

Public Document Pack
SOUTHEND-ON-SEA CITY COUNCIL

Cabinet

Date: Monday, 24th June, 2024

Time: 7.00 pm

Place: Committee Room 1 - Civic Suite

Contact: Colin Gamble

Email: committeesection@southend.gov.uk

AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interest**
- 3 Minutes of the meeting held on Monday, 4th March 2024 (Pages 3 - 14)**
- 4 Minutes of the meeting held on Thursday, 14 March 2024 (Pages 15 - 20)**
- 5 Minutes of the meeting held on Monday, 29 April 2024 (Pages 21 - 24)**
- 6 Provisional Revenue and Capital Outturn 2023/24 (Pages 25 - 128)**
Report of Executive Director (Finance and Resources)
- 7 Annual Treasury Management Report 2023/24 (Pages 129 - 150)**
Report of Executive Director (Finance and Resources)
- 8 Licensing Policy - Consultation and Adoption (Pages 151 - 204)**
Report of Executive Director (Environment and Place)
- 9 Review of the Council's Statement of Gambling Policy - Consultation (Pages 205 - 248)**
Report of Executive Director (Environment and Place)
- 10 Corporate Debt Management - Position as at 31 March 2024 (Pages 249 - 268)**
Report of Executive Director (Finance and Resources)

Chair & Members:

Cllr D Cowan (Chair), Cllr A Jones (Vice-Chair), Cllr L Burton, Cllr P Collins, Cllr M Dent, Cllr I Gilbert, Cllr L Hyde, Cllr M Sadza and Cllr M Terry

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Public Document Pack
SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Monday, 4th March, 2024
Place: Committee Room 1 - Civic Suite

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Present: Councillor T Cox (Chair)
Councillors M Davidson (Vice-Chair), H Boyd, K Buck, J Courtenay,
D Garston, D Nelson and C Campbell

(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillors D Cowan and L Hyde
M Marks, J Chesterton, C Gamble, C Ansell, M Harvey, A Keating,
A Richards, C Shuter and S Zeiss

Start/End Time: 6.30 - 7.05 pm

96 Apologies for Absence

Apologies for absence were received from Councillors Jarvis and Lamb..

97 Declarations of Interest

There were no declarations of interest at this meeting.

98 Minutes of the meeting held on Tuesday, 31 October 2023

Resolved:

That the minutes of the meeting held on Tuesday, 31 October 2023 be confirmed as a correct record.

99 Minutes of the meeting held on Tuesday, 30 January 2024

Resolved:

That the minutes of the meeting held on Tuesday, 30 January 2024 be confirmed as a correct record.

100 Minutes of the Meeting held on Tuesday, 13 February 2024

Resolved:-

That the Minutes of the Meeting held on Tuesday, 13 February 2024 be confirmed as a correct record and signed.

101 Corporate Risk Register

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Corporate Risk Register for the period to January 2024.

Resolved:

That the revised Corporate Risk Register and the position in January 2024 set out in Appendix 1 to the submitted report and the actions being taken to manage the risks, be noted.

Reasons for decision:

The Accounts and Audit Regulations 2015 require that a relevant authority must ensure it has a sound system of internal control which facilitates the effective exercise of its function and the achievement of its aims and objectives, ensures that the financial and operational management of the authority is effective and includes effective arrangements for the management of risk.

Other options:

None.

Note: This is an Executive Function

Not eligible for call-in.

Cabinet Member: Cllr Lamb

102 Treasury Management Report - Quarter Three 2023/24

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Quarter Three Treasury Management Report covering the treasury management activity and compliance with the treasury management strategy for both quarter three and the period from April to December 2023.

Resolved:

1. That the Quarter Three Treasury Management Report for 2023/24, be approved.
2. That it be noted that the treasury management activities were carried out in accordance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management in the Public Sector during the period from April to December 2023.
3. That it be noted that the loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.
4. That it be noted that £4.811m of interest and income distributions for all investments were earned during this nine-month period at an average rate of 4.56%. This is 0.33% below the average SONIA rate (Sterling Overnight Index Average) and 0.39% below the average bank rate. Also, the value of the externally managed funds decreased by a net of £1.152m due to changes in the unit price, giving a combined overall return of 3.47%.

5. That it be noted that the level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £347.3m (Housing Revenue Account (HRA): £74.2m, General Fund: £273.1m) during the period from April to December 2023 at an average rate of 3.46%.

6. That it be noted that the level of financing for 'invest to save' capital schemes decreased from £8.22m to £8.13m during the period from April to December 2023.

Reasons for decision:

The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2023/24 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

Other Options:

There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Cox

103 Dementia Support Service - Consultation

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the proposal to end the Dementia Community Support Service (DCSS) by the end of March 2024.

The Cabinet also received a supplementary paper setting out the feedback from the People Scrutiny Committee on 27th February 2024, together with a revised recommendation.

Resolved:

1. That the closure of the DCSS in its current format and the restructure of adult social care services, to include a prevention and enablement service to ensure that continuous appropriate and accessible information and advice is available, be approved.

2. That in response to the public consultation and views expressed, four new full-time equivalent posts (dementia community navigators) and one part-time community builder be developed as part of the new prevention and enablement service in Adult Social Care.

3. That the development of 4 locality-based support groups for people with dementia and their informal carers, be approved. This would make accessing a club local to them easier for residents across the city.

4. That additional investment to enable relevant carer organisations to be able to attend the proposed locality groups more regularly to support carers, be approved.

5. That the new community navigator roles, locality groups and additional support for carers be funded via the investment of £100,000 from the additional social care grant recently announced by Government.

Reasons for decision:

Continuing to provide the service in its current format is not financially sustainable because of the financial pressure experienced by Southend City Council and removal of funding from partners.

Other options:

1. Option 2 (not recommended) End the service without providing support for the clubs or new community navigator roles. The outcome of the public consultation showed the value people place on the support groups, especially in supporting informal carers in their caring roles.

2. Option 3 (not recommended) Continue to provide the service in its current format. This is not financially sustainable and would retain the financial risk for the areas outside of Southend that were funded by partners. It would also leave the council continuing to be the provider of a service while being responsible for the Quality Assurance.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Nelson

104 Family Centres - Consultation

The Cabinet considered a report of the Executive Director (Children and Public Health) presenting the outcome of the public consultation to review the current Family Centre offer which concluded on 1st February 2024.

The Cabinet also received a supplementary paper setting out the feedback from the People Scrutiny Committee on 27th February 2024.

Resolved:

1. That the outcome of the public consultation which also engaged with delivery partners and local agencies, set out at Appendix 1 to the submitted report, be noted.

2. That the proposed new Family Centre model, as set out in Appendix 1 to the report, be approved.

3. That it be noted that the proposed new Family Centre offer, will deliver an efficiency of £350,000 against the Family Centre budget.

Reasons for decision:

By reconfiguring this service now there will be a service offer that delivers good public health and early years foundation outcomes, as part of an early intervention and prevention agenda to under 5s, as efficiently as possible.

Other options:

There were three options, including an option with 'no change' and the report outlines the outcome of the consultation and how this has informed the restructure of the new service.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Members: Cllr Boyd/Cllr Nelson

105 Community Response Service & Telecare Charging System - Consultation

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the outcome of the consultation concerning the proposed changes to the telecare monitoring service within adult social care.

The Cabinet also received a supplementary paper setting out the feedback from the People Scrutiny Committee on 27th February 2024.

Resolved:

1. That the outcome of the public consultation on the proposed changes to the telecare monitoring service and the Council's recommendation for the introduction of a contributory charge, be noted
2. That the recommended changes to the charging arrangements for the Telecare Monitoring Service, be approved.
3. That it be noted that the results of the consultation will be published on the website and those affected by the charge will be notified by letter.

Reasons for decision:

The Telecare Monitoring Service has been identified as a service which would benefit from revisiting its charging structure which at present is free for customers who go through the Council's adult social care service.

Other options:

None.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Nelson

106 Economic Growth Strategy 2024-2028

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Economic Growth Strategy 2024-28.

Resolved:

That the Economic Growth Strategy 2024-2028, as set out at appendix 1 to the submitted report, be approved and that any final minor changes prior to publication be delegated to the Executive Director (Environment and Place), in consultation with the Cabinet Member for Growth and Investment.

Reasons for decision:

Enabling economic growth and a strong and prosperous community is integral to the work of the Council. Whilst, there is no statutory requirement to have an economic growth strategy it is good practice and the strategy can guide Council decision-making and activity to maximise the level of and benefits from economic growth for businesses and residents.

Other options:

Not to produce a new economic growth strategy. This would represent a missed opportunity to promote and capitalise on economic growth opportunities in the city.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Campbell

107 New Tenancy Strategy

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Council Tenancy Strategy 2024-29.

Resolved:

That the updated Tenancy Strategy 2024-29, as set out in Appendix 1 to the submitted report, be approved, in particular:

1. The Council's stance/ask of RPs with regards to the use of flexible/fixed term tenancies.
2. The Council's position on how fixed term/flexible tenancies interplay with domestic abuse.
3. The council's proposal on affordable rent.

Reasons for decision:

Approval of the Council's Tenancy Strategy is required as the current strategy has expired and the Council is legally required to have one in place.

Other options:

1. Continue with the current out-of-date strategy which is no longer fit for purpose.
2. Decide not to have a Tenancy Strategy, but the Council would not be fulfilling its legal requirements.
3. Delay implementation and find/fund officer resource to undertake further revisions and subsequent consultation/engagement.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Garston

108 Environment & Regulatory Enforcement Policy

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the updated Environment and Regulatory Enforcement Policy.

Resolved:

That the updated Environment and Regulatory Enforcement Policy, as set out at Appendix 1, be approved.

Reasons for decision:

The Council has a duty to ensure its policies are fit for purpose and comply with the discharge of statutory duties and operational functions. The review and updated policy is a requirement of these duties.

Other options:

None

Note: this is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Lamb

109 Annual Procurement Plan

The Cabinet considered a report of the Executive Director (Finance and Resources) presenting the Annual Procurement Plan for 2024/25.

Resolved:

1. That the annual procurement plan for 2024/25, as set out in Appendix 1 to the submitted report, which contains those procurements with a value of £250,000 or above, be approved.

2. That it be noted that any capital projects/procurements will be added as required, having being approved as part of the capital programme (both Southend City Council and South Essex Homes).

Reasons for decision:

The approval of the Council's annual procurement plan is required under part 4g of the Council's constitution.

Other options:

To just publish an annual plan, but it is felt that the development of a pipeline plan will assist the Council and businesses in their resource and future planning. The move to a 3-year plan (2024-2027) also aligns with the requirements once the UK Procurement Act commences in October 2024.

Note: This is an Executive Function
Not eligible for call-in.
Cabinet Member: Cllr Lamb

110 PSPO - Leigh (Anti-social Behaviour)

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) for renewal.

Resolved:

That the renewal of the Public Spaces Protection Order (Leigh-on-Sea and Chalkwell Seafront and Adjoining Areas) No1 of 2021 ("the 2021 PSPO), be approved.

Reasons for decision:

The renewal of the PSPO will enable continued necessary control of relevant matters relating to behaviours listed in the Order and the ability for officers to issue Fixed Penalty Notices where breaches of the Order are witnessed and those responsible are identified.

Other options:

Not to renew the 2021 PSPO. This would result in the current PSPO expiring at midnight on 31st July 2024, and this enforcement power would no longer be available to Essex Police and the Council's authorised officers for tackling ASB in the restricted area.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Courtenay

111 PSPO (Dog Control)

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Southend-on-Sea City Council (Dog Control) Public Spaces Protection Order of 2021 for renewal.

Resolved:

That the renewal of the Southend-on-Sea City Council (Dog Control) Public Spaces Protection Order of 2021 (“the 2021 PSPO”), be approved.

Reasons for decision:

The Renewal will enable continued necessary control of relevant matters relating to dogs and the ability for officers to issue Fixed Penalty Notices where breaches of the Order are witnessed and those responsible are identified.

Other options:

Not to renew the 2021 PSPO. This would result in the current PSPO expiring at midnight on the 30th April 2024, and this enforcement power would no longer be available to Essex Police and the Council’s authorised officers for tackling ASB in the restricted area.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Courtenay

112 Notices of Motion: Cuckoo Corner and Fly-tipping (referred from Council held on Thursday, 14th December 2023)

This matter was deferred to the meeting of Cabinet to be held on 14th March 2024.

113 Stray Dog Service Contract Award

The Cabinet considered a report of the Executive Director (Environment and Place) presenting the Stray Dog Service Contract re-procurement for approval.

Resolved:

1. That the award of the stray dog service to provide the following services, be approved:

- Collection of stray dogs between the hours of 8.30am and 10pm, this being the point at which the Council accepts responsibility and receives the stray dog.
- Kennelling of strays until re-united with their owners, they are re-homed, or the statutory requirement of the local authority ends.

2. That a review of the fees and charges charged to owners, be approved. This will include the statutory fee and recovery of expenses associated with seizing and detaining a stray dog.

Reasons for decision:

None. This is a statutory duty to deliver a service that provides for the seizure and detention of stray dogs. The financial rules require that a formal procurement process is undertaken.

Other options:

None.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Lamb

114 Extension of Contact - Severe & Multiple Disadvantage Service 2024/25

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting the proposal for a one-year extension of the contract for the Severe and Multiple Disadvantage Service (SMDS) 2024/25.

Resolved:

That the one-year extension to the Severe and Multiple Disadvantage Service 2024/25 contract to 31st March 2025, be approved.

Reasons for decision:

Not extending the SMDS service would have a negative impact on service users, residents and the Council. The extension of the contract by one year will enable a more coherent review of supported housing need, and it will also enable time to expand the evidence-base for any future offer that includes the SMDS service.

Other options:

The current contract could be allowed to expire on 31st March 2024. There would likely to be a severe impact for the individuals supported if the services were ended, as well as the Council and potentially other residents of Southend.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Nelson

115 Independent review of Southend Care Ltd and Vecteo

The Cabinet considered a report of the Executive Director (Strategy and Change) presenting the findings of the independent review of two of the Council's wholly owned companies, Southend Care Ltd (SCL) and LHCS and Southend Travel Partnership Ltd (known as 'Vecteo').

Resolved:

1. That the findings of the independent reviews of Southend Care Ltd and Vecteo, be noted.

2. That the proposed recommendations of the independent reviews, as set out in Appendix 1 to the submitted report, and that the Shareholder Board monitor progress against the action plan, be approved.

Reasons for decision:

Implementation of the recommendations identified through the independent review should enable the companies to return to/or sustain financial viability and enable savings for the Council.

Other options:

Not to accept the findings of the review or the recommendations and continue with the arrangements for the companies as they are. The likely consequence of this is that the financial viability of the companies will deteriorate and the quality of services will be compromised.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Cox

Chair: _____

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SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

Date: Thursday, 14th March, 2024
Place: Council Chamber - Civic Suite

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Present: Councillor T Cox (Chair)
Councillors C Campbell, M Davidson (Vice-Chair), H Boyd, K Buck,
J Courtenay, D Garston, J Lamb and D Nelson

(*Substitute in accordance with Council Procedure Rule 30.)

In Attendance: Councillor Aylen
C Ansell, S Zeiss, C Shuter, M Marks, A Barnes, J Gay, A Keating,
R Lumley, A Richards, L White and R Harris.

Start/End Time: 6.30 pm - 6.55 pm

116 Apologies for Absence

Apologies for absence were received from Councillor D Jarvis.

117 Declarations of Interest

The following declaration of interest was made:

Councillor Campbell – Minute 112 (Notice of Motion – Fly-tipping enforcement)
– Proposer of the Notice the Motion at Council on 14th December 2024.

118 Waste Collection Contract Procurement

The Cabinet considered a joint report of the Executive Director (Finance and Resources) and Executive Director (Environment and Place) presenting an update on the progress of the procurement of the new waste collection contract and clarity about the oversight role of Cabinet up to now and for the remainder of the process.

Resolved:

That the submitted report be noted and referred to Full Council for consideration.

Reasons for Decision:

To note the rationale for each of the recommendations related to Waste Collection Contract Specification set out in **Appendix 1**. Each recommendation is underpinned by the objectives of the procurement that were agreed by Cabinet on 14th June 2022. Each of the recommendations presented have been discussed with and considered by the cabinet member through the Waste Steering Board and have been subject to wider debate via the pre-scrutiny processes.

Other Options:

Alternative options are set out in the confidential appendices.

Note: This is an Executive Function

Not eligible for call-in

Cabinet Members: Cllr Cox and Cllr Davidson

119 Community Based Supported Living Procurement

The Cabinet considered a report of the Executive Director (Adults and Communities) presenting details of the Community Based Supported Living Procurement process undertaken via the Council's electronic Tender Facility.

Resolved:

That the award of placement on the Supported Living Framework to the 22 providers set out in the submitted report, be approved.

Reasons for decision:

To approve the award of placement on the Supported Living Framework to the successful applicants, following the Council's electronic Tender Facility ProContract process.

Other options:

None.

Note: This is an Executive Function

Not eligible for call-in

Cabinet Member: Cllr Nelson

120 Homecare Extension to Contract 2024

The Cabinet considered a report of the Executive Director (Adults and Communities) seeking approval to further extend the Care and Support in Home, homecare contract, to 31st March 2025.

Resolved:

That the Homecare Services contract be extended to 31st March 2025.

Reasons for decision:

To extend the Homecare contract to 31st March 2025 to enable the service to continue under the current contract during this time.

Other options:

To spot-purchase any number of providers to deliver Homecare in the city as an alternative to a framework contract. This would present an increased risk to the effective oversight of the quality and safety of Homecare provision to vulnerable residents in need of care and support living across the city. In addition, each package of care would be subject to the Council's procurement procedures and therefore some form of quotation process with competition would be required each time significantly delaying provision of care in many cases.

Note: This is an Executive Function
Not eligible for call-in.
Cabinet Member: Cllr Nelson

121 Notice of Motion - Cuckoo Corner (referred by Council held on 14th December 2023)

The Cabinet considered a report of the Executive Director (Environment and Place) concerning the Notice of Motion related to Cuckoo Corner referred to it by Council at its meeting on 14th December 2023.

Resolved:

1. That the Notice of Motion relating to Cuckoo Corner, as set out at Appendix 1 to the submitted report, be noted and junction monitoring be continued to gather data to inform a trial scheme.
2. That, subject to the analysis of the junction monitoring data, a trial scheme be brought forward to restrict westbound right turns from Priory Crescent into Aldi and the Saxon King pub and the effects of this trial scheme be monitored post implementation to inform any potential future changes.

Reasons for decision:

To respond to the Notice of Motion concerning Cuckoo Corner referred by Council held on 14th December 2023.

Other options:

None.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Buck

122 Notice of Motion - Fly-tipping Enforcement (referred by Council held on 14th December 2023)

The Cabinet considered a report of the Executive Director (Environment and Place) concerning the Notice of Motion related to fly-tipping enforcement referred to it by Council at its meeting on 14th December 2023.

On consideration of the report a minor amendment was made to include graffiti as an additional area for enforcement.

Resolved:

1. That the Notice of Motion relating to fly-tipping enforcement, as set out at Appendix 1 to the submitted report, be used to inform the procurement of a contractor to support the Council in addressing matters including low level fly tipping, dog fouling, littering and graffiti.

2. That the procurement of a contractor be progressed as soon as possible to deliver the anticipated income in the 2024/25 budget and it be noted that it is anticipated that the appointment of any such contractor under this small procurement will not be a key decision and will therefore be a matter which can be concluded under officer delegations at the relevant time.

Reasons for decision:

To respond to the Notice of Motion concerning fly tipping enforcement referred by Council held on 14th December 2023.

Other options:

None.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Davidson

123 Exclusion of the Public

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the items of business set out below, on the grounds that they would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

124 Transitional Supported Housing

The Cabinet considered a report of the Executive Director (Adults and Communities) seeking approval to extend several contracts in relation to Transitional Supported Housing.

Resolved:

That the contracts set out in the submitted confidential report be extended for 4 months.

Reasons for decision:

To extend the contracts for 4 months as part of Transitional Supported Housing.

Other options:

None.

Note: This is an Executive Function

Not eligible for call-in.

Cabinet Member: Cllr Nelson

125 Confidential Appendices - Waste Collection Contract Procurement

This matter was considered in conjunction with Minute 118 (Waste Collection Contract Procurement) above.

126 Confidential Appendix - Community Based Supported Living Procurement

This matter was considered in conjunction with Minute 119 (Community Based Supported Living Procurement) above.

Chair: _____

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Public Document Pack
SOUTHEND-ON-SEA CITY COUNCIL

Meeting of Cabinet

5

Date: Monday, 29th April, 2024
Place: Committee Room 1 - Civic Suite

Present: Councillor T Cox (Chair)
Councillors C Campbell, M Davidson (Vice-Chair), H Boyd,
J Courtenay and D Garston

In Attendance: C Ansell, S Zeiss, A Richards, G Halksworth and R Harris

Start/End Time: 2.00 - 2.15 pm

127 Apologies for Absence

Apologies for absence were received from Councillors Buck, Lamb and Nelson.

128 Declarations of Interest

There were no declarations of interest at this meeting.

129 Fossetts Farm, Land Transactions

The Cabinet considered a report of the Executive Director (Environment and Place presenting an update on the Council's due diligence, the proposed transaction and the next steps in relation to the development of land ant Fossetts Farm. The report also sought agreement to proceed to the exchange of contracts for the updated transactional arrangements subject to the satisfactory (to the Council) completion of due diligence and a range of other conditions to secure the Council's, and related party interests.

Resolved:

1. That the current due diligence programme which is underway and which elements remain to be completed be noted and that the Council proceed to the exchange of contracts and completion subject to all due diligence being completed to the satisfaction of the Council, as explained in the submitted report, and subject to the simultaneous sale of Southend United Football Club to the Consortium.

2. That authority be delegated to the Executive Directors for Environment and Place and Finance and Resources (s.151), in consultation with the Leader of the Council and the Cabinet Member with responsibility for regeneration, subject to paragraph 10.3 of the submitted report, to agree any adjustments required to the transaction and to authorise the exchange of contracts, subject to:

- a) The completion of all due diligence to the satisfaction of those to whom authority is delegated above.
- b) The simultaneous sale of Southend United Football Club to The Consortium.

- c) a pre-exchange condition that CBRE/Merseyside Pension Fund consent to the Agreement for Lease and any other relevant elements of the transaction.
- d) Suitable contractual protection for the Council and the new owners of Southend United Football Club (POSU FC Ltd and COSU FC Ltd (parent company) that the payments from the landowner (currently Thames Plaza Plc) and the developer (Citizen Housing Ltd) totalling £20m from profit and land receipts, to be secured and invested into Roots Hall.

3. That it be noted that any development at Fossetts Farm will be subject to a new planning application and that the Council must remain unfettered in dealing with this through its statutory planning function as Local Planning Authority, through the Development Control Committee. This report relates only to the proposed financial and property transaction. The requirements on the applicant/related parties to enter into a planning agreement (s.106) to require the payment of £20m as above is also expected so that this is secured both in the land transaction, and through the planning agreement.

Reasons for decision:

1. To provide suitable protection and assurance for Cabinet and key stakeholders of the Council's intention to proceed with the transactions for Fossetts Farm, subject to the completion of all relevant due diligence and the security of suitable protections where required.
2. To provide certainty such that the sale of SUFC can proceed to completion with assurance that provisions have been made, beyond any s.106 obligations, for the payment of funds to The Consortium from the development profits at Fossetts Farm and that the expectation that these are also secured via s.106 (both at no cost to the Council or the taxpayer) is also noted.

Other options:

1. To opt not to proceed with the varied terms and to disengage in the negotiations. The exchanged agreement for lease remains valid however this is no longer deliverable with the change in ownership of SUFC and the need to separate Roots Hall and Fossetts Farm.
2. To support the principles but encourage the developer to find an alternative partner to take the built product. This is an option although the Council has previously agreed to take on this role and there is benefit in retaining control over the housing, housing types and tenure and in receiving the long-term commercial benefit from the rental income (above rent paid-out and costs) and ultimately the full capital value for £1 at the end of the 55-year lease terms.

Note: This is an Executive Function
Not eligible for call-in
Cabinet Member: Cllr Cox

130 Exclusion of the Public

Resolved:

That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business set out below, on the grounds that it would involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A to the Act and that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

131 Fossetts Farm. Land Transactions - Confidential Appendix 1

This matter was considered in conjunction with Minute 129 (Fossetts Farm, Land Transactions) above.

Chair: _____

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Title: Provisional Revenue and Capital Outturn 2023/24

Meeting: Cabinet

Date: 24 June 2024

Classification: Part 1

Policy Context: All Corporate Priorities

Key Decision: No

Report Authors: Pete Bates, Director of Financial Services,
Caroline Fozzard, Senior Finance Lead (Strategy,
Sustainability and Governance)

Executive Councillors: Councillor Cowan – Leader and Cabinet Member for
Infrastructure and Corporate Strategy
Councillor Collins – Cabinet Member for Finance, Assets
and Investments

1 Executive Summary

1.1 The purpose of this report is:

1.1.1 To update Cabinet with the provisional revenue outturn for 2023/24, and therefore the indicative level of revenue balances going into 2024/25.

1.1.2 To advise Cabinet of the implications of the provisional revenue outturn for 2023/24 and to provide an update on the financial resilience and future financial sustainability of the Council. This is pertinent given the levels of financial distress that have been reported across the local government sector throughout the last financial year and locally the previously reported concerns around increasing levels of demand and cost pressures being experienced primarily in our core statutory service provision.

1.1.3 To inform Cabinet of the capital investment programme outturn for 2023/24 and to seek approval for the relevant budget carry forwards and accelerated delivery requests.

- 1.1.4 To seek approval for in year amendments for the current approved capital investment programme for 2024/25 to 2028/29.
- 1.1.5 To seek approval to carry forward Community Infrastructure Levy (CIL) Main Fund receipts from 2023/24 and previous financial years and to delegate authority to agree how the CIL Ward Neighbourhood Allocations are to be spent.
- 1.1.6 To consider and provide endorsement of the submission of the Council's new Productivity Plan to the Department for Levelling Up, Housing and Communities (DLUHC)

2 Recommendations

That Cabinet:

- 2.1 **Note the provisional 2023/24 revenue outturn position for both the General Fund (Section 4) and Housing Revenue Account (HRA) (Section 6) and delegate the agreement of any final adjustments following the completion and audit of the Statement of Accounts to the Executive Director (Finance and Resources).**
- 2.2 **Consider and approve the appropriation of revenue funds to and (from) earmarked reserves, as set out in Section 4.22 to 4.25 (General Fund) and Section 6.5 (HRA).**
- 2.3 **Note the potential revenue impact of the 2023/24 outturn on the 2024/25 General Fund budget and Medium Term Financial Strategy (Section 4.27 – 4.34).**
- 2.4 **Note that the expenditure on the capital investment programme for 2023/24 totalled £50.066M against a revised budget of £56.126M (Section 7.2 – 7.3).**
- 2.5 **Approve the relevant budget carry forwards and accelerated delivery requests totalling a net £7.119M moving into 2024/25 and future years, as set out in Appendix 1.**
- 2.6 **Approve the virements, reprofiles, additions, deletions, new external funding for schemes and transfers to/from the 'subject to viable business case' section of the programme, as detailed in Appendix 1 and note that this will result in an amended Capital Investment Programme deliverable by the Council of £120.899M for the period 2024/25 to 2028/29, as detailed in Appendix 2.**
- 2.7 **Note the requested changes as detailed in Appendix 2 will result in an amended total Capital Investment Programme of £20.834M deliverable by South Essex Homes Limited and £1.092M deliverable by Kent County Council, totalling £21.926M, as detailed in Appendix 2.**
- 2.8 **Note that the results of the ongoing review of the affordability and prioritisation of the current approved Capital Investment Programme.**

- 2.9 **Note the content of the Infrastructure Funding Statement 2023/24 (included in Appendix 3) and agree to carry forward CIL Main Fund receipts from reported year 2023/24 and previous reported years until the CIL Governance Framework and spending plans are reviewed for the reported year 2024/25, or Cabinet authorise any detailed spending proposals.**
- 2.10 **Delegate authority to the Executive Director for Environment and Place (in consultation with Ward Members and the Cabinet Member for Planning, Housing and the Local Plan) to agree how the CIL Ward Neighbourhood Allocations received up until 31 March 2024 (excluding allocation to Leigh Town Council) are to be spent.**
- 2.11 **Consider and endorse the submission of the Council's Productivity Plan (attached as Appendix 4) to the Department for Levelling Up, Housing and Communities (DLUHC) (Section 9). Delegate authority for any final amendments to the Executive Director (Finance and Resources) and the Executive Director (Strategy and Change) in consultation with the Cabinet Members for Finance, Assets and Investments.**

3 Background Information

- 3.1 Southend-on-Sea officially celebrated gaining full City status on 1 March 2022, a key landmark event in the history of the area and the Council. In accordance with normal practice the Council's 2023/24 budget was formally approved in February 2023 and at this time it was impossible to predict the scale of economic challenges, national and international circumstances that have dominated headlines right across the world throughout the last financial year. Locally we have experienced rising demand for social care services for adults, children and our most vulnerable families. This situation has been replicated across most upper tier local authorities across the country.
- 3.2 Many local authorities expressed major concerns and gave several financial warnings during 2023/24. The sector has been forced to continue to have to make some very tough choices and embrace and implement significant further changes to their individual local service offer. Looked at collectively, there is an unprecedented amount of pressure to deliver service change and reduce costs whilst also managing major affordability and sustainability concerns. The sector has never witnessed so many s114 notices (effectively a declaration that a local authority is no longer a going concern) being issued or being considered.
- 3.3 Southend-on-Sea City Council, along with most local authorities across the country, continues to face significant challenges in providing essential services to meet the needs of residents within the level of resources it has at its disposal. This has been exacerbated by the continuing challenging operating environment and increasing and more complex local service demand. We also have entrenched inequalities and disparities that exist across the city's neighbourhoods.

- 3.4 As reported throughout 2023/24 the Council faced the perfect storm of continued increases in service demand post the COVID pandemic combined with unavoidable and rapid increases in operating costs across almost every aspect of its organisation. This had a major impact on the Council's approved financial plans for 2023/24 and the general economic climate created serious cost of living challenges for some of our local residents.
- 3.5 As part of the development and approval of the Council's 2024/25 Budget and Medium Term Financial Strategy in February 2024 a commitment was given to the development of a new Transformation and Service Redesign Programme for 2024/25 – 2028/29. This was agreed as part of the Council's overall budget package, with specific areas and themes identified to be scoped and developed further during 2024/25. This commitment has been supplemented and enhanced with the continuation of comprehensive service plans that cover every area of the Council. The ambition is to support the Council's continued financial sustainability commitment.
- 3.6 Other measures will also continue to complement this new Transformational Programme and strengthen the Council's financial resilience. These include plans to enhance the terms of reference of a Members Resources Panel (Members Budget Challenge introduced in 2023/24) and to improve the value for money of services the Council is committed to delivering: on-going service reviews; a selection of targeted zero based budget challenges; implementation of outcome-based budgeting principles (to ensure resources are specifically targeted to delivering better outcomes for local residents); better linking of business planning and budgeting to service outcomes; effective and creative management of service demand; review of major contractual arrangements; further implementation of the Commissioning Framework; exploring new commercial opportunities; evaluating a range of income generation initiatives and continuing to enhance our systems, processes and internal business transformation arrangements.
- 3.7 The continued increases in inflation throughout 2023/24, added significant new pressures and local challenges for the Council. The operating landscape remains uncertain due to the challenge of predicting the medium to long term impact on local service demand, new service design delivery arrangements and potentially even more significant new national policies and financial reform for public services post the general election. The situation will continue to be closely monitored and any major implications will be reported as early as possible to Cabinet during 2024/25.
- 3.8 A considerable amount of analysis, decisive action and financial planning was undertaken throughout 2023/24, particularly since Southend-on-Sea was already having to respond to some high value social care demand trends from previous years. This scenario was replicated in many other upper tier authorities right across the country. These pressures had been recognised locally and attempts were made to address some of these issues by increasing the revenue base of these services for 2024/25 and as part of the Medium Term Financial Strategy.

- 3.9 Concerns were highlighted early in 2023/24 around the combined impact of the rapid increase in both the complexity and costs of service demand, particularly for statutory social care provision. High levels of inflation and the cost-of-living crisis that developed throughout 2023/24 also had a significant impact on all our local communities, but particularly in the more deprived areas.
- 3.10 Despite reporting a final level of overspending for 2023/24 of circa **£1.9M**, this was a significant improvement on what was forecast during the early part of the financial year. The Council remains in a relatively financially resilient position and the overall financial performance of the Authority is now stabilising and most service areas are showing positive signs of improvement.
- 3.11 The decisive action that has been taken and the commitment to further service redesign and transformation would suggest that the financing level of the overall cost base of the Council is now closer to a more reasonable, effective and sustainable level. Clearly there are still many more challenges to overcome, particularly with regards to the increasing costs of statutory social care arrangements for children and adult services. Positively throughout the last financial year, the Council responded proactively to continue to support local communities and our most vulnerable residents, minimising the impact of the cost-of-living crisis wherever it could.
- 3.12 The challenges that will be faced in 2024/25, remain significant due to the combination of continuing increases in core service demand and the legacy impact of inflationary cost pressures, albeit that the rate of inflation increases is now beginning to slow down across the range of Council operations.
- 3.13 This provisional outturn report builds on the financial performance monitoring information provided for period 8 (November 2023), which was reported to Cabinet in January 2024. It highlights the changes in the last four months of the year and provides an insight into the major variances that have contributed to the final outturn position. It also considers the implications of the revenue outturn for 2023/24 and provides an update on the financial resilience and future financial sustainability of the Council. Positive decisive action has been taken during 2023/24 but challenges remain primarily in core statutory social care service provision for the 2024/25 approved budget and Medium Term Financial Strategy to 2028/29¹.

¹ <https://www.southend.gov.uk/downloads/file/8236/medium-term-financial-strategy-2024-25-to-2028-29>

4 2023/24 Provisional General Fund Revenue Outturn

- 4.1 2023/24 was another exceptional and challenging year, with volatility in expenditure as a direct consequence of rising inflation and interest rates and the full realisation of pent-up demand for our services (especially in Social Care) following on from the COVID-19 pandemic and cost of living crisis. The escalation and speed of the increases in the direct costs of service provision and additional price pressure from our supply chains was significant. This was combined with not only major increases in service demands but also in complexity. The scale of the local financial impact on both expenditure and income expectations led to major variations from our original approved plans for 2023/24 and the actual profile of spending was erratic, particularly during the earlier part of the year.
- 4.2 Given the size and complexity of the Council's operations and the volatility caused by the operating environment and unavoidable increases in the costs of service delivery there have been several variations from the original approved plans across individual service areas. As part of the year-end arrangements, consideration has also been given to the need to review the level of provisions for insurance, future transformation priorities, specific service risk assessments, bad and doubtful debts and other demand challenges caused locally by the 'cost of living' crisis.
- 4.3 The impact on the Council's reserves caused by the combination of challenges described paragraphs 4.1 and 4.2 resulted in a **£18.668M reduction** in the level of Earmarked Reserves held by the Council from **1 April 2022 to 31 March 2023**. Specific risk reserves for statutory social care pressures began to be prudently created by the Council from the 2018/19 financial year, to respond positively to the range of unprecedented circumstances such as those experienced in 2022/23 and continued into 2023/24.
- 4.4 Whilst the operating environment remains challenging, due to the positive action that was taken in 2023/24, the level of volatility and impact on our reserves is now beginning to stabilise. The change in our level of reserves for the 2023/24 financial year is a movement from **£77.221M** (1 April 2023) to **£74.408M** (31 March 2024). A reduction of **£2.813M**. This change in 2023/24 is significantly lower than what was experienced in 2022/23. It is now hoped that the need to call on our reserves in the future will continue to reduce, indeed over the medium term the plan would be to prudently increase our reserves to support our financial resilience and sustainability commitment.
- 4.5 The following table summarises the 2023/24 provisional revenue outturn for the General Fund and summarises the level of spending variations. Careful consideration has also been given to ensure that the Council prepares appropriately for the ongoing impact of global events, the outcome of a general election, potential public service finance reform, local economic recovery aspirations and service demand pressures in 2024/25 and the future. The 2023/24 provisional outturn has been prepared on the assumption that all appropriations to and (from) earmarked reserves proposed in this report are approved. Cabinet is invited to consider the recommended level of appropriations at Sections 4.22 – 4.25 in this report.

Provisional Outturn 2023/24

| Period 8 Variance £M | Portfolio* | Revised Budget £M | Forecast Outturn £M | Variance £M | Movement |
|----------------------------|---|-------------------------|---------------------------|----------------|----------|
| 0.6 | Leader: Special Educational Needs and Disability and Constitutional Affairs | 30.4 | 31.0 | 0.6 | ▶ |
| 0.4 | Deputy Leader: Environment | 20.6 | 20.8 | 0.2 | ▲ |
| 0.1 | Arts, Culture, Heritage and Leisure | 5.7 | 5.8 | 0.1 | ▶ |
| 7.0 | Children's Services, Education and Learning | 32.4 | 39.0 | 6.6 | ▲ |
| 0.2 | Community Safety and Public Protection | 2.1 | 2.2 | 0.1 | ▲ |
| 0.0 | Economic Growth and Investment | 1.4 | 1.3 | (0.1) | ▲ |
| 0.4 | Highways, Transport and Parking | (0.1) | 1.0 | 1.1 | ▼ |
| (0.3) | Housing and Planning | 3.6 | 2.5 | (1.1) | ▲ |
| 4.7 | Public Health and Adult Social Care | 55.4 | 57.2 | 1.8 | ▲ |
| 0.4 | Regulatory Services | 3.6 | 4.3 | 0.7 | ▼ |
| 13.5 | | 155.1 | 165.1 | 10.0 | |
| (1.3) | Corporate Budgets | (0.3) | (1.6) | (1.3) | ▶ |
| 12.2 | | 154.8 | 163.5 | 8.7 | |
| (5.1) | Financing Costs, Interest, etc. | 15.7 | 10.1 | (5.6) | ▲ |
| 0.0 | Contribution to / (from) earmarked reserves | (1.0) | (0.9) | 0.1 | ▼ |
| 0.0 | Revenue Contribution to Capital | 0.5 | 0.4 | (0.1) | ▲ |
| 0.0 | Non-Service Specific Grants | (17.5) | (17.7) | (0.2) | ▲ |
| 7.1 | TOTAL | 152.5 | 155.4 | 2.9 | |
| (0.8) | Funding | (149.5) | (150.5) | (1.0) | ▲ |
| 0.0 | Planned contributions from reserves | (3.0) | (3.0) | 0.0 | ▶ |
| 6.3 | NET | 0.0 | 1.9 | 1.9 | |

* A new political joint administration was formed in May 2024 which has seen a reduction in the number of Portfolio Holders and realignment of their responsibilities. The arrangements for future financial performance reporting for 2024/25 will reflect these changes.

4.6 This table shows that the variance for the overall General Fund budget improved from a net forecast overspend of £6.3M at period 8 (end of November 2023) to a net overspend of **£1.9M** by the end of the year. This reflects an improvement in the financial position of the Service Portfolios from a forecast overspend of £13.5M to a final overspend of **£10.0M**. The remaining improvement is spread across corporate and other non-portfolio budget lines. The Council did take decisive action to combat the cocktail of financial

challenges and service demand pressures that it was faced with from the start of the financial year.

- 4.7 Comprehensive reports summarising the circumstances and suggested mitigations were also presented to Cabinet for period 4 (end of July 2023 – forecast overspend at that time £14.0M) and period 6 (end of September 2023 – forecast overspend updated to £10.8M). The continued reducing level of overspend from the forecast position reported as at the end of July 2023 demonstrates the decisive action that was taken, and this positive direction of travel was supported by strong financial management which will need to continue into 2024/25.
- 4.8 Cabinet have received regular and detailed budget monitoring information throughout 2023/24, so most key variances and trends have previously been well documented and reported.
- 4.9 This report summarises the major variances between the period 8 (November 2023) forecast and the final outturn for 2023/24. Comprehensive year-end reviews are also undertaken across all revenue projects that are supported by specific grant streams. If a project, for justifiable reasons, has not been completed in year, the value of any unspent grant is carried forward into the next year through the mechanism of earmarked reserves.
- 4.10 The headline variances that have occurred between what was reported at period 8 (November 2023) and the provisional final outturn are summarised and rounded to the nearest £0.1M in the following table:

| | £Ms |
|---|--------------|
| Leader: Special Educational Needs and Disability and Constitutional Affairs | 0.0 |
| Deputy Leader: Environment | (0.3) |
| Arts, Culture, Heritage and Leisure | 0.0 |
| Children’s Services, Education and Learning | (0.4) |
| Community Safety and Public Protection | (0.1) |
| Economic Growth and Investment | (0.1) |
| Highways, Transport and Parking | 0.6 |
| Housing and Planning | (0.8) |
| Public Health and Adult Social Care | (2.9) |
| Regulatory Services | 0.3 |
| Corporate and other non-portfolio budgets | (0.7) |
| Total Variance from Period 8 | (4.4) |

Summary of Movements from the Period 8 (end of November 2023) Financial Performance Monitoring Report

4.11 **Leader: Special Educational Needs and Disability and Constitutional Affairs [£0.0M]**

- 4.11.1 Although the outturn position for this portfolio remains in line with the forecast reported at period 8 (November 2023), there have been some compensating variances within individual service areas, these are summarised below.
- 4.11.2 The Passenger Transport/Vehicle Fleet outturn was **£0.9M** worse than forecast due to significant increases in demand for passenger transport - SEND Home to School and Children Social Care.
- 4.11.3 Within the Digital and Technology actual total income generated increased by circa (**£0.208M**) and specific targeted interventions led to a reduction in the forecast staffing overspend of (**£0.205M**).
- 4.11.4 Targeted action was taken to reduce the forecast overspend on a range of ICT contracts and corporate IT applications and a reduction of (**£0.130M**) was achieved. This improvement combined with extra income and staffing costs reduction has resulted in a net overall improvement in the service's outturn of around (**£0.400M**).
- 4.11.5 The continued temporary suspension of all non-essential staff training and development since half-way through the year generated an additional saving within Learning and Workforce Development of around (**£0.170M**).
- 4.11.6 Decisive action was taken to reduce the overspend on Legal Services staffing budgets by around (**£0.045M**). The forecast overspend on Court Costs and Legal fees did not materialise and by the end of the year, this improved by (**£0.110M**).

4.12 **Deputy Leader: Environment [-£0.3M]**

- 4.12.1 The Council received confirmation in April 2024 that there are no further costs relating to the waste Joint Working Agreement with Essex from January 2023 onwards improving the position by (**£0.200M**).
- 4.12.2 Performance deductions have been agreed with the waste collection contractor which has reduced the forecast overspend by around (**£0.300M**).
- 4.12.3 The forecast tree maintenance saving of **£0.150M** has not been delivered due to increased activity and incident responses during the final third of the year.

4.13 **Arts, Culture, Heritage and Leisure [£0.0M]**

- 4.13.1 Although the outturn position for this portfolio remains in line with the forecast reported at period 8 (November 2023), there have been some compensating variances within individual service areas, these are summarised below.

4.13.2 The Pier and Foreshore outturn improved by circa (**£0.300M**) due to additional admission income to the Pier (£0.190M), expenditure on seasonal staffing was (£0.050M) less than forecast as the service intentionally operated with reduced numbers and a further (£0.060M) came from other reduced costs and improved sales income.

4.13.3 A comprehensive review of debt outstanding has been undertaken, which resulted in an increase in the bad debt provision in relation to delivery of sports development services. This is partially offset by reduced operating costs for staffing and utilities associated with the same services, resulting in a net worsening in the outturn of around **£0.400M** when compared to the period 8 (November 2023) forecast.

4.14 **Children's Services, Education and Learning [-£0.4M]**

4.14.1 Following the financial review of the Pooled Adult and Children Safeguarding review budgets, a positive one-off funding adjustment of around (**£0.200M**) has been applied to the Children Safeguarding budget allocation to match the equal 3rd contributions for each party.

4.14.2 Further improvements of around (**£0.600M**), are attributable through a combination of active recruitment of permanent positions previously covered by interim contracts and vacancies held in the last quarter. Service leads also engaged efficient, justifiable and integrated use of one-off Educational Grants to further stem Council general fund pressures.

4.14.3 Pressures on the cost of external placements increased by around **£0.400M** from the level forecast at period 8 (November 2023). The cost of complex Residential Care placements continues to be the main challenge locally and nationally. This area is highlighted as targeted overspend reductions in the 2024/25 budget and will be monitored through the corporate wide tracker.

4.15 **Community Safety and Public Protection [-£0.1M]**

4.15.1 Town Centre Management improved by (**£0.1M**) primarily due to changes in the service level agreement with Southend Business Improvement District which no longer includes a budgeted grant payment – this has been removed from the 2024/25 budget as a saving.

4.16 **Economic Growth and Investment [-£0.1M]**

4.16.1 The forecast underspend at period 8 (November 2023) has increased due to a business rates refund received and the use of additional external funding to support overhead costs.

4.17 **Highways, Transport and Parking [+£0.6M]**

4.17.1 There has been a **£0.370M** reduction in the underspend on concessionary fares due to an appeal by the operator and the £2 fare cap.

- 4.17.2 The period 8 (November 2023) included a forecast surplus on the Highways Permits & Licenses income which has not materialised, negatively impacting on the outturn by around **£0.100M**.
- 4.17.3 Ongoing spend pressures in this area include a shortfall in the amount of staff time which is charged to delivering the capital programme which has been reported throughout the year. In addition to this only half the forecast underspend on staffing has materialised. The combined impact of these is that the outturn is around **£0.100M** worse than forecast at period 8 (November 2023).
- 4.18 **Housing and Planning [-£0.8M]**
- 4.18.1 Homelessness and Rough Sleeping outturn worsened by **£0.2M** because of increased bed and breakfast spend through the winter period due to people presenting as homeless or at risk of becoming homeless and an increase in the bad debt provision for the tenant loan scheme, which are undoubtedly linked to wider cost of living pressures in some locations across the City.
- 4.18.2 Staff have legitimately leveraged the Household Support Fund grant of £2.8M to maximise its use and minimise the cost of eligible support funded from the General Fund. Alongside the Council's scheme the team deliver the Essential Living Fund schemes for Essex County Council and Thurrock District Council, the inclusion of those Council's own Household Support Fund grant has increased the income Southend-on-Sea City Council receives for administration and further improving the outturn. The combined impact is an increase in the services underspend from (£0.2M) forecast in period 8 (November 2023) to (£0.9M), a **(£0.7M)** improvement.
- 4.18.3 A significant underspend of **(£0.3M)** on the flood defences revenue budget has occurred due to focus on capital delivery, this was not forecast by the service at period 8 (November 2023).
- 4.19 **Public Health and Adult Social Care [-£2.9M]**
- 4.19.1 The final outturn for Adult Social Care is an overspend of **£2.2M**, this is an improvement of **(£2.7M)** compared to the period 8 (November 2023) forecast of £4.9M overspent.
- 4.19.2 The complexity of delivering the wide range of services for Adult Social Care mean the changes in the final outturn is due to multiple movements, the most significant of these are summarised below.
- 4.19.3 There has been an increase of **(£0.750M)** in client contributions which is a mix of backdated invoices and additional clients being financially assessed since period 8 (November 2023). Work is continuing to try to improve the forecasting for income and reduce significant variances in the future.
- 4.19.4 There is an additional **(£0.500M)** being utilised from the Market Sustainability and Improvement Fund Workforce Grant, it offsets pressures driven by prices above the contract rate. At period 8 (November 2023) there were some additional workforce initiatives planned which did not occur.

- 4.19.5 There has been a **(£0.579M)** reduction in spend compared to the forecast, the primary driver is interim placements, where the forecast is based on estimations rather than existing placements as they do not all run to the end of the financial year.
- 4.19.6 There has been a **(£0.463M)** reduction in care package spend, primarily relating to Direct Payments, where accounts have been underutilised and clawed back, this does not impact the service user's ability to draw upon necessary services in the future.
- 4.19.7 There has been **(£0.134M)** lower spend on Transitions than anticipated at period 8 (November 2023), this primarily relates to one client who has not moved onto a new package as predicted, there were also a number of lower value packages which were forecast which did not materialise.
- 4.19.8 A claw back from Southend Care Limited for Day Services including transport arrangements was **(£0.260M)** higher than anticipated at period 8 (November 2023).

4.20 **Regulatory Services [£0.3M]**

- 4.20.1 A shortfall on crematorium income due to the refurbishment has been forecast throughout the year. The outturn is around **£0.160M** worse than estimated at period 8 (November 2023), however the facility is now fully operational and early indications are that income in April has outperformed previous years.
- 4.20.2 Regulatory Services have been forecasting an underspend throughout the year, the final position is around **£0.100M** less than expected but this is due to appropriations to the reserve (see paragraph 4.24) for use in future years.

4.21 **Financing costs and interest [-£0.5M]**

- 4.21.1 The strong performance of investment income returns continued in the last four months of the year, driven by prudently invested use of higher cash balances and interest rates remaining high to the end of the financial year. This careful and effective investment strategy, together with an innovative, eligible and compliant review of debt and treasury management arrangements provided the key elements of this significant financial benefit for the Council in 2023/24.

Recommended Appropriations to and (from) Earmarked Reserves

4.22 The following table and supporting commentary outline the rationale and recommended appropriations to and (from) the Council's earmarked reserves for 2023/24. These proposed appropriations are subject to the approval of Cabinet annotated as appropriate where the appropriation is materially different from what was originally planned.

| Reserve Type | Opening Balance | Period 1 to Period 8 | Period 9 to 13 | Proposed Final Appropriation | Closing Balance |
|--------------|-----------------|----------------------|----------------|------------------------------|-----------------|
| | £000's | £000's | £000's | £000's | £000's |
| Capital | 19,506 | (775) | 2,183 | 0 | 20,914 |
| Corporate | 19,849 | (1,890) | 738 | 0 | 18,695 |
| Insurance | 5,421 | 0 | 0 | 0 | 5,421 |
| Services | 9,800 | (595) | 1,063 | (1,898) | 8,370 |
| Grants | 22,925 | (4,507) | 2,870 | 0 | 21,008 |
| Total | 77,221 | (7,767) | 6,854 | (1,898) | 74,408 |

4.23 The appropriations in Period 1 to Period 8 have previously been reported and approved as part of budget monitoring information presented to Cabinet throughout 2023/24.

4.24 Appropriations in Period 9 to Period 13 are summarised by reserve type below and are requesting Cabinet's approval.

- Capital Reserves:
 - addition of £2.5M to the Interest Equalisation Reserve.
 - use of circa (£0.3M) to fund revenue contributions to capital (RCCO).
- Corporate Reserves:
 - addition of £1.4M to the Business Transformation Reserve.
 - addition of £1.1M to Business Rates Retention Reserve.
 - use of (£0.6M) from the Service Redesign Reserve to fund the associated costs of employee exit benefits.
 - use of (£0.5M) from the Transformation Implementation Reserve to facilitate our Transformation Programme.
 - use of (£0.4M) from the Business World ERP reserve to fund the programme of upgrades and development.
 - use of (£0.2M) from the Technology Transition and Systems Modernisation Reserve to fund a range of digital projects and system upgrades e.g., Care Platform, MySouthend and Capita.
- Service Reserves:
 - transfer of £1.1M from Grant Reserves for balances relating to Selective Licensing which had been recategorised.
 - transfer of £0.2M from Grant Reserves for balances relating to Regulatory Licensing which had been recategorised.
 - use of (£0.4M) from the Development Control Reserve.

- use of (£0.2M) from the Waste Reserve to fund costs associated with the procurement process for Waste Collection and Waste Disposal contracts.
 - addition of £0.2M to Regulatory Licensing Reserve.
 - addition of £0.2M to the Selective Licensing Reserve.
- Grant Reserves:
 - addition of £2.6M to the Dedicated Schools Grant Reserve.
 - net increase of £0.2M made up of multiple other smaller value specific grants for a range of initiatives e.g. Flexible Homelessness Support Grant, Improved Better Care Fund, Bus Service Improvement Plan Plus and various Resettlement Grants.
 - net increase of £0.1M in the Public Health (including DAAT) grant reserves.

4.25 The proposed final appropriation for Service Reserves of **£1.9M** is the application of the Children’s Social Care Risk Reserve to balance the Council’s outturn for 2023/24. This reserve is proposed to be replenished back to £2.5M (see paragraph 4.26).

Transfers between reserves

4.26 It is recognised and expected that significant pressures particularly in Children’s but also in Adult Social Care will continue and as such these risk reserves need to be replenished/maintained. To do this the following transfers between reserves are proposed.

| | Starting Balance* £000s | Transfer to / (from) £000s | Updated Balance £000s |
|---------------------------------|--|---|--|
| Corporate Reserves | | | |
| Business Transformation Reserve | 3,919 | (1,548) | 2,371 |
| Service Reserves | | | |
| Children’s Social Care | 952 | 1,548 | 2,500 |

* this is the balance after appropriations detailed in paragraphs 4.22 to 4.25.

Implications for the 2024/25 budget and Overall Medium Term Financial Strategy

4.27 Prior to the inflation pressures and cost of living challenges experienced in 2023/24, Southend-on-Sea was already having to respond to some high value social care demand trends. This scenario was replicated in many upper tier authorities right across the country. These pressures had been recognised locally and attempts were made to address some of these issues by increasing the revenue base of these services for 2022/23, 2023/24 and 2024/25 as part of the Medium Term Financial Strategy.

