



# Agenda

## Policy, Projects and Resources Committee

Tuesday, 19 June 2018 at 7.00 pm

Brentwood County High School, Shenfield Common, Seven Arches Road,  
Brentwood CM14 4JF

---

### Membership (Quorum – 3 )

Cllrs Mrs McKinlay (Chair), Kerlake (Vice-Chair), Barrett, Hirst, Hossack, Kendall, Mynott, Parker and Ms Rowlands

### Substitute Members

Cllrs Aspinell, Bridge, Morrissey, Nolan, Poppy and Ms Sanders

---

### Agenda

| Item | Item  | Wards(s)<br>Affected | Page No |
|------|---|----------------------|---------|
| 1.   | Apologies for Absence                           |                      |         |
| 2.   | Minutes of the Previous Meeting                 |                      | 5 - 16  |
| 3.   | Asset Development Programme Update              | All Wards            | 17 - 24 |
| 4.   | Centenary Fields                                | All Wards            | 25 - 30 |
| 5.   | Corporate Projects                              | All Wards            | 31 - 40 |
| 6.   | Constitution Working Group                      | All Wards            | 41 - 46 |
| 7.   | 2017/18 Provisional Outturn and Annual Treasury | All Wards            | 47 - 70 |

## Management Report

- |     |                                      |           |           |
|-----|--------------------------------------|-----------|-----------|
| 8.  | <b>Policy for Document Retention</b> | All Wards | 71 - 168  |
| 9.  | <b>ASELA 2050 Update</b>             | All Wards | 169 - 204 |
| 10. | <b>Urgent Business</b>               |           |           |

A handwritten signature in black ink, appearing to read 'P. L. P. B.' with a large, stylized flourish underneath.

Chief Executive

Town Hall  
Brentwood, Essex  
11.06.2018

---

### Information for Members

#### Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

---

#### Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

---

#### Point of Order/ Personal explanation/ Point of Information

##### Point of Order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Mayor on the point of order will be final.

##### Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Mayor on the admissibility of a personal explanation will be final.

##### Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Mayor. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Mayor gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Mayor on the admissibility of a point of information or clarification will be final.

---

### Information for Members of the Public

#### Access to Information and Meetings

You have the right to attend all meetings of the Council and Committees. You also have the right to see the agenda, which will be published no later than 5 working days before the meeting, and minutes once they are published.

Dates of the meetings are available at [www.brentwood.gov.uk](http://www.brentwood.gov.uk).

---

#### Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of

---

these activities, in their opinion, are disrupting proceedings at the meeting.

---

 **Private Session**

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

---

 **modern.gov app**

View upcoming public committee documents on your Apple or Android device with the free modern.gov app.

---

 **Access**

There is wheelchair access to the meeting venue from the Main Entrance. If you do wish to attend this meeting, please contact the clerk should you have specific accessibility needs. There is an induction loop in the meeting room.

 **Evacuation Procedures**

Evacuate the building using the nearest available exit and congregate at the assembly point in the Car Park.



## Minutes

---

### Policy, Projects and Resources Committee Monday, 12th March, 2018

#### Attendance

|                           |              |
|---------------------------|--------------|
| Cllr Mrs McKinlay (Chair) | Cllr Keeble  |
| Cllr Kerlake (Vice-Chair) | Cllr Kendall |
| Cllr Barrett              | Cllr Mynott  |
| Cllr Faragher             | Cllr Parker  |
| Cllr Hossack              |              |

#### Apologies

#### Substitute Present

#### Also Present

Cllr Hirst  
Cllr Mrs Hubbard  
Cllr Ms Rowlands  
Cllr Mrs Fulcher  
Cllr Mrs Pound

#### Officers Present

|                          |   |   |
|--------------------------|---|---|
| Philip Ruck              | - | Chief Executive                           |
| Jacqueline Van Mellaerts | - | Chief Financial Officer                   |
| Lorne Spicer             | - | Business Development and PR Manager       |
| Steve Summers            | - | Chief Operating Officer                   |
| Daniel Toohey            | - | Head of Legal Legal/Monitoring Officer    |
| Greg Campbell            | - | Projects Manager                          |
| Philip Devonald          | - | Corporate Governance/IG Lawyer            |
| Kim Anderson             | - | Partnership, Leisure & Funding Manager    |
| Stuart Anderson          | - | Countryside & Open Spaces Supervisor      |
| Claire Mayhew            | - | Corporate and Democratic Services Manager |
| Zoe Borman               | - | Corporate Services Officer                |
| Chris Leslie             | - | Commercial Manager                        |

### 304. Apologies for Absence

There were no apologies received.

### 305. Minutes of the Previous Meeting

The Minutes of the Policy, Projects and Resources Committee held on 1<sup>st</sup> February 2018 were approved as a true record.

### 306. Preparation for General Data Protection Regulation - GDPR

On 25 May 2018, the General Data Protection Regulation (GDPR) will come into full force. In addition, the Data Protection Bill will effectively adopt GDPR directly into English law. The new Act will therefore have three main themes:

- Extending the scope of data regulation
- Empowering individuals to have greater control over their own data
- Building privacy into products and services
- Imposing big sanctions for non-compliance

Members considered a report on progress at the January meeting and this report provides a further update. The Council has continued to make progress towards introducing GDPR compliant measures in time for the new law coming into effect in three months' time.

Members were asked to consider and adopt a raft of policies to ensure compliance with new data protection legislation.

Mr Devonald, presented summary of the report to the members of the committee.

The Chair asked for a reminder to be sent to all Members to complete the GDPR on-line training.

A training session for all members to be held before the GDPR enforcement date of 25th May 2018.

Cllr Hubbard requested that the link to be re-sent to her.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY**.

1. **That the attached updated compliance action plan (Appendix A), be approved to enable officers to roll out effective GDPR compliance across the Council by 25 May 2018.**

**2. That Members note and approve the following additional revised and updated policy documents:**

- **Data Protection Policy;**
- **Data Breach Policy;**
- **Consents Policy;**
- **Data Processing Impact Assessments Policy;**
- **Privacy Notices Policy; and**
- **Clear Desk Policy,**

**with delegated authority granted jointly to the Head of Legal Services and the Senior Information Risk Officer to revise and update once the details of the new Data Protection Act are known.**

**Reasons for Recommendation**

Members have approved a compliance action plan and project plan. This is a complex, council wide project so that some dates for action/completion under the project plan are subject to change for operational reasons. In addition, the law in terms of a new Data Protection Act is not yet enacted and further changes to the detail may be possible. This will not affect the overall projected completion date of 25 May 2018, though some on-going work will be necessary.

Specific work flows will be developed following receipt of council-wide responses to a questionnaire which has been sent out to all departments, along with guidance notes and other documents. This is vital to capture all information necessary to ensure compliance in all areas in due course, both hard copy and electronic. The deadline for responses is 12th March. After that we will analyse the information and categorise it. A programme of review and deletion of outdated material will then follow. Specific GDPR training will be put in place for both officers and Members to complete over the coming months.

**307. Larkins Playing Field**

The report considered a request by Brentwood Youth AFC to provide the club with long term tenure at Larkin's Playing Fields, subject to the relevant planning permission being granted and subject to contract with Brentwood Borough Council. In order that Brentwood Youth AFC can secure external funding to improve facilities at Larkin's Plying Fields, external funders such as the Football Association require a commitment from the landowner (Brentwood Borough Council) that will support their improvement plans and provide the club with long-term tenure at Larkin's Playing Fields. It is proposed that the attached letter of intent will be sufficient evidence of the Council's commitment to support improvement to the whole site. The report has been presented to the Community, Health and Housing Committee on 5 March for their consideration, but as this relates to one of the Council's Assets it was recommended that the report would be referred to Policy, Projects and Resources Committee for their consideration.

Cllr Mrs McKinlay **MOVED** and Cllr Hossack **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY**.

- 1. That Members agree to issue the proposed letter of intent to Brentwood Youth Club AFC.**

#### **Reasons for Recommendation**

The Council's Draft Leisure Strategy is also before Members tonight and some of the key recommendations within the Strategy is the improvement to leisure facilities across the Borough and working in partnership to deliver the expected outcomes from the Strategy. Comments received from Sport England as part of the Local Development Plan consultation, stated that a Leisure Strategy is required that assesses Council owned sports and leisure facilities in order that the Council can continue to work with partners to ensure that appropriate provision is made for the residents of Brentwood. The strategy should not only consider how the Council can provide services, but also how other partners can. The strategy should also use current sports facility evidence to identify strategic priorities to then inform what will be included in the Council's Infrastructure Delivery Plan. Following this feasibility work, the Council will then be able to determine which projects will be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.

#### **308. Allotments**

There are a number of allotments within the Borough. These have attached to them a variety of statuses and lease arrangements.

The council recognise the importance of allotments and their benefit to the community, and is seeking to ensure they are preserved for future generations.

Cllr Mrs McKinlay **MOVED** and Cllr Parker **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY**.

- 1. To agree that a paper is prepared for the next PPR committee to**
  - a) detail allotments that are deemed "statutory"**
  - b) consider a referral to the Secretary of State, if appropriate, to appoint some additional allotments as "statutory"**

**and**

  - c) to agree a standard Heads of Agreement to apply to allotments (subject to any individual circumstances/peculiarities relating to particular allotments)**

#### **Reasons for Recommendation**

Appendix A details the current Allotment sites within the Brentwood area.



A number of discussions have taken place over the last 12 months with key stakeholders representing various allotments. It is clear from this that allotment users require clarity around the definition of “statutory” and “temporary” status and that appropriate lease/financial arrangements need to be defined and put into place.

### **309. Leisure Strategy**

The Leisure Strategy is one of the key strategies as set out in the Vision for Brentwood 2016-19 document. The Council has ageing facilities and needs to ensure that its leisure facilities are not only fit for purpose now but in the future. The Strategy and action plan sets out the vision, what the Council needs to achieve, the challenges it faces and how the priorities and outcomes have been identified. The Leisure Strategy is a large piece of work, so it has been split into workstreams to enable its delivery. The Strategy will cover a period of 10 years, but the supporting action plan will be a live document which will be reviewed and updated regularly to note the progress on the delivery of the Strategy.

The draft Leisure Strategy was presented to Community, Health and Housing Committee on 5 March for approval with a recommendation to refer to Policy, Projects and Resources Committee due to the resources and budgets that need to be agreed by Members.

Cllr Kendall, expressed a wish for the Leisure Strategy to be reviewed by the Corporate Project and Scrutiny Committee. He was informed by Officers that the Leisure Strategy will be reviewed under the Working Group and will be discussed at the meeting on 19th March.

After a full discussion, Cllr Hossack **MOVED** and Cllr Parker **SECONDED** the recommendations in the report, subject to an amendment to 2.3 to state:-

*2.3 Subject to the required resource and budgets, the committee agrees delegated authority be given to the Chief Executive in consultation with the Chair of Community Health and Housing Committee and the Leader of the Council to appoint a Leisure Development Partner to develop a business case for the improvements to King George’s Playing Fields.*

A vote was taken by a show of hands and it was **RESOLVED**.

- 1. That Members agree to the draft Leisure Strategy and action Plan.**
- 2. The draft Leisure Strategy is put out for consultation and the final strategy comes back to the relevant committee for approval.**
- 3. Subject to the required resource and budgets, the committee agrees delegated authority be given to the Chief Executive in consultation with the Chair of Community Health and Housing Committee and the Leader of the Council to appoint a Leisure Development Partner to develop a business case for the improvements to King George’s Playing Fields.**

### **Reasons for Recommendation**

As part of the Council's due diligence in delivering a successful Leisure Strategy, Members and Officers need to have a complete picture of the current associated costs, risk profiles for the Borough' Leisure facilities and identify opportunities for the income generation.

Comments received from Sport England as part of the Local Development Plan consultation, stated that a Leisure Strategy is required that assesses Council owned sports and leisure facilities in order that the Council can continue to work with partners to ensure that appropriate provision is made for the residents of Brentwood. The strategy should not only consider how the Council can provide services, but also how other partners can. The strategy should also use current sports facility evidence to identify strategic priorities to then inform what will be included in the Council's Infrastructure Delivery Plan. Following this feasibility work, the Council will then be able to determine which projects will be funded by the Community Infrastructure Levy (CIL) and those funded by planning obligations.

The Council's Asset Management Strategy 2014/15 also sets out the need to obtain maximise income where possible from its asset portfolio.

*(Cllr Ms Rowlands and Cllr Kerlake declared a non-pecuniary interest under the Council's Code of Conduct by virtue of her position as a Trustee for Brentwood Leisure Trust. Cllr Kendall and Cllr Hossack declared a non-pecuniary interest under the Council's Code of Conduct by virtue of being a Members of the Brentwood Centre (BLT)).*

### **310. Removal of RedGra area at Warley Playing Fields from existing Joint User Agreement**

Warley Playing Fields is one of the Council's key open spaces and the main site serving the Warley ward and surrounding community.

The playing field is unique in that it is owned by three different bodies, one area is owned by Brentwood Borough Council, one by Essex County Council and one by Brentwood County High School, as shown an appendix to the main report.

The site is managed and maintained by the Council under the terms of a Joint User Agreement which was signed in 1998, in it the document laid out the responsibilities of each partner and also the financial responsibilities of each, as shown was as an appendix to the main report.

This document replaced several earlier versions between Brentwood Borough Council, Brentwood County High School and Essex County Council with original agreements going back as far as 1977.

A number of changes have occurred since the document was agreed with one of these being the establishment of Mavericks Rugby Football Club at the site as their home ground.

The Council has been approached by representatives of Brentwood County High School and Mavericks Rugby Football Club with regard to removing the now defunct RedGra area from the agreement so that Mavericks Rugby Football Club may develop the area into an all-weather pitch.

It is intended to also have associated fencing and floodlights for use by the school, club and also local community groups.

Cllr Mrs Hubbard, Ward Member. Fully in support of a new Joint User agreement, however expressed concerns over the two derelict garages adjacent to the site and the floodlights near neighbouring property. Cllr Hubbard to liaise with Mr Anderson on her concerns.

Cllr Mrs McKinlay **MOVED** and Cllr Hossack **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY**.

1. **That members approve the withdrawal of the RedGra area from the current Joint Use Agreement for Warley Playing Fields in order for the site to be developed by Mavericks RFC as a community facility.**
2. **That the above recommendation be agreed under the proviso that Officers from Brentwood County High School enter into active dialogue with Officers of Brentwood Borough Council to draft a new Joint User Agreement for Warley Playing Fields.**
3. **That members delegate authority to the Chief Operating Officer and relevant Officers to commence re-negotiation of the Joint User Agreement to be brought back to a future Policy, Projects and Resources Committee for consideration.**

#### **Reasons for Recommendation**

To allow for the refurbishment of a degraded sporting facility at Warley Playing Fields for both educational and community use.

To ensure that facilities continue to be provided that cater for the immediate and future needs of both the school, local sports clubs and community groups.

To allow for discussions and negotiations to commence for the development of a new Joint User Agreement for Warley Playing Fields and King George's Playing Fields.

*(Cllr Mynott declared a non-pecuniary interest under the Council's Code of Conduct by virtue of an employee for Brentwood County High School).*

#### **311. Town Hall Update and Automated Suppression System**

The Town Hall project is progressing in line with identified timescales.

This report provides a general update, progress on the Hub Groups and back office regarding the remodelled Town Hall.

The report provides information on the fire safety compliance of the scheme and the provision of an automated suppression system for members to consider following a motion at Ordinary Council (18.10.2017).

An automated suppression system is a general term given to systems which are activated automatically when a certain temperature is reached which in turn releases a liquid, substance or gas that reduces the impact or spread of a fire and/or smoke.

The report by Lawrence Webster Forrest confirms that the current scheme (without any automated suppression system) meets the current standard. However, discussion with experts (including the Fire Brigade) state that risk is further mitigated if an Automated Suppression System is installed on the top two floors of the Town Hall.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED UNANIMOUSLY**.

1. **Note the Town Hall update within this paper.**
2. **To agree that the PPR Committee receives a further update report on progress of the Town Hall at the next PP & R Committee.**
3. **Progress the detailed work necessary to install a water misting system via an Automated Suppression System on the top two floors of the Town Hall.**
4. **That an increased capital budget of £200,000 with an ongoing revenue cost for maintenance of £5,000 per annum be identified for the provision of an automated suppression system. That should the overall projected costs look to be exceeding this amount the decision be referred back to Policy, Projects and Resources Committee.**

#### **Reasons for Recommendation**

It was recommended to report back to Members at the next PP & R Committee so they are aware of progress generally and the latest financial position in terms of any changes relating to both expenditure and revenue.

### **312. Wholly Owned Company**

This report sets out the business case and seeks approval to create a company that will be wholly owned by the Council. As part of the Council's asset development programme a private company is required to engage in commercial activity and also to facilitate future opportunities.

Cllr Keeble, asked if a member of the Independent Party could be included on the Project Board. The Chair will review panel structure.

After a full discussion, Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report, subject to an amendment to 2.3 and additional recommendation under 2.5.

2.3 *That the Council borrows up to £10 million from the Public Works Loan Board.*

2.5 *That the Project Board provides an Advisory Group to the Wholly Owned Company.*

A vote was taken on a show of hands and it was **RESOLVED**.

1. **That the Committee recommend to full Council the creation of a wholly owned company.**
2. **That an initial loan facility of up to £10 million is provided to the company.**
3. **That the Council borrows up to £10 million from the Public Works Loan Board.**
4. **That the Committee recommend to full Council that authority be delegated to the Policy, Projects and Resources Committee to exercise the Council's decision making powers under the shareholder's agreement.**
5. **That the Project Board provides an Advisory Group to the Wholly Owned Company.**

#### **Reasons for Recommendation**

To create a wholly owned company Committee recommendation to Council and subsequent Council approval is required.

### **313. Procurement of a Joint Venture Partner**

This report seeks approval to commence a procurement process under the Public Contracts Regulations 2015 using the Competitive Dialogue procedure to procure a joint venture partner.

A joint venture partner is required to enable the Council to further its asset development programme.

Cllr Mrs McKinlay **MOVED** and Cllr Kerslake **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED**.

That the Committee recommends to Council:

1. That a Competitive Dialogue Procedure under the Public Contracts Regulations 2015, to procure a joint venture partner commences.
2. That the procurement documentation set out in the appendices be approved.
3. That Delegated Authority is given to the Chief Executive, after consultation with the Leader of the Council, to finalise all documentation required to support the procurement process.

#### **Reasons for Recommendation**

To commence a Competitive Dialogue Procedure under the Public Contracts Regulations 2015, approval by Council is required.

#### **314. Termination of Meeting**

At 9.00pm in accordance with Rule 10.1 of the Council's procedural rules, Members resolved to continue the meeting for a further 30 minutes.

#### **315. Brentwood Leisure Trust - Operational Loans, Leases and Service Level Agreement**

Brentwood Leisure Trust (BLT) receives a fee of £141k per year from the Council to manage the community halls.

This report seeks approval to phase out the management fee paid to BLT over 2 years. Brentwood Leisure Trust (BLT) receives a fee of £141k per year from the Council to manage the community halls.

This report seeks approval to phase out the management fee paid to BLT over 2 years and to provide loan financing to ensure the trust has sufficient cash to invest in improving facilities that benefit the community, increase usage and promote community health.

Cllr Mrs McKinlay **MOVED** and Cllr Hossack **SECONDED** the recommendations in the report and following a full discussion a vote was taken on a show of hands and it was **RESOLVED**.

1. To approve an Improvements Loan of £180,000 to the Brentwood Leisure Trust for a term of 5 years, following a 2-year payment and interest holiday. Interest rate to be charged at 1.5% based on the Council's cost of PWLB borrowing over 7 years.
2. To approve a 2-year payment and interest holiday on the existing loan to BLT (approximately £163k outstanding by 31st March 2018) and repay the balance over a term of 5 years, following the 2-year payment holiday. Interest to then be charged at 1.5% as above.

3. **To reduce the payment of a Community Halls Management Fee to BLT by £100,000 (to £40,800) from 1st April 2018 and withdraw it completely from 1st April 2019.**
4. **To extend the lease and service level agreement for the Halls for a further year and delegate authority to the Chief Executive in consultation with the Chair of P, P & R to finalise the lease.**

#### **Reasons for Recommendation**

This is an “invest to save” opportunity for the Council and sets out a way forward for the Council to save money and for the Trust to be able to invest in improvement works that will in turn increase facilities available to the community, community health and also its own income levels.

*(Cllr Ms Rowlands and Cllr Kerlake declared a non-pecuniary interest under the Council’s Code of Conduct by virtue of her position as a Trustee for Brentwood Leisure Trust. Cllr Ms Rowlands and Cllr Kerlake were advised by the Monitoring Officer, due the sensitivity finance interest, that they should both leave the room and not take part in the debate or vote.*

*Cllr Kendall and Cllr Hossack declared a non-pecuniary interest under the Council’s Code of Conduct by virtue of being a Members of the Brentwood Centre (BLT).*

#### **316. Urgent Business**

There were no items of urgent business.

The meeting concluded at 9.14pm

This page is intentionally left blank



**19<sup>th</sup> June 2018**

**Policy, Projects and Resources Committee**

**Asset Development Programme Update**

**Report of:** *Chris Leslie – Commercial Manager*

**Wards Affected:** *All*

**This report is:** *Public*

## **1. Executive Summary**

- 1.1 The aim of the Council's Asset Development Programme ("ADP") is to realise the potential of the Council's property asset base so as to deliver improved revenue streams from the portfolio but at the same time securing the regeneration, economic development and housing objectives of the Council. This report provides an update on the work of the Asset Development Programme Project Board ("Project Board") to date.
- 1.2 This report outlines the progress made by the Project Board on a) the Joint Venture Partner Procurement, b) the wholly owned Company (Seven Arches Investments Ltd), c) the Early Successes Programme and other in-house items including the Memorial Wall project.
- 1.3 It requests a £30m loan drawdown "facility" (including the £10m already approved) for investment purposes by Seven Arches Investments, and for the Council to borrow from the market to fund this facility.

## **2. Recommendation(s)**

- 2.1 **To approve the Asset Development Programme Governance Structure and Terms of Reference for the Project Board.**
- 2.2 **To approve a total £30m loan drawdown facility (Including the £10m already approved) to Seven Arches Investments Ltd and that delegated power be given to the Chief Finance Officer in consultation with the Chair of PPR Committee and Group Leaders or their deputies to approve the use of the drawdown facility.**
- 2.3 **To approve the Council to borrow up to £30m to provide this facility.**

### **3. Introduction and Background**

- 3.1 The Project Board advises on all projects relating to the ADP, which includes projects relating to Corporate Asset Management, Property Joint Venture Partnerships and Seven Arches Investments Ltd. It will in turn be informed by the work of the Corporate Asset Management Group.
- 3.2 On 19 September 2017 this Committee approved a hybrid approach for delivering the asset development programme. The hybrid approach involves the self-development of simple sites by the Council, while more complex sites would be undertaken jointly between the Council and a procured joint venture partner.
- 3.3 To maintain a revenue stream for the Council the self-developed sites will be leased out on a commercial basis. The Localism Act 2011 allows local authorities to do anything an individual can do. However, section 4 of the act requires that any commercial activity must be undertaken through a company.
- 3.4 Therefore, to comply with the requirements of the Localism Act 2011 the Council established a wholly owned company, Seven Arches Investments Ltd (“SAIL”) on 12<sup>th</sup> April 2018.
- 3.5 The wholly owned company will seek to engage in a variety of commercial activities that will be asset based initially, and subject to appropriate business cases and financial sustainability could be extended into other areas such as service provision.
- 3.6 Sites developed with a partner may also require the establishment of a separate company to comply with legislative requirements and to formalise the partnership. This will likely be in the form of a limited liability partnership (LLP) with ownership split 50:50. The best arrangement will be assessed through the procurement process, currently underway.

### **4. Loan Drawdown Facility**

- 4.1 The Project Board has received several initial investment opportunities that have been presented by the appointed property investment advisors. From these opportunities and the recommendations of the property investment advisors it became apparent that access to a loan drawdown facility would be more advantageous given the need to act quickly in the commercial world.
- 4.2 The drawdown facility allows more than one potential investment to be pursued at a time, preventing lost opportunities for relatively small amounts

and allowing greater diversification. It also allows the company to operate in a more commercially competitive manner.

- 4.3 Approval is therefore now being sought to set up a “loan drawdown facility” of £30m to be set aside for use by SAIL for investment purposes. This will include the £10m already approved but will give flexibility for when future investments become available, and funds will need to be readily accessible. This will be administered by the Chief Finance Officer in consultation with the Chair of PPR.

**5. Progress to date – Joint Venture Partner Procurement**

- 5.1 Following the publication of an OJEU Notice and a dedicated website on 23<sup>rd</sup> March 2018 there were 15 organisations who submitted applications by the deadline of 4<sup>th</sup> May.
- 5.2 The 15 bids have been evaluated based on who best meet the Selection Questionnaire (SQ) criteria and the successful 5 have been put forward to Competitive Dialogue and to submit detailed solutions.
- 5.3 First competitive dialogue commenced on Monday 11<sup>th</sup> June, with further dialogue session taking place over the coming months. The procurement timetable is shown in the following table:

| <b>Stage</b>   | <b>Completion/Target Date</b>  |
|--|--|
| Dialogue Sessions                                      | w/c 11 <sup>th</sup> June 2018<br>25 <sup>th</sup> June 2018<br>9 <sup>th</sup> July 2018                  |
| Deadline for Clarification Questions (midday)          | Friday 3 <sup>rd</sup> August 2018   |
| Deadline for Submission of Detailed Solutions (midday) | Friday 10 <sup>th</sup> August 2018  |
| Conclude ISDS Evaluation                               | Friday 21 <sup>st</sup> September 2018   |
| <b>Stage 3: Final Tenders</b>                          |  |
| Feedback on Detailed Solutions (Short Listing)         | w/c 24 <sup>th</sup> September 2018  |
| Dialogue Sessions                                      | w/c 1 <sup>st</sup> October 2018<br>w/c 15 <sup>th</sup> October 2018<br>w/c 29 <sup>th</sup> October 2018 |
| <b>Stage 3: Final Tenders</b>                          |  |
| Call for Final Tenders                                 | Monday 5 <sup>th</sup> November 2018   |
| Deadline for Clarification Questions (midday)          | Monday 12 <sup>th</sup> November 2018  |
| Deadline for Submission of Final Tender (midday)       | Friday 16 <sup>th</sup> November 2018  |

| <b>Stage</b>  | <b>Completion/Target Date</b>        |
|---|--------------------------------------|
| Preferred Bidder Notified and Unsuccessful Tenderers Advised (Standstill Letters) | Friday 11 <sup>th</sup> January 2019 |
| <b>Stage 4: Contract Commencement</b>   |                                      |
| Optimise Partnership Agreement & Framework Agreement                              | 2 months                             |
| Final Award Contract  | 11 <sup>th</sup> March 2019          |
| Contracts Signed  | 18 <sup>th</sup> March 2019          |

## **6. Progress to date – Seven Arches Investments Ltd**

- 6.1 Seven Arches Investments Limited (“SAIL”) was officially registered with Companies House on 12th April 2018.
- 6.2 The procurement of Property Investment Advisors during April resulted in two City firms being appointed: Montagu Evans LLP and Carter Jonas LLP. These firms will advise when the best property investments become available, either “on market” or “off market”.
- 6.3 Sample sites have already been supplied by both parties. These are summarised for information only at Appendix A and show the type of property and potential opportunity available. The Appendix also shows key metrics for evaluation and demonstrating due diligence.
- 6.4 The infrastructure to progress with a purchase is also being put in place with valuers, surveyors and solicitors procured as well as a bank account being set up.

## **7. Progress to date – Early Success Programme / in-house schemes**

- 7.1 Progress will be reviewed at Corporate Asset Management Group fortnightly and then brought to the Project Board.
- 7.2 The Memorial Wall project is well underway. By the time of this committee, ground works will have commenced on site at Woodman Road Cemetery. The order has been placed with the contractor charged with manufacturing the granite Sanctums (Vaults) and Columbaria which will store the ashes. It is anticipated that the construction for these will take between 8 – 10 weeks after which they will be installed on site by the contractor. This should fit in well with the completion of the groundworks.
- 7.3 An “Exclusive Rights of Burial” agreement is being worked on to formalise the terms and conditions of use of the Vaults and Columbaria. Officers will now turn their attention to developing the second phase of this project which will

focus on an area designed for the placing of ashes if a family chooses not to renew the rights to their Sanctum or Columbarium. If this situation does occur, then the authority will need to have a location where remains can be either scattered or placed in the ground without using up existing burial plots. Progress will continue to be reported to this Committee.

## **8. Reasons for Recommendation**

- 8.1 To update the Committee on the progress of the Asset Development Programme.

## **9. References to Corporate Plan**

- 9.1 This fits with the Council's Transformation Vision, to explore new income generating ideas and opportunities.

## **10. Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer**

**Tel & Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

- 10.1 The asset development programme is anticipated to provide substantial income for the Council.
- 10.2 However, investments carry a degree of risk and the company will need to be sustainable in the long term.

### **Legal Implications**

**Name & Title: Daniel Toohey, Monitoring Officer/Head of Legal Service**

**Tel & Email: 01277 312860/daniel.toohey@brentwood.gov.uk**

- 10.3 Legal Services, working with external legal advisers and specialists, will be providing advice and assistance going forward.

## **11. Appendices to the report**

- 11.1 Appendix A - Summary of Investment Property Samples Sites.

### **Report Author Contact Details:**

**Name:** Ray Inns – Project Accountant

**Telephone:** 01277 312837  
**E-mail:** [ray.inns@brentwood.gov.uk](mailto:ray.inns@brentwood.gov.uk)

Summary of Investment Property Samples Sites:

Appendix A

| Criteria                                      |   |   |  |  |   |
|---|---|---|--|--|---|
| <b>Location</b>                               | Bristol Street Motors Scotswood Road Newcastle Upon Tyne                                | Greytown House Colchester Town Centre                               | Banbury Junct 11 M40 between London and Birmingham | Within an established industrial estate, approx. 1 mile from Wickford town centre                                  | Chippenham, Wilts, strategically situated between Swindon & Bristol. 9 mins from J17 of M4 motorway |
| <b>Description</b>                            | Vauxhall Motors - Purpose built Car Dealers.  | Prominent location on the High Street                               | Industrial Estate                                  | Wickford Enterprise Centre, Wickford/ Basildon   | High Qlty mid-box Logistics Unit. 79,178 sq ft  |
| <b>Covenant</b>                               | Bristol St Motors with guarantee from Vertu Motors Ltd. Stated as "excellent" covenant. | Occupiers all considered to be "lower than average risk of failure" | Unknown, would need to run checks                  | Unknown for the sub-tenants  | Let to the largest British logistics Co - Wincanton Holdings Ltd. £1bn+ turnover                    |
| <b>Tenure</b>                                 | Freehold  | Freehold  | Freehold   | Freehold   | Freehold  |
| <b>Occupiers Lease Length</b>                 | 14.5 yrs  | 17.6 yrs to break   | 8.6 yrs- 9 yrs                                     | Hd lease 118 yrs unexp'd to Basildon Borough Council. Sub-lets are 4-8 yrs remaining. (2 have 1 yr left til break) | 10 years – tenants option to break after 5  |
| <b>WAULT<sup>1</sup></b>                      | TBA   | TBA   | TBA  | TBA  | TBA   |
| <b>Repairing Obligations</b>                  | Unknown   | Unknown but Serv charge details avail on request                    | Unknown  | Unknown  | Full repairing and Insuring lease   |
| <b>Lot size</b>                               | £6.68m  | £6.62m (xs of)  | £24m (xs of)                                       | £4.56m (xs of)   | £8.3m (xs of)   |
| <b>Net Yield</b>                              | 5.85%   | 5.25%   | 6.99%  | 2.8% min – 5.3%  | 6.26%   |
| <b>On Market or Off Market</b>                | Unknown   | Unknown   | Unknown  | Unknown  | Unknown   |
| <b>Notes:</b>                                 | Rents guaranteed 3% increase pa   |   |  | Basildon BC sub let to tenants of their choice   | Comprehensively refurbished in 2017 circa £1.82m  |
| <b>RISK AND RETURN ASSESSMENT<sup>2</sup></b> |   |   |  |  |   |

<sup>1</sup> Weighted Average Unexpired Lease Term

<sup>2</sup> See separate assessment matrix - to be developed

This page is intentionally left blank



19<sup>th</sup> June 2018

## Policy, Projects and Resources Committee

### Centenary Fields

**Report of:** *Kim Anderson, Partnership, Leisure and Funding Manager*

**Wards Affected:** *All Brentwood Borough Wards*

**This report is:** *Public report*

#### 1. Executive Summary

- 1.1. The Centenary Fields programme aims to protect one green space in every local authority area across England, Wales, Scotland and Northern Ireland to commemorate the centenary of World War 1 (WWI). These protected sites could be war memorial parks or recreation grounds, memorial gardens, parks and recreation grounds that contain war memorials or other valued green spaces. Safeguarding these sites will create a living UK-wide legacy in commemoration of the sacrifice made by those who lost their lives in WWI. Fields in Trust is working in partnership with the Royal British Legion to deliver the programme.
- 1.2. The report before Members tonight is to agree the site for the proposed Centenary Field in Brentwood.

#### 2. Recommendation(s)

- 2.1 **That Members agree to support the Centenary Fields Programme and;**
- 2.2 **That officers liaise with the Royal British Legion to identify a suitable site in Brentwood in consultation with the Chair of Policy, Projects and Resources Committee.**

#### 3. Introduction and Background

- 3.1. Fields in Trust have been protecting outdoor space since 1925 to safeguard fields in perpetuity via a legal document called a deed of dedication. Decades of urban development have seen the stock of playing fields reduce substantially and once outdoor recreational spaces are lost to development they are lost for good. Safeguarding sites through the Centenary Fields programme and other Fields in Trust initiatives ensures that more parks, playing fields and other spaces will be available for future generations to enjoy. Previous initiatives have protected

recreational spaces such as King George V Fields and the Queen Elizabeth II Fields protected in celebration 2012 Diamond Jubilee.

