



## CABINET

<b>DATE:</b>	<b>Friday, 20 December 2024</b>
<b>TIME:</b>	<b>10.30 am</b>
<b>VENUE:</b>	<b>Town Hall, Station Road, Clacton-on-Sea, CO15 1SE</b>

**MEMBERSHIP:**

Councillor M Stephenson	- Leader of the Council and Corporate Finance & Governance Portfolio Holder
Councillor I Henderson	- Deputy Leader; Economic Growth, Regeneration & Tourism Portfolio Holder
Councillor A Baker	- Housing & Planning Portfolio Holder
Councillor M Barry	- Leisure & Public Realm Portfolio Holder
Councillor P Kotz	- Assets Portfolio Holder
Councillor G Placey	- Partnerships Portfolio Holder
Councillor G Scott	- Arts, Culture & Heritage Portfolio Holder
Councillor A Smith	- Environment Portfolio Holder

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**DATE OF PUBLICATION: THURSDAY, 12 DECEMBER 2024**

## 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 7 - 34)**

To confirm and sign the minutes of the last meeting of the Cabinet held on Friday 15 November 2024.

### 3 **Declarations of Interest**

Councillors are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests or Non-Registerable Interests, 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 no matters referred to the Cabinet by the Council on this occasion.

### 7 **Matters Referred to the Cabinet by a Committee - Reference from the Community Leadership Overview & Scrutiny Committee - A.1 - Scrutiny of the Sport and Activity Strategy for Tendring (Pages 35 - 40)**

To enable Cabinet to consider recommendations made by the Community Leadership Overview & Scrutiny Committee following its scrutiny of the Sport and Activity Strategy for Tendring.

### 8 **Matters Referred to the Cabinet by a Committee - Reference from the Standards Committee - A.2 - Proposed Amendment to Article 9 of the Council's Constitution (Pages 41 - 44)**

To enable the Cabinet to consider the recommendation made to it by the Standards Committee in relation to a proposed amendment to Article 9 of the Council's Constitution.

### 9 **Leader of the Council's Items - A.3 - Delivering against the Council's Corporate Plan 2024-28 - Initial Proposals for Highlight Priorities for 2025/26 (Pages 45 - 64)**

The Council's strategic direction is set out in its Corporate Plan which is a fundamental element of the Council's Policy Framework. The Corporate Plan ('Our Vision') was adopted unanimously by Council on 28 November 2023 (Minute 76 refers) and covers the period 2024-28. A key element of delivering against the adopted Corporate Plan is through annual highlight priority actions approved by the Cabinet.

The 2025/26 initial proposals for highlight priorities are set out at Appendix B to this report. Through this report, Cabinet is invited to adopt these for consultation purposes before finalising its highlight priorities for 2025/26; which will involve consideration of the outcome of the consultation undertaken.

**10 Leader of the Council's Items - A.4 - Adoption of an Artificial Intelligence Best Practice Approach at Tendring District Council (Pages 65 - 86)**

To endorse and adopt an ethical approach for the use of Artificial Intelligence (AI) at Tendring District Council.

**11 Cabinet Members' Items - Report of the Corporate Finance & Governance Portfolio Holder - A.5 - Updated General Fund Financial Forecast / Budget 2025/26 (Pages 87 - 116)**

To enable Cabinet to consider the updated financial forecast and budget proposals for 2025/26 for consultation with the Overview and Scrutiny Committees.

**12 Cabinet Members' Items - Report of the Economic Growth, Regeneration and Tourism Portfolio Holder - A.6 - Community Regeneration Partnership (formerly Levelling Up Partnership) - Programme Delivery (Pages 117 - 156)**

To inform the Cabinet about progress with the Community Regeneration Partnership (formerly Levelling Up Partnership) initiative and recommend that Cabinet approves the proposed projects aimed at place-based regeneration in Clacton and Jaywick, including progressing a first wave of projects under the delegations set out later within this report and establishing appropriate funding agreements with delivery partners for a further wave of projects.

**13 Cabinet Members' Items - Report of the Economic Growth, Regeneration and Tourism Portfolio Holder - A.7 - Levelling Up Fund and Capital Regeneration Projects - Progressing the Projects to production of Tender information (Pages 157 - 190)**

To consider the next steps for the Civic Quarter in Clacton-on-Sea (Levelling Up Fund, LUF) and Homes for Dovercourt scheme (Capital Regeneration Project, CRP) and to approve that funding remaining from the £2,148,421 allocated by Cabinet to these two projects, may be used to progress them to the pre-tender stage. The total sum is made up of £250,000 allocated by Cabinet in May 2023 and £1,898,421 in October 2023.

To consider signing up to the Essex County Council managed service solution for temporary worker services.

To note and endorse continued support for the Essex County Council led LUF and CRP projects: the Clacton Hub (LUF); the Kingsway Improvement Corridor (CRP); and Learning and Library schemes in Dovercourt (CRP), as Tendring District Council continues to operate as Accountable Body and overall programme manager for these projects funded by MHCLG.

**14 Cabinet Members' Items - Report of the Housing & Planning Portfolio Holder - A.8 - Consideration of Revisions to the Housing Allocations Policy and Agreement to undertake Consultation in connection with these revisions (Pages 191 - 242)**

To present to Cabinet proposed revisions to the Council's Housing Allocations Policy for approval prior to consultation being carried out as required by the statutory 'Allocation of accommodation: guidance for local housing authorities in England 2012' (as updated in June 2024).

**15 Cabinet Members' Items - Report of the Housing & Planning Portfolio Holder - A.9 - Consideration and Adoption of Housing Policies on Gas Safety, Electrical Safety, Fencing & Paving and Empty Council Homes Management (Pages 243 - 284)**

To consider the following draft policies prepared in relation to the maintenance and operation of the Council's retained housing stock:

- Gas Safety Policy;
- Electrical Safety Policy;
- Fencing and Paving Policy; and
- Empty Council Homes Management Policy.

**16 Cabinet Members' Items - Report of the Partnerships Portfolio Holder - A.10 - Community Projects Update (Pages 285 - 324)**

To provide an update and seek Cabinet's endorsement for an extensive range of community projects which support the Council's key priorities.

**17 Cabinet Members' Items - Joint Report of the Housing & Planning Portfolio Holder and the Corporate Finance & Governance Portfolio Holder - A.11 - Updated Housing Revenue Account Business Plan and Budget Proposals 2025/26 (Pages 325 - 342)**

To set out and seek approval of an updated Housing Revenue Account (HRA) Business Plan, which includes proposed changes in 2024/25 along with budget proposals for 2025/26.

**18 Management Team Items**

There are no matters referred to the Cabinet by the Council's Management Team on this occasion.

**Date of the Next Scheduled Meeting**

*The next scheduled meeting of the Cabinet is to be held in the Town Hall, Station Road, Clacton-on-Sea, CO15 1SE at 10.30 am on Friday, 31 January 2025.*

## **Information for Visitors**

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**MINUTES OF THE MEETING OF THE CABINET,  
HELD ON FRIDAY, 15TH NOVEMBER, 2024 AT 10.30 AM  
IN THE COMMITTEE ROOM, AT THE TOWN HALL, STATION ROAD, CLACTON-  
ON-SEA, CO15 1SE**

**Present:** Councillors M E Stephenson (Leader of the Council & Portfolio Holder for Corporate Finance and Governance)(Chairman), I J Henderson (Deputy Leader of the Council & Portfolio Holder for Economic Growth, Regeneration & Tourism), P Kotz (Portfolio Holder for Assets), G R Placey (Portfolio Holder for Partnerships), G G I Scott (Portfolio Holder for Arts, Culture & Heritage) (except items 77 and 86) and A Smith (Portfolio Holder for the Environment)

**Group Leaders Present by Standing Invitation:** Councillors J D Bray (Leader of the Reform UK Group), J B Chapman BEM (Leader of the Independent Group) and P B Honeywood (Leader of the Conservative Group) (except item 77)

**In Attendance:** Ian Davidson (Chief Executive), Lee Heley (Corporate Director (Place and Economy) & Deputy Chief Executive), Lisa Hastings (Director (Governance) & Monitoring Officer), Richard Barrett (Director (Finance and IT) & Section 151 Officer), Gary Guiver (Director (Planning & Communities)), Tim Clarke (Assistant Director (Housing and Environment)), Keith Simmons (Head of Democratic Services and Elections & Deputy Monitoring Officer), Ian Ford (Committee Services Manager), William Lodge (Communications Manager), Michael Cook (Licensing Manager)(except items 81 – 87) and Bethany Jones (Committee Services Officer)

**69. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors Andy Baker (the Portfolio Holder for Housing and Planning) and Mick Barry (the Portfolio Holder for Leisure & Public Realm).

**70. MINUTES OF THE LAST MEETING**

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

**RESOLVED** that the minutes of the meeting of the Cabinet, held on Monday 21 October 2024, be approved as a correct record and be signed by the Chairman.

**71. DECLARATIONS OF INTEREST**

Councillor Scott declared a Disclosable Pecuniary Interest in relation to Agenda Item 9 (Reference from the Licensing and Registration Committee – A.3 – Renewal of the statement of Licensing Policy (Gambling Act 2005)) insofar as he held a Gaming Licence for North Essex Liberal Democrats within the District.

Councillor Scott further declared an Other Registrable Interest in relation to Agenda Item 18 (Report of the Partnerships Portfolio Holder – A.11 – Tendring District Council's

Careline Service Review: Results of Consultation and Next Steps) insofar he was the Chairman of the Autumn Centre and many of the clients at the Autumn Centre were also clients of Careline.

Councillor Scott also informed Cabinet that he would withdraw from the meeting at the appropriate junctures when reports A.3 and A.11 were considered.

Councillor Chapman BEM declared an Other Registrable Interest in relation to Agenda Item 18 (Report of the Partnerships Portfolio Holder – A.11 – Tendring District Council's Careline Service Review: Results of Consultation and Next Steps) insofar as her Mother was a customer of Careline.

Councillor P B Honeywood declared a Disclosable Pecuniary Interest in relation to Agenda Item 9 (Reference from the Licensing and Registration Committee – A.3 – Renewal of the statement of Licensing Policy (Gambling Act 2005)) insofar as he held a Gaming Licence for Clacton Constituency Conservative Association.

Councillor P B Honeywood further declared an Other Registrable Interest in relation to Agenda Item 18 (Report of the Partnerships Portfolio Holder – A.11 – Tendring District Council's Careline Service Review: Results of Consultation and Next Steps) insofar as a member of his family was a customer of Careline.

In response to a question raised by Councillor Honeywood in relation to Agenda Item 18, the Monitoring Officer (Lisa Hastings) stated that, as Councillors Chapman BEM and Honeywood were not Decision Makers on this matter, she was prepared to grant them both a Dispensation in order to allow them to remain in the meeting for that item.

## **72. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL**

The Leader of the Council (Councillor M E Stephenson) informed Cabinet that he had been very pleased and inspired to attend the official completion event for the new Tendring District Council (TDC) housing development for the elderly at the former Honeycroft site in Lawford. Rose Builders, the contractors for TDC, had created 13 new single-storey senior living homes on the site of the former Honeycroft sheltered housing scheme in Waldegrave Way.

The Leader reiterated that this project was about enhancing residents' quality of life so they could live an independent and fulfilled life. The environmental sustainability of this scheme had been a key aspect of its success; TDC had implemented environmental features and innovative solutions that would benefit the environment, keep running costs low for the tenants who lived there, and set a standard for future projects. Those environmental features and innovations had included car parking with electric vehicle charging points; with bat and bird boxes and hedgehog holes; solar panels and water butts.

Councillor Stephenson referred to those residents who had moved out of the dated Honeycroft development in 2017, before it had been closed by the council in 2018 and then demolished in 2021 and TDC's commitment to those who had left the site that they would have the opportunity to move into the new homes. He was delighted to report that two former residents had already taken up that offer.



The Leader also paid tribute to the work that had been undertaken on this project by the previous Administration who had got it underway.

The Chief Executive (Ian Davidson) pointed out that this project had been completed on schedule and under-budget.

### 73. **ANNOUNCEMENTS BY CABINET MEMBERS**

#### IED Award for the Sunspot project at Jaywick Sands

The Economic Growth, Regeneration & Tourism Portfolio Holder (Councillor I J Henderson) made the following announcement:-

*"I attended the Institute of Economic Development's (IED) Annual Conference and Awards held on 6 November 2024, accompanied by the Corporate Director (Place & Economy) & Deputy Chief Executive (Lee Heley) and the Economic Growth & Enterprise Manager (Barbara Pole). The IED is the UK's leading independent professional body representing economic development and regeneration practitioners working for local and regional communities.*

*During the day, there were a number of inspirational and informative talks which included some real insight into what other Authorities and organisations feel about the future of economic development and how we can tackle some of the challenges we are already facing and those that could be coming our way over the next few years.*

*At the Award Dinner we were announced as winners of the Social Champion of the Year for the Sunspot, Jaywick Sands project. IED said:-*

*'The judges highlighted the positive impact of this impressive project on the local community, and noted it effectively met community needs, resulting in improved perceptions, high occupancy rates, and business expansions. The initiative is recognised for addressing deprivation through collaboration, fostering hope and aspiration, and the submission demonstrated a pragmatic approach to overcoming local challenges, showcasing strong leadership. It has generated significant economic, social and environmental benefits, emphasising the close knit community in the area.'*

Councillor Henderson also paid tribute to the enthusiasm, personal pride and dedicated hard work that Barbara Pole had displayed in bringing this project to a successful conclusion. Members present showed their appreciation for Barbara with a round of applause.

#### Crime and Disorder Reduction Strategy

The Partnerships Portfolio Holder (Councillor Placey) made the following announcement:-

*"At its meeting on 21<sup>st</sup> October 2024, Cabinet formally received and noted the Monitoring Officer's report issued under Section 5A of the Local Government and Housing Act 1989 in respect of the position in relation to this Council's historic omission regarding the formulation and implementation of a Crime and Disorder Strategy for the Council, as required under Sections 5 and of the Crime and Disorder Act 1998.*

*I am providing an update as per recommendation (c) of that report, namely the proposed actions and timescales to resolve the historical omission to approve the Crime and Disorder Reduction Strategy at Full Council.*

*The timescale to address the above issue is as follows:-*

*November 2024 – To carry out a strategic assessment and to produce a draft assessment document.*

*December 2024 – To produce a draft Crime and Disorder Reduction Strategy.*

*January 2025 – To submit a draft report and Strategy to the Council's Management Team for its review.*

*February 2025 – The final Crime and Disorder Reduction report and Strategy to be submitted to Cabinet for its consideration.*

*March 2025 – The Crime and Disorder Reduction Strategy to be submitted to Full Council for its approval and formal adoption.*

*I would like to reassure Members that the Crime and Disorder Reduction Strategy will, in future, go to Full Council for approval. I would also like to assure Members that the failure to do so previously has not prevented the work we carry out with our partners from being progressed.*

*In addition to the statutory partners of Tendring District Council, Essex Police, Essex Fire & Rescue Service, the Probation Service and the North East Essex Integrated Care Board, the Community Safety Partnership also includes Community Voluntary Services Tendring and Citizens' Advice Tendring together with a number of other agencies.*

*This Partnership has delivered a number of projects, and if you bear with me, I will give some examples.*

*CARA (Centre for Action on Rape and Abuse) – is a support service for victims and survivors of sexual violence and child sexual abuse.*

*In 2023, 365 referrals from Tendring residents were received which included 58 young people aged 13 to 17 and 20 under the age of 12. CARA's services to clients include an ISVA (Independent Sexual Violence Advisor) who supports them through the criminal justice system and provides advocacy and emotional support. Our CSP funding, in line with Safer Essex, supported 200 therapy sessions.*

#### *Essex Police – Operation Esplanade*

*Operation Esplanade is a joint operation with Police and TDC Officers undertaking patrols in the peak summer holiday period, with the aim of tackling ASB and street drinking in Clacton Town Centre.*

*In 2023, (the then Operation Gingerbread), Essex Police and TDC completed 250 hours of dedicated foot patrols in Clacton Town Centre and during this time the PSPO powers were used over 40 times along with several arrests. 25 incidents of disorderly behaviour were attended to and 10 intelligence reports were made in relation to illegal drugs.*

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*In 2024 (as Operation Esplanade), there have been over 200 hours of dedicated foot patrols in Clacton Town Centre at peak times every Friday, Saturday and Sunday. Powers under the PSPO have been used over 44 times during this period. This involved dispersing street drinkers, removing their alcohol and dealing with low level ASB incidents.*

*10 arrests were made in relation to public disorder and shoplifting.*

*20 Police intelligence reports were submitted and 12 stop and searches were undertaken.*

*During these periods over the last two years there has been a 65% reduction in ASB incidents reported in Clacton Town Centre.*

#### *Ask for Angela*

*This initiative aims to support individuals in 'Night Time Economy' venues who feel that they are being harassed, followed or receiving unwanted attention, by providing a safe phrase to use i.e. "Ask for Angela" that informs the venue that they would like help/support.*

*This is achieved by providing training to Night Time Economy venues to ensure that they understand what appropriate assistance is when someone feels like they are being harassed and they "Ask for Angela". Training has been provided to all pubs and clubs in Clacton on how to respond appropriately if someone "Asks for Angela" ensuring that the venue's staff will then be able to assist the individual and take them out the situation and to help them leave the establishment safely.*

*I look forward to bringing our Crime and Disorder Reduction Strategy to Full Council next year."*

#### Tendring Junior Ambassador Project – Celebration Event

The Partnerships Portfolio Holder informed Cabinet that she had been thoroughly delighted and enthused to attend the recent celebration event held for the Tendring Junior Ambassador Project. Among the many highlights had been:-

*Walton Primary – Chinese Poetry and signs of the zodiacs;  
Chase Lane Primary – Songs from Lion King;  
Kirby Primary Academy & Tendring Primary – Bollywood Dance; and  
Brightlingsea Primary – African Songs.*

#### Children in Need

The Partnerships Portfolio Holder reminded everyone that today was Children in Need Day.

#### **74. MATTERS REFERRED TO THE CABINET BY THE COUNCIL**

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

**75. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.1 - PORTFOLIO HOLDERS' REVIEW OF PERFORMANCE AND MANAGEMENT OF PROJECTS UNDER THEIR RESPECTIVE PORTFOLIOS**

Cabinet was aware that the Resources and Services Overview and Scrutiny Committee ("the Committee") had, at its meeting held on 23 September 2024, considered a standing agenda item in respect of reviewing its work programme.

That report had included the Portfolio Holder for Housing and Planning's response to the Committee's recommendations that had arisen from the Committee's enquiry into the Spendells Project and an unauthorised expenditure of several hundreds of thousands of pounds, which had resulted in a report to the Cabinet on 24 May 2024 under section 5A of the Local Government and Housing Act 1989. That enquiry had taken place at the meeting of the Committee held on 22 July 2024.

The Housing and Planning Portfolio Holder's formal response (as endorsed by Cabinet on 20 September 2024) had been as follows:-

*"I would like to begin by thanking the Committee for its consideration and recommendations.*

*As I have said on more than one occasion that the reasons for undertaking the Spendells project are never more valid. It will provide temporary accommodation for up to 30 families with children, a better place for them to be accommodated, than a hotel room, reducing the impact on both the children's education and the family's overall health.*

*This Council continues to face, as does the rest of the country, homelessness issues along with the provision of temporary accommodation, together with ongoing, and increasing, financial costs.*

*This project, even at an increased cost, remains the right thing to do.*

*An internal review is currently ongoing and we will understand in due course, fully, what has happened and what lessons there are to be learned.*

*Without seeking to deny the particular issues in relation to this project, particularly the unauthorised expenditure, it must be understood that all construction and major projects, such as this one, all carry inherent risks.*

*It is unfortunate that this project has had particular difficulties, but in line with the Committee's recommendations I am content to recommend to Cabinet that:*

- a) the Chief Executive's formal review, when completed, be reported to the Cabinet including:
  - i) a more detailed financial breakdown of the seven items not included in the original specification, of additional expense itemised in the previous report to Cabinet;*
  - ii) the lessons learnt;*
  - iii) articulating a robust response and action plan for going forward;**

- b) Portfolio Holders should review, with their Corporate Directors, the performance and project management of all existing projects within their respective portfolios and report their findings to the Leader of the Council and the Resources and Services Overview and Scrutiny Committee together with such additional actions as the Leader wishes to undertake in response.”*

At its meeting held on 23 September 2024 the Committee had enquired whether the investigation into the Spendells project had been completed and Members had been advised that the investigation was still ongoing. The Committee had then discussed their concerns around not having a timescale for when the findings of the aforementioned project management reviews would be reported and that whilst there was not a timescale in place monies could still be being spent and potentially lost.

The Committee was advised that they could indicate a timeframe to Cabinet to receive those reviews. The Committee had then confirmed that it would like to receive an update on the review at its next meeting on 17th December 2024 and that the Committee wished to invite the Leader of the Council to discuss those reviews.

The Monitoring Officer had also provided assurance that, as promised at the Committee’s meeting in July 2024, the Statutory Officers, Ian Davidson, Richard Barrett and herself had delivered the session to senior managers on the strong instructions around expenditure on projects.

The Committee had RESOLVED to RECOMMEND to Cabinet that:-

- “(a) Portfolio Holders must ensure that their respective reviews, with their Corporate Directors, of the performance and project management of all existing projects within their respective portfolios must be completed in good time so that their findings together with such additional actions as the Leader wishes to undertake in response can be reported to the Resources and Services Overview and Scrutiny Committee at its meeting due to be held on 17 December 2024;*
- (b) it notes that the Leader of the Council will be invited to attend that meeting of the Committee to discuss the outcomes of those reviews.”*

Cabinet had before it the following response thereto from the Portfolio Holder for Housing and Planning:-

*“As I have stated on more than one occasion I meet weekly with the Corporate Director (Operations and Delivery) along with the Director for Planning and Communities, to discuss the situation, at that time, of ongoing projects within the Housing and Planning Portfolios, along with many other issues.*

*Within the Housing Portfolio there are currently two major projects, one being the Honeycroft development of 13 bungalows in Lawford, and the other the refurbishment of Spendells House to temporary accommodation for families, which are both discussed at the weekly meetings, covering the progress, and finances of both. Having visited both sites recently, I can say that work is progressing very well, and although I have been informed of potential dates of opening, I would not want to commit to those publicly until they are a certainty.*

*As the Committee have been advised, there is a review of the Spendells project, which is still ongoing, and it would be wrong of me to comment on that process, which is being undertaken under the direction of the Chief Executive.*

*Once the conclusions, and any recommendations, of the review have been made available to both myself and Cabinet, I will be in a better position to identify what actions must be taken in relation to any similar projects that come forward."*

The Leader of the Council thanked the Resources and Services Overview & Scrutiny Committee for all of their work on this matter.

Having duly considered the recommendations made by the Resources and Services Overview & Scrutiny Committee together with the response of the Portfolio Holder for Housing and Planning thereto:-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

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

**76. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE RESOURCES AND SERVICES OVERVIEW & SCRUTINY COMMITTEE - A.2 - FLY TIPPING AND MOBILE CCTV ENFORCEMENT**

Cabinet was aware that the Resources and Services Overview and Scrutiny Committee ("the Committee") had, at its meeting held on 23 September 2024, considered a second final report from its Council's Enforcement Arrangements Task and Finish Group, which had been submitted following that Group's conclusion of its enquiry concerning fly tipping and mobile CCTV enforcement.

The Committee had RESOLVED to RECOMMEND to Cabinet that:-

- "(1) in order to develop a more holistic picture of the issues involved and the development of strategies to address them, in addition to highway fly-tipping incidents, records be kept and analysed for fly-tipping on other public land such as open spaces, public realm, Council assets, Beachfronts et cetera;*
- (2) further steps be undertaken to engage with volunteer litter picking groups to ensure there is greater awareness of the issues around taking waste from private property and of the steps taken by Officers to identify perpetrators of fly-tipping (and the need to preserve that evidence to ensure it can be used in action against perpetrators);*
- (3) it develop a similar approach to that of the London Borough of Redbridge with its online 'Wall of Shame' showing footage of fly-tipping with a view to encouraging understanding of the issue, the Council's efforts to address fly-tipping and to receive information on perpetrators;*
- (4) it encourage residents to supply their own footage, possibly through 'RING' (or other manufacturers) camera-door bells of fly-tipping captured by them;*
- (5) it inform Councillors that if they notice dog fouling, un-retrieved dog waste, they should inform the Council's Community Safety Team who can look at deployment of Ambassadors with a view to detecting the perpetrators and, in the issues*

- persist, to evidence a decision to deploy mobile CCTV cameras to address the problem;*
- (6) consideration be given to the deployment of a mobile 'phone application for reporting incidents of fly-tipping and other crimes such as dog fouling and graffiti similar to that in place in Cheshire West and Chester Council;*
  - (7) consider how best to support members of the public to find details of licensed waste carriers (after the UK Government has concluded its review of the online access to that data);*
  - (8) details of fly-tipping hot spots on the highway/public land in the District be circulated to Councillors together with the stepped approach to enforcement relevant to that hot spot site and that this should be alongside summary details of the deployment of mobile CCTV cameras as part of addressing environmental crimes such as fly-tipping;*
  - (9) the reasons for the non-deployment of a mains powered or a battery powered CCTV camera in the High Street, Clacton-on-Sea with a view to deterring and/or detecting fly-tipping at the junction with Beach Road be set out and addressed with the relevant decision makers.*
  - (10) on the basis that the Council's policies, procedures and codes in respect of CCTV are reviewed in this current calendar year, they be amended to provide that as and when CCTV cameras are to be purchased, or grant applications made to fund CCTV cameras, consideration be given to the relative benefit of those cameras having AI functionality that can be deployed and that for mobile CCTV cameras consideration should also be given to alternative acquisition options such as rental rather than purchase."*

Cabinet had before it the following response thereto from the Portfolio Holder for the Environment:-

*"I note the recommendations of the Committee and thank them for work they have carried out.*

*I have been in discussion with the relevant service to explore the feasibility and resource implications of adopting the Committee's recommendations."*

Cabinet had before it the following response thereto from the Portfolio Holder for Partnerships:-

*"I also note the recommendations and thank the Committee.*

*I have raised the recommendations within the report with the relevant service. I am happy to explore the option to use AI functionality, where appropriate. I have asked the service to assess the impact of using AI on our existing policies and delivery of service."*

Having duly considered the recommendations made by the Resources and Services Overview & Scrutiny Committee together with the responses of the Portfolio Holder for the Environment and the Portfolio Holder for Partnerships thereto:-

It was moved by Councillor Smith, seconded by Councillor Placey and:-

**RESOLVED** that the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the responses of the Portfolio Holder for the Environment and the Portfolio Holder for Partnerships thereto be endorsed.

77. **MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE LICENSING AND REGISTRATION COMMITTEE - A.3 - RENEWAL OF THE STATEMENT OF LICENSING POLICY (GAMBLING ACT 2005)**

Earlier on in the meeting, as reported under Minute 71 above:-

- (i) Councillor Scott had declared a Disclosable Pecuniary Interest in relation to this matter insofar as he held a Gaming Licence for North Essex Liberal Democrats within the District. Councillor Scott therefore withdrew from the meeting and left the room whilst this Cabinet deliberated on this matter and made its decision.
- (ii) Councillor P B Honeywood had likewise declared a Disclosable Pecuniary Interest in relation to this matter insofar as he held a Gaming Licence for the Clacton Constituency Conservative Association. Councillor Honeywood therefore also withdrew from the meeting and left the room whilst this Cabinet deliberated on this matter and made its decision.

Cabinet considered a reference report (A.3) which enabled it to consider the recommendation made to it by the Licensing and Registration Committee in relation to the adoption of a revised Gambling Licensing Policy Statement.

Cabinet was informed that a draft Policy Statement had been considered by the Licensing and Registration Committee at its meeting held on 24 July 2024. The Committee at that time had authorised consultation on the draft for a period of five weeks from 30 July 2024 to 3 September 2024.

In response to that consultation Gosschalks LLP, acting on behalf of the Betting and Gaming Council, had submitted a consultation response. As part of that response, Gosschalks had put forward amendments to paragraphs 15.11 and 24.2 of the Policy Statement.

It was reported that the draft Policy Statement had sought to set out how this Council (as the licensing authority) would regulate gambling activities within the District. Whilst for the majority of the general public, gambling was an enjoyable and often social experience, it was for some individuals a largely hidden addiction which taken to excess had an adverse impact on their finances, health, wellbeing and relationships. The wellbeing of its residents was a key priority for the Council and the Gambling Policy had a role to play in supporting this priority through its control of gambling premises. It was hoped that the new revised policy statement was clear and easily understood and would be of significant use to the Council, its partners and operators when considering gambling matters.

The Licensing and Registration Committee ("the Committee"), at its meeting held on 2 October 2024 (Minute 23 refers), had considered the matter again (including the response received during the consultation). Through the report, the Committee had been invited to determine its recommendation to Cabinet. The Committee's decision had been as follows:-

***"RESOLVED that the Committee recommends the revised Gambling Licensing Policy Statement 2025 - 2028, as attached as Appendix A to the report (A.3), to Cabinet and thence Full Council for its formal adoption."***



The Policy Statement referred to in the above decision of the Licensing and Registration Committee was set out as an Appendix to the reference report.

Cabinet had before it the following formal written response submitted by the Housing and Planning Portfolio Holder. Under the Leader of the Council's approved Scheme of Delegation, as set out in Schedule 3 (Responsibility for Executive Functions) of Part 3 of the Council's Constitution, the Portfolio Holder for Housing and Planning was the designated Executive Member for overseeing licensing policy matters.

*"I thank the Licensing and Registration Committee for its oversight of the development of this revised policy statement on behalf of the Council. It is important that we operate the Council's gambling licensing functions in a way that promotes the Gambling Act 2005's objectives of:*

- *preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime*
- *ensuring that gambling is conducted in a fair and open way*
- *protecting children and other vulnerable people from being harmed or exploited by gambling.*

*I am pleased to be able to support the adoption of this revised policy statement and urge Cabinet to recommend this to Full Council."*

Having duly considered the recommendation made by the Licensing and Registration Committee, together with the formal response thereto submitted by the Housing and Planning Portfolio Holder (as the designated Executive Member for overseeing licensing policy matters):-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

**RESOLVED** that Cabinet recommends to Full Council that the Gambling Licensing Policy Statement be adopted.

**78. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE LICENSING AND REGISTRATION COMMITTEE - A.4 - ADOPTION OF A REVISED LICENSING ENFORCEMENT AND INSPECTION POLICY 2024-2028**

Cabinet considered a reference report (A.4) which enabled it to consider the recommendation made to it by the Licensing and Registration Committee in relation to the adoption of a Licensing Enforcement and Inspection Policy 2024 – 2028.

Cabinet was informed that a draft Policy had been considered by the Licensing and Registration Committee at its meeting held on 24 July 2024. The Committee at that time had authorised consultation on the draft for a period of five weeks from 30 July 2024 to 3 September 2024.

In response to that consultation two members of the public had sent in responses to that consultation. Their comments were as follows:-

- *"The policy itself is fine - but without effective enforcement it is just empty words. In my experience, TDC's enforcement, whether in relation to illegal traders or bylaws is*

*woeful. Unless your enforcement capability is seriously improved, no amount of policy wording will make any difference”.*

- *“We must acknowledge the income licenced premises bring to the locality however they must adhere to licencing rules to protect the community and the most vulnerable persons in the locality”.*

It was reported that the draft Policy sought to set out how this Council (as the licensing authority) would implement a consistent and staged approach to compliance and enforcement matters which would assist Officers when engaged in any enforcement process. This would lead to more robust and defensible decisions in relation to action concerning breaches of the legislation, conditions and unlicensed traders. In adopting a compliance and enforcement policy, the Courts would understand the rationale and reasons behind Officers’ actions where public / customer safety was at serious risk the Council would act swiftly and robustly.

The Licensing and Registration Committee (“the Committee”), at its meeting held on 2 October 2024 (Minute 23 referred), had considered the matter again (including the above mentioned responses received during the consultation). The Head of Democratic Services & Elections had informed the Committee that the first comment referred to the Council’s resource allocation which was not within the Policy but would be kept under review. In relation to the second comment this referred to the need for balance and the Head of Democratic Services & Elections confirmed that the Policy was intended to apply a balancing act between proportional enforcement action and the public good.

Through the report, the Committee had been invited to determine its recommendation to Cabinet. The Committee’s decision had been as follows:-

**“RESOLVED** that –

- (a) the revised draft Licensing Enforcement and Inspection Policy be recommended to Cabinet for its formal adoption; and*
- (b) once adopted, the Assistant Director (Governance) (or other authorised Officer) be authorised to make minor amendments to that Policy in order to ensure that it reflected the operational positions of the Council and legislative / case law relevant to the Policy.”*

The Policy referred to in the above decision of the Licensing and Registration Committee was set out as an Appendix to the reference report.

Cabinet had before it the following formal written response submitted by the Housing and Planning Portfolio Holder. Under the Leader of the Council’s approved Scheme of Delegation, as set out in Schedule 3 (Responsibility for Executive Functions) of Part 3 of the Council’s Constitution, the Portfolio Holder for Housing and Planning was the designated Executive Member for overseeing licensing policy matters.

*“I welcome the submission of this revised Policy. It supports the commitment we gave in the Corporate Plan 2024-28 to support pride in our area and services to residents. Regulatory systems only work properly when enforcement powers are used proportionately and responsibly to protect the public and consumers. This Policy sets out the approach to be taken in Licensing to achieve this. It builds on the programme of*

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*routine inspections agreed by the Licensing and Registration Committee through which we take a pro-active approach to checking compliance. I formally invite Cabinet to approve this Policy.”*

Having duly considered the recommendation made by the Licensing and Registration Committee, together with the formal response thereto submitted by the Housing and Planning Portfolio Holder (as the designated Executive Member for overseeing licensing policy matters):-

It was moved by Councillor M E Stephenson, seconded by Councillor I J Henderson and:-

**RESOLVED** that the Licensing Enforcement and Inspection Policy 2024 - 2028 be adopted.

**79. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE LICENSING AND REGISTRATION COMMITTEE - A.5 - ADOPTION OF A SEX ESTABLISHMENT POLICY**

Cabinet considered a reference report (A.5) which enabled it to consider the recommendation made to it by the Licensing and Registration Committee in relation to the adoption of a Sex Establishment Policy.

Cabinet was informed that a draft Policy had been considered by the Licensing and Registration Committee at its meeting held on 24 July 2024. The Committee at that time had authorised consultation on the draft for a period of five weeks from 30 July 2024 to 3 September 2024.

In response to that consultation one member of the public had sent in a response to that consultation. Their comments were as follows:-

*“Although, there are only one such premises within the locality it is essential that the policy framework exists to ensure should there be an increase in such venues wishing to establish themselves that the local authority has the tools available to ensure adherence to their rules and to maintain the King's peace without causing intentional outrages of public decency. On the other hand, there must also be provision made to ensure the welfare of those employed in these premises to protect them from any abuses from employers due to the taboo nature of sex establishments”.*

It was reported that the draft Policy sought to set out how this Council (as the licensing authority) would approach to regulating sex establishments and the procedures it would adopt in relation to applications for sex establishment licences.

This Council's Licensing and Registration Committee (“the Committee”), at its meeting held on 2 October 2024 (Minute 22 referred), had considered the matter again (including the above mentioned responses received during the consultation). The Licensing Manager had informed the Committee that the above mentioned response was a generalised comment that did not require any amendment to the Policy as presented. A Member and the Head of Democratic Services & Elections had highlighted a small number of formatting errors and a textual amendment.

Through the report, the Committee had been invited to determine its recommendation to Cabinet. The Committee's decision had been as follows:-

*“RESOLVED that –*

- (a) the Committee recommends to Cabinet that the revised draft Sex Establishment Policy, as attached to this report (A.2) but subject to the amendments highlighted at the meeting, be adopted; and*
- (b) once adopted, the Assistant Director (Governance) (or other authorised Officer) be authorised to make minor amendments to that Policy to ensure that it reflects the operational positions of the Council and legislative / case law relevant to the Policy.”*

The Policy referred to in the above decision of the Licensing and Registration Committee was set out as an Appendix to the reference report.

Cabinet had before it the following formal written response submitted by the Housing and Planning Portfolio Holder. Under the Leader of the Council's approved Scheme of Delegation, as set out in Schedule 3 (Responsibility for Executive Functions) of Part 3 of the Council's Constitution, the Portfolio Holder for Housing and Planning was the designated Executive Member for overseeing licensing policy matters.

*“It is right and proper that District Councils can represent the communities we serve and apply appropriate controls on the location and operation of any sex shops, sex cinemas and sexual entertainment venues. In Tendring we have a single established Sex Shop. However, through this renewed Policy we would be prepared if others wanted to open such shops, cinemas or venues elsewhere in the District. This means we can carefully consider the impact proposals may have on the locality and the protections for those potentially working at those businesses. On the basis of being prepared for any such applications, I urge Cabinet to approve the Policy as submitted.”*

Having duly considered the recommendation made by the Licensing and Registration Committee, together with the formal response thereto submitted by the Housing and Planning Portfolio Holder (as the designated Executive Member for overseeing licensing policy matters):-

It was moved by Councillor M E Stephenson, seconded by Councillor Smith and:-

**RESOLVED** that the Sex Establishment Policy be adopted.

**80. MATTERS REFERRED TO THE CABINET BY A COMMITTEE - REFERENCE FROM THE LICENSING AND REGISTRATION COMMITTEE - A.6 - ADOPTION OF A PAVEMENT LICENSING POLICY**

Cabinet considered a reference report (A.6) which enabled it to consider the recommendation made to it by the Licensing and Registration Committee in relation to the adoption of a Pavement Licensing Policy.

Cabinet was informed that a draft Policy had been considered by the Licensing and Registration Committee at its meeting held on 24 July 2024. The Committee at that time had authorised consultation on the draft for a period of five weeks from 30 July 2024 to 3 September 2024.

In response to that consultation five members of the public, two businesses, one Town Council and one Responsible Authority (ECC Highways) had sent in responses to that consultation.

It was reported that the draft Policy sought to set out how this Council (as the licensing authority) would carry out the new pavement licensing regime which would include advice, administration, compliance and enforcement.

The Licensing and Registration Committee (“the Committee”), at its meeting held on 2 October 2024 (Minute 24 referred), had considered the matter again (including the above mentioned responses received during the consultation). The Head of Democratic Services & Elections had drawn the Committee’s attention to those responses and that several suggestions had been incorporated into the Policy, now presented.

Through the report, the Committee had been invited to determine its recommendation to Cabinet. The Committee’s decision had been as follows:-

*“RESOLVED that –*

- (a) the Committee recommends the Pavement Licensing Policy, as attached as Appendix A to the report (A.4), to Cabinet for its formal adoption; and*
- (b) once the Policy is formally adopted, the Assistant Director (Governance) (or other authorised Officer) be authorised to make minor amendments to the Policy to ensure that it reflects the operational positions of the Council and legislative / case law relevant to the Policy.”*

The Policy referred to in the above decision of the Licensing and Registration Committee was set out as an Appendix to the reference report.

Cabinet had before it the following formal written response submitted by the Housing and Planning Portfolio Holder. Under the Leader of the Council’s approved Scheme of Delegation, as set out in Schedule 3 (Responsibility for Executive Functions) of Part 3 of the Council’s Constitution, the Portfolio Holder for Housing and Planning was the designated Executive Member for overseeing licensing policy matters.

*“As with all of the Policies submitted for approval at Cabinet today, I wish to congratulate the Licensing and Registration Committee for ensuring the policies of the Council in this service area are kept under review and refreshed as a consequence. In this case, we have had temporary measures introduced as part of the post-Covid-19 build back response and those measures have now been made permanent. With the obvious need to allow clear access routes for the public to use, this pavement licensing regime allows cafes, restaurants, and bars to secure a licence to place furniture on the highway.*

*The policy now submitted sets out the Council’s approach to the administration of the licensing function and I commend it to Cabinet.”*

Having duly considered the recommendation made by the Licensing and Registration Committee, together with the formal response thereto submitted by the Housing and Planning Portfolio Holder (as the designated Executive Member for overseeing licensing policy matters):-

It was moved by Councillor M E Stephenson, seconded by Councillor Smith and:-

**RESOLVED** that the Pavement Licensing Policy be adopted.

**81. LEADER OF THE COUNCIL'S ITEMS**

The Leader of the Council (Councillor M E Stephenson) read out the following statement:-

*“On 24 October 2024 and in accordance with powers delegated to me within the Council’s Constitution, as set out within Part 3 Responsibility of Functions (Scheme of Delegated Powers) – Schedule 3 (Responsibility for Executive Functions) – Section 3 (General Principles Regarding Decision Making by the Cabinet – Paragraph 4b [Part 3.29], I made an urgent decision on behalf of the Cabinet upon which I am required by those same provisions to make this public statement.*

*That urgent decision related to the termination of the ‘YourStride’ Careline Contract and was as follows:-*

*“That:*

- (a) the Leader of the Council [i.e. me] in exercising their authority and following consultation with the Section 151 and Monitoring Officers, makes an urgent decision, to authorise immediate notice being served on AE Partners Ltd giving 16 weeks prior notification to terminate the Supply of Services Agreement between them and the Council;*
- (b) the Directors for Governance and of Planning and Communities be authorised to take the necessary administrative steps to enable this decision to be implemented as soon as possible and without further delay to the Council; and*
- (c) notification of such decision will be reported to Members accordingly.”*

*My reasons for taking that urgent decision were recorded in Part B but in the public interest, the Monitoring Officer has summarised some of the details in the section in the Careline Report on pages 337 & 338 of this Agenda.*

*I decided that measures needed to be put in place to serve notice to permanently terminate the Contract, giving the Customer (AE Partners Ltd) 16-weeks’ notice in accordance with the termination provisions as set out within clause 46 of the Contract.*

*Details of my urgent decision will also be publicly reported to Members at the meeting of the Full Council that is due to take place on Tuesday 26th November 2024.*

*That concludes my statement on this matter.”*

**82. CABINET MEMBERS' ITEMS - REPORT OF THE ASSETS PORTFOLIO HOLDER - A.7 - SOCIAL VALUE POLICY - ESSEX PROCUREMENT PARTNERSHIP**

Cabinet considered a detailed report of the Assets Portfolio Holder (A.7) which presented for approval a Social Value Policy to demonstrate how the Council would deliver corporate priorities by achieving social value through procurement ensuring the

additional benefit to the community which the Council could derive, over and above the direct purchasing of goods, services and outcomes, where those quality criteria were relevant and proportionate to the subject matter of the contract and non-discriminatory.

The Portfolio Holder had put forward that implementing a Social Value Policy would elevate social value from a procurement process to an organisation-wide policy. Organisation-wide ownership of social value, would encourage each project owner across the Authority to consider how they could achieve priority objectives in the Corporate Plan, thereby ensuring they made a commercial contribution in line with the Local Government Act 1988. For example, a project manager in Directorate A could enable local jobs and skills opportunities, thereby delivering on corporate objectives in Directorate B.

The Policy would also enable this Council to set out a framework for:

- ensuring the social value measures the Council used aligned to the Corporate Plan and how changes to Social Value Themes, Outcomes and Priorities were made; and
- how changes to the specific measures listed in the TOMs Calculator were made where they delivered Outcomes agreed by the Cabinet. Each Measure sat under one of the agreed Social Value Outcomes.

This option had been recommended because it met best practice principles of publishing an organisation-wide Social Value Policy and it would enable the Council to adopt the TOMs Calculator efficiently to harness specific opportunities to deliver on corporate objectives (but only where they delivered on the outcomes already agreed by the Cabinet).

Whilst Social Value could apply with any value of contract, there was an operational cost to preparing and scoring the evaluation model. Therefore, the Assets Portfolio Holder had proposed that the Council would normally only require social value to be considered when it was procuring a contract with a value of over £100,000.

It was moved by Councillor Kotz, seconded by Councillor M E Stephenson and:-

**RESOLVED** that Cabinet -

- (a) approves the Social Value Policy, as set out in Appendix A to item A.7 of the Report of the Assets Portfolio Holder, for recommendation onto Full Council for adoption;
- (b) authorises the Portfolio Holder for Assets (with responsibility for procurement) to approve changes to the list of Social Value Measures in the TOMs Calculator, where those measures deliver on the Outcomes agreed by Cabinet;
- (c) authorises the Director (Governance) (with responsibility for procurement) to approve the removal of TOMs measures for specific procurements, in order to meet the Public Contracts Regulations requirements for relevance, proportionality to the subject matter of the contract and non-discrimination; and
- (d) endorses an annual social value statement to reaffirm their goals to suppliers and measuring social value progress.

**83. CABINET MEMBERS' ITEMS - REPORT OF THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.8 - FINANCIAL PERFORMANCE REPORT 2024/25: GENERAL UPDATE AS AT THE END OF SEPTEMBER 2024**

Cabinet considered a detailed report of the Corporate Finance and Governance Portfolio Holder (A.8), which provided it with a general update and overview of the Council's financial position against the 2024/25 budget as at the end of September 2024 and looking ahead to 2025/26 and beyond.

*SECTION 1 - In respect of the in-year financial position at the end of September 2024:*

It was reported that the position to the end of September 2024, as set out in more detail within the appendices, showed that overall, the General Fund Revenue Account was overspent against the profiled budget by £0.724m (£0.480m at the end of July 2024). However, it was important to highlight that this position continued to primarily reflect the timing of when the Government reimbursed the Council for the cost of meeting housing benefit claims and Parliamentary Election expenses incurred earlier in the year.

Appendix 1H set out a number of unavoidable cost pressures or where a timely opportunity for investment / expenditure had arisen. The cost of responding to homelessness within the District continued to present a significant financial challenge with £1.200m proposed to be set aside to support the estimated additional costs for the year. It was also proposed to request a more detailed report on the associated challenges faced by the homelessness service for consideration at a future meeting of Cabinet.

Appendix 1H also set out a proposed sum of £0.040m to explore collaborative opportunities with the Council's partners with an associated recommendation included below.

It was acknowledged that other expenditure or income trends might still emerge / develop over the remainder of the year, which would be included in future financial performance reports as necessary.

In respect of other areas of the budget such as the Housing Revenue Account, capital programme, collection performance and treasury activity, apart from additional details set out in the report, there were no other major issues that had been identified to date.

The Portfolio Holder's recommendations also proposed delegations to enable the flexible use of funding previously set aside to support the development of the Council's Project Delivery Unit along with a contribution to ECC for procurement support.

*SECTION 2 - In respect of the updated long-term financial forecast:*

It was reported that the forecast had been reviewed and updated at the end of September 2024 and was set out in Appendix 2A. It continued to reflect the very challenging financial position faced by Local Authorities, which included on-going inflationary pressures along with the recently announced increase in employer's national insurance rates from April 2025.

As highlighted in an earlier report, the forecast period had been extended out to 2033/34 in order to support the Council in managing its budget sustainability and to support financial resilience over a longer term period. Although further information was set out in Section 2 of this report, including the potential impact from the Government's recent Autumn Budget Statement, there remained some tough decisions ahead. It would therefore remain important that the on-going development of the forecast was based on



engagement with as many stakeholders as possible, including Members and residents to support the Council in balancing the provision of services with the need to deliver long-term financial sustainability.

Work remained ongoing within Departments and with Portfolio Holders to identify the longer-term impact of issues emerging to date, along with remaining sighted on potential future cost pressures. With this in mind, it was important to highlight that the long-term forecast did not currently reflect the potential increase in costs expected from the retender of the Council's waste, recycling and street cleansing contract. This could place a significant level of additional financial burden on the financial forecast.

However, the long-term approach, alongside the Forecast Risk Fund remained a key element of providing additional flexibility and time to make better-informed decisions. Significant on-going savings were still required, with the latest iteration of the Council's savings plan set out in Appendix 2B. There had only been one change from the plan reported to Cabinet in October 2024, which reflected the Government's commitment to 'protect' the local government sector that had been set out within their recent Autumn Budget Statement, which had resulted in additional grant income now being expected when compared to earlier forecasts.

It was important to highlight that the savings did not necessarily have to accrue from 1 April 2025, given the flexibility provided by the Forecast Risk Fund, but the earlier they could be delivered would be helpful in terms of supporting the later years of the plan.

A structural budget deficit was forecast to remain across the forecast period, even after the delivery of the savings mentioned earlier. This presented further significant challenges as this had to be addressed via the identification of additional on-going savings across later years of the forecast. As set out in the forecast, this remained the case until such time as the Council delivered an underlying annual balanced budget. In terms of this latter point, the forecast continued to show that the level of inflation, especially pay inflation, outstripped the estimated level of forecast increases in income from council tax and business rates, which was clearly not sustainable without significant 'corrections' to the budget in future years.

The above remained subject to any intervention from the Government, who had signalled its intention to reform the local government funding system after 2025/26 and would carry out a broader redistribution of funding to better reflect local need (previously known as Fair Funding) through a multi-year settlement from 2026/27.

The challenges faced by the Housing Revenue Account were also significant and included increased expectations and requirements that continued to emerge from the Social Housing Regulation Act and associated enhanced powers of the Housing Regulator. The HRA 30 Year Business Plan would be developed over the coming weeks alongside a review of the announcements included within the Government's recent Autumn Budget Statement, with the aim of responding to such challenges set against the wider context of continuing to provide a financially sustainable position in the long term.

In order to set out the latest financial position for the Council and to respond to emerging issues in 2024/25 and to develop the budget and long-term forecast from 2025/26:-

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It was moved by Councillor M E Stephenson, seconded by Councillor Kotz and:-

**RESOLVED** that Cabinet:-

- (a) notes the Council's in-year financial position at the end September 2024;
- (b) approves the proposed adjustments to the 2024/25 budget, as set out in Appendix 1H and requests Officers to review the potential on-going impact in 2025/26 and beyond where necessary as part of developing the forecast and detailed estimates for further consideration by Cabinet later in the year;
- (c) in respect of the additional sum of £0.040m made available to support North Essex Councils collaborative activities and Joint Health Post with Health Partners that is set out in Appendix 1H, authorises the Chief Executive, in consultation with the Portfolio Holder for Corporate Finance and Governance and the Portfolio Holder for Partnerships, to utilise this funding to support any associated work;
- (d) in respect of the additional £1.200m set aside to support the cost of homelessness, requests Officers to present a report to a future meeting of Cabinet setting out further details relating to the current challenges faced by the Council along with potential actions / proposed activities to support the Council going forwards;
- (e) in respect of the Project Delivery Unit budget:
  - (i) authorises the Director for Governance and the Director for Finance & IT, in consultation with the Corporate Director (Place and Economy), to enter into an agreement with Essex County Council (ECC) to increase existing procurement capacity for Tendring District Council;
  - (ii) agrees a sum of up to the value of £120,000 over two years from the associated approved budget to fund the additional procurement capacity from ECC;
  - (iii) authorises the Chief Executive, in consultation with the Portfolio Holder for Economic Growth, Regeneration and Tourism, to agree further expenditure where capacity is procured from external bodies / organisations / individuals as an alternative to recruitment.
- (f) notes the updated financial forecast set out in this report and requests Officers, in consultation with Portfolio Holders, to further develop the financial forecast proposals alongside the development of the Council's priorities; and
- (g) invites the views of the Resources and Service Overview and Scrutiny Committee on the information set out in this report along with the Council's wider financial position as part of its work programme for the year.

**84. CABINET MEMBERS' ITEMS - JOINT REPORT OF THE HOUSING & PLANNING PORTFOLIO HOLDER AND THE CORPORATE FINANCE & GOVERNANCE PORTFOLIO HOLDER - A.9 - LCTS & COUNCIL TAX DISCOUNTS/PREMIUMS; LOCAL BUSINESS RATES RELIEF SCHEME AND MRP POLICY STATEMENT**

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Cabinet considered a detailed joint report of the Housing and Planning Portfolio Holder and the Corporate Finance and Governance Portfolio Holder (A.9), which enabled Cabinet to consider and agree for recommending to Full Council the following:-

- Local Council Tax Support Scheme 2025/26;
- Exceptional Hardship Policy;
- Discretionary Council Tax Exemptions, Discounts and Premiums for 2025/26; and
- Annual MRP Policy Statement for 2025/26.

Having conducted the annual review of the above matters, the Portfolio Holders had proposed to Cabinet:-

- (i) in terms of the LCTS, to continue with the principle of providing financial stability wherever possible to Tending claimants;
- (ii) to keep the 2025/26 LCTS scheme the same as for 2024/25, which provided for a maximum discount of 80% for working age claimants;
- (iii) to not make any changes to the associated hardship policy apart from recognising that council tax payable on second homes / empty properties was not eligible for support;
- (iv) to not make any changes for 2025/26 in relation to existing discretionary council tax discounts, exemptions and premiums (including discounts for young people leaving care);
- (v) to not make any changes in respect of existing council tax premiums on long-term empty properties;
- (vi) to introduce from 1 April 2025 a 100% council tax premium on properties occupied periodically ('second homes');
- (vii) to note that central Government have introduced a number of exceptions where the council tax premium on long term empty properties and/or second homes is not chargeable; and
- (viii) to not make any changes to the Annual Minimum Revenue Provision Policy Statement for 2025/26 other than minor amendments to reflect revised Guidance.

Cabinet was informed that, if it was agreed that no changes were necessary to the proposed LCTS scheme, there would be no need for public consultation. However, if any amendments were proposed and approved at Full Council in November 2024, then public consultation would be required before the final scheme could be agreed and adopted. Consequently, if consultation was required, this Council would have to notify the precepting authorities that the final council tax base would be delayed and would not be available until late on in the budget cycle.

Given the recommendation to continue with the existing LCTS scheme, it was not proposed to formally refer it for scrutiny to the Resources and Services Overview and Scrutiny Committee, on the grounds that it would be considered by Full Council on 26 November 2024.

In order to proceed towards the implementation of an LCTS Scheme in 2024/25 along with the required council tax discounts, exemptions and premiums and an MRP Policy Statement:-

It was moved by Councillor M E Stephenson, seconded by Councillor Kotz and:-

**RESOLVED** that Cabinet agrees that -

- 
- (a) the LCTS scheme for 2025/26 remains the same as the current year (2024/25);
  - (b) the Council Tax Exceptional Hardship Policy be as set out in Appendix B to the joint report; and
  - (c) the discretionary Council Tax exemptions, discounts and premiums for 2025/26 be as set out in the appendices to the Portfolio Holders' joint report.

**RECOMMENDED TO COUNCIL** that –

- (i) the LCTS, as set out as Appendix A to the joint report, be approved with the maximum LCTS award being 80% for working age claimants;
- (ii) the Director (Finance and IT), in consultation with the Housing and Planning Portfolio Holder, be authorised to undertake the necessary steps to implement the LCTS scheme from 1 April 2025;
- (iii) the locally determined council tax discounts, as set out in Appendix C, be approved;
- (iv) the council tax discount policy for young people leaving care, as set out in Appendix D, be approved;
- (v) the discretionary council tax premiums, as set out in Appendix E, be approved;
- (vi) a discretionary council tax premium of 100% is charged on properties occupied periodically ('second homes') from 1 April 2025;
- (vii) the Director (Finance and IT), in consultation with the Housing & Planning Portfolio Holder, be authorised to undertake the necessary steps to implement the council tax exemptions, discounts and premiums from 1 April 2025; and
- (viii) the Annual Minimum Revenue Provision Policy Statement for 2025/26, as set out in Appendix F, be approved.

**85. CABINET MEMBERS' ITEMS - REPORT OF THE ENVIRONMENT PORTFOLIO HOLDER - A.10 - CLIMATE CHANGE ACTION PLAN 2024/27**

Cabinet considered a detailed report of the Environment Portfolio Holder (A.10) which enabled Cabinet to determine its recommendation to Full Council with a proposal of amending the Council's current policy target to achieve net zero carbon in scope one and two emissions from 2030 to the Government's target date, currently 2050, to allow for more financially sustainable investment to meet the target.

The report set out the proposed Climate Action Plan for 2024-27, as set out in Appendix A, subject to Cabinet's endorsement, to deliver against the new target, following Full Council's approval.

Cabinet also noted that an action within Appendix A, was for further work to be undertaken to improve and streamline data collection on energy usage and emissions.

The Environment Portfolio Holder proposed that the Council aligned its target date for scope one and two emissions to reach net zero to the Government's national target date, currently set at 2050, because this Council could not financially sustainably become net zero by 2030. This change was considered a realistic, value for money approach to responding to climate change. Aligning with the national target meant that the Government policy, regulation and funding required to meet net zero would be brought forward to enable the country, and so this Council, to meet what remained a challenging ambition by 2050.

Cabinet was made aware that the Government would need to regulate to meet the 2050 target, and as it did so new statutory responsibilities for the Council would come with new burdens funding to deliver them. Over time it was expected that innovations in technology would make improvements in carbon reductions better value for money, more locally available (in terms of supply and maintenance), and more realistic in terms of delivery. The national target date of 2050 was therefore recommended by the Environment Portfolio Holder.

It was moved by Councillor Smith, seconded by Councillor Scott and:-

**RESOLVED** that Cabinet -

- a) notes the contents of the Environment Portfolio Holder's report (A.10) and in particular the development of a draft Climate Change Action Plan, as set out in Appendix A for 2024-27 based upon a revised target of achieving Net Zero carbon emissions by 2050;
- b) recommends to Full Council that –
  - i) the Council's Policy Framework (within Article 4 of the Constitution)) be amended to "Approval of the Council's target for achieving Net Zero carbon emissions with the relevant strategy and action plans being adopted and delivered by the Executive";
  - ii) in recognition that at a national level the UK Government has outlined comprehensive targets aimed at achieving Net Zero carbon emissions by 2050 and based on the Council's resources, the Council's new target for achieving Net Zero carbon emissions be aligned with the UK's national objectives to achieve Net Zero, by 2050; and
  - iii) Cabinet adopts and delivers against its strategy and action plans in accordance with the Council's Budget and Policy Framework.
- c) subject to Full Council approving the revised Net Zero target, the new Climate Change Action Plan for 2024-2027 be adopted via an executive decision being made by the Portfolio Holder for the Environment; and
- d) notes the limitations of currently available carbon emission data and commends further investigative work by Officers to improve data.

**86. CABINET MEMBERS' ITEMS - REPORT OF THE PARTNERSHIPS PORTFOLIO HOLDER - A.11 - TENDRING DISTRICT COUNCIL'S CARELINE SERVICE REVIEW: RESULTS OF CONSULTATION AND NEXT STEPS**

Earlier on in the meeting as reported under Minute 71 above:-

- 
- (i) Councillor Scott had declared an Other Registrable Interest in relation this item insofar he was the Chairman of the Autumn Centre and many of the clients at the Autumn Centre were also clients of Careline. Councillor Scott therefore withdrew from the meeting and left the room whilst the Cabinet deliberated on this matter and made its decision.
  - (ii) Councillor Chapman BEM had declared an Other Registrable Interest in relation to this matter insofar as her Mother was a customer of Careline.
  - (iii) Councillor P B Honeywood had declared an Other Registrable Interest in relation to this matter insofar as a member of his family was a customer of Careline.
  - (iv) In response to a question raised by Councillor Honeywood, the Monitoring Officer (Lisa Hastings) had stated that, as Councillors Chapman BEM and Honeywood were not Decision Makers on this matter, she was prepared to grant them both a Dispensation in order to allow them to remain in the meeting for this item.

Cabinet considered a detailed report of the Partnerships Portfolio Holder (A.11), which reported to Cabinet the results of the recent consultation on the future of the Council's Careline service; and which sought its decision as to how it wished to proceed in the light of those consultation results and other updated information. The report also recommended, as a variance to the Cabinet's currently adopted preferred option, that the Council explored further the response received from Colchester City Council as part of the North East Essex Health and Wellbeing Alliance as to whether to create a combined telecare service that aligned with the Alliance's aims and objectives for an integrated health-system approach.

Members recalled that the Careline service had been established in 1987 and provided monitoring and response/lifting for approximately 1,859 service users in Tendring, including sheltered housing residents. Continuing the core Careline service required significant investment, creating cost pressures amid budget constraints. The findings of a 12-month review of the service had been reported to Cabinet on 26 July 2024 along with five potential options for the future of Careline, including information on their financial, equality and other implications.

Those options were summarised as follows:

- **Option 1** – Maintain current position (*remain in the market, which would require on-going financial support*);
- **Option 2** – Provide an Out-of-Hours Council service only (*leave the market, focussing on the Council's core business and ceasing telecare and response/lifting*);
- **Option 3** – Reduce shift pattern to 6 hourly shifts (*remain in the market, staffing changes required, which would require on-going, additional financial support*);
- **Option 4** – Remove the responder/lifting service (*remain in the market, removal of one element of the service, which would require on-going, additional financial support*); and

- **Option 5** – Termination of third-party contracts (*remain in the market and service Tendring District Council residents only via the Careline scheme, which would require on-going, additional financial support*) and cessation of the TSA accreditation.

At that July 2024 meeting, Cabinet had agreed, in principle, the adoption of Option 2 as its preferred option – i.e. ceasing telecare and lifting/response services, focusing solely on Out-of-Hours and CCTV services. An extra £300,000 had been allocated to support service users transitioning to alternative provisions, along with a further £446,000 to support other potential one-off costs.

In order to properly address the Council's duties around best value for its residents, a consultation exercise had then been carried out to invite feedback from customers, residents and other key stakeholders including organisations that the Council provided services to under contracts. Consultation had also been carried out with TDC staff impacted by the potential changes, albeit acknowledging that a final decision on the future of the service had yet to be made.

That six-week consultation exercise had been carried out between 19 August and 30 September 2024. As part of the consultation process, almost 4,000 letters had been issued to the circa 2,000 Careline service users and their next of kin, each with a unique customer number with the aim of tracking responses and guarding against the possibility of double-counting. A separate communication to Sheltered Housing Scheme residents had provided assurances that their 24-hour emergency assistance would remain unchanged at this time.

It was reported that 1,062 submissions had been received in response to the consultation, which had been considered a good level of response from which reliable feedback could be gauged. Some of the notable messages coming back through the consultation responses were summarised as follows:-

Of the 1,062 responses:-

- 589 were from Careline users (56%);
- 395 were from friends or family of users (37%); and
- 78 were from the public or others (7%).

In respect of future options for the Careline service, 72% (the clear majority) of respondents stated a preference for Option 1; with 10% preferring Option 2; 6% preferring Option 3; 7% preferring Option 4 and 5% preferring Option 5. This had indicated a clear preference amongst service users and their next of kin for maintaining Careline in its current form. However to do so would, as had been explained in the July 2024 Cabinet Report, require considerable ongoing financial support from the Council with competing calls on its resources.

Cabinet was informed that service users had been asked if they would be prepared to pay an increased fee for a telecare only service. 48% of respondents had said that they would be prepared to pay more, but the levels of increase being suggested as being acceptable by those respondents would not, on current analysis, be sufficient to eliminate the current projected shortfall in revenue. An increase in fees, as indicated, would also result in Tendring District Council charging customers at a rate above current market levels thus not offering best value for money. With 48% of respondents indicating a willingness to pay increased fees, it followed that 52% of customers would

not be prepared to pay an increase and would potentially seek alternative provision if fee increases were introduced.

With the Cabinet's preferred Option 2 in mind, 60% of the service users that had responded to the consultation indicated that they would, if necessary, be willing to move to an alternative trusted provider but 80% of those had stated that they would want assistance with that process to make the best decision.

Members were made aware that, both during and following the consultation exercise, there had also been some contact from third party organisations either expressing an interest in potentially taking on all or part(s) of the Careline Service or otherwise inviting discussion about how a service could be delivered in an alternative way through partnerships or other means.

There had also been early discussions following the response to the consultation, and acknowledging the Council's role as a partner to the North East Essex Health and Wellbeing Alliance, to explore the potential to work with Colchester City Council, through its trading company Colchester Commercial (Holdings) Ltd, on their proposal to establish one combined telecare service to serve the whole of the North East Essex area. This option could support the Alliance's objectives for an integrated health-system approach that worked in harmony with NHS health provision and the emergency services. This option might offer a potentially positive and direct response to the consultation feedback – particularly in light of the strong preference from service users to retain a Careline Service, albeit with a limited appetite to pay higher fees; some willingness to transfer to an alternative trusted provider; and a clear request to provide support to service users through any transition.

However, the detail of this opportunity would need to be explored to establish if it could offer the proposed potential benefits in terms of continuity, security and value for money for existing Careline users; retention of job opportunities for staff under local authority terms and conditions; and the achievement of economies of scale that could address current concerns around the budget and Tendring residents having to subsidise the Careline service. It was important to stress that with any proposed joint working, the implications of the proposed delivery model must be properly assessed in order to establish whether this was a viable option. It was therefore recommended by the Portfolio Holder that additional time be incorporated into the timetable for exploring this opportunity in more detail, along with other third-party proposals, before Cabinet committed to implementing a preferred approach.

Alongside carrying out the consultation exercise, Officers had also continued to review, in further depth, a number of the contracts that Careline had in place for the provision of services to external bodies. On further consideration and with the approval of the Leader of the Council on 24 October 2024 it had been decided to serve notice to terminate the largest of the Careline contracts – i.e. that with AE Partners Ltd (YourStride).

As a consequence of that contract coming to an end in February 2025, it was necessary to revisit a number of the financial assumptions in terms of the options highlighted above, in order to provide the most up to date position, with the aim of presenting those to Cabinet in early 2025 before any final decisions on the future of Careline were taken. The revised assumptions were still expected to demonstrate that all options, apart from preferred Option 2, would still require ongoing budgetary support and subsidy.



Currently, Option 2 remained the preferred option pending further consideration of the financial and other implications as well as the results of the consultation. However, as a variation on that preferred option, it was also proposed that more time was incorporated into the overall programme for completing the review of Careline to allow for the full and proper exploration of the proposals described above and elsewhere in the Portfolio Holder's report.

Given the significant impact of third-party contracts on resources and the budgetary position of Careline (as demonstrated through the urgent decision to terminate the YourStride contract), it was also proposed that Officers be authorised to continue reviewing other existing third-party contracts and, where necessary, proceed to vary or terminate them accordingly before, and without prejudice to, any final decision of Cabinet as to the future of Careline.

It was proposed that the preferred Option 2 be revisited in early 2025 for Cabinet to make its final decision and that, at this stage, the previously suggested date for implementation be adjusted from the end of March 2024 to the end of June 2025. Although there might be some savings secured through the termination of the YourStride contract and review of other third party contracts, it was likely that there would be an additional cost from this change in timescales which would need to be considered alongside the exploration of the collaborative working with partners highlighted earlier. It was therefore difficult to provide an expected cost at this stage, which would therefore need to be reviewed as part of the planned report in February 2025.

Option 2 (or the potential variation) provided that any remaining service at Tendring would focus solely on the Council's Out-of-Hours and CCTV services. Officers had been carrying out further exploration of different ways in which an out-of-hours service could continue to be provided by the Council across different permutations of retaining the operation in house, outsourcing and/or redistributing duties across different services. The approach to be taken, having particular regard for the Council's statutory duties to provide telecare services for its sheltered housing tenants, would be an operational matter for Officers to conclude following further analysis and the final strategic decision from the Cabinet on the future of Careline.

In the light of the fact that feedback from the recent customer, public and stakeholder consultation had presented alternative approaches that warranted more detailed and proper consideration and additional time incorporated into the programme and next steps in order for that consideration to take place and given that it was also necessary to factor in the full implication of terminating the YourStride contract when carrying out that further work along with any changes that might need to be made to other third-party contracts:-

It was moved by Councillor Placey, seconded by Councillor Kotz and:-

**RESOLVED** that Cabinet -

- (a) notes the outcome of, and feedback from, the recent customer, resident and stakeholder consultation on the future of Tendring Careline – that was based upon balancing best value principles with the needs of our existing customers, who now have a wider range of options available on the open market, at more comparable rates than the Council can continue supplying the service for;

- 
- (b) notes the decision to terminate the third-party contract with AE Partners Ltd (YourStride) which, irrespective of the Cabinet's resolution in respect of (d) below, will reduce the pressure on the capacity of Tendring Careline – which, for some months, has been dealing with a growing and increasingly unmanageable volume of calls from residents outside of Tendring; and bring about a cost saving to the Council;
  - (c) authorises the Director of Planning and Communities, in consultation with the Leader of the Council and the Portfolio Holder for Partnerships, to review and if necessary, vary or terminate other third-party contracts at suitable timely junctures as part of the move towards the fulfilment of any final preferred approach;
  - (d) confirms that, having considered the contents of this report, it still wishes to continue, in principle, with the preferred option (Option 2) of ceasing the telecare and lifting/response provision of the Careline Service, in its entirety, including service delivery under third-party contracts with remaining service provision solely relating to the Council's Out-of-Hours and CCTV service – albeit subject to (e) below;
  - (e) authorises the Director of Planning and Community, in consultation with the Leader of the Council and the Portfolio Holder for Partnerships, to explore further the third-party proposals that were submitted to the Council through the consultation;
  - (f) subject to (e) above, requests that third parties be invited to put forward a formal detailed proposal for further exploration within one month of this decision (i.e. by close of business on Monday 16th December 2024) as the starting point for Tendring District Council's consideration;
  - (g) requests that the Portfolio Holder for Partnerships reports to Cabinet in February 2025 to provide an update on the opportunity explored in line with (e) above in respect of the third-party proposals, as well as an updated recommendation for a final Cabinet decision on the future of Careline informed by updated financial analysis and with a detailed transition plan;
  - (h) subject to (g) above, acknowledges that there may be additional costs arising from the change in timescales set out in this report, and requests that the financial impact is included within the report to Cabinet in February 2025; and
  - (i) authorises the Director of Planning and Community in consultation with the Leader of the Council and the Portfolio Holder for Partnerships, to assess different options for the continued provision of the Out-of-Hours and CCTV service and to implement any necessary changes, as necessary, following the Cabinet's final decision on the future of Careline.

**87. MANAGEMENT TEAM ITEMS**

There were no matters referred to the Cabinet by the Council's Management Team on this occasion.

The Meeting was declared closed at 11.48 am

**Chairman**

## CABINET

20 DECEMBER 2024

### REFERENCE REPORT FROM THE COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE

#### A.1 SCRUTINY OF THE SPORT AND ACTIVITY STRATEGY FOR TENDRING

##### **BACKGROUND**

The Community Leadership Overview and Scrutiny Committee (“the Committee”) at its meeting held on 15 October 2024 scrutinised the Sport and Activity Strategy for Tendring.

Invited to the meeting had been Councillor Mick Barry (Portfolio Holder for Leisure and Public Realm), Lee Heley (Corporate Director for Place and Economy), Kieran Charles (Sport & Leisure Operations Manager), Sylvia Gentleman (Delivery Oversight in Essex for the Active Wellbeing Society), Hayley Chapman (North Essex Relationship Manager for Active Essex), Jason Ferguson (Board Member for Sport England, Senior Leader in public health at Essex County Council and Director for Active Essex) and Sharon Alexander (Chief Executive Officer for CVS Tendring). A precis of their contributions to the meeting is as set out hereunder.

##### Councillor Mick Barry

- introduced the Sport and Activity Strategy for Tendring that had been approved by Cabinet on 20 October 2024;
- advised the Committee that an extensive consultation had been undertaken as part of the development of the strategy and that advice, guidance and best practice identified from national bodies had been integrated into it;
- informed the Committee that the strategy was a working document that included timelines and actions;
- made the Committee aware of the different elements of the strategy, such as, the consideration of a Community Sport and Activity Manager post and the funding applications for up to five Play Zones to be placed in the District;
- pointed out that intention was for the Strategy to be consistently reviewed in collaboration with other relevant bodies;
- drew attention to the supplementary report that had been circulated to the Committee with the views and comments from Sport England on the strategy.

##### Lee Heley

- advised the Committee of the importance of the Strategy and particularly referenced how the strategy sought to shift the way sport and activity was viewed by the Council and the wider community.

