

# Overview and Scrutiny Annual Report for 2016-2017



**Epping Forest District Council**

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# OVERVIEW AND SCRUTINY ANNUAL REPORT: MUNICIPAL YEAR 2016/2017

## *Introduction and Welcome from the Chairman*

Welcome to the twelfth annual report of the Overview and Scrutiny Structure of Epping Forest District Council and my first year as the Chairman.

This was the second year of our new O&S set up using Select Committees to break down our work by Directorate. This year we established four Select Committees aligned with the new Directorate structure that the Council had recently put in place.

As always, the Overview and Scrutiny Committee and the new Select Committees were charged with reviewing Cabinet decisions, the Corporate Strategy, the Council's financial performance and also scrutinising the performance of the public bodies active in the District by inviting reports and presentations from them.

At the beginning of the 2016/17 municipal year the Overview and Scrutiny Committee agreed to the setting up of four Select Committees for the year; one Task and Finish Panels was commissioned.

During the year we received presentations from outside bodies including the Superintendent of Epping Forest, Transport for London, and Epping Forest College.

My thanks go to the Chairmen and members of the four new Select Committees; also, my special thanks go to my Vice-Chairman, Councillor L Girling for all his help and support through the year.

And of course, I would like to thank all the officers that have worked so hard to keep the Committee members informed and supplied with the background information that they needed to carry out their investigations.

*Cllr Mary Sartin*

Chairman, Overview and Scrutiny Committee

## ***What is Scrutiny?***

- Scrutiny in local government is the mechanism by which public accountability is exercised.
- The purpose of scrutiny in practice is to examine, question and evaluate in order to achieve improvement.
- The value of scrutiny is in the use of research and questioning techniques to make recommendations based on evidence.
- Scrutiny enables issues of public concerns to be examined.
- At the heart of all the work is consideration of what impact the Cabinet's plans will have on the local community.
- However, the overview and scrutiny function is not meant to be confrontational or seen as deliberately set up to form an opposition to the Cabinet. Rather the two aspects should be regarded as 'different sides of the same coin'. The two should complement each other and work in tandem to contribute to the development of the authority.

Alongside its role to challenge, the scrutiny function has also continued to engage positively with the Cabinet and there continues to be cross party co-operation between members on all panels.

Scrutiny has continued to provide valuable contributions to the Council and the Cabinet remained receptive to ideas put forward by Scrutiny throughout the year.

The rules of the Overview and Scrutiny Committee also allow members of the public to have the opportunity to address the Committee on any agenda item.

## ***The Overview and Scrutiny Committee***

The Committee coordinated with the Cabinet and pre scrutinised their Key Decision list (their forward plan) on a meeting by meeting basis. This acted as a troubleshooting exercise, unearthing problems before they arose. It also gave the Cabinet a chance to ask Overview and Scrutiny to look at any items of work that they thought needed either scrutiny or pre-scrutiny.

The Committee also engaged with external bodies in order to scrutinise parts of their work that encroached on the District and its people. They also received stand alone reports from officers and reports from the Select Committees on the work they carried out during the year.

## ***Select Committees***

A lead Officer was appointed to each Select Committee to facilitate its process. The Overview and Scrutiny Committee agreed the terms of reference for each of the Committees on the basis of a rolling programme to consider ongoing and cyclical issues. Four Select Committees were established, dealing with:

- i. Communities,
- ii. Governance,
- iii. Neighbourhoods, and
- iv. Resources.

The Select Committees reported regularly to the Overview and Scrutiny Committee on progress with the work they were carrying out.

## ***Task and Finish Panels***

The Task and Finish reviews are restricted to dealing with activities which are issue based, time limited, non-cyclical and with clearly defined objectives on which they would report, once completed, to the Overview and Scrutiny Committee.

One Task and Finish Panels was established at the end of this year, to review the Council's Transformation Programme and to establish what the Resources Select would need to scrutinise in the next few years.

# OVERVIEW AND SCRUTINY COMMITTEE

*The Overview and Scrutiny Committee consisted of the following members:*

Councillor M Sartin (Chairman)  
Councillor L Girling (Vice Chairman)  
Councillors N Avey, N Bedford, R Brookes, D Dorrell, S Kane, Y Knight, A Mitchell,  
S Murray, S Neville, A Patel, B Rolfe, G Shiell, D Stallan, B Surtees and D Wixley

The Lead Officer was Derek Macnab, Deputy Chief Executive and Director of Neighbourhoods.

## *Terms of Reference*

The Overview and Scrutiny Committee's main functions are to monitor and scrutinise the work of the executive and its forward plan, external bodies linked to the District Council and the Council's financial performance. It is tasked with the consideration of call-ins, policy development, performance monitoring and reviewing corporate strategies.

*The Committee's workload over the past year can be broken down as follows:*

### *(a) Scrutinising and monitoring Cabinet work*

The Committee has a proactive role in this area through carrying out pre-scrutiny work. This involved considering the Cabinet's Key Decision List (Forward Plan) for the coming months on a meeting by meeting basis.

### *(b) Call-ins*

The Committee received one call-in this year.

The call-in received was on the Cabinet Decision ((C-054-2016/17) on Waste management Policies.

The Call-in was for:

*The Waste and Recycling Policy, specifically policy 10 on the supply of waste and recycling services to land registered on the Local Land Property Gazetteer. It did not concern any other Waste and Recycling Policy adopted by the Cabinet at its meeting on 2 February 2017.*

A meeting was called prior to it being considered by the main Overview and Scrutiny Committee to discuss this call-in on the Cabinet decision on Waste Management Policies; specifically policy 10 on the supply of waste and recycling services to land registered on the Local Land Property Gazetteer.



Attending were the two lead signatories of the Call-in, Councillors J Lea and S Kane; the relevant Cabinet member, Councillor W Breare-Hall; and the Chairman of the Overview and Scrutiny Committee, Councillor M Sartin.

Councillor Breare-Hall thanked Councillor Lea in bringing this discrepancy to his attention. She had raised potential flaws in the current policy which should be revised to take this into account once the relevant departments have been consulted, i.e. Council Tax, Planning and Waste Management. He was

keen to avoid bad practice.

Councillor Breare-Hall was happy to take this away, review this specific aspect of the policy and report back. Councillor Lea agreed that this was the best way forward.

This Call-in would now be treated as being withdrawn; the Portfolio Holder would review this aspect of the policy (item 10) and would consult members of the Call-in on a revised report.

### ***(c) Select Committees work programme monitoring***

The Committee received regular updates from the Chairmen of the four Select Committees reporting on the progress made on their current work programme. This allowed the Committee to monitor their performance and if necessary adjust their work plans to take into account new proposals and urgent items.

### ***(d) Items considered by the committee this year***

Over the year the Overview and Scrutiny Committee received various presentations and considered a range of diverse topics.

### ***Presentations:***

**(i) Management of Epping Forest** – In June 2016 the Committee received a presentation from Mr P Thomson, Superintendent of Epping Forest and Ms J Adams, Chairman of the Friends of Epping Forest on the Management Plan Consultation for Epping Forest.

The consultation Epping Forest – The Next 10 Years ran from June to October 2015 with 1,600 individuals being contacted and responses received from 432.

The consultation was broken down into 6 themes:

- (1) Public recreation and enjoyment.
- (2) Preservation of the natural aspect.
- (3) Protection of the unspoilt forest.
- (4) Regulation and management.
- (5) Heritage.
- (6) Deer management.

The Corporation intended to promote equality duties, public involvement and volunteering. The consultation document was to be published in June 2016 and the Public Consultation on 6 themes in the summer of 2017.

The Committee also heard from Ms J Adams regarding the Friends of Epping



Forest.

The Friends had been in existence for 45 years and were the only group focused on the Forest as a whole and all its related interests. They were also the largest single voluntary membership organisation in the forest. The Friends participated in planning consultation, undertook guided walks, produced publications, operated a visitor centre and was involved in fundraising.

The Friends had concerns about the Forest's future, which were summarised as follows:

- (1) Wood pasture restoration.
- (2) Cycling.
- (3) Litter
- (4) Development threatening the Forest.
- (5) Risk of the Forest losing its naturalness.
- (6) Localism – a potential benefit but posed risks.

A particular concern was that the Forest could become a park in the future and lose its status as a natural forest/woodland.

The meeting was then opened out to questions from the members of the committee.

**(ii) Transport for London – Central Line Services and Infrastructure** - The Committee welcomed two officers from Transport for London, Chris Taggart the General Manager (Central Line) and Mark Hart the Stakeholder Engagement Manager (Bakerloo, Central and Victoria Lines). Mr Taggart explained that he was the leader of the operational team that carried out the day to day management of the Central Line, including Station Staff and Drivers. Mr Hart explained that it was his job to notify any stakeholders of any activity on the rail lines, or noise or if he had information to impart on station closures etc. He also had the job to notify people on upcoming works or problems.



The TfL officers had received advanced notice of the topics and any questions that the Committee wanted to cover at this meeting and answered them at the meeting during the course of their presentation.

The meeting noted that:

- Only about 3% of journeys started at the ticket office, most of them were undertaken by the use of oyster cards;
- There were currently no plans to extend the night time services to Epping. Night trains have now been running for several months and this service would be reviewed in the New Year. Stopping trains at Loughton allows them to turn around;
- They had introduced a new timetable on the Central Line in August trying to balance as best they could the service over the Central Line Services as a whole;
- They recognised concerns of customers from Roding Valley, Grange Hill and Chigwell and would be looking at the timetable to see if they could off-set any negative impact as a result of the last timetable;
- All stations had toilet facilities; open at different times of the day. They were sometime taken out of use for maintenance or through vandalism. There was a current map displaying toilet facilities, but that was out of date and was currently being reviewed;

- All their stations now have Wi-Fi but it could not be received in the tunnels and there were currently no plans to extend it;
- There was a separate team in TfL that looks after the Car Park arrangements. In regards to Epping, they are looking at improving car parking provision there and were currently reviewing their options; and
- TfL were planning to deliver 30 new step free stations over the next five years and are currently working through which stations these would be;

Asked what the use of the word 'capacity' meant in terms of the Underground, the meeting was told that it could mean a number of things such as the number of carriages, or trains or passengers. It could also have something to do with the signalling systems. They could operate up to 33 trains per hour and were at their limit at present, even if they had more trains.



The Central Line had very reliable automated signalling systems; but when it goes wrong it can go badly wrong especially when you had such a tight timetable as they had. However the systems were generally very good and reliable on the Central Line.

The introduction of new and air-conditioned rolling stock – TfL were working on this at present, the following lines were currently being upgraded – Piccadilly Line, Bakerloo Line the Waterloo and City Line – are all part of this project.

The CCTV systems installed between 2000 and 2010 will be replaced starting around 2018 as they have come to the end of their useful lives. The new systems will be digital and will have better integration with the other CCTV systems.

The meeting was then opened to questions from the members present.

**(iii) Presentation from the Epping Forest College** - At their meeting in February 2017, the Committee received a presentation from the recently appointed principal of Epping Forest College, Ms Famili, who had been invited to address the committee on the recent Ofsted report on its 'inadequate' judgement of the quality of its local further education facilities and services.

The inspectors at their January visit indicated in their unofficial comments that they were very impressed at the speed and progress that had been made since their last visit and that the college was addressing the issues. Part of the improvements was down to change in management and governance.

The culture of the college had radically changed, it no longer has the mood of despair and disappointment; and with the help of her colleagues they were turning the college around.

The meeting was then opened to questions from the members present.

*(See Case Study for full details)*

### ***Other Topics Considered:***

**(i)** Over the course of the year the Committee considered the Cabinet's Forward Plan and Key Objectives for the coming year on a regular meeting by meeting basis. At each meeting the Committee looked at the updated list of the coming year's work programmed in for the Cabinet.

**(ii)** In June 2015 the Committee received a report setting out the year end outturn of the Corporate Plan Key Objectives. The Committee reviewed the report setting out the final outturn and progress made of the Council's Key Objectives for 2015/16.

