employs fewer than 250 staff, unless:
 - 15.1. the Council determines that the processing is not occasional;
 - 15.2. the Council determines the processing includes special categories of data as referred to in Article 9(1) of the UK GDPR or Personal Data relating to criminal convictions and offences referred to in Article 10 of the UK GDPR; and
 - 15.3. the Council determines that the processing is likely to result in a risk to the rights and freedoms of Data Subjects.
 16. The Lead Authority shall allow for audits of its data processing activity by the Council or the Council's designated auditor.
 17. The Lead Authority shall designate a data protection officer if required by the Data Protection Legislation.

18. The Council may in complying with a statutory obligation or any guidance issued by the Information Commissioner's Office on not less than thirty (30) Working Days' notice, revise this Annex B (Data Protection) by amending, revising or replacing it with any provisions which are compliant and/or any applicable controller to processor standard clauses or similar terms forming part of an applicable certification scheme (which shall apply when incorporated by attachment to this Agreement).
19. The Parties agree to take account of any rulings and/or guidance issued by the Information Commissioner's Office.
20. The Lead Authority shall at the written direction of the Council, delete or return Personal Data (and any copies of it) to the Council on expiry or termination of this Agreement unless the Lead Authority is required by Legislation to retain the Personal Data.
21. The Lead Authority shall provide the Council with contact details of at least one employee as a point of contact and responsible manager for all issues arising out of the Data Protection Legislation, including the joint training of relevant staff, the procedures to be followed in the event of a data security breach, and the regular review of the Lead Authority's compliance with the Data Protection Legislation.
22. At the written direction of the data discloser, the other Party shall delete or return Shared Personal Data and copies thereof to the data discloser on expiry or termination of this Agreement unless required by Legislation to store the Personal Data.
23. The Lead Authority shall use compatible technology for the processing of Shared Personal Data to ensure that there is no lack of accuracy resulting from Personal Data transfers.

Outside of the UK processing

24. The Lead Authority shall not transfer or otherwise process any Personal Data outside of the UK (including any proposed sub-processing) unless the prior written consent of the Council has been obtained and all the following conditions are fulfilled at all times in relation to such processing:
 - 24.1. either:
 - 24.1.1. the Lead Authority is processing the Personal Data in a territory which is subject to adequacy regulations under the Data Protection Legislation that the territory provides adequate protection for the privacy rights of individuals as identified in the Data Processing Schedule; or
 - 24.1.2. the Lead Authority has provided appropriate technical and organisational data security measures and safeguards in relation to the transfer (in accordance with the UK GDPR Article 46) as consented to by the Council prior to any such processing commencing and if agreed at the commencement of this Agreement as set out in the Data Processing Schedule;

- 24.2. the Data Subject has enforceable rights and effective legal remedies;
- 24.3. the Lead Authority complies with its obligations under the Data Protection Legislation by providing an adequate level of protection to any Personal Data that is transferred (or, if it is not so bound, uses its best endeavours to assist the Council in meeting its obligations); and
- 24.4. the Lead Authority shall prior to commencing any processing confirm its processes for challenging requests by any governmental and/or law enforcement authority to access any Personal Data and shall confirm the robustness of such processes to the Council's satisfaction;
- 24.5. the Lead Authority shall immediately notify the Council of any requests for access to or actual access to Personal Data from or by governmental and/or law enforcement authorities so that the Council can intervene unless truly prohibited by law from doing so;
- 24.6. the Lead Authority shall prior to any such processing commencing provide statistics as to how often and what types of requests have been complied with in relation to Personal Data in the past 24 months so that the Council can assess the likelihood of its Personal Data being accessed on an on-going basis;
- 24.7. the Lead Authority shall on request relocate specified data processing activities (or parts thereof) to other countries or ultimately cease processing and the Lead Authority and Council shall agree the impact of any such change to this Agreement - for the avoidance of doubt, any request arising from the Lead Authority being non-compliant with the Data Protection Legislation and/or the measures in place which were agreed for any such processing is automatically deemed to be a reasonable request and any such change must be agreed within 3 Working Days and all processing must cease unless the Council agrees otherwise;
- 24.8. the Lead Authority shall comply with any reasonable instructions notified to it in advance by the Council with respect to the processing of the Personal Data;
- 24.9. the Lead Authority shall comply with any other requirements specified by the Council including anything necessary to comply with any guidance or requirement issued by the Information Commissioner;
- 24.10. if any Personal Data transfer between the Council and the Lead Authority (where the Council is the entity exporting Personal Data to the Lead Authority outside the UK) requires execution of the SCC in order to comply with the Data Protection Legislation, the Parties will complete all relevant details in, and execute, the SCC (or any replacement thereof), and take all other actions required to legitimise the transfer.

Sub-processing

25. In relation to any sub-processing of any Personal Data related to this Agreement by a Sub-processor, the Lead Authority must comply with the following:
- 25.1. prior to any such sub-processing commencing, the Lead Authority must obtain the written consent of the Council providing the Council with details in writing of the intended Sub-processor and processing;
 - 25.2. the Lead Authority shall provide the Council with such information regarding the Sub-processor at all times (including in relation to any request for consent under the paragraph above) as the Council may reasonably require which includes any such requirements as would be imposed by the Council under this Schedule 11 (Data Protection) in relation to the Lead Authority;
 - 25.3. if the Council consents to such proposed sub-processing, the Lead Authority must enter into a written agreement with the Sub-processor which gives effect to the terms set out in this Agreement relating to data protection including this Annex B (Data Protection), Annex A (Information Handling) and the Data Processing Schedule such that they apply to the Sub-processor and provide a copy of such agreement to the Council;
 - 25.4. if the Council consents to the appointment by the Lead Authority of a Sub-processor located outside the UK, the Lead Authority must enter into the SCC (or any replacement thereof) with the Sub-processor prior to the Sub-processor processing any Personal Data relating to this Agreement and provide a copy of the executed SCC to the Council - the Lead Authority agrees that the SCC will take priority over the terms of any other agreement between the Lead Authority and the Sub-processor whether entered into before or after the date the SCC are entered into;
 - 25.5. if the Council consents to such proposed sub-processing, the Lead Authority shall:
 - 25.5.1. procure compliance by the Sub-processor with the obligations relating to data processing under this Agreement;
 - 25.5.2. remain fully liable for all acts or omissions of any Sub-processor;
 - 25.5.3. maintain control over all of the Personal Data it entrusts to the Sub-processor; and
 - 25.5.4. be deemed to control legally any Personal Data controlled practically by or in the possession of its Sub-processor;
 - 25.5.5. ensure that the Sub-processor's contract terminates automatically on termination of this Agreement for any reason.

ANNEX B – DATA PROTECTION

PART 1

DATA PROCESSING SCHEDULE

1. The Lead Authority shall comply with any further written instructions with respect to processing by the Council.
2. Any such further instructions shall be incorporated into this Part 1.

DETAILS	DESCRIPTION
Subject matter of the processing	On-street Penalty Charge Notices and all on-street associated permits and dispensations and the making of parking related Traffic Regulation Orders
Duration of the processing	5 years from 01/07/2022 plus extensions of 1+1+1 years [the agreement initial term and any subsequent extensions]
Nature and purposes of the processing	Nature of the processing includes: <ol style="list-style-type: none">a. collection,b. recording,c. organisation,d. structuring,e. storage of personal data for the provision of Parking Notice and Permit processing services.
Type of Personal Data	<ol style="list-style-type: none">a. Vehicle Registration Markb. namec. addressd. email addresse. telephone number
Categories of Data Subject	<ol style="list-style-type: none">a. Studentsb. Suppliersc. Carers (& Reps)d. Employees/contractorse. School stafff. ECC officersg. General publich. Representatives
Plan for return and destruction of the data once the processing is complete UNLESS requirement under union or member state law to preserve that type of data	The data will be retained by the Lead Authority for the duration of the Agreement and thereafter returned to the Council in line with the obligations in this Agreement.
Legal Basis for processing Personal Data outside the UK	Not applicable.

ANNEX B – DATA PROTECTION

PART 2

SHARED PERSONAL DATA

1. The following types of Personal Data will be shared between the parties during the Agreement Term:
 - Name
 - Address
 - Telephone number
 - Email address
 - Vehicle registration number
 - Vehicle location
 - Information provided in a written challenge or representation

2. The following types of special categories of Personal Data will be shared between the Parties during the Agreement Term:
Not applicable as at the date of this Agreement.

3. The Parties will review and update the lists in this Annex 2 (Shared Personal Data) during the Operational Period as necessary to ensure that the Council has access to such Shared Personal Data as is necessary for the Agreed Purposes.

4. The Shared Personal Data must not be irrelevant or excessive with regard to the Agreed Purposes.

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CABINET

15 JULY 2022

REPORT OF THE PORTFOLIO HOLDER FOR BUSINESS & ECONOMIC GROWTH

A.4 SHARED PROSPERITY FUND INVESTMENT PLAN

(Report prepared by Rebecca Bromley, Laura Richardson and Lee Heley)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To agree the approach to completion of the Council's Investment Plan submission for its allocation of the UK Shared Prosperity Fund, and delegation to the Portfolio Holder for Economic Growth to approve the final plan ahead of the 1 August 2022 deadline.

EXECUTIVE SUMMARY

The UK Shared Prosperity Fund (UKSPF) is part of the Government's levelling up agenda. The new Fund replaces European Structural Funds. It provides a total of £2.6 billion of new, mainly revenue, funding for local investment by March 2025. All areas of the UK will receive a conditional allocation from the Fund via a funding formula, rather than a competition.

The primary goal of the UKSPF is to build pride in place and increase life chances across the UK. Within this goal there are three UKSPF investment priorities:

- communities and place;
- supporting local business; and
- people and skills.

Tendring has been allocated a total of £1,188,232 via a funding formula designed to be a real-terms match for previous EU structural funds, to be spent over a three year period to 2025. Funding in support of the 'people and skills' investment priority can only be accessed in the 2024/25 financial year.

Tendring District Council is the lead local authority for UKSPF in Tendring. Lead local authorities receive the area's allocation of funding to manage, including assessing and approving applications, processing payments and day-to-day monitoring.

To access the allocation, TDC is required to produce an Investment Proposal for Government signoff, which prioritises interventions and details the measurable outcomes of project delivery. The investment plan will be based around government intervention types, with measureable outcomes.

Partnership working between local authorities and with local partners is strongly encouraged. In line with the funding guidance, a local partnership meeting has been convened by the Council as lead local authority to engage on the Investment Plan. The Council also took part

in three workshops convened by Essex Chief Executives that brought together councils across greater Essex to share learning on the development of their investment plans, and has engaged with the North Essex Economic Board on the development of the interventions, in particular for business support. In addition to district partners, the Council has engaged with health partners, the County Council, the University of Essex and current recipients of the precursor to this fund, the Community Renewal Fund, to engage on plan development and test project ideas.

The core focus of the plan is the “interventions” that the Council plans to fund under the three themes, also referred to as the UKSPF investment priorities. The Government has developed 41 potential interventions – Appendix A. The longer the final list of interventions, the less funding there is to deliver each one, so there is a balance between targeting and spreading investment and so fewer projects may be agreed and therefore funded.

Long list of Tendring District Interventions, by theme:

Communities and Place

- Funding for improvements to town centres and high streets, including accessibility for disabled people
- Enhanced support for existing cultural, historic and heritage institutions/ E6: Support for local arts, cultural, heritage and creative activities
- Funding for local sports facilities, tournaments, teams and leagues; to bring people together
- Community engagement to support community involvement in decision making in local regeneration.
- Measures to reduce the cost of living, improve energy efficiency & combat fuel poverty

Supporting Local Business

- Improvements to town centre retail / markets / service infrastructure, with business support
- Development/promotion of the visitor economy - incl. attractions, trails, tours and tourism products
- Funding for the development and support of appropriate innovation infrastructure at the local level
- Generalist Business Support Service for all businesses (across all life-stages) inc. business networks / or E30: Business support measures to drive employment growth, particularly in areas of high unemployment
- Export Grants to support businesses to grow their overseas trading, supporting local employment.

People and Skills (From 2024/5)

- Courses including basic skills (digital, English and English as a Second Language), and life skills and career skills and financial support
- Support for employed people to address barriers to education and training
- Green skills courses

Government has included a long list of outputs and outcomes to choose from for each intervention, which will be included in the Investment Plan and subsequently monitored by government. Final interventions, measures and outcomes are subject to consultation with partners and will be approved by the Portfolio Holder. The plan will allocate how much funding

and which outcomes and outputs will be delivered against each of these interventions towards each output, and the Government will monitor progress against the outputs.

The Council has engaged internally and with partners to see appetite for initial project ideas, and received a number which have helped in framing the interventions in the draft investment plan (Appendix B). The final list of projects will be decided upon, then commissioned by the Council and agreed over the summer, in line with the interventions and measures, ahead of government signing off the Investment Plan in the autumn. This will also enable the Council to align relevant projects in the UK Shared Prosperity Fund with its Corporate Investment Plan, which is due to come to Cabinet in September.

RECOMMENDATION(S)

It is recommended that Cabinet:

- 1. Approves the approach to the development of the UK Shared Prosperity Investment Plan for Tendring District set out in this report to spend government's conditional allocation of £1,188,232; and**
- 2. Delegates to the Portfolio Holder for Business and Economic Growth the approval of the final plan for submission to the Government ahead of the deadline of 1 August 2022.**

REASON(S) FOR THE RECOMMENDATION(S)

The Government has allocated the Council £1,188,232 on the basis of the development of an Investment Plan that follows the criteria government has set, summarised in this report. This provides the opportunity to invest over three years in priorities supported by the Council and shared by partners, and to see improvements for residents in the district of Tendring.

ALTERNATIVE OPTIONS CONSIDERED

The following options have been considered:

As is the case with new activity, the Council had to consider not taking forward the allocation, but this was discounted as the benefits to the district's residents far outweighed the delivery risks and officer time associated with developing the Investment Plan. This is a guaranteed funding allocation with no competitive element.

Agreeing projects within the Investment Plan. It is possible, although not required, for Councils to include projects within the plan. However, the Council will take the opportunity to align this process with the Corporate Investment Plan internally, and give partners the best opportunity to develop projects that fit the interventions agreed. Projects cannot start before the Investment Plan is agreed by government in the Autumn, so not including projects in the Investment Plan should not delay delivery.

Agreement now to project delivery jointly with other district councils across Essex including allocating 10 percent of funding alongside members of in the North Essex Economic Board. It

was decided to keep the option of joint working open, but not to specify an amount at this stage as all partners are currently developing bespoke plans.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Corporate Plan (2020-2024)

The above approach to the UKSPF will allow us to meet the following priorities in the Corporate Plan:

- Public spaces to be proud of
- Building Sustainable Communities for the Future
- Vibrant Town Centres
- 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
- Community Leadership Through Partnerships
- Joined up public services for the benefit of our residents and businesses

Corporate Priorities 2022/23

The focus areas identified for use of the UKSPF investment align with the following Corporate Priorities:

- D1 Develop and attract new businesses
- D2 Supporting existing businesses
- D4 Promote Tendring's tourism, cultural and heritage offers
- E1 Health and wellbeing – for effective services and improved public health

Economic Strategy 2020-24

The Tendring Economic Strategy was updated in 2020. The Strategy uses evidence from Office of National Statistics to demonstrate that there have been some important changes in the district's economy in recent years which require a change in approach.

The approach to the UKSPF set out above could complement the following areas for Action set out in the Strategy:

- Supporting long term investment into local civil society, citizen engagement and participatory activities within Jaywick Sands and Clacton
- Building the capacity of local civil society and third sector organisations to support the development of routes to employment in community businesses, social enterprise and alternative labour markets

- Work with core Higher Education and Further Education partners (primarily the University of Essex and the Colchester Institute)
- Accommodate the business needs of a growing population by developing new flexible spaces for start-up and micro business growth.

OUTCOME OF CONSULTATION AND ENGAGEMENT

The Council has engaged with partner organisations on project ideas for the UK shared prosperity fund, including Essex County Council, the North East Essex CCG (NEECCG), and the University of Essex. The Council will formally consult on the Investment Plan at a partner meeting in July, in line with Government guidance, including local statutory and private sector organisations.

In addition, the Council engaged with current recipients of the Community Renewal Fund, the precursor to the UK Shared Prosperity Fund to gather intelligence on their programmes of work, including Enable East; MaybeTech; Colchester Institute; Abberton Rural Training; and via ECC, the Retrofit Pipeline and IAG Connect. A list of projects ideas received by current projects and other partners is at Appendix B.

The Council has taken part in three workshops with other Councils in Essex on the UKSPF, and discussed joint approaches to future delivery with the North East Economic Board (NEEB).

We will consult Sir Bernard Jenkin MP and Giles Watling MP on the Investment Plan ahead of submission.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES	If Yes, indicate which by which criteria it is a Key Decision	<input checked="" type="checkbox"/> Significant effect on two or more wards <input checked="" type="checkbox"/> Involves £100,000 expenditure/income <input type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	26 April 2022

The UK Shared Prosperity Fund (UKSPF or SPF) forms part of the Government’s “levelling-up and regeneration” agenda and is a grant intended to replace the current European Union structural funds currently being received but that will cease in 2023. The foundations and approach for delivering the Government’s agenda are provided for in the Levelling Up and Regeneration Bill, currently understood to be at the Committee Stage in the House of Commons. Subject to any amendments to that Bill, the UKSPF investment priorities,

management and monitoring of the grants will accord with the information already provided and upon which this report and the Council's approach is based.

X The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:

Yes.

FINANCE AND OTHER RESOURCE IMPLICATIONS

The Council is allocated the UK Shared Prosperity Fund by government to manage for the Tendring District. The allocation of to the Council is as follows:

22-23	23-24	24-25	Total
£144,203	£288,406	£755,623	£1,188,232

This allocation can be further broken down into the maximum amount of revenue, the minimum amount of capital, and the four per cent fund administration by year.

Year	Total amount	4% Fund admin	Percentage revenue	Percentage capital	Max amount revenue	Min Amount Capital
2022/23	£144,203	£5,768	90%	10%	£124,014.70	£14,420.30
2023/24	£288,406	£11,536	87%	13%	£239,377.22	£37,492.78
2024/25	£755,623	£30,224	80%	20%	£574,274.40	£151,124.60
Total	£1,188,232					

Government will pay the Council annually in advance. In 2022-23, funding will be paid once the local investment plan has been signed off. In 2023-24 and 2024-25, Government will pay towards the start of the financial year, taking into account performance in the preceding year.

The total annual levels of funding will be further divided within the final Investment Plan by intervention. As such, there is a balance to be struck in developing the Plan between the number of interventions, and the scale of the funding that can be allocated to each for project delivery.

Underspends may be carried forward. Government will consider withholding the next annual instalment of funding until the Council submits credible plans to use underspends in the next year or appropriate milestones and spend have been achieved for the previous year.

The Council can claim a further £20,000 to support investment Plan development, on sign off of the Investment Plan by Government, expected in Autumn 2022, who will later ask the Council to report how the money was spent.

All projects that are funded will either end by March 2025, or have a break clause in the funding agreement at that point. Grants will be made in line with government guidance.

The development of projects will align with the Council's Corporate Investment Plan. The Shared Prosperity Fund is administered by the Council for the benefit of the District and is expected to involve projects delivered by partners as well as the Council. Where projects are

brought forward and delivered by the Council, they will align with its wider priorities, and be included within the Corporate Investment Plan approach.

The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	This funding will be managed so that activity is within budget, and any projects funded have a break clause in March 2025. It is clear there is no expectation of continued funding after the UKSPF grant ends.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks; and	The Council is following government guidance, engaging with partners, and setting out the investment plan in line with local priorities. Funding decisions on projects will follow government guidance and Council procedure.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	The Investment Plan includes outcomes and outputs, which will measure the impact of the investment made, which will be reported to annually to government. This will generate the information to show whether projects are achieving the intended goals.

MILESTONES AND DELIVERY

The window for investment plan submissions to the UKSPF will open on 30 June 2022 and close on 1st August 2022, with first payments expected to lead local authorities from October 2022. The funding allocation is then expected to be spent over three years, from 2022 – 2025.

Council Cabinet	15 July
Partner engagement, including MPs	June / July 2022
Investment Plan Submitted	1 August
Projects developed	August – October 2022
Government response to investment plan	Autumn 2022

ASSOCIATED RISKS AND MITIGATION

The timetable from government to develop the Investment Plan has been tight, and run in parallel with the Levelling Up Fund application process. Tasks have been allocated to officers to complete the plan to the deadline.

Once funds are allocated, there are delivery risks to projects. The fund requires a process of commissioning and monitoring projects against the Investment Plan.

There are reputational risks if later projects funded through the Investment Plan are not delivered. The Council will develop project monitoring to track delivery of the UKSPF, and will seek to redistribute unspent funds to other projects.

Financial risks will be mitigated through the grant agreement with any external grant recipients, for example requiring unspent funds be returned, setting clear break clauses, e.g. in March 2025, and making overspends the responsibility of the recipient.

EQUALITY IMPLICATIONS

The interventions proposed in the Investment Plan mean it is not anticipated that projects funded under the Plan will negatively impact on groups with protected characteristics.

Equality assessments would be carried out on relevant projects delivered by the Council under the fund.

SOCIAL VALUE CONSIDERATIONS

The Shared Prosperity Fund is a central pillar of the Government's wider levelling up agenda and a significant component of its support for places across the UK, and many of the projects delivered via this funding stream will have a direct positive social value.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030

The interventions are primarily focused on benefiting Tendring residents, rather than the Council's own emissions or estate. However, the proposed interventions include 'green skills' which would support the wider ambitions of the government to transition the country away from a carbon based economy.

OTHER RELEVANT CONSIDERATIONS OR 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	<p>Improving the offer to town centres and increasing activity in town centre areas, has been shown to reduce crime and disorder in these areas.</p> <p>The interventions also support employability and access to jobs which improves quality of life and may reduce the likelihood of crime and disorder.</p>
Health Inequalities	<p>Some of the interventions proposed could improve life chances, and provide access to services for marginalised groups. This would have a positive impact on quality of life and will help to reduce health inequalities.</p>
Area or Ward affected	All wards

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The UK Shared Prosperity Fund (UKSPF) is part of the Government’s levelling up agenda. The new Fund replaces European Structural Funds. It provides a total of £2.6 billion of new, mainly revenue, funding for local investment by March 2025. All areas of the UK will receive a conditional allocation from the Fund via a funding formula, rather than a competition.

The primary goal of the UKSPF is to build pride in place and increase life chances across the UK. Within this goal there are three UKSPF investment priorities:

- communities and place;
- supporting local business; and
- people and skills.

Funding

Tendring has been allocated a total of £1,188,232 via a funding formula designed to be a real-terms match for previous EU structural funds, to be spent over a three year period to 2025. Funding in support of the ‘people and skills’ investment priority can only be accessed in the 2024/25 financial year.

Spend starts in the current financial year, and matches a profile set by the Government. Spending is expected to be predominantly revenue, with a minimum capital spend per year.

Year	Total amount	4% Fund admin	Percentage revenue	Percentage capital	Max amount revenue	Min Amount Capital
2022/23	£144,203	£5,768	90%	10%	£124,014.70	£14,420.30
2023/24	£288,406	£11,536	87%	13%	£239,377.22	£37,492.78
2024/25	£755,623	£30,224	80%	20%	£574,274.40	£151,124.60
Total	£1,188,232					

An additional £20,000 will be paid to each lead local authority on sign off of the Plan to support the initial preparatory work on the local investment plan. A maximum of four percent of the total allocation can be used to undertake Fund administration during the investment period.

Investment Plan

Tendring District Council is the lead local authority for UKSPF in Tendring. Lead local authorities receive the area’s allocation of funding to manage, including assessing and approving applications, processing payments and day-to-day monitoring.

To access the allocation, TDC is required to produce an Investment Proposal for Government signoff, which prioritises interventions and details the measurable outcomes of project delivery. The investment plan will be based around government intervention types, with measureable outcomes. The investment plan is not an exhaustive document containing detailed project or intervention planning.

Partnership

Partnership working between local authorities and with local partners is strongly encouraged. In line with the funding guidance, a local partnership meeting has been convened by the Council as lead local authority to engage on the Investment Plan, including relevant partner representatives, including Essex County Council, the North East Essex Health and Wellbeing Alliance, and business support provider Colbea.

In addition, working with other places is strongly encouraged in the delivery of interventions. In particular, lead local authorities are expected to work with other district, county or unitary councils to agree and commission people and skills activity, or business support activity over a larger scale. The Council took part in three workshops convened by Essex Chief Executives that brought together councils across greater Essex to share learning on the development of their investment plans, and has engaged with the North Essex Economic Board on the development of the interventions, in particular for business support.

In addition to district partners, the Council has engaged with health partners, the County Council, the University of Essex and current recipients of the pre cursor to this fund, the Community Renewal Fund, to engage on plan development and test project ideas. (See Appendix B)

Interventions

The core focus of the plan is the “interventions” that the Council plans to fund under the three themes, also referred to as the UKSPF investment priorities. The Government has developed 41 potential interventions – Appendix A. However, given that funding is limited, the Council needs to choose which of those to focus on.

The proposal is to choose interventions which fit with the strategic ambitions for Tendring, both of the Council and our partners. The proposed long list of potential interventions for the Tendring Plan is below, including the government reference numbers. The longer the final list of interventions, the less funding there is to deliver each one, so there is a balance between targeting and spreading investment and so fewer projects may be agreed and therefore funded.

Communities and Place

- E1: Funding for improvements to town centres and high streets, including accessibility for disabled people
- E4: Enhanced support for existing cultural, historic and heritage institutions/ E6: Support for local arts, cultural, heritage and creative activities
- E10: Funding for local sports facilities, tournaments, teams and leagues; to bring people together
- E12: Community engagement to support community involvement in decision making in local regeneration.
- E13: Measures to reduce the cost of living, improve energy efficiency & combat fuel poverty

Supporting Local Business

- E16: Improvements to town centre retail / markets / service infrastructure, with business support
- E17: Development/promotion of the visitor economy - incl. attractions, trails, tours and tourism products

- E21: Funding for the development and support of appropriate innovation infrastructure at the local level
- E23: Generalist Business Support Service for all businesses (across all life-stages) inc. business networks / or E30: Business support measures to drive employment growth, particularly in areas of high unemployment
- E28: Export Grants to support businesses to grow their overseas trading, supporting local employment.

People and Skills

- E34: Courses inc. basic skills (digital, English and English as a Second Language), and life skills and career skills and financial support
- E37: Support for employed people to address barriers to education and training
- E39: Green skills courses

Outputs and outcomes

Government has included a long list of outputs and outcomes to choose from for each intervention, which will be included in the Investment Plan and subsequently monitored by government. For example government guidance for the improvements to town centre intervention has the following long list of indicative outputs and outcomes, with proposed measures for the Tending Plan in bold.

Intervention	Indicative outputs	Indicative outcomes
E1: Funding for improvements to town centres and high streets, including better accessibility for disabled people, including capital spend and running costs.	<ul style="list-style-type: none"> • Number and Sqm of commercial buildings developed or improved • Amount of rehabilitated land or premises • Amount of public realm created or improved • Amount of low or zero carbon energy infrastructure installed • Number of decarbonisation plans developed • Sqm of land made wheelchair accessible/step free 	<ul style="list-style-type: none"> • Jobs created • Jobs safeguarded • Increase footfall • Increased visitor numbers • Reduced vacancy rates • Greenhouse gas reductions • Improved perceived/ experienced accessibility • Improved perception of facilities/amenities

Final interventions, measures and outcomes are subject to consultation with partners and will be approved by the Portfolio Holder. The plan will allocate how much funding and which outcomes and outputs will be delivered against each of these interventions towards each output, and the Government will monitor progress against the outputs.

Projects

The Council has engaged internally and with partners to see appetite for initial project ideas, and received a number which have helped in framing the interventions in the draft investment plan (Appendix B). The final list of projects will be decided upon, then commissioned by the Council and agreed over the summer, in line with the interventions and measures, ahead of government signing off the Investment Plan in the autumn. This will also enable the Council

to align relevant projects in the UK Shared Prosperity Fund with its Corporate Investment Plan, which is due to come to Cabinet in September.

The investment plan document will cover:

- **Local context**, with local evidence of opportunities and challenges for communities and place, supporting local business, and people and skills.
- **Outcomes and interventions**. The Investment plan will set out which interventions to focus on, linked to local opportunities and challenges, and how they will achieve the outcomes.
- **Delivery**, which sets out:
 - *Approach to delivery and governance*, including engagement on the development of the Plan with partner organisations and MPs and how the Council will collaborate with partners on the delivery of interventions.
 - *Expenditure and deliverables*, including the spend profile for the three years of the fund against each intervention, as well as outputs and outcomes figures, and any specific projects to be funded.
- **Capability and resource**, outlining the resource the Council has to manage and work on UKSPF and the capability and previous experience of delivering similar funds.

In addition, the wider Share Prosperity Fund includes an adult numeracy programme called Multiply, which will support people with no or low level maths skills return to work. The scheme is administered by the County Council who are currently developing the Investment Plan for the county. The programme is expected to offer free personal tutoring, digital training and flexible courses to improve adults' confidence and numeracy skills.

PREVIOUS RELEVANT DECISIONS

None

BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL

- [Shared Prosperity Fund Prospectus - https://www.gov.uk/government/publications/uk-shared-prosperity-fund-prospectus](https://www.gov.uk/government/publications/uk-shared-prosperity-fund-prospectus)
- [Agenda Report Pack for Cabinet - Friday, 25th February, 2022 - contains Corporate Priorities for 2022/23](#)

APPENDICES

Appendix A - List of Interventions

Appendix B – Table of UKSPF project ideas from partners.

REPORT CONTACT OFFICER(S)

Name

Lee Heley

Job Title	Corporate Director
Email/Telephone	Lheley@tendringdc.gov.uk 01255 68 6006

A.4 Appendix A: Potential interventions in the Government Guidance

The full list of government interventions by theme is set out below. The proposed long list of Tendring interventions are highlighted in bold.

Communities and Place

E1: Funding for improvements to town centres and high streets, including accessibility for disabled people

E2: Funding for new, or improvements to existing, community and neighbourhood infrastructure projects

E3: Creation of and improvements to green spaces, community gardens, watercourses & embankments

E4: Enhanced support for existing cultural, historic and heritage institutions

E5: Design and management of the built and landscaped environment to 'design out crime'

E6: Support for local arts, cultural, heritage and creative activities

E7: Support for active travel enhancements in the local area

E8: Funding for campaigns which encourage people to visit/explore the area

E9: Funding for impactful volunteering and/or social action projects to develop social and human capital

E10: Funding for local sports facilities, tournaments, teams and leagues; to bring people together

E11: Investment in capacity building/infrastructure support for local civil society and community groups

E12: Community engagement to support community involvement in decision making in local regeneration.

E13: Measures to reduce the cost of living, improve energy efficiency & combat fuel poverty

E14: Funding to support relevant feasibility studies.

E15: Investment and support for digital infrastructure for local community facilities.

Supporting Local Business

E16: Improvements to town centre retail / markets / service infrastructure, with business support

E17: Development/promotion of the visitor economy - incl. attractions, trails, tours and tourism products

E18: Business Support Service for Manufacturers (inc. Grants Programme & Training)

E19: Specialist Innovation Advisory Service for Pre-Start and Established Businesses (inc. Grants and Cluster Programmes)

E20: R&D grants supporting the development of innovative products and services.

E21: Funding for the development and support of appropriate innovation infrastructure at the local level

E22: Investing in enterprise infrastructure and employment/innovation site development projects.

E23: Generalist Business Support Service for all businesses (across all life-stages) inc. business networks

E24: Funding for new/improvements to training hubs, 'incubators' and 'accelerators'

E25: Grants to help places bid for and host international business events and conferences

E26: Specialised Social Enterprise Support Service (inc. Grants)

E27: Funding to develop angel investor networks

E28: Export Grants to support businesses to grow their overseas trading, supporting local employment.

E29: Specialist Low Carbon Business Support Service (in. Grants)

E30: Business support measures to drive employment growth, particularly in areas of high unemployment

E31: Funding to support relevant feasibility studies.

E32: Resilience infrastructure and nature based solutions to protect areas from natural hazards

People and Skills

Supporting economically inactive people to overcome barriers to work through cohesive, locally tailored support inc. access to basic skills.

E33: Employment support for non-employed: 1:1 support & specialist life/basic skills (digital, English, ESOL)

Supporting people furthest from the labour market through access to basic skills

E34: Courses inc. basic skills (digital, English and ESOL), and life skills and career skills and financial support

E35: Activities such as enrichment and volunteering to improve opportunities and promote wellbeing.

E36: Intervention to increase digital inclusion: essential digital skills, online safety & in community support

Skills to progress in work and to fund local skills needs.

E37: Support for employed people to address barriers to education and training

E38: Support to fund local skills needs - technical/vocational quals, up to L2 and high value qualifications

E39: Green skills courses

E40: Retraining support for those employed in high carbon sectors.

E41: Funding to support local digital skills.

A.4 Appendix B – Table of UKSPF Project Submissions

Below are example project ideas submitted by partners through engagement in the development of the Tendring UK Shared Prosperity Fund Investment Plan. The project list is included for information and does not indicate an agreement to fund. Decisions on which projects to fund will be taken after the Investment Plan is complete, which may include a further call for projects to align with the final agreed Investment Plan.

Organisation	Project Outline
Colchester Institute	Continuation of Pathways to Diagnostics Programme, funded (Nov 2021 – Oct 2022) through Community Renewal Fund, to assist local residents to acquire skills to support local job opportunities at the Community Diagnostic Centre at Clacton Hospital.
North East Essex CCG	Transport support costs for students living/studying in Tendring to access work experience opportunities with a focus on the Health and Care Sector, Green & Renewable Energy and Construction.
North East Essex CCG	To continue the Tendring Career and Job Roadshow is held monthly across the Tendring district with the aim to help people on their journey into employment through a variety of partners in attendance
North East Essex CCG	An Inclusion Advocacy service that will support vulnerable Citizens to begin their journey towards inclusion with a view to employment, and improved quality of life with meaningful outcomes. This funding would enable Summit Services to continue the project at the end of the current funding cycle.
North East Essex CCG	Further developing the co-investment model for widening the Peer Researcher programme through establishment of a community interest company for skills and employment that will extend the reach and impact of this existing programme and provide employment for the Peer Researchers.
North East Essex CCG	Take forward the strategic outline business case to determine the feasibility of a Care Technology (“Care Tech”) hub in the North Essex region. The initial concept for this hub was a Care Tech “testbed facility” to enable researchers and entrepreneurs to test and develop new Care Tech products in a care-giving environment.
North East Essex CCG	DragonGate Market Intelligence were appointed in September 2021 by the Colchester and Tendring Care Innovation Board to undertake a strategic outline business case towards the merits of establishing the CareTech Innovation Hub in Essex. The outcome of the OBC was broadly positive. Based upon feedback given, the project is looking to establish match funding opportunities to complete the final business case which in turn will secure long term capital investment toward physical completion of the hub.
Maybe Solutions Ltd	Extension of the UKCRF program which is currently providing 400 + businesses with training and access to the social media tools they need for business growth. This funding would extend the program over the next 3 years to

	2500 businesses in Tendring with training, social media tools and grants that improve sustainable economic growth.
Abberton Rural Training	Continuation of the CRF funded Seeds4Growth project, which provides training in horticulture and food production together with interview skills training, media production (radio) and podcast production training as well as self-employment and employment skills.
ACL Essex	Extension of the Your Future Matters (YFM) programme, currently funded through Community Renewal Fund. The project provides residents, businesses and communities with Information Advice and Guidance on the opportunities and services that exist locally and providing mechanisms to access them.
University of Essex	To stimulate the development of a high-value cluster around the Freeport East Bathside Bay site to develop high-value jobs and economic growth in the area by creating an Emerging and Enabling Technologies Innovation Centre.
Enable East (CCG)	HeadsUp project is an advocacy project currently running across Essex, Southend, and Thurrock, which helps to move people closer to the labour market. A mental health employability service which already engages with the Roadshow.

CABINET

15 JULY 2022

REPORT OF THE PORTFOLIO HOLDER FOR CORPORATE FINANCE AND GOVERNANCE

A.5 INITIATION OF THE PROPERTY DEALING PROCEDURE IN ORDER TO EXPLORE THE DEVELOPMENT POTENTIAL OF VARIOUS AREAS OF COUNCIL LAND

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To consider whether to initiate the Property Dealing Procedure in respect of each of the 69 proposed areas of land identified in Appendix A in order for development/disposal proposals to be explored and to seek Cabinet's approval to the short-listing and prioritisation principles.

EXECUTIVE SUMMARY

As part of the rationalisation of the Council's assets and in order to help address the housing need in Tendring, both green space and underutilised land have been evaluated to find those with the potential for redevelopment for housing. 69 separate areas have been identified for consideration and are set out in Appendix A.

The Portfolio Holder for Corporate Finance and Governance has been consulted on each of the pieces of land identified and whilst normally the initiation of the Property Dealing Procedure is a Portfolio Holder decision, due to the large number of areas identified and potential scale and impact, the decision has been referred to Cabinet.

All land identified is owned and maintained by the Council and is a mix from both the housing and general fund portfolios.

Appendix A identifies each piece of land by way of a plan and photographs and provides some information on:

- current and adjacent uses,
- planning status under the current Local Plan,
- any legal information or rights that are currently known,
- whether the land is held in the HRA (H Suffix) or General Fund (G Suffix), and
- housing need in the area as at 1 May 2020 identified in the Housing Strategy.

The potential development plans for each piece of land are purely conceptual at this stage and do not guarantee that development is achievable. One option for these sites could be development of housing. Other uses, disposal to produce a capital receipt or actions may be possible following detailed work and consultation.

This report requests the initiation of the Property Dealing Procedure to enable each area identified to be explored further, establishing the detailed planning position and putting together a development appraisal, including how a potential development fits in the local area and whether other nearby public realm could be enhanced by the development. A further decision will then be sought for each individual piece of land as to if, or how the development is realised however, due to the scale of the project, principles are necessary for prioritisation.

Cabinet agreed its Highlight Priorities for 22/23 at its meeting in February 2022, under C5 'Use assets to support priorities' the first milestone was to prepare long list of potential disposal/development sites for Portfolio Holder shortlisting. The list has been prepared and

discussed with the Portfolio Holder. The Portfolio Holder notes the scale of the list, potential financial and resource impacts as well as the geographical spread of locations. He has suggested that in all of the circumstances a Cabinet consideration of the list and potential actions is appropriate and has asked Cabinet to consider the matter accordingly and establish prioritisation principles for shortlisting.

It is proposed that the first of these principles are to shortlist between those properties which provide a capital receipt to contribute to the Council's financial position, to reinvest back in the Corporate Investment Plan to fund the Council's projects and priorities and those which are deemed suitable for housing development for building and managing our own homes.

Proposed principles of prioritisation are:

- i) The likely ease or otherwise of completing disposal actions with limited resources;
- ii) The identified need for social housing provision in the area;
- iii) The number of potential dwellings identified, and;
- iv) The potential level of capital contribution to other priorities.

In addition to the sites listed in the schedule Officers initiated processes to dispose of and to gain planning permission for three sites in the district:

- Land at Crome Road Clacton
- Land at Dover Road Brightlingsea
- Burrows Close Clacton

The Crome Road and Dover Road sites benefit from planning permission but an application for the Burrows Road site was withheld pending the review that is the principal topic of this report. It is proposed that these sites are taken forward for open market disposal in support of the wider capital programme and corporate priorities.

RECOMMENDATION(S)

It is recommended that Cabinet:

- a) Considers the list of potential sites identified at Appendix A and determines whether to initiate the Property Dealing Procedure in respect of each of the areas identified;**
- b) Agrees that priority action be taken in relation to bringing forward proposals for further decision in relation to potential development of the sites at Fernlea Road Harwich and Seaview Close at Little Oakley contained in the appendix and subject to the Corporate Priority actions;**
- c) Determines a prioritised list of the other sites that Cabinet elects to initiate the disposal process as recommendation (a) above, having regard to:**
 - i) The likely ease or otherwise of completing disposal actions with limited resources;**
 - ii) The identified need for social housing provision in the area;**
 - iii) The number of potential dwellings identified, and;**
 - iv) The potential level of capital contribution to other priorities;****subject to further decision in relation to the allocation of resources required, and;**
- d) Requests that officers bring forward processes and ultimately reports for further decision in respect of the freehold disposal of sites at Crome Road Clacton, Dover Road Brightlingsea and Burrows Close Clacton.**

REASON(S) FOR THE RECOMMENDATION(S)
<p>To determine Members' priorities for each area of land: for potential Council Housing growth, disposal to produce capital receipts for reinvestment into the Corporate Investment Plan to support the delivery of other Council priorities and projects, or for other development. To start the process for them to be explored, planning opinion sought and development appraisal carried out.</p> <p>To take forward actions on sites previously identified.</p>
ALTERNATIVE OPTIONS CONSIDERED
<ul style="list-style-type: none"> - To Initiate the Property Dealing Procedure on all of the suggested land areas. – Not proposed - Potential abortive use of resources - Not initiate the Property Dealing Procedure for any of the land – Not proposed – would not generate any council housing or efficiency. - To not progress actions or progress with housing development on sites previously identified.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES
<p>These proposals have the potential to feed into the following priorities:</p> <ul style="list-style-type: none"> • Building and managing our own homes • Public spaces to be proud of in urban and rural areas • Use assets to support priorities <p>As well as specifically addressing the following 2022/23 Highlight Priority Actions approved by Cabinet in February 2022:</p> <p>C5 Use assets to support 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..."</p> <p>Q1 target: Other Sites: Prepare long list of potential disposal/development sites for Portfolio Holder shortlisting.</p> <p>Q2 target: Other Sites: Report to members short list of potential development/ disposal sites for direction and prioritisation.</p> <p>B4 Building and Managing our own homes: "...two further sites held within the Housing Revenue Account (HRA) will be progressed to design and tender phase..."</p> <p>Q3target: Further HRA sites: Scheme proposals presented to Cabinet for approval.</p> <p>Q4 target: Further HRA sites: Planning applications submitted.</p> <p>These targets are focussed on the sites in the schedule at Fernlea Road Harwich and at Seaview Avenue Little Oakley.</p> <p>It is proposed that the Cabinet determines that these two sites are approved to be taken forward as a priority. It is also proposed that other sites from the schedule where Cabinet agrees to take forward action in relation to the sites.</p>
OUTCOME OF CONSULTATION AND ENGAGEMENT
<p>N/A The Property Dealing and planning procedures include consultation provisions.</p>

LEGAL REQUIREMENTS (including legislation & constitutional powers)			
Is the recommendation a Key Decision (see the criteria stated here)	YES	If Yes, indicate which by which criteria it is a Key Decision	<input type="checkbox"/> Significant effect on two or more wards <input type="checkbox"/> Involves £100,000 expenditure/income <input checked="" type="checkbox"/> Is otherwise significant for the service budget
		And when was the proposed decision published in the Notice of forthcoming decisions for the Council (must be 28 days at the latest prior to the meeting date)	15 June 2022 Note: Although the proposed decision does not of itself incur saving or expenditure the matter is significant and widespread. It has accordingly been published as a forthcoming decision.
<p>In coming to decisions in relation to management of assets, the Council must act in accordance with its statutory duties and responsibilities. Cases assessing principles of Section 120 of Local Government Act 1972 confirm that the Council is obliged to ensure that the management of its assets are for the benefit of the district;</p> <p>Section 9 of the Housing Act 1985 gives the Council discretionary power to construct or acquire housing.</p> <p>Section 32 of the Housing Act 1985 together with the General Housing Consent 2013, Consent A gives the Council discretionary power to dispose of land held under Part II of the Housing Act 1985 that has not been developed/is vacant.</p> <p>Section 123(1) of the Local Government Act 1972 indicates that, a local authority may dispose of land held by it in any way it wishes so long as (section 123 (2)) the land is disposed for a consideration not less than the best that can reasonably be obtained.</p> <p>Section 123(2) of the Local Government Act 1972 indicates that, a local authority may not dispose of land held by it as public open space without first advertising its intention to do so.</p> <p>The areas of land identified in the Appendix have been given initial consideration as to whether any covenant or restriction would prevent development. Further specific legal work will be required in each case as sites are considered and brought forward for development. Resources for this have not been identified.</p> <p>The Portfolio Holder notes the scale of the list, together with potential financial and resource impacts as well as the geographical spread of locations. He has suggested that in all of the circumstances a Cabinet consideration of the list and potential actions is appropriate and has asked Cabinet to consider the matter accordingly.</p>			
<input type="checkbox"/>	The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:		
<p>Ordinarily the Initiation of the Property Dealing Procedure is a Portfolio Holder decision, as set out in Part 5 of the Council's Constitution however, given the scale and spread of potential disposals it is proposed that the Cabinet considers the matter, the Portfolio Holder has exercised their right (if they consider it appropriate) to elect to refer up to the Cabinet, the exercise of any power delegated to them.</p> <p>Any future decisions regarding the individual pieces of land will give detailed consideration to the legal requirements as to how the land is held, and if being retained for alternative uses appropriation between the General Fund and Housing Revenue Account, or for planning purposes, may be required depending upon the recommended proposals.</p>			

FINANCE AND OTHER RESOURCE IMPLICATIONS

Further consideration of these sites will require searches applications, investigations and other actions for which no resources have been identified.