##### Kieran Charles

- advised that through gathering the local and national data on activity it recognised where there had been positive improvement, and that the strategy would be able to further boost these improvements through the community engagement projects in sport and activities in the District.

#### Sylvia Gentleman

- advised the Committee that the Active Well-being Society had been working with Active Essex for a number of years on the Sport England Local Delivery Pilot, particularly Essex Pedal Power;
- presented to the Committee several PowerPoint Slides that explained their work within the District;
- provided the Committee with the Active Wellbeing Society's thoughts on the Strategy and advised that their experience of working within the District was that to get engagement from residents it was necessary to approach people in ways they could relate to and not simply provide opportunities and expect the public to be in a position to take up those opportunities;
- felt that this element of learning they had experienced had been captured within the Strategy.

#### Hayley Chapman

- advised the Committee of Active Essex's partnership work with Tendring District Council, CVS Tendring, and North East Essex Health and Wellbeing Alliance for a number of years as a part of the work undertaken by the Sport England Local Delivery Pilot;
- advised that Active Essex was supportive of the Strategy, especially in terms of incorporating the learning from the Local Delivery Pilot, and the action plan that had been included within the Strategy that showed a clear path to achieving the ambition of the Strategy.

#### Jason Fergus

- advised Members that he also sat on the Board for Sport England;
- raised that the recommendation report from Sport England had positively commented on the Strategy;
- also highlighted that the Strategy directly aligned with the Council's Corporate Plan themes.

#### Sharon Alexander

- commented on the long-term strong partnership CVST had with Tendring District Council and the partnership work with Active Essex as well facilitating the Sport England Local Delivery Pilot.

The Committee then asked questions around the options for sustainability and were informed that a piece of work was being commissioned to review the financial and wider sustainability of the three leisure centres and that it had been included within the Cabinet report (Minute 52 of Cabinet's meeting on 20 September 2024 refers)

and was one of the first actions to take place. They were also advised that the outcome of this review was envisaged to be completed in March 2025 and that the outcome would then pull out what the options were.

The Committee also enquired what the prospect was of the Community Sport and Activity Manager role being established. The Portfolio Holder for Leisure and Public Realm advised that community engagement was a key part of the strategy and part of this role would be to work with partners and established groups to support and enhance what they were already doing. Bidding to fund this role was underway.

The Committee considered the five Play Zones that were being identified and wanted to understand the reasons for the placement of the zones within the District and why some areas had not been included. The Committee was informed that the placement of the five Play Zones was heavily influenced by the current land ownership position and what was already readily available (in view of time constraints to deliver these first five Play Zones). It was confirmed by Officers that when open discussions commenced in relation to the funding in 2025/26 there would be an opportunity to look into opening further Play Zones around different parts of the District. As such, time was a key consideration for the location of the first five and it was hoped that more time would mean further Play Zones could be located to achieve widespread access to them.

There were discussions around what successes were envisaged to come out of this Strategy and the Committee was advised that it would look to increase availability and access to activities/sport within the District and also to provide a platform for further opportunities/development.

There were also questions around how communication barriers could be broken down to inform a wider audience of the Sport and Activity engagement that would take place around the District and whether forums could take place with the relevant persons to support breaking down these barriers. The Committee was advised that 'word of mouth' would play a significant role in informing members of the public about the Strategy and its actions.

The Committee was further advised that within the Strategy there was a detailed section around the marketing aspects and the marketing plan.

The Chairman then thanked all the attendees for their contributions which he had found most helpful towards the Committee's enquiry into the recently adopted Sport and Activity Strategy. This view was echoed by the Committee's members.

**COMMUNITY LEADERSHIP OVERVIEW & SCRUTINY COMMITTEE'S RECOMMENDATION(S) TO CABINET**

The Committee had resolved to RECOMMEND to Cabinet that –

- (a) that the following actions that had been included within the Sport England submission be pursued:-

- (i) to support an expanding population in the west of Tendring (Garden Community Project) the scope should be broadened from identifying new sports facilities to identifying new opportunities for creating active environments;
- (ii) to ensure that appropriate contributions towards sport are consistently secured. Furthermore, the scope of contributions should be extended to cover capital projects that would support the delivery of physical activity priorities;
- (iii) encourage the application of Active Design principles into new developments to help ensure that opportunities for encouraging physical activity are maximised in practice; and
- (iv) that new/refurbished buildings that the Council funds have fully considered environmental sustainability.

(b) that the following actions should also be undertaken:-

- (i) showcase activities fairs being held at centres across the District in 2025 to allow clubs and organisations to offer to the public opportunities to be involved in sport/be active;
- (ii) an Activities Council/Committee to be created and meet to help encourage further dialogue between sports activities providers;
- (iii) creation of sports/activities promotion videos that the public can access to encourage involvement in those activities/access information on activities locally; and
- (iv) develop proposals for more play zones including on sites in the west of the District to then be implemented as and when funding becomes available.

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

The response of the Portfolio Holder for Leisure and Public Realm is as follows:-

*“Thank you to the committee for your consideration of the Sport and Activity Strategy and the comprehensive list of recommendations. The action plan included with the strategy was developed following evaluation of the evidence base and a comprehensive consultation process. Together with Officers, I am now in the process of prioritising those actions to deliver the best outcomes for local people, within the resources we have at our disposal. The strategy has a strong consideration of population expansion in the west of the district and how the Council can work with developers to improve activity levels across the district together with quality of life for local people. The Council will continue to work with partners to drive forward improvements and we will reflect on the positive contribution and comments from Sport England.*

*The Council is already working with local leaders in the district, to consider future Playzone projects in additional locations, if and when external funding becomes available. In addition to this, through the agreed action plan, the development of an evidence based pipeline of capital projects will be compiled for future consideration. It should be noted however that projects will need to be demand led and importantly, align with Council priorities. Once the pipeline is adopted, suitable projects can subsequently be considered for external funding opportunities, as and*

*when they become available and obviously subject to our own internal resources. I am also pleased that the delivery plan aligns with the Committee's recommendation to consider environmental sustainability within our facilities.*

*Following the wide ranging consultation process which took place prior to the strategy adoption, it is clear that a platform which can be used by local people to identify the range of sport and activity services on offer around the district was a key priority. This is likely to be a key focus for delivering the strategy and the committee's various recommendations for wider marketing and promotional activities align closely with the adopted action plan and the points suggested, will be considered together with a range of further measures, through the development of an annually reviewed marketing plan.*

*Following recruitment of the Community Sport and Activity Manager, the action plan will form the basis of their project task list and together with Officers and partners I will constantly review the effectiveness of our delivery plan and the outcomes achieved. The recommendations from the committee are consistent with the adopted plan and will be considered for effectiveness and availability of resources, following the recruitment of the Community Sport and Activity Manager."*

**RECOMMENDATION TO CABINET:**

**That the recommendations made by the Resources and Services Overview & Scrutiny Committee be noted and that the response of the Portfolio Holder responsible for Leisure and Public Realm thereto be endorsed.**

**SECTION 151 OFFICER'S COMMENTS**

*"It is worth highlighting the comments relating to the piece of work that is being commissioned to review the financial and wider sustainability of the three leisure centres, with outcomes expected in March 2025 – this can therefore be considered alongside the on-going development of the Council's long-term forecast as necessary."*

**MONITORING OFFICER'S COMMENTS**

*"I have nothing further to add to the contents of the report."*

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## CABINET

20 DECEMBER 2024

### REFERENCE FROM THE STANDARDS COMMITTEE

#### **A.2 PROPOSED AMENDMENT TO ARTICLE 9 OF THE COUNCIL'S CONSTITUTION**

(Report prepared by Ian Ford, Committee Services Manager)

##### **PURPOSE OF THE REPORT**

To enable the Cabinet to consider the recommendation made to it by the Standards Committee in relation to a proposed amendment to Article 9 of the Council's Constitution.

##### **EXECUTIVE SUMMARY**

The Standards Committee, at its meeting held on 24 October 2024 (Minute 27 refers), the Committee decided, inter alia, to recommend to full Council that Article 9.05(2) of the Council's Constitution be amended to state that Tendring District Council would prefer that the Tendring District Association of Local Councils (TDALC)'s three nominated members on the Town & Parish Councils' Standards Sub-Committee should represent different parish/town councils.

Cabinet is now requested to consider the recommendation submitted to it by the Standards Committee.

##### **RECOMMENDATION**

**That, subject to Cabinet's consideration of the recommendation of the Standards Committee arising from its meeting held on 24 October 2024, Cabinet recommends to Full Council that Article 9.05(2) of the Council's Constitution be amended to read as follows:-**

**“(2) Composition:**

- **Three Members of the Standards Committee and three non-voting co-opted Town and Parish Council members to be nominated by the Tendring District Association of Local Councils;**
- **The nominated Town and Parish Council members will be of independent standing and will not have served as District or County Councillors for a period of four years prior to their nomination;**
- **Tendring District Council would also prefer that the nominated Town and Parish Council members represented different parish/town councils; and**
- **A member (or non-voting co-opted member) of the Town and Parish Councils' Standards Sub-Committee will not be permitted to sit in that capacity for a hearing if that Member is the subject of the complaint or the complainant. A substitute will be permitted, if they have undertaken specific Standards Committee training.”**

## BACKGROUND

The Standards Committee (“the Committee”), at its meeting held on 24 October 2024 (Minute 27 refers), considered the appointment of this Council’s members to serve on the Town & Parish Councils’ Standards Sub-Committee for the remainder of the 2024/2025 Municipal Year

The Committee had been reminded that Article 9 (Standards Committee and Town & Parish Councils’ Standards Sub-Committee) of the Council’s Constitution stated that the Council would have, in place, a Town & Parish Councils’ Standards Sub-Committee with the following terms of reference:-

*“To advise and assist Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendations to Parish and Town Councils on improving standards or actions following a finding of a failure by a Parish Councillor to comply with its Code of Conduct.” [Article 9.05]*

Article 9.05 also required that Sub-Committee to consist of three members of the Standards Committee and three non-voting co-opted Town & Parish Council members nominated by TDALC. In addition, the nominated Town & Parish Council members would be of an independent standing and they would not have served as a District Councillor or as a County Councillor for a period of four years prior to their nomination.

The Committee had been informed that Frank Belgrove, Alresford Parish Councillor and the Chairman of TDALC, had emailed the Committee Services Manager on 23 September 2024 and had confirmed that TDALC’s three appointments to the Town & Parish Councils’ Standards Sub-Committee remained as listed below:-

1. Cllr Frank Belgrove (Chairman TDALC) Alresford PC;
2. Cllr Danny Botterell (Vice Chairman TDALC) Little Clacton PC; and
3. Cllr Linda Belgrove (Member TDALC) - Alresford PC.

During the consideration of this matter members of the Standards Committee had expressed their concern that two of the three non-voting co-opted Town & Parish Council members nominated by TDALC represented the same parish council.

Following the discussion of this matter, the Committee had:-

*“RESOLVED that –*

- (a) *Councillors Oxley, Talbot and Wiggins plus Councillor Newton as the designated substitute Member be appointed to serve on the Town & Parish Councils’ Standards Sub-Committee for the remainder of the 2024/2025 Municipal Year;*
- (b) *notes that the Tendring District Association of Local Councils (TDALC) has previously appointed Parish Councillors Frank Belgrove, Linda Belgrove and Danny Botterell as their three non-voting, co-opted members of that Sub-Committee; and*
- (c) ***the Committee recommends to full Council that Article 9.05(2) of the Council’s Constitution be amended to state that Tendring District Council would prefer that TDALC’s three nominated members on the Town & Parish Councils’ Standards Sub-Committee represent different parish/town councils.”***

### Monitoring Officer's Suggestion

The Council's Monitoring Officer has considered the matter and, in particular, the resolution (c) of the Standards Committee and has suggested the following amendment to Article 9.05(2) for Cabinet's consideration. The text of the amendment is shown in **RED**.

#### **“(2) Composition:**

- Three Members of the Standards Committee and three non-voting co-opted Town and Parish Council members to be nominated by the Tendring District Association of Local Councils;
- The nominated Town and Parish Council members will be of independent standing and will not have served as District or County Councillors for a period of four years prior to their nomination; ~~and~~
- **Tendring District Council would also prefer that the nominated Town and Parish Council members represented different parish/town councils; and**
- A member (or non-voting co-opted member) of the Town and Parish Councils' Standards Sub-Committee will not be permitted to sit in that capacity for a hearing if that Member is the subject of the complaint or the complainant. A substitute will be permitted, if they have undertaken specific Standards Committee training.”

### **BACKGROUND PAPERS**

None. However, the published Minutes of the meeting of the Standards Committee held on 24 October 2024 have been referred to in the preparation of this report.

### **APPENDICES**

None

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## CABINET

20 DECEMBER 2024

### REPORT OF THE LEADER OF THE COUNCIL

#### **A.3 DELIVERING AGAINST THE COUNCIL'S CORPORATE PLAN 2024-28 – INITIAL PROPOSALS FOR HIGHLIGHT PRIORITIES FOR 2025/26**

##### **PART 1 – KEY INFORMATION**

###### **PURPOSE OF THE REPORT**

The Council's strategic direction is set out in its Corporate Plan which is a fundamental element of the Council's Policy Framework. The Corporate Plan ('Our Vision') was adopted unanimously by Council on 28 November 2023 (Minute 76 refers) and covers the period 2024-28 (and the infographic of it is reproduced at Appendix A to this report). A key element of delivering against the adopted Corporate Plan is through annual highlight priority actions approved by the Cabinet. The 2025/26 initial proposals for highlight priorities are set out at Appendix B to this report. Through this report, Cabinet is invited to adopt these for consultation purposes before finalising its highlight priorities for 2025/26; which will involve consideration of the outcome of the consultation undertaken.

###### **EXECUTIVE SUMMARY**

The Council's Corporate Plan 2024-28 ('Our Vision') sets out the Council's strategic direction. That strategic direction itself seeks to reflect the issues that matter most to local people, the national requirements from Government and the challenges that face the District over the time period of the Plan. The national requirements from Government are themselves changing following the UK Parliamentary General Election held earlier this year.

The themes of the 2024-28 Corporate Plan ('Our Vision') are:

- Pride in our Area and Services to Residents
- Raising Aspirations and Creating Opportunities
- Championing our Local Environment
- Working with Partners to Improve Quality of Life
- Promoting our heritage offer, attracting visitors and encouraging them to stay longer
- Financial Sustainability and Openness

The infographic for the Corporate Plan ('Our Vision') itself is set out at Appendix A to this report. It identifies that across all its Corporate Plan Themes the Council will look to listen to the residents and businesses in the District and undertake Community Leadership to deliver and enable improvements for those residents and businesses.

Cabinet establishes each year its highlight priority actions to deliver against the Corporate Plan and thereby ensure that the ambition of that Plan is central to its work. The highlight priority actions do not cover every separate element of the ambition of the four year Corporate Plan; nor are they intended to indicate that other projects, schemes or activities are not being pursued. They are though intended to reflect imperatives across the Council and for the District and actions that it is right to focus on in 2025/26.

At Appendix B are the initial thoughts for the highlight priorities for 2025/26 and through this

report it is hoped that they can be adopted to support an engagement with residents, businesses and partners on those priorities. The outcome of that consultation will be reported to a future meeting of Cabinet when finalised proposals will be considered having regard for the outcome of the consultation.

In developing highlight proposals, reviewing the outcome of consultation and, finally approving the highlight priorities for 2025/26, there will need to be a robust challenge to all proposals to ensure that the capacity to deliver the priority is in place or will be in place and that the highlight priorities do not undermine the key commitment of the Council to deliver sustainable budgets.

### **RECOMMENDATION(S)**

**It is recommended that:**

- (a) Cabinet approves the initial highlight priorities for 2025/26, as set out at Appendix B to this report, for consultation;**
- (b) all Councillors, other partners and the public be invited to consider the initial priorities referred to in (a) above; and**
- (c) the outcome of the consultation referred to in (b) above be reported to Cabinet on 21 February 2025 in order that Cabinet can formally adopt its finalised highlight priority actions for 2025/26 with relevant milestones during that year.**

### **REASON(S) FOR THE RECOMMENDATION(S)**

The rationale for the recommendations above is to set out openly for all concerned the initial proposals for highlight priorities for 2025/26. This supports the openness agenda of the Council and provides an opportunity for engagement with the public, businesses and partners on those initial proposals. Through consultation it is hoped that the views received can help shape the priorities that will finally be adopted (within the reality of the Council's budgetary position).

### **ALTERNATIVE OPTIONS CONSIDERED**

As these are initial proposed highlight priorities the Cabinet has not discounted any alternatives replacing those identified in Appendix B. Likewise, publication of the initial proposed highlight priorities does not automatically mean each item in those priorities will be included with finalised priorities for 2025/26. The option of not publishing initial proposed highlight priorities was assessed and discounted as it did not support the Council's openness agenda and good decision making (through taking account of the views of the residents, businesses and partners).

## **PART 2 – IMPLICATIONS OF THE DECISION**

### **DELIVERING PRIORITIES**

The initial highlight priorities set out at Appendix B seeks to deliver in the year 2025/26 on the ambitions of the four year Corporate Plan 2024-28. Other actions in 2025/26 will also be undertaken as the Council applies the strategic direction of the Corporate Plan to its work overall.

The Council's Annual Governance Statement (a statutory document which sits alongside the

Statement of Accounts, inspected by External Audit and follows the CIPFA format) covers the seven principles of Local Code of Governance (for Local Government) and expects adherence with Principle C - Defining outcomes in terms of sustainable economic, social and environmental benefits.

Each Principle has Sub-Principles, and for Principle C these are:

- (a) Having a clear vision, which is an agreed formal statement of the organisation’s purpose and intended outcomes containing appropriate performance indicators, which provide the basis for the organisation’s overall strategy, planning and other decisions
- (b) Specifying the intended impact on, or changes for, stakeholders including citizens and service users. It could be immediately or over the course of a year or longer
- (c) Delivering defined outcomes on a sustainable basis within the resources that will be available
- (d) Identifying and managing risks to the achievement of outcomes
- (e) Managing service users’ expectations effectively with regard to determining priorities and making the best use of the resources available.

The Council can choose to have its longer term Plan/Vision at a high level with annual priorities set, with intended outcomes, milestones and performance recorded. Adoption of the Plan is the core of the Council’s Policy Framework.

**OUTCOME OF CONSULTATION AND ENGAGEMENT** (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

Consultation is intended with all Councillors, other partners and the public to consider the initial priorities and is intended to take place following adoption of initial proposals and, consequently, the outcome of that consultation will be the subject of a subsequent report to Cabinet.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	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 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 highlight priorities are not themselves considered a key decision as each individual highlight priority will be the subject of individual decisions and these may be key decisions by virtue of one or more of the above criteria.

Through highlight priorities, that will be adopted following the intended consultation, it is intended to support delivery against the Council’s adopted Corporate Plan 2024-28. That Corporate Plan decision was a key decision for the Council. While this report (and its recommendations) are not of themselves a Key Decision, particular schemes and actions referenced in the highlight priorities will be such decisions and require the relevant prior notification. The legal implications of individual actions will be assessed when they are brought forward for formal decisions to be made.

The Best Value Duty relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in [Part 1 of the Local Government Act 1999](#) (“the 1999 Act”) to “*make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness*”.

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

Leadership being one of the seven Best Value themes, is described as “*Effective political and administrative leaders who have a clear vision and set of priorities for their area, are key to building local economic growth, social cohesion and a healthy local democracy.*”

Characteristics of a well-functioning authority, includes “*The authority’s corporate plan is evidence based, current, realistic and enables the whole organisation’s performance to be measured and held to account. The authority’s financial strategy and delivery arrangements are aligned with priorities in the corporate plan, and respond appropriately to local need, including the plans of partners and stakeholders.*”

Indicators of potential failure include “A lack of corporate capacity or capability, resulting in a lack of strategic direction, oversight and sense of accountability. Corporate plan is out of date, unrealistic and unaffordable and/or has too many priorities.”

Through an annual review of its priorities Cabinet is ensuring that it demonstrates the expected standards of a well-function authority for the purposes of achieving its Best Value Duty.

#### **FINANCE AND OTHER RESOURCE IMPLICATIONS**

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

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

**It is important to highlight the importance of financial sustainability that underpins the delivery of the various priorities and projects across the Council and recognising that financial management and sustainability is a reoccurring expectation throughout the themes and indicators set out in the revised Best Value guidance issued by the Government earlier in the year.**

**Corporate priorities and objectives should be reflected in the financial plans of the Council, which is achieved via the budget process that runs alongside the development of the highlight priorities set out within this report and should be seen as an on-going process throughout the year rather than just an annual exercise. In practice, this joined up approach needs to be demonstrated via the various financial reports presented during the year, such as the quarterly financial performance reports and any associated use of the Corporate Investment Fund.**

#### **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;	The Corporate Plan 2024-28 includes the critical theme of “Financial Sustainability and Openness”, and Cabinet intends to pursue this theme in order to secure services and functions for the residents the Council serves. To this end, the initial highlight priorities outline actions that at this stage appear appropriate to support good resources management.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The development of highlight priorities each year seeks to keep the organisation focussed on measure aimed at securing the intentions of the Council Corporate Plan. These highlight priorities sit between the Council’s Corporate Plan and Individual decisions that will relate to the actions and activities necessary to achieve the intentions for the highlight priorities at Appendix B. As such, this process seeks to add to the governance reassurance of the Council around good decision making and awareness of cross cutting risks.
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.	Performance against the annual highlight priorities is measured during the year concerned (and beyond) and the experience obtained from that monitoring assists the Council on its continuous improvement journey.

**MILESTONES AND DELIVERY**

The Council has worked at a pace to reach this point with initial highlight priorities for 2025/26 being considered by Cabinet at this meeting. The proposed highlight priorities for 2025/26 will be made available for comment and suggestions for changes by residents, businesses and partners from 2 January 2025 to 13 February 2025 The outcome of this consultation will then be submitted to Cabinet for consideration of the finalised highlight priorities. This is scheduled for the Cabinet meeting on 21 February 2025.

It is an important part of this process that, for each highlight priority action/activity, specific, measurable, achievable, realistic, and timely milestones are identified, approved and resources allocated to achieve those milestones. These milestones will be reported to the 21 February 2025 meeting of Cabinet as part of its consideration of the highlight priorities to be adopted for 2025/26.

**ASSOCIATED RISKS AND MITIGATION**

The most significant risk associated with this process is that overall package of highlight priorities for 2025/26 do not match with the issues that matter most to local people the national requirements from Government, the challenges that face the District and the capacity of the organisation to deliver those activities and actions in 2025/26. Through the process of consultation and evaluation of the resource needs associated with each activity and action, prior to the adoption of the finalised highlight priorities, the Councils seeks to address that risk and ensure that the finally adopted priorities do not match the various tests referenced.

<b>EQUALITY IMPLICATIONS</b>	
<p>In developing the initial highlight priorities for 2025/26 consideration has been given to the general equality duty set out in S149 of the Equality Act 2010. This requires that the Council (as a public authority), in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.</li> <li>• Advance equality of opportunity between people who share a protected characteristic and those who do not.</li> <li>• Foster good relations between people who share a protected characteristic and those who do not.</li> </ul> <p>Further consideration of equalities implications will be given in respect of each and every decision that will, in due course, be taken in respect of the actions and activities that will form the finalised highlight priority actions. The views of residents, businesses and partners will help to frame that consideration in so far as that related to those with protected characteristics and implications of taking particular decisions on those actions/activities.</p>	
<b>SOCIAL VALUE CONSIDERATIONS</b>	
<p>The actions and activities that will, finally, be adopted by the Cabinet as its highlight priorities for 2025/26 will seek (collectively) to secure social, economic and environmental benefits for the District and its residents. More generally, the Council will continue to encourage the creation of job opportunities for local people, support young people into apprenticeships and provide opportunities for local suppliers (and in particular SME businesses) to be presented in the Council's supply chain.</p> <p>Within the proposed highlight priorities, reference is made to the newly adopted Social Value Policy and how its awareness will be raised and embedded within the organisation and monitor delivery of the expected Themes, Outcomes and Measures.</p> <p>The Policy sets out how social value can be achieved through procurement ensuring that delivering against Council priorities, through Themes, Outcomes and Measures are relevant and proportionate to the subject matter of the contract and non-discriminatory. Achieving Social Value also requires suppliers to understand and commit to delivering the objectives.</p>	
<b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050</b>	
<p>The consideration of measures to support the Council's net zero by 2050 aim will be a feature of consideration of each of the required decisions involving Cabinet that will be associated with the activities and actions that will form the highlight priorities for 2025/26.</p>	
<b>OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS</b>	
<p><b>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</b></p>	
<p><b>Crime and Disorder</b></p>	<p>Individual highlight priorities set out in Appendix B seek to specifically support anti-crime and disorder measures and, more widely, each action and activities that will form part of the finalised highlight priorities for 2025/26 will, in due course, be considered against the duty under S17 of the Crime and Disorder Act 1998 to (within the limits set out in that section) do all</p>

	that it reasonably can to prevent crime and disorder, misuse of drugs etc., re-offending and serious violence.
<b>Health Inequalities</b>	Individual highlight priorities set out in Appendix B seek to specifically support measures to address and respond to health inequalities.
<b>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)</b>	While this is not a matter for this report, subsidy control considerations will be undertaken in respect of any relevant actions/activities finally adopted as Highlight Priorities for 2025/26 (and more generally where relevant)
<b>Area or Ward affected</b>	All Wards

### PART 3 – SUPPORTING INFORMATION

#### BACKGROUND

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

- Initial draft proposals for the Highlight Priorities for the following financial year will be considered at the meeting of Cabinet that also considers the Initial budget for the Council for the same year (in December).
- The initial proposals will be subject to consultation; including Overview and Scrutiny Committees.
- The outcome of consultation and finalised proposals for the Annual Highlight Priorities for the following financial year will be considered early in the New Year.
- Following the adoption of the Annual Key Priority Actions, the performance triggers will be built into the performance monitoring system of the Council based on the milestones approved as part of those Priority Actions.
- Officers will report to the relevant Portfolio Holder on delivery of the Priority Actions and Portfolio Holders will determine, by exception, if issues need to be reported to Cabinet throughout the year.
- Each quarter, a summary report on delivery against all of the Cabinet’s Annual Highlight Priority Areas for the year will be reported to Portfolio Holders and then published as part of the Council’s transparency data. Overview and Scrutiny Committee members may then identify specific key actions where there is performance against relevant milestones that should be subject to further enquiry, and these may then be referred to the next relevant meeting of the Committee.
- A half-yearly report on performance against the Annual Key Priority Actions will be submitted to the relevant Cabinet Meeting (in October). This not only enables the Cabinet to consider the delivery of key actions in that year but also to encourage the start of the process to set key actions for the following financial year.
- The half-yearly report will be available for Overview and Scrutiny Committees to include in their work programmes so as they can consider the likely achievement of the envisaged outcomes envisaged.

The Outturn position on performance against the Cabinet’s Annual Highlight Priority for the previous financial year will be timed to be reported to the Cabinet Meeting at which Budget

Outturn for that year will be reported.

In considering the annual highlight priorities for 2025/26, Cabinet has been made aware of the following deliverables across the remaining lifetime of the Corporate Plan 2024-28. These deliverables are in addition to the multi-million pound investment schemes the Council is responsible for that are referenced in Appendix B that will span several of those years:

2025/26:

- Review the Council's arrangements against the Government's Best Value Duty Guidance.
- Undertake a Community Governance Review.
- Look at opportunities for a Beach Festival
- Take forward the implementation of Bio Diversity Net Gain in the District

2026/27:

- Council to implement significant savings.
- Tendring-Colchester Borders Garden Community – Spades in the ground to commence.

#### **PREVIOUS RELEVANT DECISIONS**

Council on 28 November 2023 (Minute 76) – Adoption of the Corporate Plan

Cabinet on 15 December 2023 (Minute 62) – Adoption of the Draft Highlight Priorities

Cabinet on 12 March 2024 (Minute 101) – Adoption of the Final Highlight Priorities

Record of Executive Decision 14 June 2024 – Adoption of the milestones for the 2024/25 Highlight Priorities

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None.

#### **APPENDICES**

**A – Corporate Plan 2024-28 Infographic**

**B – Initial Highlight Priorities for 2025/26**

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CHAMPIONING OUR LOCAL ENVIRONMENT

PRIDE IN OUR AREA AND SERVICES TO RESIDENTS

WORKING WITH PARTNERS TO IMPROVE QUALITY OF LIFE

Page 53

RAISING ASPIRATIONS AND CREATING OPPORTUNITIES

PROMOTING OUR HERITAGE OFFER, ATTRACTING VISITORS AND ENCOURAGING THEM TO STAY LONGER

FINANCIAL SUSTAINABILITY AND OPENNESS



TENDRING DISTRICT COUNCIL  
CORPORATE PLAN THEMES 2024-28

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# **Delivering ‘Our Vision’ 2025/26**

**Community Leadership runs through all the priorities  
“Listening to and delivering for our residents and businesses”**

Corporate Plan theme	Highlight 2025/26 Year Priorities (and tangible actions to be undertaken in that year)
<p><b>Financial Sustainability and openness (Theme F)</b></p> <p><i>To continue to deliver effective services and get things done we must look after the public purse; that means carefully planning what we do, managing capacity, and prioritising what we focus our time, money and assets on. Tough decisions will not be shied away from, but will be taken transparently, be well-informed, and based upon engagement with our residents. We will give clarity on where the Council spends the money it is provided with.</i></p>	<p><b><u>Deliver Savings Plan for 2025/26</u></b></p> <p>To take the necessary steps to implement outstanding items included within the adopted Savings Plan for 2025/26.</p> <p>To review the Saving Plan set against the long term financial forecast and the impact of the Local Government Finance settlement (as it relates to the District), including the Government’s longer term funding review, to develop a ‘pipeline’ of options for consideration.</p> <p><b><u>Develop Savings Plan for 2026/27</u></b></p> <p>Complete the implementation of the items in the 2025/26 Savings Plan and develop the requirement for Savings in 2026/27 and beyond.</p> <p><b><u>To develop proposals to secure the long-term sustainability of Housing Revenue Account (HRA)</u></b></p> <p>In respect to the Council’s own housing stock, drive improvement with expanded estate management.</p> <p>To develop the long term HRA 30 Year Business Plan proposals to secure sustainability of the HRA to include:</p> <ul style="list-style-type: none"> <li>• Management of long term empty properties</li> <li>• Responding to the new Government’s drive to increase the stock of social housing e.g. additional flexibilities relating to retained “Right-to-Buy” (RTB) receipts</li> </ul>

	<p><b><u>Implement the Beach Huts Strategy</u></b></p> <p>Deploy a phased approach to the implementation of the adopted Beach Hut Strategy</p>



Corporate Plan theme	Highlight 2025/26 Year Priorities (and tangible actions to be undertaken in that year)
<p><b>Pride in our area and services to residents (Theme A)</b></p> <p><i>We want to put residents first, by promoting clean and tidy communities, providing decent housing that everyone deserves, and tackling the things that make a big difference to you. This means getting the basics right on our services. The Council will look to harness the power of digital delivery of services while ensuring that no resident is left behind. We also want to promote pride in our communities by encouraging everyone to take responsibility for keeping their area a pleasant place in which to live and work.</i></p>	<p><b><u>Waste and Street Cleaning Strategy – re-tendering and preparation for commencement of new waste collection etc. contract.</u></b></p> <p>During 2025/26 a contract will be awarded for the provision of a waste and recycling collection and street cleaning service in the District from April 2026 onwards. Preparations will then take place to ensure the smooth commencement of the new contract.</p> <p>The proposals for the new contract include:</p> <ul style="list-style-type: none"> <li>• Continuation of fortnightly residual waste collections.</li> <li>• A more data focussed approach with a full suite of performance management measures and data monitoring capabilities. The facility for better contract monitoring and reporting of problems.</li> <li>• Compliance with the Environment Act 2021 and the Simpler Recycling regime.</li> <li>• An output-based approach, especially the street cleaning element, with the contractor given flexibility to determine cleaning frequencies. This approach is underpinned by the requirement that when cleaned, areas meet a specified standard of cleanliness and that no litter bin should become more than 90% full. Where cleanliness of an area falls below a specified standard it is to be cleaned within a specified timescale.</li> <li>• Provision of best value for money – providing an effective service for residents that meets aspirations whilst remaining affordable.</li> </ul> <p><b><u>Housing Strategy – submission for approval and actions from it.</u></b></p> <p>Develop a revised Housing Strategy to address the needs of the District and its residents. This will then shape the delivery of relevant services going forward.</p>

**Homelessness – addressing the provision and steps to make the service sustainable going forward.**

Positively review and take appropriate actions to review the Council's use of temporary accommodation, working with the sector to drive improvement and efficiencies and to develop interventions ahead of homelessness occurring and thereby improve the sustainability of this service for the Council over the longer term.

**Develop a High Level Transformation Strategy and a Targeted Plan for 2025**

Develop a Transformation Strategy/Plan to include the active management of the Council's costs and liabilities and addressing both supply side and demand side challenges faced by the Council. Possible areas to address in the Strategy/Plan would be:

Supply Side -

- Investment in AI and channel shift / move to new technologies / in-house development of new applications / processes to improve efficiency and business operations
- Service reviews including service standards reviews – including gap analysis etc.
- Data lake infrastructure and science / informed decision making / data dashboards / realtime performance reporting
- Developing the Project Delivery Unit approach to respond to evolving projects and priorities

Demand Side -

- Developing self-service / customer portals initiatives
- Development of chat bot / AI technology on the Council's website
- Continue to develop the Council's website
- Develop communication activities / use of media channels and interaction with customers and partners

**Continue to review of the Local Plan**

To proceed with the review of the Tendring Local Plan – extending its timeframe to 2041 and to ensuring it is up to date and in alignment with latest national planning policy and mandatory housebuilding targets. The Local Plan review will also take into account the progress on the Tendring-Colchester Borders Garden Community project.

**Complete the Service Review for Open Spaces and Implement the Actions that arise from the Review**

Examine the trends and demands facing the service area and provide options for consideration aimed at addressing the service gap

**Determine final position in relation to the Careline Service**

Following the exploration of third-party proposals for taking on all or part of the Careline Service, the Cabinet will determine its position for the future of service – and for that decision to be implemented by the end of June 2025.

In the event that the Careline Service is discontinued, the Council will assist those who currently use the Careline service to find alternative arrangements.

Corporate Plan theme	Highlight 2025/26 Year Priorities (and tangible actions to be undertaken in that year)
<p><b>Raising aspirations and creating opportunities (Theme B)</b></p> <p><i>Tendring is ambitious and our residents will be supported to reach their potential and realise their opportunities. To do this, working with businesses and partners, we want to improve access to skills learning and training so that residents can find employment and enable businesses to thrive; particularly taking the opportunities afforded by Freeport East and the Garden Community. We want to maximise the opportunities for young people and see them enthused with purpose. To inspire those dreams we will celebrate business success, encourage cultural, tourism and economic growth.</i></p>	<p><b><u>Develop plans and implement actions from the following programmes:</u></b></p> <ol style="list-style-type: none"> <li>1. Levelling Up Fund</li> <li>2. Community Regeneration Partnership (Former Levelling Up Partnership)</li> <li>3. Capital Regeneration Project</li> <li>4. UK Shared Prosperity Fund</li> <li>5. Tendring Colchester Borders Garden Community</li> </ol> <p>To support economic growth in the District to enable the development of the Garden Community and drive forward town centre regeneration - by developing social housing, public realm, new civic space, and cultural venues through tens of millions of capital investment from Government.</p> <p><b><u>Embed recently adopted Social Value Policy within the organisation and monitor delivery of the expected Themes, Outcomes and Measures</u></b></p> <p>The Policy sets out how social value can be achieved through procurement ensuring that delivering against Council priorities, through Themes, Outcomes and Measures are relevant and proportionate to the subject matter of the contract and non-discriminatory.</p> <p>These Policy requirements should be assessed during the development of the strategic business case, procurement category strategy, specification, tendering process and contract management activities. To achieve this, it is important that social value is not only a responsibility of the procurement team, but also budget-owners and commissioners who have responsibility for the contracts being let.</p> <p>Achieving Social Value also requires suppliers to understand and commit to delivering the objectives.</p>

Corporate Plan theme	Highlight 2025/26 Year Priorities (and tangible actions to be undertaken in that year)
<p><b>Championing our Local Environment (Theme C)</b></p> <p><i>We believe our environment is special, it is the space where we live and work, and therefore deserves protection. We will be tough on those who do not respect our environment. We want to create and maintain spaces for leisure, wellbeing and healthy lifestyles, and deliver access to open spaces and community resources.</i></p>	<p><b><u>Develop a new Coastal Protection Strategy to secure financial sustainability for interventions by this Council</u></b></p> <p>Develop a Coastal Protection Strategy aimed at addressing long term needs to protect against erosion and ground movement along the coastline the interventions that may be required and the position of this Council.</p>
	<p><b><u>To implement the actions from the Sport and Activity Strategy</u></b></p> <p>To make strides to develop with partners community-led sporting activity, improve our leisure provision and put them on a sustainable footing.</p>
	<p><b><u>To implement the actions from the Council’s Climate Change Action Plan</u></b></p> <p>To take forward key actions to reduce the Council’s carbon emissions and improve nature in the district.</p>

Corporate Plan theme	Highlight 2025/26 Year Priorities (and tangible actions to be undertaken in that year)
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**Working with partners to improve quality of life (Theme D)**

*We want to promote safer, healthier, well connected and inclusive communities by working with our partners across government, public, private and third sectors. We will strive to build on the firm foundations, developed over time, with those partners to meet the identified needs of our communities. We recognise the vital role volunteers play in caring for others and our environment, and we will support, encourage and facilitate those opportunities.*

**Develop a Health and Wellbeing Strategy**

To develop and implement a health and wellbeing strategy that recognises the role of the Council in improving the wider determinants of health, including mental health.

**To implement the new Crime and Disorder Strategy**

Following the adoption of the Crime and Disorder Reduction Strategy, and the identification of the key themes to delivered, a delivery plan will be prepared with the appropriate partner/partners and progress on the delivery will be reported on through 2025/26.

**To develop a renewed Community Engagement Strategy**

To review the adopted Community Engagement Strategy, then develop a set of principles for community engagement in early 2025/26 and to reflect on these during the year based on the experience across the Council.

Promoting our heritage offer, attracting visitors and encouraging them to stay longer (Theme E)

*We want to boost our tourism by attracting more visitors to the 36 miles of sunshine coast and to our rural towns and villages. We will support our unique heritage, work with our partners, run events and promote the district for the benefit of our residents and to encourage visitors to come and to stay for longer.*

**Implement actions in support of the Heritage Strategy**

To continue to protect the District's heritage, taking forward fundraising for the Harwich Leading Lights and improvements to the Martello Tower E in Clacton-on-Sea.

**Update and Implement the Creative and Culture Strategy**

To invest in culture in the District including taking forward cultural projects through the Levelling Up Partnership and running the biggest event in Essex (the Clacton Airshow).

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## CABINET

20 DECEMBER 2024

### REPORT OF THE LEADER OF THE COUNCIL

#### **A.4 ADOPTION OF AN ARTIFICIAL INTELLIGENCE BEST PRACTICE APPROACH AT TENDRING DISTRICT COUNCIL**

##### **PART 1 – KEY INFORMATION**

###### **PURPOSE OF THE REPORT**

For Cabinet to endorse and adopt an ethical approach for the use of Artificial Intelligence (AI) at Tendring District Council (TDC).

###### **EXECUTIVE SUMMARY**

Artificial Intelligence (AI) is a rapidly growing field with significant potential to enhance the efficiency and quality of work at TDC. However, its use carries risks, particularly around data governance and ethical considerations. This report proposes the adoption of an AI Best Practice Approach to ensure safe and effective use of AI within the Council. The document consolidates existing policies and provides guidance on the benefits, ethical use, and best practices for AI.

###### **RECOMMENDATION(S)**

**It is recommended that Cabinet:**

- (a) approves and adopts the proposed Artificial Intelligence Best Practice Approach (as at Appendix A) for use at Tendring District Council; and**
- (b) delegates authority to the Portfolio Holders responsible for Communications and IT to make any future changes required to the guidance to ensure it is updated and reflects best practice as this area develops future.**

###### **REASON(S) FOR THE RECOMMENDATION(S)**

The approach will help mitigate risks associated with AI use, ensure compliance with data governance and ethical standards, and promote the benefits of AI within the council.

###### **ALTERNATIVE OPTIONS CONSIDERED**

1. Not adopting the approach; this was ruled out as it could result in missed opportunities and potential misuse of AI.
2. Developing a policy instead of a best practice approach; this option was deemed unnecessary as existing policies cover relevant areas.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

The document forms part of the action plan contained within the Communications Strategy 2024-2028, adopted by Cabinet in March 2024, which has a target of supporting the development of an ethical framework for AI by the end of 2024; and testing AI tools within the Communications service in the following year.

With the potential for AI use running across departments, it does not contribute to any one specific theme within Our Vision.

### OUTCOME OF CONSULTATION AND ENGAGEMENT (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

The draft document was circulated for feedback to the IT and Governance departments, and a workshop was held with relevant staff; alongside a session held with the Leader of the Council (the Portfolio Holder for Communications), the Portfolio Holder for Assets (which includes IT) and the Digital Champion Member.

Feedback from these consultations, which included suggestions around cyber security, data governance and best practice examples – as well as ensuring the primacy of legislation is enshrined within the document – has been incorporated into the final draft found at Appendix A.

### LEGAL REQUIREMENTS (including legislation & constitutional powers)

Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	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 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)	

There are no specific legal duties, powers or restrictions for the authority relating to this – the Council is free to adopt policies and approaches to ensure the effective and legal use of technology (under s111 of the 1972 Local Government Act, “a local authority shall have power to do any thing... which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”).

The approach pulls together a number of different legislative areas pertaining to AI. As the technology evolves there may be updates to legislation and regulation of the field; any such changes will need to be considered in future updates. The document sets out that legislation takes primacy over any guidance.

Likewise, there is no specific guidance for local authority use of AI – however, the document does set out guidance adopted by the Government Communication Service for civil service use of AI.

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

In local government, ethical and legal considerations surrounding the use of AI hold particular significance. During the period of implementation, it is vital that the Council addresses potential issues such as bias, transparency, and adherence to ethical standards on a continuous basis. Ensuring the responsible and fair use of AI not only maintains public trust but also maintains the values of justice and equity that are central to local governance.

Ethics and bias:

In local government legal contexts, the possibility of bias in AI systems requires careful attention. AI system models are trained on historical data, which can inadvertently perpetuate existing biases. It is crucial to educate staff about the significance of detecting and mitigating potential bias within the AI system. This is particularly critical in local government settings, where decisions can impact diverse communities. Legal professionals should be sensitised to situations where AI systems may inadvertently reinforce discriminatory practices or unbalanced outcomes. For example, if an artificial intelligence system is assisting in selecting candidates for public programs or participation, it should be closely monitored to ensure equal representation and fairness amongst the candidates.

Transparency and accountability:

Decisions driven by AI must be transparent and understandable. Training must emphasise the significance of AI models providing clear explanations for their conclusions. This is especially crucial in legal matters where comprehensible decision-making is essential for building trust and confidence. Transparent AI systems empower local government legal professionals to explain to residents how AI generated insights were reached. A high level of accountability is vital because it demonstrates alignment with the commitment to serving and upholding public interest.

Official Guidance:

Familiarity with relevant policy documents which outline ethical AI practices is vital. Within the UK context, the White Paper on Artificial Intelligence (last updated in August 2023 under the previous government, but not removed or withdrawn) serves as a guiding document for AI ethics and regulations. While not legally binding at present, the White Paper will in time, and with amendment, become law, as such, the principles laid out in the White Paper offer a roadmap for ethical AI.

**FINANCE AND OTHER RESOURCE IMPLICATIONS**

The document does not commit the council to any specific spending. Some AI tools are available for free or as part of existing software licences; any decision to purchase paid-for AI tools will be taken under existing financial procedure rules.

The approach will be regularly reviewed and updated, requiring minimal additional resourcing

<p>from relevant officers – who would be keeping up-to-date with the field in any event.</p> <p>There is the potential for AI to produce Return on Investment – though this is not the subject of this report or document – while the productivity gains AI can bring can help to free up resource to be used more effectively.</p>	
<b>X</b>	<p><b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b></p>
<p>There are no further comments over and above those set out elsewhere in the report.</p>	
<p><b>USE OF RESOURCES AND VALUE FOR MONEY</b></p>	
<p>The following are submitted in respect of the indicated use of resources and value for money indicators:</p>	
<p>A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;</p>	<p>This approach is ‘budget-blind’, setting out how AI (including free AI tools) can be used. Any future investment in AI technology would need to be separately costed and budgeted.</p> <p>Ongoing consideration of the potential inclusion of AI in future software licence purchases will be considered as part of individual business cases.</p>
<p>B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and</p>	<p>The approach clearly sets out the risks and legal limitations on using AI for decision-making, particularly automated decision-making.</p> <p>Adopting a formal best practice approach, and raising awareness of it internally, reduces the risk of accidental or ignorant use of AI in decision-making; and sets out ethical and legal considerations for any deliberate use of AI in this manner.</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>One of the quick-wins from AI is to improve efficiency and effectiveness of routine administrative tasks, allowing more efficient use of officer time to support delivery of services for residents.</p>
<p><b>MILESTONES AND DELIVERY</b></p>	
<p>As AI is an evolving field, and best practice will inevitably change, the approach will be regularly reviewed and where necessary updated as officers undertake training and development.</p> <p>Following adoption, to ensure staff are aware of this document – and to therefore read and consider its contents before diving into AI use – internal communications will be carried out to TDC staff and Members through briefings to be arranged for early 2025.</p>	
<p><b>ASSOCIATED RISKS AND MITIGATION</b></p>	
<p>There are risks to using AI, if it is not done correctly and an adequate human check applied;</p>	

these are set out within the Approach document, with associated mitigation set out – including areas where AI should not be used.

Not adopting a framework or best practice approach to using AI risks inappropriate use of such tools by staff, and it is seen as a much greater risk to not adopt such an approach.

Not using AI tools is in itself a risk as Tendring District Council would miss out on potential benefits (set out elsewhere in this report), and possibly fall behind the curve in terms of adoption of the latest technology.

Due to the fast-paced development of AI technology there is a risk that this document falls behind; however, regular reviews and the section contained within it on how to keep up-to-date, mitigates this risk.

### **EQUALITY IMPLICATIONS**

There are no specific equality implications from adopting this Best Practice Approach, which pulls together existing best practice, regulation and policy.

The guidance does set out the benefits AI can bring in support of producing accessible digital communications.

It also highlights the risk of bias contained within AI models, which could impact upon equality, and sets out how to mitigate this risk (both through better use of AI itself, and the importance of a human check).

No Equality Impact Assessment has been carried out for this document; an assessment should be carried out before each general use of AI (where appropriate).

### **SOCIAL VALUE CONSIDERATIONS**

As this document is for internal implementation it does not directly contribute to wider social value considerations for the district.

However, by setting out best practice it does act as an example to local businesses and organisations on how they may benefit from the use of AI, in turn promoting social innovation, business growth, and potentially the development of an AI-skilled local workforce.

### **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050**

No direct implications. The approach does set out environmental considerations for use of AI (namely that servers which power AI can be very energy-heavy), but this does not have a direct implication for TDC.

### **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.**

<b>Crime and Disorder</b>	Not applicable
<b>Health Inequalities</b>	Not applicable
<b>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the</b>	Not applicable

<b>related Statutory Guidance)</b>	
<b>Area or Ward affected</b>	District-wide

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

Artificial Intelligence (AI) is one of the fastest growing fields of technological innovation, which has seen an explosion of readily-available tools in the past few years.

It is becoming increasingly prevalent, and already has the ability to improve the efficiency and quality of work across the authority; though it is perhaps some way off maturity in terms of realising high expectations for medium or long-term automation.

It is important that AI is used correctly, as its use has a number of implications across a number of existing policy and regulatory areas – particularly around data governance. Incorrect or inappropriate use therefore carries risk for the council.

In order to balance the risk versus reward of AI, it is therefore useful to compile a document setting out the areas of opportunity and important legal and ethical considerations, to ensure safe and effective use.

This need was captured within the council’s Communications Strategy 2024-28 (adopted by Cabinet in March); the strategy action plan includes a target to “Support the development of an ethical framework for the use of AI by the end of 2024”, and this forms a sub-action as part of the Highlight Priority Actions for 2024/25.

The proposed AI ethical approach document is based upon a piece of work developed by the Essex Communications Group, following a day-long AI workshop, and itself building upon work from the Mid and South Essex Integrated Care Board. It has then been augmented using learning from a number of different officers, gained from various sources such as events, articles, sector guides and the like. This includes the Government Communication Service which has both a policy and a framework for AI use by the civil service.

The guide covers a number of areas, including:

- Benefits of AI
- Ethical and Safe Use considerations (including information governance, ethics, misinformation and other legal and regulatory pitfalls to avoid)
- When not to use AI
- Best practice use including an introduction to effective prompt writing
- Possible generic uses of AI
- Glossary of terms

The approach is specifically not a policy – as a number of existing policies cover the areas outlined. Nor does it define specific uses or non-uses for AI at the council, in recognition that this is both broad and each use requires its own careful consideration. The Best Practice Approach provides a practical guide for the Council on the effective and ethical use of artificial intelligence.

<b>PREVIOUS RELEVANT DECISIONS</b>
Cabinet, 12 March 2024 (item 102): RESOLVED that the draft Communications Strategy 2024-2028 be approved and adopted with immediate effect.
<b>BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL</b>
<a href="https://gcs.civilservice.gov.uk/publications/gcs-generative-ai-policy/">The Government Communication Service Generative AI Policy</a> ( <a href="https://gcs.civilservice.gov.uk/publications/gcs-generative-ai-policy/">https://gcs.civilservice.gov.uk/publications/gcs-generative-ai-policy/</a> )

<b>APPENDICES</b>
<b>Appendix A: Draft Artificial Intelligence Best Practice Approach for Tendring District Council</b>

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## **A.4 APPENDIX**

# **Artificial Intelligence Best Practice Approach at Tendring District Council**

A practical guide on the effective and ethical use of artificial intelligence.

## **Version Control**

Version 0.7 – 26 November 2024

DRAFT

## **A.4 APPENDIX**

### **Summary**

While AI will help us significantly in our daily tasks in the future, human oversight is essential to ensure accuracy, ethical use and decision making; and humans are accountable for both the correct process and the end product.

This will include verifying information, editing content, and ensuring there is no wider risk to the organisation.

If you follow the guidance below – and work with the wider organisation to develop and use best practice – then AI can be a real force for good for Tendring District Council (TDC).

### **Contents**

1. Introduction
2. About this guide
3. Benefits of AI
4. Keeping up-to-date
5. Ethical and Safe Use Considerations
  - Accountability
  - Information Governance
  - Cyber Security
  - Fairness and bias in AI
  - Avoiding misinformation
  - Models to use
  - Copyright, Public Sector Information and Intellectual Property Rights
  - Decision-making
  - Transparency
  - Environmental sustainability
  - De-skilling
  - Accessibility and web content
  - When not to use AI
6. Best practice use of AI
  - Information
  - Effective prompts
  - Iterative process
  - Knowing when to use AI
7. Glossary
8. Acknowledgements

## **A.4 APPENDIX**

### **Introduction**

Artificial Intelligence (AI) is one of the fastest growing fields of technological innovation, which has seen an explosion of readily-available tools in the past few years.

It is becoming increasingly prevalent, and already has the ability to improve the efficiency and quality of work across the authority; though it is perhaps some way off maturity in terms of realising high expectations for medium or long-term automation.

AI will not replace humans; but staff who can effectively leverage and use AI will unlock additional capacity, especially to carry out tasks which can only be done by a person.

### **About this guide**

This approach is not a catch-all policy for AI use at Tendring District Council (TDC); with the speed of technical innovation in the field best practice and the abilities of AI will evolve quickly.

Rather, this approach is designed to steer staff and Members through the necessary ethical considerations required when using AI as it exists now, while a full policy can be carefully considered and adopted. It focuses predominantly on the use of 'large language models' (LLMs), examples of which include CoPilot and Chat GPT that are increasingly becoming commonplace names (though many others exist) – this approach does not explore more specific or specialist uses of AI which may be available to various services across the council. Likewise, this approach aims to assist with considered use of both conversational AI – things such as chatbots, producing human-like interaction – and generative AI, which creates content, such as a report or piece of text, as well as potential use of machine learning using large data sets.

Crucially this approach does not replace a range of existing council policies which all factor into AI use – but instead seeks to guide users through the relevant considerations. The introduction of an AI process should be approved through usual council procedures, including governance and financial considerations – not all AI models are free.

This document focuses on the deliberate and specific use of AI, but it is worth noting that AI is embedded into much of the day-to-day software that we use, from word processing, spell checking and graphic design, to communications and photo editing tools. This document does not address TDC's approach to identifying or receiving AI, such as checking job applicants' use. It should be noted that it can be very hard to detect (good) AI-generated content, despite well-publicised examples.

If you are considering using AI then please consult with the IT Service Desk – after having read this document – to discuss your proposals; this may also help with wider-use considerations and help to share best practice.

## **A.4 APPENDIX**

### **Benefits of AI**

There are multiple applications of AI that can be beneficial for teams; the limit is your creativity (or even how you prompt AI's creativity). It can be used to draft all forms of written content – from reports, to social media posts – brainstorm ideas, write code, analyse data, automate routine tasks (such as taking minutes from meetings), spark creative ideas, improve productivity, and provide valuable insights.

It is important to remember there is more to AI than content generation, and AI is not the end product, but a shortcut or assistant along the way – which then gives us as humans more time to add extra value from our lived experience and expertise. Using AI for simple tasks allows humans to tackle more complex issues.

Departments are encouraged to consider how AI could resolve challenges within their services – and, using this approach as a basis, engage with relevant council teams to enable such solutions.

### **Keeping up-to-date**

AI technology is continually evolving, and it is therefore crucial for those using it to stay current with these advancements to maximise the benefits and minimise the risks associated with AI use. This can be done in a number of ways, including:

- Reviewing AI guidelines and policies: Regularly review the latest guidelines from credible sources, such as the Local Government Association, the UK Government or the Information Commissioner's Office (ICO). In particular, reference [the Government Communication Service Generative AI Policy](#).
- Attending training: There are lots of opportunities to engage with workshops and webinars that can help you stay abreast of AI advancements. This might include training on how to use AI tools more effectively, updates on AI policy, or discussions on ethical AI use.
- Following AI news and trends: Keep up-to-date with the latest news and trends in AI. This could be through AI-focused websites, blogs, podcasts, or newsletters.
- Seek regular feedback and reflect: Use your experiences, and those of your colleagues, to continuously learn and improve how you use AI tools. Regular reflection and feedback sessions can help identify areas for improvement or new opportunities for AI use within your communications work.

As we move into the (not-too-distant) future, keeping up with AI's rapid development will be an integral part of how we all work. Staying informed will enable you to harness its power effectively, ethically, and safely.

In addition, this approach will be regularly reviewed to ensure it remains up-to-date. At any point, use of AI will be governed by relevant (and perhaps new) legislation and regulation – such legal frameworks will always take primacy over the guidance outlined in this document.

## **A.4 APPENDIX**

### **Ethical and Safe Use Considerations**

#### **Accountability**

AI is a tool to be used by people; the person who uses it is ultimately accountable for the end product.

Therefore the onus rests on you to ensure that whatever outputs you use from AI are accurate, ethical and otherwise acceptable. You will be responsible for any failings.

Apply healthy scepticism to the AI outputs and remember to check, check and check again.

Consider the analogy of a driver using a sat nav; the driver is still responsible for not driving into a lake.

#### **Information Governance**

According to the UK National Cyber Security Centre, many LLMs do not automatically add information from queries to its model for others to query. This means that your chat history should not be visible or searchable by other users.

Whilst this provides some level of data protection, it is important to note that every time you enter information into an LLM, you are giving that data to the creator or host organisation. This means that you could be breaking the law or in breach of organisational policies by sharing personal or sensitive information.

Therefore you should be conscious about data privacy and security: be vigilant about the types of data shared. You must not input Person Identifiable Data (PID), Personal Confidential Data (PCD), sensitive personal data, or proprietary information. Keep in mind that data breaches can happen, and data transmitted could potentially be exposed.

You may also not have control over where any data is stored or processed – for example, are the AI provider's data centres based in the UK/EU and therefore covered by GDPR.

To help you in this, ensure your mandatory training on information governance best practices is up-to-date, and that you have read the organisational Information Governance Framework and Policy.

It should always be remembered that breaches of our Information Governance policy can have serious consequences for the organisation, both in terms of financial penalty, business impact and reputation.

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### **Cyber Security**

If using developed AI models – that is to say, those beyond basic ‘off the shelf’ or online platforms – or creating connections to internal IT systems, then consideration must be given to cyber security implications.

Consult with the IT Department before doing so, as is part of IT policy for any such software use.

### **Fairness and bias in AI**

AI models may unintentionally generate biased or unfair content due to the data they were trained on. This is because they learn from a vast amount of internet text, inheriting both the beneficial knowledge and the biases present in this data.

Be mindful of this and critically review the output, ensuring it aligns with our principles of fairness and inclusivity. Do this yourself, but you can also ask the AI model to identify its own biases too.

Remember that an Equality Impact Assessment may be required for the task or service you are conducting; or that you may need to review an existing assessment if you are changing how you perform that service through the introduction of AI.

### **Avoiding misinformation**

AI LLMs generate responses based on patterns it learned during training. They do not necessarily have access to real-time information or the ability to independently verify facts. Always cross-check important information from external, reliable sources.

A unique challenge with AI is the potential for “hallucinations” — instances where the model generates information that is not just biased, but outright incorrect or nonsensical. These “hallucinations” can occur if the AI misinterprets the input, or when it makes unfounded assumptions based on its training data.

To mitigate this, always verify the information generated, especially when it comes to statistical data, factual claims, or sensitive topics. If something seems off or incorrect, cross-verify with reliable sources or rephrase your input for a more accurate output.

You can also ask the AI to provide citations (its sources) for information, to make this cross-referencing easier and guard against hallucinations.

You should never use AI to create something which could mislead others, whether this is entirely AI generated, or using AI to alter or change existing content in a way that removes or replaces its original meaning or message.

## **A.4 APPENDIX**

### **Models to use**

Using reputable AI models, particularly those which are part of wider TDC software or licence packages (for example, CoPilot which is a Microsoft product) can help to mitigate some of the risks outline above.

CoPilot is currently preferred by the Council as it is part of our wider IT licences; while Chat GPT is blocked as it does not conform to GDPR. These considerations should be applied to any AI model.

LLMs such as CoPilot can be good 'jack of all trades' AI models, but remember there may be specific models for specialist areas of work. If using them, ensure they meet the necessary legal and ethical requirements as set out here.

### **Copyright, Public Sector Information and Intellectual Property Rights**

At the time of developing this approach the issue of copyright and LLMs is a complex one, with ongoing legal cases between LLM developers and those whose content was used to teach them.

Similarly it is not yet legally defined or tested as to who owns the copyright on content produced from LLMs – the AI creator/developer, or the person who inputs information and prompts.

Purely AI-generated content cannot be copyrighted.

As a public sector organisation much of whose work is in the public interest and available as Public Sector Information, this is unlikely to have an impact upon TDC use of AI LLMs – but it should be considered if you are looking to produce something which will be required to be held under TDC copyright, or when commissioning suppliers or contractors. When procuring work you may want to check the supplier's position on AI use.

It does not impact upon the established principle of copyright law that work carried out in the course of your employer is under the copyright of the employer, not you as an individual.

You should not use copyright-protected content as inputs into LLMs.

### **Decision-making**

There are strict rules around automated decision-making (which may or may not involve AI) as set out in UK GDPR [explained by the Information Commissioners' Office](#).

Should any tasks implement automated decision-making – where there is no involvement by a human – then this will need carefully documenting, adding to a central register, and relevant privacy notices amended. People also have the right not to be subject to a decision based solely on automated processing; and so the legal effects of doing this could be significant to the council.

## **A.4 APPENDIX**

These rules must be adhered to if using AI in decision-making, along with consideration of the other ethical points within this approach – particularly around unconscious and data bias.

### **Transparency**

Whether use of AI should be declared on the finished product is a matter of ongoing debate, and is not a black-and-white topic.

As a pragmatic approach, minor or background use of AI tools – such as spell-checking, basic photo enhancement, or brainstorming – should not require a declaration of AI use.

Where AI tools have been used as the substantive piece of output, with minimal human revision; or, for example, if used not just to edit or enhance an image or piece of content but to change its meaning and purpose; then a declaration that AI has been used may be appropriate.

The best solution is to acknowledge organisational use of AI – being transparent about this use, and the framework within which it is used – and have this as a general disclaimer (akin to a privacy notice or policy which describes general processes rather than necessarily specific uses of data).

TDC will publish this approach on its website and intranet as part of this transparency.

### **Environmental sustainability**

Like many digital tools, AI is not carbon neutral as it relies on electricity – in the case of LLMs, a lot of data causing a heavy electrical usage. While not a specific consideration for day-to-day use, this should be balanced when considering strategic use. AI can, though, also be used to look at ways of reducing environmental impacts in other areas, so it has the potential to balance out its positive and negative impacts.

### **De-skilling**

While there are many potential benefits to using AI, it is important that you do not become over-reliant on it, and lose the core skills and expertise – the human touch – where you can add value to and evaluate the outputs.

### **Accessibility and web content**

Ensure that any content you produce meets best practice and regulatory requirements for accessibility – especially around Plain English. You can ask the AI to do this.

Be aware that for web content, search engine optimisation can penalise poor quality content – so ensure you are using AI effectively.



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### **When not to use AI**

There are certain scenarios and topics where the use of AI should be approached with extreme caution or avoided altogether. Given that AI lacks human judgement and sensitivity, it is not well-suited for delicate contexts where tact, empathy, and deep understanding are essential. Here are some examples:

- **Highly sensitive topics:** Matters such as bereavement, mental health, or other personal struggles necessitate a human touch. In such cases, it is advisable to rely on human judgement and compassion, rather than using AI-generated content that could unintentionally come across as cold or insensitive. Audiences may also feel angry or upset if they discover that content addressing sensitive matters was generated by an AI.
- **Cultural sensitivities:** When dealing with content that involves cultural contexts or sensitivities, it is best to have individuals who are well-versed in those cultures craft the communication. AI models might not have the depth of understanding required to address cultural nuances, and there is a risk of generating content that is unintentionally offensive or inappropriate.
- **Communications involving children or vulnerable populations:** When creating content that is aimed at or involves children, the elderly, or vulnerable populations, it is important to exercise an extra layer of caution and thoughtfulness. Human empathy and understanding of the nuances involved in communicating with these groups are essential.
- **Imagery and video:** At the time of development of this approach, AI tools to create images and video from scratch are extremely specialised, and should only be used by someone trained in the field. However, simpler AI tools can be used to edit and enhance existing material (provided all other considerations are met); while AI can also be useful in creating conceptual or storyboard content. As above, though, AI should not be used to alter existing content in a way that removes or changes its context or message. Using AI to replicate someone's likeness must be extremely carefully considered, and only done with the written (and recorded) consent of the individual(s) being replicated.
- **Specialised work:** Councils often deal with highly specialised and technical areas of expertise. While AI can be a useful research, drafting and editing tool, it is not a replacement for the knowledge of subject matter experts.

This list is not exhaustive. If in doubt about whether it is appropriate to use an AI tool, please discuss this with your line manager, IT Service Desk, or a senior communications lead.

While AI can be an invaluable tool for streamlining and enhancing communications, it is important to recognise its limitations. Rely on human expertise and judgement in situations that require sensitivity, precise legal language, cultural competence, or careful handling of crises.

Consider the reputational damage to TDC of poor, misguided or unethical use of AI.

## A.4 APPENDIX

### Best practice use of AI

#### Collaboration and best practice

As AI is an evolving field, best practice will change and develop. TDC is keen to share learning and best-use cases that make AI useful, effective and efficient.

In order to do this, please share your successes with the IT Service Desk, who are researching and curating this information into a resource which can be shared with TDC staff.

#### Information

While trained on substantial amounts of data, AI is only as good as the information you put into it.

It is always useful, therefore, to provide AI with relevant information, such as: examples of similar work or templates you want it to use; previous reports, press releases or communications on a topic; a style guide.

This list is not exhaustive. While various AI model interfaces are different, most will give you the option to upload documents (considering the points above about information governance) – often useful for this background information – as well as text for your prompt inputs. It can also consider web information if you provide a web link.

#### Effective prompts

As well as providing enough information, being clear about what you are asking AI to do is critical – this is where effective prompts (the instructions you give AI) are vital. Some top tips are:

- **Define the AI's role:** Specifying the role in your prompt can help get the kind of response you want. For instance, you might want it to act as a brainstorming partner, an editor, a summariser, or data analyst. Start your prompts with this, such as “you are a public service communications professional”.
- **Be specific:** If you want a particular type of response, make sure to specify it in your prompt. For example, if you want a brief answer, you could start your query with “in one sentence...”, or “in less than 50 words”. If you want a detailed answer, ask for “a detailed explanation” or “a step-by-step guide”. If you don't have a pre-defined language setting, specify you want it in UK English (or in a later prompt, ask it to re-write it in UK English).
- **Provide context:** Providing context can help the model give a more relevant response. Instead of asking it to “write an article about the launch of a new service”, provide some background information about who the article is for and key information which is needed to generate an informative and engaging piece. For example, are you drafting something for other staff, a report to Management Team, or an email to Members?

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- **Give an example:** AI often responds well to examples. For instance, if you're seeking to draft an announcement about a new sustainability initiative for local councils, you could prompt the AI with: "Write an announcement similar to the one below, but this time focusing on our new recycling programme for community groups." This provides the AI with a clear reference point and helps it understand the specific task you're asking it to perform.
- **Set constraints or limitations:** When you are dealing with broad topics, it is helpful to provide the AI with specific parameters. For example, if you're summarising meeting notes you could ask the model to "list five key points" or "capture specific actions given". This provides a specific focus for the response.
- **Guide the format:** If you need the response in a particular format, specify it in your prompt. For example, you could ask it to "outline a report using the attached Cabinet report template for promoting our local council's sustainability initiatives", or specify that you want responses in bullet points, a table (with specified columns), or something else. This not only specifies the topic, but also the structure of the response, ensuring alignment with recognised objectives.
- **Set the tone:** Tone can be crucial, especially when addressing sensitive topics. You can direct the AI to adopt a specific tone in its responses. For instance, if encouraging residents to take a certain action, say in your prompt "the tone should be encouraging and informative, emphasising the importance of community involvement and action".

Building on the above, here are eight elements every effective prompt should have. (Please note – for smaller tasks, you may not need each element, but do consider it.)

1. **Persona:** the role in responding: e.g. "You are an IT professional"
2. **Context:** what is the situation or topic?
3. **Task:** the main instruction. Split up complex tasks
4. **Exemplar:** provide an example of what you are looking to achieve
5. **Format:** specify the presentation or layout format you want. Do you want a table (if so, what columns), bullet points, image. (This may be provided within your exemplar.)
6. **Tone:** emotion, what impact do you want it to have?
7. **Framework:** what structure do you need, is there an industry-standard set of headings for example. (This may be provided within your exemplar.)
8. **Style:** are there any brand guidelines, style guide, tone of voice settings or instructions?

### **Iterative process**

AI, in particular LLMs, are best used in an iterative process – that is to say, over a number of steps. AI models remember the context of the conversation to assist with this process.

Do not simply input one prompt, with multiple asks, and expect a solid answer. Break up the work into different prompts; ask it to use previous answers to then guide the next steps.

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Ask AI to refine answers – it is unlikely the first response it gives will be the best one it can provide. If your first prompt does not give the required outcome, how can you vary it, expand on it. It is often handy to ask AI to number the paragraphs it gives you, so can then ask them to juggle around the order or refine specific sections.

Be strategic in your use of AI – ask AI what would be the best prompt to achieve a task, and what the best process would be to accomplish this iterative process.

Think about these top tips for the iterative process:

- **Link it back to the local:** When using AI-generated content, it is essential to customise the draft content with the Tendring/local context in mind. This could include referencing local services, organisations, or initiatives. This can also include statistics, trends, or news relevant to the area. Integrating these elements will make outputs more relatable and aligned to local strategies.
- **Rephrase and refine your prompt:** If the initial response does not meet your needs, consider altering your prompt. A slight change in phrasing, adding specific details, or asking the question from a different angle can lead to a more useful answer. For example, if the response to “what should be included in a tenancy management strategy?” isn’t sufficient, you could ask, “what are the top five key messages for a strategy about tenancy management?”
- **Ask for revisions:** The AI can refine its responses based on your feedback. If the initial response is not what you wanted, you can ask for changes. This might include adjusting the length, altering the tone, adding, or removing specific points, or shifting the emphasis. For example, if a press release draft is too long, you could ask, “can you condense this press release to fit one page without losing key points?”
- **Seek clarification:** If a response is unclear or too technical, you can ask the AI for clarification or a simpler explanation. For instance, if a description of a new health policy is laden with jargon, you might request, “can you explain this policy in plain English for the public?”
- **Verify information:** Cross-check important information from external, reliable sources, especially when the AI generates data, factual claims, or sensitive information.
- **Be sure to edit:** AI is a fantastic tool, but it does not replace the professional experience and skills you have. Responses should always be reviewed and refined by human judgment to ensure they meet plain English standards and effectively communicate your intended message.

### **Knowing when to use AI**

AI can be a valuable tool for a variety of tasks across TDC. Three broad themes are:

- Getting you started (overcoming a blank page, or research)
- Refining or repurposing existing content (spell checking, re-writing)
- Automating a process or removing drudge tasks (coding, summarising meetings, making multiple versions of content)

The below list is not exhaustive, but hopefully it gives you some ideas to get started.

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- **Copy editing:** While AI is not a professional copy editor, it can help in spotting glaring typos, grammatical errors, or awkward phrasing in written content. This can help streamline the editing process, though a human eye will still be necessary for nuanced editing work. A simple prompt of “edit and improve this: ....” could save you hours. NB – this cannot replace a human proof-read.
- **Devising strategies:** AI can be a helpful idea-generating partner when devising strategies or plans, especially using industry-recognised frameworks. You might ask it to “Outline a communication strategy for promoting a new mental health initiative,” providing a starting point that can then be refined and detailed.
- **Drafting communications:** AI can assist in drafting initial versions of messaging, saving time, and facilitating efficient communication. Remember, these drafts should always be reviewed by the appropriate expert and undergo the standard sign-off processes. It can also help if you require multiple versions of essentially the same messaging but for targeted audiences.
- **Creating content for social media:** AI can aid in generating content for social media, from posts raising awareness about service issues to those promoting behaviour change. Please note, the style and format of suggested copy may not be in line with today’s standards due to the pace at which social media best practice changes. Giving examples of successful posts can help it to generate effective copy for you, and use the Communications team to support with best practice on this.
- **Summarising text:** AI can also summarise information – whether that is to provide a summary of a report, a precis to include within newsletters and digests, or generating meeting summaries or minutes from a transcript or notes. Try using the prompt “summarise the below in less than 50 words to use as an executive summary”.
- **Brainstorming ideas:** AI can be a great way of getting over ‘writers’ block’, or as a research tool (if citations checked). It can also offer fresh perspectives on problems, such as identifying risks you may not have considered and support research (with properly cited sources).
- **Writing code:** AI can help with writing code for web development, managing Excel spreadsheets, and other software too.
- **Creating large amounts of variations:** Perhaps you have a presentation for numerous speakers, and want a script for each person with their lines in bold; or need multiple prompts based around a single scenario. Use AI to work through each version.
- **Supporting accessibility:** Such as generating subtitles for video or translations (subject to the proper checks).
- **Generating reports:** Creating reports based on templates, and previously provided information; for example, converting a Management Team Briefing Note into a Cabinet report, or a summary email into a briefing.
- **Identifying fraud:** There is the potential to use machine learning AI to identify patterns in data sets and flag potential fraud.