**(iii)** The Corporate Plan, Key Action Plan 2017/18 was reviewed in July 2016. The Corporate Plan included the aims and objectives which are the Council's highest level strategic intentions. It was an early opportunity for members to have some input into the Corporate Plan for 2017/18.

2017/18 would be the third year in the lifetime of the aims and objectives and a draft key action plan for 2017/18 had been produced building on activities identified in the action plan for the current fiscal year.

Key Action Plans were monitored by the Select Committees, Overview and Scrutiny Committee and Cabinet on a quarterly basis. As living documents they could be subject to change or development as appropriate to reflect emerging priorities or unforeseen circumstances.

**(iv)** During the year the Committee reviewed and commented on the quarterly progress of the Corporate Plan Key Action Plan 2016/17.

**(v)** The Committee noted that the Government's Communities and Local Government Committee had launched an inquiry into overview and scrutiny in local government. The aim was to consider whether overview and scrutiny arrangements were working effectively and whether local communities were able to contribute to and monitor the work of local authorities.

The Committee agreed that officers should respond to the inquiry and it was also agreed that the response should be approved by the Chairman of the Overview and Scrutiny Committee.

**(vi)** In April 2017, the Committee received a Public Question on the recent hand over of the contract for the management of the District's Leisure Centres.

The question was:

"Why was no consultation carried out with Sports Centre users on the removal of half the squash courts for the district and no plan to replace these lost courts; and what effect this new contract would have on existing users of squash courts."

The chairman gave an answer and promised that it would be followed up by a more thorough written answer from the relevant Portfolio Holder.

**(vii)** The Chairman of the Communities Select Committee introduced a report recommending that a representative from the Epping Forest Youth Council be appointed as a non-voting co-optee to the Communities Select Committee and that the representative be either one person or a rotating representative. This was agreed by the Committee.

**(viii)** Also at this meeting the Committee agree to the establishment of a Task and Finish Panel to specifically define the objectives, scope and budget of the Transformation Programme.

### (e) Case Study: Epping Forest College



In February 2017, the Chairman introduced the recently appointed principal of Epping Forest College, Saboohi Famili, who had been invited to address the committee on the recent Ofsted report on its 'inadequate' judgement of the quality of its local further education facilities and services.

Ms Famili started by saying she was happy to be sharing the plans of the college to move forward from their current situation. She had been appointed to this post in September 2016, and within five weeks they had an Ofsted visit, resulting in an 'inadequate' marking. The reasons for this were mainly because of lack of scrutiny of the situation and the lack of scrutiny from the governors to ensure that the problems were addressed. At this time they had also self assessed as inadequate and Ofsted had merely confirmed this assessment. She was pleased that one of the strengths identified by Ofsted was that the new leadership had accurately identified the problems that they faced.

As a result of this judgements they would now have more regular visits from Ofsted setting out the Ofsted support in the year to come and then will carry out another major inspection in 12 to 15 months; so they were looking to next April to have full inspection to prove that the college had moved away from being an inadequate organisation.

The inspectors came back on 26 January and their unofficial comments were that they were very impressed at the speed and progress that had been made and that the college was addressing the issues. Part of the improvements was down to change in management and governance.

Presently their actions plans, as noted by Ofsted, had clear milestones and achievement of impacts. They were living documents that were regularly updated. They also engaged with their learners and had monthly forums where they shared problems and tapped into the talents of the young people, because it was their college and they needed their help to take the college forward.

The culture of the college had radically changed, it no longer had the mood of despair and disappointment; and with the help of her colleagues they were turning the college around. There was still a long way to go as it could not be changed overnight but there was a confidence that they could turn it around and engage with staff and learners. They had a key project going on called 'Today, Tomorrow, Together' to engage with their stakeholders as we were aware that they had also let some of their key stakeholders down, including businesses, who had to look else where for their training needs.

One of the key purposes of the college was to listen and strategically plan the future of the organisation. This 'hiccup' was something that they would be able to address within 12 months; there were already signs of improvement at the college which would get reported on by Ofsted on a regular basis. They have at least three more reports before they have a full Ofsted next year and one of the key things was that they looked forward to was the next 10 to 15 years instead of being completely inundated with the task in hand. They were looking to where they needed to be to support the local economic development of the area and the workforce of the future and also be a college where you would be proud to send your children to.



The overall leadership of the college had changed, they had only one member of staff from the previous leadership team; this was due to colleagues realising that the way forward was to be different to what they had done in the past and they also had retirements and other natural departures within their organisation.

After some close questioning from Members, Councillor Sartin thanked Ms Famili for her detailed and frank presentation and asked if she happy to attend a future meeting to update the Committee on progress made. Ms Famili said that she would be happy to do so and that her invitation still stood for any Councillors to come and visit the college.

# SELECT COMMITTEES

## 1. COMMUNITIES SELECT COMMITTEE

*The Communities Select Committee consisted of the following members:*

Councillor Y Knight (Chairman)

Councillor G Shiell (Vice Chairman)

Councillors R Baldwin, A Beales, K Chana, R Gadsby, L Girling, S Heap, L Hughes, S Jones, S Murray, A Mitchell, B Rolfe, B Surtees and H Whitbread

The Lead Officer was Alan Hall, Director of Communities. The Committee also appreciated the Housing Portfolio Holder, Councillor S Stavrou, attending the meetings to help them with their deliberations.

Wyn Marshall represented the Tenants and Leaseholder Federation, attending the meetings as a non-voting co-opted member to provide the views of residents and stakeholders.

### *Terms of Reference*

The Communities Select Committee was tasked:

To undertake reviews of the services and related functions of the Communities Directorate;

To develop a programme of work each year, informed by relevant service aims and member priorities, to ensure that the services and functions of the Communities Directorate are appropriate and responsive to the needs of the residents;

To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee, the Cabinet or a relevant Portfolio Holder, and to report and make recommendations directly to the Committee, the Cabinet or such Portfolio Holder as appropriate;

To consider the effect of Government actions or initiatives on the services and functions of the Communities Directorate and any implications for the Council's residents, service users and others, and to respond to consultation activities as appropriate;

To establish working groups as necessary to undertake any activity within these terms of reference;

To undertake pre-scrutiny through the review of specific proposals of the Council and its partner organisations or other local service providers, insofar as they relate to the services and functions of the Communities Directorate, to help develop appropriate policy;

To undertake performance monitoring in relation to the services and functions of the Communities Directorate, against adopted key performance indicators and identified areas of concern;

To identify any matters within the services and functions of the Communities Directorate that require in-depth scrutiny, for referral to the Overview and Scrutiny Committee; and

To recommend the establishment of task and finish panels to the Overview and Scrutiny Committee as necessary, in order to undertake any activity within these terms of reference.

**The Panel scrutinised a number of important issues over the last year, which included:**

**(i) Communities Directorate's Housing Service Standards** – At the beginning of the year (June 2016) the Committee received a report from the Director of Communities regarding the Housing Service Standards – Performance 2015/16 and Review.

In 2007, the then Housing Portfolio Holder agreed a range of Housing Service Standards covering all of the Housing Services' main areas of activity. It was also agreed that, annually, the Housing Services' performance against the Housing Service Standards should be considered and whether any changes should be made to the Service Standards. Tenants were provided with a handbook setting out all the agreed Service Standards; this information was also available on-line.

The Committee agreed and recommended to the Portfolio Holder the various small changes proposed in the report.

**(ii) Key Performance Indicators – Outturn (Q4) Performance** - The Select Committee received a report regarding Key Performance Indicators 2015/16 – Quarter 4 (Outturn) Performance from the Director of Communities.

The Q4 (Outturn) performance summary in respect of each of the KPIs falling within the Communities Select Committee's areas of responsibility for 2015/16 together with details of the specific twelve month performance for each indicator are listed below.



- (a) 27 (75%) indicators achieved target;
- (b) 9 (25%) indicators did not achieve target, although; and
- (c) 1 (3%) of these KPIs performed within its tolerated amber margin.

Ten of the KPIs fell within this Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at the end of the year for these indicators was as follows:

- (i) 8 (80%) indicators achieved target;
- (ii) 2 (20%) indicators did not achieve target; and
- (iii) 0 (0%) indicators performed within their tolerated amber margin.

**(iii) Key Performance Indicators - Quarterly Progress** – the Committee reviewed the Key Performance Indicators relevant to their Select Committee on a quarterly basis.

**(iv) Housing Strategy: 6 and 12 Month Progress Reports on Key Action Plan 2016-2017** - The Select Committee received 6 and 12 month progress reports regarding the Housing Strategy – Key Action Plan 2016-2017 from the Director of Communities.

The Council had adopted a Housing Strategy that assessed the District's current and future housing needs and set out the Council's approach to meeting those needs. The Strategy also included a Key Action Plan which set out the proposed actions that would be taken by the Council to contribute towards the achievement of the housing objectives over the first year of the Housing Strategy.

**(v) Housing and Planning Act 2016 – Summary of Key Housing Proposals** – The Select Committee received a report regarding the Housing and Planning Act 2016 – Summary of Key Housing Proposals from the Director of Communities.



Following a lengthy and somewhat controversial passage, the Housing and Planning Bill, now the Housing and Planning Act 2016 received Royal Assent on 12 May 2016.

The new Act comprised a number of provisions relating to both housing and planning, in particular it covered:

- (a) Lifetime and fixed term tenancies;
- (b) Voluntary Right to Buy for housing association tenants and sales of high value void Council properties;
- (c) Starter Homes; and
- (d) “Pay to Stay” – Increased rents for tenants on higher incomes.

The Committee members expressed some concern about the Bill’s consequences in terms of the security for neighbourhood cohesion and the authority being forced to sell the higher value properties that they possessed.

**(vi) Corporate Plan Key Action Plan 2015/16 – Quarter 4 Outturn Position** – The Select Committee received a report regarding the Corporate Plan Key Action Plan 2015/16 – Quarter 4 (Outturn) Position from the Director of Communities.

The Corporate Plan was the Council’s key strategic planning document, setting out its priorities over the five year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives providing a clear statement of the Council’s overall intentions for these five years.

Some actions had cross directorate responsibility, where this was the case the most appropriate Select Committee was requested to consider the action. This report presented outturn progress against the Key Action Plan for 2015/16 for actions most appropriately considered by this Select Committee at the end of 2015/16.

There were 55 actions in the Key Action Plan 2015/16, at the end of the year 15 actions fell within the areas of responsibility of this Select Committee. At the end of the year:

- (i) 8 (53%) of these actions had been achieved at year end; and
- (ii) 7 (47%) of these actions had not been achieved by year end.

**(vii) Presentation on Disabled Facilities Grants** - The Select Committee received a presentation from the Assistant Director – Private Sector Housing and Communities Support regarding Disabled Facilities Grants (DFGs).

Disabled Facilities Grants are a statutory provision applicable to private home owners and private tenants enabling them to live at home despite living with disabilities.

**Outline of DFGs:** DFGs were means tested and could be paid



to a maximum of £30,000; During the last year, 12 straight lifts were installed at around £900.00 each; 5 curved lifts at £3,000; 37 level access showers at £7,000 each; and 1 extension a year at £30,000 each.

**DFG Process:** An occupational therapist takes a referral from Essex County Council; the householder makes an application to the District Council; An initial means test is carried out; information gathering in support of the application; the grant would be approved by the District Council; and the work carried out.

The whole process takes about 18 months.

**(viii) Annual Feedback on Crucial Crew Event and Proposals for the Future** - The Select Committee received a report from the Community, Health and Wellbeing Manager regarding the Crucial Crew Initiative.



Crucial Crew was an annual initiative which was facilitated and delivered by the Council's Community, Health and Wellbeing Team in collaboration with the Community Safety Team. It was intended for educating primary school pupils aged 10 (Year 6) in a range of personal safety, health and wellbeing topics. With schools reporting their curriculum time increasingly tightly programmed, Crucial Crew was seen as a vital mechanism for pupils.

