



NOTICE OF COUNCIL MEETING

You are hereby summoned to a meeting of the EPPING FOREST DISTRICT COUNCIL to be held in the COUNCIL CHAMBER, CIVIC OFFICES, HIGH STREET, EPPING at 7.30 pm on Tuesday, 28 July 2015 for the purpose of transacting the business set out in the agenda.

A handwritten signature in black ink, appearing to read "Glen Chipp".

Glen Chipp
Chief Executive

Democratic Services
Officer:

Council Secretary: Simon Hill
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The meeting may also be otherwise filmed by third parties with the Chairman's permission.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by entering the Chamber and using the lower public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for web casting and/or training purposes. If members of the public do not wish to have their image captured they should sit in the upper council chamber public gallery area or otherwise indicate to the Chairman before the start of the meeting.

If you have any queries regarding this, please contact Democratic Services on 01992 564249.

BUSINESS**1. WEBCASTING INTRODUCTION**

1. This meeting is to be webcast. Members are reminded of the need to activate their microphones before speaking.

2. The Assistant Director of Governance and Performance Management will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. MINUTES (Pages 9 - 14)

To approve as a correct record and sign the minutes of the meeting held on 23 June 2015. (attached)

3. DECLARATIONS OF INTEREST

(Chief Executive) To declare interests in any item on the agenda.

4. ANNOUNCEMENTS

(a) Apologies for Absence

(b) Announcements

To consider any announcements by:

- (i) the Chairman of the Council;
- (ii) the Leader of the Council; and
- (iii) any other Cabinet Member.

5. PUBLIC QUESTIONS (IF ANY)

To answer questions asked after notice in accordance with the provisions contained in paragraph 11.3 of the Council Procedure Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Leader of the Council;
- (b) to the Chairman of the Overview and Scrutiny Committee; or
- (c) to any Portfolio Holder.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

6. QUESTIONS BY MEMBERS UNDER NOTICE

To answer questions asked after notice in accordance with the provisions contained in paragraph 12.3 of the Council Procedure Rules of the Constitution on any matter in relation to which the Council has powers or duties or which affects the District:

- (a) to the Chairman of the Council;
- (b) to the Leader of the Council;
- (c) to any Member of the Cabinet; or
- (d) the Chairman of any Committee or Sub-Committee.

Council Procedure rule 12.4 provides that answers to questions under notice may take the form of:

- (a) direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

Answers to questions falling within (a) and (b) above will be made available to the member asking the question one hour before the meeting. Answers to questions falling within (c) above will be circulated to all councillors.

Questions, if any, will follow if not received in time to be incorporated into the agenda.

7. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET (Pages 15 - 52)

To receive reports from the Leader and members of the Cabinet on matters falling within their area of responsibility:

- (a) Report of the Leader;
- (b) Report of the Assets and Economic Development Portfolio Holder; (attached)
- (c) Report of the Environment Portfolio Holder; (attached)
- (d) Report of the Finance Portfolio Holder; (attached)
- (e) Report of the Governance and Development Management Portfolio Holder; (attached)
- (f) Report of the Housing Portfolio Holder; (attached)
- (g) Report of the Leisure and Community Services Portfolio Holder; (attached)
- (h) Report of the Planning Policy Portfolio Holder; (attached)

- (i) Report of the Safer, Greener and Transport Portfolio Holder; (attached) and
- (j) Report of the Technology and Support Services Portfolio Holder (attached).

8. QUESTIONS BY MEMBERS WITHOUT NOTICE

Council Procedure Rule 12.6 provides for questions by any member of the Council to the Leader or any Portfolio Holder, without notice on:

- (i) reports under item 7 above; or
- (ii) any other matter of a non operational character in relation to the powers and duties of the Council or which affects all or part of the District or some or all of its inhabitants.

Council Procedure Rule 12.7 provides that answers to questions without notice may take the form of:

- (a) direct oral answer from the Leader or, at the request of the Leader, from another member of the Cabinet;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication;
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner; or
- (d) where the question relates to an operational matter, the Leader or a member of the Cabinet will request that a response be given direct to the questioner by the relevant Chief Officer.

In accordance with the Council Procedure Rule 12.8, a time limit of thirty minutes is set for questions. Any question not dealt with within the time available will receive a written reply. The Chairman may extend this period by up to a further 10 minutes at his discretion.

9. MOTIONS

To consider any motions, notice of which has been given under Council Procedure Rule 13.

(a) Chairman and Vice Chairman of Council – Mileage allowances

Proposed by: Councillor Whitbread

Seconder: Councillor Philip

“(1) That section (5)(1) of the Members Allowances Scheme be amended to include payment of mileage claims for approved civic duties carried out by the Chairman and Vice Chairman of the Council including Schedule 2 of that scheme which shall include a further subparagraph (p) for which payment can be made, as follows:

- ‘(p) Attendance at any civic event to which the Chairman or Vice Chairman is attending in that capacity (or representative) for which Council funded transport is not provided’

(2) That payment of such claims be met from the within the existing members allowances budget”

Further motions, if any, will follow if not received in time to be incorporated into the agenda.

10. OVERVIEW AND SCRUTINY (Pages 53 - 112)

(a) To receive the annual report of the Chairman of the Overview and Scrutiny Committee and to answer any questions without notice asked in accordance with Council procedure rule 12.7(b) and 12.9 (a).

11. APPOINTMENTS TO VACANCIES ON COMMITTEES AND ADDITIONAL MEMBERS ON OUTSIDE BODIES

(Proper Officer) At the Annual Council meeting in May there were a number of outstanding appointments to both Committees and Outside Bodies.

No appointment has been made to the position of Vice Chairman of the Standards Committee, a nomination of Councillor C P Pond has been received for consideration.

The Council requested further representation on:

- (i) Epping Forest District Local Strategic Partnership (Executive);
- (ii) Epping Forest Citizens' Advice Bureau; and
- (iii) North Essex Parking Partnership (NEPP).

The Council has approached these bodies and received the following responses:

The Chairman of the LSP Board has confirmed that an extra representative could be proposed, as the Leader of the Council was also the Chairman of the One Epping Forest Board.

The Chairman of CAB had consulted the board and had amended their constitution to reflect the Council's request, allowing for three EFDC representatives, although one representative would have voting rights and two representatives would have a advisory/observer role.

The NEPP advised that a partner authority may appoint another executive member of the same Partner authority to be a substitute member and attend a meeting of the Joint Committee in the absence of the Member appointed but no further appointments could be made under their Constitution.

The Council therefore need to consider their representation on these bodies.

Recommendation:

To consider the following appointments for the remainder of the current municipal year:

- (a) Councillor C P Pond as the Vice Chairman of the Standards Committee;

(b) Councillor Boyce as the third representative on the Epping Forest District Local Strategic Partnership (Executive);

(c) Councillor Angold-Stephens as an additional representative on the Epping Forest Citizens' Advice Bureau;

(d) To consider which member appointed to the Epping Forest Citizens' Advice Bureau should have voting rights and which members in the roles of advisory/observer capacity only;

(d) To note that an additional representative on the North Essex Parking Partnership (NEPP) is not permissible under its constitution.

12. CALL-IN AND URGENCY FOR THE LICENCE FOR NORTH WEALD MARKET, PROVISION OF NEW DEPOT – OAKWOOD HILL, LOUGHTON AND TENDER FOR INSURANCE POLICIES (Pages 113 - 114)

To note the attached decision taken by the Chairman of the Council to waive the call-in provisions of the Overview and Scrutiny Rules for;

(a) Licence For North Weald Market;

(b) Provision Of New Depot – Oakwood Hill, Loughton

(c) Tender for Insurance Policies

13. OFFICER EMPLOYMENT PROCEDURE RULES (Pages 115 - 126)

(Chairman of Constitution Working Group) To consider the attached report.

14. REVIEW OF TERMS OF REFERENCE FOR THE STANDARDS COMMITTEE (Pages 127 - 128)

(Chairman of Standards Committee) To consider the attached report.

15. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

(a) To receive from Council representatives the reports (attached - if any) on the business of joint arrangements and external organisations and to receive answers to any questions on those bodies which may be put without notice; and

(b) To request written reports from representatives on joint arrangements and external organisations for future meetings.

16. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Council **Date:** Tuesday, 23 June 2015

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.05 pm

Members Present: E Webster (Chairman), J Lea (Vice-Chairman), K Angold-Stephens, R Bassett, N Bedford, A Boyce, W Breare-Hall, G Chambers, K Chana, D Dorrell, R Gadsby, L Girling, A Grigg, L Hughes, J Hart, R Jennings, H Kane, S Kane, H Kauffman, P Keska, Y Knight, A Lion, M McEwen, H Mann, L Mead, A Mitchell MBE, G Mohindra, R Morgan, S Neville, A Patel, J Philip, C P Pond, C C Pond, C Roberts, B Rolfe, M Sartin, G Shiell, D Stallan, S Stavrou, B Surtees, T Thomas, L Wagland, G Waller, S Watson, S Weston, C Whitbread, J H Whitehouse, J M Whitehouse, D Wixley and N Wright

Other Councillors: -

Apologies: N Avey, H Brady, R Butler, T Church, S Jones, J Knapman, S Murray and B Sandler

Officers Present: D Macnab (Deputy Chief Executive and Director of Neighbourhoods), C O'Boyle (Director of Governance), R Palmer (Director of Resources), S G Hill (Assistant Director (Governance & Performance Management)), T Carne (Public Relations and Marketing Officer), G J Woodhall (Democratic Services Officer) and S Kits (Webcasting Officer)

Also in attendance: L Edwards and C Pasterfield (Consultants)

15. WEBCASTING INTRODUCTION

The Assistant Director of Governance and Performance Management reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

16. MINUTES

RESOLVED:

That the minutes of the Council meeting held on 28 May 2015 be taken as read and signed by the Chairman as a correct record.

17. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

18. ANNOUNCEMENTS

The Chairman highlighted the Summer Activities 2015 Programme, and commended all members to share it with their residents.

The Chairman reminded all Members that they were welcome to take part in the Chairman's Charity Golf Day, to be held at Chigwell Golf Club on Tuesday 21 July 2015.

19. ORDER OF BUSINESS

The Chairman sought the leave of Council to bring forward the item concerning Emergency & Urgent Expenditure for the Waste & Recycling Contract into the public session.

RESOLVED:

That the item of business concerning the Emergency & Urgent Expenditure for the Waste & Recycling Contract be considered as the next item of business and before the exclusion of the public and press from the meeting.

20. EMERGENCY AND URGENT EXPENDITURE - WASTE AND RECYCLING CONTRACT

Mover: Councillor W Breare-Hall, Environment Portfolio Holder.

(a) The Environment Portfolio Holder, Councillor W Breare-Hall, made the following statement to the Council, concerning the recent problems with the refuse collection service:

"Chairman, I'm grateful to you for giving me this opportunity to update Members and residents on the latest position of our waste, recycling and street cleansing service.

Following my statement to Cabinet on the 11th of this month, a meeting was held with the Managing Director of Biffa Municipal and other senior Biffa managers. It left them in no doubt of the need for urgent action to improve the unacceptable level of service experienced by a substantial number of our residents. The action plan Biffa prepared has now been in operation for a week, and I'm pleased to report tonight that there are encouraging signs it is having the desired effect.

If I may, Chairman, I will briefly highlight some of the key aspects of the action Biffa have taken over the past week.

The workloads of five crews who collect our black bins and five recycling crews have been reduced, and two additional crews have been created for each of those collections. This has generated additional capacity to help cope with any unforeseen problems.

Similarly, the seven food and garden crews have had some of their workload removed and three additional crews have been created. It's important to note that the 'original' crews have been kept together and that all the additional crews have at least one permanent member of staff with them, to provide the local knowledge they need.

Adjustments to the existing routes, together with the creation of new routes, have increased the efficiency of the service, with paper maps being used as backups to the PDAs. New missed collection reports are being issued back to the crew that missed them, taking advantage of their reduced workload, which creates an incentive for them to avoid missed collections in the first place, and helps ensure the crews are learning their routes effectively.

Six additional vehicles were required to fulfil Biffa's plan but eight were arranged, to ensure they were able to deal with any problems that arose.

All of this means we're moving toward a position where the right resources are in the right place at the right time. Improved communication, both within Biffa and between Biffa and the Council, is a positive by-product of this, as is the ability Biffa now have to implement a coherent strategic approach to delivering the service efficiently and effectively.

Naturally, the only real test of the success of these measures is to be found on the pavements, driveways and front gardens of our District. I'm pleased to report that the number of missed collections reported to the Council has fallen significantly and, as of today, stands at 75. I'm also pleased to report that this improvement is borne out by a reduction in the number of phone calls being received by the Customer Contact Centre, which now averages around 260 a day from a peak of over 550. Reference to the Customer Contact Centre gives me another opportunity to highlight and praise the dedication and commitment of the Council's staff, who have worked so incredibly hard over the last seven weeks on behalf of our residents. I'd like to publicly thank them for everything they have done, and endured. I'm personally extremely grateful to them.

Chairman, the signs of improvement we have witnessed over the past week are welcome and long overdue, but it is still too early to say that the problems some of our residents have faced are behind us. It will take some weeks yet before we can be confident the service has fully stabilised and is operating at a level we and our residents are happy with. Accordingly, until that point, the Leader and myself, together with the Chief Executive and Director of Neighbourhoods, will continue to meet with Biffa's senior management. I shall, of course, keep Members and residents informed of our progress."

(b) The Environment Portfolio Holder, Councillor W Breare-Hall, then proceeded to make a second statement to the Council concerning the emergency and urgent expenditure authorised by the Portfolio Holder for the Waste and Recycling Contract:

"As Members will be aware, following their introduction in early May of new vehicles and technology, their switch to a new depot site in Waltham Cross, and the introduction of the four day collection week, our waste management contractor, Biffa, has experienced a number of problems.

I've detailed these problems in previous statements, so I won't repeat them now, and I've made it clear throughout this difficult period that we were doing all we could to both assist Biffa to resolve the problems they faced and to minimise disruption to our residents.

It was to those ends that, when it was clear that Biffa would be unable to complete on their own the catch-up collections needed to stabilise the service, I took the decision to authorise the hiring in of additional waste collection vehicles, to be managed directly by Council Officers. These vehicles focused on addressing the most long-standing problems, dealing with those properties that had experienced repeated missed collections.

As this expenditure is outside the current budget framework I am required by the financial regulations to report it to the Council, but I also believe it's important that members are fully aware of the proactive steps we have taken to rectify the problems we faced.

To date, the expenditure in question amounts to £13,274.

This can be broken down into vehicle hire and staffing costs. Vehicle hire has cost £5,432, which covers 2 vehicles for 4 days. Staffing costs, made up of the additional hours worked by waste management staff and the customer contact team, amount to £7,842.

The extent to which these costs will rise will be dependent on Biffa's future performance, which I'm pleased to say is now improving. Nevertheless, I estimate that over the next 6-8 weeks we will incur additional monitoring costs of up to £1,500 per week, with the potential for some further use of external contractors.

Accordingly, I wish to advise Council that the overall expenditure outside of the current budget framework is likely to be in the region of £25,000 to £30,000.

Naturally, I am anxious to reclaim from Biffa any money spent by the Council on providing the service we pay them to deliver. Accordingly, legal advice has been sought and we are currently investigating the options available to us.

As with so much of what has happened over the past seven weeks, this is not something I take any pleasure in informing Members of. However, I hope Members will agree with me that this additional expenditure has been incurred in the interest of serving our residents, and with the clear purpose of minimising the disruption and inconvenience they have experienced."

The Portfolio Holder informed the Council that regular updates on the service had been issued to residents as press releases, but the Portfolio Holder would be happy to issue Members with further information to release to their residents. It was the responsibility of Biffa Municipal Limited to deliver the service and the recent extra resources were a temporary measure designed to stabilise the service. Last week, every collection route had been completed but there were still a number of missed collections reported by residents. The Portfolio Holder acknowledged that there were still issues to resolve with the new service, one of which was to educate the crews as to where all the bins were. Some of the existing communal bins for flats were too large for the new freighters, but these would be replaced by Biffa at their expense. It was emphasised that only a small proportion of such bins needed replacing.

The Portfolio Holder explained that the due diligence undertaken during the tendering process for the Waste Management contract was very thorough. The Council's external auditors were involved, and the Council had engaged WYG Environmental as consultants to assist throughout the whole tendering process. The Council was reminded that the service had worked well for six months under Biffa, and that the current problems only began when the schedule had changed from a five-day collection service to a four-day collection service. There were no plans to revert to a five-day collection service, as the four-day collection service was deliverable and would produce cost savings for residents.

The Portfolio Holder accepted that there were lessons for the Council to learn from the way it had communicated the changes to residents. However, the Council had informed residents of the facts as they believed them to be, and more information had been disseminated as it had become available from Biffa. The Portfolio Holder was also happy to provide Town and Parish Councils with further information for onward transmission to residents.

The Council had consistently been one of the top ten recycling Councils in the country, and the Portfolio Holder hoped that the recent troubles had not jeopardised

the recycling efforts made by residents in recent years. Although any possible shortfalls in recyclables would be addressed by the Council. Side waste would be collected by Biffa as they were responsible for both kerbside collections and street cleansing. The Portfolio Holder also undertook to provide information concerning the kerbside collection of textiles and other recyclables which had been included in the new contract.

The Portfolio Holder stated that, following his recent request to the Overview & Scrutiny Committee, he was sure that a thorough review of the implementation of the four-day collection service would be undertaken. However, it was for the Council's Overview & Scrutiny Committee to determine the level of Member involvement in this review. Councillor Sartin, who had been appointed to chair the Review Panel, reminded the Council that all Members could attend Scrutiny Panels and contribute to the discussion. Members were advised to make notes concerning the implementation of the four-day collection service during the previous seven weeks, as it was now unlikely that the review would begin until September 2015.

The Portfolio Holder acknowledged that the additional urgent expenditure was relatively small, but the Portfolio Holder had considered it vital to authorise the extra expenditure in order to stabilise the service and lessen the impact to residents from missed collections.

Report as first moved ADOPTED.

RESOLVED:

That the emergency and urgent expenditure in the sum of £13,274 for the Waste and Recycling Contract authorised by the Portfolio Holder be noted.

21. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
6	Epping Forest Shopping Park	3

22. EPPING FOREST SHOPPING PARK

Mover: Councillor A Grigg, Portfolio Holder for Asset Management & Economic Development.

The Portfolio Holder for Asset Management & Economic Development, Councillor A Grigg, presented a report requesting a capital supplementary estimate for 2015/16 in the sum of £30,636,280 to be approved.

The Portfolio Holder reported that the requested expenditure would enable the Council to buy out the interest of Polofind Limited in the Epping Forest Shopping Park site, which would leave the Council as the sole developers. Following on from

this, the bulk of the requested expenditure would enable the Council to construct the Shopping Park itself, and then market the units to potential tenants prior to its opening.

The Council's Development Consultant from Colliers International presented the latest Development Appraisal for the project to the Council, and answered a number of questions from Members regarding the development. The Council was also given details of the Project Development Team that had been assembled, and Members were reminded that there would be regular project monitoring reports presented to each Cabinet meeting until the development was completed.

Report as first moved ADOPTED.

RESOLVED:

That a capital supplementary estimate for 2015/16 in the sum of £30,636,280 be approved, to enable the Council to:

- (a) buy out the interest of Polofind Limited in the development of Epping Forest Shopping Park;
- (b) construct the Shopping Park; and
- (c) let the units within the Shopping Park prior to its opening.

CHAIRMAN

Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Assets and Economic Development

Portfolio Holder: Councillor A Grigg

Recommending:

That the report of the Assets and Economic Development Portfolio Holder be noted.

Staffing – A new Assistant Asset Management & Economic Development officer started in mid-May.

Eastern Plateau – The Eastern Plateau has now been officially confirmed as one of the Local Action Groups (LAG) to receive EU LEADER funding via Defra / RPA and is beginning its marketing to ensure rural businesses are aware of its existence and the opportunities they offer for businesses to access funding for growth. The programme is part of the Rural Development Program for England (RDPE) and will be managed by East Hertfordshire Council on behalf of the Eastern Plateau Local Action Group (LAG) which is made up of local rural sector representatives including Epping Forest District Council.

The Eastern Plateau LAG have been awarded approx. £1.8m (subject to £/€ exchange rates) and the aim of the funding is to create jobs and promote business growth in rural areas. It will focus on projects covering farm productivity, rural tourism, the provision of rural services, culture and heritage forest/woodland productivity and small business growth.

The Economic Development team have already met with a potential project located within the district that is interested in securing LEADER funding and it is hoped that many more of our local rural businesses will look into this scheme and access vital funding.

One Business Briefing – The Economic Development Team has launched a new 'look and feel' business newsletter. The bumper Spring 2015 edition provides information on the Eastern Plateau scheme; an update of the rollout of Superfast broadband across Essex and Epping Forest district; a top 10 tips feature for creative businesses; details of award schemes and competitions that our district's businesses might want to enter; and a host of other interesting information and articles. The Briefing is sent to hundreds of local businesses and partners with circulation increasing with each edition. Early feedback on the Spring edition has been very positive.

District Centres Economic Development Fund – The Economic Development Team is working with colleagues in Democratic Services to finalise and launch this fund for 2015/16. In previous years a similar fund has existed to enable partners to bid to undertake projects to support the local main high streets. This year's scheme is to be widened to enable smaller centres to bid as well as Economic Development Officers to propose projects. The scheme aims to encourage partners to think creatively about how they can sustainably promote their own town centres and create initiatives that have a lasting impact on their town/ village centre economy.

Business Survey – As reported previously, Essex County Council has now completed its business survey. The Economic Development Team has recently received the raw data for Epping Forest District and is analysing this and will report further.

Tourism Development – As a result of the recent Tourism Conference, a number of local visitor-related businesses have asked to become more involved in the work of the tourism board. The conference also put a number of local businesses in contact with Eastern Plateau with a view to gaining funding for tourism-related business expansion projects.

The visiteppingforest.org website continues to be a major source of information for those interested in the district and the number of information requests continues to grow in line with the hits on the site.

Work is being carried out on a proposal to stage a major event at North Weald Airfield in 2016 to celebrate its centenary. This would combine an air and vehicle show with a major event on the Epping Ongar Railway.

A stand has been booked for the important Excursions Show at Alexandra Palace, early next year.

Branding and awareness will be the focus of a leaflet push starting this summer, which will see branded leaflet holders sited in heavy foot-fall outlets across the district.

Other projects at an early stage include a Jazz Festival and a resident's summer offer reward card/ voucher.

