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1. PROJECT OVERVIEW

- 1.1. **Project name:**
Rocheway
- 1.2. **Project type:**
Housing (General Needs and Specialist)
- 1.3. **Federated Board Area:**
Opportunity South Essex (OSE)
- 1.4. **Lead County Council / Unitary Authority:**
Essex County Council
- 1.5. **Development location:**
Former Adult Community Learning Centre,
Rocheway, Rochford, SS4 1DQ
- 1.6. **Project Summary:**

The Rocheway site is owned freehold by Essex County Council and covers 7.5 acres. It was occupied by a vacant school building built in 1937 with a developed area of 2.6 acres, with the remaining 4.9 acres presently used as playing fields/open space. The school building was most recently used by Adult Community Learning prior to vacation in 2013 and is surplus to ECC educational requirements. The school building was demolished in November 2018 following the securing of planning permission for 74 units of development by Essex Housing (ECC's property development function).

Construction has recently commenced (July 2020) on a development of 14 new private homes which acts as a facilitating first phase, opportunity exists to provide a range of site infrastructure and enabling works for phase 2 - 60 units of independent living (Extra Care) for older people.

This scheme contributes to address the shortfall in general needs housing and the delivery of Independent Living units for older people. It also supports the release of public sector land for housing development and the provision of jobs in both the construction and care sectors. The scheme also protects and improves community facilities on the wider site with new changing and parking facilities being provided for ongoing use of the sites green space by local sports clubs.





1.7. Delivery partners:

Partner	Nature of involvement (financial, operational etc.)
<i>Essex County Council (ECC) (Lead Applicant)</i>	<ul style="list-style-type: none"> Essex Housing (ECC's development function acting as scheme developer); Independent Living Programme and Adult Social Care. (Extra care scheme delivery and nominations)
<i>Rose Builders Ltd</i>	<ul style="list-style-type: none"> Main contractor for phase 1 development
<i>Oxbury</i>	<ul style="list-style-type: none"> Employers Agent for phase 1
<i>TBC</i>	<ul style="list-style-type: none"> Developer/Provider for phase 2

1.8. Promoting Body:

Essex County Council

1.9. Senior Responsible Owner (SRO):

Paul Crick, Director for Performance, Investment and Delivery, paul.crick@essex.gov.uk, 03330 133347

Gwyn Owen, Head of Essex Housing, Gwyn.owen@essex.gov.uk, 03330 136120

1.10. Total project value and funding sources:

Funding source	Amount (£)	Constraints, dependencies or risks and mitigation
<i>Essex County Council</i>	£5,414,247	
<i>Land Release Fund</i>	£422,000	
Total project value	£5,836,247	

1.11. SELEP funding request, including type (LGF, GPF, GBF etc.):

£713,458 of funding sought from GBF to deliver site infrastructure including undertaking phase two enabling works as part of phase 1 delivery. This will all be Capital funding.

1.12. Exemptions:

This business case is not subject to any exemptions.

1.13. Key dates:

Milestone Description	Date
Private scheme (Phase 1) commencement of construction	06/07/2020
Private scheme (Phase 1) Practical completion	06/09/2021
Extra care scheme (Phase 2) re-procurement of Developer/Provider	Autumn 2020
Extra Care Scheme (Phase 2) Practical Completion	31/12/2022

1.14. Project development stage:

The project development stage to be funded is construction/implementation. The table below includes the outputs from previous development stages.

Project development stages completed to date			
Task	Description	Outputs achieved	Timescale
Feasibility	Produce a capacity study and obtain QS costs and sales agent values in order to demonstrate viability for the Outline Business Case (OBC)	OBC	20/11/2015
Outline Business Case	Decision to progress design, undertake due diligence investigations and secure planning	Published CMA/Decision (to progress design and planning)	16/05/2016
Scheme Design	RIBA stages 1-3 (Phase 1+2)	Planning submission documents. Pre-application feedback. Stakeholder engagement feedback.	15/07/2016 – 31/01/17
Planning	Secure planning (Phase 1+2)	Decision Notice. S106 agreement.	31/01/2017 – 19/10/2017
Technical Design	RIBA 4a (Phase 1)	Technical scheme designs. Contractor tender docs.	19/10/2017 – 31/05/2018
Contractor Tender	JCT contract (Phase 1)	Contractor Identified. Build contract.	31/05/2018 – 30/11/2018
Final Business Case	Decision to construct Phase 1	Published CMA/Decision	20/12/2018

Pre-construction period	Satisfying conditions/sectional agreements/ delivery of offsite services + drainage.	Conditions/ sectional agreements/offsite services	20/12/2018 – 06/07/2020
Project development stages to be completed			
Task	Description	Timescale	
Construction	Phase 1 construction (including enabling works to bring forward phase 2)	06/07/2020 – 06/09/2021	
Sales and Marketing	Phase 1 Sales	30/07/2021 – 30/01/2022	
Phase 2	Phase 2 procurement of developer/provider and construction	Autumn 2020	
Phase 2	Phase 2 – oversee appointed developer construction and following completion nominate into the completed units.	TBC	

1.15. Proposed completion of outputs:

See table above – stage to be completed tasks above represent final scheme delivery.

2. STRATEGIC CASE

2.1. Scope / Scheme Description:

The scheme supports delivery of the following SELEP objectives:

- **Boosting our productivity** – Job growth will be delivered through this scheme in both the construction (a forecast 229 jobs¹) and care sectors (Housing LIN² a leading think tank advised the Independent Living Programme at ECC that this scheme would lead to 30/35 care jobs (created/retained).
- **Improving our skills** – Using local skills with design team and contractors based within the SELEP area (Rather than national housebuilders). Apprenticeships will be included in the construction sector as a result of this intervention (part of the requirements within the contractor tender).
- **Building more houses and re-building confidence** – The scheme directly delivers 74 new homes for both general and specialist needs. These homes include broadband to the door to improve digital connectivity and solar panels and triple glazing to support green recovery.
- **Investing in our growth corridors** – this development site sits geographically within the A127 growth corridor and therefore contributed to the SELEP target of delivering 57,702 Jobs and 34,105 homes within this area.

This project also delivers on all of the strategic aims within the ECC Organisation Strategy 2017-2021 and demonstrates how good housing is cross cutting enabler of multiple outcomes, for the economy and its inhabitants:

- Enable inclusive economic growth
- Help people get the best start and age well
- Help create great places to grow up, live and work
- Transform the council to achieve more with less

2.2. Logic Map

See logic map on next page

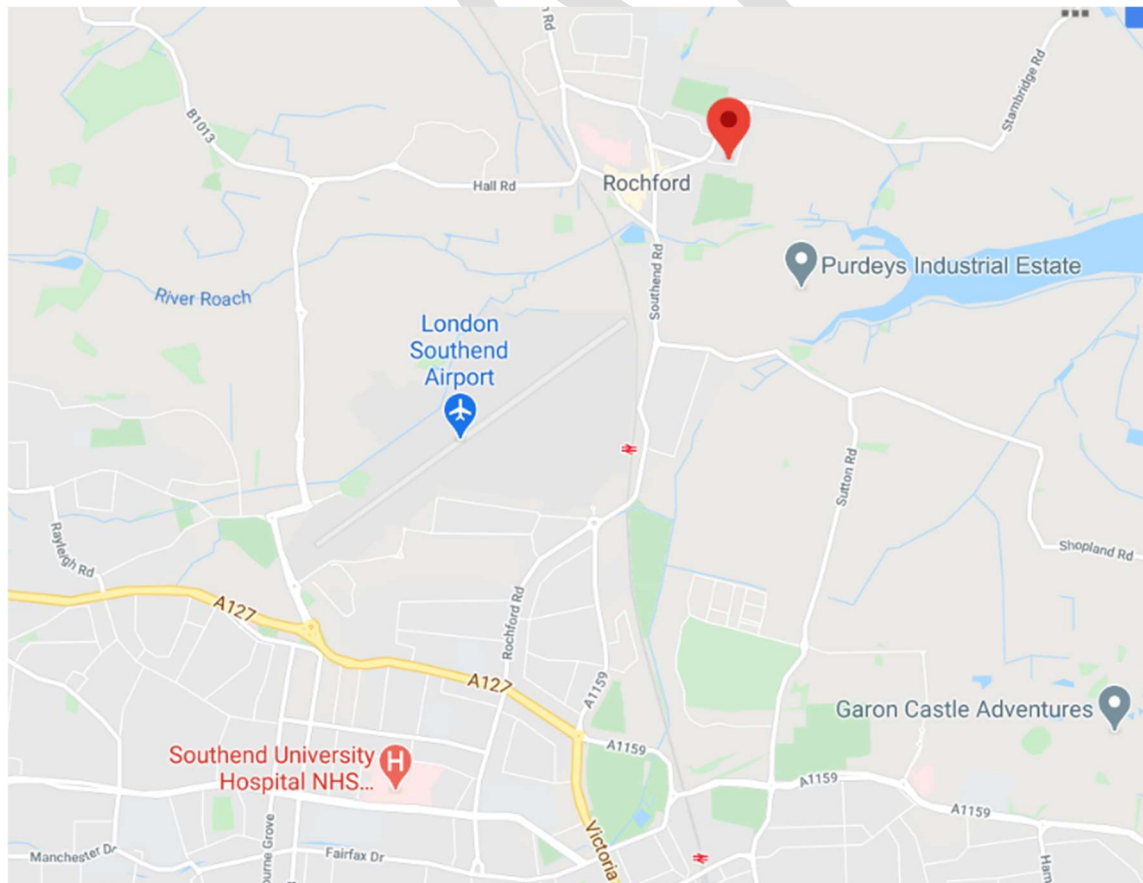
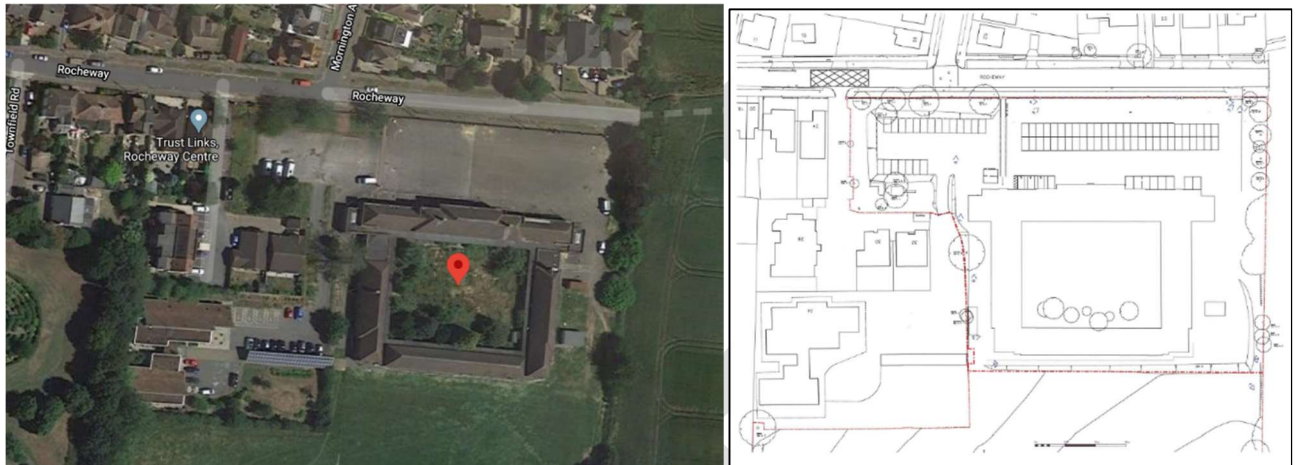
¹ <https://www.hbf.co.uk/policy/policy-and-wider-work-program/hbf-housing-calculator/>