- 3.2.** The Centenary Fields programme is also a way of local authorities fulfilling the Armed Forces Community Covenant that the vast majority have signed up to.
- 3.3.** The deadline for applications is 11 November 2018 and all deeds of dedication must be signed by May 2019. Any sites where the deed is not signed by this time will not become Centenary Fields.
- 3.4.** A site could be a war memorial park or recreation ground, memorial garden, park or recreation ground that contains a war memorial or other valued green spaces. If there isn't a war memorial on the site then it must have some significance to WWI, for example it could be playing a key role in the local WWI commemorations.
- 3.5.** Each application will be assessed through a site visit but as a minimum, the following criteria must be met:
  - a) The landowner of the site must complete the application form
  - b) Evidence of ownership, and where relevant freehold interest must be produced;
  - c) The principal use should be outdoor sport, play or recreation. This can include buildings or facilities if the use is ancillary to the outdoor space
  - d) Sites must have public access;
  - e) Sites should be accessible in terms of location and affordability for the local community;
  - f) Sites should have local managers who are responsible for the quality of the facilities, maintenance and development, improving participation and financial and operational sustainability;
  - g) The Landowner must be able to sign the agreed Deed of Dedication within six months of submitting an application;
  - h) The site must have a tangible link to WWI, either existing or planned.
- 3.6.** The WWI memorial can take various forms, for example a monument, remembrance garden, memorial gates or village hall.
- 3.7.** The Centenary Fields programme also links in with other WWI initiatives such as the War Memorials Trust, who fund the repair and restoration of war memorials and Historic England who have an ambitious programme to list the country's significant war memorials.
- 3.8.** It is not necessary for the sites involved in the programme to change their names. The site would acquire Centenary Fields status and receive and display signage associated with this which would ensure there was no requirements for any actual name change.

**3.9.** The first stage in the process is for the landowner to complete an application form and this will be followed by a site visit, after which the landowner will be told whether the site is accepted as a Centenary Field or not. If the site is accepted the legal process, then starts and sites will be protected in England via a deed of dedication. Fields in Trust will draw up the draft and then the landowner has a chance to make amendments. When all parties are satisfied with the deed it will be signed and then registered with the Land Registry. The site is then able to order a Centenary Fields commemorative plaque and can organise an unveiling event. The plaques will have provision for the name of the site and/or name of the landowner or the geographical location.

#### **4. Issues, Options and Analysis of Options**

- 4.1.** If the Council would like to establish a Centenary Field in Brentwood, then it will need to identify the most appropriate site where there is an existing connection or a planned connection.
- 4.2.** There are four existing war memorials across the borough, Middleton Hall Road, Great Warley, Kelvedon Hatch and Herongate but none of these are located within an existing park or open space.
- 4.3.** There is a memorial cross which was originally sited on Courage's Playing Fields near the junction of Shenfield, Hutton and Chelmsford roads. After an act of vandalism, it was repositioned to the south entrance door to St Mary Church.
- 4.4.** There are 10 war graves in London Road Cemetery, 1 in the Roman Catholic Cemetery, 3 in St Mary's Churchyard and 1 at the Warley Hospital Burial Ground.
- 4.5.** Warley Playing Fields could be considered as it is in the vicinity of the Warley Barracks which were used during World War I and could be included in the improvements works for the play area.
- 4.6.** Sites that are already protected as King George V or QEII Fields are not eligible to be put forward for the Centenary Fields programme. The programme aims to increase the amount of playing fields, recreation grounds and parks protected by Fields in Trust. However, to acknowledge the fact that these sites have a link with WWI Fields in Trust will be happy to provide a commemorative plaque in return for the landowner protecting an additional site.
- 4.7.** There are also sites that have existing covenants in place on them which protect them from development such as Courage's Playing Fields and Larkins Playing Fields.

- 4.8.** If the Council were to look at any planned connection, then other sites could be considered, and it is suggested that this is done in consultation with the Royal British Legion. This could include one of the Council's Country Parks or open spaces such as Hutton Country Park, Warley Country Park St Faiths, Hutton Recreation or Bishops Hall Park.
- 4.9.** St Faiths is adjacent to London Road Cemetery which has 10 World War 1 war graves.
- 4.10.** Fields in Trust does accept that on rare occasions change and land use changes accordingly. Parts of sites, or very rarely, whole sites can therefore be disposed of provided the disposal is of clear advantage to, and in the best interests of, the community from a recreational perspective.
- 4.11.** The criteria which Fields in Trust applies to replacement facilities are that they should be of:
- a) At least equal size;
  - b) Better quality;
  - c) Serving the same community in terms of catchment area;
  - d) Additionally, and very importantly, any disposal should apply as much of the proceeds as necessary to replacement sport, recreation and/or play facilities, with priority given to outdoor before indoor facilities
- 4.12.** There is no quota per area, and the programme is not competitive between landowners. Each application will be judged against the criteria on its own merits.
- 4.13.** Examples of schemes that have been adopted in other areas include planting schemes to commemorate the centenary of the war or holding Centenary Field Day events.

## **5. Reasons for Recommendation**

- 5.1 The Centenary Fields programme provides a fitting legacy to those that gave their lives in World War I.

## **6. References to Council Priorities**

The Centenary Fields sits under two main strands of the Vision for Brentwood 2016-19: Environment and Housing Management to provide strong and sustainable leisure facilities for residents and businesses; and Community and Health - to work with community and voluntary organisations to develop the priorities for community development

## **7. Implications**

### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts, Interim Chief Finance Officer  
(Deputy 151 Officer)**

**Tel & Email: 01277 312829/Jacqueline.vanmellaerts@brentwood.gov.uk**

- 7.1 There will be legal associated costs with agreeing the deed, the costs of installing the commemorative plaque which will be provided free of charge by Fields in Trust and the costs of registering restrictions with the Land Registry – currently £80 for up to three titles.
- 7.2 There will also be costs associated with any planting schemes and together with ongoing maintenance costs that will need to be identified if Members wish to support the programme.

### **Legal Implications**

**Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer**

**Tel & Email: 01277 312860/daniel.toohey@brentwood.gov.uk**

- 7.3 The deed of dedication will likely give rise to limitations on the use for the property in the form of for example a restriction on title, although it is noted that this is in itself probably consistent with the aims of support and participation in the programme. Legal Services are available to provide further advice on the documentation, and consider appropriate amendments if required.

## **8. Background documents**

- 9.1 Fields in Trust.

## **9. Appendices to the report**

- 10.1 None

### **Report Author Contact Details:**

**Name:** Kim Anderson - Partnership, Leisure and Funding Manager

**Telephone:** 01277 312634

**E-mail:** kim.anderson@brentwood.gov.uk

This page is intentionally left blank

**19<sup>th</sup> June 2018**

## **Policy Performance and Finance Committee**

### **Corporate Projects**

**Report of:** *Philip Ruck, Chief Executive*

**Wards Affected:** *All*

**This report is:** *Public*

#### **1. Executive Summary**

1.1 Members will be aware of the key corporate projects that have been reported regularly to this committee. An overview of each of these projects is contained within this report and a schedule of the key timelines with major events/actions is set out in Appendix A.

1.2 These key corporate projects previously included:

- Local Development Plan
- Town Centre Development
- Town Hall Remodelling

1.3 Further to this list the following two key corporate projects have been added and are included within this report:

- Commercial Activity
- Joint Venture Procurement

#### **2. Recommendation(s)**

2.1 That members agree the list of Corporate Projects as set out in 1.2 and 1.3 of this report

2.2 That members agree the timelines as set out in Appendix A of this report

2.3 That the Policy, Performance and Finance Committee are requested to consider the Corporate Projects as set out in Appendix A and report back to the appropriate committee

### **3. Introduction and Background**

- 3.1 The key corporate projects have previously been reported to the appropriate committee on their progress of the projects to date and upcoming actions.
- 3.2 The projects will have interdependencies with other council projects and strategies which could have an effect on the proposed timelines. In addition, proposed timelines may alter as a result of options and decision taken.

#### **Local Development Plan (LDP)**

- 3.3 Public consultation was held in early 2018 (29 January – 12 March 2018) following publication of the Brentwood Draft Local Plan Preferred Site Options document (Regulation 18, January 2018). The number of representations received in response to the consultation is broadly in line with previous consultations. Officers are currently finalising the processing of all representations, which once completed will then be published online in June 2018.
- 3.4 Work is continuing to progress a Regulation 19 (publication or pre-submission stage) version of the LDP ready for approval and public consultation in Autumn 2018. This includes consideration of all representations received and working with partners on strategic cross boundary issues identified through the Duty to Cooperate. Work to progress all accompanying evidence base is taking place to meet agreed timeframes.
- 3.5 The Council remains on track to deliver the LDP in line with adopted timescales, including Regulation 19 approval and submission by the end of the year. Examination in Public would then likely take place during 2019, before adoption would be possible later in the year (subject to the outcomes of the examination process).
- 3.6 Work to deliver Dunton Hills Garden Village progresses, which has been identified as central to the strategic aims of the LDP. Further Government funding was successfully bid for and received in late 2017, which has helped to fund necessary resources, such as people and technical support, during 2018 and beyond.



## **Town Centre Development**

- 3.7 Brentwood Town Centre is adapting to changing market demands. Council owned sites, such as William Hunter Way car park, provide an opportunity for redevelopment but it is vital that any development meets a range of local needs (retail/leisure, car parking, enhanced public realm, housing, for example). It is also important that new development across the Town Centre, including sites outside Council ownership, is planned cohesively and contributes positively to the area, and that proposals are deliverable and sustainable.
- 3.8 In 2016 the Council moved to understand more about redevelopment opportunities and progress these by beginning work on "Design Plan" for Brentwood Town Centre. Urban design specialists, Levitt Bernstein, were appointed along with a wider project team of experts in retail market viability, transport & movement, and heritage. This work took an overarching strategic view of the Town Centre and considered development options on specific sites - how they relate to each other and the area. The Brentwood Town Centre Design Plan was published in November 2017. The Design Plan is now informing two further projects as the Council progresses towards redevelopment, namely:
- a) Brentwood Town Centre Design Guide; and
  - b) Joint Venture Procurement (see below).
- 3.9 The Brentwood Town Centre Design Guide will provide specific planning policy guidance on the design of buildings and spaces. It will inform decisions on development proposals and form part of the Council's development plan. Preparing planning policy that can be given the necessary weight in decision-taking requires the Council to undertake public consultation in line with relevant legislation. A public consultation period will take place later this year, with consideration of the representations to include the Town Centre Member Working Group, set up as part of the Council's Audit & Scrutiny Committee. Once adopted, the Design Guide will be a valuable tool to assist the Planning Development Management Team in decision-taking on Town Centre proposals and help shape our strategic planning aims of enhancing Brentwood.
- 3.10 Alongside this, the Brentwood Town Centre Design Plan (2017) has informed bids in response to the Council's Joint Venture Procurement project. Questions provided to bidders through the procurement process include the need for bidders to respond to strategic Town Centre issues that the Design Plan begins to consider. As this process continues the Design Plan will be an important document to help the Council identify a development partner.

## **Town Hall Remodelling**

- 3.11 A report was taken to the 12<sup>th</sup> March 2018 Policy Performance and Resources Committee (Min 311) which gave an overview of the latest position. A further update report will again be taken to the PP & R Committee in September 2018.
- 3.12 The Town Hall Remodelling project however remains on track to be complete for residential occupation by the 1<sup>st</sup> April 2019 with full uptake available from the end of July 2019.
- 3.13 Detailed planning for the return to the Town Hall has now commenced based on the construction timeline. Initial 'return' meetings have been held with representatives from all the services and further details & engagement sessions for employees and members will be scheduled.
- 3.14 Work will also begin on promotion of the residential and commercial space available at the Town Hall along with information and communication to Brentwood residents.
- 3.15 Financially the construction phase remains on track however the budget for the enablement phase increased due to the identification of a quantity of asbestos between the second and third floor supports. The removal of which was under £200,000. There have also been other smaller increases to spending including:
- those to the Police area which included the provision of portacabins for their shower and toilet facilities,
  - improvements to Seven Arches Road to make habitable and safe which included extra electrical works, asbestos and DDA improvements.

This is being met from within the existing budget.

- 3.16 There is also the added expenditure of a sprinkler system to the development agreed at the 12<sup>th</sup> March 2018 Committee (Min 311) which will be an additional cost.
- 3.17 However, following a review and as reported to the 12<sup>th</sup> March 2018 committee (min 311) the back-office space to be utilised by the Council has been reduced. This has been achieved by improvements to the methods of working which have therefore freed up further space for the commercial aspect of the project.

- 3.18 The financial payback model and revenue model have been recalculated based on the revised commercial space and likely overall increase in budget. This recalculation increases the potential revenue to just over £824,000 per annum which in turn decreases the overall pay back to less than 39 years.

### **Commercial Activity**

- 3.19 Seven Arches Investment Limited (“SAIL”) was officially registered with Companies House on 12th April 2018.
- 3.20 This wholly owned company will seek to engage in a variety of commercial activities that will be asset based initially, and subject to appropriate business cases and financial sustainability, could be extended into other areas such as service provision. On the 12th March 2018, Policy, Projects and Resources (PPR) Committee approved a £10m loan facility for use by SAIL. This will be used to acquire investment properties, following due diligence, to generate a sustainable revenue stream.
- 3.21 The procurement of Property Investment Advisors during April resulted in two City firms being appointed: Montagu Evans LLP and Carter Jonas LLP. These firms advise SAIL when the best property investments become available, either “on market” or “off market”. Sample sites have already been supplied by both parties and show good promise.
- 3.22 As a result, a request will be going to the June PPR Committee to increase the loan facility from £10m to £30m to enable a wider portfolio of property to be established more quickly and efficiently.
- 3.23 Work is underway to recruit professional firms to provide Building Surveying services and Valuation services in order to further ensure that due diligence is undertaken prior to any purchase of investment properties. Conveyancers are also being recruited in order to expedite the legal work involved.
- 3.24 Company Administration set up is underway (e.g. bank account, VAT Registration etc).
- 3.25 Investment decisions will follow the Company’s business plan.

### **Joint Venture Procurement**

- 3.26 Following the publication of an OJEU Notice and a dedicated website on 23<sup>rd</sup> March 2018 there were 15 organisations who submitted bids by the deadline of 4<sup>th</sup> May.

- 3.27 The 15 bids have been evaluated based on who best met the Selection Questionnaire (SQ) criteria and the successful 5 will now be put forward for Competitive Dialogue stage 1.
- 3.28 First competitive dialogue commences Monday 11<sup>th</sup> June, followed by further sessions, with bidders being reduced to the preferred 3 by 21<sup>st</sup> November 2018.
- 3.29 Further dialogue sessions will then take place up to the end of October 2018.
- 3.30 One preferred bidder will be selected in January 2019.
- 3.31 Contract award will be during March 2019 and Joint Venture go-live will be in April 2019.

#### **4. Issue, Options and Analysis of Options**

- 4.1 That members agree the list of Corporate Projects as set out in 1.2 and 1.3 of this report.
- 4.2 That members agree the timelines as set out in Appendix A of this report.
- 4.3 That the Policy, Performance and Finance Committee are requested to consider the Corporate Projects as set out in Appendix A and report back to the appropriate committee.

#### **5. Reasons for Recommendation**

- 5.1 To ensure that the Corporate Plan 2016 – 2019 is supported by projects that deliver the necessary change.

#### **6. Consultation**

- 6.1 None

#### **7. References to Corporate Plan**

- 7.1 A modern Council transforming its services to improve efficiencies and economies through new ways of working.

## **8. Implications**

### **Financial Implications**

**Name & Title:** Jacqueline Van Mellaerts, Interim Chief Finance Officer

**Tel & Email:**

- 8.1 Financial Implications have been highlighted within the body of the report. Each Corporate Project is monitored within the Council's Budget & Medium Term Financial Plan 2018/19-2020/21 and key variances reported in line with the Council's financial regulations.

### **Legal Implications**

**Name & Title:** Daniel Toohey, Monitoring Officer & Head of Legal Services

**Tel & Email:** 01277 312860/daniel.toohey@brentwood.gov.uk

- 8.2 The Council when delivering these projects is required to comply with the EU procurement regulations and related legislation, as well as regulations on State Aid. Legal Services acting in conjunction with specialist legal and technical advisers are advising and assisting on these projects to ensure ongoing compliance.

## **9. Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None.

## **10. Appendices to this report**

- 10.1 Appendix A - Schedule of key timelines with major events/actions

### **Report Author Contact Details:**

**Name:** Greg Campbell, Director of Operations

**Telephone:** 01277 312738

**E-mail:** greg.campbell@brentwood.gov.uk

This page is intentionally left blank

# Key Corporate Projects Timeline 2018-20

|                             |   | Q1 2018/19  | Q2 2018/19  | Q3 2018/19   | Q4 2018/19   | 2019/20   |
|-----------------------------|---|---|---|--|--|---|
| Town Hall                   | <ul style="list-style-type: none"> <li>Enabling works complete</li> <li>Remodelling works begin, including roof stripping and excavations</li> </ul>                          | <ul style="list-style-type: none"> <li>Layout Plans Finalised with all Community and Hub Groups</li> </ul>  | <ul style="list-style-type: none"> <li>Residential and commercial marketing begins</li> </ul>   | <ul style="list-style-type: none"> <li>Residential units complete</li> <li>Homecoming draft plans</li> </ul>   | <ul style="list-style-type: none"> <li>Residential and commercial lettings begin</li> <li>Relocation of Council services and Hub partners</li> </ul> | <ul style="list-style-type: none"> <li>Start up lettings begin</li> <li>Official opening</li> </ul> |
| Asset Development Programme | <ul style="list-style-type: none"> <li>Seven Arches Investments Ltd (SAIL) established and governance put in place</li> <li>Joint Venture (JV) SQ Evaluation stage</li> </ul> | <ul style="list-style-type: none"> <li>SAIL business activity and possibly 1<sup>st</sup> property purchased</li> <li>JV competitive dialogue ISDS stage</li> </ul> | <ul style="list-style-type: none"> <li>SAIL 2<sup>nd</sup> investment property purchased</li> <li>JV ISFT stage</li> <li>JV evaluation of final bids</li> </ul> | <ul style="list-style-type: none"> <li>SAIL further investment properties investigated</li> <li>JV winner notified</li> <li>JV contract optimisation and award</li> <li>Full Council report</li> </ul> | <ul style="list-style-type: none"> <li>SAIL to purchased further investment properties</li> <li>JV go live</li> </ul>                                |   |
| Town Centre Plan            |   | <ul style="list-style-type: none"> <li>Town Centre Design Guide consultation</li> </ul>   | <ul style="list-style-type: none"> <li>Consider responses to Town Centre Design Guide consultation and adopt</li> </ul>   |  |  |   |
| Local Development Plan      | <ul style="list-style-type: none"> <li>Consider consultation responses/prepare next stage</li> <li>Update Local Development Scheme timetable</li> </ul>                       | <ul style="list-style-type: none"> <li>Agree publication document (Regulation 19)</li> </ul>  | <ul style="list-style-type: none"> <li>Submit Local Plan (Regulation 21)</li> <li>South Essex Joint Plan – agree preferred option for consultation</li> </ul>   | <ul style="list-style-type: none"> <li>Public Examination (1<sup>st</sup> Stage)</li> <li>South Essex Joint Spatial Plan Regulation 18 Consultation</li> </ul>   | <ul style="list-style-type: none"> <li>Adopt Local Development Plan</li> <li>South Essex Joint Plan Regulation 19 Consultation</li> </ul>            | <ul style="list-style-type: none"> <li>South Essex Joint Plan Submission and examination</li> </ul> |

This page is intentionally left blank



**19 June 2018**

## **Policy, Projects and Resources Committee**

### **Constitution Working Group**

**Report of:** *Gina Clarke, Corporate Governance Lawyer*

**Wards Affected:** *None*

**This report is:** *Public*

#### **1. Executive Summary**

1.1 The purpose of this report is for the Committee to consider appointments to the Constitution Working Group (CWG), and an indicative work plan, to enable the Monitoring Officer to consult the Constitution Working Group on the review of the operation of the Constitution.

#### **2. Recommendation(s)**

- 2.1 That the composition and appointments to the Constitution Working Group for the Municipal Year 2018/19 as set out in paragraph 4.1 be agreed.
- 2.2 That any necessary changes to the membership of the Constitution Working Group during the Municipal Year 2018/19 are made in accordance with paragraph 4.2.
- 2.3 That members note the indicative work plan at paragraph 4.4 for the review of the Constitution, during the 2018/19 Municipal Year.
- 2.4 Agree that the Regulatory and Governance Committee will lead on work that reviews the constitution, referring to Full Council as appropriate.

#### **3. Introduction and Background**

- 3.1 Section 37 of the Local Government Act 2000 requires the Council to prepare, keep up to date and publicise its Constitution.
- 3.2 Under the terms of the Council Constitution, the Council is responsible for monitoring and reviewing the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

3.3 The Council has agreed that there should be a Constitution Working Group comprising of Members, appointed by and referring up reports to the Council to consider proposed changes to the Council Constitution. Constitution Working Group has no decision-making powers. However, one of the ways in which changes to the Constitution can be considered by Full Council, is following a report and recommendation from the Constitution Working Group and having received advice from the Monitoring Officer. Alternatively, the Regulatory and Governance Committee may receive advice and reports from the Monitoring Officer and similarly may make recommendations up to Full Council for Full Council to resolve that amendments be made to the Constitution.

#### **4. Issue, Options and Analysis of Options**

4.1 The Head of Legal Services/Monitoring Officer has engaged with Group Leaders regarding nominations for appointments to the Constitutional Working Group.

Group Leaders have nominated the following Members:

| <b>Name</b>                | <b>Group</b>     |
|----------------------------|------------------|
| Councillor Louise Rowlands | Conservative     |
| Councillor James Tumbridge | Conservative     |
| Councillor Gareth Barrett  | Labour           |
| Councillor Philip Mynott   | Liberal Democrat |

4.2 Should there be a need to make changes to the membership of the Constitution Working Group during the municipal year, it is anticipated that Group Leaders will communicate to the Monitoring Officer in year of the changes to be made.

4.3 Contained as an appendix to this report is an indicative work plan for the 2018/19 municipal year, with an indication of particular Constitution chapters for consideration either by CWG or the Regulatory and Governance Committee, prior to referral up to Full Council.

#### **5. Reasons for Recommendations**

5.1 The Council must have a written constitution which is kept up to date, which sets out how the Council conducts its business and who takes decisions.

5.2 To comply with the requirement in the Constitution, for there to be a Constitution Working Group comprising of Members, appointed by and reporting to the Council to consider proposed changes to the Council Constitution.

## 6. Consultation

- 6.1 The recommendations of this report have been subject to prior consultation of Group Leaders.

## 7. Reference to Corporate Plan

- 7.1 The work of the Constitution Working Group contributes to ensuring that the Constitution is fit for purpose. The Constitution sets out how the Council operates, and how decisions are made to achieve the Council's strategic aims.

## 8. Implications

### Financial Implications

**Name & Title:** Jacqueline Van Mellaerts, Interim Chief Finance Officer

**Tel & Email:** 01277 312823/jacqueline.vanmellaerts@brentwood.gov.uk

- 8.1 There are no direct financial implications in this report.

### Legal Implications

**Name & Title:** Daniel Toohey, Monitoring Officer & Head of Legal services

**Tel & Email:** 01277 312860/daniel.toohey@brentwood.gov.uk

- 8.2 As set out in the main body of the report.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None.

9. **Background Papers** (include their location and identify whether any are exempt or protected by copyright)

- 9.1 None.

## 10. Appendices to this report

- 10.1 Appendix A – Indicative Work Plan

### Report Author Contact Details:

**Name:** Gina Clarke, Corporate Governance Lawyer

**Telephone:** 01277 312874

**E-mail:** gina.clarke@brentwood.gov.uk

This page is intentionally left blank

# Appendix A

## Indicative Plan for Review of Brentwood Constitution - 2018/19 Municipal Year

| <b>Dates of Proposed Meetings</b> | <b>Committee /Meeting</b>              | <b>Agenda Item</b>  | <b>Constitution Reference</b>                                     |
|-----------------------------------|--|---|---|
| 19 June                           | Policy, Projects & Resources Committee | Composition of Constitution Working Group members   | Chapter 3, Part 3.1   |
| w/c<br>2 July                     | Constitution Working Group             | Planning Procedure Chapter  | To be added to Chapter 4  |
| 11 July                           | Regulatory & Governance Committee      | Planning Code of Good Practice  | Chapter 5, Part 5.2   |
| w/c<br>23 July                    | Constitution Working Group             | Review of:<br>Council Procedures Rules Chapter (introductory discussion of issues table)<br>Scheme of Delegation (information update) | Chapter 4, Part 4.1<br>Chapter 3, Part 3.2                        |
| School holidays                   |  |   |   |
| 12 September                      | Full Council                           | Planning Procedure Chapter<br>Planning Code of Good Practice  | To be added to Chapter 4<br>Chapter 5, Part 5.2                   |
| w/c<br>24 September               | Constitution Working Group             | Council Procedures Rules<br>Scheme of Delegation  | Chapter 4, Part 4.1<br>Chapter 3, Part 3.2                        |
| 10 October                        | Regulatory & Governance Committee      | Review of Member Code of Conduct  | Chapter 5, Part 5.1   |
| w/c<br>22 October                 | Constitution Working Group             | Council Procedures Rules<br>Scheme of Delegation  | Chapter 4, Part 4.1<br>Chapter 3, Part 3.2                        |
| 14 November                       | Full Council                           | Member Code of Conduct<br>Council Procedure Rules<br>Scheme of Delegation   | Chapter 5, Part 5.1<br>Chapter 4, Part 4.1<br>Chapter 3, Part 3.2 |

This page is intentionally left blank

19 June 2018

## Policy, Projects and Resources Committee

### 2017/18 Provisional Outturn and Annual Treasury Management Report

**Report of:** *Jacqueline Van Mellaerts, Interim Chief Finance Officer*

**Wards Affected:** *All*

**This report is:** *Public*

#### 1. Executive Summary

1.1 This report deals with the 2017/18 provisional outturn for:

- The General Fund - paragraph 3.
- Housing Revenue Account - paragraph 4.
- The Capital Programme - paragraph 5.

1.2 The report also considers the reserves and working balance levels.

1.3 The Council is also required by regulations issued under the Local Government Act 2003 to produce an Annual Treasury Management review of activities and the actual prudential and treasury indicators for 2017/18. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code) - paragraph 6.

#### 2. Recommendations

**2.1 That the provisional (subject to audit) outturn 2017/18 for the General Fund and the HRA contained within this report, are approved.**

**2.2 That the capital programme carries forwards requested in Table 7 and Capital Funding in Table 7a are approved.**

**2.3 That the Treasury Management activity and information for 2017/18 be noted.**

### 3. General Fund - Provisional Outturn 2017/18

- 3.1 The General Fund provisional outturn shows a deficit of £437k at year end for 2017/18. This includes earmarking £350k from working balances. Therefore, the reported deficit for the year is £87k before the earmarked spend from working balances.
- 3.2 The estimated outturn for the General Fund (as reported to Council in March 2018) was an over spend of £624k as at 31 March 2018, with a draw down from the general fund working balance. The reported overspend before draw down was £274k. Table 1 provides a summary of the actual spend for the General Fund compared to the estimated outturn.

**Table 1 – 2017/18 General Fund Outturn**

|   | <b>2017/18<br/>Estimated<br/>Outturn<br/>£'000</b> | <b>2017/18<br/>Actual<br/>£'000</b> | <b>2017/18<br/>Variance<br/>£'000</b> |
|---|--|-------------------------------------|---------------------------------------|
| <b>Vision for Brentwood Expenditure:</b>  |  |                                     |                                       |
| Environment & Housing Management  | 2,780  | 2,678                               | (102)                                 |
| Community & Health  | 1,326  | 1,224                               | (102)                                 |
| Economic Development  | (995)  | (1,010)                             | (15)                                  |
| Planning & Licensing  | 616  | 658                                 | 42                                    |
| Transformation  | 4,527  | 4,692                               | 165                                   |
| <b>Total Spend on Vision for Brentwood</b>  | <b>8,254</b>                                       | <b>8,242</b>                        | <b>(12)</b>                           |
| Operating and Financing Charges   | 1,333  | 1,364                               | 33                                    |
| Appropriations  | (127)  | 141                                 | 268                                   |
| <b>TOTAL SPENDING REQUIREMENT</b>   | <b>9,460</b>                                       | <b>9,747</b>                        | <b>(362)</b>                          |
| <b>Funding:</b>   |  |                                     |                                       |
| Council Tax   | (5,715)  | (5,715)                             | 0                                     |
| Government Formula Grant  | (233)  | (233)                               | 0                                     |
| Business Rates Income   | (1,517)  | (1,523)                             | (6)                                   |
| Collection Fund Deficit/(Surplus)   | (125)  | (125)                               | 0                                     |
| New Homes Bonus Grant   | (1,154)  | (1,157)                             | (3)                                   |
| Other Government Grants   | (442)  | (683)                               | (241)                                 |
| Business Rates Pooling  | 0  | (224)                               | (224)                                 |
| <b>TOTAL COUNCIL FUNDING</b>  | <b>(9,186)</b>                                     | <b>(9,660)</b>                      | <b>(474)</b>                          |
| <b>Deficit / (Surplus) for the year<br/>(previously presented as Funding Gap)</b> | <b>274</b>   | <b>87</b>                           | <b>(187)</b>                          |
| <b>Earmarked spend on Balances</b>  | <b>350</b>   | <b>350</b>                          | <b>0</b>                              |
| <b>Deficit/(Surplus) on General Fund Balances</b>                                 | <b>624</b>   | <b>437</b>                          | <b>(187)</b>                          |



3.3 Table 2 outlines key variances within Vision for Brentwood service areas:

**Table 2 – 2017/18 General Fund Key Variances**

| <b>Budget</b>          | <b>Over/<br/>(Under<br/>spend)<br/>£'000</b> | <b>Explanation</b>   |
|------------------------|--|--|
| Bad Debt               | 40   | Net Increase in Bad Debt provision made against increase Housing Benefit Overpayment recovery.   |
| Equipment & Materials  | (28)   | Reduction in sacks being purchased for dry recycling based on how sacks are now administered to households.  |
| Equipment Hire/Lease   | (80)   | Mainly to do with delay in hire of portacabins at the town hall for Police. In addition to reduction in lease charges for corporate printers                       |
| Fees & Charges         | (17)   | Golf Course and Planning Application income exceeded targets, however Community alarms income was not achieved, as demand dropped in the last quarter of the year. |
| Sponsorship Income     | (6)  | Improved sponsorship strategy for Community Events.  |
| Vehicle Tyres          | (5)  | Contract Savings   |
| NNDR                   | (31)   | Saving regarding Town Hall not being occupied.   |
| Local Development Plan | 67   | Brentwood's costs associated with support required to deliver Brentwood's local Development Plan. Further spend has been funded through Grant Income.              |
| Repairs & Maintenance  | (11)   | Reduction on Tree works and Car park maintenance   |
| Salaries               | 28   | Net pressure on the cost of the establishment. This pressure takes into account vacancies as well as post being covered by agency and other interim arrangements.  |
| Subscriptions          | 53   | Cost associated to resources the Council has to subscribe to, to carry out business as usual.  |
| Subsidy                | 195  | Amount of subsidy unable to reclaim.   |

|   |             |  |
|---|-------------|--|
| Support Service recharge to HRA               | (75)        | Increase of recharges to HRA regarding corporate health & safety. The main cost is to do with the lone worker devices the housing staff have required. |
| Utilities                                     | (13)        | Reduction on water costs at Warley playing fields  |
| Council Tax Sharing Agreement                 | (129)       | Increased Income available from Essex wide Council Tax arrangement.  |
| <b>TOTAL VARIANCE on Vision for Brentwood</b> | <b>(12)</b> |  |

### **General Fund Working Balance**

- 3.4 The estimated working balance as at 31 March 2018 is £3.305 million which is £187k more than the anticipated level reported in March 2018.
- 3.5 This is due the General Fund funding gap of £274k reducing to only a provisional deficit of £87k.
- 3.6 The financial position statement presented to members on 1 March 2018 has been revised to show 2017/18 outturn position and the closing working balances, which is shown in Appendix A.
- 3.7 The General Fund balance must continue to be managed so that it provides the flexibility to manage unexpected demands and pressures without destabilising the Council's overall financial position. The level of the working balance should provide a reasonable allowance for unquantifiable risks or one off exceptional items of expenditure that are not covered within existing budgets.
- 3.8 General guidance and practice amongst other authorities varies. Options include a percentage of Gross Operating Costs and a percentage of Net Spending Requirement to be maintained as a minimum. A minimum reserve level of £2.2 million was agreed at the March 2018 Full Council meeting. This figure was calculated on the risk assessment which was carried out by the Finance Department, this risk assessment reviews and considers the risks, that sits within the Council's risk register.
- 3.9 As part of the year end procedures the Council must review its Earmarked Reserves. These Reserves are required in order to comply with proper accounting practice, whilst others have been created to earmark resources for known or predicted liabilities.
- 3.10 The total value of General Fund Earmarked Reserves after any adjustments is around £5.6 million. A schedule of the Earmarked Reserves is attached as Appendix B to this report.

#### 4 Housing Revenue Account (HRA) – Provisional Outturn 2017/18

- 4.1 The HRA outturn figure shows a projected surplus of £494k. The estimated forecast for the HRA (as reported to Council in March 2018) was a potential surplus of around £450k as at 31 March 2018. The variance reflects the conscious decision for investment in the Council's housing stock, through repairs and maintenance as well as contract management.
- 4.2 Table 3 provides a summary of the actual spend on the Housing Revenue Account compared to the estimated outturn.