Any development of housing on the sites would require designs, consents construction and management for which no resources have been identified.

Any disposal of the sites would lead to capital receipts but would require investigations, permissions and tendering for which no resources have been identified.

The Council has a highlight priority to build and maintain its own homes. It also faces a very tough financial outlook. Disposal of land would lead to capital receipts that will support other priorities and the overall financial position. It may be that Cabinet wishes to take an approach seeking to balance these priorities.

The Council's revenue budgets face significant current and future pressures. It will be hard to maintain and care for properties in the future to the standards aspired to in the Council's priorities and as required by emerging legislative and regulatory requirements. An approach that seeks to rationalise and gain receipts to support service standards is essential, notwithstanding that there may be local opposition in specific cases.

The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:

No resources have been identified to take forward an additional disposal or construction programme. If existing resources are to be relied upon a strict prioritisation of these sites will be necessary as well as reprioritisation of existing workloads.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	Retention of underused land does not contribute to priorities and consumes resources. Identification of housing potential and disposal potential are actions proposed in the Asset Management Plan.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The proposed initiation is pursuant to the adopted constitutional and procedural requirements.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	Potential actions following review would be aimed at increasing and improving efficiency and services.

MILESTONES AND DELIVERY

Following initiation of the Property Dealing Procedure, the land areas identified will need to be prioritised in line with Member priorities, with a schedule put in place for the development appraisals required to be carried out.

Sites at Chrome Road and Dover Road can be offered for sale in Quarter 3. A planning application for the site at Burrows Close to be made in Quarter 4 with any disposal action in the succeeding financial year.

Progression of other shortlisted sites to be subject to further decision on resourcing and priority.

ASSOCIATED RISKS AND MITIGATION	
<p>Although sixty-nine additional potential pieces of land have been identified as having potential, the true potential is unknown without further investigation. It is possible that on further evaluation it will be found that development is not possible on some of those put forward and other options will need to be considered. Without strict prioritisation, the Council's existing resources are unable to take the project forward without an impact on other Council priorities and further capacity is required.</p>	
EQUALITY IMPLICATIONS	
<p>The decision of this report does not have any equality implications. These will need to be considered in future decisions over each area of land/future development individually. Potential future housing units would meet modern standards and their provision is likely to be progressive.</p> <p>Disposal actions would lead to capital receipts which would offer contribution to corporate priorities and to equality impacts that would be considered as part of other future decisions.</p>	
SOCIAL VALUE CONSIDERATIONS	
<p>The decision of this report does not have any direct social value. Potential future actions could lead to increased housing, increased investment in corporate priorities, efficiency and potential service improvement.</p>	
IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030	
<p>The decisions of this report will not impact directly on the Council's net zero aim, however carbon consideration will need to be included in any development appraisals carried out.</p>	
OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS	
<p>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</p>	
Crime and Disorder	Some of the areas identified have elements of anti-social behaviour associated with them, which could be alleviated or eliminated by the land being developed or having another purpose.
Health Inequalities	N/A
Area or Ward(s) affected	Alresford & Elmstead, Ardleigh & Little Bromley, Brightlingsea, Bluehouse, Coppins, Cann Hall, St. Johns, St. James, Burrsville, Eastcliff, St. Bartholomews, The Bentleys & Frating, Thorpe Beaumont & Great Holland, Weeley & Tendring, The Oakleys & Wix, Stour Valley, Dovercourt All Saints, Dovercourt Bay, Harwich & Kingsway, Dovercourt Vines & Parkeston, Lawford Manningtree & Mistley, St. Osyth, Walton

PART 3 – SUPPORTING INFORMATION

BACKGROUND
The Housing Strategy indicates that on the 1 May 2020 there were 1958 households on the housing register in Tendring, increased from 608 on the 1 May 2017. As part of a wider assets rationalisation project, land assets that are redundant or under-utilised are being identified for potential disposal and this remit was expanded in order to identify land that had potential for development. These developments could then be used to meet some of the housing need, either by the Council constructing properties, or selling the land plots in order to use the Capital receipts to purchase houses, or towards other priorities.
PREVIOUS RELEVANT DECISIONS
Cabinet – 19.02.2021 A7 Proposed Development of Surplus Sites for Housing or Disposal
BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL
None

APPENDICES
Appendix A – Plans, Evaluation and Concept Development Proposal for each area of land identified

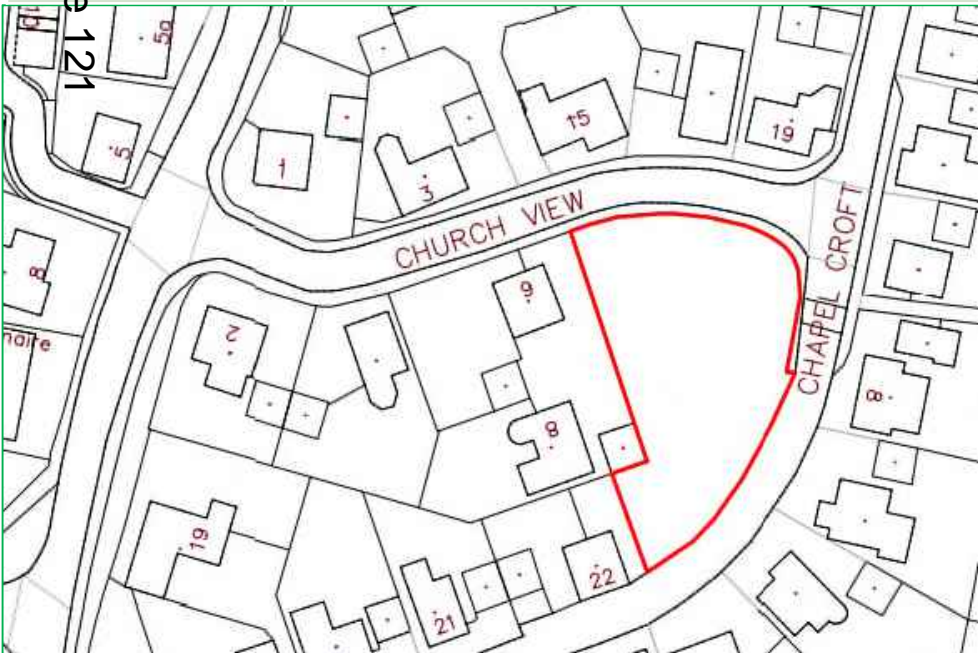
REPORT CONTACT OFFICER(S)	
Name	Jennie Wilkinson
Job Title	Acting Head of Property Services
Email/Telephone	jwilkinson@tendringdc.gov.uk 01255 686935

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Church View, Ardleigh – Ref A001G

Size	1100 m2
Adjoining Uses (within 100m)	Residential, Farmland
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Ardleigh and Little Bromley

Estimated cost of Annual Maintenance: £470

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 3 x Detached Houses



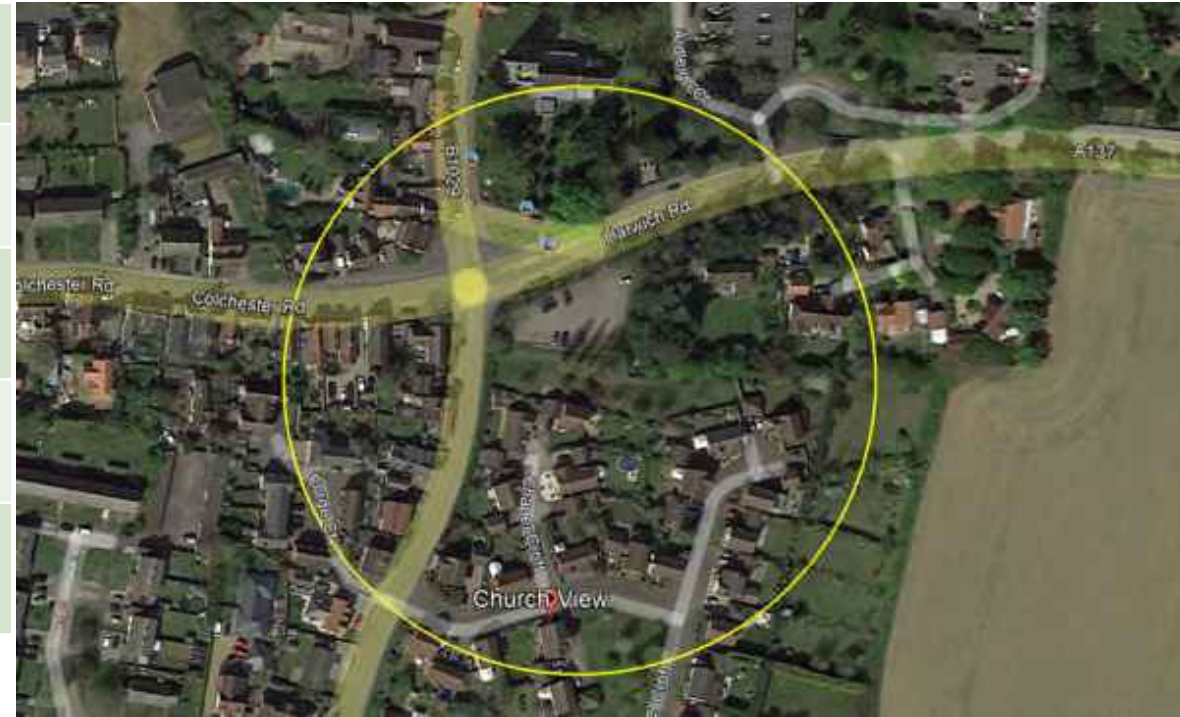
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in the rural villages, equating to 274 households.

Church View, Ardleigh – Ref A002G

Size	1180 m2
Adjoining Uses (within 100m)	Residential, car park, church
Planning designation	Within development boundary, within conservation area
Current use	Green space
Legal constraints	none

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Ardleigh and Little Bromley

Estimated cost of Annual Maintenance: £570

Other information and opportunities:
None noted

Development Potential

Proposed properties: 2 x Detached Houses



Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in the rural villages, equating to 274 households.

De Staunton Close, Alesford – Ref A1001H

Size	690 m2
Adjoining Uses (within 100m)	Housing
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Alresford & Elmstead

Estimated cost of Annual Maintenance: £300

Other information and opportunities:

If housing development isn't possible here, further garages could be a possibility.

Development Potential

Proposed properties: 4 x Detached Houses



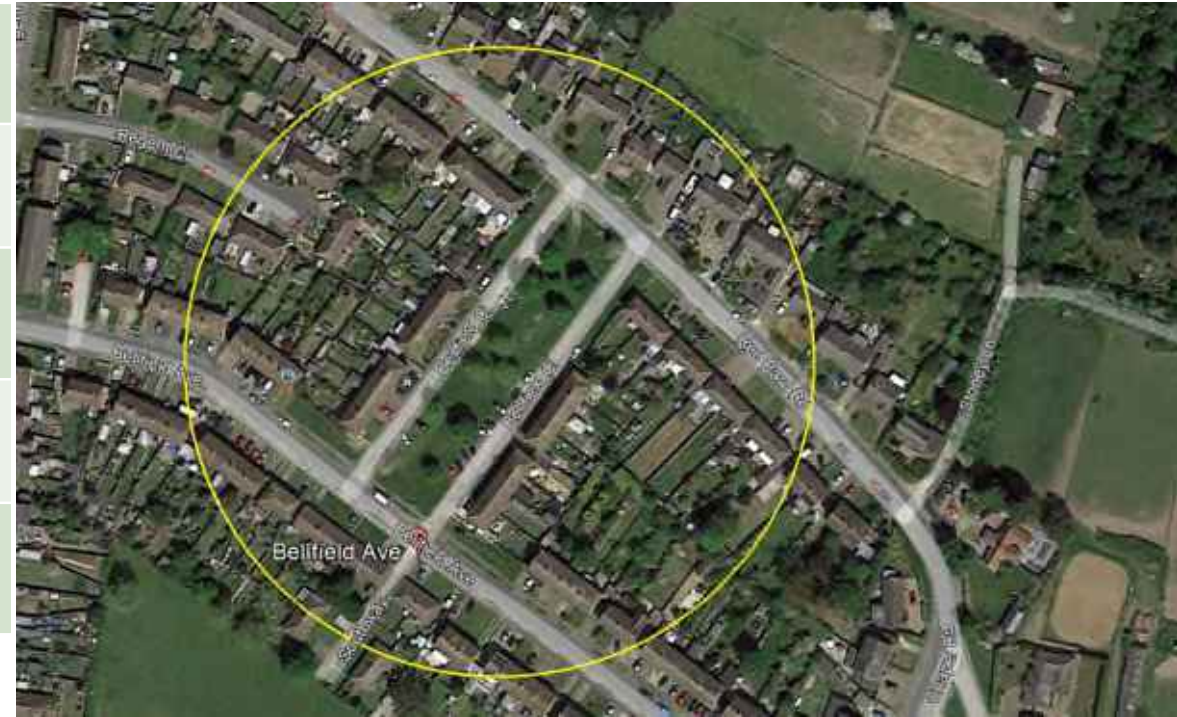
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in the rural villages, equating to 274 households.

Bellfield, Brightlingsea – Ref B001H

Size	2590m2
Adjoining Uses (within 100m)	Housing
Planning designation	Within development boundary, safeguarded open space
Current use	Green Space
Legal constraints	none

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Brightlingsea

Estimated cost of Annual Maintenance: £1,300

Other information and opportunities:

Extra wide verges adjacent to 23 and 25 Red Barn Road could potentially be used to create additional parking spaces.

Development Potential

Proposed properties: 10 x Semi-Detached Houses



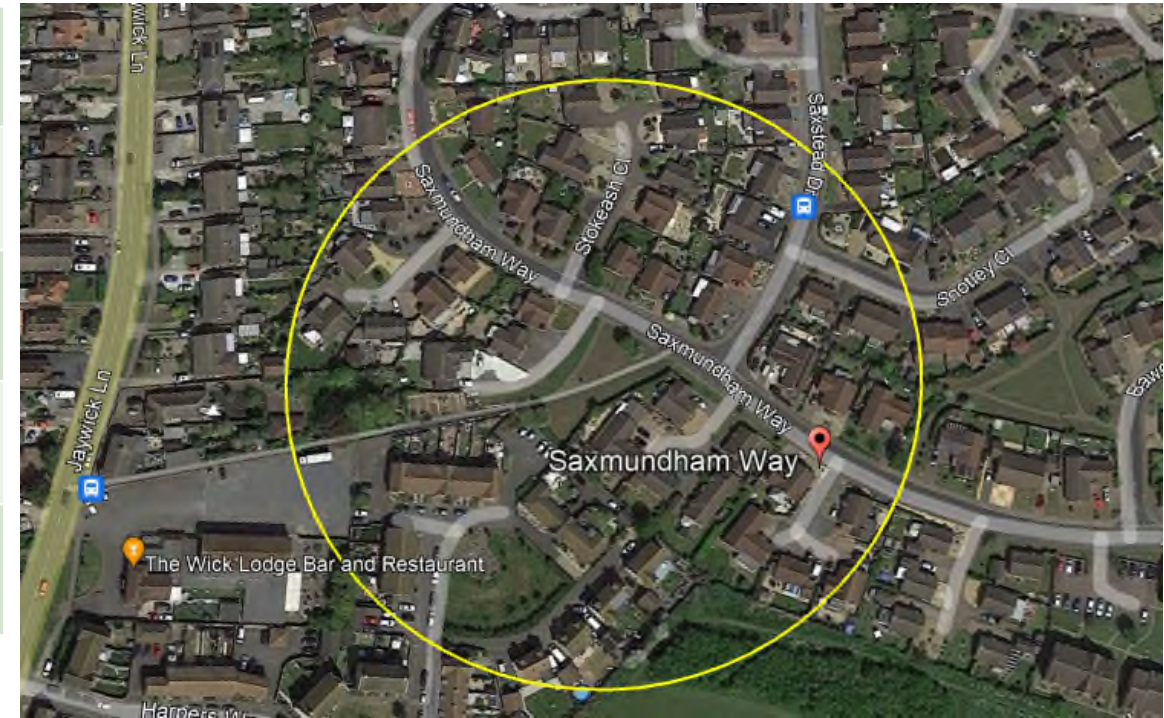
Housing Need

As at the 1st May 2020 4% of Tendring's demand for housing was in Brightlingsea, equating to 79 households.

Saxmundham Way, Clacton – C001G

Size	445m2
Adjoining Uses (within 100m)	Residential, TDC owned Public Open Space (Harpers Way) including play equipment, nearby bus route
Planning designation	Within the development boundary, safeguarded open space
Current use	Green Space
Legal constraints	There is a public open space covenant on the land, however this is in favour of a dissolved company, so there is no one capable of enforcing it.

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Bluehouse

Estimated cost of Annual Maintenance: £200

Other information and opportunities: The footpath running between the two sites is publicly maintained and not owned by TDC which is why it has been excluded from the development proposal.

Development Potential

Proposed properties: 2 x Detached Bungalows



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Alton Park Road, Clacton – C002H

Size	5520m2
Adjoining Uses (within 100m)	Residential, industrial/commercial workshops, allotment gardens, school
Planning designation	Within the development boundary; safeguarded open space.
Current use	Green space, including small electricity sub-station to the rear of the southern most property.
Legal constraints	The narrow second access to the north of the site has been incorporated into the neighbouring residential boundary. This does not appear to be a recent encroachment and the legal position will need to be explored.

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Coppins

Estimated cost of Annual Maintenance: £2,000

Other information and opportunities: There may be difficulties with regard to access to the site which will need to be explored.

Development Potential

Proposed development: 12 x Semi-Detached Houses and 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Cloes Lane, Clacton – C003H

Size	300 m2
Adjoining Uses (within 100m)	Residential
Planning designation	Within development boundary
Current use	Large green verge
Legal constraints	Part of a larger Title for which there are restrictions, however none appear to relate to this piece of land

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Cann Hall

Estimated cost of Annual Maintenance: £150

Other information and opportunities: Explore utilising the large green verge to the north of the site for parking and then incorporate the parking spaces to the west of the site into the development which could provide enough space for a modest apartment block.

Development Potential

Property properties: 2 x Semi-Detached Houses



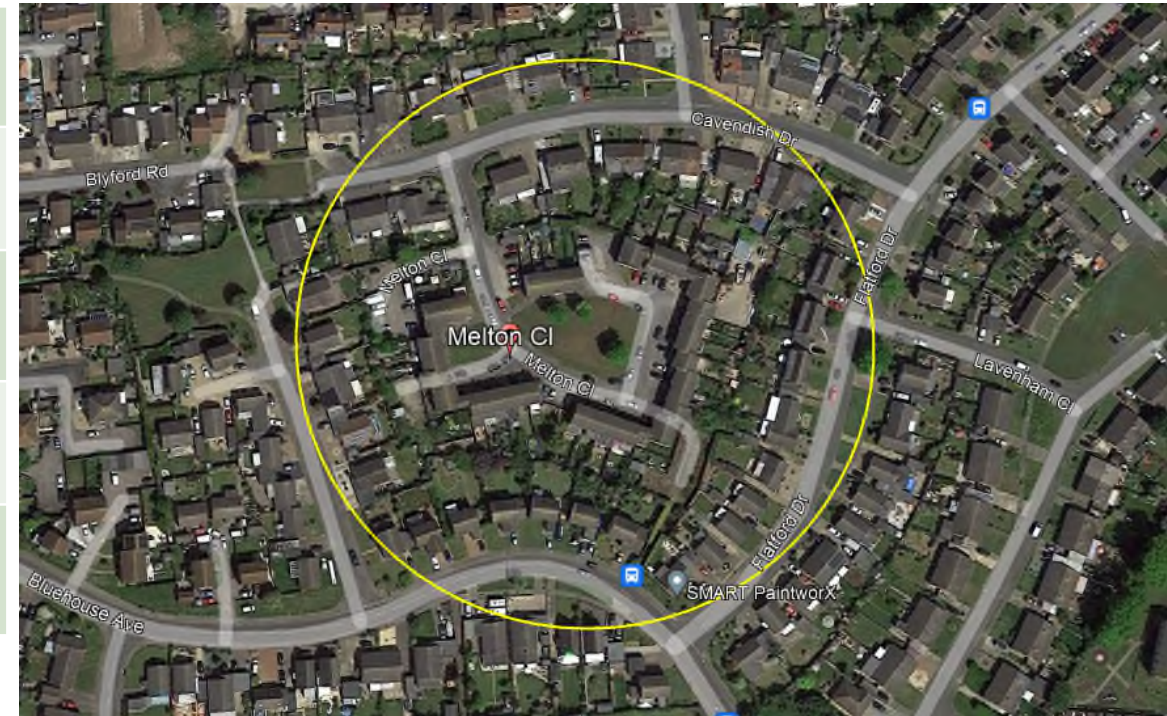
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Melton Close, Clacton – C004G

Size	940m2
Adjoining Uses (within 100m)	Residential, nearby bus route
Planning designation	Within the development boundary; Safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Bluehouse

Estimated cost of Annual Maintenance: £575

Other information and opportunities:

There appears to have been some driving over or parking on this green space a plan to enhance and landscape the remaining space as part of the development could discourage this.

Development Potential

Proposed properties: 2 x Link-Detached Houses



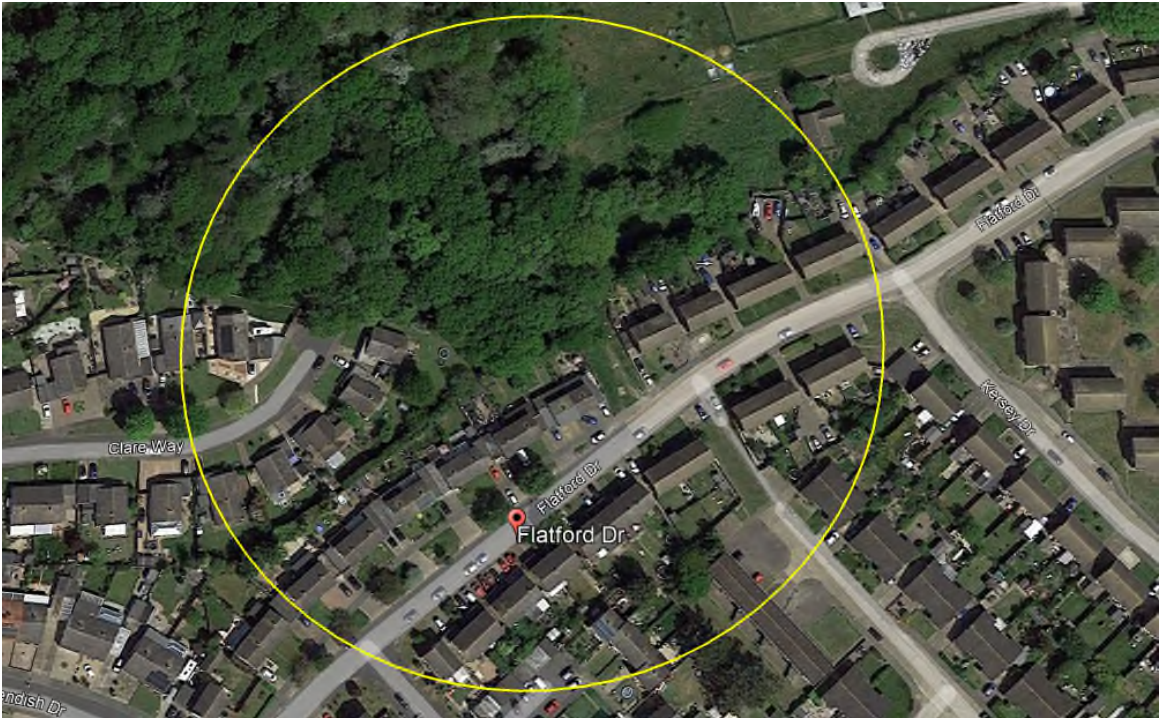
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Land off Flatford Drive, Clacton – C005H

Size	1160m2
Adjoining Uses (within 100m)	Wood, Residential, Waterworks
Planning designation	Within Development Boundary
Current use	Overgrown land
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Cann Hall

Estimated cost of Annual Maintenance: £600

Other information and opportunities:

Enhancement /investment could be made to the neighbouring wood from the development. Additional access and parking created through reconfigured adjacent parking area.

Development Potential

Proposed properties: 6 x semi-detached houses & 1 detached house.



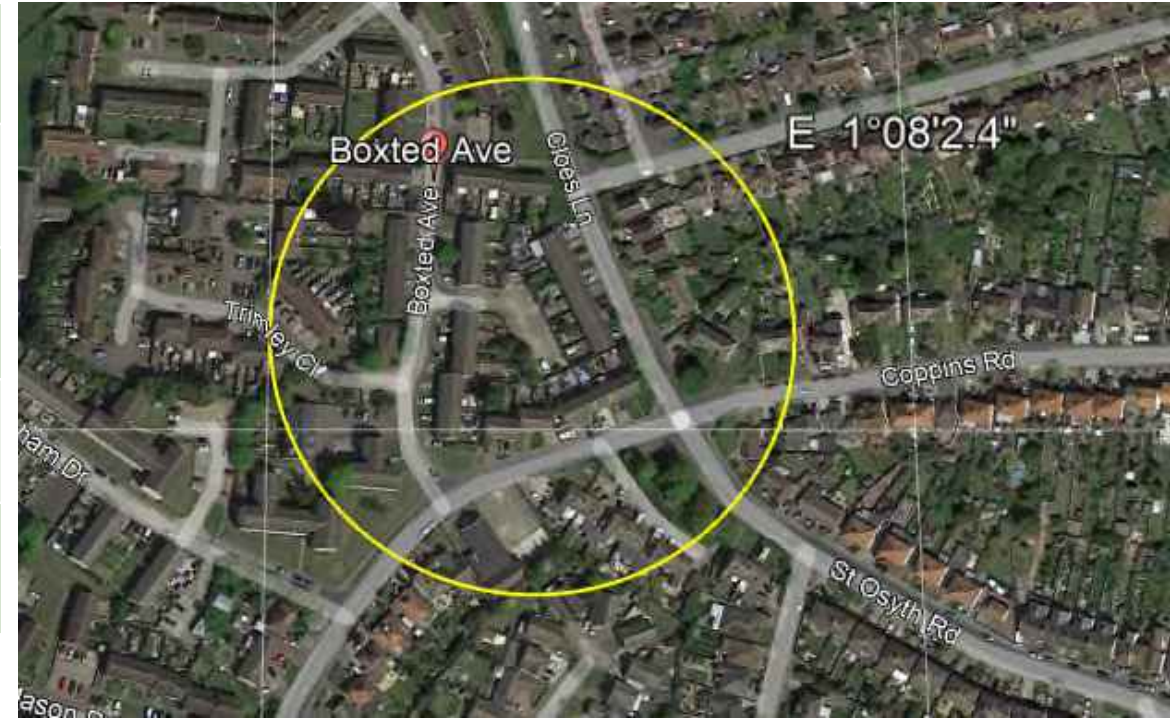
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Boxted Avenue, Clacton – C007H

Size	800m2
Adjoining Uses (within 100m)	Residential
Planning designation	Within Development Boundary
Current use	Former parking area
Legal constraints	Potential historic parking rights. Some unauthorised rear access gates.

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Bluehouse

Estimated cost of Annual Maintenance: £1900

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 2 x Semi-Detached Houses



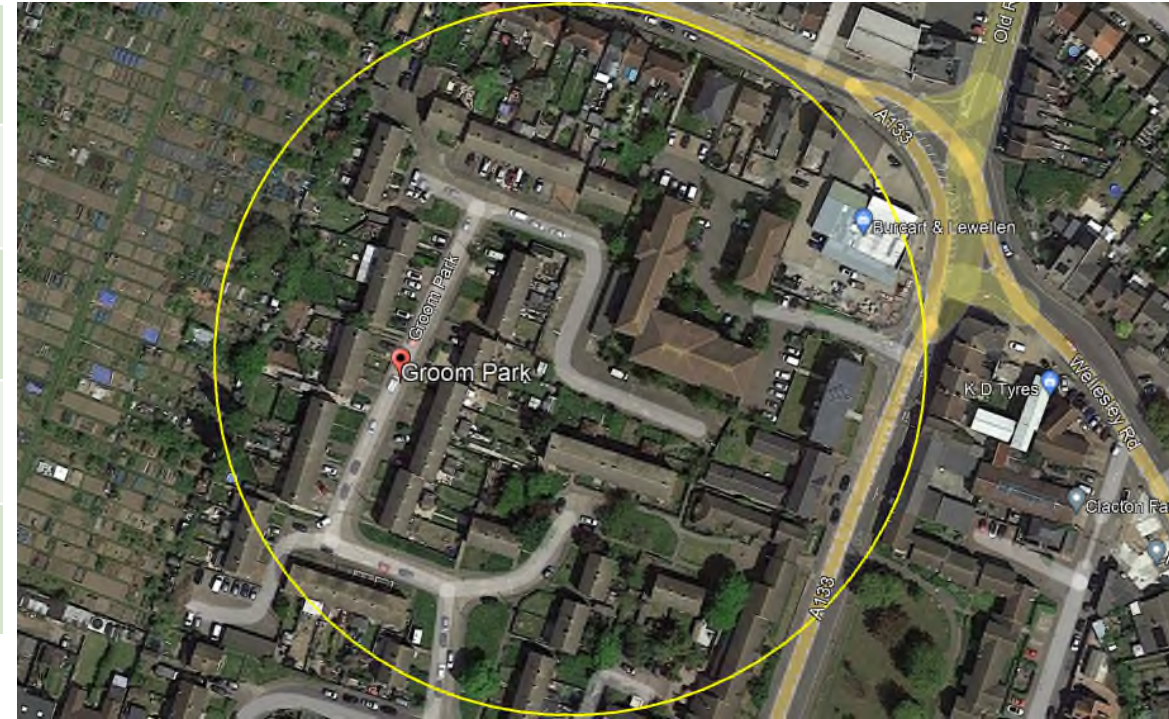
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Groom Park, Clacton – C008H

Size	765m2
Adjoining Uses (within 100m)	Residential, Commercial, Main Road, Allotments, TDC Garages
Planning designation	Within Development Boundary
Current use	Unofficial parking
Legal constraints	Check any old parking rights.

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Coppins

Estimated cost of Annual Maintenance: £1,900

Other information and opportunities:

If residential properties are unachievable here, it could be possible to create additional TDC garages.

Development Potential

Proposed properties: 4 x Semi-Detached Houses



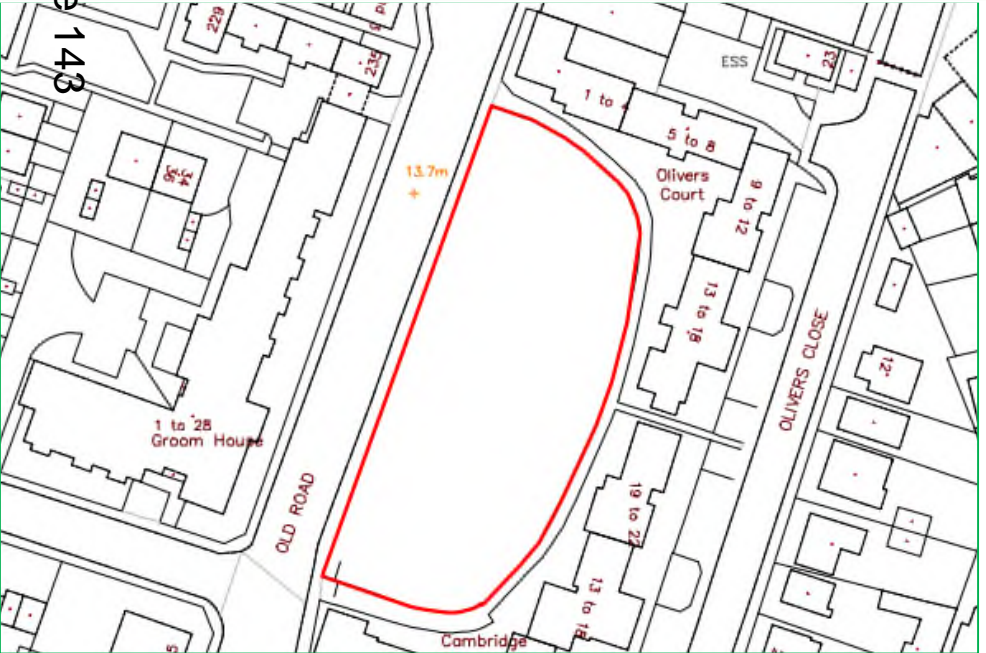
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Cambridge Court, Clacton – Ref C009H

Size	2000m2
Adjoining Uses (within 100m)	Main Road, Residential
Planning designation	Within Development Boundary, safeguarded open space
Current use	Green Space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Johns

Estimated cost of Annual Maintenance: £1,200

Other information and opportunities:

New landscaping & trees to separate new and existing properties.

Development Potential

Proposed properties: 12 x Terrace of Properties



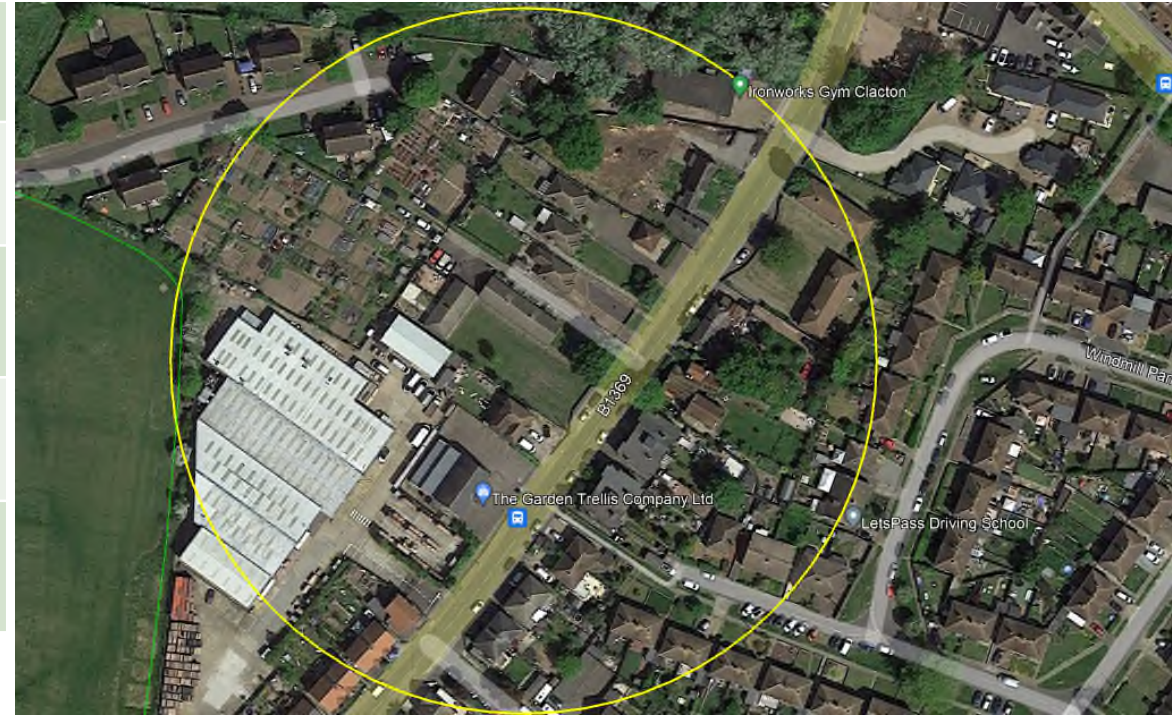
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Old road, Clacton – Ref C010H

Size	680m2
Adjoining Uses (within 100m)	Residential, Industrial, Playing Field, Allotments
Planning designation	Within Development Boundary
Current use	Communal Garden Area in addition to private gardens
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St James

Estimated cost of Annual Maintenance: £400

Other information and opportunities:

Will require current parking arrangements to be reconfigured.

Development Potential

Proposed properties: 2 x Semi-Detached Bungalows



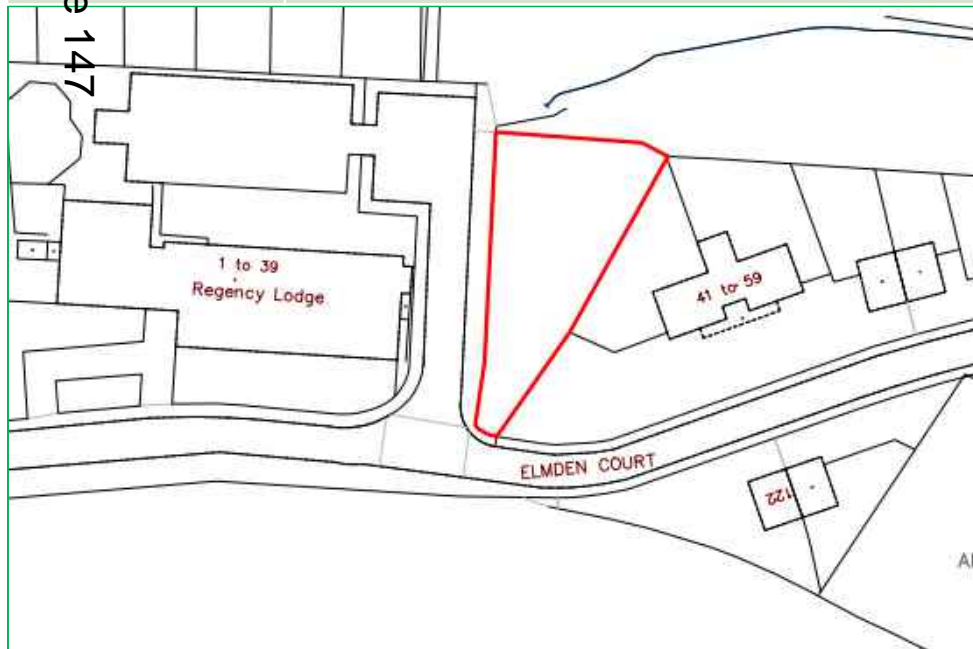
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Ro Elmden Court, Clacton – Ref C011G

Size	800 m2
Adjoining Uses (within 100m)	Residential, playing field, allotments, public open space
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	none

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Johns

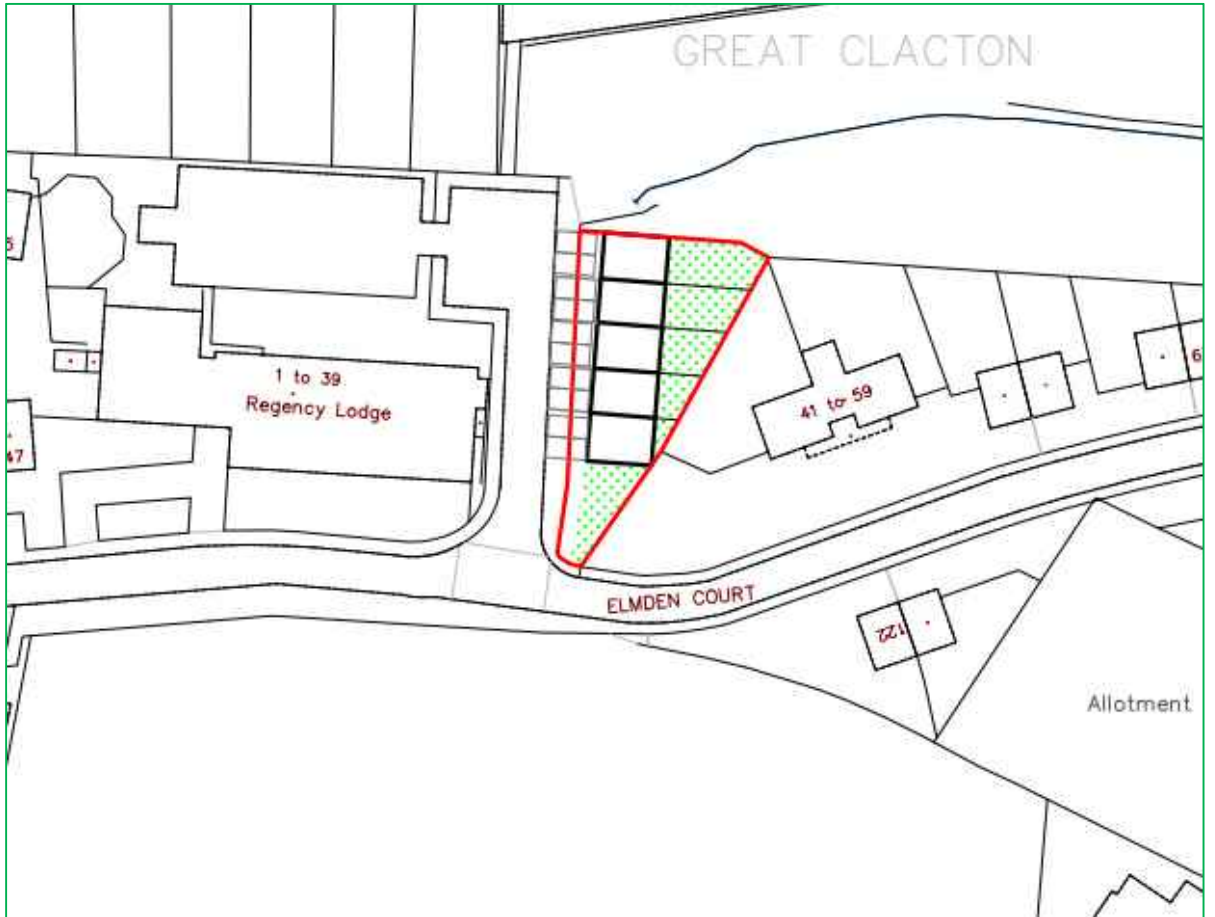
Estimated cost of Annual Maintenance: £400

Other information and opportunities:

Green space and stream to the north of the site could be enhanced to combat anti-social behaviour in the area and provide nice useable space for local residents

Development Potential

Proposed properties: 5 x Terrace of Properties



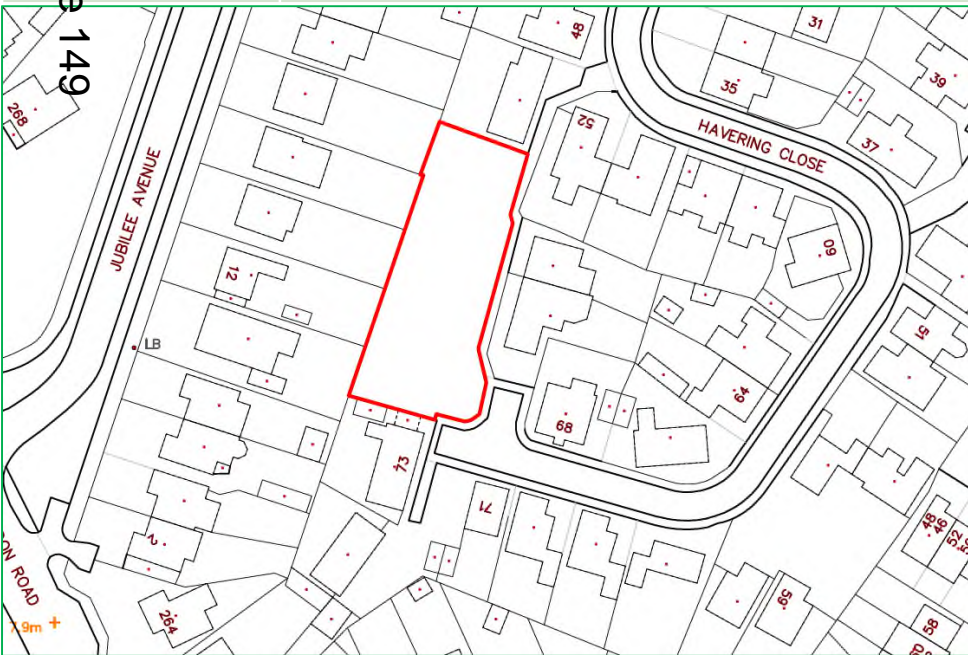
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Havering Close, Clacton – Ref C012G

Circle shows 100 metre radius around the site – image from Google Earth

Size	900 m2
Adjoining Uses (within 100m)	Residential
Planning designation	Within development boundary
Current use	Green space
Legal constraints	Unauthorised back gate access.