AI is not just about text. Think other media too, such as audio. Using in-built tools to get a transcript from an audio recording can then be used to provide summaries of

## A.4 APPENDIX

meetings, or provide concept pictures (noting the considerations around best-practice for AI image use).

### Glossary

- **Large Language Model (LLM):** An artificial intelligence model trained on a vast amount of text data to understand and generate human-like text.
- **Prompt:** The words provided by the user to the AI, specifying the desired response or task.
- **Response:** The output generated by the AI in reaction to a prompt.
- **Interface:** The graphical or textual environment where users interact with an AI LLM, including input fields, response areas, and chat history.
- **Misinformation:** False or misleading information generated by AI, often unintentionally, due to the limitations of its training data.
- **Hallucinations:** Instances where AI generates information that is incorrect, nonsensical, or biased, often due to misinterpretation of input or unfounded assumptions based on training data.
- **Rephrase and Refine:** Altering the prompt given or adjusting its parameters to elicit a more useful or relevant response.
- **Ask for Revisions:** Requesting AI to refine its responses based on feedback, including adjusting length, tone, or specific points.
- **Seek Clarification:** Requesting AI to provide simpler explanations or clarification on unclear or technical responses.
- **Verify Information:** Cross-checking information provided by AI with external, reliable sources to ensure accuracy.
- **Feedback and Reflection:** Using experiences and feedback from colleagues to continuously improve AI usage, identifying areas for enhancement or new opportunities for AI integration.
- **Conversational AI:** AI which produces human-like interaction, such as chatbots
- **Generative AI:** AI which creates content, such as a report or piece of text.
- **Machine learning:** a type of AI that allows computers to learn and improve from data without being explicitly programmed. It uses algorithms to analyse large amounts of data, identify patterns, and make predictions.

### Acknowledgements

This approach has, with permission, drawn heavily upon work done by the Essex Communications Group (of which TDC is a member), which itself was based upon work developed by the Mid and South Essex Integrated Care Board. The original document was developed in collaboration with AI.

## CABINET

20 DECEMBER 2024

### REPORT OF THE PORTFOLIO HOLDER FOR FINANCE AND GOVERNANCE

#### A.5 UPDATED GENERAL FUND FINANCIAL FORECAST / BUDGET 2025/26

##### PART 1 – KEY INFORMATION

###### PURPOSE OF THE REPORT

To enable Cabinet to consider the updated financial forecast and budget proposals for 2025/26 for consultation with the Resources and Services Overview and Scrutiny Committee.

###### EXECUTIVE SUMMARY

- A 'live' forecast is maintained and reported to Members throughout the year. The most up to date position in December each year is translated into the detailed budget for the following year for consultation with the Resources and Services Overview and Scrutiny Committee.
- As part of maintaining a 'live' forecast, this report 'builds' on the last position that was presented to Cabinet on 15 November 2024.
- Despite the on-going challenging financial and economic environment, confidence in the long term approach to the forecast continues, which is supported by the forecast risk fund.
- The Council has maintained a prudent and sustainable approach to its long term plan, which provides the 'platform' against which it can consider its financial position in response to the challenging economic outlook it continues to face.
- A limited number of changes to the forecast have been made since 15 November 2024, with a revised position set out in **Appendix A**.
- The changes required broadly reflect updates to cost pressures and savings but also now reflect the most up to date position in respect of the council tax 'base' for 2025/26.
- In terms of the cost pressures included in the forecast, these broadly reflect unavoidable items, many of which relate to issues already identified during the year, with one-off adjustments made in 2024/25 pending the development of the forecast. Many of the cost pressures proposed to be included therefore reflect the on-going impact from these known issues in 2025/26 and beyond.
- Work remains on-going in consultation with Services and it is likely that additional cost pressures will need to be included in later iterations of the forecast before final budget proposals are recommended for presenting to Council in February 2025.
- In terms of the savings identified to date, two new items have been included since the 15 November 2024 report mentioned above and they have also now been split into those expected to be included in the 2025/26 budget and those that remain subject to

further review over the coming year in readiness for confirming as part of agreeing the budget for 2026/27. The necessary work to reflect the identified items within the 2025/26 budget remains on-going and the position will be finalised for consideration by Cabinet in January 2025.

- Taking the above into account and in comparison with the position reported to Cabinet on 15 November 2024, the net overall position reflects a forecasted annual deficit of **£1.508m** (a decrease from £2.476m). This is broadly due to the expected deliverability of savings earlier in the forecast period i.e. from 2025/26. In line with the long term plan, it is currently proposed to meet this from the Forecast Risk Fund, which based on the current forecast would leave a balance within the fund of **£5.157m** at the end of 2025/26.
- An annual review of reserves has also been undertaken, which highlights the need to continue to maintain a number of reserves to support key actions / activities as part of the Council's overall prudent and sustainable approach to managing its finances.
- At the time of finalising this report, the Local Government Finance Settlement for 2025/26 had yet to be announced. It is understood that the announcement will be made a day ahead of this meeting, which if the case, a high level update will be provided directly at the meeting. The forecast will then be updated accordingly for consideration by Cabinet at its January 2025 meeting when it considers its final budget proposals for recommending to Full Council in February.
- The forecast now includes a Council Tax increase of 2.99%. This is the maximum permitted amount without having to hold a referendum as confirmed by the Government in its recent Local Government Finance Settlement Policy Statement. This remains an important element of the forecast, that in turn supports the long term financial sustainability of the Council.
- Once the final position for 2025/26 is determined, the remaining years of the forecast will also be revised, which will be reported to members later in the budget setting process.

#### **RECOMMENDATION(S)**

*It is recommended that Cabinet:*

- a) approves the updated Financial Forecast and proposed budget position for 2025/26 as set out in this report and its appendices; and**
- b) requests the Resources and Services Overview and Scrutiny Committee's comments on this latest financial forecast and proposed position for 2025/26.**

#### **REASON(S) FOR THE RECOMMENDATION(S)**

To set out the latest financial forecast as part of the process of developing the budget proposals for 2025/26.

#### **ALTERNATIVE OPTIONS CONSIDERED**

This is broadly covered in the main body of this report.



## PART 2 – IMPLICATIONS OF THE DECISION

<b>DELIVERING PRIORITIES</b>			
<p>A revised Corporate Plan and Vision was approved by Full Council at its meeting on 28 November 2023. One of the 6 included themes is Financial Sustainability and Openness, with a commitment to continue to deliver effective services and get things done whilst looking after the public purse; that means carefully planning what we do, managing capacity, and prioritising what we focus our time, money and assets on. Tough decisions will not be shied away from, but will be taken transparently, be well-informed, and based upon engagement with our residents.</p> <p>The forecasting and budget setting process will have direct implications for the Council's ability to deliver on its objectives and priorities. The current 10-year approach to the forecast seeks to establish a sound and sustainable budget year on year through maximising income whilst limiting reductions in services provided to residents, business and visitors. The approach set out in this report continues to be set against this wider context.</p>			
<b>OUTCOME OF CONSULTATION AND ENGAGEMENT</b>			
<p>Internal consultation is carried out via the Council's approach to developing the budget as set out within the Constitution. External consultation also forms part of developing the budget, and is carried out early in the year as part of finalising the position for reporting to Full Council in February.</p>			
<b>LEGAL REQUIREMENTS (including legislation &amp; constitutional powers)</b>			
<p><b>Is the recommendation a Key Decision (see the criteria stated here)</b></p>	<p><b>Yes</b></p>	<p><b>If Yes, indicate which by which criteria it is a Key Decision</b></p>	<p><input type="checkbox"/> <b>Significant effect on two or more wards</b>  <input checked="" type="checkbox"/> <b>Involves £100,000 expenditure/income</b>  <input type="checkbox"/> <b>Is otherwise significant for the service budget</b></p>
		<p><b>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)</b></p>	<p>This item has been included within the Forward Plan for a period in excess of 28 days.</p>
<p>The arrangements for setting and agreeing a budget and for the setting and collection of council tax are defined in the Local Government Finance Act 1992. The previous legislation defining the arrangements for charging, collecting and pooling of Business Rates was contained within the Local Government Finance Act 1988. These have both been amended as appropriate to reflect the introduction of the Local Government Finance Act 2012.</p> <p>The Local Government Finance Act 2012 provided the legislative framework for the introduction of the Rates Retention Scheme and the Localisation of Council Tax Support.</p> <p>The Calculation of Council Tax Base Regulations 2012 set out arrangements for calculation of the council tax base following implementation of the Local Council Tax Support Scheme. These</p>			

arrangements mean that there are lower tax bases for the district council, major preceptors and town and parish councils.

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

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

In addition to the above, further amending legislation has been introduced since the Local Government Finance Act 1992 that relates to the setting of council tax premiums and discounts, with the latest being the Levelling Up and Regeneration Act 2023.

The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2003 set out the requirements of a Minimum Revenue Provision (MRP) Policy Statement which must be approved by Council each year. In calculating a prudent MRP provision, local authorities are required to have regard to guidance issued by the Secretary of State. The latest guidance, issued under section 21(1A) of the Local Government Act 2003, is applicable from 1 April 2025 which the proposed MRP policy reflects.

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

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

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

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

The Council is also under a broader Best Value Duty that relates to the statutory requirement for local authorities and other public bodies defined as best value authorities in Part 1 of the Local Government Act 1999 ("the 1999 Act") to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". In practice, this covers issues such as how authorities exercise their functions to deliver a balanced budget (Part 1 of the Local Government Finance Act 1992), provide statutory services and secure value for money in all spending decisions.

Best value authorities must demonstrate good governance, including a positive organisational culture, across all their functions and effective risk management. They are also required, pursuant to section 3 of the 1999 Act, to consult on the purpose of deciding how to fulfil the Best Value Duty.

Earlier in the year the Government published revised Statutory Guidance on the Best Value Duty of Local Authorities in England under section 26 of the 1999 Act, which best value authorities are required to have regard to. To provide greater clarity to the sector on how to fulfil the Best Value Duty, the statutory guidance sets out seven overlapping themes of good practice for running an authority that meets and delivers best value. These seven best value themes build on the lessons learned from past interventions and reflect what most local authorities already do or are striving to achieve. A detailed description of these themes, including characteristics of a well-functioning local authority and indicators used to identify challenges that could indicate failure, is set out within the revised guidance and financial management and sustainability is a reoccurring expectation throughout the themes and indicators. This report, along with how the Council responds to new or developing issues remains an important element of demonstrating these key requirements.

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 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, including the preparation of its medium term financial plans and associated budget and setting of the council tax.

<b>Yes</b>	<b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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The process for Developing the Budget is set out within the Budget and Policy Framework Procedure Rules, Part 5.14 to 5.16 of the Constitution, which includes the consultation process of the draft Financial Strategy / Forecast setting out the basis on which the budget proposals are intended to be formulated, with the Overview and Scrutiny Committee. Cabinet will have regard to the response received from the Overview and Scrutiny Committee.

Attention is drawn to the on-going reference to the Council's Best Value Statutory Duty and recently published guidance, as set out within the legal requirements section above, along with highlighting that additional decision making will need to be considered as necessary in respect delivering actions supported by the Council's agreed budget each year.

#### **FINANCE AND OTHER RESOURCE IMPLICATIONS**

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

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

The long term approach to the forecast set out in this report has been discussed with the Council's new External Auditor, albeit informally. There were no major concerns raised but they will undertake their own independent and detailed review as part of their commentary on the Council's use of resources.

<b>Yes</b>	<b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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The S151 Officer is the author of this report.

**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>This is addressed in the body of the report.</p> <p>In terms of an independent view, the Council’s previous External Auditor has recently submitted their Annual Report that includes their commentary on the Council’s use of resources. The report was considered by the Council’s Audit Committee on 9 December with the Auditor’s headline statement as follows:</p> <p><i>“Our VFM work for 2020/21 to 2022/23 has not identified any significant weaknesses in the Authority’s arrangements”.</i></p> <p><i>[One recommendation was set out, which has subsequently been addressed]</i></p>
<p>B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and</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>	

**MILESTONES AND DELIVERY**

This report forms part of the Council’s wider budget setting processes. Additional update reports will therefore be presented to Cabinet in January as part of developing the detailed estimates that will be presented to Full Council in February 2025.

**ASSOCIATED RISKS AND MITIGATION**

There are significant risks associated with forecasting such as cost pressures, inflation and changes to other assumptions that form part of the financial planning process. The Council’s response is set out in the body of this report and will continue to be addressed as part of the future financial update reports highlighted earlier.

As highlighted earlier, it is likely that further cost pressures will need to be included as part of further iterations of the forecast. As highlighted later in this report, money has been set aside in an associated reserve to help mitigate cost pressures associated with the repair and maintenance of Council assets. When they arise, they are usually significant and the approach taken aims to ‘protect’ the underlying revenue budget from such items as far as possible.

It is also worth highlighting potential emerging risks associated with the establishment of the Office for Local Government (OFLOG), which will undoubtedly have a significant financial impact on Local Authorities, either directly or where increased capacity may be required to respond to any emerging requirements. This will be considered further as part of the on-going development of the forecast and at the present time its remit remains subject to review by the Government.

As set out in **Appendix A**, based on the latest position forecast, the Forecast Risk Fund is estimated to be depleted by 2027/28, which adds further financial risks and challenges which will require further savings to be identified to deliver a sustainable financial position.

However, it is important to note that the Council still prudently maintains reserves to respond to significant / specific risks in the forecast such as **£1.758m** (NDR Resilience Reserve) and **£1.000m** (Benefits Reserve), which can be taken into account during the period of the forecast if necessary. The Council also holds **£4.000m** in uncommitted reserves, which reflects a best practice / risk based approach to support its core financial position.

**EQUALITY IMPLICATIONS**

There are no direct implications that significantly impact on the financial forecast at this stage. However, the ability of the Council to appropriately address such issues will be strongly linked to its ability to fund relevant schemes and projects and determination of the breadth and standard of service delivery to enable a balanced budget to be agreed.

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

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

**SOCIAL VALUE CONSIDERATIONS**

There are no direct implications that significantly impact on the financial forecast at this stage.

However, such issue will be considered as part of separate elements of developing the budget as necessary.

**IMPLICATIONS FOR THE COUNCIL’S AIM TO BE NET ZERO BY 2050**

There are no direct implications that significantly impact on the financial forecast at this stage.

However, such issue will be considered as part of separate elements of developing the budget as necessary.

**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.**

<b>Crime and Disorder</b>	Please see comments above
<b>Health Inequalities</b>	
<b>Area or Ward affected</b>	

**PART 3 – SUPPORTING INFORMATION**

**UPDATED FINANCIAL FORECAST 2025/26**

The long term forecast is updated on an on-going basis, which is reported to Members quarterly, with the most recent position (at the end of September 2024) being reported to Cabinet at its 15 November 2024 meeting. An additional line of the forecast has been added to better reflect the adjustments required across the forecast period where savings included

are not necessarily consistent across future years, for example, treasury income included in 2024/25 was originally expected to reduce over later years of the forecast. This change should help the presentation of these amendments rather than potentially being netted off savings achieved in subsequent years if this presentational adjustment was not made. (Please see new Line 14 'Changes to Savings Identified in Prior Years').

**Appendix A** sets out an updated forecast for 2025/26 that reflects changes since Cabinet considered the earlier position at its 15 November 2024 meeting. The changes required reflect an improved position – a reduced estimated annual deficit of **£1.508m** (a reduction of £0.968m compared with the figure of £2.476m reported to Cabinet in November).

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

The following table provides a commentary on the changes to the initial forecast set out in **Appendix A** (excludes items where there has been no significant change to the relevant line of the forecast considered by Cabinet on 15 November 2024):

Item in the Forecast	Change since forecast was considered on 15 November 2024	Comments
<b><i>Underlying Funding Growth in the Budget</i></b>		
<b><i>Lines 2a, 4 and 6</i></b> – Council Tax Increase – 2.99%  Growth in Council Tax – general property / tax base growth, and  Collection Fund Surpluses b/fwd - Ctax	Net increased income of <b>£0.289m</b>	These changes reflect the final council tax base calculations for 2025/26 where the estimated property growth is higher than originally anticipated, in addition to an increased collection fund surplus position. There is also a small increase in income due to the proposed 2.99% increase in the council tax that is allowable under the referendum principles that were recently confirmed by the Government within their local government finance policy paper mentioned earlier.
<b><i>Net Cost of Services and Other Adjustments</i></b>		
<b><i>Line 21</i></b> – Unavoidable Cost Pressures	Increase of <b>£0.657m</b> in estimated costs.	<b>Appendix C</b> sets out a number of items identified to date. As highlighted earlier in the report, work remains on-going in consultation with Services and it is likely that additional cost pressures will need to be included in later iterations of the forecast before final budget

		proposals are recommended for presenting to Council in February 2025.
<b>Line 24 – On-Going Savings Required</b>	Total savings identified of £2.655m for 2025/26 ( <b>£1.336m</b> more than the <b>£1.319m</b> included in earlier forecasts)	<b>Appendix B</b> sets out a number of items identified to date. This change broadly reflects the timing of the impact / deliverability as the items which have now been ‘split’ across 2025/26 and 2026/27. Further work will need to be undertaken during 2025/26 to deliver the remaining items alongside the identification of further savings to support the later years of the forecast.

*The above position excludes changes to indirect costs such as internal recharges within the General Fund and technical accounting adjustments that do not have an overall net impact on the budget. However, the full detailed budget, reflecting the above changes, will be presented to Cabinet at its January 2025 meeting.*

In terms of cost pressures included within the forecast, their mitigation continues to form an important element of the long-term financial plan. The cost pressures identified for inclusion in the budget largely reflect unavoidable items at this stage, including the on-going impact of items identified as part of earlier financial performance reports. *(Columns 2 to 5 of Appendix C highlight the changes made to the 2024/25 budget, either within the base budget or during the year as part of financial performance reports.)*

**Appendix C** also includes a number of items where it is proposed to meet the additional costs from increased income that is forecast to be achieved based on the position currently being experienced in 2024/25. There are also a number of items that have been considered but no adjustment is proposed at this stage. This includes planning income (and associated activities) and crematorium income which are both lower than expected to date in 2024/25. Such income streams have historically recovered over time and it is therefore not proposed to adjust the 2025/26 budget at the present time with the position monitored during next year as part of the quarterly financial performance reports. It is also important to mention the potential changes that are likely to emerge from the Government’s National Planning Policy Framework that is currently being developed, which is likely to have an impact on the level of planning fees chargeable by Council’s.

The cost of homelessness continues to be a significant challenge for most Councils across the country. The Government have recognised this position and have committed to providing additional funding to Council’s to support them in meeting this challenge, with the detailed allocations to individual Council’s hopefully announced as part of the Local Government Finance Settlement. At the present time, an additional **£0.500m** is included as a further on-going cost pressure within **Appendix C**, which can be reviewed in light of the any Government support that becomes available. As further mitigation against this risk, a report is planned to be presented to Cabinet as early as possible in the new year that will explore options to support the Council in responding to this on-going challenge in 2025/26 and beyond.

It is also timely to mention that employee cost estimates have yet to be finalised. The current forecast includes the estimated impact from the recently announced increase in Employers National Insurance contributions. The Government have committed to reimburse this cost which is reflected within **Appendix B**. Final employee cost estimates will be included within the forecast that will be presented to Cabinet in January 2025.

It is also worth highlighting the expectation that the recent national insurance increases will likely feed through to the Council from its suppliers and contractors as they pass on some or all of this additional cost. It is difficult to measure the impact at this stage and it will therefore be an issue that will be kept under review during 2025/26.

As set out in **Appendix A**, taking the above adjustments into account, the updated forecast deficit for 2025/26 totals **£1.508m**, compared with the forecasted deficit of **£2.476m** considered by Cabinet at its 15 November 2024 meeting.

As highlighted in earlier financial performance reports, given the inherent risks to the forecast, a risk assessment of each line of the forecast is maintained. The most up to date assessment is set out within **Appendix D**. The most significant risks to the forecast is uncertainty around the Government's proposed reforms to local government funding, the business rates reset, the level of achievable savings and cost pressures emerging in future.

In terms of supporting the underlying context to the development of the budget for 2025/26, it is worth highlighted the following comments that were set out in earlier financial performance reports: *In terms of the later years of the forecast, it is important to highlight the significant challenges arising from inflationary increases, which are expected to exceed our ability to raise income from council tax and business rates. Therefore, at some reasonable point in the future, the Council must be able to put itself in the position of balancing its annual budget, otherwise the position is not sustainable. Based on the current forecast position, the expected annual imbalance between expenditure and income [from 2027/28 onwards] is approximately £0.700m. This would therefore require corresponding annual on-going savings to be realised over the full forecast period to enable a balanced budget to be set each year.*

Notwithstanding the above, the Council's long term plan and Forecast Risk Fund provide flexibility and support against which the development of the Council's forecast can be considered and it continues to provide the time and opportunity to respond to the structural annual budget deficit that is still estimated to remain at the end of 2026/27.

### **Local Government Finance Settlement and Government's Spending Review**

In the report presented to Cabinet on 15 November 2024, it was highlighted that although the Government had made positive commitments to support local authorities as part of their Autumn Budget Statement, it was not yet clear how this would be distributed and whether it will mean District Council spending power will rise in real terms.

In the interim period, the Government have published a Local Government Finance Policy Paper that broadly confirmed a number of previous statements, with summarised highlights as follows:

- Revenue Support Grant will rise in line with CPI.
- A Council Tax referendum principle of up to 3% or £5, whichever is the higher as mentioned earlier.
- Compensation payable to local authorities for the freeze in the small business rates multiplier via an increase to the calculation of under-indexation compensation.
- Support to the continuation of Business Rates Pooling.
- The introduction of a recovery grant worth £600m nationally which will be distributed using a simple formula based on deprivation, taxbase and population to lay the foundations for reform.



- A funding ‘floor’ that ensures that no council will see a reduction in Core Spending Power in cash terms, after factoring in forecast council tax increases.
- Bringing forward one further round of New Homes Bonus payments, using the same methodology as in previous years.
- Reconfirming the commitment to supporting Local Authorities in respect of the additional national insurance costs.
- All councils will receive additional income from Extended Producer Responsibility for Packaging (EPR) payments (over and above increases to Core Spending Power). EPR payments will be guaranteed and will not be ringfenced – the Council has recently been informed that the money receivable in 2025/26 is £0.892m.
- Confirmation of the previously announced £233m of new funding nationally for homelessness prevention.
- It is understood that there will be a fundamental reform to the local government funding model after 2025/26. The Government are planning on launching a consultation on a new approach to allocating funding (Fair Funding) and will also launch a technical consultation on resetting business rates in the new year.

Although there is positive news within the above elements of the Local Government Finance Settlement, it is always difficult to translate such high level commentary into what it means for the Council. The Provisional Local Government Finance Settlement is planned to be announced on 19 December 2024, which will provide clarity around the overall impact on the Council. Although an update will be provided directly at the meeting if possible, the required changes to the forecast will be included when the next iteration is presented to Cabinet in January 2025.

It is also worth highlighting the last bullet point above, where the Government intends to move to a new basis of funding for Local Government from 2026/27, including a reset of the business rates system. Although the outcome cannot be forecasted at the present time, this is one of the highest risks to the longer term forecast based on the uncertainty around what this could mean for the Council.

### **Sensitivity Testing**

Work remains in progress to update associated sensitivity testing of the forecast, with the outcome planned to be presented in reports later in the year as part of the on-going development of the budget for consideration by Full Council in February 2024.

### **Reserves**

As part of the budget setting process, it is also timely to review the appropriateness of the level of reserves at this stage in the budget cycle.

Following the associated review this year, a summary of the reserves held (excluding revenue and capital commitments reserves) and their purpose is set out in the following table:

<b>Reserve</b>	<b>Purpose of the Reserve</b>	<b>Estimated Balance</b>	<b>Status</b>
Asset Refurbishment/Replacement Reserve	To meet the cost of the maintenance of the Council's assets, including those associated with the Council's commitment to carbon	£1.019m	To keep under review as part of the on-going development

	neutrality. This reserve 'protects' the underlying revenue budget from significant one-off expenditure items with expenditure against this reserve being considered as part of the wider management / response to emerging cost pressures.		of the forecast / cost pressures.
Benefit Reserve	To meet any potential costs arising from the obligation to pay benefits and to support potential future changes to the welfare regime. The future remains uncertain given the on-going roll-out of universal credit.	£1.000m	Continue to retain this reserve  (but keep under review as part of the development of the long term forecast)
Business Rates Resilience Reserve	To support the Council in reacting to potential future changes in Business Rate appeals and income, especially in light of the potential for changes to the business rate reforms and associated 'reset'.	£1.758m	Continue to retain this reserve  (use of this reserve will continue to be considered as part of the development of the long term plan and the potential impact from the Government's proposed Business Rates 'reset')
Commutated Sums Reserve	Established from commuted sums paid to the Council to cover such items as maintenance costs of open spaces, in line with the associated agreements.	£0.467m	Continue to retain this reserve to support the commitments established as part of the associated agreements

Election Reserve	To finance future costs associated with holding District Elections on a four yearly cycle.	£0.045m	Continue to retain this reserve to meet the associated cost when due.
Crematorium Reserve	To finance future ongoing maintenance costs to the crematorium plant and equipment at Weeley.	£0.208m	Continue to retain this reserve to meet maintenance costs due under the terms of an associated agreement
Haven Gateway Partnership Reserve	To support the costs associated with the Haven Gateway Partnership e.g. costs that may be incurred on termination / withdrawal from the current arrangements.	£0.075m	To review against associated risk as this reserve is likely to be able to be removed.  (Consider as part of the Q3 Financial Performance Report later in the year)
Leisure Capital Projects Reserve	This reserve has been established to fund ongoing investment in Leisure Facilities and will form an important element of supporting the delivery of the Sports and Activity Strategy.	£0.057m	Continue to retain this reserve
Section 106 Agreements Reserve	This reserve holds income received from developers under Section 106 of the Town and Country Planning Act 1990 to be spent on specific projects over a number of years in accordance with the terms of the agreements.	£3.294m	Continue to retain this reserve (this is released as part of separate decisions

			made during the year)
Forecast Risk Fund	As set out in earlier reports and elsewhere within this report, this reserve continues to be held to support planned annual budget deficits as part of the Long Term Financial Sustainability Plan.	£5.157m  (after proposed adjustments in 2025/26)	Continue to retain this reserve  (use of this reserve will continue to be considered as part of the development of the long term plan)
Uncommitted Reserve	General Reserve held to respond to key financial risks such as inflation, income loss, additional burdens etc. which is subject to a risk based assessment on a regular basis.	£4.000m	Continue to retain this reserve  (Subject to regular review to ensure it is proportionate / prudent in light of the financial risks faced by the Council)

*The above total £17.080m - the revenue and capital commitments reserves have not been included above as they broadly reflect the cash flow impact relating to the timing / programming of the delivery of associated projects and initiatives etc.*

Although a more detailed statement will be made by the S151 Officer that will be included in the report to Full Council in February, the current level of reserves based on the review above is considered to remain adequate, although this position will be subject to on-going review given the risks to the financial forecast highlighted earlier in this report.

#### **ADDITIONAL INFORMATION**

##### **Council Tax 2025/26**

As highlighted earlier, the Government have confirmed their commitment to allow District Councils to increase their share of the council tax by up to 2.99% in 2025/26.

Based on a proposed 2.99% increase, the Council Tax for a band D property will be **£199.52** in 2025/26. The updated property base is **53,496.8**, an increase of just over 3% compared to the 2024/25 figure of **51,866**.

As set out in the previous reports, the Council continues to opt-in to the Council Tax Sharing Agreement with ECC whilst it remains financially advantageous to do so. This scheme has continued to provide a financial benefit to the Council over recent years and is expected to continue to do so in 2025/26.

### **Locally Retained Business Rates**

The detailed business rates calculations remain on-going alongside the Government's associated deadlines for finalising and reporting the necessary figures, including estimated collection fund balances.

This remains a very complex area of local government financing and includes not only the continued transitional arrangements associated with the cyclical national property revaluation exercise from 2023, but also the changes announced in the Government's recent Autumn Budget Statement and associated Local Government Finance Policy Statement.

The impact of the above on the Council's own financial position along with the estimated benefit of the Council's continued membership of the Essex Business Rates Pool will be determined and reported as part of finalising the detailed budget for 2025/26 that will be presented to Cabinet in January 2025.

### **Fees and Charges**

Fees and charges are subject to separate Officer decisions made in consultation with the relevant Portfolio Holder(s) and are reviewed within the framework of the financial forecast and therefore they will be considered against the relevant 'charging power' and where relevant the following key principles:

- general inflationary increases where possible or lower where appropriate / justified
- amounts rounded for ease of application, which may result in a slightly above inflation increase.
- on a cost recovery basis as necessary
- reflect statutory requirements.
- increases where market conditions allow
- to meet specific priorities or service delivery aims / objectives

As set out in this report, the Council continues to face a number of significant financial challenges in 2025/26 and beyond. It is therefore important that fees and charges are considered against this context and to maximise income opportunities where possible, albeit whilst balancing the various issues highlighted above.

Any changes to income will be considered alongside the financial forecast and as part of finalising the budget proposals for 2025/26. No changes to the budget are proposed at the present time.

Although agreed separately, a full schedule of fees and charges will be provided to members ahead of the Full Council budget meeting in February 2025.

### **GENERAL FUND CAPITAL PROGRAMME 2025/26**

As has been the case in prior years, only a very limited number of schemes are included 'automatically' in the base budget on a recurring basis and these relate to the on-going cost of replacing the Council's core IT infrastructure along with disabled facilities grants. Estimates of

**£0.070m** and **£0.757m** will therefore be included within the 2025/26 Capital Programme respectively, although the latter item is likely to change once confirmation of the actual level of external grant support is received next year.

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

The full multi-year Capital Programme incorporating the above will be included within the final budget proposals that will be considered by Cabinet in January before being presented to Full Council in February and will include any cost pressures proposed as part of developing the budget accordingly.

### **SPECIAL EXPENSES 2025/26**

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

Similarly to previous years, it is not proposed to make any changes to the principles behind the calculation of special expenses with the key principles remaining the same as in 2024/25 as set out below:

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

Although subject to the final budget calculations, expenses to be allocated as special expenses are likely to remain as in 2024/25 and apply to open space and recreation area costs.

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

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

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

#### **Information from parish/town councils**

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

#### **Consideration of Determining the Contrary Resolution**

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

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

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

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

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

*Wherever possible the Council aims to charge the cost incurred in performing a function in a part of the district, to the taxpayers of that part. In assessing the area of benefit to which a function identified as a special expense relates, parish boundaries have been treated as the appropriate areas.*

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

#### **ANNUAL MINIMUM REVENUE PROVISION POLICY STATEMENT**

Where relevant, figures included in the 2025/26 budget are based on the following policy statement that was agreed by Full Council on 26 November 2024.

**In accordance with the Local Authorities (Capital Finance and Accounting)(England)(Amendment) Regulations 2003 and having due regard to guidance issued under Section 21 (1A) of the Local Government Act 2003, the Council's policy for the calculation of MRP for 2025/26 shall be the Capital Financing Requirement Method for supported borrowing and the Asset Life (equal instalment) Method for prudential borrowing.**

#### **PREVIOUS RELEVANT DECISIONS**

Executive's Proposals – General Fund Budget and Council Tax 2024/25 – Item A.1 Full Council 13 February 2024.

Financial Performance Report 2024/25 – General Update at the end of July 2024 - Item A.2 Cabinet 21 October 2024.

Financial Performance Report 2024/25 – General Update at the end of September 2024 - Item A.8 Cabinet 15 November 2024.

**BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None

**APPENDICES**

**Appendix A** Updated Financial Forecast 2025/26

**Appendix B** Savings Plan

**Appendix C** Cost Pressure Summary

**Appendix D** Forecast Risk Review

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## UPDATED FINANCIAL FORECAST 2025/26

Line		Prior Year Budget	Last Updated Forecast (15 November 2024)	Updated Forecast (20 December 2024)	Change between November and December Positions
		2024/25	2025/26	2025/26	
		£m	£m	£m	£m
	<b>Underlying Funding Growth in the Budget</b>				
1	Council Tax Increase 1.99%	(0.191)	(0.200)	(0.200)	0.000
2	Ctax increase by £5 (amounts set out are over and above 1.99% above)	(0.064)	(0.059)	(0.059)	0.000
2a	Council Tax Increase 2.99%	(0.032)	0.000	(0.041)	(0.041)
3	Growth in Business rates - Inflation	0.000	(0.158)	(0.158)	0.000
4	Growth in Council Tax - general property / tax base growth	(0.158)	(0.190)	(0.325)	(0.135)
5	Growth in Business Rates - general property / tax base growth	(0.636)	0.540	0.540	0.000
6	Collection Fund Surpluses b/fwd - Ctax	(0.159)	(0.100)	(0.213)	(0.113)
7	Collection Fund Surpluses b/fwd - BR	(0.792)	0.000	0.000	0.000
		<b>(2.032)</b>	<b>(0.167)</b>	<b>(0.456)</b>	<b>(0.289)</b>
	<b>Net Cost of Services and Other Adjustments</b>				
8	Change in RSG (including other financial settlement funding)	(0.571)	0.619	0.619	0.000
9	Remove one-off items from prior year	(0.375)	(0.396)	(0.396)	0.000
10	Remove one-off items from prior year - Collection Fund Surplus	0.784	0.951	0.951	0.000
11	LCTS Grant To Parish Council's	0.006	0.000	0.000	0.000
12	Revenue Contrib. to Capital Programme	0.000	0.000	0.000	0.000
13	Specific change in Use of Reserves	(0.216)	(0.056)	(0.056)	0.000
14	Changes to Savings Identified in Prior Years	0.000	0.395	0.395	0.000
15	On-going savings Identified / Achieved	(1.242)	0.000	0.000	0.000
16	Other Adjustments	(0.072)	0.000	0.000	0.000
17	Use of New Homes Bonus	(0.500)	0.000	0.000	0.000
18	Gain from Essex Business Rates Pool Membership	(0.400)	0.000	0.000	0.000
		<b>(2.586)</b>	<b>1.513</b>	<b>1.513</b>	<b>0.000</b>
	<b>Cost Increases</b>				
19	Inflation - Employee / Members Allowance Costs (including annual review adjustments)	1.537	1.540	1.540	0.000
20	Inflation - Other	0.390	0.148	0.148	0.000
21	Unavoidable Cost Pressures	1.716	0.500	1.157	0.657
		<b>3.643</b>	<b>2.188</b>	<b>2.845</b>	<b>0.657</b>
22	Add back Use of Forecast Risk Fund / Reserves in Prior Year	<b>1.236</b>	<b>0.261</b>	<b>0.261</b>	<b>0.000</b>
23	<b>ANNUAL Structural Budget Deficit / (Surplus) BEFORE Required 'Savings'</b>	<b>0.261</b>	<b>3.795</b>	<b>4.163</b>	<b>0.368</b>
24	On-going Savings Required	0.000	(1.319)	(2.655)	(1.336)
25	<b>ANNUAL Structural Budget Deficit / (Surplus) AFTER Required 'Savings'</b>	<b>0.261</b>	<b>2.476</b>	<b>1.508</b>	<b>(0.968)</b>
26	Use of Forecast Risk Fund / Other Reserves to support the Net Budget Position	(0.261)	(2.476)	(1.508)	0.968

**Use of Forecast Risk Fund**

<b>Outturn b/fwd from prior years</b>	<b>(6.426)</b>	<b>(6.415)</b>	<b>(6.415)</b>	
Applied in year as set out in the forecast above	0.261	2.476	1.508	(0.968)
Additional contributions generated / required in year	(0.250)	(0.250)	(0.250)	0.000
<b>Balance to Carry Forward</b>	<b>(6.415)</b>	<b>(4.189)</b>	<b>(5.157)</b>	<b>(0.968)</b>

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## Savings Plan - Forecast 2025/26 and Beyond

Description	Totals	On-going / One-off	Planned Delivery / Impact 2025/26	Planned Delivery / Impact 2026/27	Comments
<b>Income Budgets</b>					
Business Rate Income	700,000	On-going	700,000	0	Additional anticipated income from business rates - this is the estimated impact from a mix of regeneration / economic growth, transitional arrangements following revaluation and less pessimistic forecasting
Revenue Support Grant / Financial Settlement	1,039,000	On-going	619,000	420,000	Following the Government's recent Autumn Budget Statement and associated policy statement, which set out a strong commitment to 'protect' the local government sector, no reduction in funding compared to 2024/25 is now expected. This therefore represents additional Government funding over and above original forecasts.
Rent Reviews	30,000	On-going	30,000	0	Additional income will be generated from the usual rent reviews undertaken as part of the underlying existing lease agreements
VAT on Leisure Fees	265,000	On-going	265,000	0	Following further review, the originally anticipated favourable VAT status has been confirmed.
Treasury Investment Income	215,000	On-going	215,000	0	Although a reduction in income was included within original forecasts, based on the current trajectory of future interest rate reductions, it is likely that additional income will be generated in the short to medium term years of the forecast.
<b>NEW</b> - Government's Commitment to Fund Cost of National Insurance Increases	474,300	Potentially On-going (subject to future LG funding settlements)	474,300	0	In addition to the item above relating to the Revenue Support Grant, the Government have committed to reimburse Local Councils for the additional cost of the recently announced changes to employers national insurance rates. Although it is expected that this will be included within the wider Local Government Financial Settlement figures using notional amounts, the figure currently included represent the Council's actual estimated cost. This will therefore be subject to amendment later in the budget setting process once figures are finalised.
<b>NEW</b> - Inter Authority Agreement with ECC relating to Food Waste	21,480	On-going	21,480	0	Additional income is due to the Council as part of the underlying agreement with ECC.
<b>Expenditure Budgets</b>					
Asset review	220,000	On-going	120,000	100,000	This represents estimated savings from reviewing the Council's operational assets and further possible rationalisation opportunities.
IT Savings	200,000	On-going	50,000	150,000	A number of activities are underway to support the delivery of savings and/or the mitigation of increased costs.
Energy Costs - Leisure Centres	50,000	On-going	50,000	0	As previously reported, following the implementation of a number of energy saving initiatives, energy budgets are likely to be reduced - this is subject to the wider / underlying price volatility relating to utility costs.
Wireless Access Point Licences	10,000	On-going	10,000	0	As previously reported, there will be savings from the annual licence fee for the Council's Wireless Access Points across its estate.
Initial PFH Savings 'Allowance'	250,000	On-going	0	250,000	This represents the potential aggregate of savings from reviews undertaken by Portfolio Holders in consultation with Services.
Beach Hut Leases Review	100,000	On-going	100,000	0	Although the necessary re-investment will be undertaken in terms of seafront assets and amenities, there is now greater flexibility in the use of income generated from beach huts across the Council's wider budget.
<b>Total</b>	<b>3,574,780</b>		<b>2,654,780</b>	<b>920,000</b>	

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**COST PRESSURE SUMMARY**

					Proposed Budget Adjustments										
	Adjustments made to the budget to date in 2024/25	On-Going Base Budget Adjustment Included in 2024/25 £	2024/25 One-Off Additional Amount Agreed Earlier in the Year £	Total Adjustments 2024/25 £	2025/26 £	2026/27 £	2027/28 £	2028/29 £	2029/30 £	2030/31 £	2031/32 £	2032/33 £	2033/34 £	Comments	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	
<b>On-going Items</b>															
Insurance Premiums Costs	Base Budget 24/25 - £26k  Q1 Financial Performance Report 2024/25 - Further £25k	26,000	25,230	51,230	31,730	31,730	31,730	31,730	31,730	31,730	31,730	31,730	31,730	This item reflects the most up to date position following the recent renewal process. Costs may increase further during 2025/26 but this will not be known until the next renewal process is undertaken during the summer / autumn of 2025. This will therefore be kept under on-going review as part of the Financial Performance reports during next year.	
Commercial Investment Property Potential Rental Income Reduction	Base Budget 24/25	0	0	0	0	125,000	125,000	125,000	125,000	125,000	125,000	125,000	125,000	The current lease agreement for the investment property in Clacton comes to an end in 2025/26. The adjustment proposed allows for a potential reduction in the rent payable (from approx. £225k per annum to £100k per annum) from 2026/27. This will be subject to further review / revision over the life of the remaining years of the existing lease agreement, with the adjustment proposed reflecting a pragmatic / prudent view for the purposes of the forecast.	
Homelessness Costs	Base Budget 24/25 - £500k  Outturn Report 2023/24 - Further £500k  Q2 Financial Performance Report 2024/25 - Further £1.2m	500,000	1,700,000	2,200,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000	This area of the budget remains a significant financial challenge, although the Government have committed to providing extra funding to support Local Authorities. Although Spendells House will have a significant positive impact, it is likely that additional costs will be incurred over and above the £500k included in the base budget from 2024/25 onwards. With this in mind, a further sum of £500k has been included from 2025/26, which will be reviewed in light of any additional financial support emerging from the Local Government Finance Settlement.	
Vehicle Hire Costs	Base Budget 24/25	34,100	0	34,100	8,500	62,400	62,400	62,400	62,400	62,400	62,400	62,400	62,400	This reflects the cost associated with the rolling replacement of various existing fleet vehicles used within Services.	
Career Track Net Revenue Position	Q3 Financial Performance Report 2023/24 - £25k  Outturn Report 2023/24 - Further £50k	0	75,000	75,000	50,000	40,000	30,000	20,000	10,000	0	0	0	0	As previously reported the Service continues to work towards reducing the overall subsidy where possible. This amount reflects a revised approach where a phased reduction in the required subsidy is proposed from 2025/26 onwards.	
Reduction in recreation grounds income - general hire and bookings	Q1 Financial Performance Report 2024/25	0	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	This adjustment recognises the on-going reduced income being experienced across the Council's various recreation grounds.	

	Adjustments made to the budget to date in 2024/25	On-Going Base Budget Adjustment Included in 2024/25 £	2024/25 One-Off Additional Amount Agreed Earlier in the Year £	Total Adjustments 2024/25 £	2025/26 £	2026/27 £	2027/28 £	2028/29 £	2029/30 £	2030/31 £	2031/32 £	2032/33 £	2033/34 £	Comments
Software Licences	Q1 Financial Performance Report 2024/25	0	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	13,000	This reflects the on-going impact from a decision in 2024/25. As part of previous discussions, it was highlighted that the Council is working with other LA partners with the aim of developing viable alternatives to the associated property case management system (IDOX) which is becoming increasingly important due to the increased costs associated with our existing software provider.
Merchant Acquirer Fees	Q1 Financial Performance Report 2024/25	0	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	With an increase in people paying by credit / debit card, the associated cost to the Council of accepting cards also increases. This however remains a cost effective mechanism to accept payments.
Tending E-Newsletter	Q2 Financial Performance Report 2024/25	0	19,000	19,000	19,000	19,000	19,000	19,000	19,000	19,000	19,000	19,000	19,000	This cost pressures relates to the purchase of software to support the publication of a regular e-newsletter. This is a priority action as part of the Council's Communication Strategy / Highlight Priority actions.
Car Parks - Additional merchant acquirer costs to facilitate payment by credit / debit cards	Q2 Financial Performance Report 2024/25	0	19,000	19,000	19,000	On-going cost to be funded from Parking Income from 2025/26 onwards								
External Audit Fees	New / Additional Sum	112,000	0	112,000	74,000	74,000	74,000	74,000	74,000	74,000	74,000	74,000	74,000	This cost pressure reflects the continuing increase in costs associated with the work of the External Auditor, from both a statutory perspective and where they are commissioned to undertake the certification of grant claims work required by the Government.
Members Code of Conduct - Responsibilities under Localism Act 2011 e.g. Review of Complaints / Investigations	New	0	0	0	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	This reflects the increased costs expected to continue on an on-going basis from 2025/26.
Independent Remuneration Panel Allowances	New	0	0	0	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	3,600	This reflects the decision made by Full Council on 26 November 2024, where allowances for members of the panel were highlighted / agreed.
Electoral Registration	New	0	0	0	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	This reflects increased postage costs being incurred. The Service are exploring opportunities to reduce this cost where possible.
Clacton Leisure Centre - 'Regular' Repairs & Maintenance Costs	New	0	0	0	17,000	On-going cost to be funded from Leisure Income from 2025/26 onwards								

	Adjustments made to the budget to date in 2024/25	On-Going Base Budget Adjustment Included in 2024/25 £	2024/25 One-Off Additional Amount Agreed Earlier in the Year £	Total Adjustments 2024/25 £	2025/26 £	2026/27 £	2027/28 £	2028/29 £	2029/30 £	2030/31 £	2031/32 £	2032/33 £	2033/34 £	Comments
Clacton Leisure Centre - 3G Pitch - Future Replacement Fund to ensure money is available when necessary in line with the associated external funding agreement.	New	0	0	0	7,000	On-going cost to be funded from Pitch / Leisure Income from 2025/26 onwards								
<b>Total of On-Going Items</b>		672,100	1,881,230	2,553,330	827,830	953,730	943,730	933,730	923,730	913,730	913,730	913,730	913,730	
<b>One-Off Items</b>														
Weeley Council Offices Costs	Q3 2023/24	0	65,000	65,000	65,000									This reflects the continuing cost of ownership, which includes items such as business rates and utility standing charges. Once ownership is transferred in accordance with the associated agreement then these costs will no longer be payable. Work remains in progress to limit the time that the Council retains this liability, with therefore only a potential additional cost in 2025/26 with no further costs expected in future years.
Implement Beach Patrol Recommendations	Q3 2023/24 - £60k Q1 2024/25 - Further £38k	0	98,000	98,000	98,000									This reflects the costs associated with implementing recommendations from a recent review in partnership with the Royal Life Saving Society UK (RLSS). £98k was included in the budget to meet the associated costs for the 2024 season. It is proposed to include the same sum in the 2025/26 budget for the 2025 season with a review to be undertaken as to the longer term position / impact.
Continuation of contribution for the Harwich PCSO	Q3 Financial Performance Report 2023/24	0	24,650	24,650	25,000									It is proposed to set aside the required funding for this post for a further year subject to a separate report during 2025/26.
Fixed Term Family Support Officer	Q3 Financial Performance Report 2023/24	0	48,750	48,750	49,000									It is proposed to set aside the required funding for this post for a further year subject to a separate report during 2025/26.
Fixed Term Housing Early Intervention Officer	Q3 Financial Performance Report 2023/24	0	43,610	43,610	44,000									It is proposed to set aside the required funding for this post for a further year subject to a separate report during 2025/26.
Community Governance Review - Clacton-on-sea, Holland-on-sea and Jaywick Sands	New	0	0	0	48,400									As agreed by Full Council on 26 November 2024
<b>Total of One-Off Items</b>		0	280,010	280,010	329,400	0	0	0	0	0	0	0	0	
<b>Total of Unavoidable Items Included in the Forecast</b>		672,100	2,161,240	2,833,340	1,157,230	953,730	943,730	933,730	923,730	913,730	913,730	913,730	913,730	
<b>Change across years for Inclusion within the forecast</b>			-	-	-	(203,500)	(10,000)	(10,000)	(10,000)	(10,000)	0	0	0	

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	<b>Relevant line of the Forecast</b>	<b>RAG Assessment of Risk</b>	<b>Comments</b>
	<i>Underlying Funding Growth in the Budget</i>		
1	Council Tax Increase 1.99%		Although this always remains subject to future Government policy, it is expected that an allowable inflationary uplift will continue to be a feature in the Local Government finance settlement and associated council tax referendum principles.
2	Council Tax increase by £5 (amounts set out are over and above the 1.99% above)		Although similar to the above, there is less certainty around the level of increase that the Government may allow over and above a 'base' inflationary uplift. However it is expected that such increases will be allowable in the short to medium term without invoking the need to hold a referendum. This will remain subject to on-going review.
2a	Council Tax increase by 2.99% (amount set out are over above the 1.99% / £5 increase above)		
3	Growth in business rates - Inflation		Similar to Council Tax above, based on the historic trend of inflationary uplifts in the poundage applied to rateable values, modest inflationary increases are relatively certain over the life of the forecast. However there remains the risk that the Government may 'cap' or 'freeze' future annual increases that may limit additional income available to Local Authorities - although this risk is currently being mitigated via the Government's on-going commitment to 'reimburse' Councils for any 'lost' income.
4 & 5	Growth in business rates / council tax - general property growth		Underlying growth in business rates and council tax are expected to remain relatively stable and robust in the long term, although the longer term impact from the more general economic challenges faced globally / nationally remains unclear at the present time. This is in addition to the potential impact from future Government policy relating to the business rates retention framework and their proposed business rates 'reset'.
6 & 7	Collection Fund Surpluses b/fwd		Although only relatively modest amounts have been included in the forecast, similarly to the above, the longer term impact of the issues identified remain unclear at the present time.

**Risk Assessment of Each Line of the Forecast**

**APPENDIX D**

	Relevant line of the Forecast	RAG Assessment of Risk	Comments
	<i>Net Cost of Services and Other Adjustments</i>		
8	Reduction in RSG		Based on recent Government announcements, they have committed to supporting the public sector including Local Authorities. However the uncertainty introduced by the Government's upcoming spending review and the review of Local Government funding from 2026/27 means that this line of the forecast remains one of the primary risks to the Council's long term plan. Updates will be provided during 2025/26 as more information emerges from the Government and the forecast will be updated accordingly.
9	Remove one-off items from prior year		These are known adjustments
10	Remove one-off items from prior year - Collection Fund Surplus		These are known adjustments based on the assumptions set out above concerning the year on year change in the collection fund position
11	LCTS Grant To Parish Councils		Although this in principle remains subject to confirmation of the level of RSG receivable from the Government, to date the Council has remained committed to providing the associated funding to Town and Parish Councils.
12	Revenue contributions to the capital programme		This is based on reoccurring 'base' amounts that support the replacement of IT hardware along with the provision of disabled facilities grants. Any changes to this line of the forecast would be via the management of cost pressures below rather than being a risk in isolation.
13	Specific change in Use of Reserves		Changes in the use of reserves primarily reflect other changes elsewhere in the budget/ forecast so are not a significant risk in isolation.
14	Changes to Savings Identified in Prior Years - E.g. On-going Impact		These are known adjustments based on the preceding year's budget.
15	On-going savings required		This line of the budget fundamentally acts as the 'safety valve' for other changes elsewhere in the forecast and would need to be increased if adverse issues were experienced or estimates were not in line with predictions. Although the long term forecast provides flexibility in the timing of the delivery of such savings, the scale of the estimated savings required remains significant. The Council will continue to undertake the necessary activities to identify opportunities / options within the established Savings Plan framework. This will need to be undertaken alongside the development of corporate objectives / priorities and include wherever possible exploring ways to reduce the Council's costs / liabilities.
16	Other Adjustments		Changes to this line of the forecast primarily reflect other changes elsewhere in the budget/ forecast so are not a significant risk in isolation.

	<b>Relevant line of the Forecast</b>	<b>RAG Assessment of Risk</b>	<b>Comments</b>
17	Use of New Homes Bonus		Unlike earlier years of the long term plan, new homes bonus grant funding along with the benefit of being a member of the Essex Business Rates Pool are included in the forecast on an on-going basis. The risk of building this funding into the base budget is acknowledged, which would undoubtedly require additional savings to be identified in the medium to longer term if they were no longer receivable in future years.
18	Gain from Essex Business Rates Pool Membership		
	<b>Cost Increases</b>		
19, 20, 21	Inflation and Unavoidable Cost Pressures		<p>Alongside the savings target above, it is recognised that this element of the forecast remains as a significant risk, especially given the amount of unavoidable cost pressures that continue to emerge. Identifying opportunities to reduce such liabilities will need to be a key activity going forward. Although on-going revenue items remain the most difficult items to respond to, one-off items, such as those associated with repairing / refurbishing assets could also have a significant impact on the forecast. One-off funding has been made available elsewhere in the budget to support these one-off costs, which therefore contributes to the mitigation of this risk.</p> <p>Another significant risk to the forecast is external income, especially from elsewhere in the public sector where similar financial pressures are being experienced. Such items include the funding from the major preceptors in respect of the Council Tax Sharing Agreement - This will continue to be reflected in the forecast based on ECC's current commitment, but it may need to be reviewed in future years.</p>

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## CABINET

20 DECEMBER 2024

### REPORT OF PORTFOLIO HOLDER FOR ECONOMIC GROWTH, REGENERATION AND TOURISM

#### A.6 COMMUNITY REGENERATION PARTNERSHIP (FORMERLY LEVELLING UP PARTNERSHIP) – PROGRAMME DELIVERY

##### PART 1 – KEY INFORMATION

###### PURPOSE OF THE REPORT

To inform the Cabinet about progress with the Community Regeneration Partnership (formerly Levelling Up Partnership) initiative and recommend that Cabinet approves the proposed projects aimed at place-based regeneration in Clacton and Jaywick, including progressing a first wave of projects under the delegations set out later within this report and establishing appropriate funding agreements with delivery partners for a further wave of projects.

###### EXECUTIVE SUMMARY

The Community Regeneration Partnership funding programme, formerly known as the Levelling Up Partnership, represents a further significant investment in the Tendring District, complementing the existing Levelling Up Fund, Capital Regeneration Projects and Long Term Plan for Towns funding.

Collectively, these funding streams represent a once in a generation opportunity, working in partnership with the Government and delivery partners including Essex County Council and the NHS East Suffolk and North Essex Foundation Trust, to deliver a diverse, transformative range of interventions across our district: to improve quality of life, access to opportunities and health & wellbeing for our residents.

###### **Progress since the last report to Cabinet**

On 26 July 2024, the Cabinet considered a report of the Portfolio Holder for Economic Growth, Regeneration and Tourism that updated Cabinet on progress with one of the Council's most significant new work-streams, at that time called the Levelling Up Partnership. That report recommended that Cabinet approve the principle of the Council entering the Partnership with Government.

That report also required the Portfolio Holder for Economic Growth, Regeneration and Tourism to report to Cabinet the scope and details of the individual Partnership Projects, together with the relevant Portfolio Holders taking the lead on delivery prior to implementation. This report provides an update on this process, including setting out the scope and details for a 'first wave' of Partnership Projects to enable these projects to be brought forwards to implementation.

Progress since the July 2024 Cabinet is set out below.

### The Council as Accountable Body and the Policy Framework

The current approach is to deliver projects through the Council as the Accountable Body, working both directly and with partners to achieve place-based regeneration in Clacton and Jaywick.

Cabinet recommended to Full Council to approve that Tendring District Council act as the Accountable Body for the Partnership (or alternative relationship determined by Government in revised policy), which forms part of the Council's Corporate Plan 2024-28, 'Our Vision' and therefore, within the Policy Framework;" On 8 June 2024 Full Council approved that recommendation.

### Memorandum of Understanding with MHCLG

At their meeting in July 2024 Cabinet also agreed that, subject to relevant approvals by Full Council, the delegation by Cabinet in December 2023 could be exercised by the Corporate Director Place and Economy in consultation with the Section 151 Officer and the Monitoring Officer to enter into any agreements with MHCLG for this Partnership

The Section 151 Officer signed and submitted the Memorandum of Understanding with Government on the 27 of September 2024, and the Corporate Director Place and Economy published the relevant decision on the same day. That decision noted that the MoU funding period lasted to 31 March 2026, and that entering into agreements with contractors or third parties to deliver projects would count funding as spent within that period, reducing the delivery risk report to Cabinet in July 2024.

### The Projects

The report of July 2024 set out that the Portfolio Holder would report back to Cabinet the scope and details of the individual Partnership Projects, together with supporting Portfolio Holders taking the lead on delivery, prior to implementation. This report provides further details on the projects as well as identifying supporting Portfolio Holders.

Following the Government's Deep Dive review of Clacton and Jaywick from January to March 2024 Government ministers chose the projects that they wanted local partners to deliver, and which Government are prepared to fund or part fund (set out below).

At Government's request the Council has shared additional information on project timings, outputs, and outcomes so that civil servants could complete business cases, including assessing value for money, which supported gaining Treasury approval for the projects.

The Council promotes a 'quarters' approach in Clacton, so that the different funding streams create a coherent package of investment, including the funding that was called the Levelling Up Partnership, Levelling Up Fund, and the Long-Term Plan for Towns. The projects progress capital schemes in each of the 'quarters' and in Jaywick. This includes:

- |                   |                          |                   |
|-------------------|--------------------------|-------------------|
| • Civic Quarter   | Carnarvon Road           | Levelling Up Fund |
| • Arts Quarter    | Links across town        | Partnership       |
| • Retail Quarter  | Heart of the Town Centre | Partnership       |
| • Tourist Quarter | Seafront                 | Partnership       |
| Vista Road Site   | Partnership              | Wellbeing Quarter |

The projects funded by the Partnership programme are set out as follows:

Table 1: Community Regeneration Partnership projects

Quarter/Area	Project	Delivered By	RDEL £m	CDEL £m	Wave
Wellbeing Quarter	Ten_12 Active Wellbeing Centre Phase One and All Wheels Park inclusive cycling facility	TDC	0	£3m	3
	Ten_15 Urgent Treatment Centre and Primary Care Facility	NHS	0	£2.0m	4
Cultural Quarter	Ten_13 Acquiring and repurposing disused town centre building for cultural use	TDC	0	£5m	3
	Ten_14 Cultural master planning	TDC	£0.1m	0	2
Retail Quarter	Ten_08 Shopfront improvements in Clacton and Jaywick	TDC	0	£0.5m	1
	Ten_07 Connecting the town centre to the seafront	ECC	0	£1.3m	4
Tourist Quarter	Ten_11 Repurposing Martello towers	TDC	0	£2m	2
	Ten_10 Repurposing disused toilet block for seafront arts, exhibition, and community micro venue	TDC	0	£0.5m	1
Civic Quarter	Ten_03 Fitting out the skills hub at the new Clacton Hub	ECC	0	£0.2m	4
Jaywick Sands Place Plan	Ten_05 Expanding the Tudor Fields – Jaywick walking route which would also serve as an evacuation route and for emergency vehicle access	ECC	0	£2.5m	4
	Ten_09 Enhancing public open space in Jaywick Sands	TDC	0	£2m	2
	Ten_06 Extending the housing enforcement work of Jaywick Healthy Homes Initiative	TDC	0	£0.2m	1
	Ten_04 Fitting out the Sunspot Centre with solar panels	TDC	0	£0.15m	3
Transport	Ten_01 Improving bus infrastructure in Clacton and Jaywick	ECC	0	£0.23m	4
	Ten_02 Providing Community Transport Buses	TDC	0	£0.21m	1
<b>TOTAL</b>			<b>£0.1m</b>	<b>£19.79m</b>	

A roundtable with Government Departments and local stakeholders on tackling Jaywick flooding risks, was also discussed as part of the Partnership negotiations but was not included in the MoU.

This is one of the last Partnerships to go through the Government Deep Dive process, and given delays caused by the Election, project commitments have been extended to March 2026.

More details of the projects are included in the appendices.

### Capacity

The Cabinet Report in July 2024 allocated funding to a Project Delivery Unit and noted that the Chief Executive under his delegated powers would arrange recruitment, which is currently underway to create the new Unit. Three project managers are already in place, with roles including Head of Unit, property lawyer and administrative assistant commencing early in the new year. The 2024 November Cabinet report also enabled that funding to be spent procuring as well as recruiting resource to the Unit.

The programme will continue to be monitored and reviewed in light of the Council's capacity, noting mechanisms included within the MoU to allow adjustments to the projects.

For projects delivered by TDC the works will be procured by the Council. Projects delivered by partners will be delivered through funding agreements between Tendring District Council and Essex County Council, and for the Urgent Treatment Centre, the NHS.

### **Programme delivery**

The Portfolio Holder for Economic Growth, Regeneration and Tourism will continue as the Portfolio Holder overseeing the programme, including for executive decision-making purposes. Where relevant, other Portfolio Holders will support the Portfolio Holder for Economic Growth, Regeneration and Tourism, as set out below in relation to the specific projects.

Programme delivery is proposed to be split into four 'waves' with three to be delivered by Tendring District Council, and then a fourth set delivered via agreements with partners. The appendices include a presentation on the approach to defining the 'waves' and detail on the first wave for delivery by the Council.

The programme will commence with a '**First Wave**' of the projects, where implementation plans are advanced. Developed timelines, project plans and project teams are in place for these projects. These projects have been selected for progression at this stage because one or more of the following considerations apply:

- Many of the Partnership projects stem from earlier adopted work and public engagement, such as the 2009 Clacton Town Centre Vision and Future High Streets Fund application. As a result, in some instances, the scope and details are sufficiently developed at this point in time to be brought to Cabinet for approval;
- Some are further phases of projects already underway: for example, the Healthy Homes Initiative, which is an existing workstream within the Council's Housing and Environmental Health teams;
- Some have approaches that can follow existing adopted approaches, either covered under the Council's Constitution, such as the Property Dealing Procedure, or the recently



- Lower value projects as part of the Partnership offer the opportunity to be ‘quick wins’, delivering improvements for the Clacton-on-Sea and Jaywick Sands communities earlier in the programme duration, and allowing for officer resource to then be focused on the more significant projects within the programme thereafter.

The ‘First Wave’ projects incorporate the following outcomes and approaches:

*Table 2: First wave projects*

Project and value	Supporting Portfolio Holder	What this project will achieve	How this project will be approached	Key risks
Ten_10 <b>Seafont Micro Venue</b> £0.5m	Portfolio Holder for Arts, Culture and Heritage	<ul style="list-style-type: none"> <li>▪ Building refurbishment of disused historic Council-owned asset on Clacton-on-Sea seafont</li> <li>▪ Contributing to neighbouring private-led regeneration</li> <li>▪ New commercial unit for tenant let</li> </ul>	<ul style="list-style-type: none"> <li>▪ Building refurbishment project incorporating planning submission</li> <li>▪ Procurement of contractor utilising a Design &amp; Build contract for detail design and delivery</li> <li>▪ Feasibility studies and soft-market testing to establish financially viable &amp; sustainable tenant uses, leading to tenant procurement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Poor building condition resulting in cost uplift</li> <li>▪ Procurement timescales and market availability</li> <li>▪ Potential disruption to Beach Patrol activities</li> <li>▪ Site logistics and proximity to busy public areas</li> </ul>
Ten_08 <b>Jaywick and Clacton shopfront improvements</b> £0.5m	-	<ul style="list-style-type: none"> <li>▪ Grant scheme offering capital grants for shopfront improvements within Clacton-on-Sea and Jaywick Sands</li> </ul>	<ul style="list-style-type: none"> <li>▪ Utilise grant process established by Economic Growth team for earlier shop improvements grant scheme</li> </ul>	<ul style="list-style-type: none"> <li>▪ Inclusion and barriers to accessing funding</li> <li>▪ Lack of take up due to complexity of application process</li> </ul>

		<ul style="list-style-type: none"> <li>Works can include internal and external improvements including building condition, signage, lighting and access</li> </ul>	<p>funded by UKSPF</p> <ul style="list-style-type: none"> <li>Grants to be awarded in line with adopted Grant Funding Checklist</li> </ul>	<ul style="list-style-type: none"> <li>Communication and engagement</li> <li>Approvals including planning</li> <li>Impact on Clacton Seafront Conservation Area</li> </ul>
<p>Ten_02 <b>Community Transport Buses</b> £0.21m</p>	-	<ul style="list-style-type: none"> <li>Provision of 3 community transport minibuses via Council's grant funding process.</li> <li>Enhancing quality of community transport in the local area.</li> <li>One of the allocated minibuses to support aged 10-18 year old disadvantaged young people.</li> </ul>	<ul style="list-style-type: none"> <li>Utilise grant process established by Economic Growth team on grant schemes such as Sports and Events Grants</li> <li>Grants to be awarded in line with adopted Grant Funding Checklist</li> </ul>	<ul style="list-style-type: none"> <li>Attracting suitable organisations to apply for funding.</li> <li>Fund allocated being sufficient to cover costs of minibus purchase.</li> <li>Organisations able to maintain minibus running costs post funding and purchase.</li> </ul>
<p>Ten_06 <b>Healthy Homes Initiative</b> £0.2m</p>	Portfolio Holder for Assets	<ul style="list-style-type: none"> <li>To help fund the acquisition and/or demolition of long-term vacant and or dangerous dwellings.</li> <li>To support a cultural shift away from acceptance of poor quality privately rented accommodation through collaboration with residents, property</li> </ul>	<ul style="list-style-type: none"> <li>Appraisal of appropriate sites</li> <li>Appraising feasibility of acquisition and progressing in line with Property Dealing Procedure</li> <li>Feasibility studies for future uses and improvements</li> </ul>	<ul style="list-style-type: none"> <li>Long timescales to achieve property acquisitions and demolition work</li> <li>Negotiation with private landowners</li> <li>Future use of sites once acquired including anti-social behaviour</li> </ul>

		inspections and improvements by Council intervention, improving health and wellbeing. <ul style="list-style-type: none"> <li>▪ The Partnership funding is capital and therefore cannot be utilised for the team's resourcing.</li> </ul>	to sites once acquired	
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The **'Second Wave'** will be brought to Cabinet for approval in early 2025. These projects have been collated together as each requires additional scoping and definition prior to bringing to Cabinet for approval, due to complexity and risk, with particular actions set out below. Phasing the works in this manner will allow for officers to fast-track delivery of simpler projects, enabling swifter completion and focusing officer resource to derisk meeting the funding deadlines.

The **'Third Wave'** of projects are already progressing under separate governance, therefore recommendations for Cabinet approval are not included in this report. These projects will be brought forwards at the appropriate moment to gather Cabinet approval as necessary to implement next steps.

The **'Fourth Wave'** of projects will be delivered with partners. These are set out below. These projects have been identified for delivery with partners due to considerations including land ownership, such as Highways which fall under the County Council, and interface with the project at Clacton Library being led by Essex County Council.

In order to deliver these, it is intended to enter agreements with the relevant partners, which will allow them to commission and deliver the projects. This report recommends a delegation to the Portfolio Holder for Economic Growth, Regeneration and Tourism in consultation with the Corporate Director Place and Economy, Section 151 and Monitoring Officers to approve the Heads of Terms for the agreement, the drafting of which will be led by Tendring District Council's Legal team, until the PDU is resourced. The agreements are being developed at present with a target to have the agreements in place by the first quarter of the 2025/6 financial year. The agreement will be subject to partner governance processes, which are being commenced by the relevant officers.

Due to the accountability placed on TDC as the accountable body, it is intended to include approval milestones within the agreement to allow for Tendring District Council Councillor oversight prior to progressing to delivery.

*Table 3: Fourth wave projects*

Project and value	Key outputs	Key risks
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<b>Ten_05 Tudor Fields – Jaywick Walking Route</b> £2.5m	Partner: ECC. To deliver an off-road walking and cycling route across Tudor Fields in Jaywick Sands suitable for emergency evacuation.	<ul style="list-style-type: none"> <li>▪ HRA land may require additional Government approvals,</li> <li>▪ Insufficient funds to provide path of required standard.</li> <li>▪ Feasibility study raises construction concerns on marsh land.</li> </ul>
<b>Ten_07 Town Centre and Seafront Public Realm</b> £1.3m	Partner: ECC. Provision of enhanced wayfinding between Clacton seafront and town centre, including improved street furniture and pavements.	<ul style="list-style-type: none"> <li>▪ Feasibility study needed for preferred works, any planning permissions needed and realistic timeline of delivery.</li> </ul>
<b>Ten_01 Bus Infrastructure in Clacton and Jaywick</b> £0.23m	Partner: ECC. Upgrading and improving bus stops and shelters on Clacton and Jaywick bus routes.	<ul style="list-style-type: none"> <li>▪ Planning approvals needed to erect new bus shelters, lighting, seating and paving.</li> </ul>
<b>Ten_03 Fitting Out Skills Hub at Clacton Hub</b> £0.2m	Partner: ECC, Provision of equipment and furniture for the skills hub in the new Clacton Hub.	<ul style="list-style-type: none"> <li>▪ Construction of Clacton Hub not completed by March 2026 and unable to commit funding.</li> </ul>
<b>Ten_15 Urgent Treatment Centre and Primary Care Facility</b> £2m	Partner: NHS. Financial contribution towards building new Urgent Treatment Center and new Primary Care Facility at Clacton Hospital. Facility opening predicted for 30/09/25.	<ul style="list-style-type: none"> <li>▪ Planning permission not granted, additional funding not gained, over-run of programme, negative clinical impact during construction.</li> </ul>

Capital funding could create opportunities for use of buildings. The actual use and related costs is not a matter for this report and will be considered separately under a future report. Work is underway on a separate project under existing governance as part of the UK Shared Prosperity Fund, to develop a Need & Demand Study establishing an evidence base to inform future work.

#### **RECOMMENDATION(S)**

**It is recommended that the Cabinet:**

- a) **accepts the £19.79M CDEL and £100k RDEL funding offered by the Ministry for Housing, Communities and Local Government for the Community Regeneration Partnership (formerly Levelling Up Partnership) programme;**
- b) **subject to a) above, allocates capital expenditure of £19.79M to the Capital Programme against the projects as set out in Table 1 of this report and allocates**

**£100,000 revenue to the delivery of a cultural masterplan for Clacton, to deliver the Partnership;**

**In respect of the projects identified:**

- c) approves the scope and details of the ‘first wave’ projects set out in Table 2 of this report and delegates authority as follows:**
- i. subject to (a), approves allocation of £0.5m from the above capital expenditure to the Seafront Micro Venue project (Ten\_10) and delegates authority to the Portfolio Holder for Economic Growth, Regeneration and Tourism in consultation with the Portfolio Holder for Arts, Culture and Heritage to: Agree the final design brief, approve submission of the subsequent planning application and procure a main contractor for the detail design and delivery of the project on the basis of a planning consent;**
  - ii. subject to (i) above, requests the Portfolio Holder bring a future report to Cabinet to enter a main building contract for the Seafront Micro Venue project subject to the outcome of a formal procurement process;**
  - iii. subject to (a) above, approves allocation of £0.5m from the above capital expenditure to the Shopfront Improvements project (Ten\_08) and delegates authority to the Portfolio Holder for Economic Growth, Regeneration & Tourism to: sign off an evaluation criteria and deliver an open call grant process administered in line with the adopted External Grant Funding Checklist;**
  - iv. subject to (a) above, approves allocation of £0.21m from the above capital expenditure to the Community Transport Buses project (Ten\_02) and delegates authority to the Portfolio Holder for Economic Growth, Regeneration & Tourism to: sign off an evaluation criteria and deliver an open call grant process administered in line with the adopted External Grant Funding Checklist;**
  - v. subject to (a) above, approves allocation of £0.2m from the above capital expenditure to the Extending the Healthy Homes Initiative project (Ten\_06) and delegates authority to the Portfolio Holder for Economic Growth, Regeneration and Tourism in consultation with the Portfolio Holder for Assets to: appraise the sites and execute powers as delegated under the Property Dealing Procedure;**
- d) in respect of the ‘second’ and ‘third’ wave of projects, approves these projects in principle and request officers to progress outlining the scope and details of these projects, and requests the Portfolio Holder for Economic Growth, Regeneration & Tourism to bring a future report to Cabinet to seek approval to progress these projects to implementation; and**
- e) in respect of the ‘fourth wave’ of projects set out in Table 3 of this report, subject to (b) above, approves to delegate the authority to agree funding agreements and associated governance arrangements with Essex County Council and the NHS to the Portfolio Holder for Economic Growth, Regeneration & Tourism in**

**consultation with the Corporate Director Place and Economy, Section 151/Director Finance and Monitoring Officer/Director Governance.**

#### **REASON(S) FOR THE RECOMMENDATION(S)**

The recommendations are made to capitalise on the Government's funding opportunity to address key socio-economic challenges in Clacton-on-Sea and Jaywick Sands, improve local infrastructure, enhance community services, and contribute to the long-term regeneration of the area.

This is a once in a decade opportunity for Tendring to deploy investment on this scale, in addition to other government funding, to be benefit of Clacton-on-Sea and Jaywick Sands.