**Table 3 – 2017/18 HRA Outturn**

|   | <b>2017/18<br/>Estimated<br/>Outturn<br/>£'000</b> | <b>2017/18<br/>Actual<br/>£'000</b> | <b>2017/18<br/>Variance<br/>£'000</b> |
|---|--|-------------------------------------|---------------------------------------|
| <b>Expenditure:</b>                                   |  |                                     |                                       |
| Repairs and Maintenance                               | 2,276  | 2,407                               | 131                                   |
| Supervision and Management                            | 2,874  | 3,033                               | 159                                   |
| Rents, Rates, Taxes and Other Charges                 | 158  | 162                                 | 4                                     |
| Share of Corporate Costs                              | 452  | 410                                 | (42)                                  |
| Depreciation and Impairment                           | 2,764  | 2,855                               | 91                                    |
| Movement in the Allowance for Bad Debts               | 40   | 98                                  | 58                                    |
| <b>TOTAL EXPENDITURE</b>                              | <b>8,564</b>                                       | <b>8,965</b>                        | <b>401</b>                            |
| <b>Income:</b>  |  |                                     |                                       |
| Dwelling Income                                       | (11,878)   | (11,836)                            | 42                                    |
| Non Dwelling Income                                   | (366)  | (338)                               | 28                                    |
| Charges for Services and Facilities                   | (854)  | (807)                               | 47                                    |
| Contribution towards Expenditure                      | (71)   | (85)                                | (14)                                  |
| <b>TOTAL INCOME</b>                                   | <b>(13,169)</b>                                    | <b>(13,066)</b>                     | <b>103</b>                            |
| <b>Net Cost of HRA Services</b>                       | <b>(4,605)</b>                                     | <b>(4,101)</b>                      | <b>504</b>                            |
| Interest and Debt Management                          | 2,000  | 1,928                               | (72)                                  |
| Interest & Investment Income                          | (39)   | (80)                                | (41)                                  |
| Other Operating and Financing Charges                 | 1,167  | 1,259                               | 92                                    |
| <b>Net Cost of HRA Services inc Operating Charges</b> | <b>(1,477)</b>                                     | <b>(994)</b>                        | <b>483</b>                            |
| Appropriations  | 1,027  | 500                                 | (527)                                 |
| <b>Deficit / (Surplus) for HRA Services</b>           | <b>(450)</b>                                       | <b>(494)</b>                        | <b>-(44)</b>                          |

- 4.3 Table 4 outlines the key variances for net cost of HRA services including operating charges:

**Table 4 – HRA VARIANCES**

| <b>Budget</b>                                    | <b>(Under)/Over Spend<br/>£'000</b> | <b>Explanation</b>  |
|--|-------------------------------------|---|
| Repairs & Maintenance                            | 131                                 | Responsive Repairs increase to ensure properties are compliant with regulations.  |
| Salaries   | (104)                               | Vacancies covered by interim posts.   |
| Project Management Support                       | 109                                 | Pressure regarding support around managing the Repairs and Maintenance service. Plus vacancies covered by interim arrangements.                               |
| Support Service Recharges                        | 132                                 | Increase in recharges from the General Fund. Main increase is around the cost of lone worker devices for staff as part of the Corporate Health & Safety plan. |
| Equipment, Materials and Furniture & Furnishings | (7)                                 | Reduction in sheltered equipment purchased.   |
| Computing  | (13)                                | Computer maintenance costs have reduced, based on streamlining services used.   |
| Rents, Rates, Taxes and Other Charges            | 4                                   | Small overspends on insurance and Council Tax bills for empty properties.   |
| Depreciation                                     | 91                                  | Increase to depreciation this goes to the Major Repairs Reserve to fund the Decent homes capital program.   |
| Bad Debt Allowance                               | 58                                  | Rent arrears have increased, so the bad debt allowance calculation has increased.   |
| Dwelling Income                                  | 42                                  | Void period of properties higher than expected.   |
| Non Dwelling Income                              | 28                                  | Reduction is based on garage charges having VAT applied, so income to decrease slightly as charges now include VAT.   |
| Tenant Service Charges                           | 47                                  | Void period of properties higher than expected.   |
| Revenue Costs recovered                          | (14)                                | Recovery process means, court costs and removal costs are now recovered from the tenant through their rent account.   |

|                                      |       |   |
|--------------------------------------|-------|---|
| Interest and Debt Management Charges | (72)  | Interest payments have decreased as the Shops have been transferred to the General Fund.    |
| Investment Interest                  | (41)  | Cashflow higher than expected, so more interest earned.                                     |
| Payments to Pension Fund             | (105) | Pension fund deficit payment lower than expected.   |
| Revenue Contribution to Capital      | 197   | Increase to capital program funding around Garage Site Development into Affordable Housing. |
| Appropriations                       | (527) | Amount earmarked decreased based on the identified overspends.                              |
| Total                                | (44)  |   |

### **HRA Working Balance**

- 4.4 The impact of the provisional outturn means that the estimated working balance as at 31 March 2018 is around £2 million.
- 4.5 The HRA working balance must continue to be managed so that it provides the flexibility to manage unexpected demands and pressures without destabilising the Council's overall financial position. The level of the working balance should provide a reasonable allowance for unquantifiable risks or one off exceptional items of expenditure that are not covered within existing budgets. The working balance can also be used to act as a source of pump priming investment and/or to deliver "invest to save" projects.
- 4.6 General guidance and practice amongst other authorities varies. Options include a percentage of total income, and a set value per Council Dwelling. However, individual risk assessments undertaken at a local level are considered best practice.

### **HRA Earmarked Reserves**

- 4.7 In addition to the Working Balance, the HRA has 2 earmarked reserves. The total value of HRA Reserves is around £3.4 million. A schedule of the Earmarked Reserves is attached as Appendix B to this report.

## 5 Capital Programme – Provisional Outturn 2017/18

5.1 The projected forecast spend on the Capital Programme for 2017/18 is £5.939 million, compared to the budgeted capital programme of £13.664 million.

5.2 Table 5 shows details of the actual spend compared to the estimated outturn (as reported to Council in March 2018) and the current budget for the capital programme.

**Table 5 – 2017/18 Capital Outturn**

|   | <b>2017/18<br/>Current<br/>Budget</b> | <b>2017/18<br/>Provisional<br/>Outturn</b> | <b>2017/18<br/>Actual</b> | <b>2017/18<br/>Variance</b> |
|---|---------------------------------------|--|---------------------------|-----------------------------|
|   | <b>£'000</b>                          | <b>£'000</b>                               | <b>£'000</b>              | <b>£'000</b>                |
| <b>Details of Expenditure:</b>                    |                                       |  |                           |                             |
| Environment & Housing Management                  | 10,864                                | 6,963                                      | 5,207                     | (5,657)                     |
| Community & Health                                | 635                                   | 167  | 142                       | (493)                       |
| Economic Development                              | 1,239                                 | 163  | 70                        | (1,169)                     |
| Transformation                                    | 926                                   | 918  | 520                       | (406)                       |
| <b>TOTAL EXPENDITURE FOR VISION FOR BRENTWOOD</b> | <b>13,664</b>                         | <b>8,211</b>                               | <b>5,939</b>              | <b>(7,725)</b>              |
| <b>Funded by:</b>                                 |                                       |  |                           |                             |
| Capital Receipts                                  | 4,755                                 | 3,586                                      | 2,753                     | (2,002)                     |
| Government Grants                                 | 250                                   | 250  | 411                       | 161                         |
| Housing Revenue Account Business Plan             | 2,764                                 | 1,055                                      | 809                       | (1,955)                     |
| Contributions from Revenue                        | 2,717                                 | 1,511                                      | 564                       | (2,153)                     |
| Section 106                                       | 808                                   | 815  | 814                       | 6                           |
| Retained HRA Receipts                             | 994                                   | 994  | 588                       | (406)                       |
| Borrowing   | 1,376                                 | 0  | 0                         | (1,376)                     |
| <b>TOTAL FUNDING</b>                              | <b>13,664</b>                         | <b>8,211</b>                               | <b>5,939</b>              | <b>(7,725)</b>              |

5.3 The Capital Programme for 2017/18 has been fully funded without the need for additional borrowing.

5.4 Table 6 outlines the variance for each individual capital scheme and an analysis to whether it should be carried forward into 2018/19.

**Table 6 – 2017/18 Capital Scheme Variances**

| <b>Capital Scheme</b>                   | <b>2017/18<br/>Variance<br/>£'000</b> | <b>Explanation of variance</b>  |
|---|---------------------------------------|---|
| <b>Environment &amp; Housing:</b>       |                                       |   |
| HRA Decent Homes Schemes                | (3,160)                               | Ongoing works and part will be required to carry forward to 18/19   |
| New Homes Build (HRA)                   | (1,353)                               | Ongoing works and will be required to carry forward to 18/19  |
| Home Repair Assistance Grant            | (27)                                  | Fewer number of repairs and facilities required. Project based on demand.   |
| Disabled Facilities Grant               | 142                                   | Overspend to be funded by previous years grant that was not fully utilised.   |
| Vehicle & Plant Replacement Programme   | (616)                                 | Delay on planned replacement vehicles. Vehicles are being replaced to continue with current service demands. So full amount required as slippage.                     |
| Cemetery Headstones                     | (15)                                  | Delays in contractor availability due to poor weather conditions over the winter months delayed works taking place. Slippage required.                                |
| Cemeteries Infrastructure               | (19)                                  | Delay around infrastructure due to decision on memorial wall. Underspend required to catch up with delayed works.   |
| Waste Transfer Station                  | (105)                                 | Project Complete  |
| Town Hall remodelling                   | (502)                                 | Contract has now been awarded and development is well underway. Slippage includes 200k for sprinkler system for residential area, that was agreed at March committee. |
| <b>Economic Development:</b>            |                                       |   |
| Parking Scheme at Brentwood & Shenfield | (1,000)                               | Scheme now considered as part of the Asset Development Programme.   |
| MSCP                                    | (48)                                  | Tender for MSCP has been received and is less than anticipated so slippage is not required  |
| Car Park Improvements                   | (83)                                  | Improvements are pending Car Park Strategy and Joint Venture. Slippage to be brought forward to contribute to any Car Park works required for Town Hall Development.  |
| Renaissance Group                       | (39)                                  | Carry forward required for new year to grant to Brentwood Business Partnership Group in 2018/19.  |
| <b>Community &amp; Health:</b>          |                                       |   |
| CCTV System Upgrade                     | 10                                    | Cost of cameras exceeded budget. Slight overspend was expected.   |

|                                 |       |   |
|---------------------------------|-------|---|
| Play Area Refurbishments        | (151) | Play Area Strategy going to committee in June 2018. Once strategy approved monies required for urgent refurbishments posing safety risks.   |
| Irrigation to Golf Course       | (29)  | Tender exercise came back in excess of original budget. So budget is to be used to pay for construction of water holding ponds on course as part of spend to save to reduce golf course water usage which is metered. |
| Mascals Park                    | 6     | Project funded by Section 106 monies  |
| Leisure Strategy                | (100) | On hold. Any further funding or decisions to go back to committee. No carry forward required as Revenue Earmarked Reserve set aside.  |
| Noise, Nuisance Recorder System | 0     | Equipment purchased.  |
| Parks Infrastructure            | (25)  | Monies were being retained to pay for additional site security measures this is being financed elsewhere. Monies required for original works within the Councils site are for specific management plans.              |
| Warley Sports Pavilion          | (170) | Delay due to the establishment of a Leisure Strategy. Budget will now be used to match fund a grant from the Football Foundation to pay for replacement of goal posts on all sites under Council control.             |
| Incursion Defences              | (35)  | Weather meant delay to some sites for work. Sites have been identified to improve security at various sites to improve defences against incursions and fly tipping.   |
| <b>Transformation:</b>          |       |   |
| Asset Improvements              | 66    | Overspend due to replacement works at Brentwood Leisure Trust that was not originally identified.   |
| ICT Strategy                    | 0     | Existing Budget available for 2017/18   |
| CRM Project                     | 0     | Project complete  |
| PCI Compliance                  | 0     | Project complete first stage.   |
| Azure & Skype                   | 0     | Project complete.   |
| End User Device                 | 0     | Project complete.   |
| Software Licences               | 17    | Cost of licences not originally budgeted for in the capital program.  |
| ICT Applications                | 11    | Includes upgrades to systems  |
| King Edward Road                | (500) | Carry forward required. Delay due to  |



|  |              |   |
|--|--------------|---|
|  |              | legal and planning issues around the site, soon to be resolved. |
| <b>TOTAL VARIANCE FOR VISION FOR BRENTWOOD</b> | <b>7,725</b> |   |

5.5 Due to the under spends on some of the variances above, budget holders have requested various schemes to be carried forward into 2018/19. Senior officers have reviewed these requests along with the above variances and have made decisions on which schemes should be carried forward.

5.6 Table 7 shows a complete summary of the capital schemes that have been started and are not yet complete and are therefore requested to be carried forward to 2018/19.

**Table 7 – 2017/18 Capital Scheme Carry Forwards into 2018/19**

| <b>Scheme</b>                        | <b>Amount to carry forward<br/>£'000</b> |
|--------------------------------------|--|
| Garage site development              | 1,353                                    |
| HRA Decent Homes                     | 2,219                                    |
| Vehicle Replacement Program          | 616                                      |
| Play Area Refurbishments             | 151                                      |
| Parks Infrastructure                 | 25                                       |
| Warley Sports pavilion Refurbishment | 170                                      |
| Golf Course Irrigation               | 29                                       |
| Cemetery headstones                  | 15                                       |
| Cemetery Infrastructure              | 19                                       |
| Town Hall Remodeling                 | 502                                      |
| Renaissance Group                    | 39                                       |
| Incursion Defenses                   | 35                                       |
| King Edward Road Development         | 500                                      |
| <b>TOTAL AMOUNT TO CARRY FORWARD</b> | <b>5,673</b>                             |

5.7 The amount carried forward in Table 7 must be funded, through capital receipts, capital grants, revenue contributions or borrowing. As at 31<sup>st</sup> March 2018, the provisional capital receipts balance was £6.712 million. Of which £3.320 million was ring fenced for 1-4-1 Dwelling Replacement (Garage Site Development). Leaving a balance of £3.392 million to fund the approved 18/19 capital program (as agreed at Full Council 1 March 2018) and proposed slippage. Table 7a proposes how the Capital Program will be funded including the proposed carry forwards from Table 7.

**Table 7a – 2018/19 Capital Program Funding including Carry Forwards**

|   | <b>Amount<br/>£'000</b> |
|---|-------------------------|
| General Fund Total Program 2018/19                        | 14,087                  |
| HRA Decent Homes Program 2018/19                          | 921                     |
| HRA Garage Site Development Program 2018/19               | 1,479                   |
| <b>Current Approved Capital Program 2018/19</b>           | <b>16,487</b>           |
| GF Proposed Carry Forwards                                | 2,101                   |
| HRA Decent Home Proposed Carry Forwards                   | 2,219                   |
| HRA Garage Site Proposed Carry Forwards                   | 1,353                   |
| <b>Total Proposed Capital Program incl Carry Forwards</b> | <b>22,160</b>           |
| <b>Funded By</b>  |                         |
| Capital Receipts  | (2,965)                 |
| Retained Capital Receipts                                 | (850)                   |
| Grants  | (250)                   |
| HRA Business Plan   | (3,140)                 |
| Revenue Contribution                                      | (1,982)                 |
| Internal borrowing  | (2,770)                 |
| External Borrowing  | (10,203)                |
| <b>TOTAL Funding</b>                                      | <b>(22,160)</b>         |

## **6. Annual Treasury Management Report 2017/18**

- 6.1 This report compares the treasury activity for 2017/18 against the annual strategy.

### **Introduction and Background**

- 6.2 The regulatory environment places responsibility to Members for the review and scrutiny of treasury management policy and activities. This report is therefore important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.
- 6.3 The Council confirms that it has complied with the requirement under the Code to give scrutiny to the treasury management reports by the Policy, Projects and Resources Committee.
- 6.4 This report summarises:
- Capital activity during the year;
  - Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
  - Reporting of the required prudential and treasury indicators;
  - Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;

- Detailed debt activity; and
- Detailed investment activity.

### **The Council’s Capital Expenditure and Financing 2017/18**

6.5 The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc), which has no resultant impact on the Council’s borrowing need;  
Or
- If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

6.6 The actual capital expenditure for the year is one of the prudential indicators that the Council is required to report. This requirement is met by Table 5, which shows the actual capital expenditure and how this was financed.

6.7 The Council’s CFR at the year end is shown in Table 8, and represents a key prudential indicator.

**Table 8: Capital Financing Requirement**

|                    | <b>31 March 2017</b> | <b>31 March 2018</b> |
|--------------------|----------------------|----------------------|
|                    | <b>£’000</b>         | <b>£’000</b>         |
| CFR – General Fund | 11,166               | 11,097               |
| CFR – HRA          | 62,091               | 61,091               |
| <b>Total CFR</b>   | <b>73,257</b>        | <b>72,688</b>        |

6.8 Borrowing activity is constrained by prudential indicators for gross borrowing and the CFR, and by the authorised limit, as set out later in this report.

### **The Council’s Overall Borrowing Need**

6.9 The Council’s underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council’s debt position. It represents 2017/18 and prior year’s capital expenditure which has not yet been paid for by revenue or other resources.

6.10 Under treasury management arrangements, actual debt can be borrowed or repaid at any time within the confines of the annual treasury strategy. However, the Council is required to make an annual revenue charge to reduce the General Fund element of the CFR. There is no statutory requirement to reduce the HRA element of the CFR.

6.11 This statutory revenue charge is called the Minimum Revenue Provision (MRP). The total CFR can also be reduced by:

- The application of additional capital resources (such as unapplied capital receipts);  
Or
- Charging more than the statutory revenue charge (MRP amount) each year through an additional Voluntary Revenue Provision (VRP) from either the HRA or General Fund.

### The Council's Treasury Position at the Year End

6.12 The Council's debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities.

6.13 The treasury position as at 31 March 2018 compared with the previous year is shown in Table 9:

**Table 9: Year End Treasury Position**

|   | 31 March 2017  |                 | 31 March 2018   |                 |
|---|----------------|-----------------|-----------------|-----------------|
|   | Principal<br>£ | Average<br>Rate | Principal<br>£  | Average<br>Rate |
| Fixed Interest Rate Debt                            | 2,000          | 7.54%           | 2,000           | 7.54%           |
| HRA Subsidy Reform                                  | 59,166         | 3.10%           | 59,166          | 3.10%           |
| Short Term Borrowing                                | 3,000          | 0.30%           | 0               |                 |
| <b>Total External Debt</b>                          | <b>64,166</b>  |                 | <b>61,166</b>   |                 |
| CFR – General Fund                                  | 11,166         |                 | 11,097          |                 |
| CFR – HRA   | 62,091         |                 | 61,591          |                 |
| Total Capital Financing Requirement                 | 73,257         |                 | 72,688          |                 |
| <b>Under Borrowing</b>                              | <b>(9,091)</b> |                 | <b>(11,522)</b> |                 |
| <b>Investments</b>                                  |                |                 |                 |                 |
| Short-term deposits with banks & building societies | 17,000         | 0.39%           | 14,000          | 0.55%           |
| <b>Total Investments</b>                            | <b>17,000</b>  |                 | <b>14,000</b>   |                 |
| <b>Net Borrowing Position</b>                       | <b>47,166</b>  |                 | <b>47,166</b>   |                 |

### **Debt decisions taken during 2017/18**

- 6.14 Table 10 summarises the long-term loans held at 31 March 2018. No additional long-term borrowing was taken out during the year. These loans are all maturity, fixed interest rates.

**Table 10: Schedule Of Outstanding Loans at 31 March 2017**

| <b>Repayment Date</b> | <b>Period of Loan (Years)</b> | <b>Interest Rate</b> | <b>Amount Outstanding £000</b> |
|-----------------------|-------------------------------|----------------------|--------------------------------|
| 28/03/2022            | 10                            | 2.40%                | 5,000                          |
| 28/03/2027            | 15                            | 3.01%                | 10,000                         |
| 08/01/2028            | 25                            | 4.88%                | 400                            |
| 28/03/2032            | 20                            | 3.30%                | 15,000                         |
| 28/03/2037            | 25                            | 3.44%                | 15,000                         |
| 28/03/2042            | 30                            | 3.50%                | 14,166                         |
| 24/02/2055            | 60                            | 8.88%                | 800                            |
| 30/04/2055            | 60                            | 8.88%                | 800                            |
| <b>Total</b>          |                               |                      | <b>61,166</b>                  |

- 6.15 **Short Term Borrowing** – this was undertaken on a couple of occasions during the year in order to meet short term cash requirements.
- 6.16 **Debt Re-scheduling** – all of the Council’s long-term borrowing is with the Public Works Loans Board (PWLB). Due to changes made by the PWLB in the way in which it calculates the premiums and discounts on premature loan repayments, it has become more expensive to undertake any debt rescheduling. Consequently, no debt rescheduling opportunities were undertaken during the year.

### **Investment decisions taken during 2017/18**

- 6.17 **Investment Policy** – the investment activity during the year conformed to the approved investment strategy.

- 6.18 **Investments held by the Council** – Table 11 details the investments held by the Council at 31 March 2018.

**Table 11: Schedule of Outstanding Investments at 31 March 2017**

| <b>Start date</b>     | <b>Maturity date</b> | <b>Invested with</b>           | <b>Interest Rate</b> | <b>Amount<br/>£</b> |
|-----------------------|----------------------|--------------------------------|----------------------|---------------------|
| 04/10/17              | 04/04/18             | Goldman Sachs                  | 0.69%                | 2,000,000           |
| 05/10/17              | 05/04/18             | Lloyds Bank plc                | 0.36%                | 1,000,000           |
| 18/04/17              | 17/04/18             | Barnsley Metro Borough Council | 0.48%                | 1,000,000           |
| 19/01/18              | 19/04/18             | Eastleigh Borough Council      | 0.45%                | 1,000,000           |
| 26/03/18              | 01/05/18             | Suffolk County Council         | 0.75%                | 1,000,000           |
| 05/06/17              | 11/05/18             | Barnsley Metro Borough Council | 0.38%                | 1,000,000           |
| 01/06/17              | 31/05/18             | Leeds City Council             | 0.38%                | 1,000,000           |
| 04/12/17              | 04/06/18             | Coventry Building Society      | 0.54%                | 1,000,000           |
| 18/01/18              | 18/07/18             | Eastleigh Borough Council      | 0.52%                | 1,000,000           |
| 14/11/17              | 14/08/18             | Blackpool Borough Council      | 0.50%                | 1,000,000           |
| 19/03/18              | 19/11/18             | Eastleigh Borough Council      | 0.82%                | 1,000,000           |
| 95 day notice account |                      | Santander UK plc               | 0.60%                | 2,000,000           |
| <b>Total</b>          |                      |                                |                      | <b>14,000,000</b>   |

### **Prudential and Treasury Indicators**

- 6.19 The Council is required by the Prudential Code to report the following prudential and treasury indicators after the year end. These indicators provide either an overview or a limit on treasury activity.

### **Prudential Indicators**

- 6.20 **The Capital Financing Requirement (CFR)** – shows the Council's underlying need to borrow for capital purposes and should only increase in relation to capital expenditure that is not met from the Council's own resources, i.e. it is unfinanced. External borrowing should not exceed the CFR except in the short term under exceptional circumstances. Any borrowing in excess of the CFR would be deemed to be for revenue purpose, which is not allowed. This indicator aims to show that gross borrowing does not exceed the CFR. The gross borrowing position is the sum of external

debt and finance lease liabilities. Table 12 demonstrates that the Council has complied with this requirement.

**Table 12: Gross Borrowing and CFR Position**

|                               | <b>31 March<br/>2017<br/>£000</b> | <b>31 March<br/>2018<br/>£000</b> |
|-------------------------------|-----------------------------------|-----------------------------------|
| Gross borrowing position      | 64,166                            | 61,166                            |
| Capital Financing Requirement | 73,257                            | 72,688                            |

**The Authorised Limit** – this is the “affordable borrowing limit” required by Section 3 of the Local Government Act 2003. This represents a limit beyond which external debt is prohibited. The limit is set or revised by the Full Council. The table below demonstrates that during 2017/18 the Council has maintained gross borrowing within this limit.

- 6.21 **The Operational Boundary** – this is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary are acceptable subject to the authorised limit not being breached.
- 6.22 **Actual financing costs as a proportion of net revenue stream** – this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

**Table 13: Other Prudential Indicators**

|  | <b>2017/18<br/>£000</b> |
|--|-------------------------|
| Authorised limit for external debt                     | 86,533                  |
| Operational boundary for external debt                 | 80,566                  |
| HRA Debt Limit   | 87,000                  |
| Financing costs as a proportion of net revenue stream: |                         |
| General Fund   | 1.40%                   |
| HRA  | 14.10%                  |

**Treasury Indicators**

- 6.23 **Maturity Structure of the fixed rate borrowing portfolio** - this indicator assists councils in avoiding large concentrations of fixed rate debt that has the same maturity structure and would therefore need to be replaced at the same time.

|               | <b>31 March<br/>2018<br/>actual<br/>£000</b> | <b>Proportion<br/>of total<br/>borrowing</b> | <b>Upper<br/>limit</b> |
|---------------|--|--|------------------------|
| Up to 5 years | 5,000  | 8%   | 20%                    |
| 5 to 10 years | 10,000                                       | 16%  | 20%                    |
| Over 10 years | 46,166                                       | 75%  | 100%                   |

6.24 **Exposure to Fixed and Variable Rates** - the Council is not exposed to changes in variable interest rates as all its borrowings are at fixed interest rates.

6.25 The Council has complied with all of the above relevant statutory and regulatory requirements which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the Code of Practice for Treasury Management means that its capital expenditure is prudent, affordable and sustainable, and its treasury practices demonstrate a low risk approach.

6.26 The Council is aware of the risks of passive management of the treasury portfolio (reduced investment income, counterparty risk etc) and, with the support of Capita Asset Services the Council's Treasury Management Advisers, has proactively managed the debt and investments over the year by continually reviewing market conditions, appraising investment and debt rescheduling opportunities and assessing their effects on the Council's balance sheet.

## **5 References to Corporate Plan**

5.4 Good financial management underpins all priorities within the Corporate Plan.

## **6 Implications**

### **Financial Implications**

**Name & Title:** Jacqueline Van Mellaerts, Interim Chief Finance Officer

**Tel & Email** 01277 312829 / [Jacquelinevanmellaerts@brentwood.gov.uk](mailto:Jacquelinevanmellaerts@brentwood.gov.uk)

6.4 The financial implications are set out in the report.



**Legal Implications**

**Name & Title:** Daniel Toohey, Monitoring Officer

**Tel & Email** 01277 312860 / [Daniel.toohey@brentwood.gov.uk](mailto:Daniel.toohey@brentwood.gov.uk)

- 6.5 The Council is obliged under Section 151 of the Local Government Act 1972 to make proper arrangements for the management of its financial affairs.

**7 Background Papers**

- 7.1 1 March 2018 Full Council – Medium Term Financial Plan 2018/19 – 2020/21

**8 Appendices to this report**

- 8.1 Appendix A – Financial Position Statement  
Appendix B – Earmarked Reserves

**Report Author Contact Details:**

**Name & Title:** Jacqueline Van Mellaerts, Interim Chief Finance Officer

**Telephone:** 01277 312829

**E-mail:** [Jacquelinevanmellaerts@brentwood.gov.uk](mailto:Jacquelinevanmellaerts@brentwood.gov.uk)

This page is intentionally left blank

## Table 1 – Financial Position Statement

Table 1A – Summary of funding position reported 4 March 2015.

|                       | 2015/16 | 2016/17 | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|-----------------------|---------|---------|---------|---------|---------|---------|
|                       | £'000   | £'000   | £'000   | £'000   | £'000   | £'000   |
| Funding Gap           | 697     | 878     | 1,164   | -       | -       | -       |
| Working Balance c/fwd | 3,447   | 1,919   | 755     | -       | -       | -       |

Table 1B – Summary of funding position reported 2 March 2016.

|                       | 2015/16<br>Estimated<br>Outturn<br>£'000 | 2016/17<br>£'000 | 2017/18<br>£'000 | 2018/19<br>£'000 | 2019/20<br>£'000 | 2020/21<br>£'000 |
|-----------------------|--|------------------|------------------|------------------|------------------|------------------|
| Funding Gap           | 200                                      | 1,291            | 2,323            | 3,391            | -                | -                |
| Working Balance c/fwd | 3,961                                    | 2,370            | (303)            | (3,694)          | -                | -                |

Table 1C – Summary of funding position reported 1 March 2017.

|                       | 2015/16<br>Outturn<br>£'000 | 2016/17<br>Estimated<br>Outturn<br>£'000 | 2017/18<br>£'000 | 2018/19<br>£'000 | 2019/20<br>£'000 | 2020/21<br>£'000 |
|-----------------------|-----------------------------|--|------------------|------------------|------------------|------------------|
| Funding Gap           | 194                         | 285                                      | 283              | 1,537            | 2,044            | -                |
| Working Balance c/fwd | 3,965                       | 3,380                                    | 2,629            | 1,021            | (1,023)          | -                |

Table 1D – Summary of funding position in this report.

|                       | 2015/16<br>Outturn<br>£'000 | 2016/17<br>Outturn<br>£'000 | 2017/18<br>Provisional<br>Outturn<br>£'000 | 2018/19<br>£'000 | 2019/20<br>£'000 | 2020/21<br>£'000 |
|-----------------------|-----------------------------|-----------------------------|--|------------------|------------------|------------------|
| Funding Gap           | 194                         | 0                           | 87   | 0                | 385              | 298              |
| Working Balance c/fwd | 3,965                       | 3,742                       | 3,305                                      | 3,305            | 2,920            | 2,622            |

This page is intentionally left blank

Earmarked Reserves

| Reserve   | Balance as at<br>01/04/2017 | Amounts<br>in/(out)<br>2017/18 | Balance as<br>at<br>31/03/2018 |
|---|-----------------------------|--------------------------------|--------------------------------|
| <b>Balance B/F</b>                              |                             |                                | <b>7,856</b>                   |
| Asset Management                                | 165                         |                                | 165                            |
| Brentwood Community Fund                        | 9                           |                                | 9                              |
| Brentwood Community Hospital                    | 45                          |                                | 45                             |
| Building Control                                | 83                          | (69)                           | 14                             |
| Civic Dinner                                    | 2                           |                                | 2                              |
| Community Alarms                                | 291                         | (100)                          | 191                            |
| Community Rights Grants                         | 38                          |                                | 38                             |
| Duchess Of Kent/Nightingale                     | 334                         | (14)                           | 319                            |
| Dunton Hills Development                        | 229                         | 192                            | 421                            |
| Economic Development                            | 40                          |                                | 40                             |
| Electoral Registration                          | 43                          |                                | 43                             |
| Funding Volatility                              | 722                         | 224                            | 946                            |
| Health and Wellbeing                            | 26                          | 8                              | 34                             |
| Housing benefit Subsidy                         | 150                         |                                | 150                            |
| ICT Investment                                  | 0                           | 100                            | 100                            |
| Land at Hanover House                           | 16                          |                                | 16                             |
| Leisure Strategy                                | 0                           | 100                            | 100                            |
| Neighbourhood Plan                              | 26                          |                                | 26                             |
| Organisational Transformation                   | 1,653                       | 26                             | 1,679                          |
| Pension Reserve                                 | 177                         |                                | 177                            |
| Planning Delivery Grant                         | 228                         | 27                             | 255                            |
| Preventing Homelessness                         | 38                          | 136                            | 174                            |
| Public Consultation                             | 5                           |                                | 5                              |
| S106 Monies                                     | 0                           | 7                              | 7                              |
| Waste Management                                | 636                         |                                | 636                            |
| <b>Total - General Fund Reserves</b>            | <b>4,956</b>                | <b>637</b>                     | <b>5,592</b>                   |
| Council Dwellings Investment Fund               | 2,500                       | 500                            | 3,000                          |
| Repairs & Maintenance Reserve                   | 400                         |                                | 400                            |
| <b>Total - Housing Revenue Account Reserves</b> | <b>2,900</b>                | <b>500</b>                     | <b>3,400</b>                   |
| <b>Balance C/F</b>                              | <b>7,856</b>                | <b>1,137</b>                   | <b>8,992</b>                   |

This page is intentionally left blank

19<sup>th</sup> June 2018

## Policy, Projects and Resources Committee

### Policy for Document Retention

**Report of:** *Daniel Toohey – Monitoring Officer and Head of Legal Services*

**Wards Affected:** *All*

**This report is:** *Public*

#### 1. Executive Summary

1.1 In this report, Members are asked to consider and adopt a policy and schedule covering document retention and destruction.

#### 2. Recommendation(s)

|   |
|---|
| <p><b>2.1 That Members note and approve the attached Document Retention Policy and Schedule (Appendix A), with delegated authority granted to the Head of Legal Services to revise and update as necessary from time to time.</b></p> |
|---|

#### 3. Introduction and Background

3.1 The Council retains a large number of files and documentation either electronically or in hard copy form stored at the depot or in general storage. This has been substantially reduced over time, as matters have been reviewed and information destroyed when no longer required, using confidential waste destruction processes.

3.2 This process was substantially increased as part of the move out of the Council's Town Hall during redevelopment and refurbishment, both during the move and subsequent to it as part of the ongoing review of storage of materials.

3.3 As part of the ongoing review of documents, and with the Council formally entering into a new Human Resources contract with Thurrock Council in March, the document retention policy has also been reviewed and the resulting new document is attached for member consideration.

#### **4. Issues, Options and Analysis of Options**

- 4.1 The document sets out the Council's responsibilities and activities in regard to best practice in the management of its records. Compliance with this policy will assist in eliminating unnecessary records, reduce storage costs, improve working practices and enable the authority to support its management and storage of documents in accordance with the Freedom of Information Act 2000 and the Data Protection Act 2018.
- 4.2. The schedule sets out the legislation, guidance and best practice regarding record retention and incorporates Retention Guidelines as issued by the Records Management Society of Great Britain. Where there is no recommended or statutory retention/destruction date, the schedule proposes a corporate time period based on common practice.
- 4.3 Members are therefore asked to consider and approve the Document Retention Policy and Schedule.