- 4.28 It is too early to assess or form clear conclusions around the exact level of financial pressure that the Council will be faced with in 2024/25. We are aware of the continuation of the risks of inflationary pressures, albeit at lower levels, including ongoing employee pay negotiations and increases in both the cost and complexity of demand for critical social care statutory services. We have modelled scenarios and earmarked specific service risk reserves for the most volatile statutory service areas of Children's and Adults Social Care to provide a safety net. The challenge of continuing to design and implement potential financial mitigating strategies for 2024/25 will be difficult but it is now hoped that the severity of this challenge is beginning to ease. The Council will still have to find ways to reduce its cost base in a targeted way and the successful implementation and delivery of the new transformation programme will be fundamental to achieving this ambition.
- 4.29 A comprehensive **period 4 (end of July 2024)** financial monitoring and performance report will be presented to **Cabinet in September 2024**. This will highlight the extent of the financial pressure in 2024/25 and provide a revised illustration of the potential impact on the Council's budget over the medium term until 2028/29.
- 4.30 To help address and close the revised estimated budget gap over the next five years the Council will continue to aim to achieve financial sustainability from local income sources in the future and improve its efficiency and productivity. The Council will continue to work collaboratively with its partners, increase its focus on the delivery or joint commissioning of services in a targeted way to ensure that those in most need and who will receive the greatest benefit are the recipients of services. It is vital that we continue to learn from our experience, reduce our cost base wherever possible and tailor our services and working practices accordingly. We will need to maintain our focus on the decisive action that was taken in 2023/24 and continue with our strong financial management arrangements.
- 4.31 Directors and all services are aware that it is vital to adhere to the approved level of all budgets for 2024/25. The operating climate, particularly in social care remains challenging though and that is why it is so important to have a clear understanding of all the cost drivers within the Council's budget. Financial management and monitoring are also key to highlighting any issues as early as possible and the embedding of the 'Getting to Know your Business' programme will provide enhanced support and advice to service managers. Our approach encourages consideration over the medium term, so not only trying to achieve a balanced outturn in the current year but also to avoid putting further pressure on budget plans for future years.
- 4.32 Critical to achieving financial planning success is to understand pressures inherited from the previous year. These could manifest themselves by way of continued increases in demand and inflationary pressures, reduced income activity, undelivered planned savings, or new service and demand issues emerging post the pandemic and cost of living challenges. Detailed analysis has therefore been undertaken to provide more insight into the key messages contained in the 2023/24 outturn and to estimate the potential ongoing impact into 2024/25 and our Medium Term Financial Strategy.

4.33 In keeping with many councils across the country there are several areas of immediate spending pressure that will require proactive management. The areas that require extra scrutiny and focus in 2024/25 for Southend-on-Sea are Adult's Social Care and Waste, Highways & Transport but the most significant challenge will be Children's Social Care. All Services though will be subject to close examination and monitoring due to the organisation wide impact on all costs due to the continuing challenges of inflationary and demand pressures across all areas.

4.34 **Children's Social Care**

4.34.1 The Council's most immediate and financially challenging area of concern, evidenced by the continued level of overspending in 2023/24 is the cost of externally purchased Children in Care placements, an issue that worsened significantly in 2022/23 and has continued into 2023/24. This will continue into 2024/25 too. The national shortage of Residential Care placements continues to significantly increase prices for all local authorities. This is of most concern where a child has complex needs and/or very challenging behaviour.

4.34.2 Over the past five years, the Council has also experienced an increasing trend of more externally purchased foster care placements and less in-house foster care arrangements (although positively this is now showing early signs of stabilisation in 2023/24, as referenced in 4.33.3). The Council continues to try to respond positively to these challenges, which are not only financial but also more importantly in trying to deliver better outcomes and life chances for every child. This ambition seeks to provide care, safety and support for them within a local family environment including providing additional advice and access to local networks.

4.34.3 The Council has successfully developed and fully implemented a revised remuneration offer for in-house foster carers based on a framework of a child's needs. This new offer has attracted more in-house foster carers in 2023/24, which has helped to place less reliance on external foster care placements. Additional marketing and further work are continuing to try to attract more in-house foster carers. We are also striving to provide better appropriate support to build our local capacity and local foster care networks. This is a critical part of our local strategy, and it is hoped that where appropriate and safe to do so this could also begin to reduce the requirements for expensive external Residential Care. The primary focus though is to deliver better outcomes and life chances for our local children.

5 Core Future Mitigation Strategies and Transformational Intentions

- 5.1 All services will need to consider the impact on their service costs and where appropriate their commercial pricing strategies to reflect service demand and impacts of inflation. The range of potential financial pressures and operational issues facing some services at the start of the new financial year remains a challenge. It is too early to evaluate all these potential considerations with a lot of confidence at this stage. Directors are aware that they have a duty to work within the budget envelope provided, and therefore must make every effort to contain any pressures through in-year management action, and to try to continue to deliver better outcomes and better value for money from within their approved budget allocations.
- 5.2 To support the overall setting of the 2024/25 budget, around **£3.6M** of extra provision was approved for the employee pay award. A further **£1.0M** for contractual inflation was set aside within the corporate contingency budget.
- 5.3 The Council also holds a range of earmarked reserves specifically against some of the risks associated with the identified spending pressures. Careful consideration will be given to reviewing our complete portfolio of earmarked reserves to see if a further review and re-allocation is required to better reflect the potential risks highlighted by the 2023/24 outturn. Use of any reserves are by their very nature only a one-off mitigation and approval will be requested if required from Cabinet.
- 5.4 The challenge of designing and implementing potential mitigating strategies for 2024/25 and the future has been made more complex due to the impact and uncertainty caused by the current operating environment, inflation and service demand challenges. Looking further ahead is even more difficult, given the upcoming general election and potential future national policy and financial reform changes that could be introduced in the next parliament. An update on the financial performance against the approved budget for 2024/25 will be available as a comprehensive period 4 (end of July 2024) monitoring report at Cabinet in September 2024. We may then also have some indication from Central Government about future funding arrangements and intentions.
- 5.5 The Council, like many local authorities, is faced with some very difficult challenges and choices. There is no doubt that financial resilience has been tested since the COVID pandemic and it is weaker now than it was in 2019. This has been caused by an unprecedented sequence of events that have occurred over the last few years which has contributed to a continuing increase in the level of demand and cost pressures being experienced. This has had a major impact particularly for our core statutory service provision and it is essential that appropriate mitigating actions and decisions continue to be taken in 2024/25 and the future to reduce costs and/or generate more income to invest in local service provision. The delivery of our service redesign and transformation programme will be critical to achieve our local ambitions and future success for our city.

Building a City Council Fit for the Future

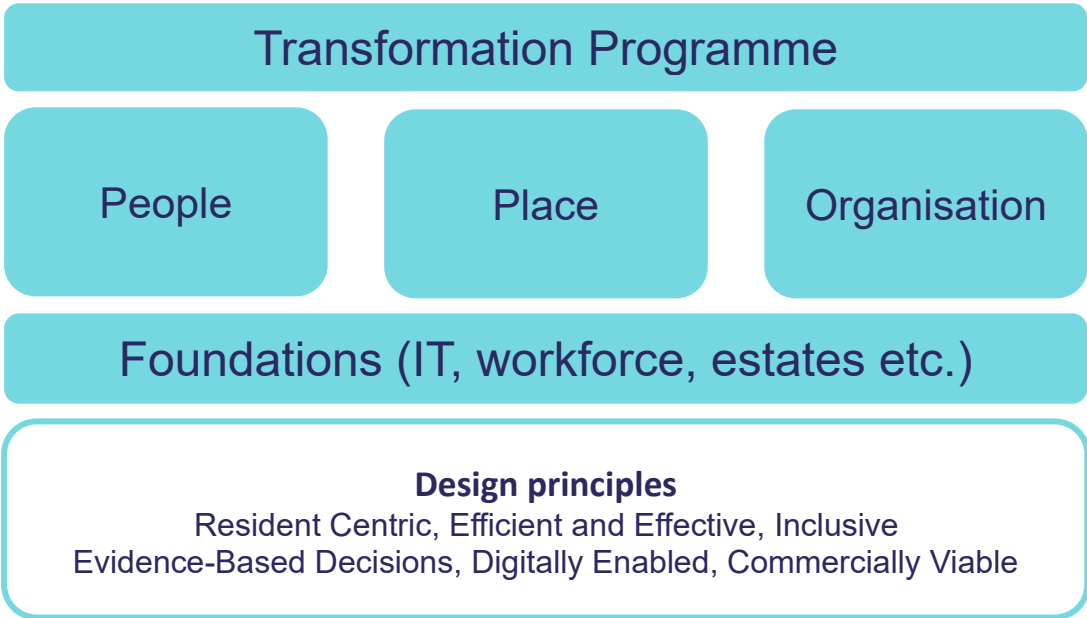
5.6 The overall level of net cost reduction required by Southend-on-Sea Council to bridge a medium to long term deficit by 2028/29 requires a programme of work that not only supports the development of net cost reduction and transformation opportunities at a service level, but that also considers how these opportunities can be integrated into a renewed, sustainable, operating model.

A Transformational Programme for the Council

5.7 During the past year the Council has strived to provide more consistency, focus and assurance for its Transformational activity. In 2023/24, we have:

- refreshed the focus of the Council’s Transformation Board to support delivery of circa £17m of savings and income generation initiatives.
- re-energised the Service Design function to enhance service delivery and resident engagement.
- scoped and designed our corporate Project Management Office function to enhance delivery, efficiency and quality assurance.
- built a Council change champion community to facilitate delivery of transformation across the organisation.

5.8 Our transformation guiding principles are the compass by which we will measure if an initiative helps the Council move towards the desired future state. They reflect the two sides of the organisation which are both important: Supporting vulnerable residents and protecting the Council. This is represented in the following diagram.



6 2023/24 Housing Revenue Account Outturn

6.1 The following table summarises the outturn for the Housing Revenue Account and the consequential use of balances for 2023/24.

| | Original Budget £000 | Revised Budget £000 | Forecast Period 8 £000 | Actual £000 |
|--------------------------------------|-------------------------|------------------------|---------------------------|-----------------|
| Employees | 206 | 206 | 206 | 0 |
| Premises (excluding repairs) | 787 | 787 | 787 | 895 |
| Repairs | 6,710 | 6,710 | 6,890 | 6,880 |
| Supplies and Services | 141 | 141 | 141 | 142 |
| Management Fee | 7,192 | 7,192 | 7,191 | 7,191 |
| Internal Recharges and Overheads | 1,735 | 1,735 | 1,735 | 1,648 |
| Provision for Bad Debts | 455 | 455 | 455 | 566 |
| Depreciation, Impairment etc | 7,373 | 8,741 | 8,741 | 8,452 |
| Interest and Debt Management Charges | 3,851 | 3,851 | 4,370 | 4,386 |
| Total Expenditure | 28,450 | 29,818 | 30,516 | 30,161 |
| Fees and Charges | (379) | (379) | (379) | (867) |
| Dwelling Rents | (29,580) | (29,580) | (28,960) | (29,759) |
| Other Rents | (1,787) | (1,787) | (1,787) | (1,447) |
| Contribution from Leaseholders | 0 | 0 | 0 | (455) |
| Interest | (249) | (249) | (2,234) | (2,249) |
| Recharged to Capital | (562) | (562) | (562) | (432) |
| Total Income | (32,557) | (32,557) | (33,922) | (35,209) |
| Net Operating Income | (4,107) | (2,739) | (3,406) | (5,048) |
| Revenue Contribution to Capital | 7,384 | 7,384 | 7,384 | 5,331 |
| Appropriation to Earmarked Reserves | (3,277) | (4,645) | (3,978) | (5,331) |
| Surplus | 0 | 0 | 0 | (5,048) |

6.2 The HRA has performed well in 2023/24 even against a backdrop of high inflation and cost of living pressures. Repairs and maintenance costs have continued to remain high with the cost of materials being a significant pressure as well as interest costs due to increased interest rates which is being experienced nationally. These pressures have been offset by improved returns on balances again due to the increased interest rates, strong rental income performance and the utilisation of external Government grants to fund expenditure. An in-year **surplus of £5.048M** is being declared, principally generated through a major reduction in the planned level of revenue contribution to the Capital Investment Programme.

- 6.3 The budget report to Cabinet in February 2023 included an ambitious capital programme, with a planned revenue contribution of £7.384M to fund the intentions. This required £4.107M of the planned surplus, as well as £3.277M to be drawn down from the capital investment reserve to fund this level of activity. It has not been possible to deliver the full capital investment programme which included housing acquisitions, maintaining decent homes standards and delivering new housing construction projects. The final funding requirement for 2023/24 was £5.331M. These ambitious plans will look to be accelerated again in 2024/25 as per section 7.17 of this report.
- 6.4 The general reserve for the HRA is considered to be at an appropriate level so an appropriation of the surplus to HRA earmarked reserves is proposed to enable further investment to be made in the Council's housing stock, creating better conditions and environments for local tenants.
- 6.5 The following table summarises all the appropriations for the HRA in 2023/24 and Cabinet is requested to approve the final reduction in the planned appropriation from the Capital Investment Reserve of **£2.994M**.

| HRA Reserve | Original Plan £000 | Approved Period 8 £000 | Proposed Final Appropriation £000 | Total £000 |
|--------------------------------------|-----------------------|------------------------------|--|---------------|
| Repairs Contract Pensions Reserve | 60 | 0 | 0 | 60 |
| Capital Investment Reserve | (3,337) | 666 | 2,994 | (343) |
| Sub-Total | (3,277) | 666 | 2,994 | (283) |
| Revenue contributions to capital | 7,384 | 0 | (2,053) | 5,331 |
| Grand Total | 4,107 | 666 | 941 | 5,048 |

7 2023/24 Capital Outturn

Overview

- 7.1 Throughout the 2023/24 financial year the capital investment programme has been subject to robust monitoring and challenge to ensure delivery and alignment with the Corporate Plan priorities and desired outcomes. As a result of this monitoring, revisions were made during the year to the capital investment programme budgets with the agreement of Cabinet. The last revision was approved by Council on 22 February 2024.
- 7.2 The changes are summarised in the table below.

| | £000 |
|---|---------------|
| Original Budget 23 February 2023 Council | 95,436 |
| Re-profiles, New External funding and other adjustments agreed at 18 July 2023 Cabinet | 6,282 |
| Re-profiles, New External funding and other adjustments agreed at 18 September 2023 Cabinet | (4,737) |
| Re-profiles, New External funding and other adjustments agreed at 20 November 2023 Cabinet | (37,696) |
| Re-profiles, New External funding and amendments agreed at 13 February 2024 Cabinet | (3,159) |
| Revised Capital Investment Programme 22 February 2024 Council | 56,126 |

Brackets indicate a reduction in budget.

- 7.3 The summary on the next page shows the 2023/24 actual spend against budget for the different types of investment.

| Scheme by area of investment | Revised Budget £000 | Actual £000 | Variance £000 | % Spent | Notes on delivery (see paragraphs 7.8 to 7.17 for the outcomes achieved) |
|--|----------------------------|--------------------|----------------------|----------------|--|
| General Fund Housing | 830 | 674 | (156) | 81.2 | Less disabled facility grants delivered than anticipated – requesting carry forward of £0.1M. |
| Social Care | 64 | 631 | 567 | 985.9 | Overspend on Brook Meadows House – see paragraph 7.8. |
| Schools | 1,497 | 1,542 | 45 | 103.0 | A combination of multi-year projects for condition works and special provision capital fund – see paragraph 7.9. |
| Enterprise & Regeneration | 7,847 | 6,899 | (948) | 87.9 | Multi-year projects including Airport Business Park, Better Queensway, Levelling Up Fund projects and No Use Empty– see paragraph 7.10. |
| Southend Pier | 1,499 | 1,618 | 119 | 107.9 | Works progressed well with accelerated delivery – see paragraph 7.11. |
| Culture & Tourism | 922 | 753 | (169) | 81.7 | Multi-year schemes including parks, libraries and museums – see paragraph 7.12 |
| Community Safety | 142 | 105 | (37) | 73.9 | CCTV equipment renewal - project will complete in 2024/25 – see paragraph 7.13 |
| Highways and Infrastructure | 14,323 | 11,606 | (2,717) | 81.0 | Multi-year schemes at various stages of completion – see paragraph 7.14. £2.7M included as a net of carry forward, accelerated delivery requests and other budget adjustments. |
| Works to Property | 6,080 | 5,450 | (630) | 89.6 | Includes Crematorium refurbishment, Property Refurbishment and Fire Improvement Programme works – see paragraph 7.15. |
| Energy Saving Projects | 231 | 79 | (152) | 34.2 | Schemes being reviewed and will continue in 2024/25 and future years. |
| ICT Schemes | 3,614 | 3,630 | 16 | 100.4 | Multi-year schemes at various stages of completion - see paragraph 7.16 |
| Section 106 / Section 38 / CIL | 725 | 279 | (446) | 38.5 | Multi-year planning and highways agreements at various stages of completion – £0.4M included as carry forward requests. |
| Council House Refurbishment | 9,228 | 8,424 | (804) | 91.3 | The Decent Homes programme and disabled adaptations are multi-year schemes. See paragraph 7.17. |
| Council Housing New Build Programme | 1,513 | 1,248 | (265) | 82.5 | Delivery stages of several build phases – see paragraph 7.17. |
| Council Housing Acquisitions Programme | 7,611 | 7,128 | (483) | 93.7 | Mainly acquisitions relating to the housing acquisitions programme and the Afghan & Ukraine resettlement scheme - see paragraph 7.17. |
| Total | 56,126 | 50,066 | (6,060) | 89.2 | |

Brackets indicate an underspend against budget.

7.4 The outturn across strategic and other schemes is as follows:

| | Revised Budget £000 | Actual £000 | Variance £000 | % Spent |
|--|--------------------------------|------------------------|--------------------------|--------------------|
| Strategic schemes | | | | |
| Airport Business Park | 908 | 683 | (225) | 75.2 |
| Better Queensway | 3,825 | 3,825 | 0 | 100.0 |
| Victoria Centre | 876 | 859 | (17) | 98.1 |
| Brook Meadows House | 0 | 631 | 631 | N/A |
| Schools – High Needs Provision | 232 | 452 | 220 | 194.8 |
| Southend Pier schemes | 1,499 | 1,618 | 119 | 107.9 |
| ICT Schemes | 3,614 | 3,630 | 16 | 100.4 |
| Footways and Carriageways | 5,592 | 5,329 | (263) | 95.3 |
| Highways Infrastructure Schemes | 2,278 | 1,476 | (802) | 64.8 |
| Highways and Infrastructure – Local Growth Fund and Local Transport Plan Schemes | 3,308 | 2,352 | (956) | 71.1 |
| Levelling Up Fund Schemes | 1,600 | 994 | (606) | 62.1 |
| HRA – Decent Homes Programme | 8,578 | 7,813 | (765) | 91.1 |
| HRA – Construction of New Housing | 1,513 | 1,248 | (265) | 82.5 |
| HRA – Housing Acquisitions Programme | 6,569 | 6,063 | (506) | 92.3 |
| HRA – Social Housing Decarbonisation Funding | 788 | 890 | 102 | 112.9 |
| Total Strategic Schemes | 41,180 | 37,863 | (3,317) | 91.9 |
| Other schemes | 14,946 | 12,203 | (2,743) | 81.6 |
| Total | 56,126 | 50,066 | (6,060) | 89.2 |

7.5 Best practice and normal accounting convention require that the approved Capital Investment Programme includes budgets for all potential capital expenditure. Therefore, the programme contains budgets for schemes such as Section 106 funding where expenditure is contingent on a condition being met, grants that are paid to the Council in full are drawn down over time and schemes managed in partnership or by other bodies, e.g. schools.

7.6 The outturn for 2023/24 shows a final spend position of £50.066M against a revised budget of £56.126M, which is an 89.2% outturn position.

7.7 The capital investment in the year contributed to the delivery of the desired outcomes identified as part of the Corporate Plan. The key themes and outcomes are shown in the following sections:

Investment Areas

7.8 Social Care

Under the corporate priority of a safe city with a good quality of life for all, investment in this area contributes to the outcome that people live well, age well and care well.

A major investment over the last few years has been the construction of Brook Meadows House with the new care home becoming operational towards the end of 2021/22. The existing Priory Care Home was then demolished prior to final landscaping works being completed.

For the 2021/22 financial year the project had overspent by £3.4M, with further costs of £1.5M incurred in 2022/23 and £0.6M incurred in 2023/24, with no budget provision. The overspends have been incurred due to a number of issues including the performance of the design team. The Council is currently taking forward actions with a view to recovering significant costs incurred where these have been caused by the performance of third parties. The timing of any cost recovery is uncertain.

7.9 Schools

Under the corporate priority of a safe city with a good quality of life for all, investment in this area contributes to the outcome that children and young people feel and are safe at school.

Expenditure on the education capital programme for 2023/24 was £1.5M. £0.6M of this investment was in schools condition works within the maintained primary schools. These covered larger high-cost repairs and replacements projects on roofs, windows, doors, electrics, new classrooms and heating that are beyond the budget of the individual settings. In addition, £0.1M was devolved as formula capital to the maintained schools to manage their own smaller capital works.

£0.8M of the investment was using the special provision grant monies to enhance the facilities and number of places available for children with special educational needs and disabilities or requiring alternative provision. These are multi-year schemes which have progressed ahead of schedule. A request has been included for accelerated delivery of budget from 2024/25 of £0.2M.

7.10 Enterprise and Regeneration

Under the corporate priority of a growing city with a strong and prosperous community, investment in this area contributes to the outcome of economic regeneration and business development.

Investment during 2023/24 of £0.7M is for the Airport Business Park, which is a major strategic employment site in close proximity to London Southend Airport. Although most of the infrastructure is complete there is a continuing need to install substations and other infrastructure as new tenants move in. A budget carry forward request has been included for £0.2M.

£3.8M of South Essex Local Enterprise Partnership (SELEP) monies were passed to Porter's Place Southend-on-Sea LLP to finance eligible expenditure on enabling works for the Better Queensway project that had already been incurred. £0.4M of those SELEP monies had already been passported to the LLP during 2022/23.

Investment of £1.0M was also made in the three Levelling Up Fund projects: Leigh Port, Cliffs Pavilion and City Beach. These projects will continue into 2024/25 and budget re-profile requests between 2023/24 and 2024/25 are included as part of this report.

In line with the conditions of the No Use Empty grant conditions, loans of £0.8M were granted to businesses in respect of empty commercial property conversion. Expenditure is dependent on the numbers of businesses that apply for the loans and a small carry forward request has been included as part of this report.

7.11 Southend Pier

Under the corporate priority of a growing city with a strong and prosperous community, investment in this area contributes to the outcome of enhanced tourism, culture and leisure.

Every year major investment is made in Southend's historic pleasure pier, the longest in the world. In 2023/24 capital investment of £1.6M had been made in the pier, including £1.4m on condition works. The pier welcomed 375,000 visitors in 2023/24.

Much of the pier investment programme involves multi-year projects and the condition projects progressed well during 2023/24 whilst projects on the Prince George Extension and Timber Outer Pier Head progressed more slowly. Carry forward requests of £0.5M and accelerated delivery requests of £0.6M have been included in this report.

7.12 Culture and Tourism

Under the corporate priority of a growing city with a strong and prosperous community, investment in this area contributes to the outcome of enhanced tourism, culture and leisure.

The city has many parks, gardens and nature reserves offering a range of facilities including sports pitches/courts, children's playgrounds, skateboarding, cafés, boating lakes, fishing lakes and wildlife areas. In recognition of this, capital investment of £0.5M has been made in the town's parks and open spaces during 2023/24.

A further £0.3M was invested in the city's libraries, museums, theatres and leisure centres.

Much of the culture and tourism investment programme involves multi-year projects. Net carry forward and accelerated delivery requests of £0.2M have been included in this report.

7.13 Community Safety

Under the corporate priority of a safe city with a good quality of life for all, investment in this area contributes to the outcome of safe, inclusive communities and neighbourhoods.

Capital investment of £0.1M has been made during 2023/24 for community safety, for the installation of CCTV equipment. Carry forward requests of £0.3M have been included in this report.

7.14 Highways and Infrastructure

Under the corporate priority of a clean city with a resilient environment, investment in this area contributes to the outcome of an improved transport system.

Capital investment of £5.3M in improvements to the town's highway and footpath network has been made during 2023/24, including repairing potholes, junction protection works and resurfacing of Zebra Crossings. During the financial year 49,109m² of carriageways were resurfaced and 22,551m² of footways were resurfaced with 5,654m of new kerbing installed.

Investment of £1.5M was made into the highways infrastructure, including £0.5M on the cliff slip at Belton Way funded by Department for Transport (DfT) grant monies. This also included £0.5M to deliver infrastructure changes to support adjustments to the transport network and improve active travel funded by the grant monies from the DfT Active Travel Fund. This also included £0.4M for bridge strengthening works funded by DfT's Challenge Fund.

Investment of £2.1M was made via Local Transport Plan grant funded schemes including road maintenance, street lighting, bridge strengthening, installation of traffic signal equipment and signage and works to bus stops and shelters.

Capital investment of £2.0m has been made during 2023/24 for flood prevention and resilience schemes. These included sea wall access refurbishment works and works to improve resilience to flooding.

Net carry forward, accelerated delivery and other budget requests of £2.7M have been included in this report so that schemes can continue into 2024/25.

7.15 Works to Property

Major investment of £2.1M was made in the refurbishment of the crematorium and £1.3M of regeneration works to the café at East Beach. The Council also invested £0.9M in redevelopment of units to enable lettings at the Victoria shopping centre.

Investment of £0.4m on property refurbishment and £0.6m on fire improvement works were also made to ensure the Councils operational buildings remain safe, in good condition and meet current standards.

Net carry forward, accelerated delivery and other budget requests of £0.6M have been included in this report so that schemes can continue into 2024/25.

7.16 ICT

Investment of £3.6M has been made in the Council's ICT infrastructure to continue to provide the core services and to progress the Smart Council project.

This investment includes:

- Technology Device Refresh – to provide the ability for staff to work remotely with new laptops and the ability to support them remotely.
- Application Transformation – migration of applications to a stable environment to permit access for the new laptops and to mitigate technical risks.
- Digital Enablement – setting up the foundations for transformation into a Smart City.
- Security and Resiliency – implementing the fundamental security capabilities to protect remote working.
- My Southend Replacement – replacement of the Council's online customer portal
- Operational Requirements – the Council's infrastructure licences
- Software Licencing

This investment will continue into 2024/25 with future years requirements to be assessed and considered.

7.17 Council Housing and New Build Programme

Under the corporate priority of a safe city with a good quality of life for all, investment in this area contributes to the outcome of quality, affordable safe homes.

Investment of £8.4M was made during 2023/24 in the refurbishment of the city's Council Housing, mainly via the Decent Homes programme. These are multi-year schemes, and the budget continues into future years. Net carry forward and accelerated delivery requests of £0.8M have been included as part of this report.

Investment of £5.8M was made during 2023/24 for the acquisition of 23 council dwellings across the Council housing acquisitions programme and the Afghan & Ukraine resettlement scheme. Valuations were also completed on 18 properties for the Council housing acquisitions programme and these are expected to complete during 2024/25. The housing acquisitions programme will continue in 2024/25 to 2026/27 with more suitable properties being purchased as they become available. Carry forward requests of £0.5M have been included in this report.

Investment of £0.9M was made during 2023/24 to bring a number of council dwellings up to minimum energy rating standards, part funded by the Social Housing Decarbonisation Fund with match funding from HRA reserves.

Investment of £1.2M in the construction of new Council Housing was made during 2023/24, with the different phases progressing through design, survey, planning or construction. More significant investment is planned for 2024/25 and 2025/26 as more of the projects move into the construction phase. Phase 3A of the project is to deliver circa 13 homes across three sites in Shoeburyness and is estimated to complete in October 2024. Phase 3B which consists of 16 flats in Shoeburyness is currently at the main procurement stage. Construction is expected to commence in November 2024 and complete by November 2025. Phase 4 of the project is to deliver circa 9 units of Council housing at the North site within the Council owned Lundy Close housing estate. Planning permission has been secured. Carry forward requests of £0.3M have been included in this report.

Revised capital investment programme

- 7.18 A range of schemes have been identified that are funded from external contributions and grants. These have been included in the capital investment programme but there is flexibility in when these schemes are delivered either by the funder determining when it is appropriate or the Council matching delivery to available resources.
- 7.19 In total there are a number of schemes with unspent budgets in 2023/24 where the budget is needed in 2024/25 and future years in order to complete the schemes. These schemes have started and/or are fully committed to but due to various factors have not completed or reached the anticipated stage by the 31 March 2024. These budget commitments total £8.648M and are summarised in Appendix 1.
- 7.20 In addition, some schemes have exceeded their 2023/24 budget allocation. The two causes of this are unforeseen costs being incurred or schemes spending ahead of profile in order to accelerate delivery, i.e. multi-year schemes being delivered earlier or preliminary works starting on 2024/25 schemes to ensure their prompt completion. The sum of this accelerated delivery totals £1.529M and is analysed in Appendix 1.
- 7.21 Where possible schemes that have exceeded their 2023/24 budget allocation will be financed by compensatory under spending on other schemes. The exception to this is the overspend for Brook Meadows House, where the approach is set out in paragraph 7.8. The amended budget for 2023/24 after carry forward, accelerated delivery requests and budget adjustments have been taken into account is £49.454M.
- 7.22 An amended Capital Investment Programme reflecting all the changes above is attached at Appendix 2 and is summarised on the next page:

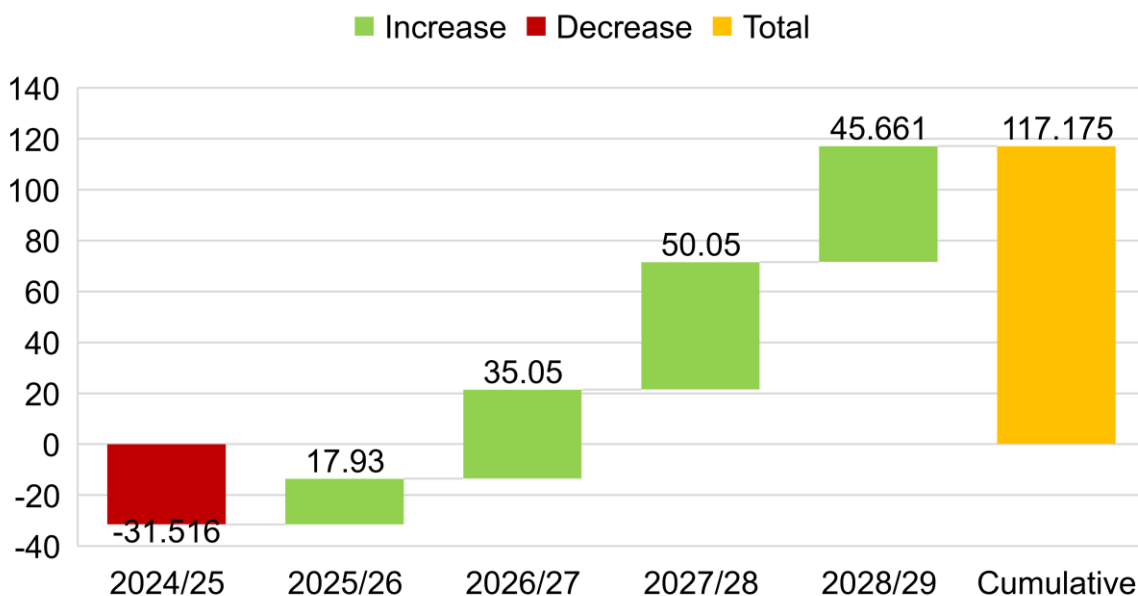
Amended Capital Investment Programme to be delivered by the Council:

| | 2024/25 £000 | 2025/26 £000 | 2026/27 £000 | 2027/28 £000 | 2028/29 £000 | Total £000 |
|-------------------|-----------------|-----------------|-----------------|-----------------|-----------------|---------------|
| Strategic Schemes | 60.2 | 22.4 | 8.7 | 1.2 | 1.1 | 93.6 |
| Other Schemes | 14.8 | 5.1 | 1.4 | 0.8 | 5.2 | 27.3 |
| Total | 75.0 | 27.5 | 10.1 | 2.0 | 6.3 | 120.9 |

Amended Capital Investment Programme to be delivered by Subsidiary Companies or partners:

| | 2024/25 £000 | 2025/26 £000 | 2026/27 £000 | 2027/28 £000 | 2028/29 £000 | Total £000 |
|---------------------------|-----------------|-----------------|-----------------|-----------------|-----------------|---------------|
| South Essex Homes Limited | 7.4 | 6.6 | 6.8 | 0 | 0 | 20.8 |
| Kent County Council | 1.1 | 0 | 0 | 0 | 0 | 1.1 |
| Total | 8.5 | 6.6 | 6.8 | 0 | 0 | 21.9 |

7.23 The chart below shows the headroom (negative in 2024/25) for each year compared to the average spend over the last 11 years. Over the five-year period there is cumulative headroom of £117M (£23M each year if profiled equally).



7.24 This chart should be considered in the context that there is a further list of schemes that are not in the approved programme but are subject to viable business cases. This includes schemes where the costs have been estimated, totalling £70M and schemes that are yet to be costed. There may also be urgent health and safety works that might occur that are as yet unforeseen.

- 7.25 Given the above and the Council's finite capacity to deliver capital schemes, the capital investment programme should continue to be subject to continuous review and re-prioritisation, to consider its deliverability and affordability.
- 7.26 A generic approach to the programme as a whole would not be appropriate, as each project is different in its nature, extent and impact. The way that projects are funded also needs to be considered as grant and third-party funding would have to be returned if not spent or if delayed beyond the agreed expenditure timeframe. As in previous years capital challenge sessions are planned, to review and challenge the programme delivery throughout 2024/25 and to re-prioritise schemes across the five-year programme. These sessions will be led by the Cabinet Member for Finance, Assets and Investments and are anticipated to be held in the summer, autumn and the following spring. The outcome from these sessions will be fed into the new Members Resources Panel.
- 7.27 This will inevitably lead to some difficult decisions having to be made regarding the programme with the delivery of some schemes being scaled back, delivered over a longer timescale, paused or removed.
- 7.28 Progress of schemes will be re-assessed and some schemes may be removed from the main programme entirely and others held as 'subject to viable delivery plans' until it can be demonstrated that there is the capacity and resources to deliver them in the timescales indicated. Schemes can then be brought back into the main programme as and when it is appropriate to do so.
- 7.29 As this review progresses via challenge meetings, re-profiles and other adjustments to the programme for 2024/25 and future years will be put forward for approval.

Financing of the Capital Investment Programme

- 7.30 The capital investment programme is fully financed. When the budget is set, estimates are made on the likely levels of capital receipt, grant that will be received during the year, the likely level of borrowing required as well as the proposed level of expenditure. As the actual expenditure differs from the proposed budget, the associated financing needs to be amended also to reflect this.

7.31 The capital expenditure in 2023/24 is financed as follows:

| | 2023/24 Actual (£m) |
|---|--------------------------------|
| Total Capital Expenditure | 50.066 |
| Financed by: | |
| Borrowing | 13.701 |
| Invest to Save Financing | 2.225 |
| Capital Receipts | 2.896 |
| Capital Grants Utilised | 17.211 |
| Major Repairs Reserve | 7.377 |
| Other Revenue/ Capital Reserve Contributions | 5.673 |
| Third Party Contributions | 0.983 |
| Total Financing | 50.066 |

Other changes to the budget for 2023/24 onwards

- 7.32 Since the approved capital investment programme was set at Council on 22 February 2024, there have been some changes to the capital budget. They are not significant in number but are required to provide a continually updated programme to enhance the delivery of schemes and are therefore detailed in Appendix 1. These changes are reflected in the amended Capital Investment Programme attached at Appendix 2. Consideration and outcomes from the Capital Challenge sessions will provide further updates and status of project delivery which will be reported to Cabinet and the Members Resources Panel as required.
- 7.33 Removal of budgets no longer required is requested for schemes which have been completed within budget. The overall effect for all schemes identified as needing to be deleted is a decrease of £0.011M in the level of capital budget required. As part of the ongoing review of the capital investment programme, budgets totalling £0.756M have been moved to the subject to viable business case section below the main programme.
- 7.34 As part of the analysis of the 2023/24 outturn, where possible schemes that have exceeded their 2023/24 budget allocation are to be financed by compensatory under spending on other schemes. This has led to a number of requested virements between similar schemes. Other virements relate to items agreed under delegation to taken from the Priority Works budget for works at Civic One and for sea defences at Shoebury Garrison.
- 7.35 There have been £8.6M of new external funding confirmed in the form of grants and third-party contributions. The largest of these were £1.9M for Disabled Facilities from the Department for Levelling Up, Housing and Communities, £1.9M for High Needs Provision from the Department for Education, £1.6M from the Environment Agency regarding their Innovation Resilience Programme and £0.8M from Department for Environment, Food and Rural Affairs for Food Waste Collection.

- 7.36 All of these changes have been reflected in the revised capital investment programme at Appendix 2.

Capital Scheme Additions

- 7.37 There are a few schemes which have been considered and agreed by Investment Board to come forward to Cabinet for approval into the capital investment programme:

Sea Wall Access Refurbishment

- 7.38 A request is included in this report for £0.112M of budget (£0.080M for 2023/24 and £0.032M for 2024/25) for works relating to the creation of a climate resilient garden and boardwalk. This budget is to be brought up from the subject to viable business case section into the main programme.

Affordable Housing Acquisitions Programme

- 7.39 The Council has a significant need to provide affordable housing as demonstrated by the substantial demand on the Council's Housing Register, and the number of households in Temporary Housing and Bed and Breakfast Accommodation at significant cost to the Council. The Council also continues to lose Council Housing each year through Right to Buy sales which reduces the amount of available stock. In order to continue the affordable housing acquisitions programme, this report includes budget requests of £1.5M p.a. for each of the years from 2024/25 to 2026/27. It is anticipated that this budget will secure the acquisition of a minimum of six properties per annum. This budget is to be brought up from the subject to viable business case section into the main programme. This is to be financed by 40% Right to Buy Receipts and 60% HRA capital investment reserve.

HRA Right to Buy – Buybacks Refurbishment

- 7.40 Associated with the Affordable Housing Acquisitions Programme is a request for budget of £0.325M p.a. for each of the years from 2024/25 to 2026/27, to refurbish the properties that are purchased in order to bring them up to Decent Homes standards and provide energy efficiency improvements where appropriate. This will help to reduce ongoing costs of retrofitting the Council's housing stock and assisting in meeting retrofit ambitions in line with Council and Government targets. The nature of these retrofit works can be disruptive so is better undertaken at the void stage. This budget is to be brought up from the subject to viable business case section into the main programme. This is to be financed by 40% Right to Buy Receipts and 60% HRA capital investment reserve.

Social Housing Decarbonisation funding

- 7.41 This is grant funding to retrofit Council dwellings to bring them up to Energy Performance Certificate (EPC) rating C, to reduce fuel poverty and to improve tenant comfort. The bid was for works to 110 dwellings currently rated as EPC D and E with measures such as external wall insulation, loft insulation, ventilation improvements and new double glazing. Once complete, the project

should save 179 tons of carbon per year across those properties and should reduce energy bills by 30%. The project is funded by £1.150M of grant funding and so far with £2.020M in match funding to be financed from the HRA capital investment reserve. Despite four rounds of detailed value engineering to reduce the cost per property, due to inflationary pressures only 75 homes can be completed for this amount. To complete the remaining 35 homes an extra £1.165M in match funding is needed, to be financed from the HRA capital investment reserve. A request for additional budget of £0.830M for 2024/25 and £0.335M for 2025/26 has been included as part of this report. If the extra match funding is not approved, there is the risk of significant clawback of the grant, tenant dissatisfaction, reputational damage and the risk of not securing future grant funding.

ICT – Technology Device Refresh

- 7.42 ICT devices should be renewed on a regular basis to ensure maximum security and performance and it was agreed to carry out the device refresh on a three yearly rolling basis, with a third of the devices being replaced every year. Volume procurement enables a more cost-effective way of buying devices, reducing the unit cost. Specifications for all device types will be reviewed to balance cost and requirements for individual roles as part of the programme. There is already sufficient budget in 2024/25 so the additional budget requested is £0.782M for 2025/26 and £0.803M for 2026/27. The resulting procurement will be greater than £0.250M so will be the subject of a future report to Cabinet.

8 Infrastructure Funding Statement 2023/24

8.1 Attached as Appendix 3 is the Infrastructure Funding Statement (IFS) for the reported year 1 April 2023 to 31 March 2024. The Summary Tables from the IFS are set out below:

Summary Table 1: Community Infrastructure Levy (CIL) Funds 2023 to 2024

| | | |
|----------------------------|--|----------------------|
| Reported Year 2023 to 2024 | Total value of CIL set out in all Demand Notices issued in the reported year | £639,123.69 |
| | Total amount of CIL receipts carried over from previously reported years | £4,052,970.46 |
| | Total amount of CIL receipts in reported year | £559,639.96 |
| | Total amount of CIL expenditure (including admin expenses) in reported year | £214,577.50 |
| | Total overpayments returned ² in reported year | £369.45 |
| | Total amount transferred to other organisations in reported year | £13,687.14 |
| | Total amount of CIL allocated but unspent in reported year | £2,068,059.46 |
| | Total amount of CIL collected in any year yet to be allocated and remaining to be spent at the end of the reported year | £2,315,916.86 |

Summary Table 2: Section 106 (S.106) Planning Obligation Funds 2023 to 2024³

| | | |
|----------------------------|--|----------------------|
| Reported Year 2023 to 2024 | Total amount of money to be provided under any planning obligations which were entered into during reported year ⁴ | £848,742.55 |
| | Total amount of money under any planning obligations carried over from previously reported years which had not been allocated and was available to spend at the start of reported year | £1,564,443.52 |
| | Total amount of money under any planning obligations carried over from previously reported years which was allocated but not spent at the start of the reported year | £509,470.51 |
| | Total amount of money under any planning obligations which was received in reported year | £718,359.90 |
| | Total amount of money under any planning obligations which was spent in reported year | £261,377.89 |
| | Total amount of money under any planning obligations which was returned in reported year | £0.00 |
| | Total amount of money under any planning obligations transferred to other organisations in reported year | £34,219.08 |
| | Total amount of money under any planning obligations which was allocated but not spent at the end of the reported year | £333,000.00 |
| | Total amount of money under any planning obligations yet to be allocated and remaining to be spent at the end of reported year | £2,163,676.96 |

¹ Payments are returned under CIL Regulation 75 (Overpayments) if the amount paid proves to be greater than the amount due.

² Figures correct at time of preparation of this report but may be subject to adjustments.

³ This figure relates to either development that has yet to commence or implemented schemes for which the due date for contributions has not yet been reached i.e. the contributions have not been received and cannot be guaranteed to be received. The figure cannot be confirmed as the developments concerned included an outline planning permission, details of which have yet to be agreed.

8.2 The Council commenced CIL charging in July 2015 and at financial year ending 31st March 2024 there was £4,383,976.32 total CIL receipts unspent.

8.3 £2,068,059.46 of the total unspent CIL receipts has been allocated to infrastructure projects to support growth and new development in Southend. This comprises £226,742.51 of CIL Ward Neighbourhood Allocations and £1,841,316.95 to be spent on the following CIL Main fund programmes:

- £893,928.56 towards Enhancing Children's Play Provision in Public Parks
- £947,388.39 towards Cycle Infrastructure Improvement Programme

8.4 £2,315,916.86 of total unspent CIL receipts is yet to be allocated and is therefore available to spend, and includes:

- £2,099,133.56 in the CIL Main Fund. Cabinet have requested future plans to be developed to consider a range of potential options for utilising these funds and to lever extra external grant funding where possible to maximise investment, impact and benefits for our City; and
- £216,783.30 (15% of total receipts less surcharges) as Ward Neighbourhood Allocations.

8.5 Remaining CIL funds will continue to be carried forward until suitable projects are identified, either by members in accordance with the [CIL Governance Framework](#) or as part of the new Local Plan review.

8.6 The total amount of money to be provided under S106 planning obligations, which were entered into in the reported year, is £848,742.55 which includes £333,627.72 for the provision of education facilities, £63,000.00 Landscaping contributions, and £312,519.00 for the provision of affordable housing.

9 New Development of a Local Productivity Plan

9.1 On 24 January 2024 the Secretary of State for Levelling Up, Housing and Communities also announced in a written statement that all local authorities will have to produce productivity plans, setting out how they will 'improve service performance and reduce wasteful expenditure to ensure every area is making best use of taxpayers' money'. The Government requires local authorities to produce these plans and submit them by 19 July 2024, prior to the Parliamentary summer recess on 23 July 2024.

9.2 The current Government has advised that plans should be short and draw on work councils have already done, identifying ways to unlock productivity improvements and setting out the key implementation milestones. The plan must be agreed by Council Leaders and members and published on local authority websites, together with updates on progress. DLUHC expect them to cover four main areas:

- transformation of services to make better use of resources.
- opportunities to take advantage of advances in technology and make better use of data to inform decision making and service design.

- ways to reduce wasteful spend within systems, including specific consideration of expenditure on consultants and discredited staff Equality, Diversity and Inclusion programmes – this does not include activities designed to promote integration and civic pride, and counter extremism
- any barriers preventing activity that the Government can help to reduce or remove.

9.3 The government will monitor these plans, and funding settlements in the future could be influenced by performance against these plans. Alongside this intention, DLUHC will establish a new productivity review panel, made up of sector experts including the Office for Local Government and the Local Government Association. The panel will review local authority productivity plans and advise the Government on best practice in this area. Our proposed City Council's Productivity Plan submission to the Department for Levelling Up, Housing and Communities (DLUHC) is attached at Appendix 4.

10 Local Government Independent External Audit Update

10.1 In March 2021 the National Audit Office published a report on the timeliness of local auditor reporting on Local Government in England. The report set out that for the 2018/19 financial year only 57% of external auditors delivered opinions by the 31 July 2019 deadline and for the 2019/20 financial year only 45% delivered opinions by the extended deadline of 30 November 2020. Our auditors concluded their audit of the 2018/19 accounts by 30 July 2019 and their audit of the 2019/20 accounts by 20 October 2020, thereby meeting the respective statutory deadlines in those two years. The Council's 2020/21 audited accounts were signed on 27 April 2023 and the 2021/22 audited accounts were signed on 19 December 2023.

10.2 In May 2024 Public Sector Audit Appointments published its latest update on the number of audits outstanding. It showed that, as at 31 March 2024, for the 2022/23 financial year only 25% of Local Government bodies had received audit opinions. The audit of the Council's 2022/23 Statement of Accounts is substantially complete, and they have been adopted by the Audit Committee. Once they have been signed by our external auditors and published, we will have caught up with the backlog of unaudited accounts in time for the audit of 2023/24 Statement of Accounts by our newly appointed external auditors KPMG LLP. The Council published its draft 2023/24 Statement of Accounts by the statutory deadline of 31 May 2024.

11 Financial Resilience and Future Sustainability

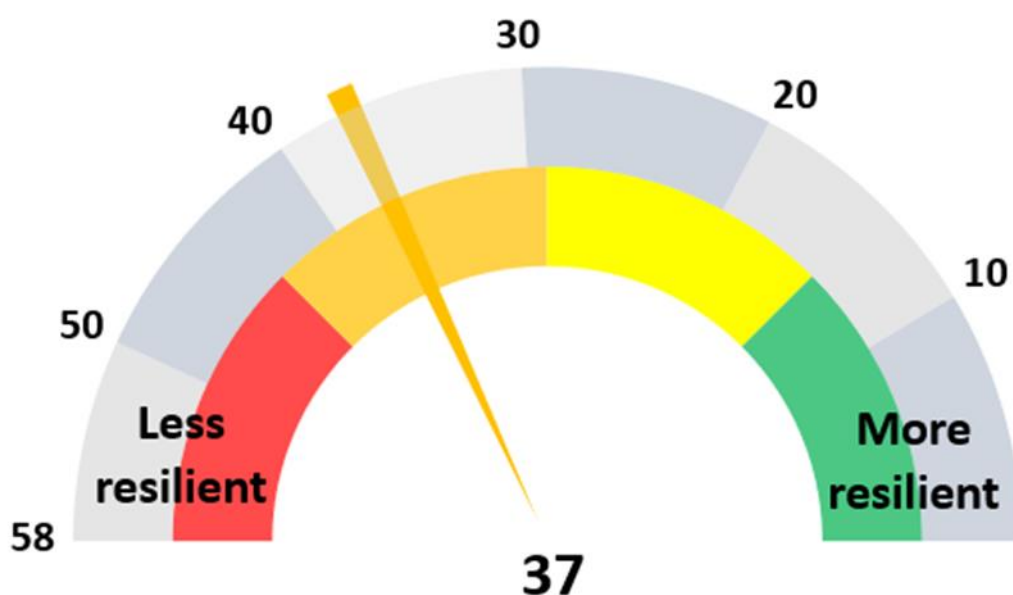
11.1 Financial resilience and future sustainability are clearly important considerations. We are an ambitious Council and our local area secured City status in 2022. We are committed to continually improving our performance and delivering better outcomes for residents through our Corporate Plan and contributions to the refresh of the overall City's vision. Our desire to improve, learn and provide value for money is also predicated on acting responsibly and ensuring our plans are affordable and sensible.

11.2 The Chartered Institute of Public Finance and Accountancy (CIPFA) Financial Resilience Index uses nine primary indicators of financial stress. This assessment was first introduced prior to the COVID pandemic in 2019. It is

clear and well reported that the financial resilience of the overall local government sector has been severely tested since that time.

11.3 When this was first introduced Southend-on-Sea was positioned just within the upper quartile of all unitary authorities with strong performance against most of the indicators contained within the Resilience Index. It is obvious that our local financial resilience is weaker now than it was in 2019, but we remain in a relatively reasonable position compared to many local authorities across the entire local government sector.

11.4 To establish our current position, we have taken all the indicator values for the 58 unitary authorities in England and assessed Southend-on-Sea's comparable resilience based on equal weighting of each indicator. The result for 2023 now places Southend-on-Sea 37th out of 58 as shown in the graphic below, although ranking on the individual indicators ranges from 14th to 42nd.



11.5 The variation in size and scale of unitary authorities both spatially and financially across the country is significant. Our relatively small size does present a disadvantage in financial resilience terms when compared with larger organisations. The Council's financial resilience and sustainability status will remain under constant review. We are confident that our overall performance against this index will improve in 2024, as many of the indicators used are planned to strengthen locally in 2024/25 and we have not used any of our general fund reserves to support the setting of our 2024/25 Budget.

12 Concluding Comments

12.1 The provisional **£1.9M** overspend outturn position for 2023/24 represents a significant improvement from the previously reported 2022/23 outturn position and a clear positive direction of travel from the forecast outturn position reported during 2023/24. This demonstrates that the Council has continued to take strong, decisive action to improve its financial performance and generally strengthened its ability to manage increases in service demand for core

statutory services. The financing of the overall cost base of the Council is now closer to a more reasonable, effective and sustainable level. Clearly many challenges remain for the Council to overcome, particularly with regards to the still increasing costs of statutory social care arrangements for children and adult services.

- 12.2 A combination of some additional Government grant support, strong local income collection levels, additional compensation for the continued under-indexing of the small business rates multiplier, more proactive management of service demand, together with an innovative, eligible and compliant review of debt and treasury management arrangements provided the key elements of this improvement in 2023/24. The Council is looking to build on this improved position by implementing its commitment to a new transformation and service design programme through 2024/25.
- 12.3 Our overall intention for the future is to target scarce resources to the agreed priorities within the Council's corporate plan, implement our new joint administration's political priorities, support our most vulnerable residents, respond positively to the ongoing impact of the cost-of-living crisis and try to address the inequalities that exist across the city. Delivering these ambitions needs to be integrated with effectively managing increasing and more complex local demand pressures in social care.
- 12.4 Navigating and responding to these challenges while maintaining and improving our financial resilience and sustainability status remains a challenging task for the Council, as it will do for most upper tier local authorities across the country.

13 Reasons for Decisions

- 13.1 To provide Cabinet with the provisional revenue and capital outturn position for 2023/24.
- 13.2 As part of the year end processes, Cabinet is required to approve any appropriations to or from earmarked reserves. This report fulfils that purpose.
- 13.3 Cabinet is required to approve capital budget carry forwards, accelerated delivery requests and in year amendments to the current approved programme.

14 Other Options

- 14.1 This is a factual report setting out the 2023/24 outturn and is a reporting requirement of good financial governance. As such there are no other options. Cabinet are of course able to suggest changes to the amounts appropriated to and from earmarked reserves, which would result in a compensating adjustment to the amount taken to or from general reserves. The report also follows and complies with the good practice identified with CIPFA's Financial Management Code which became mandatory from 2021/22.

15 Financial Implications

- 15.1 As set out in the body of the report and accompanying appendices.

16 Legal Implications

- 16.1 The Council is required by section 151 of the Local Government Act 1972 to plan for the proper administration of its financial affairs. The Council is also required by section 28 of the Local Government Act 2003 to monitor its budget, and take corrective action, as necessary. The Council's chief finance officer has established financial procedures to ensure the Council's proper financial administration. These include procedures for effective budgetary control and for reporting variances to interested stakeholders. To comply with these best practice arrangements, it is important that Cabinet receive information and comment accordingly on the final outturn performance of the revenue and capital budgets as set out in the report.
- 16.2 The approval to submit the Council's Productivity Plan does not need to go directly to Council as it is a request from Government and not Statutory Guidance. The Constitution (4.02.1(c)) states that plans and strategy required by Law should be subject to Council approval. As this requirement does not qualify as "law" it can be approved by Cabinet.

17 Carbon Impact

- 17.1 None arising from this report.

18 Equalities

- 18.1 Consideration is given to Equalities and Diversity Implications when the Medium Term Financial Strategy and Capital Investment Programme is determined.

19 Consultation

Consideration is given to consultation when the Medium Term Financial Strategy and Capital Investment Programme is determined.