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Burrsville

Estimated cost of Annual Maintenance: £1,100

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 3 x Terrace of Bungalows



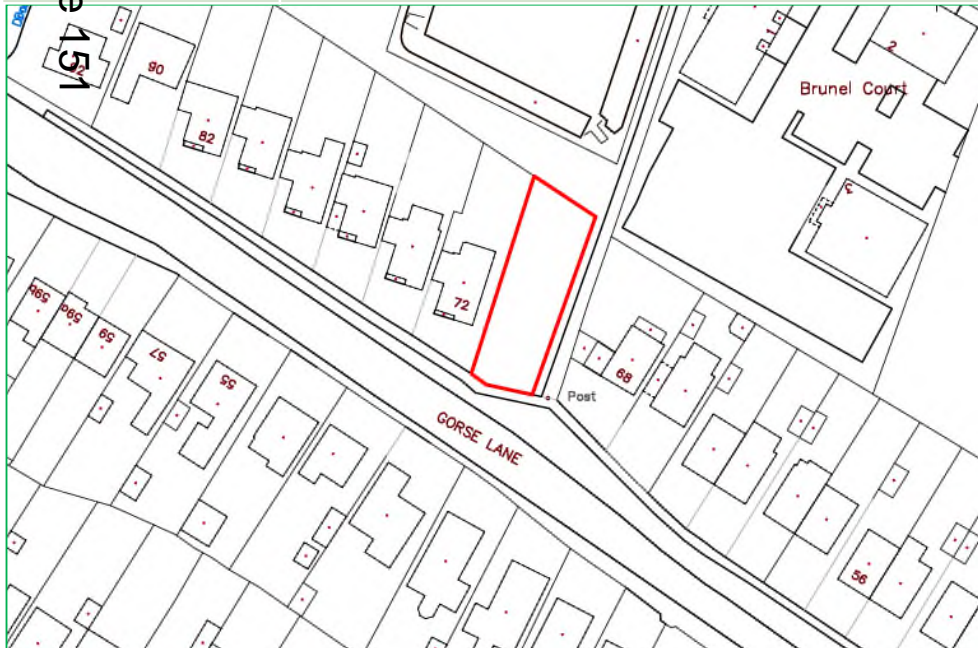
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Gorse Lane, Clacton – Ref C013G

Size	410m2
Adjoining Uses (within 100m)	Residential, Commercial, Industrial, Open Space, Flood Park
Planning designation	Within development boundary
Current use	Green Verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Burrsville

Estimated cost of Annual Maintenance: £250

Other information and opportunities:

Open space to the north of this plot could be enhanced to add to the trees already there and create a small wood to benefit local residents.

Development Potential

Proposed properties: 1 x Detached House



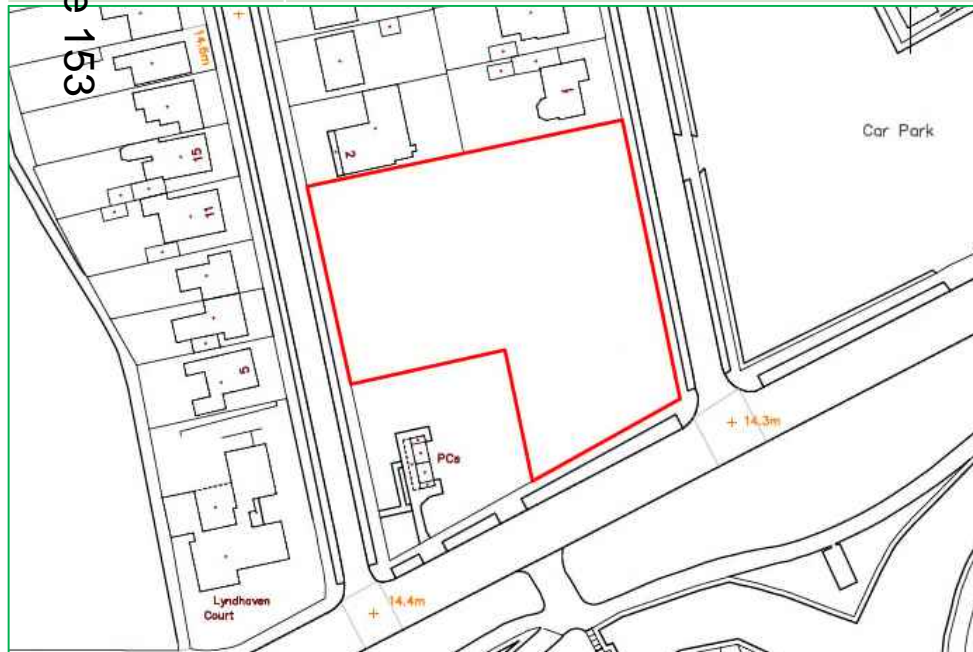
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Lyndhurst Road, Clacton – Ref C014G

Size	3000m2
Adjoining Uses (within 100m)	Residential, Open Space, Greensward, Seafront, Playing Fields, Sailing Club, Public Car Park, Public Conveniences
Planning designation	Within development boundary, safeguarded open space
Current use	Green Space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Eastcliff

Estimated cost of Annual Maintenance: £1,300

Other information and opportunities:

An alternative option could be seafront apartments here, or a mixture of houses with an apartment block to the south, seaward side of the site.

Development Potential

Proposed properties: 8 x Detached Houses



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Brighton Road, Clacton – Ref C015G

Size	6000m2
Adjoining Uses (within 100m)	Residential, Public Open Space, Public Car Park
Planning designation	Within development boundary, safeguarded open space
Current use	Green Space
Legal constraints	none

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Bartholomews

Estimated cost of Annual Maintenance: £3,000

Other information and opportunities:

Due to the space and the seafront location, the scheme could include an apartment block on part of the site.

Development Potential

Proposed properties: 14 x Semi-Detached Houses & 4 x Detached Houses



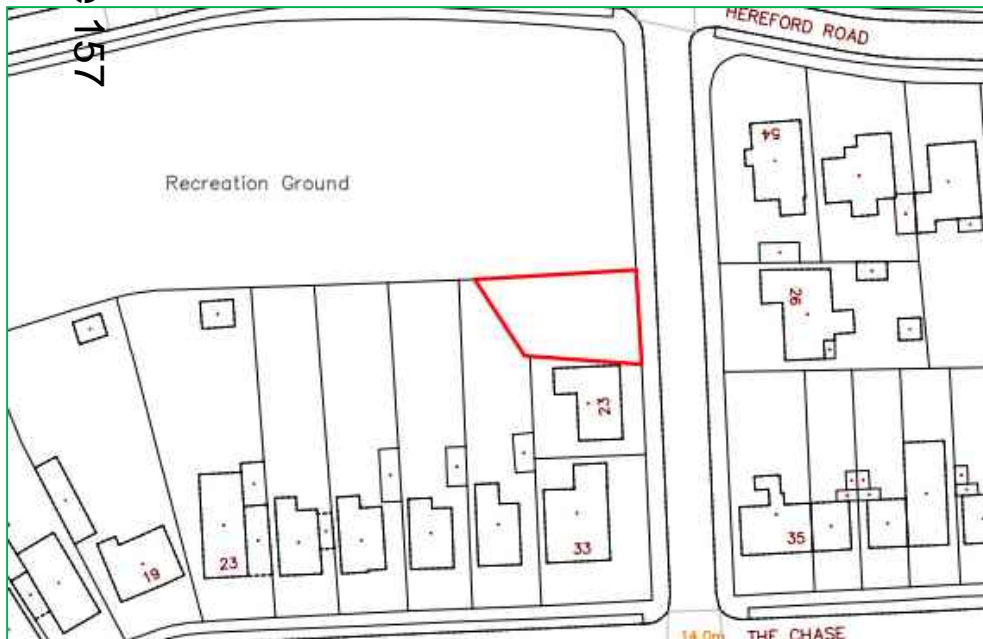
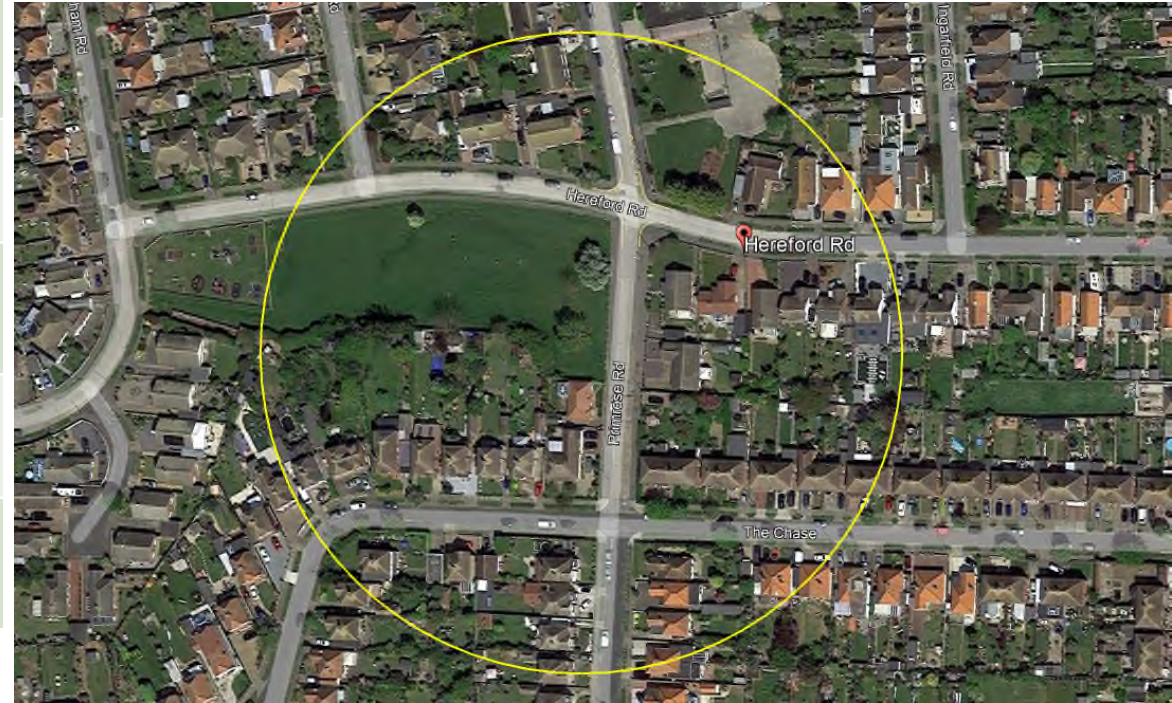
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Hereford Road – Ref C016G

Size	300m2
Adjoining Uses (within 100m)	Residential, playing ground, elementary school
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Bartholomews

Estimated cost of Annual Maintenance: £150

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Manor Way, Clacton – Ref C017G

Size	2700m2
Adjoining Uses (within 100m)	Residential, Seafront, public open space, boat storage yard
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	none

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Bartholomews

Estimated cost of Annual Maintenance: £1,400

Other information and opportunities:

Seafront Apartments could also be considered here.

Development Potential

Proposed properties: 4 x Detached Houses



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

London Road, Whispering Trees, Clacton – Ref C018G

Size	960m2
Adjoining Uses (within 100m)	Residential, farmland, caravan park
Planning designation	Outside development boundary, strategic green gap
Current use	Overgrown land
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

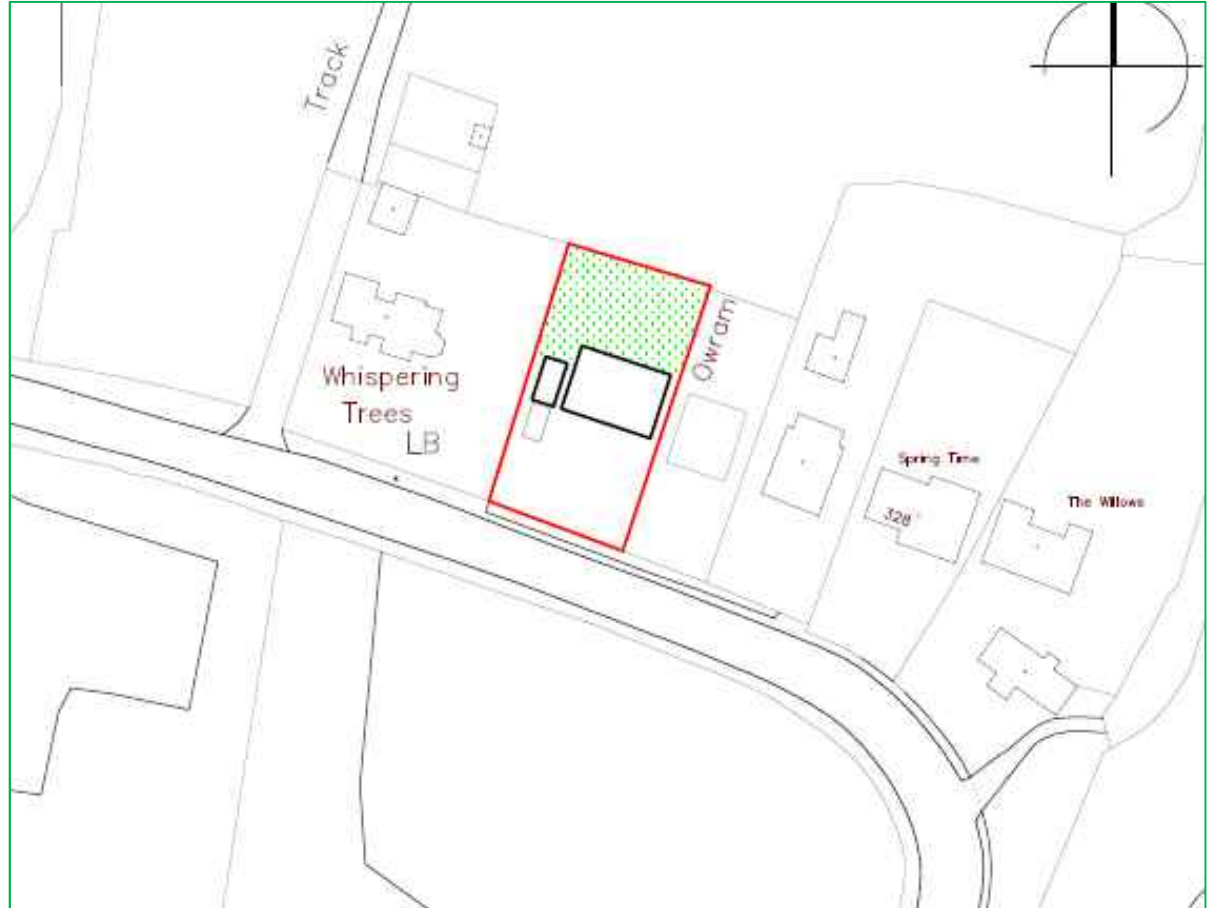
Ward: Burrsville

Estimated cost of Annual Maintenance: NA

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Lodge Close, Clacton – Ref C019AG

Size	370 m2
Adjoining Uses (within 100m)	Residential, public open space
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Coppins

Estimated cost of Annual Maintenance: £400

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Lodge Close, Clacton – Ref C019BG

Size	185 m2
Adjoining Uses (within 100m)	Residential, Public open space
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

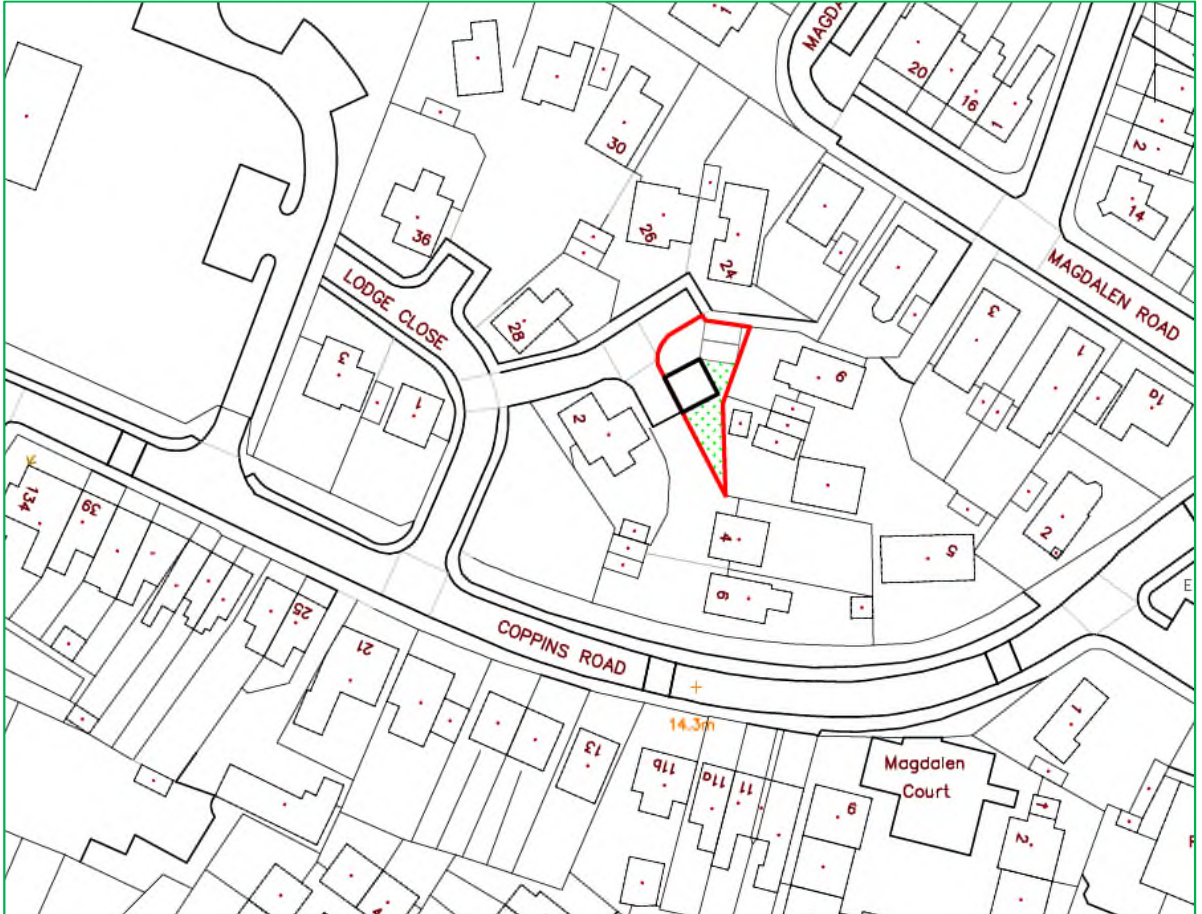
Ward: Coppins

Estimated cost of Annual Maintenance: £200

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Windmill Park, Clacton – Ref C020G

Size	450 m2
Adjoining Uses (within 100m)	Residential, industrial, retail
Planning designation	Within development boundary
Current use	Overgrown land
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Johns

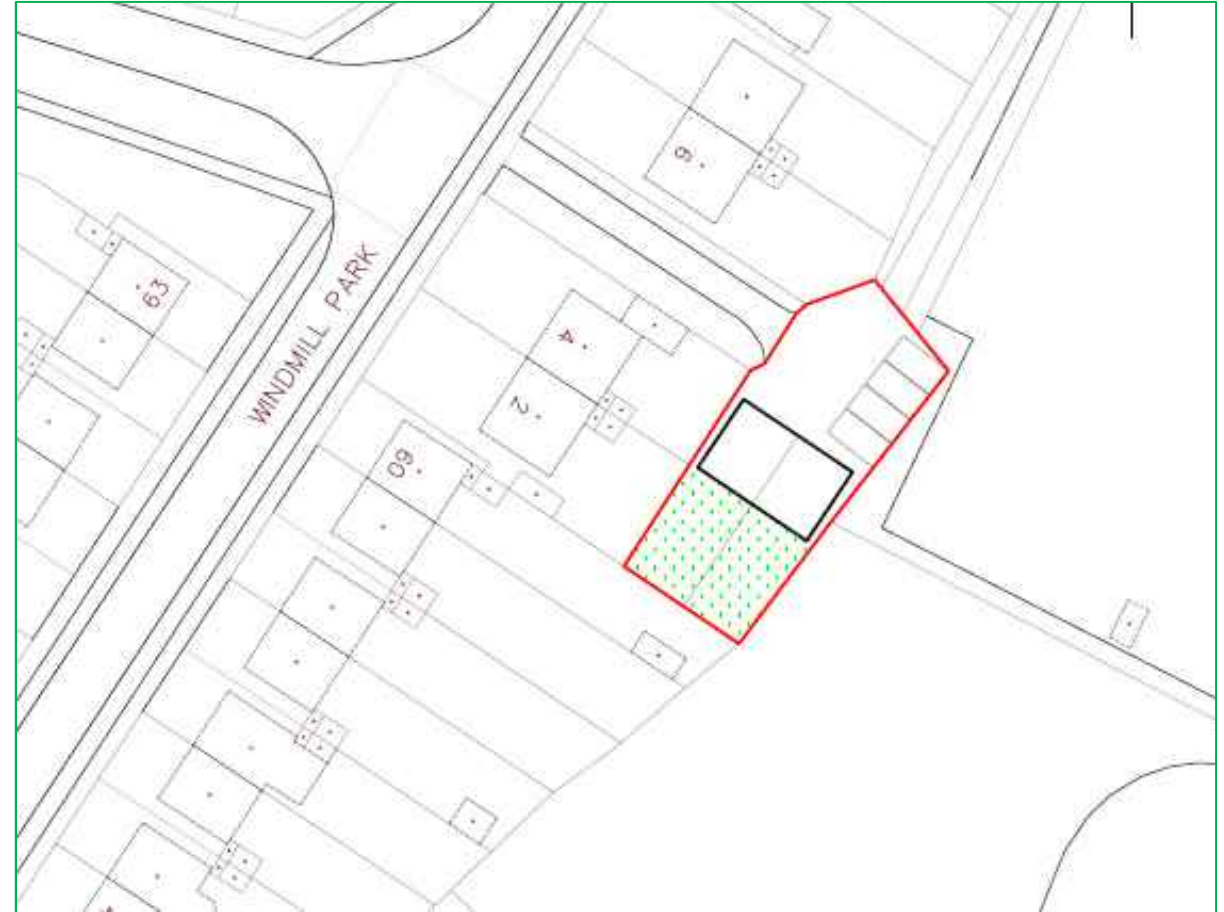
Estimated cost of Annual Maintenance: £1,200

Other information and opportunities:

Vehicular access will be shared with / adjacent to the pedestrian footpath to the adjacent supermarket.

Development Potential

Proposed properties: 2 x Semi-Detached Houses



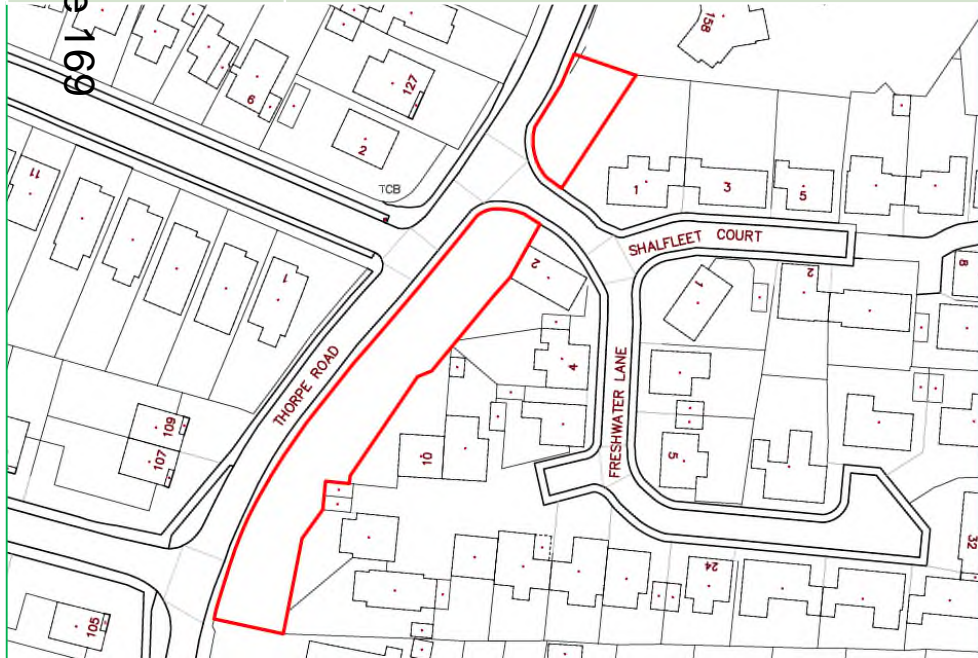
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Thorpe Road, Clacton – Ref C021G

Size	1240m2
Adjoining Uses (within 100m)	Residential
Planning designation	Within development boundary
Current use	Green Space
Legal constraints	Unauthorised rear gate access from neighbouring property.

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Burrsville

Estimated cost of Annual Maintenance: £650

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 4 x Detached Bungalows



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Berkeley Road, Clacton – Ref C022G

Size	240m2
Adjoining Uses (within 100m)	Residential, retail
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Johns

Estimated cost of Annual Maintenance: £100

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

70 Farmleigh Avenue, Clacton – Ref C023G

Size	400m2
Adjoining Uses (within 100m)	Residential, caravan park
Planning designation	Within development boundary
Current use	Green space
Legal constraints	Active public open space covenant

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Burrsville

Estimated cost of Annual Maintenance: £200

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



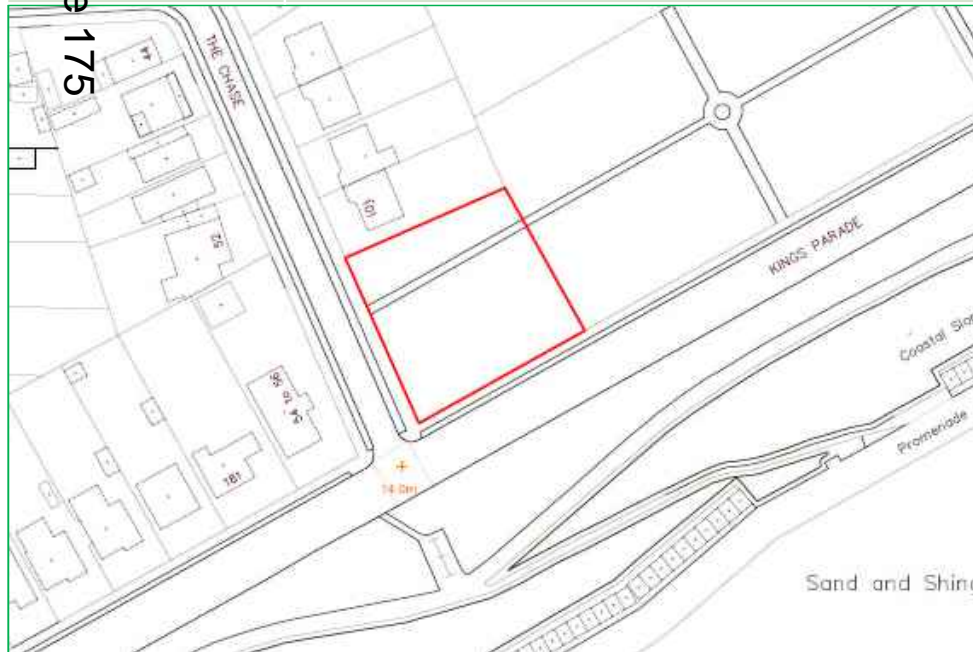
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

The Chase, Clacton – Ref C024G

Size	1250m2
Adjoining Uses (within 100m)	Residential, seafront, public open space, parking
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Bartholomews

Estimated cost of Annual Maintenance: £725

Other information and opportunities:

A small seafront apartment block could also be considered.

Development Potential

Proposed properties: 2 x Semi-Detached Houses and 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Haven Avenue, Clacton – Ref C025G

Size	3000m2
Adjoining Uses (within 100m)	Residential, Seafront
Planning designation	Outside development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Bartholomews

Estimated cost of Annual Maintenance: £1,600

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 6 x Detached Houses



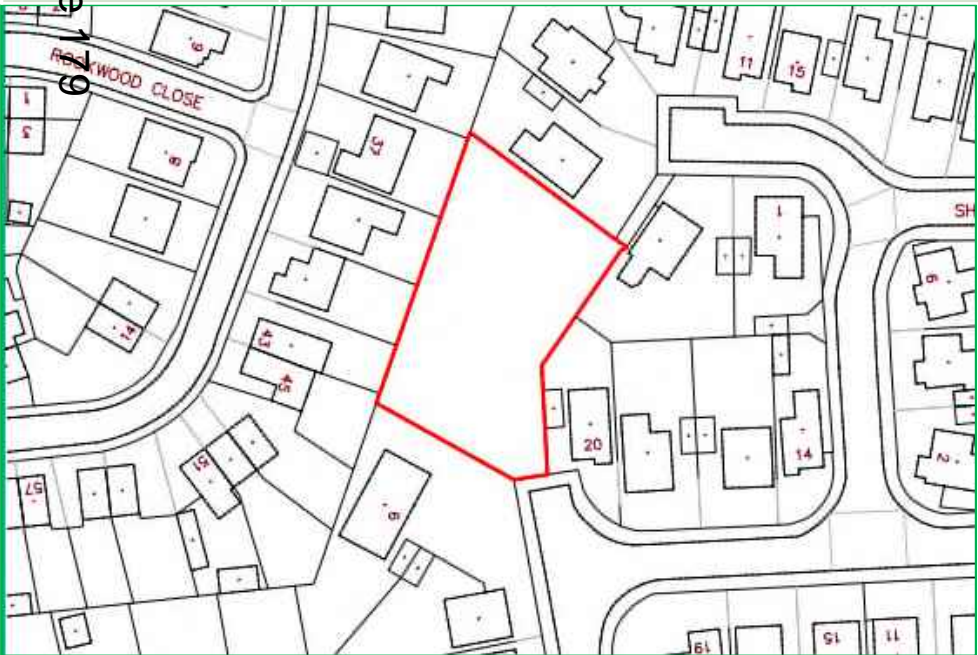
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Huntingdon Way, Clacton – Ref C026G

Circle shows 100 metre radius around the site – image from Google Earth

Size	1000m2
Adjoining Uses (within 100m)	Residential, public open space
Planning designation	Within development boundary
Current use	Green space
Legal constraints	Active public open space covenant. A number of unauthorised back access gates.



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Johns

Estimated cost of Annual Maintenance: £500

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Redbridge Road, Clacton – Ref C027G

Size	860m2
Adjoining Uses (within 100m)	Residential
Planning designation	Within development boundary
Current use	Green space
Legal constraints	Agreement with a third party needed to form a proper access

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Burrsville

Estimated cost of Annual Maintenance: £2,400

Other information and opportunities:
Vehicular access will need to be regularised.

Development Potential

Proposed properties: 3 x Terrace of Bungalows



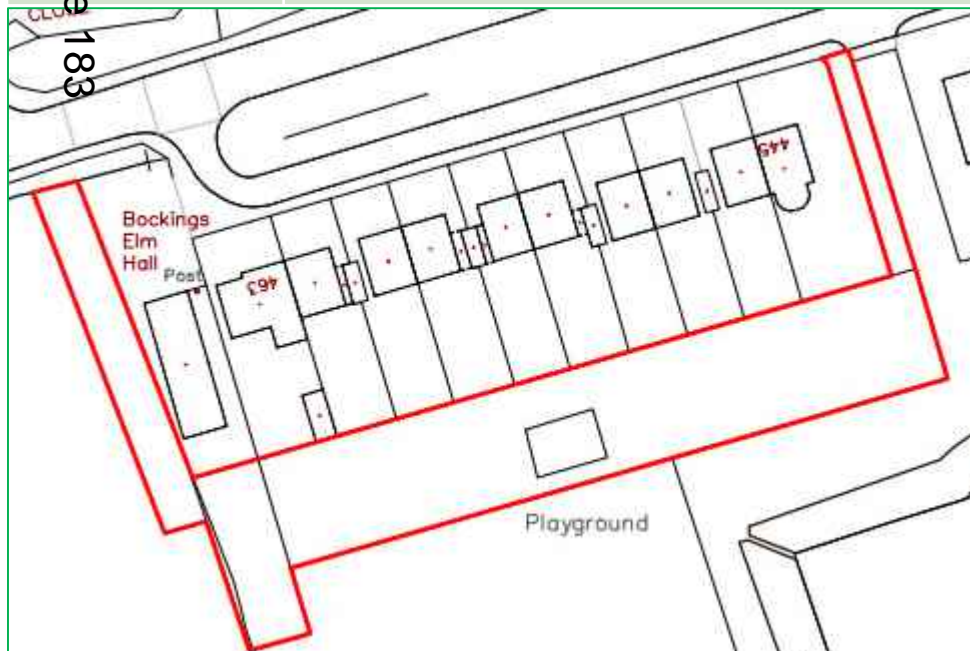
Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Land North of Bockings Elm Reservoir, Clacton - Ref C028H

Size	1160m2
Adjoining Uses (within 100m)	Residential, wood, waterworks, community hall
Planning designation	Within development boundary, housing allocation land
Current use	Green space, play area
Legal constraints	Gas easement

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Bluehouse

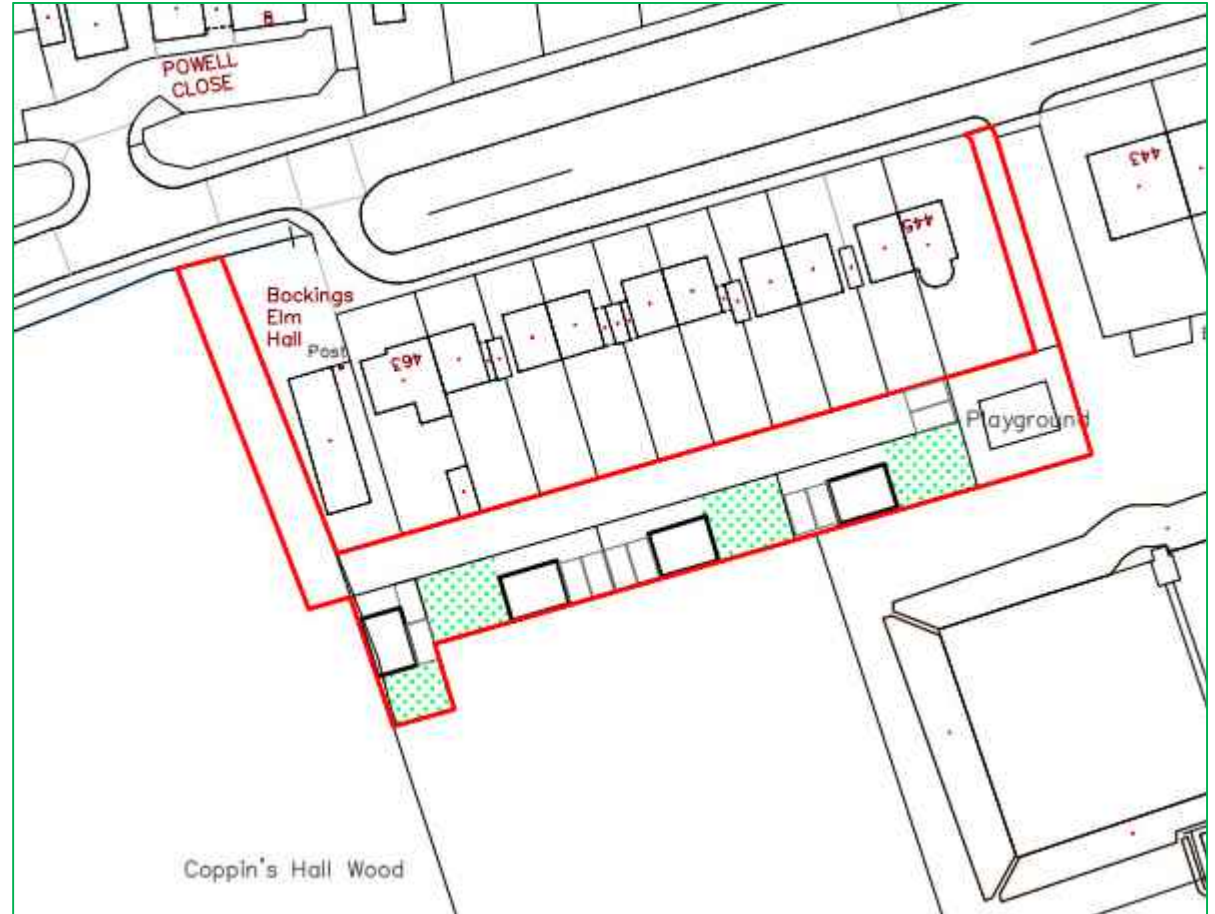
Estimated cost of Annual Maintenance: £5,000

Other information and opportunities:

Access options to the site will need to be explored.

Development Potential

Proposed properties:



Housing Need

As at the 1st May 2020 48% of Tendring's demand for housing was in Clacton, equating to 940 households.