#### **5. Reasons for Recommendation**

- 5.1 Reviewing records assists in the specific requirement to properly manage all records created in accordance with council policies and legislation. It also assists in the smooth conduct of business to ensure cost-effective use of records is maintained. Reviews ensure that records no longer required are properly destroyed which supports the council's operations. However, it is also used to prevent the premature destruction of records and to identify those records worthy of permanent preservation.

#### **6. Consultation**

- 6.1 No consultation is required in advance of submission of this report to Committee.

#### **7. References to Corporate Plan 2016-2019**

- 7.1 With regard to the priority: 'Community and Health' this report supports Businesses, safeguards public safety and enhances standards locally through risk-based regulatory compliance with the Data Protection legislation.

#### **8. Implications**

##### **Financial Implications**

**Name & Title: Jacqueline Van Mellaerts – Interim Chief Finance Officer**  
**Tel/Email: 01277 312829/jacqueline.vanmellaerts@brentwood.gov.uk**

- 8.1 Effective retention of documents will minimise the space required for storage, reducing accommodation costs.



## **Legal Implications**

**Name & Title: Daniel Toohey, Head of Legal Services and Monitoring Officer**

**Tel/Email: 01277 312860/daniel.toohey@brentwood.gov.uk**

8.2 Legal issues and implications are set out in the body of this report and appendices.

## **9. Background Papers**

9.1 GDPR project file held in Legal Services.

## **10. Appendices to this report**

10.1 Appendix A - Data Retention Policy & Schedule

### **Report Author Contact Details:**

**Name:** Phil Devonald

**Telephone:** 01277 312500

**E-mail:** phil.devonald@brentwood.gov.uk

This page is intentionally left blank

# **Brentwood Borough Council**

## **Document Retention Policy**

April 2018 (V 3)

### **Acknowledgement**

This document is based upon the policy provided to us by Thurrock Council to whom we are most grateful.

# CONTENTS

|  | <u>Page<br/>No.</u> |
|--|---------------------|
| 1. Introduction .....  | 3-4                 |
| 2. Scope/Purpose.....  | 4                   |
| 3. The Retention/Disposal Protocol.....                                      | 4                   |
| 4. Roles and Responsibilities .....  | 5                   |
| 5. Disposal .....  | 5-6                 |
| 6. General Data Protection Regulation – duty to dispose of certain data..... | 6-7                 |
| <br>Appendix 1 Key Disposal/Retention Considerations                         |                     |
| <br>Appendix 2 Records Management Retention Schedules                        |                     |

## 1. INTRODUCTION

1.1 In the course of carrying out its various functions and activities, the Council collects information from individuals and external organisations and generates a wide range of data/information which is recorded. These records can take many different forms e.g.

- Letters received from third parties
- Copy letters which have been sent out
- File attendance notes
- Invoices
- Completed application forms
- Plans/drawings
- Financial records
- Registers
- Contracts/deeds
- e-mails (and any attachments)
- Photographs
- Tape Recordings
- Manuscript notes

1.2 Many of the above documents can be retained as 'hard' paper records or in electronic form.

1.3 Retention of specific documents may be necessary to:

- Fulfil statutory or other regulatory requirements.
- Evidence events/agreements in the case of disputes.
- Meet operational needs.
- Ensure the preservation of documents of historic or other value.

1.4 The untimely destruction of documents could cause the Council:

- Difficulty in responding to litigation claims, appeals.
- Operational problems.
- Reputational damage.
- Failure to comply with the FOI, EIR, the General Data Protection Regulation (GDPR) or the Data Protection Act 2018.

1.5 Conversely, the permanent retention of all documents is undesirable, and appropriate disposal is to be encouraged for the following reasons:

- By law, personal data can only be retained for as long as it is needed for the purpose for which it was obtained.
- There is a shortage of new storage space.
- Disposal of existing documents can free up space for more productive activities.

- Reduction of fire risk (in the case of paper records).
- There is evidence that the de-cluttering of office accommodation can be psychologically beneficial for many workers.

1.6 Modern day records management philosophy emphasises the importance of organisations having in place systems for the timely and secure disposal of documents/records that are no longer required for business purposes. Additionally, the law makes it important that the Council has clearly defined policies and procedures in place for disposing of records, and that these are well documented.

## **2. SCOPE & PURPOSE**

2.1 The purpose of this policy is to provide a corporate policy framework to govern management decisions on whether a document (or set of documents) should either be:

- Retained – and if so in what format, and for what period; or
- Disposed of - and if so when and by what method.

2.2 Additionally, this policy seeks to clarify the roles and responsibilities of managers in the decision-making process.

## **3. THE RETENTION/DISPOSAL PROTOCOL**

3.1 Any decision whether to retain or dispose of a document should be taken in accordance with the retention/disposal protocol. This protocol consists of:

- The key disposal/retention considerations criteria checklist, set out in Appendix 1. Essentially no document should be disposed of unless all these have been considered in relation to the document.
- The Retention Schedules contained in Appendix 2. These provide guidance on recommended and mandatory minimum retention periods for specific classes of documents/records.

3.2 Where a retention period has expired in relation to a particular document a review should always be carried out before a final decision is made to dispose of that document. Such reviews need not necessarily be detailed or time consuming. Where the manager (or designated officer) is familiar with the contents of the document or where the contents are straightforward and easily apparent then such an exercise may only take a few minutes.

3.3. If a decision is taken to dispose of a particular document or set of documents, then consideration should be given to the method of disposal (paragraph 5 below).

3.4.

## **4. ROLES & RESPONSIBILITIES**

### Managers

- 4.1 Responsibility for determining (in accordance with the Retention/Disposal protocol mentioned above) whether to retain or dispose of specific documents rests with the individual service managers, in respect of those documents that properly fall within the remit or control of his/her Service. Managers are expected to be proactive in carrying out or instigating audits of existing documentation that may be suitable for disposal.
- 4.2 Managers may delegate the operational aspects of this function to one or more senior officers within their Service. However, in doing so they should ensure that any such Officer is fully conversant with this Policy and is also familiar with the operational requirements of the Service in relation to document retention/disposal.

### **Role of Legal Services and the Data Protection Officer**

- 4.3 Legal Services can advise on whether minimum retention periods are prescribed by law, and whether retention is necessary to protect the Council's position where the likelihood of a claim has been identified by the relevant manager.

Legal Services staff cannot be expected to possess the operational or background knowledge required to assess whether a document may be required by the Service concerned for operational need. This is the responsibility of the relevant manager or his/her designated Officers.

- 4.4 The Data Protection Officer is available to provide staff with advice and guidance on effective records management practices.

## **5. DISPOSAL**

- 5.1 Disposal can be achieved by a range of processes:

- Confidential waste – *i.e.* making available for collection by a designated refuse collection service or use of the confidential waste bins within the civic offices.
- Physical destruction on site (paper records - shredding)
- Deletion – where computer files are concerned
- Migration of document to external body

- 5.2 All staff should take into account the following considerations when selecting any method of disposal:

- Under no circumstances should paper documents containing personal data or confidential information be simply binned or deposited in refuse tips. To do so could result in the unauthorised disclosure of such information to third parties

and render the Council liable to prosecution or other enforcement action under the GDPR. Such documents should be destroyed on site (e.g. by shredding) or placed in the specially marked “Confidential Waste” refuse bins.

- Deletion – the Information Commissioner has advised that if steps are taken to make data virtually impossible to retrieve, then this will be regarded as equivalent to deletion.
- Migration of documents to a third party (other than for destruction or recycling) is unlikely to be an option in most cases. However, this method of disposal will be relevant where documents or records are of historic interest and/or have intrinsic value. The third party here could well be the Public Record Office (“PRO”). “Migration” can, of course, include the sale of documents to a third party. The Information Manager is happy to be a point of reference in cases where migration to the PRO or other external archive is considered a possibility.
- Recycling – wherever practicable disposal should further recycling, in-line with the Council’s commitment to sustainable development and promoting an alternative waste disposal strategy.

5.3 Disposal should be documented by keeping a record of the document disposed of, the date and method of disposal, and the officer who authorised disposal. The documenting of disposal is particularly important due to the Freedom of Information Act.

## **6. GDPR**

6.1 Officers need to be aware that under the GDPR personal data processed for any purpose must not be kept for longer than is necessary for that purpose. In other words, retaining documents or records that contain personal data beyond the length of time necessary for the purpose for which that data was obtained is unlawful.

The GDPR contains no interpretive provisions on this provision. It is a matter for reasonable judgement and common sense as to how long personal data should be retained.

Clearly, in many instances the retention of personal data will be necessary and thus justified for a long period of time. In general, provided there is adherence to this policy few problems should arise.

Managers and their staff need to be conscious of the fact that in some contexts it can be relatively easy to fall foul of the GDPR regarding the retention of personal data.



# Key Disposal/Retention Considerations

**Introduction:**

No document should be earmarked for disposal unless due regard has first been given to **(i)** the five Key Disposal/Retention considerations detailed in this Appendix, and **(ii)** to the Retention Schedules contained in Appendix 2.

## KEY CONSIDERATION NO. 1

|  |
|--|
| <p><b>HAS THE DOCUMENT BEEN<br/>APPRAISED?</b></p> |
|--|

1. As a first step, the nature/contents of any document being considered for disposal should be ascertained. No document(s) should be earmarked or designated for disposal unless this has been done. Insofar as *existing documents* are concerned it follows that the above can only be achieved by the carrying out of physical inspection and appraisal. The process may only take a few minutes – perhaps even seconds. Nonetheless it can be a skilled task - depending on the complexity of the document(s) concerned – and should only be undertaken by officers who possess sufficient operational knowledge to enable them to identify the document concerned and its function within both the individual Service and corporate frameworks. Any decision to the effect that *future documents* of a specified description be disposed of on expiry of a specified retention period should be an informed one *i.e.* taken with a full appreciation and understanding of the nature and function of such document.
2. The above is largely common sense, and hardly needs to be stated. However, if appraisal is inadvertently overlooked or carried out negligently, or by an employee who lacks the necessary background operational knowledge, the Council runs the very real risk of important documents being destroyed in error.

## KEY CONSIDERATION NO. 2

|  |
|--|
| <b>IS RETENTION REQUIRED TO FULFIL STATUTORY<br/>OR OTHER REGULATORY REQUIREMENTS?</b> |
|--|

There is, in fact, very little specific legislation that stipulates mandatory retention periods for documents in local government.

The pieces of legislation which do, either directly or indirectly, impose minimum retention periods are as follows:

**Tax Legislation:** Minimum retention period for certain financial records are imposed by statutes such as the VAT Act 1994, and the Taxes Management Act 1970. These retention periods are identified in the retention schedules.

**Statutory Registers:** Various local government statutes require registers to be kept of certain events, notifications, or transactions. It is implicit within such legislative requirement that these records be maintained on a permanent basis, unless the legislation concerned stipulates otherwise.

**The Audit Commission Act 1998:** This provides auditors with a right of access to every document relating to the Council that appears necessary for the purposes of carrying out the auditor's functions under the Act.

**The Local Government Act 1972, S.225:** Any document deposited with "the proper officer" of the Council in accordance with Statute should be retained permanently. (This is analogous to the position re Registers, above).

**Part VA of the Local Government Act 1972:** This governs public access to certain documents relating to Council and Committee meetings. Certain documents that form part of the public part of the agenda are required to be available for inspection by members of the public.

### KEY CONSIDERATION NO. 3

|   |
|---|
| <b>IS RETENTION REQUIRED TO EVIDENCE<br/>EVENTS IN THE CASE OF DISPUTE?</b> |
|---|

On occasions, the Council becomes involved in disputes with third parties. Such disputes, if not satisfactorily resolved, can result in the dissatisfied party bringing legal proceedings against the Council, usually (but not always) with a view to obtaining monetary compensation. Conversely, the Council may wish to institute legal proceedings against an individual or organisation e.g. to recover an unpaid debt, or in respect of faulty workmanship. Where a dispute arises, or litigation has been commenced it is important that the Council has access to all correspondence and other documentation that is relevant to the matter. Without such, there is the danger that the Council's position will be compromised, and the very real possibility that an unmeritorious claim might succeed, or that the Council may be unable to assert its legal entitlements.

The **Limitation Act 1980** specifies time limits for commencing litigation. The starting point therefore, is that the retention period is the length of time that must elapse before a claim is barred. The main time limits that are directly relevant to local government are as follows:

- Claims founded on simple contract or tort (other than personal injury claims) cannot be brought after the expiration of 6 years from the date on which the cause of action occurred.
- Compensation claims for personal injury are barred on expiry of 3 years from the date on which
  - (i) the cause of action occurred (this will usually be the date when the incident causing the injury occurred; or
  - (ii) the date when the injured person first had knowledge of the injury, its cause and the identity of the person responsible (some injuries are latent and do not manifest themselves for some period of time).
- Claims that are based on provisions contained in documents that are 'under seal' are barred after the expiration of 12 years from the date on which the cause of the action occurred.

**Limitation Act 1980 S.14A and S.14B:** "Latent damage claims": S.14A provides a special time limit for negligence actions (excluding personal injury) where facts relevant to the cause of action were not known to the claimant at the date of the negligence.

**The six-year retention period and risk assessment:** As stated above most potential legal claims are statute barred on the expiry of 6 years. For this reason, many organisations consider it prudent to retain files/records for a period of 6 years from the date when the subject matter was completed.

It is important, though, to keep in mind that during the Council's everyday business large masses of document action are generated that serve no purpose after relatively short periods of time. Many documents will relate to completed matters where, realistically, the risk of subsequent litigation or other dispute is minimal, if not non-existent. Long-term retention of such documents is counterproductive. Managers should be prepared to carry out a risk analysis, with a view to disposal of such documents within a shorter period of than the 6 years' time frame.

## **KEY CONSIDERATION NO. 4**

|   |
|---|
| <p><b>IS RETENTION REQUIRED TO MEET THE<br/>OPERATIONAL NEEDS OF THE SERVICE?</b></p> |
|---|

In some cases, retention may be desirable (whether permanent or otherwise) even though no minimum retention period applies or has expired. Managers should be open to the danger of discarding documents or records that might be useful for future reference purposes (e.g. training), as precedents, or for performance management (performance indicators, benchmarking and comparison exercises). A professional judgement needs to be made as to the usefulness of a particular document.

### Key Documents

The Information Commissioner recognises that key records may merit permanent preservation, notwithstanding nothing is prescribed. These are covered in the Retention Schedules.

## **KEY CONSIDERATION NO. 5**

### **IS RETENTION REQUIRED BECAUSE THE DOCUMENT OR RECORD IS OF HISTORIC INTEREST OR INTRINSIC VALUE?**

In most cases this consideration will not be applicable. However, it is certainly possible that some documents currently in Council storage may be of historic interest and/or even have some monetary value.

#### **Illustration**

A local authority may have in its possession records of damage to property caused by air raids during WW II. These records may well be of interest to museums, local history societies, and the County Records office.

Where it is suspected that the document falls within this description appropriate enquires should always be made before taking any further action. The Data Protection Officer should be contacted for advice and guidance in the first instance.

Even if the document is of historical or monetary value, disposal rather than retention by the Council, may well be the appropriate option – but in the form of transfer to, say, the County Records office; or even sale to an external body.





# Document Retention Schedules

**Introduction:**

The following schedules provide guidance on the retention periods applicable to a wide range of Council documents.

Documents/records relating to Personnel matters warrant careful attention insofar as retention periods are concerned. There is the need, when considering appropriate retention periods, to be aware of the fact that the Council may need recourse to certain documents/records in the event of a claim being made against it under employment protection or anti-discrimination legislation. Many employment documents or records will contain “personal data” and “sensitive personal data” as defined by the GDPR. The fifth principle in the GDPR (personal data processed for long purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes) is therefore relevant. Thus, in some instances, the Council will be under a legal duty to destroy employment records, the Information Commissioner has stated, however, that in considering an employer’s compliance with this principle she will have regard to the need for the employer to respond to enquiries, for example, from an employee’s new employer or from Inland Revenue as well as for its own use. The Information Commissioner has published a draft code of practice (“ICE of P”) on the use of personal data in employer/employee relationships that provides guidance on retention periods for certain categories of employment records. Where applicable, these are referred to in the schedule below.

Documents in the custody or care of Legal Services warrant special consideration, as they may have legal significance. In addition to the document retention considerations set out in the main body of the policy it should be noted that the Head of Legal Services, as Solicitor to the Council, is governed by guidelines issued by the Law Society of England and Wales under the guise of its Professional Conduct Rules. The Law Society at the outset stresses that it is unable to specify periods of years for which individual old files should be retained. Solicitors should exercise their own judgement in this respect, having regard to such factors as the subject matter of the contents and their own circumstances, including availability of storage space and the costs thereof. Subject to that, the Law Society considers it may well be advisable to retain all files for a minimum period of 6 years from when the subject matter was wholly completed. At the end of the 6-year period, solicitors should review the files again according to the nature of the transactions to which they refer, and the likelihood of any claims arising there from within the appropriate limitation period. After taking these matters into account and before deciding that certain old files can be destroyed, solicitors should consider whether there are any documents that ought nevertheless to be preserved for their archival or historic value. If there is any possibility of this, it is suggested that contact should be made with the County Archivist in order to arrange for an inspection.

The Law Society guidelines are in line with the key Disposal/ Retention considerations set out in this Policy. This schedule seeks among other things to identify documents/files that can be safely disposed of before expiry of the six year ‘rule of thumb’

Retention/disposal decisions in respect of ‘residual documentation/records’ (*i.e.* those which are not specifically covered by the preceding schedules) should be considered against the guidelines contained in this Schedule. Indeed, it is likely that most documentation will fall within this ‘residual’ category. It cannot be over emphasised that in determining the retention period

appropriate for documents regard must be had to the key disposal/retention considerations set out in Appendix 1. Managers/Managers should be prepared, where necessary, to carry out a risk analysis *i.e.* assess (i) the value (or possible value) of a particular document/class of document; (ii) the likelihood that recourse may be needed to it in the future (Key Disposal/Retention Consideration No. 4 is relevant here); and (iii) the consequences to the Council/Service if that document is not available because it has been destroyed. Clearly, there will be the temptation to adopt a policy of retaining *every* single document or record for at least 6 years. Undoubtedly, this will be the safest option; but it is also unduly cautious and generally to be discouraged. In the everyday course of public sector business large masses of documentation are generated which serve no purpose after short periods of time.

Where paper records are concerned Managers should also endeavour to avoid **duplicity** of record keeping, wherever it is practicable to do so. It may sometimes be the case that two or more Services have the same documents /records in their possession. Provided that one Service has a full set in safe storage there may well be the case that there is no need for the other Service(s) to retain a set. Inter-Service communication and co-operation in the context of document retention is to be encouraged.

## The Disposal Guidelines – Contents

### **Assets**

Page 15

- . Maintenance of council property
- . Property acquisition and disposal
- . Property and land management
- . Property use and development

### **Community safety and emergencies**

Page 20

- . Advice
- . Community safety
- . Emergency planning
- . Emergency service
- . Enforcement
- . Training

### **Environmental Health/Licensing**

Page 22

- . Advice
- . Enforcement
- . Investigation, inspections and monitoring
- . Registration, certification and licensing

### **Crematoria and cemeteries**

Page 29

- . Burial identity and location
- . Maintenance of burial grounds

### **Democracy**

Page 30

- . Decision making
- . Executive
- . Governance
- . Honours and awards

- . Member support
- . Planning
- . Representation

### **Economic development**

Page 33

- . Business intelligence
- . Promotion
- . Regeneration
- . Sustainability
- . Tourism
- . Training

### **Finance**

Page 36

- . Accounts and audit
- . Asset management
- . Financial provisions management
- . Financial transactions management
- . Local taxation
- . National taxation
- . Payroll and pensions

### **Health and safety**

Page 45

- . Community safety
- . Compliance
- . Monitoring
- . Risk management

### **Housing**

Page 47

- . Advice
- . Enforcement
- . Estate management
- . Housing provision

- . Housing stock
- . Managing tenancies

**Human Resources**

Page 53

- . Administering employees
- . Employee relations
- . Equal opportunities
- . Monitoring employees
- . Occupational health
- . Recruitment
- . Terms and conditions of employment
- . Training
- . Workforce planning

**Information and communication technology**

Page 59

- . Infrastructure
- . System support

**Information management**

Page 62

- . Access to information
- . Archives
- . Knowledge management
- . Records management
- . Registration

**Legal services**

Page 65

- . Advice
- . Bylaws
- . Land registration
- . Land and highways
- . Litigation
- . Management of legal activities

. Planning controls

**Leisure and culture**

Page 68

- . Allotments
- . Archives
- . Arts
- . Community facilities
- . Leisure promotion
- . Museums
- . Parks and open spaces
- . Sports facilities
- . Sports
- . Tourism

**Management**

Page 71

- . Ceremonial
- . Communication support
- . Corporate communication
- . Enquiries and complaints
- . External audits
- . Preparing business
- . Project management
- . Quality and performance
- . Statutory returns
- . Strategic planning

**Planning and building control**

Page 77

- . Building control
- . Covenant control
- . Development management
- . Local Plans/CIL

**Procurement**

- . Contracting
- . Market information
- . Tendering

Page 81

**Risk management and insurance**

- . Claims
- . Insuring against loss
- . Risk management

Page 83

**Waste**

- . Fly tipping
- . Street cleaning
- . Waste collection
- . Waste reduction

Page 85



| <b>FUNCTION/SERVICE</b>                     | <b>TYPE OF RECORD</b> | <b>DETAILS</b>   | <b>RETENTION PERIOD</b>                           | <b>NOTES</b>                   |
|---|-----------------------|--|---|--------------------------------|
| <b>Assets</b>                               |                       |  |   |                                |
| <b>Council property and land management</b> |                       | <b>Maintenance and management records - typically organised by property</b>  |   |                                |
| Maintenance                                 | Instruction manuals   | Instruction manuals related to council property.   | Destroy - 7 years after last action               | RGLA 7.27                      |
| Planned maintenance                         |                       | Documentation relating to the process of managing and undertaking planned maintenance of property.                         | Destroy - 7 years after last action               | RGLA 7.27                      |
| Refurbishment                               | Tenders and contracts | Documentation relating to the process of managing and undertaking planned renovations and development of property.         | Destroy - 7 years after conclusion of transaction | RGLA 8.7                       |
| Responsive maintenance                      | Files                 | Documentation relating to the process of managing and undertaking emergency maintenance of property.                       | Destroy - 7 years after last action               | RGLA 7.27                      |
| Property acquisition and disposal           |                       | Information on the acquisition and disposal of property.   |   |                                |
| Acquisitions                                | Property assets       | Any papers concerning the management of the acquisition (by lease or purchase) process for real property council property. | Retain permanently                                | Limitation Act 1980. RGLA 7.29 |

|                      |                               |  |  |                                   |
|----------------------|-------------------------------|--|--|-----------------------------------|
| Disposal of property | Assets over £<br>50000        | Documents relating to the management of the disposal (by sale or write off) process for real property. | Destroy - 12 years after all obligations/entitlements concluded    | Limitation Act 1980.<br>RGLA 7.29 |
| Disposal of property | Assets under £<br>50000       | Documents relating to the management of the disposal (by sale or write off) process for real property. | Destroy - 6 years after all obligations/entitlements concluded     | Limitation Act 1980.<br>RGLA 7.29 |
| Disposal             | Sale or write-off of property | Information on the disposal of property.   | Destroy - 15 years after obligations or entitlements are concluded | RGLA 8.3                          |
| Accessibility        | Files                         | Documentation and information relating to the access of property owned by the council.                 | Retain permanently   |                                   |

**Facilities management****Processes involved in the management of council facilities.**

|                           |  |  |  |           |
|---------------------------|--|--|--|-----------|
| Fleet management          | Allocation and maintenance of vehicles | Information how vehicles have been allocated and maintained.   | Destroy - 7 years after disposal of the vehicle        | RGLA 8.15 |
| Fleet management          | Recording drivers usage                | Information on drivers.  | Destroy - 7 years after closure                        | RGLA 8.17 |
| Fleet management          | Recording vehicle usage                | Information on vehicle usage.  | Destroy - 3 years after disposal of the vehicle        | RGLA 8.16 |
| Health and safety         | Vehicle records, lease or purchase     | Documentation regarding the process of acquisition and disposal of vehicles through lease or purchase. | Destroy - 7 years after disposal of the vehicle        | RGLA 8.14 |
| Internal agreements       | Files                                  | Health and safety issues specific to property owned by the council.                                    | Destroy - 1 year after process ceases or is superseded | RGLA 9.6  |
| Land and property history | Files                                  | Information and documentation specific to internal agreements concerning council property.             |  |           |
| Leasing                   | Files                                  | Historical documents about council property and land owned by the council.                             | Destroy - 12 years from life of property               | RGLA 8.2  |
| Leasing                   | Managing leased property               | Documents relating to the process of managing leased property.   | Destroy - 15 years after expiry of the lease           | RGLA 8.8  |
| Management                | Managing the occupancy of property     | Documents relating to the process of managing the occupancy of the property.                           | Destroy - 7 years after conclusion of transaction      | RGLA 8.9  |

|                         |                             |  |                                    |          |
|-------------------------|-----------------------------|--|------------------------------------|----------|
| Management              | Estates of special interest | The process of managing and undertaking renovations and development of property.   | Permanent - offer to archivist     | RGLA 8.5 |
| Maps and directions     | Other buildings and estates | The process of managing and undertaking renovations and development of property.   | Retain for life of the building    | RGLA 8.6 |
|                         |                             | Maps and directions relating to council property.  | Retain for life of the building    |          |
| Replacement programme   |                             | Overall reports on council property.   | Permanent - offer to archivist     | RGLA 8.1 |
| Car parks               | Files                       | Information on how the property was developed and how it is being used.  | Destroy - 7 years after completion |          |
| Design and construction | Various                     | Any documentation regarding the process of managing and undertaking renovations and development specific to car parking. | Destroy - 7 years after completion |          |



## Community Safety

Anti-Social Behaviour Orders

Files and related papers

10 years (but review each order to check end date).

CCTV surveillance

Logs/tapes

CCTV related information.

Destroy after 30 days (i.e. recorded over) unless needed for law enforcement purposes

Evidence

Statements etc

Information shared with police and other agencies.

3 years after closure of case

**Environmental  
Health/Licensing**

|                         |   |  |   |                                       |
|-------------------------|---|--|---|---------------------------------------|
| Prosecution of offences | Files relating to all aspects of EH and licensing | Inspection of premises, individuals or organisations carried out.    | Destroy - 7 years from completion of case | Police and Criminal Evidence Act 1984 |
| Cautions                | Files and correspondence                          | Simple cautions issued in respect of breaches of statutory standards | Destroy -3 years from issue               | Home Office Circular 16/2008          |

|                |                                 |   |   |          |
|----------------|---------------------------------|---|---|----------|
| Investigations | Equipment inspection records    | Process of investigation of a possible infringement in this area. | Destroy - 6 years after disposal of the equipment |          |
| Investigations | Food standards inspection forms | Investigations and reports on complaints regarding animals.       | Destroy - 7 years after inspection                |          |
| Monitoring     | Nuisances                       | Monitoring concerning pollution of the air.                       |   |          |
| Monitoring     |                                 | Monitoring of the health and wellbeing of animals.                |   |          |
|                | Air pollution                   | Monitoring of food hygiene.                                       | Destroy - 3 years from last action                | RGLA 9.3 |
|                | Animal health                   | Monitoring of food hygiene within home care programmes.           | Destroy - 3 years from last action                | RGLA 9.3 |
|                | Food hygiene                    | The monitoring of food safety.                                    | Destroy - 3 years from last action                | RGLA 9.3 |
|                | Food hygiene, home care         | Monitoring of food standards.                                     | Destroy - 3 years from last action                | RGLA 9.3 |
|                | Food safety                     | Monitoring of hazardous substances.                               | Destroy - 3 years from last action                | RGLA 9.3 |
|                | Food standards                  | Monitoring of pollution of land.                                  | Destroy - 3 years from last action                | RGLA 9.3 |



|   |                        |  |   |  |
|---|------------------------|--|---|--|
|   | Hazardous substances   | Monitoring of the spread and containment of pollution.                                       | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Land pollution         | Monitoring the quality and safety of private drinking water supplies.                        | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Pollution              | Monitoring of the contamination of rivers.   | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Private water supplies | The monitoring of business and industry.   | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | River pollution        | Monitoring of swimming pool safety and hygiene standards.                                    | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Weights and measures   | The monitoring and regulation of product safety.   | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Swimming pools         | The monitoring of infectious disease.  | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Product safety         | The monitoring of consumer affairs response.   | Destroy - 3 years from last action          | RGLA 9.3                                       |
|   | Infectious diseases    | The monitoring of general nuisance within the public domain.                                 |   |  |
| Registration, certification and licensing | Responsive             | Consolidated listing of licensed activities requiring a register within the local authority. | Destroy - 3 years from last action          | RGLA 9.3                                       |
| Entertainment and drinks                  | Nuisances              | Consolidated listing of licensed entertainment and drink venues.                             | Destroy - 3 years from last action          | Environmental Protection Act 1990.<br>RGLA 9.3 |
| Licence premises                          | Register               | Consolidated listing of licensed for the sale or consumption of alcohol.                     | Destroy - 2 years after registration lapses | RGLA 9.16                                      |
| Licensing                                 | Register               | Documentation involved with licensing of animal boarding establishments.                     | Destroy - 2 years after registration lapses | RGLA 9.16                                      |
| Licensing                                 | Register               | Documentation involved with licensing of animal breeding.                                    | Destroy - 2 years after registration lapses | RGLA 9.16                                      |
| Licensing                                 |                        | Documentation involved with licensing of auction premises.                                   | Destroy - 2 years after registration lapses | Animal Boarding Establishments Act 1963.       |

|           |  |  |   |   |
|-----------|--|--|---|---|
| Licensing | Animal boarding licences<br>Animal breeding licences | Documentation involved with licensing of building materials. | Destroy - 2 years after registration lapses | RGLA 9.16<br>Breeding of Dogs Acts 1973 and 1991<br>Breeding and Sale of Dogs (Welfare) Act 1999.<br>RGLA 9.16<br>RGLA 9.16 |
| Licensing | Auction premises licences                            | Documentation involved with licensing of meat retailers.     | Destroy - 2 years after registration lapses | RGLA 9.16   |
| Licensing | Building materials licences                          | Documentation regarding caravan and camp site licences.      | Destroy - 2 years after registration lapses | RGLA 9.16   |
| Licensing | Butchers licences                                    |  | Destroy - 2 years after registration lapses | RGLA 9.16   |

Documentation relating to the licensing of cemeteries.

|           |                                    |  |   |  |
|-----------|------------------------------------|--|---|--|
| Licensing | Caravan and camp site licences     |  | Destroy - 2 years after registration lapses | Caravan Sites and Control of Development Act 1960<br>Mobile Homes Act 2013<br>Caravan Sites Act 1968.<br>RGLA 9.16 |
| Licensing | Cemetery licences                  | Documentation relating to the licensing of cooling towers.<br>Documentation relating to the licensing of credit. | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | Cooling towers                     | Documentation relating to the licensing of Crematoria.   | Destroy - 2 years after registration lapses | The Notification of Cooling Towers and Evaporative Condensers Regulations 1992.<br>RGLA 9.16                       |
| Licensing | Credit licensing                   | Licensing documentation regarding dangerous wild animals.  | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | Crematoria licences                | Documentation regarding Entertainment licences.  | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | Dangerous wild animals licences    | Licensing documentation regarding food.  | Destroy - 2 years after registration lapses | Dangerous Wild Animals Act 1976. RGLA 9.16   |
| Licensing | Entertainment licences             | Documentation relating to the licensing of food related issues.  | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | Food business licences             | Documentation relating to Hackney licensing.   | Destroy - 2 years after registration lapses | Food Safety Food Premises (Registration) Regulations 1991. RGLA 9.16   |
| Licensing | Food licences                      | Documentation relating to the licensing of Highway projection.   | Destroy - 2 years after registration lapses | Food Safety Act 1990.<br>RGLA 9.16   |
| Licensing | Hackney licences                   | Documentation relating to hoarding licensing.  | Destroy - 2 years after registration lapses | Local Government (Miscellaneous provisions) Act 1976.<br>RGLA 9.16   |
| Licensing | <b>Highway projection licences</b> | Documentation relating to the licensing and use of Infectious diseases.  | Destroy - 2 years after registration lapses | RGLA 9.16  |

|           |   |  |   |  |
|-----------|---|--|---|--|
| Licensing | <b>Hoarding licences</b>                      | Documentation relating to late hours catering licences.                                  | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Infectious diseases licensing and use</b>  | Documentation relating to liquor licensing.  | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Late hours catering licences</b>           | Documentation regarding gambling and lottery licences.                                   | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Liquor licences</b>                        | Documentation relating to the licensing of massage and special treatment establishments. | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Lottery registration</b>                   | Documentation relating to the licensing of non-medicinal poisons.                        | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Massage and special treatment licences</b> | Licensing documentation regarding nursing agencies.                                      | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Non-medicinal poisons licences</b>         | Licensing documentation regarding other hazardous substances.                            | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Nursing agencies licences</b>              | Licensing documentation regarding fire safety and public entertainment.                  | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing | <b>Other hazardous substances</b>             | Licensing documentation regarding pet shop.  | Permanent - offer to archivist              | RGLA 9.17  |
| Licensing | <b>Personal licences</b>                      | Documentation relating to the licensing of petroleum.                                    | Destroy - 2 years after registration lapses | Licensing Act 2003.<br>RGLA 9.16                             |
| Licensing | <b>Pet shop licences</b>                      | Documentation regarding premises licences.   | Destroy - 2 years after registration lapses | Pet Animals Act 1951 (as amended by the 1983 Act). RGLA 9.16 |
| Licensing | <b>Petroleum</b>                              | Documentation regarding premises licences.   | Permanent - offer to archivist              | Petroleum (Consolidation) Regulations 2014                   |
| Licensing | <b>Premises licences</b>                      | Documentation regarding entertainment licences.  | Destroy - 2 years after registration lapses | Licensing Act 2003.<br>RGLA 9.16                             |

|                    |  |                            |  |   |  |
|--------------------|--|----------------------------|--|---|--|
| Licensing          | <b>Premises licences</b>                         | Club premises certificates | Licensing documentation regarding private hire taxi services.              | Destroy - 2 years after registration lapses | Licensing Act 2003. RGLA 9.16  |
| Licensing          | <b>Premises licences</b>                         | Temporary event notices.   | Repealed by the Licensing Act 2003, retained for information already held. | Destroy - 2 years after registration lapses | Licensing Act 2003. RGLA 9.16  |
| Licensing          | <b>Private hire licences</b>                     |                            | Documentation regarding caravan and camp site licences.                    | Destroy - 2 years after registration lapses | Local Government (Miscellaneous provisions) Act 1976. RGLA 9.16                  |
| Licensing          | <b>Public entertainment licences</b>             |                            | Documentation regarding sale of explosives licences.                       | Destroy - 2 years after registration lapses | Licensing Act 2003. RGLA 9.16  |
| Licensing          | <b>Riding establishment licences</b>             |                            | Documentation regarding scrap metal licences.                              | Destroy - 2 years after registration lapses | Riding Establishments Act 1964 and 1970. RGLA 9.16                               |
| Licensing          | <b>Sale of explosives licences</b>               |                            | Documentation regarding sex establishment licences.                        | Destroy - 2 years after registration lapses | Manufacture and Storage of Explosives Regulations 2005. RGLA 9.16                |
| Licensing          | <b>Scrap metal licences</b>                      |                            | Documentation regarding the licensing of shops.                            | Destroy - 2 years after registration lapses | Scrap Metal Dealers Act 2013. RGLA 9.16  |
| Licensing          | <b>Sex establishments</b>                        |                            | Documentation regarding scaffolding licences.                              | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing          | <b>Shops</b>                                     |                            | Documentation regarding skip licences.                                     | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing          | <b>Scaffold licences</b>                         |                            | Documentation regarding street collections and lotteries licences.         | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing          | <b>Skip licences</b>                             |                            | Documentation regarding street trading licences.                           | Destroy - 2 years after registration lapses | RGLA 9.16  |
| Licensing          | <b>Street collections and lotteries licences</b> |                            |  | Destroy - 2 years after registration lapses | House To House Collections Act 1939 Lotteries and Amusements Act 1976. RGLA 9.16 |
| Sex establishments |  |                            | Consolidated listing of licensed of sex establishments.                    | Destroy - 2 years after registration lapses | Local Government (Miscellaneous  |