Crucial Crew had existed in the district for over 11 years and delivered to primary school pupils over a two week period in June.

In 2016, the scenarios delivered were:

- (a) Online safety, cyber bullying and child exploitation – Essex Police.
- (b) Alcohol and drug awareness – AlcoHelp.
- (c) Bullying and Peer Pressure – Red Balloon Family.
- (d) Healthy eating and physical activity – ACE (NHS).
- (e) Smoking awareness – Provide (NHS).
- (f) Anti-Social Behaviour and Environmental responsibility – EFDC.
- (g) Road safety awareness – Essex County Council.
- (h) Fire safety – Essex County Fire and Rescue Service.
- (i) Safety around construction sites – Mears.
- (j) Safety around large vehicles – Sainsburys.

The Select Committee noted the issue of self harming among young people and other mental health problems and thought it was important to de-stigmatise this situation and facilitate a process for greater awareness.

**(ix) Incentives for Tenants Downsizing Accommodation** - The Council's Housing Allocations Scheme was reviewed in 2015 with the revised scheme coming into force on 27 July 2015; When considering the recommendations of the then Housing Select Committee, the Cabinet agreed that the financial incentives offered to tenants moving to any property with less bedrooms than their current property would be increased. The financial incentives offered for releasing any bedroom had been doubled under the current scheme, with a maximum payment of £4,000 being made. An additional payment of £500.00 was made to cover decoration costs over and above the Council's standard decorations allowance. There were a range of other incentives offered as well.



The Council employed a Re-Housing Support Officer who offered support to tenants who were downsizing accommodation in accordance with the Council's Housing Allocations Scheme. The Select Committee reviewed the arrangements for financial incentives and considered that they were adequate and satisfactory.

**(x) Homeoption Choice Based Lettings Scheme – Progress report** - The Choice Based Lettings Scheme was introduced in November 2007 and was necessary in meeting the requirements of Government that such a scheme was in place by 2010. The scheme was administered by the external Choice Based Lettings agency Locata Housing Services (LHS). Under the scheme all vacant social rented properties were advertised to applicants on the website with a two weekly Property List giving relevant details. Applicants applied for a property by expressing an interest in up to a maximum of three properties for which they have an assessed need.



The Select Committee analysed the HomeOption Choice Based Lettings Information Bulletin for the period 27 July 2015 to 27 July 2016.

Almost 97% of Homeseekers expressing an interest in properties did so over the Internet. The remaining 3% telephoned, received help from staff at the reception computer or used text. Around 84% of all applicants registered on the Housing Register had participated in the scheme during the last year.

**(xi) Corporate Plan Action Plan Progress Quarterly Progress** – the Select Committee received quarterly updates on the Council's corporate action plan pertaining to their area of responsibility.

**(xii) Community Services Summer Activities 2016** - The Committee noted that the Council's Community Services Team organises and delivers a summer holiday activity programme each year, providing a wide range of activities for engaging children, young people and their families.

This year, over 2,500 youngsters participated in the extensive range of activities on offer.

The Select Committee were advised that the Community Services Team had encountered numerous issues and problems with the online booking portal accessed via the Council's website. This meant that the number of online bookings taken were less than last year's although administration staff had been excellent in providing support to help people complete bookings by phone. However, a new corporate online booking system was currently being investigated. Fortunately these issues did not have too much of an effect upon overall participation numbers for the summer.

**(xiii) Presentation from Chief Inspector Denise Morrissey, Essex Police District Commander for Brentwood and Epping Forest** - Chief Inspector D Morrissey gave a presentation in which she outlined the following that:

Epping Forest District had 8 tube stations; The district borders three Metropolitan Police boroughs; 80% of criminal suspects the Police had here, lived outside the district; April – August 2015 – 3,222 crimes were reported in the area; April – August 2016 – 3,530 crimes were reported in the area, which constituted an increase of 9.5% (308 crimes); Violent crimes against the person; (i) without injury - saw an increase of 24% and (ii) with an injury - went up by 32%. Approximately 30% of violent crime occurred in the home.



Anti-Social Behaviour – 3.4% increase in offences (66 more offences); Chief Inspector D Morrissey had established a problem solving team and Community Hub in September 2014 for co-ordinating anti-crime efforts.

Resourcing had been a major factor in policing recently as Epping Police Station had closed and the nearest police station to the district was now in Harlow. A police contact point had been established at the District Council's Civic Offices for reporting low level crime and Chief Inspector D Morrissey had 10 Police Constables and 10 Police Community Support Officers to deploy.

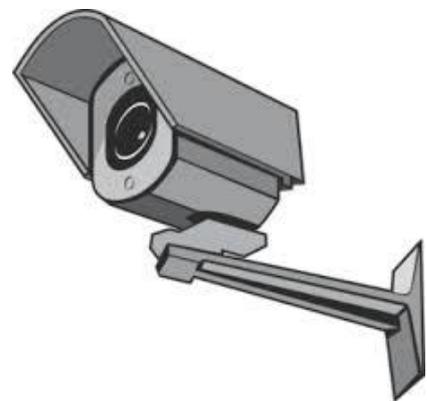
Two important police operations had also been initiated, Operation Scorpion for dealing with travelling criminals and Operation Raptor, an anti-gang project.

**(xiv) Community Safety Partnership (CSP) Annual Report 2015/16** - The Committee was advised that CSPs provided a statutory function in all District, City and Borough Councils across the UK. The partnerships consisted of representatives from a range of statutory and non-statutory organisations. Each year they were required to produce an annual report on the initiatives and work that they had undertaken in their designated area to address local crime, disorder and anti-social behaviour. The report covered the financial status of the CSP and an overview of the work undertaken in addressing key priorities for the district. The annual report was supported by a range of case studies.



There was concern at the meeting that gaps existed in the amount of protection that could be provided to residents. Officers had engaged with Social Care and Community Mental Health Teams but this was still a challenge as they continued to work more closely with these agencies where necessary.

**(xv) Proposed Decommissioning of CCTV** - A decommissioning assessment of CCTV system currently installed across the district was undertaken in 2015 as part of the review process for the production of the Council's CCTV Strategy 2016-2022. This met with the guidance provided in the CCTV Code of Practice which stated that regular reviews of CCTV systems should be undertaken to ensure that the use of surveillance cameras remained in pursuit of a legitimate aim and that a pressing need existed. As a result, the Council's CCTV Officer had identified two sites for potential decommissioning which was based upon the last two years of service and factors such as reduction of service requirement and on-going costs.



These were the first cases to arise under the Council's new CCTV Strategy; therefore the Portfolio Holder for Safer Greener and Transport sought the views of the Select Committee on the proposed de-commissioning, prior to making a formal Portfolio Holder Decision. It was further advised that this would assist in assessing future requirements.

The Select Committee were advised that Parish and Town Councils could fund their own CCTV cameras and that the District Council could also facilitate this for a fee. There was concern that the removal of these cameras in difficult areas could leave residents vulnerable. However, the Select Committee was advised that the Cabinet had agreed the CCTV Strategy and a pressing need had to be demonstrated in order for cameras to be installed.

**(xvi) Review of Epping Forest Careline Alarm Monitoring Service** - The Assistant Director (Housing Operations) presented a report setting out options for the future of the Council's Careline Monitoring Centre, based at Parsonage Court, Loughton.



The service was introduced in June 1984 and offers a twenty-four hour, 365 days per year, emergency alarm monitoring service to older and disabled people living within the District. The Service was also offered to other vulnerable groups including victims of domestic violence and younger people with disabilities. There were currently 2,572 properties (representing around 3,500 people) in the District linked to the centre in this way.

The Select Committee considered the following four options for the future delivery of the Careline Monitoring Service:

**Option one** – that the Careline Monitoring Service continues to be provided by the Council under the current arrangements;

**Option two** – the Council provides an enhanced Careline Monitoring service;

**Option three** – the Council provides the service through another provider 24/7; and

**Option four** – the Council provides the service through another service provider overnight.

Unison having fully considered Options 1 to 4 had discarded Option One, which they felt was clearly untenable and Option Two which was clearly too expensive. Unison felt that Option Four appeared to be in the best interests of both the Council and the employees and they asked that it be explored further.

The Chairman of the Tenants and Leaseholders Federation reported that they agreed with the officers' recommendation for Option Three, that the Careline Monitoring Service be outsourced to an external provider.

On consideration, the Communities Select Committee recommended Option Three to the Cabinet, that the Council's Careline Monitoring Service be outsourced to an external provider through a competitive tendering exercise.

[\(See Case Study for full details\)](#)

**(xvii) HRA Financial Plan 2016/17 – Six-Monthly Review** - The Cabinet had asked the Communities Select Committee to review the HRA Financial Plan twice each year. In addition, senior Housing and Finance officers also reviewed the Plan in July and January each year.

SDS Consultancy had acted as the Council's HRA Business Planning Consultants for many years and had undertaken its six month review of the current HRA Financial Plan to take account of the Council's current financial position and national and local policies.

The Select Committee was asked to consider their report and comment on or raise any concerns it found.

**(xviii) Presentation by Epping Forest Citizens Advice Bureau** - The Committee received a presentation from officers of the Epping Forest Citizens Advice Bureau (CAB) outlining their value and impact on society especially in the Epping Forest District area and through the use of grants from the Council.

The Committee noted that during 2015/16 the CAB service for Epping Forest had advised 2,761 clients on 8,061 issues. They had 9 part time staff and 52 volunteers working in 6 locations and were one of over 300 independent charities that made up the Citizens Advice network. Nationally, 2

in every 3 clients had their problems solved. And it was noted that they were now offering “web chat” in the Epping Forest area.



**Citizens Advice**  
the charity for your community

They worked with some of those most in need; some 38% of their clients were less likely to be in employment; 35% were likely to be in debt; 39% had a long term health problem or were disabled; and 26% were less likely to own their own homes.

They gave examples of some clients' stories giving case history and eventual outcome. It was noted that 78% of their clients said that they would not have been able to resolve their problem without the CAB. They also had an impact on their clients' health and wellbeing, most significantly around mental health. 4 in 5 clients felt less stressed, depressed or anxious following advice.

They also provided value to the local authority, for example by reducing the cases of homelessness, estimated to be about £114,573, and also to society in general whereby for every £1 invested in Citizens Advice Epping Forest District:

- generated at least £2.94 in fiscal benefits savings to the government by reducing health service demand, local authority homelessness services;
- provided £15.28 in public value with wider economic and social benefits such as improvements in participation and productivity for clients and volunteers; and
- provided £18.50 in benefits to individuals giving income through benefits gained, debts written off and consumer problems resolved.

**(xix) Extension of the Funding of 2 Epping Forest Citizens Advice Bureau Debt Advisors -**

The CAB had reported that during the first six months of 2015/16 the Debt Advisors had managed debts of around £713,000 and assisted 304 clients. Around 97 (32%) of these clients were Council tenants. The CAB was required under the Agreement to have one Debt Advisor based at the Limes Centre, Chigwell for one half day each week. The CAB extended this service to 2 half days each week in 2015. The CAB had reported that in the first 6 months of 2015/2016, around 120 (40%) of the clients assisted were first seen at the Limes Centre.

On consideration of the benefits of having these offices, the Communities Select Committee strongly recommend to the Finance and Performance Management Cabinet Committee that the funding of the Citizens Advice Bureau's (CAB's) two existing Debt Advisors be extended for a further year from 1 April 2017.

**(xx) Reality Roadshow** - The report on the last years Reality Road show was introduced by the Assistant Community Health and Wellbeing Manager. She reported that the Reality Roadshow initiative was a personal safety, health & wellbeing event that brought together a host of statutory and voluntary agencies, to deliver a full day of educational workshops to Year 9 (14 year old) pupils at secondary school in the district. It was specifically tailored to address young people's issues that have been identified as a priority concern locally.