² <https://www.housinglin.org.uk/>

Inputs	Outputs	Outcomes	Impacts
<p>For all schemes:</p> <p>Grant Spend £713,458</p> <p>Land Release Fund £422,000</p> <p>Essex County Council funding Capital £4,389,989 Revenue* £310,800</p> <p><i>*Including site holding</i></p>	<p>For all schemes:</p> <ul style="list-style-type: none"> • An estimated 229 construction Jobs (Home Builders Federation calculator) • 30-35 care sector jobs created or protected (Housing LIN) • 74 Homes (14 General Needs and 60 Extra Care) 	<p>For schemes of £2m of funding or less:</p> <ul style="list-style-type: none"> • Job growth will be delivered through this scheme in both the construction and care sectors. • Skills will be improved through the jobs created (apprenticeships) • More houses will be built to address known demand, with digital connectivity and strong green credentials. • Improved outcomes for individuals living within the Extra Care scheme (see section 2:11) 	<p>N/A for schemes of £2m of funding or less</p> <ul style="list-style-type: none"> • see section 2:11

2.3. Location description:

The site, located to the east of Rochford Town centre, is owned freehold by Essex County Council, and occupies an L shaped plot, extending approximately 1.03ha. Access is provided directly off Rocheway which sits to the North of the site. The site consisted of a large building (now demolished to slab) with parking area to the north, service area to the East and Green areas to the South and East of the site. The site is not in an area at risk of flooding and is bounded by residential properties to the North and West.



2.4. Policy context:

Consistent under-delivery of homes, against past performance targets and the latest estimates of demand and need, means that Central Government recognises that utilising the land in public ownership has a significant role in reducing the shortfall. This is reflected through programmes such as MHCLGs 'Public land for Housing project 2015-2020'.

At a scheme level, in planning policy terms, the site is in the Metropolitan Green Belt but forms the outer edge of the physically defined confines of the Rochford urban Area, which is excluded from the greenbelt. The site already has planning permissions secured for development phase 1 (private housing), development phase 2 (Extra Care) and enhancements to the sports provision on the land to the South of the site.

One of the Government's most fundamental roles (and the objective of this intervention) is to protect the most vulnerable people in our society. Strong and sustainable supported housing is vital to help underpin this obligation. The National Planning Policy Framework states that "the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies" and includes specific reference to older people. Plan-making authorities on the back of this set clear policies to address the housing needs of groups with particular needs such as older people.

Planning policy may have been met through the permission but still needs to be delivered on the ground – which links to the objectives of this intervention.

2.5. Need for intervention:

Interventions delivered as part of the first phase of development (14 General needs houses) will enable the larger second phase of delivery (60 Unit Extra Care scheme). The first phase has included design and planning costs for phase 2 – enabling this development will provide revenue savings to social care budgets through ECC retaining nomination rights into this scheme.

Research on Independent Living demonstrates ECC can realise savings through people living more independently and therefore avoiding more costly residential care (these are costed within the financial case). Furthermore, Independent Living schemes also have a range of other benefits to resident's health and wellbeing and help reduce the risk of falls, social isolation, anxiety, depression and unplanned hospital admissions. This in turn offers peace of mind to residents and reduces the burden on carers and families who are then better able to access work opportunities (these benefits are more fully outlined in section 2.11).

ECC's Organisation Strategy 2017-2021 commits the Council to enable more vulnerable adults to live independent of social care and to make sure there are high quality solutions available providing extra care where needed. To deliver this commitment, Investment Board agreed in June 2019 to a strategic business case for the Essex Independent Living Programme for older people, which includes Rocheway as the location for the scheme required in Rochford.

The need for intervention at this stage in the project is driven by market failure. While Essex Housing is directly delivering the general needs unit an alternative approach is followed for the Extra Care delivery (in accordance with ECC's strategy for Independent Living for Older people). The model for Extra Care provision involves Essex Housing undertaking design and securing planning permission and at which point a developer/provider is appointed who delivers and operates the scheme and in effect ECC exchanges its land for nil value (or a contribution form

the developer/provider if they can justify this when they review financial viability) in exchange for nomination rights into the scheme where revenue savings can be driven. The market failure includes:

- Demand mapping by the ECC Independent living team identified Rochford has a high level of need for Independent Living for Older People in Essex which has not been met by the private market. Adult Social Care consider the Rocheway site ideally located for this. Good site location is vital for future residents and maximises our ability to recruit and retain care staff. ECC has undertaken extensive land searches over the last three years to secure a site in Rochford with no success.
- Prior to the Covid Pandemic the Rocheway site was offered to the market through a competitive tender – to appoint a developer/provider. There were no bids for the site at this stage. This indicates the probability of a viability gap (i.e. it was delivering a negative residual land value when potential bidders considered the scheme). One reason driving this has been the significant site abnormal costs including enabling works such as site clearance and the delivery of adoptable standard highways and drainage infrastructure which this bid would help to overcome.

The reasons this investment is needed now include:

- A long-standing demand for specialist accommodation in the locality which remains unmet. Outcomes are poorer for residents and as a result the benefits to the public purse are not delivered.
- Planning permissions have an expiry and therefore the scheme as a whole is now underway. There are clear linkages between the two delivery phases of the scheme such as shared infrastructure/clearance etc.
- The phase 1 contractor is already onsite, it is proposed that they would be undertaking the funded work – therefore there is a time limit on getting the work complete.

2.6. Sources of funding:

ECC has secured funding for the phase one scheme through its capital programme – funded through the PWLB (Public Works Loan Board). The scheme has already secured funding for site clearance (through the MHCLG Land Release Fund) which bridged a funding gap between the demolition and clearance budgets included in the Outline Business Case and the actual costs (driven in part by higher levels of asbestos than anticipated).

Extra Care schemes are typically not financially viable due to the generous communal areas and provision which has a cost but drives no financial value to the developer. Therefore, they typically require government subsidy to be delivered. The recent market failure (where developers could not justify a bid for the scheme) already included as part of bidder's consideration the likely subsidy being available to them from Homes England.

2.7. Impact of non-intervention (do nothing):

Non-intervention at this stage (i.e. not undertaking work to support the delivery of phases 2) could mean that no developer/provider is identified through the procurement process to deliver this scheme. If phase 2 is not delivered, then this would also mean that the enhanced community sports provision may also not be delivered – as this scheme was providing the new

changing facilities. There would also be an impact on the marketability of the phase one general needs units and potentially either lower receipts or longer time taken to realise them (people reluctant to buy a property next to a development site that is not fully cleared and does not show noticeable signs of delivery).

Failure to deliver the full scheme would see a dramatically reduced number of houses and jobs delivered – the Home Building Federation estimates that the construction jobs created from both phases of development would be 229 and If only phase 1 is delivered these numbers drop to 43 and no jobs in the care sector would be created/retained (estimated by Housing LIN to be 30-35). This would also result in a known housing demand not being addressed and the full range of positive outcomes outlined in this document not being delivered or the quality of the development being significantly constrained.

If this area of the site were not taken forward for the specialist independent living provision, then the impact of doing nothing would be that the site is left empty. The alternative option of developing the phase 2 site for general needs housing is unlikely to be reputationally or financially viable for the reasons outlined fully within the economic case.

2.8. Objectives of intervention:

Project Objectives

Objective 1: Undertake clearance/enabling/infrastructure work for phase 2 site as part of phase 1 delivery.

Objective 2: Mitigate negative land value for phase 2 so that a developer/provider can be secured, and scheme benefits delivered.

Problems or opportunities the project is seeking to address

Problem / Opportunity 1: Phase 2 site unviable for an Extra Care developer to bring for and therefore the scheme is not delivered. Market Failure has already demonstrated this through a first failed procurement.

Problem / Opportunity 2: Non-delivery of phase 2 significantly impacts on the full range of benefits possible through this development.

	Problems / opportunities identified in Need for Intervention section	
	Phase 2 site unviable for an Extra Care developer to bring forward and therefore the scheme is not delivered.	Non-delivery of phase 2 significantly impacts on the full range of benefits possible through this development.
(1) Undertake clearance/enabling/ infrastructure work for phase 2 site as part of phase 1 delivery	✓✓✓	✓✓✓
(2) Mitigate negative land value for phase 2 so that a developer/provider can be secured, and scheme benefits delivered.	✓✓✓	✓✓✓

2.9. Constraints:

Given the progress already made on scheme most of the constraints that had been affecting the suitability of the preferred option has already been overcome. Most notably...

- Planning constraints (both in terms of the planning decision and also planning pre-commencement conditions).
- Sectional agreements have been obtained regarding highways, drainage and utilities to allow the infrastructure work to complete.
- Procurement of a phase 1 contractor who can undertake the required enabling works to enable phase 2 delivery.

The main remaining constraint therefore relates to the delivery of the phase two scheme most noticeably the procurement risk (demonstrated by the recent market failure).