Lucerne Road, Elmstead Market – Ref E001G

Size	1080m2
Adjoining Uses (within 100m)	Residential, petrol station, retail
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	Active public open space covenant

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Alresford and Elmstead

Estimated cost of Annual Maintenance: £550

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 4 x Semi-Detached Bungalows



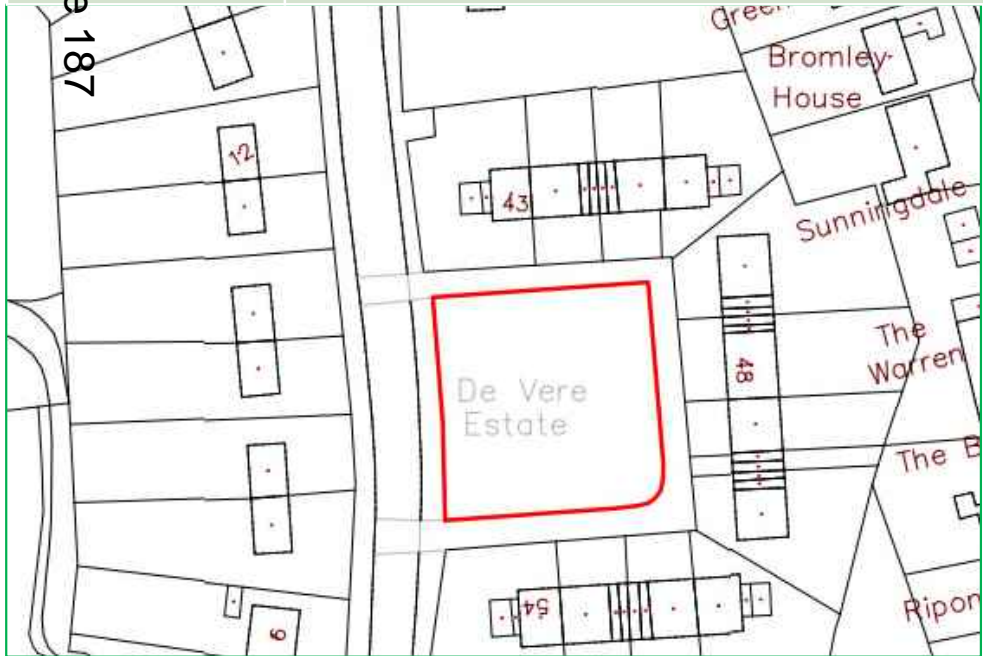
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

De Vere Estate, Great Bentley – Ref GB001H

Size	925m2
Adjoining Uses (within 100m)	Residential, public open space, playing field
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

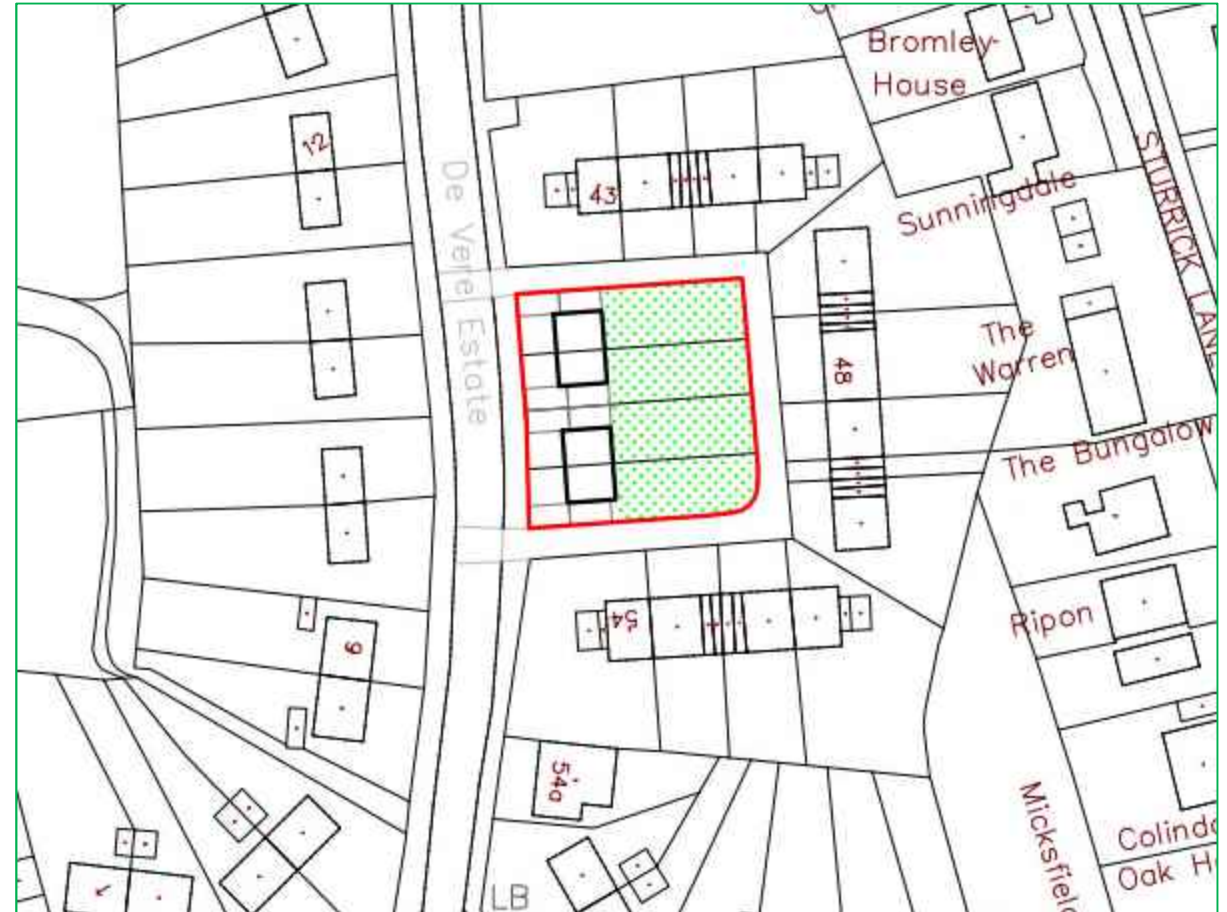
Ward: Bentleys and Frating

Estimated cost of Annual Maintenance: £500

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 4 x Semi-Detached Bungalows



Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

The Close, Great Holland – Ref GH001H

Size	580m2
Adjoining Uses (within 100m)	Residential, farmland, church
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Thorpe Beaumont and Great Holland

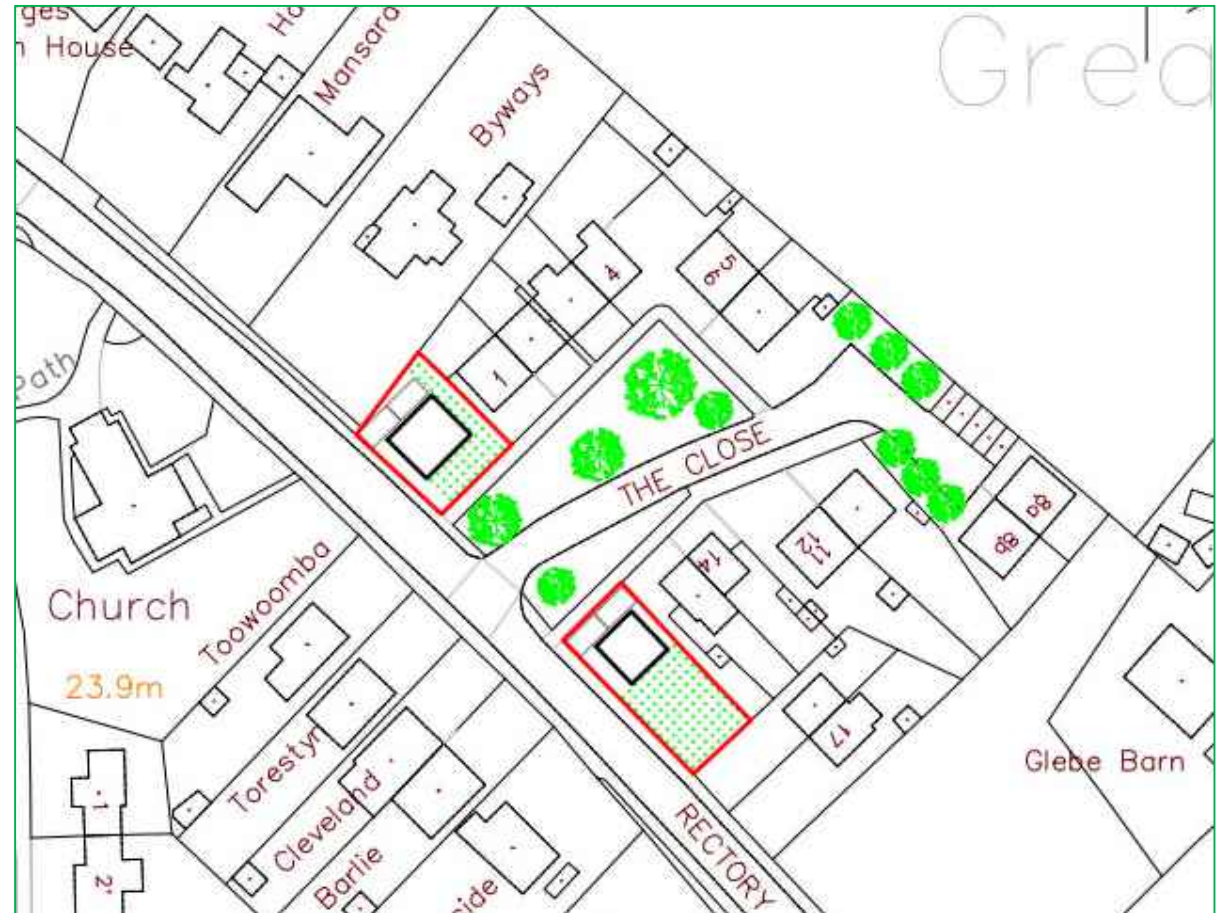
Estimated cost of Annual Maintenance: £700

Other information and opportunities:

Nothing noted.

Development Potential

Proposed properties: 2 x Detached Houses



Housing Need

As at the 1st May 2020 12% of Tendring's demand for housing was in Frinton, Walton and The Kirbys, equating to 235 households.

Woodlands, Great Oakley – Ref GO001G

Size	540m2
Adjoining Uses (within 100m)	Residential, farmland
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	Public open space covenant no longer enforceable

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Weeley and Tendring

Estimated cost of Annual Maintenance: £300

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 2 x Detached Houses



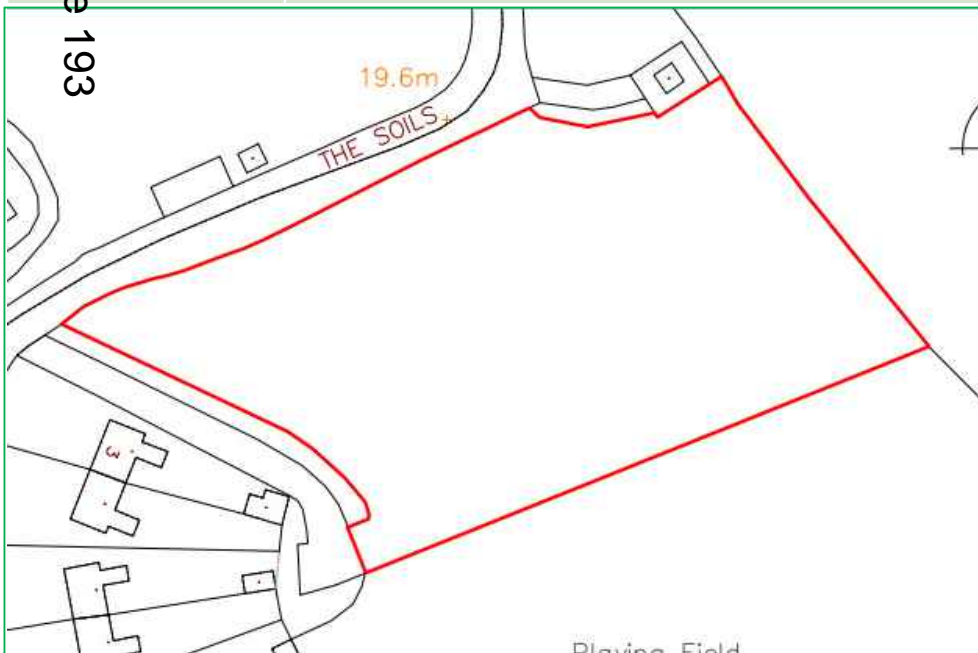
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

Sparrows Corner, Great Oakley – Ref GO002G

Size	6020m2
Adjoining Uses (within 100m)	Residential, playing field, farmland
Planning designation	Outside development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Oakleys and Wix

Estimated cost of Annual Maintenance: £3000

Other information and opportunities:

Vehicular access will need to be reconfigured and regularised.

Development Potential

Proposed properties: 8 x Semi-Detached Houses & 1 x Detached House



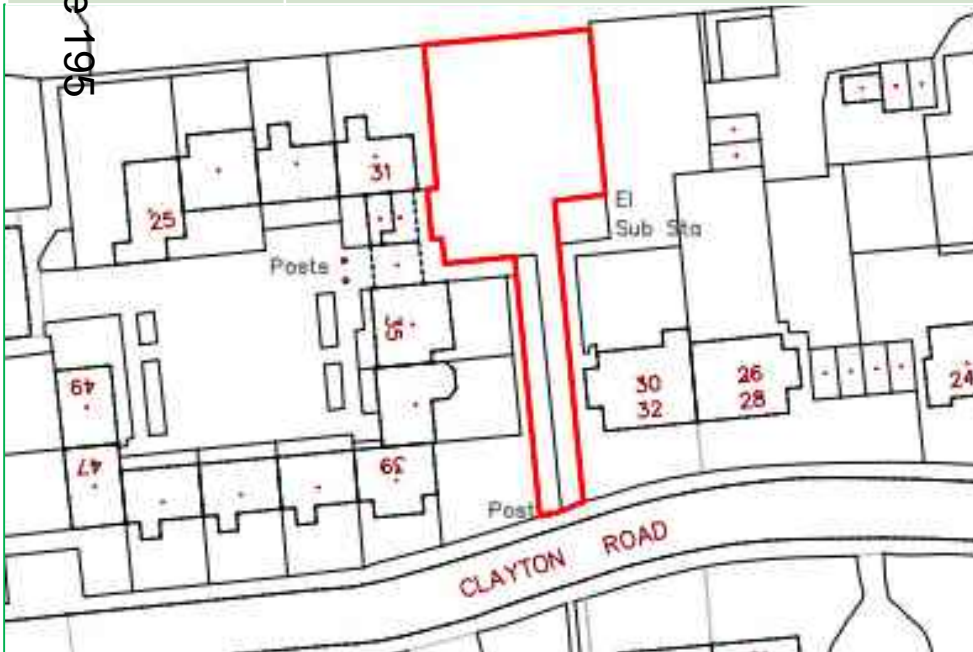
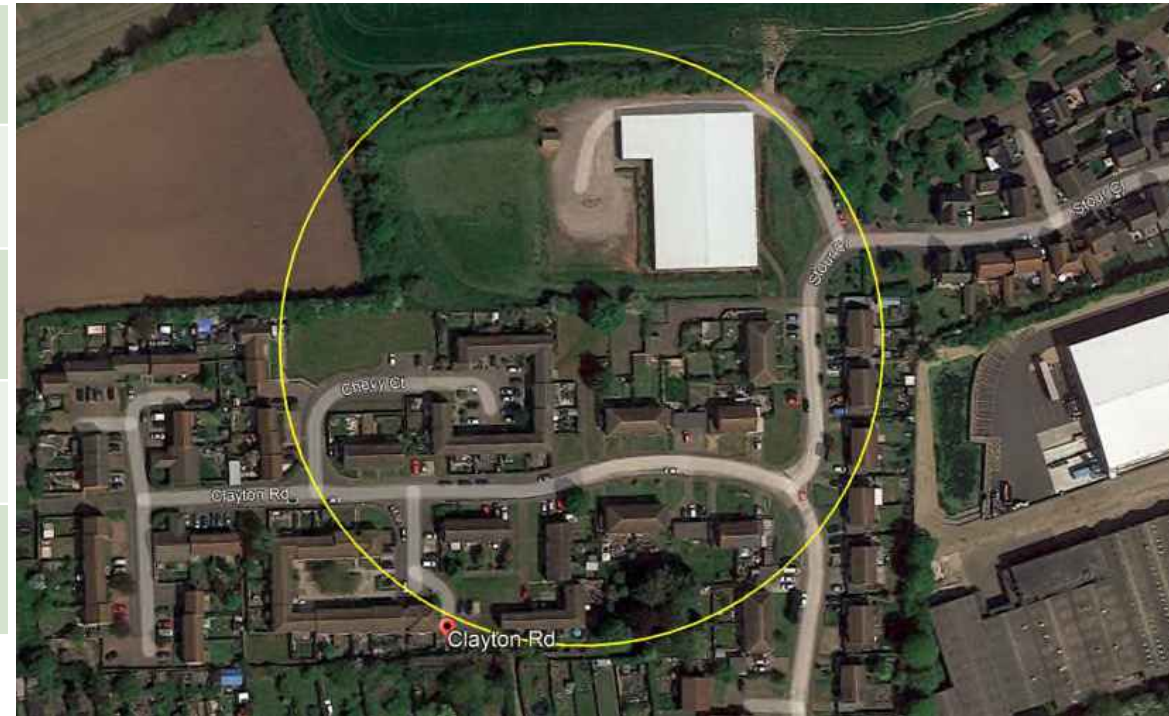
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

Clayton Road, Harwich – Ref H001AH

Size	280m2
Adjoining Uses (within 100m)	Residential, bowls club, public open space, Electricity Sub-station
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Stour Valley

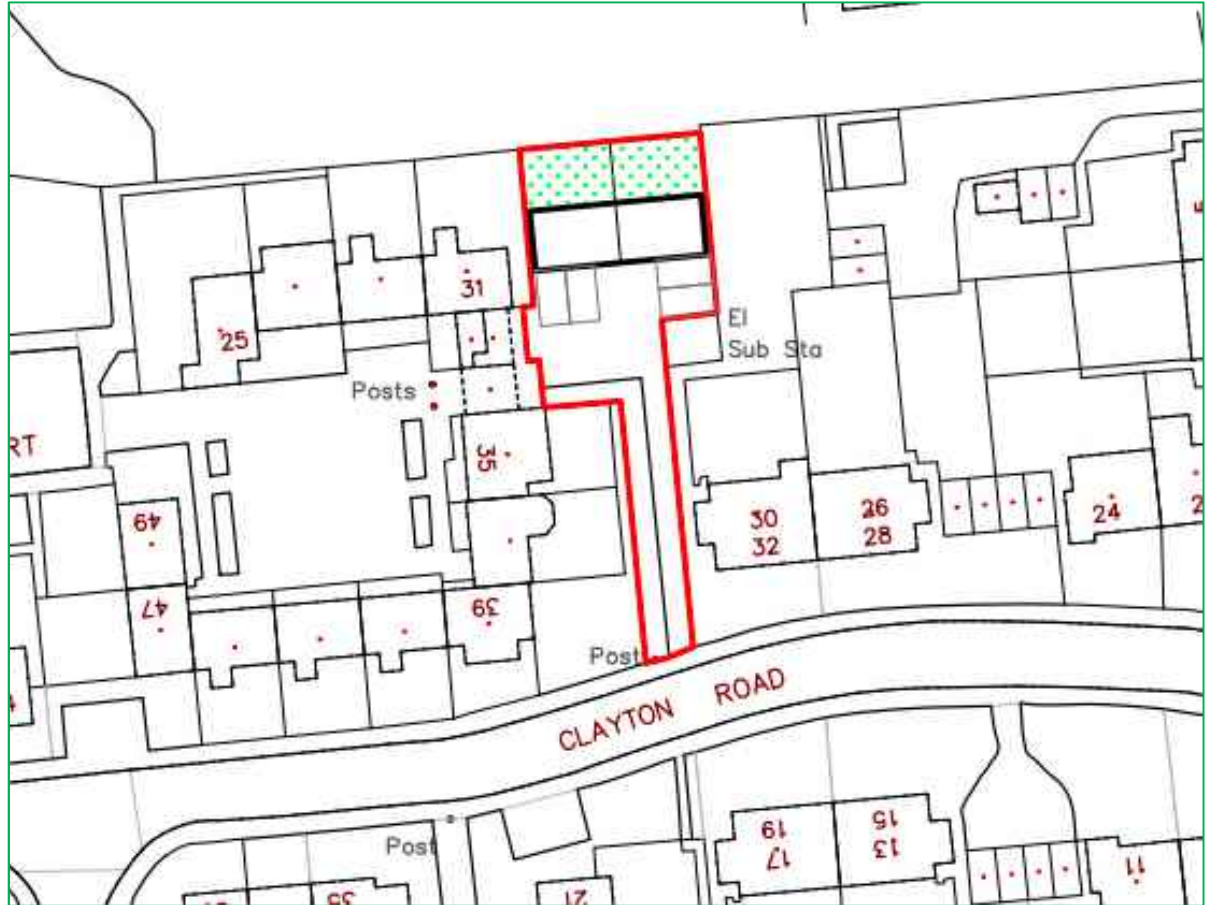
Estimated cost of Annual Maintenance: £200

Other information and opportunities:

Access to the site will need to be reconfigured.

Development Potential

Proposed properties: 2 x Semi-Detached Houses



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Clayton Road, Harwich – Ref H001BH

Size	120m2
Adjoining Uses (within 100m)	Residential, public open space, play area
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Stour Valley

Estimated cost of Annual Maintenance: £100

Other information and opportunities:

The property next door is a Council property which gives options to build on to it.

Development Potential

Proposed properties: 1 x House



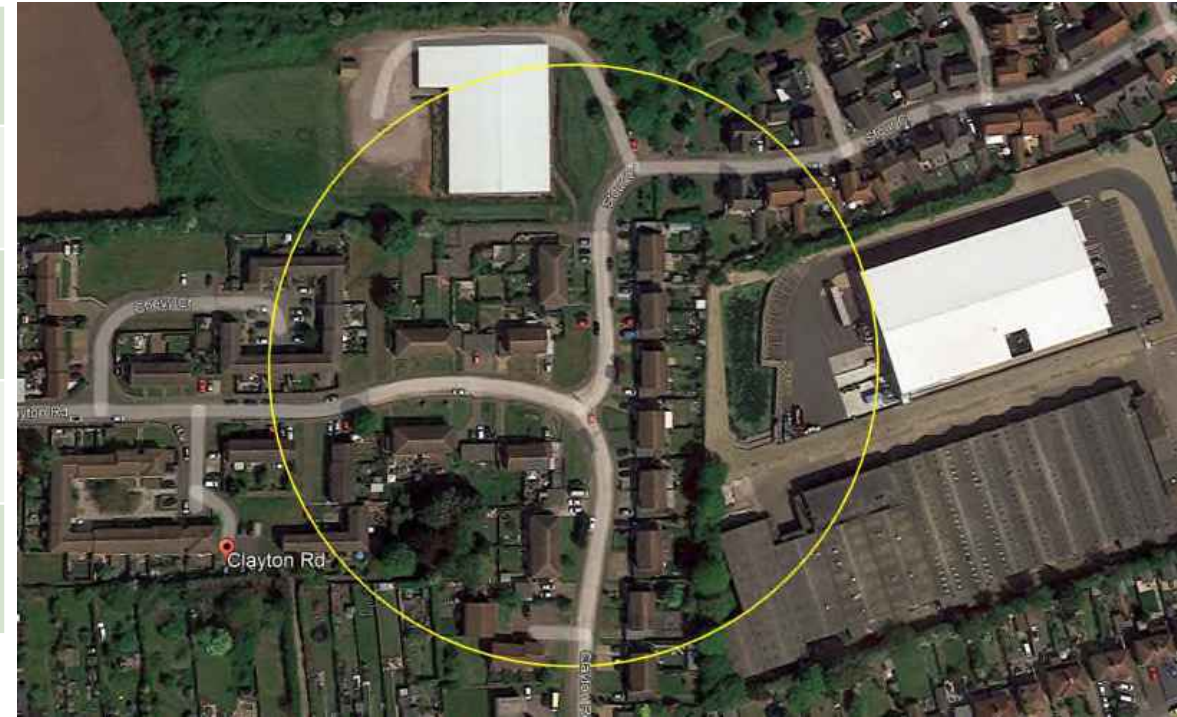
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Clayton Road, Harwich – Ref H001CH

Size	240m2
Adjoining Uses (within 100m)	Residential, Bowls club, industrial
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

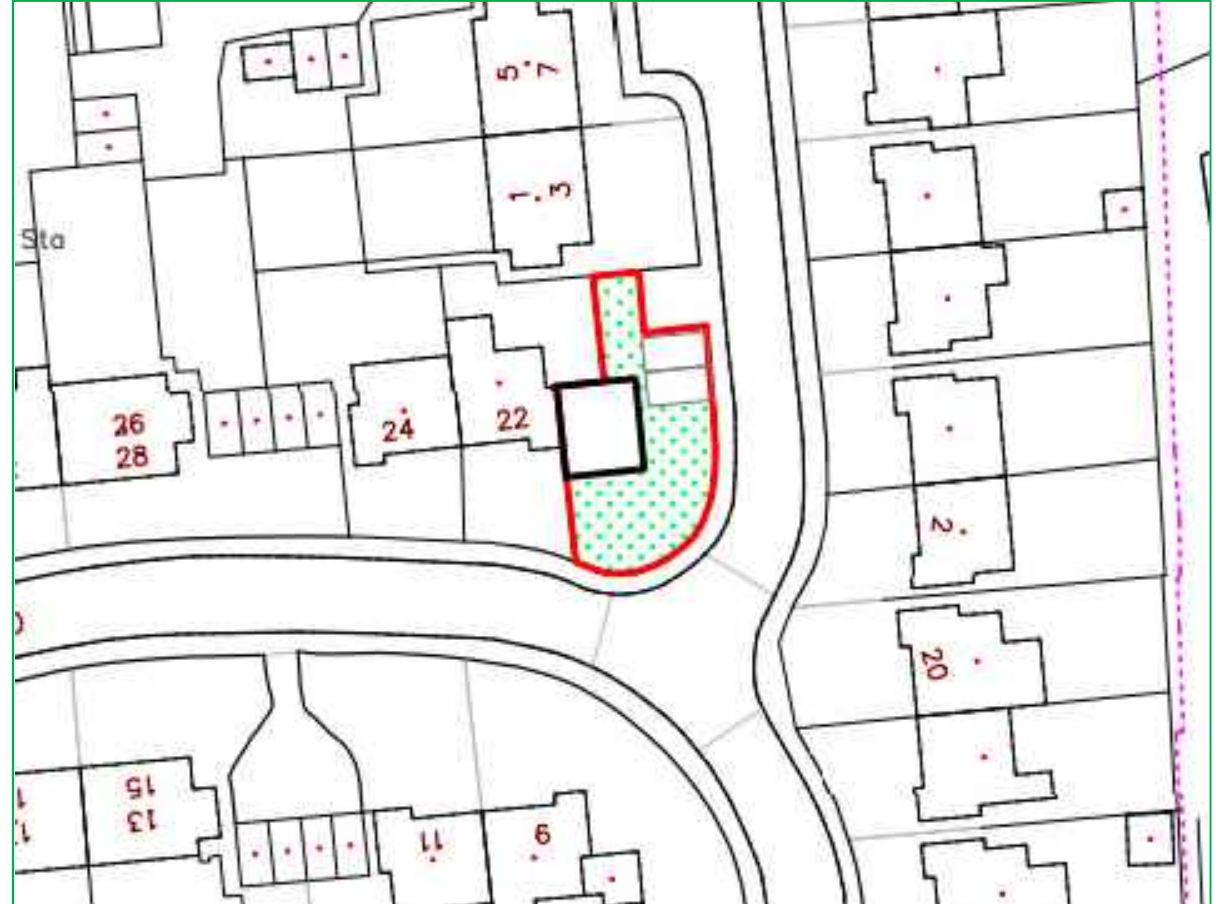
Ward: Stour Valley

Estimated cost of Annual Maintenance: £150

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Allfields, Harwich – Ref H002AH

Size	230m2
Adjoining Uses (within 100m)	Residential, public open space, fire station, school
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

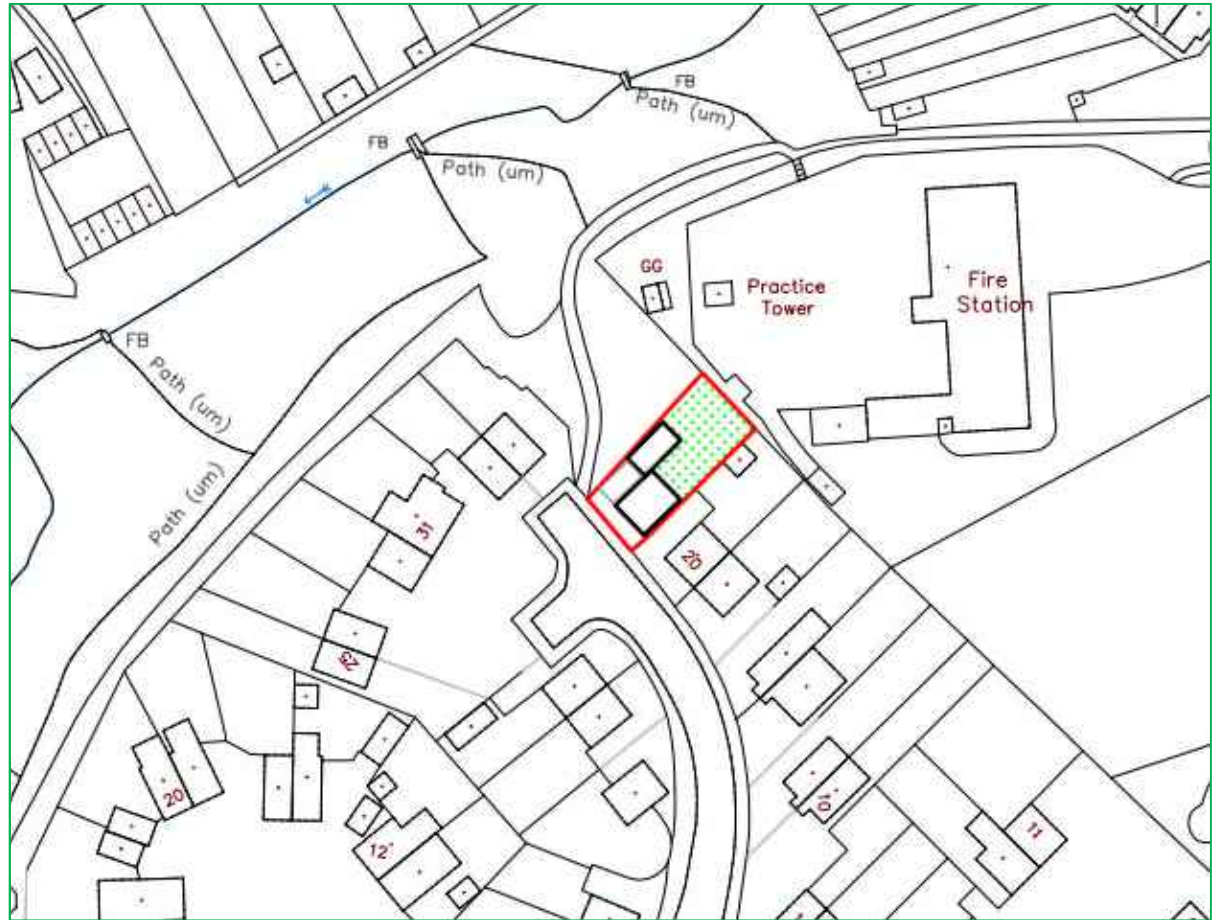
Ward: Dovercourt All Saints

Estimated cost of Annual Maintenance: £150

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Allfields, Harwich – H002BH

Circle shows 100 metre radius around the site – image from Google Earth

Size	440m2
Adjoining Uses (within 100m)	Residential, public open space, school
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt All Saints

Estimated cost of Annual Maintenance: £300

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 2 x Semi-Detached Houses



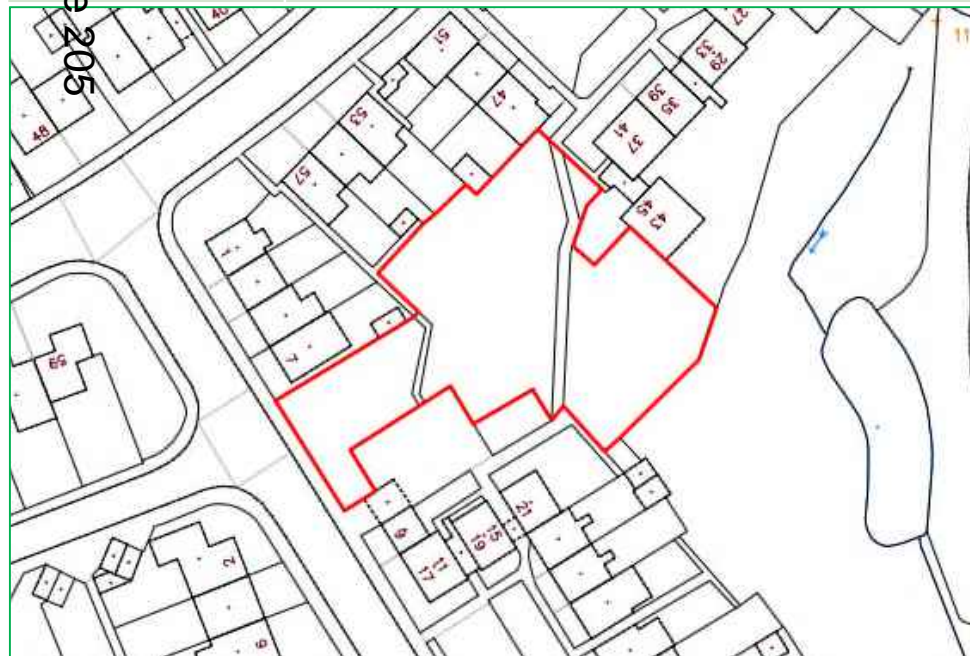
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Abbott Road, Harwich – Ref H003H

Size	1600m2
Adjoining Uses (within 100m)	Residential, public open space
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt All Saints

Estimated cost of Annual Maintenance: £1000

Other information and opportunities:

Current parking and access rights will need to be reconfigured.

Development Potential

Proposed properties: 6 x Mix of Terraced and Semi-Detached Houses



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Fronks Road, Harwich – Ref H004H

Size	220m2
Adjoining Uses (within 100m)	Residential, gas governor, public open space
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Wards: Dovercourt All Saints

Estimated cost of Annual Maintenance: £150

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



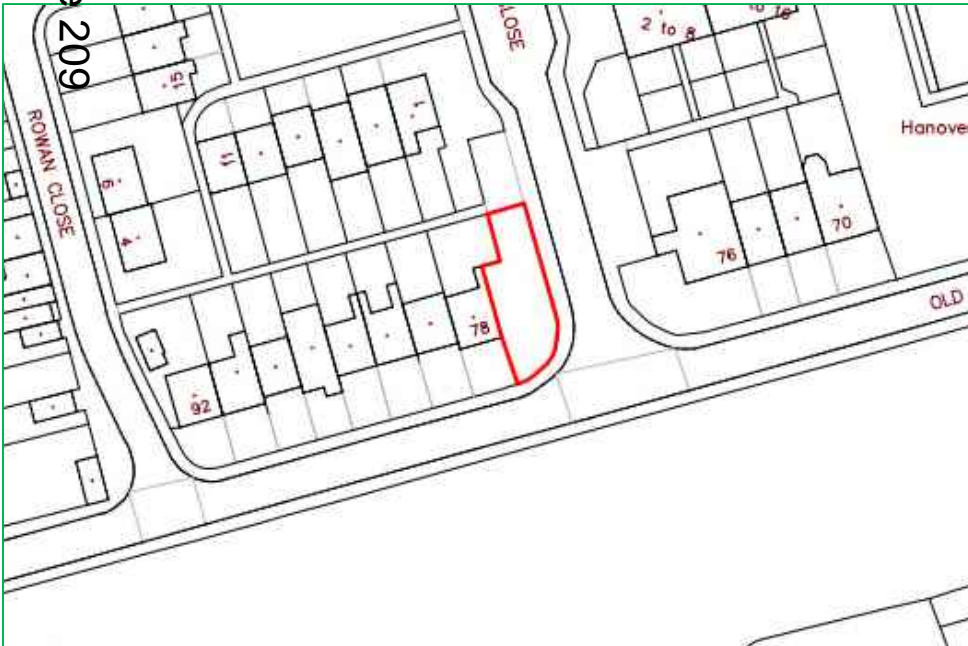
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Old Vicarage Road, Harwich – Ref H005H

Circle shows 100 metre radius around the site – image from Google Earth

Size	180m2
Adjoining Uses (within 100m)	Housing, allotments
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

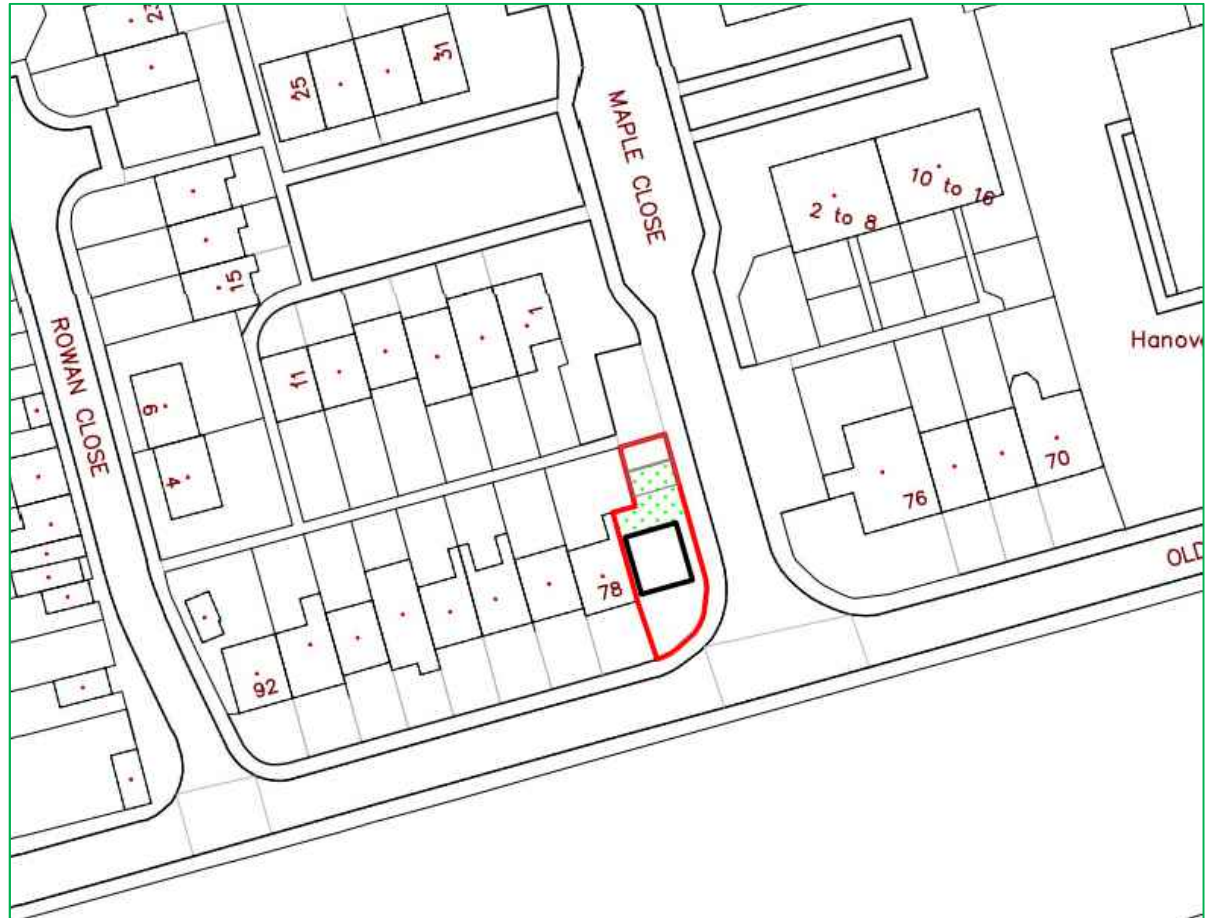
Ward: Dovercourt Bay

Estimated cost of Annual Maintenance: £50

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached House



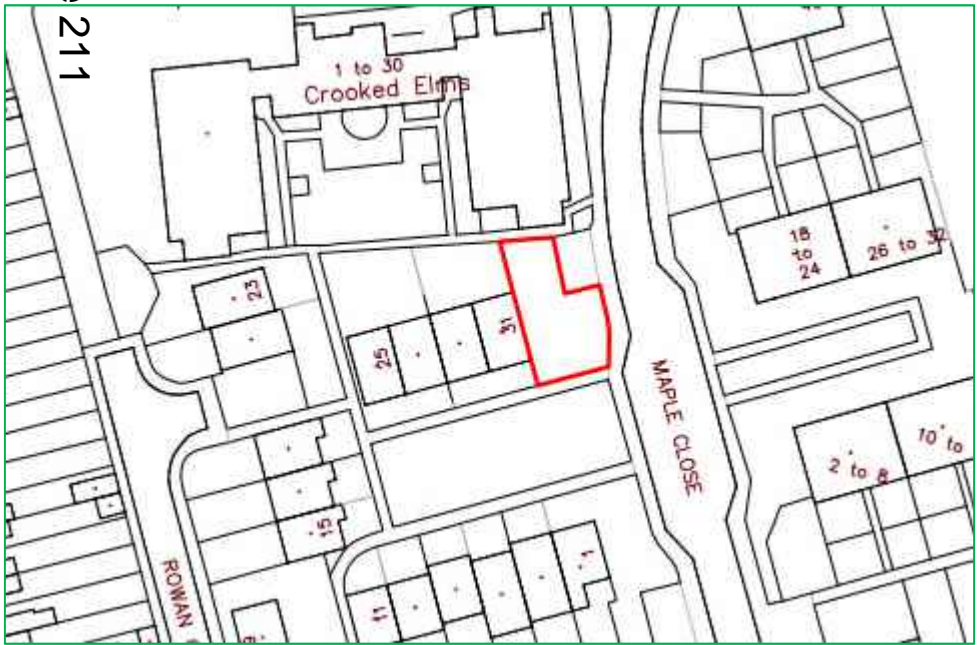
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Maple Close, Harwich – Ref H006AH

Circle shows 100 metre radius around the site – image from Google Earth

Size	100m2
Adjoining Uses (within 100m)	Housing, allotments
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