Zoos

**Zoo licences**

Register

Destroy - 2 years after  
registration lapses

Provisions) Act  
1982. RGLA 9.16  
The Zoo Licensing Act  
1981.  
RGLA 9.16

**Cemeteries Management of Cemeteries and redundant churchyards**

|                                |                                       |  |  |           |
|--------------------------------|---------------------------------------|--|--|-----------|
| Registration                   | Cemetery plans, burial plot layout    | Documentation regarding the layout of burial space in crematoria and cemeteries.   | Permanent - offer to archivist                 | RGLA 9.24 |
| Registration                   | Summary management systems, registers | Includes: Burial Register and plan of plot ownership and occupation. Crematorium Register of cremations and plan or ownership of interment of ashes. Commemoration Register and plan of headstones/shrubs and ownership. | Permanent - offer to archivist                 | RGLA 9.24 |
| Bookings                       | Applications                          | Documentation related to booking made for a cremation, interment or monument erection.   | Destroy - 5 year after last action             | RGLA9.25  |
| Exhumations                    |                                       | Documentation regarding the process of regulation of exhumation.   | Permanent - offer to archivist                 | RGLA9.24  |
| Interment Service              | Regulation of burials and cremations  | Process relating to the burial or cremation of an individual.  | Destroy - 5 year after last action             | RGLA9.25  |
| Licensing                      | Permits                               | Documentation regarding cemetery and crematoria licensing.   | Destroy - 5 year after last action             | RGLA9.25  |
| Memorial management            |                                       | Records relating to the ordering of a memorial.  |  |           |
| Maintenance of burial grounds  |                                       | Maintenance records for burial grounds.  |  |           |
| Responsive/Planned Maintenance |                                       | Program of maintenance to cemeteries and crematoria over the next maintenance period.  | Destroy - 21 years after maintenance completed |           |
| Redundant Churchyards          |                                       | Documentation relating to disused churchyards, specifically their upkeep.  | Destroy - 21 years after maintenance completed |           |

**Democracy -Management of democratic activities including elections, council and committee meetings.**

|   |                            |  |   |           |
|---|----------------------------|--|---|-----------|
| Decision making                                     |                            | Information on decisions taken.  |   |           |
| Council and committee meetings                      | Minutes                    | Agendas, meetings and minutes relating to full council decision making processes.  | Permanent - offer to archivist                    | RGLA 1.4  |
| Council and committee meetings                      | Committee Clerks Notebooks | Agendas, meetings and minutes relating to full council decision making processes.  | Destroy after date of confirmation of the minutes | RGLA 1.5  |
| Delegations   |                            | The process of delegating power to authorise an action and the seeking and granting permission to undertake a requested action.  |   |           |
| Independent Remuneration Panel Meeting - committees | Minutes                    | Documentation relating to the Independent Remuneration Panel<br>Agendas, meetings and minutes relating to committees of members. | Permanent - offer to archivist                    | RGLA 1.4  |
| Member panels                                       |                            | Agendas, meetings and minutes relating to member panels.   | Permanent - offer to archivist                    | RGLA 1.4  |
| Referenda   |                            | Management of democratic activities including elections, full council and committee meetings.                                    |   |           |
| Scrutiny Panel                                      |                            | Agendas, meetings and minutes relating to the scrutiny panel.  | Permanent - offer to archivist                    | RGLA 1.4  |
| Statutory appointments                              | Appointment files          | List of statutory appointments of the council.   | Permanent - offer to archivist                    | RGLA 6.24 |
| Statutory appointments                              | Vacancy files              | The process of selection of an individual for a statutory position.  | Destroy - 2 years after date of appointment       | RGLA 6.25 |
| Governance  |                            | Information on how the Council is governed.  |   |           |
| Constitution  | Constitution               | The constitution of the council.   | Permanent - offer to archivist                    | RGLA 1.4  |



|   |                                    |   |  |   |
|---|------------------------------------|---|--|---|
| Honours and awards<br>Honours submissions |                                    | Honours and awards.<br>The submissions and details of individuals considered for honours.   | Destroy - 5 years after last action            | RGLA 1.8  |
| Member support<br>Gifts and hospitality   | Register                           | Support to council members.<br>Register of gifts and hospitality.   | Destroy - 18 months after member leaves office |   |
| Register of Interests                     | Register                           | Members' disclosure of any involvement in organisations and income received from other bodies, which may affect their actions as council members.<br>Council plans. |  |   |
| Corporate Planning                        |                                    | Reports and minutes.  | Destroy - 3 years from closure                 | RGLA2.3   |
| Forward Plan                              |                                    | The list of items to be considered over the next four months.   | Permanent - offer to archivist                 | RGLA2.1   |
| Strategic Plan                            | Minutes                            | Strategic management team minutes.  | Permanent - offer to archivist                 | RGLA2.2   |
| Strategic Plan                            | Reviews                            | Monitoring and reviewing strategic plans.   | Destroy - 5 years from closure                 | RGLA2.7   |
| Representation<br>Constituencies          |                                    | Information on representation.<br>Ward names, numbers and boundaries.   |  |   |
| Elections                                 |                                    | The activities carried out in the process of electing representatives at parish, district, county, parliamentary and European constituency level.                   |  |   |
| Elections                                 | Ballot papers - European elections | European election ballot papers.  | Destroy 1 year after election                  | European Parliamentary Elections Regulations 1999 |
| Elections                                 | Ballot papers - local elections    | Local election ballot papers.   | Destroy 6 months from close of poll            | Representation of the People Regulations          |

|                      |   |   |                                     |   |
|----------------------|---|---|-------------------------------------|---|
| Elections            | Consolidated returns of votes received          | Election results.   | Destroy 6 months from close of poll | 1986 and Local Elections (Parishes and Communities) Rules 1986. RGLA 1.2 RGLA 1.3 |
| Elections            | Summary certification of those eligible to vote | Summary certification of those eligible to vote.  | Permanent - offer to archivist      | Representation of the People Regulations 1986. RGLA 1.1                           |
| Elections            | Electoral Register                              | The list of people registered to vote.  |                                     |   |
| Emparishment         |   | The process in creating a new civil parish council.   | Permanent -offer to archivist       |   |
| Lists of councillors | Council diaries, members details                | Public contact details of local representative of the council.  | Destroy 1 year after term of office |   |
| Lists of meetings    |   | List of meetings of Council and committees.   |                                     |   |
| Elections            |   | The activities carried out in the process of electing representatives at parish, district, county, parliamentary and European constituency level. |                                     |   |

## Economic development

|                       |                    |   |   |   |
|-----------------------|--------------------|---|---|---|
| Business intelligence |                    | Information relating to businesses in the local area  |   |   |
| Business listing      | Business directory | Listing of businesses trading within the local area. Only organisations that have requested inclusion included. |   |   |
| Marketing             | Economic data      | The collection and management of the economic and social data about the local area.                             | Destroy 20 years after collected                                | New census info only arrives every 10 years and updated indices of deprivation data every 4-5 years. Need to retain to analyse time series. |
| Promotion             |                    | Management of activities to promote and examine the local economy.  |   |   |
| Advice to business    |                    | Information on providing advice to new or existing businesses.  | 6 years from last action  | Business need for reference. Based on Limitation period for legal action  |
| Business awards       | Grants             | Information regarding business awards and grants.   | Destroy 7years after scheme to which grant relates is completed |   |

|                                 |                       |   |                          |  |
|---------------------------------|-----------------------|---|--------------------------|--|
| Business development            | Fairs                 | Information about activities designed to develop and encourage business development in the local area. Including externally funded projects and sustainability. | 6 years from closure     | Business need for reference. Based on Limitation period for legal action |
| Business development            | Business associations | Information about activities designed to develop and encourage business development in the local area. Including externally funded projects and sustainability. | Destroy after 7 years    |  |
| Film and television development |                       | To promote area as a location and centre of excellence for the film and broadcasting industries.  |                          |  |
| International relations         | Twinning              | Encouraging relations with people from other countries and cultures to support the development of the local area.   |                          |  |
| List of properties              |                       | A list of properties or land currently available to let within the area.  | 6 years after superseded |  |
| Markets                         |                       | Information about markets, including farmers markets. Also renting market stalls from the Council.  |                          |  |
| Regeneration                    |                       | Regeneration of local communities and regions.  |                          |  |
| Community development           |                       | Information relating to revitalising a specific area or community.  |                          |  |
| Regional development            |                       | Participation in regional activities.   |                          |  |

Rural development

Information relating to reducing disadvantage and increasing access in rural areas.

Strategy

Information relating to revitalising a specific area or community.

Town centre management

Information relating to the management of business community in the town centres.

Sustainability

Information about sustainability.

Sustainable development

Information and documentation looking at sustainable development.

Tourism

Information relating to tourism.

Tourism development

The information relating to the development of tourism.

## Finance

Accounts and audit

Internal auditing

Information related to accounting and auditing.

Activities relating to internal or external auditing of the authority.

6 years following financial year

As per standard retention rules under the Companies Act and limitation period for legal action Limitation Act 1980, VAT Act 1994, Taxes Management Act 1970. RGLA 7.1

Reporting

Annual corporate financial reports: Consolidated annual reports, Consolidated financial statements, Operating statements, General ledger

Activities relating to the consolidation of financial transactions and the production of financial statements. Includes ledgers, monthly management accounts and statutory returns.

Permanent - offer to archivist

Limitation Act 1980, VAT Act 1994, Taxes Management Act 1970. RGLA 7.1

Reporting

Periodic financial reports: Monthly and quarterly reports

Accounting reports.

Destroy when administrative use is concluded

RGLA 7.2

Asset management

Management of financial assets.

|                                 |                                      |  |   |  |
|---------------------------------|--------------------------------------|--|---|--|
| Maintaining assets              | Asset registers                      | Activities relating to collection of information about the authority's fixed assets for accounting purposes.   | 15 years after superseded (Property)<br>6 years after superseded (non Property) | Aligned to standard rule for Estate Management records<br>Business need for reference.<br>Based on Limitation period for legal action<br>RGLA 7.27 |
| Maintaining assets              | Maintaining plant and equipment      | Information on plant and equipment.  | Destroy - 7 years after sale or disposal of asset                               | RGLA 7.28  |
| Maintaining assets              | Maintenance                          | Information on maintenance of other assets.  | Destroy - 7 years after last action   | RGLA 7.28  |
| Maintaining assets              | Overall assets                       | Overall list of assets.  | Permanent - offer to archivist  | RGLA 7.24  |
| Maintaining assets              | Reporting and reviewing asset status | Reports and reviews of assets  | Destroy - 2 years after use is concluded  | RGLA 7.26  |
| Maintaining assets              | Summary reports                      | Summary reports on assets.   | Destroy - 7 years after the transaction was concluded                           | RGLA 7.25  |
| Financial provisions management |                                      | Information on managing the finances of the authority.   |   |  |
| Borrowing                       |                                      | Activities relating to the borrowing of money by the authority. Includes mortgages.  | Destroy - 7 years after the loan has been repaid                                | RGLA 7.14  |
| Borrowing                       | Loan register                        | Summary management of loans.   | Permanent - offer to archivist  | RGLA 7.15  |
| Budget                          | Annual budget                        | Activities involved in planning and monitoring the authority's annual budget. Includes allocation of budget to administrative units within the authority. For longer term planning, see Strategy and planning. | Permanent - offer to archivist  | RGLA 7.11  |

|                         |   |  |   |   |
|-------------------------|---|--|---|---|
| Budget                  | Developing annual budget: Draft budgets, departmental estimates | Information relating to the development of the budget.         | Destroy - 2 years after budget adopted            | RGLA 7.12   |
| Budget                  | Reporting actual vs. planned revenue and expenditure            | Actual against planned revenue and expenses.                   | Destroy after next year's budget has been adopted | RGLA 7.13   |
| Credit union management |   | Activities involved in credit union management.                | 7 years following financial year                  | Evidence and Limitation of legal action with additional one year 'safety' period in case of HMRC enquiry  |
| Debt management         |   | Activities involved in managing the debts owed to the council. | 7 years after closure                             | As per standard retention rule for Finance and Accounting records under the Companies Act and limitation period for legal action with additional one year 'safety' period in case of HMRC |



enquiry

Donations

Activities involved in the administration of donations to the authority. For administration of grant funding, see Funding bids.

Funding bids

Activities relating to applications by the authority for grant funding by external bodies. For applications to the authority for funding, see Funding applications.

7 years after closure  
EU data - 12 years after closure

As per standard retention rules under the Companies Act and limitation period for legal action. EU data - additional 6 years 'safety' period in case of audit/enquiry.

|  |  |  |   |   |
|--|--|--|---|---|
| Strategy and planning                              |  | Activities involved in the long-term planning of the authority's financial management. Includes the financial forecast. For annual budget planning, see Budget.                            | 6 years following financial year                        | As per standard retention rules under the Companies Act and limitation period for legal action                |
| Financial transactions management<br>Authorisation |  | Information on financial transactions.<br>Activities involved in delegating authority for carrying out financial activities on behalf of the authority.                                    |   |   |
| Expenditure  | Identification of the receipt, expenditure and write offs of public monies | Activities involved in the payment for goods and services by the authority. Includes expenses claims and honorariums. For records relating to benefits claims, see Benefits and subsidies. | Destroy 6 years after the conclusion of the transaction | Limitation Act 1980, VAT Act 1994, Taxes Management Act 1970. May be reduced by agreement with HMRC. RGLA 7.4 |
| Expenditure  | Travel expenses  | Travel expenses.   | Destroy 6 years after the conclusion of the transaction | Limitation Act 1980, VAT Act 1994, Taxes Management Act 1970, Audit & Accountability Act 2104 RGLA 7.5        |

|                      |  |  |   |
|----------------------|--|--|---|
| Fraud                | <p>Activities relating to the detection, prevention and prosecution of financial irregularity.<br/> RIPA Case data resulting in prosecution - Destroy 7 years after case closed<br/> RIPA Case data not resulting in prosecution - Destroy 3 years after case closed</p> | <p>Approved applications: 6 years following decision<br/> Unsuccessful Applications: 1 year following decision</p> | <p>As per standard retention rule for Finance and Accounting records under the Companies Act and limitation period for legal action</p> |
| Funding applications | <p>Activities relating to the process of considering and administering applications to the authority for grant funding. For applications by the authority for grant funding, see Funding Bids.</p>   | <p>Approved applications: 6 years following decision<br/> Unsuccessful Applications: 1 year following decision</p> | <p>As per standard retention rule for Finance and Accounting records under the Companies Act and limitation period for legal action</p> |
| Income               | <p>Activities involved in the collection of money owed to the council. Includes rent payments.</p>   | <p>6 years following financial year</p>  | <p>As per standard retention rule for Finance and Accounting records under the Companies Act and limitation period for legal action</p> |

|                            |  |  |   |  |
|----------------------------|--|--|---|--|
| Internal recharging        |  | The mechanism for recharging costs within the council.             | 6 years following financial year                      | As per standard retention rule for Finance and Accounting records under the Companies Act and limitation period for legal action |
| Investments                |  | Activities relating to the investment of the authority's funds.    |   |  |
| National insurance numbers | Notification and input records           | Processes involved in the collection of National Insurance Number. | Destroy 2 years after the employee ceases employment  | RGLA 7.8   |
| Reconciliation             | Balance and reconcile financial accounts | Activities involved in the reconciliation of accounts.             | Destroy 2 years after administrative use is concluded | RGLA 7.6   |
| Refunds                    |  | Documentation relating to refunds.                                 | 6 years following financial year                      | As per standard retention rule for Finance and Accounting records under the Companies Act and limitation period for legal action |
| Local taxation             |  | Local taxation documentation.                                      |   |  |

|                        |                               |                               |  |   |   |
|------------------------|-------------------------------|-------------------------------|--|---|---|
| Benefits and subsidies | Council tax and benefit files |                               | Activities involved in the administration of benefits payments.                      |   |   |
| Business rates         | Account files                 |                               | Business rates information (other than property valuation).                          |   |   |
| Council tax            | Council tax and benefit files |                               | Council tax information.   |   |   |
| Property valuation     |                               | Other valuation information   | Valuation of assets other than property.   | Destroy - 10 years after valuation was made             | RGLA 7.20   |
| Property valuation     |                               | Rateable property information | Rateable property information.   | Permanent - offer to archivist                          | RGLA 7.21   |
| Property valuation     |                               | Valuation lists               | Documentation relating to property valuation.  | Permanent - offer to archivist                          | RGLA 7.20   |
| National taxation      |                               |                               | General documents relating to taxation and similar financial matters.                |   |   |
| Tax payments           |                               | Tax correspondence            | Activities involved in managing the payment of taxes by the authority.               | Destroy - 7 years after last action                     | RGLA 7.22   |
| Tax payments           |                               | Taxation records              | Activities involved in managing the payment of taxes by the authority.               | Destroy 5 years after the end of the financial year     | Limitation Act 1980, VAT Act 1994, Taxes Management Act 1970, Audit Commission Act 1998. RGLA 7.7 |
| Payroll and pensions   |                               |                               | Information on payroll and pensions.   |   |   |
| Pay                    |                               | Payment of employees          | Activities involved in the administration of remuneration to staff of the authority. | Destroy 7 years after the conclusion of the transaction | Taxes Management Act 1970, Audit Commission Act 1998.   |

RGLA 7.9

Pay

Summary pay reports

Non-accountable processes relating to payment of employees.

Destroy after administrative use is concluded

RGLA7.10

Pensions

Activities involved in the administration of pension schemes for current and former employees.

Destroy - 6 years from last pension payment

RGLA6.2

**Health & Safety**

Campaigns

Campaigns to promote compliance to health and safety policies.

Material Superseded + 6 years

Based on Limitation of legal action. No retention period stated within COSHH. Based on Limitation Act

Compliance

Information on compliance with health and safety legislation.

Strategy and planning

System processes

Establishment of a strong health and safety work culture in order to ensure compliance with health and safety legislation and provide a safe and healthy working environment for employees.

Destroy - 1 year after process ceases or is superseded

RGLA 9.6

Strategy and planning

Health and Safety Policy

Health and safety policies.

Indefinite

Health and Safety at Work etc. Act 1974 s. 2(3)

Training

Documentation relating to health and safety training.

6 years after superseded

Based on Limitation of legal action. No retention period stated within COSHH. Based on Limitation Act.

Monitoring

Monitoring of health and safety at work.

|                                  |                           |  |                                |  |
|----------------------------------|---------------------------|--|--------------------------------|--|
| Accidents and incident reporting |                           | Information about the reporting of individual accidents and actions resulting from them. | Indefinite                     | Aligns to keeping of Occupational Health records; exceeds 3 years from date of last entry: Social Security (claims and payments) Regulations 1987, Reg 25(3). Reporting of injuries, deceases and dangerous occurrences regulations 2013 |
| Accidents and incident reporting | Accident books - adult    | Registers of accidents and incidents.  | Destroy - 3 years from closure | Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013   |
| Accidents and incident reporting | Accident books - children | Registers of accidents and incidents.  | Destroy -25 years from closure | RGLA 9.9 Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013.<br>RGLA 9.10  |



|                               |                    |  |  |  |
|-------------------------------|--------------------|--|--|--|
| Asbestos inspections          |                    | Monitor the condition of known asbestos products within buildings.   | Destroy - 50 years from last action or age 75 years from date of birth (greater) | Control of Asbestos at Work Regulations 2012. RGLA 9.4             |
| Equipment                     | Safety inspections | Process of inspecting equipment to ensure it is safe.  | Destroy - 6 years after equipment is de-commissioned                             |  |
| Hazardous substances          | COSSH inspections  | Control and monitor the use of hazardous substances at work.   | Permanent - offer to archivist   | Control of Substances Hazardous to Health Regulations 2002         |
| Health and safety inspections |                    | Activities relating to internal or external inspections examining the authority's health and safety provision. | 6 years after superseded   | Limitation of legal action. Based on Limitation Act                |
| Radiation                     | Radon Monitoring   | Monitoring of radiation.   | Destroy - 40 years from last action  | The Ionising Radiations Regulations 2017. RGLA 9.5                 |
| Risk management               |                    | Management of health and safety risks.   |  |  |
| Risk assessments              |                    | Activities relating to risk assessments carried out by the authority. Includes workplace assessments.          | Destroy - 3 years after last assessment  | Management of Health and Safety at Work Regulations 1999. RGLA 9.7 |

## Housing

Advice

Provision of housing advice.

Advice to homeowners and tenants

Help and advice to private tenants or landlords.

Enforcement

The enforcement of housing standards within the local area.

Assessment- housing standards

Assessment of housing standards.

Safety inspections

Safety inspections on homes in multiple occupation.

Estate management

Documentation on the management of housing estates.

Business premises

Documentation relating to the inspection and monitoring of the environment of business premises.

Garage application

Applications for garage space.

Garage rental

Tenant file

Documentation relating to garage rental and allocation.

Housing inspections

Documentation relating to the inspection and monitoring of the environment of the council housing estate.

Neighbour disputes

Documentation relating to the resolution of neighbour disputes involving council tenants.

Housing provision

Information relating to the provision of housing.

Allocations

Information relating to the process of allocating property (homes and garages) to applicants on the waiting list.

|                            |               |                           |   |                                       |                                |
|----------------------------|---------------|---------------------------|---|---------------------------------------|--------------------------------|
| Assessment - housing needs |               |                           | Assessment of whether applicant is eligible for services or judgement about what service we should provide. |                                       |                                |
| Homelessness               |               |                           | Process in providing short term and emergency accommodation for homeless people.                            |                                       |                                |
| Hostel providers           |               |                           | Documentation relating to hostel providers and youth hostels in general.                                    |                                       |                                |
| Housing applications       |               |                           | Documents related to housing applications.  |                                       |                                |
| Housing applications       |               | Unsuccessful applications | Documents related to unsuccessful housing applications.   | Destroy - 7 years from closure        | RGLA3.27                       |
| Housing applications       |               | Council housing register  | The register of individual housing applications.  | Permanent - offer to archivist        | RGLA3.26                       |
| Housing exchanges          |               | Mutual exchange list      | Current register of properties available for exchange.  |                                       |                                |
| Housing stock requirements |               |                           | Information on amount and type of housing stock required.   | Destroy - 4 years after last action   | RGLA8.10                       |
| Landlord accreditation     |               |                           | Landlord accreditation schemes.   |                                       |                                |
| Sheltered housing          |               |                           | Information on the provision of sheltered housing.  |                                       |                                |
| Housing stock              |               |                           | Information relating to housing stock. Property may be identified by address and by the UPRN.               |                                       |                                |
| Demolition                 | Property file |                           | Demolition of housing stock.  |                                       |                                |
| Emergency maintenance      | Property file |                           | Emergency or unplanned maintenance to council housing.  |                                       |                                |
| Housing grants             | Property file | Grants over £50,000       | Documentation relating to housing grants.   | Destroy - 12 years after last payment | Limitation Act 1980. RGLA 7.19 |
| Housing grants             | Property file | Grants under £ 50,000     | Documentation relating to housing grants.   | Destroy - 6 years after last payment  | Limitation Act 1980.           |

|                        |               |                    |  |  |  |
|------------------------|---------------|--------------------|--|--|--|
| Leases                 | Property file |                    | Documentation relating to housing deeds.   |  |  |
| Planned maintenance    | Property file |                    | Program of maintenance to council housing over the next maintenance period.  |  |  |
| Private housing grants | Property file |                    | Provision of grant assistance to improve the condition of private housing.   |  |  |
| Property adaptations   | Property file |                    | Details of properties adapted to clients' needs.   |  |  |
| Repairs and renovation | Property file |                    | Documents relating to repairs and renovations of housing.  |  |  |
| Risk assessment        |               | Asbestos Register  | Register of asbestos in council housing.   | Destroy - 50 years from last action or age 75 years from date of birth (greater) | Control of Asbestos at Work Regulations 2012. RGLA 9.4 |
| Unauthorised occupants |               |                    | Squatters and unauthorised occupants.  |  |  |
| Managing tenancies     |               |                    | Information relating to the tenancy.   | Destroy - 12 years from termination of tenancy                                   | RGLA3.28   |
| Adaptations            | Property file |                    | Discretionary assistance to disabled and elderly council tenants for their dwellings and gardens outside of normal tenancy arrangements. |  |  |
| Adaptations grants     | Property file |                    | Provision of grant assistance to the adapting of homes.  |  |  |
| Advice                 | Tenant file   |                    | Advice given to council tenants.   |  |  |
| Agreements             | Tenant file   | Ordinary Tenancy   | Documentation relating to the tenancy agreement.   | Destroy - 6 years after tenancy has expired                                      | Limitation Act 1980                                    |
| Agreements             | Tenant file   | Tenancy under seal | Documentation relating to the tenancy agreement.   | Destroy - 12 years after tenancy has expired                                     | Limitation Act 1980                                    |

|                            |               |  |  |           |
|----------------------------|---------------|--|--|-----------|
| Approving alterations      | Property file | Permission requested by tenants to undertake alterations.  |  |           |
| Assessment - housing needs | Tenant file   | Assessment whether applicant is eligible for services or judgement about what service we should provide.                     |  |           |
| Breaches                   | Tenant file   | Documentation relating to the notification and enforcement of breaches of council tenancy agreements. Includes rent arrears. |  |           |
| Evictions                  | Tenant file   | Documentation relating to evictions of specific tenants.   |  |           |
| Housing repairs            | Tenant file   | Housing repairs documentation relating to specific properties.   |  |           |
| Insurance                  |               | Contents insurance for council tenants.  |  |           |
| Rent arrears               | Tenant file   | Documentation relating to the notification and enforcement of breaches of council tenancy agreements. Includes rent arrears. | Destroy 7 years after closure          | RGLA 7.18 |
| Rent setting               |               | Documentation relating to rent setting of housing.   |  |           |
| Right to buy               | Tenant file   | Documentation relating to tenants' statutory right to purchase council housing.  | Destroy - 12 years after sale of house | RGLA7.17  |
| Temporary accommodation    | Tenant file   | Provision of temporary accommodation.  |  |           |
| Tenancies                  | Tenant file   | Personal details relating to tenancies held.   |  |           |
| Welfare services           | Tenant file   | Services associated with disadvantaged persons to enable them to continue living in their homes/community.                   |  |           |



## Human Resources

|                         |                |                             |   |  |          |
|-------------------------|----------------|-----------------------------|---|--|----------|
| Administering employees |                |                             | Employee files usually have several identifiers, name and date of birth, NI number etc.                             |  |          |
| Counselling             | Employee files |                             | Documentation relating to counselling offered to an employee.   | Destroy - 6 years from termination of employment | RGLA6.4  |
| Absence monitoring      | Employee files |                             | Records documenting an employee's absence due to sickness.  | Destroy - 3 years from end of current tax year   |          |
| Discipline              | Employee files |                             | Documentation relating to the discipline of employees.  | Destroy - 6 years from termination of employment | RGLA6.4  |
| Discipline              | Employee files | Final warnings              | Disciplinary warnings - final.  | Destroy - 18 months after warning expires        | RGLA 6.7 |
| Discipline              | Employee files | No warning given            | Proceedings where it proven to be unfounded.  | Destroy immediately                              | RGLA 6.8 |
| Discipline              | Employee files | Oral warnings               | Disciplinary warnings - oral.   | Destroy - 6 months after warning                 | RGLA 6.7 |
| Discipline              | Employee files | Warnings involving children | Disciplinary warnings - behaviour to children.  | Keep on personnel file permanently               | RGLA 6.7 |
| Discipline              | Employee files | Written warnings            | Disciplinary warnings - written.  | Destroy - 12 months after warning                | RGLA 6.7 |
| Disclosure of interest  |                |                             | Register of declared interests of employees in relation to anything being transacted or discussed by the authority. |  |          |
| Employee details        | Employee files |                             | Documentation relating to individuals general or specific conditions of employment.                                 | Destroy - 6 years from termination of employment | RGLA6.4  |
| Employment conditions   | Employee files |                             | Documentation relating to individuals general or specific conditions of employment.                                 | Destroy 2 years after employee ceases employment |          |
| Grievances              | Employee files |                             | Documentation relating to grievances between the employer and employee's.   | Destroy - 6 years from termination of employment | RGLA6.4  |

|                                |                |                     |  |  |           |
|--------------------------------|----------------|---------------------|--|--|-----------|
| Individual training records    | Employee files |                     | Documentation relating to an individual's training record and any work experience undertaken within the authority.   | Destroy - 6 years from termination of employment | RGLA6.4   |
| Individual training records    | Employee files | Proof of completion | Documentation relating to proof of training course completion.   | Destroy - 7 years after course completed         | RGLA6.21  |
| Induction                      |                |                     | Documentation relating to the process and undertaking of induction for new employees or councillors                  | Destroy - 2 years after closure                  |           |
| Job evaluation                 |                |                     | Documentation relating to the approach to performance appraisals   |  |           |
| Leave                          | Employee files |                     | Documentation relating to requested employee leave: annual, study, carers, special, compassionate, unpaid leave etc. | Destroy - 2 years after action completed         | RGLA6.13  |
| Medical assessments            | Employee files |                     | Documentation regarding medical assessments and general information on healthy living.                               | Destroy - 75 years after date of birth           | RGLA6.10  |
| Maternity/paternity            | Employee files |                     | Records documenting entitlements to, and calculations of, Statutory Maternity Pay.                                   | Destroy - 3 years from end of current tax year   |           |
| Reporting                      |                |                     | Reports related to working hours and terms and conditions.   |  |           |
| Termination                    |                |                     | Documentation relating to the leaving process: resignation, termination other than pension.                          | Destroy - 6 years from termination of employment | RGLA 6.16 |
| Employee relations             |                |                     | Information on employee relations.   |  |           |
| Disciplinary matters reporting |                |                     | Summary management information relating to disciplinary matters.   |  |           |
| Trade union liaison            |                | Strategy            | Matters relating to the relationship with recognised   | Permanent - offer to archivist                   | RGLA 6.5  |



|                           |                |  |  |   |   |
|---------------------------|----------------|--|--|---|---|
|                           |                |  | unions.  |   |   |
| Trade union liaison       |                | Routine matters                            | Documentation relating to liaison with unions and employee representative organisations.                             | Destroy - 2 years after use is concluded    | RGLA 6.6  |
| Equal opportunities       |                |  | Information on equal opportunities   |   |   |
| Equalities and diversity  |                |  | Equality and diversity documents which include information on fair treatment of employees and general guidelines.    | 6 years from last action                    | Business need for reference. Limitation period for legal action |
| Equalities and diversity  |                | Investigations                             | Investigation and reporting on specific cases.   | Destroy - 5 years after action completed    | RGLA 6.9  |
| Monitoring employees      |                |  | Information on monitoring employees.   |   |   |
| Performance appraisal     |                | Probationary reports and performance plans | Documentation relating to the performance appraisal of an employee, including performance related pay if applicable. | Destroy - 5 years after action completed    | Common Practice   |
| Reporting                 |                |  | Staff statistic documentation.   | Destroy - 5 years after action completed    | RGLA 6.12   |
| Staff directory           |                |  | Employee/sectional contact details.  | Permanent - offer to archivist              | RGLA 6.1  |
| Occupational health       |                |  | Occupational health records.   |   |   |
| Absence reporting         |                |  | Aggregated management information on absences, for instance, working days lost to various sickness categories.       | Destroy - 2 years after action completed    | RGLA 6.13   |
| Occupational health       |                | Staff health records                       | Documentation relating to occupational health and safety.  | Destroy - 75 years after date of birth      | RGLA6.10  |
| Occupational health       | Employee files | Training                                   | Occupational health and safety training.   | Destroy - 50 years after training completed | RGLA6.19  |
| Personal risk assessments | Employee files |  | Including restrictions i.e. cannot lift or desk work only.   |   |   |

|                     |                  |                         |   |  |  |
|---------------------|------------------|-------------------------|---|--|--|
| Sickness monitoring | Employee files   |                         | Documentation relating to sickness absence, including medical certificates.                           | Destroy - 6 years from termination of employment   | RGLA 6.4   |
| Major injuries      |                  |                         | Documentation relating to major injuries.   | Destroy - 40 years after termination of employment | Health and Safety at Work Act 1974; Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 reg. 7; Limitation Act 1980 |
| Recruitment         |                  |                         | Recruitment of staff.   |  |  |
| Authorisation       |                  |                         | Authorisation to recruit for a position.  | Destroy - 5 years after recruitment finalised      |  |
| Job descriptions    |                  |                         | The job description and person specifications for current posts.                                      | Destroy - 2 years after superseded                 |  |
| Recruitment         |                  |                         | Process relating to the recruitment of an employee to the authority.                                  | Destroy - 6 years from termination of employment   | RGLA6.4  |
| Recruitment         | Position         | Unsuccessful candidates | Documents relating to unsuccessful candidates.  | Destroy - 6months after recruitment finalised      |  |
| Recruitment         | Position         |                         | Selection for a position.   | Destroy - 1 year after recruitment finalised       | RGLA 6.11  |
| Recruitment process |                  |                         | Documentation relating to the recruitment process.  |  |  |
| Secondment          | Secondment files |                         | Documentation relating to the process of secondments to or from the authority.                        | Destroy - 6 years from termination of employment   | RGLA6.4  |
| Volunteers          | Volunteer files  |                         | Documentation relating to volunteers available to or used by the council, including risk assessments. | Destroy - 6 years from termination of employment   | RGLA6.4  |

|                                    |   |                          |  |
|------------------------------------|---|--------------------------|--|
| Terms and conditions of employment | Terms and conditions for employees.   |                          |  |
| Staff benefits                     | Documentation relating to staff benefits.   | 6 years from last action | Business need for reference. Limitation period for legal action  |
| Staff facilities                   | Documentation regarding facilities for staff including proposals for leisure facilities and eateries. |                          |  |
| Staff recognition                  | Staff recognition documentation.  | 6 years from last action | Business need for reference. Standard retention rule for Finance and Accounting records. Limitation period for legal action. |
| Terms and conditions               | The general terms and conditions of employment with the council.                                      | Indefinite               | Business need for reference. Limitation period for legal action.   |
| Training                           | Training information. Training courses are typically identified by name and date.                     |                          |  |
| Driver training                    | Driver training documentation.  |                          |  |
| Reporting                          | Performance management relating to training and development, including feedback statistics.           | 6 years                  | Business need for reference. Limitation period for legal action  |

|                                |                       |                             |  |  |   |
|--------------------------------|-----------------------|-----------------------------|--|--|---|
| Support training               |                       |                             | Training provided to support individuals or organisations working with or for clients.           |  | 7 Years after action completed                                  |
| Training courses               | Training course files | Course administration       | Training documentation relating to specific courses and sessions.                                | Destroy - 2 years after action completed                 | RGLA 6.17   |
| Training courses               | Training course files | Courses concerning children | Training courses concerning children.  | Destroy - 35 years after course completed, or last entry | RGLA 6.18   |
| Training courses               | Training course files | Training materials          | Training course materials.   | Destroy - 1 year after course superseded                 | RGLA 6.20   |
| Training courses               | Training course files |                             | Documentation relating to training courses and initiatives.                                      | Destroy - 2 years after action completed                 | RGLA 6.17   |
| Training plan                  |                       | Corporate training plan     | Listing of corporate training activities and forward plans. Includes health and safety training. | 6 years after action complete                            | Business need for reference. Limitation period for legal action |
| Workforce planning             |                       |                             | Information on workforce planning.   |  |   |
| Workforce development planning |                       | Financial rewards           | Documentation relating to workforce management.  | Destroy - 7 years after action completed                 | RGLA 6.15   |
| Workforce development planning |                       | Strategy                    | Documentation relating to workforce management and salaries.                                     | Destroy - 3 years after action completed                 | RGLA 6.14   |