Partner Liaison - The Economic Development team continues to liaise with, support and attend meetings with a number of Partner Organisations. These include, at varying intervals:

- Essex County Council
- South East Local Enterprise Partnership (SELEP)
- Invest Essex and Essex Innovation Programme
- Lea Valley Food Taskforce
- Essex Economic Development Officer group
- Essex Tourism Officer Group
- Epping Forest Town Team
- Eastern Plateau Local Action Group
- Stansted Airport Local Authority Forum
- Tourism & Visitor Board
- West Essex Skills & Learning Forum
- Waltham Abbey Town Partnership

The Team has been busy with enquiries from individuals looking to set up in business locally and existing businesses looking to invest in the district. Team members have also attended the following key events in recent weeks - Harlow Business Exhibition, the launch of the SELEP Rural Strategy, workshops at Essex level on European Funding and Inward Investment and a visit (with Planning Policy colleagues) to Abbey View Produce glasshouses and packhouse to understand more about its operation.

Major Projects – Epping Forest Shopping Park

We are making good progress on the development of the Epping Forest Shopping Park. As a result of the decision taken at the Extraordinary Council on the 23 June, the purchase of Polofind's interest in the scheme was completed on Friday 3 July 2015. The design team who now have the Council as their sole clients, have been developing all the necessary procurement documentation for the retail park, which must now be tendered in accordance with OEJU Regulations. The Highways design is awaiting final sign-off by the County

Council, but should be soon proceeding also to tender. Marketing activity is ongoing with for key anchor tenants expressing a good level of interest, giving confidence in the ability to pre-let to a good level.

Oakwood Hill Depot

With respect to Oakwood Hill Depot, the Tender for Construction of the new facility was agreed by Cabinet on the 11 June and the contractor is currently mobilising on site. Target date for completion is April 2016.

St John's Road, Epping

A sale price has been agreed with the County Council for the Junior School site. The Council has requested further legal advice with respect to State Aid. Contract documentation is nearing completion and Essex County Council's Cabinet are due to formally consider the final terms of the disposal in early September. The mixed use scheme being promoted by Frontier Estates will be subject to a Full Planning Application with the necessary consultation.

North Weald Airfield

As a result of the marketing exercise undertaken by the Council's consultants Savills, three expressions of interest have been received from potential partners to support the Council in promoting aviation related activities. The proposals are due to be evaluated and the outcome reported to the next Asset Management Cabinet Committee in October 2015.

Ongar Academy

Planning permission has been granted for the temporary school facilities at the rear of the Leisure Centre with the supporting Licence arrangements completed. The Academy is currently bringing in the demountable accommodation to host the first intake of pupils due to start in September.

Hillhouse Community Hub

The proposal to relocate Waltham Abbey Swimming Pool to the Hillhouse Site, bringing together a new GP Surgery and supported housing accommodation for older people has been subject to an initial financial assessment. A more detailed masterplanning exercise is due to commence exploring potential layouts. At this point the work is at a feasibility stage and options will be brought forward for formal consideration.

Town Mead Depot

Further advice from the Environment Agency confirms that due to flood risk, the site is unlikely to progress for any form of residential development and therefore alternative uses may need to be considered.

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Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Environment

Portfolio Holder: Councillor W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

At the time of writing, I can report that the performance of the Council's waste and recycling contractor, Biffa Municipal, continues to improve. However, whilst the number of missed collections and customer complaints has fallen, I am not yet satisfied that the service is operating to the required standard. Accordingly, I continue to put pressure on senior Biffa management, specifically the Managing Director and the Commercial Director, to improve their performance further. I will provide Members with a verbal update on the latest position at the Council meeting.

Essex Waste Partnership

Good progress has been made by the Partnership in achieving the targets of the Essex Waste Strategy. A major piece of infrastructure work under the Strategy is the construction of the Mechanical Biological Treatment (MBT) plant in Basildon. This plant will deal with all Essex's residual waste. The plant is now in the commissioning phase and, once fully operational, will start to receive residual waste from Epping Forest. All the residual waste received at the plant will be processed, with the output being Solid Recovered Fuel (SRF) that can be used to produce energy.

I have authorised officers to assist the Partnership in reviewing commercial waste arrangements. The purpose of this is to assess the potential for the expansion of the commercial waste collection and disposal service. I am particularly keen to establish if this could result in a more cost effective service for our small retailers and businesses, particularly in the rural parts of the District.

Essex Litter campaign

The Environment and Neighbourhoods team are planning to participate in a renewed Essex wide litter campaign in August/September using similar images/message to the last campaign "Bin your litter. It's a pretty quick, cool, smart, classy thing to do". There are four images with models representing the "pretty, classy, cool and smart" message. Environment and Neighbourhoods officers will be arranging litter enforcement patrols as part of the campaign.

Fly tipping

Evidence gathered by the Council's Environment and Neighbourhood team, assisted by CCTV evidence provided by colleagues in the Community Safety team, led to a prosecution

in Chelmsford Magistrates Court on 23rd April 2015. £3,567 clearance costs and a contribution towards the prosecution costs of £85 were awarded to the Council after Mr. John Edward Newman, of Honey Lane, Waltham Abbey, pleaded guilty to multiple fly-tipping offences in a garage area in Pyrles Lane, Loughton, between 6th January 2012 and 14th July 2014. Mr Newman was also given a 26 week prison sentence, suspended for one year with a six month curfew between the hours of 10.00pm and 8.00am.

In addition, the Magistrates made a Criminal Behaviour Order on conviction. For a period of five years Mr Newman is prohibited from advertising any waste clearance services and loading or carrying any waste in a vehicle unless he obtains a waste carriers licence or is employed by a licensed company. He was also banned from entering the garage area in Pyrles Lane.

The prosecution was the culmination of many months of thorough investigation work and a number of formal interviews. Several householders were also cautioned for failing to carry out reasonable checks to ensure that they gave their waste to an authorised person, and a builder was prosecuted for failing his waste duty of care.

Fly-tipping in the Pyrles Lane garage area has now ceased.

Air Quality/Pollution

An Abatement Notice has been served on the wood chipping yard in Nazeing following a serious dust nuisance. The Environment Agency has not taken any action regarding permits for the activities on the site.

A permit has been issued to Hoppings Softwood Products following completion of considerable works required by EFDC to prevent the run-off of chemicals into the forest. Areas of the site have been covered and barriers have been created to prevent preserving chemicals from escaping.

Flooding and Water

Without wishing to tempt Fate, the weather has, so far, been generally kind, with flooding incidents few and far between. However, drainage issues appear to be on the increase, with officers spending more than the average amount of time dealing with investigations, and the consequences of what is discovered. The number of planning applications requiring drainage comments has risen slightly, but the professional working relationships built up with some of the commonly used consultants have ensured that the team achieve good outcomes for the sites concerned.

Thames Water's attendance in April at the final Safer Cleaner Greener Scrutiny Panel, which was well received by officers and Members at the time, has so far failed to result in any tangible increase in performance or improvement in working relationships on the ground. However, the meeting did galvanise Thames Water into re-starting a liaison group with EFDC and other councils in the north-east Thames area. The first meeting is due in August 2015.

Health and Safety at Work

Following investigations into injuries caused by Intense Pulsed Light (IPL) treatments, and a prosecution brought by this authority against Saks Beauty Treatments, Essex Health and Safety Liaison Group have been investigating the possibility of district councils taking on the licensing function for such treatments. This is currently the responsibility of Essex County

Council. However, progress has been stalled due to the unwillingness of Castle Point District Council to take on the function.

The project to monitor carbon monoxide emissions from indoor charcoal cooking is almost complete. Results so far show that businesses within the EFDC area are carrying out this cooking safely, and no formal action has been required, with the restaurants concerned being receptive to the advice given.

Food Safety

At the end of April, officers attended a seminar organised by the Essex Food Liaison Group about the amount of salt and sugar added to takeaway food. Letters have been sent to qualifying takeaways within the EFDC area introducing the "Tuck in" Project, funded by Essex County Council, which aims to reduce the amount of salt and sugar used.

Noise nuisance

On 27th April 2015, Ms Natasha Thompson, of 22 Longcroft Rise, Loughton, was found guilty of breaching a noise abatement notice and fined £660 in Chelmsford Magistrates Court. She was also ordered to pay a victim surcharge of £66 and a contribution towards the Council's prosecution costs of £200.

A noise abatement notice was served on 5th November 2014 that required her to limit the volume of music and amplified sound emanating from 22 Longcroft Rise to a level that would not cause a statutory nuisance to the occupiers of noise sensitive premises. The breach occurred on 14th November 2014.

Pests

The number of pest complaints is at a higher level than in previous years, with some residents claiming that missed refuse collections are attracting rats. However, subsequent investigations show little evidence of increased activity in most areas.

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Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Finance

Portfolio Holder: Councillor S Stavrou

Recommending:

That the report of the Finance Portfolio Holder be noted

Accountancy

In previous years the Accounts and Audit Regulations have required the approval at June Council of the draft Statutory Statement of Accounts. However, this is no longer the case so the Accounts will not be presented to Council until September, when the audited set will be on the agenda. The outturn reports for both revenue and capital were presented to the Finance and Performance Management Cabinet Committee on 18 June and the Resources Select Committee on 14 July. I do not want to repeat the contents of those reports but, as not all of you will have attended one of those meetings, it is worth giving you the headlines.

The revenue outturn showed that for the first time in many years the Council had used more reserves than had been estimated. It was anticipated in the revised estimates that £7,000 would be added to reserves, but the outturn actually saw £64,000 of the General Fund balance being used. The total variance of £71,000 comprised of £223,000 of net expenditure above budget and £152,000 of additional income from Government Grants and Local Taxation. The in-year savings on the Continuing Services Budget (CSB) were £1,051,000 which was very close to the revised estimate of £1,089,000. There was a larger variance on the opening CSB which was £185,000 higher than predicted. The largest movement in the opening figures was in the provision for bad and doubtful debts, which included a one-off adjustment for the change in systems of Non-Domestic Rate accounting. It should be remembered that the gross expenditure budget is approximately £74 million so the overall variance is not significant.

The outturn on the Housing Revenue Account was a deficit of £397,000. This was £590,000 better than the revised estimate, largely due to savings on revenue expenditure. Consequently the HRA revenue balance is higher than expected as is the balance on the Major Repairs Reserve. This will be reviewed when the financing of the capital programme for 2015/16 is considered. The combined balance on the Housing Repairs Fund, the Major Repairs Reserve and the HRA revenue balance is £15 million.

The capital outturn detailed spending of £20 million on a range of schemes, this was some £3.9 million below the revised estimate. The two largest areas of slippage on non-housing items were the purchase of land for the St Johns Road development (£1,000,000) and works in the planned maintenance programme (£557,000). Amounts of £2.6 million (General Fund) and £1.5 million (HRA) will be carried forward to 2015/16 to allow for completion of the various projects.

Having mentioned the outturn for 2014/15 I need to move on to the Council's budget for 2016/17. Last year we started the budget cycle earlier by bringing forward the presentation of the Financial Issues Paper from the September meeting of the Finance and Performance Management Cabinet Committee to July. This allowed for a wider consultation and consideration of the options to achieve the necessary savings and will be repeated again this year. An extra meeting of the Cabinet Committee will take place on 20 July and the Financial Issues Paper will be presented to this meeting together with an update on the Medium Term Financial Strategy.

The Chancellor's Summer Budget concentrated on welfare and tax avoidance and so provided no new information on government spending at a departmental level. It would have been helpful to have had some information on our grant funding beyond 2015/16 but that will follow in the autumn after the Spending Review. There are a couple of positives to take from the Budget as the funding settlement for 2015/16 has not been re-opened and the timeline for achieving a surplus has been pushed back a year. This means the austerity programme is not as dramatic as had previously been outlined in March.

Benefits

On 20 July the Finance Cabinet Committee will receive the outturns for the Key Performance Indicators for 2014/15. I am pleased to report that all of the performance targets for Benefits were achieved. The continuing improvement in the processing of new claims is worth mentioning as an average performance of 21.7 days was achieved which beat the target of 25 days and the previous year's performance of 23 days.

A significant part of the deficit reduction strategy is to reduce the welfare bill by £12 billion. The key welfare reforms in the Summer Budget that will affect residents on benefits include -

- reducing the benefit cap from £26,000 to £20,000 per annum
- freezing working age benefits for 4 years from April 2016; and
- removing automatic entitlement to housing support for those aged under 21.

Revenues

The Key Performance Indicators for Revenues also met their targets for the year. The in year collection rate achieved for Council Tax for 2014/15 was 97.79% which exceeded the target of 97% and showed a small increase on the previous year's rate of 97.62%. The in year collection rate of 97.86% for non-domestic rates was also better than the target of 97.7%.

As part of the associated papers for the Summer Budget the Government published updates to the reviews on the administration of business rates and on tackling business rates avoidance. It is good news that the appeals system is being reformed to reduce speculative appeals and encouraging that the Government is keen to bring forward options to address avoidance.

Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Governance and Development Management

Portfolio Holder: Councillor J Philip

Recommending:

That the report of the Governance and Development Management Portfolio Holder be noted

1. Electoral Registration and IER progress update

On 13 July the Council commenced the annual electoral canvass under the second year of its transitional arrangements for Individual Electoral Registration (IER). Unlike last year when the government had allowed arrangements to apply where if a previously registered elector matched information retained by the Department for Work and Pensions (DWP) the authority could automatically register them, this year the process will require true individual responses from all households.

Under a Portfolio Holder decision issued recently our printing contract, together with improved online registration methods, has been issued to ERS the parent company of the Council's electoral management software provider.

Each house will receive:

- (a) A household enquiry form (HEF) and three reminders if they fail to respond.
- (b) Invitation to register (ITRs) for any new identified or altered electors from the HEF forms returns and individual reminders; and
- (c) Personal canvassing of non-responders at the latter stages of the canvass.

It is hoped that all members will help in promoting the need to register this year particularly as nationally there are 1.9 million voters identified as being carried forward by transitional arrangements. This means that they will disappear from registers unless they engage in this process. This year's register also has two additional important factors: (1) It will provide the Government a base line figure for their forthcoming review of Parliamentary boundaries; and (2) It could be the register on which the referendum on Britain's membership of the EU is based.

I am very proud to say that Epping Forest is the best in the country with our current register. We are in the good position of having the lowest number of such 'carried forward' electors and through hard work by our elections staff, the highest levels of voter matching in the Country (as recently identified by the Electoral Commission).

The Council will continue in its efforts to promote registration particularly in the age attainers group.

2. Development Management

Building Control

Income for July 2015 is £49,309 (£12,409 above budget of £36,900). With an end of year projection of £403,338 (3 months actual and 9 months budget) BC is currently on course to finish the year £17,000 over budget, which is encouraging news at such an early stage of the financial year.

Development Control

Income for July 2015 is £57,047 (£22,077 above budget of £34,970). The projection for the year end (3 months actual and 9 months budget) is £661,219, an increase over budget of £66,219. This perhaps is not surprising given the number of planning related applications received are as high as this last time last year.

The first three months income of £197,539 is already over 33% of the total budget. The team continues to perform at a high level –maintaining not only a healthy income – but quality decision making as efficiently as possible.

3. Enforcement

The Enforcement Team is now up to full strength with the recruitment of a third Enforcement Officer. Workload, in the sense of matters reported for the team to investigate, is up on this quarter in 2014, and there has been a significant spike in complicated listed building cases being referred from ECC.

There are a number of enforcement and other notices and prosecutions being processed at this time. By way of example only, a Temporary Stop Notice has been served on 20 Ollards Grove Loughton to stop works commenced without a discharge of conditions. Also a successful prosecution was taken against the owner of 66 Bower Hill in Epping for damage to a protected tree with fines and costs of over £1400 being awarded. This case involved Tree Officers, Enforcement Officers and Legal Officers.

The Principal Officer gave a presentation on enforcement to members as part of the planning training package and a perception of lack of enforcement action on some cases was raised. The long time spans of investigations was explained, and it is proposed to produce an annual report on enforcement matters to give a fuller overview of the sections work to Councillors.

Councillors are also invited to talk to the case officer if they have concerns over individual complaints or need an update.

It is also the case that the Enforcement team take a proactive approach to their work such that a report or concern may not result in an Enforcement Notice and/or prosecution – a more visible demonstration of their impact- because constructive advice is issued and the member of the public complies within a reasonable time period.

Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Housing

Portfolio Holder: Councillor D Stallan

Recommending:

That the report of the Housing Portfolio Holder be noted.

Chancellor's Summer Budget

The Chancellor's Summer Budget had a number of implications for the Housing Service, but the main ones were surprise announcements that councils and housing associations should reduce their rents by 1% per annum over the next 4 years and that councils and housing associations must charge market (or near market) rents to tenants living in social housing who are "high earners" (referred to by the Government as the "Pay to Stay" Scheme).

Rent reductions for tenants of social housing and significant loss in the Council's rental income

In 2013, as part of changes to the national Social Rents Policy, the former Coalition Government made a commitment that council and housing association rents should increase by CPI + 1% per annum over the following 10 years, to give giving stability and certainty to housing finances and landlords' business plans.

However, in his Summer Budget, the Chancellor announced that, from April 2016, council and housing association rents must now be **reduced by 1% per annum** for the next 4 years. Figures published with the Budget state that the effect of these rent reductions will save HM Treasury £1.4billion in housing benefit payments by 2020/21.

The assumption within the Council's current HRA Business Plan is that CPI will be at 2% for each of the next 4 years and that, therefore, rents would **increase by 3% per annum**. As can be seen, the reduction in rental income over the next 4 years will therefore be significant, which will be carried forward for the remainder of the 30-year period of the HRA Business Plan since the rent base at the end of the 4 years, on which future rental income will be based, will also be much lower than planned.

The Director of Communities has already commissioned the Council's HRA Business Planning Consultant, Simon Smith from CIH Consultancy, to work with him and Finance Officers to provide a detailed report on the short and long term implications of this Government decision, the level of savings required to planned HRA spending and the options that the Council can consider to ensure that the HRA does not fall into deficit at any time over the next 30 years.

However, CIH Consultancy has already undertaken some initial work to assess the financial impact of the announcement on the Council over both the next 4 years and the next 30 years, compared to our current HRA Business Plan, leaving all other spending proposals and assumptions the same. There are still some uncertainties on the detail of how the Government's decision will be implemented, but CIH Consultancy's current assessment is that it is likely the Council will need to make the following savings on the Housing Service:

- Between £13 million and £13.9 million over the next 4 years (an average saving of between £3.25 million per annum and £3.48 million per annum); and
- Between £212 million and £225 million over the next 30 years (an average saving of between £7 million per annum and £7.5 million per annum)

Clearly, such huge rental income reductions will have a significant effect on the Council's Housing Service over the next 30 years and what it can provide, which will be covered within the options report from CIH Consultancy.

Fortunately, due to prudent management over many years, the Council's HRA is in a far healthier position than most other councils nationally. Within the current HRA Business Plan, there is provision for around £180million of housing improvements and service enhancements over the next 30 years that has not yet been allocated. Most or all of this budget provision could be utilised to mitigate a significant amount of the rental loss, although, of course, it would mean that there would be no financial provision over the next 30 years for any housing improvements or service enhancements. Moreover, most of this current budget provision is in the latter years of the Business Plan, so it is likely that the Council's loan repayments will need to be profiled.

However, even if all of the unallocated budget provision for housing improvements and service enhancements is called upon, further savings of £32million - £45million over the next 30 years (averaging £1million - £1.5million per annum) would be required to ensure that the HRA does not fall into deficit. Therefore, options that will be considered as part of CIH Consultancy's Options Report will include:

- Reductions in the amount of new Council Housebuilding
- Further borrowing to fund the Council Housebuilding Programme
- Reduced investment in the Council's housing stock, resulting in a revised approach to the Council's recently-introduced Modern Home Standard

I will, of course, continue to keep members informed of the effects and implications of this loss in rental income once more information on the implications and potential future options have been identified and assessed.

"Pay to Stay" proposals

At its meeting in July 2014, the Housing Scrutiny Panel considered a Consultation Paper from the Department for Communities and Local Government (DCLG) "High Income Social Tenants Pay to Stay". Under "Pay to Stay", the Government set out its intention that local authorities should be given the **flexibility** to charge those with high incomes a higher level of rent to live in their council or housing association home. The DCLG's proposal at that time was based on "higher rents" being set at 80% of market rents (i.e. "affordable rent" levels) and the Government consulted on household income thresholds, above which higher rents would be charged, of between £60,000-£80,000 per annum .

The Scrutiny Panel's view in 2014 was that very high earners living in social housing should pay higher rents, providing that income thresholds are set to ensure residents have a reasonable expendable income, that bureaucracy is kept to a minimum and the income received was more than the cost of administering the scheme. As the Government did not specify how landlords could establish tenants' earnings and stated that it would be up to tenants to self-declare their income, the Panel further agreed that the Council should give further consideration to the proposals when the Government had put in place appropriate legislation to require tenants to declare their income.

Following the consultation exercise, the Government formalised its proposals, and introduced a voluntary scheme whereby councils and housing associations could charge market rents (i.e. not affordable rents) to tenants with a household income in excess of £60,000 per annum

However, in the Summer Budget, the Chancellor announced plans to make it **mandatory** for all councils and housing associations to charge tenants living in social rented properties with household incomes of more than £30,000 per annum (£40,000 per annum in London) to pay “something close to” market rents from 2017/2018.

It was also announced that the increased rental income received by councils will have to be passed to the Government; housing associations will be able to retain their increased rental income to help fund the provision of new housing association homes.

The Government has said that it will publish more detail about how the scheme will work in due course.

Government proposals to require councils to sell “high value” empty properties on the open market

The Government's legislative programme announced in the Queen's Speech included proposals to require councils (only) to sell “higher value” properties as they become vacant, in order to fund the proposed extension of the Right to Buy to housing association tenants. It is not intended that this requirement will apply to high value housing association properties that become vacant.

The thresholds for property values above which councils will be required to sell “high value” homes are yet to be defined (and intend to be subject to consultation) but, as an indication, proposed thresholds set out by the Conservative Party on this issue when it launched its manifesto prior to the election were based on regions and number of bedrooms. For the East of England, the proposed thresholds ranged from £155,000 for a one bedroom property to £265,000 for a three bedroom property.

Although there is little data available on the market values of the Council's properties, officers have undertaken an initial assessment on the potential effect of the Government's proposals, based on the market values of the 46 properties sold under the Right to Buy and the 498 Council properties that became vacant last year. This has established that if the regional value thresholds proposed by the Conservative Party as part of its election manifesto were applied to all the Council properties that became empty last year, around 158 (32%) of all the vacant properties would have had to have been sold, since they would have been classed as “high value” for the East of England Region.