The Roadshow was co-ordinated by the Council's Community Health and Wellbeing Team, providing over 900 pupils in the District with expert advice and guidance on making the right choices in life for good health and wellbeing.

The schools were not charged for the Roadshow as they were funded by the Police and Crime Commissioner and Essex County Council.

**(xxi) Homelessness Initiatives** - The Committee was asked by the Housing Portfolio Holder as part of their Work Programme to consider various mitigation strategies in order to deal with the



current and future increasing pressures due to the rise in homelessness. The latest figures on homelessness in England revealed that, nationally the total number of households in temporary accommodation had increased by 53% from 48,010 in December 2010 to 73,120 in June 2016, with 14,930 households being accepted as homeless between 1 July and 30 September 2016. Local authorities took action to prevent a further 52,920 households becoming homeless in the same period which increased by over 2,000 compared to the previous quarter.

The Committee was asked to consider strategies for the Homelessness Prevention Service. In 2015/2016 the service prevented homelessness in 625 cases. The number of cases being prevented in the first six months of this year was 264 which may result in a lesser number being prevented in 2016/2017.

As at 30 September 2016 (date of the last Government statistical return) there were 111 applicants placed in both temporary and interim accommodation, which had resulted in the homeless persons' hostel at Norway House, North Weald and Hemnall House, Epping being full most of the time.

Furthermore, as the chalets in the grounds of the Hostel were falling into disrepair, the option of replacing the chalets with "modular units" was being investigated, which may enable the Council to increase the number of units in a more cost effective way.

The numbers placed in B&B had increased from single figures to around 20-25 applicants.

The Committee then considered the 'invest to save' funding proposals for two initiatives.

One was for '*rental loans*', a scheme to provide applicants with a rental loan to meet the costs of (or contribute towards) the first month's rent in advance when securing accommodation in the private sector.

The other invest to save proposal was for '*Landlord Deposits*'. In addition to meeting the cost of the first month's rent, applicants also must pay a landlord's deposit. The cost of the deposit was in accordance with Housing Benefit Local Housing Allowance rates.

It was therefore considered that the funding should now be made available for rental loans equivalent to 4 weeks rent and/or landlord deposits (lodged with a third party by the landlord) in appropriate cases with repayments being made for both loans over an increased period of 36 months in order to make it more affordable to the applicant.

The Committee then went on to consider the placement of homeless households by London Boroughs outside of London. Following representations from Essex councils, figures for placements across Essex have now, for the first time, been provided by around 24 of the 32 London Boroughs. As not all London Boroughs had provided this information, the true figures were likely to be much higher, but Boroughs had placed applicants in 47 private properties (that we were aware of) in the last 12 months.

Some are in order for London Boroughs to discharge their homelessness duties which can lead to the Council taking responsibility for such households should homelessness re-occur after two years.

The Select Committee made a number of recommendations to the Finance and Performance Management Cabinet Committee; including requests for funding an additional Homelessness Prevention Officer, homelessness reviews by an external by an external company and an outreach service for rough sleepers.

**(xxii) Council Rent Increase 2017/18 Briefing** – The Committee received a short briefing about the required rent reductions for Council tenants for 2017/18 and that the Finance and Performance Management Cabinet Committee would be asked to make a recommendation to the Cabinet on a Council rent reduction for 2017/18.

The Government had determined that all councils and housing associations must reduce their rent by 1% each year for four years. This started last year, leaving the Council with an estimated £390,000 less rental income in the current year.



A reduction of 1% for next year would mean a further £303,000 forecast reduction for the next year; the reduction for next year would be less than for the current year as the first new properties under the Council Housebuilding Programme would be built next year, bringing in additional income.

It was noted that although this was generally good news for tenants, it would leave the HRA with less money to deliver the Council's Housing Service.

**(xxiii) Annual Report of the Youth Council** – at their last meeting of the year the Select Committee received their annual report from the Youth Council on their activities and achievements during the current year and plans for the next 12 months.



They thanked the members for the Council's loyalty and support for the Youth Council over the past nine years. The Committee noted that these were newly elected members and were looking forward to their two years of service. In total about 25 Youth Councillors were elected in November 2016.

They thanked members for the grant of £8,000 project money that had enabled them to deliver the highly successful Emotional Health & Wellbeing project – 'MiLife' in seven secondary schools.

The North East London Foundation Trust (NELFT) and NHS England had expressed their approval of the MiLife Roadshows and would like to work with Epping Forest Youth Council (EFYC) to digitalise the programme so that it can be delivered to all schools, nationally, at no further cost. This project had exceeded the Youth Council's expectations and they were very proud of their work.

Youth volunteering remains a big theme for them and they will be taking part in a Youth Volunteering Day during the summer holidays.

They also reported that in their short time as youth councillors they have obtained external funding of £2,700 from various sources over the last 4 months.

As a result of the good work undertaken by the Youth Council over the previous 12 months and their plans for the forthcoming year, the Select Committee agreed to release the £5,000 DDF funding allocated for the Youth Council.

**(xxiv) Presentation on Disabled Adaptions to Council Premises** - A short presentation on Disabled Adaptions to Council properties was given by the Assistant Director (Housing Property and Development), supported by the Housing Asserts Manager. The meeting noted that about six months ago the Assistant Director (Private Sector Housing and Communities Support) gave a short presentation on grants for adaptions carried out in the private sector. The Committee then asked for a similar presentation on adaptations to Council properties.

The adaptations were divided into two types, Minor Adaptions (Revenue) and Major Adaptions (Capital). They had an annual budget of £450,000 a year and they all started with a referral from Essex County Council's Social Care Occupational Therapy (OT) Service.



The adaptations help people remain in their homes and helps clear beds in hospitals. The Council have an under occupancy test, if the property was under occupied by 2 or more bedrooms, they would not carry out the adaptations as they should really downsize. Also if tenants were in rent arrears they would not carry out any works. It was also noted that they did not means test Local authority tenants.

### ***Case Study: Review of Epping Forest Careline Alarm Monitoring Service***

In November 2016 the Committee received a report setting out options for the future of the Council's Careline Monitoring Centre, based at Parsonage Court, Loughton. The service was introduced in June 1984 and offers a twenty-four hour, 365 days per year, emergency alarm monitoring service to older and disabled people living within the District. The Service was also offered to other vulnerable groups including victims of domestic violence and younger people with disabilities. There were currently 2,572 properties (representing around 3,500 people) in the District linked to the centre in this way.

Around 1,380 of the connections were private sector dwellings, which were connected via a dispersed alarm, which has an associated neck worn radio trigger. A range of various sensors were offered such as on line smoke alarms, fall and flood detectors. The user paid an annual rental to the Council for the service; in 2015/2016 the Council received a total income of around £185,000, inclusive of associated sensors. The Council worked in partnership with Essex County Council which funds the first 12 weeks rental for the user.

The charges made by the Council were very competitive compared to other authorities in Essex.

It was noted that as the Careline Monitoring Centre had expanded in terms of the number of private sector connections and the advances in technology, the management and operational aspects of the service had become more complex. In addition, there had been difficulties in recruiting staff due to the nature of the work and the salary level. This had led to additional pressures on existing staff that have had to cover, not only vacant posts, but also annual leave and sickness absences. Also, all new staff complete an 8 week training programme prior to commencing full duties, which adds to the burden of covering shifts.

In 2011 the Careline Monitoring Service became Telecare Services Association (TSA) accredited. TSA is a nationally recognised standards body for the delivery of technology enabled care and support services in the UK. The Council's Careline Service has to date met all of the Audit requirements.

Importantly, the TSA have recently brought to the attention of the Council and authorities nationally the British Standard (BS8591), extracts of which currently states:

*"There should be a minimum of two operators in an ARC [control centre] at all times, capable of carrying out all operational procedures, at least one of whom should be at their workstation at all*

times”.

TSA have also confirmed that the above standard was under review and should be brought in line with the European Standard. Although 2 operators on duty at all times was expected to be desired, this would result in Centres who do not have 2 operators on duty at all times being required to put contingency measures in place should more than one emergency call be received at any one time.

Although the service currently provided an excellent and reliable service to residents, due to the reasons above it was considered important that this review was undertaken to ensure the future resilience of the service. There appeared to be the following four options for the future delivery of the Careline service:

**Option one** – that the Careline Monitoring Service continues to be provided by the Council under the current arrangements;

**Option two** – the Council provides an enhanced Careline Monitoring service;

**Option three** – monitor the service through another provider 24/7; and

**Option four** – monitoring the service through another service provider overnight.

The Committee agreed to a recommendation that budget provision was made of £70k in 2017/18 and £70k in 2018/19 in order to fund the transitional arrangements. If it was agreed to outsource 24/7, the payback period would be around 9 months.

It was noted that the Careline operators had favoured Option Two but were mindful of the cost implications for this option. They had accepted that Option One could not be considered as an option and the service could not continue under the current arrangements.

They did not agree with Option Three because of the perceived implications for job losses and the adverse effect this change would have for all service users. In addition alternative arrangements would need to be made for tasks currently undertaken by the Careline team.

Careline staff wanted Option Four to be presented in more detail in the report as they thought it had not been given enough thought. The report was so amended.

Unison having fully considered Options 1 to 4 discarded Option One which they felt was clearly untenable and Option Two which was clearly too expensive.

On considering Option Three they were unsure about its value to the Council as they thought, amongst other concerns, that there were no costings for the removal of the current equipment, the Council would lose a degree of autonomy over the service, the scheme managers would lose the support of the staff and the service, redundancy costs will need to be built into the tenders and the Council would need to deal with the problems associated with keeping the service running through to the start of the transfer to an external provider.

Unison felt that Option Four appeared to be in the best interests of both the Council and the employees and they asked that it be explored further.

The Chairman of the Tenants and Leaseholders Federation reported that they agreed with the officer's recommendation for Option Three, that the Careline Monitoring Service be outsourced to an external provider. They added that they would also like to commend the exceptional work that Careline staff has put in over the years.

Each option was examined in detail by the Select Committee and their merits for and against were debated. Finally, on consideration, the Select Committee recommended Option Three to the

Cabinet, that the Council's Careline Monitoring Service be outsourced to an external provider through a competitive tendering exercise.



## 2. GOVERNANCE SELECT COMMITTEE

### *The Governance Select Committee consisted of the following members:*

Councillor N Avey (Chairman)

Councillor G Chambers (Vice Chairman)

Councillors D Dorrell, L Hughes, S Jones, S Kane, H Kaufman, M McEwen, L Mead, B Rolfe, D Stallan, B Surtees, H Whitbread, and D Wixley

The Lead Officer was Nigel Richardson, Assistant Director Governance, Development Management.

### *Terms of Reference*

To undertake overview and scrutiny, utilising appropriate methods and techniques, of the services and functions of the Governance Directorate;

To develop a programme of work each year, informed by relevant service aims and member priorities, to ensure that the services and functions of the Governance Directorate are appropriate and responsive to the needs of residents, service users and others;

To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee, the Cabinet or a relevant Portfolio Holder, and to report and make recommendations directly to the Committee, the Cabinet or such Portfolio Holder as appropriate;

To consider the effect of Government actions or initiatives on the services and functions of the Governance Directorate and any implications for the Council's residents, service users and others, and to respond to consultation activities as appropriate;

To establish working groups as necessary to undertake any activity within these terms of reference;

To undertake pre-scrutiny through the review of specific proposals of the Council and its partner organisations or other local service providers, insofar as they relate to the services and functions of the Governance Directorate, to help develop appropriate policy;

To undertake performance monitoring in relation to the services and functions of the Governance Directorate, against adopted key performance indicators and identified areas of concern;

To identify any matters within the services and functions of the Governance Directorate that require in-depth scrutiny, for referral to the Overview and Scrutiny Committee; and

To recommend the establishment of Task and Finish Panels to the Overview and Scrutiny Committee as necessary, in order to undertake any activity within these terms of reference.