## Information Technology

|                      |                       |   |   |   |
|----------------------|-----------------------|---|---|---|
| Infrastructure       |                       | Information relating to the infrastructure.   |   |   |
| Disposal             | Assets under £ 50,000 | Documentation relating to the process of disposal of hardware and software belonging to this authority. | Destroy - 6 years after all obligations/entitlements concluded  | Limitation Act 1980.<br>RGLA 7.29   |
| Disposal             | Assets over £ 50,000  | Documentation relating to the process of disposal of hardware and software belonging to this authority. | Destroy - 12 years after all obligations/entitlements concluded | Limitation Act 1980.<br>RGLA 7.29   |
| Fault reporting      |                       | Customer (public) reporting of faults relating to council services.                                     |   |   |
| Licensing            |                       | Documentation in relation to software licensing.  |   |   |
| Help Desk Support    |                       | Help desk support information relating to specific systems or pieces of software.                       | 6 years from last action  | Legal evidence.<br>Business need for reference.<br>Limitation period for legal action |
| Information security |                       | Data security information and documentation.  | 6 years from last action  | Legal evidence.<br>Business need for reference.<br>Limitation period for legal action |
| Network maintenance  |                       | Documentation relating to the maintenance and support of the network.                                   | 6 years from last action  | Legal evidence.<br>Business need for reference.<br>Limitation period for legal action |

|                          |            |   |   |   |
|--------------------------|------------|---|---|---|
| Server maintenance       |            | Documentation relating to system servers and their maintenance.   | 6 years from last action                      | Legal evidence.<br>Business need for reference.<br>Limitation period for legal action |
| Spatial data management  |            | Documentation relating to geographic information systems.   |   |   |
| Storage                  |            | Documentation relating to storage systems and servers.  |   |   |
| Strategy                 |            | Documentation relating to an ICT Strategy.  | 6 years from last action                      | Legal evidence.<br>Business need for reference.<br>Limitation period for legal action |
| Web development          |            | Includes development of Internet, Intranet and Extranet.  | 6 years                                       | Legal evidence.<br>Business need for reference.<br>Limitation period for legal action |
| System support           |            | Documentation relating to a specific application. System logs may be identified by application, hardware etc. |   |   |
| Change Control           | System log | Documentation relating to planned changes to a specific system.   | Destroy - 2 years after system no longer used |   |
| Configuration management | System log | Documentation relating to the configuration of the system.  | Destroy - 2 years after system no longer used |   |

|                            |            |   |   |
|----------------------------|------------|---|---|
| Data Management            | System log | Documentation relating to the management of specific systems data which includes back-ups, mirroring, and systems interfaces. | Destroy - 2 years after system no longer used |
| Design and Construction    | System log | Documentation relating to the design and construction of systems.   | Destroy - 2 years after system no longer used |
| Development                | System log | Documentation relating to the development of systems and software. Includes web technology development, programming.          | Destroy - 2 years after system no longer used |
| Implementation             | System log | Documentation relating to systems implementation  | Destroy - 2 years after system no longer used |
| Integration and interfaces | System log | Documentation in relation to data conversion, data matching, data mapping and system interfacing.                             | Destroy - 2 years after system no longer used |
| Maintenance                | System log | Documentation relating to the maintenance and support of software and systems. Includes website.                              | Destroy - 2 years after system no longer used |
| Manuals                    | System log | Manuals and user information relating to specific systems and software.   | Destroy - 2 years after system no longer used |

## Information Management

Access to information

Data protection

Subject Access Request

Providing access to Council information.

Process around the request under data protection.

Destroy when information no longer required

Data protection

Notification

Process of notifying the Information Commissioner on breaches.

Destroy - 3 years after previous notification

Environmental information

Information requests

Access status records

Statistical data about the number of requests answered and their outcomes etc. Details of access decisions.

Destroy - 10 years after data created

TNA Retention and Disposal Guidance 14.

Environmental information

Information requests

Information scheduled for destruction

Information subject to an EIR request but scheduled for destruction.

Destroy - 6 months after last correspondence

TNA Retention and Disposal Guidance 14.

Environmental information

Information requests

Individual transaction records

Case file records detailing the EIR request, the consideration of possible exemptions and subsequent appeals.

Destroy - 3 years after date of creation

TNA Retention and Disposal Guidance 14.

Environmental information

Information requests

Policy records

Procedures for handling EIR requests and other documents regarding practical implementation of EIR.

Destroy - 5 years after procedures have been superseded

TNA Retention and Disposal Guidance 14.

Freedom of information

Information requests

Access status records

Statistical data about the number of requests you answered and their outcomes etc. Details of access decisions.

Destroy - 10 years after data created

TNA Retention and Disposal Guidance 14.

Freedom of information

Information requests

Information scheduled for destruction

Information subject to a FOI request but scheduled for destruction.

Destroy - 6 months after last correspondence

TNA Retention and Disposal Guidance 14.

Freedom of information

Information requests

Individual transaction records

Case file records detailing the FOI request, the consideration of possible exemptions and subsequent appeals.

Destroy - 3 years after date of creation

TNA Retention and Disposal Guidance 14.



|                              |                      |                            |   |   |  |
|------------------------------|----------------------|----------------------------|---|---|--|
| Freedom of information       | Information requests | Policy records             | Procedures for handling FOI requests and other documents regarding practical implementation of FOI. | Destroy - 5 years after procedures have been superseded | TNA Retention and Disposal Guidance 14.                          |
| Freedom of information       |                      | Publication Scheme         | The publication scheme that is required under the Freedom of Information Act 2000.                  | Permanent - offer to archivist                          |  |
| Knowledge management         |                      |                            | Information related to education and training.  |   |  |
| Information asset management |                      | Information asset register | List of information assets.   | Superseded + 2 years                                    | Business need for reference. Limitation period for legal action. |
| Information asset management |                      | Record surveys             | Information relating to an audit of records of various types.                                       | 6 years   | Business need for reference. Limitation period for legal action. |
| Information asset management |                      | Circulation lists          | Information in regards circulation lists, address books etc.  | Superseded + 2 years                                    | Business need for reference. Limitation period for legal action. |
| Records management           |                      |                            | Information on managing the records of the authority.   |   |  |
| Compliance                   |                      | Classification schemes     | Information and data standards  | Permanent - offer to archivist                          | RGLA 2.10  |

|                      |                       |  |   |  |
|----------------------|-----------------------|--|---|--|
| Forms development    |                       | Manual and electronic forms design.  | Superseded + 2 years  | Business need for reference. Limitation period for legal action. |
| Image capture        |                       | Audio visual library information.  | Not Currently Used - Read Only  |  |
| Retention scheduling | Disposal certificates | Information regarding disposal of the council's records.   | Destroy - 12 years after last action  | RGLA 2.12  |
| Tracking             | Issues log            | Information regarding tracking and tracing the movement of information from records, archives and libraries. | Superseded + 2 years  | Business need for reference. Limitation period for legal action. |
| Registration         |                       | Registers.   |   |  |
| Statutory registers  | Register              | Statutory data registers.  | Permanent - offer to archivist unless specific legislation requires otherwise | Limitation Act 1980  |

## Legal Services

### Advice

Information on advice provided.

Provision of legal advice

Providing advice to clients and services which are legally privileged relating to all aspects of the legal system.

Destroy - 6 years after last action, major precedent - offer to archivist for review

Limitation Act 1980. RGLA 4.2

Witness support

Witness support schemes.

Indefinite

Based on ongoing precedent and evidential value

Bylaws

Local bylaws.

Enactment

The process of making local laws.

Permanent - offer to archivist

RGLA 9.22

Enforcement

The process of administering and enforcing bylaws.

Destroy - 2 years after matter is concluded

RGLA 9.23

Land and highways

Information on land and highways.

Land registration

Land registration.

Land charges

Searches and title investigations.

Land charges

Legal documentation relating to land charges.

Litigation

Searches

Process dealing with civil and criminal litigation, debt recovery, commercial litigation.

Civil

Registers

Civil litigation.

Permanent

Commercial

Commercial litigation.

|                                |            |            |   |   |  |
|--------------------------------|------------|------------|---|---|--|
| Criminal                       | Case files |            | Criminal litigation.  | Destroy - 7 years after last action, major litigation offer to archivist for review | RGLA 4.1                                   |
| Debt recovery                  | Case files |            | Debt recovery.  | Destroy - 7 years after last action, major litigation offer to archivist for review | RGLA 4.1                                   |
| Precedent cases                | Case files |            | Judgments relied on to fight current cases - setting standards to work within.  | Destroy - 7 years after last action, major litigation offer to archivist for review | RGLA 4.1                                   |
| Management of legal activities | Case files |            | Management of legal activities.   | Destroy - 7 years after last action, major litigation offer to archivist for review | RGLA 4.1                                   |
| Agreements                     |            |            | Agreements including non-contractual agreements between public bodies.  |   | Indefinite                                 |
| Conveyancing                   |            |            | Commercial and other leases, Title investigations, Disposal of Freehold and Leasehold properties, Right to Buy applications etc.  |   | Based on precedential and evidential value |
| Conveyancing                   |            | Agreements | Private right of way, right to light (an easement benefits one piece of land by exercising rights over another piece of land owned by another) procedures are in place to ensure the efficient and lawful use of easements. | Destroy - 6 years after agreement ends  | RGLA 4.3                                   |
| Conveyancing                   | Deeds      | Conveyance | Documentation relating to the rental agreements of council buildings, council houses, allotments, garages, commercial properties, way leaves and land.  | Destroy - 12 years after closure  | Limitation Act 1980. RGLA 4.4              |

|  |       |                              |  |  |                                    |
|--|-------|------------------------------|--|--|------------------------------------|
| Copyright                                | Deeds | Easements                    | Information on who owns the information. For example, ensuring no breaches of copyright.                             |  |                                    |
| Drafting                                 |       | Tenancy Agreements           | A range of pro-forma legal agreements used in all areas of law.  | Destroy - 12 years from termination of tenancy | RGLA 3.28                          |
| Trusts                                   |       | Intellectual Property Rights | Documentation related to legal services and trusts.  |  |                                    |
| Planning controls                        |       | Pro-forma agreements         | Information on planning controls.  |  |                                    |
| Certificate of Lawful Use or Development |       |                              | Lawful development certificate.  | Permanent-offer to archivist                   |                                    |
| Section 106 agreements                   |       | Certificate                  | Section 106 Agreement.   | Permanent - offer to archivist                 | Town and Country Planning Act 1990 |
| Section 106 agreements                   |       | Other documentation          | Files relating to a planning obligation or legal agreement made under section 106 Town and County Planning Act 1990. | Destroy - 12 years from date of agreement      | Limitation Act 1980                |
|  |       | Agreement                    |  | Permanent - offer to archivist                 | Town and Country Planning Act 1990 |
|  |       | Other documentation          |  | Destroy - 12 years from date of agreement      | Limitation Act 1980                |

**Leisure**

|                          |                       |   |                         |
|--------------------------|-----------------------|---|-------------------------|
| Allotments               |                       | Information relating to the provision of allotments.                                    |                         |
| Community facilities     |                       | Community centres and halls.  |                         |
| Equipment                |                       | Hire items of equipment for events.   |                         |
| Grants                   |                       | Provision of grants to village halls and other local facilities.                        |                         |
| Venues                   |                       | Details on any venues the local authority may have available for private/business hire. | Superseded +<br>2 years |
| Leisure promotion        |                       | Promotion of leisure activities and events.   |                         |
| Countryside events       | Programmes and events | Information related to countryside programmes and events.                               |                         |
| Exhibitions              | Programmes and events | Exhibitions arranged by or held on Council premises.                                    | 3 Years                 |
| Inclusion                |                       | Activities and events targeted at specific groups of people.                            |                         |
| Parks and gardens events | Programmes and events | Information related to parks and gardens.   | 6 years after event     |
| Play schemes             |                       | Documentation relating to play schemes.   |                         |
| Parks and open spaces    |                       | Information about parks and open spaces owned by the local authority.                   |                         |
| Maintenance              |                       | Maintenance of parks and open spaces.   |                         |

|                       |                 |  |                                   |
|-----------------------|-----------------|--|-----------------------------------|
| Playgrounds           |                 | Playgrounds and play areas.  |                                   |
| Sports facilities     |                 | Documentation attached to general sport facilities.  |                                   |
| Bookings              |                 | Documentation related to general sports bookings.  |                                   |
| Bookings              | Facilities      | Documentation related to the booking of specific sporting facilities.  |                                   |
| Bookings              | Classes         | Documentation related to membership of sports classes and training regimes.  |                                   |
| Equipment hire        |                 | Details of sports equipment that is available for hire.  |                                   |
| Membership            |                 | Information related to general sports membership.  |                                   |
| Membership            | Golf courses    | Information related to the membership of golf clubs.   |                                   |
| Membership            | Leisure centres | Information regarding leisure centre membership.   |                                   |
| Sports                |                 | Information related to sports and recreation services.   |                                   |
| Sports development    |                 | Information related to sport development programmes.   | 6 years                           |
| Clubs and societies   |                 | Documentation associated with sports clubs.  |                                   |
| Tourism               |                 | Information for tourists.  |                                   |
| Tourist accommodation |                 | Information about tourist facilities in the local area. Includes lists of visitors' accommodation available locally and information relating to the accreditation of such accommodation. | Destroy when superseded + 2 years |

|                       |                       |  |   |
|-----------------------|-----------------------|--|---|
| Tourist accommodation | Accreditation process | Process of accrediting visitor accommodation.  | Successful applications - 2 years after accreditation period ends<br>Unsuccessful applications - 1 year from decision |
| Tourist accommodation | Registers             | Information related to tourist accommodation registers.  |   |
| Visitor information   |                       | Leisure and cultural services provided or supported by the council for the community. Specifically includes visitor attractions. |   |
| Visitor information   | Maps and directions   | Maps, direction and locations available for public leisure.  | Offer to archivist when superceded  |



**Management**

|                              |                                   |  |                                  |
|------------------------------|-----------------------------------|--|----------------------------------|
| Ceremonial                   |                                   | Ceremonial events.   |                                  |
| Civic and royal events       | Visitors book, tapes, photographs | Documentation relating to civic functions or visits by royalty to the local area.  | Permanent - offer to archivist   |
| Civic and royal events       | Planning and organising an event  | Information on planning and organising an event.   | Destroy - 7 years after use      |
| Corporate gifts              |                                   | Documentation relating to the provision of corporate gifts.  |                                  |
| Communication support        |                                   | Supporting communication with and around the Council.  |                                  |
| Interpreting and translation | Translation                       | Language translation services.   |                                  |
| Mail processing              |                                   | Processes connected with handling mail and associated communications.  | Superseded + 6 years             |
| Publication                  | Publications                      | Guides, books and other publications that the council makes available on a chargeable basis.                                   |                                  |
| Publications received        | Publications                      | Information management publications.   |                                  |
| Staff communications         |                                   | Staff communication documentation.   | 4 years                          |
| Corporate communication      |                                   | Communication with the public.   |                                  |
| Campaigns                    |                                   | Documentation relating to the promotion of a business through publicity campaigns.   | Permanent ( transfer to archive) |
| Corporate branding           |                                   | Documentation relating to the process of creating and the use of a corporate image and relevant guidance within the authority. | Superseded + 6 years             |
| Corporate publicity          |                                   | Documentation relating to corporate publicity.   | 6 years                          |

|                          |   |   |  |
|--------------------------|---|---|--|
| Graphic design           | Designing setting information                     | Documentation relating to graphic design requirements of the authority.   | Destroy - 3 years from last action                   |
| Marketing                | Marketing planning and campaigns                  | Documentation relating to the marketing of the council or a specific function or service.                               | Permanent - offer to archivist                       |
| Media cuttings           | Media cuttings                                    | Compilation of media in which the local area or authority is mentioned.   | Permanent - offer to archivist                       |
| Media liaison            | Interaction with Media                            | Documentation relating to liaison between the council and local media.  | Destroy - 3 years from closure                       |
| Media releases           |   | Information released to the media.  | 6 years  |
| Public relations         |   | Documentation relating to public relations.   |  |
|                          | Media reports                                     | Media reports.  | Permanent - offer to archivist                       |
|                          | Published work                                    | Published work.   | Destroy after use is concluded - one copy to archive |
|                          | Statistics, trends and customer satisfaction data | Statistics.   | Destroy - 10 years after use concluded               |
| Enquiries and complaints |   | Enquiries and complaints to the Council.  |  |
| Appeals                  |   | Formal complaints received and response to the complaint. Includes the FOI, EIR and data protection complaints process. | 6 Years from closure                                 |
| Complaints               | Reports and correspondence                        | Complaints which result in significant changes of policy.   | Permanent - offer to archivist                       |
| Complaints               | Registers   | Summary form of complaints.   | Permanent - offer to archivist                       |

|                         |                 |                               |  |   |
|-------------------------|-----------------|-------------------------------|--|---|
| Complaints              |                 |                               | Identification of a specific complaint to the council.   | 10 Years from closure                                   |
| Complaints to Ombudsman |                 |                               | Documents related to Ombudsman complaints.   | 10 Years from closure                                   |
| Compliments             | Complaint files |                               | Compliments and comments and response received and response to them.   | 6 Years   |
| Customer profiling      |                 | Customer profiles             | Information provided by an individual or organisation that includes personal preferences.  | Destroy when no longer applicable                       |
| Customer satisfaction   |                 | Customer satisfaction surveys | Feedback on council performance in relation to services or other aspects of council business.  | 6 Years   |
| External audits         |                 |                               | The external activities (usually carried out by district audit) associated with officially checking financial, quality assurance and operational records to ensure they have been kept and maintained in accordance with agreed or legislated standards and correctly record the events, processes and business of the organisation in a specified period. | 10 Years from closure (12 months for working documents) |

|                                |               |   |  |                                     |
|--------------------------------|---------------|---|--|-------------------------------------|
| Partnership and agency working |               | Business for partnership and agencies where local authority owns the record         | Documentation relating to agency working.  | Permanent - offer to archivist      |
| Partnership and agency working |               | Business for partnership and agencies where local authority does not own the record | Activities are often organised into projects.  | Destroy - 3 years after last action |
| Project management             |               |   | Information obtained by reviewing the project.   |                                     |
| Closure                        |               | Lessons learned   | Document created at the start of the project to indicate how it will be run.                             |                                     |
| Governance                     | Project files | Project initiation document   | Planning documentation.  |                                     |
| Governance                     | Project files | Unit or team plans  | Unforeseen events requiring action.  |                                     |
| Initiation and delivery        | Project files | Issues log  | Information related to planning a business operation or service.   |                                     |
| Start up                       | Project files | Business case   | Information on quality and performance.  |                                     |
| Quality and performance        | Project files |   | Assessments.   |                                     |
| Assessments                    |               |   | Best value reviews.  | Destroy - 2 years from closure      |
| Best value reviews             |               |   | Documentation relating to the external inspections received by the authority in relation to corporate or | Destroy - 5 years from closure      |

|                          |              |  |   |
|--------------------------|--------------|--|---|
|                          |              | service specific performance management.   |   |
| Process mapping          | Process maps | The process of preparing information to be passed on to central government as part of statutory requirements |   |
| Statutory returns        |              | Reports to government.   |   |
| Reports to government    |              |  | Destroy - 7 years from closure          |
| Corporate initiatives    |              | Documentation relating to corporate initiatives.<br>Organisational structure of the school library service.  |   |
| Organisational structure |              | Documentation relating to policies and procedures of the council.  | Destroy - 5 years after initiative ends |
| Policies and procedures  |              | The process of consultation with the public.   |   |
| Public consultation      |              |  | Permanent - offer to archivist          |

## Planning & Building Control

### Building Control

### Documentation relating to the enforcing of building regulations

|                        |                   |                            |   |                                |  |
|------------------------|-------------------|----------------------------|---|--------------------------------|--|
| Application processing |                   |                            | Application files containing application, validation notice, correspondence, drawings, location plans, structural calculations, decision notices, record cards, inspection reports and contravention notices. | Destroy after 15 years         | DCLG Building Control Performance Standards 2017 |
| Application processing | Application files | Pre-application discussion | Correspondence before an application is submitted.  | 2 years                        | Building Act 1984                                |
| Dangerous Structures   |                   | Files                      | Papers relating to action taken under Building Act 1980   | 6 years                        |  |
| Registration           |                   | Building control register  | Building control register sheets.   | Permanent - offer to archivist |  |

**Development Management**

|                                 |  |   |  |  |
|---------------------------------|--|---|--|--|
| Planning application processing | Application files/Planning Register      | Application files containing pre-application discussions, application forms, certificates, plans, drawings, correspondence, reports, photographs and Decision Notices | Permanent-record of planning history         |  |
| Planning Appeals                | Appeals files                            | Documentation related to planning appeals.  | Destroy - 10 years from conclusion of appeal | Limitation Act 1980  |
| Conservation Areas              | Orders, Sites and Monuments Register     | Information regarding specific sites and monuments.   | Permanent                                    | Planning (Listed Buildings Conservation Areas) Act 1990<br>RGLA 10.3 |
| Planning Enforcement            | Enforcement notices, files and registers | The enforcement of demolition guidelines and laws.  | Permanent                                    |  |
| Trees                           | Tree preservation orders                 | Tree preservation orders.   | Permanent - offer to archivist               |  |
| Trees                           | Tree works                               | Information containing reference to listed tree-life.   | Destroy - 5 years after application decision | RGLA 10.6  |

**Planning Policy**

**Local planning documentation.**

Local Plans, policies and SPD's

Plan preparation documents

Census data

Permanent

Consultation responses

Retain until adoption +3 months

Development plan evidence base

Indefinite

Natural environment

Policies

Consultancy studies

Permanent - offer to archivist

Natural environment

The process of maintaining the countryside and developing open spaces for public amenity.

Destroy - 7 years after administrative use concluded

RGLA 10.7



Planning schemes

Consultation

The process of receiving, considering and responding to submissions and objections to planning schemes and amendments.

Destroy 15 years after decision.  
Offer controversial or high profile schemes to Archivist

RGLA 10.5

**Procurement**

Contracting

Approved suppliers

Documentation relating to contracts.

Maintaining a list of approved suppliers to the local authority.

Superseded + 6 years

Business need for reference. Limitation period for legal action. Standard retention rule for financial and accounting records.

Contract awards

Information of who was successful in obtaining a contract or contracts we undertake for others.

Contract end + 6/12/15 years

Legal evidence dependent on contract type. Limitation Act.

Contract files

Ordinary contracts

Contract documents and any contract amendments.

Destroy - 6 years after the term of the contract has expired

Limitations Act 1980. RGLA 4.6

Contract files

Contracts under seal

Contract documents and any contract amendments where contract is under seal.

Destroy - 12 years after the term of the contract has expired

Limitation Act 1980. RGLA 4.6

Contract files

Post tender negotiation

Negotiation files related to specific contracts.

Destroy - 1 year after the term of the contract has expired

RGLA4.11

Contract files

Service level agreements, compliance reports, performance reports

Performance monitoring and review of awarded contracts.

Destroy - 2 years after the term of the contract has expired

RGLA4.13

Contract management

Contract monitoring

The monitoring of contracts.

Contract end + 6/12/15 years

Legal evidence dependent on contract type. Limitation Act.

Requisition

Purchase orders

Documentation on non tendered contracts.

Destroy - 7 years after the end of the financial year

RGLA 7.3

|                     |              |                                 |  |   |  |
|---------------------|--------------|---------------------------------|--|---|--|
| Market information  |              |                                 | General information on products that the authority might consider purchasing.  |   |  |
| Product evaluation  |              |                                 | Information on any products evaluated.   |   |  |
| Product information |              |                                 | Information held by the organisation on products with a view to purchase at a later stage (e.g. product literature). | 3 years   | Business need for reference. Limitation period for legal action. |
| Tendering           |              |                                 | Inviting organisations to tender for contracts.  |   |  |
|                     | Tender files | Opening notice, tender envelope | Tender issuing and return.   | Destroy - 1 year after start of contract                      | RGLA 4.7   |
|                     | Tender files | Ordinary tender                 | Tendering of contracts, responses and their evaluation.  | Destroy - 6 years after the term of the contract has expired  |  |
|                     | Tender files | Pre-tender advice               | The process of calling for expressions of interest.  | Destroy 2 years after contract let or not proceeded with      | RGLA 4.5   |
|                     | Tender files | Tender for contract under seal  | Tendering of contracts, responses and their evaluation for contracts under seal.                                     | Destroy - 12 years after the term of the contract has expired | Limitations Act 1980. RGLA 4.8                                   |
|                     | Tender files | Unsuccessful tenders            | Documentation relating to unsuccessful tenders.  | Destroy - 1 year after start of contract                      | RGLA4.10   |
| Tendering policies  |              |                                 | Documentation relating to tendering policies.  | Superseded + 6 years  | Business need for reference. Limitation period for legal action. |

## Risk Management and Insurance

|                              |                      |   |  |  |
|------------------------------|----------------------|---|--|--|
| Claims                       |                      | Handling claims against the council.  |  |  |
| Claims processing            | Claims records       | Documentation relating to claims made against the council.  | Destroy - 7 years after all obligations and entitlements are concluded | Limitation Act 1980. RGLA 8.21                                   |
| Insuring against loss        |                      | Insuring against loss.  |  |  |
| Insurance                    | Insurance policies   | Documentation relating to insurance policies.   | Destroy - 7 years after the terms of the policy have expired           | RGLA8.19   |
| Insurance                    | Renewals             | Renewal information.  | Destroy - 5 years after the policy has been renewed                    | RGLA8.20   |
| Insurance                    | Summary arrangements | Summary of arrangements relating to insurance.  | Permanent - offer to archivist   | RGLA8.18   |
| Risk management              |                      | Management of risk.   |  |  |
| Business continuity planning |                      | Documentation relating to business continuity in the event of a disaster or unforeseen event. Includes disaster recovery and business resilience plans. | Superseded + 6 years   | Business need for reference. Limitation period for legal action. |
| Education                    | Campaigns            | Campaigns related to risk management  |  |  |
| Risk assessment              | Risk register        | Consolidated listing of, and assessment of risks.   |  |  |
| Risk assessment              | Valuations           | Valuations as part of the risk assessment process.  |  |  |

Parking

Permits

Documentation relating to parking permits, parking schemes, skips, scaffolding etc. Includes information relating to the development and management of controlled parking zones.

Destroy - 7 years after issue

## Waste

|                    |   |                                     |          |
|--------------------|---|-------------------------------------|----------|
| Waste collection   | Information on waste collection.  | Destroy - 2 years after last action | RGLA9.26 |
| Abandoned vehicles | A vehicle which deemed to have been abandoned by its owner, as defined in the Refuse Disposal Amenity act 1978 and the Clean Neighbourhoods Act 2005. | Destroy - 2 years after last action | RGLA9.26 |
| Bulky waste        | The disposal of commercial waste, as defined in the Environmental Protection Act 1990.  | Destroy - 2 years after last action | RGLA9.26 |
| Controlled         | The disposal of hazardous waste as defined in the Hazardous Waste Directive 2005 and the European Waste Catalogue.                                    | Destroy - 6 years after last action | RGLA9.27 |
| Domestic           | The process of arranging the collection or transportation of home care waste.   | Destroy - 2 years after last action | RGLA9.26 |
| Trade              | The process of arranging the collection or transportation of trade waste.   | Destroy - 2 years after last action | RGLA9.26 |
| Recycling          | The establishment of public recycling receptacles.  | Destroy - 5 years after use         |          |







**19th June 2018**

## **Policy Projects and Resources Committee**

### **ASELA (2050) Update**

**Report of:** *Philip Ruck – Chief Executive*

**Wards Affected:** *All*

**This report is:** *This report is public*

#### **1. Executive Summary**

- 1.1 The purpose of this report is to update members of the PPR committee on the status of the work undertaken by Leaders and Chief Executives of South Essex Councils, now known as the Association of South Essex Local Authorities (ASELA).
- 1.2 South Essex Councils are defined as Brentwood, Basildon, Thurrock, Southend, Rochford, Castle Point and Essex CC

#### **2. Recommendation(s)**

- 2.1 That the committee recommends to Ordinary Council, that the Statement of Common Ground (SCG), and attached as Appendix A, prepared by ASELA be approved as a guide to the preparation of a Joint Strategic Plan.

#### **3. Introduction and Background**

- 3.1 Since the last written report to the PPR committee, 6<sup>th</sup> February 2018, work has continued, as ASELA have agreed to explore a common approach to supporting the development of growth, housing and key infrastructure over the next 20 years, in the South Essex area.
- 3.2 As part of the Council's production of a Local Development Plan, it will need to demonstrate a "duty to co-operate" with surrounding neighbouring authorities. The JSP will facilitate a co-ordinated approach to strategic growth in the South Essex area, enabling new development, whilst maximising economic opportunities for the region and will be aligned to improvements in infrastructure

- 3.3 To support this aim, ASELA has drafted a 'Statement of Common Ground' (SCG). This sets out the next steps and is an important part in focusing economic growth across the region.
- 3.4 The SCG, along with preparing a Joint Strategic Plan (JSP) for south Essex, would assist future plans for development to ensure new transport links, health and social infrastructure, business and skill opportunities are all included and will ensure that the 90,000 homes that have been identified as being needed across south Essex over the next twenty years are built.
- 3.5 The JSP, if agreed, will provide much valued input to the review of the Council's LDP once it has been adopted
- 3.6 Members are reminded that the Leaders and Chief Executives of ASELA have agreed on eight industrial and infrastructure strategic priorities for the area;

1. *Place leadership, proposition and brand*
2. *Opening up spaces for development (green infrastructure, housing and commercial)*
3. *Transforming transport connectivity*
4. *Supporting our seven sectors of industrial opportunity:*
  - *Advanced manufacturing*
  - *Construction*
  - *Environmental technologies and energy*
  - *Digital and creative services*
  - *Finance and business services*
  - *Life sciences and healthcare*
  - *Transport and logistics*
5. *Shaping local labour and skills markets*
6. *Creating a fully digitally-enabled place*
7. *Securing a sustainable energy supply*
8. *Enhancing health and social care through co-ordinated planning.*

#### **4. Issue, Options and Analysis of Options**

- 4.1 The co-operation in South Essex and determination to succeed for the prosperity of the whole of the South Essex area requires this activity and there are no real delivery vehicles other than ASELA that can achieve this with acceptable timeframes.