Implementation of the revised Housing Allocations Scheme and Tenancy Policy

In March 2015, the Cabinet agreed the report and proposals of the Housing Scrutiny Panel, following its review, on changes to the Council's Housing Allocations Scheme and Tenancy Policy. The revised Scheme and Policy will come into force on 27 July 2015.

Under the previous Scheme, the Council had around 1,800 home-seekers on its Housing Register and around 210 on the Supplementary Waiting List (which is for applicants over 60 years of age who do not meet with the Residency Criteria and have no housing need who wish to apply for sheltered accommodation for older people).

At the time of writing (14th July), around 1,250 home seekers have successfully re-registered to remain on the Housing Register with a further 149 applications awaiting validation. A further 110 applicants have successfully registered on the Supplementary Waiting List.

Under the Council's revised Tenancy Policy, all Council tenancies granted from 27 July 2015 will be flexible (fixed-term) tenancies for a term of 10 years including the introductory tenancy period) - apart from applicants moving into sheltered or grouped dwelling schemes for older people, and existing tenants of the Council who are downsizing to smaller Council accommodation, who will continue to be granted non fixed-term ("lifetime") tenancies.

Contract award for the Council's Choice Based Lettings Administration Service

The Council's Choice Based Lettings Scheme (HomeOptions) was introduced in November 2007. Under the Scheme, all of the Council's vacant social rented properties and housing association properties for which the Council has nomination rights are advertised to applicants on a website managed by the Service Administration Agency and in a two-weekly Property List, and tenancy offers are then made to the home-seekers who have the greatest housing need of those who have expressed an interest in being offered the tenancies advertised.

The Council is a member of the Herts and Essex Housing Options Consortium (HEHOC) which jointly operates the Choice Based Lettings Scheme and consists of the Council and five neighbouring councils.

The Scheme is currently administered for HEHOC by the external CBL agency, Locata Housing Services (LHS), who were originally appointed following an EU-compliant competitive procurement process, with each authority having its own separate contract with LHS.

The Council awarded its first contract to LHS from June 2007 for a period of 5 years with the option to extend for a further three years. As LHS had provided an excellent service, the contract was extended for 3 further years and expired in June 2015.

HEHOC has therefore undertaken a procurement process for a new contract, by adopting the Competitive Dialogue Procedure (CDP) in accordance with EU Procurement Rules. CDP is used for the award of complex contracts where there is a need for authorities to discuss all aspects of the contract with the candidates to determine the scope of the services to be provided. Three suppliers were shortlisted and invited to participate in dialogue following a Pre-Qualification Questionnaire (PQQ) stage. One supplier withdrew their interest and the two remaining suppliers (one of whom was LHS, the current supplier) were invited to submit a final bid which was evaluated based on cost (30%) and quality (70%).

I can inform members that I have now accepted the tender submitted by LHS, which was assessed by the multi-authority evaluation panel as the most economical advantageous tender overall, based on the agreed evaluation criteria. The contract is for five years, with the option to extend for five further years.

Nursery Workers Housing Task Group

The Private Sector Housing Team within the Communities Directorate has recently undertaken a survey of the housing conditions of workers on 73 commercial food-growing nurseries in Nazeing, Roydon and Waltham Abbey. This industry is important to the local economy as it provides 75% of the UK's production of cucumbers and 50% of the production of sweet peppers. It also provides around 2,700 jobs in the District.

The majority of the sites have seasonal, migrant workers living on them in different types of accommodation such as caravans, converted pack houses and bungalows. The survey found that at least 50 children in total were also living on the sites. The living conditions varied from good to being so bad that officers had to issue a 'Prohibition Notice' on one building, prohibiting its use as living accommodation. Common failings were lack of fire

precautions, hazards from badly installed gas and electrical appliances, poor sanitary arrangements and overcrowding. A serious concern was the quality of the drinking water on many of the sites.

The legislation that housing officers have available to address these issues is limited and sometimes action can result a negative impact elsewhere. Therefore, In order to arrive at a satisfactory 'One Council' response, an officer task group is being established to bring together existing services within the Council that have a direct or indirect involvement with the nursery worker community in order to:

- Seek an improvement in the standard of accommodation, amenity and environment for nursery employees and their families to an agreed standard;
- Engage with nursery employees and their families to ensure they have access to the services and benefits that they are entitled to; and
- Identify any additional measures to improve community cohesion.

The Task Group will be meeting for the first time shortly and will develop and carry forward a plan of actions to meet these objectives. I will keep members up to date on progress in future reports to the Council.

Essex County Council's proposal for home improvement agency contracts

Essex County Council is currently deciding the arrangements under which Home Improvement Agency (HIA) services will be provided across Essex from 2016. Under the current arrangements, our own in-house HIA, Caring and Repairing in Epping Forest (C.A.R.E.), receives funding of just over £50,000 a year.

The County Council asked for expressions of interest from councils across Essex to ascertain if they would like to provide their Home Improvement Agencies in-house, in the same way as in Epping Forest (which is currently the only in-house service provided in the County); elsewhere in Essex, HIAs are currently provided by one of two managing agents, Papworth Housing Trust and Swan Housing.

Although some Districts and Boroughs were keen to consider taking their HIA services in-house, the County Council has reported that there was currently insufficient interest in this approach for it to be progressed County-wide. As a result, Essex CC has said that it will be undertaking a tendering exercise, which it hopes will result in new contracts being in place by January 2016 - comprising either one or two contracts across Essex. However, since it is satisfied with the way in which our C.A.R.E Service is managed and the service and outcomes we provide, Essex CC has agreed that we will be able to continue to provide our own HIA in-house, with continued funding.

New arrangements for paperless direct debits

The Council has recently renewed the contract with our rent-payment swipe-card provider, Allpay Ltd, with enhanced facilities to benefit our tenants and other recipients of the Housing Service.

In June 2015, the new Allpay software under the contract went live - with improved payment options so that tenants can now pay their rent by direct debit on **any** calendar day. In addition, tenants can choose the frequency of payments (such as weekly, fortnightly or monthly) and can request the introduction of direct debit much quickly by telephone or email, without the need to complete a paper form.

Previously, tenants paying by direct debit could only pay monthly and only on one of four specific days a month. This deterred some tenants from paying by direct debit, since the

payment dates did not coincide with the day that funds were available in their accounts (e.g. from their pay or benefits).

This will be particularly important when the Government's universal credit proposals are rolled-out in the District, since universal credit will be paid to different tenants on different dates in the month. Therefore, since direct debit payments can now be made on any day of the month, they can be set-up (or amended) to match the date that tenants receive their monthly universal credit - which introduces a real potential to help minimise rent arrears.

At present, Council leaseholders are unable to pay their service charges by direct debit. However, the functionality of the new direct debit system will be rolled out later in the year to leaseholders, to give them the same ways of paying their service charges as tenants now have for paying their rent.

Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Leisure & Community Services

Portfolio Holder: Councillor H Kane

Recommending:

That the report of the Leisure and Community Services Portfolio Holder be noted.

Community Services

My report for July Council, reflects back over the two previous months since our last Full Council meeting.

Museum Redevelopment: I am pleased to advise Council, that our main building contractors, Coniston Ltd, began work on site at the Museum at the end of April and have progressed well over the last 11 x weeks. The contract is scheduled to take place over 28 weeks, which includes an additional week for a delay due to the discovery of archaeological remains during the groundworks that were taking place in the Edwardian part of the building.

As Members are aware, the programme of works for the Museum redevelopment includes the expansion of the facility across the 1st floor of 37 Sun Street and installation of a central lift, which will make the new facility fully accessible. A range of new facilities and opportunities will be available for the local community, including spaces for people to meet and take part in activities. The public will also be able to access significantly more of the Museum Collection and be involved with the care of the collections in open storage. The new facilities will additionally include the offices of the new Museum, Heritage and Culture team (MHC), which is an amalgamation of the Museum and Arts Development teams. It is planned to run an extensive public engagement programme from the building and on an outreach basis

External Funding: In March this year, Museum Heritage and Culture was awarded £55,000 from Arts Council England's (ACE) Resilience Fund, to investigate opportunities to develop new external funding streams to support the core budgets of the service through the potential establishment of a fundraising arm. The study will also include a review of the commercial opportunities available through the range of services and facilities that will be provided from the new facility. Following a tender process over the last few weeks, we have appointed two separate consultancies to work on this dual study, which is due to completed by mid -September in order to enable the Council to submit a further two- year funding bid to ACE in November.

The service was one of only 108 Museums awarded funding nationally, and one of only two in Essex to receive support.

Motiv8: I was delighted to attend the annual youth dance platform 'Motiv8', which took place at Epping Forest College, in the Spring. Over the two evenings an audience of some 528 adults, children and young people were superbly entertained by some 190 performers. The show brings together a large number of young people from primary schools, secondary schools, colleges and stage schools across the district to perform and share their work. This year we were entertained by several new groups from the district which included The Funky Nazeing Street Dancers, Hip Hop Pop Primary Schools Club, Stadium Theatre School-Street Dance, Epping St. Johns and Coopersale and Theydon Garnon Primary School who teamed up with Motiv8 veterans Flashdancers, from Ivy Chimneys Primary School. The following are some comments from the audiences;

"I thought the show was fantastic and I was so impressed by all the talent in Epping Forest!!"

"You must be very proud. I know I was - and I only had half a dozen children there"

"Thank you so much for allowing my children to be involved. They loved it"

The Motiv8 partnership between the council and Epping Forest College continues to grow and evolve, with more and more students becoming a huge part in helping out backstage and in the documentation of the show. For the first time since Motiv8 has been based at the college, students from the new fashion course designed and made accessories for the college to wear during their performance.

Mythical Beasts Exhibition: As part of the Museum's two year touring exhibitions programme (which has received £150,000 from Arts Council England and the Royal Opera House Bridges programme), MHC staff have been working with students from Epping Forest College over the last year, to support them in curating and creating the exhibition 'Mythical Beasts'. This opened in April in a new 'pop up' gallery specially created at the college. The exhibition featuring the students work will soon be touring, first to Harlow Museum and then Loughton Library, before touring further afield over the next two years.

Education and Outreach: The previous financial year proved to be one of the busiest years for the Museum's formal schools engagement programme, with some 7000 pupils benefiting from the museum's learning programmes led by the Education Engagement Officer and through a range of resources that we loan. A new subject area covering Pre-history to meet the recent changes to the National Curriculum has proved to be particularly popular with schools and includes a training session on working with timelines for teachers. This has also led to a partnership with the Museum of London and The Corporation of London, to develop an Iron Age Day event at Ambresbury Banks in Epping Forest.

Lowewood Museum: Staff at our Lowewood site have developed a number of new initiatives, including a 'museums memory box' project, providing reminiscence based resources for local care homes and health groups across Epping Forest and Broxbourne. This work has been developed in partnership with Lea Valley U3A, Vision4Growth, B3Living, Cheshunt Aphasia Group and Belmont View Care Home and will be rolled out across both districts. New engagement work has also been piloted with young people, including working with pupils from King Harold School in Waltham Abbey, involving them in cleaning up the Lowewood Museum garden.

A further initiative has been the formation of a Museum Youth Panel for young people aged 14-24 years. The panel has been undertaking monthly meetings and will be curating their own exhibition at the end of the year. MHC will also be submitting an application to the Heritage Lottery Fund's Young Roots programme to support the work of this group and we plan to establish a group at our museum in Waltham Abbey as part of the Museum re-launch programme.

Social Media and digital engagement: Museum, Heritage and Culture operate a number of digital engagement platforms, including the EFDM website, twitter, Facebook, Blog pages and an education resource website. The audience of these engagement tools is growing rapidly, with April recording over 13000 users of our digital resources. Two images on Facebook of a historic view of Sun street Waltham abbey and a VE party attracted over 10,000 views alone and generated a wealth of positive comments, including the following;

"My godmother and her family owned the dairy shop. I've heard so many stories about it growing up, so thank you for posting the picture and bringing back memories"

Assistant Museum, Heritage and Culture Manager: Jo Cowan the Assistant Museum, Heritage and Culture Manager has now started her maternity leave and the post is being covered by Alex Hugo, who had previously been the Arts Development Manager for Vivacity a Culture and Leisure Trust based in Peterborough.

Community Clean-up: Residents, Members and Council staff participated in a community 'clean-up day' around Oakwood Hill Estate in Loughton. Equipped with hi-visibility jackets, gloves, litter pickers and refuse sacks, an extremely productive morning was spent carrying out a communal clean-up of the area. Community spirit was high as the group collected over twenty sacks of rubbish, an old car battery, a fire extinguisher, a rusty strimmer, a table frame and countless plastic bottles! Well-deserved refreshments were served afterwards by Oakwood Hill Senior Citizens Club. The event proved a great success and is now planned to be held annually on the estate and the initiative will be rolled out across other areas of the district.

Get Active: The Community, Health & Wellbeing Team has recently launched the 'Get Active Epping Forest' initiative, to provide residents with the opportunity to improve their general health and wellbeing, self-image and confidence. A full programme of activity sessions is currently underway on and around Limes Farm in Chigwell and on the Ninefields estate in Waltham Abbey. The range of activities available include; buggy Walks, body conditioning, Aerobics, Zumba, Boot Camps and cycling. To date over 100 people have taken part in sessions.

Leisure Management: The Portfolio Holder Advisory Group on the procurement of the new Leisure Management Contract has met and agreed its terms of reference. The Group received a presentation from the Council's Consultants who have been appointed to assist with the process, covering the key issues that would need to be considered to achieve the best value for any new contract. To this end, a business case is being developed which will outline a number of options around contract length and packaging. Once this business case has been considered, I will keep Council advised of next steps.

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Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Planning Policy

Portfolio Holder: Councillor R Bassett

Recommending:

That the report of the Planning Policy Portfolio Holder be noted

Local Plan timetable

The revised Local Development Scheme agreed by Cabinet on 11th June 2015 proposes that the next stage of consultation on the draft plan/preferred option is to run in the summer of 2016.

For a number of reasons, the principal ones for which are explained below, it has not been possible to meet the previous timetable; consequently the timings for each of the key stages have slipped by about a year. However, having now reviewed the position reached, the revised programme leading to adoption of the Local Plan in Sept 2018 represents a realistic and achievable timetable. A number of other districts have encountered similar problems with their timetable

Reasons for delay in Local Plan Production

- Production of the consultation preferred option draft plan is dependent on completion of key pieces of supporting evidence needed to underpin the policies in the draft plan. In particular the Strategic Housing Market Assessment (SHMA), -jointly commissioned with Harlow, East Herts and Uttlesford; undertaking a comprehensive district wide Green Belt Review; strategic transport work being undertaken by Essex County Council and additional work required to complete the Strategic Flood Risk Assessment as a result of changes to the Government's Planning Practice Guidance.
- There is also the need to take very seriously the statutory Duty to Cooperate – a number of Local Plans including in Essex Uttlesford and Maldon, have recently been found unsound by Inspectors at examination because they have been perceived to be lacking robust, credible up to date evidence and / or failed in meeting the Duty to Cooperate.
- Specialist Planning Counsel Mark Beard recently advised members of the need to undertake a comprehensive Green Belt Review of the entire district: new Government guidance and emerging Inspectors' reports make it clear that this is expected before the release of any green belt is considered – much of the Stage 1 Green Belt work (now being finalised see below) has been done in house and has taken a considerable resource.
- Government changes to policy in relation to strategic flood risk has meant that as part of the existing brief, consultants were asked to undertake additional work to produce a Level 1 "compliant" SFRA.

- Government policy changes, requirements and expectations signalled through changes to the Government's online Planning Practice Guidance (PPG). Experience from recent Local Plan examinations indicates that Inspectors are attaching great weight to ensuring that guidance given in the PPG is being adhered to.
- Delays in the strategic transport assessment focussed around Harlow and a potential new junction 7a on the M11 using the new VISUM modelling – initial results necessitated further work. A public exhibition updating on the progress made with this work is being provided by Essex County Council during July.

1) Update on key evidence work

Strategic Housing Market Assessment update:

One of the key pieces of evidence work is an update of our Strategic Housing Market Assessment (SHMA) in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford. Finalising this work was delayed by the need to take account of the latest CLG household projections released at the end of February and additional work required to test the links between employment / job and housing target assumptions across the whole SHMA area.

Preliminary Inspectors' conclusions on Cambridge City and South Cambs Local Plans vindicate the need to ensure the SHMA is completed based on the latest available information.

We received the final SHMA report on 9th July that was to have been considered by the SHMA partners at the Cooperation for Sustainable Development Board meeting on 15th July. However we have had some questions raised by Uttlesford on the report and we need to address these before we can take it to the Coop Board. A new date for this will be arranged as soon as possible. Once need has been assessed the authority should take account of any constraints such as green belt which indicate that development should be restricted. Subsequent meetings of the Member Board, which EFDC now chair, will need to discuss how the objectively assessed need could be met by the wider SHMA area if the evidence indicates that our need cannot be met in Epping Forest District.

Economic and employment evidence:

Hardisty Jones has provided a final draft their findings on economic and employment evidence on the 10th July to support both the Local Plan and Council's overall Economic Development Strategy. We are currently reviewing this draft and it will be also be reported to the Cooperation for Sustainable Development Board meeting alongside the SHMA report which it matches with.

Green Belt Review:

Phase 1 of the Green Belt Review in the District has now been completed and the findings were presented at a special meeting held on Monday 15th June briefing the Local and Town Councils and to which all District Council members were also invited.

Phase 1 undertakes a comprehensive high-level review of all Green Belt land across the District to identify its contribution to the Green Belt, as stipulated in the NPPF. It identifies both the primary functions of the Green Belt, which deliver the national

purposes, and in particular whether there are areas of the Green Belt land which no longer contribute towards the national purposes or contribute the least to these.

Following the 15th June meeting there is a 6 week period (until 27th July) providing an opportunity for District, Town and Parish members to comment on factual errors in the draft report and an accompanying settlement hierarchy technical paper prior to reporting the findings to Cabinet on 3rd September and agreeing the methodology for then undertaking the more detailed work in the autumn to be undertaken by external consultants.

Strategic Land Availability Assessment

An update of the Strategic Land Availability Assessment has been undertaken as part of the Local Plan evidence base.

Strategic Flood Risk Assessment

Work updating the Stage1 SFRA has now been finalised following a presentation in April by the consultants given to Cabinet. This work has informed the sieve as part of the first phase of the Green Belt Review.

Plan viability

Work on Local Plan viability is being undertaken by Dixon Searle Partnership, will also inform policy choices on affordable housing policy and Community Infrastructure Levy / S106. Following the presentation to members in May, officers have just received the stage 1 report for this work.

The initial view of the consultants is that it should be possible to charge Community Infrastructure Levy for residential and retail uses if the Council wishes to pursue this option. Consideration of this matter is a separate agenda item.

Transport

Officers have also been involved in transport work being undertaken by the London Borough of Enfield, opposing reference to construction of a new access road in the North East Enfield Area Action Plan. This access road, NGAR, has been withdrawn from their area action plan. We are keeping a watching brief on wider transport work being undertaken as part of Enfield's Northern Gateway Access Package.

Air Quality

Officers are awaiting the outcome of the strategic transport modelling work before progressing.

Member Briefings and Workshops

- We have recently held member presentations on economic viability, the Green Belt Review Stage 1 and the associated settlement hierarchy work, Local Plan progress and, informed by Mark Beard's experiences, lessons learnt from recent Local Plan examinations. It was gratifying to hear that, when questioned, Mark Beard stated in his opinion we are doing things correctly, basing decisions on firm evidence and working extensively with our neighbours and learning from other examinations. To rush things or to try to

work with out of date evidence or without agreements with neighbours will just lead to the plan being found unsound

- The exact content of further briefings and workshops will be dependant on completion of various reports that have been commissioned and updates of information we have received and impacts on our plan. As soon as we have confirmed dates officers will let members know.

2) Duty to cooperate:

Officers (and Members) continue to meet regularly with the appropriate authorities to consider a wide range of cross boundary issues including the update to the SHMA and identifying the objectively assessed housing need, the approach to Green Belt reviews being carried out by several authorities, and identifying the functional economic area.

3) Neighbourhood Plans:

Moreton, Bobbingworth and the Lavers are coming close to submitting their draft Plan. EFDC officers are working with the Parish Council advising on the submission documentation and have completed a screening opinion on the requirement for Strategic Environmental Assessment and a Habitats Regulations Assessment which is a necessary part of the process.

There are six other Parish and Town Councils that have applied to designate neighbourhood planning areas for their entire areas, five of which have been approved (Chigwell, Epping, Buckhurst Hill, Theydon Bois and Loughton). The application from the sixth, North Weald Bassett Parish, was considered at the 11th June Cabinet meeting and was more complicated. Given the location of North Weald Bassett Parish, immediately adjacent to Harlow's administrative boundary and a number of strategic cross boundary matters identified that are not within the remit of a Neighbourhood Plan to address, the Council decided that the north western part of the Parish, should be excluded from the Neighbourhood Area designation. North Weald Parish are considering a Judicial review of this decision.

4) Lea Valley Food Task Force Update

It is continuing with the support of a very broad cross section of stakeholders, to explore opportunities for growth consistent with the districts aspirations. Work continues to focus on key areas highlighted by partners as crucial to future success.

Planning

The Chairman has had several meetings with his counterpart at Lea Valley Regional Park, to explore the issues of concern, and update on the work of the Task force, to enable a more innovative and consensual approach to supporting business development in and around the park area, in line with recent announcements from central government . The Park Authority is appealing against the refusal to allow them 'leave to appeal' following the Judicial review, which found comprehensively in favour of Epping Forest District Councils position. We have heard that they will be allowed to appeal against the decision by the first judge that he could not see any grounds for an appeal. We believe this will be heard in December. The Chairman has also met with the National Chairman of the NFU who recently visited the Lea Valley Glass Houses to explain the approach to joint working being pioneered locally, which the NFU are very supportive off.

A planning workshop, with planning officers from neighbouring authorities is being hosted in September and will be Chaired by the Chairman of the Lee Valley Trust, which has taken on responsibility for the park's main attractions and Olympic venues. This will look at the paper prepared by the Taskforce around planning issues and barriers to a joint approach across the Lea Valley with regard to Glass house development.