#### **ALTERNATIVE OPTIONS CONSIDERED**

1. **Not to allocate funding to these projects:** This option was carefully considered. Given the scale of the project work in the limited time available, and the risks to the council if there were overspends at a time of tight finances, the option of not taking the projects forward was considered. However, it was dismissed as it would forfeit significant government funding and the opportunity to address important local issues.
2. **Only accept funding for some projects:** This option was also considered, as it would reduce the pressure on delivery. However, it would not fully make use of the available funding or meet as much need as this broad list of projects provides.
3. **Not progress with commencing projects at this time:** this option was carefully considered, however due to the limited timescale set out within the Memorandum of Understanding, swift development of the projects will be necessary to address the programme risks already set out here. On review of the projects identified, the opportunity was identified to progress projects which were well developed and subject to previous governance to mitigate the programme risks.

## **PART 2 – IMPLICATIONS OF THE DECISION**

#### **DELIVERING PRIORITIES**

##### Corporate Plan Priorities

##### **Pride in our area and services to residents**

- *Promoting clean and tidy communities and Promoting pride in our communities:* The programme will deliver a range of meaningful improvements to Clacton-on-Sea and Jaywick Sands, leading by example to improve cleanliness and tidiness, and contributing to boosting local pride in place.

##### **Raising aspirations and creating opportunities**

- *Trending is ambitious and our residents will be supported to reach their potential and realise their opportunities:* Projects such as 'Town Centre Building', 'Seafront Micro Venue' and 'Cultural Masterplanning' offer opportunities to support entrepreneurship, growth and success of local economy & businesses. Projects such as 'Shopfront Improvements' and 'Community Transport Buses' will support success of local businesses and contribute to raising aspirations.
- *Working with businesses and partners, [...] improve access to skills learning and training so that residents can find employment and enable businesses to thrive:* 'Community Transport Buses' and 'Tudor Fields' will improve local connections and access to improve access to skills and employment.
- *Encourage cultural, tourism and economic growth:* Projects such as 'Cultural Masterplanning' and 'Town Centre Building' will support the tourism economy locally and with a particular focus on culture.

### **Championing our local environment**

- *Our environment is special [...] and therefore deserves protection:* Projects such as public realm improvements to Clacton-on-Sea town centre and Jaywick Sands will deliver improvements to the local environment through targeted maintenance, expansion and improvements to soft landscaping.
- *Create and maintain spaces for leisure, wellbeing and healthy lifestyles:* A number of the projects such as Tudor Fields, include direct benefits for wellbeing and healthy lifestyles by promoting active travel.

### **Working with partners to improve quality of life**

- *Working with our partners across government, public, private and third sectors:* Programme delivery includes working with our partners at a range of levels, from collaborating with MHCLG, through to delivery partners including ECC and NHS, down to the local level, providing grants to local organisations.

### **Promoting our heritage offer, attracting visitors and encouraging them to stay longer**

- *Boost our tourism by attracting more visitors:* Delivering aesthetic and functional improvements to Clacton-on-Sea town centre and the seafront, increasing the number of local attractions and improving the area's appearance.
- *Support our unique heritage:* Including repair and refurbishment works to existing historic buildings, located within Clacton Seafront Conservation Area, contributing to best practice stewardship of historic assets for future generations, setting an example for other partners in the area and contributing to improvement of the wider Conservation Area
- *Promote the district for the benefit of our residents and to encourage visitors to come and to stay for longer:* Providing additional facilities for residents and visitors, supporting

local tourism economy, meaningful engagement to ensure relevance and inclusivity of future tenant/use strategy to local residents.

### **Financial Sustainability and openness**

- This will be delivered through effective management at both programme and project level, supported by the new Project Delivery Unit, to ensure a high level of control and assurance on programme budgets to deliver on or under budget and within the parameters set out within this report.
- Through utilising best practice protocols and adopted Council procedures in relation to external grant programmes, alongside capturing lessons learned from recent similar programmes to maximise accessibility and impact.

### 2024/5 Year Priorities and Milestones

The Partnership projects align with the Council's priorities approved in March 2024 for the year April 2024 to March 2025. The projects in the Levelling Up Partnership will help us:

- Raising aspirations and creating opportunities: we will celebrate business success, encourage cultural, tourism and economic growth.

Championing our local environment: We believe our environment is special, it is the space where we live and work and therefore deserves protection. We want to create and maintain spaces for leisure, wellbeing, and healthy lifestyles, and deliver access to open spaces and community resources.

- Promoting our heritage offer, attracting visitors and encouraging them to stay longer: We want to boost our tourism by attracting more visitors to the 36 miles of sunshine coast and to our rural towns and villages. We will support our unique heritage, work with our partners, run events and promote the District for the benefit of our residents and to encourage visitors to come and to stay for longer.
- Financial Sustainability and openness: To continue to deliver effective services and get things done we must look after the public purse; that means carefully planning what we do, managing capacity, and prioritising what we focus our time, money, and assets on.

*B2: Implement Levelling Up Fund, Capital Regeneration Partnership Projects and High Street Accelerator Schemes, taking these through design and planning.*

*Q1: Government completes Levelling Up Partnership Business Case for Clacton-on-Sea submitted.*

*Q4: Spending decision made on Levelling Up Partnership projects for Clacton-on-Sea*

- This proposal relates to the commitment and expenditure of LUP funding supporting Q4 milestone of the above.

The projects also support the Highlight Priority for 2024/5 of celebrating business success, encouraging cultural, tourism and economic growth.



Tendring District Local Plan 2013-2033 and Beyond: Section 2, Adopted 25th January 2022

- Vision and Objectives: “Clacton will have preserved and enhanced its heritage features”.
- Clacton is classified as a Major Town Centre and the site falls within:
  - Priority Areas for Regeneration
  - Conservation Area
- Economic Development Strategy: Objective 1: Support Tendring’s growth locations.
- Love Clacton vision seeks to celebrate town centre’s seaside heritage and unique history; concentrate activity in the central core; and provide new spaces for arts, entertainment and community facilities.

Clacton-on-Sea Conservation Area Appraisal

Projects including Shopfront Improvements, Town Centre Building and Seafront Micro Venue will make a positive contribution to historic assets and to the Conservation Area as a whole.

**OUTCOME OF CONSULTATION AND ENGAGEMENT** (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

The proposed projects have been chosen by ministers after a Deep Dive of civil servants speaking to over 45 key local stakeholders, including, community groups, businesses, and public sector partners, and reviewing local strategies and plans, based on consultations.

The long list of projects for consideration as part of the Deep Dive were compiled from extensive previous engagement throughout Clacton-on-Sea and Jaywick Sands, combining public engagement with local communities; Councillor engagement across the Cabinet and Wards; and across officer teams within the Council, as part of programmes including:

- Clacton Town Centre Vision, 2009 including Community Forum and Councillor Working Group
- Love Clacton Vision, 2020
- Future High Streets Fund application, 2020
- Jaywick Sands Place Plan, 2023

As individual projects with the Levelling Up Partnership are developed there will be the opportunity for further community consultation. For example, the Active Wellbeing Centre and All Wheels facility is part of the Sports and Activity Strategy which has been out to consultation already.

Consultation is also ongoing with local businesses as part of an earlier shopfront improvements scheme funded by UKSPF, capturing lessons learned so that these can be included in the design and delivery of the shopfront improvements scheme identified within this funding programme.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

<p><b>Is the recommendation a Key Decision (see the criteria stated here)</b></p>	<p><b>YES</b></p>	<p><b>If yes, indicate which by which criteria it is</b></p>	<p><b>Significant effect on two or more wards Involves £100,000 expenditure/income</b></p>
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		<b>a Key Decision</b>	<b>Is otherwise significant for the service budget</b>
		<b>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)</b>	22 May 2024

Governance will be required to approve detailed project level spend, with a report setting out delivery, spend and milestones.

A timeline of project delivery and forward look for governance is set out below, and represented visually within the appendices.

As set out above, the Portfolio Holder for Economic Growth, Regeneration and Tourism will oversee the programme as a whole, with support from other Portfolio Holders where relevant as set out in relation to the specific projects.

*Table 2: First Wave projects – Forward Look*

<b>Project and value</b>	<b>Supporting Portfolio Holder</b>	<b>Next steps and delegations sought</b>	<b>Future governance milestones</b>
<b>Ten_10 Seafront Micro Venue</b> £0.5m	Portfolio Holder for Arts, Culture and Heritage	Delegation to the relevant Portfolio Holder for final design brief, submission of subsequent planning application and going to market for main contractor on the basis of planning consent;	Report to be brought back to Cabinet to enter building contract with main contractor incorporating delegation to Portfolio Holder to accept building on completion
<b>Ten_08 Shopfront Improvements</b> £0.5m	Portfolio Holder for Economic Growth, Regeneration & Tourism	Delegation to the relevant Portfolio Holder to sign off a scoring criteria and deliver an open call	Delegations to enable project completion included within this report

		grant process administered in line with the adopted External Grant Funding Checklist	
<b>Ten_02 Community Transport Buses</b> £0.21m	-	Incorporating preparing and adopting a scoring criteria and open call grant process administered in line with the adopted External Grant Funding Checklist	Delegations to enable project completion included within this report
<b>Ten_06 Healthy Homes Initiative</b> £0.2m	Portfolio Holder for Assets	Incorporating site appraisals and delegated powers under the Property Dealing Procedure	Delegations to enable project completion included within this report and covered by the Property Dealing Procedure as set out within the Constitution

The funds were received via a Grant under Section 50 of the United Kingdom Internal Market Act 2020, which provides the Government with the power to provide financial assistance for economic development etc.

- (1)A Minister of the Crown may, out of money provided by Parliament, provide financial assistance to any person for, or in connection with, any of the following purposes—
- (a) promoting economic development in the United Kingdom or any area of the United Kingdom;
  - (b) providing infrastructure at places in the United Kingdom (including infrastructure in connection with any of the other purposes mentioned in this section);
  - (c) supporting cultural activities, projects, and events that the Minister considers directly or indirectly benefit the United Kingdom or areas of the United Kingdom;
  - (d) supporting activities, projects and events relating to sport that the Minister considers directly or indirectly benefit the United Kingdom or areas of the United Kingdom;
  - (e) supporting international educational and training activities and exchanges;
  - (f) supporting educational and training activities and exchanges within the United Kingdom.

#### **Memorandum of Understanding**

The Section 151 Officer signed the Memorandum of Understanding (MoU) on 27 September 2024. This document, although not a legally enforceable agreement, provides a framework for collaborative working between the Partners. Partners remain independent and their collaboration does not constitute the creation of a legal entity, nor authorise the entry into a commitment for or on behalf of each other.

The objectives of the partnership in the MoU are to address the issues that have hampered attempts to narrow spatial inequality to date – chiefly the lack of necessary policy and delivery

coordination in the town centre, and lack of local empowerment on the ground. Specific objectives are to:

- Improve the living offer
- Improve community safety in Jaywick
- Increase connections and access to jobs

### **Monitoring**

Government expects a level of monitoring of milestones, spend, risks, outputs, and outcomes with a quarterly review with MHCLG. The Council is expected to keep records of the activities. There is also wider national impact evaluation of the programme, which the Council may be expected to take part in.

The Council is expected to provide MHCLG with a signed statement of the Section 151 Officer that the grant has been used for the delivery of the funded activities.

### **Communications**

The Council need to inform the MHCLG about promotion of projects in the partnership. We need to follow the Branding Manual and the 'UK Government' branding manual published in October 2023. The Council needs to notify the MHCLG marketing team when a project plans to erect billboards and hoarding.

### **Assurance**

The MoU expects the Council to have the necessary governance and assurance arrangements in place and adhere to public law duties including public sector equality duty, public procurement law, data protection law, the subsidy control regime and relevant guidance set by HM Treasury for spending public money.

The Council will complete a Fraud Risk Assessment to ensure the safe administration of grants and that appropriate measures are put in place to mitigate against the risk of both fraud and payment error. The Council will ensure data can be shared for the prevention and detection of fraud by including the following clause in all agreements with companies or external entities: *'Data may be shared with other enforcement agencies for the prevention and detection of crime.'*

### **Agreements.**

The Council plans to deliver five of the projects through partners – Essex County Council and the local NHS. These projects will require funding agreements that pass on the responsibilities put on the Council by MHCLG to the partners delivering the projects. The Council will draw on the experience of the Levelling Up Fund and Capital Regeneration Project Agreements with Essex County Council as a basis, but with the specific requirements of the terms and conditions of this funding included.

YES	<b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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Early feedback on the content of the report has been taken into account through the drafting and the outcome presents a structured format to which decisions are being made on the various projects. The current referencing must be maintained. It is important that the requirements of the MOU are met, whilst not being legally enforceable it does set out the terms on which Tendring District Council accepted the funding in its role as Accountable Body. Clear oversight

and adherence to the Council's governance framework is essential whilst recognising the capacity of certain roles within the Council. Not all of the resources required are covered within the PDU and the Council is under an obligation to ensure it delivers against its Best Value Duty in service delivery.

## **FINANCE AND OTHER RESOURCE IMPLICATIONS**

The total funding allocated for the Partnership projects in Tendring is £19.79m capital and £100,000 revenue. This funding is in addition to £90,000 Levelling Up Partnerships Capacity Revenue Grant already provided to the Council and allocated to the Project Delivery Unit in July 2024. The Council received the full £19.89m funding from Government in one payment on the 26<sup>th</sup> November 2024.

Given the scale of delivery and the timeline for completion set by Government, Cabinet needs to be aware there is a risk some money will need to be returned unspent as not all money may be spent in time.

Levelling Up Fund, Capital Regeneration Projects, and Partnership programmes, are outside the current resource allocation for Essex Procurement Service Level Agreement with the Council, and so the Project Delivery Unit includes funding for additional procurement resource within Essex Procurement Service to support the implementation of these programmes.

Funding will be provided by MHCLG to Tendring District Council through a Section 50 grant under the UK Internal Market Act 2020, and subject to the terms set out in a Memorandum of Understanding (MOU). The ownership of risk will be transferred to Tendring District Council as the Accountable Body. All the funding was received by the Council on 26<sup>th</sup> November 2024, totalling £19.89m.

In turn the Council will enter into agreements with the NHS and Essex County Council for the delivery of projects that those bodies will lead on. The Council will ensure that the ownership of risk for those projects is transferred to the delivering body.

Funding can only be used for the projects and activities listed above In the Levelling Up Partnership Memorandum of Understanding. However, the Council can move funding between projects to deliver agreed outcomes and the Council can submit a request to add a project if it reflects the menu of interventions developed during the Partnership and agreed with Ministers.

### **First Wave projects**

The First Wave of projects includes those that can be delivered swiftly and do not require partnership working with external stakeholders. The available funding has been allocated to cover the project costs without the need for match funding. This report recommends for Cabinet to approve allocation of the funding to the first wave of projects as set out below:

*Table 3: First Wave projects*

<b>Project</b>	<b>Project budget recommended for allocation of capital</b>	<b>What this budget will be spent on</b>

	<b>expenditure from Levelling Up Partnership funding</b>	
Ten_10 <b>Seafront Micro Venue</b>	£0.5m	Consultant procurement for expert consultancy support including cost consultant; building contract with main contractor for construction through to completion; and accompanying project costs including site investigations and surveys, and approvals
Ten_08 <b>Shopfront Improvements</b>	£0.5m	Grant awards
Ten_02 <b>Community Transport Buses</b>	£0.21m	Grant awards
Ten_06 <b>Healthy Homes Initiative</b>	£0.2m	Acquisition of derelict and long-term vacant sites (subject to feasibility, viability and due diligence to be established through the course of applying the Property Dealing Procedure as set out within the Constitution)
<input type="checkbox"/>	<b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b>	
<p>Although there are no significant comments over and above those set out elsewhere in the report, it is worth highlighting that the projects that will be directly delivered by the Council will be subject to the various existing financial governance arrangements throughout the lifetime of the project. In terms of the projects that will be delivered by partners, the learning from the existing LUF / CRP schemes can be translated across to the necessary management / monitoring arrangements to fulfil the Council's responsibilities under its Accountable Body status.</p> <p>It is also worth highlighting the helpful guidance provided by the Government relating to the defrayment of the funding as set out elsewhere in this report, which is especially important given the tight delivery timescales involved. The risk of potentially having to return funding to the Government where it has not been possible to deliver the projects / defray the grant funding by the deadline of the end of March 2026 is also useful to note.</p>		
<b>USE OF RESOURCES AND VALUE FOR MONEY</b>		
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;	The Council will consider carefully when delivering the Levelling Up Partnership projects the impact on the Council's finances of the longer-term use of the assets. For example, the costs of running the Martello Tower, as well as the costs of refurbishing it, and will look to	

	contract out where possible to third party organisations to run facilities.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,	The business planning process to date for each project has developed a list of delivery risks, and the MoU requires the Council to continue monitoring and reporting on risks on the delivery of projects. Further reports will be developed for individual projects within the Levelling Up Partnership to set out the detail of each project to support decision making.
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.	We will consider the ongoing service implications of each of the projects under the Levelling Up Partnership to ensure that ultimate use of capital projects once complete meet best value criteria.

### MILESTONES AND DELIVERY

The Council submitted delivery milestones to MHCLG for the delivery of the projects. However, the final Memorandum of Understanding recognised the delay caused by the election and decision making from government and put back the funding date in the MoU to the end of March 2026.

Timetable for project initiation governance and commencing project development are as follows:

- Wave one: subject of this Cabinet Report, December 2024;
- Wave two: intention to bring forwards in future Cabinet report during quarter 4 of 2024/5 financial year to quarter 1 of 2025/6 financial year;
- Wave three: subject to the individual projects and the specific further governance required to progress them beyond the governance that is already in place;
- Wave four: funding agreement subject to the recommendations in this report.

Further to the above, the overall milestones across the programme through to the current deadline provided by MHCLG of March 2026 is set out as follows, with the point of defrayment identified in red:

*Table 4: Programme forward look*

URN	Project	Wave	Category	2024/5		2025/6			
				Q3	Q4	Q1	Q2	Q3	Q4
Ten_02	Community Transport Buses	1	Grant	Cabinet	Prepare	Open call	Award	Delivery	
Ten_06	Healthy Homes Initiative	1	Acquisition	Cabinet	Appraise	Procure	Negotiate	Purchase	
Ten_08	Shopfront improvements	1	Grant	Cabinet	Prepare	Open call	Award	Delivery	
Ten_10	Seafront Micro Venue	1	Construction	Cabinet	Prepare	Procure	Design	Delivery	
Ten_09	Jaywick Sands Public Open Space	2	Construction		Cabinet	Procure	Design		Delivery
Ten_11	Repurposing Martello Tower E	2	Construction		Cabinet	Procure	Design		Delivery
Ten_14	Cultural masterplanning	2	Strategy		Cabinet	Procure	Design		Delivery
Ten_04	Sunspot Centre solar panels	3	Construction		Cabinet	Procure	Design		Delivery
Ten_12	Active Wellbeing Centre Phase One	3	TBC	Feasibility study		Next steps	Development		Delivery
Ten_13	[...] Town Centre Building	3	Acquisition		Appraise site	Procure team	Negotiation	Cabinet	Purchase
Ten_01	Bus infrastructure in Clacton and Jaywick	4	Construction	Cabinet	Draft agreements	Enter agreements	Development funding		Delivery funding
Ten_03	Fitting out skills hub at Clacton Hub	4	Purchase	Cabinet					
Ten_05	Tudor Fields - Jaywick walking route	4	Construction	Cabinet					
Ten_07	Town Centre and Seafront Public Realm	4	Construction	Cabinet					
Ten_15	Urgent Treatment Centre	4	Construction	Cabinet					

The revised timelines have been shared with procurement colleagues to design a programme that can allocate resource to the necessary procurements required to deliver the projects where Tendring District Council sits in the lead.

### **Partner Projects**

Officers have been discussing with partners the process and timelines required to carry out the governance and necessary approvals to pass funding to them via agreements. It should be noted that if agreements are signed by 31 March 2026 with third parties for funding, that funding will count as 'spent' under the terms of the MoU. The necessary legal resource is currently being assembled by Tendring District Council, under existing delegations to recruit or procure resource as part of the Project Delivery Unit, with the agreement to be drafted within quarter 4 of 2024/5 financial year.

It is understood that in order to formally enter the funding agreement, Essex County Council in particular have specific governance timescales, anticipated as follows:

- Internal board and leadership approvals: to be complete by January 2025
- Agreement approved and Cabinet Member Action published: no earlier than February 2025
- Agreement sealed: no earlier than February 2025

### **ASSOCIATED RISKS AND MITIGATION**

The Levelling Up Partnership projects pose a significant delivery risk to the organisation. The draft MoU states that ownership of risk will be transferred to the Council as the accountable body. There are 16 projects totalling £20m to be delivered in a short timescale, which require funding agreements with external organisations and commissioning private sector delivery partners. Recruitment of additional capacity helps to mitigate the risk, and the Council will maintain a risk register for the programme to manage risks, but the scale of the programme remains substantial. The extension from March 2025 to March 2026 for entering into funding agreements, contracts or completion of works makes the programme more achievable.

In the truly short term while the project delivery unit is set up, there are significant capacity challenges which will ease as staff come on board.

Delivery requires signing agreements with Essex County Council and the NHS, which take time to draft and negotiate, and the associated governance also takes time for approvals. These agreements will be required to ensure that all appropriate risks are transferred to the relevant project delivery partners, including clear mechanisms and expectations for risk reporting, to align with TDC's commitments to MHCLG for reporting.

Projects require design and construction works to be procured and completed, and some may require planning permission. These processes take time and can be subject to delay, even before construction starts. The aim of the Project Delivery Unit is to provide the capacity to manage the projects so support delivery within the programme. However, given the scale of the work and the government timeline, it is recognised that some projects may not progress, and some funds may have to be returned to Government or redirected within the programme.

**Overspends.** With capital works there is a risk of overspend, either as tenders come in higher than expected, or if there is cost escalation once works start, for example due to ground



conditions. The Council can move funding across the programme to deliver the outputs, which provides some flexibility. The Project Delivery Unit includes a Finance Officer to ensure that there is oversight of the finances within the programme, and that the systems are in place to manage money. The contracts are expected to be fixed price, and strong contract management will ensure that any variations are managed tightly and kept to a minimum, and the contractor bears all the costs that they are due.

**Outcomes.** There is a risk that even with excellent project delivery, the ultimate outcome is not achieved, for example, increased footfall in the town centre or visitor numbers, despite improved assets within the town. However, even if the projects are not of a sufficient scale to fundamentally change Clacton-on-Sea and Jaywick Sands, each project will be delivered in a way to provide benefit to the locations and make progress *towards* the outcomes.

**Funding deadline:** the current deadline provided by MHCLG requires the funding to be *defrayed* by March 2026, the definition of which has been confirmed to include being in contract for the relevant project funding. As with all external funding there is a risk attached to extending beyond the provided deadline; in this instance, this risk could be considered to be mitigated to some extent, given that the full sum of the funding has been transferred to the Council in advance of this report coming to Cabinet.

**First Wave projects** Key risks for the first wave of projects are identified below alongside mitigation measures:

*Table 5: First Wave projects key risks*

Risk	Mitigation
<ul style="list-style-type: none"> <li>▪ Budget allocation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Project scopes are being developed</li> </ul>
<ul style="list-style-type: none"> <li>▪ Approvals: projects require a range of third party approvals including planning consent involving statutory consultees</li> </ul>	<ul style="list-style-type: none"> <li>▪ Early engagement and liaison throughout project development to commence well in advance of application; formal pre-application advice to be sought where appropriate</li> </ul>
<ul style="list-style-type: none"> <li>▪ Physical condition: where related to existing structures, risk of additional works required to refurbish</li> </ul>	<ul style="list-style-type: none"> <li>▪ Detailed site investigations to be procured utilising internal expertise and suitably qualified external surveyors</li> </ul>
<ul style="list-style-type: none"> <li>▪ Timescales including external procurement</li> </ul>	<ul style="list-style-type: none"> <li>▪ Engagement commenced with Essex Procurement Partnership where appropriate for forecast procurement value</li> </ul>
<ul style="list-style-type: none"> <li>▪ Market availability</li> </ul>	<ul style="list-style-type: none"> <li>▪ As above</li> </ul>
<ul style="list-style-type: none"> <li>▪ Inclusion and barriers to accessing funding</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lessons learned to be captured from previous grant schemes and support programmes introduced to maximise access and overcome known barriers</li> </ul>

**EQUALITY IMPLICATIONS**

The Partnership delivers a range of projects that seek to provide benefits to people, including

supporting people with protected characteristics. For example, the integration of leisure and health facilities and the 'All Wheels' facility is expected to support people with disabilities, as the track is designed for people with physical disabilities to cycle. In addition the funding for the new GP surgery in Clacton will also support this aim. As a minimum, the intention of the projects is not to disadvantage people with protected characteristics, for example with the final use of projects being open to all.

Equality Impact Assessments are under development for each project within the Levelling Up Partnership.

## **SOCIAL VALUE CONSIDERATIONS**

The projects provide £19.89M investment into Clacton and Jaywick. There will be immediate social value from the economic benefit of the projects to the local economy, with the expectation that there will be local contractors, and local workers for contractors, benefiting from the work provided. The procurement process also requests a social value offer from contractors, and examples from the Carnarvon Terrace scheme have included providing the offer of placements for people taking part in relevant T level qualifications.

Any procurement activity not already commenced will need to comply with the recently adopted Social Value Policy, recommended by Cabinet and approved by Council, at its meeting in November 2024.

There is the broader social value of the projects themselves, which will improve the Town Centre of Clacton and the neighbourhood of Jaywick Sands.

Additionally, some of the projects bring environmental benefits, for example the improvements to the small parks in Jaywick Sands.

## **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050**

The projects identified within the programme offer the opportunity for a range of benefits in line with the Council's Climate Action Strategy 2024-7, including:

- **Low Carbon: Saving cost, waste and carbon**
  - Scope One emissions:
    - Our buildings: The programme includes for direct efficiency and sustainability improvements to existing buildings within the Council's portfolio including local energy generation; Where the project scope includes construction, the project scope will include a Sustainability Strategy as required by the outputs of the RIBA Plan of Work, which will identify opportunities to minimise carbon emissions during the construction and operations of the schemes.
    - Our vehicles: There is the opportunity to reduce emissions through the careful specification of relevant fixtures such as waste collection.
  - Scope Two emissions: Our electricity: The projects do not relate to energy generation or decarbonisation of the grid; however, public realm projects present the opportunity to continue the Council's existing work to reduce energy requirements through adopting innovations such as solar lighting fixtures.

- Scope Three emissions:
  - Homes in Tendring: Not relevant.
  - Travel in Tendring: The programme has the potential to indirectly improve this through encouraging active travel; proposals for public realm elements such as waste bins will be considered in terms of their impact on our waste fleet to contribute to an overall reduction in emissions.
- **High Nature: Protecting and enhancing our unique natural environment**
  - Care for our environment
    - Less waste, more recycling: Sustainability strategies for relevant projects will include pre-demolition appraisals to reduce loss of embodied carbon as standard, alongside method statements for contractors for reducing site waste.
    - Climate adaptation: scope of public realm improvements include measures known to deliver climate adaptation benefits including green infrastructure; building designs will consider adapting the properties in the face of a changing climate.
  - Climate adaptation
    - Preparing for future change: The proposed public realm and building improvements.
    - Water use & efficiency: Landscaping proposals will require maintenance strategies to ensure appropriate use of water; Sustainable Urban Drainage systems will be required across schemes in line with planning requirements.
- **Our Operations: Collaborative and efficient**
  - Communication and engagement: the programme presents communication opportunities
  - Monitoring: Project teams will include reporting requirement within contracts, such as for construction emission monitoring, where appropriate in terms of scope and contract value.
  - Offsetting: Not relevant.

**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

Improvements to the public realm have the potential to discourage anti-social behaviour through creating a more positive atmosphere in a space, and encouraging more positive activities, which can discourage less desirable behaviour. Designing Out Crime Officers from ECC will be engaged at the relevant points, as appropriate to the specific projects.

Projects relating to the refurbishment of existing disused buildings such as the Seafront Micro

	<p>Venue and Town Centre Building, will serve to remove the opportunity for ASB on the sites, both of which have been targets in the past due to their derelict state; the refurbishments will also visually contribute to an appearance of a culture of care which has been demonstrated to have a positive impact, and encourage improved care from neighbouring property owners. Similarly, the Healthy Homes Initiative will tackle sites known to be at risk from ASB.</p>
<p>Health Inequalities</p>	<p>The grant for the Urgent Treatment Facility and Primary Care Facility is aimed to improve integrated patient pathways across services at Clacton Hospital. The facility will enable an increased number of local residents to access medical support closer to home, and provide additional capacity for patient appointments.</p> <p>The Active Wellbeing Centre project will deliver meaningful improvements to accessing healthcare facilities in the long term; in the short term, repairs to the centre and the delivery of the All Wheels Facility will support increasing levels of fitness and health benefits locally.</p> <p>Improvements to public realm have the potential to bring a range of health &amp; wellbeing benefits including promoting active travel and improving air quality through landscaping.</p> <p>Extending the work of the Jaywick Sands Healthy Homes Initiative will continue the team's important work to drive improvements in living conditions in an area facing substantial challenges.</p>
<p>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance),</p>	<p>Subsidy Control has been considered for each project across the programme from the outset, with the approach in each instance designed so as to mitigate any potential risks in this regard.</p> <p>It is recognised that there are a limited number of organisations within the Tendring District who may be eligible to apply for the Community Transport Buses funding. Therefore, to comply with the Subsidy Control Act, the grant criteria will be written in such a way to attract as many</p>

	applicants as possible who could meet the set criteria.
<b>Area or Ward affected</b>	<ul style="list-style-type: none"> <li>▪ West Clacton &amp; Jaywick Sands</li> <li>▪ St James</li> <li>▪ Coppins</li> <li>▪ Bluehouse</li> <li>▪ Cann Hall</li> <li>▪ Pier</li> <li>▪ St Paul's</li> <li>▪ St John's</li> <li>▪ Burrsville</li> <li>▪ Eastcliff</li> <li>▪ St Bartholomew's</li> </ul>

### **PART 3 – SUPPORTING INFORMATION**

<b>BACKGROUND</b>
<p><b>The funding</b></p> <p>Levelling Up Partnerships were targeted interventions designed to identify practical, tangible actions to support priority places to 'level up' and to help Government develop a more holistic understanding of place. The aim is to develop a deeper understanding of the unique challenges and opportunities in priority areas, and via a partnership approach harness collective powers to tackle the most pressing issues.</p> <p>The funding approach is to:</p> <ul style="list-style-type: none"> <li>• Understand local barriers and opportunities including; local performance against levelling up indicators/ local growth potential and a place's unique selling points .</li> <li>• Align cross Government activity in place; to ensure that Central Government, Local Government, and private resources are used most efficiently.</li> <li>• Unlock powers, resources, or flexibilities; to empower local leaders to drive progress against the missions and secure local growth.</li> </ul> <p>At the Budget Speech on 15 March 2023, the Government announced Tendring as one of 20 places that would be selected to form Levelling Up Partnerships (LUP) with Government, which the Leader of the Council reported to Cabinet on 17 March. Partnerships could be allocated up to a maximum of £20m capital funding (CDEL) and up to £250k revenue (RDEL) dependant on projects decided by MHCLG ministers and subject to business case approvals by Treasury.</p> <p>Cabinet was informed in December 2023 of progress with the Levelling Up Partnership. As forecast in that report, Government officials visited Tendring between January and March this year to carry out a 'Deep Dive,' reviewing data, documents, and meeting with key partners in the public and voluntary sector. At the request of Government the Council, along with partners, shared strategic documents and a pipeline of projects.</p>

Government requested that funding was targeted at projects in the largest conurbation within the District, Clacton-on-Sea. The Council and Government agreed that this could include Jaywick Sands, given its proximity to Clacton, the need for regeneration in the area, and the recently completed Place Plan which included projects for delivery.

MHCLG confirmed in October 2024 that the funding would continue under the new Government, with the programme rebranded 'Community Regeneration Partnerships' in December 2024.

Specific objectives of the Partnership are:

- Improve the living offer
- Improve community safety in Jaywick
- Increase connections and access to jobs

**The programme and projects**

Project planning is underway across the programme, summarised as follows:

- The Partnership programme is included within the terms of reference of the existing Levelling Up Fund & Capital Regeneration Projects Portfolio Holder Working Party. With the Levelling Up Fund projects progressing to planning, it is expected that this will allow sufficient time for the Working Party to consider the development of the Partnership projects;
- Programme Board: The Partnership projects will report to the existing Regeneration Capital Delivery Board, which meets monthly and includes senior officers across both TDC and ECC, ensuring ongoing officer level scrutiny and allowing the projects delivered by the two Councils to be considered collectively;
- Project Board: due to the varied nature of the projects in terms of output, process and extent, specific project boards are being established across the thematic groups identified within the programme, to ensure the appropriate teams have regular involvement throughout project development. Further detail is provided on this for developed projects below;

*Timelines*

Each of the projects included within the Partnership has been appraised in terms of the feasibility of satisfying MHCLG's requirements for the funding, in advance of the provided deadline of March 2026. Further detail is included within the relevant section of this report.

*Future waves*

The 'Second Wave' of projects is set out below, including the works underway at present in order to ensure sufficient detail is prepared to bring these projects to Cabinet for consideration.

Should at any point during the scoping process the project be deemed not to be feasible, either due to scope or timescales, the MoU between MHCLG and Tendring District Council allows for the funding to be reallocated within the Partnership, to one of the other identified projects. This report therefore includes a recommendation to delegate for this decision to be taken by the Portfolio Holder for Economic Growth, Regeneration & Tourism in collaboration with the Corporate Director Place & Economy and Director Finance.

*Table 6: Second Wave projects*

<b>Project and value</b>	<b>Supporting Portfolio Holder</b>	<b>What this project will achieve</b>	<b>Actions underway prior to bringing to Cabinet</b>
Ten_14 <b>A spatial plan for culture</b> £100k	Portfolio Holder for Arts, Culture and Heritage	<ul style="list-style-type: none"> <li>▪ Establishing spatial planning to shape a creative/cultural quarter in the town centre</li> <li>▪ Progressing the aspiration to bring an Arts Council England National Portfolio Organisation (NPO) to Clacton-on-Sea</li> </ul>	<ul style="list-style-type: none"> <li>▪ Project scoping is continuing including:</li> <li>▪ Interface with other projects such as work under development by the Town Board</li> <li>▪ Positioning of the Plan once developed within the Local Development Framework</li> </ul>
Ten_11 <b>Martello Tower E</b> £2m	Portfolio Holder for Assets	<ul style="list-style-type: none"> <li>▪ Repurposing underutilised Martello Tower E, which is a listed historic building, into event or culture venue.</li> <li>▪ Diversifying the resident and visitor cultural offer.</li> <li>▪ Safeguarding and celebrating local and National History and Heritage.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Project scoping is continuing including:</li> <li>▪ Appraising building condition to establish a proposed approach for funding delivery, including updating substantial survey and site investigation information in place.</li> <li>▪ Limited budget for potential scope of works.</li> <li>▪ Business case for future use following refurbishment completion.</li> </ul>
Ten_09 <b>Public open spaces in Jaywick</b> £2m	Portfolio Holder for Leisure and Public Realm	<ul style="list-style-type: none"> <li>▪ Enhancing a range of existing open spaces within Jaywick Sands including new play equipment and landscaping</li> </ul>	<ul style="list-style-type: none"> <li>▪ Project scoping is continuing including:</li> <li>▪ Appraisal of sites to define scope of works including land ownership and other constraints;</li> <li>▪ Budgetary assessment to establish extent and scale of interventions.</li> </ul>

The Third Wave of projects are already progressing under separate governance, therefore recommendations for Cabinet approval are not included in this report. These are:

*Table 7: Third Wave projects*

<b>Project and value</b>	<b>Supporting Portfolio Holder</b>	<b>Current activity</b>	<b>Relevant decision</b>	<b>Future governance milestones</b>

<p><b>Active Wellbeing Centre</b> £3m</p>	<p>Portfolio Holder for Leisure and Public Realm</p>	<ul style="list-style-type: none"> <li>▪ Feasibility study for new Active Wellbeing Centre, programmed for completion in March 2025</li> <li>▪ Ongoing engagement with key project partners including Sports England</li> </ul>	<p>Executive Decision by Leader of the Council and Corporate Finance &amp; Governance Portfolio Holder, Leisure and Public Realm Portfolio Holder, dated 16/08/2024</p>	<ul style="list-style-type: none"> <li>▪ Scoping of repair works to Clacton Leisure Centre</li> <li>▪ Establishing project plan for All Wheels Facility</li> <li>▪ Next steps follow Active Wellbeing Centre feasibility study</li> </ul>
<p><b>Town Centre Building</b> £5m</p>	<p>Portfolio Holder for Assets</p>	<ul style="list-style-type: none"> <li>▪ Appraisal of feasibility for aspiration identified within funding programme for acquiring a site, progressing through the Council's Property Dealing Procedure</li> </ul>	<p>Executive Decision by Portfolio Holder for Assets, dated 18/11/2024</p>	<ul style="list-style-type: none"> <li>▪ If acquisition of the property is considered feasible, this will be brought to Cabinet for consideration. This is expected to be later in 2025</li> </ul>
<p><b>Solar panels for Sunspot</b> (£0.15m)</p>	<p>-</p>	<ul style="list-style-type: none"> <li>▪ Lessons learned appraisal underway</li> <li>▪ Specification under development</li> </ul>	<p>Cabinet Report to be brought for consideration in January 2025</p>	<ul style="list-style-type: none"> <li>▪ Procurement of contractor</li> </ul>

**PREVIOUS RELEVANT DECISIONS**

- 23<sup>rd</sup> December 2023; Cabinet: Government Funding Opportunities for Tendring ([12067](#))
- 8<sup>th</sup> June 2024; Full Council: Tendring District Council to become the Accountable Body for the Levelling Up Partnership
- 26<sup>th</sup> July 2024; Cabinet: Resources to increase project delivery and progress Levelling Up Partnership ([12630](#))
- 27<sup>th</sup> September 2024; Executive Decision: Memorandum of Understanding - Levelling Up Partnership with Government ([12841](#))



**BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

- 26<sup>th</sup> July 2024: Cabinet Report

**APPENDICES**

**Annex 1: Project Details**

**REPORT CONTACT OFFICER(S)**

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## All Levelling Up Partnership Projects

Project URN	Project title	Project description	Strategy	Delivery	Wave	Total ECC	Total NHS	Total
Ten_01	Bus infrastructure in Clacton and Jaywick	Bus stop improvements, including upgrading three bus stops where there is sufficient space to include shelters, lighting, seating, and paving.	O&S Report Comm Transport	ECC	4	£230,000	£0	£230,000
Ten_02	Community Transport Buses	Providing three new mini-buses, two for Tendring Community Transport to replace the ageing fleet and one for an organisation called UTurn which supports 10–18-year-olds affected by crime to access alternative education and support services.	O&S Report Comm Transport	TDC	1	£210,000	£0	£210,000
Ten_03	Fitting out skills hub at Clacton Hub	Providing equipment for the skills hub at the new Clacton Hub. This could include computers, equipment or fit out of spaces for delivery of vocational courses (e.g. hospitality, health, and social care) or for adult learning e.g. pottery kilns.	Levelling Up Fund	ECC	4	£200,000	£0	£200,000
Ten_04	Sunspot Centre solar panels	Fitting solar panels to the Sunspot Centre, which should mean heating costs will come down.	Economic Strategy	TDC	3	£150,000	£0	£150,000
Ten_05	Tudor Fields - Jaywick walking route	Expanding the Tudor Fields - Jaywick walking route, which would also serve as an evacuation route and for emergency vehicle access.	Place Plan	ECC	4	£2,500,000	£0	£2,500,000
Ten_06	Expanding housing work of Jaywick Healthy Homes Initiative	Funding to give Tendring District Council extra capacity to extend work to improve housing standards in Jaywick , but would not have to be limited to there. Funding to support the acquisition and/or demolition long-term vacant and or dangerous dwellings.	-	TDC	1	£200,000	£0	£200,000
Ten_07	Town Centre and Seafront Public Realm	Enhanced wayfinding between the seafront and the town centre, with improved street furniture such as litter bins, uplighters, bound gravel, trees, recolouring, and sealing pavements.	Love Clacton	ECC	4	£1,300,000	£0	£1,300,000

Ten_08	Jaywick and Clacton shopfront improvements	Improving tired shopfronts in Jaywick and Clacton, aiming to improve pride in place	-	TDC	1	£500,000	£0	£500,000
Ten_09	Jaywick Sands Public Open Space	Enhancing public open space in Jaywick. Specific projects to be confirmed but would include some of the following: trees, natural play, community gardens, shopfront improvements, enhancements to Sunspot Centre, footpath, and alleyway improvements.	Jaywick Place Plan	TDC	2	£2,000,000	£0	£2,000,000
Ten_10	Seafront arts/community micro venue	Repurposing disused toilet block for seafront arts, exhibition, and community micro venue.	Celebrate on Sea	TDC	1	£500,000	£0	£500,000
Ten_11	Repurposing Martello Tower E	Repurposing up to two of the underutilised towers, which are listed historic buildings, into event or culture venues. Opportunity to diversify the resident and visitor cultural offer.	-	TDC	2	£2,000,000	£0	£2,000,000
Ten_12	Active Wellbeing Centre Phase One	Redeveloping Clacton Leisure Centre to provide sustainable sports facilities and integrated health & wellbeing services, including orthopaedic outreach and dentistry. Phase One includes design, planning, and initial works, including urgent repairs to the current swimming pool and changing rooms. In addition, this project will include the development of an inclusive cycling facility and free to use children's play at Clacton Leisure Centre to support improving health & wellbeing, with a focus on including key priority groups such as SEND, looked after children and those requiring support to build positive relationships and/or diversion from ASB. dentistry.	Sport and Activity Strategy	TDC	3	£3,000,000	£0	£3,000,000
Ten_13	Town Centre Building	Acquiring and repurposing the disused Savoy Theatre for community and/or cultural usage.	Love Clacton	TDC	3	£5,000,000	£0	£5,000,000

Ten_14	Cultural master planning	Master planning and visioning funding to support Tendring District Council in establishing the necessary partnerships, actions and capacity required to: make informed decisions regarding creating a cultural quarter; moving the local offer beyond a day trip destination; take forward Arts Council England's priority to establish a National Museum of the Seaside in Clacton.	Love Clacton	TDC	2	£0	£100,000	£100,000
Ten_15	Urgent Treatment Centre and Primary Care Facility	Contribution towards building a new urgent treatment centre and new primary care facility at Clacton Hospital to complement the already delivered community diagnostics centre, increasing local healthcare capacity and creating additional employment opportunities.		NHS	4	£2,000,000	£0	£2,000,000
<b>TOTAL FUNDING ALLOCATED</b>						<b>£19,790,000</b>	<b>£100,000</b>	<b>£19,890,000</b>

## Summary of Projects delivered through agreements with Partners

Project URN	Project title	Project description	Delivery	Total ECC	Total NHS	Total
Ten_01	Bus infrastructure in Clacton and Jaywick	Bus stop improvements, including upgrading three bus stops where there is sufficient space to include shelters, lighting, seating, and paving.	ECC	£230,000	£0	£230,000
Ten_03	Fitting out skills hub at Clacton Hub	Providing equipment for the skills hub at the new Clacton Hub. This could include computers, equipment or fit out of spaces for delivery of vocational courses (e.g. hospitality, health, and social care) or for adult learning e.g. pottery kilns.	ECC	£200,000	£0	£200,000
Ten_05	Tudor Fields - Jaywick walking route	Expanding the Tudor Fields - Jaywick walking route, which would also serve as an evacuation route and for emergency vehicle access.	ECC	£2,500,000	£0	£2,500,000
Ten_07	Town Centre and Seafront Public Realm	Enhanced wayfinding between the seafront and the town centre, with improved street furniture such as litter bins, uplighters, bound gravel, trees, recolouring, and sealing pavements.	ECC	£1,300,000	£0	£1,300,000
Ten_15	Urgent Treatment Centre and Primary Care Facility	Contribution towards building a new urgent treatment centre and new primary care facility at Clacton Hospital to complement the already delivered community diagnostics centre, increasing local healthcare capacity and creating additional employment opportunities.	NHS	£0	£2,000,000	£2,000,000
<b>TOTAL FUNDING ALLOCATED</b>				<b>£4,230,000</b>	<b>£2,000,000</b>	<b>£6,230,000</b>

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# Partnership Government Funded Projects

December Cabinet  
Programme Update

## Culture



Repurposing a **town centre building** for community and cultural use (subject to acquisition)

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Repurposing scheduled ancient monument on At Risk Register, **Martello Tower E**, into cultural, event or visitor venue

## Town Centre



Improving **public realm** to enhance wayfinding between the seafront and the town centre



Providing grants and support to **improve shopfronts** in Clacton and Jaywick Sands

## Jaywick Sands



Enhancing **public open spaces in Jaywick Sands** with new play equipment and landscaping



Installing new **solar panels to Sunspot** to generate local energy and reduce running costs

## Wellbeing



Next phase of development of an **Active Wellbeing Centre** and All Wheels Park at Clacton Leisure Centre



Repurposing disused public conveniences as an **arts and community micro venue**



A **spatial plan for culture** to shape a creative/cultural quarter in the town centre



Three new **Community Transport Buses** for local initiatives



**Skills Hub fit-out** providing equipment for the skills hub at the new Clacton Hub.



**Tudor Fields** walking/cycling and evacuation route – expanding the walking route



Tackling long-term vacant/dangerous dwellings as part of an extension to the **Healthy Homes Initiative**



Contribution towards an **Urgent Treatment Centre** and primary care facility at Clacton Hospital



## Approve Programme

- Cabinet approval of **expenditure added to the Capital Programme** against the projects outlined in the Partnership initiative
- Approves that the **Council delivers the proposed projects** outlined in the Partnership initiative, where necessary by **entering into funding agreements with partners** to do so

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## Approve Project

- **Cabinet approval of project details** including aspirations, approaches and risks
- **Cabinet approval to delegate of authority** from Cabinet to relevant Portfolio Holder on project-by-project basis
- Approval grouped into **two 'waves'**, the first in winter 2024 and the second following in spring 2025, enabling **swift progress on more defined projects**

## Project delivery

- Projects progress within the parameters set out to Cabinet and with **ongoing governance via delegated powers to the appropriate Portfolio Holder**
- Project development subject to **regular scrutiny**, including Portfolio Holder Working Group and Regeneration Board
- **Funding must be defrayed by March 2026**

# Project status

In addition to recommending Cabinet approval for delivery of the projects identified under the Partnership, Cabinet approval is sought to commence a ‘first wave’ of the projects, on the basis of the categories set out here.

The ‘second wave’ will be brought to Cabinet for approval in early 2025. This will allow for officers to fast-track delivery of simpler projects, enabling swifter completion and focusing resource to derisk funding deadlines.

The ‘third wave’ will be brought back to Cabinet at the culmination of their existing governance.

First wave  
Recommendations for next steps

In some cases, projects have emerged from previous adopted documents and public engagement, and there is clear consensus

Here, **recommendations** seek to **commence projects**, with **delegation to the appropriate Portfolio Holder**

Second & third waves  
Governance in place  
Scope detail needed

Some projects are more complex, due to their value, or where there’s potential overlaps in scope. Some projects already have governance for initial feasibility

In this instance, further scoping and information gathering is proposed prior to progressing to Cabinet in spring 2025

Fourth wave  
Subject to legal & funding agreement

Five projects have been identified for delivery by project partners, including ECC for Highways related works; and NHS, for the new UTC

The **recommendation** seeks **delegation to enter legal and funding agreements with these partners**

# Project status

First wave  
Recommendations  
for next steps



Arts / community  
micro venue



Shopfront  
improvements



Community  
Transport Buses



Healthy Homes  
Initiative

Second wave  
Page 155  
Further clarification  
on scope



A spatial plan for  
culture



Martello Tower E



Public open  
spaces in Jaywick

Third wave  
Subject to existing  
governance



Active Wellbeing  
Centre



Town Centre  
Building



Solar panels to  
Sunspot

Fourth wave  
Subject to legal &  
funding agreement



Improving public  
realm



Skills Hub fit-out



Bus  
infrastructure  
in Clacton &  
Jaywick



Tudor Fields



Urgent Treatment  
Centre

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## CABINET

20 DECEMBER 2024

### REPORT OF THE PORTFOLIO HOLDER FOR ECONOMIC GROWTH, REGENERATION AND TOURISM

#### A.7 LEVELLING UP FUND and CAPITAL REGENERATION PROJECTS – PROGRESSING THE PROJECTS TO PRODUCTION OF TENDER INFORMATION

##### PART 1 – KEY INFORMATION

###### PURPOSE OF THE REPORT

For Cabinet to consider the next steps for the Civic Quarter in Clacton-on-Sea (Levelling Up Fund, LUF) and Homes for Dovercourt scheme (Capital Regeneration Project, CRP) and to approve that funding remaining from the £2,148,421 allocated by Cabinet to these two projects, may be used to progress them to the pre-tender stage. The total sum is made up of £250,000 allocated by Cabinet in May 2023 and £1,898,421 in October 2023.

For Cabinet to consider signing up to the Essex County Council managed service solution for temporary worker services.

For Cabinet to note and endorse continued support for the Essex County Council led LUF and CRP projects: the Clacton Hub (LUF); the Kingsway Improvement Corridor (CRP); and Learning and Library schemes in Dovercourt (CRP), as Tendring District Council continues to operate as Accountable Body and overall programme manager for these projects funded by MHCLG.

###### EXECUTIVE SUMMARY

###### Progress since the last report to Cabinet

In October 2023 Cabinet committed to bring a further report back to progress delivery of the two TDC led projects within the overall programme, Carnarvon Terrace in Clacton and Homes for Dovercourt, once planning permission had been submitted. This report delivers against that commitment, to seek approval to develop technical designs to the level of detail required (specification) to go out to the market for procurement of main build-contracts.

###### The programme and projects

It was announced on 19 January 2023 that the Council's bid to Round Two of the Government's Levelling Up Fund (LUF) for Clacton Town Centre, the 'Clacton Civic Quarter', was successful and was awarded £19.960m. In addition, on 15 March 2023 it was announced that a £6.65m bid for projects in Dovercourt Town Centre was approved, under the Government's Capital Regeneration Scheme. The five schemes are comprised of the following:

Levelling Up Fund, Clacton

1. Carnarvon Terrace, delivered by TDC
2. Clacton Hub, delivered by ECC

Capital Regeneration Projects, Dovercourt

3. Homes in Dovercourt, delivered by TDC

4. Kingsway Improvements, delivered by ECC
5. Learning and Library Project, delivered by ECC

### **Progress to date**

#### *Project team*

Consultant teams have been assembled and appointed across all LUF and CRP projects, including a range of disciplines from lead designers through to specialist surveyors and engineers, over an extended period since November 2023. A full list of consultants for both schemes is appended to this report and a high-level summary for each scheme included below.

#### *Design development*

Designs for each project have been developed through extensive Councillor and public engagement, building on the legacy of the projects emerging initially from public consultation. This has included:

6. Portfolio Holder Working Group: the emerging designs have been subject to regular review and scrutiny by a working group of Cabinet members every two months.
7. Public engagement, summer 2024; and Developed designs public engagement, autumn 2024; including in person events, stakeholder meetings and online questionnaire.
8. Key outcomes from the above are summarised in relation to each project in the 'Outcome of Consultation and Engagement' section below.
9. Supportive feedback and comments have been received from consultation across the board prior to submission. Where concerns were raised, for instance in relation to how new homes proposed on Victoria Street in Dovercourt respond to neighbouring historic architecture, the design teams have revised the proposals in order to satisfy the comments, prior to submission.

#### *Cost*

Project costs continue to be regularly and carefully monitored throughout the project development, with the Council party to regular cost consultant input to the design team, incorporating mid-stage cost plans, sense checking with local market prices and external due diligence reviews of the cost plan prior to planning submission. The construction market has been volatile in recent years; therefore, contingency is allocated across each project accordingly to ensure sufficient allowance for further volatility and ensuring the projects come in on budget.

Similarly, work continues across teams within the Council to ensure that the buildings are financially sustainable once complete, with consideration of premises for commercial let and ongoing maintenance. Procurement for all TDC-led projects have, to date, come in at or under budget.

### *Approvals*

Planning applications for the schemes are planned for submission as follows:

10. LUF - Carnarvon Terrace: following decisions by the Portfolio Holder, the planning application will be submitted in December and is currently subject to validation prior to the determination period, scheduled for Planning Committee in March 2025.
11. CRP - Victoria Street: following decisions by the Portfolio Holder, the planning application will be submitted in December and is currently subject to validation prior to the determination period, scheduled for Planning Committee in February 2025.
12. CRP - Milton Road: following the Portfolio Holder's approval, the planning application was submitted in early November 2024 and is currently subject to determination, scheduled for Planning Committee in February 2025. The application is available to view online with reference **24/01716/FUL**.

### *Timeline*

Timelines for each project are set out in summary below. Current timelines for completion of the two schemes extend to 2027 and discussions are ongoing with MHCLG regarding this matter.

Recent updates from liaison with civil servants suggest the potential for an extension to the current deadline for expenditure, which has included extending the available time periods for reporting within the Quarterly Monitoring & Evaluation return, which was submitted to MHCLG in November 2024. This is subject to confirmation by ministerial decision as part of the spending review.

A further Cabinet Report will be submitted in the near future to enter a main building contract, following the tender exercise on the projects, only in the instance that an extension is granted.

### *Funding*

Between March and October 2023, Cabinet agreed to allocate a total of **£2,148,421** to commission a project team, fund TDC's capital delivery costs, and allow for design development to planning lodgement.

Due to the costs for the period to planning submission coming in under budget, it is proposed to utilise the remaining sum from this original allocation for the preparation of tender information, incorporating the appropriate pre-construction information including surveys, advisors and project design and delivery teams, to enable the schemes to be taken to market to procure a main contractor.

### **Projects Delivered by ECC**

13. Designs across the ECC projects have progressed in tandem with development on the TDC projects, including with public consultation held collaboratively during summer 2024 for the Carnarvon Terrace and Clacton Hub schemes. The current position of each project is summarised below, including next steps:

1. Clacton Hub: planning application was submitted in December 2024, forecast for construction commencing in late 2025. Engagement is ongoing with the Clacton Local History Society Museum and plans are under development for the temporary relocation of the library during construction to minimise disruption to services;
  2. Harwich Library: works are progressing on site, with the library successfully relocated to the Harwich Arts Centre in October 2024;
  3. Kingsway Improvements: detailed designs are in place and proceeding to main contractor procurement, with construction forecast to commence in summer 2025.
14. Key risks to delivery include: delivery timescales; cost; third party approvals; and site conditions including existing building condition at Harwich Library.
15. Spend to date on ECC projects, to November 2024, is as follows:
1. Clacton Hub:
    1. Spend to date: £181,237
    2. Contractually committed: £324,981
  2. CRP Harwich Library and Kingsway Improvements:
    1. Spend to date: £721,284.79
    2. Contractually committed: £770,080

#### **Next steps**

16. Cabinet has allocated £2,148,421 to commission the project team, and to progress the projects to planning submission and validation. This report recommends approving the spend of the remainder of those funds to develop the Carnarvon Terrace (LUF) and Homes for Dovercourt (CRP) schemes through to procurement for contractors, with acceptance of a tender and subsequently entering contract subject to a future Cabinet report.
17. The production of Tender Information will enable the project team incorporating officers and consultant teams, to develop the projects to the level of detail to enable a contractor to price the schemes for delivery, which will include:
1. construction information including specification;
  2. Social value requirements;
  3. pricing document and evaluation criteria;
  4. contract preliminaries and
  5. other contract particulars.
18. On completion of preparation, the Tender Information will enable the project team, working with the Essex Procurement Partnership, to go out to the market to procure a main contractor for the delivery of the schemes. This will include soft-market testing with potential tenderers; a tender period in line with statutory minimums for response periods and incorporating a formal clarification process; followed by a formal tender evaluation process led by the Essex Procurement Partnership including evaluating both price and quality of returns.



19. This report recommends entering a Pre-Contract Services Agreement (PCSA). PCSAs enable clients to employ contractors before the main build contract for construction, to enable contractor involvement in the design process. This approach brings a range of benefits including the potential to improve the buildability and cost-certainty of the designs, as well as creating a better integrated project team and reducing the likelihood of disputes, and is therefore considered best practice for projects of this nature. This arrangement does not commit the Council to any one contractor for the main build contract, the procurement of which will be subject to a formal competitive procurement process to ensure best value.
20. It is intended to return to Cabinet following the completion of the tender period and evaluation, to make a recommendation to award the contract with the contractor that is assessed to have submitted the most economically advantageous return, following evaluation against the criteria. This process does not bind the Council to any one tender.

### **Programme management**

21. The requirement remains for the technical skills, capital delivery capability and capacity to progress Carnarvon Terrace and Homes for Dovercourt Schemes, as well as overall programme management and the relationship with MHCLG for the three ECC led schemes.
22. A Capital Delivery Programme Manager has been recruited via an Agency since March 2023 and subsequently via Essex County Council's Managed Service Solution temporary and permanent worker framework, which ECC have opened for use to public sector agencies in the county through an arrangement with them. This agreement has been utilised on a trial basis and capped at a value of £50k, the duration of which is expected to come to an end in February 2025.
23. This report therefore includes a recommendation to enter into an agreement with ECC to use their framework following the trial period mentioned above, which will enable the Council to continue access to this framework, in the instance that this route is appraised to be the most suitable for filling this position moving forward. This will ensure that the Council complies with all relevant procurement legislation and demonstrating Value for Money requirements of the Council's internal Procurement Procedure Rules, whilst retaining the necessary skilled resource to continue effective management across the programme.
24. The framework offers a range of benefits for the Council including streamlined processes, reduced costs and increased transparency, both specifically to this programme and to the organisation as a whole, as other services will equally gain access to the framework. Further details are available in the background section.

### **RECOMMENDATION(S)**

**It is recommended that Cabinet:**

1. **acknowledges and supports the progress made to date against the original project scope, and the positive outcome of consultation undertaken so far enabling the submission of planning applications for the schemes;**

2. approves extending the scope of the £2,148,421 allocated by Cabinet to develop the Carnarvon Terrace (LUF) and Homes for Dovercourt (CRP) projects from planning lodgement through to completion of the main build contract tender process, with expenditure from this allocation to include professional services and capital delivery capacity within the Council;
3. agrees a delegation to the Corporate Director (Place and Economy), in consultation with the Council's Section 151 Officer, to continue to determine the mix of funding (from the Council's own approved contribution and the money made available by the Government) to support both the LUF Scheme in Clacton and the CRP Scheme in Dovercourt, within financial parameters previously agreed and until the next significant project milestones are reported to Cabinet;
4. approves, subject to due diligence being undertaken on the terms and conditions, the Council entering into an agreement with Essex County Council for use of the Managed Service Solution framework for the appointment of temporary and permanent workers;
5. subject to (d), delegates authority to the Chief Executive to undertake the due diligence, in consultation with the Monitoring and Section 151 Officers and sign the agreement;
6. subject to (b), delegates to the Director for Place and Economy the authority to procure and enter a Pre-Contract Services Agreement with a suitable main contractor, to increase buildability, reduce risk and deliver value for money on the schemes;
7. delegates to the Portfolio Holder for Economic Growth, Regeneration and Tourism to agree the final procurement route for the main build contracts and to agree the documentation required to commence procurement for the main build contracts for both Carnarvon Terrace (LUF) and Homes for Dovercourt (CRP); and
8. notes progress on the Essex County Council led LUF and CRP projects: the Clacton Hub (LUF); The Kingsway Improvement Corridor (CRP) and the Learning and Library schemes in Dovercourt (CRP), and reiterates the Council's continued support for the programme management of these schemes, as set out in previous Cabinet reports and in the Agreements with ECC.

#### **REASON(S) FOR THE RECOMMENDATION(S)**

To ensure the momentum is maintained with the professional team to deliver the LUF and CRP projects to the next technical design development stages, to be able to go out to tender for construction.

Furthermore, the recommendations will ensure the Council is able to adequately oversee the projects and manage the subsequent risk effectively, by having the Capital Delivery capacity in place for capital projects within the Council.

## ALTERNATIVE OPTIONS CONSIDERED

There are other options which have been considered:

**Stop the developments now:** Tendring District Council would not be able to deliver the schemes without this decision-making mechanism in place. Not delivering the bid would allow officer time to be focused on other projects and would reduce any financial or delivery risk to the Council from running major capital works. However, it would also lose the opportunity for substantial improvements in Clacton and Dovercourt with external funding.

**Finalise Procurement Route now:** This option risks tying the Council to a procurement route that may not be suitable and could escalate the final costs beyond the budget and also removes options for market engagement in design development.

**End the additional Council capacity for capital delivery:** This would reduce costs for the project in the short term, however given the overall circa 40M programme there is a significant risk to not having substantial expertise and experience to oversee the projects.

**Not enter the framework agreement:** This would prevent the Council from having access to an existing framework set up for use by local authorities in Essex for temporary and permanent workers

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

#### Corporate Priorities 2024/25

1. *Pride in our area and services to residents:* by investing in improving Council-owned assets within Clacton-on-Sea and Dovercourt to demonstrate a commitment to these town centres and championing local partners to do the same;
2. *Championing our local environment:* by improving existing assets and delivering from public consultation; the investment will also deliver sustainability measures across the sites, alongside new soft landscaping and biodiversity benefits;
3. *Raising aspirations and creating opportunities:* by providing additional employment space; and delivering social value commitments as part of consultant and contractor appointments throughout project delivery;
4. *Improve quality of life:* by investing in delivering new social housing for the District and improving public spaces for residents of, and visitors to, two of the District's key town centres;
5. *Promoting our heritage offer:* by improving the contribution of key sites to the 'arrival' to each historic town centre, celebrating local heritage landmarks such as the Leading Lights through references within the designs;
6. *Financial Sustainability and openness:* by capitalising on external Government funding to deliver meaningful transformation for our residents; and ensuring value for money through a robust governance and scrutiny process as part of the design development.

## **Highlight priorities 2024/5**

1. *Getting the basics right: A1 Extend a ‘You said, we did’ approach to all major services to the public across the Council:* each project has its origins in substantial public engagement, such as that undertaken in developing the Dovercourt Masterplan Revisited. Further public engagement has continued in developing the projects to this point, with the draft designs presented, feedback from the public, and actions taken featured on the project pages on the Council’s websites and at each event, providing a clear ‘golden thread’ of ‘You said, we did’ throughout each project development;
2. *Supporting decent housing for residents:* The projects will deliver additional affordable housing for residents as part of the Council’s Housing Revenue Account, expanding access to housing within the district. Freehold of the new housing developments will be retained by the Council to mitigate against issues ongoing elsewhere with poor building maintenance by private landlords.
3. *Promoting clean and tidy communities... encouraging everyone to take responsibility for keeping their area a pleasant place:* Each project scope includes direct streetscape and condition improvements, delivering substantial improvements and thereby promoting similar care from Council partners within the district to maintain clean and tidy communities and take pride in our area.
4. *We will celebrate business success, encourage cultural, tourism and economic growth:* Each project targets delivering meaningful improvement to their areas, tackling issues in terms of condition and appearance, to encourage positive visitor experiences as well as pride in place. In addition, Carnarvon Terrace includes the provision of new mixed use spaces. The tenant strategy for these spaces is being developed to provide a ‘civic’ offer in line with the Love Clacton vision for this area, which will include new spaces for civic organisations including charitable and wellbeing initiatives, alongside spaces for enterprise and skills development.
  1. This report directly relates to milestone *B2 Implement Levelling Up Fund, Capital Regeneration Partnership Projects and High Street Accelerator Schemes, taking these through design and planning.*
5. *Trending is ambitious and our residents will be supported to reach their potential and realise their opportunities:* as above, Carnarvon Terrace will provide additional employment space with a target for uses providing skills development on site. Milton Road will also support the neighbouring High Street to continue Dovercourt town centre’s local offer for employment and enterprise.
6. *Our environment deserves protection:* each project is targeting a high level of sustainability through a variety of design measures, prioritising ‘passive’ approaches to reduce energy consumption and carbon emissions, whilst maximising opportunities to enhance local nature and biodiversity. Therefore, whilst the proposals commenced prior to the Council’s latest Climate Change Action Plan, they can be seen to be working in the spirit of the updated Plan.
7. *Tough decisions will not be shied away from, but will be taken transparently, be well-informed, and informed from engagement with our residents:* budgets across the projects continue to be carefully monitored, with regular Portfolio Holder and senior officer scrutiny, to ensure projects are delivered within budget and that investment made represents value for money.

## **Economic Strategy 2020-24**

The Tendring Economic Strategy was updated in 2020. The Strategy uses evidence from the 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 successful Levelling Up application complements 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.

## **Tendring District Council Local Plan 2013 - 2033**

Delivery of these projects will align with the following strategic objectives set out in Section 1 of the Local Plan, adopted on 26<sup>th</sup> January 2021:

- Providing sufficient new homes
- Fostering economic development

The Social Value Policy adopted by Full Council in November 2024 will be adhered to through the procurement of all contracts over £100,000 through this project.

## **OUTCOME OF CONSULTATION AND ENGAGEMENT**

### **Background to the programme**

#### *Clacton*

The projects contained in the Clacton Civic Quarter bid align with the overarching vision and objectives of the 'Love Clacton' Vision 2030, which was developed through engagement and partnership with local businesses, the wider community and other partners and stakeholders through a series of meetings and workshops between 2018 and 2020.

#### *Dovercourt*

All of the projects proposed in the Dovercourt Town Centre bid are taken from Dovercourt Revisited ([link](#)). TDC commissioned this document in January 2018 as a means to update the previous masterplan (Dovercourt Rediscovered) from 2011. The production of Dovercourt Revisited included a public engagement exercise where members of the public were invited to comment on the masterplan, via exhibitions, which were held over two days. One of the key messages from the exercise was that the town's public realm needed to be upgraded: one of the most commonly cited responses to what attendees did not like about Dovercourt was the quality of the street scene (74%).

### **Councillor engagement**

In the report considered by Cabinet in June 2023, Cabinet also agreed to endorse the Portfolio Holder for Economic Growth, Regeneration and Tourism forming a Cross Party Levelling Up Working Party to receive project management updates at least four times a year on progress with the schemes, with particular attention to risk management for each individual project, budget and costings and delivery progress.

Further to the decision published on 28<sup>th</sup> September 2023, the Portfolio Holder Working Party has been consulted on designs throughout development for the schemes, including the final designs ahead of planning submission. Meeting dates have included:

1. 5<sup>th</sup> April 2024
2. 18<sup>th</sup> July 2024
3. 5<sup>th</sup> September 2024
4. 7<sup>th</sup> November 2024

Key comments that have shaped the proposals across the projects have included:

5. Selection of spatial options including the approach to site layout and landscaping approach;
6. Championing a high level of measures to support site safety including passive security measures;
7. Selection of appropriate material palettes so that the schemes set a high quality for future projects and complement the heritage of Clacton-on-Sea town centre;
8. Targeting high levels of sustainability to ensure low ongoing running costs and champion action from other Council partners in the district;

In addition, direct engagement has been carried out with Ward Councillors alongside public engagement periods.

### **Public consultation**

The Council developed a Communications Engagement and Marketing (CEM) Plan in 2023 for the Clacton LUF and Dovercourt CRP schemes to guide its work on the projects. This has been developed through combined monthly CEM meetings with ECC as the delivery partner, and other key local stakeholders including the University of Essex and Community Voluntary Services Tendring (CVST), to ensure clarity in communications across the funding programmes.

Four public events have been held to inform the emerging designs, including: one per scheme during RIBA 1, selecting the design option for development; and one per scheme during RIBA Stage 2 prior to the finalisation of the planning application package. The events were in person, held on the weekend at venues close to the sites in question, and accompanied by online questionnaires to gather feedback. Key feedback included:

#### **Clacton LUF**

1. Distinct support for Option 3 for the masterplan, which has now been progressed to detailed concept design.
2. The primary objective of the project—to reduce antisocial behaviour on the current site—was appreciated by the attendees.

3. The introduction of new green public spaces and flexible-use civic units was particularly well received.
4. Support for biodiversity measures and habitat creation.
5. Support that the scheme as developed responds to earlier concerns around site safety.

**Dovercourt CRP**

6. Support for the introduction of further soft landscaping.
7. Support for new local housing, in particular to house local people.
8. Support for improving the local street scene.
9. Concern around matters outside of the project scope including empty shops.
10. Support for utilising one of the sites for parking.
11. Concern regarding how the external appearance complements neighbouring heritage setting and historic architecture.

**Pre-application planning advice**

Two rounds of formal pre-application meetings have been held for each scheme with Tendring's Planning Teams, to gather iterative feedback on the emerging designs, in July and September 2024. Key feedback included:

**Clacton LUF**

12. Principle of scheme likely to be supported.
13. Scale and sense of place crucial to securing consent.
14. Recommended engagement with Secure by Design (see below).
15. Site should comply with 10% Biodiversity Net Gain and National Space Standards for the residential units.

**Dovercourt CRP**

16. Proposed layouts have been reviewed against detailed Flood Risk appraisal to avoid habitable rooms within high risk areas.
17. The proposals for the Victoria St east site have been adjusted to mitigate impacts on the neighbouring amenity.
18. Proposals for amenity space to flats have been further developed with reference to conservation area.
19. Off-street parking provision has been introduced.

**Professional stakeholder engagement**

Further pre-application liaison has included engaging with Essex Police Secure by Design Officer and Highways. Key feedback included:

20. Support for strengthening and enhancing sightlines through and into the site to support natural surveillance.
21. Local buy-in and support crucial for success of the scheme.
22. Support for provision of defensible space and passive security measures.
23. Recommendation to engage with Park Mark team to retain high level of certification.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

<p><b>Is the recommendation a Key Decision (see the criteria stated here)</b></p>	<p>Yes</p>	<p><b>If Yes, indicate which by which criteria it is a Key Decision</b></p>	<p>■ <b>Significant effect on two or more wards</b>          ■ <b>Involves £100,000 expenditure/income</b></p>
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			<input type="checkbox"/> <b>Is otherwise significant for the service budget</b>
		<b>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)</b>	8 <sup>th</sup> February 2024

**Framework agreement with ECC**

ECC has established a Dynamic Purchasing System (“DPS”) that allows it to quickly place job roles with external agency worker providers within set role rate bands and with set percentage mark-ups paid by ECC. This arrangement has the benefit of allowing access to providers through a route that is compliant with the Public Contracts Regulations 2015 (as amended) (“the PCR15”), is flexible to allow additional providers to the DPS on application and provides consistency and visibility of rates and mark-ups.

When establishing the DPS, ECC built in the flexibility to allow it to source placements for other local authorities (although those local authorities cannot directly access the DPS themselves).

The PCR 2015 provide for the use of framework agreements and dynamic purchasing systems to facilitate procurement, such as the one created by ECC. ECC and TDC each being a Contracting Authority for the purposes of the PCR 2015 (as amended) are entering into the arrangement in relation to the performance by each of them of certain public functions common to each of them. As such TDC and ECC are allowed this public to public cooperation without the need for a procurement process, so long as ECC are not acting in a commercial purpose and within the thresholds set out in the PCR 2015.

Further details are provided on the framework in Background Information.

**Funding from MHCLG**

Details in relation to the funding agreements are provided in earlier reports, in particular the report of October 2023.

<b>■</b>	<b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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It is essential that good project management principles and governance continue to be applied to these schemes, with particular attention to project scope and contract specifications, robust risk management and wider Board oversight and approvals following the Council’s internal governance framework.

At the time of publication of the report, it was not possible to undertake due diligence on the ECC Framework, therefore a delegation is set out within the recommendations to cover the assessment required.