20 Background Papers

Financial Sustainability Strategy 2022 – 2032
Medium Term Financial Strategy 2024/25 – 2028/29
Resourcing Better Outcomes - Financial Performance Report 2023/24 – Period 8

21 Appendices

Appendix 1 Requested Changes to the Capital Investment Programme

Appendix 2 Amended Capital Investment Programme

Appendix 3 Infrastructure Funding Statement for 1 April 2023 to 31 March 2024

Appendix 4 Productivity Plan submission to DLUHC

Report Authorisation

This report has been approved for publication by:

| This report has been approved for publication by: | | |
|--|--------------------|--------------|
| | Name: | Date: |
| S151 Officer | Joe Chesterton | 11/06/2024 |
| Monitoring Officer | Susan Zeiss | 12/06/2024 |
| Executive Director(s) | Joe Chesterton | 11/06/2024 |
| Relevant Cabinet Members | Councillor Cowan | 14/06/2024 |
| | Councillor Collins | 14/06/2024 |

SUMMARY OF CHANGES TO THE CAPITAL INVESTMENT PROGRAMME

Appendix 1

Summary - programme to be delivered by the Council:

| | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Approved Capital Investment Programme - February 2024 Council | 42,843 | 65,293 | 20,231 | 7,831 | 1,950 | 4,327 | 142,475 |
| Carry Forwards | (7,341) | 1,056 | 6,150 | - | - | 135 | - |
| Accelerated Deliveries | 1,026 | 3,277 | (4,303) | - | - | - | - |
| Additions to the Programme | 261 | 830 | 362 | 803 | - | - | 2,256 |
| Deletions from the Programme | (11) | - | - | - | - | - | (11) |
| Virements | - | - | - | - | - | - | - |
| New External Funding | 181 | 3,616 | 2,869 | - | - | 1,877 | 8,543 |
| Transfers from 'Subject to Viable Business Case' section of the programme | 80 | 1,532 | 2,255 | 1,500 | - | - | 5,367 |
| Transfers to 'Subject to Viable Business Case' section of the programme | (64) | (544) | (148) | - | - | - | (756) |
| Proposed Investment Programme - following amendments | 36,975 | 75,060 | 27,416 | 10,134 | 1,950 | 6,339 | 157,874 |

Total budget for 2024/25 to 2028/29: 120,899

Summary - programme to be delivered by Subsidiary Companies and Partners:

| | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Approved Capital Investment Programme - February 2024 Council | 13,283 | 7,274 | 6,329 | 6,491 | - | - | 33,377 |
| Carry Forwards | (1,307) | 1,307 | - | - | - | - | - |
| Accelerated Deliveries | 503 | (503) | - | - | - | - | - |
| New External Funding | - | 53 | - | - | - | - | 53 |
| Transfers from 'Subject to Viable Business Case' section of the programme | - | 325 | 325 | 325 | - | - | 975 |
| Proposed Investment Programme - following amendments | 12,479 | 8,456 | 6,654 | 6,816 | - | - | 34,405 |

Total budget for 2024/25 to 2028/29: 21,926

Carry Forwards to Future Years - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Disabled Facilities | (135) | | | | | 135 | - |
| Community Capacity | | (29) | 29 | | | | - |
| Mental Health Funding steam only | | (31) | 31 | | | | - |
| Transforming Care Housing | | (139) | 139 | | | | - |
| Housing and Development Pipeline Feasibility - GF | (21) | 21 | | | | | - |
| AHDC Short Breaks for Disabled Children | (64) | 64 | | | | | - |
| Fairways Primary - Curtain Walling | (5) | 5 | | | | | - |
| Future Condition Projects Post 10 11 | (127) | 127 | | | | | - |
| Leigh Primary - Window Replacement (inc Radiators) | (35) | 35 | | | | | - |
| Prince Avenue Extended Nursery Provision | (6) | 6 | | | | | - |
| Airport Business Park | (225) | | 225 | | | | - |
| Better Queensway - Programme Management | (2) | 2 | | | | | - |
| Queensway Footbridge | (75) | 75 | | | | | - |
| Southend Pier - Prince George Extension (Phase Two) | (56) | 56 | | | | | - |
| Southend Pier - Timber Outer Pier Head | (419) | 419 | | | | | - |
| Cart and Wagon Shed | (45) | 45 | | | | | - |
| Central Museum Works | (24) | 24 | | | | | - |
| Chalkwell Park and Priory Park Tennis Courts | (11) | 11 | | | | | - |
| Milton Gardens LUF Project | (31) | 31 | | | | | - |
| Cliffs Pavilion - Air Handling Unit | (51) | 51 | | | | | - |
| Library Review | (16) | 16 | | | | | - |
| Shoebury Leisure Centre Sports Hall Floor | (11) | 11 | | | | | - |
| CCTV Equipment Renewal | (37) | 37 | | | | | - |
| Cliff Parade Cliff Slip | (183) | 183 | | | | | - |
| EA Innovation Resilience Programme | (200) | 200 | | | | | - |
| Improving Resilience to Flooding - Eastwood Brook Hydraulic Catchment | (38) | 38 | | | | | - |
| Local Surface Water Modelling and Mapping Grant Scheme | (44) | 44 | | | | | - |
| Sea Wall Access Refurbishment | (33) | 33 | | | | | - |
| Highways Maintenance - Potholes | (67) | 67 | | | | | - |
| Junction Protection | (186) | 186 | | | | | - |
| Challenge Fund - Bridge Strengthening | (18) | 18 | | | | | - |
| DfT - Belton Way East Cliff Slip | (267) | 267 | | | | | - |
| DfT Active Travel - Tranche 2 | (213) | 213 | | | | | - |
| Safer Roads Fund - A13 | (229) | (1,087) | 1,316 | | | | - |
| Traffic Signs Upgrade | (70) | 70 | | | | | - |
| Car Park Infrastructure Improvements | (56) | 56 | | | | | - |
| Car Park Resurfacing | (30) | 30 | | | | | - |
| Parking Bays | (175) | 175 | | | | | - |
| Parking Signage Replacement | (98) | 98 | | | | | - |
| Local Transport Plan Maintenance | (74) | 74 | | | | | - |
| LTP (Integrated Transport Block) - Better Networks | (286) | 286 | | | | | - |
| LTP (Integrated Transport Block) - Better Sustainable Transport | (257) | 257 | | | | | - |
| LTP (Integrated Transport Block) - Bridge Strengthening | (27) | 27 | | | | | - |
| LTP (Integrated Transport Block) - Traffic Control Systems | (82) | 82 | | | | | - |
| LTP (Integrated Transport Block) - Traffic Management Schemes | (89) | 89 | | | | | - |
| Local Growth Fund - A127 Growth Corridor | (51) | 51 | | | | | - |
| Local Growth Fund - Southend Town Centre Interventions | (90) | 90 | | | | | - |

SUMMARY OF CHANGES TO THE CAPITAL INVESTMENT PROGRAMME

Appendix 1

| | | | | | | | | |
|--|----------------|--------------|--------------|----------|----------|------------|----------|----------|
| Southend Transport Model | (17) | 17 | | | | | | |
| Avro/Viking House Demolition | (16) | 16 | | | | | | |
| Civic One - Access Control Replacement | (40) | 40 | | | | | | |
| Civic One - Building Management System End of Life Replacement | (30) | 30 | | | | | | |
| Civic One - Turnstiles | (28) | 28 | | | | | | |
| Crematorium Refurbishment | (143) | 143 | | | | | | |
| East Beach Café | (138) | 138 | | | | | | |
| Fire Improvement Works | (90) | 90 | | | | | | |
| Parks Fuel Storage | (11) | 11 | | | | | | |
| Property Refurbishment Programme | (200) | 200 | | | | | | |
| Victoria Centre | (17) | 17 | | | | | | |
| Air Quality Grant | (10) | 10 | | | | | | |
| Climate Change Projects | (78) | (72) | 150 | | | | | |
| ICT - Application Transformation | (13) | 13 | | | | | | |
| ICT - Childrens and Adults Social Care - Implementation of ContrOCC Modules | (13) | 13 | | | | | | |
| ICT - Core Application and Database Migration | (8) | 8 | | | | | | |
| ICT - Digital Enablement | (21) | 21 | | | | | | |
| ICT - Security & Resiliency | (16) | 16 | | | | | | |
| ICT - Technology Device Refresh | (41) | (285) | 326 | | | | | |
| My Southend Replacement | (90) | 90 | | | | | | |
| Software Licensing | (43) | 43 | | | | | | |
| CIL Main Fund Allocation - Enhancing Children's Play Provision in Public Parks | (144) | (556) | 700 | | | | | |
| CIL Main Fund Allocation - Enhancing Cycle Infrastructure | (97) | (703) | 800 | | | | | |
| CIL Ward NA - Blenheim Park - Blenheim Park 'Makeover' | (1) | | 1 | | | | | |
| CIL Ward NA - Milton - Milton Park Improvements | (2) | | 2 | | | | | |
| CIL Ward NA - Milton - Park Street Replacement Bollards | (1) | | 1 | | | | | |
| CIL Ward NA - Prittlewell - Gainsborough Park Woodland and Orchard Project | (4) | | 4 | | | | | |
| CIL Ward NA - Prittlewell - Priory Park Fountains Restoration | (8) | | 8 | | | | | |
| CIL Ward NA - Southchurch - Southchurch Speedwatch | (1) | | 1 | | | | | |
| S106 Ajax Works 03/00130/FUL - Landscaping Maintenance | (3) | (2) | 5 | | | | | |
| S106 Avenue Works 14/01968/AMDT - Cycleway Improvement | (1) | | 1 | | | | | |
| S106 Avenue Works 14/01968/AMDT - Public Art Contribution | | (2) | 2 | | | | | |
| S106 Bellway Homes Prittlebrook 14/00943/FULM - TRO Contribution | (2) | | 2 | | | | | |
| S106 Essex House 15/00521/FULM - Bus Stop Improvement | (3) | | 3 | | | | | |
| S106 Former Balmoral 14/00914/FULM - Public Art Contribution | | (1) | 1 | | | | | |
| S106 Former College Building 15/00803/BC4M - Parking Survey Contribution | (10) | | 10 | | | | | |
| S106 Former South East College 10/00225/FUL - Tree Replacement | (11) | | 11 | | | | | |
| S106 Hinguar Primary School 14/01672/BC4M - Highway Contribution | (5) | | 5 | | | | | |
| S106 Hinguar Primary School and Saxon Lodge 14/01672/BC4M - Public Art Contribution | | (8) | 8 | | | | | |
| S106 Lifstan Way 00/00273/OUT - Open Space Maintenance | (13) | (62) | 75 | | | | | |
| S106 North Road and Salisbury Avenue 12/00056/FULM - Highway Works Contribution | (2) | | 2 | | | | | |
| S106 North Shoebury Road 03/01504/OUT - Shoebury Park Enhancement | (7) | | 7 | | | | | |
| S106 North Shoebury Road 03/01504/OUT - Shoebury Park Maintenance | (39) | (102) | 141 | | | | | |
| S106 Shoebury Garrison 00/00777/OUT Deposit - CCTV | (1) | | 1 | | | | | |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Information Boards | (2) | | 2 | | | | | |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Junior Play Area Maintenance | (8) | | 8 | | | | | |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Sea Wall and Assoc Structure Maintenance | (34) | | 34 | | | | | |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Toddler Play Area Maintenance | (6) | | 6 | | | | | |
| S106 Shoebury Garrison Park Store | (1) | | 1 | | | | | |
| S106 Sunlight Laundry 14/00411/FULM - Highway Works | (2) | | 2 | | | | | |
| S106 University of Essex 04/01561/FUL - Highway Contribution | (2) | | 2 | | | | | |
| S278 Bellway Homes Prittlebrook 14/00943/FULM | (8) | | 8 | | | | | |
| S278 Star Lane - Great Wakering | (3) | 3 | | | | | | |
| S38 Bellway Homes Prittlebrook 14/00943/FULM | (2) | | 2 | | | | | |
| S38 Fossetts (const&maint fee) | (1) | | 1 | | | | | |
| S38/S278 Southend Airport 09/01960/FULM | (13) | | 13 | | | | | |
| Leigh Port Detailed Design and Construction | (617) | 617 | | | | | | |
| Marine Parade - Levelling Up Funding | (66) | 66 | | | | | | |
| Housing Construction Scheme - Land Assembly Fund (S106) | (21) | 21 | | | | | | |
| Housing Construction Scheme - Modern Methods of Construction (MMC) | (28) | (336) | 364 | | | | | |
| Housing Construction Scheme - Phase 3 | (140) | (860) | 1,000 | | | | | |
| Housing Construction Scheme - Phase 4 | (47) | (653) | 700 | | | | | |
| Housing Construction Scheme - Phase 5/6 Feasibility (S106) | (40) | 40 | | | | | | |
| Acquisition of Tower Block Leaseholds - Queensway | (243) | 243 | | | | | | |
| Affordable Housing Acquisitions Programme | (101) | 101 | | | | | | |
| Housing and Development Pipeline Feasibility - HRA | (29) | 29 | | | | | | |
| LAHF - Afghan & Ukraine Resettlement Scheme | (158) | 158 | | | | | | |
| Next Steps Accommodation Programme | (4) | 4 | | | | | | |
| Passive House Pilot | (49) | 49 | | | | | | |
| HRA Disabled Adaptations - Major Adaptions | (39) | 39 | | | | | | |
| Total Carry Forwards - programme to be delivered by the Council | (7,341) | 1,056 | 6,150 | - | - | 135 | - | - |

SUMMARY OF CHANGES TO THE CAPITAL INVESTMENT PROGRAMME

Appendix 1

Carry Forwards to Future Years - programme to be delivered by Subsidiary Companies and Partners

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------------|-------------------------------|
| Balmoral Estate Improvement and Structural Works | (81) | 81 | | | | | - |
| Central Heating | (6) | 6 | | | | | - |
| Common Areas Improvement | (262) | 262 | | | | | - |
| Energy Efficiency Measures | (20) | 20 | | | | | - |
| Environmental H&S Works | (331) | 331 | | | | | - |
| Kitchen Refurbishments | (23) | 23 | | | | | - |
| Remodelling of Tied Accommodation | (155) | 155 | | | | | - |
| Roofs | (308) | 308 | | | | | - |
| Sprinkler System Installation Pilot | (75) | 75 | | | | | - |
| Windows and Doors | (7) | 7 | | | | | - |
| No Use Empty - Getting Building Fund | (32) | 32 | | | | | - |
| UK Shared Prosperity Fund | (7) | 7 | | | | | - |
| Total Carry Forwards - programme to be delivered by Subsidiary Companies, Partners and Joint Ventures | (1,307) | 1,307 | - | - | - | - | - |

Accelerated Deliveries - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------------|-------------------------------|
| High Needs Provision | 220 | 4,083 | (4,303) | | | | - |
| Southend Pier - Condition Works Engineers | 610 | (610) | | | | | - |
| Playground Gates | 3 | (3) | | | | | - |
| LTP - Maintenance - Street Lighting | 6 | (6) | | | | | - |
| Civic Campus - Efficient Use of Space | 7 | (7) | | | | | - |
| S106 22-23 The Leas 07/00820/FULM - Bus Service Contribution | 1 | (1) | | | | | - |
| Cliffs Pavilion - Levelling Up Funding | 77 | (77) | | | | | - |
| Social Housing Decarbonisation Funding | 102 | (102) | | | | | - |
| Total Accelerated Deliveries - programme to be delivered by the Council | 1,026 | 3,277 | (4,303) | - | - | - | - |

Accelerated Deliveries - programme to be delivered by Subsidiary Companies and Partners

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------------|-------------------------------|
| Bathroom Refurbishment | 9 | (9) | | | | | - |
| HRA - SCC Buybacks Refurbishment | 185 | (185) | | | | | - |
| Rewiring | 309 | (309) | | | | | - |
| Total Accelerated Deliveries - programme to be delivered by Subsidiary Companies, Partners and Joint Ventures | 503 | (503) | - | - | - | - | - |

Additions to the Programme - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------------|-------------------------------|
| ICT - Technology Device Refresh | | | 27 | 803 | | | 830 |
| Software Licensing | 261 | | | | | | 261 |
| Social Housing Decarbonisation Funding | | 830 | 335 | | | | 1,165 |
| Total Additions to the Programme - programme to be delivered by the Council | 261 | 830 | 362 | 803 | - | - | 2,256 |

Deletions from the Programme - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------------|-------------------------------|
| Cliffs Pavilion - Auditorium Air Handling Unit | (1) | | | | | | (1) |
| Carriageways Improvements | (2) | | | | | | (2) |
| Improve Footway Condition Around Highway Trees | (4) | | | | | | (4) |
| Zebra Crossing Surfacing Replacement | (4) | | | | | | (4) |
| Total Deletions from the Programme - programme to be delivered by the Council | (11) | - | - | - | - | - | (11) |

SUMMARY OF CHANGES TO THE CAPITAL INVESTMENT PROGRAMME

Appendix 1

Virements between schemes - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Cliffs Pavilion - Air Handling Unit | (4) | | | | | | (4) |
| Cliffs Pavilion - Admiral's and Mariner's Rooms Air Source Heat Pumps | 4 | | | | | | 4 |
| Coastal Defence Refurbishment Programme | (32) | | | | | | (32) |
| Sea Wall Access Refurbishment | 32 | | | | | | 32 |
| East Beach Sea Wall Refurbishment | (31) | | | | | | (31) |
| Groyne Field Refurbishment Programme | 31 | | | | | | 31 |
| East Beach Sea Wall Refurbishment | (1) | | | | | | (1) |
| Sea Wall Access Refurbishment | 1 | | | | | | 1 |
| Zebra Crossing Surfacing Replacement | (4) | | | | | | (4) |
| Footways Improvements | 4 | | | | | | 4 |
| Vehicle Restraint Replacement | (7) | | | | | | (7) |
| Car Park Infrastructure Improvements | 7 | | | | | | 7 |
| LTP - Maintenance - Street Lighting | (2) | | | | | | (2) |
| Street Lighting Renewal | 2 | | | | | | 2 |
| LTP (Integrated Transport Block) - Traffic Management Schemes | (4) | | | | | | (4) |
| Security Measures | 4 | | | | | | 4 |
| Avro/Viking House Demolition | (18) | | | | | | (18) |
| Southchurch Cricket Pavilion Demolition | 18 | | | | | | 18 |
| Avro/Viking House Demolition | (1) | | | | | | (1) |
| 62 Avenue Road - Coach House | 1 | | | | | | 1 |
| Clearance and Fencing, Land off Sutton Road | (2) | | | | | | (2) |
| 125 F/F Valkyrie Road Void Works | 2 | | | | | | 2 |
| Fire Improvement Works | (245) | | | | | | (245) |
| Property Refurbishment Programme | 245 | | | | | | 245 |
| Parks Fuel Storage | (2) | | | | | | (2) |
| Futures Demolition | 2 | | | | | | 2 |
| S106 HRA Land Review | (11) | | | | | | (11) |
| Housing Construction Scheme - Phase 3 | 11 | | | | | | 11 |
| <u>Virements already actioned under delegated authority</u> | | | | | | | |
| Priority Works | (30) | | | | | | (30) |
| Civic One - Turnstiles | 30 | | | | | | 30 |
| Priority Works | (40) | | | | | | (40) |
| Civic One - Access Control Replacement | 40 | | | | | | 40 |
| Priority Works | (30) | | | | | | (30) |
| Civic One - Building Management System End of Life Replacement | 30 | | | | | | 30 |
| Priority Works | | (65) | | | | | (65) |
| Shoebury Garrison Sea Defence | | 65 | | | | | 65 |
| Total Virements between schemes - programme to be delivered by the Council | - | - | - | - | - | - | - |

New External Funding - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Disabled Facilities | | | | | | 1,877 | 1,877 |
| Devolved Formula Capital | | 84 | | | | | 84 |
| Future Condition Projects Post 10 11 | | 352 | | | | | 352 |
| High Needs Provision | | | 1,929 | | | | 1,929 |
| EA Innovation Resilience Programme | 88 | 1,488 | | | | | 1,576 |
| Traffic Signal Green Light Fund | | 460 | 94 | | | | 554 |
| Fire Improvement Works | 90 | | | | | | 90 |
| Victoria Centre - Getting Building Fund | | 579 | | | | | 579 |
| Fly-Tipping Intervention | | 26 | | | | | 26 |
| Food Waste Collection | | | 846 | | | | 846 |
| CIL Ward NA - Blenheim Park - Blenheim Park Gym and Games Equipment | | 20 | | | | | 20 |
| CIL Ward NA - Chalkwell - Tree Planting | 1 | 1 | | | | | 2 |
| CIL Ward NA - Eastwood Park - Rayleigh Road Planters | | 3 | | | | | 3 |
| CIL Ward NA - Milton - Warrior Square and Seafront Sports and Fitness | | 22 | | | | | 22 |
| CIL Ward NA - St Laurence - Manners Way Play Area Equipment | 2 | | | | | | 2 |
| CIL Ward NA - Victoria - Balmoral Bin Storage | | 5 | | | | | 5 |
| S278 Star Lane - Great Wakering | | 64 | | | | | 64 |
| Housing Construction Scheme - Phase 3 | | 111 | | | | | 111 |
| Passive House Pilot | | 401 | | | | | 401 |
| Total New External Funding - programme to be delivered by the Council | 181 | 3,616 | 2,869 | - | - | 1,877 | 8,543 |

New External Funding - programme to be delivered by subsidiary companies and partners

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| No Use Empty - Getting Building Fund | | 53 | | | | | 53 |
| Total New External Funding - programme to be delivered by subsidiary companies and joint ventures | - | 53 | - | - | - | - | 53 |

SUMMARY OF CHANGES TO THE CAPITAL INVESTMENT PROGRAMME

Appendix 1

Transfers from 'Subject to Viable Business Case' section to main Capital Investment Programme - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|------------------------|------------------------|------------------------|------------------------|------------------------|---|-------------------------------------|
| Sea Wall Access Refurbishment | 80 | 32 | | | | | 112 |
| ICT - Technology Device Refresh | | | 755 | | | | 755 |
| Affordable Housing Acquisitions Programme | | 1,500 | 1,500 | 1,500 | | | 4,500 |
| Total Transfers from 'Subject to Viable Business Case' section to main Capital Investment Programme - programme to be delivered by the Council | 80 | 1,532 | 2,255 | 1,500 | - | - | 5,367 |

Transfers from 'Subject to Viable Business Case' section to main Capital Investment Programme - programme to be delivered by subsidiary companies and partners

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|------------------------|------------------------|------------------------|------------------------|------------------------|---|-------------------------------------|
| HRA - SCC Buybacks Refurbishment | | 325 | 325 | 325 | | | 975 |
| Total Transfers from 'Subject to Viable Business Case' section to main Capital Investment Programme - programme to be delivered by subsidiary companies and joint ventures | - | 325 | 325 | 325 | - | - | 975 |

Transfers to 'Subject to Viable Business Case' section from main Capital Investment Programme - programme to be delivered by the Council

| Scheme | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|------------------------|------------------------|------------------------|------------------------|------------------------|---|-------------------------------------|
| Aviation Way Car Park | | (336) | | | | | (336) |
| Local Electric Vehicle Infrastructure Capability Fund | (47) | (148) | (148) | | | | (343) |
| ULEV Taxi Infrastructure Scheme | (17) | (60) | | | | | (77) |
| Total Transfers to 'Subject to Viable Business Case' section from main Capital Investment Programme - programme to be delivered by the Council | (64) | (544) | (148) | - | - | - | (756) |

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**Proposed Capital Investment Programme 2023/24 to 2028/29 and future years -
Summary by Area of Investment**

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| General Fund Housing | 674 | 821 | 800 | 800 | 800 | 5,189 | 9,084 |
| Social Care | - | 64 | 199 | - | - | - | 263 |
| Schools | 1,544 | 7,428 | 1,850 | - | - | - | 10,822 |
| Enterprise and Regeneration | 1,240 | 1,002 | 350 | 125 | - | - | 2,717 |
| Southend Pier | 1,634 | 4,106 | 2,500 | - | - | - | 8,240 |
| Culture and Tourism | 753 | 221 | - | - | - | - | 974 |
| Community Safety | 105 | 37 | - | - | - | - | 142 |
| Highways and Infrastructure | 11,607 | 17,923 | 6,998 | 4,000 | - | - | 40,528 |
| Works to Property | 5,446 | 3,381 | 699 | 600 | - | - | 10,126 |
| Energy Saving | 79 | 218 | 150 | - | - | - | 447 |
| Waste | - | 26 | 846 | - | - | - | 872 |
| ICT | 3,630 | 4,395 | 3,439 | 3,109 | 1,150 | 1,150 | 16,873 |
| S106/S38/CIL | 281 | 479 | 1,870 | - | - | - | 2,630 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - GENERAL FUND | 26,993 | 40,101 | 19,701 | 8,634 | 1,950 | 6,339 | 103,718 |

Total budget for 2024/25 to 2028/29: 76,725

| Scheme to be delivered by the Council and Supported by the Levelling Up Fund | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Enterprise and Regeneration - supported by the Levelling Up Fund | 994 | 22,706 | - | - | - | - | 23,700 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - GENERAL FUND - SUPPORTED BY LEVELLING UP FUND | 994 | 22,706 | 0 | 0 | 0 | 0 | 23,700 |

Total budget for 2024/25 to 2028/29: 22,706

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years - Summary by Area of Investment

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|------------------------|------------------------|------------------------|------------------------|------------------------|---|----------------------------------|
| Council Housing New Build Programme | 1,248 | 4,993 | 5,327 | - | - | - | 11,568 |
| Council Housing Acquisitions Programme | 7,129 | 6,571 | 1,885 | 1,500 | - | - | 17,085 |
| Council Housing Refurbishment | 611 | 689 | 503 | - | - | - | 1,803 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - HRA | 8,988 | 12,253 | 7,715 | 1,500 | 0 | 0 | 30,456 |

Total budget for 2024/25 to 2028/29: **21,468**

| | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|------------------------|------------------------|------------------------|------------------------|------------------------|---|----------------------------------|
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - TO BE DELIVERED BY THE COUNCIL | 36,975 | 75,060 | 27,416 | 10,134 | 1,950 | 6,339 | 157,874 |

Total budget for 2024/25 to 2028/29: **120,899**

| Scheme to be delivered by the Subsidiary Companies, Partners or Joint Ventures | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|------------------------|------------------------|------------------------|------------------------|------------------------|---|----------------------------------|
| Council Housing Refurbishment | 7,813 | 7,364 | 6,654 | 6,816 | - | - | 28,647 |
| Enterprise and Regeneration | 4,666 | 1,092 | - | - | - | - | 5,758 |
| PROPOSED CAPITAL INVESTMENT PROGRAMME - TO BE DELIVERED BY SUBSIDIARY COMPANIES, PARTNERS OR JOINT VENTURES | 12,479 | 8,456 | 6,654 | 6,816 | 0 | 0 | 34,405 |

Total budget for 2024/25 to 2028/29: **21,926**

**Proposed Capital Investment Programme 2023/24 to 2028/29 and future years -
Summary by Strategic and Other Schemes**

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Strategic schemes | | | | | | | |
| Airport Business Park (including Local Growth Fund) | 683 | 575 | 350 | 125 | - | - | 1,733 |
| Victoria Centre | 859 | 596 | - | - | - | - | 1,455 |
| Schools - High Needs Provision | 452 | 2,500 | 1,850 | - | - | - | 4,802 |
| Southend Pier schemes | 1,634 | 4,106 | 2,500 | - | - | - | 8,240 |
| ICT schemes | 3,630 | 4,395 | 3,439 | 3,109 | 1,150 | 1,150 | 16,873 |
| Footways and Carriageways Schemes | 5,329 | 7,745 | 4,000 | 4,000 | - | - | 21,074 |
| Highways Infrastructure Schemes | 1,476 | 3,042 | 2,998 | - | - | - | 7,516 |
| Highways and Infrastructure - Local Growth Fund and Local Transport Plan Schemes | 2,352 | 4,417 | - | - | - | - | 6,769 |
| Total Strategic - General Fund | 16,415 | 27,376 | 15,137 | 7,234 | 1,150 | 1,150 | 68,462 |
| Cliffs Pavillion | 577 | 6,879 | - | - | - | - | 7,456 |
| Leigh Port Detailed Design and Construction | 383 | 13,823 | - | - | - | - | 14,206 |
| Marine Parade/City Beach | 34 | 2,004 | - | - | - | - | 2,038 |
| Total Strategic - General Fund - supported by the Levelling Up Fund | 994 | 22,706 | - | - | - | - | 23,700 |
| Council Housing New Build Programme | 1,248 | 4,993 | 5,327 | - | - | - | 11,568 |
| HRA Affordable Housing Acquisitions Programme | 6,063 | 2,056 | 1,550 | 1,500 | - | - | 11,169 |
| Social Housing Decarbonisation Funding | 890 | 3,110 | 335 | - | - | - | 4,335 |
| Total Strategic - HRA | 8,201 | 10,159 | 7,212 | 1,500 | - | - | 27,072 |
| Total Strategic - GF and HRA | 25,610 | 60,241 | 22,349 | 8,734 | 1,150 | 1,150 | 119,234 |
| Other Schemes | 11,365 | 14,819 | 5,067 | 1,400 | 800 | 5,189 | 38,640 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - TO BE DELIVERED BY THE COUNCIL | 36,975 | 75,060 | 27,416 | 10,134 | 1,950 | 6,339 | 157,874 |

Total budget for 2024/25 to 2028/29:

120,899

**Proposed Capital Investment Programme 2023/24 to 2028/29 and future years -
Summary by Strategic and Other Schemes**

Appendix 2

| Scheme to be delivered by the Subsidiary Companies and Partners | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Council Housing Refurbishment | 7,813 | 7,364 | 6,654 | 6,816 | - | - | 28,647 |
| Better Queensway - SELEP | 3,825 | - | - | - | - | - | 3,825 |
| Total Strategic - Delivered by Subsidiary Companies or Joint Ventures | 11,638 | 7,364 | 6,654 | 6,816 | - | - | 32,472 |
| Other Schemes | 841 | 1,092 | - | - | - | - | 1,933 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - TO BE DELIVERED BY SUBSIDIARY COMPANIES AND PARTNERS | 12,479 | 8,456 | 6,654 | 6,816 | - | - | 34,405 |

Total budget for 2024/25 to 2028/29:

21,926

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------|---------------------|---------------------|---------------------|---------------------|--------------------------------------|-------------------------------|
| General Fund Housing | | | | | | | |
| Disabled Facilities | 665 | 800 | 800 | 800 | 800 | 5,189 | 9,054 |
| Housing and Development Pipeline Feasibility - GF | 9 | 21 | | | | | 30 |
| Total General Fund Housing | 674 | 821 | 800 | 800 | 800 | 5,189 | 9,084 |
| Social Care | | | | | | | |
| AHDC Short Breaks for Disabled Children | - | 64 | | | | | 64 |
| Community Capacity | | - | 29 | | | | 29 |
| Mental Health Funding steam only | | - | 31 | | | | 31 |
| Transforming Care Housing | | - | 139 | | | | 139 |
| Total Social Care | - | 64 | 199 | - | - | - | 263 |
| Schools | | | | | | | |
| Childcare Expansion | | 224 | | | | | 224 |
| Devolved Formula Capital | 92 | 84 | | | | | 176 |
| Fairways Primary - Curtain Walling | - | 100 | | | | | 100 |
| Future Condition Projects Post 10 11 | 572 | 479 | | | | | 1,051 |
| High Needs Provision - Works | 452 | 2,500 | 1,850 | | | | 4,802 |
| High Needs Provision - Grants | | 4,000 | | | | | 4,000 |
| Leigh Primary - Window Replacement (inc Radiators) | 37 | 35 | | | | | 72 |
| Prince Avenue Extended Nursery Provision | - | 6 | | | | | 6 |
| SEND works - Best Centre First Floor Class Room | 50 | | | | | | 50 |
| Special Provision Capital Fund | 341 | - | | | | | 341 |
| Total Schools | 1,544 | 7,428 | 1,850 | - | - | - | 10,822 |
| Enterprise and Regeneration | | | | | | | |
| Airport Business Park | 683 | 575 | 350 | 125 | | | 1,733 |
| Better Queensway - Programme Management | 482 | 272 | | | | | 754 |
| Queensway Footbridge | 75 | 155 | | | | | 230 |
| Total Enterprise and Regeneration | 1,240 | 1,002 | 350 | 125 | - | - | 2,717 |
| Southend Pier | | | | | | | |
| Southend Pier - Condition Works Engineers | 1,447 | 640 | | | | | 2,087 |
| Southend Pier - Prince George Extension (Phase Two) | 51 | 2,356 | 2,500 | | | | 4,907 |
| Southend Pier - Timber Outer Pier Head | 86 | 1,110 | | | | | 1,196 |
| Southend Pier Head: Drainage | 50 | | | | | | 50 |
| Total Southend Pier | 1,634 | 4,106 | 2,500 | - | - | - | 8,240 |
| Culture and Tourism | | | | | | | |
| Cart and Wagon Shed | 2 | 45 | | | | | 47 |
| Central Museum Works | 56 | 24 | | | | | 80 |
| Chalkwell Park and Priory Park Tennis Courts | 318 | 11 | | | | | 329 |
| Cliffs Pavilion - Admiral's and Mariner's Rooms Air Source Heat Pumps | 51 | | | | | | 51 |
| Cliffs Pavilion - Air Handling Unit | 24 | 51 | | | | | 75 |
| Cliffs Pavilion - Auditorium Air Handling Unit | - | | | | | | - |
| Irrigation Tanks | 16 | | | | | | 16 |

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Library Refurbishment Works | 34 | 16 | | | | | 50 |
| Milton Gardens LUF Project | 20 | 31 | | | | | 51 |
| Playground Gates | 26 | 32 | | | | | 58 |
| Shoebury Leisure Centre Sports Hall Floor | 69 | 11 | | | | | 80 |
| Shoebury Library/Youth Centre Lift | 32 | | | | | | 32 |
| Southchurch Cricket Pavilion Demolition | 100 | | | | | | 100 |
| Southend Tree Policy Review - Additional Trees | 5 | | | | | | 5 |
| Total Culture and Tourism | 753 | 221 | - | - | - | - | 974 |
| Community Safety | | | | | | | |
| CCTV Equipment Renewal | 105 | 37 | | | | | 142 |
| Total Community Safety | 105 | 37 | - | - | - | - | 142 |
| Highways and Infrastructure | | | | | | | |
| <u>Cliff Stabilisation schemes:</u> | | | | | | | |
| - Cliff Parade Cliff Slip | 42 | 183 | | | | | 225 |
| <u>Flood Prevention and Resilience schemes:</u> | | | | | | | |
| - Coastal Defence Refurbishment Programme | (9) | | | | | | (9) |
| - EA Innovation Resilience Programme | 899 | 1,688 | | | | | 2,587 |
| - East Beach Sea Wall Refurbishment | 18 | | | | | | 18 |
| - Groyne Field Refurbishment Programme | 172 | | | | | | 172 |
| - Improving Resilience to flooding – Eastwood Brook Hydraulic Catchment | 2 | 38 | | | | | 40 |
| - Local Surface Water Modelling and Mapping Grant Scheme | 1 | 44 | | | | | 45 |
| - Sea Wall Access Refurbishment | 913 | 65 | | | | | 978 |
| - Shoebury Garrison Sea Defence | | 65 | | | | | 65 |
| <u>Footways and Carriageways schemes:</u> | | | | | | | |
| - Carriageways Improvements | 1,323 | 3,000 | 1,500 | 1,500 | | | 7,323 |
| - Footways Improvements | 2,586 | 3,500 | 2,500 | 2,500 | | | 11,086 |
| - Highways Maintenance - Potholes | 1,234 | 1,059 | | | | | 2,293 |
| - Improve Footway Condition Around Highway Trees | 36 | | | | | | 36 |
| - Junction Protection | 48 | 186 | | | | | 234 |
| - Zebra Crossing Surfacing Replacement | 102 | | | | | | 102 |
| <u>Highways Infrastructure schemes:</u> | | | | | | | |
| - Bridge Strengthening - Challenge Fund | 363 | 18 | | | | | 381 |
| - DFT - Belton Way East Cliff Slip | 499 | 1,781 | | | | | 2,280 |
| - DFT Active Travel - Tranche 2 | 487 | 213 | | | | | 700 |
| - Safer Roads Fund - A13 | 21 | 500 | 2,904 | | | | 3,425 |
| - Street Lighting Renewal | 77 | | | | | | 77 |
| - Traffic Signal Green Light Fund | | 460 | 94 | | | | 554 |
| - Traffic Signs Upgrade | 16 | 70 | | | | | 86 |
| - Vehicle Restraint Replacement | 13 | | | | | | 13 |
| <u>Parking schemes:</u> | | | | | | | |
| - Car Park Infrastructure Improvements | 144 | 56 | | | | | 200 |
| - Car Park Resurfacing | 7 | 30 | | | | | 37 |
| - Parking Bays | - | 175 | | | | | 175 |
| - Parking Signage Replacement | - | 98 | | | | | 98 |

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Local Transport Plan schemes: | | | | | | | |
| - LTP - Maintenance | 587 | 669 | | | | | 1,256 |
| - LTP - Maintenance - Street Lighting | 199 | 115 | | | | | 314 |
| - LTP (Integrated Transport Block) - Better Networks | 204 | 915 | | | | | 1,119 |
| - LTP (Integrated Transport Block) - Better Sustainable Transport | 169 | 1,127 | | | | | 1,296 |
| - LTP (Integrated Transport Block) - Bridge Strengthening | 223 | 277 | | | | | 500 |
| - LTP (Integrated Transport Block) - Traffic Control Systems | 132 | 345 | | | | | 477 |
| - LTP (Integrated Transport Block) - Traffic Management Schemes | 633 | 689 | | | | | 1,322 |
| Local Growth Fund schemes: | | | | | | | |
| - A127 Growth Corridor (Bell Junction and A127 Essential Maintenance Works) | 39 | 190 | | | | | 229 |
| - Local Growth Fund - Southend Town Centre Interventions | 166 | 90 | | | | | 256 |
| Other Transport schemes: | | | | | | | |
| - Security Measures | 176 | | | | | | 176 |
| - Southend Transport Model | 85 | 277 | | | | | 362 |
| Total Highways and Infrastructure | 11,607 | 17,923 | 6,998 | 4,000 | - | - | 40,528 |
| Works to Property | | | | | | | |
| 125 F/F Valkyrie Road Void Works | 20 | | | | | | 20 |
| 62 Avenue Road - Coach House | 1 | | | | | | 1 |
| Aviation Way Car Park | | - | | | | | - |
| Avro/Viking House Demolition | 17 | 216 | | | | | 233 |
| Civic One - Access Control Replacement | - | 40 | | | | | 40 |
| Civic One - Building Management System End of Life Replacement | - | 30 | | | | | 30 |
| Civic One - Turnstiles | 2 | 28 | | | | | 30 |
| Civic Campus - Efficient Use of Space | 47 | 162 | | | | | 209 |
| Clearance and Fencing, Land off Sutton Road | - | | | | | | - |
| Crematorium Refurbishment | 2,107 | 143 | | | | | 2,250 |
| East Beach Café | 1,314 | 138 | | | | | 1,452 |
| Fire Improvement Works | 575 | 911 | | | | | 1,486 |
| Futures Demolition | 37 | | | | | | 37 |
| Parks Fuel Storage | - | 11 | | | | | 11 |
| Priority Works | - | 535 | 600 | 600 | | | 1,735 |
| Property Refurbishment Programme | 415 | 571 | | | | | 986 |
| RAAC - Operational Estate | 40 | | | | | | 40 |
| Seaways - Homes England Condition Funding | 12 | - | 99 | | | | 111 |
| Victoria Centre | 859 | 17 | | | | | 876 |
| Victoria Centre - Getting Building Fund | | 579 | | | | | 579 |
| Total Works to Property | 5,446 | 3,381 | 699 | 600 | - | - | 10,126 |
| Energy Saving | | | | | | | |
| Air Quality Grant | 42 | 40 | | | | | 82 |
| Climate Change Projects | 19 | 178 | 150 | | | | 347 |
| Local Electric Vehicle Infrastructure Capability Fund | 18 | - | - | | | | 18 |
| ULEV Taxi Infrastructure Scheme | - | - | | | | | - |
| Total Energy Saving | 79 | 218 | 150 | - | - | - | 447 |

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Waste | | | | | | | |
| Fly-Tipping Intervention | | 26 | | | | | 26 |
| Food Waste Collection | | | 846 | | | | 846 |
| Total Waste | - | 26 | 846 | - | - | - | 872 |
| ICT | | | | | | | |
| ASELA Local Full Fibre Network | 500 | | | | | | 500 |
| ICT - Application Transformation | 21 | 53 | | | | | 74 |
| ICT - Childrens and Adults Social Care - Implementation of ContrOCC Modules | 137 | 55 | | | | | 192 |
| ICT - Core Application and Database Migration | 5 | 123 | | | | | 128 |
| ICT - Digital Enablement | 17 | 61 | | | | | 78 |
| ICT - Operational Requirements - Microsoft Licences | 982 | 1,064 | 1,156 | 1,156 | | | 4,358 |
| ICT - Security & Resiliency | 18 | 41 | | | | | 59 |
| ICT - Technology Device Refresh | 120 | 550 | 1,108 | 803 | | | 2,581 |
| My Southend Replacement | 470 | 1,230 | | | | | 1,700 |
| Software Licensing | 1,360 | 1,218 | 1,175 | 1,150 | 1,150 | 1,150 | 7,203 |
| Total ICT | 3,630 | 4,395 | 3,439 | 3,109 | 1,150 | 1,150 | 16,873 |
| S106/S38/CIL | | | | | | | |
| CIL Main Fund Allocation - Enhancing Children's Play Provision in Public Parks | 106 | 194 | 700 | | | | 1,000 |
| CIL Main Fund Allocation - Enhancing Cycle Infrastructure | 53 | 147 | 800 | | | | 1,000 |
| CIL Ward NA - Blenheim Park - Blenheim Park Gym and Games Equipment | | 20 | | | | | 20 |
| CIL Ward NA - Blenheim Park - Blenheim Park 'Makeover' | - | | 1 | | | | 1 |
| CIL Ward NA - Blenheim Park - Mendip Wildlife Garden | 4 | | | | | | 4 |
| CIL Ward NA - Blenheim Park - St Cedd's Community Kitchen Refurbishment | 2 | | | | | | 2 |
| CIL Ward NA - Chalkwell - Tree Planting | 1 | 1 | | | | | 2 |
| CIL Ward NA - Eastwood Park - Rayleigh Road Planters | | 3 | | | | | 3 |
| CIL Ward NA - Milton - Milton Park Improvements | - | | 2 | | | | 2 |
| CIL Ward NA - Milton - Park Street Replacement Bollards | - | | 1 | | | | 1 |
| CIL Ward NA - Milton - Warrior Square and Seafront Sports and Fitness Equipment | | 22 | | | | | 22 |
| CIL Ward NA - Prittlewell - Gainsborough Park Woodland and Orchard Project | - | | 4 | | | | 4 |
| CIL Ward NA - Prittlewell - Priory Park Fountains Restoration | 4 | | 8 | | | | 12 |
| CIL Ward NA - Southchurch - Southchurch Speedwatch | - | | 1 | | | | 1 |
| CIL Ward NA - St Laurence - Manners Way Play Area Equipment | 2 | | | | | | 2 |
| CIL Ward NA - St Laurence - St Laurence Park Benches | 2 | | | | | | 2 |
| CIL Ward NA - Thorpe - Southchurch Park Safety Rail | 10 | | | | | | 10 |
| CIL Ward NA - Victoria - Balmoral Bin Storage | | 5 | | | | | 5 |
| CIL Ward NA - Victoria - Patchwork Orchard Project | 5 | | | | | | 5 |
| S106 10 Fairfax Drive 18/00810/FULM - Biodiversity Contribution | 5 | | | | | | 5 |
| S106 22-23 The Leas 07/00820/FULM - Bus Service Contribution | 22 | 20 | | | | | 42 |
| S106 27 Victoria Avenue 18/02151/FULM - Biodiversity Contribution | 11 | | | | | | 11 |
| S106 659-665 London Road 21/00161/FULM - Essex Coast RAMS Contribution | 3 | | | | | | 3 |
| S106 Ajax Works 03/00130/FUL - Landscaping Maintenance | - | - | 5 | | | | 5 |
| S106 Avenue Works 14/01968/AMDT - Cycleway Improvement | - | - | 1 | | | | 1 |
| S106 Avenue Works 14/01968/AMDT - Public Art Contribution | - | - | 2 | | | | 2 |
| S106 Bellway Homes Prittlebrook 14/00943/FULM - TRO Contribution | - | - | 2 | | | | 2 |

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| S106 Essex House 15/00521/FULM - Bus Stop Improvement | - | - | 3 | | | | 3 |
| S106 Former Balmoral 14/00914/FULM - Public Art Contribution | - | - | 1 | | | | 1 |
| S106 Former College Building 15/00803/BC4M - Parking Survey Contribution | - | - | 10 | | | | 10 |
| S106 Former South East College 10/00225/FUL - Tree Replacement | - | - | 11 | | | | 11 |
| S106 Hinguar Primary School 14/01672/BC4M - Highway Contribution | - | - | 5 | | | | 5 |
| S106 Hinguar Primary School and Saxon Lodge 14/01672/BC4M - Public Art Contribution | - | - | 8 | | | | 8 |
| S106 HRA Land Review | - | - | | | | | - |
| S106 Land East of Fossetts Way 21/00711/FULM - RAMS Contribution | 31 | | | | | | 31 |
| S106 Lifstan Way 00/00273/OUT - Open Space Maintenance | - | - | 75 | | | | 75 |
| S106 North Road and Salisbury Avenue 12/00056/FULM - Highway Works Contribution | - | - | 2 | | | | 2 |
| S106 North Shoebury Road 03/01504/OUT - Shoebury Park Enhancement | - | - | 7 | | | | 7 |
| S106 North Shoebury Road 03/01504/OUT - Shoebury Park Maintenance | - | - | 141 | | | | 141 |
| S106 Shoebury Garrison 00/00777/OUT Deposit - CCTV | - | - | 1 | | | | 1 |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Information Boards | - | - | 2 | | | | 2 |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Junior Play Area Maintenance | - | - | 8 | | | | 8 |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Sea Wall and Assoc Structure Maintenance | - | - | 34 | | | | 34 |
| S106 Shoebury Garrison 00/00777/OUT Deposit - Toddler Play Area Maintenance | - | - | 6 | | | | 6 |
| S106 Shoebury Garrison Park Store | - | - | 1 | | | | 1 |
| S106 Sunlight Laundry 14/00411/FULM - Highway Works | - | - | 2 | | | | 2 |
| S106 University of Essex 04/01561/FUL - Highway Contribution | - | - | 2 | | | | 2 |
| S278 Bellway Homes Prittlebrook 14/00943/FULM | - | - | 8 | | | | 8 |
| S278 Star Lane - Great Wakering | 20 | 67 | | | | | 87 |
| S38 Bellway Homes Prittlebrook 14/00943/FULM | - | - | 2 | | | | 2 |
| S38 Fossetts (const&maint fee) | - | - | 1 | | | | 1 |
| S38/S278 Southend Airport 09/01960/FULM | - | - | 13 | | | | 13 |
| Total S106/S38/CIL | 281 | 479 | 1,870 | - | - | - | 2,630 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - GENERAL FUND | 26,993 | 40,101 | 19,701 | 8,634 | 1,950 | 6,339 | 103,718 |

Total budget for 2024/25 to 2028/29:

76,725

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Enterprise and Regeneration - supported by the Levelling Up Fund | | | | | | | |
| Cliffs Pavilion | 577 | 6,879 | | | | | 7,456 |
| Leigh Port Detailed Design and Construction | 383 | 13,823 | | | | | 14,206 |
| Marine Parade/City Beach | 34 | 2,004 | | | | | 2,038 |
| Total Enterprise and Regeneration - Supported by the Levelling Up Fund | 994 | 22,706 | - | - | - | - | 23,700 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - GENERAL FUND SUPPORTED BY LEVELLING UP FUND | 994 | 22,706 | 0 | 0 | 0 | 0 | 23,700 |

Total budget for 2024/25 to 2028/29: **22,706**

| | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| COUNCIL'S PROPOSED CAPITAL INVESTMENT PROGRAMME - GENERAL FUND | 27,987 | 62,807 | 19,701 | 8,634 | 1,950 | 6,339 | 127,418 |

Total budget for 2024/25 to 2028/29: **99,431**

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Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Council | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| Council Housing New Build Programme | | | | | | | |
| Housing Construction Scheme - Land Assembly Fund (S106) | 267 | 132 | | | | | 399 |
| Housing Construction Scheme - Modern Methods of Construction (MMC) | 18 | 364 | 364 | | | | 746 |
| Housing Construction Scheme - Phase 3 | 944 | 3,726 | 2,879 | | | | 7,549 |
| Housing Construction Scheme - Phase 4 | 10 | 731 | 2,084 | | | | 2,825 |
| Housing Construction Scheme - Phase 5/6 feasibility (S106) | 9 | 40 | | | | | 49 |
| Total Council Housing New Build Programme | 1,248 | 4,993 | 5,327 | - | - | - | 11,568 |
| Council Housing Acquisitions Programme | | | | | | | |
| Acquisition of Tower Block Leaseholds - Queensway | 207 | 243 | | | | | 450 |
| Affordable Housing Acquisitions Programme | 2,777 | 1,601 | 1,500 | 1,500 | | | 7,378 |
| Housing and Development Pipeline Feasibility - HRA | 83 | 29 | | | | | 112 |
| LAHF - Afghan & Ukraine Resettlement Scheme | 3,058 | 158 | | | | | 3,216 |
| Next Steps Accommodation Programme | 21 | 54 | 50 | | | | 125 |
| Passive House Pilot | 93 | 1,376 | | | | | 1,469 |
| Social Housing Decarbonisation Funding | 890 | 3,110 | 335 | | | | 4,335 |
| Total Council Housing Acquisitions Programme | 7,129 | 6,571 | 1,885 | 1,500 | - | - | 17,085 |
| Council Housing Refurbishment | | | | | | | |
| HRA Disabled Adaptations - Major Adaptions | 611 | 689 | 503 | | | | 1,803 |
| Total Council Housing Refurbishment - HRA | 611 | 689 | 503 | - | - | - | 1,803 |
| TOTAL PROPOSED CAPITAL INVESTMENT PROGRAMME - HRA | 8,988 | 12,253 | 7,715 | 1,500 | 0 | 0 | 30,456 |

Total budget for 2024/25 to 2028/29: **21,468**

| | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---|-------------------------------------|
| COUNCIL'S PROPOSED CAPITAL INVESTMENT PROGRAMME - GENERAL FUND AND HRA | 36,975 | 75,060 | 27,416 | 10,134 | 1,950 | 6,339 | 157,874 |

Total budget for 2024/25 to 2028/29: **120,899**

Proposed Capital Investment Programme 2023/24 to 2028/29 and future years

Appendix 2

| Scheme to be delivered by the Subsidiary Companies and Partners | Project code | 2023/24 Budget £000 | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|--------------|------------------------|------------------------|------------------------|------------------------|------------------------|---|----------------------------------|
| Council Housing Refurbishment - delivered by South Essex Homes Limited | | | | | | | | |
| Balmoral Estate Improvement and Structural Works | C11112 | 1,817 | 145 | | | | | 1,962 |
| Bathroom Refurbishment | C10161 | 49 | 201 | 264 | 183 | | | 697 |
| Central Heating | C10162 | 294 | 252 | 296 | 210 | | | 1,052 |
| Common Areas Improvement | C10168 | 1,070 | 1,785 | 2,106 | 2,700 | | | 7,661 |
| Energy Efficiency Measures | C11033 | 72 | 20 | | | | | 92 |
| Environmental H&S Works | C10163 | 1,429 | 3,301 | 2,160 | 2,484 | | | 9,374 |
| HRA - SCC Buybacks Refurbishment | C11134 | 332 | 140 | 325 | 325 | | | 1,122 |
| Kitchen Refurbishments | C10164 | 87 | 207 | 114 | 114 | | | 522 |
| Remodelling of Tied Accommodation | C11187 | 61 | 457 | 216 | 345 | | | 1,079 |
| Rewiring | C10165 | 1,709 | 134 | 208 | 275 | | | 2,326 |
| Roofs | C10166 | 752 | 481 | 242 | 86 | | | 1,561 |
| Sprinkler System Installation Pilot | C11081 | 13 | 75 | | | | | 88 |
| Windows and Doors | C10167 | 128 | 166 | 723 | 94 | | | 1,111 |
| Total Council Housing Refurbishment | | 7,813 | 7,364 | 6,654 | 6,816 | - | - | 28,647 |
| Enterprise and Regeneration - delivered by Porters Place Southend-on-Sea LLP | | | | | | | | |
| Better Queensway - SELEP | C11141 | 3,825 | | | | | | 3,825 |
| Enterprise and Regeneration - delivered by Kent County Council | | | | | | | | |
| No Use Empty - Getting Building Fund | C11166 | 792 | 85 | | | | | 877 |
| No Use Empty - Growing Places Fund | C11165 | - | 1,000 | | | | | 1,000 |
| UK Shared Prosperity Fund | C11241 | 49 | 7 | | | | | 56 |
| Total Enterprise and Regeneration | | 4,666 | 1,092 | - | - | - | - | 5,758 |
| PROPOSED CAPITAL INVESTMENT PROGRAMME - TO BE DELIVERED BY SUBSIDIARY COMPANIES OR JOINT VENTURES | | | | | | | | |
| | | 12,479 | 8,456 | 6,654 | 6,816 | 0 | 0 | 34,405 |

Total budget for 2024/25 to 2028/29:

21,926

Proposed Capital Investment Programme 2024/25 to 2028/29 and future years - Schemes
subject to viable business cases

Appendix 2

| Priority Schemes Subject to Viable Business Cases | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|--|--|------------------------|------------------------|------------------------|---|----------------------------------|
| Palace Theatre (Dixon Studio) - RAAC | Will be profiled across the years as and when viable business case is agreed | | | | | - |
| Southend Pier - Condition Works | | 1,250 | 1,250 | | | 2,500 |
| Coastal Defence Refurbishment Programme | 400 | 500 | 500 | | | 1,400 |
| Schools - Condition Works (externally funded - indicative amount included) | 500 | 500 | 500 | | | 1,500 |
| Property Refurbishment Programme | | 750 | 750 | | | 1,500 |
| Fire Improvement Works | | 750 | 750 | | | 1,500 |
| Footways Improvements | 3,000 | 4,000 | 4,000 | 4,000 | 4,000 | 19,000 |
| Carriageways Improvements | - | 1,500 | 1,500 | 1,500 | 1,500 | 6,000 |
| Carriageways Improvements - Potholes | 500 | 500 | 500 | 500 | 500 | 2,500 |
| New Street Lighting - Column Replacement | 50 | 50 | 50 | 50 | 50 | 250 |
| Climate Change Provision | Will be profiled across the years as and when viable business case is agreed | | | | | 1,238 |
| Southend Highway Trees | Will be profiled across the years as and when viable business case is agreed | | | | | 150 |
| Cliffs Stabilisation | 100 | 400 | | | | 500 |
| Public Toilet Provision | 350 | 350 | | | | 700 |
| TOTAL SCHEMES SUBJECT TO VIABLE BUSINESS CASES: | | | | | | 38,738 |

| Other Schemes Subject to Viable Business Cases | 2024/25 Budget £000 | 2025/26 Budget £000 | 2026/27 Budget £000 | 2027/28 Budget £000 | 2028/29 and future years Budget £000 | Total Budget (all years) £000 |
|---|--|------------------------|------------------------|------------------------|---|----------------------------------|
| Strategic and Regeneration Acquisitions | | | | | | 10,500 |
| Local Growth Fund - A127 Growth Corridor | | | | | | 530 |
| Aviation Way Car Park | | | | | | 336 |
| Local Electric Vehicle Infrastructure Capability Fund | | | | | | 343 |
| ULEV Taxi Infrastructure Scheme | | | | | | 77 |
| Local Electric Vehicle Infrastructure Capital Fund | | | | | | 1,448 |
| Acquisition of Tower Block Leaseholds - Queensway | | | | | | 1,535 |
| Victoria Centre | Will be profiled across the years as and when viable business cases are agreed | | | | | 1,250 |
| Southchurch Park Community Space Provision | | | | | | - |
| Private Sector Housing Strategy | | | | | | 214 |
| Community Capacity | | | | | | 254 |
| Mental Health Funding Stream | | | | | | 241 |
| Social Care Housing Reform | | | | | | 124 |
| Belfairs Woodland Centre Project | | | | | | 109 |
| Cliffdown Env Enhancement | | | | | | 33 |
| Housing Infrastructure Funding | | | | | | 14,500 |
| TOTAL SCHEMES SUBJECT TO VIABLE BUSINESS CASES (plus investment yet to be costed): | | | | | | 31,494 |

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Infrastructure Funding Statement

Reported Year

1 April 2023 to 31 March 2024

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1. Introduction

Local authorities are required to publish an annual infrastructure funding statement (IFS) providing details of developer contributions to infrastructure¹ from the Community Infrastructure Levy (CIL)² and Section 106 (S.106) planning obligations³.