### *The Panel scrutinised a number of issues over the last year, which included:*

(i) **Consultation Register 2015/16 and 2016/17** - The Select Committee received a report regarding the Consultation Register 2015/16 and 2016/17 from the Consultation Officer.

They noted that the District Council had a statutory duty to provide responsive, value for money services, in which effective public consultation and engagement was essential for the delivery of these services.

A list of consultation, planned and carried out, by the authority, was published on the website and brought to the attention of the Governance Select Committee, to meet the general duty and best practice guidelines. All the consultation and engagement exercises undertaken by the authority complied with the provisions of the Council's Public Consultation and Engagement Strategy and Policy.

**(ii) Key Performance Indicators 2015/16 –Quarter 4 (Outturn) Performance** - The Select Committee received a report from the Performance Improvement Officer regarding the Key Performance Indicators 2015/16 – Quarter 4 (Outturn) Performance Report.

Of the five Key Performance Indicators that fell within the Governance Select Committee's areas of responsibility, they achieved the following:

- (i) 4 (80%) indicators achieved target.
- (ii) 1 (20%) indicators did not achieve target.
- (iii) 0 (0%) indicators performed within amber margin.

**(iii) The Corporate Plan Key Action Plan 2015/16 Quarter 4 (Outturn) Position** - The Corporate Plan was the Council's key strategic planning document setting out its priorities over the five year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives which provided a clear statement of the Council's overall intentions for these five years.

There were 55 actions in the Key Action Plan 2015/16 of which 7 fell within the areas of responsibility of the Governance Select Committee:

- (a) 6 (86%) of these actions had been achieved at year end.
- (b) 1 (14%) of these actions had not been achieved by year end.

**(iv) Equality Objectives 2012-2016 – Outturn Report and Compliance with the Public Sector Equality Duty** - The Equality Act 2010 placed a number of responsibilities on the Council, including a Public Sector Equality Duty (PSED) which has regard to equality in the exercise of its functions, eliminating discrimination advancing equality of opportunity and fostering good relations between persons who shared relevant characteristics and those who did not.



In March 2012, the Cabinet agreed four equality objectives for the four years from 2012 to 2016 designed to help the Council meet the aims of the PSED. The current status of the actions was as follows:

- (a) 31 (94%) of the 33 actions had been achieved within the relevant targets.
- (b) 2 (6%) of the 33 actions had not been achieved although significant progress had been made.

**(v) Review of Elections and EU Referendum** – in September 2016 the Select Committee received a report regarding the May Elections and EU Referendum 2016 – Lessons Learnt from the Assistant Director of Governance and Performance Management.

The report discussed the planning processes and implementation of the following elections held on 5 May 2016:

- (1) The election of a Police and Crime Commissioner (PCC) for Essex.
- (2) 21 District Council wards were involved, one was uncontested and two in one ward caused by a resignation.
- (3) 11 contested Parish Council wards.



During this period there was a national campaign for the registration deadline publicising the opportunity of registering online. It was advised that the Electoral Commission publicity campaign confused many voters into thinking that they needed to re-register. Staff therefore had to undertake many hundreds of unnecessary deletions of duplicate registrations.

All of the local election papers for May were printed by the Council's Reprographics Section which again provided excellent service. Papers for both the PCC election and EU Referendum were printed externally, with no problems. All books were hand checked.

The use of a commonly used name for the same candidate in two wards had not been picked up at ballot paper draft and checking stages. Ballot papers were printed and postal votes despatched before the error was spotted. Officers had subsequently reviewed the checking process.

The Select Committee was advised that:

- (a) 8,700 postal packs were sent out for May, 250 of these had an issue error and were re-issued. 5,874 packs were returned and counted, a 67.5% return rate.
- (b) 10,200 postal packs were sent out for the EU Referendum, 1,500 more than May. A further issue of 1,850 were sent out over a week later. 11,069 were returned and counted, a 91.9% return rate.

At both elections all polling stations opened on time and operated all day without problem. The entire District's polling stations were operational for both the May and the June events. The Elections Office was busy on both days (22/23 June) as many callers needed advice on the voting process.

### **Future elections:**

In May 2017 there would be County Council elections only. In May 2018 there were solely District elections. Lessons learnt would be fed back into the process for next year which would be beginning shortly. It was advised that in 2020 the district had scheduled quadruple elections, Parliamentary, PCC, District and Parish.

The Electoral Commission had recently published their reports into the May and June events as part of their recommendations they raised the issue of elections scheduled for May 2020. As indicated earlier, that year would see Local District and Parish elections combined with PCC and a Parliamentary election based on the new constituency boundaries. Apart from being a challenge to deliver, it would be potentially confusing for the voter due to the different franchises for each election and different voting systems as well.



**(vi) Key Performance Indicators - Quarterly Progress** – the Committee reviewed the Key Performance Indicators relevant to their Select Committee on a quarterly basis.

**(vii) Corporate Plan Action Plan Progress Quarterly Progress** – the Select Committee received quarterly updates on the Council's corporate action plan pertaining to their area of responsibility.

The Select Committee received the Annual Equality Information Report 2016 from the Performance Improvement Officer.

**(viii) Annual Equality Information Report 2016** - The Equality Act 2010 required that authorities subject to the public sector equality duty publish equality information annually to demonstrate compliance with the duty. The Council published its last equality information report in September 2015, this report set out progress made since then, to improve the Council's services and employment practices for people with protected characteristics.

The Equality Act 2010 required that public bodies, including the Council had due regard to the need to:

- (a) Eliminating unlawful discrimination, harassment and victimization.
- (b) Advancing equality of opportunity between different groups.
- (c) Fostering good relations between different groups.

The equality duty covered age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief and sexual orientation.

**(ix) Essex County Council Highways Presentation** – In January 2017, the Committee received a presentation from the Strategic Development Engineer and the Strategic Development Manager from the Transportation, Planning and Development Team at Essex County Council Highways in the role of Essex County Council as Highway Consultee.

Because of the amount of interest shown beforehand, this meeting was webcast.



The Transportation, Planning and Development team were based in County Hall, Chelmsford and consisted of Engineers and Officers who covered twelve districts within Essex. Essentially they were there to protect the safety and efficiency of the highways network.

Their role was to provide responses to planning applications as a statutory consultee to both, Local Planning Authorities and Essex County Council as the Waste and Mineral Planning Authority. It was also to protect the safety and efficiency of the highway network and to promote the use of sustainable travel.

*(See Case Study for full details)*

**(x) Review of Enforcement Activities** – in April 2017 the Committee considered a comprehensive report in regard to the scope of the enforcement activities undertaken as part of the current service portfolio of the Governance Directorate, which comprised corporate fraud and planning enforcement.

*Corporate Fraud* - It was reported that the main purpose of the Corporate Fraud Team was to provide independent and professional investigation of all aspects of fraud affecting the Council, in order to prevent fraud and abuse and take fair and consistent action against those committing fraudulent activities



The team had taken both proactive and reactive approaches to anti-fraud work and considered all fraud referrals with a view to risk assessment and, where appropriate, investigation. Members were advised that the team was robustly proactive in the prevention and investigation of fraud within a number of high-risk areas, particularly in relation to social housing, where fraud investigation activity had resulted in policy changes and revisions to internal processes.

The Committee was advised that, although the public were encouraged to report fraud, due to the often complex nature of both criminal investigations and subsequent court action, it was important for members to understand that cases generally took significant time and resources to investigate.

*Planning Enforcement* - It was reported that the main purpose of the Planning Enforcement Team was to investigate alleged breaches of planning controls such as unauthorised buildings and uses and development that was not taking place in accordance with approved plans. Members were advised that the Planning Enforcement Team also assisted the Council's Tree and Landscape Section in prosecutions for destruction and damage to protected trees and the Heritage Section with unauthorised works to listed buildings.

The Committee was advised that, due to the legislative background, enforcement cases could take considerable time to resolve and that, even in simple cases, a period of six to eight months from when a complaint was received was not uncommon. The Principal Planning Officer (Enforcement) indicated that, in complex and/or contested cases, it might take some years to gather appropriate evidence and that it was important for members and the public to understand that such cases generally took significant time and resources to resolve.

**(xi) Planning Applications Validation Checklist and Viability Guidance for Affordable Housing** - The Committee was advised that a Local Validation Requirements List was required to be prepared by the Council, as the Local Planning Authority, to specify the information usually required to support planning applications of particular type, scale or location. It was reported that the local validation list was required to be reviewed every two years, in accordance with the provisions of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015 and that failure to review the validation requirement list would mean that the Council could only require planning application submissions to contain basic detail in order make them valid.



Members noted that all planning applications were required to meet the relevant elements of the local validation list in order to be considered 'valid'; otherwise they would not be registered and consulted upon. It was only when an application had been deemed to be valid, that the start date of the planning application process commenced. The current local validation requirement list had been agreed by the former Planning Services Scrutiny Panel in 2014 and was now due for review.

The Committee therefore considered and agreed a draft revised Local Validation Requirements List to provide guidance and certainty to applicants about the information required when submitting planning and related applications, to ensure that the Council had all the necessary information that it needed to determine applications within target times.

## Case Study: Essex County Council Highways Presentation

The Committee received a presentation from Matthew Lane, Strategic Development Engineer and Matthew Bradley, Strategic Development Manager from the Transportation, Planning and Development Team at Essex County Council Highways in the role of Essex County Council as Highway Consultee. Mr Lane advised that they were invited to the Select Committee to give a brief overview of the work that they were responsible for within the County.

The Transportation, Planning and Development team were based in County Hall, Chelmsford and consisted of Engineers and Officers who covered twelve districts within Essex. The work they dealt with varied and could be anything from a vehicle crossover on an unclassified road to thousands of houses as part of the Local Plan strategic site allocations, the work could be very varied and on a huge scale. They were there to provide a statutory response as a consultee to all the local planning authorities within Essex. They also respond to the Essex County Council Waste and Mineral planning authority which deal with quarries and schools. Essentially they were there to protect the safety and efficiency of the highways network.



Their role was to provide responses to planning applications as a statutory consultee to Local Planning Authorities, Essex County Council and Waste and Mineral Planning Authority and to protect the safety and efficiency of the highway network and to promote the use of sustainable travel.

EFDC would consult the Strategic Development Department with an application. It was then the responsibility of the team to look through the application in detail and either contact EFDC for more information or if there was sufficient information to determine the application within 21 days of

receipt.

When considering an application, for the majority of proposals, a site visit would need to be arranged and to take into consideration, if the site had previously been considered and there were no changes then the decision would remain as previously determined and a site visit would not be needed.

Depending on the scale of the proposal a transport assessment would be required for 50 or more residential dwellings, to take into consideration the junction impact, site access and sustainable travel in the area. The applicant would employ transport consultants to produce a TA and they would conduct a traffic count and speed data and model the impact of the assessment. ECC would assess the modelling and check that it was done within industry standards. That could then lead on to sustainable travel considerations especially where people want to reduce their vehicle movements and there could be better bus services, good footways and cycle route connections.

They consult with a variety of other departments within the Highway Authority for example Passenger Transport and Public Rights of Way to see if traffic calming can be implicated and yellow line provision in developments. Internal roads would be checked with the Essex Design guide making sure they were fit for purpose. They also check that new dwellings comply with the Parking Standards, unfortunately they have a different view to the districts and boroughs view regarding the Parking Standards as they have to look at it as highway safety not as the loss of parking.

Once they had investigated and completed an application they would then make their recommendations which would consist of one of the following responses:

- a) From a highway and transportation perspective the Highway Authority had no comments to make on the proposal;
- b) From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following requirements:
  - Must accord with both National and Local Planning Policies; and
  - Conditions/Works to mitigate the impact of the development;
- c) From a highway and transportation perspective the impact of the proposal is not acceptable to the Highway Authority for the following reasons:
  - Contrary to both National/Local Policies;
  - Safety Issues – evidence based;
  - Unable to mitigate the impact of the development.