It is important that the newly adopted Social Value Policy, adopted by Full Council in November 2024 following Cabinet's recommendation, is followed through procurement activity for contracts exceeding £100,000.

## **FINANCE AND OTHER RESOURCE IMPLICATIONS**

### **Total budgets**

The total overall LUF Programme Costs for the Carnarvon Terrace and the Clacton Hub are £30,743,015, and the three projects in Dovercourt CRP total £9,285,595.

The total for the schemes to be directly delivered by the Council is £19,743,739 for the Carnarvon Terrace LUF scheme and £3,798,751 for Homes in Dovercourt CRP scheme.

The total bid to the Levelling Up Fund was £19,958,224.

### Project budgets

#### *Clacton LUF*

##### **Project 1 Clacton Hub**

Total request to LUF: £3,102,985

Match Funding Contribution provided by ECC: £7,896,291

Total Project Costs: £10,999,276

##### **Project 2 Carnarvon Terrace**

Total grant funding secured: **£17,665,239**, incorporating:

Total request to LUF: £16,855,239.00

Brownfield Land Release Fund: £420,000

Electric Vehicle Fund: £390,000

Match Funding Contribution provided by TDC: £2,078,550

Total Project Costs: £19,743,739

### **Total overall LUF Programme Costs: £ 30,743,015**

#### *Dovercourt CRP*

The total bid for the Dovercourt Town Centre Improvement Corridor was £6,652,251. This bid contained 3 component projects as follows:

##### **Project 1 Harwich Library**

Total request to CRP: £500,000

Match Funding Contribution provided by ECC: £666,844

Total Project Costs: £1,166,844

##### **Project 2 Homes in Dovercourt:**

Total request to CRP: £3,332,251

Match Funding Contribution provided by TDC: £466,500

Total Project Costs: £3,798,751

##### **Project 3 Public Realm:**

Total request to CRP: £2,820,000

Match Funding Contribution provided by ECC: £1,500,000

Total Project Costs: £4,320,000

**Total Overall Dovercourt CRP Programme Costs: £9,285,595**

### **Match Funding Contribution**

The Match Funding Contributions identified above are comprised of the following, which includes grant funding previously received which has been reallocated to the Levelling Up Fund and Capital Regeneration Projects:

1. £250k - comprising of two allocations made from the Business Investment and Growth Budget in 2019, originally allocated to Town Centre projects and Technical studies in support of major projects (and a bid to the Future High Streets Fund) and later reallocated to LUF by virement.
2. £150k - grant funding originally received to support preparing a bid to the Future High Streets Fund, subjected to Cabinet decision in September 2019 and later reallocated to LUF by virement.
3. £2.06m - allocated within the 2021/2 Budget by Cabinet to support the bid to the Government's 'Levelling Up Fund'.
4. £125k - grant funding relating to Levelling Up Fund business case development in 2021/2.
5. £250k - additional of match funding was allocated to the CRP Funded Homes for Dovercourt project further to revised approach providing housing at Victoria Street.

LUF Match Funding Contribution: £2,078,550

CRP Match Funding Contribution: £466,500

Total Match Funding Contribution: £2,545,050

The current approach is to prioritise expenditure of external grant funding due to the delivery risk attached to this funding; therefore, the match funding is not proposed for expenditure at this time. Internal TDC capacity in relation to the projects have to date been capitalised and funded by external grant funding.

### **Progress to date**

- In March 2023 Cabinet agreed to allocate £250,000 to progress both these projects, and in October 2023 Cabinet agreed to draw down a further £1,898,421, totalling **£2,148,421** available to commission a project team, fund TDC's capital delivery costs, and allow for the development of the pre-construction information including surveys, advisors and project design and delivery teams.
- Cabinet agreed in April 2024 (in its Finance Update Report) to delegate to officers the determination of the mix of funding from the Council's own approved contribution, and the money made available by the Government, to support both the LUF Scheme in Clacton and the CRP Scheme in Dovercourt. As a result, the Council can draw on Government grant and its own matched funding to progress the schemes up to the approved £2,148,421 limit.
- The Council has recruited consultant teams for the Carnarvon Terrace scheme and the Homes for Dovercourt scheme. The consultant teams are recruited through to the end of the programme as needed. However, the agreements are drafted in such a way that

they can be terminated at each stage of the design and construction process, the so called 'RIBA' stages. Contracts could be terminated when the initial Concept Design is produced in line with the requirements of the initial Project Brief (RIBA 2) and planning permission has been lodged, or when detailed design information and cost plans are completed (RIBA 3) and so on through the construction process. The benefit of this approach is that the Council only goes out once to procure the team, but is able to end contracts if funding or approvals are not secured through the process.

- The total committed to date through procurement of the project consultant team is £895,011, comprised of £620,209 for Carnarvon Terrace (LUF) and £274,802 for the Homes for Dovercourt (CRP). There are further surveys and consultants required to complete all the technical designs, so this figure is expected to rise.
- Grant payments are received from MHCLG on a six-monthly basis, and the delivery agreement with ECC establishes for them to invoice in line with TDC receiving grants from MHCLG.
- Expenditure prior to this report is summarised as follows:
  - o £3,600: expended on procuring footfall data as part of the government's required monitoring and evaluation process for the bids;
  - o £146,215: expended from the Brownfield Land Release Fund on the demolition of the former Carnarvon House building.

#### Current position

- This report represents the completion of RIBA Stage 2 and Planning submission.
- The budgets allocated up to this point is summarised as follows:

		<b>Total funding</b>		<b>£ 2,148,421.00</b>
	LUF	CRP	Combined	
<b>Actual spend to date</b>				
Consultant team	£ 88,500	£ 32,000	£ 120,500	
TDC costs			£ 308,000	
	<b>Total</b>		<b>£ 428,500</b>	
		<b>Total remaining (completion of RIBA 2)</b>		<b>£ 1,719,921</b>
<b>Allocation for expenditure through to completion RIBA 3</b>				
Consultant team	£ 399,086	£ 179,505	£ 578,591	
TDC costs	£ 421,097	£ 99,437	£ 520,534	
	<b>Total remaining (completion of RIBA 3)</b>		<b>£ 1,099,125</b>	

- As a result, there are sufficient funds remaining from the previously allocated budget of **£2,148,421** to take the projects to the tender documentation stage, both with the consultant team, and with resources for the Council to manage the programme. Cabinet is only requested to extend the scope of the budgets already committed, to commit the spending of that money up to the tender documentation stage.

### Financial risk

Large-scale projects bring with them a commensurate level of risk, with seemingly small percentage variances in costs, having the potential to produce a significant financial impact on a project and the Council. As such, projects at this scale require the sustained focus of the Council to mitigate the risk of inflation and potential cost over runs. The Council and its delivery partners will conduct further construction cost analysis and develop robust contingency plans. Regular cost monitoring and risk assessment throughout the project lifecycle will be vital to identifying potential inflationary risks and proactively managing them.

During this period cost control measures have included:

1. Updated benchmarking for budgetary purposes utilising contemporary industry standard sqm rates plus contingency;
2. Procurement and appointment of a suitably qualified and professionally registered Quantity Surveyor to provide regular cost updates during design development;
3. Regular cost monitoring and risk assessment;
4. Value engineering options identified within designs to mitigate cost increases;
5. Procurement of robust set of site investigations and surveys to mitigate construction risk;
6. Procurement and appointment of consultant team within budgets allowed.

### Programme management

There are no immediate financial implications presented by entering the framework with ECC, as the framework has no set up costs and percentages are only charged in the instance that roles are successfully contracted through the framework.

X	<b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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There are no further comments over and above those set out in the report.

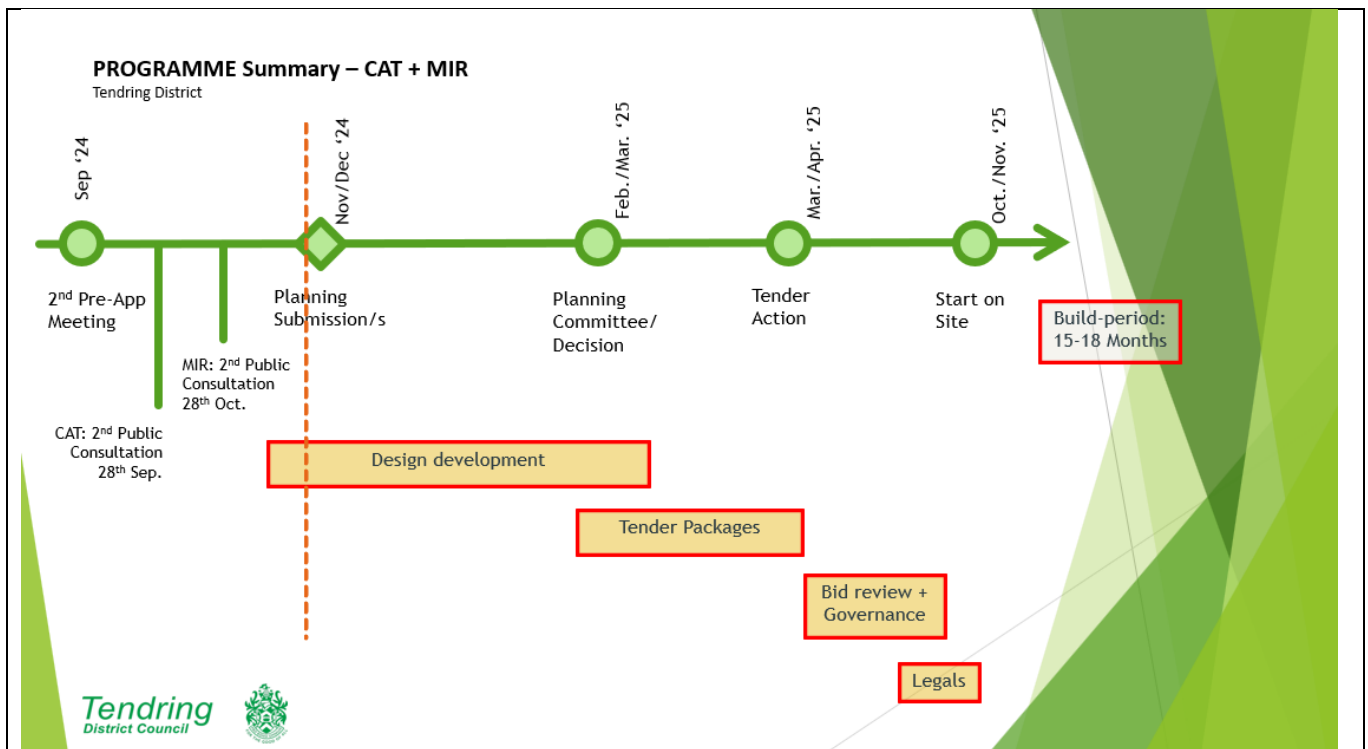
### USE OF RESOURCES AND VALUE FOR MONEY

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;	Refer to Finance, Associated Risks and Mitigation.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks; and	Refer to Associated Risks and Mitigation
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.	Refer to Executive Summary, Reasons for Recommendations, Delivery Priorities, Equality Implications, Social Value Considerations, Other Relevant Considerations and Implications

### MILESTONES AND DELIVERY

The current position of the project is summarised as follows, including a forward look to key future milestones:



Key milestones to take the respective projects beyond submission of planning applications are set out as follows:

1. Detailed Planning Application Lodged – Q3 2024/5
2. RIBA Stage 3 (Spatial Coordination) design completed: Q4 2024/5
3. Stage 3 Cost Plan – Q4 2024/5 (costed-design)
4. Planning Approval expected: Q4 2024/5
5. Tender Documentation and Employer's Requirements Produced: Q1/Q2 2025/6
6. Cabinet Approval to release Tender Information for Main Build Procurement: Q2 2025/6
7. Contract Sum Analysis: Q2 2025/6 (costed and benchmarked)

A current summary programme showing the stages completed to date and a forward look towards completion is appended to this report.

#### ASSOCIATED RISKS AND MITIGATION

Risk registers have been produced as follows;

1. an overarching risk register highlighting the 'top ten' risks across both LUF and CRP programmes, which is shown below:
2. ECC manage their project's individual risks.

**Current 'top ten' risks for the Programme:**

	<b>Risk</b>	<b>Mitigation</b>	<b>Owner</b>
1	<b>Cost escalation</b> Caused by design, inflation or programme prolongation	Close monitoring and active engagement; due diligence completed of cost plans to date	TDC & Employer's advisor
2	<b>Programme delays</b> Delivery later than anticipated due to governance, design team, tendering and/or market conditions	Timely governance and processes, including timely remedial action and/or reprocurement	TDC & Employer's advisor
3	<b>Resourcing</b> Team and capacity issue for TDC and external partners for projects and programme	Recruitment and engagement; sufficient skilled resource to be recruited/procured in good time	TDC & ECC
4	<b>Design development</b> Robust tender information required; risk of incomplete design for tender	Monitoring and project management	TDC & Consultant team
5	<b>Third party approvals</b> Delays at third parties could result in delays to approvals and clearances	Early engagement and robust pre-application liaison completed prior to planning submission; positive feedback received prior to submission	TDC & Planning consultant
6	<b>Ground conditions</b> Unknown site conditions could cause delivery issues	Site investigations under commission and enabling works proposed to derisk main build contract during detail design period	TDC & Consultant team
7	<b>Construction risk</b> Multiple risks associated with materials, labour, logistics, etc.	Monitoring and market engagement, ongoing soft market testing with Essex Procurement Partnership	TDC & Consultant team
8	<b>Contracts</b> Risk of poor quality bids and or extra costs resulting from scope gap	Design and package management	TDC & Employer's advisor
9	<b>Stakeholder management</b> Risk to approvals resulting from ineffective comms and engagement	Engagement and monitoring; ongoing liaison including responding to concerns proactively prior to planning submission	TDC & Planning consultant
10	<b>Funding withdrawal</b> Funding withdrawn while the project is underway/part built	Engagement and monitoring with MHCLG, confirmation on programme extension awaited	TDC & ECC

For Cabinet to be aware, an overall programme risk is that the ECC elements of the programme, remain subject to ECC's own internal approvals process.

Project risks are constantly monitored through a systematic and ongoing process of risk identification, assessment, mitigation and monitoring. The risk register is a rolling item at the Programme Board, as regular communication and reporting on the status of risks to all project team members, stakeholders and sponsors is essential to effective delivery.

## **EQUALITY IMPLICATIONS**

Section 149 of the Equality Act 2010 creates the public sector equality duty which requires that when the Council makes decisions it must have regard to the need to:

1. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act;
2. Advance equality of opportunity between people who share a protected characteristic and those who do not;
3. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

EQIAs have been developed for both bids and are intended to be living documents which are updated throughout the scheme. A fuller description can be found in the Cabinet report dated 23 June 2023.

## **SOCIAL VALUE CONSIDERATIONS**

The procured consultant teams are bound by their contract with TDC to deliver measurable Social Value Enhancements through this procurement. Some of the offers included in those contracts include:

1. Offer of short term work placements
2. Help with CVs
3. Presentations at career days
4. Volunteering days for their staff
5. Educating users on energy usage
6. Helping food banks.

These procurements took place before the social value policy was agreed by the Council, with the specific list of social value requirements, and so were proposed by the consultants themselves. Going forward, the procurement activity will comply with the newly adopted Policy and the agreed Theme, Outcomes and Measures against the Council's Corporate Plan and priorities.

More widely the Levelling Up Fund and Capital Regeneration Projects will deliver social value to Clacton and Dovercourt, as a result of the regeneration benefits of transforming sites across the town centres, renewing public services, and providing new social housing and carparking.

## **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO by 2050**

The plans for Carnarvon Terrace and Homes for Dovercourt include 'Passive Principles' low energy building design approach for the projects, in order to achieve better construction quality, protection against fuel poverty, improved comfort and wellbeing, closing of the gap between predictions and actual performance, lower repair and maintenance costs.

Tendring's Low Energy Design Strategy is looking to:

1. Adopt a 'Passive Principles' low energy design approach across all sites;
2. Set a contractual energy performance target within Tendring's Employers Requirements;

3. Incorporate renewable energy where possible;
4. Plan a well-coordinated handover, aftercare and maintenance strategy and a 'soft landings' protocol.

Across the LUF and CRP schemes, the detailed design proposals submitted for planning approval achieve a high level of sustainability through the following measures:

1. **A high level of energy performance** of the built fabric, including Future Homes Standard and Passivhaus-equivalent levels of design performance; to reduce costs, reduce energy wastage and improve residents' health & wellbeing.
2. **Landscape-led approach** delivering substantial gains in ecology, biodiversity and habitat creation.
3. **Local energy generation** in the form of solar PV to be installed to the car park structure.
4. **Fossil fuel free development** with no new natural gas installations on site utilising highly efficient ASHP in place of gas boilers.
5. **Sustainable drainage** including landscaping and mitigation measures to reduce risk of localised flooding and impacts on existing infrastructure.
6. **Conscious of embodied carbon** with material palettes considered for sustainability, emissions and local procurement.
7. **Supporting low carbon and active travel** through provision of EV charging and cycling infrastructure, and improving pedestrian links within the towns.
8. **Setting a high level of aspiration** with the Council-led scheme well placed to encourage other partners within the District to match the level of sustainability achieved within the designs.
9. **Low consumption fixtures and fittings** including LED lighting and low-flow sanitaryware to reduce energy and water consumption on site.
10. Communal areas of the housing will be **powered by renewable-only electricity** as part of the council's commitment to move to renewable only suppliers as part of reducing our Scope 2 emissions.
11. **Enabling responsible waste management** with generous refuse storage supporting residents to recycle as much waste as possible.
12. Measures to manage flood risk, in particular on the Dovercourt sites, through sustainable urban drainage and considered design of the housing to respond to heightened flood risk resulting from a changing climate.

In recognition of the above, the Carnarvon Terrace scheme is subject to a BREEAM assessment, targeting an 'Excellent' rating.

A similar approach is being taken for the ECC schemes, with particular measures including:

1. Passive measures such as external shading, window orientation and cross-ventilation to prevent overheating.
2. Maximising natural daylight to minimise reliance on artificial lighting to reduce energy consumption.
3. Natural Ventilation systems will be used in classrooms and communal spaces. The Library, offices and meeting rooms will be ventilated via air handling units.
4. Air Source Heat Pumps will be a requirement and feasibility work under consideration for the inclusion of Solar panels as well.

#### **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.**



<p><b>Crime and Disorder</b></p>	<p>Both projects include the provision of additional community services and improved visual amenity, which will contribute to the reduction of crime through increased natural surveillance. Rationalised access points to the car park will also provide this and will ensure people feel safer walking through the space in the evening, especially women, who can feel particularly vulnerable.</p> <p>The Carnarvon House site was an existing crime hotspot in Clacton, and redeveloping this site aim to decrease crime directly.</p> <p>ECC Designing Out Crime officers have been engaged as part of the design development process to ensure that the proposals utilise best practice and deliver a sense of security across the sites. A summary of engagement is included for each project within the relevant planning application documentation, key design measures include:</p> <ol style="list-style-type: none"> <li>1. Allowing for controlled access to some areas of the sites, such as the rear of Carnarvon Terrace, enabling these to be closed outside of operational hours;</li> <li>2. Considered specification of landscaping to reduce risk of ASB;</li> <li>3. Engagement with specialist input to feed into development of the parking structure to ensure adequate security systems and lighting.</li> </ol>
<p><b>Health Inequalities</b></p>	<p>Both projects contain schemes which will have a positive impact on health inequalities including access to housing, education, jobs, and public services.</p>

	<p>The completion of both projects will result in the provision of housing in two of the most deprived areas in the District, in areas which have demand on the housing register. TDC's Draft Housing Strategy 2019-2024 shows that 415 households (26%) on the housing register have a physical or mental health condition made worse by their housing, which this provision would move to address.</p> <p>Through investment in libraries and skills provision, both projects also aim to increase access to training and employment, through structured courses and access to IT systems.</p> <p>Both projects also include mixed use space with flexible access for public sector partners. This provides opportunities for joined up working between organisations, which can improve and simply access to services for residents.</p> <p>The Clacton Hub also includes space for the University of Essex to establish a presence. The different aspects of the University offer will result in the collection of data and insights on coastal communities, which will benefit wider health and wellbeing decision making. There will also be skills and training opportunities for residents.</p>
<p><b>Area or Ward affected</b></p>	<p>Clacton Civic Quarter: Pier Ward, when delivery begins</p> <p>Dovercourt Town Centre Improvement Corridor: Harwich &amp; Kingsway Ward, when delivery begins</p>

## PART 3 – SUPPORTING INFORMATION

### BACKGROUND

The Council's Corporate Plan is committed to developing vibrant town centres and public spaces to be proud of, building and managing its own homes and offering joined up public services for the benefit of our residents and businesses. To this end, the Council published the 'Love Clacton' Plan in 2020 and 'Dovercourt Revisited' in 2019 that outline proposals for town centre regeneration.

#### **Funding bids**

The Council submitted two applications in August 2022 to Round Two of the Levelling Up Fund: £19,958,224 for the Clacton Civic Quarter, and £6,652,251 for Dovercourt Town Centre, as the projects that best fit these Government funding opportunities from the Love Clacton and Dovercourt Revisited proposals.

Both bids were developed jointly with Essex County Council, who allocated resource to develop the bids, own land and buildings within three of the projects, and has committed £8m of matched funding to the delivery of both bids.

#### *Clacton LUF*

The Clacton Civic Quarter bid requested £19,958,224 for two projects.

1. Carnarvon Terrace is proposed to be 28 new homes in three blocks built along Carnarvon Road: one block of 11 social homes and two blocks for sale. The ground floor of each block will provide new offices or shops. The Council will remodel the carpark and install up to 30 EV chargers. A covered market of 'maker spaces' will be built.

The 'maker spaces' will provide space for emerging local businesses and a new retail offer for the town centre, which will increase daytime activity and complement existing shops. The improvements to the carpark, including new electric car charging points will be a draw that further supports visitors to the town centre and the seafront. The provision of 28 flats, 11 of which will be affordable / social housing, seek to address the lack of affordable housing provision in the area. Within the district, the biggest demand for affordable housing is for 1 or 2 bedroom properties in Clacton.

2. Clacton Hub will redevelop the existing ECC library site to make provision for a new library and Adult Community Learning centre, with additional flexible space including proposals to bring the University of Essex to Clacton for the first time.

The University of Essex will be part of a new skills and education hub in Clacton, setting up base in the town to create a Centre for Coastal Communities. The exciting new site will provide access to a range of new learning opportunities for local people, while retaining important community elements, including the local Museum.

The Clacton LUF plans are based on many years of preparation. The successful Round Two Levelling Up Fund Bid is based on an unsuccessful Round One bid, which itself is based on a 2020 Future High Streets Fund bid, that whilst not it did not win funding, did provide the underlying vision, project development and consultation for the successful Clacton LUF bid.

Government told the Council it had been successful on 19 January 2023. Cabinet agreed on 17 March 2023 to accept the £19,958,224 awarded to the Council and to authorise the S151 Officer to sign the associated MOU in consultation with the Corporate Director Place & Economy and Portfolio Holder for Business and Economic Growth.

### *Dovercourt CRP*

Government notified the Council in January 2023 that its Dovercourt Town Centre Improvement Corridor bid was unsuccessful for LUF, but on 15 March 2023 Government announced the bid was successful in a sister fund, 'Capital Regeneration Projects' (CRP).

The funding from Government comprises:

1. Kingsway improvements: A major investment into the appearance of Dovercourt Town Centre to improve the visitor experience and support local businesses.
2. Learning and library project: The Adult Community Learning skills centre will return to Dovercourt town within a refurbished library, increasing the opportunities for residents to benefit from courses locally.
3. Homes in Dovercourt: Demolish an out-of-date multi-storey carpark at Milton Road and build nine new, well-built social homes.

In accordance with previous Cabinet decisions, the Council and the Government have signed the respective MoUs for both the LUF and CRP schemes. These MoUs denotes an agreement to proceed, and that the allocation of funding to the Council has passed the Government's subsidy control tests.

Further detail in addition to the Executive Summary is set out as follows:

### **Project progress**

#### *LUF*

2. Team: Key consultants for the Carnarvon Terrace scheme are set out below, with a full list appended to this report:
  1. Lead consultant, Employers Advisor and QS: Pellings LLP
  2. Architect and Lead Designer: Conran & Partners Ltd
  3. Planning Consultant: BeFirst
  4. Structural and Civil Engineering: calfordseaden
  5. Mechanical and Electrical Engineering: calfordseaden
  6. Landscape Architect: WWA
  7. Principal Designer under Construction, Design and Management Regulations 2015: calfordseaden
3. Design development: key developments are summarised as follows:
  1. the site layout was defined through Councillor and public consultation;
  2. General arrangements for each of the buildings have been developed through close liaison with relevant teams within the Council including Housing and Assets;
  3. External character and appearance have been developed through close engagement with the Leader, Portfolio Holder and cross party working group, to develop a scheme that complements the local area and sets a high standard for future development;
  4. Design development is available on the project page [here](#), including the emerging designs presented at public consultation events and the outcomes from public consultation.
  5. Cost: the project continues to be on budget with no immediate concerns in terms of value engineering actions needed;
  6. Timeline: forecast future milestones are summarised as follows against financial year quarters:
    1. Secure planning permission: Q4 2024/5

2. Main construction contract procurement: Q1 – Q3 2025/6
3. Construction: Q4 2025/6 – Q2 2027/8
4. Phased handover: Q1 – Q2 2027/8

#### CRP

7. Team: Key consultants for the Carnarvon Terrace scheme are set out below, with a full list appended to this report:
  1. Lead consultant, Employers Advisor and QS: Pellings LLP
  2. Architect and Lead Designer: Pellings LLP
  3. Planning Consultant: BeFirst
  4. Structural and Civil Engineering: Canham Consulting
  5. Mechanical and Electrical Engineering: calfordseaden
  6. Landscape Architect: Davis Landscape Architecture
  7. Principal Designer under Construction, Design and Management Regulations 2015: Pellings LLP
8. Design development: key developments are summarised as follows:
9. On 7 February 2024 the Council submitted a change request to allow the Council to relocate the housing element of the scheme from Milton Road Carpark site to the two derelict sites at Victoria Street, Dovercourt, in response to public engagement that showed greater support for retaining parking provision to support the town centre and High Street at the Milton Road location. Cabinet agreed the acquisition of these sites on 17 June 2022, and the Council completed the acquisition on 8 February 2024;
10. Options on approaches to what features to prioritise on the Milton Road site were subject to public consultation, with no clear winner between landscaping and decorative railings to the site perimeter. As a result, the final scheme includes a combination of both, with the decorative railings reference local heritage, developed in collaboration with local stakeholders including the Harwich Society.
11. Public consultation on Victoria Street highlighted concerns in terms of parking provision. In response to this and early cost plans indicating likely build cost, the decision was taken by senior officers in consultation with the Portfolio Holder to reduce the scheme to deliver only the apartment block, with the second site providing amenity space and residents parking. This revision was met with public support in the second round of public consultation in autumn 2024.
12. Public consultation also highlighted a concern with the appearance of the apartment block and a strong desire to see the visual appearance echo local heritage; the design team reviewed the designs to maximise references to the local historic architecture and material palette which received positive feedback from Councillors in the cross party working group;
13. Design development is available on the project page [here](#), including the emerging designs presented at public consultation events and the outcomes from public consultation.
14. Cost: cost plans have indicated that the designs risked exceeding the allocated budget for the scheme in autumn 2024, which has now been successfully mitigated through a

reduction to the scheme revising the second site from townhouses to parking and amenity, which has also received a positive response in public consultation as set out above.

15. Timeline: forecast future milestones are summarised as follows against financial year quarters:
1. Secure planning permission: Q4 2024/5
  2. Main construction contract procurement: Q4 2024/6 – Q3 2025/6
  3. Construction: Q3 2025/6 – Q4 2026/7
  4. Phased handover: Q4 2026/7

### **Programme management**

16. In the light of the decision of Cabinet in October 2023 to manage the TDC schemes through a Capital Delivery Programme Manager, the Council entered into an agreement with ECC to provide the services of the Capital Delivery Manager from 6 December 2024 to 28 February 2025, funded via the budget allocated to the Project Delivery Unit by Cabinet in July 2024. A decision was published to this effect on 26<sup>th</sup> July 2024.
17. Essex County Council (ECC) has established a Dynamic Purchasing System (“DPS”) that allows efficient placement of job roles with external agency work providers. The DPS operates within predefined role rate bands and includes percentage mark-ups paid by ECC.
18. The DPS system is available for use by all local authorities within Essex, and is already in use by many authorities in the region. The system is compliant with the Council’s contract procedure rules and meets the current PCR15 regulations.
19. The framework includes 250 agencies and includes a partnership with Matric SCM, who will engage the temporary worker, manage the timesheet, payroll and billing, and invoice the Council directly. The DPS operates as ‘pay as you go’, with costs only applying in the instance that roles are successfully recruited through the framework, and no set up costs.
20. This arrangement offers several advantages including:
1. Compliance with the Public Contracts Regulations 2015 (PCR15);
  2. flexibility for additional providers to join the DPS upon application;
  3. consistent and transparent rates and mark-ups, subject to market testing and reduced rates subject to specialism, improving cost-effectiveness;
  4. consistency in administrative processes including potential reduction in administrative burden by reducing timesheet and invoice processing across multiple agencies;
  5. cost savings offered by substantial reduction in percentage charge attached to pay rates, which can be as high as 12-30% for agencies, compared with 2.5-12.5% on the ECC framework, depending on duration;
  6. the framework’s managed solution offers savings for converting temporary to permanent staff, with no fee payable if the temporary worker is recruited to a permanent position through a formal recruitment exercise;

7. a more streamlined process for using agency staff, with easier tracking and monitoring of expenses, usage and performance, offering improved transparency.

### **Delivery approach**

21. The June 2023 Cabinet report set out that the Council is the responsible authority for both the LUF and CRP projects and programme manages the overall schemes, reporting to the officer-led Delivery Programme Board, and on to the member-led Regeneration Board, and ultimately to MHCLG and Government. Both Boards have joint membership from the Council and ECC.
22. The report proposed that 'the Council (TDC) will commission the two projects where it owns the land and runs services, which are Carnarvon Terrace (Clacton LUF), and Homes for Dovercourt (Dovercourt CRP).'
23. In October 2023 following a review of this delivery method, it was proposed that the Council (TDC) should manage these two projects directly. It needed strong leadership, experience and technical skills in programme and construction project management. It was agreed to deliver the projects with the oversight of a Capital Delivery Programme Manager.
24. The Council has contracted with 12 consultants for the whole period to completion, with break clauses at each RIBA stage, including Planning lodgement. [See annex with consultant list].
25. The projects now require authority to use these contracts to progress to the tender stage, when we will seek authority again from Cabinet to progress to go out to tender for the main contract.
26. A Pre-Contract Services Agreement is proposed as part of the next design stage, to secure early contractor involvement in the design process. Early appointment of the contractor under a Pre-Construction Services Agreement can allow them to:
  1. Contribute to the design process.
  2. Advise on the buildability, sequencing, and risk of the construction works.
  3. Advise on the packaging of the works for sub-contractors and suppliers (and the risks of interfaces between packages).
  4. Advise on the selection of specialist contractors.
  5. Help develop the cost plan and construction programme.
  6. Help develop the method of construction.
  7. Obtain prices for work packages from sub-contractors or suppliers on an open book basis.
  8. Prepare a site layout plan for the construction stage showing temporary facilities.
  9. Draft the preliminaries for specialist and trade contractor bid documents.
  10. Assist with any planning application on matters concerning the build phase, such as; waste disposal proposals, construction traffic movements, tree preservation protection, etc.

### Projects delivered by ECC

27. The May 2024 Cabinet was informed that the Council entered into agreements with ECC, which allow ECC to commission and deliver the three projects where ECC own the land and run services, which are Clacton Hub (Clacton LUF), and Harwich Library and Kingsway Improvements (Dovercourt CRP).
28. The final terms and conditions of the funding agreements were approved on 22 January 2024 funding agreement was sealed on 20 February 2024 by TDC, mirroring the respective Memorandums of Understanding TDC have entered into with MHCLG.

### PREVIOUS RELEVANT DECISIONS

- 21 May 2021; Cabinet: Levelling Up Fund – Proposed Bid for Clacton Town Centre ([7077](#))
- 18 June 2021; Executive Decision: Levelling Up Fund – Clacton Town Centre (Submission of bid) ([7354](#))
- 25 June 2021; Cabinet: Annual Capital and Treasury Strategy ([7284](#))
- 17 September 2021; Cabinet: Outturn 2020/21 and Proposed Allocation of General Fund Variance ([7753](#))
  
- 25 February 2022; Cabinet: Corporate priorities ([8491](#))
- 13 April 2022; Executive Decision: Procurement Exercise To Secure A Levelling Up Bid Consultant ([8864](#))
- 10 May 2022; Executive Decision: Levelling Up Fund: Procurement of Consultants ([9041](#))
- 17 June 2022; Cabinet: Levelling Up Fund Bid Submissions ([9261](#))
- 17 June 2022; Cabinet: B.1 - Terms for the Acquisition of Property and Land in Victoria Street, Harwich ([9269](#))
- 28 June 2022; Executive Decision: Levelling Up Fund Bid Submissions ([9332](#))
  
- 17 March 2023; Cabinet: Grant approval and budget allocation ([1985](#))
- 27 March 2023; Executive Decision: Clacton Civic Quarter LUF MoU Acceptance ([10998](#))
- 31 March 2023; Executive Decision: Allocation of LUF Capacity Fund to secure resources required ([11088](#))
- 23 June 2023; Executive Decision: Exemption From Call-In: Signing of Dovercourt CRP MoU ([11538](#))
- 28 July 2023; Executive Decision: Procurement of interim capital programme manager (LUF/CRP Projects) ([11641](#))
- 31 July 2023; Executive Decision: Capacity for Delivering Levelling Up Projects ([11642](#))
- 30 August 2023; Executive Decision: Levelling Up Fund and Capital Regeneration Projects: Procurement of site surveys ([11719](#))
- 26 September 2023; Executive Decision: Levelling Up Fund / Capital Regeneration Projects PH Working Party - Appointment thereof ([11829](#))
- 6 October 2023; Cabinet: Levelling Up Fund and Capital Regeneration Projects - Progressing the Projects to Planning Permission ([11879](#))
- 10 November 2023; Cabinet: Financial Performance Report 2023/24 ([11983](#))



- 20 November 2023; Executive Decision: Change of Membership: LUF / CRP PH Working Party ([12009](#))
- 21 November 2023; Executive Decision: Change of Membership: LUF / CRP PH Working Party ([12013](#))
- 2 January 2024; Executive Decision: Approval of Heads of Terms of funding agreements between TDC and ECC for LUF/CRP ([12108](#))
- 31 January 2024; Executive Decision: Allocation of Levelling Up Capacity Funding for a fixed term project manager post ([12184](#))
- 8 February 2024; Executive Decision: Completion of land acquisition at Victoria Street, Dovercourt ([12198](#))
- 27 March 2024; Executive Decision: Appointment of Architect for LUF / CRP ([12317](#))
- 27 March 2024; Executive Decision: Appointment of Employer's Agent and Quantity Surveyor for LUF / CRP ([12318](#))
- 27 March 2024; Executive Decision: Appointment of Rights of Light consultant for LUF / CRP ([12315](#))
- 8 April 2024; Executive Decision: Appointment of Acoustic Consultant for LUF / CRP ([12329](#))
- 19 April 2024; Cabinet: Financial Performance Report (2023/4) ([12366](#))
- 22 April 2024; Executive Decision: Appointment of Structural Engineers for LUF / CRP ([12375](#))
- 24 April 2024; Executive Decision: Appointment of Planning Consultants for LUF / CRP ([12380](#))
- 30 April 2024; Executive Decision: Appointment of Landscape Architect for LUF / CRP ([12393](#))
- 24 May 2024; Cabinet: Update on LUF / CRP ([12439](#))
- 24 May 2024; Executive Decision: Appointment of Ecology Services for LUF / CRP ([12465](#))
- 7 June 2024; Executive Decision: Operational issues relating to clearance of the sites at Milton Road and Victoria Street ([12489](#))
- 2 August 2024; Executive Decision: Appointment of Flood Risk Assessments and Unexploded Ordnance Surveys ([12668](#))
- 8 August 2024; Executive Decision: Appointment of Transport Consultant ([12677](#))
- 8 August 2024; Executive Decision: Appointment of Heritage and Parking Stress Consultant ([12678](#))
- November 2024; Executive Decision: Planning Submission for the CRP Funded project at Milton Road Car Park, Dovercourt ([12962](#))
- December 2024; Executive Decision: Planning Submission for the LUF Funded project at Carnarvon Terrace, Clacton-on-Sea ([13060](#))
- December 2024; Executive Decision: Planning Submission for the CRP Funded project at Victoria Street, Dovercourt ([link](#))

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

- Tendring Economic Strategy 2020-4, Regeneris ([link](#))
- Dovercourt Masterplan Revisited 2019 ([link](#))
- Levelling Up Fund Round 2: Prospectus ([link](#))

1	September 2019; Cabinet Report: Agreeing funding of £250k to the Future High Streets Fund ( <a href="#">link</a> )
2	21 May 2021: Cabinet Report ( <a href="#">link</a> )
3	18 June 2021: Levelling Up Fund Application Form ( <a href="#">link</a> )
4	25 June 2021: Cabinet Agenda Pack ( <a href="#">link</a> )
5	17 September 2021: Cabinet Report ( <a href="#">link</a> )
6	25 February 2022: Cabinet Agenda Pack ( <a href="#">link</a> )
7	17 June 2022: Cabinet Report ( <a href="#">link</a> )
8	17 March 2023: Cabinet Agenda Pack ( <a href="#">link</a> )
9	23 June 2023: Cabinet Report ( <a href="#">link</a> )
10	September 2023; Financial End of Year Report: Combining budgets ( <a href="#">link</a> )
11	6 October 2023: Cabinet Report ( <a href="#">link</a> )
12	10 November 2023: Cabinet Report ( <a href="#">link</a> )
13	19 April 2024: Cabinet Report ( <a href="#">link</a> )
14	24 May 2024: Cabinet Report ( <a href="#">link</a> )

## APPENDICES

**Appendix 1:** Budget summary

**Appendix 2:** List of consultants

**Appendix 3:** Summary programme

## REPORT CONTACT OFFICER(S)

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## A7 Appendix 1: Budget summary

28/11/2024															
LUF/CRP Capital programme 2024-2025															
	Project Code	Site	Address	Postcode	Site Area [sq.m.]	GIA [sq.m.]	LUF/CRP Budget [£]	%	TDC/ECC Allocation [£]	%	Total Project Budget [£]	Summary	Programme End	Projected End	Land Owner
1	CAT	Carnarvon Terrace	Carnarvon Rd, Clacton-on-Sea	CO15 6QF	7,600.00	11,822.00	17,665,239	89.47	2,078,500	10.53	19,743,739	To deliver 28 new homes along with replacement car parking and approx 1400 sq.m. flexible commercial use	Mar. 2025	Jun-26	TDC
2	MIR	Milton Road *	off Bagshaw Rd, Harwich	CO12 3EQ, CO12 3AR, CO12 3AS	900.00	455.00	3,332,251	87.72	466,500	12.28	3,798,751	8 new-build town houses for social rent & replacement car parking	Mar. 2026	Mar-26	TDC
3	HAR	Town Centre Urban Realm*	Kingsway, Dovercourt, Harwich	CO12 3AG	TBC	-	2,820,000	65.28	1,500,000	34.72	4,320,000	Improvements from the railway station, across the high street and up Kingway Road	Mar. 2026	Q2-2026	ECC
4	HAL	Harwich Library*	Upper Kingsway, Dovercourt, Harwich	CO12 3JT	1,350.00	TBC	500,000	42.85	666,844	57.15	1,166,844	Refurbishment of the library and add a mezzanine space. Flexible uses	Mar. 2026	Q2-2025	ECC
5	CLA	Clacton Library	Station Road, Clacton-on-Sea	CO15 1SF	5,032.00	632.9	3,102,985	28.21	7,896,291	71.79	10,999,276	To redevelop the ECC library and provide replacement library, adult learning, flexible use space, etc.	Mar. 2025	Q2-2026	ECC
<b>Totals</b>							<b>27,420,475</b>		<b>12,608,135</b>		<b>40,028,610</b>				

## A7 Appendix 2: List of consultants

### 101 CAT Carnarvon Terrace

Role	Consultant
Employers Agent + PQS	<b>Pellings</b>
Architect	<b>Conran</b>
Landscape Arch	<b>WWA</b>
Structural & Civil Engineer	<b>calfordseaden</b>
MEPH Engineer	<b>calfordseaden</b>
Principal Designer	<b>calfordseaden</b>
Planning Consultant	<b>Be First</b>
PCSA [Main Contractor]	
Building Control	
Acoustic	<b>dBA</b>
Ecologist/Environment	
Fire Engg	<b>calfordseaden</b>
Interior Designer	
Party Wall	
Rights of Light	<b>RoL</b>
Traffic/Transport	<b>Canham</b>
Public Consultation	
Waste Management	
Heritage Consultant	<b>B&amp;mid Suffolk</b>
BREEAM	<b>ADP Consulting</b>

### 102 MIR Milton Road & Victoria Street

Role	Consultant
Employers Agent + PQS	<b>Pellings</b>
Architect	<b>Pellings</b>
Landscape Arch	<b>Davis LA</b>
Structural & Civil Engineer	<b>Canham</b>
MEPH Engineer	<b>calfordseaden</b>
Principal Designer	<b>Pellings</b>
Planning Consultant	<b>Be First</b>
PCSA [Main Contractor]	
Building Control	
Acoustic	<b>Pace</b>
Ecologist/Environment	
Fire Engg	<b>calfordseaden</b>
Interior Designer	
Party Wall	
Rights of Light	<b>RoL</b>
Traffic/Transport	<b>Canham</b>
Public Consultation	
Waste Management	
Heritage Consultant	<b>B&amp;mid Suffolk</b>



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## CABINET

20 DECEMBER 2024

### REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PLANNING

#### A.8 CONSIDERATION OF REVISIONS TO THE HOUSING ALLOCATIONS POLICY AND AGREEMENT TO UNDERTAKE CONSULTATION IN CONNECTION WITH THESE REVISIONS

##### PART 1 – KEY INFORMATION

###### **PURPOSE OF THE REPORT**

To present to Cabinet proposed revisions to the Council's Housing Allocations Policy for approval prior to consultation being carried out as required by the statutory Allocation of accommodation: guidance for local housing authorities in England 2012 (as updated in June 2024).

###### **EXECUTIVE SUMMARY**

This report presents a revised Housing Allocation Policy ("the Allocations Policy") for approval prior to wider consultation being undertaken.

Tendring is an area of acute housing shortage in the affordable rented sector and the demand for housing far outstrips the supply of accommodation becoming available for letting. In each given year, it is normally only possible to assist approximately 10% of all applicants on the Housing Register with accommodation.

The Allocations Policy is intended to reflect the Council's vision to put the needs of established Tendring residents first and to provide local housing for local people. The Council is also determined to ensure the creation of mixed and sustainable communities in the affordable rented housing sector and to provide realistic advice on housing options for those seeking accommodation.

The current Housing Allocations Policy was adopted in June 2013 to take into account amendments brought in by the Localism Act 2011. The Localism Act gave housing providers greater freedom to set their own rules on who can join the Housing Register and what priority can be awarded for housing, including a residency qualification. The Policy was subsequently revised in December 2019 to take into account the Homelessness Reduction Act 2017 as well as associated statutory guidance and regulations.

This revision of the Allocation Policy complies with the Regulator of Social Housing's revised Consumer Standards that came into effect from 1 April 2024 and takes into account revisions to statutory guidance as well as recent case law.

The objectives of the Allocations Policy are to.

- meet the legal requirements for the allocation of social housing as set out

in Part VI Housing Act 1996 as amended by the Homelessness Act (2002) and the Localism Act 2011

- provide a single system of allocating housing across the whole district
- increase the sustainability of local communities
- provide housing for local people
- assist in minimising homelessness and assist applicants in the highest assessed need
- ensure that the scheme allows the Council to make best use of homes and in particular adapted properties
- provide accommodation for homeless households.
- work with other providers and other agencies to make best use of affordable housing from all sources to meet housing need.

#### **RECOMMENDATION(S)**

**That Cabinet:**

- (a) approves the proposed revisions to the Council's Housing Allocations Policy, as set out in Appendix A, for consultation with current and prospective tenants, residents and other key stakeholders;**
- (b) delegates the format and design of the consultation to the Corporate Director (Operations and Delivery) in consultation with the Portfolio Holder for Housing;**
- (c) agrees, subject to there being no significant changes being required to the draft Policy as a result of the consultation, to delegate the approval of the revised Housing Allocations Policy to the Portfolio Holder with responsibility for Housing for adoption and implementation; and**
- (d) delegates authority to the Corporate Director for Operations and Delivery to make future updates or amendments to this Policy in consultation with the Portfolio Holder responsible for Housing.**

#### **REASON(S) FOR THE RECOMMENDATION(S)**

The recommendations are to ensure that the Allocations Policy is appropriately adopted, in accordance with the Council's Constitution and scheme of delegation and to evidence compliance with regulatory standards.

#### **ALTERNATIVE OPTIONS CONSIDERED**

The only alternative option considered was to not implement a revision of the Housing Allocation Policy.



Each local housing authority in England and Wales is required by the Housing Act 1996 (HA 1996), Pt 6 ('Allocation of Housing Accommodation'), to have a scheme for the allocation of social housing. A Housing Allocations Policy is a written statement on how a Local Authority allocates social housing within its District.

In accordance with the Localism Act 2011, each local authority has the right to determine their own Housing Allocations Policy. This allows local authorities to give "reasonable preference" to certain categories of applicants, ensure that properties are allocated in a fair and reasonable manner as well as being able to better manage our stock.

The Allocations Policy sets out the rules that the Council must follow when letting our properties. This also allows us to manage the unrealistic expectations of those applicants who have little or no prospect of being allocated a property.

This revised Allocations Policy has also been designed to assist the Council in meeting the Regulator of Social Housing's revised Consumer Standards which came into effect on 1 April 2024.

Failure to meet the Consumer Standards could result in the Regulator using its enforcement powers, which include requiring a registered provider to submit a performance improvement plan or to take particular actions set out in an enforcement notice. The Regulator will also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

The absence of suitable and published policies makes the day-to-day operation of the service more difficult with the potential for inconsistencies in approach and increases the likelihood of complaints and investigations by either the Housing Ombudsman or Local Government and Social Care Ombudsman services, as applicable.

## **PART 2 – IMPLICATIONS OF THE DECISION**

### **DELIVERING PRIORITIES**

This policy contributes to a number of Corporate Plan 2024-28 themes:

- Pride in our area and services to residents
- Raising aspirations and creating opportunities
- Working with partners to improve quality of life
- Financial sustainability and openness

### **OUTCOME OF CONSULTATION AND ENGAGEMENT**

The proposed consultation regarding the changes to the Housing Allocations Policy will involve a wide range of stakeholders, including current tenants, Housing Register applicants, other housing providers operating in the district and the broader public. The outcome of the consultation will be taken into account by the Portfolio Holder for Housing under the recommended delegation and detailed in the recorded decision.

**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	X 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)	3 October 2024

Each local housing authority in England and Wales is required by the Housing Act 1996 (HA 1996), Pt 6 ('Allocation of Housing Accommodation'), to have a scheme in place for the allocation of social housing. A Housing Allocations Policy is a written statement on how a Local Authority allocates social housing within its District.

In accordance with the Localism Act 2011, each local authority has the right to determine their own Housing Allocations Policy. This allows local authorities to give "reasonable preference" to certain categories of applicants, ensure that properties are allocated in a fair and reasonable manner as well as being able to better manage our stock.

The Allocations Policy operates under the provisions of the Housing Act 1996, the Homelessness Act 2002, the Localism Act 2011, the Homelessness Reduction Act 2017 and the relevant Codes of Guidance including the Allocation of Accommodation: Guidance for Local Housing Authorities in England.

In accordance with the statutory Allocation of accommodation: guidance for local housing authorities in England 2012 (as updated in June 2024) when an alteration is made to a scheme reflecting a major change of policy, an authority must ensure within a reasonable time that those likely to be affected by the change have the effect brought to their attention, taking such steps as the housing authority considers reasonable (Housing Act 1996 s168 (3)).

A major policy change would include, for example, any amendment affecting the relative priority of a large number of applicants or a significant alteration to procedures.

The Social Housing Regulation Act 2023 builds upon the existing regulatory framework for housing and introduces revised Consumer Standards that came into force on 1 April 2024. These standards contain specific expectations registered providers of social housing must comply with and detail the outcomes

that providers are expected to achieve and they cover neighbourhood management and domestic abuse.

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

The Council is under a duty to ensure that its policies and procedures have regard to the relevant statutory guidance and kept under review if such guidance is updated.

**FINANCE AND OTHER RESOURCE IMPLICATIONS**

There are no significant financial implications associated with the revision of this policy as it updates existing arrangements which are currently funded via existing budgets in the Housing Revenue Account.

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

As highlighted within earlier reports relating to the HRA budgets and business plan, the new era of social housing regulation emerging from the Social Housing (Regulation) Act 2023 will have a major impact on the overall financial position of the HRA in future years. It is recognised that the impact will likely be due to the aggregation of a number of emerging requirements such as those set out in this report, rather than perhaps any single item. Although the importance of such regulation is acknowledged and reflects the Council's stated commitment and priority to provide good quality housing, the resulting costs involved either directly or through demand for the necessary additional capacity, were not reflected within the self-financing reforms implemented by the Government in 2012. Such costs therefore represent additional financial pressures that will have to be balanced against the broader challenge of delivering a long term financially sustainable HRA in future years.

**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;	The Council has an adopted Financial Strategy.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks,	The Council has a mature constitutional structure and framework of policy for decision-making. It is intended that the appended policies will augment that framework.
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 Council has an adopted Financial Strategy.

**MILESTONES AND DELIVERY**

If Cabinet agrees to the proposed revisions of the Housing Allocations Policy, it will be subject to consultation in accordance with the statutory Allocation of accommodation: guidance for local housing authorities in England.

This consultation will be commenced in January 2025.

Subject to there not being any significant amendments made as a result of the consultation responses received, the final version of the Housing Allocations Policy will be presented to the Portfolio Holder with responsibility for Housing for adoption in March 2025.

Future reviews of this policy will then be carried out with a delegation to the Corporate Director – Operations and Delivery to make future changes and updates to the policy in consultation with the Portfolio Holder responsible for Housing

#### **ASSOCIATED RISKS AND MITIGATION**

The revised Housing Allocations Policy has been designed to assist the Council in meeting the Regulator of Social Housing's revised Consumer Standards with came into effect on 1 April 2024.

Failure to meet these standards could result in the Regulator using its enforcement powers, which include requiring a registered provider to submit a performance improvement plan or to take particular actions as set out in an enforcement notice. The Regulator will also be able to authorise an appropriate person to enter a social housing premises to take emergency remedial action and issue penalties or require the housing provider to pay compensation.

The adoption and implementation of this policy is aimed at minimising the risks of non-compliance and in ensuring that the Council makes the best use of its housing stock.

#### **EQUALITY IMPLICATIONS**

In line with the Public Sector Equality Duty, within these policies the Council has due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

An Equality Impact Assessment has been carried out in connection with this policy prior to approval being sought for its implementation.

#### **SOCIAL VALUE CONSIDERATIONS**

Creates healthier, safer and more resilient communities: To build stronger and deeper partnership working arrangements whilst continuing to engage and empower tenants.

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

The review of this policy does not present a direct impact on the Council's target for net zero greenhouse gas emissions from its business operations by 2030. The Council will be mindful of energy efficiency measures, wherever relevant, in the implementation of its policies.

#### **OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS**

<b>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</b>	
<b>Crime and Disorder</b>	<p>An effective Housing Allocations Policy can increase the sustainability of local communities. The Policy also supports the Housing Anti-Social Behaviour Policy, approved in April 2024.</p> <p>Where there has been evidence of an applicant's unacceptable or poor behaviour including all forms of social housing related fraud, this behaviour will be taken into account as part of the assessment process. Unacceptable behaviour is defined as behaviour that would constitute sufficient grounds for them to be evicted if they were secure tenants under the Housing Act 1985.</p>
<b>Health Inequalities</b>	<p>The Housing Allocations Policy assists in minimising homelessness and assists applicants in the highest assessed need. Both welfare and medical needs are considered as part of the assessment process.</p> <p>The Council will also work with other providers and agencies to make best use of affordable housing from all sources to meet housing need.</p>
<b>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance).</b>	The Council will follow subsidy control legislation and regulations, where applicable, in relation to the content and implementation of these policies.
<b>Area or Ward affected</b>	All
<b>PART 3 – SUPPORTING INFORMATION</b>	
<b>BACKGROUND</b>	
<p>The Council has retained its housing stock and currently manages over 3,000 homes.</p> <p>The Social Housing (Regulation) Act 2023 includes revised Consumer Standards which contain specific expectations registered providers of social housing must comply with and details the outcomes that providers are expected to achieve. These standards came into force on 1 April 2024.</p> <p>One of these Consumer Standards – the Tenancy Standard sets out the following required outcomes and specific expectations in relation to allocations:</p>	

- Registered providers must allocate and let their homes in a fair and transparent way that takes the needs of tenants and prospective tenants into account.
- Registered providers must co-operate with the local authorities strategic housing functions and assist local authorities to fulfil their duties to meet identified local housing need. This includes assistance with local authorities homelessness duties and through meeting obligations in nominations agreements.
- Registered providers must seek to allocate homes that are designated, designed, or adapted to meet specific needs in a way that is compatible with the purpose of the housing.
- Registered providers must develop and deliver services that seek to address under-occupation and overcrowding in their homes. These services should be focused on the needs of the tenant
- Registered providers must develop and deliver services that seek to address under-occupation and overcrowding in their homes. These services should be focused on the needs of the tenant.
- Registered providers must take action and tackle tenancy fraud.
- Registered providers must have a fair, reasonable, simple and accessible appeals process for allocation decisions

All of these requirements have been taken into account in the revised Housing Allocations Policy

As at 31 March 2024, there were 2260 households on the Council's Housing Register and their housing needs were as follows:

<b>Property needs</b>	<b>Number of households</b>
One bed or studio accommodation	993
Two bed accommodation	606
Three bed accommodation	409
Four or more bed accommodation	252

During the financial year 2023/24, the Council allocated 202 properties as set out below:

<b>Type of allocation</b>	<b>Number of lettings</b>
Lettings to existing social housing tenants	40
Lettings to new social housing tenants	144
Mutual exchanges	18

Of the total 202 lettings, 168 properties were properties in the Council's general housing stock and 34 were in sheltered housing. 174 nominations were also made to other registered housing providers in the District with whom the Council has a nomination agreement in place.

As the above figures illustrate, the demand for social housing by far outstrips the supply and that any amendments made that will benefit one cohort of households, will result in another cohort being disadvantaged by decreasing their prospect of securing social housing.

Set out below is a summary of the changes being proposed: All changes are highlighted in red in the attached Allocations Policy, with a summary below:

- Those seeking to foster/adopt will be assessed on welfare grounds and will be expected to provide verification of their approval and registration from Social Services
- EEA nationals that move to the United Kingdom from 1<sup>st</sup> January 2021 will generally have no recourse to public funds and will not generally be eligible for social housing, unless they:
  1. Fall under a government exemption as set out in government Eligibility Rules (eg; having a refugee status), or
  2. Are eligible and have been granted indefinite leave to remain by the UK government
- Joint tenancies will only be granted to couples who are married or in a registered civil partnership. For cohabiting couples or those related (like brother or sister) joint tenancies will be considered on a case-by-case basis and only if all parties have lived together for at least 12 months.

Those not eligible to join the housing register now include:

- An applicant or a member of their household, who have been responsible for unacceptable behaviour.
- Those applicants who were successfully housed via a mutual exchange within 12 months from the start of their tenancy
- Applicants who are not considered ready to sustain a tenancy because of age or need for specialist support or who are currently residing in supported housing and not ready to move on.
- Applicants who lack capacity to hold a tenancy.
- Former social housing tenants who have been evicted for anti-social behaviour, rent arrears or other breaches of their tenancy agreement.
- Applications exempt from the 3-year residency criteria now include those fleeing domestic abuse as defined in the Domestic Abuse Act 2021 and Care Leavers aged 18-25 years
- Applications from those accepted for a homeless prevention or relief duty and who do not meet the 3-year residency criteria are to be placed in one band lower than the band they would have been placed in had they met the 3-year residency criteria.

- LGBTQ+ couples are now included with civil partners and co-habiting couples who will be treated in the same way as married applicants.
- The definition of those with sufficient finances or means to be able to meet their own housing need and will not qualify to join the housing register have been expanded to include
  1. Owning properties in the UK and/or abroad
  2. Own a residential caravan or mobile home, or a caravan or mobile home on a seasonal holiday park
  3. Ownership of a property under a shared ownership scheme, or they own or have an interest in a residential property but choose to rent it out.
  4. Sufficient capital to buy or sufficient income to raise a mortgage to buy:
    - Single person household with earnings of £30,000 or more, savings of £16,000 or more in bank accounts, ISA's, capital or equity in a property
    - Households of more than one person with earnings of £50,000 or more, savings of £16,000 or more.
- The 'living in unaffordable' priority has been removed and those on benefits are treated the same as those in employment. The Council believe it is acceptable to spend up to 40% of a household's total income on rent or mortgage
- Unacceptable or poor behaviour has been expanded to include
  1. All forms of housing related fraud,
  2. Being a perpetrator of domestic abuse because this is a ground for possession
  3. Causing nuisance to neighbours including substantiated noise complaints and the impact on the existing community and not just those considered to be sensitive.

These are examples of unacceptable behaviour that will be considered even if a Notice Seeking Possession has not been served on the applicant and/or their household, or a conviction obtained. These grounds define the types of behaviour that the Council will consider when deciding whether an applicant should be disqualified from joining the Housing Register.

- Allocation of ground floor flats  
Priority for ground floor flats will usually be given to applicants who have a medical condition, which means that ground floor accommodation is required.
- Allocation of adapted properties  
Where the Council considers (on the advice of an Occupational Therapist and through a Housing Needs Report) that an applicant has a requirement for a significantly adapted property, the application will be 'flagged' to show this.



- Applicants in supported housing schemes that are ready to move onto permanent accommodation will be nominated by their support provider under a quota arrangement with the council. These applicants will still need to meet the 3-year residency criteria before being accepted onto the housing register.
- Tenants of other registered providers in the Tendring area who, through downsizing, will be releasing a home larger than they need will be assessed as follows:
  1. Releasing one bedroom will be placed in Band B provided the registered provider agrees in writing to offer the vacant property to the Council for nomination.
  2. Those who will be releasing a home and the registered provider does not agree to offer the vacant property to the Council, will be assessed purely on their housing need.
- The Employment criteria has had the addition of an applicant having their place of work within the Tendring district (not just the company being registered in the district)
- Changes to Band A, B and C. There are a number of changes which are highlighted in red in the policy.
- Band E is used as an administrative 'pending assessment' whilst the Housing Allocations team await additional information before being able to make a full assessment. It is updated to the relevant Band A to D once the verification process has been completed.

#### **CURRENT POSTION**

The revised draft Housing Allocations Policy 2025 is attached at Appendix A.

The objectives of this policy are to.

- meet the legal requirements for the allocation of social housing as set out in Part VI Housing Act 1996 as amended by the Homelessness Act (2002) and the Localism Bill 2011
- provide a single system of allocating housing across the whole District
- increase the sustainability of local communities
- provide housing for local people
- assist in minimising homelessness and assist applicants in the highest assessed need
- ensure that the scheme allows the Council to make best use of homes and in particular adapted properties
- provide accommodation for homeless households.

- work with other housing providers and other agencies to make best use of affordable housing from all sources to meet housing need.

:

**BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None.

**APPENDICES**

**Appendix A – draft Housing Allocations Policy 2025**

**REPORT CONTACT OFFICER(S)**

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*Tendring*  
District Council



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# HOUSING ALLOCATIONS POLICY

## Consultation Draft 2025

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If you would like this information in braille, large print, audio formats or another language please contact [housingallocations@tendringdc.gov.uk](mailto:housingallocations@tendringdc.gov.uk) or telephone 01255 686868.

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## **PART ONE: GENERAL INFORMATION and LEGAL FRAMEWORK**

### **1.1 Introduction**

Tendring is district with an acute shortage in the affordable rented housing and the demand for housing far outstrips the supply of accommodation that becomes available for letting. Each year, it is normally only possible to assist approximately 10% of all applicants on the Housing Register with accommodation.

This policy is intended to reflect the council's vision to put the housing needs of established Tendring residents first and to provide local housing for local people. The Council is also determined to ensure the creation of mixed and sustainable communities in the affordable rented housing sector and to provide realistic advice on housing options for those seeking accommodation.

This Housing Allocations Policy was adopted in June 2013 to take into account amendments brought in by the Localism Act 2011, the Policy was revised again in December 2019. The Localism Act gave the Council greater freedom to set its own rules on who can join the Housing Register and what priority the Council can award on applications for housing, including a residency qualification.

The policy has been amended again to take into account the relevant legislation and case law that has come into force since the policy was last revised in December 2019. The policy has regard to.

- [The Housing Act 1996, as amended by the Homelessness Act 2002](#)
- [The Localism Act 2011](#)
- The Homelessness Reduction Act 2017
- The Homelessness Code of Guidance ([updated June 2024](#))
- The Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015
- Providing social housing for local people: statutory guidance on social housing for local authorities in England (December 2013)
- HA R (On the Application Of) v London Borough of Ealing (2015)
- [The Domestic Abuse Act 2021](#)
- [The Equalities Act 2010](#)
- [The Armed Forces Act 2021](#)
- [Social Housing \(Regulation\) Act 2023](#)

### **1.2 The Housing Allocations Policy and service standards**

#### **Fairness**

- *ensure the widest possible access to housing by offering choice of accommodation;*
- *give everyone the opportunity to express preferences about your accommodation whenever possible;*
- *prevent discrimination on the grounds of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity.*
- *write publications in plain English and offer translations, large print or a reading service where needed to help informed housing choices to be made.*

#### **Excellence**

- The Council's aim is to;
- *be courteous and efficient;*

- *respond to the needs of the Council's customers and partners and ensure that the views of its customers are heard;*
- *set out clear standards for services so that everyone knows what to expect;*
- *provide advice regarding access to social housing and other housing options, both over the phone, via a website and in person;*
- *meet our legal and strategic requirements whilst considering the needs of the local community;*
- *confirm in writing any decision made in relation to your application for housing;*
- *ensure decisions reflect Council policy and are consistent and transparent.*

**Your responsibilities as applicants to the Housing Register:**

- *provide full and accurate details on all correspondence in relation to your application for housing;*
- *inform the Council immediately if your circumstances change in any way, for example, your address, contact preferences, family details or medical conditions;*
- *respond promptly to requests from the Council for information;*
- *make a decision on viewed properties within the specified time scale stated in the offer letter sent to you*
- *Provide evidence to confirm your identity, your residence history and your employment status*

### **1.3 Objectives of the Housing Allocations Policy**

**To meet the legal requirements for the allocation of social housing as set out in Part VI Housing Act 1996 as amended by the Homelessness Act (2002) and the Localism Act 2011**

The Council will ensure that this allocation policy complies with all legislative requirements, related legislation, case law, local policies and strategies.

**Provide a single system of allocating housing across the whole district**

All assessments of need and allocations will be made according to this agreed policy. The scheme will provide applicants with choice about the type of property and area in which they wish to live.

The scheme aims to provide applicants with sufficient information to explain where homes are more likely to become available. This will allow them to make informed choices about their housing options.

**Increase the sustainability of local communities**

Homes may be let with the aim of improving the long-term stability of a community. Applicants who have lived in Tendring for at least 3 years and who have been in employment for a period of 12 months before they apply will be placed in a higher band than their assessed band to reflect their working status.

**Local housing for local people**

In order to maximise choice and mobility for applicants within the district, the Council will only let properties to applicants who have a strong residence connection with the district.

Applicants who do not live in the district or have lived in the district for less than 3



years will not be allowed to join the Housing Register. The only exceptions to this rule are listed in paragraph 2.4.

In some instances, homes will be restricted to people with close local connections to a town or village.

**To assist in minimising homelessness and assist applicants in the highest assessed need**

All applicants who have a demonstrable housing need will have their applications assessed and be placed in a housing needs band according to their circumstances. This will take into account the reasonable preference criteria outlined in the Housing Act (1996) (as amended).

Homes will generally be let to the applicant with the highest housing need who has been waiting the longest.

**Ensure that the scheme allows the Council to make best use of homes and in particular those that have been specially adapted.**

Properties that have been adapted or developed for people with a disability will be let to households that need that type of adaptation. This is because there is a shortage of adapted properties.

**To provide accommodation for homeless households.**

The policy will give priority to applicants who are assessed as homeless or threatened with homelessness by the council and who would qualify for a prevention relief or main housing duty as defined in the Homelessness Reduction Act 2017.

**To work with other providers and other agencies to make best use of affordable housing from all sources to meet housing need.**

The policy will give priority to all local tenants in social housing seeking to move to smaller accommodation thus freeing up larger properties for those households in need.

It is also important that the Allocations Policy is understandable and accessible by applicants and in allocating our accommodation the council will endeavour to reach high standards

#### **1.4 Housing Register and Allocations Policy**

The Housing Register is intended to be a single register of those in housing need and seeking social or affordable housing in the Tendring district either owned by the Council or other register housing providers (formerly known as housing associations or registered social landlords).

The Register is the way in which all applicants must apply for social housing in the Tendring district.

The demand for housing far exceeds supply and the register exists to enable the scheme to prioritise those households who are in greatest need and to maximise their opportunities for re-housing.

The Register also provides information on needs which the council uses to develop new affordable housing.

The Housing Allocations Policy sets out:

- The objectives of the Policy;
- How the Housing Register operates;
- Who is eligible to be re-housed or offered alternative housing
- How applicants' housing needs are assessed;
- How social rented homes across the district are let;

### **1.5 How the policy will operate**

Applicants can apply to join the housing register and the council will assess the application and make an initial assessment of need.

If the applicant does not have a demonstrable housing need, the application will not be allowed onto the Housing Register however the applicant will receive advice on their housing options.

The only exception to this rule will be current members of the armed forces of former members of the armed forces who have been honourably discharged within 5 years of making their applications.

Applicants who join the Housing Register will be placed in one of four bands to reflect their housing need.

### **1.6 The Housing Act 1996 (as amended)**

This policy has been drafted to comply with the requirements of Part VI of the Housing Act 1996 (as amended)

Part VI of the Housing Act 1996 covers:

allocations of local authority or housing provider accommodation to new tenants;  
transfers requested by this local authority's tenants;  
allocations of local authority housing to current tenants of registered housing providers and;  
nominations that the council makes to registered housing providers.

It sets out the circumstances of applicants to whom reasonable preference must be given when deciding who will be offered a property.

The policy has regard to the Allocation of Accommodation: guidance for local housing authorities in England published in June 2012, **along with subsequent revisions**

### **1.7 Allocations exempt from this policy**

- Where the council needs to provide alternative accommodation for a tenant in order to carry out repairs or improvements to their property.
- Where the council has a duty to re-house homeowners following a compulsory purchase, provide suitable alternative accommodation under the Land Compensation Act 1973, s 39, or under the Rent Agricultural Act 1976. If it is not possible to provide a permanent tenancy immediately, the applicant will be registered within Band A of the scheme.

- Where the council grants a secure tenancy to a former owner-occupier or statutory tenant of a defective home under the Housing Act 1985, s554 or s555.
- Where the Council provides temporary accommodation for Council employees under Para 5, Schedule 1 of the 1985 Housing Act (Temporary Accommodation for Persons Taking Up Employment).
- Temporary accommodation provided for homeless people under Part VII of the Housing Act 1996 (as amended). Applicants in this situation can apply to join the Housing Register.
- Mutual exchanges between tenants and/or tenants of registered housing providers under the Housing Act 1985, s92.
- Where a secure tenant dies, and there is a person qualified to succeed the tenant under the Housing Act 1985, s89, then that person will succeed to the secure tenancy (qualifying succession). If the property is larger than the qualifying successor needs, they will be offered a suitable alternative property which meets their needs.
- Where a secure tenant dies and a person is allowed to remain in the property on a temporary basis at the council's discretion (non-qualifying succession)
- Where a secure tenant with a fixed term tenancy dies and the tenancy remains secure by virtue of the Housing Act 1985, s90.
- Where a secure tenancy is assigned to someone who would have qualified to succeed to the tenancy if the secure tenant died immediately before the assignment. That person becomes the secure tenant.
- Where a court makes a property adjustment order or other order transferring a council tenancy from one party to another.
- Where a non-secure tenant is granted an introductory tenancy of the same property.
- Where a person is granted an offer of temporary accommodation in sheltered accommodation to facilitate a discharge from hospital under a block-booking or similar arrangement between this council, Essex County Council and the NHS.

### **1.8 Reasonable and additional preference**

All applicants will be placed in the appropriate priority band based on an assessment of their needs. This will ensure that the Council lets homes to those in need and ensures that it meets its legal obligations as set out in the Housing Act (1996) as amended by the Homelessness Act (2002) and the Localism Act 2011.

The law sets out groups of applicants where reasonable preference must be considered. Those 4 groups of applicants are:

1. Applicants who are homeless or threatened with homelessness (within the meaning of Part VII of the Housing Act 1996 (as amended)).
2. Applicants occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions.

3. Applicants who need to move on medical or welfare grounds (including grounds relating to a disability).
4. Applicants who need to move to a particular locality in the district of the authority, where failure to meet that need would cause hardship (to themselves or to others).

People who fall within one of the reasonable preference categories referred to above and who have a housing need will be eligible for the consideration of additional preference under the Council's scheme if the following apply:

1. Applicants who are owed a homelessness prevention relief or main housing duty as a result of violence or threats of violence likely to be carried out and who as a result require urgent re-housing, including:
  - Victims of domestic abuse as defined in the Domestic Abuse Act 2021;
  - Victims of racial harassment amounting to violence or threats of violence;
  - Same sex couples who are victims of harassment amounting to violence or threats of violence;
  - Witnesses of crime, or victims of crime, who would be at risk of intimidation amounting to violence or threats of violence if they remained in their current homes.
2. Applicants who have lived in Tendring for at least 3 years and in addition have been employed for more than 16 hours per week and have been employed for more than 12 months at the time of application.
3. Applicants who are current or former members of the armed forces who have received an honourable discharge from service within 5 years of making their application.
4. Applicants who are bereaved spouses or civil partners of former members of the armed forces who have to leave Service Family Accommodation following the death of their spouse or civil partner.
5. Applicants who are former members of the Reserve Forces who have been seriously injured or disabled as a consequence of service.
6. Applicants who have lived in Tendring for at least 3 years seeking to foster or adopt where their housing needs can be realistically met by an offer of accommodation. Applicants who meet this criteria will be assessed on welfare grounds and will be expected to provide verification of their approval and registration to foster or adopt from Social Services.

Every application received by the Council will be considered according to its facts and the maximum uplift available under this power would be one band.

Every applicant's situation is different which means that applications will be considered on an individual basis and individual circumstances taken into account.

## **PART TWO: HOUSING REGISTRATION**

### **2.1 Who is eligible to join the housing register?**

- Applicants who have lived in the Tendring area for at least 3 years at the time of their application unless they meet the criteria in paragraph 2.4
- Anyone who can demonstrate that they have a housing need

- Anyone aged 18 or over can **apply to join** the Housing Register

Under current legislation, anyone under the age of 18 are considered minors and as such are prevented from legally entering into a tenancy agreement.

As part of the Joint Working Protocol between Essex Housing Authorities and Essex County Council for the prevention of homelessness and/or provision of accommodation for homeless 16 and 17 year olds, any young person aged 16 or 17 years of age, who is not currently living in supported housing and is at risk of homelessness, will be advised to contact the Housing Solutions Team.