Southend-on-Sea City Council became a CIL Charging Authority, and commenced CIL charging, in July 2015; and has been securing developer contributions through planning obligations since the introduction of Section 106 of The Town and Country Planning Act 1990 (as amended).

The Reported Year of this IFS is the financial year from 1 April 2023 to 31 March 2024.

Further information regarding CIL and S.106 planning obligations can be found on the [Council's website](#) or obtained from the [Planning Portal](#) or the Government's online [Planning Practice Guidance](#).

¹ Regulation 121A of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended). The matters included in this IFS reflect the requirements set out in Schedule 2 of the regulations.

² The Community Infrastructure Levy (CIL) is a charge which can be levied by local authorities on new development in their area. It is an important tool for local authorities to use to help them deliver the infrastructure needed to support development in their area.

³ Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as S.106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development.

2. Executive Summary

▼ Summary Table 1: Community Infrastructure Levy (CIL) Funds 2023 to 2024

| | | |
|----------------------------|--|----------------------|
| Reported Year 2023 to 2024 | Total value of CIL set out in all Demand Notices issued in the reported year | £639,123.69 |
| | Total amount of CIL receipts carried over from previously reported years | £4,052,970.46 |
| | Total amount of CIL receipts in reported year | £559,639.96 |
| | Total amount of CIL expenditure (including admin expenses) in reported year | £214,577.50 |
| | Total overpayments returned ⁴ in reported year | £369.45 |
| | Total amount transferred to other organisations in reported year | £13,687.14 |
| | Total amount of CIL allocated but unspent in reported year | £2,068,059.46 |
| | Total amount of CIL collected in any year yet to be allocated and remaining to be spent at the end of the reported year | £2,315,916.86 |

▼ Summary Table 2: Section 106 (S.106) Planning Obligation Funds 2023 to 2024⁵

| | | |
|----------------------------|--|----------------------|
| Reported Year 2023 to 2024 | Total amount of money to be provided under any planning obligations which were entered into during reported year ⁶ | £848,742.55 |
| | Total amount of money under any planning obligations carried over from previously reported years which had not been allocated and was available to spend at the start of reported year | £1,564,443.52 |
| | Total amount of money under any planning obligations carried over from previously reported years which was allocated but not spent at the start of the reported year | £509,470.51 |
| | Total amount of money under any planning obligations which was received in reported year | £718,359.90 |
| | Total amount of money under any planning obligations which was spent in reported year | £261,377.89 |
| | Total amount of money under any planning obligations which was returned in reported year | £0.00 |
| | Total amount of money under any planning obligations transferred to other organisations in reported year | £34,219.08 |
| | Total amount of money under any planning obligations which was allocated but not spent at the end of the reported year | £333,000.00 |
| | Total amount of money under any planning obligations yet to be allocated and remaining to be spent at the end of reported year | £2,163,676.96 |

⁴ Payments are returned under CIL Regulation 75 (Overpayments) if the amount paid proves to be greater than the amount due.

⁵ Figures correct at time of preparation of this report but may be subject to adjustments.

⁶ This figure relates to either development that has yet to commence or implemented schemes for which the due date for contributions has not yet been reached i.e. the contributions have not been received and cannot be guaranteed to be received. The figure cannot be confirmed as the developments concerned included an outline planning permission, details of which have yet to be agreed.

3. Community Infrastructure Levy (CIL) contributions for 2023 to 2024

3.1 CIL Funding Summary

Table 1 sets out the CIL financial summary for 2023 to 2024 for the period from 1 April 2023 to 31 March 2024.

▼ Table 1: Total CIL Summary

| | |
|---|----------------------|
| Total CIL receipts carried over from previously reported years⁷ | £4,052,970.46 |
| Total CIL receipts⁸ in reported year including: | £559,639.96 |
| CIL receipts in CIL Main Fund in reported year | £456,652.13 |
| CIL receipts in CIL Neighbourhood Allocation in reported year (15% of total receipts less surcharges) | £74,442.24 |
| CIL received for administrative expenses in reported year (5% of reported year total) | £27,952.34 |
| CIL Negative expenditure (CIL project delivered under budget) | £593.25 |
| Total CIL receipts carried over from previously reported years and received in reported year | £4,612,610.42 |
| Total overpayments returned in reported year ⁹ | £369.45 |
| Balance of CIL receipts after overpayments returned | £4,612,240.97 |
| Total amount of CIL applied to administrative expenses in the reported year | £27,933.86 |
| Total expenditure from CIL Ward Neighbourhood Allocation in reported year ¹⁰ | £27,960.59 |
| Main Fund expenditure for the reported year | £158,683.05 |
| Total amount of CIL transferred to Leigh Town Council (LTC) from the reported year (Local Council Neighbourhood Allocation) | £13,687.14 |
| Total CIL receipts in CIL Main Fund and CIL Ward Neighbourhood Allocation unspent at the end of the reported year¹¹ | £4,383,976.32 |
| Total CIL Main Fund amount allocated but unspent in the reported year | £1,841,316.95 |
| Total CIL Ward Neighbourhood Allocation amount allocated but unspent in the reported year ¹² | £226,742.51 |
| Total CIL receipts in CIL Main Fund and CIL Ward Neighbourhood Allocation yet to be allocated and remaining available to spend at the end of the reported year | £2,315,916.86 |

⁷ This includes all unspent receipts within the CIL Main Fund and CIL Ward Neighbourhood Allocation.

⁸ This figure comprises total funds received in reported year 2023 to 2024 only i.e. does not include the value of any unpaid invoices raised in the reported year. In addition, CIL receipts include the value of land payments and infrastructure payments made in respect of CIL charges.

⁹ Payments are returned under CIL Regulation 75 (Overpayments) if the amount paid proves to be greater than the amount due.

¹⁰ See Table 2 for a detailed breakdown.

¹¹ This figure can include the value of acquired land on which development consistent with a relevant purpose has not commenced OR the acquired land has been used or disposed of for a purpose other than the relevant purposes and the amount deemed to be CIL by virtue of regulation 73(9) has not been spent AND the value of infrastructure if the infrastructure has not been provided.

¹² See Table 2 for a detailed breakdown.

3.2 CIL Main fund

The CIL Main Fund is to be spent on strategic infrastructure that is considered essential to deliver the growth identified in the City's Local Development Plan. This infrastructure was initially identified in the CIL Infrastructure Delivery Plan 2015 ('IDP') but is under review as part of the Southend new Local Plan preparation.

| ▼ CIL Main Fund (summary) | |
|---|----------------------|
| Main Fund carried over from previously reported years | £3,642,780.55 |
| Main Fund receipts for the reported year | £484,604.47 |
| Total overpayments returned in the reported year ¹³ | £317.59 |
| Main Fund expenditure for the reported year | £186,616.91 |
| Total CIL Main Fund unspent at the end of the reported year | £3,940,450.51 |
| Total CIL Main Fund amount allocated but unspent in the reported year including: <ul style="list-style-type: none">• £893,928.56 towards Enhancing Children's Play Provision in Public Parks• £947,388.39 towards Cycle Infrastructure Improvement Programme | £1,841,316.95 |
| Total CIL Main Fund yet to be allocated and remaining to spend at the end of the reported year | £2,099,133.56 |

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¹³ Payments are returned under CIL Regulation 75 (Overpayments) if the amount paid proves to be greater than the amount due.

3.3 CIL Neighbourhood Allocation

| ▼ Neighbourhood Allocation (summary) | |
|---|--------------------|
| Neighbourhood Allocation carried over by Southend-on-Sea City Council from previously reported years | £410,189.91 |
| Total Neighbourhood Allocation receipts for the reported year including funds to be transferred to LTC | £74,442.24 |
| CIL Negative expenditure (CIL project delivered under budget) | £593.25 |
| Total CIL receipts to be transferred to LTC for the reported year | £13,687.14 |
| Total overpayments returned in the reported year ¹⁴ | £51.86 |
| Neighbourhood Allocation expenditure for the reported year excluding funds transferred to LTC | £27,960.59 |
| Total CIL Ward Neighbourhood Allocation unspent at the end of the reported year | £443,525.81 |
| Total CIL Ward Neighbourhood Allocation amount allocated but unspent in the reported year ¹⁵ | £226,742.51 |
| Total CIL Ward Neighbourhood Allocation yet to be allocated and remaining to spend at the end of the reported year | £216,783.30 |

¹⁴ Payments are returned under CIL Regulation 75 (Overpayments) if the amount paid proves to be greater than the amount due.

¹⁵ See Table 2 for a detailed breakdown.

3.3.1 CIL Local Parish Council Allocation

| ▼ Local parish council: Leigh Town Council (LTC) | |
|---|-------------------|
| Total CIL receipts allocated to LTC for the reported year | £13,691.39 |
| Ward breakdown: | |
| • CIL receipts within Belfairs (within LTC boundary) | £1,306.11 |
| • CIL receipts within Blenheim Park (within LTC boundary) | £0.00 |
| • CIL receipts within Leigh | £3,370.67 |
| • CIL receipts within West Leigh | £9,014.61 |
| Deductions ¹⁶ from allocated amount in reported year | £4.25 |
| Details of any requests for repayment of CIL receipts from LTC that have not been applied to support the development of its area within 5 years of receipt: | |
| • Total value of CIL receipts requested to be returned from LTC | £0.00 |
| • Total value of CIL receipts yet to be recovered from LTC for the reported year | £0.00 |
| Total CIL receipts to be transferred to LTC for the reported year | £13,687.14 |

Leigh-on-Sea Town Council's CIL Annual Reports, setting out details of expenditure, are published on the Parish Council's website:
<http://www.leighonseatowncouncil.gov.uk>

3.3.2 CIL Ward Neighbourhood Allocation

The CIL Ward Neighbourhood Allocation must be spent on schemes that will help support development of the ward area by funding either: a) the provision, improvement, replacement, operation or maintenance of infrastructure; or b) anything else that is concerned with addressing the demands that development places on an area.

Details relating to expenditure of the Neighbourhood Allocation within Southend-on-Sea City Council Wards in the reported year are set out in Table 2 below.

¹⁶ Payments are returned under CIL Regulation 75 (Overpayments) if the amount paid proves to be greater than the amount due.

▼ Table 2: Details of CIL Ward Neighbourhood Allocations

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|--|---|--|---------------------------------------|--|--|---------------------------------------|
| | 2,893.25 | | | Chalkwell Speedwatch | 799.00 | 799.00 | - | - | - | - |
| | 593.24 | | | Chalkwell Bowling Club Pétanque Project | 1,000.00 | - | - | - | 1,000.00 | - |
| | | | | Tree planting | 2,000.00 | - | 955.00 | - | 1,045.00 | - |
| Chalkwell | 3,486.49 | 26,643.67 | - | | | | 955.00 | 29,175.16 | 2,045.00 | 27,130.16 |
| | | | | Tree planting between Eastwood and Oakwood parks (project complete under budget) | 2,191.20 | 661.00 | - | - | - | - |
| | | | | Rochford Corner power connection (project complete under budget) | 1,394.93 | 1,354.87 | - | - | - | - |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|--|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Rayleigh Road Planters | 3,421.74 | - | - | - | 3,421.74 | - |
| | | | | Dandies Park Trees | 1,530.20 | - | - | - | 1,530.20 | - |
| | | | | Renovation of the outside of the Park Pavilion in Oakwood Park | 951.66 | | | | | |
| Eastwood Park | 973.39 | 5,903.60 | 9.17 | | | | - | 6,867.82 | 4,951.94 | 1,915.88 |
| | | | | Southchurch Hall Gardens information boards | 7,800.00 | - | - | - | 7,800.00 | - |
| Kursaal | 2,218.59 | 11,521.50 | 38.43 | | | | - | 13,701.66 | 7,800.00 | 5,901.66 |
| | | | | Milton Park improvements | 5,000.00 | 3,549.56 | | - | 1,450.44 | - |
| | | | | Park Street replacement bollards | 2,856.54 | 1,517.31 | - | - | 1,339.23 | - |
| | | | | Milton railway bridge artwork | 3,779.03 | 3,779.03 | - | - | - | - |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|--|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Whitegate Play Space (project complete under budget) | 15,000.00 | 8,436.13 | - | - | - | - |
| | | | | Milton railway bridge artwork (phase 2) | 16,554.69 | 16,554.69 | - | - | - | - |
| | | | | Clifton Cliffs and Holland Road steps | 10,000.00 | - | - | - | 10,000.00 | |
| | | | | Installation of goalposts and fitness equipment near and around Warrior Square and seafront. | 22,000.00 | | | | 22,000.00 | |
| Milton | 8,676.35 | 60,366.01 | - | | | | - | 69,042.36 | 34,789.67 | 34,252.69 |
| | | | | Priory Park fountains restoration | 25,000.00 | 12,346.52 | 4,290.00 | - | 8,363.48 | - |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|--|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Gainsborough Park Woodland and Orchard Project | 5,500.00 | - | - | - | 5,500.00 | - |
| | | | | Gainsborough Park Woodland and Orchard Project (Installation of fencing) | 5,000.00 | | | | 5,000.00 | |
| Prittlewell | 5,813.25 | 27,719.28 | - | | | | 4,290.00 | 29,242.53 | 18,863.48 | 10,379.05 |
| | | | | Resurfacing Shoebury High Street | 8,418.39 | - | - | - | 8,418.39 | - |
| | | | | East Beach improvements | 4,289.19 | - | - | - | 4,289.19 | - |
| | | | | East Beach Play Equipment and Friars Park Play Equipment | 36,613.85 | | | | 36,613.85 | |
| Shoebury-ness | 7,835.76 | 49,321.43 | - | | | | - | 57,157.19 | 49,321.43 | 7,835.76 |
| | | | | Southchurch Speedwatch | 444.35 | - | - | - | 444.35 | - |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|---|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Branscombe Square | 4,750.91 | | | | 4,750.91 | |
| South-church | 344.41 | 5,195.26 | - | | | | - | 5,539.67 | 5,195.26 | 344.41 |
| | | | | St Laurence whip hedge planting | 174.90 | 120.00 | - | - | 54.90 | - |
| | | | | Eastwood Community Centre replacement water heaters | 1,975.00 | 1,975.00 | - | - | - | - |
| | | | | Eastwood Community Centre LED lighting project | 4,032.00 | 4,032.00 | | - | - | - |
| | | | | Eastwood Community Youth Club equipment | 1,000.00 | 1,000.00 | | - | - | - |
| | | | | Manners Way play area equipment | 2,000.00 | | 2,000.00 | - | - | - |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|---|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Manners Way play area equipment additional funds | 144.49 | | 144.49 | | - | |
| | | | | Planting beds | 3,500.00 | - | - | - | 3,500.00 | - |
| | | | | Sidmouth play area path/ramp | 2,000.00 | - | - | - | 2,000.00 | - |
| | | | | St Laurence Park benches | 2,500.00 | - | 2,075.60 | - | 424.40 | - |
| St Laurence | 4,937.16 | 17,116.98 | - | | | | 4,220.09 | 17,834.05 | 5,979.30 | 11,854.75 |
| | | | | Cluny Square Park Improvement Scheme | 3,282.46 | | | | 3,282.46 | |
| St Lukes | 590.27 | 3,282.46 | - | | | | - | 3,872.73 | 3,282.46 | 590.27 |
| | | | | Southchurch Bowls Club Irrigation System | 8,500.00 | 8,500.00 | | - | - | - |
| | | | | Southchurch Park Safety Rail | 10,000.00 | - | 9,995.50 | - | 4.50 | - |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|-------------------------|------------------------------|---|---|---|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Speed bumps in Southchurch Park Car Park | 2,425.84 | | | | 2,425.84 | |
| Thorpe | 4,047.76 | 12,425.84 | - | | | | 9,995.50 | 6,478.10 | 2,430.34 | 4,047.76 |
| | | | | Balmoral Community Centre Garden | 1,250.00 | 1,250.00 | | - | - | - |
| | | | | Churchill Gardens | 50,000.00 | - | - | - | 50,000.00 | - |
| | | | | Patchwork Orchard Project | 5,000.00 | | 5,000.00 | | | |
| | | | | Balmoral Bin Storage | 4,500.00 | | | | 4,500.00 | |
| Victoria | 6,046.83 | 123,477.27 | - | | | | 5,000.00 | 124,524.10 | 54,500.00 | 70,024.10 |
| | | | | Enhancement of children's play equipment within the Ward | 13,144.83 | | | | 13,144.83 | |
| West Shoebury | 2,536.71 | 13,144.83 | - | | | | - | 15,681.54 | 13,144.83 | 2,536.71 |

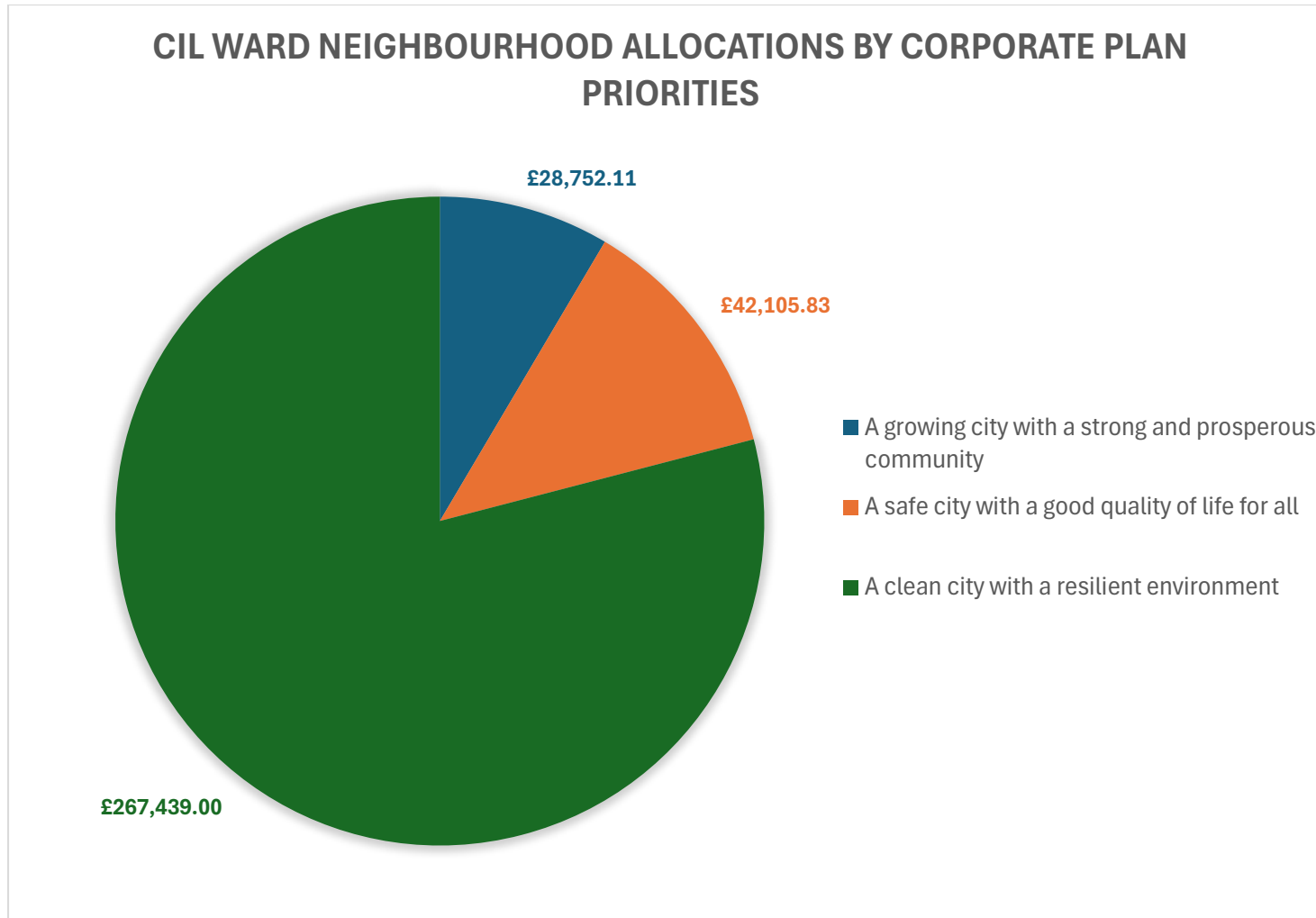
| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|--|------------------------------|---|---|---|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | Westborough Signposting (project not proceeded with) | 1,151.36 | - | - | - | - | - |
| Westborough | 9,994.36 | 16,655.84 | - | | | | | 26,650.20 | - | 26,650.20 |
| | | | | Belfairs Memorial Bench (project complete under budget) | 1,810.00 | 915.00 | | - | - | - |
| Belfairs (outside LTC boundary) | 1,088.27 | 6,484.53 | - | | | | | 7,572.80 | - | 7,572.80 |
| | | | | Mendip Wildlife Garden | 3,500.00 | - | 3,500.00 | - | - | - |
| | | | | Blenheim Park 'Makeover' | 5,000.00 | 3,671.58 | - | - | 1,328.42 | - |
| | | | | Blenheim Park Gym and Games Equipment | 20,210.38 | - | - | - | 20,210.38 | |

| Wards not including LTC | Receipts in 2023 to 2024 (£) | Funds carried over from previously reported years (£) | Overpayments returned for the reported year (£) | Items to which the Neighbourhood Allocation have been applied | Total budget allocated to each itemised project (£) | Expenditure in previously reported years (£) | Expenditure for the reported year (£) | Funds retained at the end of the reported year (£) | Remaining committed funds to be deducted (£) | Available funds after commitments (£) |
|---|------------------------------|---|---|---|---|--|---------------------------------------|--|--|---------------------------------------|
| | | | | St Cedd's Community Kitchen refurbishment | 2,000.00 | 2,000.00 | | - | - | - |
| | | | | Blenheim Park bench | 1,800.00 | - | - | - | 1,800.00 | - |
| | | | | Litter bin (London Road) | 1,100.00 | - | - | - | 1,100.00 | - |
| Blenheim Park (outside LTC boundary) | 2,754.48 | 30,931.41 | - | | | | 3,500.00 | 30,185.89 | 24,438.80 | 5,747.09 |
| TOTAL | 61,344.08 | 410,189.91 | 47.60 | | | | 27,960.59 | 443,525.80 | 226,742.51 | 216,783.29 |

The contribution this CIL expenditure makes to the Southend Corporate Plan¹⁷ is shown in Figure 1 below, which reflects column 6 ('Total budget allocated to each itemised project (£)') of Table 2 above.

¹⁷ See Southend Corporate Plan for further details.

▼ Figure 1: CIL Ward Neighbourhood Allocations by Corporate Plan Priorities



4. Section 106 (S.106) planning obligation contributions for 2022 to 2023

The total amount of money under any planning obligations carried over from previously reported years, which had not been allocated and was available to spend at the start of the reported year was £1,564,443.52¹⁸.

The total amount of money received through planning obligations, agreed in any year, retained at the end of the reported year (less £333,000.00 allocated funds) was £2,163,676.96¹⁹.

4.1 S.106 financial contributions received

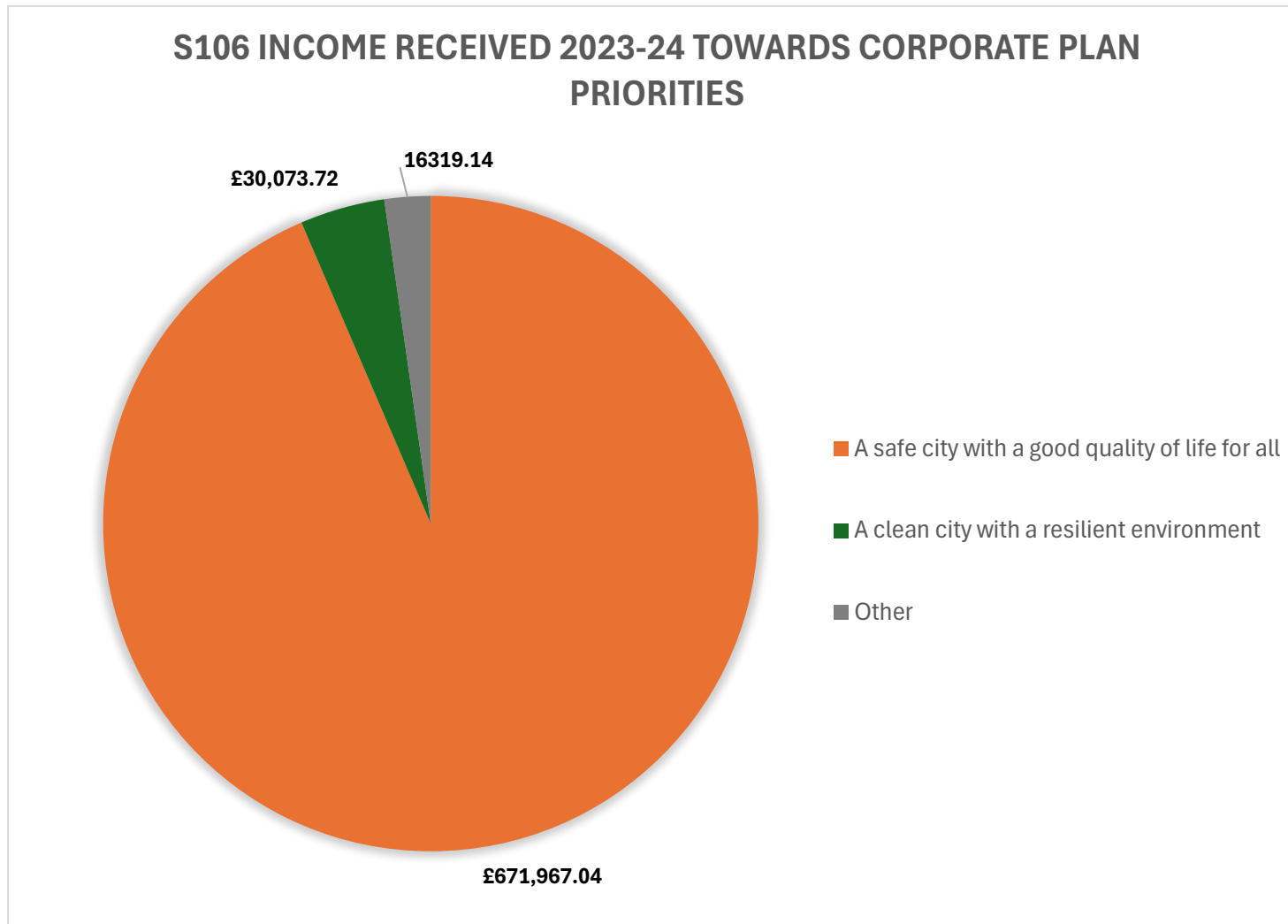
Income received during the reported year 2023 to 2024 amounted to £718,359.90. Figure 2 below indicates the contribution of S.106 income received towards achieving Corporate Plan Priorities²⁰.

¹⁸ Correct at time of preparation of this report but may be subject to adjustments.

¹⁹ Correct at time of preparation of this report but may be subject to adjustments.

²⁰ See Southend Corporate Plan for further details.

▼ Figure 2: Contribution of S.106 income received to achieving Corporate Plan Priorities



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▼ **Table 3: Details of S.106 income received to date in reported year 2023 to 2024 (as of 31 March 2024)**

| Site Address | Application no. | Date of S.106 agreement | Amount received (£) | Date received | Service area | Purpose |
|-----------------------------------|-----------------|-------------------------|---------------------|---------------|-------------------|---------------------------------|
| The Esplanade | 17/02266/FULM | 05/09/2018 | 401,344.20 | 26/04/2023 | Strategic Housing | Affordable Housing Contribution |
| 659 - 665 London Road | 21/00161/FULM | 20/09/2022 | 33,343.93 | 02/10/2023 | Education | Education contribution |
| 659 - 665 London Road | 21/00161/FULM | 20/09/2022 | 2,754.20 | 02/10/2023 | Planning | Essex Coast RAMS |
| 659 - 665 London Road | 21/00161/FULM | 20/09/2022 | 4,054.90 | 02/10/2023 | Planning | S106 Monitoring |
| Cantel Medical Ltd Campfield Road | 23/00030/FULM | 01/09/2023 | 220,597.43 | 19/12/2023 | Education | Education Contribution |
| Cantel Medical Ltd Campfield Road | 23/00030/FULM | 01/09/2023 | 8,000.00 | 19/12/2023 | Traffic/transport | Junction Improvement Works |
| Cantel Medical Ltd Campfield Road | 23/00030/FULM | 01/09/2023 | 4,000.00 | 19/12/2023 | Traffic/transport | Traffic Regulation Order |
| Cantel Medical Ltd Campfield Road | 23/00030/FULM | 01/09/2023 | 10,973.20 | 19/12/2023 | Planning | Essex Coast RAMS |
| Cantel Medical Ltd Campfield Road | 23/00030/FULM | 01/09/2023 | 10,000.00 | 19/12/2023 | Planning | S106 Monitoring |
| 425 - 427 Sutton Road | 22/00611/FULM | 22/12/2022 | 4,346.32 | 05/09/2023 | Planning | Essex Coast RAMS |
| 425 - 427 Sutton Road | 22/00611/FULM | 22/12/2022 | 2,264.24 | 25/10/2023 | Planning | S106 Monitoring |
| 25 Roots Hall Avenue | 19/00552/FULM | 27/08/2019 | 16,681.48 | 27/02/2024 | Education | Education contribution |
| Total | | | £718,359.90 | | | |

4.2 S.106 financial contributions spent

The total amount of money under any planning obligations which was spent in the reported year 2023 to 2024 was £261,377.89 .

▼ **Table 4: Details of S.106 expenditure in reported year 2022 to 2023**

| Site Address | Application no. | Date of S.106 agreement | Amount spent (£) | Service area | Purpose |
|-----------------------------------|-----------------|-------------------------|-------------------|-----------------------|--|
| 10 Fairfax Drive | 18/00810/FULM | 10/04/2019 | 4,600.00 | Parks and Open Spaces | Biodiversity Contribution |
| The Leas | 07/00820/FULM | 24/05/2012 | 21,505.00 | Traffic/ transport | Bus Service Contribution |
| 27 Victoria Avenue | 18/02151/FULM | 02/07/2019 | 10,891.23 | Parks and Open Spaces | Biodiversity Contribution |
| 1043 London Road | 15/01545/FULM | 08/03/2016 | 160,123.95 | Strategic Housing | Housing Construction Scheme - Land Assembly Fund (S106) |
| 258 Leigh Rd. | 18/00484/FULM | 03/07/2018 | 8,687.56 | Strategic Housing | Housing Construction Scheme - Phase 5/6 feasibility (S106) |
| Valkyrie Rd. (Balmoral Hotel) | 17/00893/DOV5 | 10/10/2017 | | | |
| St. Hildas" | 17/00530/ADMT" | 27/06/2017 | | | |
| 258 Leigh Rd. | 18/00484/FULM | 03/07/2018 | 55,570.15 | Strategic Housing | Passive House Pilot |
| 257-285 Sutton Rd. (Weston Homes) | 11/01727/DOV | 04/12/2012 | | | |
| 1307 London Rd. " | 17/01426/DOV5" | 03/03/2020 | | | |
| | | | 261,377.89 | | |

4.3 S.106 financial contributions transferred to other organisations

Southend is one of twelve partner local authorities who are working together, along with Natural England, to implement the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS). The RAMS seeks to avoid and mitigate recreational disturbance on European designated sites along the Essex Coast, from an increasing residential population arising from new housebuilding throughout the County.

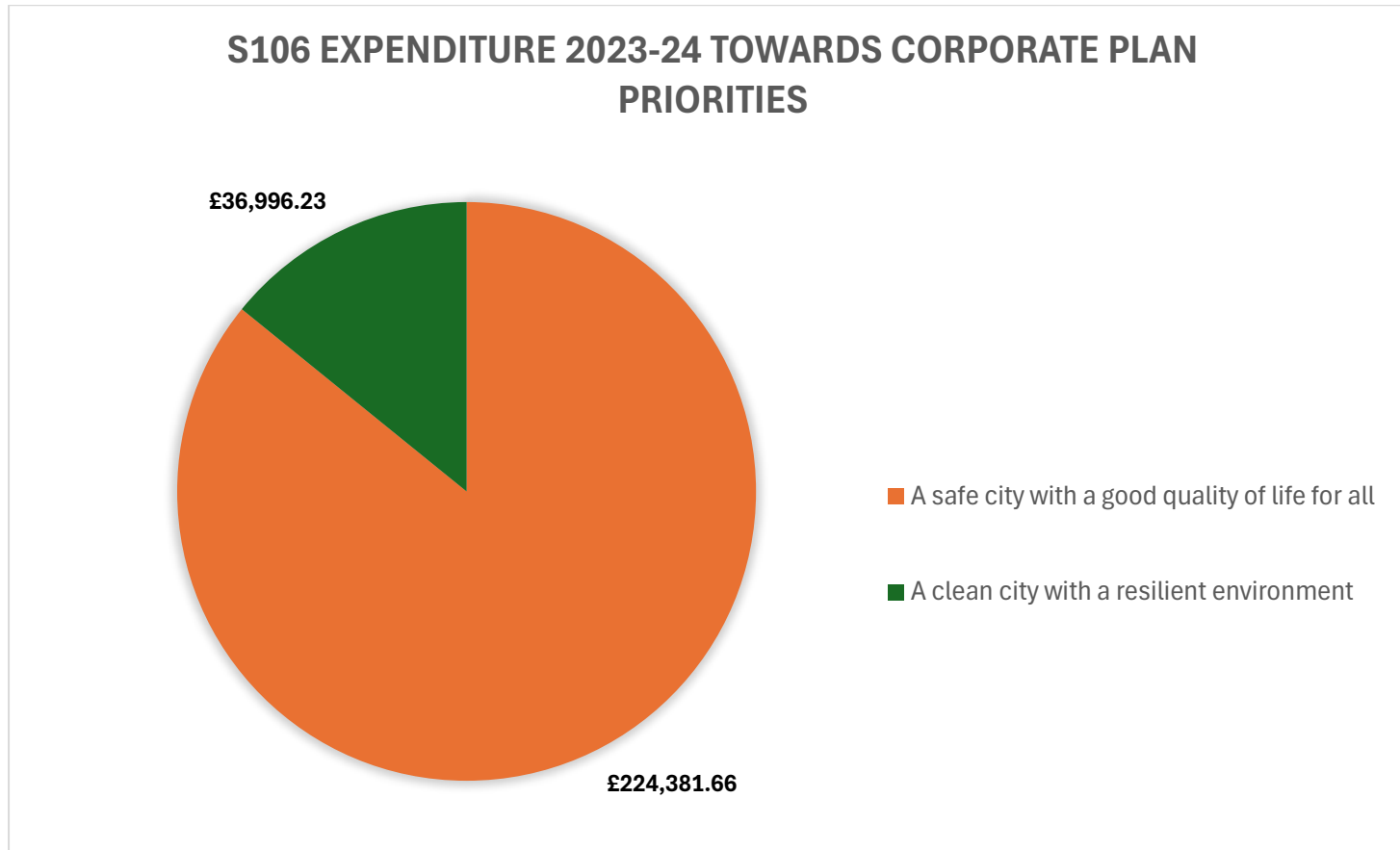
Projects funded via RAMS contributions include a Project Delivery Officer and Coastal Rangers, providing education and information, installing signage and interpretation boards, new habitat creation and project monitoring. The total amount of money under any planning obligations which was transferred to ECC to deliver the RAMS project in the reported year 2023 to 2024 was £34,219.08.

▼ **Table 4b: Details of S.106 funds under any planning obligations transferred to other organisations in 2023 to 2024**

| Site Address | Application no. | Date of S.106 agreement | Amount spent (£) | Transferred to | Purpose |
|---------------------------|-----------------|-------------------------|------------------|----------------|------------------|
| 659-665 London Road | 21/00161/FULM | 20/09/2022 | 2,754.20 | ECC | Essex Coast RAMS |
| Land East of Fossetts Way | 21/00711/FULM | 16/09/2021 | 31,464.88 | ECC | Essex Coast RAMS |
| Total | | | 34,219.08 | | |

Figure 3 below indicates the expenditure of S.106 income spent by Corporate Plan Priorities.

▼ **Figure 3: S.106 expenditure by Corporate Plan Priorities**



4.4 S.106 financial contributions not required and returned

It is confirmed that in reported year 2023 to 2024 there were no S.106 financial contributions returned as a consequence of not being required.

4.5 S.106 financial contributions allocated but not yet spent

The funds set out in Table 5 have been allocated to projects but not yet spent. All the S.106 contributions set out in Table 5 have been allocated to either the Strategic Housing or Education service areas.

Total amount of money under any planning obligations which was allocated but not spent at the end of the reported year was £333,000.00.

▼ **Table 5: Details of S.106 financial contributions allocated to projects (but not yet spent) in reported year 2023 to 2024**

| Site Address | Application no. | Date of S.106 agreement | Amount allocated (£) | Service area | Purpose |
|--|-----------------|-------------------------|----------------------|-------------------|--|
| 1043 London Road | 15/01545/FULM | 08/03/2016 | 166,000.00 | Strategic Housing | Land Assembly Fund |
| Housing Construction Scheme - Phase 5/6 feasibility (S106) | 18/00484/FULM | 03/07/2018 | 47,000.00 | Strategic Housing | Housing Construction Scheme - Phase 5/6 feasibility (S106) |
| | 17/00893/DOV5 | 10/10/2017 | | | |
| | 17/00530/ADMT" | 27/06/2017 | | | |
| 258 Leigh Rd. | 18/00484/FULM | 03/07/2018 | 120,000.00 | Strategic Housing | Passive House Pilot |
| 257-285 Sutton Rd. (Weston Homes) | 11/01727/DOV | 04/12/2012 | | | |
| | | | 333,000.00 | | |

5. Estimated future income from developer contributions

5.1 Value of CIL set out in all Demand Notices issued in the reported year

The total value of CIL set out in all Demand Notices issued in the reported year (i.e. between 1 April 2023 and 31 March 2024) was £639,123.69.

5.2 Value of S.106 planning obligations entered into in the reported year²¹

Table 6 below sets out the details of the planning obligations that were entered into during the reported year (i.e. between 1 April 2023 and 31 March 2024). The total amount of money to be provided under planning obligations, which were entered into in the reported year, is £848,742.55.

It should be noted that there is no guarantee that the developer contributions set out in this section of the report will be delivered as they may relate to either development that has yet to commence or implemented schemes for which the due date for contributions has not yet been reached.

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²¹ These amounts include some contributions that are stated in Section 106 agreements as a maximum and are subject to agreement between the parties depending on final cost of infrastructure provision required; and also exclude some contributions that are subject to viability assessment or final costing post-commencement.

▼ **Table 6: Details of planning obligations entered into during the reported year 2022 to 2023**

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|--|-----------------|-------------------|-----------------------------|------------------------|
| Laburnums 20 Chalkwell Avenue Westcliff-on-sea Essex SS0 8NA | 22/01151/FULM | 14/06/2023 | Travel Plan Contribution | 1,500.00 |
| Laburnums 20 Chalkwell Avenue Westcliff-on-sea Essex SS0 8NA | 22/01151/FULM | 14/06/2023 | Affordable Housing | 212,519.00 |
| Laburnums 20 Chalkwell Avenue Westcliff-on-sea Essex SS0 8NA | 22/01151/FULM | 14/06/2023 | RAMS | 4,232.52 |
| Laburnums 20 Chalkwell Avenue Westcliff-on-sea Essex SS0 8NA | 22/01151/FULM | 14/06/2023 | S106 Monitoring | 500.00 |
| Nazareth House 111 London Road Southend-on-sea Essex SS1 1PP | 22/01118/FULM | 15/08/2023 | Affordable Housing | 52 dwellings |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|--|-----------------|-------------------|--|------------------------|
| Nazareth House 111 London Road Southend-on-sea Essex SS1 1PP | 22/01118/FULM | 15/08/2023 | Travel Plan | |
| Nazareth House 111 London Road Southend-on-sea Essex SS1 1PP | 22/01118/FULM | 15/08/2023 | Travel Plan Monitoring Contribution £1500 for Block A and £1500 for Block B | £3,000.00 |
| Nazareth House 111 London Road Southend-on-sea Essex SS1 1PP | 22/01118/FULM | 15/08/2023 | RAMS | £9,562.36 |
| Nazareth House 111 London Road Southend-on-sea Essex SS1 1PP | 22/01118/FULM | 15/08/2023 | Landscaping Contribution | £63,000.00 |
| Nazareth House 111 London Road Southend-on-sea Essex SS1 1PP | 22/01118/FULM | 15/08/2023 | S106 monitoring | £1,920.00 |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|---|-----------------|-------------------|---|------------------------|
| Part Of Former Keddies Building And Maitland House Chichester Road Southend-on-sea Essex | 22/02342/DOV | 18/08/2023 | Variation to original agreement to change only the obligation trigger point, all other details remain the same. Education Contribution payable prior to first occupation of any of the residential units provided by the planning permission (as opposed to within 60 months of Commencement of Development as previously agreed) | £22,093.24 |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|---|-----------------|-------------------|--|------------------------|
| Part Of Former Keddies Building And Maitland House Chichester Road Southend-on-sea Essex | 22/02342/DOV | 18/08/2023 | Variation to original agreement to change only the obligation trigger point, all other details remain the same. Bus Infrastructure Contribution payable prior to first occupation of any of the residential units provided by the planning permission (as opposed to within 60 months of Commencement of Development as previously agreed) | £25,000.00 |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|--|-----------------|-------------------|--|------------------------|
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | Affordable Housing Contribution 21 of the dwellings to be provided on the site to be made available for affordable housing, of which 16 of the dwellings shall be for affordable rent and 5 shall comprise shared ownership dwellings | 21 dwellings |
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | Education Contribution | £220,597.43 |
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | Essex RAMS | £10,973.20 |
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | Junction Improvement Works | £8,000.00 |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|--|-----------------|-------------------|---|------------------------|
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | Traffic Regulation Order | £4,000.00 |
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | S106 Monitoring | £10,000.00 |
| Cantel Medical Ltd Campfield Road Shoeburyness Essex SS3 9BX | 23/00030/FULM | 01/09/2023 | Highway Maintenance Contribution | £18,000.00 |
| Land Between Barge Pier Road And Ness Road Shoeburyness Southend-on-sea Essex | 21/01887/DOV5 | 15/10/2023 | The Chargee shall prior to seeking to dispose of the Affordable Housing units pursuant to any default under the terms of its mortgage or charge or otherwise give not less than one month's prior notice to the Council of its intention to dispose | |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|--|-----------------|-------------------|---------------------------------|------------------------|
| 939 - 953 London Road Leigh-On-Sea Essex SS9 3LQ | 19/02377/DOV5 | 01/03/2024 | Affordable Housing Contribution | £100,000.00 |
| 141 - 159 Sutton Road Southend-on-sea Essex SS2 5PB | 22/01541/FULM | 19/10/2023 | Education Contribution | £50,863.63 |
| 141 - 159 Sutton Road Southend-on-sea Essex SS2 5PB | 22/01541/FULM | 19/10/2023 | RAMS | £5,324.74 |
| 141 - 159 Sutton Road Southend-on-sea Essex SS2 5PB | 22/01541/FULM | 19/10/2023 | S106 Monitoring | £984.00 |
| 165 Sutton Road Southend-on-sea Essex SS2 5PE | 23/00866/OUTM | 07/02/2024 | Affordable housing | 5 dwellings |
| 165 Sutton Road Southend-on-sea Essex SS2 5PE | 23/00866/OUTM | 07/02/2024 | Education Contribution | £31,083.33 |

| Site Address | Planning Ref No | Date of agreement | Obligation | Contribution requested |
|--|-----------------|-------------------|-----------------------------|------------------------|
| 165 Sutton Road Southend-on-sea Essex SS2 5PE | 23/00866/OUTM | 07/02/2024 | RAMS | £3,448.72 |
| 165 Sutton Road Southend-on-sea Essex SS2 5PE | 23/00866/OUTM | 07/02/2024 | S106 Monitoring | £3,054.17 |
| Empire Theatre Alexandra Street Southend-on-sea SS1 1BU | 23/00265/OUTM | 15/02/2024 | Education | £31,083.33 |
| Empire Theatre Alexandra Street Southend-on-sea SS1 1BU | 23/00265/OUTM | 15/02/2024 | RAMS | £3,448.72 |
| Empire Theatre Alexandra Street Southend-on-sea SS1 1BU | 23/00265/OUTM | 15/02/2024 | S106 Monitoring | £3,054.16 |
| Empire Theatre Alexandra Street Southend-on-sea SS1 1BU | 23/00265/OUTM | 15/02/2024 | Travel Plan | |
| Empire Theatre Alexandra Street Southend-on-sea SS1 1BU | 23/00265/OUTM | 15/02/2024 | Travel Plan Contribution | £1,500.00 |

All S.106 agreements completed can be viewed on the Council's [Public Access for Planning](#) system available on our website.

6. Planning for infrastructure expenditure

6.1 What do developer contributions deliver?

Developer contributions, secured through CIL and S.106 planning obligations, provide strategic and site-specific infrastructure to support development and growth in the city. The projects that will be funded, wholly or partly by developer contributions fall within the following infrastructure and affordable housing categories:

- education
- health and social wellbeing
- coastal flood protection
- social and community
- leisure and recreation
- public realm and environment
- transport
- affordable housing

6.2 Future spending priorities

The categories listed in paragraph 6.1 above reflect the infrastructure needs identified in the Council's Infrastructure Delivery Plan (February 2015) as identified for the Development Plan period. A review is underway of the current Southend Development Plan as part of the new Southend Local Plan. This review will comprise a detailed assessment of infrastructure requirements to support growth.

More detail will be provided in subsequent infrastructure funding statements regarding what infrastructure will be delivered, including when and where once the new Local Plan is adopted. The current CIL Main Fund (as at the end of the reported year 2023 to 2024) is therefore carried forward and it is proposed that its spending will be prioritised as part of the Development Plan review, which will identify essential infrastructure required to deliver growth set out in the new Southend Local Plan. S.106 planning obligations will continue to meet the statutory tests in regulation 122 of the CIL Regulations 2010 (as amended) and as policy tests in the National Planning Policy Framework. They must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In accordance with the CIL Regulations 2010 (as amended), the Council will continue to allocate 5% of total CIL receipts to administrative expenses associated with CIL; and 15% of total CIL receipts (less surcharges) to localised neighbourhood projects.

Details relating to the governance arrangements (including spending and reporting arrangements) for CIL can be found in the CIL Governance Framework (July 2015).

Decisions relating to S.106 planning obligation requirements are made by the Development Control Committee. Further details in relation to the Council's approach and priorities in respect of seeking planning obligations when considering planning applications can be found in the Supplementary Planning Document 'Planning Obligations: A Guide to Section 106 and Developer Contributions 2015'.

7. Conclusion

Southend-on-Sea City Council is committed to working with its partners to ensure that CIL and S.106 developer contributions are used in a fair and transparent way to maximise the benefits and opportunities arising from development, such as new affordable homes, community infrastructure and environmental improvements.

If you have any further queries or comments about this statement, please do not hesitate to contact us via email:
S106andCILadministration@southend.gov.uk

This document is published by Southend-on-Sea City Council. A summary can be provided in alternative formats such as Braille, audio-tape or in large print.

Translations of this document in alternative languages are also available upon request.

Civic Centre, Victoria Avenue,
Southend-on-Sea, Essex SS2 6ER

01702 215000

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Appendix 4: Productivity Plan

1. Introduction

Southend-on-Sea City Council (the council) is located in the county of Essex in the East of England region, around 40 miles east of London. It is responsible for over 500 services for a current population of ~181,000 residents in ~80,000 households. Turnover is ~£440m and the council's resources are well-managed through its budgetary and financial monitoring framework.

The council's workforce has an establishment of ~1,800 employees. The 2023/24 approved budget included £11.5M of savings and income generating initiatives to balance the budget. In 2024/25 it will deliver a further £17M.

As at February 2024, the council is predicting a cumulative budget gap of £33.1M up to the end of 2028/29 which we are proactively managing (see [Medium Term Financial Strategy \(MTFS\) 2024/25 to 2028/29](#), section 3.22). The forecast continues to be updated and the next update will reflect the 2023/24 outturn when finalised which is likely to reduce the gap in future years due to the improved position.

This Productivity Plan sets out the ongoing financial position for the council; illustrates the transformation plans that are to be implemented; and presents the future work that will contribute positively to improving efficiency and driving productivity.

This plan will be monitored and assessed through existing governance and performance management processes. Progress will be published annually as part of the council's Annual Governance Statement.

2. How we have transformed the way we design and deliver services to make better use of resources

Transformation phase (2024/25): The council is entering a new phase of transformation, aiming to replicate the scale of change in its digital infrastructure across its service and operating models.

Vision and prioritisation: The council's vision, Corporate Plan, values, and culture enable productivity and resource allocation. Partners and stakeholders in Southend-on-Sea are developing a new vision for the city, aligning with council and city priorities.

Election cycle: The Local Government Association (LGA)'s [Corporate Peer Challenge findings in October 2022](#) reported that the council's current model of elections by thirds can hinder strategic decision making and service improvement. The council will be taking a decision in 2024/25 on the future of its election cycle following its consultation with resident and local partners in 2023/24 on the retention of the current "thirds" model or moving to the four-yearly "all-out" model.

Financial considerations: The council's Transformation programme addresses financial challenges while driving genuine transformation for medium- to long-term priorities. Resourcing strategic priorities requires tough decisions, guided by the council's Medium-Term Financial Strategy (MTFS). Over the past three years the council has experienced a significant drop in funding and seen increases in demand, as has the entire local government sector, particularly in local social care services where workforce has remained static and funding has decreased.

Corporate Leadership stability: The council has transitioned from a period of corporate leadership churn to having a stable and permanent Corporate Leadership Team (CLT) in early 2024. This change is crucial for focusing on strategic transformation.

Internal Governance Framework: With the new CLT in place, the council has established a revised internal governance framework. All transformation projects have a business case which sets out expected outcomes, benefits and delivery plans. The CLT Transformation Board monitors delivery against the baseline set in the business case. As part of the corporate key performance indicators the council will be developing resident satisfaction and experience indices, to better evaluate the impact of the changes on the city's residents.

Improved decision making: The council's governance underwent review in 2023/24, resulting in the introduction of new Scrutiny Procedure Rules. These allow councillors to contribute to key decisions before Cabinet consideration, reducing the use of call-ins and post-Cabinet reviews.

Benchmarking: The council considers benchmarking data on its statistical neighbours whenever possible and available. Services use the [Chartered Institute of Public Finance and Accountancy's \(CIPFA's\) Nearest Neighbours Model](#), benchmark with other Essex or East of England region local authorities, or have their own benchmarking groups, which consider similar geographic and sociographic factors.

Digital transformation and cloud migration: Over the past three years, the council has focused on modernising technology platforms by moving workloads and data to the Cloud. This has improved efficiency and cost-effectiveness.

Improving customer contact: In 2023/24 the council identified the need to enhance the resident experience during initial customer contact. A service design-led project was launched to streamline access to services, optimise digital channels, and reduce costs through automation. This project will be complemented by the launch of a refreshed resident self-service platform, 'My Southend,' in July 2024.

Joint working: The council is a member of [South Essex Councils](#) (SEC), a Joint Committee with six other local authorities, collaborating to drive growth and prosperity in south Essex. Notable achievements include the SEAT network project, which boosted active travel and improved access to jobs, learning and skills in south Essex, and the installation of over 200 km of full fibre connecting public and community sites to the internet. SEC's partnership with Homes England has unlocked a pipeline of 5,255 homes. The focus areas for the coming year include economy, jobs, skills, good homes, sustainable transport, and environment / climate change.

Despite uncertainties around devolution, the commitment to joint working remains strong and with scarce resources and pressure on council budgets, there is a growing imperative to pool resources and work together, and therefore SEC has aspirations to create a consolidated South Essex Economic Development Team.

Capital projects: The council invests in capital projects to support economic regeneration, business development, and service transformation. Two key examples:

- **Residential care home redevelopment:** £14 million investment; created an environment with 45 beds for assessment and reablement; aims to help people return home rather than remain in long-term care; focuses on supporting individuals within their own homes, surrounded by family and friends.
- **New council housing:** Part of the ongoing HRA land review; construction of zero-carbon affordable homes; featured energy-efficient materials and innovative heating/cooling technologies (e.g., solar panels); pilot scheme explored Passivhaus standards for minimal energy consumption.

Community development: The council is committed to sustainable community development using Asset-Based Community Development (ABCD) methodology. This approach leverages existing community strengths and resources, empowering citizens to take action. Additionally, the council invests in a Community Builders' scheme to enhance partnerships, community engagement, and citizen empowerment.