### **Frequent Highway Misconceptions**

Perceived traffic impact and speed – they do not look to assess impact until there were over 50 dwellings as anything smaller would not impact on the highways. If there was a safety measure then they would look at the application.

Residential amenity – was a planning issue and the planners would take this on board.

Pre-existing safety and congestion issues – we would not be able to refuse this as it was the lawful use of that site. The same with congestion at a junction if nothing could be done to improve it then they wouldn't be able to refuse,

Personal circumstances – they could not take personal circumstances into account.

### **Additional Responsibilities**

Applicants went to them for Pre-Application advice, although they could not determine the application they did advise them on what they needed to do and what they needed to see as part of that application.



### **3. RESOURCES SELECT COMMITTEE**

#### ***The Resources Select Committee consisted of the following Members:***

Councillor S Kane (Chairman)

Councillor A Patel (Vice Chairman)

Councillors N Bedford, T Boyce, D Dorrell, R Gadsby, R Jennings, P Keska, A Mitchell, C Roberts, D Roberts, H Whitbread and Jon Whitehouse

The Lead Officer was Peter Maddock, Assistant Director Resources (Accountancy).

#### ***Terms of Reference***

1. To undertake overview and scrutiny, utilising appropriate methods and techniques, of services and functions of the Resources Directorate, excluding those matters within remit of the Audit and Governance Committee, the Standards Committee or the Constitution Working Group;
2. To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee;
3. To undertake quarterly performance monitoring in relation to the services and functions of the Resources Directorate, though review of progress against adopted key performance indicators and other appropriate measures;
4. To identify any matters within the services and functions of the Resources Directorate requiring in-depth scrutiny, for referral to the Overview and Scrutiny Committee;
5. To establish working groups as necessary to undertake any activity within these terms of reference;
6. To respond to applicable consultations as appropriate;

#### **Finance**

7. To consider the draft directorate budgets for each year, and to evaluate and rank proposals for enhancing or reducing services where necessary, whilst ensuring consistency between policy objectives and financial demands;
8. To review key areas of income and expenditure for each directorate on a quarterly basis throughout the year;

#### **Information and Communications Technology**

9. To monitor and review progress on the implementation of all major ICT systems;

#### **Value For Money**

10. To consider the Council's comparative value for money 'performance', and to recommend as required to the Finance and Performance Management Cabinet Committee, in respect of areas where further detailed investigation may be required;

## Human Resources

11. To monitor and review areas of concern or significance that comes under Human Resources.

*The Panel scrutinised a number of important issues over the last year, which included:*

**(i) Corporate Plan Key Action Plan 2016/16 – (Outturn) Position** – At their first meeting of the year the Committee received a report on the Corporate Plan Key Action Plan 2015/16, the quarter 4 outturn position for that year. They noted that the Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims were supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years.

13 actions fell within the areas of responsibility of the Resources Select Committee. At the end of the year:

- 11 (85%) of these actions have been achieved; and
- 2 (15%) of these actions have not been achieved.

The Committee considered in detail the two actions that had not been achieved and were behind schedule.

**(ii) Sickness Absence Outturn Report 2015/16** - Also at their July meeting the Committee received the outturn report for the sickness absence levels for 2015/16.



During Q3, 3.7% of employees met the trigger levels or above, 27.9% had sickness absence but did not meet the triggers and 68.4% had no absence. During Q4, 4% of employees met the trigger levels or above, 35% had sickness absence but did not meet the trigger levels and 61% had no absence.

The average number of days taken as sickness absence across all sectors was 8.3 days. In public services the figure was 9.3 days and 7.4 days in the private sector. In local government the figure was an average of 8 days. Last year the Council's outturn figure was 9.2 days. The Council's outturn figure of 7.99 days was now just below the local government average and 0.5 above the private sector.

Figures were also now split into work related stress and non-work related stress. The council has put a training programme in place to provide workshops for managers on mental health issues and over the last year there had been a decrease of 29% in the number of days lost due to mental health issues compared to the year before.

**(iii) Energy Savings and Improved Management Process** - The Committee noted the report updating them on the energy savings and improved management processes. They noted that the Council's energy consultants, Smith Bellerby (SB), were now dealing with all aspects of the energy billing and monitoring process on behalf of EFDC. Officers were extremely happy with the services provided. Since the start of the contract in May 2015, savings of £31,000 had been made, mainly by identifying both major billing errors and by transferring supplies on high rate tariffs to preferential low rate tariffs on the Crown Commercial Services (CCS) Frameworks.

Monitoring of all energy bills had identified frequent large billing errors from suppliers. Last financial year SB had dealt with 52 major queries on our behalf. These queries were often complex and extremely time consuming.



It was noted that the majority of one-off savings had now been identified but that the staff resourcing savings would more than cover the SB annual charge. The charge for the financial year 2017/18 would be reduced to £22,587.

**(iv) Key Performance Indicators 2015/16 (Outturn) Performance** - The aim of the KPIs was to direct improvement effort towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district.

The overall position for all 36 KPIs at the end of the year was as follows:

- (a) 27 (75%) indicators achieved target;
- (b) 9 (25%) indicators did not achieve target; although
- (c) 1 (3 %) of these KPIs performed within its tolerated amber margin.

Nine of the Key Performance Indicators fell within the Resources Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at the end of the year for these indicators, was as follows:

- (a) 8 (89%) indicators achieved target;
- (b) 1 (11%) indicator did not achieve target.



**(v) Provisional Capital Outturn 2015/16** - The Senior Accountant took the Committee through the report on the provisional capital outturn for 2015/16, in terms of expenditure and financing compared with the revised estimates.

The Committee noted that:

- The Council's total investment on capital schemes and capital funded schemes in 2015/16 was £37,298,000 compared to a revised estimate of £49,917,000, representing an underspend of 25%;
- Within the Resources Directorate, there were two large underspends of £306,000 and £151,000 on the planned maintenance programme and the upgrade of the industrial units at Oakwood Hill respectively;
- Of the 27 projects scheduled to be undertaken within the Council's planned maintenance programme, 14 were fully completed or nearly completed at a cost of £856,000;
- The Information and Communication Technology (ICT) Programme progressed very well and 15 schemes were completed successfully in 2015/16.
- Progress on the new Shopping Park at Langston Road has been delayed, partly due to the need to re-tender the contract for the main construction works, and partly due to hold ups on the Section 278 highways work as a result of some very restrictive traffic management constraints imposed by Essex County Council after the tenders were submitted;
- Although the construction of the new depot at Oakwood Hill had progressed well since it started last September, some slippage had been experienced on this scheme;
- The major investment within the Communities Directorate had been the extension and refurbishment of the Council's museum;
- The approved HRA capital budget for 2015/16 was increased compared to previous years to

- provide for the Council's housebuilding programme; and
- Although the total value of loans made to individuals to improve private housing stock was lower than anticipated, demand increased in 2015/16 to £119,000 compared to £65,000 the previous year. Given the upward trend, it was recommended that the £41,000 underspend was carried forward to 2016/17.

**(vi) Provisional Revenue Outturn 2015/16** - The Senior Accountant introduced the provisional Revenue Outturn Report for 2015/16. The report provided an overall summary of the revenue outturn for the financial year 2015/16. The General Fund saw £347,000 more than estimated being used from the opening balance, which was more than outweighed by the use of the District Development Fund being £1.1 million less than estimated. Overall the total net expenditure on the General Fund was £16.1 million, some £669,000 lower than the revised estimate.

Similarly, the position on the Housing Revenue Account was £716,000 better than anticipated.

**(vii) Corporate Plan Action Plan Progress Quarterly Progress** – the Select Committee received quarterly updates on the Council's corporate action plan pertaining to their area of responsibility.

**(viii) Key Performance Indicators - Quarterly Progress** – the Committee reviewed the Key Performance Indicators relevant to their Select Committee on a quarterly basis.

**(ix) Quarterly Financial Monitoring** - The Committee received quarterly Financial Monitoring reports providing a comparison between the original estimate for the quarterly periods and the actual expenditure or income as applicable.

The Committee had within its terms of reference to consider financial monitoring reports on key areas of income and expenditure.

**(x) Medium Term Financial Strategy and Finance Issues Papers** – In October 2016 the Committee received a report that provided a framework for the 2017/18 Budget and updated Members on a number of financial issues that would affect this Authority in the short to medium term.

The meeting noted that in broad terms the following represented the greatest areas of current financial uncertainty and risk to the Authority:

- Central Government Funding
- Business Rates Retention
- Welfare Reform
- New Homes Bonus
- Development Opportunities
- Transformation
- Waste and Leisure Contracts
- Miscellaneous, including recession/income streams and pension valuation

The meeting noted that because of Brexit politicians and the Civil Service appeared to have been paralysed and so we knew little more than we did in February about changes to New Homes Bonus, the 100% retention of business rates or the financial contribution we would be required to make to support right to buy for housing association tenants. Given this position the report stated that there was little point updating the Medium Term Financial Strategy (MTFS) for anything other than the 2015/16 outturn and so it was similar to the one approved in February.

**(xi) Fees and Charges 2017/18** – This was a report on the proposed fees and charges that the Council should levy in 2017/18 and what scope there was to increase particular charges. It was noted that a saving of £250,000 in the Council’s budget would be required in 2017/18, but the scope for increasing income as a result of increasing fees and charges was relatively limited as regards the General Fund though less so with the Housing Revenue Account (HRA).

The use of labour rate inflation as a guide was adopted last year on the basis that the most significant element of the cost involved in generating fees was staff salaries. The latest figure was 2.1% so adopting a figure of 2.0% was proposed.



It was noted that The Limes Centre makes a number of charges and that it was being proposed that around 5% be added to each of the charges for this facility. Based on recent, sample testing of other similar facilities in the area, it had been identified that the current pricing scale for the Limes Centre was significantly lower than several others and that there had also been an issue of people from outside the district, booking the facilities under the name of EFDC tenants and therefore taking advantage of the 50% tenant discount on hall hire fees.

It was also noted that waste management charges on bulky household waste were going up by 1.5% to 2%.

After due consideration, the proposals for the level of fees and charges for 2017/18 were agreed by the Committee.

**(xii) Sickness Absence 2016/17** – The Committee received the half yearly report on the Council’s absence figures for Quarters 1 and 2 for 2016/17. It included absences figures by Directorate, the number of employees who had met the trigger levels and those who had more than 4 weeks absence and the reasons for the absence.



The Council’s target for sickness absence under RES001 for 2016/2017 was an average of 7.5 days per employee. The outturn figure for the two quarters was an average of 2.98 days, which was below the target of 3.64 days.

**(xiii) Invest to Save Update** - The meeting noted that in setting the budget for 2015/16 Council decided that, as the balance on the General Fund Reserve exceeded the minimum requirement and further savings were required; £0.5 million should be transferred from the General Fund Reserve into an Invest to Save earmarked reserve. This was subsequently topped up with an additional £154,000 during the current year. It was intended that this earmarked reserve would be used to finance schemes that would reduce the Continuing Services Budget (CSB) in future years.

Prior to the approval of the 2016/17 budget by Council in February 2016 a total of six schemes had been approved for Invest to Save funding and £309,000 of the fund balance of £500,000 had been allocated. A further three allocations were made by the March and April Cabinet meetings, which included the accommodation review and work on the future funding and structure of the museums service, these reduced the balance of unallocated funds to £92,000. As the fund had proved useful in generating savings schemes, Members agreed a top up of £154,000 in closing the 2015/16 accounts.



The most recent business cases were considered by the Finance & Performance Management Cabinet Committee in June and approval was

given for some capital works at North Weald Airfield to extend a vehicle compound. A structural survey of the current main reception area and a programme management system for prototype activities were also approved.

**(xiv) Draft General Fund CSB, DDF and ITS Lists and Savings Up date** – In December 2016 the Committee received an update on budget preparation work. The report provided the first draft of the Continuing Services Budget (CSB), District Development Fund (DDF) and Invest to Save (ITS) Schedules for 2017/18.