2.10. Scheme dependencies:

The intervention seeks to address the market failure by uplifting the sites residual land value so that a developer/provider considers the scheme viable to deliver – by delivering work as part of phase 1 that reduces phase 2 costs/risks to improve its attractiveness to developers and providers. This in turn would lead to positive benefits around jobs and skills as well as the delivery of housing units (and freeing up underutilised larger homes for new families by offering an alternative to those with a low-level care need).

Once complete the occupation of the units drives revenue savings to social care budgets of £86,384 per annum (£647,876 over ten years from the commencement of construction) – this is

dependent on the ECC nominations process that identifies individuals in care environments that are not appropriate to their current need (i.e. those in expensive residential care but with lower levels of support required than that provided) and then moving them into this more appropriate setting. This is dependent on this process to deliver the full benefits but is not directly delivered through the intervention. ECC has however put the infrastructure in place to deliver this through the creation of the Essex Independent Living Programme which has other Extra Care schemes across the county where nominations are being made.

2.11. Expected benefits:

- Contributes to address the shortfall in general needs and specialist housing. **74 new homes**. Satisfying a known demand locally.
- Delivers 43 construction sector jobs as part of phase 1 and enables a further 186 through the enabling of phase 2 - **229 construction jobs** across the development based on estimates by the Home Builders Federation).
- Supports the release of surplus public sector land for housing development.
- Delivers cost avoidance to the public purse relating to site holding and security liabilities.
- Supports economic growth and regeneration through the utilisation of brownfield land.
- Generates developer surpluses from phase 1 that are reinvested in public service delivery (with ECC acting as developer).
- Supports health and wellbeing through retaining/improving local community sports facilities.
- Delivers Independent Living units (Extra Care) for older people – to address an identified need that the market has not responded to. Extra Care schemes support ECC's strategic aim to 'help people get the best start and age well'. The schemes are primarily for people over the age of 55, who are in receipt of six hours or more of domiciliary home care per week and would benefit from a home environment with 24-hour on-site care and support that enables their continued independence. These schemes also provide the following benefits:
 - ECC having nomination rights on all units will result in **revenue benefits to Adult Social Care of £86,384 per annum** (£647,876 over ten years from the commencement of construction) with nomination arrangements in place for 75 years. Research on Independent Living demonstrates ECC can realise savings through people living more independently and therefore avoiding more costly residential care.
 - They help to reduce social isolation and loneliness for Adults through a sense of built communities; that are tailored to the needs of older people, with level access, well-maintained environments and access to meals and social activities.
 - They offer a personalised service, Adults can choose who provides their personal care, either through the on-site care and support provider or another provider or carer of their choice.
 - They also help to reduce the risk of falls, anxiety and depression and unplanned hospital admissions.
 - They improve the lives and resilience of carers and families through 24-hour access to on-site care and support.
 - Better working environments and conditions for staff; improving recruitment and retention – with the scheme accommodating **30-35 care sector jobs** according to research by Housing LIN.

- They make it easier to provide increased contact time in the care market through consolidation of care in one building and reductions in costs such as travel between home visits.
- They can reduce facilities' costs for local community-based groups by providing reduced cost space rentals with ancillary benefits for scheme residents who are encouraged to participate in the activities.
- Investment in new developments will help deliver more resilient care, supported by digital and technological aids, better retention of care staff, and the opportunity to develop hubs for local care services, further improving quality of life for residents.
- Extra Care schemes provide benefits to individuals compared to those with similar needs who live in housing outside Extra Care schemes. These benefits are supported by the latest research, published March 2019 entitled 'Measurable Outcomes for Healthy Ageing' by the Centre for Ageing Research at Lancaster University. The research compares circa 160 residents in a selection of Extra Care schemes to circa 30 'control participants' over a five-year period. Key findings are as follows:
 - 75% increase in the level of exercise done by residents, increase in walking speed and a reduction in the risk of falls
 - Increase of frailty is delayed by up to 3 years
 - 23% decrease in anxiety symptoms
 - 24% increase in autobiographical memory and 17% in memory recall tests
 - 86.5% of residents were 'hardly ever' lonely
 - Residents average **3 days less per year in hospital** (with cost savings to the NHS). Across the scheme this represents 180 hospital days per year with the typical cost of a bed starting at £100 per day (true variable costs only i.e. testing and physical nursing) this represents **£18,000 per annum³** and £135,000 over ten years from the commencement of construction.

2.12. Key risks:

Most of the overall scheme risks identified at the Outline Business Case stage have been mitigated due to the progress that has already been made. This includes for example the obtaining of the necessary powers and consents, including but not limited to Planning Permission; ECC governance to progress both phases; Satisfying pre-commencement planning conditions; and sectional agreements for infrastructure and utilities (i.e. drainage) being secured.

A summary of the remaining live risks can be found below:

Trigger	Risk	Effect	Controls/Mitigation now in place
Minor issues identified with the design.	Design error in detail	Small increase in project costs and/or minor delays to completion resulting in slightly reduced/delayed benefits realisation.	Mitigated by due diligence investigations and the detailed and technical design work undertaken by the design team

³ Beds probably wouldn't actually close, however this represents an opportunity saving - freeing up capacity

Trigger	Risk	Effect	Controls/Mitigation now in place
Construction issues	Problems found on site during construction.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Award of a robust contract with fixed price so contractor responsible for unforeseen issues,
Need to replace contractor.	Contractor goes into receivership.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Tender process included assessment of bidders' commercial strength.
Contractor wants additional costs and/or extended delivery timescales.	Contractor claims loss and expense and/or extension of time.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Award robust contract with clauses to limit contractor claims for additional cost or time.
Need to replace sub-contractors	Sub-contractors' default	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Main contractor is responsible via minor works contract.
Requirements change during construction.	ECC issues significant change orders during construction.	Scheme profit reduced.	Clear sign-off at every stage of design and pre-contract. Detailed Employers Requirements. Change order procedure in place during construction.
Cost incurred to remedy defects.	Quality of workmanship is poor during construction. Leaseholder/tenant identifies defects.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Appoint Clerk of Works to monitor quality of work and adherence to design as set out in Employers Requirements. Contract to include defect liability period.
Lower than anticipated capital receipts	Sale values fall/rise due to a change in market conditions or other factors	Scheme profit reduced/increased, or benefits delayed.	Seek local agent's advice on sale values and specification. Off plan sales
Failed procurement of ILOP Developer/ Provider	No partner can be found to deliver the independent living part of the scheme.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Market engagement for possible providers and robust tender process. Seek to undertake infrastructure and enabling works as part of first phase of construction.

3. ECONOMIC CASE

3.1. Options assessment:

Options considered:

In terms of options it is firstly worth reflecting on the full range of options that were considered as part of the schemes original Outline Business Case (OBC) – with the preferred option from this review now in delivery:

Option Description	Commentary	Conclusion
To deliver a scheme that incorporates private and specialist (Extra Care) provision on the site.	Essex Housing undertaking all design/ planning and site clearance work. Direct delivery and disposal of the general needs' units through Essex Housing. Extra Care units being delivered by an appointed Developer/ Provider with ECC retaining nomination rights to deliver revenue savings.	RECOMMENDED
The disposal of the site (existing use or residential development).	However, these disposal options would have removed control over the pace and type of delivery.	Not recommended
To deliver (through Essex Housing) a general needs only residential development (private and affordable).	This option would not have delivered the specialist accommodation to meet a known demand and the revenue savings to social care budgets.	Not recommended

ECC has also undertaken extensive land searches over the last five years **to secure an Extra Care site from the private market or from other public sector organisations** with surplus estate in Rochford for Extra Care. No other suitable sites in the area were identified and our market intelligence informs us that a future suitable site is unlikely to come to the market in the foreseeable future. This therefore also impacted on the decision regarding the recommended option above.

Following this, at the point at which the Extra Care scheme was to be put out to tender (following the completion of detailed design and securing of planning permission), the decision reconsidered a number of options available for this phase 2 sites delivery at this stage:

Option Description	Commentary	Conclusion
Undertake a single stage competitive tender for the development, management and onsite Care and Support Service for the scheme.	This was the recommended option as the preferred approach from the market and the most likely to attract the largest number of bidders, as well as the most likely to achieve best value. It also does not tie ECC or the Adults into having to purchase personal care from the onsite Care and Support Provider. Adults will however be required to receive the Peace of Mind service from the Registered Provider (or their appointed subcontractor) unless ECC decides to hand this over to another provider in accordance with its rights under the contract	RECOMMENDED
Do nothing and let the sites be used for private housing/other uses.	This approach was not recommended as it would not help ECC to build capacity to offer alternatives to residential care. Furthermore, there would be significant	Not recommended

Option Description	Commentary	Conclusion
	abortive costs and a private scheme may not be financially viable either financially or reputationally.	
ECC to undertake the development for each scheme and undertake a single stage competitive tender for the management and onsite Care and Support Service.	This approach was not recommended as ECC does not have the experience of developing Extra Care schemes and it would mean ECC borrowing the full costs for development and management of the scheme, which would significantly increase risks.	Not recommended
Undertake a single stage competitive tender for the development and management only for each scheme and then, closer to scheme completion, undertake a single stage competitive tender for the onsite care and support service.	Not recommended as the market feedback is that providers would prefer to provide the care and if ECC does not offer the onsite Care and Support Service as part of the tender there is a risk of fewer bids being received.	Not recommended

Following the recent market failure in securing a developer/provider for phase 2 the options considered to still deliver this scheme and its associated benefits have included: -