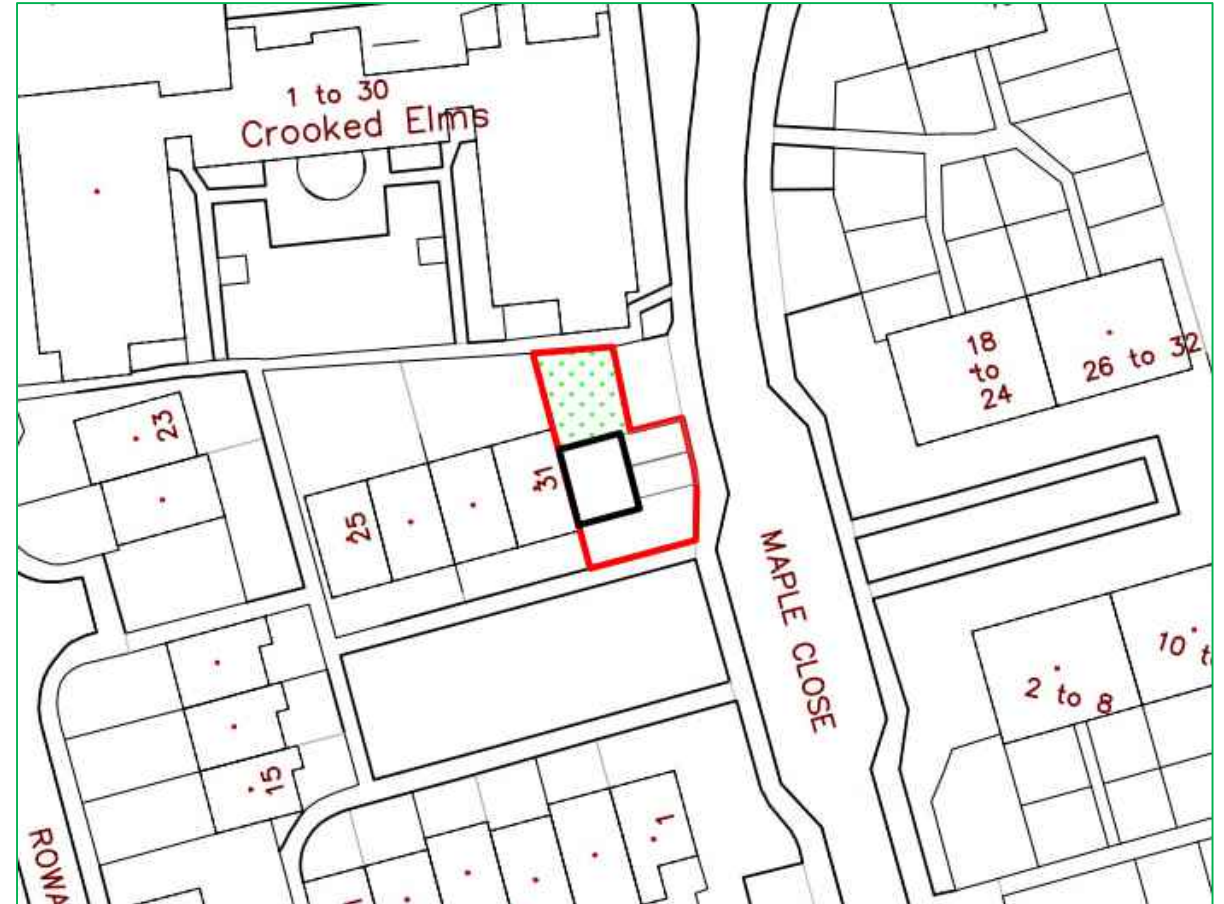
Ward: Dovercourt Bay

Estimated cost of Annual Maintenance: £50

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x House



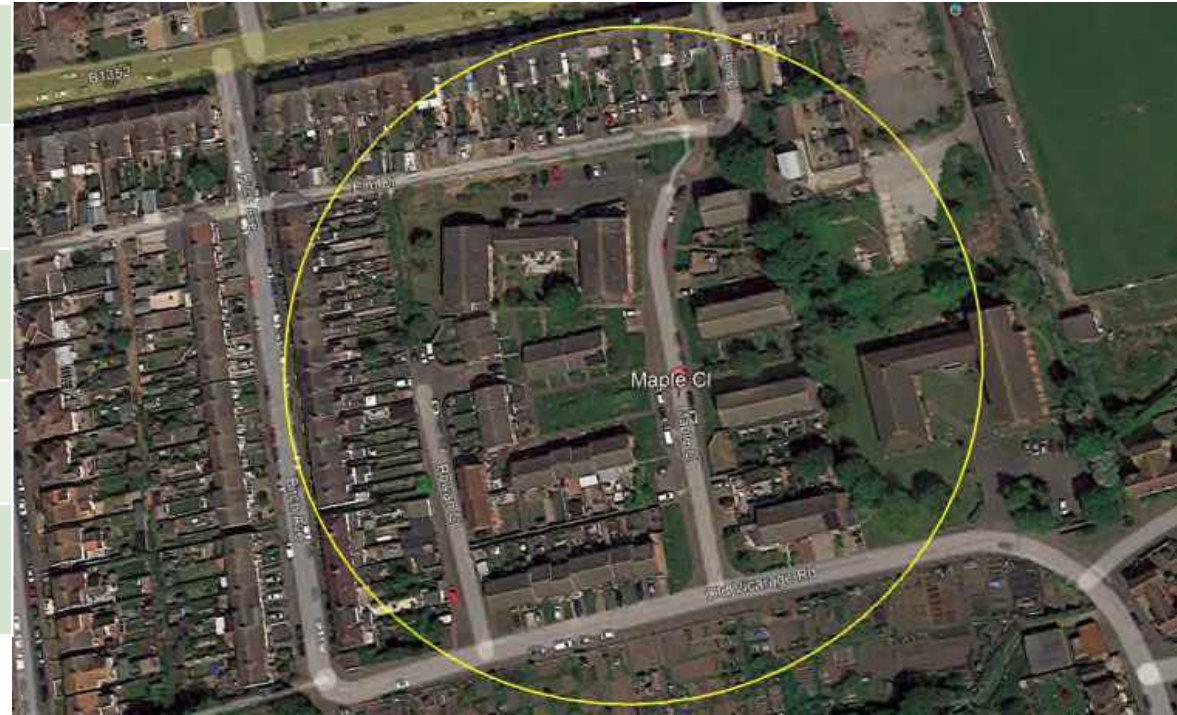
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Maple Close, Harwich – Ref H006BH

Circle shows 100 metre radius around the site – image from Google Earth

Size	160 m2
Adjoining Uses (within 100m)	Residential, allotment
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt Bay

Estimated cost of Annual Maintenance: £50

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x House



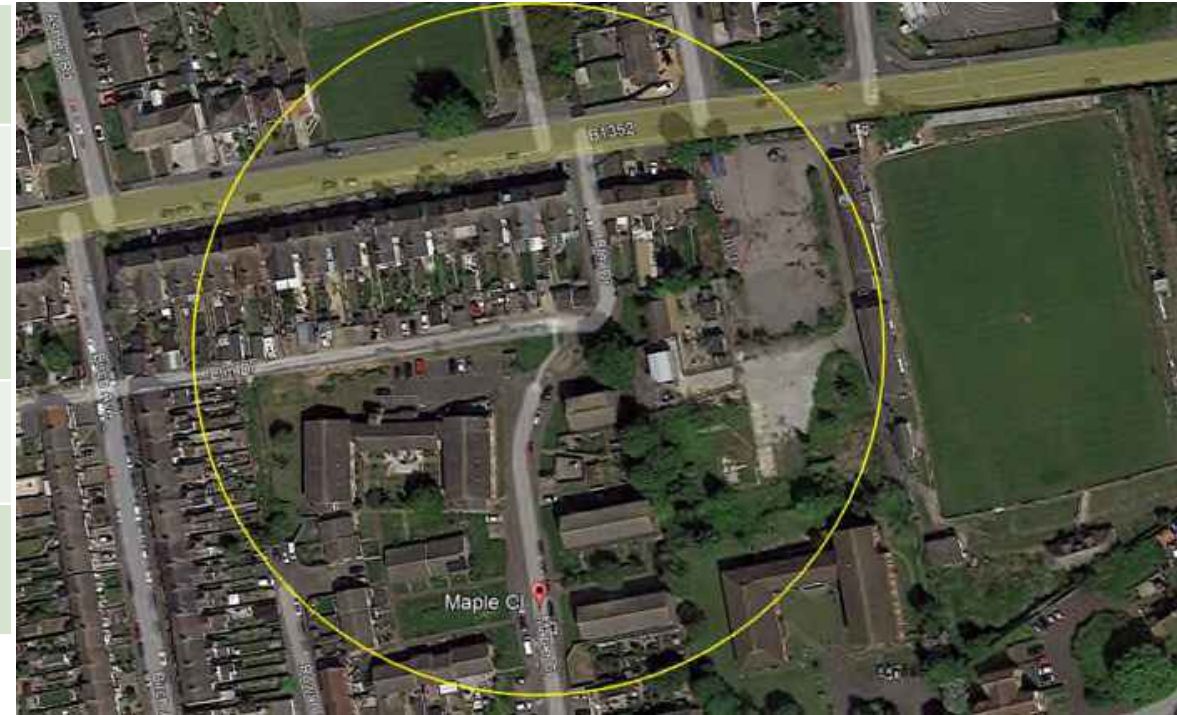
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Maple Close, Harwich – Ref H006CH

Size	250m2
Adjoining Uses (within 100m)	Residential, car park, electricity sub station, primary school
Planning designation	Within development boundary
Current use	Green space, footpath
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

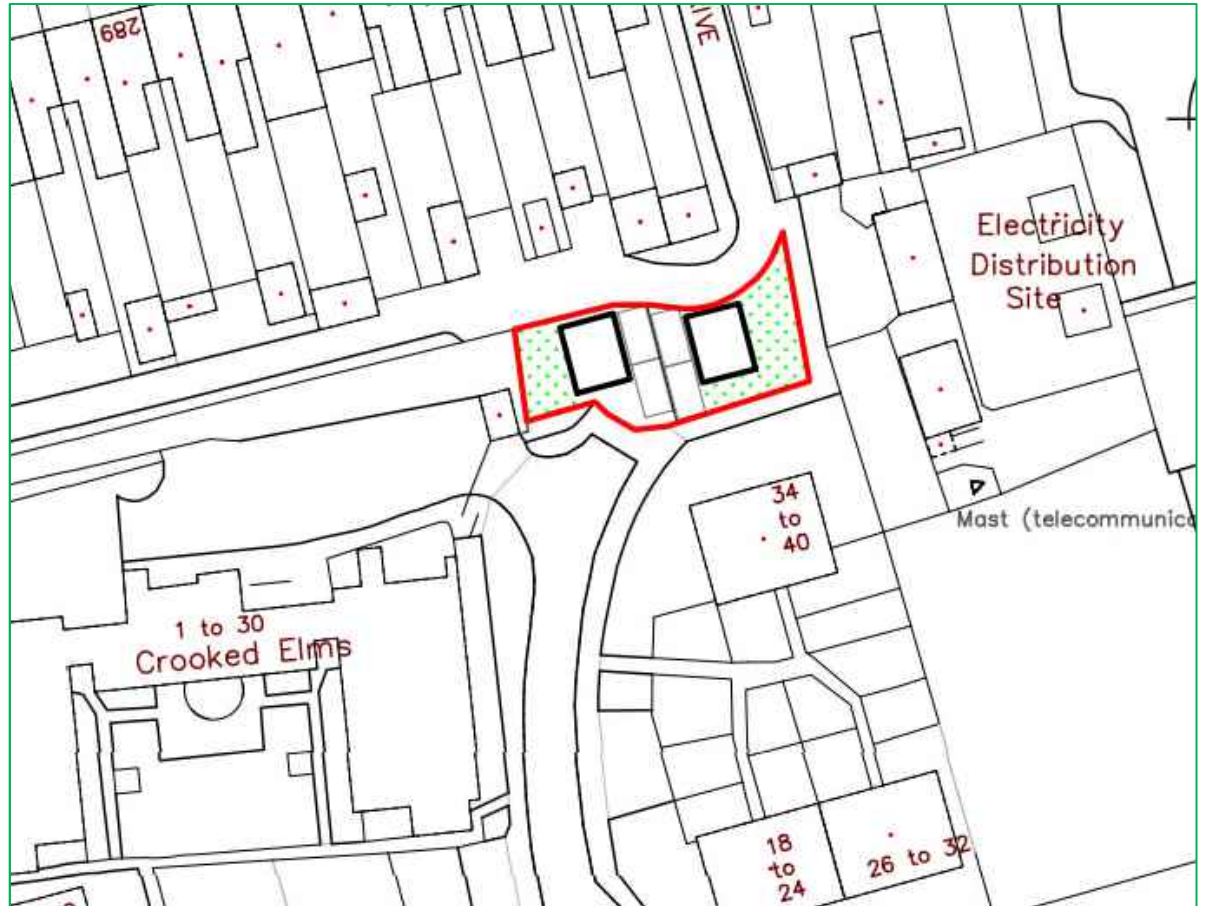
Ward: Dovercourt Bay

Estimated cost of Annual Maintenance: £150

Other information and opportunities:
Current footpath will need to be redirected.

Development Potential

Proposed properties: 2 x Detached Houses



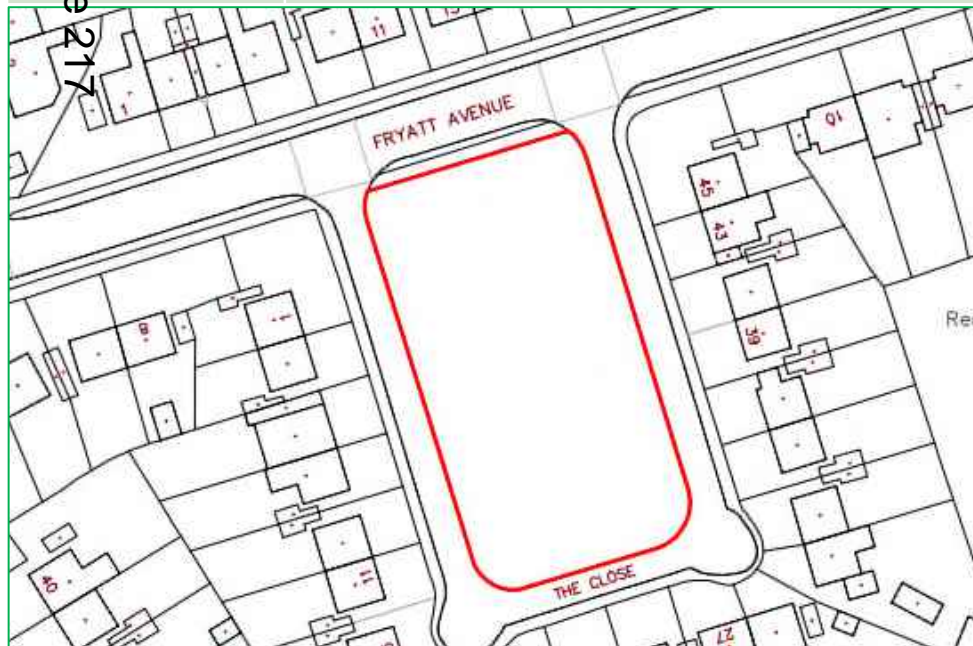
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Fryatt Avenue, Harwich – Ref H007H

Size	2,131.3 m2
Adjoining Uses (within 100m)	Residential, public open space, playing field
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt Vines and Parkeston

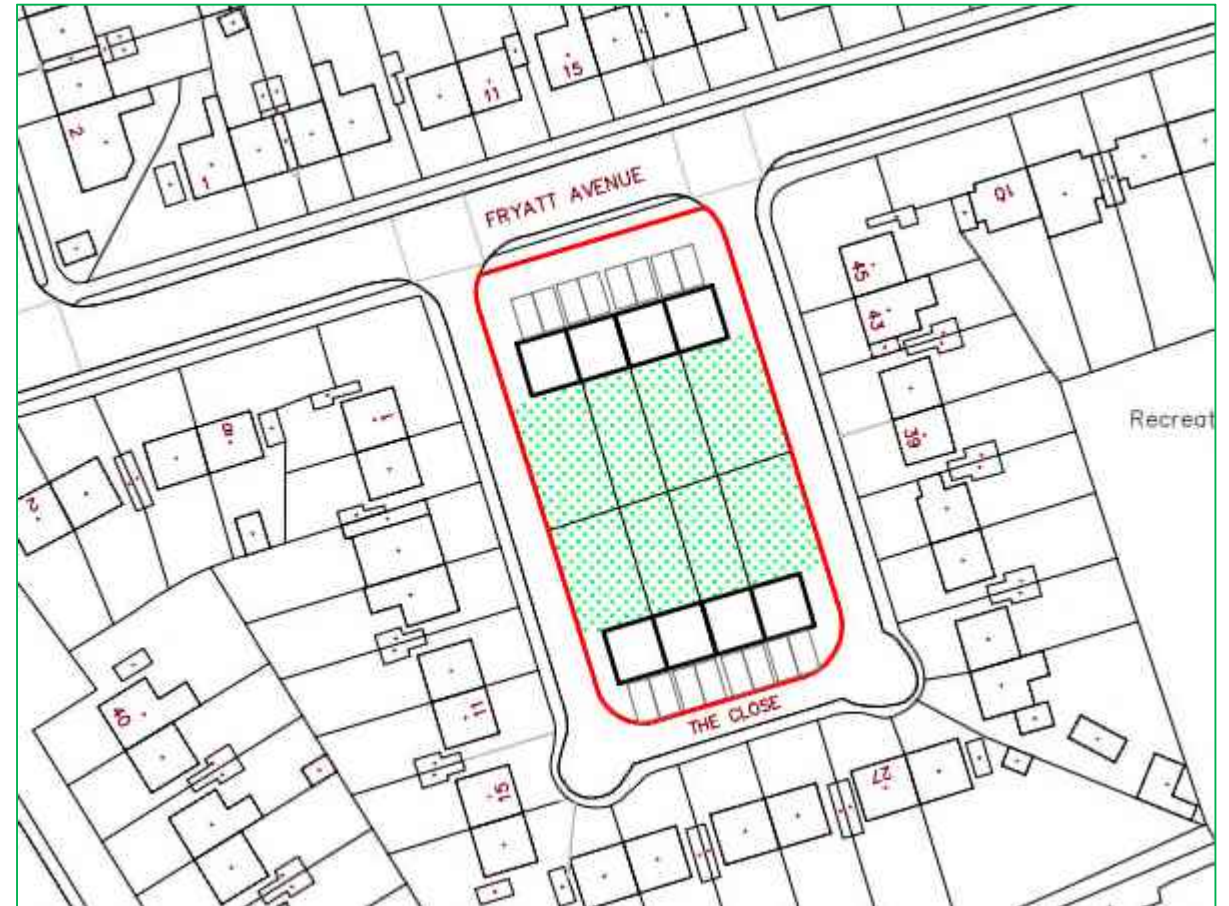
Estimated cost of Annual Maintenance: £125

Other information and opportunities:

Unauthorised parking on the green, which will need to be addressed.

Development Potential

Proposed properties: 8 x Terraced Properties



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Beach Road, Harwich – Ref H008H

Size	4,090m2
Adjoining Uses (within 100m)	Beachfront, residential, tennis court
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt Bay

Estimated cost of Annual Maintenance: £2,000

Other information and opportunities:

May be potential for seafront apartments instead.

Development Potential

Proposed properties: 10 x Detached Houses



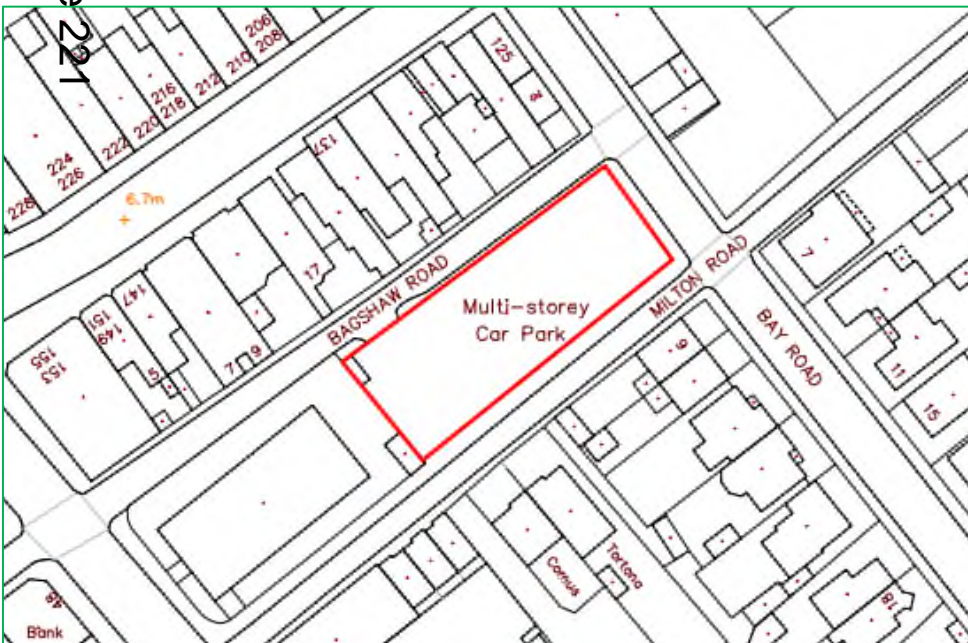
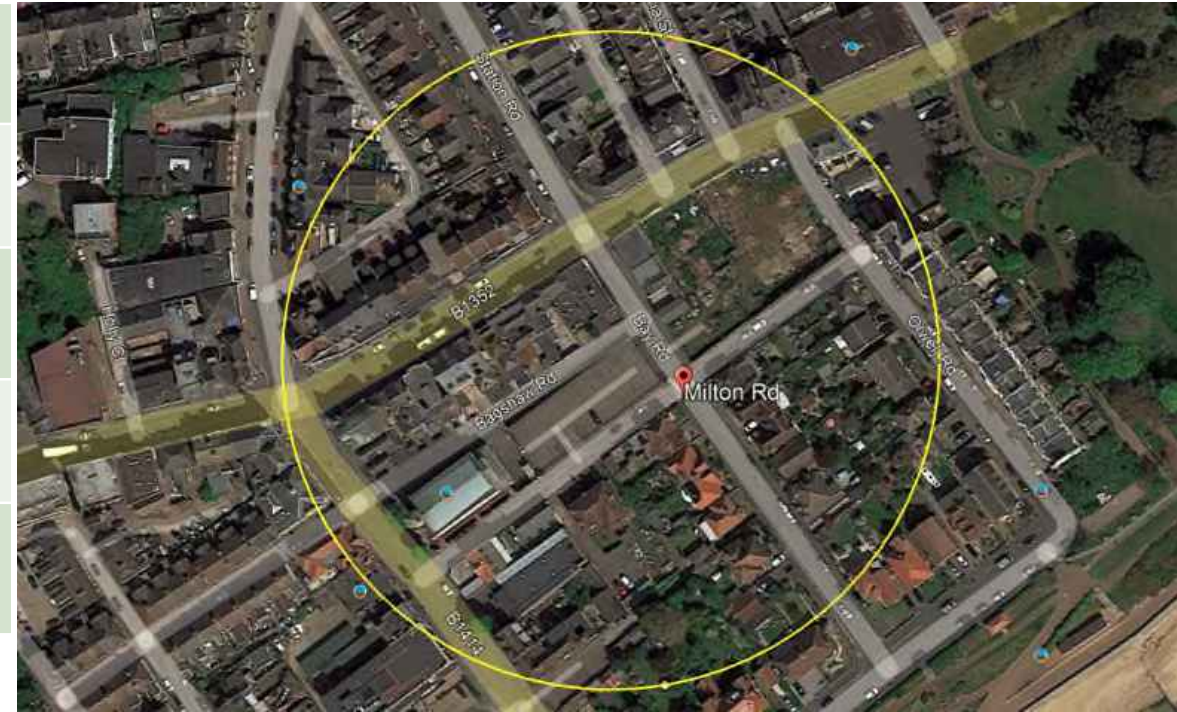
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Milton Road, Harwich – Ref H009H

Size	870 m2
Adjoining Uses (within 100m)	Residential, retail, church
Planning designation	Within development area, within town centre, within priority area for regeneration
Current use	Car park
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Harwich and Kingsway

Estimated cost of Annual Maintenance: £3,000

Other information and opportunities:

An apartment block here could be an alternative potential development.

Development Potential

Proposed properties: 6 x Semi-Detached Houses 1 x Detached House



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Norway Crescent, Harwich – Ref H010H

Size	2300m2
Adjoining Uses (within 100m)	Residential, public open space
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt All Saints

Estimated cost of Annual Maintenance: £1200

Other information and opportunities:

This site has a steep bank to the rear the integrity of which will need to be taking into consideration. It is situated on a hill at the front, the site currently holds salt buckets for icy weather, which will need relocating.

Development Potential

Proposed properties: 4 x Semi-Detached Houses



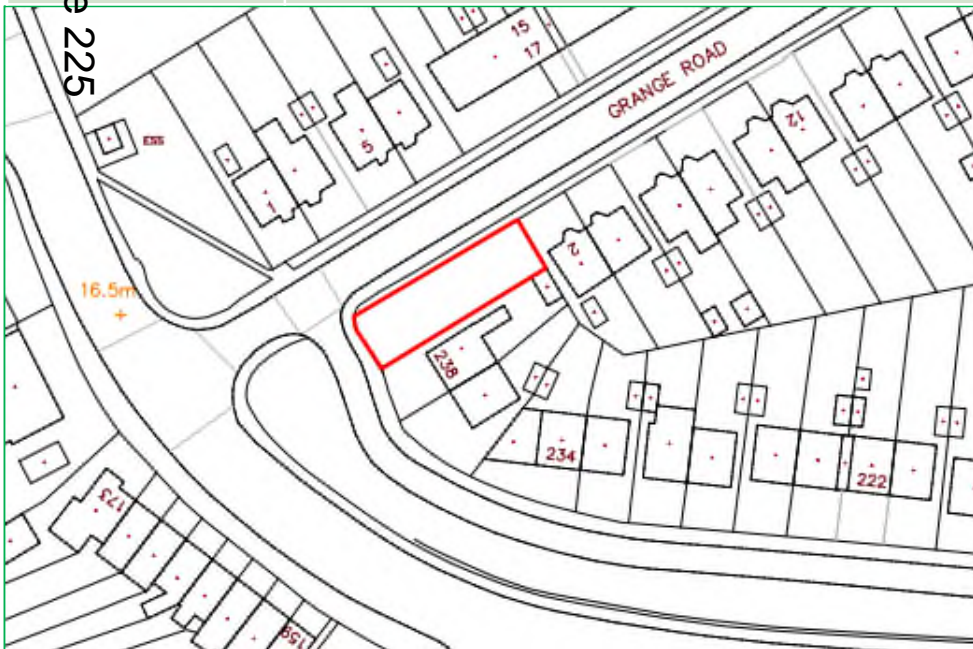
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Grange Road, Harwich – Ref H012H

Size	235m2
Adjoining Uses (within 100m)	Residential, public open space
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt All Saints

Estimated cost of Annual Maintenance: £75

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 1 x Detached House



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Chevy Court, Harwich – Ref H013H

Size	850m2
Adjoining Uses (within 100m)	Residential, farmland, bowls club
Planning designation	Within development boundary
Current use	Green space
Legal constraints	Active public open space covenant

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Stour Valley

Estimated cost of Annual Maintenance: £375

Other information and opportunities:

Part of the site is not currently owned by TDC, if no agreement can be reached over the other part of the site, the proposed development would be reduced to 4 houses.

Development Potential

Proposed properties: 6 x Terrace of Houses



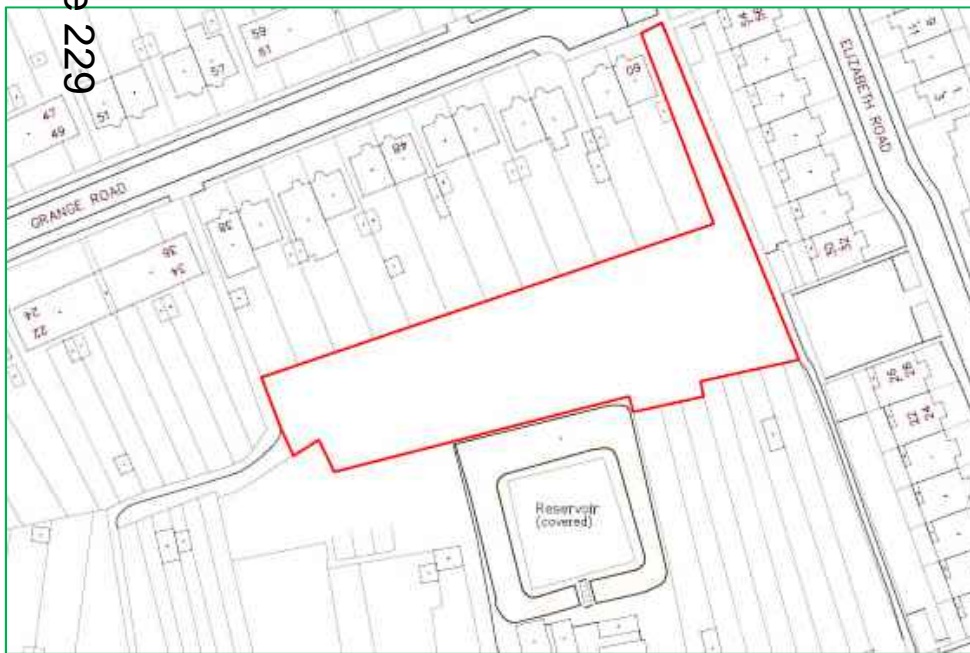
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Ro Grange Road, Harwich – Ref H014H

Size	2250m2
Adjoining Uses (within 100m)	Residential, water reservoir
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Dovercourt All Saints

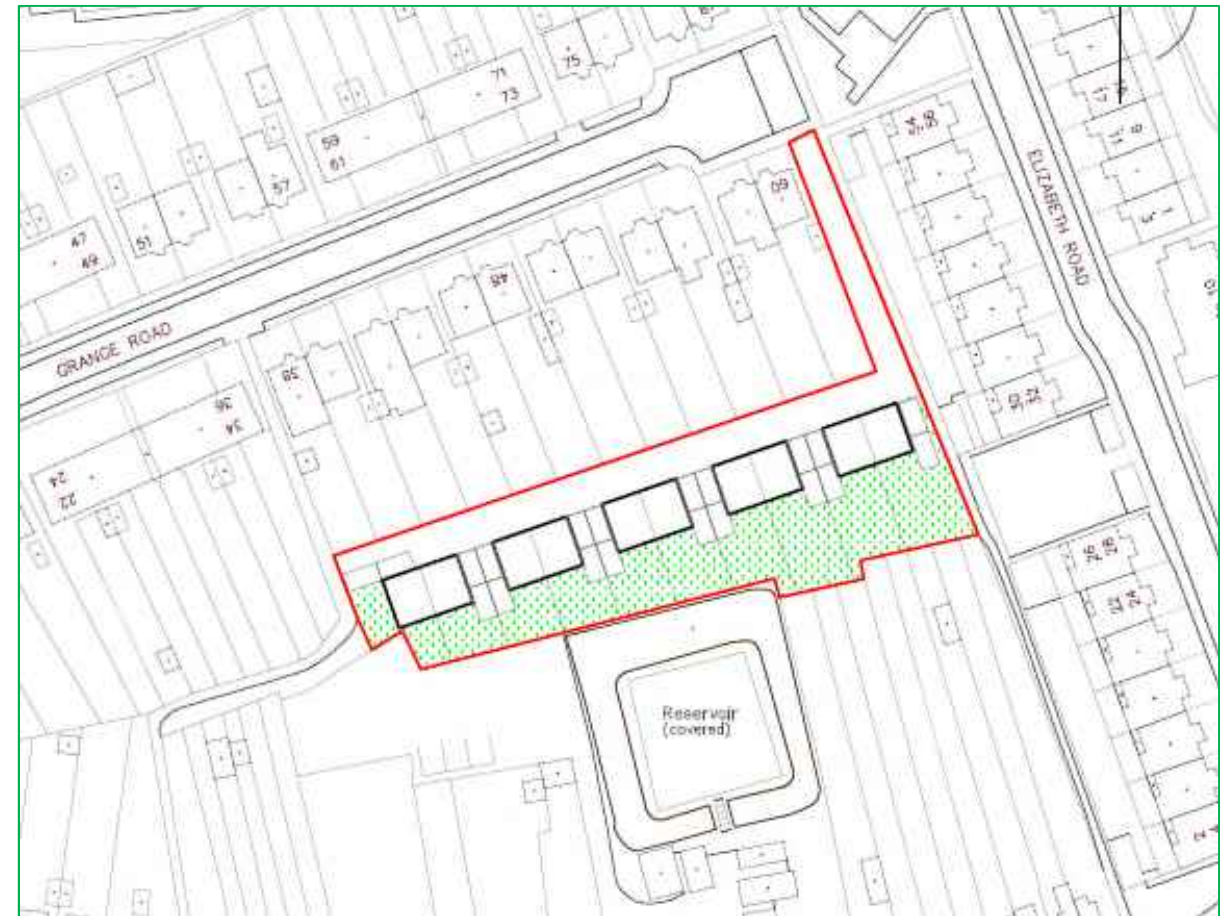
Estimated cost of Annual Maintenance: £1300

Other information and opportunities:

Vehicular access to the site may prove complicated.

Development Potential

Proposed properties: 10 x Semi-Detached Houses



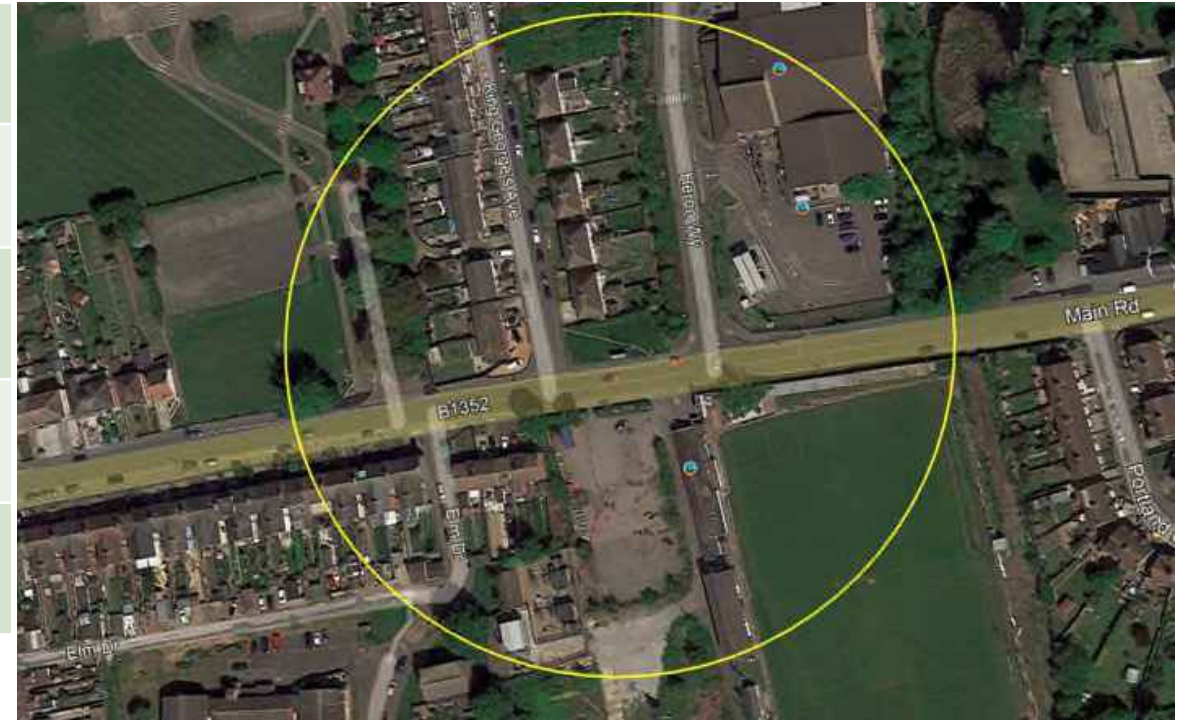
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

King George Avenue, Harwich – Ref H015H

Size	320m2
Adjoining Uses (within 100m)	Residential, school, retail, public open space, football club, car park
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	Need to redirect a footpath

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

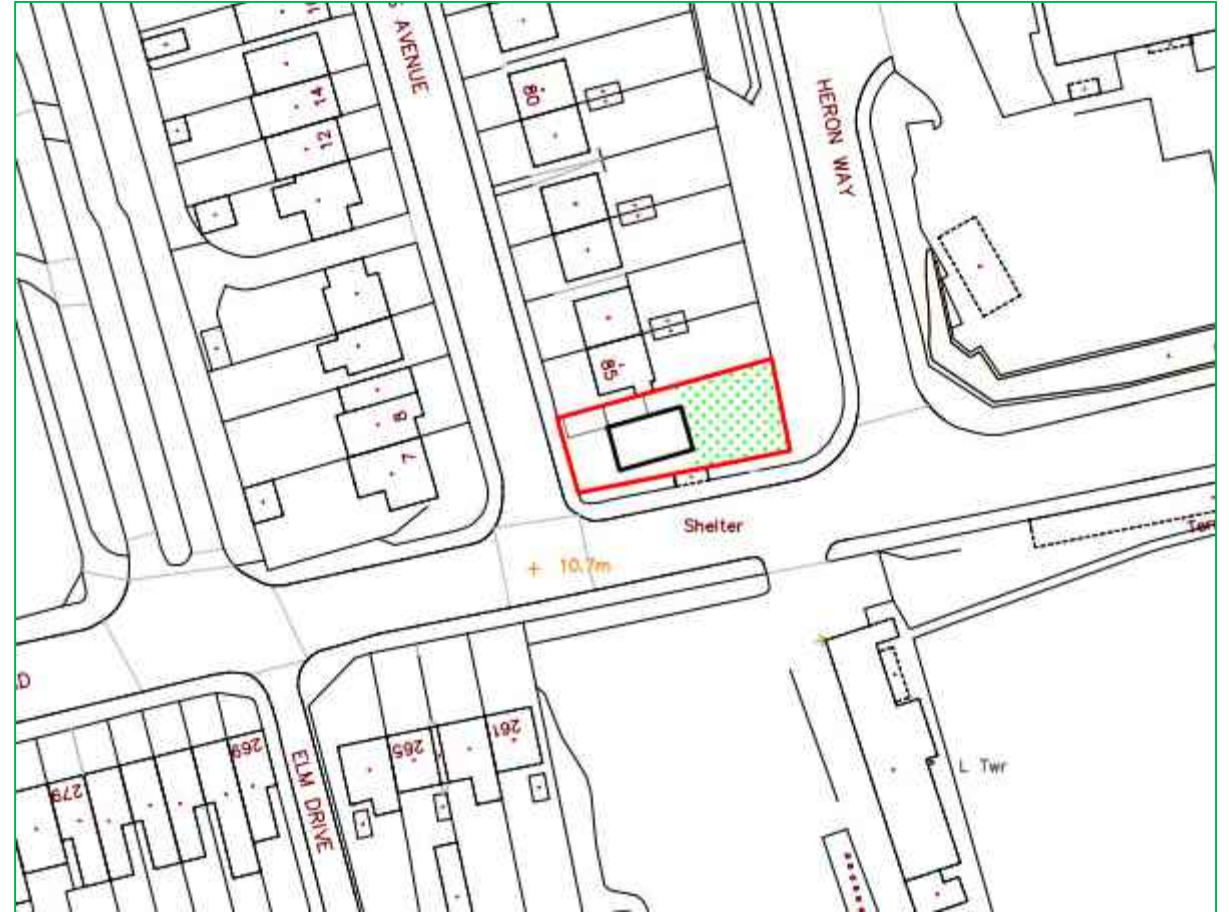
Ward: Dovercourt Bay

Estimated cost of Annual Maintenance: £200

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 1 x Detached House



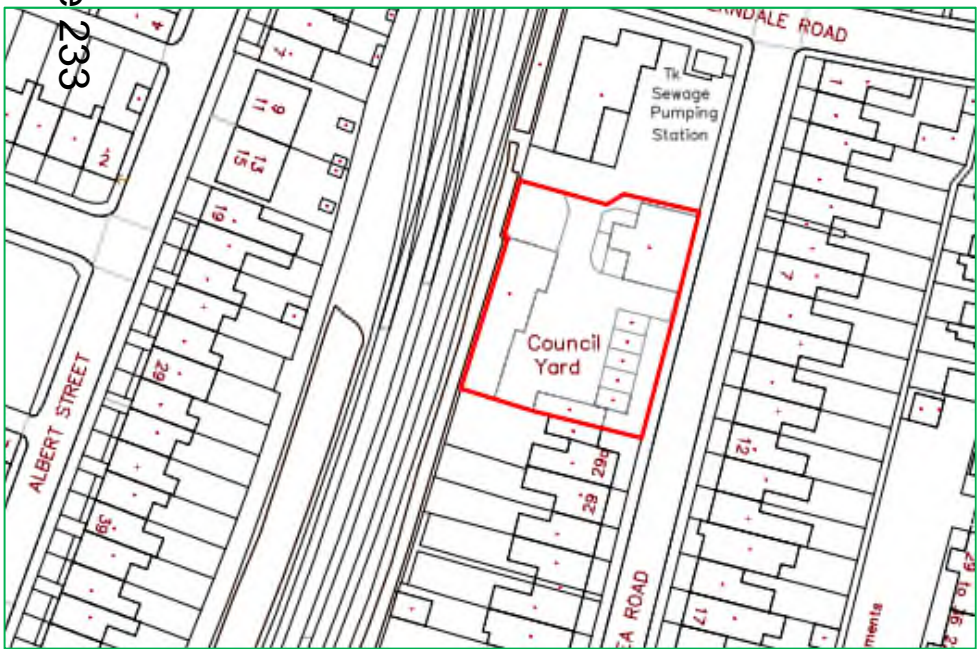
Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Fernlea Road, Harwich – Ref H016H

Size	880m2
Adjoining Uses (within 100m)	Residential, railway, public open space
Planning designation	Within development boundary
Current use	Former garaging site
Legal constraints	Overage agreement, right of access for neighbouring property.

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Harwich and Kingsway

Estimated cost of Annual Maintenance: £2000

Other information and opportunities:

This area is Flood Zone 3, so properties will have to be designed accordingly.

Development Potential

Proposed properties: 6 x Terrace of Houses



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Seaview, Little Oakley – Ref LO001H

Size	3500m2
Adjoining Uses (within 100m)	Housing, parking, farmland
Planning designation	Outside development boundary
Current use	Overgrown land
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Oakleys and Wix

Estimated cost of Annual Maintenance: £1,500

Other information and opportunities:

Current parking arrangements on site may need to be reconfigured.

Development Potential

Proposed properties: 13 x Various Terraced and Semi-Detached Houses



Housing Need

As at the 1st May 2020 15% of Tendring's demand for housing was in Harwich and Dovercourt, equating to 293 households.

Bayview Crescent – Ref LO002BH

Size	750m2
Adjoining Uses (within 100m)	Residential, garaging, public open space
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Oakleys and Wix

Estimated cost of Annual Maintenance: £400

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 2 x Semi-Detached Bungalows



Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

Bayview Crescent, Little Oakley – Ref LO002CH

Size	560m2
Adjoining Uses (within 100m)	Residential, school, public open space
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

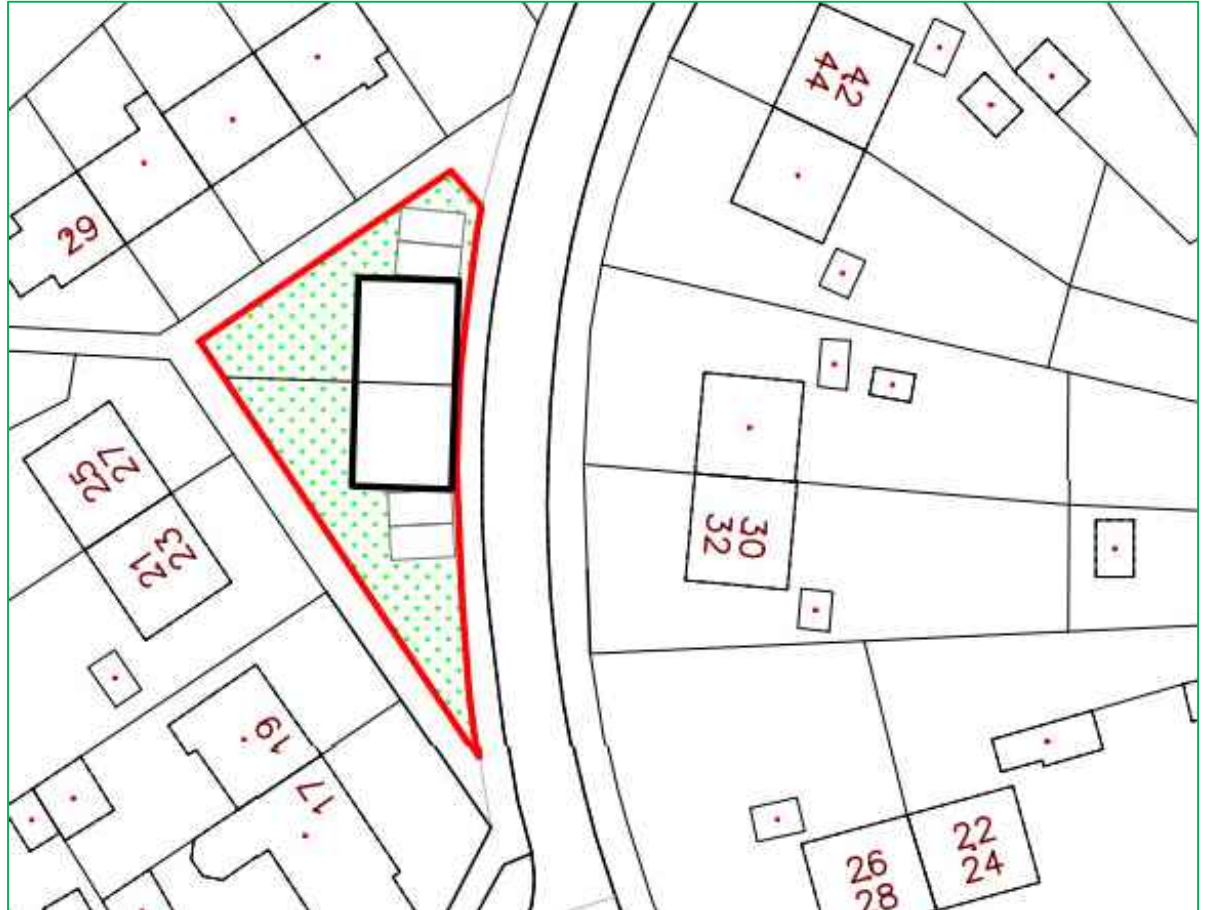
Ward: Oakley's and Wix

Estimated cost of Annual Maintenance: £300

Other information and opportunities:
Nothing noted.