The Medium Term Financial Strategy (MTFS), which forms part of the Financial Issues Paper, identified that savings of around £500,000 were required over the forecast period. The savings required in 2017/18 were identified at £250,000 after savings of £464,000 already identified had been taken into account.



The total CSB expenditure in 2015/16 was £2.9 million higher than the Original budget, but this was entirely down to the decision to fund Capital Expenditure of £3 million from the General Fund balance. This decision was made because of the significant General Fund balance held by the Council and the comments made by Central Government around 'excessive' balances held by local authorities. There were as ever salary savings due to vacancies and this trend had continued into 2016/17.

Of the one off items the biggest was the Local Plan to be completed in 2018, and this would be at a cost of £1.2 million over the original budget.

There were a number of areas where further work was required before figures to be included within the budget could be finalised. Clearly the emphasis in this budget cycle will again need to be on CSB savings rather than growth but there were some areas where growth was inevitable. The figures generally need to be viewed in the context of this being quite early in the budget preparation process and will clearly need to be revisited as the budget came together.

**(xv) Review of Section 106 Monies** - The report was a review of usage of Section 106 monies. The report provided information on the Section 106 process and monitoring arrangements. These monies could be provided for a variety of different purposes and would be based upon requirements identified as part of the planning process. The types of project can range from education, highways, leisure, health and affordable housing provision.

The Section 106 agreements themselves could vary; most had financial requirements but some had non-financial requirements.

An officer group monitors Section 106 agreements on a quarterly basis, monitoring progress on all agreements ensuring that funds were applied to the appropriate projects and spent within the agreed timescale.

*(See Case Study for full details)*

**(xvi) Insurance Claims Statistics** – In February 2017 the Risk Management and Insurance Officer, introduced the report on Insurance Claims Statistics. The statistics were for 2011/12 to 2015/16. The Council's insurance cover was provided by Zurich Municipal. All the insurance claims shown directly affected the Council but did not include policies that were recharged. They showed claims for the fleet vehicles over this period and it was noted that EFDC drivers only had 10 claims, the rest were when we were hit by other drivers.



**(xvii) Benefits Fraud and Compliance Update** - The Assistant Director Benefits, introduced the report updating members on the work being undertaken to combat both Housing Benefit and Local Council Tax Support fraud and compliance.

The Committee noted that the Housing Benefit fraud investigation ceased to be the responsibility of the Council from 1 October 2015. The existing Investigation Officers at that time were transferred to the Single Fraud Investigation Service (SFIS), part of the Department for Work and Pensions. The Council however, still remained responsible for the verification and checking of Housing Benefit applications. Local Council Tax Support was the Council's own scheme and therefore the Council remained responsible for Local Council Tax Support fraud and compliance.

**(xviii) Cost of Members and Corporate Services** – a report provided information on the cost of Member and Corporate Services, how it was calculated and what was the definition of these services. The two areas that this report was concerned with was Corporate Management which was made up of two cost centres and Member Activities which was made up of six cost centres. The former fell within the Office of the Chief Executive budgets and the latter, Governance.

Corporate Management sometimes referred to as Corporate Policy Making was the cost of managing the authority as a whole and includes the cost of the Chief Executive, management board meetings, production of the accounts, external audit, cost of maintaining a corporate bank account and a number of other similar costs. There was a popular misconception that a service area that provides support to all areas of the Council was a charge to Corporate Management, this was not the case as the definition was rather more narrow than that and the costs of these functions should be apportioned out to all Council services.

Member activities were sometimes referred to as Democratic Representation and as the name suggested was concerned with the cost to the authority of having elected members. It included Members Allowances, the holding of committee meetings and provision of agendas, the cost of attendance at external meetings where the member was representing the Council, officer advice to members and the provision of member admin services.

As regards the total cost of both of these services the HRA should bear a proportion of the cost as members and officers carrying out this work clearly make decisions that affect both the HRA and General Fund.

**(xix) Information and Communication Technology Update** – at their Mach 2017 meeting the Assistant Director (ICT & Facilities Management), introduced the report on the progress of projects within the ICT strategy. Last year 91% of projects were completed on time. This year had seen ICT concentrating on strengthening the resilience of both systems and infrastructure with a number of key systems being out hosted.

In the near future, most software products will only be available via subscription payments. Historically, software had been purchased outright from capital but this change in supplier behaviour would necessitate a switch to revenue expenditure.

**(xx) Telephone Monitoring Statistics** - the report on the monitoring statistics covered the period April 2016 to January 2017. The Committee noted that from 1 April 2016 to 31 January 2017 there were 27,210 calls on average per month to the Council of which 4.6% were abandoned and 7.2% went to voicemail. In the last year the number of calls had dropped by 3,000 per month from the year before, mainly due to the stabilisation of the waste contract. Abandoned calls had dropped from 7.9% to 4.6%.



It was noted that the Head of Customer Services was now in place and the restructuring of some customer facing services had commenced.

Consequently, the telephone workgroups currently reported on were unlikely to remain in their existing design from April 2017. It was anticipated that the next telephone monitoring statistics report to the Resources Select Committee would explain these changes and suggest alternatives to the current reporting format.

**(xxi) Agency Staff and Consultancy** – the Select Committee considered the report on the cost of consultants and agency staff for 2015/16 and to the end of February 2017. The Council on occasions needed to employ people either on a temporary basis or for a particular project. The former situation could be for peaks in workload or to cover maternity or long term sickness. The latter was for short term specific projects when the expertise did not exist in house and to employ someone for such a short term was impractical.

Such expenditure was recorded on the Council's finance system such that it was easily identifiable. However a reasonableness check has also been carried out to make sure that as far as possible the amounts recorded meet either the definition of an Agency worker or a consultant.

From the new tax year there were new arrangements regarding the accounting for tax and national insurance that may apply to some of our contracts. Information was given on what these changes were and how it was established whether a particular contract was affected by the changes. The legislation was referred to as Intermediaries Legislation (IR35).



From the 6 April 2017 the public sector will have responsibility for deciding whether an individual who was personally providing a service falls in or out of scope of IR35; and in certain circumstances liable for deducting tax and National Insurance Contributions (NICs) at source. Before this, this responsibility fell to the individual themselves.

**(xxii) Transformation Programme – PICK Form** – on 10 April 2017 the Committee held a special meeting. This meeting was called to establish the baseline for the scrutiny of the Council's Transformation Programme as proposed by the PICK form considered by the Overview and Scrutiny Committee at their meeting held on 28 February 2017. The O&S Committee agreed that the Resources Select Committee should be tasked with this scrutiny.



The Chairman of the Resources Select Committee had agreed to start with a one item special meeting to further explore the best approach and to establish an appropriate way forward.



The Head of Transformation, the Chief Executive and the Leader of the Council were invited to give a brief outline of the programme. All council members were invited via the Council Bulletin, as were the staff representatives on the Joint Consultative Committee.

The Chairman summed up the meeting, saying that they would like to scrutinise the Programme Management Board and the High Risks Projects that had been identified. He noted that the medium level ones went to the various Select Committees anyway.

It was also agreed that a Task and Finish Panel be set up and once set up should fully evaluate and establish:

- a) A clear statement as to the objectives of the programme;
- b) A clear understanding as to the scope of the programme;
- c) A clear understanding as to the budget and financial implications of the

programme;

d) To document proposals for the ongoing scrutiny required to ensure that the programme continues to be:

- 1) Meeting the programme objectives;
- 2) Focused on the identified scope;
- 3) On schedule; and
- 4) Within budget

The Panel should also look at the high risk projects that required Council wide co-ordination and were overseen by the Transformation Programme Board.

The Task and Finish Panel should also be mindful of having a clear end date to complete their work on.

### ***Case Study – Review of Section 106 Monies***

At their December 2016 meeting the Committee received a report on the review and usage of Section 106 monies. The report provided information on the Section 106 process and monitoring arrangements. These monies could be provided for a variety of different purposes and would be based upon requirements identified as part of the planning process. The types of project could range from education, highways, leisure, health and affordable housing provision.

They noted that if a developer was developing land for housing purposes there was a requirement in most cases, where there was a development of 15 or more properties, to provide 40% affordable housing on site. Sometimes however this was not viable and the Council would accept a financial contribution to provide affordable housing in the area. Prior to the house building programme this money was used by the General Fund and passed to housing associations, however this money was currently being used by the HRA.

The Section 106 agreements themselves could vary; most have financial requirements but some had non-financial requirements. Sometimes at the developers behest a repayment clause would be included where the money had to be spent for the agreed purpose within a specific timescale. If this timescale was not met the money becomes repayable and the provider would be entitled to apply for the money to be returned to them. As an example on occasions funding has been provided for highways works and the County Council has struggled to spend the money as no clear project was identified during the planning approval process.

An officer group monitors Section 106 agreements on a quarterly basis, monitoring progress on all agreements ensuring that funds were applied to the appropriate projects and spent within the agreed timescale. There have been 113 Section 106 agreements entered into since 2001 and whilst the early ones had been concluded there was still a significant number that had obligations outstanding and some went back a number of years.



As at 31<sup>st</sup> March 2016 the Council held £363,000 in various section 106 contributions; this was a considerable reduction on the previous year as all affordable housing monies including those provided during 2015/16 were spent on the Council's house building programme in that year. The amount was made up of £248,000 related to leisure initiatives and the remaining £115,000 was due and subsequently paid to NHS England or parish council's.

It was possible that Section 106 agreements would be replaced by the Community Infrastructure Levy or CIL. This was being evaluated as part the Local Plan process by a consultant who was doing the groundwork to assess whether or not we should put a CIL in place, however we will not be able to do this until the Local Plan had been adopted, currently expected by the end of 2018.

## 4. NEIGHBOURHOODS SELECT COMMITTEE

*The Neighbourhoods Select Committee consisted of the following members:*

Councillor N Bedford (Chairman)  
Councillor H Brady (Vice Chairman)  
Councillors N Avey, R Baldwin, L Hughes, J Jennings, R Morgan, S Neville, A Patel, C P Pond, B Rolfe, M Sartin, G Shiell, E Webster and J H Whitehouse

The Lead officer was Derek Macnab, Director of Neighbourhoods and Deputy Chief Executive.

### *Terms of Reference*

#### **General**

1. To undertake overview and scrutiny, utilising appropriate methods and techniques, of services and functions of the Neighbourhood Directorate and excluding those matters within the remit of the Audit and Governance Committee, the Standards Committee or the Constitution Working Group;
2. To consider any matter referred to the Select Committee by the Overview and Scrutiny Committee;
3. To keep under review:
  - (i) *Environmental enforcement activities;*
  - (ii) *Waste management activities; and*
  - (iii) *Leisure Management*
  - (iv) *Local Plan Scrutiny*
4. To respond to applicable external consultations as appropriate;
5. To establish working groups as necessary to undertake any activity within these terms of reference;
6. To identify any matters within the services and functions of the Neighbourhoods Directorate that require in-depth scrutiny and report back to the Overview and Scrutiny Committee as necessary;

#### **Performance Monitoring**

7. To undertake performance monitoring in relation to the services and functions of the Neighbourhoods Directorate, against adopted Key Performance Indicators and identified areas of concern;

#### **Environment**

8. To monitor and keep under review the Council's progress towards the development and adoption of a corporate energy strategy / environmental policy and to receive progress reports from the Green Working Party.

9. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract;

### **Leisure**

10. To monitor and keep under review leisure management matters and in particular the procurement of the Leisure Management Contract.

### ***The Panel scrutinised a number of important issues over the last year, which included:***

**(i) Regular Updates on the Local Plan** – Throughout the year the Committee received regular updates on the development of the Council's Local Plan when they received reports from the officer in charge and had the chance to scrutinise the progress made and identify any obstacles that were encountered.