Option Description	Commentary	Conclusion
Undertake further phase 2 enabling works alongside phase 1 delivery to make phase two viable for a developer/provider to deliver.	In addition, this option also included following a simplified procurement process and increasing levels of market engagement to generate interest in the scheme.	RECOMMENDED
Award a financial subsidy to the developer/provider.	This goes against the strategic direction of the ECC Independent Living Programme (and its approved strategy) and may set a precedent for others in the market to expect this. This precedent is important as this scheme is part of a wider programme of Extra Care schemes being delivered across the county.	Not recommended
Simplify the infrastructure – Deliver private roads not adoptable standard.	This is not practical as it is already a condition of planning which has already been obtained and all sectional agreements are in place which has taken a considerable time. Likely success of a planning change regarding this is considered very low. Non adopted roads would necessitate a service charge to residents or reduced revenue savings to social care budgets.	Not recommended
Do not deliver the phase 2 scheme leaving the site vacant (hoping the market responds	The costs of delivery to date would mean significant abortive costs (The phase 2 share of the total scheme Capital spend to complete design/secure planning/ and clear the site £541k). This also leaves the phase 2 site not suitably cleared, which would likely present an	Not recommended

regarding the specialist housing need)	ongoing safety issue and impact on the marketability of phase 1 (reducing the GDV) – therefore there is a cost associated with doing nothing in terms of fully clearing the site. Market responding is not considered likely given the market failure that has already been demonstrated through the first failed procurement.	
Make a planning amendment for the phase 2 area of the application to become private housing*	This can however be ruled out on financial viability grounds (see below*). The Local Planning Authorities (LPAs) threshold for providing a 35% affordable provision is 15 units. The phase 1 scheme (which occupies c50% of the developable area of the site) is only 14 units so no affordable units are required. The phase two site could deliver a further 14 units due to its comparable size. However, if the phase one site were to deliver its current forecast GDV (based on no affordable) then 70% of the phase two site would need to be affordable to meet policy requirements for the whole site. Furthermore, any attempt to bring this forward as a separate development (new planning application rather than an amendment) would likely be considered a deliberate attempt to avoid or reduce affordable housing provision leading to a refusal and possible reputational damage. Most importantly a known housing need in the locality would remain unmet.	Not recommended

** Financial Viability summary – private scheme on phase 2 land*

A negative land value of £1.025m would be generated for a private scheme on this site due mainly to the impact of the level of affordable provision that would be required. The assumptions underpinning this included:

- Replicating the phase 1 scheme on the phase 2 site (they are of comparable size c.50% of the developable area).*
- All historic work being considered abortive (i.e. the £541k share of all historic design, planning and clearance costs remain attributed to the phase one development).*
- 70% of phase 2 units being affordable products (10 of the 14) – to make the scheme fully policy compliant (Rochford Dc requiring an affordable provision of 35%.*
- Build and marketing and sales costs being as per the current phase 1 contractor price and estimates.*
- Professional fees for redesign and planning change at 7% of construction costs (less than the typical 10% used by developers due to work undertaken (surveys already complete).*
- Developer profit set at 20% profit on cost.*
- A flat rate of 3% applied for borrowing costs (however as this scheme does not payback borrowing would typically be extended up to 35 years – and therefore would be much greater)*

Options assessment:

The original scheme options were fully reviewed at the projects OBC stage – including a full financial options appraisal and review of wider benefits. The options were presented in a business case to the ECC Transformation Board for their endorsement. Each option was considered in terms of its financial position and the recommended mixed General Needs and ILOP scheme generated the most favourable position. This was followed by a Cabinet Member Decision).

The options for the Extra Care scheme going to the market for a developer/provider were presented in a business cases to ECC Cabinet for their consideration and the recommended option was approved

3.2. Preferred option:

The preferred option for the scheme remains to deliver the mixed general needs (14 Units) and an Extra Care (60 Units) scheme on the site – as articulated above.

The preferred option in terms of a response following the market failure is to continue to offer to the market but to undertake more phase 2 enabling works alongside phase 1 delivery to make phase two viable for a developer/provider to deliver. This will be combined with enhanced market engagement and a simplified procurement approach. This will ensure the scheme is delivered with all the associated benefits outlined in this business case.

The act of removing costs and risks from the phase two development by undertaking works as part of phase one is expected to increase the residual land values that developers and providers can generate and therefore make the scheme viable for their delivery. As all the funding is to be used for site works these will directly impact the land value (i.e. will uplift the land value by £713k compared to this work remaining for the phase 2 developer to deliver). However, all developers would have different residual land values for the scheme depending on how successful they are in securing subsidies and the construction prices they are able to secure for example. It is expected that the uplift in land value would be sufficient to attract interest to deliver the schemes benefits.

3.3. Assessment approach:

- The economic assessment approach is in line with The Green book Guidance on Appraisal and Evaluation 2018 v3.0.
- Gross direct employment gains have been derived from the Home Builders Federation Calculator. The tool is based on 'The Economic Footprint of House Building in England and Wales' report provides an in-depth analysis of the contribution of house building to the economy of England and Wales. This research estimated 3.1 jobs for every home built. 229 jobs assumed through the construction phases.
 - The UK Assets Publishing Service suggests the GVA per job in predominantly rural areas was £43,900 pa in 2018. This is the figure used for GVA to avoid over estimation.
- Gross Development Value based on local comparable market analysis undertaken by Savills the schemes appointed sales advisors expected to be delivered in 21/22 to a value of £7.020m.
- The present value of future cash flows has been calculated, over a ten-year period. The standard discount factor of 3.5% has been used. Benefits include a Gross Development Value of £7,020,000 for 14 units, based on sales prices guidance from Savills in addition to an assumed GVA of £43,900 for 229 jobs.
-
- Displacement: as the proposal fills gaps in the local economy and addresses the housing need in Rochford as a whole, it is not anticipated that there will be any displacement from within the Rochford area.

3.4. Economic appraisal assumptions:

Appraisal Assumptions	Details
QRA and Risk allowance	N/A
Optimism Bias	Optimism Bias of 3%, low point for non-standard civil engineering projects assumed, given the maturity of the project, a fixed price contracts in place, all spend on-site completion within 12 months.
Discounting	3.50%
Sensitivity Tests	20% and 50% reduction in jobs created
Appraisal period	10 years (Forecast years 20/21 to 29/30) <i>While the opening year is 20/21 this year includes historic costs per 20/21</i>
Employment*	Average 3.1 construction jobs created for every unit built (per Home Builders Federation Calculator)
GVA	£43,900 per construction job created
Present value year (also the discount year)	2020/21

* Construction jobs enabled for Phase 2, as a result of Phase 1, have been included in BCR calculation.

3.5. Costs:

Project Costs	£
Capital Costs - ECC	£4,389,989
Capital Costs - MHCLG Funding	£713,458
Capital Costs - Land Release Funding	£422,000
Revenue Costs (<i>including site holding</i>)	£310,800
Total project cost	£5,836,247

The costs are based on design, planning and clearance costs (this phase is already complete) and also the agreed contract price with the main contractor for phase 1 – with this work already underway. Allowances have also been included for contingency, design enhancements and sales and marketing of the phase 1 units. No additional funding is being sought to cover project management costs. The Essex Housing team and its appointed Employers Agent is resourced for the duration of the project to oversee operational delivery, contract management, milestone validation & assurance and payment processes.

3.6. Benefits:

See section 2.11 for a full breakdown

- 74 new homes (including specialist to address a known demand).
- 229 construction jobs
- 30-35 care sector jobs created/retained
- Generates developer surpluses from phase 1 that are reinvested in public service delivery
- Revenue benefits to Adult Social Care of £86,384 per annum for Extra Care units ((£647,876 over ten years from the commencement of construction) with nomination arrangements in place for 75 years.
- 180 hospital days per year avoided (£100 per day) this represents £18,000 per annum and £135,000 over ten years from the commencement of construction.

3.7. Local impact:

As previously referenced the local impact of this scheme includes addressing known housing demands in the locality for both general and specialist housing. The scheme also delivers enhancements to local sports provision for community use.

3.8. Economic appraisal results:

	DCLG Appraisal Sections	Option 1 relative to status quo (Do Something)	Option 2 relative to status quo (Do Minimum)
A	Present Value Benefits [based on Green Book principles and Green Book Supplementary and Departmental Guidance (£m)]	£15.9m	£0.0m
B	Present Value Costs (£m)	£5.8m	£0.0m
C	Present Value of other quantified impacts (£m)	£0.0m	£0.0m
D	Net Present Public Value (£m) [A-B] or [A-B+C]	£10.1m	
E	'Initial' Benefit-Cost Ratio [A/B]	2.7	0
F	'Adjusted' Benefit Cost Ratio [(A+C)/B]	2.7	
G	Significant Non-monetised Impacts	See section 2:11	

H	Value for Money (VfM) Category	High (>2)	
I	Switching Values & Rationale for VfM Category	The BCR will fall below 1 if no new jobs are created. The project has a relatively high BCR of 2.7, reducing to 2.4 if 80% of expected jobs are created and 1.9.0 if only 50% of jobs are created.	
J	DCLG Financial Cost (£m)	£0.7m	
K	Risks	Refer to section 2.2 - Key Risks No funding risk assumed. Land Release Fund of £422,000 received in March 2018 and spent by December 2018, Essex County Council funding already approved and included in current and next financial year budgets.	
L	Other Issues	N/A	

The present value of future cash flows has been calculated, over a ten-year period. A discount factor of 3.5% has been used. Benefits include a Gross Development Value of £7,020,000 for 14 units, based on sales prices guidance from Savills in addition to an assumed GVA of £43,900 for 229 jobs.

Note, no leakage or displacement assumed on the basis that this is a new development which wouldn't otherwise happen and therefore jobs created considered to be accurate.

DRAFT

4. COMMERCIAL CASE

4.1. Procurement options:

The planning and design consultant team (who have delivered scheme design and planning) were selected and awarded as envisaged under the OBC by a mix of procurement routes depending on the nature of the appointment and fee level. The main appointments were made following a formal tender by invitation bidding process measuring both price and quality and where below formal tender thresholds direct selection following market assessment. We therefore appointed architect, quantity surveyor, project manager, town planner, structural engineer, mechanical and electrical engineer and sourced other surveys such as ecology consultants. A large proportion of the selected expert team were based and live within the County. Some site preparation work was undertaken through Essex Housing outside of this contract including asbestos removal and demolition – this was commissioned through Mitie who have an existing contract with ECC.

The main contractor for phase 1 was appointed through an OJEU compliant two stage open market tender processes using an SSQ to create the selected shortlist working closely with procurement colleagues and the schemes expert employers' agent to shortlist 5 parties, securing 4 competitive bids. An open market tender process for the main contractor was considered the most likely procurement approach to yield the maximum number of possible expressions of interest. This increased competition will enable us to benchmark cost and quality, achieving the best value for money. Whilst an open market tender requires the Pre-Qualification Questionnaire (PQQ) process to be carried out (in contrast with the existing panels where this has already been done) there was capacity to manage this within the Essex Housing and Procurement team and the benefits outweighed the additional resource needed (see advantages and disadvantages below).