#### **5. Reasons for Recommendation**

- 5.1 In order to fulfil the obligation of the Duty to Co-operate as required for the Brentwood LDP to be accepted, and to promote and deliver much needed infrastructure and economic growth, Brentwood must engage with the surrounding boroughs.

#### **6. Consultation**

- 6.1 No formal consultation has been undertaken

#### **7. References to Corporate Plan**

- 7.1 The Council is committed to make Brentwood a Borough where people feel safe, healthy and supported.

#### **8. Implications**

##### **Financial Implications**

**Name & Title: Jacqueline Vanmellaerts, Interim Chief Financial Officer**

**Tel & Email: 01277 312829**

**[Jacqueline.vanmellaerts@brentwood.gov.uk](mailto:Jacqueline.vanmellaerts@brentwood.gov.uk)**

- 8.1 Financial implications are currently being determined for the collaboration. The Council has sufficient reserves to fund any financial costs that may arise and will be reported back to Committee appropriately.

##### **Legal Implications**

**Name & Title: Daniel Toohey, Monitoring Officer**

**Tel & Email: 01277 312860 / [daniel.toohey@brentwood.gov.uk](mailto:daniel.toohey@brentwood.gov.uk)**

- 8.2 The Localism Act 2011 places a legal duty on local planning authorities and other defined bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross-boundary matters. It is not a duty to agree but local planning authorities must make every effort to secure the

necessary cooperation before they submit their Local Plan for examination. The cooperation should produce effective and deliverable policies on strategic cross boundary issues.

**Other Implications** (where significant) – i.e. Health and Safety, Asset Management, Equality and Diversity, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

8.3 There are no other implications to this report

**9. Background Papers**  
none

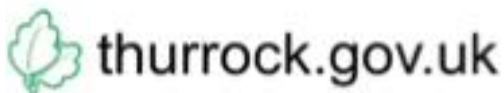
**10. Appendices to this report**  
Appendix A – Statement of Common Ground

**Report Author Contact Details:**

**Name:** Philip Ruck

**Telephone:** 01277 312648

**E-mail:** philip.ruck@brentwood.gov.uk



# South Essex Joint Strategic Plan

# STATEMENT OF COMMON GROUND

June 2018

## 1. Introduction

1.1 In February 2017, the Government introduced the proposition that all Local Planning Authorities (LPAs) be required to prepare a ‘Statement of Common Ground’ (SCG) to help manage strategic planning matters across local authority areas and strengthen the Duty to Cooperate<sup>1</sup>. Further details of this proposal were set out in the consultation document, published in September 2017<sup>2</sup> and are now formally included in the draft revised National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).<sup>3</sup> The Government’s objectives of the proposal are to:

- *increase certainty and transparency, earlier on in the plan-making process, on where effective co-operation is and is not happening;*
- *encourage all local planning authorities, regardless of their stage in plan-making, to co-operate effectively and seek agreement on strategic cross-boundary issues, including planning for the wider area’s housing need; and*
- *help local planning authorities demonstrate evidence of co-operation by setting clearer and more consistent expectations as to how co-operation in plan-making should be approached and documented.*

1.2 The requirement for a SCG will operate in tandem with two new proposed ‘tests of soundness’. These will be used at local plan examinations to ensure that there is not only a proactive and positive approach to strategic planning matters across housing market areas (as currently required by the Duty to Cooperate), but that there is a clear (and agreed) approach to how these will be delivered in all relevant local plans. The new tests will come into effect when the final version of the revised NPPF is published (currently anticipated by end of July 2018) and as currently proposed would require plans to be:

- a) informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;*
- b) based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.*

1.3 The South Essex LPAs of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council, have agreed to prepare a new Joint Strategic Plan (JSP) for the area. Although the SCG will be prepared to support the Duty to Cooperate as required by national policy, it will also set out the project management arrangements for the JSP. This is an iterative process, however, and this first stage SCG is being used by the Authorities as a ‘pre-commencement’ document for the JSP.

---

<sup>1</sup> Housing White Paper - <https://www.gov.uk/government/publications/fixing-our-broken-housing-market> - Paragraph 1.9

<sup>2</sup> Planning for the right homes in the right places - <https://www.gov.uk/government/consultations/planning-for-the-right-homes-in-the-right-places-consultation-proposals> - Paragraphs 56 to 87

<sup>3</sup> A revised (draft) version of NPPF was published on the 5 March - <https://www.gov.uk/government/consultations/draft-revised-national-planning-policy-framework>

- 1.4 The SCG will be agreed and signed by all seven partner authorities by the end of July 2018, initiating the formal process for preparing the JSP. At this point, individual LPAs will update their Local Development Schemes (LDS) to reflect the new portfolio approach to plan-making across the sub-region.

## 2. South Essex - the Place

- 2.1 South Essex covers the local planning areas of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock. It is strategically located on the edge of London and is well connected with several strategic roads linking communities within and outside South Essex. It is also an important national and international gateway, with three major ports on the Thames Estuary and London Southend Airport.

### Figure 1: Map of South Essex

[insert map showing SE within wider 'regional' context]

- 2.2 Its close proximity to London and its position on the Thames Estuary are major factors behind the historical growth of South Essex and these will continue to be major influences on its future growth and wider relationship with the rest of Essex. However, these locational advantages need to be managed effectively to ensure that the benefits and future opportunities arising from these advantages can be realised.
- 2.3 The growth offer in South Essex is therefore potentially significant, but there are a number of challenges in making sure that growth is healthy, inclusive and sustainable over the long term:
- Major investment in transport and other infrastructure is required if South Essex is to play its full role in delivering high quality growth which is befitting of its location neighbouring a World City;
  - Weaknesses in business growth, the skills needed to maximise the opportunities provided by the diverse economic base and the entrepreneurial spirit of South Essex residents will need to be addressed;
  - Whilst the quality of life for many is high, there are significant inequalities within some communities, and as such growth must be inclusive;
  - There is space to grow across South Essex but there are challenges around ensuring this happens in a way that enhances the environmental offer, particularly in terms of green space, air quality and impact on climate change.
- 2.4 These challenges are common across the sub-region and require strategic solutions but there are also more locally specific issues being addressed by individual councils through their own place-shaping role. Therefore a combination of strategic and local approaches is needed to ensure that South Essex is an area that is inclusive, economically successful, dynamic and environmentally sustainable.

### 3. South Essex District by District

#### 3.1 *Basildon*

Basildon Borough lies 30 miles east of the City of London covering an area of approximately 10,900 hectares and is home to 185,000 people and an economic base for over 90,000 jobs. The Borough's main urban areas are the New Town of Basildon (which includes Laindon and Pitsea), Billericay and Wickford. 63% of land is designated Metropolitan Green Belt outside these areas.

3.2 The Council has identified specific ambitions which the Borough's Local Plan and JSP will contribute to delivering by helping to create well planned, attractive communities that are linked to services and job opportunities. Working with other South Essex Authorities, the Council's ambitions are to:

- support the educational and skill improvement of local people to ensure they can benefit more inclusively from growth, whilst helping them realise their potential;
- support the expansion and regeneration of sustainable economic and commercial growth centres, supported by a locally available and skilled workforce;
- plan for sustainable housing growth, supported by appropriate infrastructure, delivered in a timely fashion;
- provide greater influence on planning and infrastructure decisions, whilst acting as a combined voice to attract investment from the Government and the private sector to deliver sustainable growth;
- support the improvement of residents' health and wellbeing by conserving important natural and historic areas and planning for green infrastructure, health and cultural facilities alongside growth;
- plan for new and enhanced green spaces, protect and enhance wildlife, biodiversity, geodiversity, local landscape and priority habitats, and ensure a safer natural environment.

#### 3.3 *Brentwood*

Brentwood Borough is characterised by its village character, a "Borough of Villages" surrounding Brentwood market town at its heart, covering 15,100 hectares and home to 80,000 people. 89% of the Borough is designated Metropolitan Green Belt. Brentwood is ideally placed with high connectivity to London and wider transport networks, plus excellent access to surrounding countryside.

3.4 This 'best of both worlds' results in attractive places to live and work, and brings high land values. The proximity of the Borough to London means high levels of out-commuting, but the quality of local schools and other services attracts a high level of in-commuting too. There are however limited brownfield opportunities to accommodate increasing development needs. The Borough is further constrained in terms of its infrastructure and local services which are both at capacity. Balancing growth needs with the aim to maintain and enhance local character is therefore challenging.



### 3.5 **Castle Point**

Castle Point is a relatively small local authority area just 4,500 hectares in size, with a population of 88,000 people. It sits at the heart of the South Essex sub-region on the northern bank of the Thames Estuary between the larger settlements of Basildon and Southend. It is these larger settlements, along with London, on which Castle Point relies for its employment, services and leisure opportunities. The key planning issues comprise:

- the challenge of meeting housing need in a borough of significant Green Belt and other environmental constraints and where land availability is confined to small scale infill sites in the built-up area;
- the need to improve infrastructure to address congestion, historic underinvestment and provide capacity for growth;

### 3.6 **Rochford**

Located on a peninsula between the River Thames to the south, the River Crouch to the north and the North Sea to the east, Rochford is a district rich in heritage and natural beauty covering an area of 16,800 hectares. The majority of the district's 85,000 residents are located in the more accessible western extent within the towns of Rayleigh, Hockley and Rochford. Smaller villages and hamlets are dispersed across the eastern, less accessible parts of the district.

3.7 Development opportunities within the existing urban areas to provide local jobs and homes are limited by a lack of suitable brownfield sites. Outside the urban areas, over 12,400 hectares is designated Metropolitan Green Belt; considerable parts of the district are also subject to other environmental constraints given its coastal nature.

3.8 The district's economic strengths lie primarily in its entrepreneurial character, with an abundance of successful small and medium sized businesses, coupled with the presence of London Southend Airport, a regionally important asset, which has led to the development of a new high-quality business park in the district. The district is accessible from London but challenges remain in terms of road and rail capacity providing adequate east to west, and north to south connectivity.

### 3.9 **Southend-on-Sea**

Southend-on-Sea is the eastern-most extremity of South Essex lying on the northern side of the Thames Estuary at the point where it meets the North Sea. It has a linear form lying along the coast, and is bordered to the north by Rochford and to the west by Castle Point.

3.10 Southend is a sub-regional centre for employment and retail provision in South Essex as well as a major tourist resort and leisure destination with over six million visitors a year. With a population of 179,800 in an area of approximately 4,100 hectares, Southend is a densely populated urban Borough with nine mainline railway stations and the international London Southend Airport. The predominant land use in Southend is residential, interspersed with mature parks and seven miles of foreshore fronting the Thames estuary to the south and east. Southend has four areas of metropolitan green belt within its administrative boundary,

all of which form a small part of the extensive Green Belt separating settlements within South Essex.

3.11 Southend Borough Council's corporate vision is 'Creating a better Southend' and the Council is progressing its vision for 'Southend 2050'. The Southend Core Strategy (2007), along with the Council's other Development Plan Documents, has been instrumental to date in delivering a step change in regeneration and growth within the Borough. The Council's vision for Southend and Southend 2050 aim to:

- maximise opportunities for sustainable housing growth, supported by appropriate infrastructure, in a Borough with limited land availability;
- deliver sustainable, economic growth, providing employment opportunities within the Borough and supporting the growth of London Southend Airport;
- promote and enhance the tourism, cultural and leisure offer, including visitor accommodation, and having regard to the assets offered by the area in order to attract greater visitor numbers and promote more overnight and longer stays.
- secure improvements to infrastructure capacity to address congestion, historic underinvestment and to provide capacity for growth;
- ensure residents have access to high quality education to enable them to be lifelong learners and have fulfilling employment;
- create sustainable communities that contribute to the health and well-being of residents, including planning for health, community and cultural facilities, as well as new and enhanced areas of green and open space;
- conserve and enhancing the historic environment and natural environment, including the biodiversity assets of the foreshore;
- support the growth and regeneration of the town, district and local centres to serve the local and sub-regional population.

### 3.12 **Thurrock**

Occupying 18 miles of riverfront and covering 16,300 hectares, Thurrock is situated on the northern side of the River Thames, 20 miles from central London. With a population of 157,000 which is forecast to rise to 200,000 by 2037, Thurrock comprises a diverse range of urban, rural and riverside environments, with over 65% of the Borough is designated as Metropolitan Green Belt. Much of the riverside area within Thurrock is urbanised with a mixture of residential, industrial, and port related development at the western and eastern ends of the Borough. Thurrock is made up of a number of settlements including Grays, Stanford/Corringham, South Ockendon and Tilbury together with a number of villages in the Green Belt.

3.13 The main employment sectors in the Borough are transport and logistics, port functions and retail. The strength of these sectors reflects Thurrock's key locational advantages, which include its close proximity to London and international gateways which make it an attractive proposition for inward investment. A testament to this is the increasing levels of private sector investment which has/will be generated by proposed or committed development at Purfleet, Lakeside, the Port of Tilbury, the new London Gateway super-port and Thames Enterprise Park.

3.14 Key place-shaping ambitions of the Council are to:

- Reduce inequalities and improve the attractiveness of the Borough as a place to live, work, visit and invest in.
- Deliver sustainable economic growth by meeting the land and property needs of business and Thurrock's major employers.
- Increase the scale and rate of housing delivery to meet the housing needs of all sections of the community.
- Maintain vibrant, prosperous and competitive town centres.
- Delivering the strategic and local infrastructure improvements required to support growth and the regeneration and health and well-being of local communities.
- Improve accessibility and encouraging sustainable travel.
- Maintain and protect the distinctive character and setting of the Borough and its historic built and natural assets.
- Protect and respect the key role of the River Thames as an economic, recreational and environmental asset.
- Address climate change and poor air quality.

#### **4. Essex County Council's role in the Partnership**

4.1 Essex County Council (ECC) is the strategic upper tier authority covering the county of Essex. To that end, ECC works closely with the districts and boroughs of Brentwood, Basildon, Castle Point and Rochford to provide several key public services and works in close partnership with Southend-on-Sea and Thurrock as neighbouring authorities that deliver against common aims and objectives. ECC is focussed on delivering inclusive economic growth, helping people get the best start in life and to age well, and to help create great places to grow up, work and live. Key to the achievement of these organisational priorities is ensuring that the key places and communities in South Essex feel the benefit of economic growth and sustainable development. As well as working closely with South Essex local authorities, ECC also works to support and influence regional and national partners, to deliver services and represent the best interests of the people of South Essex by:

- promoting economic growth, regeneration, infrastructure delivery, and sustainable new development;
- being a provider and commissioner of a wide range of local government services covering Brentwood, Basildon, Castle Point and Rochford including responsibility as the highways authority for the delivery of the Essex Local Transport Plan; Local Education Authority including early years and childcare; Minerals and Waste Planning Authority; Lead Local Flood Authority; lead advisors on Public Health and delivery of adult and children's social care services and;
- being an infrastructure funding partner, supporting the delivery of strategic and local infrastructure to ensure the delivery of community outcomes.

## 5. The South Essex 2050 Ambition

**“South Essex: *the place to live, the destination to visit and the place for business to thrive*”**

### The Ambition

- 5.1 In the Autumn of 2017, the Leadership of South Essex Councils embarked upon a programme of work which would lead to a shared ‘place ambition’ and greater collaboration on strategic priorities to support long term growth. This was initiated in response to the recognition that there was a need to work more effectively on strategic planning matters across South Essex and maximise the, potentially significant, opportunities strategic collaboration could bring to the area. The Association of South Essex Local Authorities (ASELA) was established in January 2018 to take the lead in implementing the Ambition (see Annex 1).
- 5.2 The ‘South Essex 2050 Ambition’ sets out the opportunity for growth and development across the sub-region and the positive effect it will have on the economy, together with the right scale and type of infrastructure to support growth. Operating together, the South Essex strategic growth assets could provide the infrastructure for people and businesses to experience a fully connected place (nationally and internationally) where they can take advantage of the unrivalled potential on offer in one area – business growth, employment opportunities, varied and interesting communities to live in and a rich diversity of cultural and recreational experiences to enjoy.
- 5.3 By 2050, the ambition is that all new development will be located in the most sustainable locations, will be of the highest quality, will support the emerging local industrial strategy priorities<sup>4</sup>, and will be well-connected by a fully integrated transport system and framework of green spaces. The current estimated need for housing across South Essex is 90,000 dwellings over the next 20 years<sup>5</sup>, but with the right conditions to support growth, more could be achieved. As part of the consideration of long term spatial options, the authorities are therefore exploring whether the development of new ‘Garden’ communities could offer a strategic solution to growth. The new communities could significantly enhance housing opportunities and community facilities for local people, and support new commercial and employment hubs, creating centres of business excellence within the sectors of industrial opportunity.

---

<sup>4</sup> The South Essex seven Local Industrial Strategy priorities are Advanced Manufacturing; Construction; Environmental Technologies and Energy; Digital and Creative Services; Finance and Business Services; Life Sciences and Healthcare; Transport & Logistics

<sup>5</sup> The South Essex Authorities estimate that up to 4,500 new homes will be needed each year to meet housing needs. However this will have to be assessed against the Government’s new proposed methodology for determining Local Housing Needs, due to be published by the end of July 2018.

## 6. South Essex Strategic Areas of Opportunity

Five areas of strategic importance have been identified by ASELA as places that potentially offer the greatest potential to deliver the South Essex 2050 Ambition, with the right investment and leadership. The 'Strategic Areas of Opportunity' are:

### 6.1 *The River Thames and Thames Estuary*

The River Thames Estuary stretches along the Essex, Kent and London coastline, with around 40 miles being within South Essex. It is of both national and international importance with major port and tourism facilities as well as areas of nature conservation value. The aim is to maximise the economic potential of major visitor and recreational opportunities this offers South Essex and London, whilst protecting and enhancing the natural environment. In addition, there is the potential to increase the opportunities the river offers for enhancing transport connectivity between South Essex and London.

### 6.2 *London Southend Airport and surrounding area*

London Southend Airport offers major national and international connectivity and has the potential to further increase destination opportunities. Significant surface access improvements are essential to realise the full economic potential of the airport. The area surrounding the airport is currently being developed as a major business park facility and has the potential to unlock significant new business, employment and residential opportunities across the wider area.

### 6.3 *The A127 Transport Corridor*

The A127 provides a strategic east to west transport route across the sub-region stretching from Southend to the London Borough of Havering (LBH) in east London with direct access to the M25, A130 and A13. It is not trunked and spans three Highway Authorities in respects of ownership and management and crosses five Local Planning Authorities along its route. The ASELA authorities and LBH have collectively prepared a Statement of Common Ground with regards to the issues for sustainable growth and plan making that the A127 Transport Corridor presents; and the Highway Authorities are developing a joint Implementation Plan as part of the A127 Corridor for Growth (the Route Management Strategy).

The route already experiences significant capacity issues, particularly at key junctions. With the right investment this strategic corridor has the potential to unlock significant new business, employment and residential opportunities. It will also help to deliver north to south connectivity improvements and further improved travel flow benefits across the area. These improvements will be key to realising the 'Strategic Areas of Opportunity', including Basildon Enterprise Corridor. the economic potential of London Southend Airport and Southend on Sea as a major resort and visitor destination.

### 6.4 *Crossrail connectivity / A12/A129*

As part of the consideration of long term spatial options, the authorities are considering the potential for new 'Garden' communities. These and other economic opportunities in the sub-region would be dependent upon significant investment in improving its road and rail

transport infrastructure. The opening of the Elizabeth Line through central London offers major advantages in terms of connectivity to the new 'Garden' communities, joining up business and employment opportunities as far afield as Reading, and for improving linkages between London Southend Airport to London City and Heathrow Airport.

#### 6.5 ***Lower Thames Crossing, Thurrock Thameside and A13 Corridor***

The Lower Thames Crossing is a nationally significant new River Thames crossing linking the M2 in Kent and the A13 and M25 in Essex, offers the potential to unlock significant new business, employment and residential opportunities and improve travel flow benefits across the area. The scale of benefits arising from the new infrastructure will be dependent on the ensuring the right junctions along the route through South Essex, particularly the A13 serving the south Essex ports.

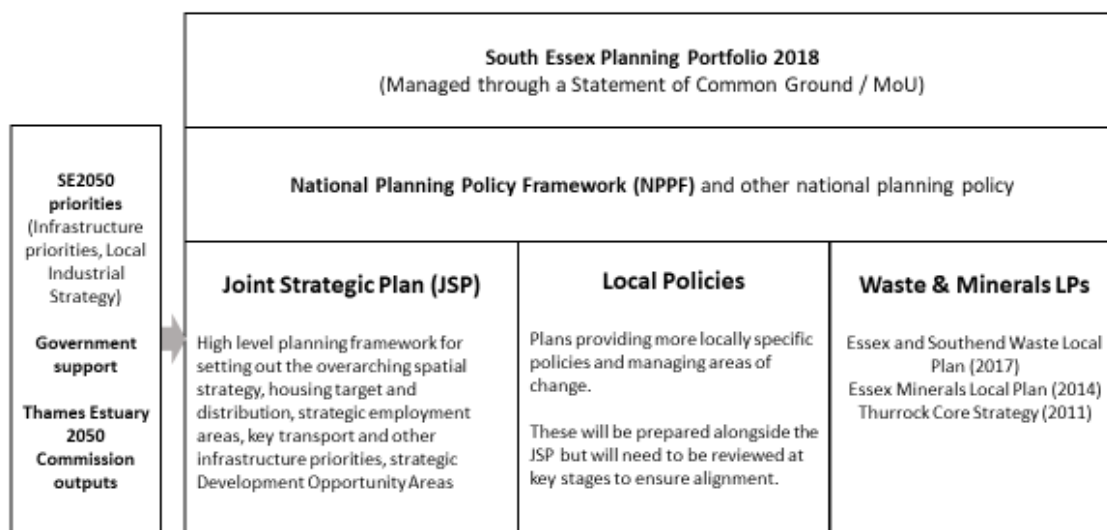
Within Thurrock Thameside/A13 corridor there are significant opportunities to build upon the areas historic focus for industrial and port related activity to support future economic and housing growth. Capitalising on strategic access provided by the C2C Thameside line and the A13, this SAO includes the development of a range of new strategic housing locations; the creation of new town centres at Purfleet and Lakeside providing new retail and leisure facilities together with the delivery of 6,000 new homes; the regeneration of Grays and Tilbury Town Centres; the continued expansion of the Ports of Purfleet, Tilbury and London Gateway and strategic employment development at Thames Enterprise Park.

The potential extension of Crossrail 2, with an Eastern Branch extending into South Essex, has the potential to address capacity constraints at Fenchurch St Station and to improve connectivity into central London

## **7. Implementing the South Essex 2050 Ambition**

- 7.1 Implementation of the South Essex 2050 Ambition will be steered through ASELA and a number of inter-related workstreams have been initiated to facilitate this. These cover strategic infrastructure priorities, the production of a local industrial strategy and the implementation of the spatial strategy. This SCG sets out how the spatial strategy workstream will be implemented through a new local planning 'portfolio', with a Joint Strategic Plan providing the overarching framework within which more focused local development plans will be prepared (see Figure 4 below).
- 7.2 The JSP will also provide a reference framework for the preparation of a Strategic Transport Framework, sitting under the three current statutory Local Transport Plans (LTPs) and forming part of the JSP. The Strategic Transport Framework will be prepared by the three Highway Authorities for South Essex, namely Thurrock and Southend Unitary Authorities and Essex County Council, with partners including the LPAs.

Figure 4: The South Essex Planning Portfolio



## 8. Delivering the South Essex Planning Portfolio

### 8.1 *The Joint Strategic Plan*

The South Essex 2050 Ambition will be delivered over the next 30 years, with some of it fully realised within the timeframe of the current South Essex JSP (period 2018-2038). Other longer-term components will be included in future reviews of the JSP<sup>6</sup>, as the plan's timeframe is rolled forward.

8.2 The JSP will provide the strategic context for the statutory development plan portfolio and will be prepared jointly by all LPAs and Essex County Council. Its scope will therefore be focused on the strategic policy matters that are common across all six local planning areas as follows:

- **South Essex Spatial strategy:** distribution of growth, town centre hierarchy and setting long term extent of the Green Belt
- **Strategic Areas of Opportunity (SAO)** and the role of each
- **Cross-cutting themes:** including promoting social cohesion; healthy and inclusive growth; high quality development and design; supporting sustainable development; climate change
- **Overall housing provision, distribution across SAO and housing needs**

<sup>6</sup> Regulations under the Neighbourhood Planning Act 2017 require that Local Development Documents and Statements of Community Involvement are reviewed every five years to ensure that they remain relevant and up to date - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/670593/Chief\\_Planner\\_Newsletter\\_-\\_December\\_2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/670593/Chief_Planner_Newsletter_-_December_2017.pdf)

- **Local industrial strategy priorities** and spatial implications (including strategic employment land allocations).
  - **Strategic transport and infrastructure priorities**
  - **Natural environment and resources**, including green and blue infrastructure
  - **Climate change and energy**
  - **Implementation and Monitoring Framework**
- 8.3 The South Essex Local Planning Portfolio will also rely on the policies set out in the national policy framework<sup>7</sup> and will therefore not duplicate any nationally set policies, unless there are specific local circumstances that justify a deviation from this. However, there may be a need for supplementary planning guidance in addition to the NPPF, to provide a local interpretation and implementation of national policy.
- 8.4 ASELA has agreed an accelerated timetable for preparing the plan given the urgent need to implement the shared ambition, building investor confidence and ensuring the right infrastructure is secured to support delivery of the strategic spatial and economic priorities. There are risks attached to delivery of the JSP within this timescale, however, particularly as it will be dependent on significant infrastructure investment. A risk assessment and management plan have therefore been prepared to help ensure that the agreed timetable is maintained and to support implementation of the JSP (see Section 6 and Annex 6).
- 8.5 Key milestones for preparing the JSP are set out below. A detailed work programme has also been agreed to help manage the preparation of the JSP across the seven local authorities involved and to ensure it continues to be treated as a priority by all involved.

February 2017: South Essex authorities agree to prepare Strategic Planning and Infrastructure Framework (through South Essex Strategic Planning Memorandum of Understanding) and commence exploratory projects, including South Essex 2050.

February 2018: Following completion of South Essex 2050, South Essex Authorities (including Brentwood) agree (through ASELA Memorandum of Understanding) to formally work together to prepare the JSP and develop a South Essex Local Planning Portfolio.

July 2018: ASELA agrees first stage Statement of Common Ground and Strategic Planning Memorandum of Understanding (MoU) and recommends for endorsement to all South Essex LPAs and Essex County Council. All South Essex LPAs update their Local Development Schemes (LDS) and agree to update their Statement of Community Involvement (SCI) to reflect the South Essex Local Plan Portfolio.

---

<sup>7</sup> National Planning Policy Framework (NPPF), Planning Policy for Travellers Sites (PPTS) and National Planning Policy for Waste (NPPW)



Spring 2019: The Draft JSP with spatial strategy options (including preferred option) is published for Regulation 18 Consultation, in line with the SCI and agreed JSP timetable.

November 2019: The South Essex Draft JSP is agreed by all South Essex LPAs based on recommendation by ASELA

December 2019: Final draft version of JSP is published for Regulation 19 Consultation

March 2020: JSP submitted for Examination

Autumn 2020: JSP adopted by all South Essex LPAs

## **9. Local Plans**

9.1 The JSP will provide the strategic framework for the preparation of appropriate detailed Development Plan Documents (DPDs) which will provide more detailed planning policies and perform an essential place-shaping role on the ground, particularly to deliver the Strategic Areas of Opportunity. Ideally the suite of local planning documents required to deliver the JSP would be prepared in alignment so that it could reflect the emerging spatial strategy. However, there is a need to ensure that there continues to be a planning framework whilst the JSP is being prepared, particularly to meet five to 10 year land supply requirements. The transition from relying on individual local plans to the new planning portfolio is therefore being managed in the following way:

- The commitment from all South Essex to meet the full housing needs of the sub-region (as prescribed in the proposed new nationally set methodology) is set out in the planning MoU (Annex 2) which has been agreed by all seven partner authorities. The spatial strategy for delivering this will be agreed through the JSP process which aims to provide a framework for the first 20 years of the South Essex 2050 Ambition.
- Basildon will continue with its current local plan process given the advanced stage the plan has reached. The draft plan, which is expected to be submitted for examination in winter 2018, includes a clear commitment to review the strategy should this be necessary to support the approach set out in the JSP.
- Brentwood will continue with its current local plan process on its current timetable, but will support the JSP as it progresses.
- Castle Point currently has no up to date local plan in place and has therefore been subject to potential government intervention. The Council will therefore prepare an interim local plan covering the next ten years and focusing on planning for housing, with the ambition of meeting local housing needs in this period. In the longer term, local housing needs will be considered through the strategic assessment and allocations prepared for the JSP.
- Rochford and Southend are currently preparing new local plans to reflect the emerging strategy in the JSP. The Council's will also review the Southend Airport Joint Area Action Plan and its hinterland as an opportunity for growth for both councils

- Thurrock is currently preparing a new local plan which aims to reflect the emerging strategy in the JSP with the intention of publishing the draft (Regulation 19) plan in July 2019.

9.2 Timetables for all of the above local plan processes will be set out in the individual Local Development Schemes (LDS) but are summarised in Annex 5.

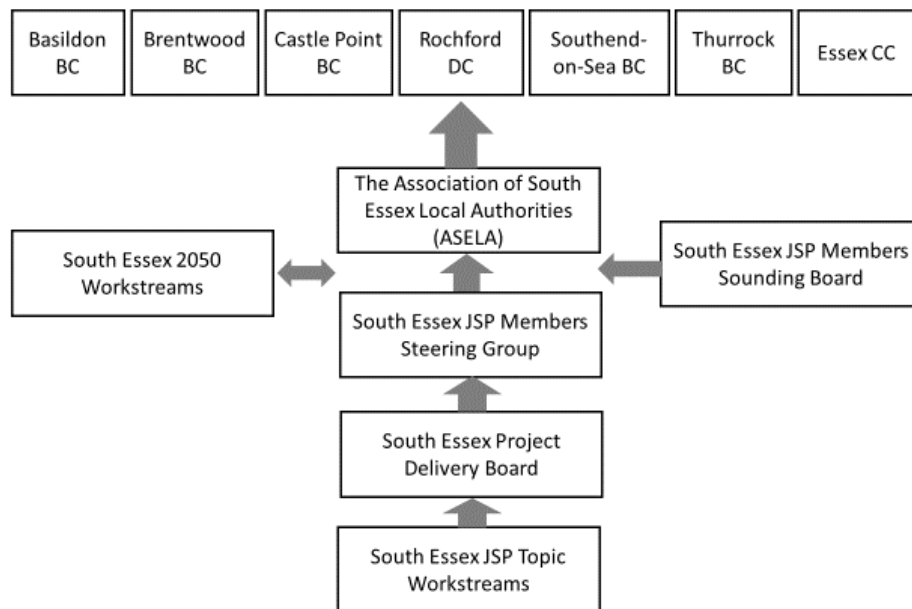
9.3 It is intended that the emerging JSP will provide the ‘effective strategic planning mechanism’ to ensure compliance with the requirements of the Duty to Cooperate, with the existing joint work, evidence base and shared governance through ASELA demonstrating that cooperation is proactive, positive and ongoing. At this stage, whilst there is a clear commitment to meeting the full housing needs across the sub-region, there are no housing allocations set out in the SOCG as this will be determined through the JSP and based on the agreed spatial strategy and updated evidence base. Details of the spatial strategy and how the longer term housing needs will be met will be set out in further iterations of this statement, as the JSP preparation progresses.

9.4 **Minerals and Waste Planning**

Planning for minerals and waste in South Essex is the responsibility of Thurrock and Southend Councils, and Essex County Council<sup>8</sup>. This is managed through separate local planning processes and will therefore not be part of the JSP. A separate SCG will be prepared to help manage the strategic minerals and waste planning matters.

**10. Making Decisions and working together**

Figure 5: JSP Governance Structure



<sup>8</sup> Essex and Southend Waste Local Plan (2017), Essex Minerals Local Plan (2014), Thurrock Core Strategy (2011)

- 10.1 ASELA has overall responsibility for implementing the South Essex 2050 Ambition and therefore the JSP as one of the main workstreams. However, statutory decision-making powers will remain with the individual LPAs who will be asked to make decisions, based on advice from ASELA, at key stages in the plan's preparation (see key milestones in Paragraph 4.7).
- 10.2 Preparation of the JSP is steered by a Members' Group comprising a representative from each of the LPAs and Essex County Council (see Terms of Reference in Annex 4). Arrangements for how this works in relation to the wider decision-making is set out in the JSP Memorandum of Understanding in Annex 2. A key part of the risk management arrangements is ensuring that there is buy-in from the wider local authority membership throughout the preparation process, given the challenging issues this will have to address. A Member Sounding Board will therefore be established to provide cross-party representations on the JSP at key stages.
- 10.3 Wider engagement will be managed through a range of mechanisms that will be set out in the South Essex 2050 engagement strategy and the Statements of Community Involvement (see Paragraph 5.5 below).
- 10.4 Overall project management for preparation and implementation of the JSP is provided by the JSP Project Delivery Board (PDB), comprising the relevant Heads of Service from each of the partner authorities (see terms of reference in Annex 3).
- 10.5 Although there is a statutory minimum requirement for public consultation and engagement with statutory consultees, there is also a legal requirement under the Duty to Cooperate to ensure that there has been positive, effective and ongoing cooperation with neighbouring authorities in Essex, Kent and London, including the Mayor of London. The engagement and consultation processes will be set out in the JSP's Statement of Community Involvement, due to be published alongside the Statement of Common Ground.
- 10.6 Developing a long-term spatial planning framework that is deliverable will also require ongoing engagement with a number of important strategic stakeholders, including those also subject to the Duty to Cooperate. Alongside the statutory engagement process, therefore, ASELA is developing a wider engagement strategy which will involve a number of key strategic stakeholders such as:
- Government Officials and Ministers
  - South Essex MPs
  - Thames Estuary Commission
  - Economic partners (e.g. Opportunity South Essex and the South East Local Enterprise Partnership)
  - Transport partners (e.g. Highways England and Transport East (Sub-National Transport Forum) and the Mayor of London.
  - Environmental partners (e.g. Environment Agency, Natural England, Greater Thames Natural Improvement Partnership, English Heritage)
  - Delivery partners (e.g. Homes England, housebuilders and utilities providers)

- 10.6 The LPAs are hoping to establish a JSP web site under the auspices of ASELA to provide a 'one stop' access point to effectively inform and engage with all interested parties and stakeholders of the purpose of the JSP, its progress and opportunities for influencing the plans contents as part of the public consultation process.