Development Potential

Proposed properties: 2 x Semi-Detached Houses



Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

Cotman Avenue, Manningtree – Ref M001G

Size	1642 m2
Adjoining Uses (within 100m)	Residential, public open space
Planning designation	Within development boundary, safeguarded open space
Current use	Green space
Legal constraints	Active public open space covenant

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Lawford, Manningtree and Mistley

Estimated cost of Annual Maintenance: £1000

Other information and opportunities:

There are currently 2 footpaths through the space, which could be reduced to one.

Development Potential

Proposed properties: 2 x Detached Houses and 2 x Semi-Detached Houses



Housing Need

As at the 1st May 2020 7% of Tendring's demand for housing was in Manningtree, Mistley & Lawford, equating to 137 households.

Stourview, Mistley – Ref Mi001AH

Size	2000m2
Adjoining Uses (within 100m)	Residential, car park, public open space
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Lawford, Manningtree and Mistley

Estimated cost of Annual Maintenance: £1,100

Other information and opportunities:

Alternative development could be apartment blocks

Development Potential

Proposed properties: 4 x Semi-Detached Houses



Housing Need

As at the 1st May 2020 7% of Tendring's demand for housing was in Manningtree, Mistley & Lawford, equating to 137 households.

Stourview, Mistley – Ref Mi001BH

Size	460m2
Adjoining Uses (within 100m)	Residential, farmland, public open space
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	Yes	No	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Lawford, Manningtree and Mistley

Estimated cost of Annual Maintenance: £200

Other information and opportunities:

Current onsite parking arrangement may need to be reconfigured.

Development Potential

Proposed properties: 3 x Terraced/End Terrace Houses



Housing Need

As at the 1st May 2020 7% of Tendring's demand for housing was in Manningtree, Mistley & Lawford, equating to 137 households.

Stourview, Mistley – Ref Mi001CH

Circle shows 100 metre radius around the site – image from Google Earth

Size	630m2
Adjoining Uses (within 100m)	Residential, public open space, Play Area, Adjacent field with planning permission for development.
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Lawford, Manningtree and Mistley

Estimated cost of Annual Maintenance: £700

Other information and opportunities:

Ditch to the east of site D will need to be investigated

Development Potential

Proposed properties: 2 x End Terrace Houses



Housing Need

As at the 1st May 2020 7% of Tendring's demand for housing was in Manningtree, Mistley and Lawford, equating to 137 households.

Broodstrood, St Osyth – Ref SO001G

Size	515m2
Adjoining Uses (within 100m)	Residential
Planning designation	Within development boundary
Current use	Green space
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Osyth

Estimated cost of Annual Maintenance: £300

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached Bungalow



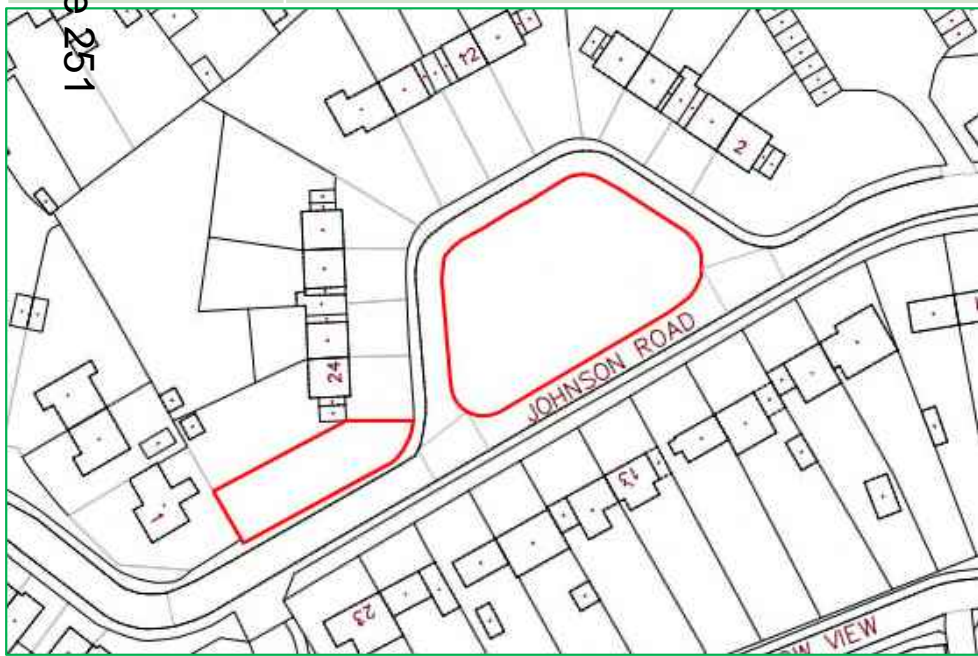
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

Johnson Road – Ref SO002H

Size	1410m2
Adjoining Uses (within 100m)	Residential, garages, school, village hall
Planning designation	Within development boundary, safeguarded open space (only larger plot)
Current use	Green space, green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: St Osyth

Estimated cost of Annual Maintenance: £725

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 1 x Detached and 4 x Semi-Detached Houses



Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

The Street, Weeley – Ref W001H

Size	240m2
Adjoining Uses (within 100m)	Residential, post office
Planning designation	Within development boundary, safeguarded open space
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Weeley & Tendring

Estimated cost of Annual Maintenance: £150

Other information and opportunities:

Local Noticeboard on the site, which may need to be relocated

Development Potential

Proposed properties: 1 x Detached House



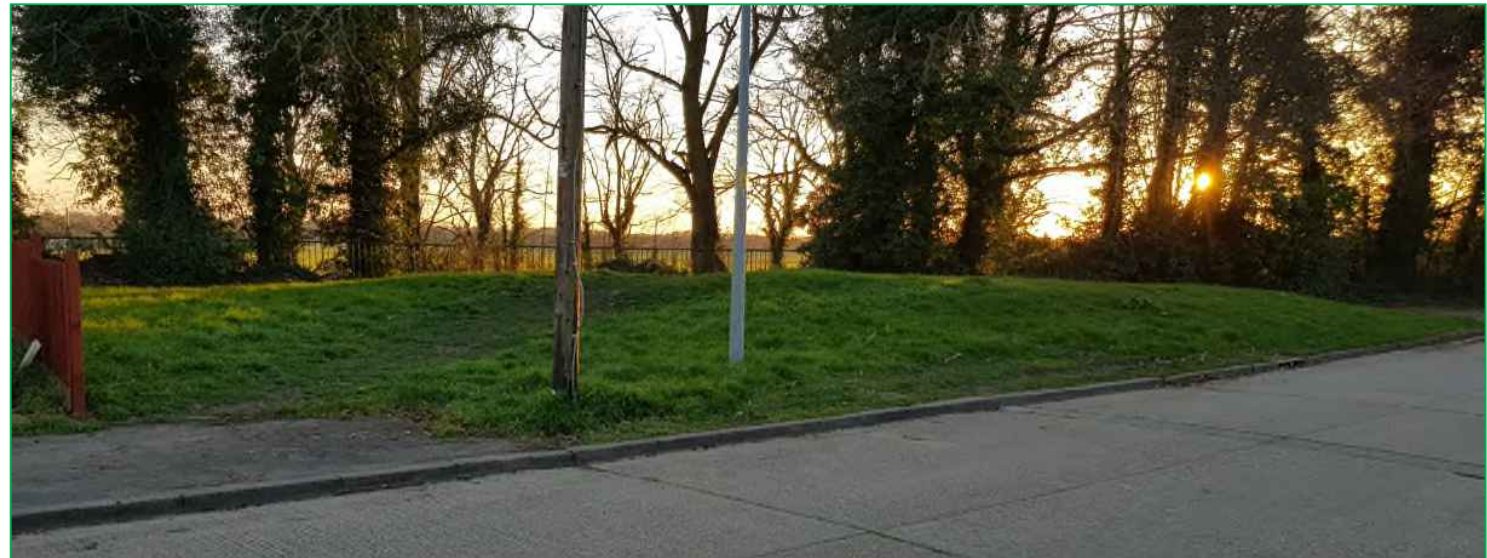
Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

Hilltop Close, Weeley – Ref W002H

Size	450m2
Adjoining Uses (within 100m)	Residential, farmland, Weeley by-pass
Planning designation	Within development boundary
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



Land Assessment Matrix

Key	Yes	No
	Yellow	Red

Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

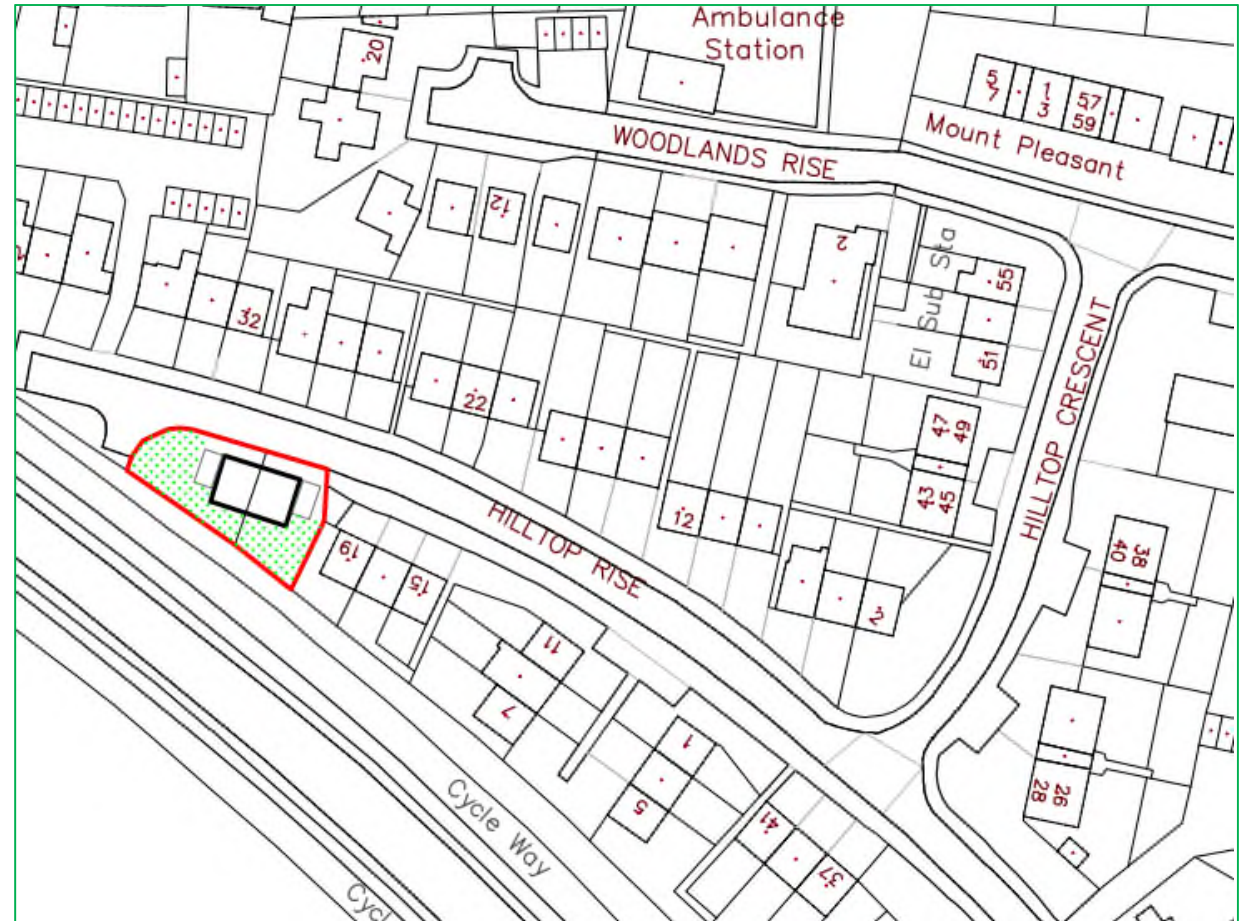
Ward: Weeley and Tendring

Estimated cost of Annual Maintenance: £225

Other information and opportunities:
Nothing noted

Development Potential

Proposed properties: 2 x Semi- Detached Houses



Housing Need

As at the 1st May 2020 14% of Tendring's demand for housing was in Rural Villages, equating to 274 households.

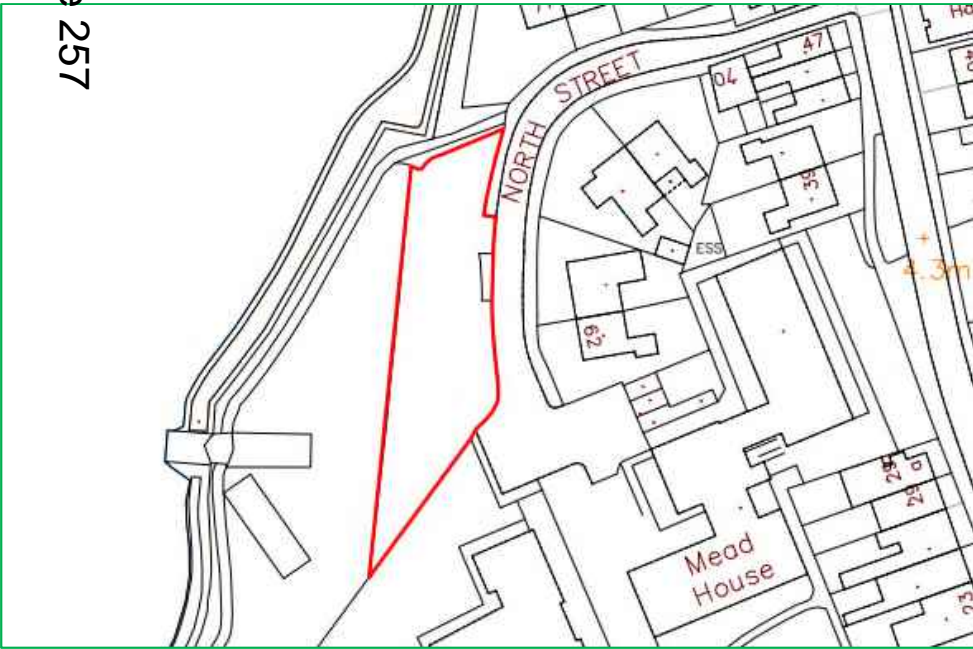
North Street, Walton on the Naze – Ref WN001H

Size	845m2
Adjoining Uses (within 100m)	Residential, public open space, boat sheds, Walton mere
Planning designation	Within development boundary, within priority area for regeneration
Current use	Green verge
Legal constraints	None

Circle shows 100 metre radius around the site – image from Google Earth



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Land Assessment Matrix

Key	Yes	No
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Ground	Known Rights	Biodiversity	Infrastructure	Background
Grass	Right of way	Mature Trees	Waste bin	Anti-Social Behaviour
Tarmac	Drainage	Maintained Planting	Dog Bin	
Concrete	Gas	Mature Hedgerow	Bench	
Other	Underground Cables	Significant Biodiversity	Play Equipment	
	Overground Cables		Lamp Column/s	
	Parking		Footpath/s	
	Other			

Ward: Walton

Estimated cost of Annual Maintenance: £425

Other information and opportunities:

This land is flood zone 3 so the development will have to be designed accordingly. Part of this site is unregistered at the Land Registry and a Possessory Title will be applied for.

Development Potential

Proposed properties: 6 x Terrace of Houses



Housing Need

As at the 1st May 2020 12% of Tendring's demand for housing was in Frinton, Walton and The Kirbys, equating to 235 households.

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

15 JULY 2022

REPORT OF THE CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER

A.6 FINANCIAL OUTTURN 2021/22

(Report prepared by Richard Barrett and the Accountancy Team)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To provide an overview of the financial outturn for the year 2021/22 and to seek approval of associated financial decisions related to the end of year accounting processes.

EXECUTIVE SUMMARY

INTRODUCTION

In previous years, the outturn position has been agreed by the Corporate Finance and Governance Portfolio Holder following which the allocation of the overall actual outturn figure for the year is considered at a subsequent meeting of Cabinet. However, given the on-going and favourable change to the timing of the Statement of Accounts, only a Cabinet report has been prepared this year, which covers all of the previous elements of the Portfolio Holder Report along with the allocation of the outturn position for the year, which remains a Cabinet function.

There has been a significant adverse impact on a number of budget areas in 2021/22 some of which would have been highlighted in the quarterly financial performance reports presented to Members earlier in the year, e.g. the operational difficulties at the Crematorium. However, a number of further adverse budget issues within Services only came to light as part of finalising the outturn position for the year. This has potential major consequences on the Council's financial position. Although the issues have been accommodated within the overall outturn position for the year, they have significantly reduced the available outturn variance at the end of 2021/22. This has an 'knock on' impact on the ability to respond to significant financial issues the Council faces in 2022/23 and beyond as set out later on in this report along with the ability to timely invest in its priorities and objectives going forward. A repeat of this situation must be avoided in 2022/23.

Given the severity of this situation, the Chief Executive has now established regular Budget, Performance and Delivery Review meetings with Senior Managers. Assurances around this issue were also considered by the Audit Committee who met on 30 June 2022.

As set out in the report considered by the Audit Committee, these regular Budget, Performance and Delivery Review meetings will consider the following key issues throughout the year:

- High level review of the in-year budget position for each Directorate / Department, which needs to aim to draw out any potential financial issues ahead of the associated impact on the budget e.g. potential overspends, underspends and / or other financial issues / pressures;
- following on from the point above, to promote and oversee any associated decision making / governance processes;
- to identify financial pressures that may impact on the Council's long term financial plan;
- to promote connections / linkages with the recently implemented Corporate

Investment Plan;

- to review the in-year performance against the Council's key aims and objectives and other key delivery targets;
- to identify and oversee any other key governance issues; and
- set against all of the above, keep under on-going review the level of resources / capacity to meet the various demands on the Council's departments and services.

Further updates will be presented to Members as part of the quarterly Financial Performance monitoring reports during 2022/23.

Outturn 2021/22

Following the completion of the comprehensive end of year processes, the financial outturn position for 2021/22 has been prepared across the various areas of the budget with a summary of the position set out below.

Summary by Key Areas of the Budget

Key Area	Outturn Position
General Fund	
General Fund Revenue - Overall favourable variance after allowing for the carry forwards requested by services	(£0.252m)
Capital Programme – Overall adverse net variance after allowing for carry forwards requested by services.	£0.148m
Housing Revenue Account	
Net Deficit for the year met from calling money out of HRA General Balances (over and above the budgeted use of the reserve)	£0.079m
General Fund Reserves (excluding requested carry forwards)	
Earmarked Reserves –	
Reduced use of reserves compared to budget	nil
Additional Contributions to reserves compared to the budget (<i>excluding carry forwards</i>)	£0.337m
<i>There was no change in the level of the Uncommitted Reserve which remains at £4.000m</i>	

Reserves

The Council's overall general fund reserves total **£38.071m** at 31 March 2022. However, **£34.071m** is in respect of earmarked reserves, which relate to future years commitments (including the 2021/22 carry forwards requested by services). The total earmarked reserves also include the balance on the Forecast Risk Fund of **£3.205m**, which is in-line with the amount required to support the long term financial sustainability plan. Earmarked reserves are predominantly for previously identified priorities of the Council.

The balance of **£4.000m** is the level of uncommitted reserves, which includes a working balance requirement of **£1.600m**. This level of uncommitted reserves matches that previously approved.

It is important to highlight that in addition to the earmarked reserves figures highlighted above, there were also various COVID 19 funding streams received by the Council during the year, which will need to be carried forward into 2022/23 to meet any associated costs or to be repaid to the Government. **Appendix K (ii)**, provides a high level summary of the most up to date position against the various COVID 19 grant funding schemes. Further details are set out within the same appendix and further on in this report in respect of the proposed use of this funding as part of the outturn 2021/22 and in 2022/23.

In respect of the HRA, further details behind the variance set out in the table above are discussed in more detail further in this report along with a request to utilise **£0.050m** from HRA General Balances in **2022/23** to fund improvements to the Council's Housing Repairs and Maintenance System.

Financial Challenges 2022/23 and Beyond

Global factors are continuing to have a major impact on the economy and in turn the financial position of the Council. A number of challenges lay ahead including local issues, some of which are likely to not only have an impact in 2022/23, but are also likely to continue into 2023/24 and beyond. Some examples of the financial pressures faced by the Council include:

- On-going impact from the closure of the Crematorium
- Utility / Fuel costs
- General Inflation
- Increases in the cost of delivering capital projects – key issues relating to supply chain / commodity price pressures. This may also have an impact on 'usual' operational costs of the Council.
- Increases in salary costs

Although there are likely to be additional financial pressures over and above the items listed, this relatively limited list of items could alone see additional costs in excess of **£2.000m** over current budgets. This could have a significant impact on not only day to day service delivery but also on the scale and speed that the Council can invest in its priorities.

It is important to highlight that our suppliers and contractors are also likely to experience similar cost pressures, which could have a 'knock on' impact on their ability to continue to fulfil contractual obligations. With this in mind, Departments are being asked to review their business continuity plans to ensure that they are robust and effective if faced with such events.

The Corporate Investment Plan was originally planned to be presented to Cabinet at the same meeting as this report. However, work is underway as part of informing the Financial Performance Report for the first quarter of 2022/23 and it is therefore felt prudent to have a clearer position on the potential financial impacts faced by the Council in light of the outturn position and emerging financial pressures before any further investment decisions can be

considered for funding from the Corporate Investment Reserve.

The Corporate Investment Plan will therefore be presented to the September 2022 meeting of Cabinet alongside the updated Financial Forecast and in-year position for 2022/23.

The 2022/23 financial forecast will be supported by a zero based approach to budget setting, which will be an even more important element of the budget setting process going forward and will also need to reflect the outturn position for 2021/22.

Following on from the discussions above, additional costs associated with the delivery of the new artificial pitch at Clacton Leisure Centre are already being anticipated. To provide the flexibility to respond to this issue whilst maintaining momentum behind the timely delivery of the project that is being undertaken in partnership with the Football Foundation, a delegation is included within the recommendations to enable the Portfolio Holder for Corporate Finance and Governance to explore with Officers how these additional costs could be met. An update will be provided as part of the Corporate Investment Plan report that will be presented to Cabinet in September.

As set out later on in this report, it is proposed to use **£0.900m** of funding received from our Local Health Partners to deliver a range of projects within Jaywck Sands in 2022/23.

In addition to the above, an additional exemption from procurement rules is included in the following recommendations to regularise the additional costs of the Octopus Ahoy Sculpture Trail in 2021. An original procurement exemption was agreed earlier in the year based on expected costs of **£0.100m**, with the proposed additional exemption decision now covering the final cost of **£0.133m**.

Use of Outturn Variance for the Year

Given the position highlighted above, it is proposed to allocate the overall favourable variance for the year of **£0.252m** to the existing contingency budget of **£0.322m**. This will therefore form part of the Council's financial planning going forward, with the next update being presented to Cabinet in September as mentioned above.

RECOMMENDATION(S)

That Cabinet:

(a) notes the financial outturn position for 2021/22 as set out in this report and appendices;

(b) approves the financing of General Fund capital expenditure for 2021/22 as detailed in Appendix D;

(c) approves the movement in uncommitted and earmarked General Fund reserves for 2021/22 set out in Appendix E;

(d) notes the requested carry forwards totalling £17.890m (£12.948m Revenue, COVID Funding £1.077m (net) and £3.865m Capital) as set out in Appendix K;

(e) subject to (d) above, delegates the approval of the carry forwards to the S151 Officer in consultation with the Portfolio Holder for Corporate Finance and Governance, with the outcome reported back to Cabinet in September;

(f) in respect of the HRA, approves the movement on HRA balances for 2021/22

including any commitments set out within Appendices H and/or I along with recharges to the HRA from the General fund of £2.543m for the year and the financing of the HRA capital expenditure set out in Appendix I;

(g) that subject to (f) above, approves the use of £0.050m from HRA General Balances to meet the cost of additional improvements to the Council's Housing Repairs and Maintenance system in 2022/23;

(h) that subject to the above, notes the various COVID 19 grant funding amounts set out in Appendix K (ii) and approves the use of the funding as set out in the same Appendix and main body of this report;

(i) that subject to the above, approves the overall General Fund Outturn Variance for the year of £0.252m being transferred to the existing contingency budget for further consideration as part of the updated Financial Forecast and Q1 position for 2022/23 that will be presented to Cabinet in September;

(j) approves the use of £0.900m from the funding received from Local Health Partners to deliver the improvements set out later on in this report, along with a delegation to the Director for Operations and Delivery to implement the associated schemes and projects in consultation with the Portfolio Holder for Housing;

(k) approves an additional exemption from procurement rules to regularise the additional cost of £0.033m to deliver the Octopus Ahoy sculpture trail in 2021/22; and

(l) agrees to a delegation to the Council's S151 Officer, in consultation with the Corporate Finance and Governance Portfolio Holder, to adjust the outturn position for 2021/22 along with any corresponding adjustment to earmarked reserves as a direct result of any recommendations made by the Council's External Auditor during the course of their audit activities relating to the Council's 2021/22 accounts.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Careful planning to ensure financial stability underpins the Council's capacity to deliver against its priorities. Both the capital and revenue budgets of the authority are prepared and monitored with the aim of supporting key objectives. The outturn position reflects this process and supports the successful financial planning process.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

The main financial implications for each section of the Council's accounts are as set out in this report.

Risk

Although there are no direct risks associated with the outturn position, there are various 'knock on' risks to the Council's financial position going forward which are set out elsewhere within this report. As highlighted, the financial position for 2022/23 and 2023/24 and beyond will be reviewed in light of the outturn, with an updated position reported to Cabinet in September as part of the Financial Performance Report for Q1 2022/23.

LEGAL

The Council is legally required to calculate a Council Tax requirement each financial year.

Within this framework is the requirement to monitor and report accordingly on the financial position of the authority against this requirement.

The outturn position set out in this report and the actions proposed are within the Council's powers and reflect the statutory requirements and responsibilities of the Council in the preparation of its accounts.

The approval of the outturn position each year is delegated to the Corporate Finance and Governance Portfolio Holder, which is followed by a subsequent meeting of Cabinet where the allocation of the overall outturn variance for the year is agreed.

However, as set out earlier in this report, given the revised timing of the preparation of the Statement of Accounts, only one Outturn Report has been prepared for the consideration of Cabinet this year, that addresses both the items that would have been previously agreed by the Portfolio Holder for Corporate Finance and Governance and the allocation of the overall outturn variance for the year, which has always remained a Cabinet function.

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.

Although there are no direct equality and diversity issues, the overall Financial Strategy and budget process aims to recognise any such issues where appropriate within the Council's wider Financial Framework.

PART 3 – SUPPORTING INFORMATION

BACKGROUND

The Financial Outturn for 2021/22 forms the basis of the information included in the Council's Statement of Accounts which will be published 'Subject to Audit' by the end of July 2022. The external audit of the Statement of Accounts is required to be completed by the end of November 2022.

Details around specific items such as Revenue, Capital, Reserves and Carry Forwards are set out in the following separate sections of the report along with the appendices.

GENERAL FUND REVENUE OUTTURN 2021/22 – A DETAILED ANALYSIS

The following table sets out a summary of the outturn position after taking into account the carry forwards / commitments requested by services discussed further on in this report. A more detailed Portfolio and Departmental analysis is set out within the appendices.

Overall Summary of General Fund Revenue Account Outturn 2021/22

	Budget	Outturn	Variance
	£m	£m	£m
Total Net Outturn Position <i>(after requested carry forwards and reserves adjustments)</i>	7.616	7.708	0.092
Financing			
Business Rates	(4.599)	(4.943)	(0.344)
Revenue Support Grant	(0.431)	(0.431)	0
Council Tax (including Collection Fund)	(2.586)	(2.586)	0
Total	(7.616)	(7.960)	(0.344)
Total Variance for 2021/22 <i>(Contribution to the Contingency Budget via Reserves)</i>			(0.252)

A number of issues emerging earlier in the year were addressed via the quarterly financial performance reports and are therefore reflected in the budget rather than being presented as a variance at the end of the year. In addition, a number of the variances that have remained at the end of the year have already been highlighted via the in-year financial performance reports.

It is important to highlight that there are a number of adverse variances at the end of the year with departments spending more than budgeted by over **£1.000m** when aggregated. This is a significant issue, as in effect the expenditure did not follow the necessary decision making processes before the actual expenditure was incurred. This is a situation that cannot be repeated in 2022/23, given the issues highlighted within the Executive Summary earlier on in this report. With this in mind, the Chief Executive has established regular Budget, Performance and Delivery meetings to identify at the earliest opportunity where key financial decisions may be required during the year. The adverse issues have in effect been regularised as part of this outturn report, which were supported, by a number of emerging favourable variances that also emerged at the end of the fourth quarter.

Appendix C sets out the detailed outturn position across the three departments, with the net variance shown in column (e) of that appendix. The net variance has been further analysed by direct costs and indirect costs and is set out in columns (f) and (g) of the same appendix. Indirect costs continue to include a number of technical accounting adjustments such as those relating to pension costs.

A departmental headline outturn summary is set out in **Appendix A**, which highlights the key variances within each of the three departments.

COVID 19 Grant Funding

As set out in reports, a significant level of COVID 19 funding was made available by the Government and ECC to support a number of associated activities. This has ranged from general new burdens funding to specific funding relating to business support grants and business adaptation grants. A comprehensive summary of the various COVID 19 grants paid to the Council and its use is set out in **Appendix K (ii)**

The Council has remained committed to ensuring that any money that does not have to be

returned to the Government or ECC is, in the first instance, made available to form part of supporting the district's recovery from the COVID 19 pandemic with any unspent amounts proposed to be carried forward to enable associated activities to continue in 2022/23. This primarily applies to the COVID 19 New Burdens Grant funding set out at the top of **Appendix K (ii)**, with a total of £850k being requested to be carried forward into 2022/23.

In addition, set out within **Appendix K (ii)** is how this COVID 19 New Burdens grant funding has been used in 2021/22. Full details are set out at the bottom of that appendix which includes a number of items that form part of the agreement to the overall outturn position for 2021/22. This includes the allocation of **£0.059m** in 2022/23 to support a number of previously successful Summertime plan activities over the coming months.

In addition to the amounts set out in **Appendix K (ii)**, the Council also received grant funding as part of the Government's Sales, Fees and Charges Compensation Scheme. The 2021/22 scheme only covered the first quarter of the year, with **£0.247m** being the reconciled figure for the year that will be claimed from the Government. This is based on the Government covering 75% of income 'lost' after a deductible of 5%.

Allocation of the Overall Outturn Variance for the Year

As discussed earlier in this report, it is proposed to transfer the overall favourable variance for the year of **£0.252m** to the existing Contingency Budget of **£0.322m**, which can therefore be utilised to support the budget in 2022/23 and beyond. This will form part of further financial considerations as part of the Quarter 1 Financial Performance Report that will be presented to Cabinet in September.

During the external audit of the Council's Accounts over the coming months, adjustments or amendments may be recommended by the Council's External Auditor. Although subject to the actual adjustments that may be recommended by the Auditor, they may have a direct impact on the overall outturn position for the year rather than be just presentational changes. They would then be included in the Statement of Accounts that would be presented to the Audit Committee later in the year for approval. To enable the right level of flexibility in responding to any changes recommended by the External Auditor, a delegation is included in the recommendations above to enable the Council's S151 officer, in consultation with the Corporate Finance and Governance Portfolio Holder, to make the necessary adjustments to the 2021/22 outturn position.

Other Issues

As part of the Corporate Investment Plan Report that was considered by Cabinet in March, the following was agreed:

"the acceptance of a grant from our Local Health Partner of £1.65m, and requests Officers to continue to develop schemes and projects that can be supported by this funding for consideration within the Corporate Investment Plan process."

In response to the above, Officers are continuing to develop a number of associated projects in Jaywick Sands, which include the following:

- Addressing poor quality housing
- Environmental / Waste Clean-ups
- Open and Green Spaces

The above programme of works is supported by **£0.900m** of the **£1.650m** mentioned above. It is proposed to develop these projects further, with a delegation to the Director for Operations and Delivery in consultation with the Portfolio Holder for Housing to enable their implementation as

soon as possible. An update will be included within the Corporate Investment Plan that will be presented to Cabinet in September.

During 2021/22, a procurement exemption was obtained to enable the delivery of a sculpture trail across the District. The final costs incurred totalled **£0.133m**, which was **£0.033m** more than the price of **£0.100m** that was set out in the associated procurement decision. A recommendation is therefore set out above that regularises this difference, which was identified as part of the finalising the outturn for the year.

GENERAL FUND CAPITAL OUTTURN POSITION FOR 2021/22

Full details of the outturn position for each scheme together with the total carry forwards requested are set out in **Appendix D**. However a summary is set out in the following table:

	Budget 2021/22	Outturn 2021/22	C/Fwd	Remaining Variance
	£	£	£	£
GF Capital Expenditure	16,508,570	4,308,200	12,439,830	239,460

Financing the Capital Programme

A summary of the proposed financing of the capital expenditure in 2021/22 is set out in the following table, with a more detailed analysis being provided in **Appendix D** to this report:

	Budget 2021/22	Outturn 2021/22	To Fund C/fwds	Variance
	£	£	£	£
External Contributions	(852,090)	(141,114)	(710,980)	(4)
S106	(5,790)	(640)	(5,150)	0
Government Grants	(8,082,080)	(1,130,057)	(7,043,060)	(91,037)
Capital Receipts	(815,060)	0	(815,060)	0
Revenue Contributions	(2,243,220)	(222,010)	(2,170,910)	(149,700)
Use of Earmarked Reserves	(4,510,330)	(2,814,379)	(1,694,670)	1,281
Total	(16,508,570)	(4,308,200)	(12,439,830)	(239,460)

As set out in the second table above, additional government grant of **£0.091m** became available to support the Cliff Stabilisation Scheme along Clacton and Holland Seafront. After taking this into account, along with a number of small favourable variances, the overall capital programme was overspent by **£0.148m**. As set out with **Appendix A1**, this relates to the Clacton Leisure Centre and the Cliff Stabilisation Schemes, which has required an additional contribution to be made to the capital programme from the revenue budget to fully fund these two projects in 2021/22.

The overall budget for the year takes into account adjustments that have occurred since the position was last reported to members within the Q3 financial performance report. These adjustments have been reflected in the outturn position presented in **Appendix D** as part of

agreeing the overall outturn figures for the year.

GENERAL FUND REVENUE AND CAPITAL CARRY FORWARDS INTO 2022/23

It is recognised that due to the size, nature and lead-in times of some schemes, expenditure can span financial years with some schemes not completed by the 31 March in any one year. Therefore commitments for goods and services are likely to remain outstanding at the 31 March each year, examples of which include uncompleted work that the Council has a contractual obligation against or the project is either currently underway or will be started shortly with payment dates or trigger points within the process yet to be reached, finalised and paid.

All carry forwards requested by services have been reflected in the year end position and are shown in **Appendices C and D**. These broadly follow the principles applied in previous years such as:

- There is a 'contractual commitment';
- There is a related long term project which is expected to span a number of financial years;
- There is non-recurring item for which no budget provision exists in the following year;

In addition to the qualifying carry forwards under the above criteria, there will also be a number of requests to carry money forward to support initiatives and projects that although not strictly complying with the above criteria, it could be advantageous for them to be agreed as they further the delivery of priorities etc.

The total amount of money that is subject to a request by the relevant Service to carry it forward into 2022/23, is as follows:

Area of the Budget	Total Carry Forwards Requested
General Fund Revenue – General (Excl. COVID 19 Grant Funding) (Appendix Ki)	£12,948,570
General Fund Revenue – NET COVID 19 Grant Funding (Appendix Kii)	£1,076,640
General Fund Capital Schemes (Contributions from Earmarked Reserves and Direct Revenue Contributions) (Appendix D)	£3,865,580
TOTAL	£17,890,790

In light of the challenging financial position faced by the Council in 2022/23 and beyond as discussed earlier, all of the requested carry forwards are currently being considered further in consultation with Departments. If any carry forwards are deemed essential to continue the delivery of the associated projects and they fit the key criteria highlighted above, then a delegation is included within the recommendations to enable these to be agreed by the S151 Officer in consultation with the Portfolio Holder for Corporate Finance and Governance. The outcome from this review will also be included within the Financial Performance Report for Q1 2022/23 that will be presented to Cabinet in September, which will include a review of any items not agreed under the above delegation.

In terms of the amounts set out in **Appendix K (ii)**, which relate to external COVID 19 grant funding from the Government / ECC, the majority of this money is returnable to the Government / ECC in 2022/23 following associated reconciliation processes. In terms of the money

returnable, this is due to the fact that the Council received money 'on account' for the various schemes where the actual cost / demand was unknown. The money returnable therefore primarily reflects this difference rather than any local issues in rolling out the various grant schemes.

Within the overall COVID 19 funding made available, **£2,276,130** relates to a General New Burdens Grant to support Local Authorities throughout the period of the COVID 19 pandemic and beyond. **£1,425,620** of this funding has been used as set out at the end of **Appendix K (ii)**, some of which would have been subject to earlier decisions during the year, with others forming part of finalising the outturn position for 2021/22. Therefore, the recommendations seek approval of the expenditure set out at the end of **Appendix K (ii)** along with an additional **£59,000** to support the previously successful Summertime Plan in 2022.

The balance remaining against this New Burdens Funding is **£791,510** (after allowing for the **£59,000** highlighted above). The use of this funding will be considered by Cabinet as part of the Financial Performance Report for Q1 2022/23 in September.

GENERAL FUND RESERVES OUTTURN POSITION FOR 2021/22

Earmarked reserves are shown in more detail in **Appendix E** and include the adjustments set out elsewhere in this report.

The change in the budgeted net use of earmarked reserves of **£18.480m** takes into account the proposed level of revenue and capital carry forward requests. The change in reserves also includes the overall outturn variance of **£0.252m**, which is proposed to be transferred to the existing Contingency Budget in 2022/23 via the Revenue Commitments Reserve. The overall change in the budgeted use of reserves also includes an amount of **£0.337m** which is the amount required to 'top up' the contributions to the forecast risk fund to meet the **£0.500m** committed to pay into this reserve each year that in turn supports the long term forecast.

The overall level of reserves at the end of 2021/22 is **£38.071m**, made up of **£18.662m** for commitment reserves, **£15.449m** for other earmarked reserves and **£4.000m** for uncommitted reserves.

Within the **£15.449m** other earmarked reserves figure mentioned above, an amount totalling **£4.998m** is included, which supports the on-going technical adjustment associated with the accounting treatment of COVID 19 business rate reliefs, that also forms part of the overall collection fund figures.

In terms of the overall level of reserves, it should be noted however, that transfers to earmarked reserves are not an increase in the Council's longer-term unallocated general resources as it relates to future years commitments. It is important to highlight that the Council has 'cash-backed' the delivery of its priorities rather than being based on an assessment of affordability at some time in the future, with delivery planned to continue on a range of schemes / projects.

The Financial Strategy has continued to aim to maintain the Uncommitted Reserve, including the minimum working balance of **£1.600m**, at **£4.000m**. At 31 March 2022, the uncommitted reserve stands at **£4.000m** so it remains in line with this requirement.

INCOME COLLECTION PERFORMANCE AND INCOME FROM S106 AGREEMENTS

The position against council tax, business rates, housing rents and general debt is set out in **Appendix F**.

As reported at the start of the year, 2021/22 was the start of the transition back to pre-pandemic collection performance and with this in mind, it is helpful to see a largely improving position in 2021/22 compared to 2020/21 across the various major income streams set out within **Appendix F**.

The overall business rates income position for the year was also supported by remaining a member of the Essex Business Rates Pool. The overall benefit of being a pool member was **£0.622m** in 2021/22, which was partly offset by an additional 'levy' payable to support other pool members who had experienced a reduction in estimated business rate income during the year. As set out in **Appendix A.1**, there was still a net overall favourable position against business rates of **£0.533m**. It is however, worth highlighting that the final position for the pool remains subject to an ongoing reconciliation process across the pool members. The Council remains a member of the pool in 2022/23, which provides the opportunity to accommodate any further changes to the 2021/22 position if they arise as part of this on-going reconciliation process.

In terms of how the collection performance for Council Tax and Business Rates translates into the corresponding collection fund positions, this was more positive than originally budgeted, with the position being **£0.270m** and **£0.933m** ahead of expectations respectively at the end of March 2022. The end of year amounts retained within the collection fund therefore provide a strengthened position heading into 2022/23 and 2023/24.

Details around the use of income from S106 agreements is set out in **Appendix G**. There are no significant issues to highlight and no money was returned to developers during the year.

A REVIEW OF THE HRA OUTTURN POSITION FOR 2021/22

The Housing Revenue Account (HRA) reflects a statutory obligation to account separately for the income and expenditure arising from the Council's landlord functions.

A summary of the Council's Housing Revenue Account for 2021/22 is set out in the table below with a more detailed analysis provided in **Appendix H** to this report.