Option	Advantages	Disadvantages
Two stage tender post technical design by contractor (RIBA Stage 4)	<p>Greater control over specification and quality of technical design</p> <p>Advice received on the deliverability of the technical design</p> <p>Fixed price design and build contract (JCT Form of Contract) that is likely to be less than the fixed price tender received in a single stage approach</p>	<p>Advance payment of contractor design fees before contract awarded</p> <p>Time taken to award contract (and start works) is at a later date and could affect perception of progress</p> <p>Risk technical design cannot be retained by ECC should contract not be awarded to contractor</p>

Following a single stage competitive tender process complying with the 'Light Touch' regime of the Public Contract Regulations 2015 for the phase 2 scheme was approved by ECC Cabinet in June 2019 for the appointment of a developer/provider. This included a longer tender period to account for the complexity of the tender as it required responses from Registered Providers to cover the development of the scheme, management of the facilities, and delivery of the onsite Care and Support Service. This approach will also be followed for the retender required following the market failure.

All Registered Providers will be assessed on the basis of a 70:30 price: quality split in line with the usual ECC approach and the following price and quality criteria:

Price	Quality Criteria
<p>The price element will be based on the following areas, with weightings for each area to be agreed and defined:</p> <ul style="list-style-type: none"> Care Rates (per hour) Rents and service charges (on ECC nomination rights units only) Contribution to land cost. (Should the submission include a contribution of £1 for the land value they would score 0 for this section) Peace of Mind rate. (Although this will be paid by the Adult the submitted rate will form part of the commercial evaluation) 	<p>The quality criteria will be based on the response from each bidder to a number of technical questions, and these questions will be assigned a weighting, dependent on its relative perceived importance.</p> <p>The questions will cover a number of areas, including: development and construction, management and facilities, the delivery of care and the Peace of Mind service within the scheme, use of schemes as community hubs, promotion of social inclusion, innovative practice, use of technology etc.</p>

4.2. Preferred procurement and contracting strategy:

The contract for the phase 1 delivery is under a JCT Design and Build Contract. Essex Housing designed this scheme to full planning to RIBA stage 4 so ECC have greater control over design but also have minimal cost risk. Moving forwards the contractor is now responsible for remaining detailed design and construction matters. Essex Housing has retained its external Project Manager as Employers Agent. The advantages and disadvantages of this form of contract are listed below:

	Advantages	Disadvantages
JCT Design and Build with Contractors Design (Novation of Design Consultants)	<ul style="list-style-type: none"> Fixed price to contract sum Greater control of design by ECC Contractor wholly responsible for both design and construction post novation of design consultants Minimal risk to ECC 	<ul style="list-style-type: none"> Potential loss of quality of design during construction stage

This approach was selected in order to

- Ensure a fixed price contract sum thereby minimising risk to ECC
- Better control of design through the technical design stage ensuring desired quality
- Advice from the main contractor and their sub-contractors
- Closer control of costs of sub-contractor packages

In terms of the phase two scheme the adults nominated by ECC will all have social care needs. All Adults will have access to the onsite Care and Support service, including the Peace of Mind Service. The integration of the management services within the scheme, and the onsite Care and Support Services (including Peace of Mind) enables the provider to utilise staff across all areas and reduce costs.

The development and management agreement, and the agreement for the onsite Care and Support Services, shall be between ECC and the Registered Provider. The Registered Provider

may then subcontract to either their specialist care department or to an external Care Provider, both of whom must be registered with the Care Quality Commission (CQC) for the provision of personal care. The landlord/housing element requires the Registered Provider to be registered with and regulated by Homes England.

The provision of the onsite Care and Support Services will include:

- a) The provision of packages of planned care for Adults who wish to receive their personal care package through the onsite Care and Support Provider – in practice most Adults choose to have their care supplied in this way;
- b) The delivery of a 'Peace of Mind' service. The Peace of Mind service provides a 24/7 onsite care presence to respond to any unplanned care needs/emergencies and undertaking regulated activity as required. This service is available to all residents and is a key part of the Extra Care model and is what sets Extra Care apart from Sheltered Housing.

The contract for the provision of the onsite Care and Support Services does not tie ECC or Adults into having to purchase packages of personal care from the Registered Provider (or their appointed subcontractor). Adults (and ECC) have the choice and control to request another Care Provider or carer to provide the personal care as required. Adults will, however, be required to receive the Peace of Mind service from the Registered Provider (or their appointed subcontractor).

It is proposed that an initial five-year contract will be awarded for the provision of the onsite Care and Support Services to the appointed Registered Provider, with the ability to extend the contract in five-year increments up to a maximum term of 25 years.

Building in the ability for ECC to extend the contract to a maximum of 25 years enables continuity of service, whilst allowing for ECC to review arrangements at regular intervals. The contract will include a price review mechanism for each five-year period, ECC will then benchmark the prices offered by the Registered Provider against the rest of the market. In the event that the prices offered by the Registered Provider are not competitive, ECC will be entitled to exercise its right to procure an alternative provider. It can use provisions within the contract that compel the Registered Provider to give access to communal areas and alarm systems to an external organisation.

Hourly rates for personal care and costs for the Peace of Mind services will form part of the award criteria for the procurement process. As such, ECC will assure that best value is being achieved at the outset of the provision of Care and Support Services.

The prices submitted will be fixed for the initial five-year contract period, although ECC will have the absolute discretion to increase rates during this five-year period if it so wishes. This is consistent with ECC's general approach to increasing prices for care services delivered to Adults.

The Service specification and Performance Standards within the care and support contract will:

- require that the onsite Care and Support Provider, as a minimum, meets ECC's quality standards and adheres to the service delivery model for Extra Care.
- Ensure that Adults receive high quality services that provide a personalised service that maximises independence.
- Ensure there is a strong emphasis on schemes becoming community hubs, benefiting the wider community as well as Adults living within the scheme, promoting a thriving vibrant community.

There will also be Key Performance Indicators and Management Information for the Provider to report on and for ECC to monitor.

4.3. Procurement experience:

Essex Housing was launched in April 2016 with the objectives to help meet general and specialist housing need, and to use vacant assets to generate capital receipts and revenue savings whilst also driving economic growth and regeneration. Since then, Essex Housing has delivered 3 schemes (Goldlay Square, Moulsham Lodge and Norton Road) with a total of 64 general needs (private and affordable) and specialist housing units. The team has a live development programme of 906 units - including 43% specialist/affordable units (Extra Care and Learning Disability, of which 314 units have secured planning consent with a further 54 submitted for planning determination. Appointment of design teams, due diligence investigations and both demolition and main contractors has been undertaken in accordance with Local Authority procurement rules and with the support of the ECC procurement function.

With specific regard to the Extra Care provider developer/provider procurement ECC has experience through recent procurement processes undertaken which secured a developer/provider for similar schemes (also designed by Essex Housing) in both Clacton (Tendring) and Waltham Abbey (Epping Forest).

4.4. Competition issues:

Competition issues for phase 1 have been dealt with as part of the OJEU procurement. Phase 2 will deal with competition via procurement that adheres to local Government procurement legislation.

4.5. Human resources issues:

There are no HR issues associated with this work. The delivery is commissioned externally.

4.6. Risks and mitigation:

Commercial risks and their mitigation are managed mainly via adhering to the local authority procurement legislation. Contract documentation is then reviewed by Essex County Council procurement and legal colleagues. Once in delivery, all contracts are managed through an appointed and qualified Employers Agent for the scheme (acting on the client side of the contract). In addition, the Essex Housing programme is overseen as part of Essex County Council's capital Delivery Programme and its associated governance points. The Essex Housing team also maintains a scheme risk register.

4.7. Maximising social value:

Social Value is one of the areas that is actively assessed by the team during the procurement process. Bidders are required to complete a response that "demonstrates suitable relevant experience, showing a track record in delivering similar services and demonstrates how the Bidder's delivery of these services demonstrates improvements to the economic, social or environmental wellbeing of the relevant areas". Bidder responses to this question form part of the bid evaluation.

5. FINANCIAL CASE

5.1. Total project value and funding sources:

Project Costs	£
Public Investment - Capital Costs Source - Essex County Council	£4,389,989
Public Investment - Capital Costs Source - MHCLG funding via SELEP under this funding applications	£713,458
Public Investment - Capital Costs Source - MHCLG - Land Release Funding	£422,000
Public Investment - Revenue Costs Source - Essex County Council	£310,800
Total project cost	£5,836,247

5.2. SELEP funding request, including type (LGF, GPF, GBF etc.):

This application request £713,458 of SELEP funding, which is all capital funding, to all be spent in 2020/21.

	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Total
Funding Request £'	139,000	195,000	127,000	168,000	84,000	713,000

5.3. Costs by type:

	Expenditure Forecast					
Cost type	Pre 2020/21 £000	20/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	Total
Capital [For example by stage, key cost elements for construction, and other cost elements such as contingency, overheads and uplifts]	£1,396	£3,043	£1,088	£0	£0	£5,526
Non-capital [Project Revenue Costs]	£138	£72	£80	£10	£10	£310
QRA	£0	£0	£0	£0	£0	£0
Total funding requirement	£1,534	£3,115	£1,168	£10	£10	£5,836
Inflation (%)	£0	£0	£0	£0	£0	£0

NB: No inflation has been allowed for as the scheme will be delivered within a 12-month period and costs are based on multiple fixed price contracts. Additionally, no sunk costs have been assumed as it expected that if this project was to cease, for any reason, all costs would be recovered through an uplift in land value and eventual sale.

Overheads and uplifts, profit on cost not included as a cost base in this appraisal given any surpluses are expected to be returned to Essex County Council (ECC) and not payable to a private/external developer. If profit on cost target is not met, then ultimately surpluses returned to ECC will be less.

It is confirmed that optimism bias has not been applied in the Financial Case

5.4. Quantitative risk assessment (QRA):

No QRA assumed, given the maturity of the project and also based on the following, fixed price contracts in place with suppliers, construction is already underway and project completion is expected within 12 months.