A new report, commissioned by the Task force, on behalf of the LSCC, examining the range and value of food assets along the corridor was launched at the LSC Annual Conference. This details the strength of the current food sector offer, in terms of horticulture, processing and technology from London to Peterborough. The Agri-tech report is available on the LSCC website. The partnership is organising a Food Symposium, with major interests in the business community, academic and research assets to be hosted in Cambridge. This will look at the opportunities for connecting the industry better, and draw up a range of objectives that the LSCC will be asked to pursue.

New Qualification

Epping Forest College is working with LANTRA and Essex County Council to develop a new bespoke qualification which would be accredited nationally and become the benchmark for training in the glasshouse industry. This work is funded by ECC and undertaken on behalf of the task force. The new qualification will be in place by September with additional modules and accreditation to be followed soon after. Discussions are at an early stage about establishing a new Glass House Academy, based within the industry that would have onsite learning support in a dedicated centre for employees and linked to the development of the new qualification.

Funding Opportunities

The Task force, following detailed examination and advice, has decided not to pursue the EU Interreg opportunity. It has been working with other organisations who could become the accountable body, for the UK leg of the three nation project, to enable a bid to proceed, with the task force to be engaged in a support role. Negotiations are ongoing.

The task force was one for the keynote speakers at the launch of the SELEP Rural Strategy, following a new collaboration with Produced in Kent which represents the food industry, focused on growing in the Kent area. SELEP has announced the two areas for its September funding call will be food and tourism. A joint meeting with produced in Kent and the Chief executive of SELEP is being organised. A delegation from DEFRA, SELEP and the Rural Payments Agency have asked to visit the glasshouses and look at how they may be able to access more funding support to aid development.

Institute for Food Security

One of the main aspirations is to boost research and development, and the knowledge based economy in the district. The task force has secured £25k to fund a feasibility study into the establishment of a new facility to coordinate research and development with a specific focus on coordinating UK research on horticulture under glass on one site. A further £5,000 is being sought from external partners to commission consultants to undertake this study.

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Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Safer, Greener & Transport

Portfolio Holder: Councillor G Waller

Recommending: That the Report of the Safer, Greener & Transport Portfolio Holder be noted.

Community Safety

Volunteer Police Cadets

Epping Forest District has been chosen as the second pilot area for the new Volunteer Police Cadets programme which is being rolled out in Essex. Following the Chelmsford City pilot that was implemented earlier in the year, the Epping Forest cadet programme will be launched on 8 September and will be based at the Limes Centre, Limes Farm, Chigwell.

Essex Police and the Community Safety Partnership aim to recruit a cohort of around 25 young people as cadets, about a quarter of whom will have been identified as 'vulnerable'. The cadets will be provided with training at the Limes Centre and each cadet will need to commit to three hours per week volunteering time.

All vetting and recruitment of cadets will be carried out by Essex Police, and local schools and Youth Offending teams will be contacted to promote recruitment to the programme. Further updates will be provided as the programme develops.

Young Persons Independent Sexual Violence Advisors (ISVA) Post

In the last financial year, Epping Forest Community Safety Partnership, Braintree CSP and voluntary sector agency Victim Support funded a six month Young Persons' ISVA post in support of young people living in the two district areas. The resource was introduced in response to the identification of a number of young victims that have been sexually exploited or sexually abused. The ISVA has worked directly with these young people over the last six to nine months and has also delivered workshops to other young people to raise awareness of 'consent' and the law, the grooming process, the effects of rape/sexual assault and Child Sexual Exploitation.

In addition, ISVA has provided training to professionals working with young people including educational establishments, Youth Offending, police, housing associations, Social Care and Health in sexual violence and Child Sexual Exploitation and has provided schools with a referral and support pathway.

I am very pleased to say that this excellent work has been further extended until March 2016, through joint funding support from the CSPs and the Office of the Police & Crime Commissioner. This will take the service up to the launch of the countywide ISVA Service, which will incorporate workers for young people.

CSP Analyst Post

I am very pleased to advise Council, that following a series of interviews conducted with Principal Analyst colleagues from Essex and Kent Police, the Community Safety Team have appointed an analyst who will serve the West Local Policing Area, consisting of Epping Forest, Brentwood,

Harlow and Thurrock. This initiative is a pilot that is being closely monitored by the Office of the Police and Crime Commissioner.

The analyst post will enable the four CSPs to focus resources on identified problems of concern and will also allow them to evaluate performance and initiatives to ensure best use of resources. The successful candidate, who is based at the Council and supported by the Community Safety Team, has considerable experience of producing analytical data, having worked for HM Customs, the Serious Organised Crime Agency and the National Crime Agency. The analyst has passed police Management Vetting and is currently learning about Essex Police data systems.

Anti Social Behaviour

The area of Limes Farm in Chigwell remains a priority area for the Council's ASB team and our south area ASB Investigator is spending regular time each week co-located with the area housing management team at the Limes Centre. Current work is under way to integrate ASB data recording to ensure best use of intelligence, and regular 'cross-border' meetings are providing excellent conduits for intelligence sharing and joint working. These meetings are hosted and chaired by the Council's ASB Investigator and include representatives from EFDC Housing, Essex Neighbourhoods Policing Team, Metropolitan Police Safer Neighbourhoods Team, British Transport Police, London & Quadrant Housing Association and other involved organisations as and when appropriate.

We are seeing some emerging ASB issues at Debden Broadway again, where evidence is being gathered by the council's ASB Investigator for the possible imposition of a Public Space Protection Order (PSPO). Police are using their new dispersal powers which have the advantage of being immediate and focused on those responsible for ASB, and this may also provide evidence for a proposed PSPO.

An area of considerable concern for the Council is the recent proposal by Essex Police to reduce the amount of ASB work that they undertake so that they only handle high level ASB issues. This would result in the Community Safety Partnership being required to deal with all low and medium level ASB incidents. At the current time, the impact of this change in service provision is not fully known, but it is estimated that the CSP may be faced with needing to deal with approximately 1500 more ASB cases per year than previously.

CCTV Provision

Shelley Close, Ongar: Following partnership working between the EFDC Community Safety Team, EFDC Housing and Essex Police to address a range of ASB and other issues, a project has been undertaken to install a stand-alone CCTV system at Shelley Close, Ongar. Quotations have been received and a contractor appointment will be announced subject to planning application approval. The equipment will be column mounted, with recording equipment placed adjacent to the column.

North Weald Airfield: North Weald : A full replacement CCTV system comprising 19 high definition cameras including Automatic Number Plate Recognition (ANPR), wireless and control equipment, has been installed in both of the operation rooms and the observation tower at the Council's airfield. A light aircraft crash landing has already been captured by the new CCTV system and the evidence has been passed to the Air Accident investigation Branch (AAIB).

The Community Safety Team is also currently working with a local community group in North Weald to assist with the introduction of a small CCTV system to cover a new children's play area which has been subject to recent vandalism and ASB. The team have provided technical advice and supported the group with representation of the project to the Parish Council. Fund raising is being carried out by the community group to raise sufficient finances to implement the scheme.

Safeguarding

The Council's Safeguarding team has now dealt with over 90 safeguarding referrals since its

introduction in May 2014. These have ranged from complex referrals involving children and Domestic Abuse, through to issues of abuse and exploitation of elderly people living in the District. Each referral is assessed and monitored by the team, and referrals are made to Social Care and other agencies where relevant.

Many of the safeguarding issues that are dealt with are very time and resource intensive. A current example which highlights the complex nature of referrals is where the Council's Private Sector Housing team and the Safeguarding team have been trying for over a year, to engage with a vulnerable resident in the District who has been making excessive calls for ambulances. The Safeguarding team recently managed to organise a case review conference which included Social Services, East of England Ambulance Service and the Fire Service, to develop a method of engagement with the resident. The Fire Service managed to access the resident's home to carry out a Home Safety visit and through this, managed to build a relationship with the resident to ensure the right support agencies could start working with him. The Social Worker involved in this case has commented very positively on the approach taken by the Council compared with other neighbouring local authorities.

Countrycare

Since my last report Countrycare has continued with its well attended regular volunteer days with tasks such as mowing and raking, pulling ragwort and bracken and building compost bins.

In April Countrycare and Essex Wildlife Trust set up butterfly transects on two of Countrycare's sites (Bobbingworth Nature Reserve and Church Lane Local Nature Reserve), so that data relating to butterfly populations at these sites can be added to the UK Butterfly Monitoring Scheme (UKBMS). Butterfly surveys are now being carried out regularly and the data is being entered on to the UKBMS website.

In May Kevin Mason led a tree walk in Loughton with the help of local naturalist Tricia Moxey, and 17 people attended.

At the beginning of June, Countrycare took 22 brownies pond dipping in Woodford. The students played games identifying invertebrates and learned about the wildlife likely to be found in ponds.

On 24 June, Kevin Mason led another guided walk, this time for the Life Walks group in Sheering, with 19 participants.

Countrycare has had two work experience students recently. They carried out practical conservation tasks, helped with species surveys and entered data into the relevant databases.

Trees and Landscape

The Trees and Landscape team has been divided as part of recent changes in the Development Management team, so that the officers giving advice on applications for development, on TPO applications, high hedge cases etc., now report to Jeremy Godden, along with the Conservation Officer. The Principal Officer, Christopher Neilan, has been tasked to concentrate on the landscape elements of the Local Plan, on achieving a district-wide green Infrastructure plan and carrying on the programme of community tree strategies. He now reports directly to Nigel Richardson

The team have recently had success at Chelmsford Magistrates Court in a prosecution for unauthorised works to a protected chestnut tree. The tree was being damaged as a result of a lack of concern for conditions attached to a planning permission. The developer was fined £600 in absentia, and was also ordered to pay the Council's costs of £804.31 and a victim surcharge of £60. The evidence was gathered following a visit to the site immediately after the Trees team were contacted by a concerned member of the public. This urgent action also enabled further damage to be prevented.

Twenty new TPOs have been made in the current calendar year. There are currently two live high hedge cases, with three receiving follow up intervention.

Active strategic work includes several projects related to completed community tree strategies. We have commissioned a follow up study to the Roydon Landmark Tree study, completed in 1996. This is commemorated by the large mural outside the Council Chamber. The study is designed to test the effectiveness of the programme alongside conventional tree protection, to provide evidence for its extension, and as evidence for the Local Plan. Support is currently being given to Theydon Bois Parish Council and the tree wardens to complete and publish the Landmark Tree project for the village. Active work is also under way in Loughton to implement the action plan for their Community Tree Strategy. It is hoped that the next projects will be the Community Tree Strategies for North Weald and Waltham Abbey, subject to confirmation of funding. The Parish and Town Councils have both expressed their support.

Energy efficiency

Work being carried out on energy accounts by consultants Smith Bellerby is continuing, with assistance provided by the Environmental Co-ordinator where necessary, though most of the detailed work is being progressed by David Newton.

Annual greenhouse gas data collation also continues, incorporating statistics relating to fleet, essential and casual vehicle mileage, buildings covered by DEC legislation, oil and diesel used for machinery, plus some extra buildings data that has become available as a result of Smith Bellerby's work. However, the usual official letter to local authorities from the Department of Energy and Climate Change, requesting that they carry out this exercise, has not been received this year, so the Department has been asked to advise.

The report on carbon strategy options that was planned for the Neighbourhood and Community Services Select Committee in June has been postponed until September.

Parking

Car parks strategy

The revised tariff is now operational in all Council car parks. New Pay and Display 'smart meters' have been installed in all car parks and Members may have noticed the revised arrangements for the Visitors' Car Park at the Civic Offices. I would like to remind Members that there is no increase in parking charges at Waltham Abbey and Ongar, other than the lowest tariff increasing from 10p to 20p and there will be two hours free parking at weekends followed by a £1 all day charge, and free weekend parking in December has also been retained.

Members will be aware that the Parking Strategy, approved by Cabinet in February of this year, includes installation of new CCTV systems and enhanced lighting. I have asked officers to investigate the feasibility of replacing existing lights with LED systems, and a business case is currently being prepared to assess the potential cost savings to the Council. This initiative will be considered under the Invest to Save funding bid process.

I continue to receive support and guidance from the Portfolio Holder Advisory Group and would like to thank its members for their continuing assistance in implementing the Strategy.

Parking Reviews

All the legal formalities associated with the making of new Traffic Regulation Orders have been completed for the Buckhurst Hill Parking Review, and the programmed start date for carrying out signing and lining works was 27 July. Depending on weather conditions, all works should be completed within a week.

I am keen to start work on the Loughton Broadway Parking Review and, in the first instance,

propose to meet with the local ward members to achieve a better understanding of the scope of works and how best to move this project forward.

North Essex Parking Partnership (NEPP)

Progress continues to be made in implementing the small parking schemes in the District. We would like to see more schemes implemented, but resources are limited. The next opportunity to nominate schemes to NEPP will be at the Joint Committee meeting in October, and I intend to consult with local councils and the relevant ward members, so that we can nominate those schemes where sufficient local member support exists and where the schemes are most needed.

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Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Technology and Support Services

Portfolio Holder: Councillor A Lion

Recommending:

That the report of the Technology and Support Services Portfolio Holder be noted

Support Services

Apprentices

I am pleased to report that the Council has placed a recruitment advert in the Guardian Group of newspapers advertising our 2015 Apprenticeship Scheme. A number of Housing Associations on the Council's Preferred Supplier List are contributing to a Community Fund which will allow a further four Business Administration apprentices or three Business Administration and one Construction apprentice to be recruited. This will be in addition to the five Business Administration apprentices and one Construction apprentice funded by the Council. I would like to take this opportunity to thank officers in the Communities and Resources Directorates who by working together have provided further employment opportunities for local people.

Employee Survey

Officers launched the Employee Survey on 17 July which will run for one month. Colleagues on the JCC were recently consulted on the content of the Survey and noted that it is a 'pulse survey' which only contains three sections with a total of eleven questions. This is to encourage staff to participate and therefore improve the response figure. It is proposed that a number of 'pulse surveys' take place each year rather than one large survey.

VineHR Award

Members may not be aware that the Heads of Human Resources from across Essex, including Epping, formed a not for profit limited company some years ago. This provides a supportive network of HR professionals across the county. It encourages working together with resulting joint benefits. Any contracts let in its name could result in potential income streams being eventually returned to the founding authorities.

VineHR run a number of accredited management and coaching qualifications and masterclasses for all staff across the county. Epping's Learning and Development Manager is a member of the team developing these programmes on behalf of VineHR for use by Council staff and those from other authorities.

I am very pleased to announce that this team is a finalist in the Chartered Institute of Personnel and Development (CIPD) People Management Awards for Human Resources/Learning & Development Team of the Year – Public Sector Award. They have

already presented a submission to a judging panel and we await the outcome which is due in September.

Facilities

Service Continuity – Electricity Failure Risk

In order to address limitations in maintaining back up power to critical systems in the event of an electricity supply failure, Facilities Management has now taken delivery of a new electrical switchboard. When installation and testing is complete this will be able to fully support the two incoming supplies and the standby generator feed to priority work areas of the site. The Computer Suites and telephone equipment are already on dedicated feeds, but these will be enhanced by this provision. It is anticipated that this will be fully implemented before the onset of winter this year.

Energy Efficiency – Building Lighting Upgrades

As part of a multi-year phased project, we have completed approximately 70% conversion of all lighting to LED. This is a low energy light source, which has very little control equipment associated with it and hence provides improved efficiency and energy saving. Due to the reduced number of components, and the high reliability of the new LED light source, there is also a significant saving on maintenance costs. These savings are being diverted into other energy saving works and maintenance aspects of the building, for example a new internal lighting chassis in the staircases and improved lighting in the Committee Rooms. The project has been progressing steadily over the last three years, and we currently estimate revenue savings by the end of this year to be £4,250 in maintenance and an overall reduction of 76% of the cost of lighting the Civic Offices site.

Window Replacement

Approximately 90% of the disruptive installation work is now complete and for the most part only external trimming, mastic sealing and final snagging on each opening is outstanding. The scaffolding and protective sheeting will begin to be dropped from a number of areas around the front of the building over the next week or two. Whilst the scaffolding has been in place it has been utilised to carry out a host of other essential maintenance works at the same time to save on future access costs for safe working at height. On the main Civic building, brickwork and movement joint repairs have been carried out to walls and parapets and decorating completed to steel beams and railings. This was achieved utilising the ‘in house’ services of the Council’s Housing Works Unit. A specialist contractor has also repaired all the defective hopper heads to the parapet walls. The scaffolding to 323 House is also being used to repair the roof at eaves level and then to decorate soffits, fascia’s and rainwater goods.

Technology

Flexible working through technology presentations

ICT have now attended all Directorate Management Team meetings and demonstrated the technology available to facilitate flexible working. Directorates have been requested to submit flexible working applications for evaluation to enable ICT to present a co-ordinated corporate capital funding request.

GOOD for Members

Cllrs Philip, S Kane, H Kane, Bassett and I are all now using the GOOD email and calendar application. This application is simple and easy to use and gives Members access to their own official Epping Forest District Council email address. The [mod.gov](#) application gives access to agendas and security classified pink papers. The introduction of these systems has the potential to save a considerable amount of paper and I would encourage Members to sign up.

Any other Members requiring GOOD functionality should contact David Newton on extension 4580 and he will make the necessary arrangements. Secure access to [mod.gov](#) can be obtained via Simon Hill on extension 4249.

ICT Support Enhancements

ICT have installed and tested a new remote management product which will allow the bulk upgrade and installation of software both locally and remotely. This will save considerable time and reduce the requirement of having to return a unit to base for essential upgrades. This system will be fully deployed by the end of July.

Superfast Broadband High Speed Internet

The procurement process for the Superfast Essex Broadband (Phase 2b) Rural Challenge Project (RCP) has now been concluded and a contract for the project has been awarded to Gigaclear, a fibre broadband provider that specialises in rural networks. The service, to be known as Ultrafast Broadband, will be offered in rural areas to the east of the District. The project represents a £7.5m investment in the district (part-funded by UK Government, Essex County Council, Epping Forest District Council and Gigaclear) and will bring ultrafast broadband capability to 100% of the 4,545 home and business premises within the RCP intervention area.

Essex County Council Cabinet agreed the award of the contract on 23 June and the contracts were signed on 29 June. With in-depth surveys of the RCP area now to be undertaken, Gigaclear plans to begin delivery work in November 2015, with the first customers expected to gain access to the new broadband services a month later. The deployment is expected to be completed by December 2016. Marketing and engagement will now be undertaken in earnest and commenced with a launch event for parish, district and county councillors for the Rural Challenge Project Area at Fyfield Village Hall on 15 July. This event was a first opportunity for Superfast Essex and Gigaclear to engage key local representatives and broadband champions in order to raise awareness of this fantastic project. Further briefings and communication events are planned to ensure as much awareness as possible. An informal Member briefing is scheduled for 4 August to give Members an update of the plans for providing service in the defined area.

The Rural Challenge Project sits alongside the ongoing Phase 1 and Phase 2a elements of the Superfast Broadband project which, in partnership with BT, are aiming to deliver 95% superfast broadband to the whole of Essex. Once this project is completed, and subject to further funding being identified, Superfast Essex will consider expanding this approach to other rural areas in Essex not yet included in current plans.

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Report to Council

Date of meeting: 28 July 2015

Subject: Annual Overview and Scrutiny Report to Council

Committee: Overview and Scrutiny

Chairman: Councillor Morgan



Recommendation:

That the work undertaken by the Overview and Scrutiny Committee, the Scrutiny Standing Panels and the Task and Finish Panels during the past municipal year as detailed in the annual report be noted.

Report:

1. This report was produced in accordance with Overview and Scrutiny Procedure Rule 24 of the Constitution that requires an annual report to be submitted to the Council at the start of each year.
2. This is the tenth annual report under the scrutiny regime instituted by the Council in April 2005, incorporating the Scrutiny Panels and the Task and Finish Panels.

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Overview and Scrutiny Annual Report for 2014-2015

Epping Forest District Council
www.eppingforestdc.gov.uk



CONTENTS

	Page
<u>Introduction</u>	
• Introduction and Welcome	2
• What is Scrutiny	3
• The Overview and Scrutiny Committee	3
• Scrutiny Panels	3
• Task and Finish Panels	4
The Overview and Scrutiny Committee	5
<u>Scrutiny Panels</u>	
• The Housing Scrutiny Panel	16
• Constitution and Member Services Scrutiny Panel	24
• Finance and Performance Management Scrutiny Panel	29
• Safer Cleaner Greener Scrutiny Panel	38
• Planning Services Scrutiny Panel	46
<u>Task and Finish Panels</u>	
• Scrutiny Panel Review Task and Finish Panel	53
• Grant Aid Review Task and Finish Panel	55
• Youth Council Review Task and Finish Panel	56

OVERVIEW AND SCRUTINY ANNUAL REPORT: MUNICIPAL YEAR 2014/2015

Introduction and Welcome from the Chairman

Welcome to the tenth report of the Overview and Scrutiny Structure of Epping Forest District Council. After an 11 month long review into the organisation, principles and structure of the Overview and Scrutiny functions we have altered the way we conduct our business. That, as well as the reorganisation of the directorate structure of the authority will mean that we will be looking at fundamental changes to the Scrutiny structure in the new municipal year.

At present, the Overview and Scrutiny Committee and Scrutiny Panels are 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. The bare bones of scrutiny will not change in the new year, only the way it will be carried out.

At the beginning of the 2014/15 municipal year the Overview and Scrutiny Committee agreed to the setting up of five Scrutiny Panels for the year and two Task and Finish Panels were commissioned.

During the year we received numerous presentations from outside bodies including the Epping Forest College, Essex Children Services, the EF Youth Council, the Counties Mental Health Services for young people and the North Essex Parking Partnership.

My special thanks go to the Chairmen and members of the various Scrutiny Panels and especially the members and officers of the Task and Finish Panel that reviewed our Scrutiny Panel arrangements.

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

Cllr Richard Morgan

Chairman, Overview and Scrutiny Committee

What is Scrutiny?

- Ø Scrutiny in local government is the mechanism by which public accountability is exercised.
- Ø The purpose of scrutiny in practice is to examine, question and evaluate in order to achieve improvement.
- Ø The value of scrutiny is in the use of research and questioning techniques to make recommendations based on evidence.
- Ø Scrutiny enables issues of public concerns to be examined.
- Ø At the heart of all the work is consideration of what impact the Cabinet's plans will have on the local community.
- Ø 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 forward plan on a meeting by meeting basis. This acted as a troubleshooting exercise, unearthing problems before they arose.

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 Scrutiny Panels on the work they carried out during the year.