	Budget 2021/22	Outturn 2021/22	Variance
	£m	£m	£m
Expenditure	6.679	6.800	0.121
Income	(13.696)	(13.572)	0.124
Indirect Income / Expenditure	8.003	6.880	(1.123)
Net Use of HRA Reserves	(0.985)	(0.108)	0.877
Total HRA General Balance as at 31 March 2022			4.246

Net use of HRA Reserves includes a contribution from HRA General Balances of £0.202m (which includes the deficit position for the year of £0.079m set out below).

Housing Revenue Account Overview

The outturn position for the year was an overall deficit of **£0.079m**, with more detailed figures set out in **Appendix H**.

There were a limited number of key issues behind this overall variance, many of which were highlighted earlier in the year and include:

- 1) Rents Receivable - £0.056m**

Although income was lower than budgeted by the above amount, it reflects a significant improvement when compared to 2020/21, with 2021/22 seeing continuing improvements in the level of voids. This position was supported by regular review meetings chaired by the Chief Executive and attended by Senior Officers and relevant Portfolio Holders.

The Service continues to work on delivering a void rate in-line with the pre-pandemic rate of 2%. Further updates will continue to be presented via the quarterly Financial Performance reports during 2022/23.

2) Council Tax Payable on Empty Properties - £0.097m

As reported earlier in the year, the level of void periods has a knock on impact on the council tax payable for periods when the properties are untenanted, with the figure above reflecting the final position for the year.

There were a number of additional items, which reflect a mix of favourable and adverse variances including additional expenditure on housing repairs of **£0.075m**.

General Fund recharges to the HRA totalled **£2.543m**, an increase of **£0.093m** against the budget for the year. Agreement to this level of recharge forms part of the recommendations set out earlier on in this report.

Taking the above into account, along with aggregate of other variances at the end of the year, the overall deficit on the HRA is **£0.079m**. This amount has therefore been 'drawn down' from general balances along with the budgeted use of the same reserve of **£0.123m** resulting in a total use of reserves of **£0.202m**.

HRA Capital Programme

A summary of the Council's HRA Capital Programme for 2021/22 is set out in the table below with a more detailed analysis provided in **Appendix I** to this report.

	Budget 2021/22	Outturn 2021/22	C/Fwd	Remaining Variance
	£	£	£	£
HRA Capital Expenditure	10,255,690	4,316,789	5,869,500	(69,401)

Financing the HRA Capital Programme

A summary of the proposed financing of the capital expenditure in 2021/22 is set out in the following table, with a more detailed analysis being provided in **Appendix I** to this report:

	Budget 2021/22	Outturn 2021/22	To Fund C/fwds	Variance
	£	£	£	£
Major Repairs Reserve	(3,957,200)	(3,088,465)	(801,830)	66,905
Revenue funding from the HRA	(1,143,680)	(187,410)	(956,270)	0
Capital Receipts	(67,600)	(67,600)	0	0
S106	(1,110,030)	(774,150)	(333,380)	2,500
External Contributions	(3,977,180)	(199,164)	(3,778,020)	(4)

HRA Total	(10,255,690)	(4,316,789)	(5,869,500)	69,401
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The overall variance of **£0.069m** is largely due to the timing and programme of works along with no expenditure being incurred against the cash incentive scheme. Capital Works will continue in 2022/23 and beyond supported by the Major Repairs Reserve within a wider stock condition / refurbishment programme.

As set out within the **Appendix I**, additional expenditure of **£0.055m** was incurred in completing of the 10 new homes in Jaywick Sands, the cost of which has been accommodated within the overall capital programme in 2021/22.

Appendix I reflects changes to the financing of the capital programme made as part of the outturn position for the year to maximise the benefit from the use of S106 or 1-for-1 capital receipts. Therefore agreeing the outturn position as set out in this report regularises these changes.

HRA Balances and Reserves

The overall level of HRA General Balances has reduced to **£4.246m**. Full details of HRA Reserves are set out in **Appendix J**, which reflect the adjustments discussed above.

Other Issues Relating to the HRA

The in-house housing repairs team operate a job management system, which has been the subject of on-going implementation over the last year. It is proposed to purchase a number of additional modules to strengthen internal control arrangements and efficiencies in the delivery of the service. It is important to implement these additional modules as soon as possible as they support a number of improvement actions recently identified by Internal Audit that were discussed at the Audit Committee meeting on 30 June 2022. It is estimated that the cost of implementing these changes to the system will be **£0.050m**. It is proposed to fund these from the HRA General Balance above of **£4.246m**, which is reflected in the recommendations earlier on in this report.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Appendix A (1 - 3)	Key Outturn Variances by Department 2021/22
Appendix B	GF - Portfolio / Department Outturn Summary 2021/22
Appendix C	GF – Revenue Departmental / Directorate Outturn 2021/22
Appendix D	GF - Capital Outturn 2021/22
Appendix E	GF - Reserves
Appendix F	Collection Performance – Council Tax, Business Rates, Housing Rents and General Debts
Appendix G	Income from S106 Agreements

Appendix H	HRA – Revenue Outturn 2021/22
Appendix I	HRA – Capital Outturn 2021/22
Appendix J	HRA – Reserves
Appendix K	General Fund Carry Forward Requests From Services (Including COVID 19 External Funding)

(The variance figures set out in these appendices that are presented in brackets represent either a net underspend position or additional income received)

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Department - Chief Executive, Finance, IT, Governance and Partnerships		
Headline Summary	Variance	Comments
	£	
Overall Variance Before Carry Forwards	(13,751,420)	
Less Carry forward Requests	10,555,120	
General Outturn Position Transferred to Contingency Budget	252,084	
Variance After Carry Forwards	(2,944,216)	
Variance Summary		
General - Employee Costs (Including Vacancy Allowance)	(3,516)	
Insurance Recharge Account - General Expenditure	(36,528)	There are a number of smaller underspends that make up the overall variance for the year such as consultancy costs and provisions for insurance excesses.
COVID 19 Compliance & Enforcement - net grant income	(140,295)	Grant income has been applied to meet the associated cost of internal staff resources where there is already an underlying budget. This therefore remains as a net favourable outturn position for the year.
Other Corporate Costs - Corporate Finance Strategy Allowance	(216,240)	Money was set aside as part of the 2021/22 budget to reflect specific risks such as changes in recharges to the HRA and salary costs during the year, which have subsequently not been required.
Other Non-Specific Grants - New Burdens Grants not allocated	(304,865)	A number of new burdens grant payments are not required to be allocated to any specific service area so they remain as favourable variances at the end of the year.
Interest Payable and Similar Charges - Expected Credit Loss Model Impairment	(89,614)	This relates to the general provision for bad debts where the position fluctuates over time.
Benefits and Revenues Service Unit - General Expenditure (excl.employee costs)	(51,346)	This reflects the aggregate of a number of smaller variances within the Service Area that in turn reflects the flexible approach to responding to the roll out of Universal Credit and other related changes to Service Delivery.
Benefits and Revenues Service Unit - Reimbursement of Court Costs	(114,599)	Court costs have been reimbursed by HM Courts & Tribunal Services as they identified that Local Authorities had been overcharged in prior years.
Finance, Revenues and Benefits - Rent Allowances and Rent Rebates net costs	(280,778)	Similarly to previous years, this reflects the difference between housing benefit paid and subsidy receivable along with overpayments recovered, with the position only becoming clear when the comprehensive end of year adjustments to this technical area of the budget are finalised.
Career Track - income	51,873	Income has remained behind the budget at the end of the year although the Service remains committed to working towards a more positive position going forward.
Careline - Net Income	(102,263)	Additional income was generated during the year which offsets some general increases in costs including the additional staffing costs that are included within the employee figure above. The overall net position for the year including employee costs was £80k.
Licensing - Income	43,240	Overall licensing income remained behind the budget at the end of the year.

Finance - Contribution to / (from) Earmarked Reserves - Contribution to the Forecast Risk Fund	337,288	This reflects the required contribution to the forecast risk fund to bring the total contribution for the year to £500k.
Business Rates - Net Income	(532,860)	The variance at the end of the year relates to the timing of when income from business rates can be recognised in the accounts along with the benefit of remaining a member of the Essex Business Rates Pool. Further details are set out in the main body of the report.
General - Aggregate of General / Smaller Net Variances	(372,859)	
General Outturn Position for the Year Contributed to the Contingency Budget	252,084	
Net Direct Costs	(1,561,278)	
Indirect Costs	(1,382,938)	This includes the pension adjustment required as part of the year end accounting processes. Within indirect costs, there is an overspend of £148k against the revenue contributions to the Capital Programme budget. This reflects additional expenditure that incurred across two schemes - £44k relating to the refurbishment of Clacton Leisure Centre and £106k relating to the Cliff Stabilisation works along Clacton and Holland Seafront.
Total	(2,944,216)	

Department - Operations and Delivery		
Headline Summary	Variance	Comments
	£	
Overall Variance Before Carry Forwards	724,547	
Less Carry forward Requests	941,620	
Variance After Carry Forwards	1,666,167	
Variance Summary		
General - Employee Costs	269,584	This position primary reflects the additional staff resources within Engineering Services to support internal departments. Please see comment below relating to the overall position for Engineering Services.
Coast Protection General - Special / Building Maintenance	(87,271)	This reflected a managed position taken by the service to help offset additional net expenditure within the service as highlighted above and below.
Town Centre Enhancement Project - Building Repairs and Maintenance	58,240	Additional town centre cleaning and repair work was undertaken during the year.
Engineering Services - Net Income	(196,625)	This largely reflects the position after recharging time spent by the service in supporting other service areas - e.g. the Office Transformation budget highlighted below. After taking into account the additional employee costs highlighted above, there was an overall net overspend by the Service of just over £63k which reflects 'unchargeable' time.
Transport - Lease Costs	(87,755)	A number of leasing budgets remained underspent at the end of the year.
Crematorium - Expenditure	(72,547)	Due to the closure of the facility, a number of underspends remained at the end of the year e.g. fuel costs, which partly offset the loss of income highlighted below.
Crematorium - Income	916,634	This reflects impact of the closure of the facility earlier in 2021. Please see the main body of the report for more details looking ahead to 2022/23.
Open Spaces - Fixed Plant	35,858	Additional expenditure was incurred during the year.
Parking - Expenditure	83,492	This primary reflects the increase in payment card processing costs as customers switch to a digital way of making payment. This has however been offset by additional income as highlighted below.
Parking - Income	(92,513)	Income has remained strong over the year with a favourable position being maintained at the end of March 2022.
Waste & Recycling - Expenditure	122,628	This position reflects two key issues - 1) Contract costs are facing upward pressure such as from the rate of inflation which the annual contract costs uplifts are tied to. 2) Over £100k was spent on recycling boxes during the year which was partly offset by the use of New Homes Bonus which reflects an historic decision. The processes for issuing these boxes will need to be reviewed in 2022/23 to identify alternatives, given this potentially unsustainable position.
Waste & Recycling - Income	(118,839)	Additional recycling credit income has been achieved which supports the additional expenditure highlighted above.

Office Transformation - Building Repairs	124,637	Additional costs have been incurred as part of completing the project, which has been supported by the in-house engineering team as highlighted above.
Homelessness - Net Expenditure	64,184	This is a demand led service which has seen an increase in costs over 2021/22. This budget has been supported by the COVID New Burdens funding which is set out elsewhere within this report.
General - Aggregate of General / Smaller Net Variances	13,579	
Net Direct Costs	1,033,286	
Net Indirect Costs	632,881	
Total	1,666,167	

Department - Place and Economy		
Headline Summary	Variance	Comments
	£	
Overall Variance Before Carry Forwards	(5,116,000)	
Less Carry forward Requests	6,394,050	
Variance After Carry Forwards	1,278,050	
Variance Summary		
General - Employee Costs Including Training	71,078	Although these areas of the budget are showing a overspend at year end, they are supported by planning income and other favourable variances as set out below. This reflects the similar position at the end of each quarter during the year where associated budget adjustments are made.
Development Control - Expenditure	51,163	
Planning & Enforcement - External Legal Advice	27,278	
Development Control - Planning Income	(180,683)	Actual income for the year was in excess of the budgeted figure, which supports the adverse variances highlighted above.
Building Control - Fee Income	(40,468)	Income was in excess of the budgeted figure at the end of the year.
Misc. Seafront Activities - Building Repairs and other costs	68,059	Additional expenditure was incurred in excess of the amount budgeted for.
Clacton 150 - Events	39,612	Additional expenditure was incurred in delivering the Octopus Ahoy Sculpture Trail.
Land Charges - Search Income	(18,199)	Additional income for the year was achieved.
Sports and Leisure Centres - Net Position Including Employee Costs	89,145	This reflects the final position for the year after taking into account the Government's COVID 19 Sales, Fees and Charges Compensation Scheme and use of COVID New Burdens Funding. Please see separate appendix. This remaining variance relates to the additional cost of building and maintenance work (primarily at Clacton Leisure Centre).
General - Aggregate of General / Smaller Net Variances	(27,742)	
Net Direct Costs	79,243	
Net Indirect Costs	1,198,807	
Total	1,278,050	

General Fund Position at the end of March 2022

Portfolio Summary

	2021/22 Budget	2021/22 Actual	2021/22 Variance
	£	£	£
Leader	4,503,360	2,709,422.15	(1,793,937.85)
Corporate Finance and Governance	(1,694,460)	(6,263,941.03)	(4,569,481.03)
Environment and Public Space	9,167,550	9,701,116.79	533,566.79
Housing	3,638,990	2,365,454.78	(1,273,535.22)
Partnerships	1,741,650	813,164.58	(928,485.42)
Business and Economic Growth	5,167,800	618,465.66	(4,549,334.34)
Leisure and Tourism	7,062,350	7,970,590.76	908,240.76
Budgets Relating to Non Executive Functions	733,210	613,523.61	(119,686.39)
Net Cost of Services	30,320,450	18,527,797.30	(11,792,652.70)
Revenue Support for Capital Investment	6,754,190	3,037,028.06	(3,717,161.94)
Financing Items	(5,745,000)	(8,371,501.78)	(2,626,501.78)
Total Before use of Reserves	31,329,640	13,193,323.58	(18,136,316.42)
Contribution to / (from) Earmarked Reserves*	(23,713,110)	(5,232,956.58)	18,480,153.42
Net Total	7,616,530	7,960,367.00	343,837.00
<i>Financed by:</i>			
Business Rates (including Tariff and Levy)	(4,598,900)	(4,942,742.00)	(343,842.00)
Revenue Support Grant	(431,170)	(431,165.00)	5.00
Collection Fund Surplus/Deficit	6,017,640	6,017,640.00	0.00
Income from Council Tax Payers	(8,604,100)	(8,604,100.00)	0.00
Total	0	0.00	0.00

Department Summary

	2021/22 Budget	2021/22 Actual including Reserves Adj and C/fwds	2021/22 Variance
	£	£	£
Chief Executive, Finance, IT, Governance and Partnerships (including income from Council Tax)*	(27,182,020)	(30,126,236.47)	(2,944,216.47)
Operational Services	13,650,640	15,316,806.96	1,666,166.96
Planning and Regeneration	13,531,380	14,809,429.51	1,278,049.51
Total	0	0.00	0.00

* this includes the contribution to the Contingency Budget via reserves of the general outturn position of £0.252m

General Fund Position at the end of March 2022

Department - Chief Executive, Finance, IT, Governance and Partnerships

	(a)	(b)	(c)	(d)	(e)	(f)	(g)
Analysis by Type of Spend	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds	Direct Variance	Indirect Variance
	£	£	£	£	£	£	£
Direct Expenditure							
Employee Expenses	10,564,020	9,862,057.15	0.00	660,000.00	(41,962.85)	(41,962.85)	0.00
Premises Related Expenditure	361,210	342,898.01	0.00	78,400.00	60,088.01	60,088.01	0.00
Transport Related Expenditure	111,910	95,944.45	0.00	0.00	(15,965.55)	(15,965.55)	0.00
Supplies & Services	32,641,530	15,566,762.46	0.00	15,926,590.00	(1,148,177.54)	(1,148,177.54)	0.00
Third Party Payments	67,790	30,000.00	0.00	37,790.00	0.00	0.00	0.00
Transfer Payments	46,640,120	39,489,742.99	0.00	886,500.00	(6,263,877.01)	(6,263,877.01)	0.00
Interest Payments	17,800	10,514.95	0.00	0.00	(7,285.05)	(7,285.05)	0.00
Total Direct Expenditure	90,404,380	65,397,920.01	0.00	17,589,280.00	(7,417,179.99)	(7,417,179.99)	0.00
Direct Income							
Government Grants	(77,274,730)	(61,090,439.96)	0.00	(10,265,680.00)	5,918,610.04	5,918,610.04	0.00
Other Grants, Reimbursements and Contributions	(2,609,650)	(2,251,605.54)	0.00	(634,060.00)	(276,015.54)	(276,015.54)	0.00
Sales, Fees and Charges	(1,289,800)	(1,282,722.99)	0.00	0.00	7,077.01	7,077.01	0.00
Rents Receivable	(46,300)	(45,449.00)	0.00	0.00	851.00	851.00	0.00
Interest Receivable	(419,050)	(459,196.96)	0.00	0.00	(40,146.96)	(40,146.96)	0.00
RSG, Business Rates and Council Tax	(7,616,530)	(7,960,367.00)	0.00	0.00	(343,837.00)	(343,837.00)	0.00
Total Direct Income	(89,256,060)	(73,089,781.45)	0.00	(10,899,740.00)	5,266,538.55	5,266,538.55	0.00
Net Direct Costs	1,148,320	(7,691,861.44)	0.00	6,689,540.00	(2,150,641.44)	(2,150,641.44)	0.00
Total Indirect Income/Expenditure	(4,617,230)	(9,865,748.45)	0.00	3,865,580.00	(1,382,938.45)	0.00	(1,382,938.45)
Net Contribution to/(from) Reserves	(23,713,110)	(5,232,956.58)	(17,890,790.00)	0.00	589,363.42	589,363.42	0.00
Total for Chief Executive, Finance, IT, Governance and Partnerships	(27,182,020)	(22,790,566.47)	(17,890,790.00)	10,555,120.00	(2,944,216.47)	(1,561,278.02)	(1,382,938.45)

Analysis of the Variance in column (e) by Direct and Indirect

Department - Chief Executive, Finance, IT, Governance and Partnerships

	(a)	(b)	(c)	(d)	(e)
Analysis by Section/Function	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds
	£	£	£	£	£
Chief Executive and Administration	61,890	0.00	0.00	0.00	(61,890.00)
Finance and IT Management and Administration	0	0.00	0.00	0.00	0.00
Finance	39,840	0.00	0.00	76,480.00	36,640.00
Finance - Other Corporate Costs	(2,725,070)	(8,208,343.06)	0.00	4,815,310.00	(667,963.06)
Finance - Financing Items	(23,063,630)	(10,732,229.96)	(17,890,790.00)	3,865,580.00	(1,693,809.96)
Finance - RSG, Business Rates and Council Tax	(7,616,530)	(7,960,367.00)	0.00	0.00	(343,837.00)
Revenues and Benefits	2,079,150	808,941.55	0.00	590,510.00	(679,698.45)
IT, Emergency Planning and Business Continuity	227,740	105,158.60	0.00	195,180.00	72,598.60
Governance Management and Administration	3,750	0.00	0.00	0.00	(3,750.00)
Legal	16,160	0.00	0.00	45,060.00	28,900.00
Democratic Services	1,499,810	1,328,867.80	0.00	118,170.00	(52,772.20)
Partnerships Management and Administration	0	0.00	0.00	0.00	0.00
HR and OD	303,420	156,696.74	0.00	221,220.00	74,496.74
Community Partnerships	1,328,430	789,021.49	0.00	627,610.00	88,201.49
Communications	1,710	0.00	0.00	0.00	(1,710.00)
Customer and Commercial	661,310	921,687.37	0.00	0.00	260,377.37
Total for Chief Executive, Finance, IT, Governance and Partnerships	(27,182,020)	(22,790,566.47)	(17,890,790.00)	10,555,120.00	(2,944,216.47)

APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
<i>Direct Variance</i>	<i>Indirect Variance</i>
£	£
(13,088.40)	(48,801.60)
5,202.11	(5,202.11)
59,902.48	(23,262.48)
(852,316.79)	184,353.73
496,970.20	(2,190,780.16)
(343,837.00)	0.00
(774,782.55)	95,084.10
(38,864.21)	111,462.81
4,001.05	(7,751.05)
(8,072.01)	36,972.01
(81,522.54)	28,750.34
3,632.47	(3,632.47)
55,189.77	19,306.97
(128,145.71)	216,347.20
764.29	(2,474.29)
53,688.82	206,688.55
(1,561,278.02)	(1,382,938.45)

General Fund Position at the end of March 2022

Department - Operations and Delivery

	(a)	(b)	(c)	(d)	(e)
<u>Analysis by Type of Spend</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fws
	£	£	£	£	£
Direct Expenditure					
Employee Expenses	6,454,240	6,451,839.07	0.00	275,040.00	272,639.07
Premises Related Expenditure	2,356,910	2,440,404.65	0.00	44,180.00	127,674.65
Transport Related Expenditure	567,870	490,461.86	0.00	34,760.00	(42,648.14)
Supplies & Services	3,010,740	2,867,965.86	0.00	560,080.00	417,305.86
Third Party Payments	5,289,230	5,595,518.35	0.00	0.00	306,288.35
Transfer Payments	191,340	363,760.31	0.00	0.00	172,420.31
Total Direct Expenditure	17,870,330	18,209,950.10	0.00	914,060.00	1,253,680.10
Direct Income					
Government Grants	(1,160,380)	(1,199,830.14)	0.00	(6,020.00)	(45,470.14)
Other Grants, Reimbursements and Contributions	(1,631,510)	(1,758,884.56)	0.00	0.00	(127,374.56)
Sales, Fees and Charges	(3,471,210)	(3,267,746.48)	0.00	33,580.00	237,043.52
Rents Receivable	(207,730)	(222,995.00)	0.00	0.00	(15,265.00)
Direct Internal Income	(1,061,950)	(1,331,277.67)	0.00	0.00	(269,327.67)
Total Direct Income	(7,532,780)	(7,780,733.85)	0.00	27,560.00	(220,393.85)
Net Direct Costs	10,337,550	10,429,216.25	0.00	941,620.00	1,033,286.25
Total Indirect Income/Expenditure	3,313,090	3,945,970.71	0.00	0.00	632,880.71
Total for Operations and Delivery	13,650,640	14,375,186.96	0.00	941,620.00	1,666,166.96

APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
Direct Variance	Indirect Variance
£	£
272,639.07	0.00
127,674.65	0.00
(42,648.14)	0.00
417,305.86	0.00
306,288.35	0.00
172,420.31	0.00
1,253,680.10	0.00
(45,470.14)	0.00
(127,374.56)	0.00
237,043.52	0.00
(15,265.00)	0.00
(269,327.67)	0.00
(220,393.85)	0.00
1,033,286.25	0.00
0.00	632,880.71
1,033,286.25	632,880.71

Department - Operations and Delivery

	(a)	(b)	(c)	(d)	(e)
<u>Analysis by Section/Function</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds
	£	£	£	£	£
CD Operations and Delivery Management and Administration	(43,690)	0.00	0.00	0.00	43,690.00
Building and Public Realm Management and Administration	0	0.00	0.00	0.00	0.00
Building and Surveyors	(549,210)	30,187.17	0.00	0.00	579,397.17
Engineering	3,094,730	3,062,234.49	0.00	50,000.00	17,504.49
Public Realm	3,417,290	4,153,008.38	0.00	175,210.00	910,928.38
Waste Management	4,849,160	4,788,016.60	0.00	139,460.00	78,316.60
Assets	360,930	158,646.79	0.00	87,930.00	(114,353.21)
Housing and Environment Management and Administration	3,750	0.00	0.00	0.00	(3,750.00)
Housing and Homelessness	1,328,340	1,186,429.19	0.00	262,950.00	121,039.19
Environment Health Services	1,189,340	996,664.34	0.00	226,070.00	33,394.34
Total for Operations and Delivery	13,650,640	14,375,186.96	0.00	941,620.00	1,666,166.96

APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
Direct Variance	Indirect Variance
£	£
35,675.14	8,014.86
10,276.53	(10,276.53)
41,311.65	538,085.52
(8,402.55)	25,907.04
832,543.94	78,384.44
(30,260.24)	108,576.84
134,555.14	(248,908.35)
(2,977.94)	(772.06)
12,409.01	108,630.18
8,155.57	25,238.77
1,033,286.25	632,880.71

General Fund Position at the end of March 2022

Department - Place and Economy

	(a)	(b)	(c)	(d)	(e)
<u>Analysis by Type of Spend</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds
	£	£	£	£	£
Direct Expenditure					
Employee Expenses	5,511,840	5,327,891.52	0.00	0.00	(183,948.48)
Premises Related Expenditure	1,315,220	1,393,241.69	0.00	6,340.00	84,361.69
Transport Related Expenditure	45,210	23,437.66	0.00	7,080.00	(14,692.34)
Supplies & Services	10,854,850	4,783,387.58	0.00	6,449,040.00	377,577.58
Third Party Payments	45,870	56,337.12	0.00	0.00	10,467.12
Total Direct Expenditure	17,772,990	11,584,295.57	0.00	6,462,460.00	273,765.57
Direct Income					
Government Grants	(1,172,640)	(1,426,033.25)	0.00	6,130.00	(247,263.25)
Other Grants, Reimbursements and Contributions	(779,430)	(1,163,442.71)	0.00	(74,540.00)	(458,552.71)
Sales, Fees and Charges	(5,032,880)	(4,521,727.47)	0.00	0.00	511,152.53
Rents Receivable	(411,230)	(411,090.24)	0.00	0.00	139.76
Total Direct Income	(7,396,180)	(7,522,293.67)	0.00	(68,410.00)	(194,523.67)
Net Direct Costs	10,376,810	4,062,001.90	0.00	6,394,050.00	79,241.90
Total Indirect Income/Expenditure	3,154,570	4,353,377.61	0.00	0.00	1,198,807.61
Total for Place and Economy	13,531,380	8,415,379.51	0.00	6,394,050.00	1,278,049.51

APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
Direct Variance	Indirect Variance
£	£
(183,948.48)	0.00
84,361.69	0.00
(14,692.34)	0.00
377,577.58	0.00
10,467.12	0.00
273,765.57	0.00
(247,263.25)	0.00
(458,552.71)	0.00
511,152.53	0.00
139.76	0.00
(194,523.67)	0.00
79,241.90	0.00
0.00	1,198,807.61
79,241.90	1,198,807.61

Department - Place and Economy

	(a)	(b)	(c)	(d)	(e)
<u>Analysis by Section/Function</u>	2021/22 Budget	2021/22 Actual	2021/22 Reserves Adjustment	2021/22 C/fwd requests	2021/22 Variance after Reserves Adj and C/fwds
	£	£	£	£	£
Place and Economy Management and Administration	626,250	14,345.11	0.00	615,010.00	3,105.11
Planning Management and Administration	0	0.00	0.00	0.00	(0.00)
Development	1,335,240	1,059,862.02	0.00	364,650.00	89,272.02
Enforcement	459,290	379,089.17	0.00	85,220.00	5,019.17
Budgeting Control	222,020	249,469.91	0.00	0.00	27,449.91
Economic Growth and Leisure Management and Administration	0	0.00	0.00	0.00	0.00
Economic Growth	3,463,510	1,021,077.85	0.00	2,572,390.00	129,957.85
Sport, Leisure, Tourism, Heritage and Culture	4,000,020	5,034,856.28	0.00	32,760.00	1,067,596.28
Local Plan and Place Shaping Management and Administration	0	0.00	0.00	0.00	0.00
Strategic Planning	1,055,590	768,464.17	0.00	245,960.00	(41,165.83)
Place	2,369,460	(111,785.00)	0.00	2,478,060.00	(3,185.00)
Total for Place and Economy	13,531,380	8,415,379.51	0.00	6,394,050.00	1,278,049.51

APPENDIX C

Analysis of the Variance in column (e) by Direct and Indirect

(f)	(g)
Direct Variance	Indirect Variance
£	£
(50,351.62)	53,456.73
6,807.72	(6,807.72)
(244,160.63)	333,432.65
23,081.77	(18,062.60)
62,665.22	(35,215.31)
5,464.23	(5,464.23)
31,483.22	98,474.63
248,596.92	818,999.36
15,105.73	(15,105.73)
(18,445.66)	(22,720.17)
(1,005.00)	(2,180.00)
79,241.90	1,198,807.61

General Fund Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Variance Over/(Under)	2021/22 Carry Forward	2021/22 Variance
	£	£	£	£	£
Expenditure					
<i>Business and Economic Growth Portfolio</i>					
SME Growth Fund Capital Grants	43,250	-	(43,250)	43,250	-
Starlings and Milton Road Redevelopment	1,257,510	94,805	(1,162,705)	1,162,700	(5)
	1,300,760	94,805	(1,205,955)	1,205,950	(5)
<i>Corporate Finance and Governance Portfolio</i>					
Information and Communications Technology Core Infrastructure	129,140	128,119	(1,021)	-	(1,021)
Agresso e-procurement	84,000	-	(84,000)	84,000	-
Enhanced Equipment replacement - Printing and Scanning	6,210	-	(6,210)	6,210	-
Office Rationalisation	78,510	77,242	(1,268)	-	(1,268)
Treadwheel Crane	186,790	157,402	(29,388)	29,390	2
Carnarvon House Demolition	80,000	-	(80,000)	80,000	-
	564,650	362,763	(201,887)	199,600	(2,287)
<i>Environment and Public Space Portfolio</i>					
Cranleigh Close, Clacton, landscaping works	640	652	12	-	12
Environmental Health Database Migration	5,250	-	(5,250)	5,250	-
Laying Out Cemetery	150,250	9,007	(141,243)	141,240	(3)
Bath House Meadow Security Measures	5,570	-	(5,570)	5,570	-
Clacton Multi-Storey car park repairs	136,840	136,839	(1)	-	(1)
Public Convenience Works	40,000	-	(40,000)	40,000	-
Works at Halstead Road Play Area, Kirby	5,150	-	(5,150)	5,150	-
Weeley Crematorium Works	1,539,140	-	(1,539,140)	1,539,140	-
Purchase of Hot Wash Street Cleaner	35,000	35,000	-	-	-
	1,917,840	181,498	(1,736,342)	1,736,350	8

General Fund Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Variance Over/(Under)	2021/22 Carry Forward	2021/22 Variance
	£	£	£	£	£
<i>Housing Portfolio</i>					
Careline - Replacement Telephone System	14,240	-	(14,240)	14,240	-
Replacement Scan Stations	12,000	-	(12,000)	12,000	-
Housing in Jaywick	404,730	-	(404,730)	404,730	-
Private Sector Renewal Grants/Financial Assistance Loans	287,170	-	(287,170)	287,170	-
Disabled Facilities Grants	7,838,950	505,879	(7,333,071)	7,333,070	(1)
Financial Assistance Grants	160,120	160,116	(4)	-	(4)
Private Sector Leasing	75,660	-	(75,660)	75,660	-
Green Homes Grant	13,000	13,000	-	-	-
Empty Homes funding	152,220	-	(152,220)	152,220	-
	8,958,090	678,995	(8,279,095)	8,279,090	(5)
<i>Leisure and Tourism Portfolio</i>					
CLC - Spa and Wetside Re-development	592,230	636,190	43,960	-	43,960
Walton Leisure Centre - Replacement Boilers	44,180	44,176	(4)	-	(4)
CLC - Replacement of All Weather Pitch	668,750	1,020	(667,730)	667,730	-
Clacton Skate Park Improvement Scheme	250,000	-	(250,000)	250,000	-
CLC - Pool Cameras	36,510	-	(36,510)	36,510	-
New Beach Huts	64,600	-	(64,600)	64,600	-
Clacton/Holland Cliff Stabilisation	2,110,960	2,308,753	197,793	-	197,793
	3,767,230	2,990,139	(777,091)	1,018,840	241,749
Total Approved General Fund Capital Programme	16,508,570	4,308,200	(12,200,370)	12,439,830	239,460

General Fund Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Variance Over/(Under)	2021/22 Carry Forward	2021/22 Variance
	£	£	£	£	£
Financing					
<i>Specific Financing</i>					
External Contributions	(852,090)	(141,114)	710,976	(710,980)	(4)
Section 106	(5,790)	(640)	5,150	(5,150)	0
Government Grant re Coast Protection	(360,020)	(451,062)	(91,042)	-	(91,042)
Governments Grants - Other	(165,220)	(13,000)	152,220	(152,220)	0
Disabled Facilities Grant	(7,556,840)	(665,995)	6,890,845	(6,890,840)	5
	<u>(8,939,960)</u>	<u>(1,271,811)</u>	<u>7,668,149</u>	<u>(7,759,190)</u>	<u>(91,041)</u>
<i>General Financing</i>					
Capital Receipts	(815,060)	-	815,060	(815,060)	0
Direct Revenue Contributions	(2,243,220)	(222,010)	2,021,210	(2,170,910)	(149,700)
Capital Commitments Reserve	(2,929,640)	(1,270,203)	1,659,437	(1,658,160)	1,277
Leisure Capital Project Reserve	(80,690)	(44,176)	36,514	(36,510)	4
Beach Recharge Reserve	(1,500,000)	(1,500,000)	0	-	0
	<u>(7,568,610)</u>	<u>(3,036,389)</u>	<u>4,532,221</u>	<u>(4,680,640)</u>	<u>(148,419)</u>
Total Funding of Approved General Fund Capital Programme	(16,508,570)	(4,308,200)	12,200,370	(12,439,830)	(239,460)

General Fund Reserves as at 31 March 2022

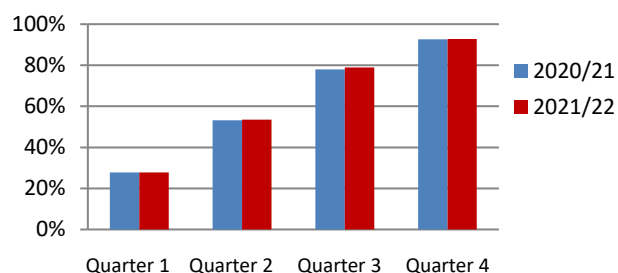
Contributions from/to Reserves - Actual Position for the Year				
	Balance 31 March 2021	Contribution from Reserves 2021/22	Contribution to Reserves 2021/22	Balance 31 March 2022
	£	£	£	£
Earmarked Reserves				
Revenue Commitments Reserve	16,738,132	(16,427,132)	14,434,325	14,745,325
Capital Commitments Reserve	3,129,340	(3,117,720)	3,865,590	3,877,210
Forecast Risk Fund	3,753,240	(1,048,630)	500,000	3,204,610
Asset Refurbishment / Replacement Reserve	1,269,288	0	0	1,269,288
Beach Recharge Reserve	1,500,000	(1,500,000)	0	0
Benefit Reserve	999,790	0	0	999,790
Building for the Future Reserve	1,238,810	(270,040)	685,470	1,654,240
Business Rate Resilience Reserve	8,225,822	(6,044,730)	2,817,000	4,998,092
Commutated Sums Reserve	426,492	(20,000)	100,210	506,702
Crematorium Reserve	154,252	0	0	154,252
Election Reserve	30,000	0	30,000	60,000
Haven Gateway Partnership Reserve	75,000	0	0	75,000
Leisure Capital Projects Reserve	82,000	(80,690)	50,000	51,310
Planning Inquiries and Enforcement Reserve	79,000	(20,000)	0	59,000
Section 106 Agreements Reserve	1,603,021	(71,138)	884,528	2,416,411
	39,304,187	(28,600,080)	23,367,123	34,071,230
Uncommitted Reserve	4,000,000	0	0	4,000,000
Total Reserves	43,304,187	(28,600,080)	23,367,123	38,071,230

Contributions from/to Reserves - Summary of Actual Position Compared to the Budget			
	2021/22 Budget	2021/22 Actual	Variance
	£	£	£
Earmarked Reserves			
Contributions from	(28,600,070)	(28,600,080)	(10)
Contributions to	4,886,960	23,367,123	18,480,163
Total	(23,713,110)	(5,232,957)	18,480,153
Uncommitted Reserve			
Contributions from	0	0	0
Contributions to	0	0	0
Total	0	0	0
Total Reserves	(23,713,110)	(5,232,957)	18,480,153

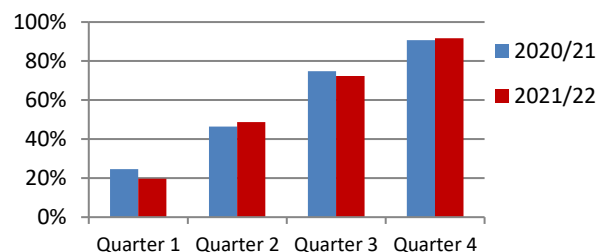
Collection Performance : Position at the end of March 2022

The collection performance against Council tax, Business Rates, Housing Rents and General Debt collection are set out below.

Council Tax (against annual amounts)

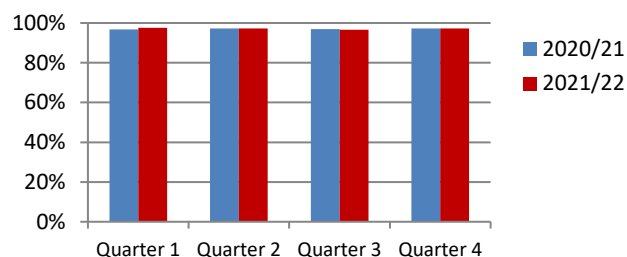


Business Rates (against annual amounts)

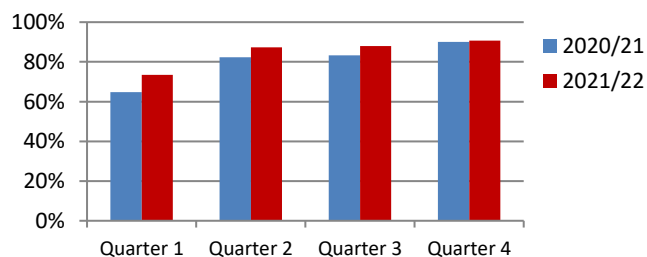


	2020/21	2021/22		2020/21	2021/22
Quarter 1	27.79%	27.82%	Quarter 1	24.55%	19.64%
Quarter 2	53.20%	53.45%	Quarter 2	46.37%	48.69%
Quarter 3	77.96%	78.88%	Quarter 3	74.79%	72.33%
Quarter 4	92.66%	92.81%	Quarter 4	90.66%	91.67%

Housing Rents



General Debt



	2020/21	2021/22		2020/21	2021/22
Quarter 1	96.78%	97.50%	Quarter 1	64.75%	73.40%
Quarter 2	97.17%	97.25%	Quarter 2	82.35%	87.38%
Quarter 3	96.95%	96.58%	Quarter 3	83.30%	87.94%
Quarter 4	97.30%	97.20%	Quarter 4	90.00%	90.73%

Income from S106 Agreements: Outturn Position at the end March 2022

Information in respect of S106 income has been split across two areas in the table below - Where money has been formally allocated / being spent and where money remains unallocated / uncommitted.

The information below relates to only S106 amounts applicable to TDC.