Proactive services: In 2023 Adult Social Care introduced 'Connected Southend', a whole service approach to community practice, personalised enablement, new models of commissioning and social care support across the city, providing the best information, advice, prevention, support and social care and supporting the city's voluntary and community groups, and its arts, culture, leisure and heritage sector.

Performance management: The council measures productivity using its Performance Management processes, which monitor the achievement of individual and team SMART deliverables that are clearly linked to council priorities and the city vision. The council also undertakes regular Staff Surveys and Residents' Perception Surveys to gather insights about performance, ways of working, productivity and satisfaction.

3. How the council plans to take advantage of technology and make better use of data to improve decision making, service design and use of resources

Digital strategy and modernisation: The council approved its first Digital and Data Strategy this year. Its technology modernisation programme has improved performance and security, enabling new ways of working; the programme is now winding down, allowing focus on building a digital future that incrementally expands the use of new technology as the quality and maturity of processes improve.

Data migration and quality: Successful migration of data to SharePoint and the cloud in 2023/24 has provided significant cost efficiencies and improved staff productivity. One of the Data Strategy themes is focused on increasing the use of high-quality data for decision-making, and making this available to residents, improving data for decision-making over the next three to four years.

Supporting Families pilot: The Supporting Families pilot aggregates data to identify early support needs and provide proactive interventions.

Data analytics: The council has adopted Power BI for data visualisation and implemented a twin-track approach of transitioning to modern analytics tools that facilitate staff self-service and automation and allowing for earlier interventions and prevention, while at the same time continuing to provide business as usual services.

Technology expansion: Working as part of SEC, the council has rolled out 'Dark Fibre' for cost reduction and service sharing. With the foundations in place, we are making incremental technology expansions alongside data quality improvements. The council's Artificial Intelligence (AI) policy ensures secure and pragmatic adoption of AI tools and management of the proliferation of AI. There are examples of some staff using AI through the Microsoft Co-pilot tool to support their work and help with administrative tasks such as capturing minutes and actions from meetings and assisting with general basic correspondence. The council is also looking into how AI can be used further in data gathering and analytics.

4. Our plans to reduce wasteful spend within our organisation and systems

Years of making efficiencies to balance budgets means that the council does not have excessive waste in its services. The council sets an annual budget and its Cabinet receives periodic reports on performance against this. CLT holds a monthly Finance and Performance Board, which provides regular oversight of the council's finances. The monthly Transformation Board reviews the delivery of savings assigned to transformation projects. One of our key priorities in 2024/25 will be to focus on proactive, preventive demand management in order to reduce spend on crisis management.

Efficiency and cost management: The council uses outcomes-based planning and budgeting to identify invest-to-save projects (see [MTFS](#)). Key examples include:

- energy efficiency improvements at the Beecroft Art Gallery, replacement lighting on Southend Pier and LED lighting at Priory Park, generating ongoing energy savings.
- a cloud migration project, which involved an £11m investment to modernise and move systems to the cloud. This transition improved efficiency, reduced extraneous data, enabled smarter working, enhanced security, and avoided recurring capital and operational costs of £7.2M.

Contract management efforts focus on saving costs and improving service provision. One service has renegotiated 80% of its contracts over the period 2015-2021 (due to the length of the contracts), resulting in £16M of cost avoidance and savings.

Regular Capital Challenge sessions with senior officers and Members, has driven down the capital cost (and borrowing incurred) and ensured the capital budget is right-sized to the organisation's capacity to deliver.

Equality, Diversity, and Inclusion (EDI): The council's EDI Strategy supports compliance with The Equality Act 2010 and The Public Sector Equality Duty 2011. Inclusive recruitment training for hiring managers took place in 2023/24, costing £6,000 (equating to 2% of the training budget). The council tracks the effectiveness of its EDI work by engaging with staff in its Corporate Equalities Steering Group and via staff surveys. The council does not have any EDI Champions; it has nine Employee Networks, which do not have a budget and which employees can join voluntarily.

Workforce and agency staff: Our total staff budget for 2023/24 was £99M, with 8.5% used on agency staff and 1.6% on consultants¹. At the end of Q4 2023/24 there were 65 agency staff and 34 consultants. Use of agency staff has reduced by 25% compared to end Q4 2022/23. Agency staff are only used for roles which cannot be filled through the usual recruitment routes; 57% of the council's agency staff are in Children's Social Care services where there is a national recruitment challenge. Thirty-three agency staff have been in place for over a year, with a number of these in the Social and Healthcare Qualified category, including Best

¹ We have defined "consultant" as outside IR35, but including BIA.

Interest Assessors. Our Workforce Panel oversees agency requests and extensions. 0.043% of our paybill is spent on trade union facility time.

Shared services: The council operates a shared Internal Audit and Counter Fraud service with Castle Point Borough Council. The council regularly considers other shared service opportunities and whilst they may improve resilience, initial analysis has found they do not provide enough return in efficiency, so the council has not made this a priority area of focus.

Devolution: Southend-on-Sea does not have a devolution deal. A significant amount of staff and councillor time was used on collaboratively developing a draft “Greater Essex” devolution deal during 2022/23 and 2023/24. The draft deal was placed on indefinite hold in December 2023 after failure to gain consensus from some Essex MPs, affecting the feasibility of finalising and agreeing a deal by Summer Recess 2024, DLUHC’s desired timetable.

5. The barriers preventing progress that the Government can help to reduce or remove

Governance: The ability to conduct meetings virtually through the pandemic improved engagement, accessibility and transparency of Council business. When the emergency legislation ended, councils were forced to return to in-person meetings, resulting in increased costs on already stretched council budgets and reduced participation from councillors and the public. *Ask of government: to introduce legislation that would empower local authorities to make the most suitable choice for their organisation.*

Continued “silo” working (both locally and nationally) and fragmented bid funding system: These interlinked issues present challenges in achieving strategic, integrated decision-making, consistent customer-centric approaches, and negatively impact the achievement of value for money and improved productivity and efficiency. Devolution could be a solution to this. *Ask of government: The current complex and prescriptive route to local government devolution and funding should be simplified and made more flexible, include more freedoms and flexibilities, and would be improved by reduced silo working across central Government and low-burden, predictable funding mechanisms.*

Current system of financial settlements: Funding levels are currently insufficient to allow the council to improve local service provision, and the timing of settlements twinned with current market forces hampers good financial planning, making it difficult to fund preventative services and take strategic, medium- to long-term decisions that will improve outcomes in a sustainable way. *Ask of government: To address the growing financial crisis facing councils and develop a long-term plan to sufficiently fund local services through multi-year settlements.*

Social Care reform: As a unitary authority the demand and cost pressures of adult and children’s social care are increasing. *Ask of government: To lead national reform of Adults and Childrens Social Care services to develop sustainable models of care.*

| | |
|------------------------------|--|
| Title: | Annual Treasury Management Report – 2023/24 |
| Meeting: | Cabinet |
| Date: | 24 June 2024 |
| Classification: | Part 1 |
| Policy Context: | All Corporate Priorities |
| Key Decision: | No |
| Report Authors: | Caroline Fozzard, Senior Finance Lead (Strategy, Sustainability and Governance), |
| Executive Councillor: | Councillor Collins – Cabinet Member for Finance, Assets and Investments |

1. Executive Summary

- 1.1. The Annual Treasury Management Report covers the treasury activity for the period from April 2023 to March 2024 and reviews performance against the Prudential Indicators for 2023/24.

2. Recommendations

That Cabinet;

- 2.1. **Approves the Annual Treasury Management Report for 2023/24 and the outturn Prudential Indicators for 2023/24.**
- 2.2. **Notes that the financing of 2023/24 capital expenditure of £50.066m has been funded in accordance with the schedule set out in Table 1 of section 4.**
- 2.3. **Notes that Capital Financing and Treasury Management were carried out in accordance with statutory requirements, good practice and in compliance with the CIPFA (The Chartered Institute of Public Finance and Accountancy) Prudential Code during 2023/24.**
- 2.4. **Notes the following in respect of the return on investment and borrowing;**
- **The loan and investment portfolios were actively managed to minimise cost and maximise interest earned, whilst maintaining a low level of risk.**

- **£6.319m of interest and income distributions for all investments were earned during 2023/24 at an average rate of 4.59%. This is 0.37% under the average SONIA rate (Sterling Overnight Index Average) and 0.43% under the average bank base rate. Also, the value of the externally managed funds decreased by a net of £1.651m due to the changes in the unit price, giving a combined return of 3.39%. (Section 7).**
- **The level of borrowing from the Public Works Loan Board (PWLB) (excluding debt relating to services transferred from Essex County Council on 1st April 1998) remained at £347.3m (Housing Revenue Account (HRA): £74.2m, General Fund (GF): £273.1m) throughout 2023/24.**
- **The level of financing for ‘invest to save’ schemes decreased from £8.22m to £8.03m by the end of 2023/24.**

3. Background

- 3.1. The CIPFA Prudential Code requires the Council to set Prudential Indicators for its capital expenditure and treasury management activities and to report on them after the end of the financial year.
- 3.2. This Council has adopted the ‘CIPFA Code of Practice for Treasury Management in the Public Sector’ and operates its treasury management service in compliance with this Code. The Code requires the reporting of treasury management activities to:
 - Review actual activity for the preceding year (this report); and
 - Forecast the likely activity for the forthcoming year (in the Treasury Management and Prudential Indicators Report in February).
- 3.3. The Prudential Code is the key element in the system of capital finance that was introduced from 1st April 2004 as set out in the Local Government Act 2003. The Code has been developed to support Local Authorities in taking capital investment decisions and to ensure that these decisions are supported by a framework which ensures proportionality, prudence, affordability and sustainability.
- 3.4. To demonstrate compliance with these objectives of proportionality, prudence, affordability and sustainability each local authority is required to produce a set of prudential indicators and to update these annually as part of setting the Council’s budget.

4. Prudential Indicators

4.1. Appendix A provides a schedule of the prudential indicators. Due to the updated Prudential Code, the indicators in tables 6, 8 and 9 are additional to the indicators reported in the 2022/23 Annual Treasury Management Report.

4.2. Capital Expenditure

The first of these is the amount of capital expenditure in the year on long term assets. The table below shows this and the ways it has been financed.

Table 1: Capital Expenditure and Financing

| | 2023/24 Revised Budget £000s | 2023/24 Actual £000s | 2023/24 Variance £000s |
|--|---|-------------------------------------|---------------------------------------|
| Total Capital Expenditure | 56,126 | 50,066 | (6,060) |
| Financed by: | | | |
| Borrowing ⁽¹⁾ | 15,752 | 13,701 | (2,051) |
| Invest to Save Financing ⁽¹⁾ | 2,730 | 2,225 | (505) |
| Capital Receipts | 3,184 | 2,896 | (288) |
| Capital Grants Utilised | 18,240 | 17,211 | (1,029) |
| Major Repairs Reserve | 7,503 | 7,377 | (126) |
| Other Revenue/ Capital Reserve Contributions | 7,170 | 5,673 | (1,497) |
| Other Contributions | 1,547 | 983 | (564) |
| Total Financing | 56,126 | 50,066 | (6,060) |

Note 1 - this relates to both internal and external borrowing but for 2023/24 this was only internal borrowing and no external borrowing was undertaken.

The capital expenditure financed by all types of funding was lower than budgeted but the largest underspend is the capital expenditure financed by borrowing. This is mainly due to schemes which have been deferred to later years following the comprehensive cross-party capital challenge sessions chaired by the Leader.

As at 31 March 2024 actual borrowing by the HRA was £101.086m, comprising £74.168m external borrowing and £26.918m internal borrowing.

The HRA can also finance its capital spend from the major repairs reserve, from grants and directly from the HRA by way of revenue contributions to capital.

4.3. Capital Financing Requirement (CFR)

The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). This figure is a measure of the Council's debt position and represents capital expenditure up to the end of 2023/24 which has not yet been charged to revenue. The process of charging the capital expenditure to revenue is a statutory requirement and is done by means of the Minimum Revenue Provision (MRP). The Council's CFR is shown in table 2 and is a key prudential indicator.

Table 2: Capital Financing Requirement (CFR)

| | 31st March 2024 Revised Budget £000s | 31st March 2024 Actual £000s |
|---|---|---|
| Balance 1st April 2023 | 443,157 | 443,157 |
| Plus: capital expenditure financed by borrowing | 18,482 | 15,926 |
| Plus: fixed assets subject to finance leases | 0 | 106 |
| Less: finance lease disposals | 0 | (25) |
| Less: Capital receipts used to repay borrowing | 0 | (3,777) |
| Less: Minimum Revenue Provision | (5,902) | (5,589) |
| Balance 31st March 2024 | 455,737 | 449,798 |

The CFR is the Council's theoretical need to borrow but the Section 151 Officer can manage the Council's actual borrowing position by either borrowing to the CFR, choosing to use temporary cash flow funds instead of borrowing (internal borrowing) or borrowing for approved future increases in the CFR (borrowing in advance of need). The Section 151 Officer currently manages the Council's actual borrowing position in the second of the above CFR scenarios.

Of the sum in table 2 above, the Council has already addressed the theoretical need to borrow by having undertaken external borrowing and credit arrangements of £357.238m and by internally borrowing the remaining £92.560m.

4.4. Treasury Position on Borrowing and Investments

The overall treasury position at 31 March 2024 compared with the revised budget is set out in the table below.

Table 3: Treasury Position

| | 31 March 2024 Revised Budget | 31 March 2024 Actual | |
|--|---------------------------------|-------------------------|---------------------|
| | Principal £000s | Principal £000s | Average Rate (%) |
| Total gross Debt [#] (excluding ECC transferred debt) | 358,800 | 357,238 | 3.47 |

[#] This includes PWLB borrowing of £347.332m with the balance being invest to save financing and finance leases (as these are credit arrangements).

In order to ensure that borrowing levels are prudent over the medium term, the Council's gross external borrowing must only be for a capital purpose. Gross borrowing should not therefore, except in the short term, exceed the CFR for 2023/24 plus the expected changes to the CFR over 2024/25 and 2025/26. The table below shows that the Council has complied with this requirement.

Table 4: CFR compared to Gross Borrowing Position

| | 31 March 2024 Revised Budget £000s | 31 March 2024 Actual £000s |
|--|--|----------------------------------|
| Gross borrowing position | 358,800 | 357,238 |
| Estimated Capital Financing Requirement at 31 March 2026 | | 483,260 |

4.5. Authorised Limit, Operational Boundary and Ratio of Financing Costs

In addition to ensuring that the gross borrowing position is lower than the CFR, the Council is required to set gross borrowing limits. These are detailed below with the actual positions during the year.

Table 5: Borrowing limits

| | 2023/24 (£000s) |
|--|--------------------|
| Authorised Limit | 400,000 |
| Operational Boundary | 390,000 |
| Maximum gross borrowing position during the year | 357,603 |
| General Fund financing costs as a proportion of net revenue stream | 10.18% |

The Authorised Limit is the “Affordable Borrowing Limit” required by the Local Government Act 2003. This is the outer boundary of the Council’s borrowing based on a realistic assessment of the risks. The table above demonstrates that during 2023/24 the Council has maintained gross borrowing within its Authorised Limit.

The Operational Boundary is the expected borrowing position of the Council during the year, and periods where the actual position is either below or over the Boundary are acceptable subject to the Authorised Limit not being breached. The Council has maintained borrowing within the boundary throughout 2023/24.

The indicator “financing costs as a proportion of net revenue stream” identifies the cost of capital (i.e. borrowing costs) as a proportion of the Council’s budget requirement. For the General Fund the actual figure in 2023/24 was 10.18%, which is lower than the revised budget in 2023/24 of 10.48%.

4.6. Net Income from Commercial and Services Investments to Net Revenue Stream

Net income from commercial and service investments comprises net income from financial investments (other than treasury management investments), together with net income from other assets held primarily for financial return, such as investment properties. The costs, which may be netted off, comprise investment management costs and any other direct revenue costs of investment.

This indicator is intended to show the financial exposure of the authority to the loss of income, should that occur. The table below shows the actual compared to the budgeted indicator.

Table 6: Net Income from Commercial and Services Investments to Net Revenue Stream

| | Budget 2023/24 % | Actual 2023/24 % |
|---|---------------------------------|---------------------------------|
| Net Income from Commercial and Services Investments to Net Revenue Stream | 2.44 | 2.12 |

4.7. Maturity structure of borrowing (against maximum position)

The table on the next page shows the upper limits for which the Council delegates its length of borrowing decisions to the Executive Director (Finance and Resources)/Section 151 Officer in 2023/24 and the actual maturity structure of the borrowing as at 31st March 2024.

Table 7: Maturity Structure of Borrowing

| | Upper limit % | Outstanding debt maturity at 31 st March 2024 % |
|--------------------------------|---------------|--|
| Under 12 months | 20 | 2 |
| 12 months and within 24 months | 30 | 0 |
| 24 months and within 5 years | 40 | 10 |
| 5 years and within 10 years | 60 | 22 |
| 10 years and within 20 years | 60 | 17 |
| 20 years and within 30 years | 80 | 3 |
| 30 years and above | 80 | 46 |

The percentages in each category for the upper limits do not add up to 100% as they do not represent an actual allocation.

4.8. Long Term Treasury Management Investments

Some of the Council's investments are managed internally by the Council. Part of this cash balance is utilised to smooth out the day-to-day movements on the cash flow. It is not therefore the intention that this part of the balance would be invested for more than 365 days. The rest of the cash balance is invested to achieve the optimum returns consistent with the effective control of risk. During 2023/24 no internally managed fund were invested for periods over 365 days.

Some of the Council's investments are managed by external fund managers. These investments do not have a fixed maturity date and are invested for periods over 365 days.

This table below shows the amounts invested for periods over 365 days against the 2023/24 limit set as part of the budget round.

Table 8: Long Term Treasury Management Investments

| Limit | Limit 2023/24 £m | Actual 2023/24 £m |
|--|------------------|-------------------|
| Fixed-rate investments with maturities over one year | 25 | 0 |
| Enhanced cash funds | 7.5 | 5.0 |
| Short-dated bond funds | 25 | 14.7 |
| Property funds | 50 | 28.3 |

4.9. Liability Benchmark

The liability benchmark is not a single measure but consist of four balances:

- Loans Capital Financing Requirement: calculated in accordance with the definition in the Prudential Code. This excludes any part of the Capital Financing Requirement related to other long-term liabilities rather than borrowing.

- Existing loan debt outstanding: the authority's existing loans that are still outstanding.
- Net loans requirement: the authority's gross loan debt less treasury management investments at the financial year-end.
- Liability benchmark (or gross loans requirement) equals net loans requirement plus a short-term liquidity allowance. A short-term liquidity allowance means an adequate (but not excessive) allowance for a level of excess cash to be invested short term to provide access to liquidity if needed.

Table 9: Liability Benchmark

| | Budget 2023/24 £m | Actual 2024/25 £m |
|---|----------------------------------|----------------------------------|
| Capital Financing Requirement (excluding other long-term liabilities) | 456.112 | 447.624 |
| Loan debt outstanding | 358.800 | 357.238 |
| Net loans requirement | 242.754 | 243.624 |
| Liability benchmark (or gross loans requirement) | 267.754 | 268.624 |

The loan debt outstanding exceeds the gross loans requirement which indicates there is excess cash available for investment.

5. Treasury Management Strategy

- 5.1. During 2023/24 the Council complied with all of the relevant statutory and regulatory requirements which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of the Code of Practice for Treasury Management means its treasury practices demonstrate a low risk approach.
- 5.2. The Council is aware of the risks of passive management of the treasury portfolio that has been followed by some councils and has taken steps to monitor the proactive management of the debt and investments over the year with the support of its treasury management advisers. For example, our strategy is to have a mixture of in-house and externally managed funds. The in-house funds range from call accounts and money market funds to meet short term cash flow requirements, to notice accounts and fixed term deposits for monies that are invested for periods of up to one year depending on liquidity requirements. The externally managed funds range from an enhanced cash fund, short-dated bond funds and property funds to invest monies into the medium and longer term.
- 5.3. Shorter-term variable rates and likely future movements in these rates predominantly determine the Council's in-house investment return. These returns can therefore be volatile and, whilst the risk of loss of principal is minimised through the annual investment strategy, accurately forecasting future returns can be difficult.

- 5.4. The bank base rate increased incrementally from 4.25% to 5.25% during the year which positively impacted the investment return on monies being managed in-house.
- 5.5. The monies being managed by external fund managers were all impacted by the prevailing market conditions to varying extents. The income distributions held up well across the fund managers, with higher returns achieved the shorter the term of the underlying assets. The enhanced cash fund had higher income distributions than the short-dated bond funds, which in turn had higher income distributions than the property funds.
- 5.6. The externally managed funds were impacted in different ways with regard to the value of the units. The value of the enhanced cash fund was affected favourably by the prevailing market conditions but to a lesser extent than the short-dated bond funds. However, there were decreases in the property fund unit values due to continuation of lower property valuations across many sectors, with the impact depending on the mix of properties in each fund. Even though the property funds reduced in value by £2.159M it should be noted that this was a far smaller reduction than the decrease during 2022/23 of £6.555M. Due to the current circumstances the Lothbury property fund was impacted more than the Patrizia fund. (See paragraphs 9.5 to 9.10.)
- 5.7. In line with the capital finance and accounting regulations the Financial Instrument Revaluation reserve is used to capture all the changes in the unit value of the funds so they do not affect the General Fund balance. (See sections 7, 8 and 9 for the performance of the externally managed funds.
- 5.8. Long term interest rates from the Public Works Loans Board (PWLB) fluctuated throughout 2023/24 in response to economic events: 10 year PWLB rates between 4.23% and 5.56%; 25 year PWLB rates between 4.58% and 5.96% and 50 year PWLB rates between 4.27% and 5.74%. These rates are after the PWLB 'certainty rate' discount of 0.20%.
- 5.9. No new PWLB loans were taken out during 2023/24.
- 5.10. The level of PWLB borrowing at £347.332m is in line with the financing requirements of the capital investment programme and the revenue costs of this borrowing are fully accounted for in the revenue budget. The current level of borrowing is also in line with the Council's prudential indicators and is proportionate, prudent, affordable and sustainable.

6. Borrowing

PWLB and short-term borrowing

6.1. The table below summarises the PWLB borrowing activities during the financial year 2023/24:

Table 10: PWLB borrowing

| Quarter | Borrowing at beginning of quarter (£m) | New Borrowing (£m) | Re-financing (£m) | Borrowing repaid (£m) | Borrowing at end of quarter (£m) |
|--------------------------|--|--------------------|-------------------|-----------------------|----------------------------------|
| April to June 2023 | 347.3 | 0.0 | 0.0 | 0.0 | 347.3 |
| July to September 2023 | 347.3 | 0.0 | 0.0 | 0.0 | 347.3 |
| October to December 2023 | 347.3 | 0.0 | 0.0 | 0.0 | 347.3 |
| January to March 2024 | 347.3 | 0.0 | 0.0 | 0.0 | 347.3* |

* All PWLB loans are fixed rate maturity loans.

6.2. The Council's outstanding PWLB borrowing as at 31st March 2024 was:

- Southend-on-Sea City Council £347.3m*
- ECC transferred debt £8.8m

* £273.1m General Fund and £74.2m Housing Revenue Account.

6.3. Repayments in 2023/24 were:

- Southend-on-Sea City Council £0.000m
- ECC transferred debt £0.428m

6.4. Outstanding debt relating to services transferred from Essex County Council (ECC) on 1st April 1998, remains under the management of ECC. Southend City Council reimburses the debt costs incurred by the County. The debt is recognised as a deferred liability on our balance sheet.

6.5. The table on the next page summarises our PWLB borrowing and ECC transferred debt position as at the end of 2023/24:

Table 11: Debt position

| | 31 March 2024 | | 31 March 2023 | |
|-----------------------|-------------------|------------------|-------------------|------------------|
| | Principal (£000s) | Average Rate (%) | Principal (£000s) | Average Rate (%) |
| -PWLB – Fixed | 347,332* | 3.46 | 347,332* | 3.46 |
| -ECC Transferred Debt | 8,788 | 1.87 | 9,216 | 2.33 |

* £273.1m General Fund and £74.2m Housing Revenue Account.

- 6.6. Some of the Council’s borrowings are at a higher interest rate than the current rate of borrowing. To redeem these loans before their maturity date (i.e. to redeem them early) the Council would be required to pay a premium (this is like paying to redeem a mortgage early except the amount of the penalty depends on the prevailing rate of interest). New loans could then be taken out at the current rate.
- 6.7. In November 2007 the PWLB changed its structure of interest rates so that any early repayment of PWLB debt has a higher repayment rate applied. No PWLB restructuring was carried out in 2023/24 due to the higher cost of PWLB repayments making it uneconomical and giving no benefit to the Council.
- 6.8. The total PWLB interest payments during the year were £12.021m, which is the same as the original budget. It had been assumed in the budget that the Council would not take out any loans during 2023/24 and no new loans were taken out.
- 6.9. During the year no short-term borrowing was undertaken for cash flow purposes.

Funding for Invest to Save Schemes

- 6.10. Capital projects have been completed on energy efficiency improvements at the new Beecroft Art Gallery, replacement lighting on Southend Pier, lighting replacements at University Square Car Park and LED lighting at the Priory Park workshop which will generate on-going energy savings. These are invest-to-save projects and the predicted revenue streams cover as a minimum the financing costs of the project.
- 6.11. To finance these projects in total the Council has taken out interest free loans of £0.161m with Salix Finance Ltd which is an independent, not for profit company, funded by the Department for Energy and Climate Change that delivers interest-free capital to the public sector to improve their energy efficiency and reduce their carbon emissions. The loans are for periods of five years with equal instalments to be repaid every six months. There are no revenue budget implications of this funding as there are no interest payments to be made and the revenue savings generated are expected to exceed the amount needed for the repayments. £0.016m of these loans were repaid during the year. At 31 March 2024 the loans regarding the lighting replacements at University Square Car Park and replacement lighting on Southend Pier have been fully repaid. The total loan amounts outstanding for the energy efficiency improvements at the new Beecroft

Art Gallery and LED lighting at the Priory Park workshop is £0.003m and these are due to be repaid during 2024/25 and 2025/26 respectively.

- 6.12. At the meeting of Cabinet on 23rd June 2015 the LED Street Lighting and Illuminated Street Furniture Replacement Project was approved which was to be partly funded by 25 year reducing balance 'invest to save' finance from L1 Renewables Ltd. Repayments of £0.173m were made during the year and the balance outstanding at 31 March 2024 was £8.029m.

7. Investments

- 7.1. The table below summarises the Council's investment position at the end of 2023/24 (the average rates for the externally managed funds include the changes in unit price):

Table 12: Investment position

| | 31 March 2024 | 2023/24 | | 31 March 2023 | 2022/23 | |
|---|-------------------|-------------------------|------------------|-------------------|-------------------------|------------------|
| | Principal (£000s) | Average Balance (£000s) | Average Rate (%) | Principal (£000s) | Average Balance (£000s) | Average Rate (%) |
| Call accounts # | 19,038 | 23,542 | 4.64 | 19,017 | 23,740 | 2.27 |
| Money Market Funds | 14,000 | 31,148 | 5.08 | 21,000 | 39,285 | 2.03 |
| Notice accounts | 10,000 | 2,842 | 5.75 | 0 | 18,377 | 0.70 |
| Fixed Term Deposits | 22,500 | 30,615 | 5.17 | 27,500 | 22,787 | 2.96 |
| Total investments managed in-house | 65,538 | 88,147 | 5.02 | 67,517 | 104,189 | 2.06 |
| Enhanced Cash Funds | 5,034 | 4,996 | 5.49 | 4,962 | 4,983 | 0.74 |
| Short Dated Bond Funds | 14,697 | 14,308 | 7.06 | 14,262 | 14,366 | (2.37) |
| Property Funds | 28,345 | 29,703 | (3.54) | 30,504 | 35,551 | (15.19) |
| Total externally managed funds | 48,076 | 49,007 | 0.47 | 49,728 | 54,900 | (10.39) |
| Total investments@ | 113,614 | 137,154 | 3.39 | 117,245 | 159,089 | (2.24) |

This includes the council's main current account.

@ This excludes the cash held by schools.

7.2. In summary the key factors to note are:

- An average of £88.1m of investments were managed in-house. These earned £4.434m of interest during the year at an average rate of 5.02%. This is 0.06% above the average SONIA Rate and 0.01% below the average bank base rate.
- An average of £5.0m was managed by an enhanced cash fund manager. During the year this earned £0.203m in income distributions at an average rate of 4.07% and the value of the fund increased by £0.071m at an average rate of 1.42%, giving a combined return of 5.49%.
- An average of £14.3 was managed by two short-dated bond fund managers. During the year these earned £0.575m in income distributions at an average rate of 4.02% and the value of the funds increased by £0.437m at an average rate of 3.04%, giving a combined return of 7.06%.
- An average of £29.7m was managed by two property fund managers. During the year these earned £1.107m in income distributions at an average rate of 3.73% and the value of the funds decreased by £2.159m at an average rate of -7.27%, giving a combined return of -3.54%.
- In total the value of the externally managed funds decreased by a net of £1.651m due to the changes in the unit price. This is set out in the table below:

Table 13: Externally managed funds – changes in unit price

| Fund | Table Number | Amount (£m) |
|--|--------------|----------------|
| Payden Sterling Reserve Fund | 16 | 0.071 |
| AXA Sterling Credit Short Duration Bond Fund | 17 | 0.210 |
| Royal London Investment Grade Short Dated Credit Fund | 18 | 0.227 |
| Patrizia Hanover Property Unit Trust | 19 | (0.782) |
| Lothbury Property Trust | 20 | (1.377) |
| Total net decrease due to changes in unit price | | (1.651) |

- 7.3. In line with the capital finance and accounting regulations a Financial Instrument Revaluation reserve will be used to capture all the changes in the unit value of the externally managed funds and these will not impact the revenue account, with only the income distributions impacting that. As a total over all the investments, £6.319m of interest and income distributions were received during the year. The total investment income (including the movement on the unit price of externally managed funds) was £4.668m, giving a combined return of 3.39%.
- 7.4. Overall, the actual rate on investment interest and income distributions earned in 2023/24 (excluding movements on the unit price of externally managed funds)

was 4.59% compared to a forecast of 2.78% which was included in the budget. This forecast was based on the best estimates of balances and future interest rates at the time the budget was set and did not envisage the further successive bank base rate rises as a reaction to the rate of inflation not reducing as quickly as hoped.

- 7.5. The Council earned a total of £6.319m of interest and investment income through the investment of surplus funds both in-house and with the fund managers. The interest earned was £3.083m higher than the budgeted figure of £3.236m. This was due to the bank base rate increasing faster and by more than expected, due to the Bank of England’s response to the rate of inflation being slower to reduce than expected. These forecasts were based on the best estimates at the time the budget was set.
- 7.6. The Council’s investment policy is governed by the CIPFA Code of Practice for Treasury Management in the Public Sector, which has been implemented in the 2023/24 Annual Treasury Management Investment Strategy approved by the Council on 23 February 2023. The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.
- 7.7. The majority of the cash balances held by the Council are required to meet short term cash flow requirements and therefore throughout the year monies were placed 8 times into Money Market Funds. In the light of the banking crisis and the prevailing financial market conditions there has been greater emphasis on counterparty risk and the security of the principal sums invested.

The table below shows the most used counterparties overall and the countries in which they are based. All deals are in sterling despite the country the counterparties are based in.

Table 14: Counterparties used

| Counterparty | Country | No. of Deals | Value of Deals (£m) |
|-------------------------|---|--------------|---------------------|
| Blackrock | Money Market Fund (Various Counterparties) | 5 | 57 |
| Aberdeen Liquidity Fund | Money Market Fund (Various Counterparties) | 2 | 20 |
| Goldman Sachs | Money Market Fund (Various Counterparties) | 1 | 5 |
| Total | | 8 | 82 |

- 7.8. In addition to the above, use was also made of call accounts during the year, because they provide instant access to funds. This meant that funds were available for unexpected cash flow events to avoid having to pay higher rates to borrow from the market. During 2023/24 an average of £23.5m was held in such accounts.

7.9 During 2023/24 for cash balances that are not needed to meet immediate or very short term cash flow requirements an average of £2.8m was invested in the following notice account:

- a 35-day notice account with Santander.

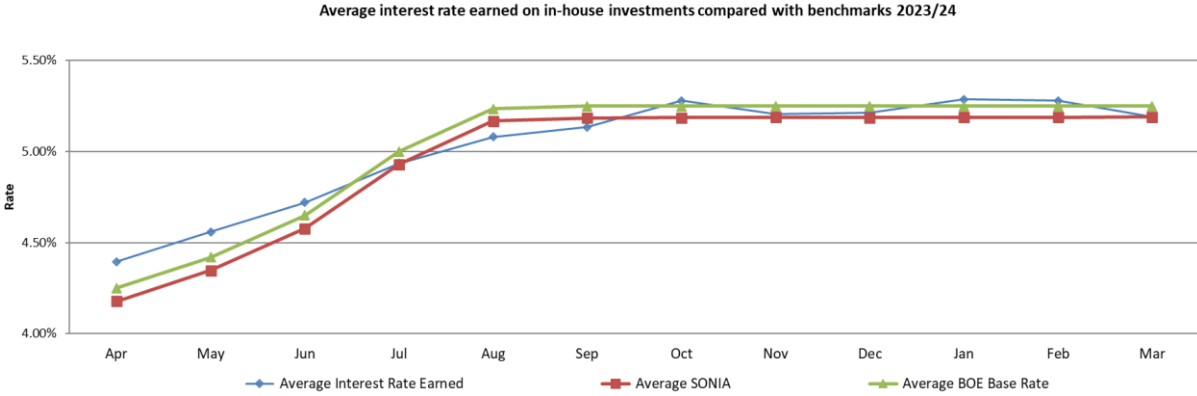
7.10 An average of £30.6m was also invested in fixed term deposits, with the length of deposit depending on the liquidity requirements. The table below shows the fixed term deposits held during the year:

Table 15: Fixed Term Deposits

| Counterparty | Date of Deposit | Return Date | Number of days | Interest rate (%) | Amount (£m) |
|---|-----------------|-------------|----------------|-------------------|-------------|
| Santander UK Plc | 21/10/2022 | 23/10/2023 | 367 | 5.00 | 5 |
| Santander UK Plc | 14/11/2022 | 14/11/2023 | 365 | 4.95 | 10 |
| Lloyds Bank Corporate Markets | 29/12/2022 | 29/06/2023 | 182 | 4.33 | 2.5 |
| Lloyds Bank Corporate Markets | 29/12/2022 | 29/09/2023 | 274 | 4.71 | 10 |
| National Bank of Kuwait (International) plc | 17/05/2023 | 16/05/2024 | 365 | 5.27 | 12.5 |
| Lloyds Bank Corporate Markets | 29/09/2023 | 27/09/2024 | 364 | 5.87 | 10 |

7.11 The in-house performance during the year is compared to the average SONIA rate. The graph below shows the Council’s performance month by month compared to this benchmark and to the average bank base rate.

Graph1: In-house investment performance compared to benchmarks



7.12 Averaged over the year, performance on in-house managed funds was 0.06% above the average SONIA rate for the year and 0.01% below the average base rate for the year. This was due to the interest rates on the Council’s main current account having a rate below the bank rate throughout the year. The balances held in this account are held at instant access so that they are available for unexpected cash flow events to avoid having to pay higher rates to borrow from the market.

- 7.13 There were three interest rate rises during 2023/24 and although the rate of inflation began to reduce towards the latter part of 2023/24, it still remains above the Bank of England's target rate. Uncertainty remains over the timing of when any interest rate cuts will be made by the Bank of England as it seeks to meet their inflation target of 2%.
- 7.14 During the year the Council used the enhanced cash fund manager Payden & Rygel to manage monies on our behalf. An average balance of £5.0m was invested in these funds during the year. The table below shows the movement in the fund value over the year, the income distributions for the year, the returns both for each element and the combined return.

Table 16: Payden Sterling Reserve Fund

| 2023/24 | £m | Investment return (%) |
|--|-------|-----------------------|
| Value of fund at start of year | 4.962 | |
| Increase in fund due to value of unit price | 0.071 | 1.42 |
| Value of fund at end of year | 5.033 | |
| Income distributions | 0.203 | 4.07 |
| Combined investment income (income distribution plus change in fund value due to unit price) | 0.274 | 5.49 |

8. Short Dated Bond Funds

- 8.1. Throughout the year medium term funds were invested in two short dated bond funds: Royal London Investment Grade Short Dated Credit Fund and the AXA Sterling Credit Short Duration Bond Fund.
- 8.2. The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into corporate bonds in the one to five year range. An income distribution will be generated from the coupon on the bond and income distributions are paid to the Council. The price of units can rise and fall, depending on the price of bonds in the fund so these funds are invested over the medium term with the aim of realising higher yields than short term investments.
- 8.3. In line with the capital finance and accounting regulations the Financial Instrument Revaluation reserve will be used to capture all the changes in the unit value of the funds. Members should be aware that the investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as only the income distributions will impact that and not the change in the unit price.
- 8.4. An average of £7.3m was managed by AXA Investment Managers UK Limited. The table on the next page shows the movement in the fund value over the year, the income distributions for the year, the returns both for each element and the combined return.

Table 17: AXA Sterling Credit Short Duration Bond Fund

| 2023/24 | £m | Investment return (%) |
|--|-------|-----------------------|
| Value of fund at start of year | 7.286 | |
| Increase in fund due to value of unit price | 0.210 | 2.87 |
| Value of fund at end of year | 7.496 | |
| Income distributions* | 0.274 | 3.75 |
| Combined investment income (income distribution plus change in fund value due to unit price) | 0.484 | 6.62 |

*Part of this income distribution is an estimate which will be confirmed and distributed in quarter 1 of 2024/25.

- 8.5. An average of £7.0m was managed by Royal London Asset Management. The table below shows the movement in the fund value over the year, the income distributions for the year, the returns both for each element and the combined return.

Table 18: Royal London Investment Grade Short Dated Credit Fund

| 2023/24 | £m | Investment return (%) |
|--|-------|-----------------------|
| Value of fund at start of year | 6.975 | |
| Increase in fund due to value of unit price | 0.227 | 3.23 |
| Value of fund at end of year | 7.202 | |
| Income distributions | 0.301 | 4.29 |
| Combined investment income (income distribution plus change in fund value due to unit price) | 0.528 | 7.52 |

9. Property Funds

- 9.1. Throughout the year long term funds were invested in two property funds: Patrizia Hanover Property Unit Trust and Lothbury Property Trust.
- 9.2. The monies are invested in units in the fund, the fund is then invested as a whole by the fund managers into properties. An income distribution is generated from the rental income streams from the properties in the fund. Income distributions are paid to the Council. There are high entrance and exit fees and the price of the units can rise and fall, depending on the value of the properties in the fund, so these funds are invested over the long term with the aim of realising higher yields than other investments.
- 9.3. In line with the capital finance and accounting regulations the Financial Instrument Revaluation reserve will be used to capture all the changes in the unit value of the funds. Members should be aware that the investment returns in some quarters will look very good and in other quarters there may be losses reported, but these will not impact the revenue account as only the income distributions will impact that and not the change in unit price.

- 9.4. An average of £18.8m was managed by Patrizia Property Investment Managers LLP. The table below shows the movement in the fund value over the year, the income distributions for the year, the returns both for each element and the combined return.

Table 19: Patrizia Hanover Property Unit Trust

| 2023/24 | £m | Investment return (%) |
|--|-----------|------------------------------|
| Value of fund at start of year | 19.111 | |
| Decrease in fund due to value of unit price | (0.782) | (4.15) |
| Value of fund at end of year | 18.329 | |
| Income distributions* | 0.702 | 3.73 |
| Combined investment income (income distribution plus change in fund value due to unit price) | (0.080) | (0.42) |

* Part of this income distribution is an estimate which will be confirmed and distributed in quarter 1 of 2024/25.

- 9.5. An average of £10.9m was managed by Lothbury Investment Management Limited. The table below shows the movement in the fund value over the year, the income distributions for the year, the returns both for each element and the combined return.

Table 20: Lothbury Property Trust

| 2023/24 | £m | Investment return (%) |
|--|-----------|------------------------------|
| Value of fund at start of year | 11.393 | |
| Decrease in fund due to value of unit price | (1.377) | (12.69) |
| Value of fund at end of year | 10.016 | |
| Income distributions* | 0.405 | 3.73 |
| Combined investment income (income distribution plus change in fund value due to unit price) | (0.972) | (8.96) |

* Part of this income distribution is an estimate which will be confirmed and distributed in quarter 1 of 2024/25.

- 9.6. As reported in the quarter three report, the termination date of the Lothbury fund had been postponed from 31 December 2023 to 31 March 2024. Discussions continued between Lothbury and another property fund, UBS Triton, regarding the proposed merger, with Heads of Terms being agreed and UBS conducting advanced-stage due diligence on the Lothbury Fund and its assets.
- 9.7. During quarter four, a further EGM was convened on 29 February 2024 to seek approval from the unitholders to further postpone the termination date until 30 June 2024, to allow the merger discussions to conclude. The extension proposal resolution did not pass and the termination date remained as 31 March 2024.
- 9.8. More than 15% of the unitholders requested a further EGM to extend the termination date of 31 March 2024 for up to a further 60 days to allow those

investors who wish to roll their Lothbury Fund units into the UBS Triton Property Unit Trust, to do so. Another EGM was held on 28 March 2024 and the resolution was passed.

- 9.9. As work continued to implement that resolution, the valuations for the fund's student accommodation assets were subject to a Material Valuation Uncertainty Clause due to the need for enhanced surveys to be carried out to ascertain the extent of any fire safety risks. It was not suggested that any risks could not be mitigated, just that those enhanced surveys were yet to be commissioned and would take some time to complete. Given the material uncertainty clause the view from both UBS and Lothbury was that it would be impossible for Lothbury to discharge its fiduciary duty to treat investors equally and to follow the terms of the resolution. The decision was made to proceed to termination of the fund on 30 May 2024, which was the date set in the resolution were it not possible to implement the terms of the resolution. This means that all unitholders will rank equally in terms of termination of the fund and distribution of fund proceeds.
- 9.10. Given the due diligence already undertaken, there was still a desire to accommodate rolling investors and Lothbury and UBS have been working on a mechanism to allow an efficient transfer of distribution proceeds directly into UBS Triton for those investors who wish to do so. The Council has opted to have its fund distributions re-directed to the Triton fund in exchange for units in that fund. The initial distribution was completed in the first week of June from the proceeds of the asset disposals that had taken place to that date. As the disposal programme progresses it is the intention of the fund managers that further distributions will be in the first week of each month.

10. Reasons for Decisions

- 10.1. The CIPFA Code of Practice on Treasury Management recommends that Local Authorities should submit reports regularly. The Treasury Management Policy Statement for 2023/24 set out that reports would be submitted to Cabinet quarterly on the activities of the treasury management operation.

11. Other Options

- 11.1. There are many options available for the operation of the Treasury Management function, with varying degrees of risk associated with them. The Treasury Management Policy aims to effectively control risk to within a prudent level, whilst providing optimum performance consistent with that level of risk.

12. Financial Implications

- 12.1. The financial implications of Treasury Management are dealt with throughout this report.

13. Legal Implications

13.1. This Council has adopted the ‘CIPFA Code of Practice for Treasury Management in the Public Sector’ and operates its treasury management service in compliance with this code.

14. Carbon Impact

14.1. None arising from this report.

15. Equalities

15.1. None arising from this report.

16. Consultation

The key Treasury Management decisions are taken in consultation with our Treasury Management advisers.

17. Background Papers

None.

18. Appendices

Appendix A - Prudential Indicators 2023/24

Report Authorisation

| This report has been approved for publication by: | | |
|--|--------------------|--------------|
| | Name: | Date: |
| S151 Officer | Joe Chesterton | 07/06/2024 |
| Monitoring Officer | Susan Zeiss | 12/06/2024 |
| Executive Director(s) | Joe Chesterton | 07/06/2024 |
| Relevant Cabinet Member | Councillor Collins | 11/06/2024 |

Prudential Indicators 2023/24

| Table No. | Figures are for the financial year unless otherwise titled in italics | 2023/24 Budget | 2023/24 Actual |
|-----------|---|----------------|----------------|
| 1 | Capital Expenditure | £56.126m | £50.066m |
| 2 | Capital Financing Requirement (CFR) | £455.737m | £449.798m |
| 3, 4 | Gross Borrowing at 31 March | £358.800m | £357.238m |
| 5 | Authorised Limit (<i>against maximum position</i>) | £400.000m | £400.000m |
| 5 | Operational Boundary | £390.000m | £390.000m |
| 5 | Ratio of financing costs to net revenue stream | 10.48% | 10.18 % |
| 6 | Net Income from Commercial and Services Investments to Net Revenue Stream | 2.44% | 2.12% |
| 7 | Maturity structure of fixed rate borrowing: (<i>against maximum position</i>) | | |
| | Under 12 months | 20% | 2% |
| | 12 months to 2 years | 30% | 0% |
| | 2 years to 5 years | 40% | 10% |
| | 5 years to 10 years | 60% | 22% |
| | 10 years to 20 years | 60% | 17% |
| | 20 years to 30 years | 80% | 3% |
| | 30 years and above | 80% | 46% |
| | Total | N/A | 100% |
| 8 | Long Term Treasury Management Investments | | |
| | Fixed-rate investments with maturities over one year | 25 | 0 |
| | Long term investments with no fixed maturity date: | | |
| | Enhanced cash fund | 7.5 | 5.0 |
| | Short-dated bond funds | 25 | 14.7 |
| | Property funds | 50 | 28.3 |
| 9 | Liability benchmark | | |
| | Capital Financing Requirement (excl. other long-term liabilities) | £456.112m | £447.624m |
| | Loan debt outstanding | £358.800m | £357.238m |
| | Net loans requirement | £242.754m | £243.624m |
| | Liability Benchmark (or gross loans requirement) | £267.754m | £268.624m |

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Meeting: Cabinet
Date: 24 June 2024
Classification: Part 1
Key Decision: Yes
Title of Report: Licensing Act 2003 – Review of Statement of Licensing Policy

Executive Director: Alan Richards

Report Author: Adam Penn.

1. Executive Summary

- 1.1. Members are invited to consider a draft revised Licensing Policy Statement, (contained in Appendix 1), as the basis for formal consultation and to allow the Council to follow their statutory obligation set out in the Licensing Act 2003. (the Act)

2. Recommendations

- 2.1 It is recommended that Cabinet:** endorses the draft revised Policy document, enabling consultation to commence. Once consultation is complete, the final policy document will be approved by Licensing Committee before proceeding to Full Council.

3. Background

- 3.1 The Council's Statement of Policy under the Act was approved in December 2019 and came into force on 7th January 2020. It is thus imperative that the Council undertakes the review process and publishes its Statement of Policy before the beginning of 2025 when the statutory 5-year policy period ends
- 3.2 The Act requires that the policy is kept under constant review and amended before the statutory period ends where significant change is identified
- 3.3 Before determining the Policy for each five-year period, the Licensing Authority must consult:
- The Chief Officer of Police for the Licensing Authority's area;
 - The Fire Authority for that area;
 - The Director of Public Health for the Licensing Authority's area;

- d) Such persons as the Licensing Authority considers to be representative of the holders of Premises Licences, Club Premises Certificates and Personal Licences issued by the Authority, and
 - e) Such other persons as the Licensing Authority considers to be representative of businesses and residents in its area.
- 3.4 The existing Policy Document utilises a format developed by Essex Licensing Officers, in an effort to promote consistency across the county.
- 3.5 Licensing authorities are required to have regard to the statutory guidance produced by The Home Office under Section 182 of the Act, and this forms the foundation of each Local Authority Licensing Policy Document. The contents of the guidance have been taken into account in preparing this report, and in setting out the proposed amendments to the Council's Policy Document.
- 3.6 Proposed Changes
- In addition to the rewording and clarifying of certain parts, the main changes made to the draft policy are as follows:
- a) References to the threat of terrorism in preparation for the implementation of The Terrorism (Protection of Premises) Act, which is due to become law during the life of this policy. (sections 10.2 and 10.8)
 - b) Stronger guidance to licensees and applicants on control measures to promote the licensing objectives (10.3,11.3 and 13.7)
 - c) A new section giving advice or minimising waste in Licensed Premises (12.7)
 - d) Additional guidance on Child safeguarding (13.10)
 - e) The removal of section 20 (electronic applications) This has been moved to appendix E.
 - f) New appendices designed to give applicants and licensees licensing guidance in one place (appendices C – E)
- 3.7 The main proposed updates are to reflect changes to the law and assist applicants and licensees to access information without the need to formally request it from the council

4. Reasons for Decisions

- 4.1 To enable The Council to comply with its statutory duty to publish a timely Statement of Policy in accordance with the provisions of Section 5 of The Licensing Act 2003

5. Other Options

- 5.1. Should the Council fail to approve a final Statement of Policy, it will be in breach of its statutory duty under Section 5 of The Licensing Act 2003.
- 5.2. The deadline for publication of the Policy is 7th January 2025.
- 5.3. It is not considered that another option exists.

6. Financial Implications

- 6.1. The annual licence fees, set by Central Government, form part of the overall budget for the Council.

7. Legal Implications

- 7.1. Failure to fully consult on the draft policy, or publish the final policy by 7th January 2025, would put the Council in breach of its statutory duty under the Act.

8. Policy Context

- 8.1 The Statement of Licensing Policy sets out the principles which Southend-on-Sea City Council, as the Licensing Authority under the Licensing Act 2003, intends to apply in discharging its functions to licence premises and individuals under the Act.

9. Carbon Impact

- 9.1. No carbon impact.

10. Equalities

- 10.1. The Policy document has been drawn up in accordance with the requirements of the legislation and the detailed measures contained in the statutory guidance to licensing authorities. An equalities assessment will be undertaken to take account of responses to the consultation process.

11. Consultation

- 11.1. Following consideration by Cabinet, it will be necessary to commence full public consultation on the draft. The consultation period will be 6 weeks, followed by assessment of responses and formulation of a final report and final policy document revision. These documents would need to progress through Cabinet in November and to Council in December 2024. (See section 3.3 above).

12. Appendices

- 12.1. **Appendix 1:** Draft Statement of Licensing Policy.

13. Report Authorisation

| This report has been approved for publication by: | | |
|--|------------------|--------------|
| | Name: | Date: |
| S151 Officer | Joe Chesterton | 02/05/24 |
| Monitoring Officer | Susan Zeiss | 01/05/24 |
| Executive Director(s) | Alan Richards | 01/05/24 |
| Relevant Cabinet Member(s) | Cllr Ian Gilbert | 26/05/24 |

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Licensing
Policy ~~2020~~
~~2024~~ 2025 -
2029
Licensing Act 2003

Add logo

Note to reader:

Red = new text

~~Strike through~~ = removed text

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1.0 Preliminary Matters

- 1.1 This Statement of Licensing Policy sets out the principles by which Southend-on-Sea City Council intends to discharge its functions as the Licensing Authority under the Licensing Act 2003 (referred to in this document as 'the Act')
- 1.2 The Licensing Authority is responsible for the consideration of applications for the grant of premises licences, club premises certificates, personal licences and processing temporary event notices in respect of the sale and/or supply of alcohol and the provision of regulated entertainment and late night refreshment. References in the text to licensed premises should be taken to include club premises, unless the context otherwise requires.
- 1.3 The planning and licensing regimes involve consideration of different (albeit related) matters. Licensing Committees are not bound by the decisions made by a Planning Committee and vice versa.
- 1.4 There is no legal basis for a Licensing Authority to refuse a licence because the relevant premises does not have planning permission or where there are conditions on the planning permission of a premises.
- 1.5 The Licensing Authority liaises with the **Local** Planning Authority to ensure they are aware of all new and varied premises licence and club premises certificate applications. This is achieved via a weekly email. This procedure is in addition to the statutory requirement for all applicants to provide a copy of their application to the **Local** Planning Authority.
- 1.6 Applicants are advised that the **Local** Planning Authority is a Responsible Authority under the 2003 Act and is able to make representations against all applications on planning grounds relating to, inter alia, public nuisance, and thereby make representations regarding opening and closing hours, and in respect of any of the four overriding objectives of the Licensing Act 2003.
- 1.7 There are circumstances when as a condition of planning permission, a terminal hour has been set for the use of the premises for commercial purposes. Where these hours are different to the licensing hours granted, the earlier closing time must be observed. Premises operating in breach of their planning permission would be liable to enforcement action ~~from~~ **by** the planning ~~department~~ **service** even in circumstances where the licensing permission allowed a later terminal hour.

2.0 Description of the City

- 2.1 The City of Southend-on-Sea is a densely populated area and has numerous licensed venues and fast food outlets. In many cases, those premises are situated near to residential areas.
- 2.2 There is a large range and scale of entertainment/alcohol establishments in the town. The development of South Essex College and the University of Essex is having an impact upon the existing infra-structure and town centre facilities.

2.3 The seafront, particularly the central area with its mix of public houses, entertainment establishments, amusement facilities and late-night fast food outlets, is an area drawing large numbers of visitors.

3.0 Statement of Licensing Policy

3.1 The Licensing Authority is required by the Act to publish a Statement of Licensing Policy which contains the principles it proposes to apply when exercising its functions under the Act.

3.2 This policy must be reviewed and published every 5 years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The new policy must then be published.

3.3 This Policy takes effect on 31st January 2025 and replaces the Policy previously in force.

4.0 Consultation

4.1 In producing this Policy, the Licensing Authority carried out an extensive consultation programme between ??? and ??? 2024

4.2 The Act requires that the following parties are consulted by the Licensing Authority:-

- a) the chief officer of police for the licensing authority's area,
- b) the fire authority for that area,
- c) the director of public health for the licensing authority's area,
- d) such persons as the Licensing Authority considers to be representative of holders of premises licences issued by that authority,
- e) such persons as the Licensing Authority considers to be representative of holders of club premises certificates issued by that authority,
- f) such persons as the Licensing Authority considers to be representative of holders of personal licences issued by that authority, and
- g) such other persons as the licensing authority considers to be representative of businesses and residents in its area.

4.3 In addition, the Licensing Authority chose to consult additional local groups and individuals namely:

- Responsible Authorities under the Act
- Other elements of local government
- Organisations, including faith groups and voluntary organisations, and the Citizens' Advice Bureau;
- Groups which have an influence on the night time economy.