- Applicants will be allowed to join the housing register if they are under 18 years of age but over the age of 17 only if they have been nominated for housing by a supported housing provider through approved nomination agreements

- EEA nationals that move to the United Kingdom from 1<sup>st</sup> January 2021

Will generally have no recourse to public funds and will not generally be eligible for social housing, unless they:

1. Fall under a government exemption as set out in government Eligibility Rules (eg; having a refugee status), or
2. Are eligible and have been granted indefinite leave to remain by the UK government

Those granted settled status or indefinite leave to enter or remain under the EU settlement scheme are eligible to apply for social housing. Evidence of an applicants settled status will be required.

Those granted pre-settled status, limited leave to enter or remain, or are a front line worker in the United Kingdom will be eligible to apply for social housing provided the terms of their status does not prevent them from having recourse to public funds.

EEA nationals granted settled status should be able to provide their eligibility for social housing using their digital status via the website page [www.gov.uk/view-prove-immigration-status](http://www.gov.uk/view-prove-immigration-status)

## 2.2 Who is not eligible to join the Housing Register?

The Housing Act 1996 (as amended by the Localism Act 2011) allows the Council to decide that some categories of applicants do not qualify to join the Housing Register. The Council has decided that the following categories of applicant do not qualify:

- **Applicants from abroad who are subject to immigration control under the Asylum and Immigration Act 1996.**
- **Applicants who the Council considers are unsuitable to be tenants** of the Council because they, or a member of their household, have been responsible for unacceptable behaviour. **The Council will contact an applicants current or previous landlord requesting a reference before an offer of housing is made.**
- **Applicants living outside of the Tendring area at the time of their application** unless they meet one of the criteria in paragraph 2.3 below
- **Applicants who have no demonstrable need for housing at the time of their application** unless they are current or former members of armed forces who have been honourably discharged within 5 years of making their application

- **Those applicants who were successfully housed via a mutual exchange** will not be eligible to join the housing register within the first 12 months from the date of their exchange.

- **Applicants who are not considered ready to sustain a tenancy** because of age or need for specialist support or who are currently residing in supported housing and not ready to move on. In these situations the housing allocations team will work with the housing provider to carry out regular reviews of the applicants circumstances and their readiness to move on and sustain a tenancy in conjunction with any specialist support providers.

- **Applicants who lack capacity to hold a tenancy.**

Taking on a tenancy means entering into a legal contract and this requires legal capacity. In lay terms legal capacity means three things:

- I. being able to make a decision;
- II. understanding there is a choice and wanting to enter a contract;
- III. understanding the obligations of the contract e.g. to pay rent, keep the terms of the tenancy

In law there is a presumption that a person is capable until proved otherwise. The test of capacity should be functional i.e. take account of the particular activity and the complexity of the elements of the contract not a blanket test that a person is incapable of understanding. An officer from the housing allocations team will meet with the applicant and assess all circumstances including professional opinions from those organisations working with the applicant in line with the Mental Capacity Act 2005.

The decision not whether or not to allow an application will be considered following a full assessment of the individual circumstances. If a decision is taken to not allow an application or restrict an application on the housing register, the applicant will receive a decision in writing which will explain:

- The reason why the decision has been made
- The date or circumstances in which they will be able to make an application to join the housing register

- **Applicants with sufficient capital or savings** to buy a property, or sufficient income to raise a mortgage to buy a property, have a combination of both, or sufficient income to rent. As defined under paragraph 4.6 (Financial Resources)

- **Former social housing tenants** who have been evicted for anti-social behaviour, rent arrears or other breaches of their tenancy agreement.

Any household who is not eligible to join the housing register can seek a review of the Council's decision. The process to seek a review is defined in section 11.3

## **2.3 Local Connection Criteria**

An applicant must be able to prove, at the time of their application, that they are a resident of the Tendring district, and that they have been a resident for a continuous period of 3 years immediately preceding the date of their application.

If at any point after an application has been accepted onto the housing register, the applicant loses their local residency because they move outside of the Tendring area, their application will be reassessed, and any accrued local residency will cease to apply unless the Housing Manager or above is satisfied that there are exceptional circumstances for continuing to apply it.

The Council will request proof of the full period of local connection at the point of the application and proof of continuous residency in the Tendring district from that date prior to an offer of a property being made. The onus is on the applicant to confirm that they meet the residency criteria, and the Council may use its own records, and those of other public bodies, to assess applications.

Applicants placed into supported housing, probation approved premises or placed in the private sector by another local authority discharging a homelessness duty, are not considered to be living in the Tendring District 'by choice' and will not qualify under the local residence criteria. In such circumstances the residence criteria will begin to accrue from the date that the homelessness duty has expired.

## **2.4 Applications from those living outside the Tendring District**

Applications exempt from the 3-year residency criteria are:

- **Previous residence in the Tendring District:**

If a person previously lived in the Tendring area for at least 3 years and has been placed in specialist accommodation outside the district.

- **Armed Forces Criteria.**

Those meeting the criteria as set out below:

- Households who currently serve in the armed forces or have been honourably discharged from the armed forces within 5 years of making their applications.
- Bereaved spouses or civil partners of those serving in the Regular Forces where (a) the bereaved spouse or civil partner has recently ceased, or will cease, to be entitled to reside in the Ministry of Defence accommodation following the death of their Service spouse or civil partner, and (b) the death was wholly or partly attributable to their service
- Serving or former members of the Reserve Armed Forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service
- Divorced or separated spouses or civil partners of Service personnel who need to moved out of Ministry of Defence accommodation.

- **Fleeing Domestic Abuse as defined in the Domestic Abuse Act 2021**

Domestic Abuse survivors living in the Tendring District having escaped domestic abuse from another local authority area and have not made a homeless application but have a housing need.

- **Care Leavers aged 18-25 years**

- **Right to Move Order**

The applicant has been assessed as meeting the criteria under the Right to Move Order. This is a regulation for tenants who need to move between local authority districts for work related reasons.

- **Rural Exception Scheme**

The applicant qualifies for a scheme because of previous residence, family or employment connections in the Tendring area. Rural exception sites are small sites where affordable housing is developed to meet the needs of the local community by accommodating households who are either current residents within the village/area or who have an existing family or employment connection. Properties on rural exception sites will have a specific local

connection criteria which an applicant will need to meet in order to be considered for the property.

- **Accepted for a prevention, relief or main housing duty**

The applicant has been accepted for a prevention, relief duty or main housing duty under the Housing Act Part VII 1996 (as amended).

Applicants falling under the group accepted for a homeless prevention or relief duty, who do not meet the 3-year residency criteria are to be placed in one band lower than the band they would have been placed in.

For example:

- Those who are owed a homeless relief duty who meet the 3-year residency criteria would be placed in Band B.
- Those who are owed a homeless relief duty and who do not meet the 3-year residency criteria will be placed in a Band C
- Those who are owed a homeless prevention duty who meet the 3-year residency criteria would be placed in Band C
- Those who are owed a homeless prevention duty and who do not meet the 3-year residency criteria will be placed in Band D.

For banding purposes, the Housing Manager or other authorised officer has the authority on a case-by-case basis to award a discretionary uplift by which an applicant who does not meet the local connection criteria may be treated as those they meet the local connection criteria.

This authority may only be exercised:

- Where the Housing Manager or other authorised officer, are satisfied that it is in the Council's financial or other strategic interest is to award a discretionary uplift or;
- Otherwise only in exceptional circumstances. Exceptionality is to be judged by comparing the circumstances of others applying to the Council for rehousing and who do meet the local connection criteria.

Examples of exceptionality could be:

- I. a consideration to the length of time that the applicant has lived in the Tendring district (through falling short of the 3 years)
- II. any particular circumstances in which they moved to this area, or reason why they have not been able to build up a local connection and/or any particular contribution they have made to the local community in that time such as voluntary or charitable work or other activity beneficial to the local community.

- **The applicant has been approved for housing through the National Witness Mobility Scheme.**
- Applicants currently placed outside of the Tendring district for example in hospital or prison, but would have met the local residence criteria at the time they were placed outside the district

## **PART THREE: HOW TO APPLY**

### **3.1 Application process**

Those who wish to apply for a social or affordable rented home either owned by the Council or another registered housing provider (also known as a housing association) are required to complete an online application form which includes a pre-assessment process. If the applicant



appears to meet the eligibility criteria at the pre-assessment stage, they will be able to continue to complete more detailed parts of the application form.

Applications can also be taken over the telephone or by a pre-booked appointment in the Council offices.

The application form can be found here <https://tendring.housingjigsaw.co.uk/>

Evidence of eligibility and qualification will be required in order to complete the registration. Applicants must complete the application in full and supply any additional information that is required.

On receipt of the completed application form, the housing allocations team will assess the application and will request additional information, supporting evidence and references from current and previous landlords so that the applicant's housing need can be fully verified. The applicant will be given a maximum of 14 days to provide the verification information after which time their application will be closed.

The applicant will then be notified in writing as to whether they have been accepted onto the housing register, or, if their application is not accepted, they will be notified in writing and a reason will be given.

Applicants have a right to request a review of any decisions made about their application for housing or an offer of accommodation in line with the Housing Act 1996 Pt VI and the Allocations of Accommodation Statutory Code of Guidance.

### **3.2 Verification**

On receipt of the completed online application, the housing allocations team will assess the application and send the applicant an 'initial banding letter'. This will place their initial application in a Band E and the letter will request any additional information that is needed for example: supporting evidence and references from current landlords so that the applicants housing need can be verified.

Once the application has been assessed and the information has been verified, the applicant will be awarded a Band and a 'final banding letter' will be sent to let them. The letter will detail:

- Which Band they have been placed in
- Their effective date
- The type and size of property for which the applicant is eligible for
- If an adapted property is required

Documents that are requested and accepted in support of the application are:

- The last three months bank statements for each sole or joint applicant, along with any dependants over the age of 18
- Birth certificates for all members of the household
- Photographic ID – such as a passport, driving licence, bus pass
- Utility bills
- Tenancy Agreement
- Council Tax bill
- Child Benefit letter
- Benefit letters

Documents not accepted as proof of identity or residence are:

- Letters from medical professionals used to as proof of residency
- Mobile phone bill or contract letter

### 3.3 Effective Date

The effective date of an application is the date that the application was received by the Council, except in the following circumstances:

- **A move from one band to another** – the effective date will be the date that the applicants circumstances changed or when the Council was advised
- **Priority on medical or welfare grounds** – the effective date will be the date that the application is assessed by the housing needs panel
- **Pregnancy** – when the birth of a child will make a woman eligible for a larger property, the larger property allocation will be taken into account 12 weeks prior to the due date. This coincides with the date that any housing allowance will increase
- **Homeless applicants accepted under Part V11 of the Housing Act 1996, as amended by the Homelessness Act 2002**

The date that the formal homeless application was accepted unless the applicant already had a housing register application with an earlier effective date. In this situation the applicant would retain their effective date from their previous application.

Once the application has been verified and assessed, the housing allocations team will write to the applicant and will let them know:

Whether they have been accepted onto the Housing Register. If an applicant has not been accepted onto the register, they will be told in writing the reasons why

If accepted they will be provided with details of:

- Their unique reference number
- Which Band they are in
- Their effective date
- The type and size of the property for which the applicant is eligible for

All applicants can check their application once it is processed via the link below, and using their email address and password to log in

<https://tendring.housingjigsaw.co.uk/>

### 3.4 Joint applications

An applicant may include anyone on their application form who is living with them. Where more than one eligible applicant wishes to have a shared application they will be joint applicants.

For a joint application, a joint tenancy will only be granted if both applicants meet the eligibility criteria.

If applicants want to live together but are currently living apart, the Council will have regard to the extent of the accommodation available to both applicants and their household at their separate addresses.

Joint tenancies will only be granted to couples who are married or in a registered civil partnership. **For cohabiting couples or those related (like brother or sister) joint tenancies will be considered on a case-by-case basis and only if all parties have lived together for at least 12 months.**

### 3.5 Multiple applications

Multiple applications are not allowed. An applicant may have only one active application or be registered on one application on the Housing Register.

### **3.6 Civil partnership, co-habiting couples and the LGBTQ community**

Civil partners, co-habiting couples and LGBTQ+ couples will be treated in the same way as married applicants.

### **3.7 Applicants' consent and declaration**

When an applicant applies for housing, they must sign a declaration to confirm that:

The information they have provided is complete, true and accurate.

They will inform the Council immediately of any change in circumstances.

They understand that information will be shared with all participating housing providers together with other relevant organisations in order to complete or verify information or to prevent fraud or protect public funds in other ways.

They consent to the Council making enquiries of any relevant persons to confirm the information on the application form is correct or to add to the information given where this is necessary to complete an assessment of need or consider suitability for housing.

### **3.8 Data protection**

The Council will keep information provided by applicants safe and confidential. Data Protection policies can be viewed on the Council's website or upon request.

### **3.9 Cancelling an application**

An application will be cancelled from the housing register in the following circumstances:

- At the applicants' request.
- If the applicant becomes ineligible for housing.
- In line with this policy, when offers have been refused
- Where an applicant does not update or maintain their application with any changes to their circumstances.
- Where an applicant has been suitably housed under the Homeless Legislation and the homeless duty has ended
- When the applicant has been housed through the policy.
- When a tenant of social housing or affordable housing is registered and completes a mutual exchange.
- Where an applicant does not maintain their application through the re-registration process, or where they move and do not provide a contact address.
- If the applicant fails to respond to a request for further information within a reasonable time.
- If checks show that the applicants are no longer living at the address at which they registered

Should an applicant whose application has been cancelled wish to re-join the Housing Register, they will receive a new effective date.

### **3.10 False information**

Any applicant who deliberately attempts to deceive or defraud the Council in order to secure a home to which they are not entitled, will lose any home provided for them, and may also be prosecuted.

It is an offence, under Section 171 of the Housing Act 1996, for anyone seeking assistance from the Council under the Housing Allocation Scheme to:

- Knowingly or recklessly give false information;
- Knowingly withhold information reasonably required in respect of the application.

A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level five on the standard scale (currently £5,000).

Additionally, where applicants are found to have provided incorrect information or withheld information in order to gain advantage through this policy, they **will** be deemed to be ineligible for an allocation of accommodation.

As part of the housing need assessment process, applicants may be visited at home and will be required to provide personal and accommodation verification details. Additionally, applicants may be visited again prior to being allocated accommodation. If it is found that the details previously provided as part of the application are incorrect or circumstances have changed, then the application will be reassessed. Whilst reassessment is being undertaken any offers of housing that have been made will be withdrawn.

If accommodation has been provided and the tenant is the person, or one of the persons, to whom the tenancy was granted and the landlord was induced to grant the tenancy by a false statement made knowingly or recklessly by the tenant or a person acting at the tenant's instigation, the Council or housing provider **will** seek possession of the property through the Courts.

### **3.11 Councillors and involvement in decision making**

Elected Council Members cannot take part in the assessment and allocation process but this does not prevent them seeking or providing information on behalf of their constituents or from being involved in future policy development.

### **3.12 Applications from staff, Councillors or their relatives**

Staff, councillors and their relatives can apply for housing if they meet the eligibility criteria. Staff, councillors and their relatives must declare on their application that they are either a member of staff or a councillor or related to a member of staff or a councillor. A failure to make such a declaration will lead to the application being cancelled.

Any confidential information submitted with the application will be kept securely and separately from the main application and will be made available for audit checks as necessary.

If a member of staff, councillor or their relatives become eligible for an allocation of accommodation, the approval for the allocation must be counter-signed by the Assistant Director (Housing & Environment) or the Corporate Director.

### **3.13 Re-registering applications on the Housing Register**

In order to re-register their application, an applicant will need to log into their online housing register application, they will not need to complete an application form and the online system will then automatically initiate the re-registration process.

- Applicants will receive an email at least two months before the anniversary date of their application, reminding them of the date that their housing register application will close.
- A further reminder email will be sent on the day that the re-registration needs to be completed
- If re-registration hasn't taken place, a further reminder email will be sent one week after the anniversary date.
- If re-registration hasn't taken place within a further two weeks, the application will be closed

## **PART FOUR: ASSESSMENT OF HOUSING NEED**

### **4.1 Legal background**

All eligible applicants will be placed in a housing needs band reflecting their need following an initial assessment of their household's circumstances. Once full information has been received an application may be moved to a higher or lower band. This is to ensure that the Council meet its legal obligations as set out in Part VI Housing Act 1996 (as amended by the Homelessness Act (2002) and the Localism Act 2011.

### **4.2 Advice and information**

The Council will ensure that housing advice and options information is available free to everyone. This will include information on a full range of housing options as well as how to apply for housing and where to get help to make an application where the applicant cannot do so without assistance.

### **4.3 Housing needs bands**

If a housing application has been made, the Council will assess each applicant's eligibility to join the housing register and may ask for further supporting evidence and documentation.

Applicants will be placed into one of the following five housing needs bands, based on the information provided and the stage of the application process:

**Band A**

**Band B**

**Band C**

**Band D**

**Band E**

Band A will contain those applicants in highest housing need and Band D those applicants in lowest need.

Band E is used administratively as a 'pending assessment banding' whilst the allocations team await additional information that is needed before being able to make a full assessment. It is changed to the relevant Band A to D once the verification process has been completed.

### **4.4 Assessment of housing applications**

Once an application has been received it will be assessed and entered onto the Housing Register and the applicant will receive an acknowledgement letter. The letter will:

- Explain which band the applicant has been placed in following the initial assessment. If they are subsequently assessed as having a medical or welfare need they will be advised separately after the assessment has been made.
- Confirm the size (and if applicable the type) of property the applicant is eligible for.
- Confirm the applicants' effective date.
- Include a reminder about informing the Council of any change in circumstances.
- Give details of appeal and review procedures.
- Give a registration number.
- If an applicant has reduced preference it will explain the reasons why.
- Advise the applicant to contact the Council each year on the anniversary date of the application if they want to remain on the Housing Register.

If an applicant moves home and wants to remain on the Housing Register, they must advise the Council either by telephone, email or in writing so that their level of housing need can be re-assessed to reflect their new circumstances.

If an applicant's circumstances change (but their address remains the same), they must advise the Council of the changes either by email, telephone call or by sending a letter to enable their application to be reassessed. A change of circumstances could include the birth of a child, a change in medical condition, change of employment or a threat of homelessness. Evidence will be required to confirm the change of circumstances.

#### **4.5 Deciding the effective date**

Priority within bands relates to an applicant's effective date. The effective date is usually the date the application is received, except:

- ▮ Where an applicant is moved from one band to a higher band. Their new effective date will be the date their circumstances changed.
- ▮ Where an applicant receives priority on medical or welfare grounds their effective date will be the date they were granted the award.
- ▮ Where an applicant has been accepted for a homelessness prevention relief or main housing duty, their effective date will be the date they were accepted for that duty, unless they already qualify for Band A or B with an earlier date.

#### **4.6 Financial resources (including Owner-Occupiers)**

In recognition of the shortage of available properties and the high level of housing need in the Tendring district, applicants, including spouses, civil partners or cohabitants who are included on the application and are deemed to have sufficient finances to be able to meet their own housing need, will not qualify to join the Housing Register.

If applications are received from owner-occupiers, the Council will need to be satisfied that the applicant does not have sufficient resources to buy another property on the open market or through a low cost home ownership scheme or rent privately.

The Council will take into account any equity in a property as well as any equity from the sale of a property, along with savings or other capital assets. This will include people who live in and own caravans or, mobile homes, houseboats, accommodation on seasonal holiday parks or accommodation abroad.

Sufficient finances are defined as:

- Owning properties in the UK and/or abroad - property owners will be expected to explore all options available to them to address their housing need. They are usually deemed as having the assets to resolve their own housing need and will not normally qualify for inclusion on the housing register, although advice and information can be provided to home owners in need.
- Those applicants who own a residential caravan or mobile home, or a caravan or mobile home on a seasonal holiday park, or houseboat are also considered a residential owner for the purposes of this allocations policy and will be expected to explore all options available to them to address their housing need.
- Applicants who have an income, savings, capital and/or assets in the UK or abroad - if an applicant has an income and/or capital which would enable them to purchase a suitable property (including low cost home ownership) or afford/access suitable, mid-range private rented housing in the Tendring district, they will be deemed capable of resolving their own housing needs and not qualify for entry onto the housing register.
- Ownership of a property under a shared ownership scheme, or they own or have an interest in a residential property but choose to rent it out.

Sufficient capital to buy or sufficient income to raise a mortgage to buy, a combination of both, or sufficient income to rent privately. If income exceeds that set out below, applicants will not normally be allowed to access the housing register.

- Single person household with earnings of £30,000 or more, savings of £16,000 or more in bank accounts, ISA's, capital or equity in a property
- Households of more than one person with earnings of £50,000 or more, savings of £16,000 or more.

The Council believe it is acceptable to spend up to 40% of a household's total income on rent or mortgage. Total household income means all of your family's income from all sources including most benefits, and 25% of non-dependants (for example adult children) income living within the household.

The Council make an affordability assessment judged on what income would be needed to obtain a home in and around the Tendring area for your household's bedroom need. This is calculated using a Local Housing Allowance (LHA) rates in Tendring.

If the total gross household income means an applicant cannot afford to find a home independently, they can join the Housing Register, provided the other qualifying criteria are also met.

If an applicant receives means tested benefits or if benefits are capped, income is likely to be below these limits. If the total household income exceeds these limits, even if means tested or capped benefits are received, the applicant will not be able to join the Housing Register.

The following benefits will be disregarded: -

- Disability Living Allowance
- Personal Independence Payment
- Attendance Allowance
- Armed Forces Independence Payment
- Maintenance payments
- Income from fostering

The income and savings criteria does not apply to:

- Homeowners who cannot maintain their existing home and need accommodation designated for older people or sheltered housing
- Tenants of Tendring District Council who want to move to a smaller home or a home designated for older people or sheltered housing.
- Other exceptional circumstances may be allowed by the Senior Housing Manager or other authorised officer, based on the merits of each case.
- Any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active duty is excluded from the assessment
- Applications from retired households seeking sheltered accommodation and applicants who meet the armed forces criteria will not be subject to a financial resources test.

To determine whether an applicant can afford to resolve their own housing situation, the Council will consider all of their financial details to make this decision, including any income, equity, savings and available borrowing capacity. If an applicant recently owned a home, they will be asked for evidence of the sale and details of any capital gained from the sale.

An applicant's circumstances will also be assessed with consideration to 'deprivation of capital' rules. This means that if there is deliberately or needlessly spend or disposal of capital (such as proceeds from selling a home) which puts an applicant under the financial threshold, they may not qualify to join the Housing Register

If capital has reduced significantly evidence will be requested to show what happened to it. This could include:

- documents to show that ownership of property has been transferred to another person
- deeds to show that money has been given to another person in trust, settlement or as a gift
- receipts to show what the capital has been spent on

These are examples, not a complete list.

#### **4.7 Reduced preference**

Section 167 (2A) of the Housing Act (1966) as amended by the Homelessness Act 2002 allows allocation policies to take into account the following factors in deciding the priority to be awarded on an application:

- The financial resources available to the applicants to meet their own housing costs or;
- The behaviour of the applicants (or a members of their households) which affects their suitability as tenants or;
- The applicant's local connection with the district.



## 4.8 Unacceptable behaviour

Tendring District Council, in its role as a community leader, is committed to tackling anti-social behaviour and enabling our communities to become safer places in which to live.

The Council has adopted a Housing Anti-Social Behaviour Policy which can be viewed using the link below:

<https://legacy.tendringdc.gov.uk/sites/default/files/documents/ASB%20with%20revised%20front%20cover.pdf>

This policy aims to reduce unacceptable behaviour and this Housing Allocations Policy will actively contribute to this objective

Where there has been evidence of an applicant's unacceptable or poor behaviour including all forms of social housing related fraud, this behaviour will be taken into account as part of the assessment process. The Council will seek references on current and past tenancies where this is appropriate. Where the Council is satisfied that an applicant (or a member of the applicant's household) is guilty of unacceptable behaviour serious enough to make him/her unsuitable to be a tenant, the applicant will either be ineligible for an allocation of accommodation, or

Applicants will not be allowed to join the Housing Register if they are guilty of unacceptable behaviour in their current or previous accommodation that they left within the last 2 years. Unacceptable behaviour is defined as behaviour that would constitute sufficient grounds for them to be evicted if they were secure tenants under the Housing Act 1985.

Examples of unacceptable behaviour would include (but is not limited to):

- Being a perpetrator of domestic abuse because this is a ground for possession
- Failing to pay the rent.
- Breaching a condition of the tenancy agreement.
- Causing nuisance to neighbours including noise complaints. These applications will be assessed according to the impact on the existing community and not just those considered to be sensitive. When considering housing applications from households with multiple family members, consideration will be given to previous complaints about noise along with any mitigating factors.
- Being convicted of using their home for immoral or illegal purposes.
- Being convicted of an arrestable offence committed in, or in the vicinity of their home.
- Causing the condition of the property to deteriorate by a deliberate act, or by neglect.
- Making a false statement to obtain a tenancy.

These are examples of unacceptable behaviour that will be considered even if a Notice Seeking Possession has not been served on an applicant and/or their household, or a conviction obtained. These grounds define the types of behaviour that the Council will consider when deciding whether an applicant should be disqualified from joining the housing register.

This is not a blanket policy, and each case will be considered on its merits.

If at any time the Council obtains information that leads it to believe that an applicant already on the Housing Register is ineligible because of unacceptable behaviour, it will inform the applicant in writing. The applicant will be given 14 days to provide information to show that they are not to be treated as ineligible. If an applicant does not reply within this period, or if they do reply but the Council remains of the view that they are ineligible, they will be removed from the Housing Register.

Applicants that are treated as ineligible because of unacceptable behaviour will be given written notification of the decision. Applicants also have the right to request a review of the decision using the process detailed in paragraph 11.3.

If the review confirms that the applicant is to be treated as ineligible, the applicant may still make a fresh application to the Council at a future date, when the applicant feels that they should no longer be treated as ineligible. The Council will consider this fresh application on its merits. However, unless there has been a considerable lapse of time, it will be for the applicant to show that their circumstances or behaviour have changed substantially.

#### **4.9 Poor behaviour**

Where poor behaviour of the applicant or a member of the household is not serious enough to justify treating the applicant as ineligible for an allocation of accommodation but is considered serious enough to be considered in assessing the level of priority to be awarded on the application, the application will receive reduced preference under the Council's policy by being placed in Band D.

In determining poor behaviour, the Council may seek references as part of the assessment process and applicants will be required to provide documents to help in this process.

Examples of poor behaviour are not exclusive but will include a poor rent payment record, complaints of Anti-Social behaviour, and the commission of benefit fraud.

This is not a blanket policy and each case will be considered on its merits. Applicants who are given reduced preference because of poor behaviour also have the right to request a review of the decision using the process detailed in paragraph 11.3.

#### **4.10 Applicants who have deliberately made their housing situation worse**

The Council will consider whether an applicant has deliberately made their housing situation worse to increase their housing need, and consequently improve their chances of being offered alternative housing the register. Examples could include:

- Applicants who give up adequate rented accommodation to move in with family or friends;
- Applicants who sell a property to move into private rented accommodation, purchase a local holiday home or accommodation abroad.
- Applicants who give up secure social housing that was suitable for their needs for private rented accommodation.

If an applicant is awarded a reasonable preference but is found to have made their housing situation deliberately worse, they will be placed in Band D.

The assessment will be reviewed after 12 months, on request. If the restriction is removed, the application will be placed in the band that reflects their circumstances at the time the restriction is removed. Their effective date will be the date that their application is reassessed and a fresh banding applied.

### **PART FIVE: OFFERS OF ACCOMMODATION**

#### **5.1 Statement of choice & choice of area**

All applicants can say where in the Council's area they would like to live and the type of property they want and information will be available showing the number of properties in each

part of the district and the vacancy rate. Applicants' areas of choice will be monitored for statistical information and to help inform affordable housing on new developments. As the Council will be selecting households for properties from the Housing Register and not advertising them, it is important that applicants notify the Council if they want to live in other areas than those stated on their applications.

The Council reserves the right to only allocate homes in some areas to people with a strong residence connection to a particular village or local area. This will help keep communities balanced and sustainable.

## **5.2 Shortlisting and offers**

Properties will generally be offered to the applicant who has asked for that type of property in its locality and who has been placed in the highest band for the longest period. There will be occasions where the property may be offered to another applicant, for example because of an urgent homelessness situation or because the property needs to be let sensitively (see paragraph 6.1). Furthermore, given the lack of affordable accommodation in rural villages, the Council may choose to offer any vacant council or housing provider accommodation to households with strong local connections with the village in question.

When a vacant property becomes available, the online housing register computer system will generate a shortlist of applicants. The shortlist will identify the order of applicants based on who is in the highest housing band (Band A is the highest, Band D is the lowest) and who has the earliest effective date.

From the shortlist the allocations team will verify each applicant's level of housing need, and other details to ensure that the applicant still remains eligible for housing, that their circumstances remain the same as when they applied and that their level of priority is correct. They will also check if the property has special conditions in place for example: whether the property has been adapted or is subject to a local lettings arrangement, and that the applicant meets the criteria for that property.

The applicant that is at the top of the shortlist and who meets the criteria for the property will be made a formal offer in writing. The letter will contain the full address for the property along with the rent charges, it will set out the terms of the new tenancy and it will also include the code for the property key safe so that they can access the keys and view the property. It will also contain the details of who to contact if the offer is being accepted.

From the date of the offer, the applicant will have 3 days in which to accept or refuse the offer.

If the applicant that is at the top of the shortlist and has been offered the property but then refuses the property, the next person on the shortlist that meets the criteria for the property will be offered the property. This process will continue until an applicant accepts the offer.

To effectively manage housing applications, shortlists and to ensure prompt allocation of properties, any open shortlists where applicants in Bands A-D have been exhausted, will be closed and a new shortlist will be generated in order to capture any new applications that may have joined since the original shortlist was generated.

## **5.3 Bypassing an applicant on a shortlist**

A decision to bypass an applicant who would be next in line for an offer of accommodation will only be taken under certain circumstances.

Each case will be assessed individually and the reason why an applicant is bypassed will be recorded on the Housing Register application.

It is not possible to describe every situation where an applicant on a shortlist might be bypassed. However, the following are some situations:

- Applicant considers the rent is too high
- Area is unsuitable
- Change of circumstances
- Does not meet the criteria set for the property ie; age criteria, local lettings plan, adaptations present in the property
- Does not want a shower/wants a bath and vice versa
- Incomplete verification by applicant
- Property not adapted or adaptable for the applicants needs
- The applicant currently has rent arrears

#### **5.4 Refusing an offer**

Applicants will receive up to 2 offers of accommodation but not simultaneously. If both offers are refused and the Council considers that the offers were reasonable, the application will be suspended for a period of 12 months.

If a third and final offer is refused, the applicant will be removed from the Housing Register.  
**Please note – different rules apply to applicants who are under a homelessness duty**

On refusing an offer of accommodation the Council **will ask applicants to complete the form which was enclosed with their offer letter**. The form asks for the reasons why the property has not been accepted.

Applicants who are owed a homelessness prevention, relief or main housing duty and applicants who have been granted a temporary right to remain in a property following the death of the tenant will only receive ONE offer of accommodation. If a suitable offer is refused, and **the applicant is in temporary accommodation owned by Tendring District Council or has been granted a non-secure tenancy**, eviction proceedings will be instigated to recover possession of the temporary accommodation.

#### **5.5 Offers of accommodation to tenants who owe rent**

Tenants on the **housing** register will not normally be offered a new tenancy if they are in arrears with their rent or owe outstanding court costs to the Council or other landlord.

**An offer is possible if:**

- The rent is in arrears by no more than four times the weekly rent. Any rent owing must be paid before the applicant signs to accept a new tenancy.
- The Housing Solutions Team have accepted a main housing duty under the homelessness legislation.

**The applicant is a Council or Registered Provider tenant who has a high priority because they:**

- Have been temporarily moved from their property by the Council or Registered Provider to allow repairs or redevelopment work to take place; or
- Are moving under the Under Occupation Scheme. In this case they rent that they owe cannot be more than any payment due under the Scheme. An exception may be made if a move would benefit housing demands in that area.
- Have a high medical or welfare assessment. This applies to applicants who have been awarded a Band A on a medical or welfare ground.
- Tenants who are in significant risk due to violence or harassment.

In some circumstances, a new tenancy will be approved if there is rent owing as a direct result of benefit deductions due to under-occupation of their property. These cases will be agreed by the Housing Manager (Allocations & Homelessness). Generally, these applicants will include a strong social or housing management need for the household to move.

Tenants will be expected to show that they can maintain a satisfactory rent account for at least 6 months before any offer of alternative accommodation is made, although each case will be decided individually depending on the housing needs of the applicant.


### 5.6 Offers to Applicants who are owed a Homelessness Duty

In accordance with the Housing Act 1996, part 7 (as amended) and the policy for discharging statutory homeless duties, all statutory homeless applicants will receive one suitable offer of accommodation. In these situations, any offers will be agreed by the Housing Solutions Officer and the Housing Allocations team

### 5.7 Property and household size

The Council will always aim to make the best use of its housing stock.

The following table advises how many bedrooms in a property an applicant will be entitled to be assessed for:

Household size	Lowest number of bedrooms needed
1 adult	Studio or 1 bedroom
2 adults living together as a couple	1 bedroom
1 adult (or 2 adults living together as a couple) with one child	2 bedrooms
2 adults living together but not as a couple	2 bedrooms
2 retired adults living together as a couple in council property that is too large for their needs and who are seeking smaller accommodation	2 bedrooms (if requested)
1 adult (or 2 adults living together as a couple) with 2 children of the same sex and both children are under the age of 16	2 bedrooms
1 adult (or 2 adults living together as a couple) with 2 children of the opposite sex where both children are under the age of 10.	2 bedrooms
1 adult (or 2 adults living together as a couple) with 2 children and the eldest is 16 or over	3 bedrooms
1 adult (or 2 adults living together as a couple) with 2 children of the opposite sex and the eldest is 10 or over	3 bedrooms
1 adult (or 2 adults living together as a couple) with either:  3 children or 4 children (all of 1 sex or 2 boys and 2 girls) under the age of 16	3 bedrooms

1 adult (or 2 adults living together as a couple) with 4 children (3 of 1 sex, and 1 of the other), or up to 6 children	4 bedrooms
1 adult (or 2 adults living together as a couple) with 6 or more children	5 or more bedrooms

The Council will only recognise pregnancy as an indicator of housing need through this policy after a gestation period of 27 weeks and therefore an unborn child or children will not be counted as a household member until 27 weeks into the pregnancy. Applicants will be required to provide evidence of pregnancy with their application.

Some older council properties have a living room and a dining room. These properties are referred to as “parlour type” properties and the Council reserves the right to treat the extra living room as a bedroom when deciding who it should be offered to.

It should be noted that other registered housing providers who offer properties to the Council through nomination rights have the right to set their own allocations policies and the Council will have to have regard to their respective policies in selecting a household to be nominated to a property.

## **PART SIX: ALLOCATION OF PROPERTIES**

### **6.1 Sensitive lettings**

Occasionally a property will become available for letting and it is deemed it should be let “sensitively” because of particular circumstances that relate to the property, for example, because of the frailty or vulnerability of neighbours. The **Allocations Team will decide jointly with the Tenancy Management Team** if there is need for a sensitive letting on a particular property and allocate the property accordingly. Some sensitive lettings will be two bedroom properties and may be offered to couples as opposed to households who need a two bedroom property.

### **6.2 Lettings where the bedroom criteria are not applied**

In exceptional circumstances, the Council may offer accommodation to a household where the property offered is too large for the household at the time of the allocation but will become the right size for the household within 3 months of the allocation.

### **6.3 Parents with ‘staying access’ to dependent children or shared residence orders**

Applicants with a shared residence order or staying access for children are not entitled to bedrooms for their children. The general principle is that children need one home of an adequate size, and that the Council will not accept responsibility for providing a second home for children. The shortage of housing locally means that extra bedrooms cannot be allocated in such circumstances.

### **6.4 Applicants with a medical or social need for a larger property**

Applicants can apply for an extra bedroom due to their medical or social needs their circumstances will be considered and evidence supporting the need for an extra room will be required. The Council can have regard to any benefits awarded to the applicants such

as disability benefits for care or attendance allowance in deciding if an extra bedroom should be allowed. An extra bedroom will only normally be allowed where it is essential.

## **6.5 Extra rooms for carers**

Where an applicant needs an extra room for a carer, the Council will consider the need for an extra room and in making a decision the Council will have regard to the following information.

- Social Services need to be able to provide supporting evidence that a 'live in' carer is needed, and that if the support was not given voluntarily or paid for by the client, they would qualify for funding for a 'live in' carer.
- If one person has two carers working on a rota to cover 24 hours only one additional bedroom would be needed.
- Extra rooms for a carer's dependents will not usually be considered.

If the applicant does not need 24-hour care or intensive support an additional bedroom would not normally be considered.

Tenants must be aware that if they are in receipt of housing benefit or universal credit housing costs, they may find their benefit award restricted if they are of working age and occupy accommodation deemed to be too large for their needs under the benefit regulations.

## **6.6 Allocation of bungalows & houses**

Many of the bungalows that become available for letting may be designed for older people, or people with disabilities. In areas where there is high demand and limited availability of bungalows, preference will be given to:

- Those aged 60 or over.
- Those under 60 with Band B medical assessment for mobility who require this type of accommodation.
- Those who will release a high demand property that is needed by the council aged 60 or over.

Due to differing demand in certain localities, the Council may have bungalows that are let to applicants of any age. Bungalows adapted to meet the needs of wheelchair users or for those residents with severe mobility problems will be offered to those who have been assessed as needing that type of property.

## **6.7 Allocation of ground floor flats**

Priority for ground floor flats will usually be given to applicants who have a medical condition which means that ground floor accommodation is required.

## **6.8 Allocation of adapted properties**

Where the Council considers (on the advice of an Occupational Therapist and through a Housing Needs Report) that an applicant has a requirement for a significantly adapted property, the application will be 'flagged' to show this.

When a property becomes available that has been purpose built or significantly adapted for people with disabilities, the Council will prioritise applicants from the shortlist who have the

appropriate 'flag'. This means that an applicant with a flag will have a priority above an applicant who does not have a flag, even if that applicant is in a higher band.

All applicants who need a wheelchair accessible property will need to be assessed by an **Occupational Therapist** before an offer can be considered.

In the case of a partially adapted property for instance with a level access shower, ramps or widened doorways, the Council will give priority to those applicants who need a particular adaptation over an applicant who does not, within the same band.

## **6.9 Allocation of sheltered housing**

Except in special circumstances, council sheltered housing and linked accommodation is let to people over the age of 60. Other housing providers may set their own age criteria for their sheltered housing schemes.

Examples of special circumstances are if an applicant wishes to move to sheltered accommodation but does not meet the age criteria, however, they are close to the age criteria and have a special circumstance such as a medical need.

All sheltered accommodation is independent living and offers no support packages.

When allocating sheltered housing the same general principles apply as for other property types, apart from an assessment of the applicant's suitability and need for support must be completed before any tenancy is offered. If the applicant is considered unsuitable for sheltered accommodation, they will be advised and given advice on homes more suitable to their needs.

## **6.10 Extra-care housing/Independent Living**

Applicants seeking extra housing or independent living do not need to register for Housing with the council. These schemes have been commissioned by Essex County Council and are managed by housing provider partners. Applicants interested in this type of accommodation will need to contact their social worker or Essex County Council to see if they are eligible for this type of accommodation. .

## **6.11 Properties empty for major repairs and alterations**

These properties are often referred to as "decants". A decant is where the landlord needs to do major repairs to their property or redevelop the area and the property needs to be vacant for this work to be carried out.

This will only apply to tenants of the Council or tenants of a registered housing provider who allocates 100% of its properties through this policy. This is usually a temporary move and a temporary non-secure tenancy will be offered at the new property in the first instance.

All such cases will be dealt with outside of this policy. A copy of the Council's Decant Policy can be found using this link [Decant Policy 2021.final](#)

## **6.12 Local letting policies**

The Council along with its registered provider partners may decide to let properties under a local letting policy in the interests of building a strong and sustainable community or to deal with particular local issues. The set of criteria where this applies will be called a "local lettings policy".



The decision to apply a local lettings policy will be jointly made by the landlord of the property and the Council.

For existing developments there will need to be clear evidence of the need for a variation in the normal policy, and a time limit for review of not more than two years. The implications for equality and for the 'reasonable preference' criteria set out in the 1996 Housing Act must be considered.

On new developments, the policy may consider widening the eligible bands for home types on first lettings, again taking equality and legal issues into account.

Local lettings policies may be used in an area or for a particular development where it can be demonstrated that there are significant management problems. In these circumstances a decision as to whether a local lettings policy should apply will be made. Some housing providers may keep their own transfer registers for their tenants and use this to find tenants for some homes.

Some housing developments, particularly in villages, can only be let to people with a local connection to that locality. This means that only applicants with a local connection to the area will be given preference for that property.

## **PART SEVEN: TYPES OF TENANCY OFFERED**

Applicants are normally offered permanent housing on either an introductory or secure tenancy if the property is a council property. If the property is provided by a registered housing provider they will offer different types of tenancies. Some local housing providers will reserve the right to offer a fixed term tenancy following a successful starter tenancy where their own policies allow for it.

Introductory tenancies and starter tenancies give reduced security of tenure in their first year.

Tenants with an introductory or starter tenancy cannot mutually exchange their home or assign their tenancy but are eligible to transfer.

### **7.1 Letting permanent housing on a temporary basis**

Homes are sometimes temporarily let to homeless applicants under a licence agreement or non-secure tenancy or are let to a resident relative of a deceased tenant. This accommodation will not be let through this policy.

### **7.2 Making non-secure tenancies introductory**

Where the council grants a non-secure tenancy outside of this policy to a household and the accommodation is suitable for their long terms needs, the council will consider making the tenancy introductory after a period of 6 months. Before making a tenancy introductory, the **Housing Manager** will consult with the **Senior Housing Manager** to confirm that the tenancy has been conducted satisfactorily.

If the tenant was granted the accommodation because of a homelessness prevention relief or main housing duty and the offer of an introductory tenancy is refused, the council may conclude that its homelessness duties to the tenant have ended, and the tenant may be required to leave the accommodation. The tenant will have a right to seek a review of any decision regarding the suitability of the accommodation or the council's decision that its duties have ended. The review process will be detailed in their decision letter, or the applicant can contact their Housing Solutions Officer.

## **PART EIGHT: HOUSING PRIORITY**

### **8.1 Deciding who has priority on the Housing Register**

Each application will be assessed and placed in a band based on the individual circumstances of each case.

Applicants will be placed in the relevant band defined by their specific circumstances. Reasonable preference, where appropriate, is awarded in accordance with legal responsibilities.

### **8.2 Overcrowding**

Applicants will be placed in Band B if they are overcrowded by two or more bedrooms and in Band C if they are overcrowded by one bedroom.

Rooms which do not meet the standards for use as living accommodation for one person (the standards are given in the Housing Act 1985 Part X) will not be counted.

### **8.3 Disrepair, poor design and lack of facilities**

Any complaint about poor repair within council or registered housing provider properties must be reported to the applicant's landlord repairs service before any priority can be awarded.

Applicants living in private sector accommodation in poor condition will be referred to the council's Private Sector Housing team who will assess the situation which will assist the Housing Allocations Team to determine the priority to be awarded on the application.

If the applicant is eligible to join the Housing Register and their home is subject to an **emergency** prohibition order or demolition order, their application will be placed in Band A. Given the urgency of the situation and the shortage of accommodation, the likelihood is that an offer will not be made in a short space of time and therefore the applicant will be referred to the Housing Solutions team for further assistance.

If the property is in disrepair and repairs cannot be carried out with the tenant in situ, the application will be placed in Band B. If there is disrepair but the works can be carried out with the tenant in situ, the application will be placed in Band C.

If an applicant lacks facilities such as cooking facilities, washing facilities, toilet facilities or heating they will be placed in Band B.

### **8.4 Homelessness and temporary or insecure accommodation**

If the Council accepts a homelessness relief or main housing duty to provide accommodation for a household as defined in the Homelessness Reduction Act 2017, the application will be placed in **the appropriate band**. This will apply to households occupying temporary accommodation as well as those who are making their own temporary housing arrangements ("homeless at home"). The priority on the application will be removed if the duty is ended.

Applicants who are found to be intentionally homeless will be placed in Band D regardless of their living circumstances or other indicators of housing need (for example: lack of space or medical/welfare factors).

## **8.5 Accepted homeless households in severe need**

These are applicants to whom the Council has accepted a homelessness relief or main housing duty under the homelessness legislation and have urgent or severe housing needs such as:

- a terminal, chronic or progressive illness or
- a member of the household is a permanent wheelchair user or;;
- the household is at severe risk of domestic or other violence or threats of violence.

Where the above circumstances apply, these applicants will be placed in Band A.

## **8.6 Prevention of homelessness**

Tendring Council is committed to the prevention of homelessness as set out in the Homelessness & Rough Sleeper Strategy. Wherever possible we work with households at risk of losing their home to resolve issues and prevent crisis situations from happening.

Where the Council cannot prevent homelessness and an applicant remains threatened with homelessness within 56 days or an applicant is already homeless, they will be encouraged to make an appointment to see the Housing Solutions Team under part VII of the Housing Act 1996 as amended by the Homelessness Act 2002. The team will seek to provide any applicant with housing advice and help to find privately rented accommodation wherever possible.

Applicants who are already on the housing register will remain in their existing banding whilst a full housing assessment takes place and homelessness prevention measures are pursued.

Homeless applicants owed a main housing duty by Tendring Council will be required to complete a housing register application

Under the Homelessness Legislation, the Council reserves the right to make a direct offer of a property outside of the applicants chosen area or property type. This will ensure that the Council can prevent homelessness and provide a move on to settled accommodation at the earliest opportunity.

## **8.7 Supported housing schemes**

This applies to applicants living in supported housing schemes.

Applicants in supported housing schemes that are ready to move onto permanent accommodation will be nominated by their support provider under a quota arrangement with the council. If accepted, these cases will be placed in Band B.

These applicants will still need to meet the 3-year residency criteria before being accepted onto the housing register.

## **8.8 Applicants with no fixed address or in prison**

Applicants with no fixed address or who are leaving prison with no address, should make a homeless application in order that their housing need can be assessed by the Housing Solutions Team before they are able to join the Housing Register.

## **PART NINE: WELFARE AND MEDICAL FACTORS**

Applicants can be assessed under both headings.

Any medical or welfare priority can be reassessed if an applicant's circumstances change. If medical or welfare priority is awarded to a household member who leaves the household, the medical or welfare priority for that person will be removed from the application.

### **9.1 Medical assessments**

This applies if an applicant's present housing is detrimental to their health, or if a move to more suitable accommodation would have a positive effect on their health.

Applicants may also be awarded priority if the applicant is asking to be re-housed so they can receive care or specialist support

Extra information may be sought from housing provider landlords, housing officers, GPs, health visitors and other parties and the council may need to seek advice from its independent medical advisor if necessary.

The council will assess the impact of the housing situation on the applicant and their household's health and the priority to be awarded on the application on health grounds. The following is a guide to the priority that will be awarded:

Impact of housing situation on health	Band
Critical	Band A
Serious	Band B
Moderate	Band C
Minimal	Band D
None	Band E

### **9.2 Welfare/Hardship assessments**

This applies if at least one person in the household is vulnerable and less able to find settled or suitable accommodation.

This group of applicants will have a need to move but may not get medical priority because their present housing may be suitable for their needs.

The table below is used to act as a guide to priority:

Housing need on welfare/hardship grounds	Band
Critical	Band A
Serious	Band B
Moderate	Band C
Minimal	Band D
None	Band E

### **9.3 Tenants with a home that is larger than they need**

This applies to local secure tenants or tenants of registered providers who are 'under-occupying' their homes and want to move to a smaller property. These applicants are given a higher priority because it enables a household with a high need to move into the freed up larger home.

Registered provider tenants in the Tendring area who will be releasing a home larger than they need will be assessed as follows:

- Releasing one bedroom will be placed in Band B provided the registered provider **agrees in writing to offer the vacant property to the Council for nomination.**
- Releasing 2 bedrooms or more will be placed in Band A provided the registered provider agrees **in writing** to offer the vacant home to the Council for nomination.

**Those who will be releasing a home and the registered provider doesn't agree to offer the vacant property to the Council, will be assessed purely on their housing need.**

Council tenants looking to release a 2 bedroom property or larger will be placed in Band A.

### **9.4 Applicants offered housing because of the death of a secure tenant**

This applies if the applicant qualifies to 'succeed' to a tenancy when the tenant dies.

To be a 'successor tenant' the applicant has to meet certain rules – they must usually must be related to the tenant, or be their partner, and have lived in the property for a defined period of time. If the successor tenant is not a spouse or partner and does not need the property because of its size, or the adaptations or services in the property, they may be served a notice seeking possession under Schedule 2, Ground 16 of The Housing Act 1985. The Council will have to provide suitable alternative accommodation and in such circumstances the applicant will be placed in Band A.

As there can only be one succession on a secure tenancy, if an applicant has no legal right to succeed for this reason but would have had the right to succeed if there had not been a previous succession, the Council may grant a non-secure tenancy and provide alternative accommodation through the Housing Register. Such applicants will be placed in Band A. Only one offer will be made and if the offer of a new home is refused the applicant will lose their right to remain in their present property and eviction proceedings will be commenced.

### **9.5 Transfers which will release a specific property that is needed**

Applicants qualifying under this heading will be placed in Band B if they wish to move and the property they would leave is needed to meet the urgent housing needs of another household on the register. This will include tenants wanting to move from adapted accommodation or tenants who need to move to prevent major alterations or adaptations to their current accommodation and their housing needs can be met elsewhere.

### **9.6 Current or former armed forces personnel**

The Council recognises the contribution made by members and former members of the armed forces in protecting the residents of the district. If a current member of the armed forces has a housing need, the application will be placed in one band higher than the assessed band. The same will apply to former members of the armed forces who have been honourably discharged within 5 years of making their applications. Additional priority will also be given to households with a housing need who are being asked to leave Service Families Accommodation and those former members of the Reserve Forces who have suffered injury or disability following service.

## 9.7 Fostering and adoption

Applicants who have been approved to foster or adopt by Essex Social Care will be placed in Band C if they have a housing need and their accommodation needs can be realistically met. Due to the chronic shortage of larger, family sized accommodation in the district, applicants seeking a larger 3- or 4-bedroom property will not be awarded priority under this category.

## 9.8 Urgent management transfers

If a tenant of Tendring District Council requires an emergency move due to serious threats of violence or harassment, the Housing Manager (Allocations & Homelessness), in consultation with the Housing Manager (Tenancy Management) can make a recommendation to the Assistant Head (Housing & Environment) for the household to be moved urgently. If approved, such applicants will be placed in Band A.

## 9.9 Need to move to avoid hardship

If an eligible applicant needs to move to or to another part of the district to avoid hardship to themselves or others, their application will be placed in Band D. Examples would include where an applicant needs to provide or receive care, or receives a job offer or where a child changes school. Applicants assessed under the Right to Move Order will receive priority under this category.

## 9.10 Employment criteria

If applicants meet the employment criteria, they will be placed in a band higher than their assessed band. For example, an applicant assessed as being in Band C will be placed in Band B. To meet the employment criteria, one of the applicants must:

- **Have their place of work within the Tendring District**
- work at least 16 hours per week in paid employment
- have worked for at least 12 months before the application is made and
- be in employment at the time any property is offered.
- Applicants assessed under the Right to Move Order will be treated as being in employment even if they have not commenced work

## 9.11 Unaffordable accommodation

Private tenants living in unaffordable accommodation will be placed in Band D on the Housing Register. In assessing if accommodation is unaffordable, the council will have regard to the rent charged on the property, the combined income of the household **and financial resources as defined paragraph 4.6** and local housing allowance rates.

## PART TEN: HOUSING ALLOCATION BANDING SCHEME

### 10.1 BAND A

#### **Critical Circumstances**

- Applicants with a severe or urgent housing need
- Critical **life limiting** medical conditions and / or a welfare award including emergency situations
- Tenants of the Council where a transfer on management grounds has been agreed because of **serious** violence or harassment, or threats of violence or harassment.

- An **emergency** prohibition order or demolition order has been served or is about to be served in relation to the applicant's dwelling by this Council's Private Sector Housing Team. **This indicates that the property contains one or more Category 1 Hazards that cannot be remedied immediately.**
- Registered provider tenants releasing 2 or more bedrooms (**only if the registered provider agrees to make the resulting property available to the Council**).
- **Under occupancy - Council tenants living in a property with 3 bedrooms or more and moving to a 1-bedroom property**
- Council tenants who have succeeded to a property that is too large for their needs.
- Applicants accepted through the National Witness Mobility Scheme.
- Releasing an adapted social housing property. **Where an applicant lives within an adapted Council property, where those adaptations are no longer required by the tenant or other member of their household.**
- Serious disrepair that cannot be remedied in situ **and requires the tenant(s) to be moved from the property**
- **Relationship breakdowns (Council tenants) where, based on the remaining household size, the remaining tenant is under occupying the property.**
- Band B applicants meeting the Armed Forces criteria
- **Applicants accepted by Tendring District Council for a homelessness main housing duty.**

## **10.2 BAND B**

### **Serious Circumstances**

- Lacking two bedrooms or more
- High Medical and or Welfare award.
- Medium Medical/Welfare award plus employment/fostering/armed forces
- Non-secure tenants of Tendring District Council
- Applicants accepted for a homelessness main or relief duty
- Lacking one bedroom plus employment/fostering/armed forces
- Home lacks basic utilities such as a kitchen and bathroom plus employment and fostering
- Property in disrepair and can be remedied with the tenant in situ plus employment/fostering
- Nomination agreements with supported housing providers in the Council's area.
- **Under occupancy – Council tenants living in a property with 3 bedrooms and moving to a 2-bedroom property**
- **Registered provider tenants releasing one bedroom (only if the housing provider agrees in writing to make the resulting property available to the Council**
- **An improvement notice or prohibition order has been or is about to be served by the Private Sector Housing Team. The remedies that are needed to reduce the hazard will require the property to be vacated for a significant period of time.**
- Band C applicants meeting the employment criteria
- Applicants accepted by Tendring District Council **for a homelessness relief duty and who also meet the local connection criteria**

## **10.3 BAND C**

### **Moderate Circumstances**

- Are lacking one bedroom.
- Medium medical /Welfare award.
- The property is in disrepair **and has been assessed by the Council's Private Sector Housing team**, but the disrepair can be remedied with the tenant in situ.

- The cost of disrepair remedies is beyond the means of the applicant or landlord; or the remedies will make the property unsuitable for occupation by the applicant
- Applicants accepted under the Right to Move criteria.
- Band D applicants meeting the fostering and adoption criteria
- Registered provider tenants releasing one bedroom (only if the housing provider agrees in writing to make the resulting empty property is available to the Council in addition to the formal nomination agreement in place).
- Applicants accepted by Tendring Council for a homelessness prevention duty who meet the local connection criteria.
- Applicants accepted by Tendring District Council for a homelessness relief duty who do not meet the local connection criteria.

#### **10.4 BAND D**

##### **Minimal Circumstances**

- Low medical/welfare award.
- Applicants threatened with homelessness but not subject to a homelessness prevention, relief or main housing duty for example, those people with no priority need
- Applicants who are homeless or threatened with homelessness who are likely to be assessed as intentionally threatened with homelessness or homeless.
- Reduced preference.
- Need to move to or within the district to avoid hardship.
- Armed forces or former members of the armed forces with no current housing need
- Applicants who are sharing kitchen or bathroom facilities with a person not considered part of the housing register application
- Applicants accepted by Tendring District Council for a homelessness prevention duty who do meet the local connection criteria

#### **10.5 BAND E**

##### **Pre-assessment banding**

### **PART ELEVEN**

#### **11.1 Equality and diversity**

The council will be responsive, accessible and sensitive to the needs of all applicants. The council will not tolerate prejudice and discrimination and will actively promote equality.

The council recognises that there is diversity of its customers and will seek to meet their needs and ensure that all its customers feel they have been fairly treated. The Council opposes all forms of discrimination on the basis of racial or ethnic origin, gender, disability, religious belief, colour, marital status, age, or sexual orientation.

It is also important that the Housing Allocations Policy is understandable and accessible by everyone who may need to use it. Information leaflets and other communications that are easily understandable, such as large print versions, can be made available as appropriate. Interpreters will be used for applicants seeking advice and assistance who require that service.

#### **11.2 Monitoring and reviewing the allocations policy**

A copy of the Housing Allocation Policy is available free of charge to any member of the public who asks for one.

This document is also free for download (in Adobe Acrobat format) from the Council's website at [www.tendringdc.gov.uk](http://www.tendringdc.gov.uk).



The Council will, on request, provide advice and help, free of charge, to anyone who requires any assistance in completing their applications for housing.

The Assistant Director - Housing & Environment along with the portfolio holder responsible for Housing monitor the operation of the Housing Allocations Policy annually and review the policy to ensure that it meets its stated objectives and complies with legislative changes.

### **11.3 Right to and how to seek a review**

Applicants have a right to request a review of any decisions made about their application for housing or an offer of accommodation in line with the Housing Act 1996 Pt VI and the Allocations of Accommodation Statutory Code of Guidance.

This includes:

- Decisions about refusing an application to join the Housing Register
- Removing an application from the register
- Assessment of bands
- Offers of housing

A review must be requested in writing or by email within 21 days of the date of the decision notification.

A request for a review can also be made by a representative of the applicant or an advocate acting on their behalf.

The request can be made:

Via email to: [housingallocations@tendringdc.gov.uk](mailto:housingallocations@tendringdc.gov.uk) for the attention of the Housing Manager (Homelessness and Allocations)

Or in writing to:

Housing Manager (Homelessness and Allocations)  
Tendring District Council  
88-90 Pier Avenue  
Clacton on Sea  
Essex CO15 1TN

The applicant should clearly outline their reasons for formally requesting a review, including all relevant information and, where possible, any supporting evidence to explain why the applicant disagrees with the decision.

The review is conducted by an officer who is senior to the original decision maker and in some cases may request further information from the applicant in order to make a decision.

A decision is normally reached within 56 working days of the review request being received. If a longer period of time is required, the applicant will be advised of this in writing.

If the applicant is dissatisfied with the outcome to their review, they can request a re-consideration of the relevant facts. This will be conducted by the Housing Manager (Allocations and Homelessness)

## 11.4 Complaints procedure

If an applicant is dissatisfied with any aspect of the management of their application (other than when a review can be made) they can complain using the Council's Housing complaints procedure [which can be found on the Tendring District Council website](#).

## 11.5 The Housing Ombudsman and Local Government and Social Care Ombudsman

The Housing Ombudsman and Local Government and Social Care Ombudsman Services investigate complaints of injustice arising from maladministration by local housing authorities and other registered providers.

If a complainant is not satisfied with the action the Council takes, they have the right to refer their complaint to the Local Government and Social Care Ombudsman or Housing Ombudsman, as applicable.

Further detailed information on the Local Government and Social Care Ombudsman can be found at [www.lgo.org.uk](http://www.lgo.org.uk). Their helpline number is 0300 061 0614 (and is open Monday to Friday between 10am and 4pm). It will be a matter for the Ombudsman to consider whether the complaint is within its scope.

Further detailed information on the Housing Ombudsman can be found at [www.housing-ombudsman.org.uk](http://www.housing-ombudsman.org.uk). Their telephone number is 0300 111 3000 (and this is open Monday, Tuesday, Wednesday and Friday between 9am and 5pm and between 9am to 3.30pm on Thursdays).

It will be a matter for the relevant Ombudsman to consider whether the complaint is within its scope.

*For further information about which Ombudsman Service is relevant to a specific complaint, please refer to the Local Government and Social Care Ombudsman's website using the link below:*

[Which ombudsman for social housing complaints? - Local Government and Social Care Ombudsman](#)

## CABINET

20 DECEMBER 2024

### REPORT OF THE PORTFOLIO HOLDER FOR HOUSING AND PLANNING

#### **A.9 CONSIDERATION AND ADOPTION OF HOUSING POLICES ON GAS SAFETY, ELECTRICAL SAFETY, FENCING & PAVING AND EMPTY COUNCIL HOMES MANAGEMENT**

#### **PART 1 – KEY INFORMATION**

##### **PURPOSE OF THE REPORT**

To consider the following draft policies prepared in relation to the maintenance and operation of the Council's retained housing stock:

- Gas Safety Policy
- Electrical Safety Policy
- Fencing and Paving Policy
- Empty Council Homes Management Policy

##### **EXECUTIVE SUMMARY**

In response to the Regulator for Social Housing having its powers enhanced under the Social Housing (Regulation) Act 2023, new Consumer Standards and Tenant Satisfaction Measures have been introduced and which took effect on 1 April 2024.

Although the adoption of these policies is not of itself mandatory, there are legal and regulatory standards for performance which these policies aspire to formalise compliance with.

The Gas Safety Policy sets out Tendring District Council's aim to ensure all gas systems within the housing stock are properly managed and operate safely. All new installations, maintenance and safety checks are carried out in accordance with our duties as landlords as required by the Gas Safety (Installation and Use) Regulations 1998 and the Gas Safety (Installation and Use) (Amendment) Regulations 2018.

The Electrical Safety Policy sets out Tendring District Council's approach to its responsibilities to comply with relevant legislative and associated guidance on the installation, inspection, repairs, testing and certification of electrical systems in dwellings and associated communal areas which it owns and manages.

Fencing and Paving Policy outlines Tendring District Council's aim to ensure that its properties benefit from an appropriate standard of security and appearance through provision and effective maintenance and replacement of fencing and paving.

The Empty Council Homes Management Policy will not only ensure that procedures are in place that reduce the length of time that a property is empty but also ensure that a forward looking and strategic approach is in place.

## RECOMMENDATION(S)

It is recommended that Cabinet:

- a) adopts the Gas Safety Policy, Electrical Safety Policy, Fencing & Paving Policy and Empty Council Homes Management Policy;
- b) authorises their direct and immediate implementation, subject to call in; and
- c) authorises the Corporate Director (Operations and Delivery) to make future updates or amendments to the Policies in consultation with the Portfolio Holder responsible for Housing.

## REASON(S) FOR THE RECOMMENDATION(S)

In order to set in place clear policies to inform future maintenance and management activities and such policy framework to evidence compliance with regulatory standards.

## ALTERNATIVE OPTIONS CONSIDERED

Not setting in place policies in these areas – not proposed.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

These policies contribute to a number of themes within the Corporate Plan 2024-28:

#### **Pride in our area and services to residents**

*“We want to put residents’ first, by promoting clean and tidy communities, providing decent housing that everyone deserves...We also want to promote pride in our communities by encouraging everyone to take responsibility for keeping their area a pleasant place in which to live and work.”*

These policies are promoting and embedding the management of our homes and achieving high standards.

#### **Raising aspirations and creating opportunities**

*“Tending is ambitious and our residents will be supported to reach their potential and realise their opportunities...”*

Quality housing is considered to be one of the determinants of health and success. These policies are aimed at enhancing homes and embedding quality standards in the stock that the Council controls.

#### **Championing our local environment**

*“We believe our environment is special, it is the space where we live and work, and therefore deserves protection. We will be tough on those who do not respect our environment. We want to create and maintain spaces for leisure, wellbeing and healthy lifestyles, and deliver access to open spaces and community resources.”*

These policies are promoting and embedding the management of our homes and achieving high standards.

#### **Working with partners to improve quality of life**

*“We want to promote safer, healthier, well connected and inclusive communities...”*

Quality housing is considered to be one of the determinants of health and success. These policies are aimed at enhancing homes and embedding quality standards in the stock that the Council controls.

**Financial Sustainability and openness**

*“To continue to deliver effective services and get things done we must look after the public purse; that means carefully planning what we do, managing capacity, and prioritising what we focus our time, money and assets on...”*

These policies are aimed at dealing effectively with empty homes and property conditions, with financial openness with our tenants and leaseholders. They also aim to embed practices in line with the new consumer standards as outlined in the social housing regulatory framework.

**OUTCOME OF CONSULTATION AND ENGAGEMENT** (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

Consultation and engagement has been undertaken with members of the Council’s Tenants Panel who will also be involved in the ongoing monitoring of all housing related policies. Their comments were sought on the Gas Safety, Electrical Safety, Fencing & Paving and Empty Council Homes Management Policies by post on 15<sup>th</sup> November 2024 with no comments received back at the date of writing this report. In the event that comments are received prior to the Cabinet meeting officers will distribute them at the meeting itself.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

Is the recommendation a Key Decision (see the criteria stated here)	YES/NO	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)	22 October 2024

There are legislative and regulatory requirements that set the standards that social housing must be maintained to:

The Social Housing Regulation Act 2023 builds upon the existing regulatory framework for housing and introducing revised standards and tenant satisfaction measures which came into force on 1 April 2024. These standards contain specific expectations registered providers of

social housing must comply with and detail the outcomes that providers are expected to achieve.

Landlord and Tenant Act 1985: Section 11 of this legislation imposes an obligation on landlords to carry out basic repairs, covering the structure and exterior of the property and installations for the supply of water, gas and electricity and for sanitation and space heating and heating water. There is also an implied covenant to maintain the property in good order.

The Housing, Health and Safety Rating System (HHSRS) was introduced in 2006 to provide an assessment tool for the 'Minimum Standard for Housing' (Criterion A of the Decent Homes Standard). It is a risk assessment tool designed to identify the risk to occupants in domestic properties.

Announced in 2000, updated in 2006 with a further update pending, the Decent Homes Standard sets expectations for registered providers of social housing to provide tenants with quality accommodation and a cost-effective repairs and maintenance service. According to the standard, for a home to be considered 'decent' it must:

- Meet the current statutory minimum standard for housing
- Be in a reasonable state of repair
- Have reasonably modern facilities and services
- Provide a degree of thermal comfort
- Homes (Fitness for Human Habitation) Act 2018

This amended the Landlord and Tenant Act 1985 with the aim of ensuring that all rented accommodation is fit for human habitation. Whilst it did not create new obligations for landlords, it required them to ensure that their properties, including any common parts of the building are fit for human habitation at the beginning of and throughout the tenancy. Where a landlord fails to do this the tenant has the right to take action in the courts for breach of contract.

The Council operates within the statutory requirements of the 'Right to Repair Scheme', implemented in accordance with Section 96 of the Housing Act 1985 (as amended). This covers certain small, urgent or routine repairs costing up to £250, which are likely to jeopardise the health or safety of the tenant.

There are also specific regulations that relate to certain repair and maintenance aspects and these include (but are not limited to):

- Gas Safety (Installation and Use) Regulations 2018
- British Standard 7671 (Electrical Installations)
- Control of Asbestos Regulations 2012
- Regulatory Reform (Fire Safety) Order 2005
- Water Supply (Water Fittings) Regulations 2018

Defective Premises Act 1972; Section 4 of this Act places a duty on landlords to take reasonable care to ensure that anyone who might be expected to be affected by defects in a property is reasonably safe from injury or damage to their property resulting from defects. Right to Repair regulations.

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

Whilst adopting and reviewing policies and procedures is regarded as best practice and sets out the necessary expectations, the Council must follow the requirements of the various pieces of legislation to ensure compliance and the keeping good quality records, monitoring against these duties and taking action where needed, are all functions forming service delivery of the social housing landlord on which we are measured.

**FINANCE AND OTHER RESOURCE IMPLICATIONS**

The provision of housing services is mainly self-funding with other separate processes for the General Fund functions. However, the wider effects of regulation, Tenants’ Charter and potential changes to Decent Homes Standard as well as Minimum Energy Efficiency Standards have yet to be fully understood. Initial funding has been agreed separately to facilitate stock condition monitoring and enhanced estates functions. Further additional costs are inevitable as the demands on the service increase. These will be managed through the 30 year business plan.

In relation to empty Council Homes the Council will manage its resources by making an initial assessment of empty homes with regard to the Housing Asset Management Plan and the Acquisitions and Disposal Policies, which it is planned will be formalised in early 2025. The objective of the assessment is to determine whether reinstatement works or some other course of action would be optimal.

Prompt action within the aspirations of the Empty Council Homes Policy is important to achieve a 2% maximum revenue loss which is a key assumption in the 30 year business plan.

**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;	The Council has an adopted Financial Strategy.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	The Council has a mature constitutional structure and framework of policy for decision-making. It is intended that the appended policies will augment that framework.
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and	The Council has an adopted Financial Strategy.

performance to improve the way it manages and delivers its services.	
<b>MILESTONES AND DELIVERY</b>	
<p>If Cabinet is minded to adopt the policies, they will come into immediate effect, subject to any call-in. Work to implement physical improvements and maintenance will be ongoing throughout the business plan period.</p> <p>The review of the procedures will be carried out periodically as indicated in each of them.</p>	
<b>ASSOCIATED RISKS AND MITIGATION</b>	
<p>The policies are intended to set a compliant standard for maintenance and management of the stock.</p> <p>Failure to maintain and manage the stock appropriately has potential regulatory and other legal consequences. It is also essential to the health and wellbeing of our residents.</p> <p>The adoption and implementation of the policies is aimed at minimising the risks of harm and non-compliance.</p> <p>The increasing standards for maintenance and management are likely to impose increasing costs within the Housing Revenue Account which will be managed within the 30 year business plan.</p>	
<b>EQUALITY IMPLICATIONS</b>	
<p>The appropriate maintenance and management of the housing stock is an important progressive factor in enhancing equality.</p>	
<b>SOCIAL VALUE CONSIDERATIONS</b>	
<p>The appropriate maintenance and management of the housing stock is an important progressive factor in enhancing the social wellbeing through creating healthier and more resilient communities.</p>	
<b>IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2030</b>	
<p>The appropriate maintenance and management of the housing stock is a contributory factor in reducing energy use. Other measures linked to stock condition and other ongoing work are key contributing factors and will be evaluated within the 30 year business plan.</p>	
<b>OTHER RELEVANT CONSIDERATIONS OR IMPLICATIONS</b>	
<p><b>Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below.</b></p>	
<b>Crime and Disorder</b>	<p>The appropriate maintenance and management of the housing stock is an important progressive factor in addressing the causes of crime and disorder.</p>
<b>Health Inequalities</b>	<p>The appropriate maintenance and management of the housing stock is an important progressive factor in terms of health equalities.</p>



Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	The Council will follow subsidy control legislation and regulations, where applicable in relation to the content and implementation of these policies.
<b>Area or Ward affected</b>	All

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

The Council has retained its housing stock owning and managing over 3,000 dwellings in addition to significant numbers of leasehold flats, garages and community property. The Council has historically attained high tenant satisfaction levels with strong compliance with decent homes standard.

In response to high profile events which have highlighted aspects of social housing repair and management, The Social Housing (Regulation) Act 2023 was enacted on 1 April 2024. The Act allows the Regulator of Social Housing to take action against social landlords holding such landlords to account with regular inspections. Through the introduction of the new social housing Consumer Standards, the Secretary of State has power to require social landlords to investigate and rectify serious health hazards. These Consumer Standards contain specific expectations registered providers of social housing must comply with and detail the outcomes providers are expected to achieve. Therefore as a social housing landlord, it is important that Tendring District Council is fully equipped to meet the increased demands and the need to establish a proactive consumer regulation regime with active oversight on our performance.

Although the adoption of these policies is not of itself mandatory, there are legal and regulatory standards for performance which these policies aspire to formalise compliance with. The proposed policies appended are therefore intended to augment the Council's policy framework.