ALLOCATED / BEING SPENT

Scheme	Amount Spent / Committed to be Spent
	£000
GF Revenue Schemes	6
GF Capital Schemes	228
HRA Capital Schemes	774
TOTAL	1,008

UNALLOCATED / UNCOMMITTED TO DATE

Permitted Use as per S106 Agreement	Amount Held / 'Spend by' Date			
	Less than 1 year	1 to 2 years	2 to 4 years	4 years +
	£000	£000	£000	£000
Regeneration Programme and Other Initiatives	-	-	-	2
Affordable Housing	-	-	-	1,283
Town Centre Improvements	-	22	-	22
Cycle Facilities	-	-	22	-
Conservation and Habitat Preservation	-	-	-	340
Open Space *	4	12	96	1,734
TOTAL	4	34	118	3,381

* See the below 'spend by' dates for schemes ending in less than one year:
 £2k by August 2022
 £2k by February 2023

Outturn Reporting - Housing Revenue Account (HRA) Position at the end of March 2022

<u>Analysis by Type of Spend</u>			
	2021/22 Budget	2021/22 Actual	2021/22 Variance
	£	£	£
Direct Expenditure			
Employee Expenses	1,208,340	1,130,145.82	(78,194.18)
Premises Related Expenditure	3,656,410	3,837,663.05	181,253.05
Transport Related Expenditure	23,870	18,014.31	(5,855.69)
Supplies & Services	449,660	471,964.12	22,304.12
Third Party Payments	1,030	500.00	(530.00)
Transfer Payments	17,000	19,067.78	2,067.78
Interest Payments	1,322,220	1,322,216.61	(3.39)
Total Direct Expenditure	6,678,530	6,799,571.69	121,041.69
Direct Income			
Other Grants, Reimbursements and Contributions	(8,440)	(7,699.64)	740.36
Sales, Fees and Charges	(572,790)	(508,690.54)	64,099.46
Rents Receivable	(13,101,800)	(13,048,694.33)	53,105.67
Interest Receivable	(13,350)	(6,804.89)	6,545.11
Total Direct Income	(13,696,380)	(13,571,889.40)	124,490.60
Net Direct Costs	(7,017,850)	(6,772,317.71)	245,532.29
Total Indirect Income/Expenditure	8,002,810	6,880,467.55	(1,122,342.45)
Net Contribution to/(from) Reserves	(984,960)	(108,149.84)	876,810.16
Total for HRA	0	0.00	0.00

Housing Revenue Account Capital Outturn 2021/22

	2021/22 Approved Budget	2021/22 Actual Expenditure	2021/22 Over/(Under) Spending	2021/22 Slippage/ Completed	2021/22 Variance
	£	£	£	£	£
Expenditure					
Improvements, enhancement & adaptation of the Council's housing stock	2,877,200	2,576,707	(300,493)	259,020	(41,473)
Spendells House Project	600,000	149,361	(450,639)	450,640	1
IT Upgrade & Replacement	20,000	-	(20,000)	-	(20,000)
Disabled Adaptations	400,000	307,827	(92,173)	92,170	(3)
Cash Incentive Scheme	60,000	-	(60,000)	-	(60,000)
Jaywick Sands - New Build/Starter Homes	-	54,570	54,570	-	54,570
Jaywick Sands - Flexible Workspace Project	3,977,180	199,164	(3,778,016)	3,778,020	4
HRA - New Build & Acquisitions - To Be Allocated	958,620	-	(958,620)	956,270	(2,350)
HRA - Acquisitions - Council Dwellings	1,177,630	841,752	(335,878)	333,380	(2,498)
HRA - Acquisitions - Non-Dwellings	185,060	187,408	2,348	-	2,348
Total Housing Revenue Account Capital Programme	10,255,690	4,316,789	(5,938,901)	5,869,500	(69,401)
Financing					
Major Repairs Reserve	(3,957,200)	(3,088,465)	868,735	(801,830)	66,905
Direct Revenue Contributions	(1,143,680)	(187,410)	956,270	(956,270)	-
Section 106	(1,110,030)	(774,150)	335,880	(333,380)	2,500
Capital Receipts	(67,600)	(67,600)	-	-	-
External Contributions	(1,972,000)	(199,164)	1,772,836	(1,772,840)	(4)
ECC Contributions	(2,005,180)	-	2,005,180	(2,005,180)	-
Total Funding of Approved HRA Capital Programme	(10,255,690)	(4,316,789)	5,938,901	(5,869,500)	69,401

Housing Revenue Account Reserves as at 31 March 2022

Contributions from/to Reserves - Actual Position for the Year				
	Balance 31 March 2021	Contribution from Reserves 2021/22	Contribution to Reserves 2021/22	Balance 31 March 2022
	£	£	£	£
HRA Reserves				
HRA General Balance	4,447,281	(201,559)	0	4,245,722
HRA Commitments	862,854	(862,854)	956,264	956,264
Major Repairs Reserve	5,448,402	(3,088,465)	3,176,410	5,536,347
Total Reserves	10,758,537	(4,152,878)	4,132,674	10,738,333

Contributions from/to Reserves - Summary of Actual Position Compared to the Budget			
	2021/22 Budget	2021/22 Actual	Variance
	£	£	£
HRA General Balance			
General Outturn for the Year			
Contributions from	(122,400)	(201,559)	(79,159)
Contributions to	0	0	0
Total	(122,400)	(201,559)	(79,159)
HRA Commitments			
Contributions from	(862,560)	(862,854)	(294)
Contributions to	0	956,264	956,264
Total	(862,560)	93,410	955,970
Major Repairs Reserve			
Contributions from	(3,957,200)	(3,088,465)	868,735
Contributions to	3,176,410	3,176,410	0
Total	(780,790)	87,945	868,735
Total Reserves	(1,765,750)	(20,204)	1,745,546

General Fund Revenue Carry Forward Requests

Service	Account	Cost Centre	Requested C/fwd Amount (£)
Chief Executive, Finance, IT, Governance and Partnerships			
<i>Finance</i>	Computer - Application Software	Accountancy Service Unit	24,740
<i>Finance</i>	Computer - Application Software	Procurement	13,950
<i>Finance</i>	Contract Payment	Procurement	37,790
Total for Finance			76,480
<i>Finance - Other Corporate Costs</i>	Project Expenses	Corporate Investment Plan	962,680
<i>Finance - Other Corporate Costs</i>	Project Expenses	Enforcement Activities	227,440
<i>Finance - Other Corporate Costs</i>	Project Expenses	Garden Communities Project	1,300,000
<i>Finance - Other Corporate Costs</i>	Building Repairs	Climate Emergency Initiatives	78,400
<i>Finance - Other Corporate Costs</i>	Consultancy Fees	Climate Emergency Initiatives	47,420
<i>Finance - Other Corporate Costs</i>	Energy Performance Certificate Costs	Climate Emergency Initiatives	35,860
<i>Finance - Other Corporate Costs</i>	Fin Strat Employee Budget Allowances	Other Corporate Costs	417,170
<i>Finance - Other Corporate Costs</i>	Corporate Financial Strategy Allowances	Other Corporate Costs	100,000
<i>Finance - Other Corporate Costs</i>	Member Small Grants	Member Small Grants Scheme	48,000
<i>Finance - Other Corporate Costs</i>	Project Expenses	Back to Business	425,820
<i>Finance - Other Corporate Costs</i>	Contingency	Contingency	322,010
Total for Finance - Other Corporate Costs			3,964,800

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>Revenues and Benefits</i>	Council Tax Hardship Payments	Hardship Fund	425,010
Total for Revenues and Benefits			425,010
<i>IT, Emergency Planning and Business Continuity</i>	Project Expenses	IT Resilience and Cyber Security	187,030
<i>IT, Emergency Planning and Business Continuity</i>	Hired Services - IT	IT Direct Service Costs	3,150
<i>IT, Emergency Planning and Business Continuity</i>	Project Expenses	Emergency Planning	5,000
Total for IT, Emergency Planning and Business Continuity			195,180
<i>Legal</i>	Salaries	Governance and Legal Services Service Unit	19,330
<i>Legal</i>	Salaries - National Insurance	Governance and Legal Services Service Unit	1,880
<i>Legal</i>	Salaries - Pension	Governance and Legal Services Service Unit	3,850
<i>Legal</i>	External Legal Advice	Governance and Legal Services Service Unit	20,000
Total for Legal			45,060
<i>Democratic Services</i>	Salaries	Leadership Support Service Unit	3,210
<i>Democratic Services</i>	Salaries - National Insurance	Leadership Support Service Unit	320
<i>Democratic Services</i>	Salaries - Pension	Leadership Support Service Unit	640
<i>Democratic Services</i>	Equipment & Tools	Members - Other Costs	114,000
Total for Democratic Services			118,170

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>HR and OD</i>	Salaries	People, Performance and Projects Service Unit	17,600
<i>HR and OD</i>	Salaries - National Insurance	People, Performance and Projects Service Unit	1,420
<i>HR and OD</i>	Salaries - Pension	People, Performance and Projects Service Unit	3,920
<i>HR and OD</i>	Training - Courses	Qualification and Other Training	40,580
<i>HR and OD</i>	Co-Investment Costs - App Levy	Qualification and Other Training	5,050
<i>HR and OD</i>	Advertising - Recruitment	HR Direct Service Costs	43,240
<i>HR and OD</i>	Removal Costs - Relocation	HR Direct Service Costs	10,550
<i>HR and OD</i>	Training - Workforce Development Courses	HR Direct Service Costs	11,090
<i>HR and OD</i>	Training - New Programme Development Courses	HR Direct Service Costs	9,860
<i>HR and OD</i>	Training - Management Development Courses	HR Direct Service Costs	23,590
<i>HR and OD</i>	Training - e-Learning	HR Direct Service Costs	6,140
<i>HR and OD</i>	Training - Equality & Diversity	HR Direct Service Costs	7,880
<i>HR and OD</i>	Salaries	Career Track	6,450
<i>HR and OD</i>	Salaries - National Insurance	Career Track	490
<i>HR and OD</i>	Salaries - Pension	Career Track	1,710
<i>HR and OD</i>	Grants	Career Track	18,000
<i>HR and OD</i>	Project Expenses	Career Track	3,150
<i>HR and OD</i>	Project Expenses	Kickstart Initiative	10,500
Total for HR and OD			221,220

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>Community Partnerships</i>	Materials & Consumables	Wellbeing Hub and other Health Partner Schemes	16,120
<i>Community Partnerships</i>	Consultancy Fees	Wellbeing Hub and other Health Partner Schemes	15,540
<i>Community Partnerships</i>	Hired Services - Payments to Contractors	Wellbeing Hub and other Health Partner Schemes	30,450
<i>Community Partnerships</i>	Project Expenses	Wellbeing Hub and other Health Partner Schemes	55,400
<i>Community Partnerships</i>	Miscellaneous Expenses	Wellbeing Hub and other Health Partner Schemes	13,400
<i>Community Partnerships</i>	Contingency	Wellbeing Hub and other Health Partner Schemes	22,500
<i>Community Partnerships</i>	Miscellaneous Expenses	Essex Family Needs Project	16,050
<i>Community Partnerships</i>	Project Expenses	Community Safety Projects	35,330
<i>Community Partnerships</i>	Project Expenses	Health Partner Initiatives	365,000
<i>Community Partnerships</i>	Grants	Community Safety	20,510
Total for Community Partnerships			590,300
Total for Chief Executive, Finance, IT, Governance and Partnerships			5,636,220
Operations and Delivery			
<i>Engineering</i>	Project Expenses	Highways TDC - Highway Rangers	50,000
Total for Engineering			50,000
<i>Public Realm</i>	Plant purchases	Transport	34,760
<i>Public Realm</i>	Building Repairs	Crematorium	14,900

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>Public Realm</i>	Project Expenses	Nature Conservation	22,690
<i>Public Realm</i>	Playground Maintenance	Playgrounds	2,000
<i>Public Realm</i>	Building Repairs	Shelters - General	19,330
<i>Public Realm</i>	Surface Maintenance	Car Parks - Off St	7,950
<i>Public Realm</i>	Project Expenses	Car Parks - Off St	40,000
<i>Public Realm</i>	Car Parking - Fees And Charges	Car Parks - Off St	30,000
<i>Public Realm</i>	Income from External Accounts	Horticultural Services	3,580
Total for Public Realm			175,210
<i>Waste Management</i>	Salaries	Recycling & Waste Collection	19,280
<i>Waste Management</i>	Salaries - National Insurance	Recycling & Waste Collection	1,930
<i>Waste Management</i>	Salaries - Pension	Recycling & Waste Collection	3,860
<i>Waste Management</i>	Advertising	Weekly Collection Grant	3,180
<i>Waste Management</i>	Miscellaneous Expenses	Weekly Collection Grant	4,360
<i>Waste Management</i>	Hired Services - IT	Weekly Collection Grant	3,300
<i>Waste Management</i>	Materials & Consumables	Recycling Rewards Scheme	12,170
<i>Waste Management</i>	Printing & Stationery	Recycling Rewards Scheme	2,090
<i>Waste Management</i>	Hired Services - Payments to Contractors	Recycling Rewards Scheme	5,000
<i>Waste Management</i>	Advertising and Promotion	Recycling Rewards Scheme	360
<i>Waste Management</i>	Project Expenses	Recycling Rewards Scheme	21,750

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>Waste Management</i>	Miscellaneous Expenses	Recycling Rewards Scheme	1,000
<i>Waste Management</i>	Project Expenses	Garden Waste Collection Service	61,180
Total for Waste Management			139,460
<i>Assets</i>	Agency Staff	Property Services Management Service Unit	66,410
<i>Assets</i>	Legal & Professional Expenses	Emerging Property Projects	15,000
<i>Assets</i>	Consultancy Fees	Emerging Property Projects	12,540
<i>Assets</i>	Government Grants - Current Year	Martello Tower Repair Works	(6,020)
Total for Assets			87,930
<i>Housing and Homelessness</i>	Salaries	Private Sector Housing MH Support Pilot	183,560
<i>Housing and Homelessness</i>	Grants	Home Improvement Agency	29,980
<i>Housing and Homelessness</i>	Purchase of Research Data	Private Sector Innovation & Enforcement Grant	49,410
Total for Housing and Homelessness			262,950
<i>Environment Health Services</i>	Project Expenses	Fast Food Initiative	51,740
<i>Environment Health Services</i>	Project Expenses	Public Health - Improvement Projects	117,080
<i>Environment Health Services</i>	Project Expenses	Public Health - Local Delivery Pilots	33,930
Total for Environment Health Services			202,750
Total for Operations and Delivery			918,300

Service	Account	Cost Centre	Requested C/fwd Amount (£)
Place and Economy			
<i>Place and Economy Management and Administration</i>	Hired Services - Payments to Contractors	Community Housing Trust Grant	615,010
Total for Place and Economy Management and Administration			615,010
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Premises Leasing Costs	Tourism Publicity Marketing Promotion	2,760
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Project Expenses	Dovercourt Swimming Pool & All Weather Facilities	7,500
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Project Expenses	Frinton & Walton Swimming Pool	7,500
<i>Sport, Leisure, Tourism, Heritage and Culture</i>	Project Expenses	Leisure Centre Clacton	15,000
Total for Sport, Leisure, Tourism, Heritage and Culture			32,760
<i>Development</i>	Consultancy Fees	Development Control - Chargeable Account	19,540
<i>Development</i>	Projects and Initiatives Supported by 20% Fee Increase	Development Control - Chargeable Account	345,110
Total for Development			364,650
<i>Enforcement</i>	Miscellaneous Expenses	Planning and Enforcement	85,220
Total for Enforcement			85,220
<i>Economic Growth</i>	Car/Cycle Allowances - Officers	Regeneration Service Unit	7,080
<i>Economic Growth</i>	Printing & Stationery	Regeneration Service Unit	2,470
<i>Economic Growth</i>	Energy Costs - Electricity	Public Halls-Jaywick Community Centre	3,580
<i>Economic Growth</i>	Subscriptions Paid	Enabling Fund	8,460

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>Economic Growth</i>	Project Expenses	Seed Funding for Local Events	12,500
<i>Economic Growth</i>	Project Expenses	Rural and Urban Infrastructure Fund	1,184,310
<i>Economic Growth</i>	Grants to Voluntary Organisations	Tendring Community Fund	356,000
<i>Economic Growth</i>	Grants	SME Growth Fund	51,780
<i>Economic Growth</i>	Computer - Application Software	Business Investment and Growth	1,090
<i>Economic Growth</i>	Grants	Business Investment and Growth	36,410
<i>Economic Growth</i>	Contributions to Other Public Organisations	Business Investment and Growth	347,980
<i>Economic Growth</i>	Advertising	Business Investment and Growth	4,850
<i>Economic Growth</i>	Project Expenses	Business Investment and Growth	349,570
<i>Economic Growth</i>	Miscellaneous Expenses	Business Investment and Growth	6,970
<i>Economic Growth</i>	Miscellaneous Expenses	Jaywick Sands Team	2,850
<i>Economic Growth</i>	Project Expenses	Tendring 4 Growth Events	73,680
<i>Economic Growth</i>	Miscellaneous Expenses	Town Team Partners	17,500
<i>Economic Growth</i>	Government Grants - Non-Ringfenced	Town Team Partners	(17,500)
<i>Economic Growth</i>	Project Expenses	NEEB - Collaboration & Funding Agreement	16,370
<i>Economic Growth</i>	Government Grants - Current Year	NEEB - Collaboration & Funding Agreement	(16,370)
<i>Economic Growth</i>	Project Expenses	Creative and Cultural Strategy	100,000
<i>Economic Growth</i>	Project Expenses	Economic Strategy	22,810
Total for Economic Growth			2,572,390

Service	Account	Cost Centre	Requested C/fwd Amount (£)
<i>Strategic Planning</i>	Project Expenses	Planning Policy and Conservation	10,000
<i>Strategic Planning</i>	Local Development Frame Work/Local Plan	Planning Policy and Conservation	195,960
<i>Strategic Planning</i>	Government Grants - Non-Ringfenced	Planning Policy and Conservation	40,000
Total for Strategic Planning			245,960
<i>Place</i>	Project Expenses	Clacton Town Centre Projects	2,291,460
<i>Place</i>	Project Expenses	FHSF Business Case Expenses	186,600
Total for Place			2,478,060
Total for Place and Economy			6,394,050
			12,948,570

Service Area	Description	Amount Carried Forward from 2020/21	Government / External Grant Funding 2021/22	Total Available 2021/22	Spent / Committed 2021/22	Remaining Balance / Carry Forward into 2022/23	Comments
COVID 19 GOVERNMENT / ECC FUNDING - POSITION AND CARRY FORWARDS							
Finance - Other Corporate Costs	COVID 19 - General New Burdens (including Business Rates Administration Support)	1,252,920	1,023,210	2,276,130	1,425,620 <i>See separate detailed breakdown below</i>	850,510	This money can be retained by the Council rather than having to be returned to the Government. Further commitments against this carryforward will therefore be considered as part of the Quarter 1 Financial Performance Report 2022/23. However it is proposed to agree an amount of £59k to support the Summertime Plan in 2022/23 as part of this report given its timing.
Finance, Revenues and Benefits	COVID 19 - Track and Trace Support (excl. administration but including ECC Grant funding of £295,990)	482,990	577,000	1,059,990	598,500	461,490	Unspent balance to be repaid to Government / ECC in 2022/23.
Finance - Other Corporate Costs	COVID 19 - Business Grants - Mandatory	10,457,282	8,104,320	18,561,602	8,349,238	10,212,360	Unspent balance to be repaid to Government / ECC in 2022/23.
Finance - Other Corporate Costs	COVID 19 - Business Grants - Discretionary Schemes	3,737,900	81,170	3,819,070	3,781,743	37,330	Unspent balance to be repaid to Government / ECC in 2022/23.
People, Performance and Projects	COVID 19 - Community Champions	220,000	0	220,000	191,580	28,420	Unspent balance to be repaid to Government / ECC in 2022/23.
Regeneration	COVID 19 - ECC Business Adaptations Scheme	196,000	1,657,140	1,853,140	1,778,601	74,540	Unspent balance to be repaid to ECC in 2022/23.
Finance - Other Corporate Costs	COVID 19 - ECC Compliance and Enforcement	272,030	369,560	641,590	363,199	278,390	Approval has been obtained from ECC to enable £230k of this money to be applied to the cost of Community Ambassadors in 2022/23 and 2023/24. The balance of this funding is subject to being repaid to the Government if unspent at the end of June 2022.
Finance - Other Corporate Costs	COVID 19 - ECC Clinically Vulnerable	75,670	0	75,670	0	75,670	Unspent balance to be repaid to ECC in 2022/23.
Housing and Environmental Health	COVID 19 - ECC Night Time Economy	23,320	0	23,320	0	23,320	Unspent balance to be repaid to ECC in 2022/23.
People, Performance and Projects	COVID 19 - ECC Emergency Assistance	8,890	0	8,890	0	8,890	Unspent balance to be repaid to ECC in 2022/23.
NET Carry Forward after taking into account the necessary 'technical' treatment of expenditure and income						1,076,640	

Detailed Breakdown of COVID 19 General New Burdens Grant highlighted above	Spent / Committed 2021/22
Agreed as part of a Previous Decision (although amount subject to change as part of finalising the Outturn for 2021/22)	
Street Sweeping Additional Services (Including Bins)	62,000
Extension of 2 Street Ranger posts to the end of December 2021	12,550
Temporary Customer Support Assistant to respond to additional customer demand	19,200
Additional Communication Officer support - Social Media / Media Support	5,500
Summertime Plan - Communication Plan 2021	90,000
Caros Waiving of Rent	39,260
Treadwheel Crane Repair / Refurbishment	46,700
Leisure Facilities - loss of Income over and above Government's Sales Fees and Charges Compensation Scheme Grant	422,300
Building Security Pier Avenue / Town Hall	5,000
Business Grants Advertising	10,000
Additional Staff Capacity / Support	92,120
Allocated as part of finalising the Outturn 2021/22	
Council Tax Sharing Agreement reduction in income from ECC	190,180
Revenue and Benefits Reduced Income from Court Fees	272,120
Health & Safety - PPE	12,000
Opening High Streets Safely Grant Scheme - Unclaimable costs	21,690
New Committee Room - Interim Hire of Recording / Microphone System	13,670
Business Grants Balance - amounts that cannot be charged against the associated Government Grant	21,810
General additional Homelessness Costs	76,910
Additional Business Grants Advertising	12,610
	1,425,620

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

15 JULY 2022

REPORT OF CORPORATE FINANCE AND GOVERNANCE PORTFOLIO HOLDER

A.7 TREASURY MANAGEMENT PERFORMANCE 2021/22 (Report prepared by Richard Barrett and Wendy Borgartz)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

To report on the Council's treasury management activities and Prudential Indicators for 2021/22.

EXECUTIVE SUMMARY

- Borrowing and investments have been undertaken in accordance with the 2021/22 Annual Treasury Strategy that was approved by full Council on 13 July 2021.
- **Summary of the Council's Borrowing Position:**

Amount Outstanding at the end of March 2022	Average Interest Rate Paid in 2021/22	Total Interest paid in 2021/22
£0.144m (General Fund)	7.122%	£0.011m
£36.777m (HRA)	3.521%	£1.322m

No external borrowing was undertaken in 2021/22 for either the General Fund (GF) or Housing Revenue Account (HRA).

- **Summary of the Council's Investment Position:**

Value of Investments held at the end of March 2022	Average Interest rate on Investments 2021/22	Interest Earned on Investments 2021/22
£7.655m	0.073%	£0.065m

The amount of interest earned from investments decreased during the year due to the bank base rate remaining at 0.10% until 16 December 2021, when it increased to 0.25%, with further increases to 0.50% on 3 February 2022 and 0.75% on 17 March 2022. As most investments are fixed for 6 months at a time, the increases did not offset the majority of the year at 0.10%. Compared to historic interest figures, the 2021/22 return remained low because of the continuing unprecedented low interest rates. Estimated income was reduced from prior years to **£0.067 million**, with the outturn figure being **£0.065 million** as set out in the table above.

- The Council continues to hold one property within its Commercial Investment Portfolio, which had a balance sheet value at 1 April 2021 of **£1.985 million**. This 'book value' was increased by the Council's appointed valuers to **£2.108 million** at the end of 2021/22. However, this is an 'accounting' valuation and not a direct value that could be achieved on the market if it was sold. In-line with the budget, rental income of **£0.256 million** was earned on the property in 2021/22 (this figure was higher than in previous years due to the schedule of payments moving back to quarterly rather than monthly with no effect on the overall annualised position)
- As reported to Cabinet in February 2022, during 2021/22 the Treasury Management limit of **£1.000 million** that can be held across the Council's various current accounts on any one day was exceeded on 17 December 2021, when a total of **£2.213 million** was held across the various current accounts. This was due to a serious cybersecurity attack on the Council, meaning that treasury officers were unable to access the systems necessary to move **£1.300 million** across to the call accounts, although the total held with Lloyds Bank was less than the total limit across both the call account and the current accounts. On 1 June 2022, the limit for the bank current accounts was again exceeded, due to the closure of a bank account held with Nat West where they gave no notice of the repayment of the associated credit on the account. As no prior notification of this repayment was received, no alternative arrangements could be made in time. This was a one-off event with further details set out later on in this report.
- Treasury performance figures for the year are set out in **Appendix A** with Prudential Indicators attached as **Appendix B**.
- The impact of inflation is expected to grow further in 2022/23 with an expectation that interest rates will continue to rise. Investment income budgets will be reviewed as part of the quarterly Corporate Budget Monitoring and long term financial planning processes.

RECOMMENDATION(S)

That Cabinet:

- a) notes the Treasury Management performance position for 2021/22; and
- b) approves the Prudential and Treasury Indicators for 2021/22.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

Good and effective Treasury Management supports the Council in delivery against its corporate goals and objectives.

FINANCE, OTHER RESOURCES AND RISK

Finance and other resources

Key treasury management performance data is set out in **Appendix A**.

Risk

Risk is inherent in all treasury management activities. Such risks are considered within the Capital and Treasury Strategy with management actions necessary to mitigate the risks

set out in the Council's Treasury Management Practices.

LEGAL

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2021/22. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

The Local Authorities (Capital Financing and Accounting) (England) Regulations 2003 include the requirement for local authorities to have regard to CIPFA guidance which this Council has adopted.

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.

There are no direct implications in respect of the above areas.

PART 3 – SUPPORTING INFORMATION

BACKGROUND AND CURRENT POSITION

The Council has adopted the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice for Treasury Management in the Public Services. The main reporting elements to comply with this code include:

- An Annual Capital and Treasury Strategy approved by Cabinet after consultation with the relevant overview and scrutiny committee for recommending to the Full Council.
- Regular monitoring reports that form part of the Council's Corporate Financial Performance Monitoring arrangements during the year. During 2021/22, a breach of the limits that can be held in total across the current accounts on 17 December 2021 was reported when a total of **£2.213 million** was held compared to the limit of **£1.000 million**. This arose due to a serious cybersecurity attack on the Council, meaning that the treasury officers were unable to access the systems necessary to move **£1.300 million** across to the call account with Lloyds.
- A further breach during 2022/23 occurred on 1 June 2022, when the total held across all current accounts over the Jubilee bank holiday weekend was **£1.750 million**. This arose because the decision had been taken some weeks previously to close the call account with Nat West bank and the paperwork provided to the bank, but they did not advise us when they were going to return the **£1.007 million** held in the account and transferred it into the direct credits current account late that afternoon. There was no opportunity to move the money to another account, so the limit was breached until the situation was resolved on 6 June 2022. This is a one-off situation, as the only money in such accounts now is held with Lloyds and within the two Money Market Funds, which the Council can transfer out of before they are closed (although there are no plans to close them at the current time).
- An annual treasury performance or outturn report for the preceding year that is

presented to Cabinet.

This report sets out the necessary information in response to the third bullet point above and provides a summary of the treasury activities undertaken in 2021/22 (**Appendix A**) and final Prudential and Treasury Indicators at the end of 2021/22 (**Appendix B**), with revised figures for 2022/23 where relevant.

During 2021/22, the Council complied with its legislative and regulatory requirements and associated treasury management activity remained in accordance with the Treasury Strategy and Treasury Management Practices with further details in respect of specific borrowing and investment considerations set out in the next section of the report.

BORROWING AND INVESTMENTS 2021/22

Borrowing

The Base Rate set by the Bank of England remained at 0.10% until 16 December 2021. Since then there have been a series of increases and the latest forecast from the Council's treasury advisors indicates that the base rate is expected to rise progressively to 2.75% by March 2023 and to remain at that level until December 2023, with a drop back to 2.50% in March 2024 and 2.25% in September 2024, with the rate remaining at that level until June 2025. Public Works Loan Board (PWLB) rates are projected to rise over the period with the 25 year rate expected to peak at 3.0% in September 2022 and the 50 year rate expected to peak at 3.50% in March 2023. In December 2021, revised versions of the Treasury Management Code and the Prudential Code were issued by CIPFA with the aim of tightening further the requirements around commercial property investments and introducing new elements. These are applicable from 2023/24. The Council's current investment property was not financed by loan.

No external borrowing was undertaken during the year. In respect of the General Fund, the Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with external loans, as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy remains prudent, as investment returns are low and counterparty risk remains relatively high. As set out in the Treasury Strategy, the current internal borrowing position is running close to the £5m agreed. However, although it is felt prudent to maintain this position in the short term, it will be kept under on-going review, in consultation with the Council's external advisors, given the volatility in forecast interest rates highlighted above.

No new borrowing or restructuring of existing debt was undertaken for GF or HRA purposes in 2021/22. Principal on HRA debt continues to be repaid each year in line with the 30 year business plan. Debt rescheduling opportunities are limited in the current economic climate with no debt rescheduling taking place in 2021/22.

No temporary borrowing from the markets was required during the year.

One of the key prudential indicators relates to the Council's Authorised Borrowing Limit. It is therefore worth highlighting that borrowing has been maintained within the Council's Authorised limit as set out below:

Key Indicator			Limit 2021/22	Amount Borrowed (Internal and External)
Authorised borrowing	Limit	–	£75.820m	£41.798m

As set out in the HRA budget report to Cabinet on 28 January 2022, the redevelopment of the Honeycroft site has not yet been included within the HRA Capital Programme. A separate report will be presented to Cabinet / Council once the tender exercise for the design and build of the scheme has been completed, which will also set out the funding required for the development and seek approval for prudential borrowing within the HRA as necessary.

There is also an HRA PWLB maturity loan of **£0.800 million**, which matures in 2022/23 and in accordance with the HRA Business Plan this will be ‘replaced’ with a ‘repayment’ type loan to reduce future interest costs and to prudently pay off the loan over reasonable timescales. However, this approach will be kept under review in 2022/23, with any necessary changes included in associated reports to Members during the year.

Investments

The year saw the continuation of the challenging investment environment of very low investment returns with relatively high level of counterparty risk continuing. The tight monetary conditions remain and short-term deposit rates remain at extremely low levels, with some DMO rates being negative at certain points in the year. Additional liquidity in the market as a result of government grants to local authorities in response to COVID 19 and reduced investment activity in the wider economy due to COVID 19 resulted in banks not looking for any additional funding, which has driven rates down even further and has made it increasingly difficult to find suitable counterparties.

The Council manages its investments in-house and invests in accordance with the approved strategy. The Council invests for periods of time dependent on the Council’s cash flows, the view as to future interest rate movements and the interest rates offered by counterparties whilst balancing various risks such as interest rate risk and counterparty risk.

The Council’s investments continued across the following investment types:

- Deposits at fixed rates and for fixed terms with other local authorities and the Government’s Debt Management Office (DMO)
- Deposits at fixed rates and for fixed terms with UK-based banks and building societies meeting the counterparty risk criteria
- Treasury bills, which are tradeable but if held to maturity are at fixed rates
- Certificates of deposit, which are tradeable but if held to maturity are at fixed rates
- Use of deposit accounts with UK banks and the two Money Market Funds for liquidity

Further details on how the investment types changed over the year is set out below.

With poor investment returns available along with limited ‘low’ risk counterparties, a significant proportion of the Council’s investments were still made with other local authorities. Money also continued to be placed with the Bank of England’s Debt Management Facility (DMO) throughout the year, even in periods when the DMO was paying negative interest rates, meaning that the Council received back less money than was placed with the DMO. This was due to the volume of grant money held and the lack of

other suitable counterparties and was done in the knowledge that the 'loss' would be very minimal. In respect of the latter point, total negative interest paid by the Council was limited to £920.67 across the whole year. One lot of **£4.000 million** of Treasury Bills were bought during the year, and over the year **£17.000 million** of Certificates of deposit with banks meeting the Council's criteria were purchased, along with some fixed deposits with Building Societies and the call accounts and Money Market Funds, leading to a total of **£31.997 million** placed with UK financial institutions over the year. Both government and local authority investments fit well with the Council's low appetite for risk with the security and liquidity of the investment the prime concern.

The total invested in local authorities at 31 March 2022 was **£39.000 million** out of a total investment of **£77.698 million**, with a further **£18.000 million** invested short term with the Debt Management Office and **£6.902 million** invested in two Money Market Funds. A total of **£1.798 million** was placed in call accounts, **£3.000 million** with a Building Society and the remaining **£8.997 million** was invested in Certificates of deposit.

With lower levels of Covid grant funding, although this repeatedly went out and came back through the DMO through the year, aggregated investments reached just over **£893 million** for the year as set out in **Appendix A**.

The Council receives regular credit rating updates during the year following which the appropriate action is taken as soon as practical where the credit rating falls below the minimum ratings, which form part of the Council's Treasury Management Practices.

The UK holds an AA rating with one rating agency, AA- with a second and Aa3 with the third, with the lower grades not having a specific adverse impact on the Council's treasury activities at the present time.

In accordance with the Council's Commercial Property Investment Policy, an annual update on the portfolio is set out below.

In August 2017 the Council purchased an investment property in the District. The purchase was financed partly from capital receipts and partly from revenue resources, so there was no increase in indebtedness arising from the purchase. The purchase price, including stamp duty, was **£3.244 million**. At 31 March 2018 the property had been revalued to **£3.100 million** (the purchase price less stamp duty tax). In each subsequent year the Council's appointed valuer has revalued the property for the purposes of the Council's Statement of Accounts and the fair value has changed as set out in the table below:

Date	Comment	Value £ million	Impairment / Gain £ million
August 2017	Purchase	3.244	0.000
March 2018	Revalued – exclude stamp duty	3.100	0.144
March 2019	Revalued	2.300	0.800
March 2020	Revalued	2.155	0.145
March 2021	Revalued	1.985	0.170
March 2022	Revalued	2.108	(0.123)

A gain of **£0.123 million** was recognised in the Council's 2021/22 statement of accounts, which is charged to revenue within the Comprehensive Income and Expenditure Statement and then reversed out through the Movement in Reserves Statement so that it does not affect the amount that needs to be financed. It is worth highlighting that the above adjustments reflect the necessary end of year accounting adjustments and therefore do

not necessarily reflect the value of the property on the open market. This remains as the only property in the portfolio.

In terms of the performance of the property, during the year the rental income was **£0.256 million**. (This is higher than in 2020/21 as the payment of rent has moved back to a quarterly basis from a monthly basis but this has had no impact on the overall annualised amount). The annualised amount represents an annual rate of return of 6.5% compared to the purchase price including stamp duty. The property is therefore performing satisfactorily against the financial target with the budgeted investment income achieved for the year. It is important to highlight that the rental payments can be seen as paying back the original investment made in purchasing the property. The overall performance of the investment therefore needs to take into account such considerations over the life of the Council's ownership of the property rather any shorter term position in isolation.

The current leasehold occupier of the property ceased trading from the property in November 2018 with the property now sublet, a position expected to remain for the unexpired period of the lease (approximately 4 years). It is worth highlighting that the Council's Commercial Property Investment Policy is underpinned by robust risk management actions, which will respond to any changes to the situation. With the latter point in mind and as set out within the Commercial Property Investment Policy, the Council's wider treasury management activities are designed to ensure that the Council is not faced with a position of having to sell the property for cash flow purposes. This in turn ensures that the Council remains in control of when the property is ever exposed to the market rather than potentially having to sell the property during a period where there may be a downturn in commercial property prices.

Given the above, there are no current risks to the Council's long-term forecast or significant changes to the risk of holding commercial property, but this will be reviewed on an on-going basis with any changes required to be made to the forecast set out as part of the financial strategy process over the remainder of the year.

Compliance with Treasury and Prudential Limits

During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's annual Treasury Strategy. The outturn for the Prudential Indicators is shown in **Appendix B**.

BACKGROUND PAPERS FOR THE DECISION

None

APPENDICES

Appendix A Treasury Performance figures 2021/22

Appendix B Prudential and Treasury Indicators 2021/22

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1 Borrowing

1a Long Term Debt

Principal	Opening Balance 1 April 2021 £'000	New Borrowing £'000	Principal Repaid £'000	Balance at 31 March 2022 £'000	Average Debt for Year £'000
Long Term Borrowing					
PWLB - General Fund	151	0	7	144	148
PWLB - Housing Revenue Account	38,441	0	1,664	36,777	37,551
Total Long Term Borrowing	38,592	0	1,671	36,921	37,699

Average Interest Rates	Average Interest Rate 1 April %	New Borrowing %	Principal Repaid %	Average Interest Rate 31 March %	Average Interest Rate for Year %
Long Term Borrowing					
PWLB - General Fund	7.138	0.000	7.892	7.101	7.122
PWLB - Housing Revenue Account	3.497	0.000	2.371	3.548	3.521
Overall Long Term Borrowing	3.472	0.000	2.394	3.562	3.490

Interest paid relating to 2021-22

General Fund	11
Housing Revenue Account	<u>1,322</u>
	<u>1,333</u>

Long term debt is defined in legislation as loans repayable over more than one year.

1b Total debt

Average debt over the year	£37,699
Interest paid relating to 2020-21	£1,333
Average interest rate for year	3.536%

This includes interest paid on temporary debt

1c Budget for Total Interest Paid

	Original Estimate £'000	Out-turn £'000	Variation from Budget £'000
General Fund	11	11	0
Housing Revenue Account	1,322	1,322	0
Total Interest Paid	1,333	1,333	0

2 Investments

2a Temporary Investments

Principal	Opening Balance 1 April 2021 £'000	New Investments £'000	Investments Repaid £'000	Balance at 31 March 2022 £'000	Average Investments for Year £'000
Investments less than a year					
Investments with UK Government via Treasury Bills, DMO, Local Authorities and other public bodies	65,600	825,800	834,400	57,000	
Investments with UK Financial Institutions (including Money Market Funds)	11,359	67,287	57,991	20,655	
Investments with non-UK Financial Institutions	0	0	0	0	
Total Temporary Investments	76,959	893,087	892,391	77,655	84,371



Average Interest Rates	Average Interest Rate 1 April %	Average Interest Rate 31 March %	Average Interest Rate for Year %
Temporary Investments	0.067	0.381	0.073

2b Budget for Total Interest Earned

	Original Estimate £'000	Out-turn £'000	Variation from Revised Budget £'000
Total Interest Earned	(67)	(65)	(2)

3 Base rates

%

At 1 April 2021 0.100

At 31 March 2022 0.750

The rate increased to 0.25% on 16 December 2021, then to 0.50% on 3 Feb 2022 and 0.75% on 17 March 2022

PRUDENTIAL INDICATORS

CAPITAL EXPENDITURE

This is an estimate of the amount of investment planned over the period. As can be seen, not all investment necessarily has an impact on the Council Tax, schemes funded by grants, capital receipts or external contributions mean that the effect on the Council Tax is greatly reduced.

Capital Expenditure - General Fund £000s	2021/22			Notes	2022/23 as	Amended
	2020/21 Actual	Approved budget	2021/22 Actual		agreed by full Council 29 March 2022	2022/23 for carry forwards
Total Capital Expenditure	1,920	16,644	4,308		839	12,440
Financing - General Fund						
External contributions	-	(852)	(141)		-	(711)
Section 106	(103)	(6)	(1)		-	(5)
Coast protection grant	(78)	(360)	(451)		-	-
Other Government grants	(130)	(165)	(13)		-	(152)
Disabled Facilities Grant	(786)	(7,557)	(666)		(757)	(6,891)
Capital receipts	(10)	(815)	-		-	(815)
Direct revenue contributions	(24)	(2,379)	(222)		(70)	(2,171)
Earmarked reserves	(789)	(4,510)	(2,814)		(12)	(1,695)
Total Capital Financing	(1,920)	(16,644)	(4,308)	-	(839)	(12,440)
Net Financing need (External Borrowing)	0	0	0		0	0

Housing Revenue Account Capital Schemes £000	2021/22			Notes	2022/23 as	Amended
	2020/21 Actual	Approved budget	2021/22 Actual		agreed by full Council 29 March 2022	2022/23 for carry forwards
Total Capital Expenditure	4,160	5,809	4,317		3,790	5,777
Financing - Housing Revenue Account						
Major repairs reserve	(2,063)	(3,957)	(3,089)		(3,176)	(3,978)
Direct revenue contributions	(1,111)	(1,144)	(187)		(614)	(1,570)
Section 106	(261)	(595)	(774)		-	(229)
Capital receipts	(725)	(113)	(68)		-	-
External contributions	-	-	(199)		-	-
Government grant	-	-	-		-	-
Total Capital Financing	(4,160)	(5,809)	(4,317)		(3,790)	(5,777)
Net Financing need (External Borrowing)	0	0	0		0	0

CAPITAL FINANCING REQUIREMENT

Each year, the Council finances the capital programme by a number of means, one of which could be borrowing. The Capital Financing Requirement (CFR) represents the cumulative amount of borrowing that has been incurred to pay for the Council's capital assets, less amounts that have been set aside for the repayment of debt over the years. The Council is only allowed to borrow long term to support its capital programme. It is not allowed to borrow long term to support its revenue budget.

CAPITAL FINANCING REQUIREMENT	2021/22			Notes	2022/23 as
	2020/21	2021/22	2021/22		agreed by full
	Actual	Estimate	Actual		Council 29 March 2022
	£000	£000	£000		£000
General Fund	5,230	5,021	5,021		4,820
Housing Revenue Account	38,442	36,778	36,777		35,349
Total	43,672	41,799	41,798		40,169

GROSS DEBT AND THE CAPITAL FINANCING REQUIREMENT

This indicator compares the Capital Financing Requirement to the level of external debt and shows how much of the capital programme is financed from internal resources. The capital programme is partially funded in the short to medium term by internal resources when investment interest rates are significantly lower than long term borrowing rates. Net interest payments are, therefore, optimised.

PRUDENTIAL INDICATOR	2020/21	2021/22	2021/22	Notes	2022/23 as agreed by full Council 29 March 2022
	Actual	Estimate	Actual		£000
	£000	£000	£000		£000
Capital Financing Requirement	43,672	41,799	41,798		40,169
External debt	38,889	36,921	36,921		35,485
Internal borrowing	4,783	4,878	4,877		4,684

OPERATIONAL BOUNDARY AND AUTHORISED LIMIT

The Council must set an operational boundary and authorised limit for external debt. The operational boundary is based on the Council's estimate of most likely, i.e. prudent, but not worst case scenario for external debt. It reflects the decision on the amount of debt needed for the Capital Programme for the relevant year. It also takes account of other long term liabilities, which comprise finance leases, Private Finance Initiative and other liabilities that are not borrowing but form part of the Council's debt. The Council has none of these at present.

The authorised limit is the affordable borrowing limit determined in compliance with the Local Government Act 2003. It is the maximum amount of debt that the Council can legally owe. The authorised limit provides headroom over and above the operational boundary for unusual cash movements.

PRUDENTIAL INDICATOR	2020/21	2021/22	2021/22	Notes	2022/23 as agreed by full Council 29 March 2022
	Actual	Estimate	Actual		£000
	£000	£000	£000		£000
Operational boundary - borrowing	67,525	67,180	67,180		67,723
Authorised limit - borrowing	76,156	75,820	75,820		76,333

RATIO OF FINANCING COSTS TO NET REVENUE STREAM

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

ESTIMATE OF THE RATIO OF FINANCING COSTS TO NET REVENUE	2020/21	2021/22	2021/22	Notes	2022/23 as agreed by full Council 29 March 2022
	Actual	Estimate	Actual		£000
	£000	£000	£000		£000
General Fund	-0.45	1.07	1.63		0.97
Housing Revenue Account	54.38	43.10	46.81		40.13

INTEREST RATE EXPOSURE

Tendring District Council currently has all its borrowings at fixed rate and usually has a mixture of fixed and variable rate investments. This indicator is set to control the Council's exposure to interest rate risk.

PRUDENTIAL INDICATOR	2020/21	2021/22	2021/22	Notes	2022/23 as agreed by full Council 29 March 2022
	Actual	Estimate	Actual		£000
	£000	£000	£000		£000
Upper limit for Fixed Interest Rates on debt	43,672	41,799	41,798		40,169
Upper limit for Variable Interest Rates on debt (based on 30% of the fixed rate limit)	13,102	12,540	12,539		12,051

TOTAL PRINCIPAL SUMS INVESTED FOR PERIODS LONGER THAN 364 DAYS (excluding property)

Interest rate risk is also affected by the proportion of the investments invested at fixed rates for longer periods, especially in a period when rates are expected to rise.

PRUDENTIAL INDICATOR	2020/21	2021/22	2021/22	Notes	2022/23 as agreed by full Council 29 March 2022
	Actual	Estimate	Actual		
	£000	£000	£000		
Limits on the total principal sum invested to final maturities longer than 364 days	3,500	3,500	3,500		3,500

MATURITY STRUCTURE OF FIXED RATE BORROWING

This indicator is set to control the Council's exposure to refinancing risk. The limits are set for each age range to ensure that the Council avoids too many fixed rate loans being matured at one time and spreads the maturity across several periods. The percentages for the upper and lower limits do not add up to 100% as they do not represent an actual allocation.

PRUDENTIAL INDICATOR	Upper limit	Lower limit	Actual outstanding debt maturity % at	2022/23 as agreed by full Council 29 March 2022
	%	%	31/03/2022	31/03/2023
	Under 12 months	25	0	5.47%
12 months and within 24 months	30	0	3.55%	6.91%
24 months and within 5 years	60	0	18.87%	16.21%
5 years and within 10 years	75	0	14.94%	14.82%
10 years and above	95	25		
10-20 years			16.34%	15.45%
20-30 years			20.35%	26.67%
>30 years			20.49%	16.19%

TREASURY INDICATOR - EXPOSURE TO CREDIT RISK

The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) using the rating applicable when it is taken out and taking the arithmetic average, weighted by the size of each investment. Investments in government instruments such as DMO, treasury bills and in local authorities are scored as 1.

TREASURY INDICATOR	2020/21 Actual	2021/22 Actual	2021/22 Upper limit
Average credit score for investments	1.01	1.18	2.00

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

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