5.0 Approval of Policy

5.1 This policy was approved at a meeting of the full Council on ??? 2024 and was published via its website simultaneously. Copies are available on request.

6.0 Exchange of Information

- 6.1 The Licensing Authority is under a duty to protect the public funds it administers, and to this end may use for the prevention and detection of fraud the information provided by applicants. It may also share this information for these purposes with other bodies responsible for auditing or administering public funds.
- 6.2 In accordance with the provisions of the Crime and Disorder Act 1998, The Licensing Authority may exchange information provided by applicants with law enforcement agencies for purposes connected with the prevention and detection of crime.

7.0 Public Register

- 7.1 The Licensing Authority keeps a public register which may be inspected at the offices of the Licensing Authority on Mondays to Fridays (except bank and public holidays) between 10am and 4.00pm. Regulations prescribe what information should be kept in the register. Alternatively the register can be viewed online on www.southend.gov.uk
- 7.2 The Licensing Authority publish details of applications on the Councils website www.southend.gov.uk

8.0 Compliance and Enforcement

- 8.1 In exercising its functions with regard to the inspection of premises and to the institution of criminal proceedings for offences committed under the Act, or the calling of a licence review, the Licensing Authority will follow **the Environment and Regulatory Enforcement Policy and** best practice. This requires that actions should be-
- Proportionate - intervention will only take place when necessary. Remedies shall be appropriate to the risk posed and costs identified and minimised.
 - Accountability - the Licensing Authority shall ensure it is able to justify its decisions and be subject to public scrutiny
 - Consistent - rules and standards shall be joined up and implemented fairly.
 - Transparent - enforcement shall be open and regulations kept simple and user friendly.
 - Targeted - enforcement shall be focused on the problems and minimise side effects.
- 8.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and will adopt a risk based inspection programme.
- 8.3 The main enforcement and compliance role of the Licensing Authority is to ensure compliance with the licences and permissions it authorises. Where appropriate we may conduct joint inspections of licensed premises, or premises which may need a licence, in conjunction with other enforcing authorities.
- 8.4 Where appropriate complaints will be investigated in accordance with the stepped approach outlined in the **Environment and Regulatory Services** Enforcement Policy. In the first instance we encourage complaints to be raised directly with the licensee or business concerned.

- 8.5 The Licensing Authority will keep itself informed of developments as regards the work of the ~~Department for Business, Energy and Industrial Strategy~~ **Department for Business and Trade** in its consideration of the regulatory functions of Local Authorities.
- 8.6 The Licensing Authority will take account of the outcomes and ambitions of The Council's 'Tackling Harmful Behaviours Strategy' where appropriate.
- 8.7 The Licensing Authority's enforcement/compliance protocols are available on request, as are details of the risk-based approach to inspection.

9.0 Introduction to the Act

- 9.1 In exercising its functions under the Act, the Licensing Authority must have regard to and promote the 4 licensing objectives namely:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 9.2 Applicants are advised to consider providing evidence that suitable and sufficient control measures, as detailed in their operating schedule, will be implemented and maintained relevant to the nature and mode of operation of their premises and events
- 9.3 The Licensing Authority has certain expectations in respect of applicants and the operating schedules they produce. It is for applicants to decide on the extent of measures to be set out in their operating schedules but when assessing applications the Licensing Authority must be satisfied that the measures proposed aim to achieve the licensing objectives, as far as is possible. **To assist in the application process, a pool of model conditions is provided at appendix E**
- 9.4 Duplication with other regulatory regimes should be avoided. In particular, applicants should have regard to the fact that the Local Authority's licensing function will be discharged separately from its functions as the local planning authority. Normally, applications for premises licences for permanent commercial premises should be from businesses with planning ~~consent~~ **permission** for the property concerned.
- 9.5 This policy covers a wide variety of premises and activities and for this reason it cannot detail all the factors which influence the achievement of the licensing objectives, nor can it detail all the control measures which may be appropriate.
- 9.6 Where valid representations are made the Licensing Authority will make objective judgments as to whether conditions need to be attached to a licence, certificate or permission in order to secure the achievement of the licensing objectives. Any such condition will focus primarily on the direct impact of the activities taking place on the premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned and will cover matters within the direct control of individual licensees.
- 9.7 Licensing law is not the primary mechanism for the general control of individuals once they are away from licensed premises and therefore beyond the direct control of individual licensees or certificate holders. However, reasonable steps should be taken

to prevent the occurrence of crime and disorder and public nuisance immediately outside the premises; for example, on the pavement, or in a smoking area.

Other mechanisms may be utilised to tackle unruly or unlawful behaviour of patrons when beyond the vicinity of the premises. These include:-

- measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and departments of the local authority.
- the provision of CCTV surveillance in town centres, ample taxi ranks, provision of public conveniences late at night, street cleaning and litter patrols
- powers to designate parts of the local authority area as places where alcohol may not be consumed publicly
- police enforcement of the general law concerning disorder and anti-social behaviour
- the confiscation of alcohol from adults and children in designated areas
- Police powers to close down licensed premises for a specific period of time.
- the power of the police or interested parties to seek a review of the licence.
- other local initiatives which similarly address such problems.

9.8 The Licensing Authority recognises the cultural, social and business importance that premises and events requiring a licence can provide and the diversity of activities which are provided by licence holders. Proper account will be taken of the need to encourage a broad range of entertainments.

9.9 The Licensing Committee will receive reports, where appropriate, on the needs of the local tourist economy and the cultural strategy for the area so as to ensure these are reflected in its considerations.

9.10 The Licensing Committee will be kept apprised of the employment situation in the area and the need for new investment and employment where appropriate.

9.11 The Licensing Authority is under a legal obligation to have due regard (section 149, Equality Act 2010) to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity and to foster good relations between persons with different protected characteristics.

Those protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation

9.12 The impact of this policy on the requirements of the Equality Act will be ~~monitored~~ **considered and addressed** through the Council's equality and diversity scheme.

9.13 When considering applications the Licensing Authority will have regard to the Act and the licensing objectives, this policy, statutory guidance, and all supporting regulations.

9.14 The Licensing Authority expects licensees to be familiar with the contents of any codes of practice issued by the Government under the Equality Act 2010.

10.0 Prevention of Crime and Disorder

10.1 Section 17 of the Crime and Disorder Act 1998 imposes a duty on the Local Authority

when carrying out its various functions to do all it reasonably can to prevent crime and disorder in its area.

10.2 When addressing the issue of crime and disorder the applicant is advised to demonstrate in the operating schedule that those factors which impact on crime and disorder have been considered. These may include:

- Underage drinking
- Drunkenness on premises and elsewhere
- Drugs misuse **and drug dealing**
- Violent behaviour
- Anti-social behaviour
- Control of their patrons while on the premises and as they arrive and depart
- Crime statistics in the locale
- The nature of the local area
- **The threat from terrorism**

10.3 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be taken into account in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities, and not all the measures will necessarily be relevant to a particular application.

- Effective and responsible management and supervisory control of the premises and associated open areas.
- Appropriate instruction, training and supervision of those employed or engaged to prevent incidents of crime and disorder.
- The keeping of appropriate written training records.
- Adoption of best practice guidance
- Acceptance of 'proof of age' documentation, from time to time recognised by the Licensing Authority.
- Provision of effective CCTV in and around the premises.
- Engagement of door staff. Where door staff are present they must be Security Industry Authority licensed.
- **The use of a drugs safe where appropriate**
- Provision of drinking vessels made from appropriate toughened material.
- The assessment of the use of polycarbonate drinking vessels over toughened ones on certain occasions.
- Proper arrangements to enable the personal licence holder to monitor the activity they have authorised.
- **Regular attendance by a premises manager at trade / authority meetings such as 'Pubwatch' and membership of the Night Time Economy and Purple Flag groups.**

10.4 The Licensing Authority expect licensed premises to develop a staff policy and training programme on drug awareness, recognising signs of drunkenness and vulnerability, for example, offering drinking water and advice on refusing customers who appear drunk and discourage company policies that promote bonuses and sales incentives for selling alcohol. The Licensing Authority will expect necessary precautionary processes to restrict drunkenness, e.g. Home Office Licensing Guidance states drinks promotions should not be designed to encourage individuals to drink excessively or rapidly.

10.5 Where licensed premises are suspected of causing nuisance or being associated with disorder or unreasonable disturbance, the review process may be invoked, and powers of revocation or the imposition of conditions may be considered. Conditions

may include use of closed-circuit television, licensed door supervisors and earlier closing times. The Committee may consider a suspension of the licence to allow time for new conditions to be enacted.

- 10.6 It is expected that the Designated Premises Supervisor (DPS) should be able to demonstrate that they have day to day control of the premises. When not on the premises it will be essential that the DPS is contactable, particularly should problems arise with the premises and that staff are authorised by the DPS.
- 10.7 The location of violent attacks, anti-social behaviour and hate crime or related incidents may be used to justify closing times.
- 10.8 The Licensing Authority expects licensees and applicants to undertake a terrorism threat risk assessment which ensures that any security-related vulnerabilities have been identified, and reasonable and proportionate steps (in keeping with the size and nature of the operation) have been taken to reduce the risk from a terrorist attack. (note: Licensees should have regard to The Terrorism (Protection of Premises) Act, once it becomes law together with any other relevant legislation).

11.0 Public Safety

- 11.1 The Licensing Authority is committed to ensuring that the safety of any person visiting or working in licensed premises is not compromised. Applicants are advised to consider how they can demonstrate in the operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to ensure public safety.
- 11.2 Factors which may have an impact on public safety may include:
- the number of people frequenting the premises
 - the condition, lay-out and design of the premises
 - the nature of the activities to be provided
 - customer profile – Special attention should be given to protecting vulnerable individuals and groups
 - the use of special effects such as lasers, pyrotechnics, foam machines and so on.
- 11.3 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be taken into account in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities and not all the measures will necessarily be relevant to a particular application.
- Suitable and sufficient risk assessments.
 - Effective and responsible management of premises.
 - Provision of a sufficient number of people employed or engaged to secure the safety of all those present.
 - Appropriate instruction, training and supervision of those employed or engaged to secure the safety of all those present.
 - The keeping of appropriate written training records.
 - Adoption of best practice guidance and schemes such as 'Ask Angela'
 - Provision of effective CCTV in and around the premises.
 - Provision of drinking vessels made from appropriate toughened material.
 - The assessment of the use of polycarbonate drinking vessels over toughened ones on certain occasions.
 - Implementation of crowd management measures.

- Proper arrangements to enable the personal licence holder to monitor the activity they have authorised.
- **The provision of equipment and/or systems to enable customers to protect their drinks and test them against drink spiking.**
- The condition, design and layout of the premises, including the means of escape in an emergency.

12.0 Prevention of Public Nuisance

- 12.1 Licensed premises have a significant potential to impact adversely on communities through public nuisance which can arise through their operation. The Licensing Authority wishes to maintain and protect the amenity of residents and businesses from the potential consequence of the operation of licensed premises.
- 12.2 The Licensing Authority interprets 'public nuisance' in its widest sense, and takes it to include such issues as noise and disturbance, light, odour, litter and anti-social behaviour.
- 12.3 Applicants are advised to consider how they can demonstrate in the operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to prevent public nuisance.
- 12.4 Factors which may have an impact on public nuisance may include:
- the location of the premises (including open areas associated with them) and proximity to residential and other noise sensitive premises.
 - the customer profile.
 - the hours of operation.
 - the nature of activities provided.
 - the design and layout of the premises and in particular the use of noise limiting features.
 - the number of people frequenting the premises.
 - the availability of public transport and the availability and location of car parks utilised by patrons.
 - any 'wind down period' between the end of the licensable activities and closure of the premises.
 - the time of last admission.
 - the use of special effects such as lasers, pyrotechnics, and so on.
- 12.5 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be taken into account in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities and not all the measures will necessarily be relevant to a particular application.
- Effective and responsible management and supervisory control of premises and associated open areas, including smoking areas.
 - Appropriate instructions, training and supervision of staff.
 - The keeping of appropriate written training records.
 - Control of operating hours for all, or parts of, the premises, including such matters as deliveries and the operation of machinery.
 - Adoption of best practice guidance.
 - Installation of acoustic insulation, suitably controlled, sited and silenced ventilation or air conditioning systems and (where appropriate) sound limitation devices.

- Signage displayed at premises requesting that patrons leave quietly
- Management of people (including staff) and traffic (and resulting queues) arriving at and leaving the premises.
- Liaison with transport providers.
- Siting of external lighting, including security lighting.
- Management arrangements for the collection and disposal of litter.
- Proper arrangements to enable the personal licence holder to monitor the activity they have authorised.

12.6 External Areas, Beer Gardens and Smoking Areas

Premises licence holders will be expected to:

- Develop a management plan on how to manage smoking on your premises and ensure that all staff are aware of the contents of this plan, and that it is effectively implemented. Noise from people smoking and talking can be intermittent, vary in character and volume and be intrusive. An effective smoking management plan will help prevent neighbours being disturbed.
- Comply with any planning conditions restricting the use of outdoor areas.
- Ensure that any structures used by smokers comply with the design criteria detailed in the Heath Act 2006 and that any structures, awnings, retractable canopies, etc. have the relevant planning permission.
- Ensure any new lighting to outdoor areas must be designed so as not to cause a light nuisance to neighbours and again have the relevant planning permission and building control consent.
- Ensure that the conditions on the premises licence are complied with. There may be conditions restricting the hours of use of gardens and outdoor areas.
- **Obtain a Pavement Licence for tables and chairs on the Public Highway under the provisions of the Highways Act 1980.** These licences may have conditions restricting the times that the area can be used.
- Ensure drinks, glasses and bottles are not taken onto the highway unless there is a tables and chairs licence permitting use. A system should be adopted to prevent theft and 'spiking' of drinks, and reminding customers not to leave unattended items.
- Discourage smokers remaining in gardens and outdoor areas and determine terminal hours.
- Discourage smokers remaining outside by removing/disabling tables and chairs or prohibiting their use after a certain time. Lights and heaters should also be turned off.
- Introduce a system that after a certain time the number of smokers outside are restricted to a maximum number. Staff will be needed to manage this restriction.
- Consider employing SIA registered door supervisors to manage doors and control customers and smokers entering and leaving the premises. Staff positioned on the doors can help to encourage customers not to cause a noise problem. It may be that staff are required to manage doors after a certain time, particularly during the hours when neighbouring residents are trying to sleep.
- Ensure door supervisors maintain order outside venues and protect customer safety. The Licensing Authority supports the use of town link Radio and the 'Disc' system, other pager systems and pub watch schemes can be used to provide for rapid police response and alert other venues where customers and staff are endangered.
- Position signs to remind customers that the premises is in an area where people live. It is not always obvious in busy commercial streets with flats

above. By changing the design and wording of signs customers do not forget. Signs can be located in and outside the premises and on tables.

- Use CCTV to manage outside areas.

12.7 Minimising waste

Minimising waste, especially of single use, non-recyclable materials, is an important step to reducing the environmental impact of licensed premises. It can also help a business to become more efficient as well as demonstrating its commitment to its customers that it is a sustainable business. In October 2020 it became illegal, with some exceptions, to sell or supply single use plastics such as straws or drink stirrers. You can still supply and sell single-use straws and drink stirrers made from other materials or reusable alternatives.

There are other ways that licensed premises can minimise waste, such as:

- Using online menus instead of printed versions, or where menus and promotional materials are printed, ensuring they are on recycled materials and are not single use
- Allowing members of the public to refill water bottles to reduce plastic bottle waste.
- Improving recycling rates across all aspects of your business, forward facing and back office.
- Training staff on sustainability best practice.
- Reviewing options for reused and upcycled furnishings and fittings.

13.0 Protection of Children from Harm

- 13.1 Family friendly premises are to be encouraged but the risk of harm to children remains a paramount consideration when applications are determined.
- 13.2 The protection of children from harm includes their protection from moral, psychological and physical harm.
- 13.3 In relation to the exhibition of films, or transmission of programmes or videos, this includes protection from exposure to strong language, sexual expletives and violence. The Licensing Authority will expect licensees to implement measures which restrict children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification.
- 13.4 In certain circumstances, children are more vulnerable and their needs will require special consideration. This vulnerability includes their susceptibility to suggestion, peer group influence, inappropriate example, the unpredictability of their actions due to their age, and the lack of understanding of danger.
- 13.5 Applicants are advised to consider how they can demonstrate in the operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to safeguard children from harm.
- 13.6 Factors which may have an impact on the safety of children and give particular

cause for concern may include:

- where entertainment or services of an adult or sexual nature are commonly provided.
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors, or premises with a reputation for underage drinking.
- Proxy sales of alcohol to minors (ie adults purchasing for persons who are underage).
- The premises have a known association with illegal drug taking or dealing.

13.7 The following examples of control measures are given to assist applicants and are considered to be amongst the most important to be taken into account in an operating schedule. However, it is recognised that this policy applies to a wide range of premises and activities and not all the measures will necessarily be relevant to a particular application.

- Effective and responsible management and supervisory control of premises and associated open areas, including smoking areas
- Appropriate instruction, training and supervision of staff
- The keeping of appropriate written training records.
- Adoption of best practice guidance
- Complete exclusion of children, limitations on the hours when children may be present, restrictions from being in certain parts of the premises, or exclusion from certain activities.
- Imposition of requirements for children to be accompanied by an adult.
- Acceptance of 'proof of age' documentation, from time to time recognised by the Licensing Authority.
- Measures to ensure children do not purchase, acquire or consume alcohol.
- Ensuring adequate procedures are in place to prevent the purchase of age restricted products online by minors, and age checks upon delivery at off site addresses.
- Proper arrangement to be made to enable the personal licence holder to monitor the activity they have authorised.

13.8 Conditions which require the admittance of children to any premises cannot be attached to licences or certificates.

13.9 Where a premises provide gaming facilities licenced or permitted under the Gambling Act 2005, the Licensing Authority will expect measures to be in place to prevent children from accessing gaming machines. This should include the appropriate training of staff and the keeping of training records, as well as measures to ensure machines are appropriately monitored by staff. Such measures should be highlighted in the operating schedule.

13.10 All owners/licence holders and their staff should have a basic awareness of safeguarding. Risk assessment and training should address:

- Being alert to the possibility of child abuse and neglect
- Having enough knowledge to recognise an abusive or potentially abusive event or set of circumstances
- Knowing who in the organisation to raise your concerns with
- Being competent in taking the appropriate immediate or emergency action
- Knowing how to make a referral to Children's social care and/or the Police.

14.0 Advice and Guidance

- 14.1 Pre-application discussions with the responsible authorities are encouraged to assist applicants in developing their proposals and operating schedules. Officers of the Licensing Authority will endeavour to provide guidance at that stage of the process. Where an officer is representing the Licensing Authority in its role as a Responsible Authority, wherever possible another officer will be designated to process the application and provide applicant guidance.
- 14.2 The Council provides a pre-application service for people seeking advice on prospective planning applications including proposed changes to planning conditions controlling. This may involve, for example, hours of operation. Applicants for licenses are encouraged to consider the benefits of using that advice service in the interests of seeking to ensure their license proposals are, or can be made, consistent with separate planning controls that may apply to their premises. More information about the advice service is at this link <https://www.southend.gov.uk/info/200155/make-a-planning-application-and-planning-advice/365/planning-advice-and-guidance/2>
- 14.3 Where appropriate to do so, officers of the Licensing Authority will assist applicants to work with others who may make representations with a view to resolve areas of concern. Once an application has been lodged there are statutory timescales imposed on the application and determination process which restrict the opportunity for such discussions, liaison and mediation.
- 14.4 Contact details are set out Appendix A
- 14.5 The Licensing Authority is obliged by the Act to grant an application unless relevant representations are received. If there are no relevant representations the application will be dealt with by the Licensing Authority's licensing officers under the scheme of delegation. If there are relevant representations the application will be considered by the Licensing sub-committee at a public hearing.
- 14.6 Mandatory Conditions are imposed by the Act whether or not the application is opposed.
- 14.7 In determining applications for garages, (ie forecourt shops) the Licensing Authority must decide whether or not premises are primarily used as a garage and will expect applicants to submit data which establishes the primary use. Where such information is not available (because for example the premises have only just started trading), we may consider imposing a condition requiring this information to be provided to the Licensing Authority on a regular basis for the following years to ensure the premises are not primarily a garage
- 14.8 There are strong links between the Council's **Corporate Plan Priorities** ~~2050 vision~~ and Licensing Policy. Several outcomes can be positively influenced by good licensing controls and a well run licensed sector. ~~The Licensing Authority hope that applicants will engage with the 2050 vision in their applications.~~

Examples include:-

Corporate Plan Priorities of;

- **A growing city with a strong and prosperous community**
- **A safe city with a good quality of life for all**

Safe & Well:

~~14.8.1 People in all parts of the City feel safe and secure at all times~~

~~14.8.2 We are all effective at protecting and improving the quality of life for the most vulnerable in our community~~

~~14.8.3 Southenders are remaining well enough to enjoy fulfilling lives, throughout their lives~~

Opportunity and Prosperity

~~14.8.4 The Local Plan is setting an exciting planning framework for the City~~

~~14.8.5 We have a fast evolving, re-imagined and thriving town centre, with an inviting mix of shops, homes, culture and leisure opportunities.~~

14.9 The Licensing Authority draws the attention of applicants, licensees and responsible authorities to the Government's online resource for alcohol harm and licensing related data at the following link:-

<https://www.gov.uk/government/publications/alcohol-licensing-data-for-public-health-teams>

15.0 Representations

15.1 These may be made by either of the following:

(1) Responsible Authorities

A full list of the Responsible Authorities is given in Appendix A

(2) Any other person

Regardless of their geographical location, providing that the representation is not vexatious and frivolous in the opinion of the Licensing Authority.

15.2 Any representations must relate to the named premises and are restricted to the four licensing objectives. The Licensing Authority will need to be satisfied there is an evidential link between the representations made, the licensing objectives and the premises in question. Where a representation simply re-lists the licensing objections without stating why it is considered the grant of the application will undermine or fail to promote them, it may be rejected as invalid.

15.3 The Licensing Act 2003 (hearings) Regulations 2005 require the Licensing Authority to provide the applicant with copies of any relevant representations made **in full (including personal data such as name and address)**. ~~Any person making a representation to an application should bear in mind that their personal data (such as name and address) will be disclosed to the applicant.~~ **The Licensing Authority will not edit your letter of representation before it sends it out.**

All letters of representation will be contained in the agenda should the matter proceed to a sub-committee hearing. Such hearings are open to the public and may include the presence of members of the media. Furthermore, personal data may be published in the minutes which are distributed to all parties to the proceedings and available on the Council's website.

16.0 Licensing Committee

16.1 The Committee is composed of 15 Councillors. A contested application will be

heard by a sub-committee comprising 3 members of the Licensing Committee.

- 16.2 When considering applications the sub-committee will have regard to this Policy, statutory guidance, the Act and attached regulations and the licensing objectives.
- 16.3 Each application is considered on its individual merits.
- 16.4 Should the sub-committee decide to approve the application the mandatory licence conditions must be applied. In addition, the sub-committee will determine whether it is appropriate to attach other conditions to a licence, certificate or permission to secure achievement of the licensing objectives. Any such conditions will primarily focus on the direct impact of the activities taking place at the premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the vicinity of the premises.
- 16.5 In determining whether a person lives or has business interests sufficiently close to the premises so as to be likely to be affected by the proposed activities, the Licensing Authority will consider factors such as:
- The size of the premises
 - The nature of the premises
 - The distance of the premises from the location of the residence or business of the person making the representations
 - The potential impact of the premises (e.g. the number of customers and routes likely to be taken by its customers)
- 16.6 Conditions which seek to control the range or nature of activities within the premises, or which are designed to reduce the potential for anti-social behaviour, may be necessary. Such conditions may also seek to directly impact upon the behaviour of customers on, or within the immediate vicinity of, the premises.
- 16.7 The Licensing Authority will avoid attaching conditions which duplicate other regulatory regimes wherever possible.
- 16.8 A list of which matters will be dealt with at committee and those which are delegated to licensing officers can be found at appendix B.

17.0 Appeals

- 17.1 An appeal may be made to the Magistrates' Court against a decision of the Licensing Authority. The appeal must be made within 21 days of being notified of the decision to be appealed against.
- The following may appeal:
- The applicant
 - A Responsible Authority or any person who made relevant representations
 - In the case of a review, the holder of the licence or certificate being reviewed

18.0 Reviews

- 18.1 A responsible authority or any person may ask the Licensing Authority to review a premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 18.2 The Licensing Authority will not normally engage its role as a Responsible Authority by calling reviews on behalf of other persons, such as local residents or community

groups. These individuals and groups are entitled to do so in their own right where there are sufficient grounds.

- 18.3 Where Responsible Authorities have concerns about problems identified at a premises, the Licensing Authority considers it to be good practice for them to give licence holders early warning of their concerns and the need for improvement. Where possible and/or appropriate it would be expected that advice and guidance in addressing the issue(s) should be given.
- 18.4 The Licensing Authority draws the attention of Responsible Authorities to the Home office publication, "The Practical Guide for Preventing And Dealing with Alcohol Related Problems - What You Need To Know".

Summary Reviews (Violent Crime Reduction Act 2006)

- 18.5 Where premises are associated with serious crime or serious disorder a senior police officer (Superintendent or above) may apply for a summary review of a premises licence.
- 18.6 If a summary review is applied for, the Licensing Authority must consider the application within 48 hours (time that is not on a working day is disregarded) and determine what interim steps to take, if any, of those listed below:
- the modification of the conditions of the premises licence;
 - the exclusion of the sale of alcohol by retail from the scope of the licence;
 - the removal of the designated premises supervisor from the licence;
 - the suspension of the licence.
- 18.7 Although the law allows the decision to be determined in the absence of the premises licence holder, the Licensing Authority will endeavour to always notify the licence holder of the application having been made and of the time, date and place that it will be determined, in order to afford the licence holder or representative the opportunity to attend.
- 18.8 Where the Licensing Authority decide to take any of the interim steps, its decision has immediate effect and an immediate notice of the decision must be given to the licence holder.
- 18.9 Where the licence holder makes representation in respect of the decision, the Licensing Authority must hold a hearing within 48 hours (time that is not on a working day is disregarded) of receipt of the representations and, unless they are withdrawn, consider those representations and any made by the police; consider whether the interim steps are necessary for the promotion of the licensing objectives; determine whether to withdraw or modify the steps taken.
- 18.10 The Licensing Authority must also hold a full review hearing within 28 days.

Closure of Premises

- 18.11 Under the Anti-Social Behaviour, Crime and Policing Act 2014, Closure Notices can be issued by the police or local authority for 24 hours (and up to 72 hours where necessary) when satisfied there are reasonable grounds:
- that the use of particular premises has resulted or is likely soon to result in nuisance to members of the public; or
 - that there has been or is likely soon to be disorder near those premises associated with the use of those premises.

- 18.12 Closure Orders up to a period of three months can be sought from a Magistrates Court by police and local authorities once a Closure Notice has been issued. The court may make a Closure Order if it is satisfied:
- that a person has engaged, or is likely to engage, in disorderly, offensive or criminal behavior on the premises; or
 - that the use of the premises has resulted, or is likely to result, in serious nuisance to members of the public; or
 - that there has been, or is likely to be, disorder near those premises associated with the use of the premises;
 - and that the order is necessary to prevent the behavior, nuisance or disorder from continuing, recurring or occurring.
- 18.13 Breach of a notice or order is a criminal offence and carries the following sentences upon summary conviction
- Notice: Up to three months in prison.
 - Order: Up to six months in prison.
 - Both: Up to an unlimited fine for residential and non-residential premises.
- 18.14 Who Can Appeal?
- Any person who the closure notice was served on.
 - Any person who had not been served the closure notice but has an interest in the premises.
 - The Council (where closure order was not made and they issued the notice).
 - The police (where closure order was not made and they issued the notice).

19.0 Suspension of Licences for Non-Payment of the Annual Fee

- 19.1 The Licensing Authority is under a duty to suspend Premises Licences and Club Premises Certificates where the Licensee has failed to pay the annual fee within a prescribed period. Licences which are suspended shall cease to have effect during the suspension period.

~~20.0 Electronic Applications~~

- ~~20.1 In keeping with the Council's policy on the introduction of e-Government, the Licensing Authority consents to applications and other notices being given electronically where the Act and regulations allow.~~

~~The methods by which the Licensing Authority will accept electronic applications and notices is:-~~

- ~~• via the 'MySouthend' app on the council website www.southend.gov.uk~~
- ~~• by email on licact2003@southend.gov.uk~~

Appendices

The following appendices are attached to the policy rather than part of it. Accordingly, any edits made to them will not form part of a review of the Council's Statement of Licensing Policy

Appendix A

Contact details for the Licensing Authority and Responsible Authorities

All correspondence for the Licensing Authority should be addressed to:

The Licensing Authority

Southend-on-Sea City Council

Civic Centre

Victoria Avenue, Southend-on-Sea

Essex SS2 6ZG

Telephone: 01702 215005

Email licact2003@southend.gov.uk

The Responsible Authorities are:

a) The Chief Officer of Police

Licensing Department (Alcohol & Gambling)

Essex Police

Blyth's Meadow

Braintree

Essex

CM7 3DJ

Telephone: 101 ext 452035

Email licensing.applications@essex.police.uk

b) The Fire Authority

The Divisional Commander

Essex County Fire and Rescue Service

Southend and Rochford Community Command

Sutton Road (Rear of Fire Station)

Southend-on-Sea

Essex SS2 5PX

Telephone: 01702 614433

c) The Health and Safety Enforcing Authority

Either (in respect of premises subject to Local Authority Enforcement)

The Food Safety Team

Regulatory Services

Southend-on-Sea City Council

Civic Centre, Victoria Avenue

Southend-on-Sea SS2 6ZG

Telephone: 01702 215005

Email environmentalhealth@southend.gov.uk

or (in respect of premises subject to enforcement by the Health and Safety Executive)

The Health and Safety Executive
Wren House
Hedgerows Business Park
Colchester Road
Chelmsford
Essex CM2 5PF

Telephone: 01245 706200

d) The Local Planning Authority

The Development Control Section
Southend-on-Sea City Council
Civic Centre, Victoria Avenue
Southend-on-Sea SS2 6ZG

Telephone: 01702 215327

e) The Local Authority with functions related to prevention of risk of pollution of the environment:-

The Environmental Protection Team
Southend-on-Sea City Council
Civic Centre, Victoria Avenue
Southend-on-Sea SS2 6ZG

Telephone: 01702 215005

Email environmentalhealth@southend.gov.uk

f) The body recognised by the Licensing Authority as being responsible for matters in relation to the protection of children from harm, and as being competent to advise on such matters:-

The Department of Children & Learning
PO Box 6
Southend-on-Sea City Council
Civic Centre
Victoria Avenue
Southend-on-Sea
Essex SS2 6ZG

Telephone: 01702 215000

g) The Weights and Measures Authority

The Trading Standards Team
Regulatory Services
Southend-on-Sea City Council
Civic Centre, Victoria Avenue
Southend-on-Sea SS2 6ZG

Telephone: 01702 215005

Email tradingstandards@southend.gov.uk

h) In relation to vessels only, the Navigation Authority having functions in relation to the waters where the vessel is usually moored or berthed. For this purpose, correspondence should be sent to:

The Navigation Authority
Port of London Authority
London River House
Royal Pier Road
Gravesend
DA12 2BG

Telephone: 01474 562200

i) The Public Health Authority

The Director of Public Health
Southend-on-Sea City Council
Civic Centre
Victoria Avenue, Southend-on-
Sea Essex SS2 6ZG

j) Home Office (Immigration Office)

Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon CR9 2BY

Email alcohol@homeoffice.gov.uk

k) The Licensing Authority in its role as a Responsible Authority

The Licensing Authority
Southend-on-Sea City Council
Civic Centre
Victoria Avenue, Southend-on-Sea
Essex SS2 6ZG

Telephone: 01702 215005
Email licact2003@southend.gov.uk

Applicants are not expected to submit a duplicate copy of their applications for the consideration of the Licensing Authority in its role as a responsible authority (unless the plan is bigger than A3). The copy submitted for administration of the application will be forwarded electronically.

Any further enquiries or assistance can be obtained from the Licensing Authority on the telephone number given above. These addresses were correct at the time of going to press but are subject to change without notice. ~~Any change made will not form part of a review of the Council's Statement of Licensing Policy~~

Appendix B

The Licensing Committee is responsible for making Licensing (Act) decisions and the scheme of delegation is as follows:

| Matter to be dealt with | Full committee | Sub committee | Officers |
|--|----------------|-----------------------------------|------------------------------------|
| Application for a personal licence | | If a police objection is received | If no objection made |
| Application for premises licence or club premises certificate | | If a relevant representation made | If no relevant representation made |
| Application for a provisional statement | | If a relevant representation made | If no relevant representation made |
| Application to vary premises licence or club premises certificate | | If a relevant representation made | If no relevant representation made |
| Application for a minor variation of a premises licence or club premises certificate | | | All cases |
| Application to vary designated premises supervisor | | If a police objection is received | All other cases |
| Request to be removed as designated premises supervisor | | | All cases |
| Application for transfer of premises licence | | If a police objection is received | All other cases |
| Application to review premises licence or club premises certificate | | All cases | |
| Decision on whether a representation is irrelevant, frivolous or vexatious | | | All cases |
| Determination of a police objection to a temporary event notice | | All cases | |
| Application for interim authority | | If a police objection is received | All other cases |
| Decision on whether a representation is irrelevant, frivolous, vexatious etc. | | | All cases |

| | | | |
|--|--|-----------------------------------|-----------------|
| Removal of the requirement for a Designated Premises Supervisor (DPS) and Personal Licence at Community Premises | | If a police objection is received | All other cases |
|--|--|-----------------------------------|-----------------|

Appendix C

Glossary of terms

Age Verification Policy: Policies and procedures for verifying the age of customers to prevent underage sales of alcohol and other age restricted products, including the use of identification checks and staff training in age verification techniques. The Licensing Authority expects a ‘Challenge 25’ scheme to be in place at all premises’ which supply alcohol.

Alcohol Management Plan: A plan included in a premises licence application outlining measures to promote responsible alcohol consumption, such as staff training in responsible service of alcohol, refusal of service procedures, and promotion of non-alcoholic alternatives.

Community Engagement: Efforts made by licence applicants to engage with local residents, businesses, and community groups to address concerns and gather support for their licence application, such as holding public meetings or consultations.

Consultation Period: The period of time, set by regulation, during which applicable parties to the application can make a representation. The time varies according to the type of application, for example the consultation period on a premises licence is 28 days.

Cumulative Impact Policy (CIP): A policy adopted by a licensing authority under the Licensing Act 2003 to address concerns about the cumulative impact of licensed premises on a particular area, allowing the authority to refuse licence applications based on these concerns. Currently Southend does not have such a CIP but this would not prevent a representation being made on the cumulative impact a specific licensed premises application may have.

Designated Premises Supervisor (DPS): A person specified on a premises licence who is responsible for authorising the sale or supply of alcohol on the premises. The DPS must hold a valid personal licence.

Home Office Guidance to Licensing Authorities: Official guidance provided by the Home Office to licensing authorities regarding the implementation and enforcement of licensing

laws and regulations.

Interim Authority Notice (IAN): A notice that allows the continuation of licensable activities on premises following the death, incapacity, or insolvency of the premises licence holder, pending the grant of a new licence. Application must be made within 28 or the licence will lapse.

Karaoke: An activity involving the performance of music by individuals to pre-recorded backing tracks, often provided in licensed premises as a form of regulated entertainment.

Licensing Act 2003: The primary legislation governing the sale and supply of alcohol, the provision of regulated entertainment, and the sale of late-night refreshment in England and Wales.

Licensing Authority: The arm of the local authority responsible for issuing licences and regulating licensable activities within their jurisdiction under the Licensing Act 2003.

Licensing Objectives: The objectives outlined in the Licensing Act 2003 against which applications will be judged. The objectives are; the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm.

Licensable Activities: Activities regulated by the Licensing Act 2003, including the sale and supply of alcohol, the provision of regulated entertainment (such as live music, dancing, or indoor sporting events), and the sale of late-night refreshment.

Noise Management Plan: A plan included in a premises licence application detailing measures to minimise noise disturbance to neighboring properties, such as soundproofing measures, monitoring systems, or restrictions on outdoor activities.

On and Off Sales: The provision of alcohol for consumption both on and off the premises, permitted under certain licences.

Operating Schedule: A document submitted as part of a premises licence application that outlines how the licensable activities will be conducted on the premises, including proposed hours of operation, measures for the prevention of crime and disorder, and steps to promote public safety.

Pre-application Consultation: The obligation for licence applicants to consult with relevant stakeholders, including responsible authorities and local residents, before submitting a premises licence application or proposed variation.

Premises Licence: A licence granted under the Licensing Act 2003 that authorises the holder to carry out licensable activities on specific premises, such as selling alcohol or providing regulated entertainment.

Private Events: Occasions held on licensed premises that are restricted to specific invited guests or members, often requiring special permissions or temporary event notices.

Public Notice: A notice displayed at or near the premises and published in a local newspaper to inform the public of a premises licence application or variation, allowing interested parties to make representations. Public notices in online only 'newspapers' are not permitted.

PSPO (Public Space Protection Order): A measure introduced by local authorities in England and Wales to address specific nuisances or problems affecting a particular area, which may include restrictions on street drinking or other behaviours. Details of the latest PSPOs in Southend can be viewed on the Council website.

Representation: Objections or comments in favour made by interested parties, including residents, businesses, and responsible authorities, regarding licence applications or proposed variations to licences.

Responsible Authorities: Public bodies, such as the police, fire and rescue authorities, and environmental health authorities, which have a role in the licensing process and can make representations about licence applications.

Review: A process under the Licensing Act 2003 whereby the licensing authority may review a premises licence if there are concerns about the conduct of licensable activities on the premises or if representations have been made against the licence.

Security Industry Authority (SIA): A regulatory body responsible for regulating the private security industry in the United Kingdom, including licensing individuals working in roles such as door supervision, security guarding, and CCTV operation.

Security Measures: Measures implemented to ensure the safety and security of staff and customers on the premises, including the presence of trained security personnel, CCTV surveillance, and access control systems.

Substantial Meal: A meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal.

Substantial Table Meal: For the purposes of any references to a substantial table meal this means a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purposes of a table.

Table Meal: A table meal is a meal eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure serving the purposes of a table.

Temporary Event Notice (TEN): A notice served under the Licensing Act 2003 by individuals or organisations wishing to hold temporary licensable activities at a premises that does not have a premises licence. Only The Police and Environmental Health can

make representation against a TEN.

Training Requirement: The obligation for individuals involved in the sale or supply of alcohol to undergo relevant training, to ensure they understand their legal responsibilities and obligations under the Licensing Act 2003.

Variations: Changes or amendments made to an existing premises licence, such as alterations to licensable activities, hours of operation, or conditions. Variations fall into include two categories:

- **Major Variations:** Significant changes to the premises licence, such as alterations to the layout of the premises, changes to licensable activities, or extensions to operating hours, which require a formal application process and involve public consultation and hearings.
- **Minor Variations:** Small adjustments to the premises licence that do not substantially alter the nature of the licensed activities, such as changes to the layout of the premises or amendments to existing conditions. Decision of these is delegated to the Licensing Officer and there is no hearing or right of appeal on the decision.

Appendix D

Application process

Applications for all premises licences and temporary event notices can be made online by using the links to the online forms at [Licensing - Alcohol and Entertainment](#) -

Alternatively, applications can be submitted by post to:

The Licensing Authority
Southend-on-Sea City Council Civic Centre
Victoria Avenue, Southend-on-Sea
Essex SS2 6ZG

Applications for personal licences can be made via [mySouthend](#) with the original qualification certificate and original DBS certificate being sent to the address above.

Electronic applications

The Licensing Authority will accept online and electronic applications, however all relevant documents must be supplied together with the appropriate fee. All hard copy applications will be treated in line with the relevant regulations and all applications and relevant documentation must continue to be submitted in their entirety and not in stages to avoid the potential for any errors.

Where applications have been submitted online (through the Authority's own facility), the Licensing Authority is responsible for sending copies of the application to the Responsible Authorities for consultation. However, if any part of the application is submitted in writing, the applicant must send copies of these parts to the Responsible Authorities.

Any advertising requirements must still be met whether the application is submitted electronically or in writing and this remains the responsibility of the applicant.

This Authority will continue to assist the applicant in correcting any minor factual errors in their applications. However, the Licensing Authority shall not consider errors to fall within this category which, if permitted could potentially breach relevant regulations nor errors which could result in changes to consultation dates. The interpretation of obvious factual errors shall rest with the Licensing Authority.

Personal licence

New applications

To apply for a new Personal Licence, applicants must be over 18 years of age and will need to submit:

- a completed application form and a declaration form completed by the applicant that either they have not been convicted of a relevant offence or a foreign relevant offence or that they have been convicted of a relevant offence or a foreign offence accompanied by details of the nature and date of the conviction and any sentence imposed on them in respect of it
- two passport photographs (one of which must be certified as a true likeness)
- the original of the applicant's licensing qualification certificate
- a basic criminal conviction certificate, or a criminal record certificate, (or share code to the check) or the results of subject access search on the police national computer by National Intelligence Service,
 - the criminal checks must not be more than 1 calendar month old when the application is received
- Proof of the applicant's right to work in the UK
- the appropriate fee

Renewals

It is no longer necessary to renew personal licences. Personal licences that were previously issued showing an expiry date are still valid.

Change of name or address to an existing Personal Licence

You must let us know:

Your name, address and contact details

The name of the business and its address

Details of the change

Once we receive your notification, and appropriate fee, we will issue you with an updated personal licence.

Premises licence and Club certificates

To apply for a Premises Licence or Club Premises Certificate under the provisions of Section 17/71 of the Licensing Act 2003. It should be noted that the forms are prescribed forms issued by the Government.

Applications should be completed and submitted online at www.southend.gov.uk

Please read the instructions and guidance notes before completing the form. When submitting the application, the following must be attached:

- the appropriate application fee, – please note a further fee for a Premises Licence or Club Certificate is payable annually on the anniversary of the granting of the application, and non-payment of this fee will be treated by the Licensing Authority as a serious matter and will result in the suspension of the licence
- a plan of the premises which complies with the Regulations
- if alcohol is to be sold, the consent form completed by the proposed Designated Premises Supervisor
- if the applicant is an individual(s), proof of the entitlement to work in the UK

It is a requirement that copies of the application and supporting documentation are sent to the Responsible Authorities for consultation, detailed in Appendix A

For electronic applications the Licensing Authority will circulate the application and accompanying documents to the Responsible Authorities for consultation. If a paper application is submitted, the applicant must submit the application and documents to the Responsible Authorities

This must be done on the same day that the application is given to the Licensing Authority.

The application must be advertised by publishing a notice in a physical local newspaper on at least one occasion during the period of ten working days after the day on which the application was given to the Licensing Authority. The published notice must contain the prescribed information as detailed in 'Advertising Applications Guidance Notes' below.

Additionally, a notice must be displayed prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises. This notice must be in the prescribed format on pale blue paper and contain the required information in a minimum of font 16. It must be displayed for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority. A notice template can be downloaded from

www.southend.gov.uk

Failure to comply with any of the above requirements will mean that the application is not valid and cannot be considered.

Variations

Applications to vary a premises licence or club certificate should be made online where possible and the same process for new applications regarding advertisements and notification of Responsible Authorities must be completed.

Minor variations

Minor variations will generally fall into the following four categories:

- i. minor changes to the structure or layout of a premises
- ii. small adjustments to licensing hours
- iii. the removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions
- iv. the addition of certain licensable activities

Many small variations to layout will have no adverse impact on the licensing objectives. However, changes to layout should be referred to the full variation process if they could potentially have an adverse impact on the promotion of the licensing objectives, for example by:

- increasing the capacity for drinking on the premises;
- affecting access between the public part of the premises and the rest of the premises or the street or public way, for instance, block emergency exits or routes to emergency exits; or
- impeding the effective operation of a noise reduction measure such as an acoustic lobby.

Variations are excluded from the minor variations process and must be treated as full variations in all cases if they are to either:

- extend licensing hours for the sale or supply of alcohol for consumption on or off the premises between the hours of 11pm and 7am
- increase the amount of time on any day during which alcohol may be sold or supplied for consumption on or off the premises

Applications to reduce licensing hours for the sale of alcohol or to move (without increasing) the licensed hours between 7am and 11pm will be normally classed as minor variations.

Applications to vary the time during which other licensable activities take place should

be considered on a case-by-case basis with reference to the likely impact on the licensing objectives.

It is strongly recommended that applicants for variations discuss their proposals with the Licensing Authority to ensure the correct application is made.

Applications for minor variations should be made online at www.southend.gov.uk and be accompanied by the statutory fee and amended plans (if applicable).

The application must be advertised on a white A4 notice at the premises, and contain basic details such as:

- a brief description of the proposed variation
- name of the applicant or club
- address of the premises
- date by which any interested party may make representations

This notice must remain on the premises for the consultation period of 10 working days. During the consultation period, the Licensing Authority will consider the application and may consult with any of the Responsible Authorities.

Variation of Premises Licence (Designated Premises Supervisor)

An application to vary a premises licence where there has been a change of the designated premises supervisor must be in the prescribed form and accompanied by:

- the premises licence
- a form of consent in the prescribed form given by the individual whom the applicant wishes to have specified in the premises licence as the premises supervisor
- the fee

The application should be submitted online; if a hard copy is submitted then the applicant must send a copy of the application and all accompanying documents must also be sent to the police at the address in Appendix A.

Club Premises Certificate

The process of applying for a Club Premises Certificate and / or for variation to that Certificate is similar to that for a Premises Licence except that, because there is no 'sale of alcohol' involved, only a 'supply' that is managed by or on behalf of the club, neither a Designated Premises Supervisor nor a Personal Licence Holder is required.

Conditions attached to premises licences and club premises certificates

Where applicable, mandatory conditions as laid out in the Licensing Act 2003 and any

subsequent legislation will be attached to Premises Licences and Club Premises Certificates when granted.

Conditions may also be added to Premises Licences and Club Premises Certificates in line with the operating schedule submitted by the applicant and mediation with the Responsible Authorities. A pool of model conditions is provided to assist applicants. The Licensing Sub-Committee may also attach conditions following a hearing.

Advertising Applications Guidance Notes

In the case of an application for a Premises Licence under Section 17, for a Provisional Statement under Section 29, to vary a Premises Licence under Section 34, or a Club Premises Certificate under Section 84, the person making the application shall advertise the application, in both cases in a prescribed format and contain the appropriate information. The format of advertisement and information to be included is:—

(A) By displaying a notice:

For a period of no less than 28 consecutive days, starting on the day after the day on which the application was given to the relevant licensing authority, by displaying a notice:

(i) which is -

- Ⓐ of a size equal or larger than A4;
- Ⓑ of a pale blue colour;
- Ⓒ printed legibly in black, in a font of a size equal to or larger than 16.

(ii) In all cases, prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises, covering an area exceeding 50m square, a further notice in the same form and subjected to the same requirements, every 50m along the external perimeter of the premises abutting any highway; and

(B) By publishing a notice:

(i) in a physical local newspaper, or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;

(ii) on at least one occasion during the period of ten working days, starting on the day after the day on which the application was given to the relevant licensing authority.

In the case of an application for a Premises Licence - Section 17, or a Club Premises Certificate - Section 71, the notices shall contain a statement of the relevant licensable activities or relevant qualifying club activities as the case may require, which is proposed will be carried on or from the premises. The statement shall include information on the days and times that any licensable activities will take place.

(i) In the case of an application for a Provisional Statement, the necessary notices:

- Ⓐ shall state that representatives are restricted after the issue of a Provisional Statement; and
- Ⓑ where known, may state the relevant licensable activities which it is proposed will be carried out on or from the premises.

(ii) In the case of an application to vary a Premises Licence or a Club Premises Certificate, the required notices shall briefly describe the proposed variation

(iii) In all cases the required notices shall state:

- Ⓐ the name of the applicant or club;
- Ⓑ the postal address of the premises or club premises, if any; or if there is not postal address for the premises, a description of those premises sufficient to enable the location and extent of the premises to be identified;
- Ⓒ the postal address and, where applicable, the worldwide web address where the register of the licensing authority is kept and where and when the record of the application may be inspected;
- Ⓓ the date by which an interested party or responsible authority may make representations to the licensing authority;
- Ⓔ that representations shall be made in writing;
- Ⓕ that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence (level 5 on the standard scale).

Advertisement of applications by the Licensing Authority

The Licensing Act 2003 (Premises Licences and Club Premises Certificates) (Amendment) Regulations 2012, which came into effect on 25 April 2012 introduced a requirement for a Licensing Authority to advertise, by way of a notice of its website, all applications for Premises licences under section 12, for provisional statements under section 29, variation of a premises licence under section 34 (except where the only variation sought is the inclusion of an alternative licence condition), for club premises certificate under section 71 or to vary a club premises certificate under section 84.

This notice must remain on the website for a period no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority.

Temporary Event Notice (TEN)

The Licensing Act 2003 provides for certain occasions when small, occasional events

(no more than 499 people at a time and lasting no more than 168 hours) do not need a licence providing that a minimum of 10 working days' notice is given to the Police, Environmental Protection Team and Licensing Authority. The aim of the system of Temporary Event Notices (TENs) is to minimise the regulatory burden on such events, many of which will be run by community groups.

The process involves sending notification of an event, in the form of a Temporary Event Notice (TEN), to the Police, Environmental Health Service and Council in whose area the event is being held at least 10 working days before the day on which the event begins.

The Council will issue an acknowledgement if the TEN is valid. Essex Police and Southend City Council's Environmental Protection Team can object to a TEN if the event is likely to undermine the licensing objectives. Where Essex Police or the Environmental Protection Team submit an objection to the notice, the licensing authority will hold a hearing to consider the objection.

Licensing authorities will be given discretion to apply existing licence conditions to a TEN if there are objections from Essex Police or the Council's Environmental Protection Team.

Activities that can be covered by a Temporary Event Notice are:

- provision of regulated entertainment
- sale by retail of alcohol
- the supply of alcohol by or on behalf of a club
- provision of late-night refreshment

To ensure TENs benefit small events only, they are subject to certain limitations. These are:

- no more than 499 people (including staff/organisers) attending at any one time
- an individual is limited to giving 5 TENs in a calendar year, unless they are a personal licence holder, in which case they can give 50
- a limit of 15 temporary event notices may be given in respect of any particular premises in a calendar year
- an event may last no longer than 168 hours
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises is 21 days

Organisers of TENs are strongly advised to contact the Licensing Authority, the Environmental Health Service and Essex Police for advice at the earliest opportunity when planning events, to avoid any unnecessary objections being made that may arise from misunderstandings or confusion as to what is being proposed.

Late Temporary Event Notices (Late TEN)

The Licensing Act 2003 allows event organisers to submit up to 10 "late notices" per

year if they hold a personal licence and 2 "late notices" if they do not hold a personal licence. These "late notices" can be submitted to the Licensing Authority, Essex Police and the Environmental Health Service between 5 and 9 working days before the event. However, the Secretary of State's Guidance states that "They should not be used save in exceptional circumstances".

It should be noted that if either the Police or the Council's Environmental Protection team submits an objection to a late notice the Council will issue a counter notice prohibiting licensable activities for the duration of the TEN. Late TENs are included within the maximum allowance for a premises and person.

It should also be noted that giving a Temporary Event Notice does not relieve the premises user from any requirement, under planning law, for appropriate planning permission where it is required. (Please contact the Planning Department to seek further guidance)

Hearings

A hearing must be held within a prescribed period of time where relevant representations are made in respect of any licensing application or issue of a Temporary Event Notice and notices must be sent to each party informing them of the date.

The Licensing Act 2003 (Hearings) Regulations 2005 (legislation.gov.uk) lists those provisions, the timescales within which hearings have to be held and those persons to whom notices must be given.

Appendix E

Pool of Model Conditions

The Responsible Authorities have produced this pool of model conditions to assist applicants in developing an operating schedule for presentation with their licence application. It represents those conditions which the authorities consider may be appropriate to a range of premises types and modes of operation and may be referred to when assessing whether to comment on an individual application or when liaising with an existing licence holder.

They are not standard conditions to be applied to each premises of a certain type. This pool is not an exhaustive list of conditions that an applicant, or responsible authority may propose. The Act requires that the merit of each application is individually reviewed and examined.

Where a condition includes {text in brackets} this indicates a choice of wording may be applicable.

For ease, the conditions have been placed into themes as below:

- General – all four licensing objectives
- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm; and
- Conditions applicable only to events/festivals or the dis-applying of the exemptions related to (otherwise) regulated entertainment upon review.