#### **PREVIOUS RELEVANT DECISIONS**

The following Policies were approved by Cabinet in November 2023:

- Damp and Mould
- Repairs and Maintenance
- Fire Safety

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None

#### **APPENDICES**

**Appendix A – Gas Safety Policy**  
**Appendix B – Electrical Safety Policy**  
**Appendix C – Fencing & Paving Policy**  
**Appendix D – Empty Council Homes Management Policy**

<b>REPORT CONTACT OFFICER(S)</b>	
<b>Name</b>	<b>Steve Pearce</b>
<b>Job Title</b>	<b>Development and Building Manager</b>
<b>Email</b>	<a href="mailto:spearce@tendringdc.gov.uk"><u>spearce@tendringdc.gov.uk</u></a>



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## **Gas Safety Policy**

### **A.9 APPENDIX A**

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December 2024



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- 1 Statement of Intent**
- 2 Definitions**
- 3 General Principles**
- 4 Legal Framework**
- 5 Selection and Appointment of contractors**
- 6 New or Replacement Gas Installations and Heating**
- 7 Landlord Annual Gas Safety Checks**
- 8 Gas Repairs and Maintenance**
- 9 Change of Tenancy Gas Safety Checks**
- 10 Gas Appliance Register**
- 11 Quality Control**
- 12 Complaints**
- 13 Monitoring and Review**

## 1. Statement of Intent

Tendring District Council aims to ensure that all gas systems within council properties are properly managed and operate safely. All new installations, maintenance and safety checks are carried out in accordance with our duties as landlords as required by the Gas Safety (Installation and Use) Regulations 1998 and the Gas Safety (Installation and Use) (Amendment) Regulations 2018.

This policy is intended to focus on housing stock owned by TDC, but will also set policy in relation to other buildings including, offices, depots and other corporate buildings.

This policy will cover the following works:

- New or Replacement Gas Installations and Gas Heating.
- Landlords Annual Gas Safety Inspection.
- Gas Servicing.
- Gas Repairs and Maintenance Work.
- Empty Property Gas Safety Checks.

The Council is committed to sustainable development and will identify sustainability aims and principles when implementing this policy. This will include, wherever possible, the use of sustainable materials, products and specifications, which will maintain properties to a high standard of energy efficiency.

## 2. Definitions

**New or Replacement Gas Installations and Gas Heating** includes the fitting of gas installations in new build properties as well as the replacement of installations through planned or reactive maintenance work. Gas installations cover gas central heating, gas fires, gas cookers, ovens or hobs as well as gas supply pipe work to feed potential future gas appliances.

**Landlord's Annual Gas Safety Inspection** is the annual check required by the Gas Safety Regulations on all gas installations. In addition to the safety check, an annual service on all gas appliances that are the Council's responsibility will be carried out.

**Gas Repairs and Maintenance Work** are the essential day-to-day repairs that are categorised as either emergency, urgent or routine that cannot be left to the next cycle of programmed or planned maintenance, without posing a threat to the safety or health of the tenant, the property or the landlord's repairing obligations. Day-to-day repairs are reactive repairs mostly reported by tenants or those that arise from re-lets and inspections carried out by Tendring District Council.

**Change of Tenancy Gas Safety Checks** are checks carried out before the start of a new tenancy either at a change of tenancy or a mutual exchange.

**Emergency Repairs** covers any situation where works are required to make a property safe, where there is a safety risk to the tenant or members of the public.

**Urgent Repairs** are works that are not classed as emergencies but which would cause a high degree of unavoidable inconvenience to the tenant but where there is no immediate threat to health, safety or the security of the property. This includes a significant loss of heat or hot water or water leaks from the system that could damage the occupant's property or property belonging to the Council.

Where action can be undertaken by the Council or by the tenant in the short term to remove or reduce the major inconvenience, that action will be done and further repair would then be re-categorised as a routine repair.

**Routine Repairs** are works identified as not being urgent and not causing any immediate danger to the tenant or the public but which do have a significant effect on heating or hot water output.

**Defects** are faults occurring with a new building or a major repair or renovation project within the defect's liability period of the completed project. This period is 1 year but for smaller projects may be less. These faults are due to material failures, workmanship issues, or other issues within the control of the contractor or developer and so must be put right by them at no additional cost. The full definition of a defect will be found in the conditions of contract for the relevant project.

**Gas Safe Registration** – Gas Safe Registration or such other registration scheme approved by the Health & Safety Executive for the purposes of showing appropriate qualification and competence under The Gas Safety (Installation and Use) Regulations.

**Contractor** refers to all external contractors who carry out gas safety checks, servicing, repairs, and maintenance work.

### 3. General Principles

- To ensure all gas installations and appliances are operated and maintained in a safe and useable condition.
- To provide a prompt, efficient and effective service which is also sympathetic to the customer's needs.
- To ensure compliance with all relevant legislation and regulations and to ensure gas installations and appliances are maintained in accordance with the landlord responsibilities set out in the tenancy agreements.
- To clearly define the levels and standards of service for the installation and maintenance of gas systems and appliances.
- To ensure that the works carried out pursuant to this policy are undertaken safely, effectively, and efficiently, in compliance with recognised good practice.
- To have in place an effective monitoring system of both staff and contractors' performance considering tenant and resident feedback.
- To exercise tenant and resident consultation, encouraging them to monitor the service and provide constructive feedback.
- To have appropriate procedures in place to ensure the aims of this policy are implemented.

#### **4. Legal Framework**

The Gas Safety (Installation and Use) Regulations set out the requirements for landlords to inspect and service gas installations on an annual basis and to only allow qualified and approved gas engineers to work on any gas appliances or installations. These sit within the wider context of the Health & Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations 1999. Under the terms of this legislation, the landlords' specific responsibilities are:

- To ensure that all gas appliances (in the Council's ownership or adopted by it), flues and gas installation pipe work are maintained in a safe condition.
- To ensure that all relevant gas fittings receive a safety check at least every 12 months
- To keep all records for a minimum of two years.
- To ensure that any gas related work carried out on the landlord's behalf is carried out by a Gas Safe registered engineer.

#### **5. Selection and Appointment of Contractors**

Only qualified and competent gas contractors and engineers will be allowed to work on or install gas systems and appliances. These companies and engineers must be registered on the Gas Safe Register.

All contractors will be required to show evidence of their Gas Safe Registration and provide written confirmation of the Gas Safe Registration for individual engineers that will be working on any of the gas systems. Such written confirmation will also confirm which areas of gas work the individual engineers are qualified and certified to carry out.

#### **6. New or Replacement Gas Installations and Heating**

The Council will ensure that a completion/commissioning certificate is received for each property prior to handover signed by an approved engineer. The certification must confirm that the installation has been-

- Installed as per the manufacturer's instruction and in accordance with the Gas Safety (Installation & Use) Regulations 1998.
- Installed by a competent person.
- The system has been fully commissioned in accordance with the manufacturers requirements.
- Rust inhibitor of suitable concentration has been added to the system.
- That the following checks have been carried out and recorded: -
  - The effectiveness of any flue.
  - The adequate supply of combustion air.
  - The operating pressure and/or heat input.
  - That it is operating safely.

## **7. Landlords Annual Gas Safety Check**

Annual safety checks must be carried out on all appliances at least every 12 months to comply with the current legislation. To ensure this is complied with the Council works on a 10-month cycle for safety checks where the process to carry out the next safety check will be started 10 months after the date of the previous one. The Council will follow a robust non-access procedure that will ensure that the safety check will be completed within the required 12-month period.

The non-access procedure will allow up to three attempted appointments/visits to be made to each property by the appointed contractor to carry out the safety check and service.

If access is not provided on the or by the third visit the gas supply will be isolated and capped if the meter is external. For properties with internal meters, entry will be obtained under powers of entry these allow us to enter the property giving 24hours notice.

If tenants stop an officer/contractor from gaining access under powers of entry in the Council will take legal action including, where appropriate, obtaining a warrant to enter from the courts to allow forced entry in to allow the safety check and service or isolation to proceed.

If access is gained on the third visit but no live gas or electric supply is available due to lack of credit in the meter or for any other reason the gas supply will be isolated and capped to make it safe.

Once credit is obtained, the tenant will be required to contact the Council to have the gas uncapped and the safety check and service completed before they will be able to use the gas system in the property.

Where tenants are identified as being vulnerable, additional measures will be considered depending on the circumstances. This may include offering the use of temporary heaters for a reasonable period after the gas supply is capped to allow the safety check to be carried out.

The appointed contractors will provide a programme at least two months before service visits are due which will be checked to ensure it complies with the policy and procedure timescales and includes all appropriate properties.

The appointed contractor will ensure that a qualified and approved engineer carries out all gas safety checks in accordance with the current regulations at the time being. On completion the engineer will issue a Safety Check Certificate. The certificate will record the required statutory information and any additional information required under the contract. This will be issued to Tendring District Council and a copy left in the property for the tenant.

In accordance with The Gas Safety (Installation and Use) (Amendment) Regulations 2018, if the new check was carried within the two months 2 months before the expiry



of the current one, the new safety check certificate will be dated as having been done on the anniversary date of that current certificate.

On receipt, all Safety Check Certificates will be checked for accuracy by the Council and will be inputted electronically onto the Council's asset management system (Lifespan) and will be retained for a minimum of 2 years from the date of the check.

## **8. Gas Repairs and Maintenance**

The appointed contractor will run a call handling service to deal with all daytime and out of hour's repairs calls made directly by tenants or through the Council's staff.

All day-to-day repairs required to gas installations or heating systems up to but not including complete replacement of systems or appliances will be categorised into one of the following four categories. For emergencies and urgent categories, the timescale is from the time of reporting the repair. For all other categories the timescales are from the first working day after the repair is reported.

- Emergency - Attend within 4 hrs and repair or make safe.
- Urgent – Same Working Day for all calls received before 8pm.
- Routine 2 – 10 Working Days for Non-Urgent Repairs or situations where parts or materials cannot be obtained.

In accordance with the Council's approach to continuous improvement, the above response times will be reviewed on a regular basis.

The type of work required will determine the category into which a repair is categorised as well as the effect the problem is having on the occupants and the property as defined.

Delays and exemptions to the above timescales may occur in circumstances out of the Council's control or the control of its contractors. This could be due to extreme weather or non-availability of parts and materials, or where the extent of the work is so large that the timescale cannot realistically be achieved. In such cases the response time will be extended to allow for these events. Any tenants affected will be notified of any delays or extensions to target timescales as soon as possible and wherever possible or necessary alternative measures or heating provided.

Flexibility may also be introduced in respect of the above categorisation of work or timescales, particularly in the case of vulnerable tenants with particular needs. In such cases repairs may be classified with a more urgent timescale or the target timescales for the particular repair may be reduced. The decision to apply this flexibility will be at the Council's discretion.

For routine repairs where the nature of the repair cannot be ascertained from the information available or where other factors require it, a pre-inspection will be carried out before the repair work can be instructed. If this is required, then the target

timescale for the work will be extended by the time needed to carry out the pre-inspection.

## **9. Change of Tenancy Gas Safety Checks**

A gas safety check will be carried out on the gas installation and any appliances owned by the Council prior to the start of each new tenancy. Gas Safety checks will be completed to empty properties promptly in order to minimise the empty period. Other Gas Safety Checks will be completed within the timescales set in the contract. The engineers will complete the appropriate certificate required by the regulations and contract and submit this to the Council. The Council will check and retain certificates in the same way as Annual /Gas Safety Checks.

The timescale will only be deemed to have been met once the properly completed Safety Check Certificate is received, along with the return of any keys issued. The tenants' copy of the completed Safety Check Certificate will be passed to the Housing Department for issuing to the new tenant at allocation. Properties with gas installations will not be allocated without a new gas safety certificate.

## **10. Gas Appliance Register**

The Council will hold a central register, within its lifespans system, of gas appliances and service/safety check information. This will detail: -

- A description of the appliance.
- The make, model and where possible the location.
- The date of installation.
- The date of the current safety check.

When appliances are added or replaced the records will be updated accordingly by the Council's Data and Compliance Officer.

## **11. Quality Control**

Under the Council's gas servicing and maintenance contract, it is a requirement of the appointed contractors to carry out in-house quality control inspections on a percentage of the work carried out by them under the contract.

The contractors will be required quarterly produce details of the quality control inspections carried out to allow the Council to monitor that the checks are being done and that any issues identified are being dealt with appropriately. In addition to the contractors' in-house quality control, it is the intention of the Council to appoint a qualified gas quality control assessor to do an audit of at least 10% of all work carried out by the contractors.

These third-party inspections will cover landlords' annual safety checks but will also include an element of reactive repair work and replacement installations. The third-party quality control audit will be done on a yearly basis or sooner if negative feedback is received from tenants and officers and the results of these inspections,

together with any recommendations that are made, will be passed to the gas contractor involved. Where necessary feedback will be obtained from the contractor on any improvement measures necessary to address any failings or shortcomings identified by the audit.

## **12. Complaints**

If there are any complaints from tenants or any others affected by work covered by the Gas Safety Policy, tenants are encouraged to raise concerns direct with engineers while on site. Where this is not possible the Council's staff will deal with complaints and concerns raised and where this is unsuccessful a formal complaint can be made in accordance with the Council's Complaints Policy.

## **13. Monitoring**

The contractor will advise weekly on all properties where safety checks were completed, or access was not allowed.

The Data and Compliance Officer will generate monthly management reports to monitor the annual gas safety check programme, the non-access procedure and the contractors' performance in relation to the agreed programme. These reports will monitor the following: -

- Number of Safety Checks due and completed by the anniversary date
- Number of properties at the second or third visit stage
- Number of properties passed for legal action
- Number of properties capped
- Contractors' performance in relation to the agreed annual safety check programme
- Contractor's performance in relation to the timescales achieved for arranging second and third visits where required
- The Building and Development Manager will consider Weekly and monthly reports and give instruction on measures to maintain compliance.

Annual Performance reports will be run on asset management system (Lifespan) to evidence the percentage of properties that have an up to date certificate.

## **13. Policy Review**

This policy will be reviewed three years from the date of implementation, latest review date, or if there is any change in legislation, which will be the date the policy is approved by the Council's Cabinet, or earlier if deemed appropriate. In reviewing the policy, feedback from customers about their satisfaction with the quality and effectiveness of the servicing and repairs service will be considered.

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# Electrical Safety Policy

## A.9 APPENDIX B

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December 2024



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- 3. General Principles**
- 4. Access Procedure**
- 5. Portable Appliance Testing**
- 6. Smoke, Heat and CO Alarms**
- 7. Record Keeping**
- 8. Use of Competent Contractors**
- 9. Review and monitoring**

## **1. Statement of Intent**

This Policy sets out Tendring District Council's (TDC's) approach to its responsibilities to comply with the relevant legislation and associated guidance on the installation, inspection, repairs, testing and certification of electrical systems in dwellings, and associated communal spaces owned and/or managed by TDC.

TDC intends, as far as practicable, to keep its residents and others safe from electrical hazards in its residential properties.

In order to meet its responsibility to comply with all legal and regulatory requirements TDC has a well-resourced and comprehensive electrical safety management system. This includes regular checks on electrical systems by suitably qualified contractors, an annual budget for periodic checks and accurate record-keeping.

Whilst there is no regulation, standard or act that defines a frequency for electrical installation inspection and testing in England, it is recommended that domestic tenanted properties are inspected at least once every five years, with an Electrical Installation Condition Report (EICR) produced. Good practice also provides that electrical checks should be conducted on change of tenancy and that a copy of the certificate be provided for incoming tenants within the sign-up pack at the start of the new tenancy agreement.

## **2. Legislation and Regulation**

TDC will comply with all current and relevant statutory obligations, including the following where relevant:

- The Landlord and Tenant Act 1985
- The Electricity at Work Regulations 1989
- The Management of Health and Safety at Work Regulations 1999
- The Institution of Engineering and Technology Wiring Regulations 18th Edition
- Industry good practice, including Electrical Safety First – Best Practice Guide 4 latest edition (Electrical Installation Condition reporting (EICR))
- Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022
- Parts B and P of the building regulations.

Implementation of this Policy will ensure compliance with the Regulatory Framework for Social Housing in England adopted by the Regulator of Social Housing (RSH) to: "Meet all applicable statutory requirements that provide for the health and safety of the occupants in their homes."

## **3. General Principles**

### **3.1 New Lets and Mutual Exchanges**

TDC will carry out a domestic electrical condition check on all empty properties prior to reoccupation to ensure that all electrical systems and any supplied equipment is

certified as safe for use prior to letting. A similar check will be carried out prior to a mutual exchange taking place. A copy will be provided to the incoming tenant.

During viewings for a new let, prospective tenants will be shown the location of the main consumer unit and meter.

### **3.2 Periodic Testing – Dwellings:**

TDC aspires to conduct a periodic check of fixed wiring systems within domestic properties every five years, or less wherever possible.

Tenants will be notified in advance and an appointment made by the testing contractor for the check to be carried out.

TDC will highlight the importance of conducting these checks in the Tenants Handbook and through content on its website and in newsletters.

Contractors will use the following classification codes to indicate where remedial work is required:

- Code 1 (C1): Danger present. Risk of injury.
- Code 2 (C2): Potentially dangerous.
- Code 3 (C3): Improvement recommended
- Further Investigation (FI): Further investigation required without delay.

If codes C1 or C2 are identified on the report, remedial work will be required and the EICR will state the installation is unsatisfactory for continued use. All C1 & C2 failures will be rectified, or at least made safe, immediately by the contractor before leaving site.

Code 3 (C3) on an EICR means that improvement is recommended, and a satisfactory report will be issued. C3 recommendations will be considered by the TDC surveyor on a case-by-case basis.

Access for testing and repairs will be managed as set out in section 4, Access Procedure.

### **3.3 Periodic Testing – communal areas and sheltered accommodation:**

TDC will conduct a scheduled periodic electrical check on sheltered accommodation and on communal parts of residential accommodation it owns or manages every five years as recommended by the Electrical Safety Council.

## **4. Access Procedure**

Access to properties for the completion of an EICR will be managed, with access attempts starting approximately 10 weeks ahead of the EICR expiry date to ensure



that all reasonable and practical efforts can be made to complete the test before the expiration date, with a full and detailed audit trail maintained.

Access efforts will include appointment letters, phone calls and property visits by the contractor and their Tenant Liaison Officer, with further support from the Council's Building services if required.

Where the contractor is denied access to a property, TDC will explore with the tenant the reasons for this and ascertain other appropriate and reasonable arrangements to gain access. Steps will be taken to gain access and support the tenant to understand the importance of allowing the electrical test to proceed.

The access procedure allows sufficient flexibility to accommodate most customer requests and circumstances. The access procedure will largely mirror the gas access procedure however currently TDC will not take legal action to gain access (e.g. warrant application or forced entrance) as is done with Annual Gas Safety Checks.

For those buildings where an EICR is required to be carried out to the electrical installation within the communal areas, access is not required to individual properties. However, orders will be issued to the contractor to allow sufficient time for the completion of the EICR ahead of the certificate expiry date, with support from the Compliance Officer and on-site staff to ensure access is gained to all necessary areas.

## **5. Alterations and Repairs**

Where TDC carries out any qualifying repair, extension or alteration of a fixed electrical installation it will ensure that an Electrical Installation Certificate (EIC) is provided by the contractor and retained in the same way as the EICR.

Where tenant alterations include electrical work it will be a condition of approval that work is done by a qualified and registered contractor and that the tenant provides a copy of the EIC to TDC.

## **6. Portable Appliance Testing**

Portable Appliance Testing (PAT) will be carried out annually in the Council's owned sheltered units, on work equipment, and in any relevant communal areas where TDC provides appliances.

## **7. Smoke, Heat and CO Alarms**

TDC will at the same time as the undertaking of the EICR the contractor will check any installed Smoke, Heat and Carbon Monoxide (CO) alarms. The electrician will test that each appliance is sounding and working in line with manufacturer's instructions and industry best practise. The engineer will replace any defective alarms with a hardwired replacement. Works will be undertaken as in line with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022. TDC will ensure at least one smoke alarm or, as applicable a smoke and heat alarm is

installed on each storey of the homes where there is a room used as living accommodation. Also, TDC will ensure a carbon monoxide alarm is installed in any room used as living accommodation that contains a fixed combustion appliance.

## **8. Record Keeping**

TDC will file an electronic copy of all EICRs, PAT certificates and EICs for domestic properties, communal and office accommodation on to the asset management software (Lifespan).

TDC will retain all EICR certification for a minimum of ten years electronically from the date of the certificate. The electrical contractor will retain electronic copies of the EICR certificates for a minimum of five years.

The date that a satisfactory check has been carried out or an installation will be entered onto Lifespan, along with the date that the next check is due.

## **9. Use of Competent Contractors**

Contractors will be registered with a scheme provider such as National Inspection Council for Electrical Installation Contracting (NICEIC), National Association of Professional Inspectors and Testers (NAPIT), or Electrical Contractors Association (ECA) to enable the appropriate notification in line with all relevant parts of the Building Regulations, in particular Part P.

## **10. Scheduling and Monitoring**

Certificates will be held within the Lifespans system. The Data and Compliance Officer will produce annual reports detailing properties for scheduled inspection in the forthcoming year. Monthly management reports will be run on asset management system (Lifespan) to show the percentage of properties that have an up-to-date certificate and to specifically identify those that do not.

## **11. Policy Review**

This policy will be reviewed every three years from the date of implementation, which will be the date the policy is approved by the Council's Cabinet, or earlier if deemed appropriate, latest review date, or if there is any change in legislation,. In reviewing the policy, feedback from customers about their satisfaction with the quality and effectiveness of the servicing and repairs service will be considered.

*Tendring*  
District Council



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# FENCING AND PAVING POLICY

## A.9 APPENDIX C

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December 2024



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**2. Standards for replacement fencing**

**3. Walls**

**4. Gates/gate posts**

**5. Paths/ Patio and Drives**

**6. Policy review**

## **1. Introduction**

1.1. Tendring District Council (TDC) aims to ensure that its properties benefit from an appropriate standard of security and appearance through provision and effective maintenance and replacement of fencing and paving.

1.2. Fencing is generally assumed to last 20 years or more and paving for 40 years or more. Individual sections may fail within this timescale and where two or less sections fail these will be replaced as and when required as a responsive maintenance item. Where additional works over this are required, the work may be added to a planned works programme to be addressed at a future date.

1.3. This policy outlines how Tendring District Council will:

- Provide fencing and paving in new and refurbishment projects,
- Replace fencing in communal areas
- Replace fencing in individual gardens of tenanted and empty properties
- Develop a fencing standard for type/style of fencing
- Prioritise fencing where it is part of a boundary area such as pathways; bordering on land not owned by the council and provision of gates where appropriate.
- Maintain all fencing and gates to communal areas
- Ensure value for money for the fence and paving renewal works.

## **2. Standards for new or replacement fencing**

2.1. Where a fence needs to be replaced the following standards will generally apply:

2.2. Back Garden side and rear boundary fencing adjacent to public roads or footpaths. 1.8m high close board fencing on concrete posts, where planning permits.

2.3. Back Garden side and rear boundary fencing. Two 1.8m high, 1.8 m wide privacy panels on concrete posts immediately adjoining the dwelling with the remainder in 1.2m high chain link fencing on concrete posts.

2.4. Front Garden boundary 1.2m high Chain link fencing on concrete posts.

2.5. Where no boundary mark exists the organisation will supply fencing depending on location as per above.

2.6. If a tenant prefers a different type of fencing other than stated above, they may request permission to erect their own fencing, at their own cost, within TDC boundary line. The responsibility for maintaining or renewing that fence and for removing it and reinstating a fence as above will lie with the tenant.

- 2.7. If a former tenant of an empty property has erected their own fencing - having gained permission and erected it to a good standard with quality fencing, this will be left. The incoming tenant will be required to accept responsibility for future maintenance of the fence. When the fence comes into disrepair it will be removed and standard fencing as shown above will be provided.
- 2.8. Where the estate is of open plan design this will be retained.
- 2.9. Where legal covenants affecting a property require a higher standard of fencing that standard will be adhered to.
- 2.10. Where the provision of other fencing is considered appropriate within the context of development or refurbishment schemes and in line with the Council's Crime and Disorder reduction obligations, then alternative fencing may be selected and approved within the scheme approvals. In such cases the Council will be responsible for the repair, maintenance and renewal of such fences to the standard installed.
- 2.11. Areas with intensive use, e.g. general estate grounds of blocks of flats will be provided with fencing appropriate to such areas, and this may include heavier duty metal or timber fencing appropriate to the needs of the estate.
- 2.12. Nuisance from dogs will not be regarded as grounds for exceptions to the policy. Dog owners will be responsible for the behaviour or containment of their animals. If dogs cause nuisance this will be dealt with using normal landlord powers under the tenancy agreement.
- 2.13. Hedgerows on and denoting boundaries are considered reasonable, and fencing will not be provided unless the hedge is dead. Alternatively, the tenant may request permission to remove the hedge and erect their own fencing at their cost. Maintenance of hedging to individual dwellings will be the responsibility of the tenant. Maintenance of communal hedges will be the responsibility of the Council.

### **3. Walls**

- 3.1. The maintenance of existing walls will be carried out through the responsive repairs service.
- 3.2. Service or through planned programme of works, any half-brick walls or walls found to be beyond economic repair will be removed and replaced with our standard fencing as above.
- 3.3. The erection of new boundary walls will in general only be considered as part of a capital investment or estate regeneration programme, unless in exceptional circumstances. Where necessary, planning and building regulation consent will be sought prior to the erection of a wall.

#### **4. Gates/gate posts**

- 4.1. Where front boundary fencing is provided a pedestrian gate and posts will be provided to match the fencing.
- 4.2. Where a rear access or alleyway exists a pedestrian gate and posts will be provided to match the fencing.
- 4.3. The Council will not provide vehicular gates.
- 4.4. Existing Gate posts will be repaired / renewed by the Council.
- 4.5. Where other or additional gates are desired or installed the policies as set out above for fencing will apply.
- 4.6. Existing Gates to communal entrances and service areas etc will be repaired where necessary by the Council.

#### **5. Paths / Patios / Drives**

- 5.1. In new developments and major refurbishments the Council will provide:
  - One parking space per dwelling on either an individual or communal basis
  - To individual dwellings a path from the highway to the main entrance door and a safe step or steps to other building entrances
  - To blocks and schemes a path from the highway or site entrance to each dwelling's entrance, fire escape, bin store or other facility.
- 5.2. The Council will not, save as set out in the disabled adaptations policy, provide additional patios, paths, hard standings crossovers or parking spaces
- 5.3. If a tenant or former tenant has created additional paths, patio, drive or surface of any kind the maintenance of these will be the responsibility of the tenant.
- 5.4. Where the Council is responsible for paths and surfaces it will maintain these in safe condition: for general purposes be free from trip hazards above 25mm, or 12mm at sheltered housing or elderly persons' housing. Where areas are a trip hazard the area around the defect will be patch repaired. Where a patch repair is not feasible the whole or a practical section of the area will be replaced.
- 5.5. Where a garden path, patio or other surfaced area that is not the responsibility of the Council and the tenant is unable, despite their best efforts, to appropriately address paving hazards the Council may carry out isolated repair works. Where the surface is beyond reasonable repair these will be removed and infilled with soil and grass seed.

**Policy review**

The policy will be reviewed every three years in consultation with tenant representatives, staff, Portfolio Holder responsible for Housing and other stakeholders unless there are any reasons, such as legislative or regulatory changes, requiring that it be reviewed earlier.



*Tendring*  
District Council



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# Empty Council Homes Management Policy

A.9 APPENDIX D

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December 2024



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### **Appendix A: Empty Council Homes Standard**

## **1. Overall Objective**

The purpose of this policy is to set out the way in which Tendring District Council's Building Services will control and manage empty (void) properties within its housing stock.

The primary purpose of the service is to provide decent homes to people in the community. Clearly this cannot be achieved by holding empty homes. Additionally, The Housing Revenue Account's (HRA's) primary source of income is rents, and therefore the number and duration of empty homes is a substantial factor in the affordability of services. The Empty Council Homes Policy must ensure that procedures are in place that reduce the length of time that a property is empty, containing this to within the 2% revenue loss modelled in the 30 year Business Plan.

The policy will ensure a forward looking and strategic approach to Empty Council Homes management that will: -

- Minimise rent loss through reducing the length of the empty period
- Minimise any repair costs and recharge in line with the recharging policy.
- Set out the Empty Council Homes Standard ensuring that all staff, contractors and tenants are aware of exactly what condition the council expects of its empty properties.
- Ensure that properties are let in a state fully in accordance with the standards
- Set in place systems for monitoring the standards of empty properties and customer satisfaction with homes.

## **2. Process for works to empty Council properties**

2.1 Promptly on receipt of keys from the Allocations Team, the surveyor will arrange for a key safe to be fitted to contain keys to the property and will attend the property to inspect it. If necessary a site clearance will be arranged and a re-inspection conducted. The surveyor will record the condition of the property and necessary works using the standard inspections form including photographic evidence. The surveyor will decide whether to progress with remedial works or to refer the property to managers for consideration within the Asset Management Plan and the Acquisitions and disposals Policy.

2.2 Unless a recent satisfactory survey is already held on file, before any work can be carried out a Refurbishment and Demolition (RAD) asbestos survey must be completed and received back from the asbestos company, appointed by the Council to complete this work. Where identified, all asbestos where practically possible, will be removed from the property. Any other asbestos containing materials shall be recorded on the database, encapsulated (if appropriate) labelled and recorded.

The initial or revised survey must be sent over to the appointed contractor(s) with the works order(s).

2.3 The Empty Property Inspection Sheet will be filled in complete including:

- Electric & Gas meter readings
- Asbestos survey
- Energy Performance certification
- Condition of the premises
- Required work
- Any recharges.

2.4 The Empty Council Property Inspection Sheet may be sent to the contractor(s) before the official order has been raised as a guide and aid to resource planning only.

A Surveyor will ensure that empty properties are checked against the planned works programme to make the most cost-effective use of resources.

2.5 The surveyor will raise orders with appropriate contractor(s) using the Oneserve system. The surveyor will monitor the progress and quality of works undertaken and ensure that appropriate service standards are adhered to, that any periodic tasks such as water flushing are completed and that certificates where required are issued.

2.6 Work carried out will be of high quality and in accordance with the Tendring Empty Council Homes Standard (see Appendix A). Costs for each job raised will comply with the schedule of rates (cost per job) or other pricing where this is not applicable, agreed with the contractor.

2.7 Tendring District Council Building Services will not sign-off the empty property as complete and ready for payment until all works on the original order have been completed to a satisfactory standard with all certificates present, such as Gas and Electric certificates.

2.8 Generally the contractor will complete all works specified on the empty homes sheet and order(s) before the property will be accepted as ready to let and signed off. However, there may be rare occasions when not all works will be completed prior to the new tenant taking up residency of the property. In these cases, a timescale for the works to be completed must be agreed with the tenant and a new works order raised.

2.9 The surveyor will record the condition of the completed property including: Meter readings and copious photos including of the meter readings where applicable and of all the property inside and out

2.10 The surveyor will ensure that all empty properties must have at completion:

- a RAD Survey,
- Gas and Electrical Certificates
- an up to date Energy Performance Certificate (EPC)

before they can be deemed as ready to be signed off and that these are saved and collated for inclusion in the tenancy pack.

2.11 When fully satisfied, the surveyor will arrange for the key safe code to be reset and the Allocations team notified that the property is ready to let. Wherever possible, the surveyor will give advanced notice to the allocations team that the property will shortly be handed over.

### **3. Standard of Repairs to Empty Council Properties**

3.1 Tendring District Council Building Services aims to identify and complete all necessary repairs to enable a property to be re-let as soon as possible.

3.2 All repairs will be completed to the Empty Council Homes Standard (see Appendix A) and to a high quality.

### **4. The property must be safe**

4.1 The Housing Health and Safety Rating System (HHSRS) is a risk assessment tool used to assess potential risks to the health and safety of occupants in residential properties in England and Wales. The legislation came into effect in England on 6 April 2006.

4.2 The assessment method focuses on the hazards that are present in housing. Tackling these hazards will make housing healthier and safer to live in. The surveyor will ensure, as far as reasonably practical, that the property is free from hazards due to the following, in accordance with the HHSRS: -

#### Hazard Profiles

1.Damp and mould growth
2.Excess cold
3.Excess heat
4.Asbestos and MMF (Man Made Fibres)
5.Biocides
6.Carbon Monoxide and fuel combustion products
7.Lead
8.Radiation
9.Uncombusted fuel gas
10.Volatile Organic Compounds
11.Crowding and Space
12.Entry by Intruders
13.Lighting
14.Noise
15.Domestic hygiene, pests and refuse
16.Food Safety
17.Personal hygiene, sanitation and drainage
18.Water supply
19.Falls associated with baths etc
20.Falling on level surfaces etc
21.Falling on stairs etc
22.Falling between levels
23.Electrical hazards
24.Fire
25.Flames, hot surfaces etc
26.Collision and entrapment
27.Explosions
28.Position and operability of amenities etc
29.Structural collapse and falling elements

4.3 The electrical installation will be tested and if found to comply with current electrical (IEE) regulations, the appropriate certificate will be issued. If, in the opinion of the inspecting officer, the installation is in such a poor condition, the supply will be isolated until urgent work can be completed. All repairs or upgrading will be completed within the works and revised certificate issued.

4.4 The Gas installation and any fixed appliances will be tested and certified safe and the appropriate certificate issued. If this is not possible, the supply will be shut off and the appropriate notice affixed until urgent work can be completed, all repairs or upgrading will be completed within the works and revised certificate issued.

4.5 Adequate ventilation for the safe use of any fixed combustion heating appliances must be ensured.

4.6 Fixed space and water heating appliances installed by the previous tenant(s), which are found to be safe, and in reasonable condition may be retained following testing.

4.7 Any abandoned electric or other portable appliance will be removed from the dwelling and disposed of. Showers over baths will be removed unless fitted as a disabled adaptation.

4.8 Any alterations/additions or installations that have been installed by the outgoing tenant will be removed if in the opinion of the inspecting surveyor they are not suitable or are unable to be cost effectively maintained by the council.

#### **5. The property must be reasonably clean.**

5.1 The property must be free from litter, debris, excessive dust and dirt and discarded or stored materials and equipment, this includes gardens, garden sheds, roof space, outbuildings and linked garage.

5.2 The property will, if appropriate, be treated for obvious signs of biohazard, pests, infestation or vermin. All sanitary ware will be left clean and disinfected.

#### **6. The dwelling must be in reasonable decorative order**

6.1 Property or individual rooms that are heavily soiled or where the decorations are substantially damaged by other works will be fully redecorated.

6.2 Graffiti will be obscured or removed.

6.3 Alternatively, where urgency dictates and where agreed with an incoming tenant, a decoration allowance may be given as an alternative in respect of the whole or of parts of a property.

#### **7. The dwelling must have adequate thermal insulation.**

7.1 Except where such work is identified as being included within a current or future planned maintenance scheme, insulation quilt (or equivalent) must be installed in the roof space of the dwelling to a thickness of 250mm, where appropriate, feasible and applicable.

7.2 All hot water cylinders are to have a British Standard insulation jacket fitted, where the cylinder is not pre-lagged.

7.3 All exposed or vulnerable pipe work and cisterns will be lagged to minimise the risk of freezing.

7.4 Property left empty in winter periods shall at the discretion of the surveyor and with regard to current or pending weather conditions be fully drained down to prevent freezing of pipework.

7.5 Refilling and flushing of systems will be undertaken prior to re-letting.

#### **8. Additional requirements for sheltered Housing units adapted properties.**

8.1 The dwelling shall be fully redecorated by the Council (except where the condition is considered satisfactory).

8.2 All appliances (such as cookers/fridges) supplied by the Council will have a "Portable Appliance Test" carried out and shall be clean and in a serviceable condition.

8.3 Showerheads will be fully dismantled, cleaned of lime scale and disinfected, and where taps require major overhaul or replacement, they will be replaced with lever handle type fittings.

### **9. Policy review**

9.1 This policy will be reviewed 5 years from the date of implementation, latest review date, or any change in legislation, which will be the date the policy is adopted by Cabinet, or earlier if deemed appropriate. In the event that this policy is not reviewed within the above timescale, the latest approved policy will continue to apply. In reviewing the policy, feedback from customers about their satisfaction with the quality and effectiveness of the servicing and repairs service will be considered.

## Appendix A

### Empty Council Homes Standard

<b><u>Plumbing</u></b>	
<b>Toilets</b>	Replace Toilet seats. Make sure pan and cistern are secure and free from cracks and chips, and that flushing mechanism operates correctly.
<b>Water Storage Tank</b>	Check Storage tanks for possible leaks, splits and make sure overflow is not running.
<b>Kitchen</b>	Check washing machine trap or install if not in place Sink unit should be clean. Taps: Renew with lever taps to bathroom and kitchen
<b>Bathroom</b>	Bath should not be chipped or split. Must be clean, have sealant intact and panel should be in place.
<b>Wash Hand Basin</b>	Should not be chipped or split. Must be clean and make sure that waste is showing no signs of leakage. Plug and chains are fitted to all sanitary ware
<b>Shower</b>	Shower to be checked, removed if unnecessary or over bath. Shower head to be renewed. Shower curtain to be replaced, with 2 if does not reach wall to wall and must reach the floor
<b>Outside Toilet</b>	Toilets to be removed externally where found.
<b>Tiling</b>	Should be clean, should not be cracked and there should be no missing or loose areas of the tiles. Where mould has been problematic it is likely to be found in either half or fully tiled in the bathrooms/kitchens.
<b><u>Electrics</u></b>	
<b>Light Fittings</b>	All fittings should be present and clean, there should be no kinks in any cables and no loose wires. Pull cords to be replaced. LED Enclosed fittings to be fitted in bathroom & kitchen.
<b>Socket</b>	Outlets: There should be no burn marks, sockets should be securely fixed to the wall and there should be no splits or damages on the outlets.  Double socket outlet to be fitted next to all TV aerial points, single sockets changed to doubles and 2 doubles to be in each room where possible.
<b>Switches</b>	Must make sure that the switches operate correctly, they must be clean and there should be no damage to switches.



<b>Extractor Fan</b>	<p>Must make sure grills are clean and that the fan works quietly when switched on. Extractor fans to be fitted in bathrooms and kitchens</p> <p>Cooker Make sure cooker panel operates, has no cracks and is free from heat damage.</p> <p>If cooker is below or near to window or no landing space either side, a new position for cooker must be arranged.</p>
<b>Smoke Alarm &amp; Carbon Monoxide alarm</b>	<p>All properties must have LD2 alarm systems installed;</p> <p>a. Radio LINK &amp; Alarm controller to be fitted to hallway</p> <p>b. Carbon monoxide alarm to be fitted in any rooms where there is a solid fuel burning appliance.</p> <p>c. Heat alarm to be fitted to kitchen (heat and co combined if gas in kitchen)</p> <p>d. Smoke alarm to be fitted to Lounge and all hallways.</p> <p>e. All alarms to be AICO 3000 Series</p>
<b>Cylinders</b>	<p>Thermostats and immersion heaters to be tested and replaced with the non-resettable type to conform to the current regulations.</p>
<b>Consumer Unit</b>	<p>Must ensure that the Consumer unit is a metal unit and surge protection device (SPD) is fitted all Residual Current Breaker with over current (Rcbo's), Residual Current Device (RCD) and Miniature Circuit Breaker (MCB) must be marked accordingly to be fitted to comply with current regulations.</p>
<b>Externally</b>	<p>All Electrics to be disconnected to outside sheds / garages unless suitably installed and to comply with current regulations. All DIY Electrics to be removed.</p>
<b>Storage Heaters</b>	<p>Electrics to be disconnected to outside sheds / garages unless suitably installed and up to current regulations, all DIY electrics to be removed.</p> <p>Should be clean and free from damage, controls should be present &amp; functional.</p>
<b>Main Entrance</b>	<p>Make sure that the locks on the front door &amp; communal doors operate correctly.</p> <p>Make sure patio &amp; rear door locks are changed and operate correctly.</p> <p>Ensure that safety glass toughened / laminated is present in front and back doors. If there is any doubt, then safety film should be fitted.</p>
<b><u>Joinery fittings</u></b>	
<b>Internal Doors</b>	<p>Ensure doors open and close smoothly. Make sure all handles are intact and operate correctly if self-closer fitted ensure closes properly.</p> <p>Ensure glass is sound to door and ensure glass is toughened / laminated. If there is any doubt then safety film should be fitted. Holes to doors to be filled where possible.</p>

<b>Thresholds</b>	Ensure all thresholds are in place, replace where missing.
<b>Windows</b>	<p>Must have clean opening mechanisms, sash cords and hinges are in good order. Windows must open and close with glass sound. Restrictors to be fitted to all first floors and above windows, plastic or wooden.</p> <p>Where window glass is below 800 mm, these must be safety glass or a safety film applied.</p> <p>Ensure handles are intact, operate correctly and lock where locking type fitted.</p> <p>Trickles vents to be present and in good working order.</p>
<b>Stairs</b>	<p>Must ensure handrail, newel posts and balusters are securely fixed with no more than 100mm gap between balusters.</p> <p>Ensure treads and risers are undamaged and free from splits.</p> <p>Stairs to be boarded in where ranch style rails are fitted.</p>
<b>Miscellaneous</b>	<p>Borrowed lights to be replaced with ply or toughened glass</p> <p>Curtain battens to be fitted above all windows.</p>
<b>Flooring</b>	<p>Floors must be clean and sound, ensuring kitchen and bathroom have sealant around edges.</p> <p>Laminate flooring to be removed on all first floors and above levels.</p> <p>Ceramic floor tiling to be removed and replaced with Camaro.</p> <p>Camaro flooring to be laid in kitchen and bathroom of all sheltered accommodation voids with Altro Aquarius flooring in wet rooms.</p>
<b><u>Heating / hot water</u></b>	
<b>Gas fire</b>	<p>Gas fires to be removed and fire surround/hearths removed with fire opening blocked up.</p> <p>Where a back boiler is fitted, this is to be removed and a new boiler installed. Any redundant back boilers which are left should be removed.</p>
<b>Central Heating Boiler</b>	<p>Must be clean, case should be undamaged; controls, timer etc. should be ok.</p> <p>Safety information sticker should be displayed</p>
<b>Hot water cylinder</b>	Remove all cylinders that are not foam lagged and replace with pre lagged cylinders
<b><u>Decoration</u></b>	

<b>Ceilings</b>	Should have no water stains, should not bow or show any major cracking and the finish intact.
<b>Walls</b>	Should have no water stains, no flaking / blown plaster and no dampness.  Wallpapered walls to be stripped and ready to receive decoration, this will depend on the condition. When kitchen refurbished, room will be fully decorated
<b>Woodwork</b>	Should be sound and clean.
<b>Mould/condensation</b>	Should be no signs of mildew or mould growth. Where found this must be cleaned and walls / ceilings treated with mould inhibitor.
<b>Asbestos</b>	Cold water storage asbestos tanks/ Cisterns must be removed from all empty Council properties.  Doors which have an asbestos backing must be removed and replacement door fitted.  If decorative textured coating is flaking, this should be tested if required and repaired, skimmed over or replaced.  Where damaged floor tiles are proved to have asbestos content. They are to be removed and latexes replaced. Composite floors if damaged to be tested where no records exist.  Where boxing is deemed to contain asbestos, these are to be removed replaced with ply or similar appropriate product for the area.
<b><u>Clearance</u></b>	
<b>Clearing</b>	The property must be free from litter, debris, excessive dust, dirt and discarded or stored materials and equipment.  Roof space to be checked and cleared of debris, rubbish or furniture. The property will be appropriately treated for obvious signs of biohazard, pests, infestation, needles or vermin.
<b>Cleaning</b>	Flooring to be thoroughly cleaned with disinfectant, Light fittings, switches sockets to be thoroughly cleaned. All sanitary ware and kitchen units to be disinfected. Window frames and internal mechanism to be cleaned.
<b><u>External</u></b>	
<b>Garden</b>	Grass to be cut to below 50mm high at the end of the empty period. Bushes, brambles to be cut back or removed. Ponds to be filled in at all empty properties.
<b>Paths</b>	Concrete paths to be free from trip hazards anything above 25mm, where areas are considered to be a trip hazard a strip either side of the cracked paths will be patched and repaired. Where the garden

	path or patio is beyond reasonable repair these are to be removed and infilled with soil and grass seed.
<b>Shed / outhouse</b>	Shed to be cleared or removed completely if less than sound condition.  Make sure roofs are sound and are free from leaks and damage, repair /replace damaged asbestos sheets. Make sure outhouse walls free from extensive cracking.
<b>Fencing, walls and gates</b>	Make sure fencing is secure and in reasonable condition. If boundary fencing beyond reasonable repair record it for future replacement..  When fencing replaced this will be to the fencing standard in the Council's Fencing and Paving Policy. Make sure boundary walls are safe and secure, rebuild or remove if any areas beyond reasonable repair. Ensure half brick walls taken down to height of 450mm minimum or remove completely.
<b>Gutters, Downpipes and Gulley's</b>	Ensure guttering has no apparent leaks, alignment has correct falls and stop ends, shoes, outlets, and downpipes are all connected. Ensure all external gulleys are unblocked and surrounds are sound.
<b>Miscellaneous</b>	<ul style="list-style-type: none"> <li>• Cut all concrete canopies above front doors and make good. Record where this is carried out.</li> <li>• Make sure pointing to damp course is in good condition.</li> <li>• Ensure loft insulation is to current standard.</li> <li>• Only in sheltered units fire safety notice to be secured to wall.</li> </ul>

## CABINET

20 DECEMBER 2024

### REPORT OF THE PORTFOLIO HOLDER FOR PARTNERSHIPS

#### A.10 COMMUNITY PROJECTS UPDATE

##### PART 1 – KEY INFORMATION

###### PURPOSE OF THE REPORT

To provide an update and seek Cabinet endorsement for an extensive range of community projects which support the Council's key priorities.

###### EXECUTIVE SUMMARY

A community projects update report was last provided to Cabinet in October 2022. This report, with a supporting e-brochure provides Cabinet with an update on the community project work that has been delivered by a number of teams over the past year, in many cases working with partner organisations. It also highlights projects that are currently being worked on, as well as setting out aspirations for the future.

The Council's Corporate Plan 2024-2028 places a strong emphasis on working positively with partners to improve quality of life, as well as raising aspirations and creating opportunities for adults, children and young people across the district.

To deliver this aspiration, a variety of community projects are currently, or have been undertaken under the following themes:

- Health and Wellbeing
- Education
- Community Safety
- Economic Growth, Culture & Leisure

In many of these projects, Officers have been instrumental in sourcing external funding, and the delivery of projects, whilst others have collaborated with a range of partners.

This report provides an overview of the projects which have been identified in accordance with the role of the Council, as a Community Leader. The Council is not the statutory provider for Education, Health and Wellbeing. However, through influence, bringing stakeholders and partners together to share and improve practices, there are a number of areas where the Council can offer support to Education and Health providers, and ultimately children, learners, patients and residents across the District.

With reference to the above themes, notable highlights include:

- **Community Safety** team in partnership with Essex Police; Anti-social behaviour (ASB) incidents; between 1 July 2023 and 5 September 2023, there were 72 ASB incidents in the Clacton town centre area. Between 1 July 2024 and 5 September 2024 there have been 60 ASB incidents. This is a 20% reduction compared to last year.

- **Crime & Disorder Strategy** to comply with the Crime and Disorder Act 1998 the Council is required to develop and deliver a Crime and Disorder Strategy. Work commenced in November 2024 with the Strategic assessment workshop to inform the development of the strategy. The associated report will be submitted to both Cabinet and Council by March 2025.
- **Health** – The 2021 Health Index Score for Tendring is 93, which shows a positive improvement when compared to the 2015 score of 88, and the figure is improving yearly, and this in a period when neighbouring areas are seeing declines. There have been notable increases in the three domain areas which the Health Index Score covers, healthy lives, healthy people and healthy places.
- **Education** – Tendring Future Skills Partnership (part of the Tendring Education Strategic Board):  
Working in partnership with the University of Essex Outreach team/NEE Integrated Care Board (ICB) and ECC’s Tendring Future Skills programme, the delivery of the **My Future, My Tendring** programme in primary schools, reached 3,168 children in 20 schools, featuring 18 employees, across 6 industry sectors. This project continues into the 2024/25 academic year.
- Working in partnership with the ICB and ECC, held two “**Step into STEAM events**” at the Town Hall in January & October 2024. Sixteen primary schools attended across these events, with workshops and interactive stalls on offer. Activities were themed around science, technology, engineering, arts and maths and twenty local organisations supported the event. With the aim of raising aspirations of Year 6 children in respect of future job roles and opportunities locally.
- **Wellbeing Hubs in primary schools** – a recent survey of current Hub schools (32 across Tendring & Colchester) showed that the number of ‘onward’ referrals to health services has significantly reduced for children who have attended the Hubs: -
  - 76% reduction of referrals to mental health provision
  - 54% reduction to paediatric referrals
  - 82% reduction of onward therapy e.g. ‘art therapy,’ and
  - 69% of children have shown improved attendance
  - 72% shown improved learning behaviours

The projects below will continue to form the subject of regular updates to the Portfolio Holder for Partnerships as well as the Community Safety Partnership and Health and Wellbeing Board.

#### **RECOMMENDATION(S)**

**It is recommended that Cabinet:**

- notes and commends the ‘Community Projects e-brochure’ and the work within it, delivered by the Council or working in partnership, demonstrating community leadership across the District; and**
- endorses the ‘further aspirations’ work within the ‘Community Projects e-**

**brochure’, noting that any financial commitment to progress these projects and programmes will be subject to future decisions.**

#### **REASON(S) FOR THE RECOMMENDATION(S)**

Within the Council’s Corporate Plan Community Leadership cuts across all the priorities. This report provides an overview of the range of projects being undertaken across the Council to support these in the period 2024/25.

#### **ALTERNATIVE OPTIONS CONSIDERED**

As part of its community leadership role the Council has delivered a number of projects as detailed in this report and supporting e-brochure. An alternative option which would not have seen this work undertaken was not considered as this would not so effectively have delivered the community leadership role.

However, in terms of individual items of work different options have been considered for example some of the decision making around the work undertaken has included Member working groups, or Portfolio Holder approval or approval from partners such as the North East Essex Health and Wellbeing Alliance.

### **PART 2 – IMPLICATIONS OF THE DECISION**

#### **DELIVERING PRIORITIES**

Within the Council’s Corporate Plan priorities for 2024 – 2028, there is a strong focus on education, health, community safety, economic growth, culture and leisure: -

- Pride in our area and services to residents
- Raising aspirations and creating opportunities
- Championing our local environment
- Working with partners to improve quality of life
- Promoting our heritage offer, attracting visitors and encouraging them to stay longer
- Financial sustainability and openness

Projects undertaken are assessed to ensure they align with the Corporate Plan for example the Tendring Education Strategic Board has aims which include improving education and supporting children and families which will help raise aspiration, create opportunities and uses a partnership approach to improve quality of life. The Wellbeing Hubs project has similar outcomes as well.

Economic growth work seeks to deliver some of those opportunities which our young people and those looking for work can aspire to, helps develop our environment and attracts more people to our area.

Similarly funding received from the Alliance has been used to for example support family solutions work, a fuel poverty officer and a housing benefits and early intervention officer which is also effective in working with partners to improve the quality of life and also creating

opportunity and raising aspiration. Community safety work also meets these priorities, and also provides an opportunity to make a safer environment to deliver greater pride in our area where people feel more secure and therefore able to access their place.

**OUTCOME OF CONSULTATION AND ENGAGEMENT** (including with the relevant Overview and Scrutiny Committee and other stakeholders where the item concerns proposals relating to the Budget and Policy Framework)

Each project requires different consultation and engagement depending on the stakeholders.

For example, health inequalities funding is approved at an Alliance Board level which has a wide variety of local partners and stakeholders involved to ensure effective use of resources to meet Council and wider partner objectives.

Tending Community Fund investments were also approved by a member group overseen by the Portfolio Holder for Partnerships so a wider view could be obtained to support the needs of the community.

**LEGAL REQUIREMENTS (including legislation & constitutional powers)**

Is the recommendation a Key Decision (see the criteria stated here)	No	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)	

Much of the project work undertaken involves the allocation or receipt of funding. It is important therefore that good governance procedures and formal decision-making requirements are followed to ensure effective use of public money and that external funding meets grant requirements.

In addition, the Council, in giving financial assistance, directly or indirectly, from public resources, which includes funds, must satisfy itself whether the support they are proposing to provide amounts to a subsidy under the UK subsidy control rules established under the Subsidy Control Act 2022 (“the Act”). A ‘subsidy’ is where a public authority provides support to an enterprise that gives them an economic advantage, meaning equivalent support could not have been obtained on commercial terms. This could include, for example, a cash payment, a grant, a loan with interest below the market rate or the free use of equipment or office space.

To enable the Council to assess whether the support they are proposing is a ‘subsidy’, as defined in the Act, it must apply a four limbed test. Financial assistance will be considered a subsidy where it satisfies all four of the ‘limbs’ of the test. Limb A is satisfied because the Council is a public authority providing financial assistance to external bodies.



The remaining limbs are as follows:-

- Does the financial assistance confer an economic advantage on one or more enterprises.
- Is the financial assistance specific, so provided to one or more, but not others.
- Whether the financial assistance is capable of having an effect on competition or investment.

The Council must have regard to the Statutory Guidance issued in November 2022, and updated in June 2023, by the former Secretary of State for the Department for Business, Energy & Industrial Strategy under section 79 of the Act. Recent case law has also confirmed that care should be given to the receipt of external funding into an organisation and how it wishes to use those funds, so as not to subsidise itself, to confer an economic advantage if delivering an enterprise (as defined in the Act).

All allocations of funding are therefore considered in relation to whether the Act applies. If funding does constitute a subsidy, then a subsidy scheme will usually be required to allow any payment unless exemptions apply.

How funding is allocated must be assessed against the requirements of the Act and whether it is subject to its provisions. For example, if a procurement exercise is undertaken through the market, because the Council is requiring the provision of services to be delivered, or there is an open call for bids to a fund, there is no distortive effect on competition as it is free for a wide range of organisations to apply. This will be the default position for the allocation of all external funding, this enables openness and fair opportunities, if a direct award is necessary an exemption with justification must be sought and documented.

External funding received will have overarching or detailed provisions for how the money is spent, either as detailed grant conditions in a funding agreement or, for example, via a Memorandum of Understanding and all spending must be in accordance with these provisions. Any external funding arrangements must be undertaken with proper record keeping as determined by the relevant scheme.

The Council's Constitution contains several rules and requirements to be complied with in respect of External Funding and associated decision making. For example, if the Council receives external funding, formal recorded decisions are required to formally accept the same, highlight the relevant Corporate Plan priorities, the conditions of doing so, and the implications on the Council with regards to governance and delivery.

Appropriate approval routes for spending must be obtained, if necessary, at an executive level, for example, via a Portfolio Holder decision, or consultation, and spending must also be supported by the relevant Officer decision(s).

The External Funding Review approved by Cabinet in September 2024 ([Public Pack](#))[Agenda Document for Cabinet, 20/09/2024 10:30](#) approved a high level approach and checklists for allocation of all external funding in future.

In terms of legal powers to receive and provide external funding this will depend on the service, scheme or grant being considered. In each instance, different legislation, guidance and requirements may apply and decisions associated with this must record these.

The overarching power to do some of this work where there is no other specific power is provided under the general power of competence within the Localism Act 2011 which give local authorities powers to do anything that individuals can generally do.

Reference must also be made to the most recent Best Value Guidance issued by the former Department of Levelling Up, Housing and Communities in May 2024 which refers to 2015 guidance which sets out clear expectations for Councils considering changing funding to local voluntary and community groups and small businesses.

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

Partnership and Community Engagement is one of the seven Best Value themes, as referenced in the Best Value standards and intervention: a statutory guide for best value authorities issued in May 2024, and described as follows:

*“Driving local economic growth, promoting social cohesion and pride in place is increasingly dependent on the effectiveness of partnerships and collaborative working arrangements with a range of local stakeholders and service users.*

*Authorities should have a clear understanding of and focus on the benefits that can be gained by effective collaborative working with local partners and community engagement. Partnerships can maximise opportunities for sharing resources, achieving outcomes and creating a more joined-up offer that meets the needs of residents and local service users. Stronger and more effective partnerships can also lead to better community engagement, for example working through partners to engage more effectively.*

*Appropriate governance structures should be in place to oversee these arrangements, and the process of consultation and engagement should be inclusive, open and fair. There are statutory requirements on local authorities to engage with Integrated Care Partnerships, Integrated Care Boards, Community Safety Partnerships, safeguarding adults and children’s boards, Youth Offending Management Boards and many others. There are also statutory best value requirements around consultation and on considering the social value of services when reviewing service provision. An inclusive approach that accepts challenge is an indicator of a confident organisation.”*

The statutory guidance, under each theme, refers to characteristics of a well-function authority and indicators of potential failure and as described above, ensuring the appropriate governance in partnership arrangements exists is key to successes. These governance considerations must also take into account those within the Council and its statutory duties with regards to decision making.

## **FINANCE AND OTHER RESOURCE IMPLICATIONS**

### **Finance and Other Resources**

The Council’s role in Partnerships is to influence, facilitate and in some cases deliver through partners. Each project is assessed on an individual basis to determine the role of the Council and what will have the most beneficial impact for residents. In some cases, funding opportunities are turned down because they are beyond the capacity within the Council, are not aligned to the Council priorities, or it is decided there are other partners that could deliver a more impactful delivery for residents.

The majority of the projects identified require partnership working (including officer time) to deliver. As well as lead officers, support will also be provided by key support teams within the Council including HR, Finance and Legal where required. Some projects are subject to external funding or partners' financial support. It is important therefore to ensure the Council is managing the financial risks, procurement processes, compliance as well as meeting any funding conditions for each project.

The Council has a statutory requirement to deliver against agreed priorities for its Community Safety work programme. (The Crime and Disorder Act 1998 places a statutory duty on a number of responsible authorities to work in partnership to reduce crime and disorder).

It is recognised that the Council does not have a specific statutory obligation in relation to Education, Health and Wellbeing. However, through its Community Leadership role, it does engage with partners in supporting and influencing improvements in these areas, as these are shared priorities between the Council as made explicit in its Corporate Plan and wider partners such as the Alliance which can only be effectively influenced by a wider partnership approach.

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

There are no further comments over and above those set out elsewhere within this report.

**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>Appropriate approval is obtained before undertaking projects including the available resources to undertake the work and any wider resource implications on the Council. This includes individual costed projects plans with key milestones and outcomes are agreed, reviewed, monitored, and reported on as required.</p>
<p>B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and</p>	<p>Executive Decisions and Officer Decisions enable the service to ensure that the correct governance is in place. Allocation of funding will also be in accordance with the high-level framework and checklists within the External Funding Review approved by Cabinet in September 2024.</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>This report is far reaching and identifies the linkages between a number of projects that support residents in Tendring and meets the requirements of the Corporate Plan. Feedback is provided on projects and evaluation undertaken where necessary.</p>

**MILESTONES AND DELIVERY**

Each project will work to specific delivery plan/milestones which may be set out as part of the approval process or allocation of funding.

Allocation of funding will be within a specific time period and therefore generates its own milestones for effective allocation. Delivery of all funding should also include a review to ensure the resources have achieved the aim of the funding or to understand what improvements could be made.

#### **ASSOCIATED RISKS AND MITIGATION**

There is a risk if funding is allocated without reference to the Council's objectives in the Corporate Plan, it may not meet the Council's aims, and similarly, funding needs to be allocated in a coordinated way to ensure it is consistent across the Council.

Other potential risks/key considerations are the Council's capacity to be able to deliver the project, as well as the sustainability of projects once funding ends.

Robust project management and effective partnership working to meet shared objectives will mitigate the risk of failure in terms of achieving a shared agenda and delivering against key milestones.

#### **EQUALITY IMPLICATIONS**

In line with the Public Sector Equality Duty, public bodies such as the Council must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, and victimisation, advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

An equality impact assessment may be considered for funding allocations to ensure that the proposals do not have a negative impact on the protected characteristics.

#### **SOCIAL VALUE CONSIDERATIONS**

The community projects undertaken provide an opportunity to address wider social value considerations and when assessing what work or projects are to be undertaken reference is made to those items which will deliver on broader social value. Although projects already deliver on some social value matters such as local employment for some of the posts such as family solutions officers or through the Essex Pedal Power scheme it is also important to consider what wider social value can be delivered beyond the core attributes of the project.

#### **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO**

Not all community project work will have an impact on the net zero goal however many of the projects are delivered at a very local level which can help address local concerns around a net zero approach for example, in providing support locally for people such as family solutions or around fuel poverty so people do not need to travel to obtain support, which may also be unaffordable.

#### **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**

Depending on the type of project delivered this may have an impact on crime and disorder so for example community safety initiatives seek to deliver improvements around crime and disorder in line with the priorities developed by the Tendring Community Safety Partnership.

##### **Health Inequalities**

Some of the work delivered is specifically addressed at responding to health inequality for example under Alliance funding which has a

	Memorandum of Understanding requiring that projects deliver around this. Wider projects which support the community and especially in deprived areas for example under community safety or economic development will also therefore address health inequality.
<b>Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)</b>	All allocations of funding must comply with the Subsidy Control Act 2022, either by being outside the Act, for example, via an open call process to allocate funding or if it constitutes a subsidy, it must be in accordance with a subsidy control regime.
<b>Area or Ward affected</b>	This will vary for each project and subject to agreed project outcomes.

### PART 3 – SUPPORTING INFORMATION

#### BACKGROUND

##### Education

The ongoing work to support the Education agenda aligns and supports both the Essex and the Tendring Children & Young People's Strategies. Tendring's priorities include ensuring children are safe, emotionally healthy, have positive futures and have access to good quality education, training and work opportunities.

Tendring's Children & Young People Strategy 2021 – 2024 identifies priorities for the children and young people of Tendring as follows: -

- **Feeling safe & connected to place**  
supporting young people to make the right choices and minimise risk taking behaviours
- **Improving attainment levels, enhancing skills, learning and career opportunities**  
creating opportunities for C&YP to learn and develop new skills and, improved educational outcomes
- **Enjoying active healthy lifestyles and good mental health**
- **Working to encourage active young citizens who have a voice**

A key priority has been to ensure effective partnership working, and that the Council continues to provide support, encouragement and commitment to working collaboratively with schools to improve school attainment levels, raise aspirations and opportunities for children and young people across the District.

##### Health

The Council has operated a Health and Wellbeing Board since 2013 to bring key partners together to work more effectively as a system to deal with the wider determinants of health that impact on residents.

In 2020, the Community Safety Partnership and Health and Wellbeing Board merged due to

the joint agenda they both were seeking to address, such as mental health, anti-social behaviour and violence. This was also in recognition of how the wider determinants of health impact on our population in a broad way encompassing community safety issues as well as health. Merging the Boards has further developed partnership working by expanding the breadth of partners working for a common goal.

The collaborative approach has seen partners providing funding to help address some of these wider determinants for example from the North East Essex Health and Wellbeing Alliance (the Alliance) and also from the Police Fire and Crime Commissioner. This has allowed investment in projects around housing, physical activity, mental health and safety in our communities.

The Alliance is developing a place based agenda which will focus on the wider determinants as a key area to support residents which will deliver outcomes and improvements for our communities and support the work of partners.

The Council has a key role to play in respect of the wider determinants of health and the developing place based approach. This recognises the importance of housing, physical activity, skills and employment and social isolation/loneliness as drivers of some of the poor health in our area, such as childhood asthma, hypertension, chronic obstructive pulmonary disease (COPD), frailty and suicide and the importance of the system working together in a co-ordinated way to address these.

The ongoing success of work with Family Solutions, addressing housing issues in Jaywick and improvements in physical activity for example, Essex Pedal Power and Beat the Street demonstrates the value of joint working with partners to deliver effective outcomes.

In particular this has led to an improvement in the Health Index score for Tendring. The Health Index provides a single value for health that can show how health changes over time. A score of over 100 indicates better performance when compared to the England 2015 position. A score below 100 indicates a worse performance.

The 2021 Health Index Score for Tendring is 93, this shows a good improvement when compared to the 2015 score of 88, and the figure is improving yearly and this in a period when neighbouring areas are seeing declines. There have been notable increases in the three domain areas which the Health Index Score covers, healthy lives, healthy people and healthy places.

### **Community Safety**

Crime and Anti-Social Behaviour prevention is not the sole responsibility of any one public service but of all agencies and communities. The success of dealing with the complex challenges faced in Tendring needed innovative solutions. Essex Police and Tendring District Council worked together to develop a Hub approach where partners could be co-located to share formal and informal information, this Hub is now located within Tendring District Council Offices. An analysis review of overall recorded crime, together with an evaluation of responses from public engagement, identifies the key priorities for the Tendring Community Safety Partnership 2024/25. Key priorities were identified as follows: -

### **Tackling ASB and The Root Causes including Hate Crime:**

Identifying and supporting repeat and vulnerable victims. Identify hotspot locations and / or increases in ASB trends. Anti-Social Behaviour affects families and communities and by

addressing these activities we can help improve the quality of life in the community. Improve perceptions and facilitate local problem solving to address issues.

### **High Harm Violence:**

Domestic Abuse, Sexual Offences including Rape, CSE, Gang related violence, Hate Crime, Cyber bullying / grooming, Serious Organised Crime to include Modern Day Slavery, Human Trafficking and Violent Extremism, Violence against Women and Girls (VAWG), Drug Driving Violence.

### **Emerging Threats and Trends:**

Identifying hotspot locations, and / or increases in crime trends. Work with partner agencies to raise awareness of Knife Crime, Speeding, Possession and Trafficking of Drugs across the district. The fear of crime, whether real or perceived, can also have a very serious impact upon people and communities.

### **Reduce youth offending and re-offending of adults and young people**

Reduce youth offending and reoffending of adults and young people, thereby reducing instances of residential (dwelling) burglary, most serious violence, personal robbery and drug offences.

Reoffending affects families and communities and by reducing it we can help increase community cohesion and improve their quality of life. The fear of crime, whether real or perceived, can also have a very serious impact upon people and communities. Reducing reoffending can help build safer communities and increase public confidence in the criminal justice system.

Underpinning the above strategic priorities will be effective partnership working, the partnership will also work together to meet emerging local threats and trends.

This will be achieved by sharing information and data to identify emerging issues, working together to devise and deliver local solutions and targeting resources accordingly.

### **Crime & Disorder Strategy**

In order to comply with the Crime and Disorder Act 1998, (section 5 & 6), the Council is required to formulate and implement a Crime and Disorder Strategy. Work commenced in November 2024, with the Strategic assessment workshop, which informs the development of the strategy. The associated report will be submitted to both Cabinet and Council by April 2025.

### **Economic Growth & Leisure**

Community projects undertaken by the team tend to have an economic focus, for example the emerging Creative & Cultural Strategy, which highlights the opportunities for job creation and business growth in this sector across the district.

The Tendring Cultural Education Partnership (TendringCEP) is an exciting partnership that supports children and young people to fulfil their creative potential and access high-quality cultural experiences where they live, where they go to school, and where they spend their free time.

Working in partnership with Tendring District Council, Royal Opera House Bridge and Arts Council, TendringCEP is a growing group of organisations that work together in partnership to nurture creative and cultural education for all communities in Tendring.

**PROJECTS**

The Community Projects e-brochure (attached) provides details of specific projects which have/are currently being undertaken across the Health & Community, Economic Growth, Culture and Leisure and Community Safety teams. All projects support the corporate priorities, and a commitment to working together to ensure the best possible sustainable outcomes for our residents.

**PREVIOUS RELEVANT DECISIONS**

[Issue details - Cabinet Members' Items - Report of the Partnerships Portfolio Holder - A.2 - Update on Community Projects](#)

The External Funding Review approved by Cabinet in September 2024 ([Public Pack](#))[Agenda Document for Cabinet, 20/09/2024 10:30](#) approved a high level approach and checklists for allocation of all external funding in future.

**BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None

**APPENDICES**

Appendix 1 – Community Projects E-brochure – Dec 2024

**REPORT CONTACT OFFICER(S)**

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*Tendring*  
District Council



# COMMUNITY PROJECTS

December 2024



# Foreword

## Welcome!

“ In Tendring, we place a strong emphasis on working positively with partners to improve our quality of life, as well as raising aspirations and creating opportunities to make a sustained difference for adults, children and young people across the District.

Through our community leadership role the Council is making a difference together with our partners, to both our residents and businesses in Tendring supporting health, skills and education, economic growth, culture, leisure and community safety. This brochure provides a snapshot of the many exciting projects the Council is involved in, either delivering ourselves or working with others to do so.

It highlights a diverse range of projects, with a continued emphasis on early intervention, prevention and improving the wider determinants of health in our communities.

Thank you to all partners for their continued commitment and support for improving the outcomes for adults, children and young people across the District. We look forward to continuing with this valuable work and delivering future projects. ”



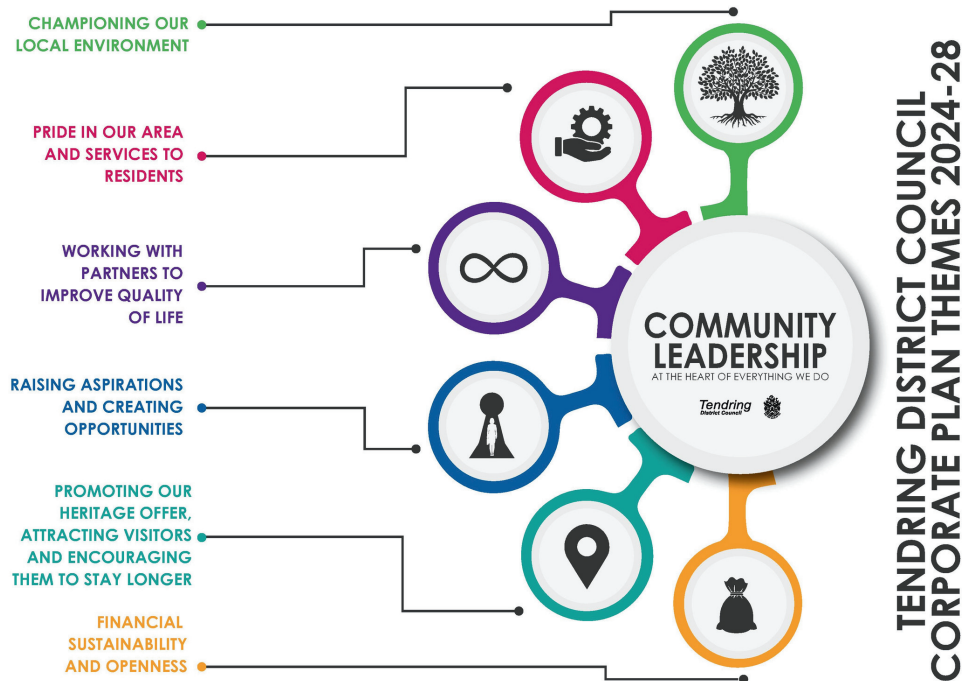
**Councillor Gina Placey**  
Portfolio Holder for Partnerships  
Chair of the Community Safety Partnership & Health and Wellbeing Board

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# Introduction

Within the Council's Corporate Plan for 2024 – 2028, there is a strong focus on working with partners to support our key priorities which include improving quality of life, raising aspirations and creating opportunities for adults, children and young people across the district.



This e-brochure provides an overview of a broad range of exciting community projects which have or are currently being delivered across the Council under the following themes:

- Health and Wellbeing**
- Education**
- Community Safety**
- Economic Growth/Tendring Education Partnership**

Whilst the Council is not the statutory provider for Education, Health and Wellbeing; through influence, bringing stakeholders and partners together to share and improve practices, there are a number of areas where the Council can offer support to Education and Health providers, and ultimately children, learners, patients and residents across the district.

# Health & Wellbeing

## Introduction

In 2020, the Tendring Community Safety Partnership and Health and Wellbeing Board merged due to the joint agenda they both were seeking to address, such as mental health, anti-social behaviour, domestic abuse, violence against women and girls (VAWG) and youth offending. This was also in recognition of how the wider determinants of health impact on our population in a broad way, encompassing community safety issues as well as health. Merging the Boards has further developed partnership working by expanding the breadth of organisations working for a common goal.