Scrutiny Panels

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

- i. Housing
- ii. Constitution and Member Services
- iii. Finance and Performance Management
- iv. Safer Cleaner Greener
- v. Planning Services

Scrutiny Panels 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. Three Task and Finish Panels were established during the year, they were the Scrutiny Panel Review Task and Finish Panel, the Grant Aid Review Task and Finish Panel and the Youth Engagement Review Task and Finish Panel.

OVERVIEW AND SCRUTINY COMMITTEE

The Overview and Scrutiny Committee consisted of the following members:

Councillor R Morgan (Chairman)
Councillor K Angold-Stephens (Vice Chairman)
Councillors G Chambers, K Chana, A Church, D Dorrell, L Girling, P Keska, J Lea, A Mitchell, S Murray, B Rolfe M Sartin, G Shiell, B Surtees A Watts and D Wixley

The Lead Officer was Derek Macnab, Deputy Chief Executive.

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 Forward Plan for the coming months on a meeting by meeting basis.

(b) Call-ins

The Committee received no call-ins this year.

(c) Scrutiny Panels work programme monitoring

The Committee received regular updates from the Chairmen of the various Scrutiny Panels reporting on the progress made on their current work programme. This allowed the Committee to monitor their performance and when 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) Strategic Direction of Epping Forest College - The Committee at their meeting in July 2014 received a presentation from Penny Morgan, the recently appointed Principal of Epping Forest College; she had been appointed in December

2013. She was there to speak on the strategic direction of the college, its vision for the future and its relationship with the Community.



The college had made great strides over the last five years, taking in over 3,500 students each year and had hundreds of visitors that came in to use the college for various events etc. Over 85% of the students live within 10 miles of the college. The college was also a major employer for local people, over 59% of staff live within 10 miles of the college, thus contributing to the local economy.

They provided a wide range of training, skills and educational provision, such as Business, Childcare, Construction, Media and Music, IT, Maths and English and Sport, ensuring that they were giving students the best opportunity to become work ready and gain employment. They also work with local employers and help to provide apprenticeships in local businesses, an achievement they were very proud of.

They were always striving to improve on the range of courses and opportunities offered to their clients whilst additional demands were placed on them by the government.



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

(ii) Presentation from Children Services - At their meeting in November 2014 the Committee welcomed Chris Martin, the Integrated Commissioning Director (West) from Essex County Council. He was there as part of a follow up to last years successful presentation on Children Services, given by Jenny Boyd.

Mr Martin noted that it was important to support children and their families from birth right through to the early years of their life (2 to 5 years), to give them the best possible opportunity to succeed. They wanted to be challenging and have all the people working across the early years system to have a single vision of what needed to be changed, this would require big shifts in culture and practice.

They would be working towards building capacity and capability of parents to support themselves and to support one another; with professional workers starting from peoples strengths and finding ways to build on them to prevent problems occurring. This would involve thinking differently about the workforce, letting them do what needed to be done and to make use of their diverse experience. If they get this right they would achieve better outcomes for children while at the same time saving money.

It was noted that they had less money to spend than before and so would need to be more effective with what they did have. More needed to be done and improvement continued as resources diminished.



They were undertaking an ambitious, strategic, broad reaching review of early years in collaboration with Clinical Commissioning Groups (CCGs) to

identify innovation across the system, especially with families, removal of duplication of resources and roles, developing a common understanding and model of child development and skilling up the workforce to deliver new approaches.

They would also engage in ethnographic research with Essex parents and families, taking an in-depth look at the lives of eight families living across Essex combined with observational fieldwork at over 30 services. This type of research reveals behaviours and patterns that other methods would not pick up. Insights gained so far was that they needed to focus on building the resilience of families and reducing their isolation.

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

(iii) Presentation from the Epping Forest Youth Council - At their meeting in January 2015, the Committee received a presentation from six members of the Youth Council; they were joined by thirteen other Youth Council members.



They were there to give an overview of what the Epping Forest Youth Council had been up to over the past year. This was their first year in office of the two they were elected for.

By far their highest profile event last year was the Youth Conference held in the Council offices on 14 October 2014. 90 pupils from years 7, 8, 9 and 10 representing ten secondary schools from the District attended. They were consulted about issues affecting the lives of local young people; gathering their views on possible solutions and gather ideas on how to improve the local community. They were also keen to promote local democracy.

Three main concerns were highlighted. They were alcohol misuse, bullying and stress. Other issues raised were around skills and jobs and the need for more volunteering opportunities, the misuse of drugs particularly 'legal highs'.

The Youth Council had launched a campaign called '#URNotAlone' during national Bullying Awareness week in November; highlighting services and support groups for victims of bullying and their parents and also gave presentations to all year 9 pupils in the district. The project was deemed a great success by pupils, parents and teaching staff and the Youth Council were really proud of this piece of work.

The Committee noted that:

- Social Media was also an important part of their job as it promoted their work and raised the profile of young people in the district.
- They had been asked to contribute to 10 consultations this year and were pleased to have representations on the Epping Forest Youth Strategy Group.
- The Council's Youth Volunteer Programme was now being taken up by all secondary schools in the district.
- They had secured external funding of £1200 from the Jack Petchey Foundation, £900 from 'Think Big O2' for their project work and a further £750 from the Jack Petchey Small Grants awards.

They had hoped that they had shown that the 21 Youth Councillors had developed strong links with schools and youth groups and had connected with many thousands of their peers on behalf of the council.

(iv) Mental Health Services in the District – In March 2015 the Committee welcomed Chris Martin (Integrated Commissioning Director (West)) and Christina Pace (Commissioning Lead, Essex County Council) to the meeting. They were representing the Child and Adolescent Mental Health Services (CAMHS) and were there to give a presentation on the joint re-commissioning of emotional well being and mental health services for Children and Young People in Southend, Essex and Thurrock.

They noted that now with national government plans to put in more funding, their new service model would be based on needs assessment and feedback from consultation with service users and partners. This highlighted the need for more integration and clearer access routes to services, especially for vulnerable people and for the consistency of the quality of service.



They were jointly commissioning one integrated service for the whole county for targeted and specialist mental health services. There would be a single point of access for all referrals to the service, including self referrals. The services would be community based and available in each area. They would focus on identifying and treating young people who need CAMHS services as early and effectively as possible.

There would be 24/7 access to the crisis services and a community based intervention service. There would also be consistent advice and training for all their partners.

It was noted that a new national taskforce had recently made recommendations on improving mental health for children and families and nationally, an additional £1.25 billion investment over a five year period was set out in the budget. CAMHS were uncertain how any future government would respond, but this was an opportunity to build on their new service model.

The meeting was then opened out to questions from the Committee.

(v) North Essex Parking Partnership – members of NEPP came to the April 2015 meeting of the Committee. The NEPP officers gave a presentation outlining the background to their organisation, their functions, policies and processes. After an interesting presentation, members questioned the NEPP officers on various aspects of parking in the District.

(See case study for full details)

Other Topics Considered:

(i) This year for the first time the Committee considered the Cabinet's Forward Plan and Key Objectives for the coming year on a regular meeting by meeting basis. At their first meeting of the year in July 2014 the Committee look at the coming year's work programmed in for the Cabinet.

It was noted that the Cabinet took an interest in the work of the Overview and Scrutiny Committee and appreciated the important role scrutiny played in providing checks and balances to the Executive.

The Cabinet's Key Objectives for 2014/15 were presented under a number of broad themes and these constitute the priorities of the Cabinet over the next municipal year. It was noted that a number of items were an extension of last year's programme.

The Local Plan was probably the most significant document that the Council would produce for many years. It would determine the future character of the District and help deliver benefits to the residents in terms of homes and employment. All key decisions in relation to the Local Plan would be taken by the Cabinet, but they wished to be as consultative in their approach as possible. It was noted that the Scrutiny Panel on Planning was responsible for scrutinising the Local Plan and this was an area where it was hoped that the Cabinet and Scrutiny could work together.

It was highlighted that the Council was keen to embark on a Council House Building Programme and the Housing Portfolio Holder had established a Cabinet Committee to advise him. With tenders being received for the first phase this was an exciting initiative for the Council.

The Council had also embarked on the development of a new Leisure and Cultural Strategy, which would not only clarify the role that the Council would play in future provision, but also determine the best way to procure the new Leisure Management Contract.

(ii) In July 2014 the Committee received a report setting out the year end outturn of the Corporate Plan Key Objectives for 2013/14. A range of key objectives for 2013/14 was adopted by the Cabinet in March 2013; progress in relation to individual actions and deliverables are reviewed on a quarterly basis.

At the end of the year, 23 (42.6%) of the individual deliverables or actions supporting the key objectives had either been completed or achieved. Some 20 (37.0%) deliverables or actions were not completed by year-end. A further 11 (20.3%) deliverables or actions were on-hold at year end, as a result of external circumstances.



(iii) In September 2014 the Panel received a report from the Returning Officer regarding the Local Elections held on 22 May 2014.

The following elections were held in May 2014:

- (a) Election of 7 Members of the European Parliament for the Eastern Region of the UK;
- (b) 19 District Council Wards; and
- (c) 1 Parish Council by-election for Buckhurst Hill West.



Voter turnout at the various elections ranged between 44% in the Buckhurst Hill East Ward and 28% in Waltham Abbey Paternoster Ward. Turnout for the European Parliamentary Election, within the district, was 35.58% compared with a turnout of 35.90% across the region.

It was noted that there were few issues with the election, generally all practices were completed successfully.

(iv) Also in September the Panel received a report from the Returning Officer regarding the Review of Polling Districts, Polling Places and Polling Stations.

The Electoral Registration and Administration Act 2013 made it compulsory for this authority to carry out a review of Parliamentary polling districts and polling places within 16 months, starting from 1 October 2013, with further reviews starting on 1 October of every fifth subsequent year.

A polling district was a geographical area created by the sub division of a UK Parliamentary Constituency for the purposes of an election. A polling place was the building or area in which polling stations would be selected by the Returning Officer. A polling station was the room or area within the polling place where voting took place.

(iv) The Committee received a report regarding the London Infrastructure Delivery Plan consultation from the Deputy Chief Executive and Director of Neighbourhoods.

The London Infrastructure Delivery Plan (IDP) had been published by the Mayor of London for consultation making the case for better infrastructure provision in London.



It was noted that the London Infrastructure Delivery Plan did not set out how policies would be delivered, implemented and monitored. Instead, it made a business case for London to control its own finances through fiscal devolution. The Committee supported the prioritization of transport schemes, such as four tracking the West Anglia Lines along the whole of the Upper Lee Valley and the Central Line because of:

- (a) Predicted job growth in Central London;
- (b) The Central Line's importance in delivering commuters to this area; and
- (c) Its particular importance to the lower end of the London-Standed-Cambridge corridor.

Members were particularly concerned about providing car parking facilities around train stations as there was currently a congestion problem there.

(v) In November 2014 the Committee received a report on the Communities and Local Government Consultation on 'Planning and Travellers', seeking views on proposed changes to planning policy and guidance for the travelling community. The stated intentions of the proposed changes were to (i) ensure that the planning system applies fairly and equally to both the settled and traveller communities; (ii) further strengthen protection of "sensitive areas" and Green Belt; and (iii) address the negative impact of unauthorised occupation. The consultation also stated that the Government remained committed to increasing the level of authorised traveller site provision in appropriate locations to address historic undersupply as well as to meet current and future needs.

The consultation contained 13 questions with draft answers contained in the appendix to the report.

It was also noted that all the pitches/caravans were in the Green Belt and that our District was 92% Green Belt.

The extent of Green Belt in different Council areas varies very widely – e.g. East Herts was about 33% Green Belt while Uttlesford was significantly less – i.e. both these neighbouring districts have potentially significantly greater options for identifying suitable locations. This proposal by the Government – a "one size fits all" approach seems too blunt and inflexible given the wide variation in Green Belt coverage of affected districts. It was particularly unfair to those districts which have a very high

percentage of Green Belt, and where there was already a long-established and sizeable traveller community.

Officers could think of no immediate and practical solutions to the problems, other than to suggest a re-think at national level. The planning system as it currently operates was not making adequate provision for the needs of the travelling community. The problem was particularly acute in Green Belt areas, where there does seem to be a perception of favourable treatment for travellers, but the proposals in the consultation would only exacerbate the overall problem of meeting total needs, and make it very much harder to identify suitable sites in the Green Belt.

The Committee noted and agreed the draft answers to the CLG Consultation on Planning and Travellers.

(vi) In February 2015 the Committee considered the draft Corporate Plan for 2015 to 2020. They noted that the current Corporate Plan would end on 31 March 2015 and this new Corporate Plan had been developed to take the authority forward over the next five years.

The Council's main areas of focus for the five year lifetime of the new Plan had been captured in a new set of corporate aims; in addition a new set of Key Objectives had been developed to support the aims. On consideration the Committee agreed the proposed new plan and recommended it to the Cabinet and Council.



(vii) Also in February 2015, the Committee considered the final report of the Task and Finish Panel looking at the current Scrutiny Panels of the Council (see a fuller report under the Task and Finish Chapter of this report).

With the revision of the Council management structure in December 2013, reducing the service directorates down to four, the Panel considered the creation of a four panel structure to align with the new directorates. This proposal arose in part, due to the existing arrangements, where not all service areas were subject to scrutiny by any particular Panel.

The Committee agreed with the Panel that a new Overview and Scrutiny framework, based on a structure of four 'select committees', be established with effect from the commencement of the 2015/16 municipal year.

(viii) The Committee also considered a consultation report from the Lee Valley Regional Park Authority (LVRPA) on its Park Development Framework. They noted that whilst it was not a planning authority, there was a duty to prepare plans for the management and development of the park.



The proposals in the consultation document were generally in line with the statutory duties of the Park Authority. Subject to the detail of individual projects, the Council were supportive of these proposals, as they were in line with the original purposes of the Park and relevant policies of the current Local Plan and Alterations and the National Planning Policy Framework.

However, there were two matters within the proposals which were of concern. Firstly, a significant number of new buildings were being suggested to support implementation of the proposals, and a lot of these were in the Green Belt. The consultation document

generally acknowledges the need to take account of Green Belt location for most of these suggestions, but the proposals could still amount to a significant amount of development with implications for the openness of the Green Belt.

Secondly, there was the casual reference to the use of Compulsory Purchase Powers for large areas of glasshouses etc. The document also indicated that it was likely that the Authority would resist major redevelopment or expansion of new large-scale glasshouse uses.

Members noted that recently the Council had formed the Lea Valley Food Task Force. The intention was to develop a standard policy approach in new Local Plans, supportive of the glasshouse industry, across local authority boundaries as an example of positive co-operation.

The Committee agreed that the overall approach of the proposals in the context of the statutory functions of the Park Authority, ie in relation to sport and recreation, leisure, education and landscape, heritage and nature conservation be supported.

But they expressed concerns about the possible extent of new building being proposed in the Green Belt and to object to proposals, as currently worded, concerning the use of compulsory purchase powers in relation to a number of glasshouse sites and other long-standing commercial uses within the Park.

(ix) In March 2015 the Committee considered the review of the operation of the Planning Committees and their Terms of Reference. This had originated from a PICK form that initially went to the Planning Services Scrutiny Panel and then on to the Constitution Scrutiny Panel, when they looked at the following matters:

- (a) The operation of the speaking arrangements and deadlines for submission of material to planning sub-committees; and
- (b) The terms of reference of the Planning Sub-committees and the District Development Control Committee.

The changes would also bring clarity to the role of the Chairman in controlling the business at the meeting, particularly for speakers. It was considered by the Panels that these rules should be implemented in advance of the completion of the Constitution Review to allow a period of operational experience to be undertaken with a check in 2016 to make sure that they were still appropriate.



On consideration the Committee endorsed the proposed changes and made this recommendation to the next full council meeting.

(e) Case Study: North Essex Parking Partnership

At their April meeting the Committee received a presentation from officers from the North Essex Parking Partnership (NEPP).

The NEPP officers outlined the background to their organisation and the Committee noted that:



- Essex County Council had decriminalised parking functions between 2002-2004, which led to them being policy makers for 12 agencies in districts and boroughs running parking enforcement;
- A growing deficit reaching £900,000 across the county led, in 2009, to the County Council ordering district and boroughs to cancel all agencies;
- The agencies were replaced by two organisations, the North and South Essex Parking Partnerships. The North was responsible for Epping Forest, Harlow, Uttlesford, Braintree, Colchester and Tending; and the South was responsible for Brentwood, Basildon, Chelmsford, Maldon, Rochford and Castle Point.

The strategic priorities for this new organisation (NEPP) was:

- Improving safety for drivers and pedestrians;
- Improving business opportunities through better parking policies;
- Discouraging commuters from parking in permit only areas;
- Increasing enforcement to improve availability for Blue Badge holders; and
- Greater environmental efficiency.

The NEPP Business Plan was to improve on efficiency and be financially sustainable. The NEPP had inherited a deficit of £574,301; currently they had a small surplus of £80,000.

Their business plan was to bring all parking matters into one place, improve on the backlog built up on signage and maintenance of signs and lines; maintain income from the PCNs as far as possible, within policy. They were a council shared service and did not act under a client / contractor service. They wanted to make efficiencies in whole operation to eliminate their deficit and make savings from reduced management, overheads and accommodation.

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

During this the Committee was advised of the Essex Act, peculiar to this county, which allowed for enforcement. In cases where land was owned by an authority, it was advised that legislation should be checked first. Highways owned land required an S50 application for entering the highway to carry out mowing. Each licence needed to be applied for separately, by the authority carrying out the mowing work, and each area needed proof that it was kept in the condition to which the law related. Enforcement could then be carried out by notice. A trial had been carried out in Braintree with successful results. It was felt that in the medium to longer term better enforcement could be achieved with this legal mechanism.

The NEPP officers confirmed that they did have a comprehensive database on road lining. They advised that there was limited funding to cover maintenance of all lines

across NEPP (£150,000 for the whole area) and so maintenance was done by priority. NEPP informed the Committee that lines were made of plastic which bonded with the road surface and as such it could only be laid during the summer months.

They noted that safety and congestion schemes would first fall to ECC as did new developments, the rest fell to NEPP with schemes being progressed by Essex County Council as Area Reviews. It was advised that there was no funding for NEPP, new schemes were scored and given a priority.

NEPP officers had brought with them copies of a “Who’s Who” of their staff and contact details. Members asked for this staff guide to be circulated via the Bulletin.

They also advised that enforcement times varied. However, if there was an area which required more enforcement then Members could notify the Area Enforcement Manager. If there was a clear system of lines and signs in place then action could be taken, however if lines were very worn then enforcement action may not have a chance of success. The minimum standard for signage and lines was covered in the national rules. All enforcement had to be of a sufficient standard to withstand an appeal. The rules for signage were presently being reviewed for implementation this year, the intention being to reduce signage wherever possible. Councils were being encouraged to use “zone” systems to reduce the amount of signage in place.



SCRUTINY PANELS

1. HOUSING SCRUTINY PANEL

The Housing Scrutiny Panel consisted of the following members:

Councillor S Murray (Chairman)
Councillor G Shiel (Vice Chairman)
Councillors K Chana, R Gadsby, S Jones, J Lea, C Roberts, B Rolfe, T Thomas, H Ulkun and J H Whitehouse

The Lead Officer was Alan Hall, Director of Communities. The Panel also appreciated the Housing Portfolio Holder, Councillor D Stallan, 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 Housing Scrutiny Panel was tasked to undertake reviews of a number of the Council's public and private sector housing policies and to make recommendations arising from such reviews to the Housing Portfolio Holder, Overview and Scrutiny Committee or Cabinet as appropriate. They also undertake specific projects related to public and private sector housing issues, as directed by the Overview and Scrutiny Committee.

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

(i) Communities Directorate's Housing Service Strategy on the Private Rented Sector – In July 2014 the Panel received a report regarding the Communities Directorate's Housing Service Strategy on the Private Rented Sector. There were 17 Housing Service Strategies produced to date and they set out how individual housing services would be delivered. They had assisted in achieving the Customer Service Excellence Award and the ISO 9001:2008 Quality Accreditation.



(ii) DCLG Guidance on Rents for Tenants on High Incomes - The Panel received a report regarding the DCLG Guidance on rents for Social Tenants with High Incomes. In June 2013, the Department for Communities and Local Government (DCLG) issued a consultation paper entitled "High Income Social Tenants Pay to Stay."

Under "Pay to Stay," the Government set out their intention that local authorities should be permitted to charge high income tenants a higher level of rent to stay in their homes. The DCLG's proposal at that time was based on higher rents set at 80% of market rents.

In May 2014, the DCLG issued its Guidance on rents for Social Housing, which would come into effect from April 2015.

In regard to social tenants with high incomes, the Government did not expect local authorities to adhere to its Social Rent Policy for properties let to households with an income of £60,000 per year. Instead authorities could choose to charge them up to full market rent. It was noted that this proposal was at variance with the original proposal at 80% of market rents made under the “Pay to Stay” consultation in 2013.



However, difficulties were identified with administering any separate rent policy for the Council's high income social tenants.

Government estimates suggested that between 11,000 and 21,000 social tenants, representing around 1% of all social tenancy households in England met the threshold. When applied to the number of properties in the Council's housing stock, around 64 high earning Council tenants would be required to pay market rents. It was found that rents would increase on average by around £83.00 for each of the 64 tenants affected, bringing in total additional income of around £276,000 per annum.

The Panel concluded that the District Council be recommended to take no further action on this issue at present; and that a further report be submitted to the Panel setting out the options regarding a separate Rent Policy for high income tenants when legislative compulsion on tenants to declare incomes is established along with sanctions for tenants found to have failed to declare.

(iii) Housing Under-Occupation Officer Post – 1 Year Review – At the Cabinet meeting in April 2012, the recommendations from this Panel, to appoint some additional new posts, were agreed. One post was that of a new Housing Under-Occupation Officer. The Cabinet requested that the Panel review the effectiveness of any new posts agreed after a period of 1 year.

It was known that many Council properties were under-occupied, which did not make the best use of the Council's housing stock but often resulted in older and vulnerable tenants incurring greater household running costs.

The new Housing Under-Occupation Officer was appointed in May 2013. Prior to the review of the Housing Allocations Scheme, letters were sent to around 1,300 homeseekers on the Housing Register. As a result, there were around 40 enquiries, all of which were followed up. This led to 5 of the Council's existing tenants moving to smaller accommodation. During the year, a further 1,300 letters were sent to all existing tenants over 60 years of age who were under-occupying Council accommodation, promoting sheltered accommodation and offering other opportunities. This led to 30 enquiries, all followed up with 6 appointments.