Furthermore, the third column in the tables that follow indicates the types of premises to which the relevant condition may be of most relevance, but this does not exclude it from any other type..

| | |
|-----|---|
| A | Pubs, wine bars etc. in urban settings (sales after midnight) |
| B | Pubs, wine bars etc. in urban settings (<u>no</u> sales after midnight) |
| C | Pubs, wine bars etc. in rural settings |
| D | Qualifying clubs (Club Premises Certificate) |
| E | Night-clubs |
| F | Café bars |
| G | Hotels (premises operated exclusively as such) |
| H | Off-sales only premises |
| I | Restaurants (primarily operated as such) |
| J | Other entertainment venues (e.g. cinemas, bowling alleys, leisure complexes, licensed function rooms) |
| K | Take-away outlets |
| L | Festivals and music events |
| M | Any premises following review, warning or incidents of cause for concern |
| ALL | A condition that may be of relevance to any premises that sells or supplies alcohol |

General – all four licensing objectives

| Number | Condition | Application to premises type |
|--------|--|------------------------------|
| 1 | There shall be a personal licence holder on duty on the premises at all times when alcohol is offered for sale. | A, E |
| 2 | After (HH:MM) on {every day/specified days} there shall be a personal licence holder on duty on the premises when alcohol is offered for sale. | A, E |

| Number | Condition | Application to premises type |
|--------|---|------------------------------|
| 3 | A Clubscan/IDSCAN or similar system shall be operated at the premises. All persons entering the premises shall provide verifiable ID and have their details recorded on the system. | E |
| 4 | <p>An individual may not supply alcohol unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder.</p> <p>Such consent shall include the name and signature of both parties and the date of signing. This document shall be reviewed and updated at least annually.</p> <p>A written record of this consent will be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.</p> | ALL |
| 5 | <p>The Licensing Authority and Essex Police shall be provided with 21 days' notice where an event is to be held which is organised by an external promoter or is promoted/advertised to the public by an external promoter.</p> <p>This notice shall include full details of the nature of the event and the promoter and be e-mailed to licact2003@southend.gov.uk and the central police licensing team (the address of which appears on the Essex Police website).</p> | E, J, L |
| 6 | There shall be no events at the premises that are organised, promoted or advertised by an external promoter (i.e. by an individual/organisation not directly related to the management of the premises). | E, J |
| 7 | In addition to water, other non-alcoholic beverages shall be available at all times whilst alcohol sale or supply takes place. | ALL |

Prevention of Crime and Disorder

| Number | Condition | Application to premises type |
|--------|---|------------------------------|
| 8 | <p>The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system that at all times complies with the below requirements:</p> <ul style="list-style-type: none"> i. CCTV shall be provided in the form of a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition; ii. CCTV cameras shall cover {all public areas including} all entrances and exits and all areas where the sale of alcohol takes place; iii. Equipment shall be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days; iv. At all times, whilst the premises is open for licensable activities, there shall be members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request; v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with; vi. An operational daily log report shall be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failure, this will be recorded immediately. | A, B, E |
| 9 | <p>In addition to any local storage of CCTV images; CCTV images shall be (at the close of opening hours or contemporaneously) uploaded to an {off-site CCTV storage facility or to an off-site cloud based storage system} and remain accessible for a period of 31 days.</p> <p>These images shall be capable of being made available in accordance with paragraph IV above in the event of an on-site system failure or access issue.</p> | M |
| 10 | <p>Any failure of the CCTV system which cannot be rectified within {24} hours of discovery shall be reported to the central Essex Police Licensing Team by phone or e-mail (contact details as per Essex Police website).</p> | E |
| 11 | <p>The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:</p> | C, F, H, I |

| Number | Condition | Application to premises type |
|--------|--|------------------------------|
| | <ul style="list-style-type: none"> i. CCTV shall be provided in the form of a recordable system, capable of providing pictures of evidential quality {in all lighting conditions} particularly facial recognition; ii. CCTV cameras shall cover all entrances {and exits} and the areas where alcohol sales take place; iii. Equipment shall be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of {31} days; iv. Upon the reasonable request of the Licensing Authority or Police staff, within 48 hours viewable copies of recordings will be provided. | |
| 12 | Signs shall be displayed at all entrances {and exits} advising customers that CCTV is operating at the premises and shall be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities. | All (where CCTV in use) |
| 13 | <p>An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon reasonable request.</p> <p>The log shall be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:</p> <ul style="list-style-type: none"> (a) {all crimes reported to the venue} (b) {all ejections of patrons} (c) {any complaints received concerning crime and disorder} (d) {any incidents of disorder} (e) {all seizures of drugs or offensive weapons} (f) {any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence} <p>The incident log shall either be electronic or maintained in a bound document with individually numbered pages and be retained for at least {12} months from the date of the last entry.</p> | All |
| 14 | <p>Where SIA licensed door supervisors are used at the premises a record shall be maintained (on the premises) which is legible and details:</p> <ul style="list-style-type: none"> i. The day and date when door supervisors were deployed; ii. The name and SIA registration number of each door supervisor on duty at the premises; and iii. The start and finish time of each door supervisor's worked duty period. | All |

| Number | Condition | Application to premises type |
|--------|--|--|
| | This record shall be retained on the premises for 31 days and be immediately provided to police or licensing authority staff upon reasonable request. | |
| 15 | Where SIA licensed door supervisors are employed at the premises (either directly or via a third party) a check of the current validity of each door supervisor's licence shall be conducted via the SIA website at the commencement of employment at the premises and monthly thereafter and recorded in a log. This log shall be retained for at least {6} months after the last recorded check and be immediately provided to police or licensing authority staff upon reasonable request. | All venues where door staff are utilised |
| 16 | Door supervision by SIA licensed door supervisors must be provided {every day/on (specify days)}. On these days, door supervisors must be on duty {at all times/from (HH:MM)} whilst the premises is open and for at least {30} minutes after the premises has closed. | A, B, E, K, L |
| 17 | On {all days/specify days} at least {insert number} SIA licensed door supervisors shall be on duty at the {premises/location at the premises} {at all times/from (HH:MM)} whilst the premises is open and for at least {30} minutes after the premises has closed. | A, B, E, K, L |
| 18 | On any occasion where the premises conducts licensable activities past (HH:MM) hours, at least {insert number} SIA licensed door supervisors must be on duty from (HH:MM) hours until at least {30} minutes after the premises closes. | A, B, E, K, L |
| 19 | All persons entering or re-entering the premises shall {at all times/after (HH:MM)} be searched by a SIA licensed door supervisor for drugs and concealed weapons. Prominent signs (minimum size 200 x 148 mm) to this effect shall be displayed at all entrances and be legible to prospective patrons whilst the premises is open for licensable activities. | A, E |
| 20 | No persons shall be admitted or re-admitted to the premises {at any time/after (HH:MM)} unless they have passed through a metal detecting search arch and, if the search arch is activated, physically searched by a SIA licensed door supervisor. Prominent signs (minimum size 200 x 148 mm) to this effect shall be displayed at all entrances and be legible to prospective patrons whilst the premises is open for licensable activities. | M |
| 21 | {At all times/ after (HH:MM) each day/ on specified days} SIA licensed door supervisors shall supervise any queue to enter the premises that forms outside the premises. | A, E, J, L |
| 22 | All SIA licensed door supervisors engaged at the premises for the purpose of supervising or controlling queues or customers must wear high visibility {jackets/vests/ armbands} | ALL |

| Number | Condition | Application to premises type |
|--------|---|------------------------------|
| 23 | <p>At all times, admission to the premises shall remain under the exclusive control of the premises' management and staff and any SIA licensed door supervisors deployed shall be hired (directly or indirectly) by the premises licence holder, designated premises manager or some other responsible person directly involved in the management of the premises.</p> <p>This requirement exists even where:</p> <ul style="list-style-type: none"> i. The premises is hired/used by independent promoters; or ii. An arrangement exists with an independent promoter who arranges an event that includes admission to the premises. | E, J |
| 24 | <p>The premises shall have in place and operate a zero tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances and advertise the same within the premises on posters and similar means.</p> <p>This policy shall specifically include but not be limited to:</p> <ul style="list-style-type: none"> i. Searching practices upon entry; ii. Dealing with patrons suspected of using drugs on the premises; iii. Scrutiny of spaces including toilets or outside areas; iv. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors); v. Staff training regarding identification of suspicious activity and what action to take; vi. The handling of items suspected to be illegal drugs or psychoactive substances vii. Steps taken to discourage and disrupt drug use on the premises viii. Steps to be taken to inform patrons of the premises drug policy/practices <p>A copy of this policy document shall be lodged with the Police {and Licensing Authority}.</p> | A, B, E, J, L |
| 25 | <p>During the period in which the premises is open for licensable activities, toilets shall be checked on at least an hourly basis for the purpose:</p> <ul style="list-style-type: none"> a) of detecting and deterring the use of controlled drugs and psychoactive substances; and b) maintaining public safety. <p>A record of these checks shall be maintained with the date, time, and condition of the toilets and staff member conducting the check.</p> | A, E |

| Number | Condition | Application to premises type |
|--------|---|------------------------------|
| | These records shall be made contemporaneously, retained at the premises for at least {3} months and made available immediately upon demand to Licensing Authority or Police staff. | |
| 26 | A suitable drugs safe/cabinet shall be fitted and any seized items shall be deposited in it. The safe shall be installed at the {main entrance/location} and only the police shall have the access keys. Any seized items shall be placed in a clear bag with a label stating the circumstances of why it is in the safe. | E, J |
| 27 | Between (HH:MM) and (HH:MM) no sales of alcohol for consumption off the premises may take place. | ALL |
| 28 | Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises {at all times/up to (HH:MM) hours}. | F, I |

Public Safety

| Number | Condition | Application to premises type |
|--------|--|------------------------------|
| 29 | {At all times/after (HH:MM) hours} no persons shall be permitted to take bottles, glasses or drinking vessels {from the premises/into (specified area)}. Conspicuous signage of a minimum A5 size (200mm x 148 mm) shall be displayed, at each ingress/egress point explaining this policy. | ALL |
| 30 | {At all times/after (HH:MM) hours on all/specified days} drinks must only be served in {polycarbonate/plastic and/or toughened glass} containers. | ALL |
| 31 | Drinks shall only be served in {polycarbonate/plastic and/or toughened glass} containers; save with the exception of bottles of champagne (or similar) or spirits supplied by waiter/waitress service to tables. Customers shall not be permitted to leave their table carrying any such glass bottles. | E, J |
| 32 | No more than {X} customers shall be permitted on the premises at any one time. | E, J, L |
| 33 | A qualified first-aider shall be on the premises after (HH:MM) each day when the premises is open for the sale of alcohol. The first aider must have a valid (non-expired) qualification in Emergency First Aid at Work or higher. | E, L |

Prevention of Public Nuisance

| Number | Condition | Application to premises type |
|--------|--|------------------------------|
| 34 | Other than wine or spirits, no product with an alcohol by volume content above 6.5% may be sold or offered for sale. | H |
| 35 | No product with an alcohol by volume content above {insert percentage} may be sold or offered for sale. | H |
| 36 | No beers, lagers or ciders over {insert figure} % ABV shall be sold by retail in plastic or metal containers. | H |
| 37 | All alcoholic drinks offered for sale for consumption off the premises shall be clearly labelled with the name and postcode of the premises. | H |
| 38 | Clear and legible notices shall be prominently displayed at any area used for smoking requesting customers to respect local residents and use the area quietly. {These signs shall be a minimum size of A5 (200mm x 148 mm)}. | ALL + K |
| 39 | Between (HH:MM) and (HH:MM) no use shall be made of {specified external areas such as smoking area/beer garden etc.} | ALL + K |
| 40 | Customers shall not enter or leave the premises by (insert specific entrances or exits) {at any time/after (HH:MM)}, except in the event of an emergency. | ALL + K |
| 41 | {All external emergency exit doors or other specified exit/entry doors} shall be fitted with sensor alarms and visible indicators to alert staff when the doors have been opened. | ALL + K |
| 42 | Between (HH:MM) and (HH:MM) no persons shall be admitted or re-admitted to the premises {except for persons who have temporarily left the premises to smoke}. Notices to that effect of a minimum of A5 size (200mm x 148mm) will be displayed at the premises' exits. | A, E |
| 43 | Between (HH:MM) and (HH:MM) patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them. Notices to that effect of a minimum of A5 size (200mm x 148mm) will be displayed at the premises' exits. | ALL |
| 44 | Between (HH:MM) and (HH:MM) no persons shall be re-admitted unless from a designated smoking area. Notices to that effect of a minimum of A5 size (200mm x 148mm) will be displayed at the premises' exits. | ALL |
| 45 | Customers shall not be permitted to remove from the premises late night refreshment provided at the premises between {(HH:MM) and (HH:MM)} hours. | I, F |

| | | |
|----|--|------------|
| 46 | Between (HH:MM) and (HH:MM) alcohol shall be sold or supplied only to residents and their bona fide guests. | G |
| 47 | Customers shall not be permitted to remove from the premises any drinks supplied by the premises in open containers. | ALL |
| 48 | Outside tables and chairs {specify location as necessary} shall be rendered unusable and immovable by (HH:MM) hours each day. | ALL + K |
| 49 | There shall be a {specify} minute period where music volume is reduced and lighting increased before the end of the provision of live or recorded music. | A, E, L |
| 50 | Except when being used for access or egress by a patron, all external windows and doors shall be kept shut {at all times when music is being played} and/or {after (HH:MM) hours at any other time}. | ALL |
| 51 | No music, nor late night refreshment, shall be provided to external areas {at any time/after (HH:MM) hours}. | |
| 52 | Queuing outside the premises shall be restricted to a designated area located at (specify location) | ALL + K |
| 53 | A written dispersal policy shall be formulated and provided to the Licensing Authority and Police which amongst other things details: <ul style="list-style-type: none"> • How patrons leaving the premises shall be directed away from the premises; • How patrons will be informed of the services of taxi and private hire operators; • What staff will be responsible for supervising those leaving the premises and how they will supervise such persons; • Any 'wind' down periods; • Methods to prevent re-entry to the premises; • How bottles and glasses will be prevented from being removed from the premises at closing time. | A, E, K, L |
| 54 | The premises shall comply with the Portman Group's Retailer Alert Bulletins (RABs) as they relate to Portman Group's Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. | H |
| 55 | The premises shall operate as a restaurant: <ol style="list-style-type: none"> i. In which customers must be seated at a table; ii. Which provides substantial table meals that are prepared on the premises and are served and consumed at the table; iii. Which do not provide any take away service of food or drink for immediate consumption; and iv. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. | I |
| 56 | Service of alcohol shall be by waiter/waitress only to patrons seated at a table and who have or intend to have a substantial meal. | I |
| 57 | No persons shall be supplied with alcohol at a bar or place of similar description within or outside the premises. | I |

| | | |
|----|--|------|
| 58 | Between (HH:MM) and (HH:MM) a minimum of {insert number} 'covers' where table meals may be consumed shall be provided. | F, I |
|----|--|------|

Protection of Children from Harm

| Number | Condition | Application to premises type |
|--------|--|------------------------------|
| 60 | There shall be no striptease or nudity except when the premises are operating under the authority of a Sexual Entertainment Venue licence. | M |
| 61 | The premises shall display prominent signage indicating [at any point of sale] {at the entrance to the premises} {in all areas where alcohol is located} that it is an offence: {for a person under the age of 18 to buy or attempt to buy alcohol}; or {buy, or attempt to buy, alcohol for a person under the age of 18}. | ALL |
| 62 | A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a: <ul style="list-style-type: none"> • Biometric Home Office photo ID • European National ID Card • Ministry of Defence Form 90 (Defence Identity Card) • Passport (UK or International) • Photo Driving Licence (UK or European) • Proof of Age Standards Scheme (PASS) card <p>Where Home Office approved (not yet approved) digital proof of identity assurance technology is in use, this condition applies only when confirming that a person is 18 years or older following a failure of that technology to do so.</p> | ALL |
| 63 | The premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a 'Challenge 25' policy is in force. At the point of sale, such signs shall be a minimum size of A5 (200mm x 148mm). | ALL |
| 64 | A legible refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the full name of the staff member refusing the sale. All entries shall be made as soon as possible and in any event within 4 hours of the refusal and the record shall be made | ALL |

| Number | Condition | Application to premises type |
|--------|---|------------------------------|
| | <p>immediately available to Police, Trading Standards or Licensing Authority staff upon reasonable request.</p> <p>The refusals record shall be either electronic or maintained in a bound document and retained for at least {12} months from the date of the last entry.</p> | |
| 65 | Each till at the premises shall incorporate a system which immediately identifies that an age restricted product is the subject of the proposed sale and produces an appropriate age prompt to the operator. | H, M |
| 66 | <p>All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.</p> <p>Written training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to Police, Trading Standards or Licensing Authority staff upon reasonable request.</p> <p>Such records shall include the name and signature of the trainee and the date and subject of the training course.</p> | ALL |
| 67 | <p>Persons under the age of 18 years shall not be allowed entry to the premises save on occasions when either:</p> <ul style="list-style-type: none"> • An 'under 18' event is held without the sale or supply of alcohol, or • The premises are exclusively used for a private function, for example wedding reception, engagement party employers Christmas party etc. and any person under 18 is accompanied by a responsible adult. | E, L |
| 68 | No person under the age of 18 years of age shall be permitted to enter or remain on the premises {unless they are accompanied by an adult} when the sale or supply of alcohol takes place; save to enter/exit residential parts of the building. | ALL |
| 69 | At all times when entertainment, activity or services of an adult nature takes place (which is not subject to a sexual entertainment licence) no persons under the age of 18 shall be permitted to be present. | ALL |
| 70 | <p>All staff employed in licensed areas of the premises shall have received training in the recognition of child sexual exploitation and the steps to be taken when such activity is suspected. Refresher training shall be carried out at least annually.</p> <p>Written training records shall be kept on the premises for a minimum of 12 months and made immediately available to Police or Licensing Authority or authorised child protection staff upon</p> | ALL |

| Number | Condition | Application to premises type |
|--------|--|------------------------------|
| | request. Such records shall include the name and signature of the trainee and the date of the training course. | |
| 71 | No events solely for those under the age of 18 will be permitted on the premises. | M |
| 72 | <p>Where the premises is used to hold an event advertised primarily for persons under the age of 18 years of age:</p> <ul style="list-style-type: none"> i. At least 1 male and 1 female SIA licensed door supervisor shall be on duty; ii. No person shall be admitted without being searched for alcohol, controlled drugs, psychoactive substances or weapons; iii. No person aged 18 years of age or older shall be admitted – except for staff or event organisers; iv. No sale or supply of alcohol shall take place in any part of the premises until all persons at that event have been cleared from the premises; v. At least one person will be made available throughout the event who has been subject of an enhanced DBS (including child barred list) check. | |

Special Events

| Number | Condition | Application to premises type |
|--------|---|------------------------------|
| 73 | <p>The premises licence operator or their agent shall complete an Event Management Plan in respect of the {time limited event/licensed event}.</p> <p>This EMP shall be first submitted to the Licensing Authority no later than {insert number of weeks} weeks before the event.</p> <p>No later than {insert number of} weeks before the intended first day of the event, the Licensing Authority and Safety Advisory Group shall be provided with a final version of the EMP for consideration.</p> <p>{Where the Licensing Authority or a Safety Advisory Group declares the final version of the EMP as unsatisfactory and specifies that it considers that one or more of the licensing objectives is likely to be undermined the {sale/supply of alcohol and/or the provision of regulated entertainment{ shall not be permitted under the licence.}}</p> <p>{Where the licensing authority or a Safety Advisory Group states it cannot approve the final version of the EMP specifies that it considers that one or more of the licensing objectives is likely to be undermined the {sale/supply of alcohol and/or the provision of regulated entertainment{ shall not be permitted under the licence.}}</p> <p>{Where the final version of the EMP is not rejected, this shall be complied with and no changes may be made to it without the prior written consent of the Licensing Authority.}}</p> | L . |

Miscellaneous

| | | |
|----|---|--|
| 74 | <p>{At least X} {all} door supervisor(s) supervising the entrance to the premises shall wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the Licensing Authority upon reasonable request.</p> <p>OR</p> <p>{At least X} {all} door supervisor(s) shall wear Body Worn Video Cameras (BWV). Recordings of BWV shall be retained for a minimum of 31 days and be made available to Essex Police or an authorised officer of the Licensing Authority upon reasonable request.</p> <p>OPTIONS</p> <p>These devices shall be capable of continuous recording for at least 6 hours and shall be used in a continuous recording mode whilst a door supervisor is performing licensable activities.</p> <p>OR</p> <p>These devices shall be set to record whenever a door supervisor uses or foresees the use of force.</p> <p>OR</p> <p>Door supervisors shall be required to activate the recording function of such devices under the following conditions:</p> <ol style="list-style-type: none"> 1. Any use of force situations; 2. When it may be reasonably supposed a use of force situation is imminent; 3. When conducting a non-intimate consensual search as a condition of entry; 4. When dealing with an individual who is making threats of violence toward any other person; or 5. Initial scene capture where a criminal offence appears to have taken place. | |
| 75 | <p>Each and every door supervisor employed at the premises shall have:</p> <ol style="list-style-type: none"> a) Undertaken a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by a SIA - endorsed awarding organisation and has a SIA required qualification for trainers); and b) To have received such training in the last 12 months. | |

| | | |
|----|---|---|
| | <p>c) Proof of a) and b) to be made available to police, SIA or licensing authority staff within 3 working days.</p> <p>OPTION</p> <p>Within one month of the grant of this licence 50% of door supervisors on duty at any one time shall have received the training shown at a) above rising to 100% within two months thereafter.</p> | |
| 76 | Off-sales shall not be permitted to persons on or in the immediate vicinity of the premises: sales of alcohol for consumption off the premises may only be made to persons at another location to whom alcohol will be delivered by the licence holder or his agent. . | H |
| 77 | Where alcohol is to be delivered to a customer; proof of age consistent with the mandatory condition shall be required before the delivery is completed. | H |
| 78 | Order payments shall only be taken by credit/debit card via web sales {or telephone} (no payment will be accepted at the door). | H |
| 79 | Alcohol sales shall only be made where a food sale takes place as part of the same transaction. | H |
| 80 | On commencement of initial employment at the venue, each door supervisor shall be briefed by both a head doorman and a management representative which covers use of force, the tone to be set etc. and a record made of who delivered the briefing and to whom. This briefing will be refreshed every six months and similarly recorded. | H |
| 81 | The premises shall not directly employ door supervisors, rather any door supervisors deployed at the premises must be employed via a third party contractor who is a member of the SIA Approved Contractor Scheme (and approved for door supervision) and where the door supervisors are not self-employed operatives. | H |
| 82 | The Designated Premises Supervisor and those in a management or supervisory position shall have undertaken a managing customer conflict in hospitality course (or similar) which provides evidence of completion. Such evidence of completion shall be maintained in the individual's training record. | H |

Meeting: Cabinet
Date: 24 June 2024
Classification: Part 1
Key Decision: Yes
Title of Report: **Review of the Council's Statement of Gambling Policy**

Executive Director: Alan Richards
Report Author: Adam Penn

1. Executive Summary

- 1.1. Members are invited to consider a draft revised Gambling Policy Statement, (contained in Appendix 1), as the basis for formal consultation and to allow the Council to follow their statutory obligation set out in the Gambling Act 2005. (the Act)

2. Recommendations

- 2.1 It is recommended that Cabinet:** endorses the draft revised Policy document, enabling consultation to commence. Once consultation is complete, the final policy document will be approved by Licensing Committee before proceeding to Full Council.

3. Background

- 3.1 The Council's Statement of Policy under the Act was approved in December 2021 and came into force on 31st January 2022. The Council is legally required to review the policy on a prescribed 3 yearly cycle. It is thus imperative that the Council undertakes the review process and publishes its Statement of Policy before the beginning of 2025.
- 3.2 Before determining the Policy for each three-year period, the Licensing Authority must consult:
- a) The Chief Officer of Police for the Licensing Authority's area;
 - b) One or more persons who the Licensing Authority considers to represent the interests of persons carrying on gambling business in the authority's area, and
 - c) One or more persons who appears to the Licensing Authority to represent the interests of persons affected by the exercise of the authority's functions under the Act

- 3.3 In determining its policy the Licensing authority must have regard to the Gambling Commission publication 'Guidance to Licensing Authorities'. (GLA)
- 3.4 The Government are currently consulting on a review of the Gambling Act 2005. Any changes will need to go through the parliamentary process.
- 3.5 The Gambling Commission have advised that they anticipate that it is likely that any revisions to the Act will be on the statute in early summer and that a review of the GLA will then be necessary. It is anticipated by the Commission that the publication date of the revised GLA document following consultation will be sometime in Autumn 2024.
- 3.6 This leaves The Council in a situation whereby our Statement of Licensing Policy will require updating to reflect changes made to the Act and the GLA. This task will be impossible to undertake as there will be insufficient time from publication of the final GLA to carry out a meaningful consultation and present a final policy to Cabinet before the existing policy expires on 31st January 2025.
- 3.7 It is therefore proposed that Council re-adopts the current policy, following a consultation with the parties listed at 3.2 above, as it stands with some cosmetic amendments, for the next three-year period (January 2025 to January 2028). This will provide sufficient time for The Authority to carry out a further full review, in light of any changes to the Act and the Gambling Commissions changes to the GLA, and for a review to take place as soon as possible following the publication of these documents in order that the policy can be updated at the earliest convenience.

4. Reasons for Decisions

- 4.1. To enable the Council to comply with its statutory duty under Section 349 of The Gambling Act 2005.

5. Other Options

- 5.1. Should the Council fail to approve a final Statement of Policy, it will be in breach of its statutory duty under Section 349 of The Gambling Act 2005.
- 5.2. The deadline for publication of the Policy is 31st January 2025.
- 5.3. A fully revised policy could be consulted on, but without the benefit of knowing the outcome of the changes to the Act and GLA there is a risk that the final policy would be out of sync with both documents. In this scenario the further review proposed at 3.7 above would be required in any case and in light of this it is not considered that another option exists.

6. Financial Implications

- 6.1. The annual licence fees form part of the overall budget for the Council; however, fee levels do not form part of this policy. The Act requires that fees are set at a level which covers the cost of administering the system without making a profit.

7. Legal Implications

- 7.1. Section 349 of the Gambling Act requires all licensing authorities to prepare and publish a statement of the principles that they propose to apply in exercising their functions under the Act during the three-year period to which the policy applies

8. Policy Context

- 8.1 The Statement of Licensing Policy sets out the principles which Southend-on-Sea City Council, as the Licensing Authority under the Gambling Act 2005, intends to apply in discharging its functions to licence premises for gambling under the Act.

9. Carbon Impact

- 9.1. No carbon impact.

10. Equalities

- 10.1. In light of the changes being cosmetic only (eg 'Borough' changed to 'City' etc) it is not anticipated that there will be an impact. The previous equalities assessment will be reviewed and attached to the cabinet report for the final policy

11. Consultation

- 11.1. Section 349 of the Gambling Act requires that all Licensing Authorities consult on a draft policy prior to approving a final policy. If Cabinet choose to simply readopt the current policy the consultee list will be less extensive than normal and will comprise the statutory consultees in the main. These are outlined in section 3.2 above. The public will still be able to respond if they wish, via the Council consultation portal and The Gambling Commission and all responsible authorities under the Act are also consulted

12. Appendices

- 12.1. **Appendix 1:** Draft Statement of Gambling Licensing Policy.

13. Report Authorisation

| This report has been approved for publication by: | | |
|--|------------------|--------------|
| | Name: | Date: |
| S151 Officer | Joe Chesterton | 01/05/24 |
| Monitoring Officer | Susan Zeiss | 01/05/24 |
| Executive Director(s) | Alan Richards | 01/05/24 |
| Relevant Cabinet Member(s) | Cllr Ian Gilbert | 26/05/24 |

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Note to reader:- all references to 'Borough Council' have been changed to 'City Council'. All other edits are highlighted in red.

Gambling Licensing Policy Statement **2025-2027**

Version History

Adopted 3rd January **2025**

| Version No: | Period to which policy applies: | Review date: |
|-------------|---------------------------------|--------------|
| 1 | 2007-09 | 2009 |
| 2 | 2010-12 | 2012 |
| 3 | 2013-16 | 2015 |
| 4 | 2016-19 | 2017 |
| 5 | 2017-19 | 2018 |
| 6 | 2019-22 | 2021 |
| 7 | 2022-25 ₂₀₉ | 2024 |
| 8 | 2024-27 | 2026 |

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Part A

1.0 Introduction

1.1 This Statement of Licensing Policy sets out the principles by which Southend-on-Sea City Council, as the Licensing Authority under the Gambling Act 2005 (referred to in this document as 'the Act'), intends to apply in discharging its functions to licence premises for gambling under the Act as well as:-

- designating the body responsible for advising the Authority on the protection of children from harm;
- determining whether or not a person is an "Interested Party";
- exchanging information with the Gambling Commission and others; and
- inspecting premises and instituting court proceedings for offences committed under the Act.

2.0 The Licensing Objectives

2.1 In exercising most of its functions under the Act, Licensing Authorities must have regard to the Licensing Objectives as set out in Section 1 of the Act. The Licensing Objectives are:-

- 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; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.0 Description of the District

3.1 The County of Essex comprises 12 District and 2 Unitary Authorities. Southend-on-Sea City Council is one of those Unitary Authorities. The number of premises licensed under the Act saw steady growth when the legislation came into force but started to stagnate in 2012 and decreased in 2013 and 2014. There has been little change since then although in 2016 there was some small growth in the Adult Gaming Centre sector. There was a decline in betting shop numbers in 2020, thought to be as a result of the maximum stake reduction on B2 machines. A map of the area is attached to this Policy document at Annex 'D'

4.0 Responsibilities Under the Act

4.1 The Act introduced a licensing regime for gambling, to be conducted by the Gambling Commission and by Licensing Authorities, depending on the matter to be licensed.

4.2 Southend-on-Sea City Council is the Licensing Authority for the area shown on the attached map, whose responsibilities must be discharged by the Licensing Committee created under Section 6 of the Licensing Act 2003.

4.3 The Gambling Commission is responsible for issuing Operating and Personal Licences to persons and organisations who:-

- operate a casino;
- provide facilities for playing bingo or for pool betting;
- provide betting or act as intermediaries for betting.
- make gaming machines available for use in Adult Gaming Centres and Family Entertainment Centres;
- manufacture, supply, install, adapt, maintain or repair gaming machines;
- manufacture, supply, install or adapt gambling machine software; or
- promote a lottery.

4.4 The Licensing Authority is responsible for licensing premises in which gambling takes place. All types of gambling are included, other than spread betting and the National Lottery. It is also responsible for issuing permits for premises with gaming machines and for receiving notices from operators wishing to use unlicensed premises for gambling on a temporary basis. The Licensing Authority has additional responsibility for the registration of certain types of exempt Small Society Lotteries.

4.5 The Licensing Authority cannot become involved in the moral issues of gambling and must aim to permit the use of premises for gambling in so far as it thinks it :-

- a) in accordance with any relevant Code of Practice under Section 24 of the Act;
- b) in accordance with any relevant Guidance issued by the Gambling Commission under Section 25;
- c) reasonably consistent with the Licensing Objectives (Subject to paragraphs a) and b))and
- d) in accordance with the Licensing Authority's Statement of Licensing Policy (subject to paragraphs a) and c)).

Before the Licensing Authority can determine an application for a Premises Licence, an Operating and Personal Licence, or both, must have been obtained from the Gambling Commission.

5.0 Statement of Licensing Policy

5.1 The Licensing Authority is required by the Act to publish a Statement of Licensing Policy which contains the principles it proposes to apply when exercising its functions under the Act.

5.2 This Policy must be reviewed and published every three years. The Policy must also be reviewed from 'time to time' and any proposed amendments and/or additions must be subject to fresh consultation. The 'new' Policy must then be published.

5.3. This Policy takes effect on 31st January 2025 and replaces the policy previously in force.

6.0 Consultation

6.1 In producing this Policy, the Licensing Authority consulted widely before finalising and publishing it. In addition to the statutory consultees (listed below), the Council chose to consult with additional local groups and individuals. A full list of all groups and persons consulted is provided at Annex 'A'.

6.2 The Act requires that the following parties are consulted by the Licensing Authority:-

- The Chief Officer of Police for the Authority's area;
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area; and
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

6.3 The other groups and people consulted included:-

- Organisations, working with people who are problem gamblers,
- Responsible Authorities under the Act.
- Public Health

6.4 Consultation took place between ??? and ??? 2024

7.0 Approval of Policy

7.1 This Policy was approved at a meeting of the full Council on ??? 2024 and was published via its website shortly afterwards. Copies are available on request.

7.2 It should be noted that this Policy does not override the right of any person to make an application, to make representations about an application, or to apply for a review of a licence, as each case will be considered on its own merit and according to the requirements of the Act.

8.0 Declaration

8.1 The Licensing Authority declares that it has had regard to the Licensing Objectives, formal Guidance issued to Licensing Authorities and any responses from those consulted during the consultation process, and will adopt the Principles of Better Regulation.

8.2 The Council recognises its responsibilities under equality legislation and will monitor the impact of these statutory duties through its various corporate schemes such as the Councils "Comprehensive Equality Policy".

9.0 Responsible Authorities

9.1 A full list of the Responsible Authorities designated under the Act and their contact details are given in Annex 'B'. It should be noted that under the Act, the Licensing Authority itself is designated as a Responsible Authority.

9.2 The Licensing Authority is required to designate, in writing, a body that is competent to advise it about the protection of children from harm. In making this designation the following principles have been applied:-

- the competency of the body to advise the Licensing Authority;
- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
- the need for the body to be answerable to democratically elected persons rather than any particular interest group etc.

9.3 In accordance with the Gambling Commission's Guidance to Local Authorities, the Licensing Authority designates Southend-on-Sea City Council's Department of Safeguarding for Children.

10.0 Interested Parties

10.1 Interested Parties can make representations about licensing applications or apply for a review of an existing licence. An Interested Party is defined in the Act as follows:-

'... a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraphs (a) or (b).'*

10.2 Interested parties can be people who are democratically elected such as councillors and Members of Parliament. Where appropriate this will include county, parish and town councillors.

Interested parties can also be trade associations, trade unions, residents' associations and tenants' associations. Providing that these people represent those living or having business interests in the area which might be affected, no specific evidence of authorisation is required.

Otherwise, the licensing authority will generally require a third party to produce some form of authorisation to speak on behalf of an interested party.

10.3 Whether a person is an interested party will be determined on a case by case basis. The types of organisations which may be considered to have business interests will be given a wide interpretation.

10.4 In determining if a person lives or has business interests sufficiently close to the premises that they are likely to be affected by the authorised activities, the Licensing Authority will consider the following factors:-

- The size of the premises;
- The nature of the premises;
- The distance of the premises from the location of the person making the representation;
- The potential impact of the premises (e.g. number of customers, routes likely to be taken by those visiting the establishment);
- The circumstances of the complaint. This does not mean the personal characteristics of the complainant but the interest of the complainant, which may be relevant to the distance from the premises;
- The catchment area of the premises (i.e. how far people travel to visit); and
- Whether the person making the representation has business interests in that catchment area that might be affected.

10.5 The Licensing Authority will decide if a representation made in respect of an application is valid based on the following factors:

- It is not frivolous or vexatious.
- It raises issues that relate to Guidance issued by the Gambling Commission.
- It raises issues that relate to this policy.
- It relates to the Licensing Objectives.

11.0 Exchange of Information

11.1 In its exchange of information with parties listed in Schedule 6 of the Act, the Licensing Authority will have regard to:-

- the provisions of the Act, which include the provision that the Data Protection Act 1998 will not be contravened;
- the Guidance issued by the Gambling Commission;
- relevant Legislation and Regulations

11.2 In accordance with Section 350 of the Gambling Act 2005, the Licensing Authority may exchange information with the following statutory bodies or individuals:

- A constable or police force
- An enforcement officer
- A licensing authority
- Her Majesty's Revenue and Customs
- The Gambling Appeal Tribunal
- The Secretary of State
- Scottish Ministers
- Any other person or body designated by the Secretary of State in accordance with the Act.

11.3 The Licensing Authority may also exchange information provided by applicants with law enforcement agencies for purposes connected with the prevention and detection of crime, but we will only share any personal details for this purpose if required to do so by law.

12.0 Public Register

12.1 The Licensing Authority is required to keep a public register and share information in it with the Gambling Commission and others. Regulations prescribe what information should be kept in the register. Copies of the register may be obtained on payment of a fee.

13.0 Compliance and Enforcement

13.1 In exercising its functions with regard to the inspection of premises and to instituting criminal proceedings in respect of offences specified, the Licensing Authority will follow best practice. This requires that actions should be

- Proportionate - Intervention will only be when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised.
- Accountable - The Authority must be able to justify decisions and be subject to public scrutiny.
- Consistent - Rules and standards must be joined up and implemented fairly.
- Transparent - Enforcement should be open and regulations kept simple and user friendly.
- Targeted - Enforcement should be focused on the problems and minimise side effects.

13.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible, and adopt a risk based inspection programme. All enforcement action is taken having regard to the **Council's Environment and Regulatory Enforcement Policy**.

13.3 The main enforcement and compliance role of the Licensing Authority in terms of the Act, is to ensure compliance with the Premises Licence and other permissions which it authorises. The Gambling Commission is the enforcement body for Operating and Personal Licences. Concerns about the manufacture, supply or repair of gaming machines are not dealt with by the Licensing Authority but will be notified to the Gambling Commission.

13.4 The Licensing Authority will keep itself informed of developments as regard to the Department for Business, Energy & Industrial Strategy in its consideration of the regulatory functions of Local Authorities, and will have regard to best practice.

13.5 Where appropriate, complaints will be investigated in accordance with the stepped approach outlined in the **Environment and Regulatory Enforcement Policy**. A copy of this document is available on the Council website. In the first instance we encourage complaints to be raised directly with the licensee or business concerned.

13.6 As part of its ongoing inspection regime, The Licensing Authority may carry out test purchasing to ascertain if a licensee has robust policies in place to prevent underage gambling. Licence

holders will always be advised of the outcome of the test. Where operators carry out their own test purchasing, and The Licensing Authority is unable to obtain the results from the Primary Authority, we would expect this information to be provided by the operator when requested. Should the results show a failure then the Licensing Authority will, in the first instance, work with the operator to review and improve their policies and procedures.

13.7 Where there is a Primary Authority Scheme in place, the Licensing Authority will seek guidance from the Primary Authority before taking any enforcement action on matters covered by that scheme. At the time of the publication of this policy there were **seven** Primary Authority arrangements with host local authorities:

- Ladbrokes/Corals/**Welcome Break** - Milton Keynes
- Paddy Power/**William Hill/BACT/MOTO** - Reading

Part B - Premises Licences

14.0 General Principles

- 14.1 Premises Licences are subject to the permissions/restrictions set out in the Act as well as the specific mandatory and default conditions detailed in Regulations issued by the Secretary of State. The Licensing Authority is able to exclude default conditions and also attach others, where it is thought appropriate.
- 14.2 In accordance with section 150 of the Act, premises licences can authorise the provision of facilities on:
- casino premises
 - bingo premises
 - betting premises, including tracks and premises used by betting intermediaries
 - adult gaming centre premises (for category B3, B4, C and D machines)
 - family entertainment centre premises (for category C and D machines) (note that, separate to this category, the licensing authority may issue a family entertainment centre gaming machine permit, which authorises the use of category D machines only).
- 14.3 Each case will be decided on its merits, and will depend upon the type of gambling that is proposed, as well as taking into account how the applicant proposes that the Licensing Objective concerns can be overcome.
- 14.4 The Licensing Authority is required by the Act, in making decisions about Premises Licences, to permit the use of premises for gambling so far as it thinks it:-
- a) in accordance with any relevant Code of Practice under Section 24 of the Act;
 - b) in accordance with any relevant Guidance issued by the Gambling Commission under Section 25;
 - c) reasonably consistent with the Licensing Objectives (Subject to paragraphs a) and b))and
 - d) in accordance with the Licensing Authority's Statement of Licensing Policy (subject to paragraphs a) and c)).

14.5 Definition of Premises

In the Act 'premises' is defined as including 'any place'. It is for the Licensing Authority (having due regard for the Gambling Commission Guidance) to determine on the merits of each application whether different parts of a building can be regarded properly as separate premises.

The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed).

14.6 Demand

Demand is a commercial consideration and is not an issue for the Licensing Authority.

14.7 Location

Location will only be a material consideration in the context of the Licensing Objectives.

14.8 The Act is clear that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Licensing Authority will pay particular attention to the objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

14.9 In order for location to be considered, the Licensing Authority will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives. From 6th April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10, that licensees assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

14.10 The LCCP also states that licensees must review (and update as necessary) their local risk assessments:

- a) to take account of significant changes in local circumstance, including those identified in this policy;
- b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c) when applying for a variation of a premises licence; and
- d) in any case, undertake a local risk assessment when applying for a new premises licence.

14.11 The Licensing Authority expects the local risk assessment to consider as a minimum:

- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area, and how game rules, self-exclusion leaflets etc. are communicated to those groups
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather

14.12 In every case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

14.13 Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- Where an area has a high proportion of people who do not have English as their first language, The Licensing Authority will expect this to be reflected in the local area risk assessment. The provision of signage and documents relating to games rules, gambling care providers and other relevant information being provided in both English and the other prominent first language(s) for that locality should be considered.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide betting machines.

The Licensing Authority expects all licensed premises' to have their local area risk assessment available on site for inspection by an authorised officer at all times when they are trading.

14.14 Such information may be used to inform the decision the council makes about whether to grant a licence, to grant a licence with special conditions or to refuse an application.

14.15 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

14.16 Local Area Profile

Each locality has its own character and challenges. In order to assist applicants, where there is an issue in a local area which impacts on how the applicant should complete their risk assessment, the Licensing Authority has published a local area profile (LAP). The LAP is published as a separate document to this policy and does not form part of it. The LAP may be reviewed by the Licensing Authority at any time. Such a review would not constitute a review of this policy. On reviewing the LAP the licensing authority will work with other parties, including Public Health, to gather appropriate information.

14.17 The LAP should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the LAP and assessment, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations. The LAP should not be taken as the definitive overview of a particular area and applicants are encouraged to use their own local knowledge in addition to the content of the LAP to inform their local risk assessments.

14.18 The Licensing Authority recognises that it cannot insist on applicants using the local area profiles when completing their risk assessments. However, an applicant who decides to disregard the LAP should be alert to the risk that they may face additional representations and the expense of a hearing as a result. A template of a suggested local risk assessment form for use is included at **Annex D**. Applicants and licence holders may use this template or create their own.

14.19 Duplication with other Regulatory Regimes

Duplication with other statutory/regulatory regimes will be avoided where possible. The Licensing Authority will not consider whether a licence application is likely to be granted Planning Permission or Building Control consent.

14.20 The Licensing Objectives

Premises Licences granted must be reasonably consistent with the three Licensing Objectives. With regard to these Objectives, the following will be considered:-

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime –**

The Licensing Authority is aware that there is a distinction between disorder and nuisance and that the prevention of nuisance is not a Licensing Objective under the Act.

Whilst the Licensing Authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime, it will pay attention to the proposed location of gambling premises in terms of this Licensing Objective.

Where an area has known high levels of crime, the Licensing Authority will consider carefully whether gambling premises are suitable to be located there and the need for conditions, such as the provision of Door Supervisors.

- **Ensuring that gambling is conducted in a fair and open way –**

The Gambling Commission does not generally expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way. However, the Licensing Authority will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising

or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice.

- **Protecting children and other vulnerable persons from being harmed or exploited by gambling –**

In practice, the Objective of protecting children from being harmed or exploited by gambling often means preventing them from taking part in, or being in close proximity to, gambling.

There is no definition of the term 'vulnerable person' in the Act, but this could include people who are gambling beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, or substance misuse of alcohol or drugs.

The Licensing Authority will consider very carefully whether applications for Premises Licences in respect of gambling premises located close to schools, centres for gambling addicts, or residential areas where there may be a high concentration of families with children, should be granted, and will fully scrutinise the control measures outlined in an operator's local area risk assessment in this regard.

The Licensing Authority will consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

14.21 Conditions & Plans

The Licensing Authority is aware that the mandatory and default conditions imposed by the Gambling Commission will normally be sufficient to regulate gambling premises. In exceptional cases where there are specific risks or problems associated with a particular locality, specific premises or class of premises the Authority may consider attaching individual conditions related to the Licensing Objectives.

Any conditions attached to Licences will be proportionate and will be:-

- relevant to the need to make the proposed premises suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

In addition, the Licensing Authority will examine how applicants propose to address the Licensing Objectives. In considering applications the Licensing Authority will particularly take into account the following, if deemed appropriate:-

- Proof of age schemes;
- Closed Circuit Television;
- Door Supervisors;

- Supervision of entrances/machine areas;
- Physical separation of areas;
- Location of entrances;
- Notices and signage;
- Specific opening hours; and
- With particular regard to vulnerable persons, measures such as the use of self-barring schemes, provision of information, leaflets, helpline numbers for organisations such as GamCare;

14.22 It is recognised that there are conditions which the Licensing Authority cannot attach to Premises Licences. These are:-

- any conditions on the Premises Licence which make it impossible to comply with an Operating Licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);
- conditions in relation to stakes, fees, and the winning of prizes.

14.23 Credit

Credit facilities are prohibited from being provided in casinos and bingo licensed premises. Cash machines (ATM's) may be installed in such premises but the Licensing Authority may apply conditions as to where they are sited.

14.24 Betting Machines [See Annex C for definition]

In relation to Casinos, Betting Premises and Tracks, the Licensing Authority can restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a Betting Premises Licence or to a Casino Premises Licence (*where betting is permitted in the Casino*).

14.25 When considering whether to impose a condition to restrict the number of betting machines in particular premises, the Licensing Authority, among other things, shall take into account:-

- the size of the premises;
- the number of counter positions available for person to person transactions; and
- the ability of staff to monitor the use of the machines by children and young persons or by vulnerable persons.

14.26 In deciding whether to impose conditions to limit the number of betting machines, each application will be considered on its own merit and account will be taken of Codes of Practice or Guidance issued under the Act.

14.27 In all applications where a plan is required to be submitted, The Licensing Authority expectation is that, it will be in a scale of 1:100 unless otherwise agreed in writing and that, as a minimum, it will show the following (as appropriate to the type of application):

- The extent of the proposed licensed area
- All entry and exit points (including fire exits)
- CCTV camera positions
- Positions of betting terminals, high pay out machines (including fixed odds betting terminals) and ATM's
- Any fixed or permanent structures including counters
- Privacy screens (see also section 21 of this policy)
- All unlicensed areas under the control of the licensee including any 'sterile area's' and toilet and kitchen facilities be they for staff or public use.

15.0 Provisional Statements

15.1 An application for a provisional statement may be made in respect of premises which the applicant

- expects to be constructed
- expects to be altered
- expects to acquire a right to occupy.

The applicant should refer to the Act and the detailed information provided in the Guidance.

16.0 Reviews

16.1 Applications for a Review of a Premises Licence may be made by Responsible Authorities and Interested Parties.

16.2 It is for the Licensing Authority to decide whether the review is to be carried out. This decision will generally be on the basis of whether the request for the review is relevant to the matters listed below:-

- Whether the grounds for the request raises issues relevant to the principles to be applied by the Licensing Authority and set out within the Licensing Authority Statement of Policy;
- Whether the grounds for the request are frivolous or vexatious.
- Whether the grounds for the request would certainly not cause the Licensing Authority to alter/revoke/suspend the Premises Licence;
- Whether the grounds for the request are substantially the same as previous representations or requests for a review.
- In accordance with any relevant codes of practice issued by the Gambling Commission.
- In accordance with any relevant guidance issued by the Gambling Commission.

- Reasonably consistent with the Licensing Objectives.

16.3 In accordance with the Guidance. The Licensing Authority can also initiate a review of a Licence on the basis of any reason which it thinks is appropriate.

17.0 Adult Gaming Centres

17.1 An Adult Gaming Centre is defined in Annex 'C'. Entry to these premises is age restricted.

17.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

18.0 Licensed Family Entertainment Centres

18.1 A Licensed Family Entertainment Centre is defined in Annex 'C'. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use.

18.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

19.0 Casinos

19.1 A casino is defined in Annex 'C'. Entry to these premises is age restricted.

19.2 The Licensing Authority is empowered to pass a resolution not to issue new licences for casinos in its area. No such resolution has been made.

19.3 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

19.4 Betting Machines

Conditions may be imposed, in accordance with paragraphs 14.24, 14.25 and 14.26, above.

19.5 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice or Guidance issued under the Act.

19.6 Credit

Credit facilities are prohibited in casinos, however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

20.0 Bingo Premises

20.1 Bingo is defined in Annex 'C'. Entry to these premises is not generally age restricted although entry to certain areas may be restricted, dependent on the category of machines available for use.

20.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

20.3 Credit

Credit facilities are prohibited in premises licensed for Bingo, however, this does not prevent the installation of cash dispensers (ATMs) on the premises, although the Licensing Authority may attach conditions as to the siting of such machines.

21.0 Betting Premises

21.1 Betting is defined in Annex 'C'. Entry to these premises is age restricted.

21.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

21.3 Betting Machines

Conditions may be imposed, in accordance with paragraphs 14.24, 14.25 and 14.26 above.

21.4 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice or Guidance issued under the Act.

21.5 B2 & B3 Machines

In respect to nationally expressed concerns that exist in relation to the potentially adverse impact of B2 (often called Fixed Odds Betting Terminals or FOBT's) and B3 machines may have on vulnerable groups of adults, The Licensing Authority will give due consideration to the need to apply conditions to betting shop premises licences including, but not limited to, setting out minimum staffing levels to ensure sufficient staff are on the premises to enable staff to comprehensively promote responsible gambling, adequately protect players, particularly in relation to players who are deemed to be vulnerable and to prevent under 18 year olds accessing gambling facilities.

21.6 The Licensing Authority expects B2 & B3 machines to be positioned in such a way that they can be appropriately monitored by staff particularly where those staff are positioned at a counter away from the machines. In general the Authority is of the view that 'privacy screens' will hamper this and will expect the local area risk assessment to take this into account where applicants intend to construct such screens. Particular attention should be paid to the Gambling Commission's Social Responsibility Codes in this regard, especially code 9.11.1. Where an existing licensee adds 'privacy screens' a variation application will be required

22.0 Tracks

22.1 A Track is defined in Annex 'C'. Entry to these premises may be age restricted. Please refer to the Gambling Commission Guidance.

22.2 The Licensing Authority will take account of any conditions applied to an Operating Licence in respect of such premises.

22.3 Betting Machines

Conditions may be imposed, in accordance with paragraphs 14.24, 14.25 and 14.26 above.

- 22.4 In deciding whether to impose conditions to limit the number of betting machines, each application will be on its own merits and account will be taken of Codes of Practice or Guidance issued under the Act

23.0 Travelling Fairs

- 23.1 The facilities for gambling (being category D machines and/or equal chance prize gaming without a permit) must amount to no more than an ancillary amusement at the fair. The Licensing Authority will determine whether this requirement is being met.

Part 3 – Permits

24.0 The Act introduced a range of permits for gambling which are granted by Licensing Authorities. Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises. With the exception of limiting machine numbers on Licensed Premises Gaming Machine permits, the Licensing Authority may only grant or reject an application for a permit. No conditions may be added.

25.0 Unlicensed Family Entertainment Centre Gaming Machine Permits

25.1 Where a premises does not hold a Premises Licence but wishes to provide Gaming machines, it may apply to the Licensing Authority for a Permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

25.2 The Licensing Authority requires the applicant to submit a scale plan of the premises showing the areas which the permit will cover together with any other areas under the control of the licensee. Generally, this will be at a scale of 1:100 but other scales may be submitted with prior agreement from the Licensing Authority. Full details can be found in section 14.27

25.3 The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The suitability of such policies and procedures will be considered on their merits, however, they may include:-

- A basic Disclosure & Barring Service check or equivalent criminal record check for the applicant and the person(s) having the day to day control of the premises;
- Proof of age schemes;
- Displaying details of contact numbers advising the public of agencies to whom can report concerns in respect to children;
- How the applicant proposes to ensure that children will be protected from harm whilst on the premises;
- Training covering how staff would deal with:-
 - Unsupervised children being on the premises,
 - children causing perceived problems on/around the premises, or
 - suspected truant children

In addition applicants should be able to demonstrate a full understanding of maximum stakes and prizes (and that staff are suitably trained in this respect)

26.0 (Alcohol) Licensed Premises Gaming Machine Permits

- 26.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines, of Categories C and/or D via a notification to the Licensing Authority.
- 26.2 Gaming machines can only be located on licensed premises that have a bar for serving customers.
- 26.3 Premises restricted to selling alcohol only with food, will not be able to have gaming machines or apply for a Permit.
- 26.4 Where an application for more than two gaming machines is received, the Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only machines. Measures will cover such issues as:-
- Adult machines being in sight of the bar, or in sight of staff who will monitor that the machines are not being used by those under 18;
 - Appropriate notices and signage; and
 - As regards the protection of vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information, leaflets/help line numbers for organisations such as GamCare.
 - Relevant codes of practice issued by the Gambling Commission

To enable The Licensing Authority to come to an appropriate decision, applicants are expected to submit a plan show the proposed positioning of machines with their application

The Licensing Authority can decide to grant an application with a smaller number of machines and/or a different category of machines than that applied for but conditions other than these cannot be attached.

27.0 Prize Gaming Permits [See Annex C For Definition]

- 27.1 The Licensing Authority will expect the applicant to show that there are written policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The suitability of such policies and procedures will be considered on their merits, however, they may include:-
- A basic Disclosure & Barring Service check or equivalent criminal record check for the applicant and the person having the day to day control of the premises.
 - Proof of age schemes
 - How the applicant proposes to ensure that children will be protected from harm whilst on the premises.
 - Training covering how staff would deal with:-

- unsupervised, very young children being on the premises,
- children causing perceived problems on/around the premises, and
- suspected truant children

In addition applicants should be able to demonstrate a full understanding of maximum stakes and prizes (and that staff are suitably trained in this respect)

In making its decision on an application for a Permit, the Licensing Authority does not need to have regard to the Licensing Objectives but must have regard to any Gambling Commission guidance.

28.0 Club Gaming and Club Machine Permits

28.1 Members' Clubs and Miners' Welfare Institutes may apply for a Club Gaming Permit and/or a Club Gaming Machine Permit, but are restricted by category and number of machines and to equal chance gaming and games of chance.

28.2 Commercial clubs may apply for a club machine permit, subject to restrictions

28.3 The gambling provided under the authority of a club gaming permit must also meet the following conditions:

(a)in respect of gaming machines:

no child or young person may use a category B or C machine on the premises

that the holder must comply with any relevant provision of a code of practice about the location and operation of gaming machines.

(b)the public, children and young persons must be excluded from any area of the premises where the gaming is taking place.

28.4 Section 273 of the Act sets out the conditions that will apply to the club machine permit, including that in respect of gaming machines no child or young person uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

Part D - Occasional and Temporary Permissions

29.0 Temporary Use Notices (Tun)

- 29.1 A 'TUN' is defined in Annex 'C'.
- 29.2 A TUN may only be granted to a person or company holding an Operating Licence relevant to the temporary use of the premises. Regulations issued by the Secretary of State prescribe the activities to be covered. At present a Temporary Use Notice can only be issued for equal chance gaming.
- 29.3 For the purposes of a TUN, a set of premises is the subject of a TUN if any part of the premises is the subject of the Notice. This prevents one large premises from having a TUN in effect for more than 21 days per year by giving a Notice in respect of different parts.
- 29.4 The definition of a "set of premises" will be a question of fact in the particular circumstances of each Notice that is given. In considering whether a place falls within the definition of "a set of premises", the Licensing Authority will consider, amongst other things, the ownership/occupation and control of the premises.
- 29.5 The Licensing Authority will object to Notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

30.0 Occasional Use Notices

- 30.1 Occasional Use Notices (OUN) are defined in Annex 'C'.
- 30.2 The Licensing Authority has very little discretion as regards these Notices, aside from ensuring that a statutory limit of 8 days in a calendar year is not exceeded.
- 30.3 The Licensing Authority will, however, consider the definition of a track and whether the applicant is permitted to avail him/herself of the Notice.