5.5. Funding profile (capital and non-capital):

Funding source	Pre 2020/21 £000	20/21 £000	2021/22 £000	2022/23 £000	2023/24 £000	Total
Capital source public funding (this bid)	£0	£713	£0	£0	£0	£713
Capital source public funding (ECC)	£974	£2,329	£1,088	£0	£0	£4,391
Capital source public funding (MHCLG LRF)	£422	£0	£0	£0	£0	£422
Non-capital source revenue ECC	£138	£72	£80	£10	£10	£310
Total funding requirement	£1,534	£3,115	£1,168	£10	£10	£5,836

5.6. Funding commitment:

Confirm funding is assured and not subject to further decision

5.7. Risk and constraints:

No funding risks – see appendix C for risk log

6. MANAGEMENT CASE

6.1. Governance:

Project Sponsor:

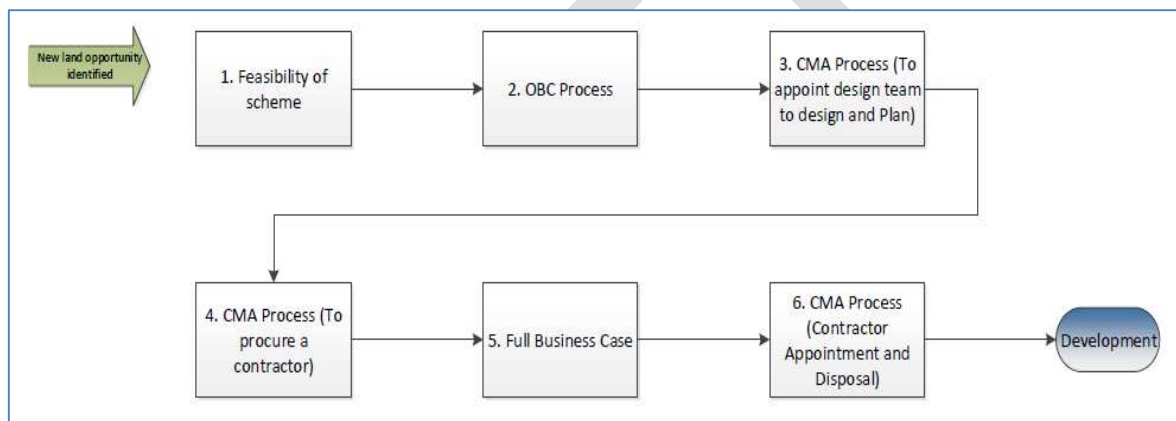
Cllr Tony Ball, Cabinet Member for Economic Growth, Essex County Council

Senior Responsible Officer:

Paul Crick, Director for Performance, Investment and Delivery, paul.crick@essex.gov.uk, 03330 133347

Gwyn Owen, Head of Essex Housing, Gwyn.owen@essex.gov.uk, 03330 136120

Governance Process for Essex Housing scheme delivery



6.2. Approvals and escalation procedures:

For the phase one scheme the reporting and approvals process is to the Essex Housing Board. For the phase two scheme this is to the Independent Living Board. Any key decisions on either phase would need to be taken by the relevant Cabinet member either as a Cabinet member action or as a Cabinet decision. However, the require decisions to progress the scheme has already been taken.

6.3. Contract management:

Active contract management is part of Essex Housings BAU activity. This includes monthly contractor meetings and the services of a qualified Employers Agent commissioned to support this. Essex Housing also performs an advisory role during the construction phase of the phase 2 scheme on behalf of the Independent Living programme.

6.4. Key stakeholders:

Through the planning process for both phases of the development there has been significant public engagement. In addition to the statutory planning consultation with the public and stakeholders the design was also discussed with the local parish council and through pre-application meetings with other agencies (i.e. Highways/drainage). Through the construction

phases of the development the main contractor has responsibility for ongoing engagement with the public and key stakeholders.

6.5. Equality Impact:

There is no adverse impact on any of the protected groups as a result of this project – furthermore a positive impact is identified for both older people and those with disabilities as a result of the scheme. A number of Equality Impact Assessments have been completed, at each Phase of the project. These can be supplied.

6.6. Risk management strategy:

See Appendix C

6.7. Work programme:

See Appendix D

6.8. Previous project experience:

Essex Housing was launched in April 2016 with the objectives to help meet general and specialist housing need, and to use vacant assets to generate capital receipts and revenue savings whilst also driving economic growth and regeneration. Since then, Essex Housing has delivered 3 schemes to completion (Goldlay Square, Moulsham Lodge and Norton Road) with a total of 64 general needs (private and affordable) and specialist housing units. The team has a live development programme of 906 units - including 43% specialist/affordable units (Extra Care and Learning Disability, of which 314 units have secured planning consent with a further 54 submitted for planning determination.

With specific regard to the Extra Care provider developer/provider procurement ECC has experience through recent procurement processes undertaken which secured a developer/provider for similar schemes (also designed by Essex Housing) in both Clacton (Tendring) and Waltham Abbey (Epping Forest).

The Essex Housing team have also received national recognition including;

- Shortlisted for 2 years running at the Inside Housing Development Awards 2018 and 2019 for the 'Development Team of the Year'
- Goldlay Square scheme shortlisted for 'Best Development (under 50 units) 2018' at the Inside Housing Development Awards 2018
- Essex County Council shortlisted for the team's work under the 'Council of the Year' category at the UK Housing Awards 2019
- Goldlay Square scheme Highly Commended for 'Housing Schemes Under 50 homes' at the Housing Essex Excellence Awards 2019
- Essex One Public Estate Partnership (led by Essex Housing) shortlisted for the 'one team' at the inaugural Government Property Awards

6.9. Monitoring and evaluation:

See logic map in strategic case.
See Appendix D

7. DECLARATIONS

<i>Has any director/partner ever been disqualified from being a company director under the Company Directors Disqualification Act (1986) or ever been the proprietor, partner or director of a business that has been subject to an investigation (completed, current or pending) undertaken under the Companies, Financial Services or Banking Acts?</i>	No
<i>Has any director/partner ever been bankrupt or subject to an arrangement with creditors or ever been the proprietor, partner or director of a business subject to any formal insolvency procedure such as receivership, liquidation, or administration, or subject to an arrangement with its creditors</i>	No
<i>Has any director/partner ever been the proprietor, partner or director of a business that has been requested to repay a grant under any government scheme?</i>	No

**If the answer is “yes” to any of these questions please give details on a separate sheet of paper of the person(s) and business(es) and details of the circumstances. This does not necessarily affect your chances of being awarded SELEP funding.*


I am content for information supplied here to be stored electronically, shared with the South East Local Enterprise Partnerships Independent Technical Evaluator, Steer Davies Gleave, and other public sector bodies who may be involved in considering the business case.

I understand that a copy of the main Business Case document will be made available on the South East Local Enterprise Partnership website one month in advance of the funding decision by SELEP Accountability Board. The Business Case supporting appendices will not be uploaded onto the website. Redactions to the main Business Case document will only be acceptable where they fall within a category for exemption, as stated in Appendix G.

Where scheme promoters consider information to fall within the categories for exemption (stated in Appendix G) they should provide a separate version of the main Business Case document to SELEP 6 weeks in advance of the SELEP Accountability Board meeting at which the funding decision is being taken, which highlights the proposed Business Case redactions.

I understand that if I give information that is incorrect or incomplete, funding may be withheld or reclaimed, and action taken against me. I declare that the information I have given on this form is correct and complete. Any expenditure defrayed in advance of project approval is at risk of not being reimbursed and all spend of Local Growth Fund must be compliant with the Grant Conditions.

I understand that any offer may be publicised by means of a press release giving brief details of the project and the grant amount.

<i>Signature of applicant</i>	
<i>Print full name</i>	Adam Thompson
<i>Designation</i>	Senior Development Operations Manager Essex Housing Essex County Council

8. APPENDIX A – ECONOMIC APPRAISAL ASSUMPTIONS

[The DCLG appraisal guide data book includes all of the appraisal and modelling values referred to in the appraisal guidance. Below is a summary table of assumptions that might be required. All applicants should clearly state all assumptions in a similar table.]

Appraisal Assumptions	Details
QRA and Risk allowance	
Real Growth	
Discounting	
Sensitivity Tests	
Additionality	
Administrative costs of regulation	
Appraisal period	
Distributional weights	
Employment	
External impacts of development	
GDP	
House price index	
Indirect taxation correction factor	
Inflation	
Land value uplift	
Learning rates	
Optimism bias	
Planning applications	
Present value year	
Private sector cost of capital	
Rebound effects	
Regulatory transition costs	

9. APPENDIX B - FUNDING COMMITMENT

Draft S151 Officer Letter to support Business Case submission

Dear Colleague

In submitting this project Business Case, I confirm on behalf of [Insert name of County or Unitary Authority] that:

- The information presented in this Business Case is accurate and correct as at the time of writing.*
- The funding has been identified to deliver the project and project benefits, as specified within the Business Case. Where sufficient funding has not been identified to deliver the project, this risk has been identified within the Business Case and brought to the attention of the SELEP Secretariat through the SELEP quarterly reporting process.*
- The risk assessment included in the project Business Case identifies all substantial project risks known at the time of Business Case submission.*
- The delivery body has considered the public-sector equality duty and has had regard to the requirements under s.149 of the Equality Act 2010 throughout their decision-making process. This should include the development of an Equality Impact Assessment which will remain as a live document through the projects development and delivery stages.*
- The delivery body has access to the skills, expertise and resource to support the delivery of the project*
- Adequate revenue budget has been or will be allocated to support the post scheme completion monitoring and benefit realisation reporting*
- The project will be delivered under the conditions in the signed LGF Service Level Agreement or other grant agreement with the SELEP Accountable Body.*

I note that the Business Case will be made available on the SELEP website one month in advance of the funding decision being taken, subject to the removal of those parts of the Business Case which are commercially sensitive and confidential as agreed with the SELEP Accountable Body.

Yours Sincerely,

SRO (Director Level)

S151 Officer

10. APPENDIX C – RISK MANAGEMENT STRATEGY

Description of Risk	Impact of Risk	Risk Owner	Risk Manager	Likelihood of occurrence (Very Low/ Low/Med/ High/ Very High) (1/2/3/4/5) *	Impact (Very Low/ Low/ Med/ High/ Very High) (1/2/3/4/5) **	Risk Rating	Risk Mitigation	Residual Likelihood/Impact Scores
Design error in detail - Minor issues identified with the design.	Small increase in project costs and/or minor delays to completion resulting in slightly reduced/delayed benefits realisation.	Essex Housing	Essex Housing	3	1	3	Mitigated by due diligence investigations and the detailed and technical design work undertaken by the design team	
Problems found on site during construction – Construction Issues	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Essex Housing	Essex Housing	3	3	9	Award of a robust contract with fixed price so contractor responsible for unforeseen issues,	
Contractor goes into receivership - Need to replace contractor.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Essex Housing	Essex Housing	1	5	5	Tender process included assessment of bidders' commercial strength.	
Contractor claims loss and expense and/or extension of time - Contractor wants additional costs	Increased project costs and/or delays to completion resulting in reduced/delayed	Essex Housing	Essex Housing	2	2	4	Award robust contract with clauses to limit contractor claims for additional cost or time.	