The Panel recommended that the role of the Housing Under-Occupation Officer post be expanded and that the post be re-designated as Re-Housing Support Officer to reflect its future role

(iv) Tenant Profile report 2014 - In August 2013, the District Council's Housing Information Team began a postal survey or “census” of Council tenants. At the time there were approximately 6,400 properties on the Housing Revenue Account. The two principal aims for conducting the survey were to:

- (a) Check that the data held on the Housing system was correct; and

- (b) Build a better profile of tenants for service planning purposes.

A total of 6,390 households received questionnaires and 3,649 were subsequently returned by the closing date in January 2014. The questionnaires then went onto ask:

- (a) Their preferred form of communication;
- (b) Their main language;
- (c) Whether they had internet access;
- (d) If they had any disabilities;
- (e) Whether they wanted assistance with communications;
- (f) Their contact details for next of kin and keyholders; and
- (g) If they had access to a current account with a bank or building society.

The data gathered through the survey gave Housing staff access to more accurate information of tenants. Special needs identified were being flagged on the computer system so officers were aware of them. In addition, the Council had appointed a firm of external consultants, ARP Research, to produce a tenant profile report. ARP was provided with data collected from the survey returns and from this they produced a written report, executive summary, district mapping and ward profiles.

(v) Presentation by Essex County Council's Floating Support provider – Family Mosaic – The Panel welcomed Karla McLeish, Acting Floating Support Manager and Angela Randle of Family Mosaic, who gave a presentation regarding their organisation's work.



Family Mosaic possessed around 24,000 good quality homes available for rent serving more than 45,000 people, providing care and support services. They were one of the largest housing providers in London, Essex and the South East. Karla McLeish managed a team in Waltham Abbey which covered Epping Forest and Uttlesford.

(vi) Key performance Indicators 2014/15 - The Panel received quarterly reports for their Key Performance Indicators 2014/15 from the Director of Communities.

The Scrutiny Panels were now each responsible for the review of quarterly performance against specific KPIs within their areas of responsibility.

(vii) Government Consultation Paper "Right to Move" - The Panel received a report regarding a Department for Communities and Local Government (DCLG) Consultation Paper entitled "Right to Move".

The Consultation Paper explained that the Government expected local authorities to ensure that their Housing Allocations Schemes, residency requirements enabling social tenants to move across local authority boundaries for work related reasons so as not to impede labour mobility. The proposed regulations would remove the residency requirement for local authorities or housing association tenants who sought to transfer from another local authority district in England in order to be closer to their work or take up job offers, apprenticeships or work related training opportunities in order to avoid financial hardship.

The Government further proposed to ensure that authorities set aside a proportion of lets for tenants who needed to move for this purpose with a minimum expectation of 1% of lettings.

The Council responded to the consultation paper setting out the following:

- (i) The Council would welcome the Government's proposal to "spell out" in more detail the circumstances in which they would expect local authorities to apply the addition to the "hardship" reasonable preference category for those needing to move for work or work related training.
- (ii) The Council asked that it was clarified whether such preference would only apply to those in financial hardship and how such hardship were measured, particularly as there were no legal powers available to require applicants to declare their income.
- (iii) The Council had concerns about setting aside a proportion of lets for this purpose and the difficulties with publishing information on the demand and lettings on any right to move quota.
- (iv) There were a number of difficulties with giving priority to existing tenants for a "community contribution" in order to assist them to move within their own local authority area.

(viii) Review of the Housing Allocations Scheme - The Government required local authorities to have a Housing Allocations Scheme for determining priorities and the procedure for selecting a person for accommodation. Government guidance allowed for authorities to decide how accommodation should be allocated based upon local priorities, provided schemes were both legal and rational.

The Panel was advised that the amended Housing Allocations Scheme would be considered by an external legal advisor prior to statutory consultation being undertaken and final Cabinet approval

(See Case Study for full details)

(ix) Review of the Tenancy Policy - Under the Localism Act 2011 registered housing providers were granted additional powers allowing for local decisions on the management of social housing. This included enabling providers of social housing with the option to use flexible tenancies for a minimum period of 5 years. Flexible tenants generally enjoyed the same rights as secure tenants, including the Right to Buy, subject to the current qualifying criteria. On expiry of the fixed term, the tenant was assessed against an agreed Assessment Criteria to determine whether a further tenancy should be granted. If another tenancy was not offered, there was a requirement to provide the tenant with advice and assistance.

(x) Home Option Choice Based Lettings Scheme – Progress Report - The Choice Based Lettings Scheme introduced in November 2007 was administered externally by Locata Housing Services (LHS). Under the scheme, all vacant social rented properties were advertised to applicants on the website and a two weekly Property List giving details of location, type, rent, service charge, council tax band and landlord of the available accommodation. Applicants applying for a property by

expressing an interest in up to a maximum of three properties for which they had an assessed need.

Between 1 September 2013 and 31 August 2014, 345 properties had been allocated to homeseekers on the Housing Register. A further 49 properties were allocated direct to homeless applicants and an additional 11 to applicants leaving supported housing.

Some of the 345 properties allocated from the Housing Register had been advertised on more than one occasion, as they were difficult to let, this had resulted in 427 advertisements being placed on the website and in the Property Lists. With 24,307 expressions of interest being made, this was an average of around 70 expressions of interest from homeseekers each time a property was advertised. Most properties attracted in excess of 200 expressions of interest. Almost 97% of homeseekers expressed an interest in properties over the Internet.

Around 71% of all applicants registered on the Housing Register had participated in the scheme during the last year.



As a result of the introduction of the Local Eligibility Criteria under the current Housing Allocations Scheme, the numbers of homeseekers on the Housing Register had substantially reduced. As at 31 August 2014 there were 1,563 homeseekers on the Housing Register compared to 6,219 in June 2011.

(xi) Annual Review of Protected Characteristics – Housing Applicants and Lettings - In previous years, the Panel had undertaken an annual review of the ethnicity of applicants on the Housing Register and compared this with the ethnicity of those allocated accommodation, considering any disparities and whether there should be any resultant changes to the Housing Allocations Scheme. No such disparities had yet been identified.

Following the introduction of the Equality Act 2010 and the Public Sector Equality Duty in 2011, public bodies had to consider all individuals when carrying out their day to day work. There were nine “Protected Characteristics” which had considerations as follows:

- Age
- Disability
- Gender reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion and Belief
- Sex
- Sexual Orientation

Generally, it was found that the statistics confirmed that the Protected Characteristics of homeseekers housed in Council accommodation were similar to those on the Housing Register. Therefore, it was recommended that no amendments be made to the Council’s Housing Allocations Scheme.

(xii) Landlord Accreditation Scheme – At their February 2015 meeting the Panel received a presentation regarding the Landlord Accreditation Scheme from the Private Housing Manager.

The Essex Landlord Accreditation Scheme (ELAS) was intended to raise standards in private sector rented accommodation. The scheme encouraged private landlords to come forward, make themselves known and enhance their professionalism.

ELAS was a consortium of 8 Essex District Councils, including Epping Forest District Council, administered through Blue Watch a wholly owned trading company of the Chief Fire Officer's Association (CFOA) Blue Watch Ltd for 5 years. Membership was £95.00 per annum and once a landlord was registered their properties could be advertised free on the ELAS website, they could receive discounted property insurance, they would have access to free impartial advice and information and for landlords that have licenceable houses in multiple occupation (HMO), some councils including Epping would reduce the HMO licence fee.

Despite the scheme being launched in September 2014 it had made slow progress with only two landlords having joined across Essex. It was hoped that with further publicity and exposure there would be an increase in membership.

(xiii) Housing Improvements and Service Enhancements Fund 2015/16 - It was noted that for the past three years, the Cabinet had asked the Housing Scrutiny Panel to consider and recommend a proposed list of housing improvements and service enhancements to the Cabinet utilising the additional funding received by the HRA which the Panel had last examined in March 2014.



There were 7 new housing improvements and service enhancements being undertaken in 2014/15, in addition to the completion of a further 7 projects extending/carried forward into 2014/15. Generally good progress had been made with the delivery of most of the projects during the year to date.

(xiv) Housing Services Strategy - The Housing Service Strategies were produced in accordance with an agreed standard framework, regularly updated. In total, 14 Housing Service Strategies had been produced covering:

- (a) Equality and Diversity;
- (b) Housing and Neighbourhood Management;
- (c) Tenant Participation;
- (d) Private Rented Sector;
- (e) Empty Council Properties;
- (f) Anti-Social Behaviour;
- (g) House Sales and Leasehold Services;
- (h) Rent Arrears;
- (i) Rent Collection and Administration;
- (j) Under-Occupation;
- (k) Housing Information;
- (l) Older People's Housing Services;
- (m) Energy Efficiency; and
- (n) Harassment

The strategies were produced to a common format that set out how individual housing services would be delivered.

Case Study: Housing Allocations Scheme

At its meeting on 21 October 2014, the Housing Scrutiny Panel reviewed the Council's Housing Allocations Scheme.

It is a Government requirement that local authorities have a Housing Allocations Scheme for determining priorities and a procedure for selecting a person for accommodation. Their guidance allowed for authorities to decide how accommodation should be allocated based on local priorities, provided their schemes were legal and rational.

The Council's Cabinet had asked the Housing Scrutiny Panel to undertake a 12 month review of the Housing Allocations Scheme. The Panel received the Department for Communities and Local Government (DCLG) Guidance providing social housing for local people (October 2013) and allocation of accommodation (June 2012) which the Panel had regard in respect of its deliberations on the proposed changes to the scheme.

The Housing Portfolio Holder had initial views on the 12 month review following informal discussions with the Cabinet. These were as follows:

- (1) That the Residency Criteria should be increased with new applicants who had lived in the district for less than five continuous years immediately prior to their date of registration, not qualifying for inclusion on the Housing Register.
- (2) That all existing home seekers on the Housing Register who had lived within the district for less than 4 ½ continuous years immediately prior to the date the new Housing Allocations Scheme was introduced, should be removed from the Register.
- (3) That all existing home seekers who were removed from the Register because they did not meet the Local Eligibility Criteria, should be allowed to re-register if, or when, they did meet the criteria but that their registration date be their date of registration.

The Housing Portfolio Holder advised that despite the local housebuilding programme, there was still a shortage of social housing. He felt that local residents with the longest connection to the district ought to be prioritised.

It was felt that the wording within the Government's Code of Guidance was open to interpretation, particularly in regard to exceptions relating to applicants with a "strong association" to the area. However the Panel felt that an exception should be made for existing social housing tenants who were seeking to move from another local authority in order to access work. A paragraph should be added to include those who had secured either permanent employment comprising of a minimum of 24 hours each week, or an apprenticeship or full time work related training and currently lived either in excess of 50 miles from their current or intended place of work.

The Panel recommended that those who had moved out of the district into settled accommodation for less than 3 years but had lived in the district for at least 5 years immediately before moving out should be treated as home seekers who had lived in the district for more than 5 years. Members also recommended that a lesser residential requirement of 3 years should be applied to those leaving care.

It was recommended that where an applicant's gross annual household income including residential property equity, savings, shares or other assets exceeded £76,000, they should not qualify to join the Council's Housing Register.

The Chairman of the Panel was concerned that the long term effects of these proposals would change the social mix of the social housing sector, however the Panel supported the proposals.

Any tenant of the Council is offered an incentive payment to encourage downsizing their accommodation, where both properties were owned by the Council. The maximum payment is currently £2,000. During 2013/14, 41 tenants of the Council downsized to another property owned by the Council with less bedrooms. This resulted in 54 bedrooms being released; the total amount paid in downsizing payments was £47,500.

The Housing Portfolio Holder felt that the downsizing incentive payments should be increased. Accordingly, the Panel supported the incentive payments for each bedroom released being doubled to £1,000 with the amount paid for removal costs remaining the same and a standard decoration allowance payment of £500.00 being paid using "Homebase" vouchers subject to a maximum payment of £4,000.

The Panel was of the view that the increased incentive payments should only apply to tenants who were not subject to the removal of the spare room subsidy. It was noted that the increased incentives could result in an estimated increase in budget provision of around £68,000 making a required total annual budget of £115,500.

The Panel endorsed the view that the current policy on homeseekers refusing two offers of suitable accommodation within any three months period having their application being deferred for 6 months should be strengthened to two refusals within any period having their housing application deferred for 12 months. However, although those downsizing Council accommodation would be penalised in the same way, the penalty would apply following three refusals. The Panel supported a number of more minor changes suggested by officers

The Panel was advised that the amended Housing Allocations Scheme would be considered by an external legal advisor prior to a statutory consultation being undertaken and final Cabinet approval.



2. CONSTITUTION AND MEMBER SERVICES SCRUTINY PANEL

The Constitution and Member Services Panel consisted of the following members:

Councillor M Sartin (Chairman)
Councillor A Watts (Vice Chairman)
Councillors D Dorrell, J Lea, M McEwen, J Philip, Caroline Pond, D Stallan, G Waller, J H Whitehouse and S Weston

The Lead Officer was Simon Hill, Assistant Director, Governance and Performance Management.

Terms of Reference

To undertake reviews of constitutional, civic, electoral and governance matters and services for members on behalf of the Overview and Scrutiny Committee and to report to the Overview and Scrutiny Committee, the Council or the Cabinet with recommendations on matters allocated to the Panel as appropriate.

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

(i) Local Elections – 22 May 2014 – At their July 2014 meeting, the Panel received a report from the Returning Officer regarding the Elections held on 22 May 2014. They were:

- (d) Election of 7 Members of the European Parliament for the Eastern Region of the UK;
- (e) 19 District Council Wards; and
- (f) 1 Parish Council by-election for Buckhurst Hill West.



Voter turnout at the various elections ranged between 44% in the Buckhurst Hill East Ward and 28% in Waltham Abbey Paternoster Ward. Turnout for the European Parliamentary Election, within the district, was 35.58%, compared with a turnout of 35.90% across the region.

It was noted that there were few issues with the election, generally all practices were completed successfully.

The issue of postal votes went smoothly. Initially problems were experienced with software and scanners used for checking personal identifiers, but this was resolved remotely. 196 postal votes were rejected for various reasons, over 60 of which did not contain a ballot paper or postal voting statement. It was advised that new legislation

required the Electoral Registration Officer to inform electors, after a poll, that their postal vote identifiers had been rejected.

(ii) Review of Polling District, Polling Places and Polling Stations - The Electoral Registration and Administration Act 2013 made it compulsory for this authority to carry out a review of Parliamentary polling districts and polling places within 16 months, starting from 1 October 2013, with further reviews starting on 1 October of every fifth subsequent year. It was necessary for the Council to consider polling districts and places in the Epping Forest Parliamentary constituency and those parts of the Brentwood and Ongar and Harlow situated within the district.

A polling district was a geographical area created by the sub division of a UK Parliamentary Constituency for the purposes of an election. A polling place was the building or area in which polling stations would be selected by the Returning Officer. A polling station was the room or area within the polling place where voting took place.



Notice of a review together with details of the existing polling districts, polling places and polling stations were given on 24 March 2014. The consultation period ran from 24 March to 30 May 2014.

Following the consultation, the Panel advocated that a report be submitted to the Council making several minor recommendations on the future of the district's polling places and stations.

(iii) Constitution Review - The Panel noted that the Council adopted a new constitution, based on a government model, in 2000. However in order to reflect changing circumstances, the constitution had grown to over 650 pages with no overriding review having been undertaken since its adoption.

The agreed Business Plan for the Governance Directorate included the aim of completing a review of the Constitution by March 2016. Although this Panel had undertaken a number of reviews of sections of the Constitution, the proposed review sought to ensure consistency of wording and rules across the piece and rationalise procedures to avoid duplication or repetition.

(See Case Study for full details)

(iv) Joint Consultative Committee – Review of Terms of Reference - Following a Management Board report in December 2012, it was acknowledged that the Terms of Reference for the Joint Consultative Committee (JCC) had not been reviewed for a period of considerable time. Therefore Management Board agreed that a review of the JCC should take place.

The JCC was the Council's forum whereby discussions took place with the recognised trade unions in line with the representations at a regional level. However the Performance Improvement Unit (PIU) had identified that non-union members were not represented at the JCC. Whilst technically correct, as trade unions were not required to represent non-union staff, it was noted that:

- (a) The trade union representatives who attended the Committee had to be employees of the Council;
- (b) There were 9 trade union representatives from a range of service areas who between them were likely to hold a range of views similar to employees who were not trade union representatives; and
- (c) All representatives, whether staff or member, were permitted to share their views with the Committee and did so.

It was advised that work was progressing outside the review of the JCC Terms of Reference regarding internal staff communications and as part of the review they would draft and develop an Employee Engagement Strategy.

The Panel were happy to recommend the amended and updated terms of reference for the JCC.

(v) Planning Committees and their Terms of Reference - At their February 2015 meeting the Panel considered a review of the operation of Planning Committees and their Terms of Reference. This originated from the Overview and Scrutiny Committee, at its meeting on 16 September 2014, when it referred a PICK form request to the Planning Scrutiny Panel who then referred their deliberation on to this Panel.

The Panel supported the Planning Scrutiny Panel's recommendation on the criteria for referring applications to the DDCC subject to the inclusion of "large scale development schemes" to the items that would go directly to the DDCC.



The Panel supported changing the name of the District Development Control Committee to District Development Management Committee to reflect new directorate section titles and the adoption of the revised draft Article on the operation of and arrangements for Planning Committees.

(vi) Amendments to the Council's Complaints Scheme - The Council's complaints scheme had four stages, an investigation of a complaint at each stage was undertaken by the following:

- (a) Step 1 – Manager of the Service area concerned;
- (b) Step 2 – Director or Assistant Director;
- (c) Step 3 – Complaints Officer on behalf of Director of Governance; and
- (d) Step 4 – Member Complaints Panel

The Panel was informed that in 2006 the Local Government Ombudsman introduced the "12 week rule" which urged councils to complete every stage of a complaint within 12 weeks of their first receipt. Inability to do so meant the complainant had the right to bypass any remaining stages in the complaints procedure and instead take their complaint to the Ombudsman. However, the complaints procedure adopted by the District Council made it impossible to complete all four stages within 12 weeks. Investigations at Steps 1, 2 and 3 usually took around 3 – 4 weeks each to complete. A

complainant remaining dissatisfied could request a further review, although it could take 7 – 8 weeks to organise a meeting of the Step 4 Member Complaints Panel.

Therefore complainants were advised that it was not possible to offer a Step 4 review within the 12 week time limit, therefore they had the right to bypass this and take their complaint to the Ombudsman.

Members noted that discontinuing Steps 1 – 3 would not resolve the problem because whichever two of the three stages were retained, would still require a total of around 8 weeks to complete, which would not leave enough time to organise a Complaints Panel review within the 12 week time limit. It was advised that no other local authority in Essex, or indeed the rest of the country, had as many stages for complaints or offered a final review by Members.

Members supported the recommended changes.

Case Study: Review of the Council's Constitution

The most substantial task undertaken by the Constitution and Member Services Scrutiny Panel has been to start the process of reviewing the Council's Constitution.

The Council's Constitution dates back to the Local Government Act 2000 which required every council to have a Constitution containing the authority's standing orders, code of conduct and such other rules and information that were considered appropriate.

Over time the Constitution had grown to over 650 pages which whilst reflecting changing circumstances, had made easy access to the rules governing Council business at times difficult. No overriding review has been undertaken since its adoption.

The Business Plan for the new Governance Directorate included the ambitious task of completing a review of the Constitution by March 2016. It sought to ensure consistency of wording, rules and a rationalisation of procedures to avoid duplication and repetition.

The Constitution and Member Services Scrutiny Panel commenced work on the review with consideration of a scoping report at its September 2014 Panel meeting. The Panel was aiming to examine the following specific areas during this year:

- (a) Articles of the Constitution;
- (b) Delegations and contract standing orders;
- (c) Minority references;
- (d) Council Procedure Rules; and
- (e) Use of the Chairman's Casting Vote

Given this huge task the Members of the Panel have prioritised their working method as follows:

- (i) Reviewing sections from the Constitution at each meeting with short commentaries by officers with suggested changes;
- (ii) Undertaking consultation with other parties; and

(iii) Extending invitations to Committee/Panel Chairmen when a Constitutional review issue relevant to their area arose.

The Panel planned to complete the work by March 2016 with the aim of the Council agreeing the new Constitution document by the end of that municipal year. The review was currently making good progress.

3. FINANCE AND PERFORMANCE MANAGEMENT SCRUTINY PANEL

The Finance and Performance Management Scrutiny Panel consisted of the following Members:

Councillor A Church (Chairman)
Councillor A Mitchell (Vice Chairman)
Councillors K Angold-Stephens, D Dorrell, J Knapman, H Mann, G Mohindra; H Ulkun, Jon Whitehouse, S Watson and E Webster

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

Terms of Reference

Performance Management

1. To review Key Performance Indicator (KPI) outturn results for the previous year, at the commencement of each municipal year;
2. To identify on an annual basis, subject to the concurrence of the Finance and Performance Management Cabinet Committee:
 - (a) a basket of KPIs important to the improvement of the Council's services and the achievement of its key objectives; and
 - (b) the performance targets and monitoring frequency of the KPIs for each year.
3. To review performance against the adopted KPIs on a quarterly basis throughout each year, and to make recommendations for corrective action in relation to areas of slippage or under performance;

Public Consultation and Engagement

4. To develop arrangements as required, for the Council to directly engage local communities in shaping the future direction of its services, to ensure that they are responsive to local need;
5. To annually review details of the consultation and engagement exercises undertaken by the Council over the previous year;

Finance

6. To consider the draft portfolio 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;
7. To review key areas of income and expenditure for each portfolio on a quarterly basis throughout the year;

Information and Communications Technology

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

Value for Money

9. To consider a regular analysis of 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; and

Equality

10. To annually review the achievement of the Council's equality objectives for 2012/13 to 2015/16, and progress in relation to other equality issues and initiatives.

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

(i) Key Performance Indicators 2013/14 – The outturn report on the key performance indicators adopted by the Council for 2013/14 went to Panel's July's meeting. The meeting noted that a range of thirty five Key Performance Indicators had been adopted by the Finance and Performance Management Cabinet Committee in March 2013.



The position in regard to the KPIs for the end of the year was as follows:

- a) 28 (80%) indicators achieved the cumulative target; and
- b) 7 (20%) indicators did not achieve the cumulative target, although 2 of these indicators performed within the agreed tolerance for that indicator.

Members were reminded that as part of the Overview and Scrutiny Review undertaken in 2013/14, changes had been made to the existing arrangements for the quarterly review of KPI performance.