## **11. Managing the Risks**

- 11.1 Delivery of the South Essex 2050 Ambition depends on a wide range of factors and bodies, not just the local authorities. The risks associated with this will be managed by ASELA on behalf of the partner authorities. There are a number of risks specifically linked to preparing the JSP on an accelerated timetable, some of which are political risks, others are technical risks. A high-level risk assessment and management plan is therefore being prepared alongside the JSP; this will be monitored by the JSP Project Delivery Board, with any potential problems highlighted to ASELA as soon as they are identified. An initial Risk Management Plan is set out in Annex 6.

## **12. Monitoring and review**

- 12.1 Preparation of the SOCG is an iterative process reflecting the development of both the individual local plans and the JSP. It will therefore be reviewed at key stages in the JSP's preparation as well as at key stages for the individual local plans, for example, submission to the Secretary of State for examination.

## **Annex 1**

### **Association of South Essex Local Authorities Memorandum of Understanding**

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

#### **Background**

- 1.1 Stemming from housing and local planning issues initially, there has been a growing recognition of the opportunity and need for greater cross-boundary working on strategic infrastructure planning and growth across South Essex. In June 2017 Leaders and Chief Executives of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County Council (the Authorities) agreed to initiate and shape a programme of work through the summer and autumn to explore a joint 'place vision' and the scope for greater strategic collaboration along the South Essex growth corridor.
- 1.2 The work during the summer and autumn has resulted in an emerging vision and identification of strategic growth opportunities that need testing and strengthening with the people and stakeholders of South Essex and beyond. It has also built a strong commitment amongst the Authorities to collaborative working. It was agreed that an Association of South Essex Local Authorities (ASELA) should be established to continue this collaborative work.

1.3 The Authorities wish to record the intention to establish ASELA and basis of our collaboration through a Memorandum of Understanding (MoU). This MoU sets out:

- a) The core purpose and aims of ASELA
- b) The principles of collaboration

## **2. Core Purpose and aims**

2.1. The core purpose of ASELA is to provide place leadership for South Essex. Recognising that through our collaborative approach we will be best placed to develop and deliver a vision for South Essex up to 2050, promoting healthy growth for our communities.

2.2. ASELA will focus on the strategic opportunities, regardless of individual local authority boundaries for the South Essex economic corridor to influence and secure the strategic infrastructure that will help our individual areas to flourish and realise their full economic and social potential.

2.3. The aims of ASELA will be to:

- Provide place leadership;
- Open up spaces for housing, business and leisure development by developing a spatial strategy;
- Transform transport connectivity;
- Support our 7 sectors of industrial opportunity;
- Shape local labour & skill markets;
- Create a fully digitally-enabled place;
- Secure a sustainable energy supply;
- Influence and secure funding for necessary strategic infrastructure;
- Enhance health and social care through co-ordinated planning; and
- Work with and provide a voice for South Essex to the Thames Estuary 2050 Growth Commission and Commissioners.

## **3. Principles of collaboration**

3.1. Our collaboration will be focused on three key areas:

- Tackling problems we can't solve individually
- Creating collective scale and impact
- Providing the place leadership to promote and sell the 'South Essex' proposition

3.2 The Authorities agree to adopt the following principles in working together:

- We are all in this together - and stronger if we work together

- We should build our governance incrementally- learning from the lessons from other places who are more advanced
- Through our collaboration we should be gaining something not losing something
- Local identities should not be lost
- We need to be a voice for SouthEssex

**4. Term and Termination**

4.1. This MoU shall commence on the date of the signature by each Authority and shall expire if ASELA dissolves.

**5. Variation**

5.1. The MoU can only be varied by written agreement of all the Authorities.

**6. Charges and liabilities**

6.1. Except as otherwise provided, the Parties shall bear their own costs and expenses incurred in complying with their obligations under this MoU.

**7. Status**

7.1. This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this MoU.

**Signed by**

| Local Authority                 | Leader/Chairman of Policy and Resources Committee | Chief Executive | Date    |
|---------------------------------|---|-----------------|---------|
| Basildon Borough Council        |   |                 | 10/1/18 |
| Brentwood Borough Council       |   |                 | 10/1/18 |
| Castle Point Borough Council    |   |                 | 10/1/18 |
| Essex County Council            |   |                 | 10/1/18 |
| Rochford District Council       |   |                 | 10/1/18 |
| Southend on Sea Borough Council |   |                 | 10/1/18 |
| Thurrock Borough Council        |   |                 | 10/1/18 |

## Annex 2

# STRATEGIC PLANNING IN SOUTH ESSEX

## Memorandum of Understanding

between

Basildon Borough Council

Brentwood Borough Council

Castle Point Borough Council

Essex County Council

Rochford District Council

Southend on Sea Borough Council

Thurrock Borough Council

This Memorandum of Understanding (MoU) sets out how cooperation between the six local planning authorities in South Essex and Essex County Council will be managed in respect to strategic planning issues.

The Localism Act 2011 places a Duty to Cooperate on local planning authorities and county councils<sup>1</sup> (amongst other public sector organisations), requiring them to engage constructively, actively and on an on-going basis in the preparation of plans where this involves strategic matters. Local planning authorities will be tested in relation to legal compliance with the Duty at examination, as well as whether strategic cooperation has resulted in a 'sound' and robust approach to delivering strategic objectives.

The Neighbourhood Planning Act 2017<sup>2</sup> requires local planning authorities to "identify the strategic priorities for the development and use of land in the authorities' area and set out policies to address those priorities in the development plan documents, taken as a whole. This clause was included to allow greater flexibility in the way that local planning authorities prepare local planning documents, and specifically to support the preparation of 'strategic' local plans, whether prepared individually or jointly with neighbouring authorities. However, several recent announcements from Government on proposed planning reforms indicate strongly that the Government's preferred approach is for strategic priorities to be managed on a joint basis across housing market areas through the use of joint strategic plans.

Building on the existing strong foundations of cooperation developed through the Duty to Cooperate, and within the wider context of the South Essex 2050 Ambition, the Local Authorities have agreed to move to a more formal approach to strategic planning. This will be developed through a 'portfolio' of plans, with a Joint Strategic Plan (JSP) setting out strategic spatial and

---

<sup>1</sup> Localism Act 2011, Section 110.

<sup>2</sup> Neighbourhood Planning Act Part 1, Section 8



infrastructure priorities that are considered to be of mutual benefit, prepared alongside a suite of 'local delivery plans' to manage delivery within each of the local planning areas.

Work on the JSP will be steered within the governance structure of the Association of South Essex Local Authorities (ASELA) to ensure that it aligns with other strategic priorities. Although the JSP will be prepared on the basis of collaboration through ASELA, formal decisions on the JSP at key stages in its preparation (identified in each local planning authorities' Local Development Scheme) will be taken by the individual local planning authorities which will continue to retain the statutory local planning duty (as set out in the 2004 Planning and Compulsory Purchase Act and the 2017 Neighbourhood Planning Act).

A Statement of Common Ground will be prepared by ASELA, setting out the process and timetable for the plan, what local delivery plans will be needed (and how current local plans will be managed through the transition process), governance and working arrangements, and the key evidence needed to support the plan. Although the focus will be strategic development (housing and economic development) and infrastructure, other strategic priorities may be included where they are required to support delivery of the South Essex 2050 Ambition. The Statement will be reviewed on an ongoing basis and updated as and when needed. This will form key evidence to support the JSP and individual 'Local Development Plans' and should therefore be made available on each of the partner authority's websites.

In preparing the JSP, all ASELA partners agree to:

- Engage constructively, actively and on an on-going basis in relation to strategic planning matters under the Duty to Cooperate;
- Ensure a broad and consistent approach to strategic planning and development issues in the South Essex Area;
- Support better alignment between strategic planning, infrastructure and investment priorities in South Essex;
- Adhere to the governance structure of ASELA and ensure that activities are delivered and actions are taken as required;
- Be accountable for ensuring that the role and responsibilities as agreed in the Statement of Common Ground are adhered to;
- Be open and communicate about concerns, issues and opportunities in respect of collaboration and joint working;
- Act in a timely manner, recognising the time critical nature of consultations, technical projects and plan preparation;
- Adhere to statutory requirements. Comply with applicable laws and standards, data protection and freedom of information requirements;
- Encourage, develop and share best practice in strategic planning matters;
- Ensure adequate resources and staffing are in place to undertake effective collaboration and joint working (resources to be agreed through ASELA).

#### **Area Covered**

For the purposes of this MoU the geographic area of South Essex applies to the administrative areas of Basildon Borough, Brentwood Borough, Castle Point Borough, Rochford District, Southend on Sea Borough and Thurrock Borough Councils.

## **Status**

This MoU cannot override the statutory duties and powers of the parties and is not enforceable by law. However, the parties agree to the principles set out in this MoU.

This MoU is not a development plan, nor a legally binding document, but will be used in the consideration of how the South Essex Local Authorities have jointly approached strategic planning issues and legal compliance with the Duty to Cooperate.

This MoU may be supported by other documentation, and other subject specific MoUs, which set out in more detail how the parties will work together to tackle more detailed matters with respect to strategic planning in South Essex.

It is accepted that an individual party or group of parties that are signatories to this MoU may also be signatories to other MoUs between themselves, or with other parties outside South Essex in respect of the Duty to Cooperate.

## **Key outputs of this MoU are:**

- A Joint Strategic Plan setting out strategic spatial and infrastructure priorities across South Essex;
- A Delivery Strategy setting out how the strategic policy framework of the JSP will be delivered, accompanied by a risk assessment and risk management plan;
- A Statement of Common Ground setting out how a JSP will be delivered, what the evidence base is, including identification of various development needs;
- A Joint Strategic Plan Monitoring Report, prepared annually to chart and monitor delivery of the JSP.

## **Governance, Roles and Responsibilities**

Preparation of the Joint Strategic Plan and associated Delivery Strategy will be steered under the governance arrangements of the Association of South Essex Local Authorities. Formal decisions on the plan at key stages (to be set out in individual Local Development Schemes) will be taken by individual Local Planning Authorities on the advice and recommendations of ASELA.

A Members Steering Group will be accountable for the preparation of the JSP, supported by an officer Project Delivery Board. The Steering Group will comprise political representatives from each of the ASELA partners (to be appointed by individual authorities) and the Lead ASELA Member for strategic planning. The officers group will comprise the Heads of Service (or equivalent) from each of the partner authorities, and the ASELA Lead Chief Executive for strategic planning.

'Task and finish' groups will be used to develop specific topics to support the JSP, to be identified by the Steering Group, as and when needed.

Terms of Reference for all groups will be established, setting out the roles, responsibilities and administration. These will be agreed by ASELA and reviewed annually to ensure they remain relevant.

Local authorities should ensure that adequate resources are provided in order to undertake the joint work programme as set out in the Statement of Common Ground. Additional resources may be

provided by other relevant bodies, as agreed to undertake specified tasks under the work programme.

### **Risk Management**

The South Essex Authorities are committed to meeting the full nationally set local housing need across the sub-region. This will be managed on a strategic basis with the distribution across the LPAs reflecting the shared spatial strategy and priorities. Although preparation of the JSP will be steered through ASELA, decision-making will remain the responsibility of the individual local authorities. It is recognised that there is risks associated with this therefore a full risk assessment has been prepared and set out in the Statement of Common Ground and will be monitored on a regular basis, with any concerns raised through the JSP governance structures.

### **Review of the MoU**

This MoU is effective from the date it is signed by the Chief Executive and Leaders of all parties. It will be reviewed as and when indicated through the Statement of Common Ground

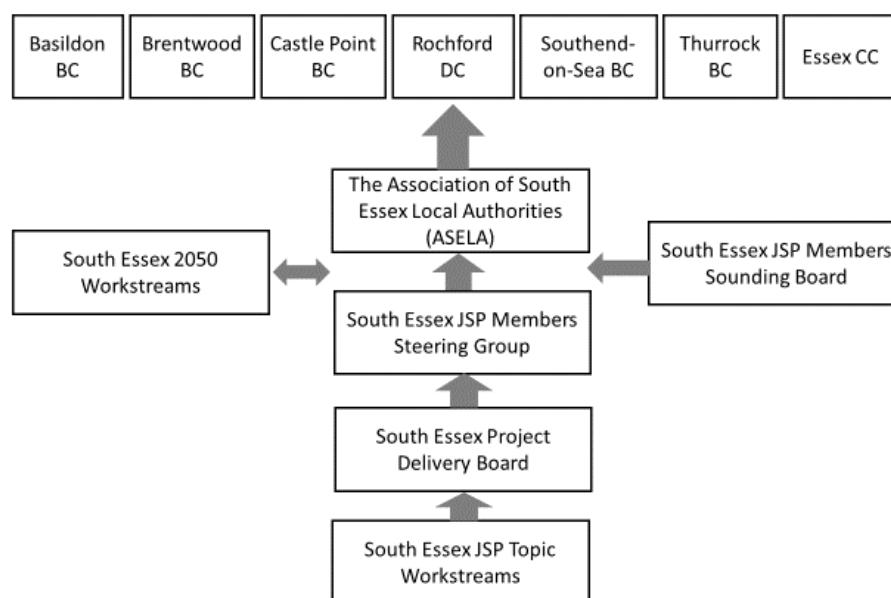
## ANNEX 3

### SOUTH ESSEX JOINT STRATEGIC PLAN PROJECT DELIVERY BOARD – TERMS OF REFERENCE

March 2018

1. The South Essex Local Planning Authorities (LPAs) of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council, are preparing a Joint Strategic Plan (JSP) to support the South Essex 2050 Ambition. The JSP, together with other local development plans, will deliver the spatial strategy and will be delivered alongside a South Essex Local Industrial Strategy and Strategic Infrastructure Framework. The JSP will be steered by a Member Steering Group, reporting to the Association of South Essex Local Authorities (ASELA). Statutory decision-making powers will, however, remain with the individual LPAs who will be asked to make decisions, based on advice from ASELA, at key stages in the plan's preparation.
2. Overall project management for preparation and implementation of the JSP is provided by the Project Delivery Board (PDB), comprising the relevant Heads of Service from each of the partner authorities.

#### JSP Governance Structure



3. The main functions of the PDB are to:
  - i. act as the interface between the political decision-making and the technical processes, providing advice on the JSP to the Members Steering Group and ASELA, working closely with the ASELA lead Member and Chief Executive;

- ii. ensure that the JSP is aligned with other South Essex 2050 workstreams, particularly in relation to the emerging Local Industrial Strategy, strategic infrastructure priorities and housing and growth proposition;
  - iii. ensure that the JSP is delivered to the agreed timetable, is technically sound (supported by a robust evidence-base) and is legally compliant;
  - iv. manage engagement with external partners, neighbouring authorities and Statutory Consultees on behalf of the Members Steering Group, ensuring that collaboration is positive and proactive, as required by the Duty to Cooperate.
  - v. provide overall project management for the individual JSP topic workstreams, supporting and the role of the JSP Project Manager.
  - vi. manage the JSP budget on behalf of the Members Steering Group, ensuring that it is used effectively and efficiently to support the plan's preparation and its supporting evidence base.
  - vii. Manage the risks of preparing and implementing the JSP, highlighting any potential problems to ASELA as soon as practically possible.
4. The PDB meets every two weeks in between ASELA meetings. Dates will be set at least six months in advance and aligned to the JSP timetable and work programme.
5. The Terms of Reference will be reviewed on an annual basis (every March).

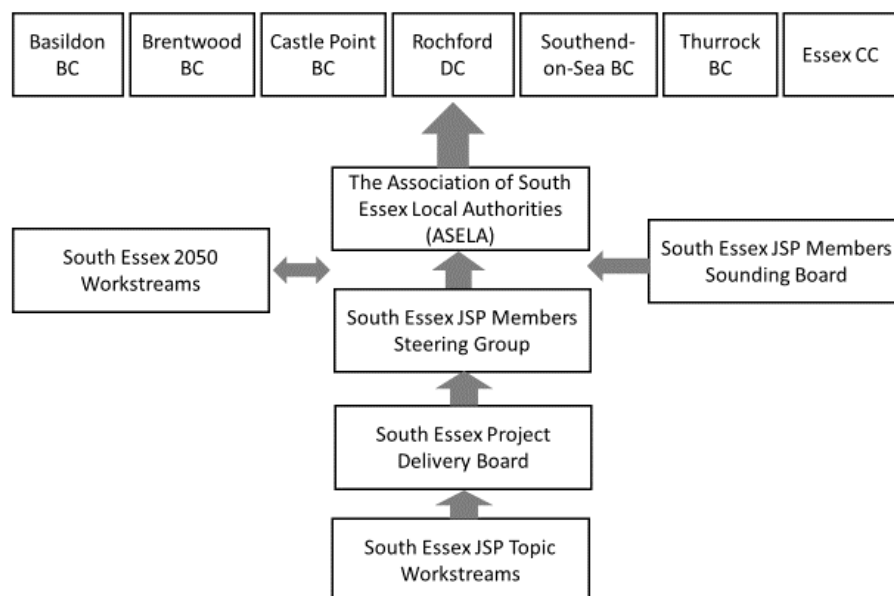
## ANNEX 4

### SOUTH ESSEX JOINT STRATEGIC PLAN MEMBERS STEERING GROUP – TERMS OF REFERENCE

March 2018

1. The South Essex Local Planning Authorities (LPAs) of Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea and Thurrock, together with Essex County Council, are preparing a Joint Strategic Plan (JSP) to support the South Essex 2050 Ambition (SE2050). The JSP, together with other local Development Plan Documents (DPDs), will deliver the spatial priorities and will be delivered alongside a South Essex Local Industrial Strategy and Strategic Infrastructure Framework.
2. The Association of South Essex Local Authorities (ASELA) will be accountable for the JSP alongside the other SE2050 workstreams. Statutory decision-making powers will, however, remain with the individual LPAs who will be asked to make decisions, based on advice from ASELA, at key stages in the plan's preparation.
3. The Members Steering Group will be responsible for the preparation of the JSP on behalf of ASELA, supported by an officer Project Delivery Board (PDB), comprising the relevant Heads of Service from each of the partner authorities.

#### JSP Governance Structure



#### Purpose of the JSP Member Steering Group

- To ensure a coherent and collaborative approach is undertaken for sub-regional planning matters across South Essex through the preparation of a statutory Joint Strategic Plan.
- To ensure that the Joint Strategic Plan is aligned to the long term priorities shared by all authorities and set out in the South Essex 2050 Ambition.

- To advise ASELA on the Joint Strategic Plan, ensuring that there is consensus amongst the partner authorities at each of the key stages in its preparation.
- To steer work on the Joint Strategic Plan through the Project Delivery Board, ensuring that the plan's spatial strategy is robust and deliverable.
- To be accountable for the overall work programme and budget for the Joint Strategic Plan, ensuring that any significant issues are highlighted to ASELA as soon as practically possible.
- To engage with the Mayor of London and adjoining local authorities and their partnerships on strategic planning matters ensuring that the legal requirements of the Duty to Cooperate are met.

### **Membership**

The group will consist of a Member from each one of the ASELA partner authorities. The individual local authority member representation to the group shall be determined by that local authority.

Each authority should nominate substitutes should the main representative not be able to attend a meeting.

The Local Authority partners are:

Basildon Borough Council  
 Brentwood Borough Council  
 Castle Point Borough Council  
 Rochford District Council  
 Southend on Sea Borough Council  
 Thurrock Borough Council  
 Essex County Council

The chair of the Member Steering Group will be the ASELA lead member for the South Essex 2050 spatial strategy workstream.

The Members Steering Group will meet monthly with dates coordinated with the ASELA and Project Delivery Board meetings. Dates will be set at least six months in advance and aligned to the JSP timetable and work programme.

The Terms of Reference will be reviewed on an annual basis (every March).

## **ANNEX 5 – Current Local Plan Timetable (as at June 2018)**

### **BASILDON**

Q2 2018 - Regulation 19 Publication

Q3 2018 - Submission

Q2 2019 - Adoption

### **BRENTWOOD**

Q3 2018 – Regulation 19 Publication

Q4 2018 – Submission

Q2 2019 - Adoption

### **CASTLE POINT** (subject to change depending on outcome of Government Intervention)

July 2018 – Regulation 18 Consultation

January 2019 – Regulation 19 Publication

April 2019 – Submission

Autumn 2019 - Adoption

### **ROCHFORD**

Winter 2019/Spring 2020 – Regulation 19 Publication

Summer 2020 – Submission

Spring/Summer 2021 - Adoption

### **SOUTHEND**

Autumn/Winter 2020 – Regulation 19 Publication

Spring 2021 – Submission

No date for proposed adoption but LDS 2018 states that “As an approximation, the period from submission to adoption may range from 6 to 9 months dependent on the content and scope of the plan, issues arising during examination and scheduling of meetings.”

### **THURROCK**

July 2018 – Regulation 18 Consultation

July 2019 – Regulation 19 Publication

Late 2020/early 2021 – Adoption



## Annex 6: Joint Strategic Plan Risk Assessment

| Risk Identified   | Risk Management  |
|---|--|
| <p>1. Unable to meet JSP timetable (e.g. due to protracted decision-making process, technical delays due to procurement of evidence, staff resources, Planning Inspectorate unable to meet timetable)</p> | <ul style="list-style-type: none"> <li>• Project Delivery Board to monitor progress against ‘key milestones’ and work programme, highlighting any risks at an early stage to ASELA and agree how this is to be managed – actions will depend on issue e.g. resources</li> <li>• ASELA to agree a standardised approach to decision-making, with each partner authority working with their committee services to provide a streamlined approach at key stages and ensure that this does not add unnecessary time to the process. Delegated authority to ASELA for some stages to be explored</li> <li>• Procurement processes to be agreed by ASELA to ensure JSP work is treated as a priority and procurement facilitates timely commissioning and appointment of consultancy support. This should allow for a bespoke tendering and procurement approach and commitment to fund agreed technical programme to expedite procurement process. This should also address particular constraints that may arise as a result of OJEU considerations and thresholds.</li> <li>• Development of evidence base will be focused on strategic priorities with any potential ‘mission creep’ flagged by project manager as soon as possible.</li> <li>• Evidence base and external support considered at ‘pre-commencement’ stage with project management/intelligent client function, budget and timescales secured.</li> <li>• A full audit of existing resources and capacity to be undertaken by ASELA at the JSP commencement stage.</li> <li>• Where lack of capacity and/ or conflicts of interest within the private sector arise, alternative options should be considered at an early stage in the plan preparation process e.g. internal training and development to fill any potential gaps, or different consultants procured to deliver components of larger projects where a single provider cannot be secured.</li> <li>• Early discussion with Planning Inspectorate to ensure timetable for Examination can be met – Government to promote SE JSP as a priority if necessary.</li> </ul> |

|  |  |
|--|--|
| <p>2. Government intervention destabilises JSP process</p>   | <ul style="list-style-type: none"> <li>• Early engagement with Government Ministers and senior Civil Servants to explore options around intervention mechanisms, highlighting risks to JSP progress.</li> <li>• Agree key milestones with MHCLG with regular updates from ASELA.</li> <li>• ASELA to support LPAs 'at risk' to meet published plan timetables</li> <li>• All South Essex Local Development Schemes (LDS) to be updated to reflect the new joint planning arrangements by July 2018 and kept up to date as plans are progressed.</li> </ul>   |
| <p>3. One or more partner local plans are found unsound with regards to the strategic matters and/ or fail to comply with the Duty to Cooperate.</p> | <ul style="list-style-type: none"> <li>• Any issues that risk the overall approach to the shared 2050 ambition or imply that there is not agreement on the JSP spatial strategy or key strategic matters will be highlighted to ASELA as soon as it becomes apparent to allow for the matters to be resolved at a South Essex level</li> </ul>   |
| <p>4. Thames Estuary Commission undermines SE2050 Ambition and spatial strategy of JSP</p>   | <ul style="list-style-type: none"> <li>• Early and ongoing engagement between ASELA and Thames Estuary Commission to ensure alignment of growth ambitions on delivery strategy</li> <li>• Early and ongoing engagement with relevant Government Ministers and senior Civil Servants to ensure they fully understand SE2050 Ambition and role of LAs in delivering this and secure a Housing Deal.</li> </ul>   |
| <p>5. Key place shaping infrastructure is not delivered in order to facilitate strategic growth options</p>  | <ul style="list-style-type: none"> <li>• ASELA provides support in the engagement with strategic infrastructure providers and Government as part of the SE2050 implementation process and development of the JSP to ensure that their priorities reflect the strategic infrastructure priorities of the South Essex Authorities and facilitate delivery of the</li> <li>• ASELA to support Thurrock and ECC in its negotiations with Highways England, the National Infrastructure Commission and Government specifically in relation to the Lower Thames Crossing to ensure that the final agreed route facilitates delivery of the SE2050 Ambition and the spatial strategy of the JSP.</li> </ul> |
| <p>6. Change in Government which changes to national policy/legislation and/or change in national funding priorities</p>                             | <ul style="list-style-type: none"> <li>• Robust SE2050 Ambition developed with risk management built in to delivery plan(s) to ensure contingency funding and approach to deliver same outcome.</li> <li>• Robust evidence-base to justify overall approach even if not in conformity with new national policy</li> <li>• Procure legal advisers to assess and highlight potential risks at early stage and ensure</li> </ul>  |

|   |  |
|---|--|
|   | <p>contingency approach with secures same overall outcome.</p> <ul style="list-style-type: none"> <li>• work with MHCLG, PAS and PINs to ensure ongoing conformity with national policy and legislation.</li> </ul>  |
| 7. Partners unable to agree JSP at key stages (e.g. due to change in political leadership, lack of political consensus on key policy direction, competing priorities) | <ul style="list-style-type: none"> <li>• ASELA ensure new leadership fully informed of JSP process and SE2050 Ambition</li> <li>• ASELA/Planning MoU to ensure agreement to JSP</li> <li>• Members Sounding Board established to ensure cross-party involvement and ownership in JSP</li> <li>• Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are provided for all Members of partner authorities</li> <li>• Continuity in JSP member Steering Group throughout preparation process ASELA/Planning MoU to ensure agreement to JSP</li> </ul>   |
| 8. Resources and skills   | <ul style="list-style-type: none"> <li>• ASELA to set a realistic budget for JSP preparation, taking into account all potential internal and external sources of funding (including Planning Delivery Fund, potential funding from growth deal to support capacity)</li> <li>• Secure project management support during pre-commencement stage</li> <li>• Focus on key policy areas and evidence needed to support this (i.e. keep to agreed scope)</li> <li>• Agree training and development programme to fill gaps and upskill existing officers to reduce need to procure externally</li> <li>• Work on 'South Essex' basis, ensuring making the more effective and efficient use of all resources and skills across all seven partner authorities</li> </ul> |
| 9. External stakeholders undermine SE2050 Ambition/ JSP Spatial strategy  | <ul style="list-style-type: none"> <li>• Establish a stakeholder sounding board to ensure ongoing commitment / support from strategic stakeholders</li> <li>• Prepare a robust framework to ensure compliance with the Duty to Cooperate and engagement with Statutory Consultees</li> <li>• Prepare a Statement of Community Involvement at the start of the formal JSP preparation process (June 2018) and agree with stakeholder sounding board.</li> <li>• Agree an approach with Government to support emerging SE2050 ambitions whilst JSP is prepared and reduce the risks of stakeholders undermining delivery e.g. deviation for</li> </ul>   |

|  |  |
|--|--|
|  | national policy on 5YLS requirements / Housing Delivery Test to reduce risks of speculative planning applications, alignment of approach by government bodies (e.g. Homes England, Highways England, Environment Agency).  |
| 10.Evidence base highlights significant challenges in delivering the JSP Spatial Strategy and SE2050 Ambitions | <ul style="list-style-type: none"> <li>• Identify potential challenges in JSP Delivery Plan (e.g. infrastructure funding) and agree risk management plan for addressing</li> <li>• Consider contingency approach which will still deliver same outcome.</li> </ul>   |
| 11.Public consultation attracts opposition and seeks to undermine SE2050 Ambition/ JSP Spatial strategy        | <ul style="list-style-type: none"> <li>• Communications strategy prepared to ensure ongoing briefings and opportunities to engage in JSP preparation are explained for all partner authorities</li> <li>• Case for change articulated by highlighting benefits of growth and investment in infrastructure</li> </ul> |

## **Members Interests**

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

## **Policy, Projects & Resources Committee**

1. The function within the remit of the Policy, Projects and Resources Committee include all financial matters relating to the budget, (and for avoidance of doubt, being the superior Committee on all such matters including capital, revenue and the Housing Revenue Account (HRA) except where the law otherwise requires), and without prejudice to the generality of this, include the specific functions which are set out below.

### Policy

To undertake and discharge any functions in relation to strategic policies including periodic reviews of the policy framework adopted by full Council from time to time except where required by law to be undertaken elsewhere.

### Finance

- 1) Financial Services
  - 2) Contracts, commissioning, procurement
  - 3) Legal services
  - 4) Health and safety at work (in so far as it relates to the Council as an employer)
  - 5) Corporate communications and media protocols
  - 6) Corporate and Democratic services
  - 7) Member Development
  - 8) Human resources
  - 9) Information Communication Technology
  - 10) Revenues and Benefits
  - 11) Customer Services
  - 12) Assets (strategically)
2. Overall responsibility for monitoring Council performance.
  3. To formulate and develop relevant corporate policy documents and strategies including the Corporate Plan.
  4. To formulate the budget proposals in accordance with the Budget and Policy Framework, including capital and revenue spending, and the Housing Revenue Account Business Plan (including rent setting for Council homes), in accordance with the Council's priorities and make recommendations to Council for approval.
  5. To formulate the Council's Borrowing and Investment Strategy and make recommendations to Council for approval.
  6. To take decisions on spending within the annual budget to ensure delivery of the Council's priorities.
  7. To approve the write off of any outstanding debt owed to the Council above the delegated limit of £5,000.

8. To determine capital grant applications.
9. To make recommendations on the allocation and use of resources to achieve the council's priorities.
10. To manage and monitor the Council approved budgets.
11. To provide the lead on partnership working including the joint delivery of services.
12. To consider any staffing matters that are not delegated to Officers, such as proposals that are not contained within existing budgetary provision.
13. To strategically manage any lands or property of the council and provide strategic property advice relating to the council's Housing Stock and without prejudice to the generality of this, to specifically undertake the following-

The Council's Asset Management Plan

- (a) The acquisition and disposal of land and property and taking of leases, licenses, dedications and easements.
- (b) The granting variation renewal review management and termination of leases, licenses, dedications and easements.
- (c) Promoting the use of Council owned assets by the local community and other interested parties.
- (d) To manage any lands or property of the Council;
- (e) To include properties within the council's Asset Management Portfolio including Halls etc.
- (f) To take a strategic approach to asset management, ensuring that the use of all of the Council's Property assets achieves Value for Money and supports the achievement of the Council's corporate priorities.
- (g) To review the corporate Asset Management Plan annually.
- (h) The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
- (i) Disposal of land surplus to the requirements of a committee.
- (j) Appropriation of land surplus to the requirements of a committee.
- (k) Promote the use of Council owned assets by the local community and other interested parties where appropriate.



- (l) Property and asset management, including acquisitions and disposals not included in the approved Asset Management Plan.
  - (m) To take a strategic approach to commercial activity, both existing and new, ensuring the Council realises revenue generation opportunities and supports the achievement of the Council's corporate priorities.
  - (n) Promoting a culture of entrepreneurialism and building the required skills and capacity.
  - (o) To consider and approve business cases and commercial business plans for commercial activity.
14. To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countryside or regional economic development initiatives.

#### Economic Development

- (a) To lead, consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countryside or regional economic development initiatives.
- (b) To promote and encourage enterprise and investment in the Borough in order to maintain and sustain the economic wellbeing and regeneration of the area.
- (c) To develop climate where businesses and individuals can innovate, compete and contribute to the economic development and regeneration of the area; and excellence in local business.
- (d) To encourage the growth of existing businesses in the borough and access to the skills and training necessary to support them.
- (e) To develop and deliver a Borough wide initiative on apprenticeships.
- (f) To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.
- (g) To consult with the Chamber of Commerce, Federation of Small Businesses, residents and other interested third parties.
- (h) To maintain a special interest in promoting employment in the Borough.
- (i) To promote and encourage tourism and heritage.

(j) Parking (off street parking provision in Council owned/leased off-street parking places).

(k) Crossrail

15. To consider a report from the Monitoring Officer at the beginning of the Municipal Year, for the Committee to appoint the membership of the Constitution Working Group, in order for the Monitoring Officer to consult with such Members on the regular review of the Constitution documentation in accordance with Article 12 of the Constitution during the year.

16. To review and facilitate the transformation of delivery of services.

Transformation

(a) To approve and facilitate the transformation of delivery of services.

Projects

(a) To identify, monitor and oversee the implementation of major Corporate projects.

(b) To advise the Audit & Scrutiny Committee of the major Corporate projects.