31.0 Small Society Lotteries

- 31.1 The definition of a Small Society Lottery is contained in Annex 'C' and these require registration with the Licensing Authority.

32.0 Appendices

- 32.1 Appendices have been attached to this Statement providing further information and guidance and they are intended only to assist readers and should not be interpreted as legal advice or as constituent of the Licensing Authority's policy. Readers of this document are strongly advised to seek their own legal advice if they are unsure of the requirements of the Act, or the guidance or regulations issued under the Act.

33.0 Delegation Of Powers

- 33.1 The Licensing Authority has agreed a scheme of delegation for discharging its functions under the Act.

34.0 Definitions – Annex 'C'

35.0 Fees – Annex 'F'

36.0 Useful Contacts

The Gambling Commission maintains a list of useful contacts on organisations involved in gambling and their contact details can be found on the Commission's website www.gamblingcommission.gov.uk Some of these organisations provide codes of practice on their particular interest area.

37.0 Links to The Council's corporate plan and 2050 vision

37.1 There are strong links between the Council's Corporate Plan Priorities and this Licensing Policy. Several outcomes can be positively influenced by good licensing controls and a well run licensed sector.

Examples include the Corporate Plan Priorities of;

- A growing city with a strong and prosperous community
- A safe city with a good quality of life for all

Annex 'A'

List of Consultees

The draft policy was placed on the Council Website and in accordance with the Act the following organisations and individuals were consulted as part of the formal consultation exercise on the Statement of Gambling Licensing Policy. **Because on this occasion the policy was being readopted without change the consultees were limited to the statutorily required list as follows**

- The Chief Officer of Police for the Licensing Authority's are
- Persons who the Licensing Authority considers to represent the interests of persons carrying on gambling business in the authority's area, and
- Persons who appears to the Licensing Authority to represent the interests of persons affected by the exercise of the authorities functions under the Act and;
- The Gambling Commission
- All responsible authorities under the Act

In addition to those specifically consulted, ??? requests were received for copies of the draft Policy Document.

In addition to those specifically consulted, ??? requests were received for copies of the draft Policy Document, although the web page where it was located received ??? 'hits'

Annex 'B'

Contact Details for the Licensing Authority and Responsible Authorities

The Licensing Authority is:

[The Licensing Authority](#)

Southend-on-Sea City Council

Civic Centre

Victoria Avenue

Southend-on-Sea, SS2 6ZG

Telephone: 01702 215005

Email: licact2003@southend.gov.uk

The Responsible Authorities are:

- a) [The Chief Officer of Police Essex Police](#)
Licensing Department (Alcohol & Gambling)
Blythes Meadow
Braintree
CM7 3DJ

Telephone: 101 ext 452035

E:mail licensing.applications@essex.pnn.police.uk

Guidance from Essex Police on their expectations for licence applications can be found on their website at: www.essex.police.uk/licensing

- b) [The Fire and Rescue Authority](#)
Essex County Fire and Rescue Service
South East Group SDP
1st Floor Rayleigh Fire Station
500 Rayleigh Road
Benfleet
SS7 3TR

Telephone 01376 576740

E:mail southeastgroupsdp@essex-fire.gov.uk

- c) [The Local Planning Authority](#)
The Development Control Section
Southend-on-Sea City Council
Civic Centre
Victoria Avenue
Southend-on-Sea. SS2 6ZG

Telephone: 01702 215327

- d) The Local Authority with functions related to prevention of risk of pollution of the environment:-

[The Environmental Protection Team](#)

Southend-on-Sea City Council

Civic Centre, Victoria Avenue

Southend-on-Sea SS2 6ZG

Telephone: 01702 215005

Email: environmentalprotection@southend.gov.uk

- e) The body designated by the Licensing Authority as being competent to advise on the Authority about protection of children from harm.

[The Department of Safeguarding for Children.](#)

(Child Protection Advisor)

Southend-on-Sea City Council

Civic Centre, Victoria Avenue

Southend-on-Sea SS2 6ZG

Telephone: 01702 534417

Email: safeguardingforchildren@southend.gov.uk

- f) [The Gambling Commission](#)
Victoria Square House
Victoria Square
Birmingham B2 4BP Telephone: 0121 230 6500
- g) [HM Revenue and Customs](#)
Excise Processing Teams
BX9 1GL Telephone: 03000 516023
Email: NRUBetting&Gaming@HMRC.gsi.gov.uk
- h) In relation to vessels only, the Navigation Authority having functions in relation to any place where the vessel is or is likely to be while activities are carried on in reliance on a premises licence. For this purpose, correspondence should be sent to:

[Surveyor-in-Charge](#)

Maritime & Coast Guard Agency
Marine Office
Central Court
1B Knoll Rise
Orpington, BR6 0JA

Telephone: 01689 890400

Any further enquiries or assistance can be obtained from the Licensing Authority on the email address or telephone number given above. These addresses were correct at the time of going to press but are subject to change without notice. Any change made will not form part of a review of the Council's Statement of Licensing Policy.

Annex 'C'

Definitions

Please note, definitions listed below are for guidance only and do not form part of the Council's Statement of Licensing Policy or will necessarily appear within it.

| Term | Description |
|---|--|
| ATM | Auto teller machine or cash machine. |
| Adult Gaming Centre | Premises in respect of which an Adult Gaming Centre Premises Licence has effect. |
| Authorised Local Authority Officer | A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that Authority's area. |
| Betting | In this Act "betting" means making or accepting a bet on— a) the outcome of a race, competition or other event or process, b) the likelihood of anything occurring or not occurring, or c) whether anything is or is not true. |
| Betting Machines | A machine designed or adapted for use to bet on future real events [not a gaming machine]. |
| Bingo | Bingo is not given a statutory definition in the Act other than that it means any version of the game irrespective of by what name it is described. It is to have its ordinary and natural meaning. Two types of bingo are commonly understood: <ul style="list-style-type: none"> ▪ cash bingo, where the stakes paid make up the cash prizes that are won ▪ prize bingo, where various forms of prizes are won, not directly related to the stakes paid. |
| Casino | An arrangement whereby people are given an opportunity to participate in one or more casino games. |
| Casino Resolution | Resolution not to issue Casino Premises Licences. |
| Child | Individual who is less than 16 years old. |
| Club Gaming Machine Permit | Permit to enable the premises to provide gaming machines [3 machines of Categories B,C or D.] |
| Conditions | Conditions to be attached to licences by way of:- <ul style="list-style-type: none"> ▪ Automatic provision ▪ Regulations provided by Secretary of State ▪ Conditions provided by Gambling Commission ▪ Conditions provided by Licensing Authority <p>Conditions may be general in nature [either attached to all licences or all licences of a particular nature] or may be specific to a particular licence.</p> |
| Crane grab machine | A non-money prize machine in respect of which every prize which can be won consists of an individual physical object (such as a stuffed toy) won by a person's success in manipulating a device forming part of the machine so as to separate, and keep separate, one or more physical objects from a group of such objects. |
| Default Conditions | Conditions, prescribed in regulations, that will apply unless the Licensing Authority decides to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances. |
| Delegated Powers | Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers. |

| Term | Description |
|---|--|
| Disorder | No set interpretation. However, likely to be connected to the way gambling is being conducted. In the case of Gambling Premises' Licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance. |
| Equal Chance Gaming | Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants. |
| Exempt Lotteries | <p>Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission.</p> <p>There are four types:</p> <ul style="list-style-type: none"> ▪ Small Society Lottery [required to register with Licensing Authorities. ▪ Incidental Non Commercial Lotteries. ▪ Private Lotteries. ▪ Customer Lotteries. |
| Family Entertainment Centre (FEC) | <p>There are two types of FEC:-</p> <ul style="list-style-type: none"> ▪ A licensed FEC (ie one with a Premises Licence) has no limit on the number of category C or D machines permitted ▪ An unlicensed FEC (ie one with a Permit) has no limit on the number of category D machines permitted |
| Fixed Odds Betting Terminals (FOBTs) | FOBTs are a type of gaming machine which generally appear in licensed bookmakers. (Betting Shops) FOBTs have 'touch-screen' displays and look similar to quiz machines familiar in pubs and clubs. They normally offer a number of games, roulette being the most popular. |
| Gaming & game of chance | <p>In the Act "gaming" means playing a game of chance for a prize.</p> <p>and "game of chance"</p> <p>a) includes—</p> <ol style="list-style-type: none"> i. a game that involves both an element of chance and an element of skill, ii. a game that involves an element of chance that can be eliminated by superlative skill, and iii. a game that is presented as involving an element of chance, but <p>b) does not include a sport</p> |
| Gaming Machine | Machine covering all types of gambling activity, including betting on virtual events, but not including home computers even though users can access online gambling websites. |
| Guidance to Licensing Authorities | Guidance issued periodically by the Gambling Commission |
| Incidental Non Commercial Lottery | A lottery promoted wholly for purposes other than private game, and which are incidental to non-commercial events [commonly charity fundraising events, lottery held at a school fete or at a social event such as a dinner dance] |
| Lottery | An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act. |
| Members' Club | <p>A club, as defined by the Licensing Act 2003, that must:-</p> <ul style="list-style-type: none"> ▪ Have at least 25 members; ▪ Be established and conducted 'wholly or mainly' for purposes other than gaming; ▪ Be permanent in nature; ▪ Not be established to make commercial profit; ▪ Be controlled by its members equally. |
| Money prize machine | A machine in respect of which every prize which can be won as a result of using the machine is a money prize. |

| Term | Description |
|------------------------------------|---|
| Non money prize machine | A machine in respect of which every prize which can be won as a result of using the machine is a non-money prize. The winner of the prize is determined by: <ul style="list-style-type: none"> i. the position in which the coin or token comes to rest after it has been inserted into the machine, together with the position of other coins or tokens which have previously been inserted into the machine to pay a charge for use, or ii. (ii) if the insertion of a single coin to pay the charge for use enables the person using the machine to release one or more tokens within the machine, the position in which such tokens come to rest after being released, together with the position of other tokens which have previously been so released. |
| Occasional Use Notice (OUN) | Betting may be permitted on a 'track' by an OUN without the need for a full Premises Licence. |
| Odds | The ratio to which a bet will be paid if the bet wins. e.g. 3-1 means for every £1 bet, a person would receive £3 of winnings. |
| Off Course Betting | Betting that takes place other than at a track, i.e. at a licensed betting shop. |
| Off Course Betting Tracks | Betting that takes place in a self-contained betting premises with the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operates only on race days. |
| On Course Betting Tracks | Betting that takes place on a track while races are taking place. |
| Operating Licence | Licence to permit individuals and companies to provide facilities for certain types of gambling. It may authorise remote or non remote gambling. |
| Permits | Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises. |
| Personal Licence | Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. Cannot be held by companies. |
| Pool Betting Tracks | For the purposes of the Gambling Act, pool betting is made on terms that all or part of the winnings: 1) Shall be determined by reference to the aggregate of the stakes paid or agreed to be paid by the persons betting 2) Shall be divided among the winners or 3) Shall or may be something other than money. For the purposes of the Gambling Act, pool betting is horse-race pool betting if it relates to horse-racing in Britain. |
| Private Lotteries | There are three types of Private Lotteries: <ul style="list-style-type: none"> ▪ Private Society Lotteries - tickets may only be sold to members of the Society or persons who are on the premises of the Society; ▪ Work Lotteries - the promoters and purchasers of tickets must all work on a single set of work premises; ▪ Residents' Lotteries - promoted by, and tickets may only be sold to, people who live at the same set of premises. |
| Prize Gaming | Where the nature and size of the price is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. |
| Prize Gaming Permit | A permit to authorise the provision of facilities for gaming with prizes on specific premises. |

| Term | Description |
|--|--|
| Regulations or Statutory instruments | Regulations are a form of law, often referred to as delegated or secondary legislation. They have the same binding legal effect as Acts and usually state rules that apply generally, rather than to specific persons or things. However, regulations are not made by Parliament. Rather, they are made by persons or bodies to whom Parliament has delegated the authority to make them, such as a minister or an administrative agency. |
| Representations | In the context of the Gambling Act representations are either positive statements of support or negative objections which are made in relation to a licensing application. Representations must be made in time, e.g. during a designated notice period. |
| Responsible Authorities | Public Bodies that must be notified of all applications and who are entitled to make representations in relation to Premises Licences, as follows:- <ul style="list-style-type: none"> ▪ The Licensing Authority in whose area the premises is partly or wholly situated ▪ The Gambling Commission ▪ The Chief Officer of Police ▪ Fire and Rescue Service ▪ The Planning Authority for the local authority area ▪ Environmental Health Service for the local authority area ▪ The Body competent to advise on the protection of children from harm ▪ HM Revenue and Customs ▪ Authority in relation to vulnerable adults ▪ Vessels only - the Navigation Authority whose statutory functions are in relation to waters where the vessel is usually moored or berthed, i.e. the Environment Agency, British Waterways Board, the Maritime and Coastguard Agency Full details of Responsible Authorities for the City are contained in Appendix 'B' to this Policy. |
| Skill machine / Skill with prizes machine | The Act does not cover machines that give prizes as a result of the application of pure skill by players. A skill with prizes machine is one on which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes. |
| Small Society Lottery | A lottery promoted on behalf of a non commercial society, i.e. lotteries intended to raise funds for good causes. |
| Society | The society, or any separate branch of such a society, on whose behalf a lottery is to be promoted. |
| Stake | The amount pledged when taking part in gambling activity as either a bet, or deposit to the bank or house (where the house could be a gaming machine). |
| Table gaming | Card games played in casinos. |
| Temporary Use Notice (TUN) | To allow the use of a premises for gambling where there is no Premises Licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. |
| Tote [or Totalisator] | "Tote" is short for Totaliser, a system introduced to Britain in 1929 to offer pool betting on racecourses. |

| Term | Description |
|---------------------------|--|
| Track | Sites where races or other sporting events take place, e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place. |
| Vehicles | Defined as trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted. |
| Vulnerable Persons | No set definition, but likely to mean group to include people who:- <ul style="list-style-type: none"> ▪ gamble more than they want to ▪ gamble beyond their means ▪ who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs |
| Young Person | An individual who is not a child but who is less than 18 years old. |

Annex 'D'

Map - Key Areas



Annex 'E'

Local Area Risk Assessment Example Template

| 1: Local Area | | | |
|----------------------|---------------------|---|-------------------------|
| No | Local Risks: | Licensing objective(s) at risk: (CD, FO or CV) | Control Measures |
| 1.1 | | | Systems |
| | | | |
| | | | Design |
| | | | |
| 1.2 | | | Physical |
| | | | |
| | | | Systems |
| | | | |
| 1.3 | | | Design |
| | | | |
| | | | Physical |
| | | | |

2: Gambling Operation

| No | Local Risks: | Licensing objective(s) at risk: (CD, FO or CV) | Control Measures | | | | | | |
|----------|--------------|---|--|---------|--|--------|--|----------|--|
| 2.1 | | | <table border="1"> <tr><td data-bbox="1054 210 1444 253">Systems</td></tr> <tr><td data-bbox="1054 253 1444 387"></td></tr> <tr><td data-bbox="1054 387 1444 430">Design</td></tr> <tr><td data-bbox="1054 430 1444 564"></td></tr> <tr><td data-bbox="1054 564 1444 607">Physical</td></tr> <tr><td data-bbox="1054 607 1444 719"></td></tr> </table> | Systems | | Design | | Physical | |
| Systems | | | | | | | | | |
| | | | | | | | | | |
| Design | | | | | | | | | |
| | | | | | | | | | |
| Physical | | | | | | | | | |
| | | | | | | | | | |
| 2.2 | | | <table border="1"> <tr><td data-bbox="1054 719 1444 761">Systems</td></tr> <tr><td data-bbox="1054 761 1444 896"></td></tr> <tr><td data-bbox="1054 896 1444 938">Design</td></tr> <tr><td data-bbox="1054 938 1444 1072"></td></tr> <tr><td data-bbox="1054 1072 1444 1115">Physical</td></tr> <tr><td data-bbox="1054 1115 1444 1227"></td></tr> </table> | Systems | | Design | | Physical | |
| Systems | | | | | | | | | |
| | | | | | | | | | |
| Design | | | | | | | | | |
| | | | | | | | | | |
| Physical | | | | | | | | | |
| | | | | | | | | | |
| 3.3 | | | <table border="1"> <tr><td data-bbox="1054 1227 1444 1270">Systems</td></tr> <tr><td data-bbox="1054 1270 1444 1404"></td></tr> <tr><td data-bbox="1054 1404 1444 1447">Design</td></tr> <tr><td data-bbox="1054 1447 1444 1581"></td></tr> <tr><td data-bbox="1054 1581 1444 1624">Physical</td></tr> <tr><td data-bbox="1054 1624 1444 1731"></td></tr> </table> | Systems | | Design | | Physical | |
| Systems | | | | | | | | | |
| | | | | | | | | | |
| Design | | | | | | | | | |
| | | | | | | | | | |
| Physical | | | | | | | | | |
| | | | | | | | | | |

| 3: Internal and External Premises Design | | | |
|---|---------------------|---|-------------------------|
| No | Local Risks: | Licensing objective(s) at risk: (CD, FO or CV) | Control Measures |
| 3.1 | | | Systems |
| | | | |
| | | | Design |
| | | | |
| 3.2 | | | Physical |
| | | | |
| | | | Systems |
| | | | |
| 3.3 | | | Design |
| | | | |
| | | | Physical |
| | | | |

| Actions following assessment: | | | |
|---|--------------------|--------------|----------------|
| 1: Local Area | | | |
| Action | Person/Dept tasked | Date tasked | Date completed |
| | | | |
| | | | |
| | | | |
| | | | |
| 2: Gambling Operation | | | |
| Action | Person/Dept tasked | Date tasked | Date completed |
| | | | |
| | | | |
| | | | |
| | | | |
| 3: Internal and External Premises Design | | | |
| Action | Person/Dept tasked | Date tasked | Date completed |
| | | | |
| | | | |
| | | | |
| | | | |
| Signed: | | Date: | |
| Print Name: | | | |

Notes: In addition to the requirement for existing licence holders to have a local area risk assessment, this risk assessment must be completed for all new premises or when the premises licence is varied. The assessment must also be reviewed when there are any significant changes to either the local circumstances and/or the premises. see section 14 of this policy.

Risks: Area of consideration that may impact on one or more of the licensing objectives

Local Risks: These are the identified factors that may pose a risk to the licensing objectives by virtue of the provision of gambling facilities at the premises

Licensing Objectives: these are the three licensing objectives under the Gambling Act 2005 to which the risk factors have been identified as potentially impacting. For ease of reference within this assessment the objectives have been given codes that should be used to replace the full objective. These codes are CD for the Crime and Disorder objective, FO for the Fair and Open objective and CV for the protection of children and the vulnerable.

Control Measures: These are measures that the operator can put in place to mitigate the risk to the licensing objectives from the risk factors. These control measures are split into three categories, systems, design and physical.

The fact that there are three subsections in each section of the template should not be taken to suggest that you should limit your assessment to three risks for each section. The above template is an example only. You are at liberty to use your own design.

The Council's Local Area Profile is a separate document to this policy and can be viewed and downloaded from the Council website via

<https://www.southend.gov.uk/downloads/download/89/gambling-licences>

Non Statutory Fees

Non statutory fees are reviewed by the Licensing Authority on an annual basis in accordance with the Gambling (Premises Licence Fees) (England and Wales) Regulations 2007. Details of current fees can be obtained by contacting

The Licensing Authority

Southend-on-Sea City Council Civic Centre

Victoria Avenue

Southend-on-Sea

Essex SS2 6ZG

Telephone: 01702 215005

Email: licact2003@southend.gov.uk

or alternatively by viewing the Council's Website www.southend.gov.uk

| | |
|------------------------------|---|
| Title: | Corporate Debt Management - Position as at 31 March 2024 |
| Meeting: | Cabinet |
| Date: | 24 June 2024 |
| Classification: | Part 1 |
| Policy Context: | All Corporate Priorities |
| Key Decision: | No |
| Report Authors: | Pete Bates, Director of Financial Services, Richard Campbell, Revenues Manager |
| Executive Councillor: | Councillor Collins – Cabinet Member for Finance, Assets and Investments |

1. Executive Summary

1.1. The purpose of this report is to update Cabinet of the following:

- The cumulative position of outstanding debt owed to the City Council as at 31 March 2024.
- Debts that have been written off, or are recommended for write off, for the financial year to 31 March 2024.
- Seek approval for the write off of irrecoverable debts that are over £25,000 in accordance with the Council's constitution.

2. Recommendations

That Cabinet:

- 2.1. Note the new service reporting arrangements to the Director of Financial Services.
- 2.2. Note the finalised outstanding debt position as at 31 March 2024 and the position of debts written off to 31 March 2024 as set out in **Appendices A & B**.
- 2.3. Approve the nine proposed write offs exceeding £25,000, as shown in **Appendix B**.

3. Background Information

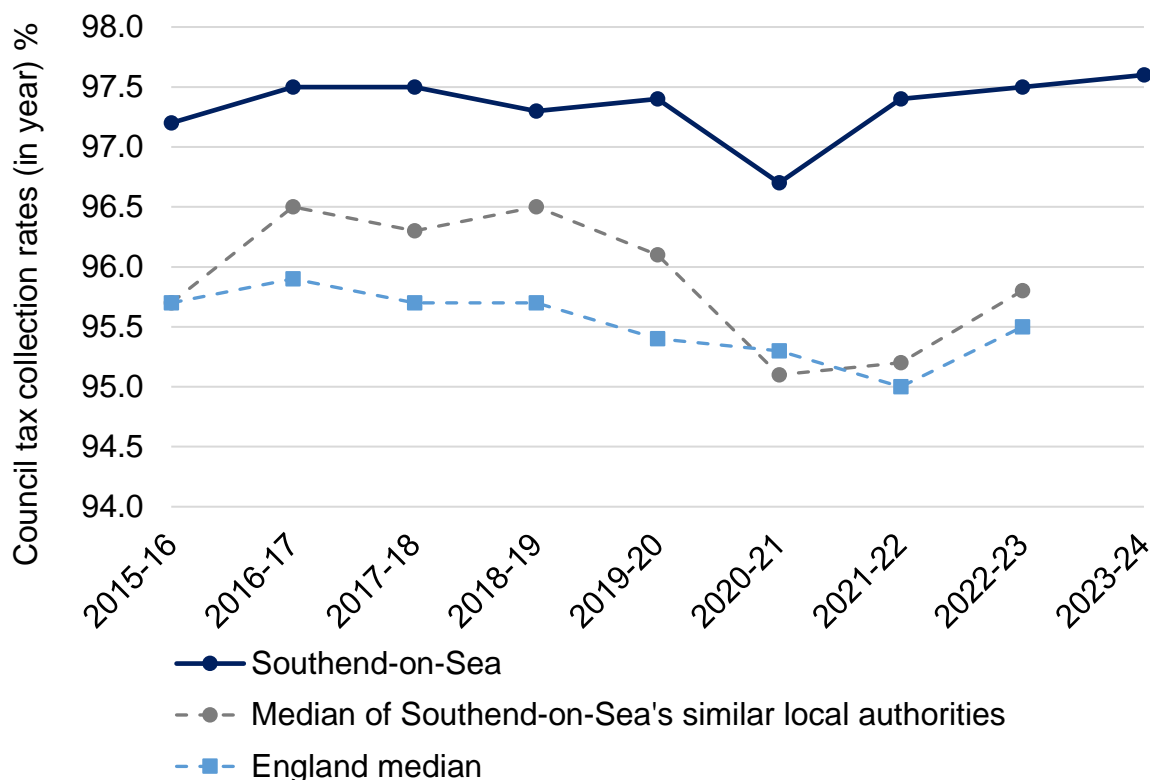
- 3.1. It has been historically agreed and is good practice that the S151 Officer submits regular reports to Cabinet on all aspects of the Council's outstanding debt, along with the required write off position. A review of the Council's overall operational arrangements for corporate debt collection has recently commenced and if necessary, any changes will be reported to Cabinet for information in September. The report in September will also provide an update on the performance of the integration of services that now come under the responsibility of the Director of Financial Services. This is the final debt status report for the financial year 2023/24.
- 3.2. Southend-on-Sea City Council is made up of several service areas, most of which have some responsibility for the administration, collection and recovery of outstanding debt. The main substantial service areas are Accounts Receivable and Revenues which are linked to the billing and collection of most debts that fall due to be paid to the Council for chargeable services, such as service/rental charges and statutory levies such as Council Tax and Non-Domestic Rates (Business Rates).
- 3.3. At the start of the 2023/24 financial year, responsibility for the overall strategic leadership of the Council's Accounts Receivable, Revenues and Benefits Services was transferred to the Director of Financial Services. The rationale for this change was to provide clarity, strengthen accountability and finalise the previous interim line management arrangements for these service areas. Building on this initial reporting re-alignment, the intention was to bring together the complete range of professional financial services under a single line management responsibility. These services have joined the Council's accountancy and insurance teams.
- 3.4. On 1 April 2024, the formal transfer of the Adult Social Care finance team into this portfolio of financial services was implemented. These new arrangements will help to provide greater resilience, sharing of knowledge and expertise and provide a clear focus on performance and delivery. Reviewing the Council's overall corporate collection arrangements for all debt types will be a key priority for 2024/25.
- 3.5. A new Service Plan for 2024/25 has been developed and professional relationships across all service areas are being enhanced. The teams have started to build a new collective identity for our wider finance family, and it is hoped that the new structure will build on the solid performance and strengths of each individual service area and become stronger together to have a bigger collective positive influence over enabling and supporting the Council to achieve its key objectives within the Corporate Plan for the benefit of our residents and City.

- 3.6. Other areas of debt status that are included in this report include the recovery of Housing Benefit Overpayments, Parking and Enforcement penalties, Adult Social Care and Library fines. In addition, the position regarding outstanding debt levels for the Housing Revenue Account for rent arrears and service charges is also presented.
- 3.7. The process and legislative framework for the collection and write-off of debt was detailed in the report to Cabinet on 17 September 2013. It is worth highlighting that the Council has a strong success rate with regards to the collection of debt. The collection targets are agreed annually as part of the Council's service and financial planning process.
- 3.8. Debts are only considered for write off after all other options for recovery have been undertaken or explored and the debt is considered irrecoverable.

4. Council Tax

- 4.1. A total value of **£119.6M** of Council Tax was due to be collected in 2023/24, with a year-end collection target of 97.5%. The Council actually collected a total of **£116.8M** which translates to a percentage collection rate of **97.6%**. This represents the highest in-year collection performance by the team since 2013
- 4.2. To illustrate this success and provide further evidence of our strong Council Tax collection performance the Government have recently introduced a Local Authority monitoring site, Office for Local Government (Oflog).
- 4.3. The collection rate of Southend-on-Sea Council is considerably higher, in comparison to both the England median, and the median of similar local authorities to Southend-on-Sea City Council.
- 4.4. As an illustration, the Council's strong performance in this area in 2022/23 can be translated into an indicative increased collection monetary value of circa **£1.9M** above the median collection % rate in England in that year and **£2.2M** when compared to the collection % rate achieved by the median of similar local authorities.

4.5. The following graph from the Office for Local Government¹ (Oflog) website highlights the very positive performance of Southend-on-Sea City Council compared to others.



4.6. Collection is continuing for all outstanding arrears for previous financial years. The table below shows the actual in year collection rate over the past 4 years, and the collection rate of each year's charge to date, including debts that have been written off.

| | Council Tax Performance | |
|------------------------------|---------------------------------|---------------------|
| | As of 31 March of relevant year | As of 31 March 2024 |
| 1 April 2019 - 31 March 2020 | 97.5% | 99.2% |
| 1 April 2020 - 31 March 2021 | 96.7% | 99.1% |
| 1 April 2021 - 31 March 2022 | 97.4% | 98.8% |
| 1 April 2022 - 31 March 2023 | 97.5% | 98.5% |

4.7. The team continue to collect debts outside of this financial year and over the course of the year achieved an additional collection of **£2.8M**, resulting in **25.5%** of all older year debt held was collected during the 2023/24 financial year.

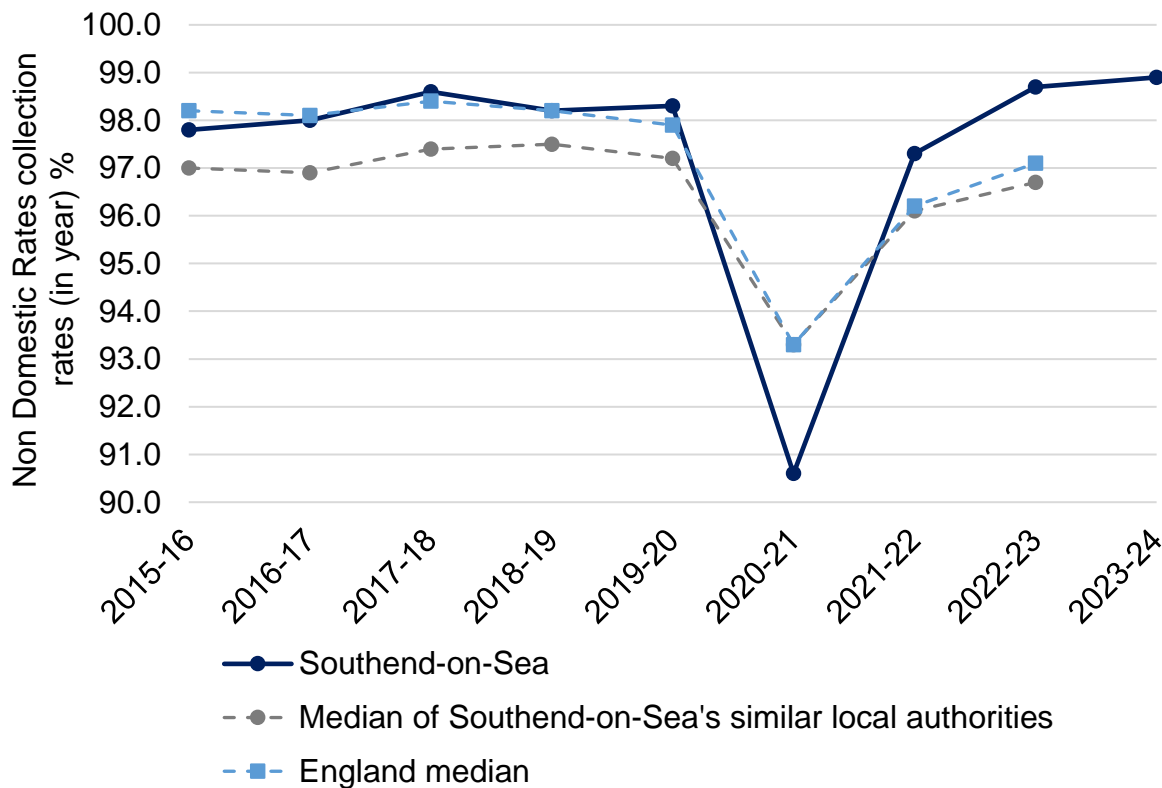
¹ <https://oflog.data.gov.uk/corporate-and-finance?area=E06000033>

- 4.8. The Council currently holds around **£11M** of uncollected debt for prior financial years, it is intended that a full review will be completed of these debts during 2024/25, with a view to removing those debts which are deemed to be irrecoverable. To provide additional reassurance the level of debt which is deemed unrecoverable and ultimately written off will have been **100% provided** for within the Council's bad debt provision.
- 4.9. Whilst this is a priority of the team, it is anticipated that this work will commence in the third or fourth quarter of this year, allowing the team to focus on the large court sessions and ensuring the continued positive collection rate in respect of the current financial year.

5. Non-Domestic Rates (Business Rates)

- 5.1. A total value of **£37.5M** of Business Rates was due to be collected in 2023/24, with a collection target of **98.5%**. The Council actually collected a total of **£37.1M**, which translates to a percentage collection rate of **98.9%** achieved. This represents the highest collection performance in this area in the last decade.
- 5.2. Again, to illustrate this success and provide further evidence of our strong Business Rates collection performance the Local Authority monitoring site, Office for Local Government (Oflog), provides comparator information.
- 5.3. The collection rate of Southend-on-Sea City Council is generally higher, in comparison to both the England median, and similar authorities to Southend-on-Sea City Council. The 'blip' was in 2020/21 during the COVID pandemic when a deliberate decision was taken to suspend all forms of recovery action. Strong collection performance then resumed from the 2021/22 financial year.
- 5.4. As an illustration, the Council's strong performance in this area in 2022/23 can be translated into an indicative increased collection monetary value of circa **£0.621M** above the median collection % rate in England in that year and **£0.781M** when compared to the collection % rate achieved by the median of similar local authorities.

5.5. The following graph from the Office for Local Government² (Oflog) website highlights the very positive performance of Southend-on-Sea City Council compared to others.



5.6. Collection is continuing for all outstanding arrears for previous financial years. The table below shows the actual in year collection rate over the past 4 years, and the collection rate of each year's charge to date, including debts that have been already written off.

| | Non-Domestic Rates Performance | |
|------------------------------|---------------------------------|---------------------|
| | As of 31 March of relevant year | As of 31 March 2024 |
| 1 April 2019 - 31 March 2020 | 98.3% | 99.9% |
| 1 April 2020 - 31 March 2021 | 90.6% | 99.8% |
| 1 April 2021 - 31 March 2022 | 96.3% | 99.5% |
| 1 April 2022 - 31 March 2023 | 98.7% | 99.4% |

5.7. The team continue to collect debts outside of this financial year and over the course of the year achieved an additional collection of **£0.610M**, resulting in **46.8%** of all prior year debt held was collected during the 2023/24 financial year.

² <https://oflog.data.gov.uk/corporate-and-finance?area=E06000033>

6. Housing Benefit Overpayment

- 6.1. This is related to any entitlement to a rent allowance or rent rebate that a person has received but is not eligible for. Most commonly this accumulates when there is a change to a person's circumstance, and they fail to notify the Council in good time. The overpayment will be invoiced unless they are in receipt of Housing Benefit in which case their benefit entitlement is reduced to enable recovery of the overpayment. The vast majority of Housing Benefit overpayment is due to individual claimant error.

| Housing Benefit Overpayment Created by Year | | | | |
|---|----------------|--------------|-------------|---------------------|
| | Claimant Error | LA/DWP Error | Admin Delay | Liability Reduction |
| 1 April 22 - 31 March 23 | £650,599.82 | £54,602.90 | £36,351.28 | £44,512.66 |
| 1 April 23 - 31 March 24 | £760,762.17 | £46,109.05 | £30,306.02 | £51,228.21 |

- 6.2. Collection during the reporting period is comparable to the prior year, and as a result the level of debt in this area is not increasing, the cumulative debt position on 31 March 2024 is **£4M**, reduced from £4.5M in the previous financial year.

7. Libraries

- 7.1. Library debt is relatively small and is made up of overdue fines and replacing lost or non-returned books.

8. Adult Services

- 8.1. Adult Services make charges for the following services:

- Contributions to residential accommodation
- Charges for non-residential services i.e. Home Care, Community Support, Day Services and transport to services
- Charges to other local authorities
- Charges to National Health Service

- 8.2. As of 31 March 2024, the level of debt was **£9.6M**, which is an **increase of £1.12M** compared to this time last year. The main contributory factor of the increased level of outstanding debt is the increased rates paid to providers, which are subject to means testing and then passed onto the service user.

- 8.3. Analysis of this debt shows that, **£2.773M (29%) is debt deferred** against property/assets and **£1.969M (20%) is under 30 days old**, which includes sums owed by the National Health Service or other local authorities.

- 8.4. Of the remaining **£4.858M (50%)**, the majority has been overdue for greater than one year and in some cases, the customer ID reflects that the debt is now charged to the service users' estate. This poses a significant risk to recovery as it is unsecured. This has been reflected by an appropriate increase in the Bad Debt provision specifically earmarked for this Service area. A full detailed analysis has been undertaken.
- 8.5. Given the transfer of the Adult Social Care Finance Team from 1 April 2024 to Financial Services, a comprehensive review of all working practices and arrangements has commenced. Sharing knowledge and capacity will help to improve processes, the customer experience and maximise the levels of debt collection for both current and future financial years.
- 8.6. An initial detailed analysis and status of levels of Adult Social Care debt has been finalised. Further work on some of the older debt is ongoing. The total debt identified for write off as part of this report is **£564,804** and can be analysed as follows.

Debts under £10k – **68 cases totalling £99,772.**

Debts between £10k - £25k – **13 cases totalling £188,999.**

Debts over £25k – **5 cases totalling £276,033.**

The debts of a value of less than £25k have been written off in accordance with the designated approval levels (see paragraph 12.2). The proposed individual debts for write off over £25k in value are included in **Appendix B** for Cabinet's approval.

9. Parking

- 9.1. The recovery of unpaid Penalty Charge Notices is undertaken by a semi-judicial process under the current Traffic Management Act 2004.
- 9.2. From 1st April 2023 to 31st March 2024 a total of **71,385 Penalty Charge Notices (PCNs) have been issued** identifying a **potential income of £2,140,720**. It should be noted that PCNs are issued at a higher rate and lower rate (£70.00 and £50.00 respectively) depending on the seriousness of the parking contravention. PCNs may also be paid at a discounted rate of 50% of the charge if paid within 14 days of the date of issue.
- 9.3. This value is continuously being amended as payments are received and it should be recognised that payments made at the 50% discount amount will reduce the potential income level. Historically, 75% of paid PCN's are paid at the discounted payment.
- 9.4. The value of **cancelled notices for 2023/24 is £579,306** and cases **written off where no vehicle owner has been identified totals £25,229.**

Note: "In the parking enforcement process, only PCNs that have been registered as an unpaid debt at the Traffic Enforcement Centre are classed as being at debt stage."

10. Miscellaneous Income

- 10.1. This will include a range of services that the Council will charge for, including such areas as rental income on commercial properties, recharges to other bodies for services we have provided, and recovering overpaid salaries from staff who have left the Organisation.
- 10.2. It is important to note that collection can vary month by month depending on the value of invoices raised as a reasonable period needs to be allowed for payment to be made.
- 10.3. Total debt outstanding as at 31 March 2024 is **£8.7M** compared to **£11.3M** at the same time last year, a **decrease of £2.6M**.
- 10.4. This decrease is largely due to positive in-year collection levels, an **additional £4.1M of debt** has been raised in-year, but an **extra £6.1M of in-year debt was collected** in monetary terms during this financial year, resulting in a **year-end collection rate of 88.4%** of the total debt raised; an increase from the 83.3% collection in the previous financial year.

11. Housing

- 11.1. Under the management of South Essex Homes there are arrears of outstanding debt of Rent and Service Charges for housing tenants. Extensive recovery procedures are followed but if the debt is deemed to be irrecoverable then the cost of any write-offs for this category of debt is specifically charged to the Housing Revenue Account and not to Council Taxpayers.

12. Debt Collection Policy and Operational Arrangements Review

- 12.1. A new Debt Collection and Recovery Policy was approved by Cabinet in January 2024. A review of the operation of the overall corporate debt collection arrangements has now commenced given the transfer of services now under the responsibility of the Director of Financial Services. The review is also considering workflows and where possible exploring opportunities for greater automation and consistency of all debt collection processes and procedures.

- 12.2. Write off approval levels currently in place are shown in the tables below, which are in accordance with the latest Financial Procedure rules set out in the Constitution and the latest corporate debt recovery policy.

| Debt Type: Accounts Receivable/Adult Services/ Housing and Council Tax Benefit | |
|---|-----------------------------|
| Designation | Amount |
| Assistant Manager | under £5,000 |
| Manager | Up to £10,000 |
| Executive Director (Finance & Resources) | Between £10,000 and £25,000 |
| Cabinet | £25,000 and above |

| Debt Type: NNDR (National Non-Domestic Rates) | |
|--|-----------------------------|
| Designation | Amount |
| Senior Officer | Up to £2,000 |
| Team Leader | Up to £5,000 |
| Manager | Up to £10,000 |
| Executive Director (Finance & Resources) | Between £10,000 and £25,000 |
| Cabinet | £25,000 and above |

| Debt Type: Parking | |
|--|-----------------------------|
| Designation | Amount |
| Team Leader | Up to £5,000 |
| Head of Parking | Up to £10,000 |
| Jointly - Head of Parking and Executive Director (Finance & Resources) | Between £10,000 and £25,000 |
| Cabinet | £25,000 and above |

South Essex Homes, as managing agent, submit proposed write-offs to the Council, following which the following approval levels are exercised.

| Debt Type: Housing Rents and Service Charges | |
|--|-------------------|
| Designation | Amount |
| Jointly - Head of Housing Service and Executive Director (Finance & Resources) | Under £25,000 |
| Cabinet | £25,000 and above |

13. Reasons for Decisions

- 13.1. Debt collection should form an important consideration for most service areas but predominantly collection is secured by services now reporting into the Director of Financial Services. All action instigated remains in accordance with the Council's Corporate Debt Management Policy to ensure a fair and consistent approach is applied to each case, and to maximise income collection for the Council. The new structure and reporting arrangements summarised in this report should help to further strengthen overall debt collection performance and help to maximise revenue and provide a more consistent experience for residents and other clients of Council services.
- 13.2. Each write off is considered on an individual basis to assess the viability of collection and via compliance with the Council's Corporate Debt Management Policy to ensure a standard consistent approach is applied.

14. Other Options

- 14.1. This is a report notifying members of the current position of the Council's debt and related write offs, and therefore there are no other options.

15. Financial Implications

- 15.1. Debts that are written off will have been provided for within the Council's bad debt provision and as such there should be no specific additional financial implications for the Council. However, it is possible that unforeseen and unplanned additional write offs occur, which could lead to the value of debts written off in any year exceeding the bad debt provision.
- 15.2. Where there is a potential for this to happen, this report will act as an early warning system and will enable additional control measures to be agreed and undertaken to either bring the situation back under control, or to make appropriate adjustments to the bad debt provision.
- 15.3. Relevant service areas are aware that they will have to bear the full cost of the value of debts that are written off from within their service's budget.
- 15.4. The Council's bad debt provision is calculated according to the type of debt using an agreed formula. Exceptions can be made on a case-by-case basis by Finance Officers applying their professional judgement considering specific service knowledge. The proposed arrangements for each debt type are reviewed annually, and the approach is agreed with the Council's external auditors.

- 15.5. For General Fund debt the following percentages are used to calculate the value of provisions for various types of debt

| Type of debt | Age of debt in months | | | | | | |
|-------------------|-----------------------|-----|-----|-----|-----|------|------|
| | <1 | 1-2 | 2-3 | 3-4 | 4-6 | 6-12 | >12 |
| Sundry Debt | 0% | 10% | 10% | 50% | 50% | 90% | 90% |
| Adult Social Care | 0% | 10% | 10% | 50% | 50% | 90% | 100% |
| Commercial Rents | 0% | 10% | 15% | 25% | 50% | 70% | 90% |

- 15.6. Where there is an active payment plan in place no bad debt provision is made.
- 15.7. Provisions for bad debt associated with Council Tax or Business Rates are calculated as part of the Collection Fund accounting arrangements and apportioned between Southend-on-Sea City Council as the billing authority and preceptors. These calculations have followed a similar formulaic approach for bad debt provision over the last 23 years. The approach and calculations are also shared with the Council's external auditors each year.
- 15.8. Provisions for bad debt associated with the Housing Revenue Account follow specific recommended guidelines. The Council follows this approach, and the overall bad debt provision is calculated on this basis.

16. Legal Implications

- 16.1. If there are debts to be written off that exceed the level at which officers have delegated powers to deal with the matter, authorisation is required from Cabinet.

17. Carbon Impact

- 17.1. No carbon impact implications.

18. Equalities

- 18.1. Debt Collection is managed through a Corporate Debt Management Policy and is based on an approach of "Can't Pay Won't Pay". Each write-off is considered on an individual basis through a standard consistent best practice approach.

19. Consultation

- 19.1. No consultation required for the write off of debt.

20. Appendices

- 20.1. Appendix A: Debt Management Position 31.03.2024
Appendix B: Write Offs 31.03.2024

Report Authorisation

This report has been approved for publication by:

| This report has been approved for publication by: | | |
|--|--------------------|--------------|
| | Name: | Date: |
| S151 Officer | Joe Chesterton | 07/06/2024 |
| Monitoring Officer | Susan Zeiss | 12/06/2024 |
| Executive Director(s) | Joe Chesterton | 07/06/2024 |
| Relevant Cabinet Member | Councillor Collins | 13/06/2024 |

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Summary of Outstanding Debt**A. Outstanding Debt in respect of arrears before 2023/24 – all amounts are shown in £000s.**

| Pre 1 April 2023 | Council Tax (a) | Business Rates (a) | Housing Benefit O/payments (b) | Adult Services | Misc. Income | HRA (Care Line/ Service Charges) | Parking (c) | Libraries (d) | HRA Current Tenants (e) | HRA Former Tenants (e) |
|------------------------------------|-----------------|--------------------|--------------------------------|----------------|--------------|----------------------------------|-------------|---------------|-------------------------|------------------------|
| Net Collectable Debt at 31.03.2024 | 10,964 | 1,304 | 4,208 | 8,238 | 11,361 | 410 | 503 | n/a | n/a | 477 |
| Amount Paid at 31.03.2024 | 2,803 | 610 | 903 | 4,098 | 9,640 | 151 | 157 | 10 | n/a | 200 |
| Total Outstanding | 8,161 | 694 | 3,305 | 4,140 | 1,721 | 259 | 346 | n/a | n/a | 277 |
| Number of Accounts | 15,513 | 262 | 1,444 | 2,674 | 1,281 | 103 | n/a | n/a | n/a | 350 |

B. Current Year Debt (Debt raised in respect of 2023/24) – all amounts are shown in £000s.

| Post 1 April 2023 | Council Tax (a) | Business Rates (a) | Housing Benefit O/payments (b) | Adult Services | Misc. Income | HRA (Care Line/ Service Charges) | Parking (c) | Libraries (d) | HRA Current Tenants (e) | HRA Former Tenants (e) |
|------------------------------------|-----------------|--------------------|--------------------------------|----------------|--------------|----------------------------------|--------------|---------------|-------------------------|------------------------|
| Net Collectable Debt at 31.03.2024 | 119,649 | 37,495 | 1,243 | 18,698 | 60,887 | 2,979 | 2,908 | n/a | 39,344 | 268 |
| Amount Paid at 31.03.2024 | 116,817 | 37,150 | 496 | 13,238 | 53,858 | 2,794 | 1,820 | 4 | 37,541 | 41 |
| Total Outstanding | 2,832 | 345 | 747 | 5,460 | 7,029 | 185 | 1,088 | n/a | 1,803 | 228 |
| Number of Accounts | 7,655 | 303 | 426 | 2,528 | 1,254 | 82 | n/a | n/a | 1,145 | 229 |

C. Total Debt (A + B) – all amounts are shown in £000s.

| Total Debt | Council Tax (a) | Business Rates (a) | Housing Benefit O/payments (b) | Adult Services | Misc. Income | HRA (Care Line/ Service Charges) | Parking (c) | Libraries (d) | HRA Current Tenants (e) | HRA Former Tenants (e) |
|--|--------------------|--------------------------|---|-------------------|-----------------|---|----------------|------------------|----------------------------------|---------------------------------|
| Total Net Collectable Debt at 31.03.2024 | 130,613 | 38,799 | 5,451 | 26,936 | 72,248 | 3,389 | 3,411 | n/a | 39,344 | 745 |
| Total Amount Paid 31.03.2024 | 119,620 | 37,760 | 1,399 | 17,336 | 63,498 | 2,945 | 1,977 | 14 | 37,541 | 241 |
| Total Debt Outstanding | 10,993 | 1,039 | 4,052 | 9,600 | 8,750 | 444 | 1,434 | n/a | 1,803 | 505 |
| Total Number of Accounts | 23,168 | 565 | 1,870 | 5,202 | 2,535 | 185 | n/a | n/a | 1,145 | 579 |

Notes

- (a) Council Tax and Business Rates include adjustments for write-offs, credits and outstanding court costs.
- (b) Unlike NDR and Council Tax, HB Overpayment is not attributable to a financial year i.e. a yearly debit is not raised. When a payment is made, it is not feasible to state which specific aged debt the payment was made against. For these reasons the outstanding amounts in the report reflect the actual outstanding debt at the date requested. It does not reflect the outstanding debt against current year and previous year debts.
- (c) Parking total outstanding is net of PCNs cancelled and written off.
- (d) The total figure of £14k relates to Library fines paid between 1 April 2023 and 31 March 2024
- (e) HRA tenancy debts (residential rent accounts) are rolling amounts, with no breaks in years or rollovers. Any cash received is applied to the oldest rent week outstanding. The figures shown are total arrears outstanding, and therefore include arrears still outstanding from prior years.

Summary of Write Off's

Debts written off in 2023/24

Period 1 April 2023 – 31 March 2024 relating to any year

| Write Offs | Council Tax £ | Business Rates £ | Housing Benefit Overpayment £ | Adult Services £ | Miscellaneous Income £ | HRA (Service Charges) £ | Parking (a) £ | Libraries £ | HRA Tenants £ |
|--------------|-------------------|---------------------|----------------------------------|---------------------|---------------------------|----------------------------|---------------------|-----------------|-------------------|
| Under £5k | 521,810.54 | 108,719.49 | 33,565 | 86,277 | 107,311 | 15 | 1,095,697.54 | 2,707.78 | 120,803.83 |
| £5k-£25k | 50,776.55 | 294,522.63 | 41,676 | 54,043 | 41,098 | 0 | 0.00 | | 31,644.82 |
| Over £25k | 25,686.20 | 198,546.09 | 0 | 0 | 265,945 | 0 | 0.00 | | 0 |
| Total | 598,273.29 | 601,788.21 | 75,241 | 140,320 | 414,354 | 15 | 1,095,697.54 | 2,707.78 | 152,448.65 |

(a) Parking debts written off relate to (i) expired warrants (ii) penalty charge notices (PCNs) where the Driver and Vehicle Licensing Agency (DVLA) has no keeper details (iii) PCNs where unable to register the debt and (iv) PCNs with an invalid vehicle registration mark (VRM)

There are nine Write off's greater than £25,000 to be submitted for approval for this period.

| Amount to write off | | Service Area |
|---------------------|--|-----------------------|
| £30,769.16 | <p>Stealth Marketing Company Limited – Property was let to this company by the owner of the premises who is now in receivership. The first year's rent was free. We have received no contact from ratepayer and the Council's enforcement agent found the registered office of the company to be unoccupied and up for let. Using the Council's search tool it has been established that this company has been responsible for multiple properties with large RVs across the country indicating that the installation of this company as a leaseholder was a rates avoidance scheme.</p> <p>A company search shows that the company has a net worth of £1.</p> | Business Rates |

| | | |
|---------------------------|---|------------------------------------|
| <p>£30,035.32</p> | <p>Property Supply Limited – Property let to this company by HMRC for period 1 November 2020 until 31 January 2023, with confirmation received of these dates in January 2024, together with respective sublet periods. No payment has been received by the company during this period and the Council are unable to continue collection attempts as company has entered liquidation. A claim has been submitted to the official receiver for this sum and any future potential dividend will reduce the write off requested on this report.</p> | <p>Business Rates</p> |
| <p>£102,330.05</p> | <p>TUP SE C.I.C – Company entered into an agreement to operate from a large business property in the City from 12 June 2023 – company faced challenges in setting up the business and consequently failed to commence trading; lease was subsequently surrendered back to the landlord effective from 18 December 2023 however large debt accrued. The Council have been unable to secure any payment either directly or by an enforcement agent. Company has no assets and therefore no prospect of collection.</p> | <p>Business Rates</p> |
| <p>£31,050.00</p> | <p>In 2020 it was discovered that due to an issue when changing IT systems in 2011 rent invoices had not been issued to a tenant. An invoice was raised for £123,137 in respect of the unpaid rent and subsequent quarterly rent invoices were raised in accordance with the lease. The tenant paid some of the rent, but not all of it, so the Council commenced forfeiture proceedings. Prior to the forfeiture hearing an agreement was reached that the tenant would pay £110,000 towards the remaining rent arrears and £12,000 towards the Council's legal costs. The £31,050 rent being written off is in respect of rent that is over 6 years old and is therefore considered to be statute barred from legal action.</p> | <p>Miscellaneous Income</p> |
| <p>£72,961.47</p> | <p>Essex County Council – Total amount owed for all invoices is £194,764.21. Only have back up documents for invoices after 2019. Invoices dates 2016/7 total £42,364.58, invoices up to and including 2019 total £83,908.23, credits on account total £10,946.76. If write off up to and including 2019 and including credits total write off is £72,961.47.</p> | <p>Adult Services</p> |
| <p>£57,025.85</p> | <p>Debt is for period 20 February 2022 to 20 December 2022, deceased 21 December 2022. Financial assessment never completed so full cost charged. No property as this was lost in a legal case in 2011. Son's whereabouts are not known and has never engaged.</p> | <p>Adult Services</p> |
| <p>£46,151.46</p> | <p>Court Of Protection (COP) Client - executor has never applied for probate. Equity release on the property last statement 2020 £85,000 owed, trying to trace executor to repossess property. Invoices for Deferred Payment Agreement but not secured, possible property value £150,000. Executor states never received keys back for the property however COP have record of returning them, has been advised to get a locksmith in. Equity</p> | <p>Adult Services</p> |

| | | |
|--------------------------|---|------------------------------|
| <p>£57,700.54</p> | <p>release is increasing continually against property so likely no equity remaining and no secured charge for the council.</p> <p>Invoice dated 27 March 2015 for Deferred Payment Agreement from 26 March 2008 to 2 June 2010. Not on ContrOCC system, now NHS Continuing Healthcare funded. Letter sent 21 February 2022 advising DPA debt due when property sells or BR passes. Zoopla shows the property from address on invoice sold in September 2012. Notes in LAS suggest address on invoice incorrect as talks about address in Southminster. Advised that file on BR was destroyed in 2017.</p> | <p>Adult Services</p> |
| <p>£42,193.43</p> | <p>Homecare debt, deceased 5 December 2021. Family solicitor provided details of wife's income & expenditure and we negotiated repayment of some of the debt leaving balance remaining for write off.</p> | <p>Adult Services</p> |

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