Description of Risk	Impact of Risk	Risk Owner	Risk Manager	Likelihood of occurrence (Very Low/ Low/Med/ High/ Very High) (1/2/3/4/5) *	Impact (Very Low/ Low/ Med/ High/ Very High) (1/2/3/4/5) **	Risk Rating	Risk Mitigation	Residual Likelihood/Impact Scores
and/or extended delivery timescales.	benefits realisation.							
Sub-contractors' default - Need to replace sub-contractors	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Essex Housing	Essex Housing	2	2	4	Main contractor is responsible via minor works contract.	
ECC issues significant change orders during construction - Requirements change during construction	Scheme profit reduced.	Essex Housing	Essex Housing	3	3	9	Clear sign-off at every stage of design and pre-contract. Detailed Employers Requirements. Change order procedure in place during construction.	
Quality of workmanship is poor during construction. Leaseholder/tenant identifies defects - Cost incurred to remedy defects.	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Essex Housing	Essex Housing	2	3	6	Appoint Clerk of Works to monitor quality of work and adherence to design as set out in Employers Requirements. Contract to include defect liability period.	
Sale values fall/rise due to a change in market conditions or other factors - Lower than anticipated capital receipts	Scheme profit reduced/increased, or benefits delayed.	Essex Housing	Essex Housing	4	2	8	Seek local agent's advice on sale values and specification. Off plan sales	

Description of Risk	Impact of Risk	Risk Owner	Risk Manager	Likelihood of occurrence (Very Low/ Low/Med/ High/ Very High) (1/2/3/4/5) *	Impact (Very Low/ Low/ Med/ High/ Very High) (1/2/3/4/5) **	Risk Rating	Risk Mitigation	Residual Likelihood/Impact Scores
No partner can be found to deliver the independent living part of the scheme - Failed procurement of ILOP Developer/ Provider	Increased project costs and/or delays to completion resulting in reduced/delayed benefits realisation.	Independent Living	Independent Living	4	4	16	Market engagement for possible providers and robust tender process. Seek to undertake infrastructure and enabling works as part of first phase of construction.	
<p>* Likelihood of occurrence scale: Very Low (1) more than 1 chance in 1000; Low (2) more than 1 chance in 100; Medium (3) more than 1 chance in 50; High (4) more than 1 chance in 25; Very High (5) more than 1 chance in 10.</p> <p>** Impact scale: Very Low (1) likely that impact could be resolved within 2 days; Low (2) potential for a few days' delay; Medium (3) potential for significant delay; High (4) potential for many weeks' delay; Very High (5) potential for many months' delay</p> <p>Please note, not all sections of the table may require completion.</p>								

11. APPENDIX D – GANNT CHART

Tasks	Start date	Finish date	2020						2021												2022											
			J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Phase 1 Construction	06/07/2020	06/09/21																														
Phase 1 - Sales	06/09/21	06/02/22																														
Phase 2 - Re-procurement of Developer/Provider	TBC – Autumn 2020																															
Phase 2 – scheme completion (target date)	TBC	31/12/22																														
Phase 2 - Occupation	31/12/22	31/12/23																														

Project Management Approach

Phase 1 scheme includes an appointed Employers Agent acting for ECC. Monthly contractor meetings take place to review the project delivery. Within ECC the escalation route for project issues is to the Essex Housing Management Team and then as appropriate to the Essex Housing Board.

Phase 2 includes a Project Manager for the scheme from the ECC Independent Living Programme, with a technical advisory role provide to them through an Essex Housing Surveyor. Monthly developer/provider meetings will take place. Within ECC the escalation route for project issues is to the Independent Living Programme and then as appropriate to the Independent Living Board.

12. APPENDIX E – MONITORING AND EVALUATIONS METRICS FOR LOGIC MAP

A Logic Map has been provided in section 2.2.

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MONITORING AND EVALUATION PLAN

PURPOSE

- The Monitoring and Evaluation Plan details what the intended inputs, outputs, outcomes and impacts are of the scheme. These values will most likely come from the Business Case, but may also come from supplementary documentation associated with the scheme.
- The Monitoring and Evaluation Plan details of how inputs, outputs, outcomes and impacts will be measured in the One Year After Opening Report and the Five/Three Years After Opening Report and any associated costs.
- The Monitoring and Evaluation Plan also outlines the proposed approach to measuring the baseline information for each of the inputs, outputs, outcomes and impacts and any costs associated with this.
- When the baseline information has been collated, it is reported upon in the Baseline Report template.

A NOTE ON COSTS

The Monitoring and Evaluation of a scheme will rely on internal resource and potentially, some external resources. Both could come at a cost either in terms of time or money.

The Monitoring and Evaluation Plan is to be completed as part of the Business Case. At the same time, a Baseline Report would also be completed.



SOUTH EAST
LOCAL ENTERPRISE
PARTNERSHIP

The costs that are anticipated for the collation of the Baseline Report are therefore current costs. However, the costs incurred for data collection for the One Year After Opening Report and Five/Three Years After Opening Report would occur in the future. Therefore, it is important to consider the effect of inflation on these costs.

AN OVERVIEW TO THE MONITORING AND EVALUATION PROCESS

The following provides information on the process for Monitoring and Evaluation and how the reports fit into this process.



**M&E Plan
(YOU ARE
HERE)**

- Template is included within the Business Case pro-forma
- Outlines what is to be monitored (after scheme opening) as part of the inputs, outputs, outcomes and impacts and the cost associated with this
- Includes what will be collected as part of the Baseline Report (before scheme construction/delivery) and the costs (if any) associated with this
- Is prepared for a single scheme or a package of measures in totality (not for each part of the package). This applies to all reports

**Baseline
Report**

- The Report is completed at the time of the Business Case pro-forma (i.e. before the scheme is constructed/delivered)
- The Report is issued as a separate document to the Business Case
- Collates information which is used as point of reference to compare with data collected after opening as part of the One Year After Opening and Five Years After Opening Reports
- Includes the costs of the baseline data collection and if it differs from that estimated in the M&E Plan
- Information from this report goes into Benefits Realisation Plan

**One Year After
Opening
Report**

- The Report is completed after the scheme has been open or in place for one year
- The Report is issued as a stand-alone document
- Establishes inputs, outputs and outcomes and compares them to those established in the M&E Plan
- Includes the costs of collecting and analysing the data associated with the inputs, outputs and outcomes and compares this to those estimated in the M&E Plan
- Information to go into Benefits Realisation Profile

**Five/Three
Years After
Opening
Report**

- The Report is completed after the scheme has been open or in place for five/three years
- The Report is issued as a stand-alone document
- Establishes outcomes and impacts and compares them to those established in the M&E Plan
- Includes the costs of collecting and analysing the data associated with the outcomes and impacts and compares this to those estimated in the M&E Plan
- Information to go into Benefits Realisation Profile

PROPORTIONATE APPROACH TO COMPLETING THE REPORT

The LGF supports a wide range of schemes in terms of scope and capital costs.

The Monitoring and Evaluation process has been designed to be aligned to the scale of the scheme based on its total delivery value (including LGF allocations). As a minimum, the number of jobs and housing brought forward by the scheme should be considered. These are factors which the Ministry of Housing, Communities and Local Government (MHCLG) consider to be key outcomes of LGF schemes.

The following is an indicative guide to which inputs, outputs, outcomes and impacts should be included within the Monitoring and Evaluation process for different scales of intervention.

This is based on the scale of the total value of each scheme or the value of a package in totality. Where there are complementary phases of a scheme that are funded at different times, consider establishing the Monitoring and Evaluation for the overall scheme delivered.

Value of Scheme/Package	Inputs	Outputs	Outcomes	Impacts
Under £2m	Grant Spend £713,458 Land Release Fund £422,000 Essex County Council funding Capital £4,389,989 Revenue* £310,800 <i>*Including site holding</i>	<ul style="list-style-type: none"> An estimated 229 construction Jobs (Home Builders Federation calculator) 30-35 care sector jobs created or protected (Housing LIN) 74 Homes (14 General Needs and 60 Extra Care) 	<ul style="list-style-type: none"> Job growth will be delivered through this scheme in both the construction and care sectors. Skills will be improved through the jobs created (apprenticeships) More houses will be built to address known demand, with digital connectivity and strong green credentials. Improved outcomes for individuals living within the Extra Care scheme 	N/A

			(see section 2:11)	
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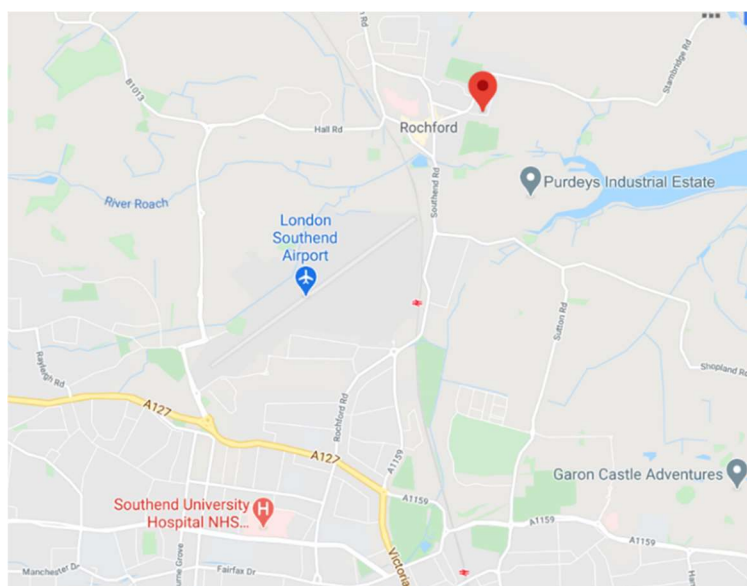
ROCHEWAY, ROCHFORD

This Monitoring and Evaluation Plan provides the details of the inputs, outputs, outcomes and impacts of the Rocheway scheme , how they will be measured, and the costs associated with this for the Baseline Report and One Year After Opening Report and Five/Three Years After Opening Report.