**(ii) Key Performance Indicators 2015/16 - Quarter 4 (Outturn) Performance** – in June 2016 the Committee considered the quarter 4 outturn report for the Key Performance Indicators for the previous year (2015/16). The Committee noted that as part of the duty to secure continuous improvement, a range of Key Performance Indicators (KPI) relevant to the Council's services and key objectives, are adopted each year by the Finance and Performance Management Cabinet Committee. Performance against the KPIs was monitored on a quarterly basis by Management Board and Overview and Scrutiny to drive improvement in performance and ensure corrective action was taken where necessary.

Twelve of the Key Performance Indicators fell within the Neighbourhoods Select Committee's areas of responsibility. The overall position with regard to the achievement of target performance at the end of the year for these indicators, was as follows:

- (a) 7 (58%) indicators achieved target;
- (b) 5 (42%) indicators did not achieve target; although
- (c) 1 (8%) indicator performed within its tolerated amber margin.

The committee went on to review each indicator that looked to be not on target and to question any inconsistencies that they came across.

**(iii) Corporate Plan Key Action Plan 2015/16 – Quarter 4 (Outturn) Position** – Again in June 2016 the Committee received a report on the quarter 4 outturn position of the Corporate Plan Key Action Plan for 2015/16. The Corporate Plan was the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims are supported by Key Objectives, which provided a clear statement of the Council's overall intentions for these five years.

20 actions fell within the areas of responsibility of the Neighbourhoods Select Committee. At the end of the year:

- 11 (55%) of these actions had been achieved; and
- 9 (45%) of these actions had not been achieved by year end.

**(iv) Environmental Charter Objectives** - The report on the Council's Environmental Charter and objectives was introduced by the Environmental Co-ordinator. In November 2015 the Neighbourhood and Community Services Select Committee had agreed that a draft environmental

charter and action plan should be developed to replace the existing Climate Change Policy. It was further agreed that it should be brought back to the Select Committee for comment and agreement.



The outcome of these discussions was considered at the Green Working Party (GWP) on 7 December 2016 when it was agreed that the charter and action plan should be modelled on the 'Climate Local' methodology. This looks at various environmental commitments for a local authority and breaks them down into broad areas, such as Finance, Energy, the Natural Environment, etc. Within each area, suggestions are made for environmental commitments and associated actions. These documents now follow the format of Climate Local methodology but have been tailored to EFDC requirements.

The Environmental Charter was an overarching document to explain what we as EFDC (and the GWP) feel are our main commitments to the environment as the area leader.

The 'Commitments and Actions' was a document to demonstrate ways in which we were fulfilling our Charter. It was broken into three main headings with broad actions under each heading. The broad actions will then be supported by specific actions from the GWP work plan. Once actions have been completed they can be added to this document as a record of what has been achieved. In this way the work plan can be the "working document" which changes; supporting the overall commitments and actions document.

**(v) Consultation Report on M11 Junction 7a and Widening of Gilden Way** - The Committee received a report on the ECC consultation on the M11 junction 7A (and widening of Gilden Way). They noted that Essex County Council was currently consulting on the provision and design of a new junction 7A on the M11, and the related widening of Gilden Way. This consultation followed several years of work by the County Council in assessing various options to improve congestion, and also in assessing possibilities for junction 7A design and location. A number of exhibitions would be going around the district.



The project also creates a spur going nowhere at present. This was to future proof the scheme but officers were unconvinced about this spur on the consultation. EFDC Members have previously raised concerns over the timing of the 'future-proofing' spur and roundabout which form part of Essex County Council's proposals. It was suggested that the Council included these concerns in its response, suggesting to Essex County Council that the phasing of delivery for these elements would need to be determined by the individual Districts' Local Plans, which were not yet available.

**(vi) The Surface Water Management Plan for Loughton, Buckhurst Hill and Theydon Bois** – In September 2016 the Select Committee received a presentation on the surface water management for Loughton, Buckhurst Hill and Theydon Bois from officers from Essex County Council and Capita.

Officers from the Council's Engineering, Drainage and Water Team had been working with Essex County Council's Flood Team, consultants and other stakeholders in producing a Surface Water Management Plan (SWMP) for Loughton, Buckhurst Hill and Theydon Bois. The plan outlined the predicted risk and preferred surface water management strategy for these areas. Surface water flooding described flooding from sewers, drains, groundwater and run off from land, small watercourses and ditches that occurred as a result of heavy rainfall.

*(See Case Study for details)*

**(vii) Fly Tipping – Enforcement and Clearance** - The select committee received a verbal update on the Enforcement and Clearance of Fly Tipping from the Environment and Neighbourhoods Manager.

There were two main issues facing the authority in respect of fly tipping; the first was small scale disposal, often involving a single black rubbish bag and could be put down to miss-management. The second was large scale fly tipping which was frequently associated with professional tippers who worked for profit, this was a criminal activity that was hard to tackle and difficult to catch those responsible.

The solution was to attempt a reduction in fly tipping using enforcement signs, education and fines. Signs or notices could be stuck to black bags. The Environment Agency only took on the largest cases which meant that this authority handled a great deal, probably 99% of all cases.

There had been recent changes in Government legislation including Fixed Penalty Notices which could impose £200 fines. The income from this could be used by local authorities. The enforcement technology was also improving, CCTV was one example.



**(viii) Key performance Indicators 2016/17 Quarterly Performance** - The Committee reviewed the Key Performance Indicators relevant to their Select Committee on a quarterly basis.

**(ix) Corporate Plan Key Action Plan 2016/17 – Quarterly Performance** - The Select Committee received quarterly updates on the Council's corporate action plan pertaining to their area of responsibility.

**(x) Chigwell Neighbourhood Plan** – The Select Committee considered the Council's response to the Draft Chigwell Neighbourhood Plan. It needed to be broadly in conformity with the Council's own Local Plan and had to meet certain basic conditions.

Chigwell Parish Council had published its Draft Neighbourhood Plan for a period of formal public consultation.

The examination process was 'light touch' and considered a limited number of matters. However, in order to pass examination a Neighbourhood Plan must comply with the basic conditions set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004. The plan met the basic conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it was appropriate to make the plan;
- b) The making of the plan contributes to sustainable development;
- c) The making of the plan was in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area); and
- d) The making of the plan did not breach, and is otherwise compatible with, EU obligations and human rights requirements.

**(xi) Environmental Charter and Objectives** – In November 2016 the meeting reviewed the report updating them on the progress of the Environmental Charter. It was noted that the development of an Environmental Charter and associated action plan was added to the Green Working Party's (GWP) work programme. Over a period of months the GWP developed the Charter

and associated 'commitments and actions' and these were agreed by the Select Committee at its meeting on 28 June. The Select Committee recommended the Charter to the Cabinet and asked to receive an annual report on the progress of the Charter against its action plan.

**(xii) Response to the Government's Housing White Paper** – At their last meeting of the year the Interim Assistant Director (Forward Planning) introduced the report on the government's consultation on the Housing White paper. The White Paper provided an analysis of the issues and challenges facing both the delivery of and access to housing. The document comprised a range of 'proposals' which were the subject of consultation and issues on which it was seeking comment.

The White Paper covered four key areas:

- Planning for the right homes in the right places;
- Building homes faster;
- Diversifying the market; and
- Helping people now.

At that stage many of the proposals carried no firm commitment to implement, as drafted. They would be considered further having reviewed the responses made to this consultation. Some proposals would require changes to regulation, whilst some would require amendments to national policy, including to the National Planning Policy Framework (NPPF).

The Committee went through the proposed draft response to the Housing White Paper, noting that:



small sites were to be treated positively; that local planning authorities were to determine what their Green Belt policy was; the Green Belt review to look at brown field sites; the 20% increase in fees for planning applications (now agreed by the Cabinet); and Section 106 restrictions to be removed.

### ***Case Study: The Surface Water Management Plan for Loughton, Buckhurst Hill and Theydon Bois***

In September 2016 the Select Committee received a presentation on the surface water management for Loughton, Buckhurst Hill and Theydon Bois from L Shepherd of Essex County Council and C Despina from Capita.



Officers from the Council's Engineering, Drainage and Water Team had been working with Essex County Council's Flood Team, consultants and other stakeholders in producing a Surface Water Management Plan (SWMP) for Loughton, Buckhurst Hill and Theydon Bois. The plan outlined the predicted risk and preferred surface water management strategy for these areas. Surface water flooding described flooding from sewers, drains, groundwater and run off from land, small watercourses and ditches that occurred as

a result of heavy rainfall.

A four phase approach had been undertaken in line with Defra's SWMP technical guidance for 2010. The areas identified as being at significant risk had been placed into Critical Drainage Areas (CDAs) of which a total of seven CDAs had been identified. For each site, specific measures had been identified that could be considered in helping reduce the risk of surface water flooding. The process established a long term action plan for the County Council, District Council and other flood management authorities to assist in their roles under the Flood and Water Management Act 2010.

These areas were the first within Epping District subject to a SWMP, because:

(a) Defra's National Rank Order of Settlements Susceptible to Surface water Flooding indicated that Loughton was vulnerable to surface water flooding and was ranked 313<sup>th</sup> out of 4,215 settlements in England with an estimated 1,000 at risk of flooding. The Defra document did not contain any information regarding the vulnerability or floodrisk for Buckhurst Hill or Theydon Bois, but due to historical flooding events it was decided to assess these areas as part of the SWMP; and

(b) As part of its duties created by the Flood and Water Management Act 2010, the County Council produced in January 2011 a Preliminary Flood Risk Assessment which identified the Loughton area as a Tier 1 at risk area.

The Select Committee were advised of the potential options in dealing with flooding:

**(a) Soft Measures**

- (i) Adaptation of spatial planning policy
- (ii) Improving maintenance of the drainage network
- (iii) Emergency planning
- (iv) Raising community awareness

**(b) Hard Engineering Measures**

- (i) Ponds
- (ii) Pipe enlargement
- (iii) Additional gullies

**(c) Sustainable Drainage Systems**

- (i) Bioretention (The process in which contaminants and sedimentation were removed from stormwater run off. Stormwater was then collected into the treatment area)
- (ii) Green roofs (A roof partially or completely covered with vegetation)
- (iii) Permeable Pavement (Was a range of sustainable materials that allowed the movement of stormwater through the water)
- (iv) Detention Basins An excavated area installed on or adjacent to rivers, streams and the like for protection against flooding)
- (v) Rainwater Harvesting (The accumulation and deposition of rainwater for re-use on site, rather than allowing it to run off)
- (vi) Sub-Surface Storage (This relied on construction of water storage structure made of concrete or piping)

The Select Committee asked the invited speakers about the various options for coping with flooding. Members were concerned about the role of Essex County Council Highways in supporting better flood preparation. A meeting had been undertaken with County Highways considering changing maintenance regimes on their assets. Whilst the attitude from Highways was positive, it was clear that their current funding and prioritisation gave limited focus to their own drainage assets. The

working relationship the District Council had with the Drainage Engineer at Highways was extremely good.

The ECC and the Capita officers advised other problems they faced:

- Encouraging eligible residents to consider applying for Property Level Protection Grants that were available from ECC to install flood protection products, however properties must have been flooded previously to receive this.
- Continuing exploration of investment opportunities for drainage assets offered by developments that may come forward within the SWMP area, both pre and post adoption of the new Local Plan.
- Challenging drainage proposals where developers had not considered or embraced the range of sustainable drainage systems available.
- Working to ensure that Members and the wider public were aware of flood risk from all sources and how they could better prepare in the event of flooding.
- The Select Committee were advised that it was important building flood resilience into buildings, for example flooring that could be used after a flood.

Members were concerned about blockages in the River Roding which were not being cleared. Essex County Council replied that they had a very good relationship with the Environment Agency, however maintenance budgets had been cut, it was important to justify the benefits of work in line with costs sustained.

There was particular concern about flooding in the Theydon Bois, affecting 31 properties. Essex County Council replied that it was difficult to assess options and deciding what would work. They would look at properties potentially affected, there were resources available. It was important to inform people and help with preparation.