From the first quarter of the year, four of the existing Scrutiny Panels (Finance and Performance Management, Housing, Planning, and Safer Cleaner and Greener) will each be responsible for the review of quarterly performance against relevant KPIs, rather than all indicators being considered by the Finance and Performance Management Scrutiny Panel.



(ii) Sickness Absence 2013/14 (final figures) – At their July, 2014 the Panel received a sickness absence report for quarters 3 and 4 for 2013/14. The Panel noted that the Council's target for sickness absence under KPI10 for 2013/14 was an average of 7.25 days per employee. The final overall outturn figure of 7.01 days was below the target of 7.25 days for the year.

(iii) Consultation and Engagement – The Panel received the annual report on the public consultations carried out during 2013/14.



Every year a list of consultation planned and carried out by the Council was published on the website and brought to the attention of this Panel.

The Consultation Register was a list of the most recent exercises, which have been carried out on behalf of the Council or by the Council in the last financial year.

It was noted that some new policies and initiatives had been consulted on such as the Introduction to Annual Site Licence Fees for Permanent Residential Park Homes; and the HealthWorks Survey (Healthworks was a health improvement and well-being project for young people aged 11 to 19, and encourages them to adopt healthier lifestyles, providing a range of activities, workshops and courses).

The Panel noted that the Council had undertaken 6 statutory surveys and had planned a further 2 so far this year. It had also carried out 4 discretionary surveys.

Costs were being kept low by using resources in-house and using online technology. Three statutory surveys made up the bulk of the costs involved in public engagement which totalled £111,000; the 'Local Plan Preferred Options' consultation planned for December, involved the highest costs mentioned in the report of £90k.

Judgement on whether or not to include a consultation on the register should be relative to the impact and local sensitivity of the subject. For example if the changes being proposed are likely to be either:

- contentious,
- an expensive project,
- a possible cause for complaint,
- effect a lot of people,
- controversial;

- or a possible nuisance to residents

then they would be included on the register, however small they were.

More emphasis had been given to data protection in consultation. Further monitoring would be carried out to ensure this happened.

Online consultation was steadily becoming more advanced and the Council was starting to use WebHost, which was Cloud technology and gave more control and faster recovery of data and analysis.

Further use of Social Media for consultation purposes was being researched to see if the feedback or publicity aspects were a useful source of public engagement and or feedback.

(iv) Provisional Capital Outturn for 2013/14 – This report set out the Council's capital programme for 2013/14, in terms of expenditure and financing, and compared the provisional outturn figures with the revised estimates. The revised estimates, which were based on the Capital Programme, represented those adopted by the Council in February 2014.



The Council's total investment on capital schemes in 2013/14 was £13,006,000, compared to a revised estimate of £15,610,000. The largest underspends were experienced on General Fund projects, virtually all of which were underspent.

(v) Provisional Revenue Outturn for 2013/14 - This provided an overall summary of the revenue outturn for the financial year. The Panel noted that the net expenditure of the Continuing Services Budget (CSB) for 2013/14 totalled £14.219 million, which was £149,000 (1.0%) below the original estimate and £265,000 (1.9%) below the revised. When compared to a gross expenditure budget of approximately £75 million, the variances can be restated as 0.2% and 0.35% respectively.

There were also improvements in the funding position as this showed an increase of £286,000, however this was not the full story as movements between the Collection Fund (where Council Tax and Business Rates are accounted for) and the General Fund are governed by specific regulations.

The Panel noted that when HRA Self Financing was introduced it became clear that more money would be available for service improvements and enhancements. Each year an amount was allocated for service enhancement based on the likely funding available. There was an underspend on the programme last year and therefore £112,000 was requested for carry forward into 2014/15.

(vi) Key Performance Indicators – Performance by Quarters – The Panel noted that from this year, each Scrutiny Panel would be receiving their own performance indicators to review on a quarterly basis. Through the year the Panel received a quarterly update on their own set of indicators.



Eleven of the Key Performance Indicators fell within the F&PM SP areas of responsibility.

By their last meeting the Panel had the third quarter results for the KPIs specific to their Panel for 2014/15 and noted that:

- (a) 6 (55%) indicators achieved the cumulative third quarter target, and
- (b) 5 (45%) indicators did not achieve the cumulative third quarter target.
- (c) 7 (64%) were currently anticipated to achieve the cumulative year-end target.

(vii) Quarterly Financial Monitoring – the Panel also received quarterly updates on the financial state of the council.

They noted that the new Business Rates Retention scheme was in its second year whereby a proportion of rates collected were retained by the Council. By the end of June 2014 the figures were looking good with the Council retaining funding of £40,680; but this might not continue depending on the number of claims from small businesses that were received.

(viii) Performance Monitoring – Call Handling – The report on call handling performance that was produced in response to a request made by this Panel at their March meeting. They had wanted to know how long a member of the public would have to wait before they were answered by the switchboard. They noted that our new telephone system was now live and capable of producing very detailed management information. However it was noted that although a report on switchboard times was possible the majority of calls now bypass the switchboard and go to direct dial extensions. It would be more beneficial to monitor what happens following the switchboard transferring a call.



ICT staff had only just been trained in the use of this new monitoring system and on the subsequent production of reports. They were now looking to members to give a steer as to what they would like to have monitored. Officers could then produce regular reports monitoring as appropriate.

By their March 2015 meeting the Council's new telephone system was live and could produce various monitoring information. Following the introduction of a number of auto attendants (menu assisted calls), a large number of calls now bypass the switchboard and go straight to directorate contact centres and workgroups.

They noted that other authorities that had telephone systems like us tended to favour reporting on:

- a. The percentage of abandoned calls (subject to a minimum of 4 rings); and
- b. The number of calls sent directly to the voicemail system.

ICT tended to favour these indicators that specifically relate to the service callers were receiving. During January, 35,388 calls were received – 9.8% of these were classified as abandoned with 4.22% of calls going directly to voicemail. This may be something that the Panel would want to monitor. The Panel agreed that these would be appropriate points to monitor in the coming year.

(ix) Financial Issues Paper - This provided the initial framework for starting the 2015/16 budget. It had been to the Cabinet Finance Committee in July and was here for the Panel comments on the initial budgetary structure for 2015/16.

The report took the members through the General Fund Outturn for 2013-14, the updated Medium Term Financial Strategy and the Continuing Services Budget. It also went through central government funding, noting that significant changes had happened at the start of 2013/14 and we were only a year and a half into these changes. It was noted that as part of abolishing Council Tax Benefit and introducing Local Council Tax Support (LCTS), the DCLG had to determine whether parish Councils would be affected by the reduction in council tax base or left outside the calculations. However, despite the consultation response on the scheme being massively in favour of tax base adjustments only at district level, the DCLG decided that parish councils should also be affected. One of the problems with this decision was that DCLG did not have a legal power to make grant payments directly to parish councils. This meant the funding for these councils had to be included in the grants to districts and it was then for districts to determine how much of the grant was passed on. Members determined that parish councils should be fully protected from this change for 2013/14, a decision that was not shared by many authorities across the country.



It was noted that half of the Business rates retention was kept locally, 40% to EFDC, 9% to Essex County Council and 1% to the Essex Fire Authority; and 50% went to Central Government.

As the billing authority we were responsible for collecting the money and then paying it over. However, as our share (£12,755,334) exceeds the amount of our funding deemed to come from retained business rates (£2,909,311) the excess (£9,846,023) was also paid to Central Government as a "Tariff". The tariffs are used to provide "Top Ups" to those authorities whose non-domestic rate income was lower than their deemed funding from business rates. Overall this meant we were collecting nearly £32 million but retaining less than £3 million, or just over 9%.

(x) Equality Objectives 2012-2016 – At their November 2014 meeting the Panel noted the quarter 2 progress on the Equality Objective. In 2012 the Cabinet had agreed a range of equality objectives for the four years from 2012 to 2016, designed to help the Council meet the aims of the general duties of the Equality Act (2010) and bring about positive improvements to service design and delivery. The report reflected progress against these objectives as at the end of the second quarter of 2014/15. The achievements of these objectives were supported by an action plan spread across the four year time frame.



(xi) Sickness Absence for 2014/15 – The Panel noted the absence figures for quarters 1 and 2 for 2014/15. It included absence figures for each directorate and the number of employees who had met the trigger level. It was noted that the figures had taken a bit of a downturn this year; this seemed to be due to several long term absences.



(xii) Equality Information – Workforce Data - This report on Equality Information, generated under action E04.02 of the Council's Equality Objectives 2012-16 to "carry out analysis of workforce data to identify trends and patterns in areas as identified by Corporate Equalities Working Group".

The Panel noted that:

- Women were well represented in the Council's workforce (56.02%) and there was evidence that they were accessing training opportunities and achieving promotion;
- Disabled people were well represented in the Council workforce. The figure was 11.14% for the Council and 10.17% for the district. There was evidence that this group were accessing training opportunities and achieving promotion;
- The Council workforce was older on average than the local population, with 34.06% being in the 45-59 age range;
- 52.97% of Council staff did not wish to disclose their religion or belief. Statistics for the staff that did provide this information show that non-Christian groups are under-represented with 3.05% for the Council and 8.1% for the district; and that
- 51.07% of Council staff did not wish to disclose their sexual orientation. There was no comparative information from the 2011 Census.

(xiv) Fees and Charges 2015/16 - This report that went to the Panel's November 2014 meeting, provided details on the fees and charges that the council levies and what scope, if any, there was to increase any particular charge. This was an annual report produced as part of the annual budget process.

It was noted that:

- The medium term financial strategy had identified the need for savings around £1.5m over the four year period, with £500,000 falling in 2015/16. This may well rise to near £1m;
- Increasing existing fees and charges would help reach the savings target set, however, there were issues to consider such as whether fee increases will drive customers away and have the opposite of the desired effect and actually reduce income;
- The September Retail Prices Index (RPI) has recently been published at 2.3%. Previously this has been used as a guide when setting the level of increase however other factors such as cost of provision also need to be considered;
- Generally, it was recommended that the majority of fees and charges be increased by the Retail Prices Index (RPI) for September 2014 (2.3%) - rounded up or down as appropriate.

The Panel broadly agreed with the proposed level of the fees and charges for 2015/16, but would like the increase charges to the 'Careline' services to be revisited.



(xv) Commercial Property – Rent Paid – The Panel at its meeting in September 2014 considered KPI GOV002 (Commercial Property – Rent Paid) and noted that the percentage of rent arrears over 90 days was 4.73% against a target of 3% and an explanation was required as to why this figure was below target.

Members were invited to look at how this indicator was presented, it had distorted figures as it included former tenants and historic debts and did not relate to current

expected income for the financial year. Targets would need to be adjusted to reflect this, perhaps by breaking it down into two sets of figures.

The Panel, on consideration thought that there was a need for early intervention, a way to see and identify the warning signals.

(See Case Study for full details)

(xvi) ICT Updates – The Panel received update on the Council’s Information and Computer Technology systems updating them on the ongoing works and projects of the ICT strategy. Overall the projects were on track and progressing well.

They noted that the Council now had:

- An Auto Attendant telephone system with menu assisted calls;
- There were now mobile applications to enable officers and members to work out of the office;
- The whole council was now covered by wireless connectivity;
- ICT now have out of hours call-out arrangements to enable them to resolve any problems before core working time begins; and
- The Council has now developed its own online booking system for leisure services and this will eventually link in with the Finance system.



(xvii) Financial Monitoring - The Panel undertook quarterly financial monitoring on income and expenditure for quarter three of the financial year. The last quarter would be reported in the new municipal year.

By the end of quarter three it was reported that it would be a surprise if the Council showed an underspend this year.

Case Study – Commercial Property – Rent Paid

At their meeting in September 2014 the Panel considered KPI GOV002 (Commercial Property – Rent Paid) and noted that the percentage of rent arrears over 90 days was 4.73% against a target of 3% and an explanation was required as to why this figure was below target.

The Chief Estates officer noted that:

- The Council had substantial property portfolios;
- This KPI excluded debts under 90 days to enable people to pay;
- There had been resources issues but it was hoped that two Asset Management & Economic Development Assistants, approved by Council in September 2014 would be able to help chase outstanding debts;
- Members were invited to look at how this indicator was presented as it had distorted figures as it included former tenants and historic debts and did not relate to current expected income for the financial year; and

- Targets would need to be adjusted to reflect this, perhaps by breaking it down into two sets of figures.

The Panel considered a list of arrears from current tenants and former tenants and lists of debts that the council's legal services were dealing with. Where it was felt that the situation would not improve, court orders had been obtained for possession of the properties so that the Council could re-let to new tenants. It was noted that some tenants were making regular payments to reduce their debt; or had been paying but had now stopped; there were a number of debts not worth pursuing as they may have gone into administration. If these were taken out, the arrears would go down to below 3%.

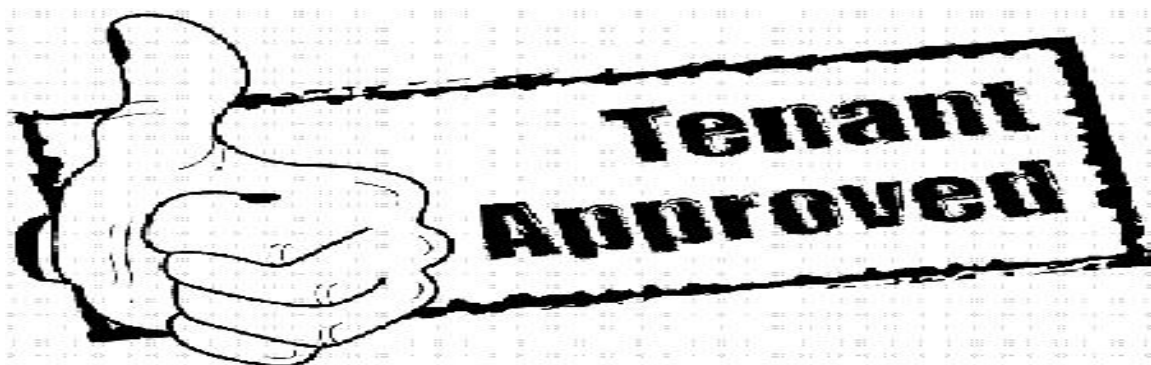
The Panel noted that these were only commercial property debts; and that although some went back to 2006, were still listed, but as they were still being paid of, if only a small amount on a regular basis, the Council was still collecting.

Asked if the Council asked for deposits and took due diligence in letting to new tenants, the Chief Estates Officer said that they did exert due diligence and also took a deposit and used it if they have to take re-possession.

The Panel went on to examine certain cases as detailed in the report in more depth to get a better knowledge of the cases outstanding.

The Panel concluded that there was a need for early intervention, a way to see the warning signals. Future problems were hard to identify as the signs were not always clear. Officers did not know the tenants business in detail and had to make judgement calls on this.

The Chairman summed up by saying that the general consensus was that prevention was better. Deposits could be use to pay arrears and if used they should be topped up by the tenants and if they could not, it would be a sign that they were in trouble. This could be used as an indicator. The Panel recommended that the risk management policy for this be reviewed. They would also like the KPI reviewed to consider if the figures should include historic debt which did not relate to the current expected income for the financial year. Targets would need to be adjusted to reflect this.



4. SAFER CLEANER GREENER SCRUTINY PANEL

The Safer, Cleaner, Greener Scrutiny Panel consisted of the following members:

Councillor J Lea (Chairman)
Councillor H Brady (Vice Chairman)
Councillors K Chana, R Gadsby, B Jennings, L Mead, A Mitchell, S Neville, M Sartin, B Surtees and E Webster

The Lead officer was Qasim Durrani, Assistant Director, Technical Services.

Terms of Reference

1. To approve and keep under review the “Safer, Cleaner, Greener” initiative development programme.

(Note: this development programme will encompass the three main issues and will therefore include matters such as:

- (i) environmental enforcement activity*
- (ii) safer communities activities*
- (iii) waste management activities (in addition to WMPB information))*

2. To keep under review the activity and decisions of the Waste Partnership Member Board and the Inter Authority Member Working Group.
3. To receive reports from the Waste Management Partnership Board in respect of the operation of and performance of the waste management contract
4. To monitor and keep under review the Council’s progress towards the preparation and adoption of a sustainability policy and to receive progress reports on the Council’s Climate Change Strategy from the Green Working Group.
5. To receive and review the reports of the Bobbingworth Nature Reserve (former Landfill site) Liaison Group.
6. To act as the Council’s Crime and Disorder Scrutiny Committee and to keep under review the activities of the Epping Forest Safer Communities Partnership as a whole or any of the individual partners which make up the partnership and:
 - That one meeting a year be dedicated as Community Safety Committee meetings.
7. To monitor and review the new Local Highways Panel.
8. To receive the minutes of the North Essex Parking Partnership (NEPP) for the purposes of monitoring the work and progress of the partnership.
9. To monitor and review the minutes of the Police and Crime Panel.
10. To receive copies of the Leisure Board minutes.

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

(i) Road Traffic Accidents – At their first meeting of the year in July 2014 the Chairman welcomed Adam Pipe, the Casualty Reduction Manager from Essex Police and PS Simon Willshire. They were there to talk about the work Essex Police were doing with the road traffic collisions data for the Epping Forest area.



The Panel noted that the traffic sections were having a difficult time as they were not seen as a priority by central government and had to deal with cuts in their resource budgets. They were to get down to 80 from the current 160 officers for the County and to 10 motorcycle units, with only 2 officers responsible for commercial vehicles. They were also down to 9 special constables responsible for casualty reduction.

Mr Pipe's section was also responsible for the road side safety cameras and carried out camera offences investigations. The cameras were not just for fines and a lot of the people caught this way were told by the courts to take safety courses. They were creating all sorts of courses for low level offenders from cyclists, to motorcyclists and drivers, all based around educating them and modifying their behaviour.

Part of their job was to reduce the number of people killed or seriously injured (KSI) on Essex roads through enforcement, education and engagement. Partly this would be down to the maximum use of re-education for the low end offenders and ensuring, where possible, that top end offenders were brought to justice.

The meeting noted that a disproportionate 26% of KSIs were motorcyclists who made up only a small percentage of motorised road traffic. They were also noticing an increase in drunk drivers at present.

In the Epping Forest area, in 2014 so far there had been 35 KSIs. There had been 40 for 2013. As for cyclists, so far this year there have been substantially less KSIs than last year, which was encouraging. There had been quite a few pedestrian accidents so far this year especially in the Loughton area, a densely populated urban area.

They also identified those persons who used the road network to commit crime.

(ii) Anti Social Behaviour Case Review Model – Also at their July meeting the Panel noted that new legislation on Anti-Social Behaviour, the Crime and Policing Act 2014 (formally known as 'Community Triggers') received royal assent on 13 March 2014. The Act was designed to introduce simpler, more effective powers to tackle anti-social behaviour and provide better protection for victims and communities.

Within the Act are new responsibilities for the relevant bodies including the District Council, the Police, clinical commissioning groups, health providers and registered social housing providers.

To ensure agencies took a more joined up, problem solving



approach, Safer Essex had agreed to develop a consistent County-wide approach across all agencies who are involved in the use of the new legislation; providing victims of anti-social behaviour with a coherent and effective response regardless of where they lived in Essex.

It was important to note that the District Council would play a key pivotal role in this process by taking the lead over the other agencies, including Essex Police, in recording, collating and responding to all Anti-social Behaviour Review requests from the public.

(iii) Waste Contract Update – The meeting received a rundown on the latest of the new waste management contract awarded to BIFFA. The Cabinet had agreed on 19 May to award the contract to Biffa Municipal Limited. Following the publication of the decision on 21 May there was the Alcatel mandatory standstill period. This was to allow any unsuccessful bidder to challenge the decision made by the Council. It was noted that no challenges were made to the awarding of the contract and the contract had now been formally awarded to them. The unsuccessful bidders had a debrief session on 3rd July. This was attended by SITA, SERCO and Ubaser.



(iv) Recycling in Flats and Multiple Occupancy Dwellings – The Panel received a verbal report on the current state of recycling in flat blocks in the District. There were a total of 7,400 flats in the District and some of these were not able to have suitable containers put in to collect the recycling. 80% of flats that were suitable for having recycling containers have now got them and officers were exploring ways to put some containers in the other 20% of flats. They were also looking at ways to put in food recycling but there had been problems with contamination. Recycling bins were being redesigned along with new literature and leaflets to educate the residents in the flat blocks.



(v) Update on the Environment Agency River Roding Strategy – In October the Panel received an update on the Environment Agency’s River Roding Strategy telling members that the Environment Agency (EA) would be adopting the recommendations of the River Roding Strategy. They would be writing to all properties and landowners within the boundary of the River Roding’s flood plain, advising them of the strategy recommendations and how the implementation would impact on their property. This



strategy would benefit 1000 properties in the catchment but unfortunately some properties would remain at high risk or in a few cases have an increased risk of flooding. They would be working with those property owners to offer advice and guidance to ensure they were aware of the risks and the steps they could take to minimise these.

Once the River Roding Strategy was fully implemented it was likely that there would be impacts on the district and resourcing implications for the Council.

(vi) Key Performance Indicators 2014/15 - The specific Key Performance Indicators (KPI) for each quarter of the year that was appropriate to this Panel were noted. This was the first year that these specific indicators had gone to the Panel since being agreed by last year’s Overview and Scrutiny Review Task and Finish Panel.

Over the year the Panel considered the performance of the Key Performance Indicators for 2014/15 relevant to the council services that the panel monitors on a quarterly basis.

By the end of quarter three, the Panel noted that of the KPIs that fell within the Safer Cleaner Greener Scrutiny Panel area of responsibility their position was:

- i) 7 (78%) of indicators achieved the cumulative third quarter target;
- ii) 2 (22%) of indicators did not achieve the cumulative third quarter target;
- iii) 8 (89%) were currently anticipated to achieve the cumulative year-end target.

(vii) CCTV – 3 Year Action Plan – At their January 2015 meeting the Council’s CCTV Operations Officer updated the Panel on the CCTV three year action plans. The Panel noted that the use of CCTV had helped in the investigation of some unpleasant crimes, including a violent assault on a taxi driver in Epping. A lot of these investigations had led to arrests directly attributable to the use of CCTV.



Relevant CCTV footage was made available to the Police and other responsible authorities.