The objectives of the scheme are:

- Objective 1: Undertake clearance/enabling/infrastructure work for phase 2 site as part of phase 1 delivery.
- Objective2: Mitigate negative land value for phase 2 so that a developer/provider can be secured, and scheme benefits delivered.

The geography of the scheme is shown in the map below



INPUTS

This section requires the scheme promoter to provide information about Scheme Spend, Project Delivery, Project Risk and Project Changes. These are referenced against the values in the Business Case.

- Update the table to include actual Financial Years for the period of delivery and approaches to monitor/track these values

Note – you may need to extend this table if the funding occurs in a period more than 3 years before your scheme opening date.

ID	Input Description	Source of Value	Monitoring Approach	Frequency of Tracking	Source	[2020/21]				[2021/22]				[2022/23]				[2023/24]			
						Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
IN 1	Grant Spend	Planned	Contractor reports signed off by Employers Agent. Monthly scheme cost reconciliations	Monthly	Forecasted Spend Profile	£0	£0	£334,000	£379,000	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0	£0
IN 2	ECC Contributions Spend	Planned		Monthly	Forecasted Spend Profile	£20,000	£600,000	£850,000	£931,000	£544,000	£544,000	£40,000	£40,000	£2,500	£2,500	£2,500	£2,500	£2,500	£2,500	£2,500	£2,500

[illegible]

INPUT 4: PROJECT DELIVERY AND MILESTONS

- Please complete the table of planned Key Milestones

Milestone	Planned Date of Delivery
Phase 1 - Construction	July 2020 – September 2021
Phase 1 - Sales	September 2021 – February 2022
Phase 2 - Re-procurement of Developer/Provider	October 2020 - December 2021
Phase 2 - Construction	January 2021 – December 2022
Phase 2 - Occupation	December 2022 – June 2023

INPUT 5: RISK MITIGATION

Description of Risk	Risk Mitigation
Design error in detail - Minor issues identified with the design.	Mitigated by due diligence investigations and the detailed and technical design work undertaken by the design team
Problems found on site during construction – Construction Issues	Award of a robust contract with fixed price so contractor responsible for unforeseen issues,
Contractor goes into receivership - Need to replace contractor.	Tender process included assessment of bidders' commercial strength.
Contractor claims loss and expense and/or extension of time - Contractor wants additional costs and/or extended delivery timescales.	Award robust contract with clauses to limit contractor claims for additional cost or time.
Sub-contractors' default - Need to replace sub-contractors	Main contractor is responsible via minor works contract.
ECC issues significant change orders during construction - Requirements change during construction	Clear sign-off at every stage of design and pre-contract. Detailed Employers Requirements. Change order procedure in place during construction.
Quality of workmanship is poor during construction. Leaseholder/tenant identifies defects - Cost incurred to remedy defects.	Appoint Clerk of Works to monitor quality of work and adherence to design as set out in Employers Requirements. Contract to include defect liability period.
Sale values fall/rise due to a change in market conditions or other factors - Lower than anticipated capital receipts	Seek local agent's advice on sale values and specification. Off plan sales
No partner can be found to deliver the independent living part of the scheme - Failed procurement of ILOP Developer/ Provider	Market engagement for possible providers and robust tender process. Seek to undertake infrastructure and enabling works as part of first phase of construction.

OUTPUTS

- Please provide information about:
 - The planned/anticipated value for each output with the delivery of the scheme and reference this value from the Business Case or supporting documents
 - How the output will be monitored and evaluated for the One Year After Opening Report – you may need to include maps/diagrams to support this
 - The frequency of data collection related to the output
 - The anticipated cost of undertaking the monitoring and evaluation of the output for the One Year After Opening Report
- The approach used to obtain baseline information for each output
 - Costs associated with this

ID	Output Description	
OP1	An estimated 229 construction Jobs (Home Builders Federation calculator)	Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring
		Value: • Delivers 43 construction sector jobs as part of phase 1 and enables a further 186 through the enabling of phase 2 - 229 construction jobs across the development
		Source of Value: Based on estimates by the Home Builders Federation). https://www.hbf.co.uk/policy/policy-and-wider-work-program/hbf-housing-calculator/
		Future Monitoring Approach: Through monthly contractor reporting and final number provided at scheme practical completion. Frequency of tracking: Monthly during construction programme Costs Allocated to Monitoring: Free - part of existing contract monitoring arrangements
		Details: Proposed Method of Collecting Baseline Information
		Approach for Collection: Baseline is zero (construction jobs on this scheme prior to commencement) Costs Allocated: Free - part of existing contract monitoring arrangements

ID	Output Description	
OP2	30-35 care sector jobs created or protected (Housing LIN)	Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring
		Value: Extra Care scheme accommodating 30-35 care sector jobs.
		Source of Value: Advice from Housing LIN.
		https://www.housinglin.org.uk/
		Future Monitoring Approach: Information provided by appointed extra care scheme provider.
		Frequency of tracking: Initial estimate provided when provider is appointed. Final number to be obtained from provider once scheme is fully occupied.
		Costs Allocated to Monitoring: Free - part of existing monitoring arrangements
		Details: Proposed Method of Collecting Baseline Information
		Approach for Collection: Baseline is zero (care jobs on this scheme prior to commencement)
		Costs Allocated: Free - part of existing contract monitoring arrangements

ID	Output Description	
OP3	74 Homes (14 General Needs and 60 Extra Care)	Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring
		Value: 74 Homes (14 General Needs and 60 Extra Care)
		Source of Value: Approved planning application for the scheme
		Future Monitoring Approach: Receipt of scheme completion certificates for private scheme (units handed back from contractor). Notification of scheme completion by Extra care developer.
		Frequency of tracking: Once at the point of practical completion for each scheme.
		Costs Allocated to Monitoring: Free - part of existing monitoring arrangements
		Details: Proposed Method of Collecting Baseline Information
		Approach for Collection: Baseline is zero (Houses on this scheme prior to commencement)
		Costs Allocated: Free - part of existing monitoring arrangements

OUTCOMES

- Please provide information about:
 - The planned/anticipated value for each outcome with the delivery of the scheme and reference this value from the Business Case or supporting documents
 - How the outcome will be monitored and evaluated for the One Year After Opening Report and for some outcomes, the Five/Three Years After Opening Report as well – you may need to include maps/diagrams to support this
 - The frequency of data collection related to the outcome
 - The anticipated cost of undertaking the monitoring and evaluation of the outcome for reports after opening
- The approach used to obtain baseline information for each outcome
 - Costs associated with this

ID	Outcome Description	
OC1	Job growth will be delivered through this scheme in both the construction and care sectors.	Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring
		Value: Please refer to output 1 and 2
		Source of Value: Please refer to output 1 and 2
		Future Monitoring Approach: Please refer to output 1 and 2
		Frequency of tracking: Please refer to output 1 and 2
		Costs Allocated to Monitoring: Please refer to output 1 and 2
		Details: Proposed Method of Collecting Baseline Information
		Approach for Collection: Please refer to output 1 and 2
		Costs Allocated: Please refer to output 1 and 2

ID	Outcome Description	
OC2		Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring

	Skills will be improved through the jobs created (apprenticeships)	<p>Value: 2</p> <p>Source of Value: Home Builders federation Toolkit</p> <p>Future Monitoring Approach: Data to be requested from both scheme contractors. Data to be collected relating to direct involvement of apprentices on the scheme.</p> <p>Frequency of tracking: Once after practical completion of each phase.</p> <p>Costs Allocated to Monitoring: Free - part of existing monitoring arrangements</p>
		Details: Proposed Method of Collecting Baseline Information
		<p>Approach for Collection: Baseline is zero (apprentice jobs on this scheme prior to commencement – construction and care)</p> <p>Costs Allocated: Free - part of existing monitoring arrangements</p>

ID	Outcome Description	
OC3		Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring

	<p>More houses will be built to address known demand, with digital connectivity and strong green credentials.</p>	<p>Value: 74 Homes (14 General Needs and 60 Extra Care). Written narrative on schemes Green and digital credentials.</p> <p>Source of Value: Approved planning application for the scheme</p> <p>Future Monitoring Approach: : Receipt of scheme completion certificates for private scheme (units handed back from contractor). Notification of scheme completion by Extra care developer. Scheme evaluation report to outline Green and digital credentials.</p> <p>Frequency of tracking: Once at the point of practical completion for each scheme.</p> <p>Costs Allocated to Monitoring: Free - part of existing monitoring arrangements</p> <p>Details: Proposed Method of Collecting Baseline Information</p> <p>Approach for Collection: Baseline is zero (No Houses on this scheme prior to commencement and therefore also no Green or digital credentials)</p> <p>Costs Allocated: Free - part of existing monitoring arrangements</p>
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ID	Outcome Description	
OC4		Details: Planned/Anticipated Output Value and Proposed Approach for Monitoring

	Improved outcomes for individuals living within the Extra Care scheme	<p>Value: Reduced social isolation and loneliness; Supporting personalised care services; Reduced risk of falls, anxiety and depression and unplanned hospital admissions; and Delivery of more resilient care - supported by digital and technological aids.</p> <p>Source of Value: Values N/A – Qualitative feedback from care providers/ residents</p> <p>Future Monitoring Approach: Evaluation of scheme</p> <p>Frequency of tracking: expected to be c.12 Months after practical completion</p> <p>Costs Allocated to Monitoring: Free - part of existing monitoring arrangements</p> <p>Details: Proposed Method of Collecting Baseline Information</p> <p>Approach for Collection: baseline is N/A until after scheme is complete and occupied.</p> <p>Costs Allocated: Free - part of existing monitoring arrangements</p>
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IMPACTS – N/A SCHEME IS UNDER £2M

14. APPENDIX G - CATEGORIES OF EXEMPT INFORMATION

There is a clear public interest in publishing information and being open and transparent. But sometimes there is information which we can't publish because it would cause significant harm to the Council - for example by damaging a commercial deal or harming our position in a court case. Equally sometimes publishing information can harm someone who receives a service from us or one of our partners.

The law recognises this and allows us to place information in a confidential appendix if:

*(a) it falls within any of paragraphs 1 to 7 below; and
(b) in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.*

- 1. Information relating to any individual.*
- 2. Information which is likely to reveal the identity of an individual.*
- 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)*
- 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.*
- 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.*
- 6. Information which reveals that the authority proposes— (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.*
- 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.*