The Council has a key role to play in addressing the wider determinants of health. This includes developing a place based approach which has a clear recognition of the importance of housing, physical activity, skills and employment and social isolation and loneliness as drivers of some of the poor health in our area such as around childhood asthma, hypertension, chronic obstructive pulmonary disease (COPD), frailty and suicide and the importance of the system working together in a co-ordinated way to address these.

The ongoing success of work with Family Solutions, addressing housing issues in Jaywick and improvements in physical activity for example, Essex Pedal Power and Beat the Street demonstrates the value of joint working with partners to deliver effective outcomes.

## What Has Been Delivered?

### Public Health - Essex Pedal Power

Essex Pedal Power is one of the flagship programmes of the Essex Local Delivery Pilot (LDP). The scheme provides free bikes to residents in the county's most disadvantaged communities, to significantly increase cycling, active travel and physical activity levels. Working together with Essex County Council, The Active Wellbeing Society (TAWS) and other key partners, this inclusive programme aims to make cycling accessible for everyone providing access to employment, training and educational opportunities and key local services.

EPP funding has been used to purchase the bikes and for the recruitment of co-ordinators, paid bike mechanics and volunteer expenses. Other costs associated with running the project include bike building/maintenance equipment, the hire of storage spaces and offices, bike maintenance courses for volunteers as well as booking Essex Highways instructors to teach people how to ride a bike safely.

### Clacton & Jaywick (October 2024)

- 95.2% bike applications from those living in Index of Multiple Deprivation(IMD) areas 1-4
- 1,488 bikes given away
- 1,311,196 total minutes active
- 704 males have received a bike
- 704 females have received a bike
- 5,578 hours logged by 24 volunteers



## Harwich & Dovercourt (October 2024)

- 74.3% bike applications from those living in IMD areas 1-4
- 771 bikes given away
- 56,059 total minutes active
- 359 males have received a bike
- 417 females have received a bike
- 2 transgender people have received a bike
- 5 non-binary/non-conforming people have received a bike
- 1,471 hours logged by 16 volunteers



## Wheels for All

The Wheels for All project provides cycling opportunities for people with disabilities and long-term health conditions across Tendring.

Wheels for All participant Deborah recently achieved an incredible milestone on her recovery journey. Since June 2024, she has been cycling with Wheels for All to regain strength, stay active, and support her recovery following a stroke. When she started, Deborah completed 6 laps (1 mile) of the accessible pathway at Sailship Training and Learning for Life, Clacton. On 19th September 2024, she accomplished 24 laps—covering 4 miles on an one adapted cycles.



## Active Outdoor Gym - Holland-on-Sea

The Active Outdoor Gym opened in November 2024. It is designed to improve strength and balance and help to prevent falls or aid rehabilitation. Funded by Sport England as part of the Local Delivery Pilot; the functional nature of the equipment means that anyone regardless of age or ability will be able to benefit from the gym which supports The Essex Healthy Weight Strategy.



## The Dig4 Jaywick Community Garden Project

Situated in the Brooklands area of Jaywick, the Dig4 Jaywick Community Garden was formed in November 2011. There is a constituted group involved in the project and Tendring District Council supports them via volunteer recruitment, funding applications and partner involvement together with the day to day running of the garden.

The overall aim of the project is to promote the benefits of community gardening by working with the community, appropriate statutory agencies, voluntary organisations and the general public to provide facilities for recreation and education. The garden encourages involvement by the community and external partners such as: Market Field College, Beth Chatto Gardens, Brooklands Community Supermarket, Brooklands Nursery, Friends of Jaywick Martell Tower and the University of Essex – Work Insight Project.

## The Tendring Junior Ambassador Project

Funded and delivered by Tendring District Council, the project was developed in response to a rise in hate crime in the Tendring area, particularly racial, and supports cultural safety which is important to the Council. Through the medium of the Arts, the project serves to encourage an awareness of cultural diversity and to learn to respect each other's cultures and values. Year 5/6 primary school children take part in a series of cultural workshops during a six week programme, followed by a celebration event that sees the children performing songs, recitals and poems at the Princes Theatre Clacton-on-sea.



## Community Support Employment Officers (CSEO)

Funded by the Department of Work and Pensions (DWP), the officers support unemployed people in the Clacton and Harwich area, who have a series of complex needs, to take steps back into employment.

Through this level of in-depth engagement, the data so far evidences the success of the work that the CSEO's have been involved in:

- Number of participants engaged with: 711
- Number of participants started within the year: 325
- Number of participants who have left the case load: 113
- Number of participants who have received a social justice outcome: 289
- Number of participants who have found employment in the year: 19

## Networking Groups

Currently three networking groups are supported by the Community Development Manager. These meetings are held four times a year. Collectively, the groups consist of 250 representatives from organisations such as: NHS, ECC, Essex Police and Fire Service, DWP, Essex Libraries and Barnardo's, Open Road, Citizens Advice Tendring, Community Voluntary Services Tendring and Phoenix Futures who share information on the work that they are currently involved in.

## Tendring Community Fund

The Tendring Community Fund aimed to support a range of interventions to build upon, increase or improve existing activities to work with residents and local communities who are most in need. The broader aim is to reduce social isolation and disadvantage together with increasing opportunities and quality of life outcomes. The Tendring Community Fund had a total pot of £356,000 available as well as an additional £100,000 available for organisations to support communities with the impact of the cost of living. A total of 55 grants have been awarded to organisations across Tendring.

### Harwich Town Residents Association – Time and Tide Bell

The Time and Tide Bell in Harwich is one of eleven Time and Tide bells around the country which are part of a unique national public art network and the most geographically widespread permanent artwork relating to climate change in the country. The aim of time and tide bells is to celebrate and reinforce connections in local communities, between different parts of the country and connections with land and the sea, between people and their environment.

Numerous community groups, businesses and individuals have been involved in championing the bell, from Harwich Haven Authority, to the Alma, to museum and schools. The bell was installed in 2022 and an inauguration ceremony held during Shanty Weekend 2022. The inauguration was undertaken by Cllr Ivan Henderson, then Mayor of Harwich Town Council, on 9th October 2022. More than 150 people attended the ceremony and there were activities for children and a special shanty was written and performed on the day.

A film about the bell can be viewed here:

<https://www.timeandtidebell.org/a-conversation-about-the-new-bell/>





Since that time, the bell has become an attraction for locals and visitors alike with many people posting photos and comments online:

**“I think it’s lovely and always make sure I walk along there to see it when in Harwich. Love hearing it ring.”**  
Vicki, Time and Tide Bell Facebook page July 2023

**“We love to go and see it. My family from Somerset want to see it.”**  
Christine, Time and Tide Bell Facebook page July 2023

Being part of the bell network has also been a catalyst for bringing additional funding into Harwich for other activities. This includes the Coastal Connections project where younger and older residents were asked about their experiences of living by the coast. This has been turned into a listening trail along the shoreline and an online interactive map of Harwich. The project was launched at the Electric Palace Cinema on 22nd September 2022, attended by school children from three local schools and many of the adults who participated in the filming.

### **Little Oakley Parish Council - Oakley Coronation Park**

Little Oakley Parish Council (LOPC) received a Tendring Community Fund grant to purchase and install play and recreational equipment in Little Oakley. LOPC have identified, negotiated and agreed a lease of a vacant area of scrubland at the end of Lodge Road from Essex County Council. The village of Little Oakley has a deficit of -1.08 hectares of equipped play/open space and this project will mitigate that deficit and provide a holistic space for the community.



## Lads Need Dads - Reading Mentor Programme

The Reading Mentor programme was a three-month intervention that took place during school hours. Trained male reading mentors were matched to boys and met with them up for one hour a week. The session consisted of a check-in to teach emotional literacy and enable the boys a safe space to discuss any concerns or worries and identify feelings, followed by the mentor reading to the boy and if comfortable, the boy would volunteer to read to the mentor. The session would end with a game such as top trumps, a quiz or a puzzle etc.

Feedback from a teacher about the reading mentor programme:

“The volunteers don’t quite realise the impact they have on these boys. They really have been strong role models. I know it’s not just about the reading but to have a male read to them shows them that it’s not a ‘geeky’ thing to do. Thank you.”

From a boy who took part in the programme:

“The reason I like talking about emotions is I can understand friends’ emotions now...and I can help them. They don’t need help if they’re happy but if they aren’t happy, I can help them by telling a teacher...or leaving them alone.”

Words from a mother:

“He loves reading, he loves his mentor, he looks forward to their sessions, he appreciates the time he is given by his mentor who volunteers. Thank you for everything – it has been life changing for my son.”

Feedback from a mum of a boy who just completed the reading mentor programme:

“I want to say how much I love the concept of Lads Need Dads, my son has struggled with his anger a lot in the past but seeing Richard as really made an impact on this and he has learnt to deal with feelings better.”

The Reading Mentor programme was run across 13 Primary Schools in Tendring:

- Alton Park – Clacton
- Brightlingsea Juniors
- Cann Hall – Clacton
- Holland Haven
- Kirby Primary
- St Clare’s - Clacton
- St Osyth
- Walton Primary
- Whitehall Academy – Clacton
- Chase Lane – Harwich
- Harwich Community – Harwich
- Mayflower – Harwich
- Spring Meadow – Harwich

24 Year 6 boys took part (aged 10/11 years) and 24 successfully completed the Reading Mentor Programme. 13 volunteer mentors were recruited, trained and deployed to the schools.

# What Are We Working On?

## Fuel Poverty Officer

In post since November 2023.

The majority of clients supported are from the Clacton and Jaywick postcode area, with 70% either retired or unemployed with a range of health conditions. The Fuel Poverty Officer delivers impartial and accurate advice and guidance to Tendring residents facing financial hardship with respect to fuel poverty. They provide comprehensive and accurate advice on welfare benefits, debt, fuel poverty, energy efficiency and housing measures using a casework approach. They carry out in depth benefit and income checks and ensure income is maximised through take up of appropriate welfare benefits and grants. Clients have been referred to a range of energy efficiency schemes available as well as the local food and fuel voucher scheme to address immediate need. There are a range of close links to CVST's winter warmer support and referrals to the Jaywick Healthy Homes Team who are based nearby.

- 16 sessions
- 40 clients
- c. 70% from CO15, 20% from CO16
- 60% homeowners, 30% private tenants
- 40% retired, 30% unemployed
- Multiple health conditions
- Reaching at least 70 residents including 18 children
- 17 referrals to EcoFlex grant scheme
- 1 referral to HUG 2
- 5 referrals to Green Doctor
- Vouchers, LED bulbs, household items, referrals
- Benefit checks (pension credit, housing) & debt advice
- Fuel & food vouchers referral
- Referrals to the Jaywick Healthy Homes team

## Housing And Benefits Intervention Officer

As part of the multi-disciplinary team the Housing & Benefits Early Intervention Officer supports clients with emergency housing issues, housing assessments and interviews, opening bank accounts and budgeting, referrals to TDC for homelessness issues & housing register applications, finding secure and affordable housing, maximising family incomes, providing basic debt advice and supporting victims of domestic abuse secure safe housing in accordance with the Domestic Abuse Act 2021. Housing and benefits support has been a hugely successful addition to the team and this specialism supports at least 72% of referrals Over 60 of these cases have been homeless or on the brink of homelessness.

Positive outcomes achieved for families have included improved and stable housing conditions, improved stability through increased income from benefits, a reduction in mental health issues, risk of suicide, gang involvement, self-harm, poor social interaction, drug and alcohol issues, the risk of child exploitation and children returning home after being in care. The University of Essex evaluation has demonstrated the positive impact that the addition of this role in the multi-disciplinary team (MDT) has already had and the outcomes achieved for families.

## Public Health Activity

We are working with Essex County Council to look at how public health in districts can have input into Health Impact Assessments, in order to address the wider determinants of health. Essex County Council supports the Heathier Habits Hub project team in Essex to deliver hubs in Jaywick and Clacton. As a district we attended the Mental Health Collaboration Workshop to understand issues that partners are facing and how North East Essex can start to support those with poor mental health, but importantly look at ways to build resilience to prevent people needing support.

### Aspirations For The Future

- ➔ Active Essex have recently submitted a bid for Sport England Deepening funding. If successful, this funding will allow Tendring partners to build upon the successes and learnings of the Local Delivery Pilot. The investment will achieve continued impact across multiple Essex-wide systems, in particular public health, the voluntary and community sector, active travel and sustainable transport, active environments including the planning system, criminal justice, adult and children's social care and schools and education. The deepening proposal for Tendring focuses on the areas that will have the greatest impact on tackling physical inactivity. The four proposed areas for deepening are:
  - Health
  - Active Wellbeing and Active Travel/Environments
  - Empowering Communities
  - Positive Experiences for Children and Young People
- ➔ Among the proposals for Tendring is a bid for match funding for a Sport & Activity Manager for Tendring who will support the delivery of TDC's Sport and Leisure strategy. Other aspirations include:
- ➔ Continuation of the Community Support Employment Officers roles for a further 2 years.
- ➔ Funding application to the Arts Council for a further 2 years to run the Tendring Junior Ambassadors Project.
- ➔ To work with partners in the Mental Health co-production team in the process of mapping and setting up some frameworks and joint ways of working with people with lived experience across Suffolk and North East Essex.
- ➔ Once adopted, to deliver the projects identified in the forthcoming Health and Wellbeing Strategy and to continue to build close relationships with system partners.

# Community Safety

## Introduction

The key priorities for the Community Safety Partnership are agreed by an analysis /review of overall recorded crime, together with an evaluation of responses from public engagement. The key priorities for the Tendring Community Safety Partnership 2024/25 are as follows:

- **Tackling anti-social behaviour and the root causes, including hate crime.**
- **High Harm Violence** – including domestic abuse, gang related violence, cyber bullying / grooming, human trafficking and violent extremism, violence against women and girls (VAWG), Drug Driving Violence.
- **Emerging Threats and Trends** - identifying hotspot locations, and / or increases in crime trends, to raise awareness of knife crime, speeding, possession and drug trafficking across the district.
- **Reduce youth offending and re-offending of adults and young people.**

Underpinning the above strategic priorities will be effective partnership working. A variety of community projects are agreed and funded by the partnership to support these priorities.

## What Has Been Delivered?

### Community Safety Hub

Crime and Anti-Social Behaviour prevention is not the sole responsibility of any one public service but of all agencies and communities. The success of dealing with the complex challenges faced in Tendring needed innovative solutions. Essex Police and Tendring District Council worked together to develop a Hub approach where partners could be co-located to share formal and informal information, this Hub is now located within Tendring District Council offices. The Hub has gone from strength to strength and is now regularly housing partners from various organisations within the Community Safety Partnership (CSP).

### Essex Police - Operation Gingerbread

Involves the Police and council officers undertaking joint patrols in peak holiday periods to tackle anti-social behaviour and street drinking by working together with partners patrolling in Clacton Town Centre, Jaywick, Frinton and Walton. Over the last three years data shows that high harm increases during July and August. In 2023 with CSP funding Essex Police dedicated 250 hours of foot patrol in Clacton Town Centre and during this time the Public Space Protection Order powers were used over 40 times along with several arrests. 25 incidents of disorderly behaviour were attended and 10 intelligence reports were made in relation to drugs.

## Investigating Countryside and Angling Research Projects (ICARP)

ICARP delivered fishing sessions to 40 young people through the Community Safety programme. The first few sessions identified 4 participants that demonstrated the potential to embrace the programme. The young people came from complex family backgrounds with a lack of positive role models in their lives. They were able to engage with the coaches and saw them as a positive person in their lives, which in turn helped to break down some of the challenging behaviours the young people were displaying.

As the participants progressed through the programme, they had the opportunity to become mentors/coaches for the remaining sessions, and committed to taking the Level 1 course in Angling.



## Next Chapter

The Community Safety Partnership funded a Children & Family Practitioner to co-locate within the police station for 1 day a week for 12 months, to accompany Police Officers responding to post-incident reports of domestic abuse incidents. They attend appointments with Officers to provide advice and guidance to the victim of domestic abuse at the incident. They also provided office-based advice and support to Officers who are investigating domestic abuse incidents involving children.

## The Panna Boss

This project aimed to reduce crime rates in particular anti-social behaviour in Clacton town centre through engaging with teenagers to provide a positive activity, whilst influencing and preventing them from making poor choices. The project engaged with 229 young people and 37 adults over 20 weeks throughout Summer 2023. They created a safe space in which teenagers could regularly return each week, learning street football skills and growing as individuals. Family members also attended to support their young people.



## Community safety days/nights of action

The Community Safety Team delivered four days/nights of action using serious violence data to target specific areas. Targeting areas with crime prevention advice with property marking packs, leaflets and comms packs, and tackling drink spiking in the night-time economy.



## UTurn2Sport

UTurn2Sport project is a 36-week programme focused on engaging hard-to-reach young people 'at risk' of being involved in anti-social behaviour and criminality, aged between 10 – 18 years in active sports, coaching and mentoring. The sessions commenced at the start of the summer to encourage the involvement of young people when anti-social behavioural offences are more likely to be committed due to the school holidays. Additionally, the sessions will follow on from UTurn's Night-time Economy programme, whereby young people will be encouraged onto the UTurn2Sport programme through engagement with UTurn staff during these night-time sessions.

Cohort 1 -10 YP signed up to the programme

Cohort 2 - 9 YP signed up to the programme

Cohort 3 -11 YP signed up to the programme

Cohort 4 -10 YP signed up to the programme

All the young people that completed the course were able to make positive choices and gain an increased awareness of their personal safety, an increase in self-esteem and confidence and improved physical and mental wellbeing.

## Youth Unity

Youth Unity delivered a Serious Youth Violence (SYV) and Exploitation Mentoring Programme, which supported 15 young people in Tendring who are either at risk of becoming involved in crime, criminally exploited or already in the criminal justice system.



### What Are We Working On?

Community Safety Projects 2024/2025

## Essex Police - Operation Esplanade

Operation Esplanade involves the Police and Council officer undertaking joint patrols in peak holiday period to tackle anti-social behaviour and street drinking. The patrols focused on Clacton Town Centre, Jaywick, Frinton and Walton.

So far there have been over 200 hours of dedicated foot patrol in Clacton Town Centre at key peak times every Friday/Saturday and Sunday during the months of July and August. Powers under the Public Spaces Protection Orders have been used over 44 times during this period. This involves dispersing street drinkers, removing alcohol and dealing with ASB. Over 10 arrests have been made in relation to disorder and shoplifting. 12 Stop and Searches were also undertaken during this period.

## Essex County Fire and Rescue Service - Firebreak Respect

This project engaged 12 young people with the aims and objectives of reducing reoffending and understanding restorative justice. The cohort also participated in gang and domestic violence awareness training. Sessions were also delivered on positive relationships including safe sex, anti-social behaviour and the impact of drugs & alcohol misuse. They also learnt about community engagement and the duties undertaken by a fire fighter.

## CARA – Centre for Action on Rape and Abuse

In 2023, 365 referrals from Tendring residents were received including 58 young people (aged 13-17) and 20 under the age of 12. CARA can provide services to clients including an ISVA (Independent Sexual Violence Advisor) who provides support through the criminal justice system, advocacy, and emotional support.

The funding supported 200 therapy sessions.

## Drugs Bus Resilience Voyage

The Drugs Bus project engaged with five schools across Tendring: Manningtree, Tendring, Clacton Coastal Academy, Clacton County High, and Harwich. The project provided 5 whole day events at schools which equated to 5 one-hour sessions in each school, educating each year group around Drug and Knife Crime.



## Young Person's Crucial Crew

Young Person's Crucial Crew is targeted at Year 6 children to support their transition to secondary school. It aims to help children recognise an exploitative friendship or relationship via a powerful live performance and an interactive workshop that empowers young people to explore issues with resilience and confidence.

The Crucial Crew programme will be delivered to schools in March 2025, and will convey multiple messages on various subjects such as weapons awareness, child exploitation, grooming, county lines, peer pressure, bullying and online safety.



## BoxSmart ‘On the Ropes’

Box Smart is a referral-based youth intervention project aimed at young people 11-16 years, which will be delivered in Jaywick Sands. The project operates over 12-weeks with opportunities for young people to have access to local sporting activities, volunteering and qualifications, with the aim to continue their engagement post course.



## Ask for Angela

This project delivers training to night-time entertainment venues, to ensure they understand what appropriate assistance is needed, if someone “Asks for Angela.” The training is provided to all pubs and clubs in Clacton on how to respond if someone is being harassed, followed or receiving unwanted attention. Staff can provide support and assistance to remove them from the situation and leave the establishment.



## Street Action Days

During the last year, the Community Safety team and partners conducted several residents' engagement events which were statistics and intelligence led. Up to 886 doors were reached and 396 residents were engaged. Working with other Community Safety partners and elected representative(s), the team listened and solved residents' issues on-the-spot and made over 70 referrals of residents' concerns for detailed attention to specialist agencies as appropriate.

## Jaywick Week Of Action

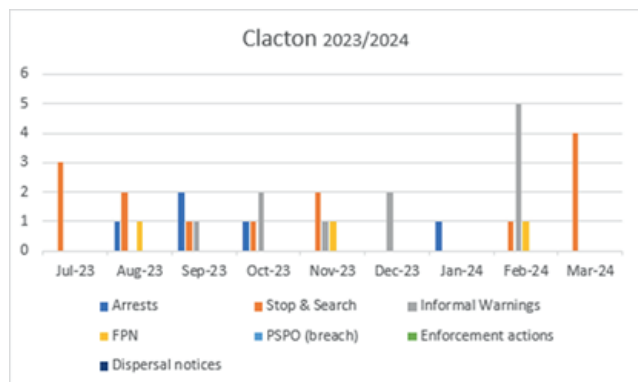
**Operation Dial Patrols** are undertaken by the two Community Ambassadors for Jaywick and Clacton Town Centre. Both areas are patrolled for each week across the year.

During 2023 across Clacton 250 additional Op Dial hours were conducted. The patrols are in line with the Governments ASB plan 2023. Clacton (Percy King Estate) was the hotspot area in 2023. Jaywick and Pier Ward are our hotspot areas in 2024, to date to the end of Sept 2024, there have been 220.5 patrol hrs in Clacton and 169.25 patrol hrs in Jaywick. These are additional patrol hours over and above the normal business patrols.

## National ASB Awareness Week

1st – 7th July 2024

2 Community Engagement events: 1x Clacton and 1x Walton or Harwich – daily media feeds



The Ambassadors also supported Essex Police with various Operations for example Op Henderson (Child Exploitation) Op Stronghold (Anti-Social Behaviour) Op Lester (Drink Spiking Campaign).

4th June and 17th July – Multi Road stops for traffic related offences, taxi checks (TDC Licensing Team), Waste Carriers licence checks (Environment Agency).

## Youth Unity – Youth Club

Youth Unity provide a safe space where young people can come to play, relax, and release pent-up energy. This welcoming environment allows them to unwind and engage in recreational activities while being surrounded by supportive peers. Additionally a dedicated team of trusted adults is available to listen to their concerns, offer guidance and provide the support they need. This combination of safe play areas and accessible, caring adults helps to foster a sense of security and community, encouraging young people to thrive both emotionally and socially.

Youth Unity outreach service functions as a secure haven catering to the needs of young individuals and is conveniently situated on Percy King Estate, Langham Drive, Clacton-on-Sea.

## Water Safety Events

Water Safety Events have been delivered on the following venues/dates:

- Tuesday 28th May – Dovercourt Seafront
- Thursday 30th May – Brightlingsea Harbour
- Saturday 1st June – Clacton Town Centre Square
- Friday 26th July – Clacton Town Centre Square
- Wednesday 31st July – Brightlingsea Harbour
- Friday 2nd August – Frinton Greensward
- Monday 12th August - Dovercourt Seafront
- Wednesday 14th August – Clacton Town Centre Square
- Clacton Air Show 22nd and 23rd August

## Self Defence Classes

Under the priority for Violence Against Women and Girls (VAWG), 40 females attended a fully funded self-defence class to help them keep safe whilst out and about in the Community.

## Older Person's Crucial Crew

Planning is underway to deliver Older Person's Crucial Crew to 120 residents in February 2025. This will be a face-to-face event advising older people how to stay safe when at home or out in the Community. Various local organisations will be in attendance on the day to provide advice. The event will be in the Princes Theatre where it will have an open invite to communities in the afternoon and a market stall type set up from the organisations giving the talks during the morning.



## Aspirations For The Future

- ➔ Work is underway to review and identify the future community safety needs within Tendring. A strategic intelligence assessment of crime and anti-social behaviour is carried out with key partners and informed by public engagement activities.

# Education

## Introduction

Tendring's Children & Young People Strategy 2021 – 2024 identifies key priorities for the children and young people of Tendring as follows:

- **Feeling safe & connected to place**  
supporting young people to make the right choices and minimise risk taking behaviours
- **Improving attainment levels, enhancing skills, learning and career opportunities**  
creating opportunities for C&YP to learn and develop new skills and, improved educational outcomes
- **Enjoying active healthy lifestyles and good mental health**
- **Working to encourage active young citizens who have a voice**

The Council continues to provide support and an ongoing commitment to collaborating with schools, ECC and local other education providers to improve school attainment levels, raise aspirations and opportunities for children and young people across the district.

The Tendring Education Strategic Board, established in early 2020, provides a focus for this work and sets annual priorities. It is also through this Board that the Tendring Skills Partnership has been established to provide a greater focus and co-ordination to the skills and careers agenda.

## What Has Been Delivered?

### Tendring Education Strategic Board (TESB)

Established in January 2020. Membership of the Board includes Head Teachers from each secondary school, a representation of primary school Head Teachers, Essex County Council, Tendring District Council, Colchester Institute, Integrated Care Board (ICB), IntoUniversity, University of Essex and other local education providers. Recognising the need to work collaboratively to achieve the following aims:

- Raise educational outcomes for the children and young people of Tendring;
- Positively impact on the wider community of Tendring through improvement of education;
- Influence other programmes to specifically support Children and Young Persons (CYP) and their families;
- Connect with other organisations to target funding and initiatives towards Tendring e.g. lottery funding, commissioned contracts;
- Identify and deliver collective solutions which increase the consistency of best practice and offer for CYP in Tendring.

In order to meet the above, the Board targeted their focus on 3 key priorities in 2023/24:- curriculum development - with a focus on maths (to align with Essex County Council's Year of Maths), Skills and Improving pupil attendance and engagement of children, young people and their families.

The Board's work related to the Skills agenda has developed substantially over the year with a high level of engagement across a variety of local education providers. This has led to the Tendring Skills Partnership being established.

### Some of the Tendring Skills Partnership highlights include:

Working in partnership with the University of Essex Outreach team/ICB, as part of the ECC funded Tendring Future Skills programme, the delivery of the My Future, My Tendring programme in primary schools, reached:

- 3,168 children in 20 schools, featuring 18 employees, across 6 industry sectors.

This project continues into the 2024/25 academic year:

- ➔ Working in partnership with the ICB and ECC, held the **“Step into STEAM event”** at the Town Hall in January and October 2024. 16 primary schools attended across these adverts, with working and interactive stalls on offer. Activities were themed around science, technology, engineering, arts and maths and 20 local organisations supported the event. With the aim of raising aspirations of year 6 children in respect of future job roles and opportunities locally.
- ➔ Funded the **Aspire mentoring programme** which supported 82 Tendring students over the course of the academic year. This comprises of 34 who have received bespoke one-to-one mentoring and another 48 who have received guidance in wider groups. Feedback from the Year 13's was that:
  - 72% said the programme had improved their confidence with study skills
  - 83% said they thought the programme had improved their academic attainment
  - 90% said the programme had given them a greater understanding of and improved their confidence in researching aspirational careers
  - 83% said the programme had made them consider more aspirational university and apprenticeship choices
  - 100% said the programme had helped them understand how to put together a competitive application for university/apprenticeships

## Pupil Attendance

The group focus was the sharing of good practice across schools and school partnerships/academy trusts. This included the pupil voice and experiences of returning to school after a period of absence. The Multi-School Council also shared an update on their work.

Pilot work included the funding of a part time school liaison officer to support individual children and their families across schools where appropriate. This work will continue into 2024/25.

It is recognised that school attendance will continue to be a priority for the Board moving forward.

## Curriculum Development – Maths

Survey work was carried out with schools which showed a clear need for maths anxiety to be an area of focus. As a result the maths hub secured a session for schools with one of the national leads on maths anxiety.

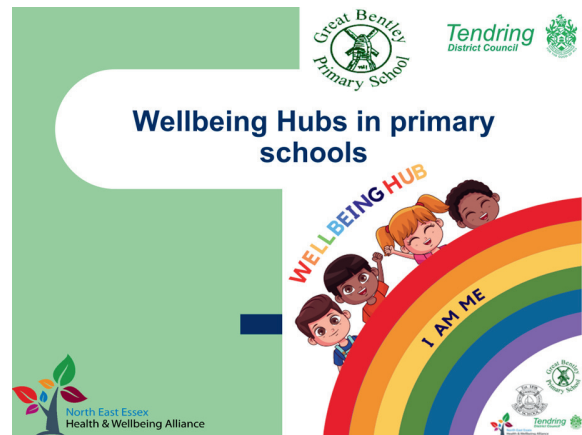
Other areas of work of the group included the Harwich cluster of schools looking at how, with involvement of Adult Community Learning, links could be made to the use of the Multiply programme and parent events to support parents of primary and secondary pupils at the same time. This includes supporting those without a GCSE maths equivalent qualification.

## TESB & Partnership Working

Partnership working has brought wider strategic successes for example, through the work of the Tendring Education Strategic Board (TESB) additional funding has been secured in Tendring from the Department for Education, as well as ECC Education Levelling up, which directly supports Tendring schools and the Board's key priorities, e.g. in 2023/24 early years speech and language development and ongoing work related to the skills agenda.

## Wellbeing Hubs in Primary Schools

Wellbeing Hubs are an early intervention mental health project, where children with mild to moderate mental health issues are organised in groups and supported around the themes of play, art, construction, and science, gaining a "rucksack of skills" to take them forward into secondary school and beyond. The sessions can be delivered after school, or in school time depending on the needs of individual schools. The Hub also offered information sessions for parents and carers covering topics such as sleep, nutrition and behaviour management.



Working in partnership with Gt Bentley Primary school, the Council was successful in a bid to the Health Alliance Investment Fund to support the rollout of the Wellbeing Hub model in 21 primary schools across Tendring & Colchester. Rollout of the project commenced in April 2021 and ran for a two year period. The evaluation partner to the project was the University of Essex who produced their report and findings in the Autumn of 2023.

With further funding support from the Integrated Care Board, the project has been able to rollout to an additional 11 schools from September 2023.

**There are now 32 primary schools across Tendring & Colchester with a Wellbeing Hub, and to date 1,775 pupils have participated.**

Some highlights from the University of Essex evaluation are provided below:-

Overall, pupils who attended the wellbeing hub sessions had significant increases in their levels of resilience, wellbeing, happiness and decreased anxiety.

88% of pupils reported that they found the sessions 'helpful' or 'very helpful'.

There was a significant increase in pupils' enjoyment of learning in their school.

Following publication of the evaluation report, the University of Essex have presented their findings to the Tendring Community Safety & Wellbeing Board, the NEE Children's Partnership Board and the County Health and Wellbeing Board.

In the Summer of 2023, with support from TDC's communications team, a short film was produced to provide an insight into the experiences of children and staff supporting Wellbeing Hubs in a number of schools.

[https://youtu.be/BD5VGbhrO8E?si=1btv9Vdy\\_ip...](https://youtu.be/BD5VGbhrO8E?si=1btv9Vdy_ip...)

## What Are We Working On?

Work continues on the above projects into this academic year, with the TESB recently agreeing the following priorities:

Pupil, parent/carer engagement to support school attendance.

Skills - working with partners to supporting future skills through the Tendring Skills Partnership.

The Wellbeing Hubs in primary schools project continues with developments in terms of a pilot to introduce further CPD training for school staff in relaxation and meditation skills to support Hub delivery in 8 Hub schools.

Launch of an additional Hub manual to support delivery, co-produced by staff in Hub schools.

Planning for refresher Youth Mental Health First Aid training for current Hub schools.

## Aspirations For The Future

- ➔ To expand the Wellbeing Hubs in primary schools (early intervention Mental Health model) to additional schools across NEE
- ➔ To expand the pilot project, introduction of mindfulness and meditation activities to all current Wellbeing Hubs across North East Essex.
- ➔ Under the work of the Tendring Skills Partnership to further develop the offer and Tendring number of schools participating in the My Future, My Tendring project. Introducing and training ambassadors for the project.
- ➔ Working with partners to continue the work on pupil, staff and parent/carer engagement to support pupil attendance.
- ➔ To explore the potential to expand the work of the Aspire Mentoring Programme across all Tendring secondary schools (subject to funding).

# Economic Growth / Tendring Cultural Education Partnership

## Introduction

Community projects undertaken by the Economic Growth, Culture and Leisure teams tend to have an economic focus, for example the Tendring Cultural Education Partnership (Tendring LCEP) that aims to raise the creative and cultural aspirations and skills of all children and young people in Tendring and the Leisure teams focus on promoting access to health and wellbeing. Tendring District Council's Creative & Cultural Strategy highlights the opportunities for job creation and business growth in this sector across the district. The Tendring LCEP is a key conduit for creative and cultural activity in Tendring.

The Tendring LCEP is an exciting partnership that supports children and young people to fulfil their creative potential and access high-quality cultural experiences where they live, where they go to school, and where they spend their free time. With funding from UK Government's Shared Prosperity Fund, the LCEP has been able to continue its work with schools, freelancers and other creative organisations. Working in partnership with Tendring District Council, Royal Opera House East and Arts Council, the Tendring LCEP is a growing group of organisations that work together in partnership to nurture creative and cultural education for all communities in Tendring.

## What Has Been Delivered?

In 2023, the Tendring LCEP was successfully awarded funding from Arts Council England to deliver the 'Tendring Youth Voice' project', an opportunity to listen to the voices of young people through a number of in-person and online engagement sessions. Young people were recorded and their responses formed part of the Tendring Youth Voice project film titled 'Don't Change My Vision'. In Autumn 2024 this film was showcased at a film premiere where local freelancers and schools were encouraged to consider creative ways to respond to what our young people are asking for.

In 2023/24, Tendring District Councils newly formed Creative and Cultural team have focused on promoting the importance of partnership working and development of the sector in relation to its impact to health and wellbeing, economic growth and regeneration, skills development and promotion of lifelong opportunities.



# What Are We Working On?

## Tendring Youth Voice Project 2023 - Current

The Tendring Youth Voice project gave a 'voice' to children and young people in Tendring via a number of in person and digital engagement sessions which cumulated in a short film "Don't Change my Vision."

Phase 2 of the project will enable local freelancers to work with schools to co-create micro projects that meet the direct needs of young people in Tendring. This will take place as part of the film premiere.

Phase 3 of the project will be engagement with young people on creative and cultural activity in school.

Partners: Cultural Organisations, Freelancers, Schools, ACE & Royal Opera House East

Impact: Over 100 youth voices 'heard' as part of the pilot.  
6 freelancers invited to present to schools  
6 schools participating – potential reach of up to 180 children and young people directly engaged.

## Let's Craft Box

Funded by the Craft Council.

Royal Opera House East and the Craft Council provided 500 'Let's Craft' boxes full of creative prompts and everything needed to enable children and young people to craft at home.

Working alongside the Portfolio Holder and local community groups, young people living in Tendring were identified and the boxes disseminated in May half term.

Partners: Royal Opera House East, Craft Council

Impact: 500 Let's Craft boxes disseminated to children and young people most in need, including care homes, SEN Schools and local groups.



## Create Day - Tendring

Royal Opera House East Project supported by the Tendring LCEP. Schools from Tendring were invited to participate in a number of live workshops virtually led by Royal Opera House East which cumulated in a one day in person event held at the Princes Theatre. Young people were introduced to creative opportunities available and watched live opera.

Partners: Royal Opera House East

Impact: 402 pupils participated in the live event at the Princes Theatre, 8 schools, 7 performers & 1 Local photographer.



## Walton Arts Festival 'Between the Tides' 2024

Funding to deliver events to children and young people focussed on creativity and culture.

Thousands of attendees visited over 50 different events. The LCEP funded a story writing competition – 17 entries to Young Writers Challenge. Local Photographer (age 14) engaged to document the festival. Supported 'the Great Chalk Walk.'

## Word on the Street 2024 Funding

A new for 2024 outdoors art event held on Clacton Town Centre's Event Space. The storytelling festival brought together the very best in outdoors performing arts with the aim of raising literacy and bringing vibrancy to the High Street.

Partners: UKSPF, Grand Theatre of Lemmings

Impact: Around 400 people enjoyed and engaged with the event.

- Number of artists employed – 17.
- Tendring producers employed – 6.
- Young people engaged as career development – 2

## Introduction to Creative Industries 2024

Young people in Tendring will be introduced to careers within the creative sectors including; finance/marketing/technical and front of house. Strand 2 will see placements made available to young people to further enhance their CVs and work related skills. Strand 3 will provide young people with a number of virtual workshops focusing on wellbeing in the arts, producing in the arts, how to sustain your art, and application/grant writing.

Partner: Colchester Arts Centre

## Creative Arts Conference Day 2024 - Year 5

The Year 5 Creative Arts Conference held at the Harwich Arts and Heritage Centre invited all the Primary Schools in Harwich to attend a conference aimed at Year 5 children (250 children in total from 8 schools) and focusing on creative careers available.

Partners: 8 community groups

In 2024/25, the Local Cultural Education Partnership has been allocated additional (UKSP) funds to continue engaging with the creative and cultural sectors and promote opportunities.

## Economic Growth Funded Projects

In addition, the Economic Growth team have led on a number of open grant rounds enabling local community groups, businesses and other key stakeholders to apply for UK Government Shared Prosperity Fund (UKSPF) and/or the Rural England Prosperity Fund (REPF)

Examples of funded projects include:

### **Alresford Primary School**

For updates to the swimming pool to enable it to operate safely and to be used for the local school community.

### **The Ark Centre**

Outdoor area to enable it to be inclusive for all users. To include specialist SEND equipment.

### **Out of Season Events Grant**

A round of grants enabling communities in Tendring to gain funding for free events that promote the use of our High Streets, promote community cohesion and encourage out of season footfall. In 2023/24 funding was used to promote seasonal high street events and provide vibrancy to the tourism offer.

## Aspirations For The Future

From a Creative and Cultural perspective, we are hoping to achieve:

- ➔ Promoting careers opportunities and skills development within the Creative Sectors e.g. Royal Opera and Ballet – the extension of ‘Create Day’ into 2025 and beyond enabling more young people to experience live performance and participate in creative activity via schools
- ➔ Further opportunities to ‘listen’ to the voices of young people in Tendring - The Tendring Youth Voice Project – completion of schools based/freelancer engagement. Extension of the Youth Voice project to reach more young people and engage with young people with SEND
- ➔ Increasing opportunities for young people to get involved in their local heritage – making heritage relevant and focusing on cultural identity.
- ➔ Greater links to the health and wellbeing impacts of culture and creativity
- ➔ Providing opportunities to promote pride in place achieved through a range of activities including; events. Workshops, inclusive activity and increasing opportunities for participation.

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## CABINET

20 DECEMBER 2024

### JOINT REPORT OF THE HOUSING AND PLANNING PORTFOLIO HOLDER AND FINANCE AND GOVERNANCE PORTFOLIO HOLDER

#### A.11 UPDATED HOUSING REVENUE ACCOUNT BUSINESS PLAN AND BUDGET PROPOSALS 2025/26

##### PART 1 – KEY INFORMATION

###### **PURPOSE OF THE REPORT**

To set out and seek approval of an updated HRA Business Plan, which includes proposed changes in 2024/25 along with budget proposals for 2025/26.

###### **EXECUTIVE SUMMARY**

- Similarly, to the General Fund's long-term forecast, a 'live' HRA Business Plan is maintained on an on-going basis, with the most up to date position in December each year being 'translated' into the detailed budget for the following year for consultation with the Resources and Services Overview and Scrutiny Committee.
- A number of changes have been made to the business plan for 2025/26 onwards that largely reflect increased costs / inflationary pressures. Some of these pressures are also being experienced in 2024/25, with corresponding adjustments set out accordingly.
- Based on associated guidance from the Regulator for Social Housing, it is proposed to increase rents by CPI+1% in 2025/26. Based on the relevant reference CPI rate of 1.7%, the proposed increase in 2025/26 is 2.7%.
- As the case in previous years, it is acknowledged that although Councils can set lower increases, this would be a very difficult approach to adopt in terms of the future sustainability of the HRA business plan, given the 'telescopic' impact this would have and more of an imbalance it would create, as expenditure would be increasing significantly more than the level of rental income increases. Such an impact was experienced when the Government required Councils to reduce rents by 1% over the 4 year period from 2016/17 to 2019/20 that continues to have an impact over the long-term life of the business plan.
- Based on the above, the average weekly rent proposed for 2025/26 is **£103.49** (£100.89 in 2024/25)
- After taking into account the various adjustments set out in **Appendix A** and discussed in more detail later on in this report, there continues to be an estimated budget surplus of **£0.418m** in 2024/25, albeit this is slightly behind the original estimated position of **£0.493m**. In terms of 2025/26, there is currently an estimated deficit of **£1.170m**.
- The estimated deficit in 2025/26 is broadly due to the increase in costs associated with the repair and maintenance of the Council's stock of social housing, with further details set out later on in this report.
- It is proposed to fund the estimated deficit for 2025/26 by calling money from HRA

balances as an alternative to reducing expenditure. This is partly offset by the transfer of the estimated surplus in 2024/25 to the same reserve.

- As has been the case in previous years, the use of reserves forms part of a wider managed approach that strikes the necessary balance of 'protecting' the investment in tenants' homes whilst recognising the need to use reserves to respond to the on-going financial challenges that the Council continues to face. It is however recognised that this is not a sustainable long-term solution, but it enables the Council to meet its key priorities in the immediate term, which can be revisited as part of the HRA Business Plan in future years. It will be important that the Council explores opportunities to balance the various competing issues during 2025/26, to inform the business plan and budget from 2026/27.
- HRA General Balances are currently estimated to total **£2.556m** at the end of 2025/26 (after taking account of the use of balances highlighted above) that remains available to support the 30 year Business Plan and associated risks to the forecast.
- The proposed HRA Capital Programme for 2025/26 reflects the commitment to maintain the necessary investment in the existing homes of tenants.
- HRA debt continues to reduce year on year as principal is repaid with a total debt position at the end of 2025/26 forecast to be **£31.120m**, which also takes into account the refinancing of an historic loan via an internal borrowing approach.
- There will undoubtedly be further changes required to the forecast before the detailed estimates are finalised for reporting to Cabinet in January 2025, which will provide the opportunity to revisit the above proposals accordingly.
- In addition to requesting comments from the Resources and Services Overview and Scrutiny Committee, it is also proposed to consult with the Tenants' panel during January, with the outcome reported to Cabinet later that month, where the final HRA budget proposals will be considered for recommending onto Full Council in February 2025.

#### **RECOMMENDATION(S)**

**That Cabinet:**

- a) approves the updated HRA 30 year Business Plan, which includes the proposed revised position for 2024/25 along with budget proposals for 2025/26; and**
- b) requests the Resources and Services Overview and Scrutiny Committee's comments on this latest HRA financial forecast.**

#### **REASON(S) FOR THE RECOMMENDATION(S)**

To enable Cabinet to consider the most up to date HRA Business Plan which sets out a revised position for 2024/25 along with the proposed HRA budget for 2025/26 for consultation with the Resources and Services Overview and Scrutiny Committee.

#### **ALTERNATIVE OPTIONS CONSIDERED**

This is broadly covered in the main body of this report.

## PART 2 – IMPLICATIONS OF THE DECISION

### DELIVERING PRIORITIES

A revised Corporate Plan and Vision was approved by Full Council at its meeting on 28 November 2023. One of the 6 included themes is Pride in our Area and Services to Residents, with a commitment to providing decent housing that everyone deserves.

The HRA budget and Business Plan plays a significant role in the delivery of affordable and decent housing in the district and the Council's responsibilities as a landlord has direct implications for the Council's ability to deliver on its objectives and priorities.

### OUTCOME OF CONSULTATION AND ENGAGEMENT

Internal consultation is carried out via the Council's approach to developing the budget as set out within the Constitution. External consultation also forms part of developing the business plan / budget, and is carried out early in the year with the budget proposals presented to the Tenants' Panel for discussion / feedback.

### 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 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)	This item has been included within the Forward Plan for a period in excess of 28 days.

It is a statutory requirement on a local authority to determine its Housing Revenue Account budget before the upcoming financial year and to ensure that its implementation will not result in an overall debit balance on the Account.

The self-financing regime for the Housing Revenue Account that came into effect from April 2012 was enabled by the Localism Act 2011.

The Regulator of Social Housing and its predecessor bodies have, at the Direction of Government, issued requirements and guidance to registered providers of social housing (which includes Local Authorities) in respect of rents. This has included the maximum levels of rent they can charge and annual increases in rents.

In 2016, Parliament passed the Welfare Reform and Work Act, which, together with Regulations made under it, created a legislation-based regime of rent reduction across the sector by 1% per year until 2020. Therefore, over this 4-year period, providers were required to reduce rents by 1% per year across its housing stock.

In October 2017, the Government announced that at the end of the 4 year rent reduction period it intended to return to annual rent increases of up to CPI + 1%, implemented through the regulator's Rent Standard rather than through legislation.

The Secretary of State for Housing, Communities and Local Government published on 26 February 2019 a 'Direction to the Regulator' to set a Rent Standard that will apply from 1 April 2020. That Direction was published alongside the Government's Policy Statement on Rents (the Policy Statement) and the regulator was required to have regard to this when setting its Rent Standard.

The regulator may under section 194(2A) of the Housing and Regeneration Act 2008 set standards for registered providers requiring them to comply with specified rules about their levels of rent (and the rules may, in particular, include provision for minimum or maximum levels of rent or levels of increase or decrease of rent).

Under the above direction, the Regulator of Social Housing confirmed rents could increase by up to CPI+1% per year for a period of 5 years starting from 1 April 2020. The Government did intervene in 2023/24, as based on this formula, rents would have increased by amounts in excess of 10% in that year given the high level of CPI at the time. Therefore to 'protect' existing tenants, whilst balancing the financial impact on Local Authorities, the Government set a rent increase 'cap' of 7% for 2023/24. The Government made it clear that this rent 'cap' would be set for only 2023/24 rather than for any longer period.

The Government are consulting on the introduction of a new rent policy from 1 April 2026 and in the interim period have issued a direction to the Regulator for Social Housing applicable to rents in 2025/26 only. Although the potential impact of the emerging rent policy will be considered as part of developing the HRA Business Plan in future years, for 2025/26 the direction issued allows for the continuation of the previous policy of applying CPI+1% to rent increases for existing tenants.

The rent standard does not apply to properties let to high-income social tenants, so rather than this being a mandatory requirement it remains a voluntary decision taken at a local level. In continuing with the approach agreed last year, given the very challenging administrative issues associated with charging higher rents to high-income tenants, it is not proposed to introduce this in 2025. However, it is acknowledged that this flexibility may be subject to review in future years, for example, as part of developing future policy decisions within the HRA and is subject to the Government's development of the proposed new rent policy from April 2026.

The Housing and Planning Act 2016 introduced a number of changes that had an impact on social housing, which via associated regulations, continue to be reflected in the HRA estimates as necessary.

The Social Housing (Regulation) Act 2023 sees the introduction of a new era of regulation for the social housing sector, which the Council has responded to in 2024/25. Work remains ongoing to respond to the ongoing activities associated with the new regulatory regime, which includes reflecting the expected impact within the development of the HRA Business Plan.

The original HRA 30 Year Business Plan was agreed as part of the self-financing reforms and associated borrowing agreed by Full Council in February 2012 and the budget proposed for 2025/26 reflects the latest / updated forecast position set out in **Appendix A**.



<b>Yes</b>	<b>The Monitoring Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
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Although there are no additional comments above those set out in this report, it is important to highlight that further decisions may be necessary to take actions forward that are reflected in the business plan.

It is also necessary to highlight the key elements of the Best Value Duty that is set out within the General Fund Budget report presented earlier in the agenda. These equally apply to the HRA with financial management and sustainability a reoccurring expectation of a well-functioning local authority.

**FINANCE AND OTHER RESOURCE IMPLICATIONS**

The financial implications are set out in this report and its appendices.

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

<b>YES</b>	<b>The Section 151 Officer confirms they have been made aware of the above and any additional comments from them are below:</b>
------------	---

The S151 Officer is the author of this report.

**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;	<p>This is addressed in the body of the report.</p> <p>In terms of an independent view, the Council's previous External Auditor has recently submitted their Annual Report that includes their commentary on the Council's use of resources. The report was considered by the Council's Audit Committee on 9 December with the Auditor's headline statement as follows:</p> <p><i>"Our VFM work for 2020/21 to 2022/23 has not identified any significant weaknesses in the Authority's arrangements".</i></p>
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
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.	

**MILESTONES AND DELIVERY**

This reports forms part of the Council's wider budget setting processes and sets out the most up to date HRA Business Plan and proposed budget for 2025/26 for consultation with the Resources and Services Overview and Scrutiny Committee (RSOSC) in January.

Final budget proposals, taking into account the comments of the RSOSC, will be considered by Cabinet at the end of January 2025, which will include their associated recommendations to Full Council.

In February 2025, Full Council will be asked to consider the detailed HRA Budget proposals for

2025/26 as recommended by Cabinet.

### **ASSOCIATED RISKS AND MITIGATION**

There are significant risks associated with forecasting such as cost pressures, inflation and changes to other assumptions that form part of the financial planning process. These have been brought into even sharper relief given the current challenging economic environment and new era of social housing regulation mentioned earlier. The Council's initial / short-term response is set out in the body of this report and will continue to be addressed as part of the future financial update reports.

The inherent risks associated with the 30 year business plan forecast include:

- Changes in income achieved and future rent setting policy
- Emergence of additional areas of spend
- Emergence of new or revised guidance
- New legislation / burdens / regulation
- Changing stock condition requirements
- Adverse changes in interest rates
- National welfare reforms

In view of the above, it is important that a sufficient level of balances / reserves is available to support the HRA. HRA General Balances are currently forecast to be **£2.556m** at the end of 2025/26. This is after taking account of the proposal to draw down money in 2025/26 that has been partly offset by the additional estimated contribution to balances of **£0.418m** in 2024/25. The remaining balance continues to be available to support the delivery of the HRA business plan in the medium to longer term.

A 30 year HRA Business Plan is maintained on an on-going basis that continues to demonstrate the sustainability and resilience of the HRA within a self-financing environment and the ability to provide opportunities for housing investment and associated housing services in the future, although it is acknowledged that the longer-term view always remains subject to the Government's housing policies and changes to the regulatory regime.

### **EQUALITY IMPLICATIONS**

See comments below within the '*Other Relevant Considerations or Implications*' section.

### **SOCIAL VALUE CONSIDERATIONS**

See comments below within the '*Other Relevant Considerations or Implications*' section.

### **IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050**

See comments below within the '*Other Relevant Considerations or Implications*' section.

### **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.**

In carrying out its functions as a social landlord, the Council has regard to the need to reduce the potential for criminal activity by improving the security of dwellings as part of maintenance and repair programmes and for combating anti-social behaviour through effective management procedures.

Although there are no direct equality and diversity issues, the overall HRA and associated financial planning and decision making processes will recognise and include such issues where appropriate and relevant.

Work undertaken within the HRA and associated capital programme will take into account any opportunities to contribute to this key priority where possible. The on-going / cyclical stock condition survey work will also support this approach.

<b>Crime and Disorder</b>	Please see comments above
<b>Health Inequalities</b>	
<b>Area or Ward affected</b>	

### **PART 3 – SUPPORTING INFORMATION**

#### **BACKGROUND**

The HRA is the Council’s landlord account and it is ‘ring fenced’ for this purpose. Comprehensive rules and requirements surround the HRA such as specific accounting treatment and what items can or cannot be charged to the account. Authorities are required to set a balanced HRA budget each year and agree the level of rents it wishes to charge.

From April 2012, the Housing Revenue Account has operated under the self-financing approach introduced as part of the Localism Act 2011, which required the Council to ‘buy’ itself out of the previous subsidy arrangements via a debt settlement process.

As mentioned earlier, an interim direction has been provided to the Regulator of Social Housing that provides for rent increases of up to CPI+1% for 2025/26 for existing tenants. The rate of CPI used is the figure for September of the preceding year that the increase will apply to. For 2025/26, the figure for September 2024 was 1.7%, that therefore results in maximum permitted rent increases of 2.7%.

As highlighted within earlier reports one of the biggest impacts on the overall financial position of the HRA in future years is the current regulatory regime for social housing. This is in addition to the national trend of continuing increases in housing disrepair claims made against local authorities. The Council remains committed to providing good quality housing in terms of both its current stock of housing and in its ambition of building / acquiring new homes for local people. Given the financial issues set out in this report, the balance between the two remains challenging in the short term to medium term.

The Council remains alert to any changes that may be required in managing its housing stock, which are reflected in the 30 year business plan as necessary, with further commentary set out below.

Within the Financial Performance Report that was considered by Cabinet on 21 October 2024, a number of changes relating to the Right to Buy regime were set out, which included the following increased flexibilities in 2024/25 and 2025/26:

- The maximum permitted contribution from RTB receipts to replacement affordable housing has increased from 50% to 100%.
- RTB receipts will be permitted to be used alongside section 106 contributions which was previously prohibited.

- The cap on the percentage of replacements delivered as acquisitions each year (currently 50%) has been lifted.

As part of its recent Autumn Budget Statement, the Government made further announcements on a number of key HRA issues, which included the following:

- The Government will make 100% retention of Right to Buy (RTB) receipts permanent from 1 November 2024.
- RTB discounts will return to their pre-2012 levels from 21 November 2024.
- The Government will consult on a five-year rent settlement of CPI+1% for social landlords, with potential for this to be extended to 10 years.
- Preferential Public Works Loan Board borrowing rates for local authorities to build social housing will be extended to March 2026.

The impact and flexibilities that all of the above may bring to Local Authorities will be reviewed and considered as part of the on-going development of the HRA Business Plan, and Capital Programme.

It is proposed to review the Council's current Housing Strategy in light of the above and information discussed elsewhere in this report to ensure it continues to support the Council in responding to the various challenges that lie ahead.

**HOUSING REVENUE ACCOUNT UPDATED BUSINESS PLAN, PROPOSED IN-YEAR BUDGET CHANGES FOR 2024/25 ALONG WITH THE PROPOSED BUDGET FOR 2025/26**

The latest iteration of the 30 year HRA Business Plan is set out within **Appendix A**.

A number of issues that will have an impact in 2024/25 will also have an impact in 2025/26 and future years. Columns (3) and (6) of **Appendix A** highlight the changes against the previously reported figures for 2024/25 and 2025/26 respectively. **Appendix A** also includes a RAG risk rating against each line of the forecast.

The table below sets out the changes proposed in 2024/25 and 2025/26 along with additional commentary (excludes lines of the business plan where there are no proposed changes):

The relevant line of the 30 year Business Plan	Change / Impact in 2024/25	Change / Impact in 2025/26	Comments
<b>Line 1</b> - Maintenance	Increase of £347,840	Increase of £615,830	The proposed increases are a result of a number of factors including increases in costs being experienced by suppliers / contractors, underlying inflationary pressures, and meeting regulatory and asset

			management plan requirements.
<b>Lines 2 &amp; 3</b> - Depreciation and the Revenue Contribution to the Major Repairs Allowance	No Change	Net Increase of £241,720	<p>This adjustment primarily involves an underlying technical accounting adjustment, which in effect notionally reflects the cost of capital investment in the housing stock, via the Major Repairs Reserve.</p> <p>For similar reasons to line 1 above, the increase reflects estimated cost increases to maintain the homes of the Council's tenants. This is supported by the proposed increased revenue contribution to the capital programme set out below.</p>
<b>Line 4</b> - Management Costs	Increase of £241,590	Increase of £218,720	These primarily reflect the increase in employee costs resulting from the recent Officer pay award along with the addition of a number of general budgetary items (and their on-going impact) including an on-going contribution to the ECC in respect of the corporate approach to securing the necessary procurement capacity under the terms of an SLA.
<b>Line 5</b> - Utilities	No change	Decrease of £184,380	The decrease proposed in 2025/26 reflects the current prices and usage across the relevant estate.
<b>Line 7</b> – Council Tax on Empty	Increase of	Increase of	This reflects the cost of

Properties	£70,000	£70,690	paying council tax during periods where the properties are untenanted during the year e.g. void periods. There is also now an impact where properties may have been empty for more than one year, which attract a council tax premium. It is proposed to review any long term empty properties during 2025, to identify options to reduce this on-going liability.
<b>Line 9</b> – Revenue Contribution to the Capital Programme	Increase of £850,000	Increase of £936,640	The change in 2024/25 reflects the earlier decision associated with the Spendells House Capital Project where money was called down from reserves to fund the completion of the project.  In respect of 2025/26, the proposed change reflects the earlier comments above, where additional costs are expected in terms of the maintenance and investment in tenants' homes.
<b>Line 12</b> - Recharges	Increase of £75,190	Decrease of £92,400	The figures include underlying estimated changes to recharges between the General Fund and HRA. These remain subject to change as the work to finalise these figure remains in progress and will need to reflect the final General fund budget proposals that Cabinet will consider in

			January 2025.
<b>Total Change / Impact on Expenditure</b>	<b>Increase of £1,584,620</b>	<b>Increase of £1,806,820</b>	
<b>Line 13 - Dwelling Rents</b>	Increase of £300,000	Increase of £348,040,	In terms of 2024/25, the increase reflects the on-going improved position in respect of general void periods.  In respect of 2025/26 this reflects the proposed 2.7% rent increase and the current general void periods highlighted above.
<b>Line 16 – Non Dwelling Rents</b>	No Change	Increase of £5,000	This primarily continues to reflect the income for the Sunspot units in Jaywick Sands that are accounted for within the HRA.
<b>Line 18 - Investment Income</b>	Increase of £130,000	Increase of £140,650	Similarly to the General Fund, income from treasury activities is higher than earlier forecasts due to current higher interest rates available.
<b>Total Change / Impact on Income</b>	<b>Increase of £430,000</b>	<b>Increase of £493,690</b>	
<b>Line 20 – Planned Use of Reserves</b>	<b>Increase of £1,079,690</b>	<b>No Change</b>	The adjustments in 2024/25 relate to separate earlier decisions including the use of reserves to complete the Spendells House capital project mentioned earlier.
	<b>Decreased surplus of £74,930</b>	<b>Change of £1,313,130 that results in a Deficit of</b>	

<b>Net Change - Impact</b>		<b>£1,170,190</b>  <b>(compared to originally estimated surplus of £142,940)</b>	
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\* Although the table above reflects the changes for 2024/25 and 2025/26, the 30 year Business Plan set out in **Appendix A** reflects the knock-on impact of the above where appropriate along with inflationary uplifts where necessary from 2026/27 onwards along with known changes such as those relating to the repayment of debt and interest charges as they represent fixed costs over the life of the respective loans.

Some additional commentary against the major items highlighted (including those with a red RAG rating where necessary) within **Appendix A** are set out below.

- **Line 1 – Maintenance**
- **Lines 2 and 3 - Depreciation and the Revenue Contribution to the Major Repairs Allowance**
- **Line 9 - Revenue Contribution to the Capital Programme**

Due to the pressures highlighted within the table above, the proposal is to increase these lines of the budget accordingly. The cost of maintaining the housing stock is expected to increase for a mix of reasons over the life of the business plan. These areas of the budget / plan will therefore remain under review during 2025/26 as part of further developing the HRA business plan alongside actions and activities required to balance such costs with the financial sustainability of the HRA in the longer term.

### **Line 13 - Dwelling Rents**

As highlighted earlier, the Government are consulting on the introduction of a new rent policy from 1 April 2026 and in the interim period have issued a direction to the Regulator for Social Housing applicable to rents in 2025/26 only. This direction confirms the expected maximum increase for existing tenants of CPI+1% for 2025/26.

Councils have the ability to set rents at below this level but lower increases in rents will add risk to the future sustainability of the HRA given the ‘telescopic’ impact over the remaining years of the business plan along with the fact that many HRA expenditure lines of the budget are likely to see increases in-line with CPI or even above.

Based on the resulting 2.7% increase, this results in an average rent of **£103.49** (an increase from £100.89 in 2024/25). After taking account of other adjustments such as estimated void periods and the level of right to buy sales, this will raise additional income of **£0.348m** compared to the figure originally included in year 14 of the business plan (or **£0.740m** over and above the original budget for 2024/25).

In conclusion, the business plan from 2025/26 onwards continues to react to changes in costs / prices, demands on the service, loan refinancing and other timely changes to the forecast.

The following table sets out a summary of the overall HRA position for 2024/25 and 2025/26 after taking into account the adjustments set out above:



	<b>2024/25</b> £	<b>2025/26</b> £
<b>Estimated Expenditure</b>	17,964,250	18,719,380
<b>Estimated Income</b>	(17,150,040)	(17,513,330)
<b>Planned Use of Reserves</b>	<b>(1,232,150)</b>	<b>(35,860)</b>
<b>Net (Surplus) / Deficit Position</b>	<b>(417,940)</b>	<b>1,170,190</b>

In terms of 2025/26, it is proposed to meet the above deficit from HRA balances rather than reduce other lines of the budget which could be an alternative approach. Many of the other lines of the forecast are effectively 'fixed' or largely unavoidable, for example the financing of loan repayments, with the only viable option therefore relating to potentially reducing officer capacity or expenditure on tenants' homes etc. These options would be a significant risk given the new era of social housing regulation and it would see a potentially significant reduction in the investment in the housing stock, which would be challenging ahead of the revised decent homes standard that is expected next year.

As has been the case in previous years, the use of reserves strikes a necessary balance of 'protecting' the investment in tenants' homes whilst recognising the need to use reserves to respond to the on-going financial challenges that the Council continues to face. It is however recognised that this is not a sustainable long-term solution, but it enables the Council to meet its key priorities in the immediate term, which can be revisited as part of the HRA Business Plan in future years.

Notwithstanding the above, based on later years of the forecast, the use of reserves expected over the next few years would deplete the general HRA balance. It will therefore be important that the Council explores opportunities to balance the various competing issues during 2025/26, to inform the business plan and budget from 2026/27.

The forecast will undoubtedly change as part of finalising the budget that will be presented to Cabinet in January 2025, so there may be opportunities to revisit various lines of the forecast as necessary before budget proposals are finalised for reporting to Full Council in February.

### **HRA Capital Programme**

Although a more detailed schedule will be included in the report to Cabinet in January as part of finalising the budget for presenting to Full Council in February, as discussed earlier, the necessary increases in the associated budgets will be reflected in the Capital Programme via increased contributions via the major repairs allowance alongside the proposed increase in the revenue contribution.

### **HRA BALANCES / RESERVES**

The forecast position for HRA balances at 31 March 2025 and 31 March 2026 will vary over time depending on the outturn positions for 2024/25 and 2025/26 as well as the emergence of other unexpected or unplanned matters that could occur in or across these years.

Based on the updated Business Plan attached, the total HRA reserves are forecast to total **£7.003m** by the end of 2025/26, with the general balances element within this amount being **£2.556m**.

The above figures reflect the proposed transfers to and from reserves in 2024/25 and 2025/26 that were set out earlier in this report.

#### **HRA DEBT**

The total HRA debt at the end of 2024/25 is estimated to be **£32.535m**.

With forecast repayments of principal along with the proposed refinancing of an historic loan highlighted below, the level of HRA debt at the end of 2025/26 is forecast to be **£31.120m** (including the internal borrowing referred to below).

It is possible to use the Major Repairs Reserve that currently supports the capital programme to pay down historic debt where it is financially advantageous to do so. The total of this reserve is estimated to be **£4.442m** at the end of 2025/26, but a balance needs to be struck between investing in capital projects and tenants' homes and reducing / managing debt repayment costs. Although no adjustments are included within the proposed budget for 2025/26, this option can be revisited in future years of the business plan.

#### **HRA Interest Payments on Debt and Principal Repayments on Debt**

Loans taken out to support the self-financing reforms back in 2012 continue to be repaid each year, with individual loans being completely paid off on a five year cycle that reflects the loan structure agreed at the time. This approach results in lower debt and interest payments on an on-going basis over the 30 years of the business plan.

As part of previous business plan reviews it was agreed that more historic debt would be considered in future years, especially as it became repayable. Historic debt was traditionally based on 'interest only' type loans, which were 'replaced' as they matured. With this in mind, an historic loan of **£1.000m** matures in 2025/26. As was the case in 2022/23 and 2024/25, rather than simply refinance the loan with a further external loan, it is instead proposed to be refinanced via internal borrowing that takes advantage of the current positive cash flow position of the Council, whilst avoiding the current high interest rates at the present time. This therefore reduces net interest costs, which will be reflected in the attached business plan. It is important to highlight that even though the money has been 'borrowed' internally, it is still included within the total outstanding HRA debt, which will need to be repaid at some time in the future either directly via revenue contributions / major repairs allowance or via 'replacement' external loans.

Although no provision has been made to repay the loan off at the present time, the position will be considered in future years along with the other historic HRA loans that were in place before the self-financing reforms to provide a prudent / sustainable approach to managing this debt in the longer term.

#### **OTHER HRA RELATED MATTERS**

Although there are no underlying / significant issues to raise at this stage of the budget setting process, it is always acknowledged that the Government may revisit / consider further housing policy changes that could have an impact on the 30 Year HRA Business Plan. Such issues will be considered as they arise and will be reported to members at the earliest

opportunity along with the impact of the business plan where necessary.

#### **PREVIOUS RELEVANT DECISIONS**

The last iteration of the HRA 30 Year Business Plan was report to Cabinet on 15 December 2023 with further general updates included in subsequent budget reports and regular financial performance reports as follows:

Financial Performance Report 2024/25 – General Update at the end of July 2024 - Item A.2 Cabinet 21 October 2024.

Financial Performance Report 2024/25 – General Update at the end of September 2024 - Item A.8 Cabinet 15 November 2024.

#### **BACKGROUND PAPERS AND PUBLISHED REFERENCE MATERIAL**

None

#### **APPENDICES**

**Appendix A** – Updated HRA 30 Year Business Plan

#### **REPORT CONTACT OFFICER(S)**

<b>Name</b>	<b>Richard Barrett</b>
<b>Job Title</b>	<b>Director (Finance and IT)</b>
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## HRA 30 Year Business Plan (revised Year 13 to Year 30)

Line	RAG Rating	Year 13						Change	Medium Term			Longer Term			Totals
		Year 13 Original	Year 13 Revised	Year 13 Change	Year 14 As Last Reported (Dec 23)	Year 14 Revised	Year 14 Change		Year 15	Year 16	Year 17	Years 18 To 20	Years 21 to 25	Years 26 to 30	
		2024/25 (1) £	2024/25 (2) £	2024/25 (3) £	2025/26 (4) £	2025/26 (5) £	2025/26 (6) £		2026/27 £	2027/28 £	2028/29 £	£	£	£	
		<b>Expenditure</b>													
1		3,622,530	3,970,370	347,840	3,731,270	4,347,100	615,830	4,477,580	4,611,970	4,750,330	15,123,290	28,385,520	32,906,600	98,572,760	
2		2,906,670	2,906,670	0	2,906,670	3,555,960	649,290	3,555,960	3,555,960	3,555,960	10,667,880	17,779,800	17,779,800	63,357,990	
3		407,570	407,570	0	407,570	0	(407,570)	0	0	0	0	0	0	407,570	
4		2,777,600	3,019,190	241,590	2,800,910	3,019,630	218,720	3,082,590	3,146,800	3,212,100	10,047,940	18,247,280	20,835,300	64,610,830	
5		537,600	537,600	0	721,980	537,600	(184,380)	564,480	592,700	622,340	2,060,030	4,179,890	5,334,670	14,429,310	
6		55,440	55,440	0	55,440	55,440	0	55,440	55,440	55,440	166,320	277,200	277,200	997,920	
7		77,830	147,830	70,000	78,600	149,290	70,690	150,770	152,260	153,770	470,500	815,720	856,890	2,897,030	
8		75,390	75,390	0	77,650	77,650	0	79,980	82,380	84,850	270,140	507,040	587,760	1,765,190	
9		613,630	1,463,630	850,000	613,630	1,550,270	936,640	1,550,270	1,550,270	1,550,270	4,650,810	7,751,350	7,751,350	27,818,220	
10		1,153,530	1,153,530	0	1,062,330	1,062,330	0	977,610	919,510	889,790	2,491,010	3,660,080	3,252,470	14,406,330	
11		1,414,300	1,414,300	0	1,414,300	1,414,300	0	1,414,300	1,080,970	1,080,970	3,242,910	3,529,850	1,829,850	15,007,450	
12		2,737,540	2,812,730	75,190	3,042,210	2,949,810	(92,400)	3,153,920	3,219,770	3,283,410	10244790	18,470,040	20,369,510	64,503,980	
		<b>16,379,630</b>	<b>17,964,250</b>	<b>1,584,620</b>	<b>16,912,560</b>	<b>18,719,380</b>	<b>1,806,820</b>	<b>19,062,900</b>	<b>18,968,030</b>	<b>19,239,230</b>	<b>59,435,620</b>	<b>103,603,770</b>	<b>111,781,400</b>	<b>368,774,580</b>	
		<b>Income</b>													
13		(15,389,030)	(15,689,030)	(300,000)	(15,781,450)	(16,129,490)	(348,040)	(16,540,790)	(16,962,580)	(17,395,130)	(54,892,400)	(101,224,860)	(114,806,260)	(353,640,540)	
14		(584,260)	(584,260)	0	(600,040)	(600,040)	0	(616,240)	(632,880)	(649,970)	(2,057,110)	(3,815,860)	(4,359,600)	(13,315,960)	
15		(179,250)	(179,250)	0	(184,090)	(184,090)	0	(189,060)	(194,160)	(199,400)	(631,080)	(1,170,640)	(1,337,450)	(4,085,130)	
16		(185,370)	(185,370)	0	(212,580)	(217,580)	(5,000)	(228,870)	(233,270)	(233,270)	(699,810)	(1,166,350)	(407,850)	(3,372,370)	
17		(32,910)	(32,910)	0	(32,910)	(32,910)	0	(32,910)	(32,910)	(32,910)	(98,730)	(164,550)	(164,550)	(592,380)	
18		(329,720)	(459,720)	(130,000)	(189,070)	(329,720)	(140,650)	(329,720)	(329,720)	(329,720)	(989,160)	(1,648,600)	(1,648,600)	(6,064,960)	
19		(19,500)	(19,500)	0	(19,500)	(19,500)	0	(19,500)	(19,500)	(19,500)	(58,500)	(97,500)	(97,500)	(351,000)	
		<b>(16,720,040)</b>	<b>(17,150,040)</b>	<b>(430,000)</b>	<b>(17,019,640)</b>	<b>(17,513,330)</b>	<b>(493,690)</b>	<b>(17,957,090)</b>	<b>(18,405,020)</b>	<b>(18,859,900)</b>	<b>(59,426,790)</b>	<b>(109,288,360)</b>	<b>(122,821,810)</b>	<b>(381,422,340)</b>	
20		(152,460)	(1,232,150)	(1,079,690)	(35,860)	(35,860)	0	(5,920)	0	0	0	0	0	(1,273,930)	
		<b>Surplus (- )/Deficit (+) on HRA Balance</b>	<b>(492,870)</b>	<b>(417,940)</b>	<b>74,930</b>	<b>(142,940)</b>	<b>1,170,190</b>	<b>1,313,130</b>	<b>1,099,890</b>	<b>563,010</b>	<b>379,330</b>	<b>8,830</b>	<b>(5,684,590)</b>	<b>(11,040,410)</b>	<b>(13,921,690)</b>

These adjustments is in relation to other decisions

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