The Panel noted that:

- Loughton High Road now had high definition cameras installed along its length and this had proved useful so far;
- The museum in Waltham Abbey will have high definition cameras installed and the current system at North Weald Airfield would also be improved;
- Officers were looking to stream the live CCTV footage back to the Civic Offices so that they could be monitored in real time;
- There were now about 450 cameras across the district, with the police asking for about 253 downloads of incidents last year;

- The Council has recently completed a self assessment on its CCTV services and has found itself to be in good shape as an authority;
- The Council was now receiving more and more requests from insurance companies for CCTV footage and officers have now started charging for these images;
- For any operations using covert surveillance, magistrate's authorisation would have to be sought. The Council had also developed its own policy for this. A recent success for the use of covert surveillance was the catching of a long term fly tipper;
- Officers were updating the way people could request CCTV footage by using the council's website. This was now a clearer and quicker way to request footage by way of a web form and a generated unique reference number; and
- We would be helping Waltham Abbey Town Council with their CCTV systems during the coming year.

(viii) Enforcement Activities Update – The Panel received an update on the Council's enforcement activities. The figures remained fairly constant over the periods shown, fly tipping remained an ongoing problem and the council tended to publicise successful prosecutions to act as a deterrent. The report detailed some of the more successful prosecutions.

(ix) Air pollution – At their meeting in February 2015, the Panel received a report that was in reply to the querying of the amount of air pollution in our district and in particular the levels of particulate pollution in Epping Forest, attributable to 6% of all deaths.

They noted that officers carried out an assessment every 3 to 4 years based on PM₁₀ particulates.



Research showed that particulate pollution reduced life expectancy by two years and could also be the cause of serious illnesses. The current Mayor of London had an objective to achieve an ultra low emissions zone in London. However, it was noted that our power to influence this issue was very limited because of the motorways and commuters going in and out of London.

It was also noted that there was a need for a safer set up for cyclists in our area, the rural roads were just too dangerous. It was highlighted that 'Sustrans' the transport charity were looking into this at present in the Epping area.

(x) Engineering and Drainage – the Panel received a presentation by the Council's Drainage Manager on the Council's role in alleviating the risk of flooding in the district and what the Engineering, Drainage and Water Team (EDWT) did.

The Panel noted that EDWT provided a discretionary 24/7 – 365 emergency flood response standby service to deal with out of hours flooding incidents involving Council owned assets or to assist members of the public, where appropriate. They would respond to all types of flooding incidents, working closely with the Environment Agency where necessary.

(See case study for full details)

(xi) **Thames Water** – at their very last meeting the Panel received a presentation from four officers from Thames Water. They were there to tell the Panel about their work in this area, the problems they faced and to outline some solutions. They started by apologising for the time taken for some of the work they had undertaken and for their lack of communication in aspects for the cases provided.



Thames Water was increasing the number of customer representatives in both their clean and waste teams to improve contact. They were also continuously reviewing their communications branch improving how they target communication to areas that needed it most.

The Panel noted that they had a duty to provide public sewerage and to clean and maintain sewers. They also had a duty to provide and extend sewerage systems, but do not have the duty to provide capacity to deal with flood or ground water. They also do not deal with rivers or canals. There were three types of sewer: foul water sewers, surface water sewers and combined sewers (these were mainly in London).

The causes of flooding could be many and complex and it was difficult to identify where the water initially came from. In general, it was noted that the local council and land owners were responsible for surface and ground water flooding; highway flooding was the responsibility of the local council and/or the Highway Agency; river flooding was the responsibility of the riparian owners and the Environment Agency; Thames Water was responsible for surface water sewers and foul water sewers.

They prioritise their calls and have 2 hours for emergencies and 4 hours for operational blockages. If follow on works were needed, dependant on Highways Agency agreement and notice/permit had been granted it would be a 5 to 10 day notice.

Case Study: Engineering and Drainage

In February 2015 the Council's Drainage Manager, gave a presentation on the Council's role in alleviating the risk of flooding in the district and what the Engineering, Drainage and Water Team (EDWT) did.



A note from the planners outlined the role of planning in flood risk prevention. It was noted that Local Plans should be supported by a Strategic Flood Risk Assessment and policies to manage flood risk from all sources. The National Planning Policy Framework (NPPF) set strict tests to protect people and property from flooding, which all local planning authorities were expected to follow. Where these tests were not met, national policy was

clear that new development should not be allowed.

In terms of day-to-day development management, planners assessed applications using mapping data made available by the Environment Agency. In addition recent guidelines issued by government requires all local authorities to consult with their Lead Local Flooding Authority; in our case it was Essex County Council, on development of 10 dwellings or more, to assess flood risk from surface water, groundwater and ordinary watercourses and to promote sustainable drainage proposals.

The EDWT provided a discretionary 24/7 – 365 emergency flood response standby service to deal with out of hours flooding incidents involving Council owned assets or to assist members of the public, where appropriate. They would respond to all types of flooding incidents, working closely with the Environment Agency where necessary.

It was noted that there were three Flood Alleviation Schemes (FAS) in the district that were the responsibility of the Council, and that:

- They were built in high risk areas, with properties at risk of flooding;
- The levels of water in the storage areas at two of the sites were monitored 24/7, 365 by telemetry and recently installed CCTV;
- In addition there was the Loughton Brook Scheme, which was statutorily classified as a Reservoir and was managed by the Environment Agency.

In addition to the FAS the EDWT monitor and maintain (with the Council's Term Contractor) the council's 50 storm grilles and approximately 2,500km of ordinary water courses.

It was also noted that:

- We were the only District in Essex with its own Byelaws on Land Drainage;
- As an authority we liaise with Thames Water, Essex County Council (Highways), Affinity Water, Environment Agency (& other organisations);
- Under the Environmental Protection Act 1990, the Council was statutorily obliged to inspect and assess potentially contaminated land sites within its boundary;
- Local Authorities must set out its approach as a written strategy;
- There were thought to be several thousand potentially contaminated land sites, due to historic contamination, with 91 landfill sites;
- Local Authorities also had a statutory duty under the Building Act 1984 and the Public Health Acts to ensure buildings had adequate drainage and that blockages, defects and pollution from sewage were properly dealt with;
- In October 2011 most private sector sewers transferred to Thames Water; the Council was still responsible for all rural drainage systems and for many situations where there were drainage problems in urban areas;
- EDWT provided investigation and enforcement services on private sewers that fell outside the jurisdiction of Thames Water;
- The poor performance of Thames Water meant that officers often had to get involved with problems that should have been dealt with by Thames Water;
- EDWT maintain the Council's own drainage records and also have access to the Thames sewer maps;
- EDWT have recently purchased a vehicle and have replaced their old CCTV equipment to assist with flooding and drainage work;
- The Council's Local Plan should take into account climate change over the longer term which would include flood risks;
- EFDC have their own Flood Risk Assessment Zones (FRAZ) set out in its Local Plan;
- The FRAZ have been identified and mapped by officers;
- These FRAZ were not the same as the Environment Agency Flood Zones;
- EDWT officers assessed planning applications and if the development falls within a FRAZ a flood risk condition would be recommended;
- The Council encourages all developers to follow the principals of Sustainable Drainage Systems (SuDS) in designing facilities for the handling of rainwater runoff;

- The Government had recently decided to remove the responsibility for delivering SuDS from the Local Lead Flood Authority (ECC) and strengthen the planning system – which has placed the responsibility back on us;
- The Flood and Water Management Act (April 2010) was intended to implement Sir Michael Pitt's recommendations following the widespread flooding of 2007. This flooding was largely caused by surface water runoff overloading drainage systems.

It was noted that there was disjointed help offered from the Highways Agency. Officers also noted that what problems they had encountered in carrying out their work had mainly been the inefficiency of the Highways Agency and Thames Water. There was only so much our officers could do without any co-operation.

In conclusion the Panel confirmed that they wanted Thames Water to come to a future meeting.



5. PLANNING SERVICES SCRUTINY PANEL

The Planning Services Scrutiny Panel consisted of the following members:

Councillor G Chambers (Chairman)
Councillor Y Knight (Vice Chairman)
Councillors D Dorrell, H Kaufman, M McEwen, B Sandler, G Shiell, B Surtees, S Watson, A Watts and D Wixley.

The Lead officer was Nigel Richardson, Assistant Director (Development Management)

Terms of Reference

1. To consider and review Measures taken to Improve Performance within the Directorate concerning:
 - a) Performance standards and monitoring; and
 - b) Other Reviews
2. To monitor and receive reports/updates on the delivery of the Local Plan;
3. To monitor and receive reports/updates on the Planning Electronic Information System. To provide information regarding the progress and availability of planning information held on i-Plan.
4. To establish whether there are any resource implications arising out of the topics under review and advise Cabinet for inclusion in the Budget Process each year;
5. To report to the Overview and Scrutiny Committee at appropriate intervals on the above. To report to the Overview and Scrutiny Committee, the Council and the Cabinet with recommendations on matters allocated to the Panel as appropriate;
6. Response to Planning Consultations;
7. Receiving feedback from Chair and Vice Chairmen of Development Control meetings; and
8. Business Plans Review Development Control – Governance and Forward Planning – Neighbourhoods.

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

- (i) **Update on Local Development Scheme** – At their first meeting of the year the Panel received a report regarding an update on the Local Development Scheme.

The Localism Act 2011 made a requirement that local authorities must prepare and maintain a Local Development Scheme specifying the local development documents. The last scheme, formerly adopted by the Council in July 2013, set out the proposed

programme for the preparation of the Epping Forest Local Plan. Members noted that the Council had made good progress in developing the evidence base.

(ii) Section 106 Annual Report - Section 106 of the Town and Country Planning Act 1990 allowed a local planning authority to enter into a legally-binding agreement or planning obligation with a land owner/developer over a related issue.

Section 106 Agreements could act as a main instrument for placing restrictions on developers, requiring them to mitigate on-site and site specific impacts. Such agreements could be sought when planning conditions were inappropriate to ensure and enhance the quality of development and enable proposals that might otherwise have been refused to go ahead in a sustainable manner. Contributions may be secured by:

- (a) Work in-kind provided or constructed by the developer;
- (b) A financial payment (which may be decided using a formula); and
- (c) Transfer of land for a facility.

Performance for the Year 2013/14

Benefits negotiated through the year would provide a total of £729,218 received into the public purse. Benefits actually realised through the year had provided a total of £725,711 received into the public purse, Highway improvements at the developer's expense and funding of a fixed 1 year term Conservation Technical Officer post.

The Future

The use of S106 Agreements attached to planning permissions granted after April 2015 were to be restricted, as they were being replaced by the Community Infrastructure Levy (CIL). The adoption of the CIL required an up to date development plan and adoption after consultation and examination, before such a levy could be adopted and payment received. Monies raised under CIL could only be spent on infrastructure which included roads and other transport facilities, flood defences, schools and other education facilities, medical facilities and sporting and recreational facilities. From 6 April 2015, it would not be possible to use S106 Agreement delivery of such infrastructure items, unless it was site specific and no more than 5 S106 obligations could be pooled together for that one delivery requirement.

As part of the Local Plan the Council must consider the infrastructure necessary to accompany development. In the Local Plan this assessment of infrastructure would form the Information Delivery Plan (IDP). Once all infrastructure needed was identified, all of the existing revenue streams would then be reviewed.

(iii) Local Plan Progress Reports – At various time during the year, the Panel received a progress reports regarding the Local Plan.

They noted that:

- The Strategic Housing Market Assessment (SHMA) was being updated with a draft report. The report would help identify the District's Objectively Assessed Housing Need and constitute an approach to future housing provision.
- Progress had been made on the master planning work for North Weald Bassett in consideration of the way the airfield would relate to the wider village.
- Consultants had been engaged for further work on economic and employment evidence for supporting the Local Plan and the Economic Development Strategy.

- The joint Essex-wide Gypsy and Traveller Accommodation Assessment had been completed with briefings by the consultants held in July 2014. The Planning Policy Portfolio Holder advised that there was a requirement for the district to source 112 extra Gypsy and Traveller pitches, although they would be around existing settlements.
- The Cabinet approved a draft methodology for a comprehensive Green Belt Review which outlined further work being undertaken based on the experience of other recent examinations.
- Officers had been meeting regularly with the appropriate authorities to consider cross boundary issues.

(See Case Study for full details)

(iv) The London Infrastructure Delivery Plan - The London Infrastructure Delivery Plan (IDP) had been published by the Mayor of London for consultation making the case for better infrastructure provision in London. The Mayor had published a number of key policy reports making the case as follows:



(a) The Independent London Finance Commission Report argued for the full devolution of property taxes to London government with an associated increase in borrowing levels enabling London government to increase investment in its own infrastructure;

(b) The Mayor's 2020 Vision document identified world class infrastructure provision which met the city's needs;

(c) The Further Alterations to the London Plan (FALP) document set out the scale of the housing challenge to 2036 with planning policies to address it, including identified housing capacity to 2025. There were a range of other proposals about infrastructure and the environment ensuring good quality sustainable development; and

(d) The London First Infrastructure Commission examined the challenges faced by the capital because of growing population, workforce, ageing infrastructure and demanding fiscal context. The commission looked at all solutions to planning, delivery and financing for the future, specifically calling for stronger city wide strategic infrastructure planning with greater coordination across sectors.

Members supported the Mayor's approach to London's growth by keeping it within current boundaries and not encroaching on the Green Belt, at least until the full London Plan Review undertaken in 2015.

(v) Progress Report on Electronic Information Systems for Development Management – In September the Panel received a progress report regarding Electronic Information Systems Development Management.

Development Management was dependent on the operation of its planning database for both Development and Building Control which was linked to Information@work, the software for all plans, maps, photographs and documents.



Significant benefits came from reducing the use of paper, therefore work continued on improving electronic access to planning information by Parish and Town Councils. It was advised that the District Council was no longer able to print plans and other documentation received electronically for circulation to Parish and Town Councils. Officers were aware that Internet and computer equipment were limited in some areas, therefore progress had been made on improving the situation with funding for electronic projectors to Parish Councils. Fourteen Parish and Town Councils had made applications for grant funding to support electronic equipment.

A project to convert microfiche records to electronic format was due to begin in November/December 2014. The aim was to convert 71,000 historic Development Control microfiche jackets (4 million images) to electronic format during the course of the next twelve months.

Significant progress had been made in the electronic conversion of historical microfiche planning records. It was estimated that by December 2015, 93,000 jackets comprising nearly 5 million historical planning images, would have been converted to an electronic format.

Members expressed frustration at the quality of the plans submitted to Development Control meetings. Officers advised that there was no legal requirement to control the types of plans displayed at meetings, adding that they were often hampered by the electronic technology available at meetings. In particular Area Plans South Sub-Committee had basic resources compared to the District Council's Chamber.

(vi) Key Performance Indicators 2014/15 – The Panel received quarterly reports regarding Key Performance Indicators for 2014/15 specific to their Panel's responsibilities.

Six of the KPIs fell within the Planning Scrutiny Panel areas of responsibility. The overall position with regard to the achievement of target performance at the end of the third quarter of the year for these six indicators was as follows:

- (i) 3 (50%) indicators achieved the cumulative third quarter target;
- (ii) 3 (50%) indicators did not achieve the cumulative third quarter target, although 1 (17%) of these KPIs performed within the agreed tolerance for the indicators; and
- (iii) 5 (83%) were currently anticipated to achieve the cumulative year end target.

(vii) Community Infrastructure Levy – The Panel noted that planning obligations were legal contracts made under Section 106 of the 1990 Town and Country Planning Act linked to a planning application decision made by the local planning authority. The obligation related to the land within the planning application only. Planning obligations were used to:

- (a) Prescribe the nature of development to comply with policy (for example, requiring a portion of housing to be affordable);
- (b) Compensate for loss or damage created by a development; and
- (c) Mitigating a development's impact.

A review in 2004 concluded that S106 could not deliver strategic infrastructure and in its place the Community Infrastructure Levy (CIL) was conceived to capture an element of land value for funding strategic investment. The CIL was introduced in 2010 with new

regulations. Planning obligations entered into from 6 April 2010 needed to meet three new tests:

- Necessary for making the development acceptable in planning terms;
- Directly related to the development;
- Fairly and reasonably related in scale and kind to the development.

The District Council was yet to decide whether to adopt a CIL which could not be introduced without an up to date adopted Local Plan. It was advised that Council consultants would inform Members on the potential for introducing CIL in the district. As of November 2014 only 12% of councils (less than 50) had a CIL in place.

(viii) Meeting of the Chairmen and Vice Chairmen of the Planning Sub Committee and the District Development Control Committee - The Panel received a copy of the notes from the meeting of Development Control Chairmen and Vice-Chairmen held on 2 December 2014.

The Panel were informed that:

- (a) The District Development Control Committee (DDCC) would be re-titled District Development Management Committee;
- (b) The Council would use the Department of Communities and Local Government (DCLG) definition advice in determining those planning applications applicable to be reported straight to DDCC;
- (c) The procedure for referring a planning application from an Area Planning Sub-Committee to DDCC was being amended so that a minority reference could only take place after a committee vote had been taken; and
- (d) A Portfolio Holder report was being prepared on the options for the possible relocation of the Area Plans South Sub-Committee from Loughton.

(ix) Building more Homes on Brownfield Land, Consultation Proposals - A Government consultation published on 28 January 2015 sought views on proposals for measures making it easier for building on brownfield land suitable for housing. They expected that permissions on brownfield land suitable for housing would in future be granted by Local Development Orders (LDO) and had set an objective that by 2020, LDOs should be in place in over 90% of brownfield land suitable for housing, with an intermediate target of 50% by 2017, and which did not already benefit from planning permission.



LDOs granted permission to specific types of development within a defined area and removed the need for developers to make a planning application. Members noted that a particularly controversial aspect of the consultation was the proposed sanction of placing councils under special measures for not making sufficient progress in setting LDOs in place. In these cases, applicants would have a choice of applying directly to the Secretary of State for planning permission. Whilst it was acknowledged that in a district such as Epping Forest, which was over 92% green belt, the Government's

proposals should not be a major issue, there were still a number of potentially harmful implications and an objection in principle to the proposals was recommended.

The Chairman requested that the full response submitted by the Panel be put before the next meeting, be placed in the Council Bulletin and also be copied to the local MPs.

Case Study: Delivery of the Local Plan

Contained within the Terms of Reference of the Planning Scrutiny Panel is a requirement for the Panel to monitor and receive reports on the delivery of the Local Plan.

At the July 2014 Panel meeting it was reported that under the Duty to Co-Operate, a Strategic Housing Market Area (SHMA) Group had been established with neighbouring authorities, widening its brief to include other cross boundary issues. Members noted that Developer Briefings had been held in the Spring of 2014 allowing those who had put forward large sites on the edge of Harlow, to set out current thinking on their proposals.

The September 2014 Panel noted that progress had been made on the master planning work for North Weald Bassett in consideration of the way in which the airfield related to the wider village.

The Panel was advised that the Essex wide Gypsy and Traveller Accommodation Assessment had been completed with briefings by the consultants held in July 2014. The Planning Policy Portfolio Holder advised that a requirement had been made for the district to source 112 extra Gypsy and Traveller pitches.

The Council had been a signatory to a letter sent from local authorities in the South East to the Greater London Authority in response to the consultation on the draft Further Alterations to the London Plan, expressing concern that it potentially undershot the provision of future homes that London needed by a considerable margin. It had failed to adequately plan for the interim level of need identified of 49,000 dwellings per annum because only 42,000 were specifically allocated to London boroughs.

The December 2014 Panel was advised of the importance in ascertaining the relationship between the housing need evidence in the Strategic Housing Market Assessment (SHMA) and employment forecasts. The District Council's Local Plan consultant advised the Panel that a neighbouring district council's Local Plan had been examined by the inspector who had found that their housing numbers were not sufficient to meet their objectively assessed need. The District Council's work with neighbouring authorities had led to inclusion of an additional population scenario using the intercensal change between the 2001 and 2011 census. This more accurately reflected the situation on the ground.

The Panel Chairman requested an extra-ordinary meeting scheduled for February 2015 for further discussions on the Local Plan and any consultations that might arrive. This meeting received confirmation that the Uttlesford Local Plan Examination had not been recommended for adoption by the inspector. There was concern that the housing numbers had derived from an outdated SHMA and Objectively Assessed Need for housing, plus the potential expansion of the village of Elsenham, particularly concerns about the capacity of the local road network in the absence of committed significant infrastructure improvements.

At the Panel's last meeting in April 2015, Members were advised that receipt of the final report from consultants on the updated Strategic Housing Market Assessment (SHMA) was slightly delayed. This was because new household projections had been published by the Government requiring an updated SHMA.

The Phase 1 of the Green Belt Review was nearing completion and its findings would be shared with parish and Town Councils at the Local Council's Liaison Committee scheduled for 15 June 2015 which would be a single item agenda meeting.

It was noted that planning officers from the District Council would be attending an Inspection of the Northern Gateway Access Road scheme, submitted by Enfield Borough Council on 28 April 2015, along with representatives from Loughton and Waltham Abbey Town Councils. A District Council final statement objecting to the scheme had already been submitted.

The Planning Policy Portfolio Holder informed the Panel that he had attended a meeting at City Hall to develop better communication with local authority representatives in the south east. He was advised that there were plans to build 49,000 homes in London with no expectation that any of these would be exported beyond its boundaries.

This was the final Panel meeting and Members were informed that their Work Programme was completed.



TASK AND FINISH PANELS

1. SCRUTINY PANEL REVIEW TASK AND FINISH PANEL

Origin:

At its meeting on 25 February 2014, the Overview and Scrutiny Committee agreed the establishment of a new Task and Finish Scrutiny Panel to review the structure of the Council's existing framework of Scrutiny Panels, and to make recommendations for how any new structure could best complement the new management structure of the Council.

Aims and Objectives:

- (a) To report findings to the Overview and Scrutiny Committee and to submit a final report for consideration by the Committee and the Council by the end of March 2015;
- (b) To gather evidence and information in relation to the review through the receipt of appropriate data, presentations and by participation in fact-finding visits to other authorities if necessary;
- (c) To have due regard to relevant legislation and the Council's procedures;
- (d) To consult political groups and independent Councillors during the review process.

Term of Reference:

To review the current structure of the overview and scrutiny panel framework, taking into consideration the report of the recent overview and scrutiny review and how any future panel framework would best fit the management structure of the Council;

- (1) To specifically consider whether the Council should:
 - retain the current five-panel structure; or
 - move to a panel structure based around the new directorate responsibilities (i.e. have four panels instead of five); or
 - move towards a commissioning model based upon a work programme;
- (2) To consider options for any other panel structure deemed appropriate;
- (3) To review the workload and terms of reference of each of the existing scrutiny panels for relevance and consider how their processes could be improved;
- (4) To consider how any future scrutiny panel established to review relevant functions of the Governance Directorate would interrelate with the terms of reference of the Audit and Governance Committee and the Standards Committee; and
- (5) To report to the Overview and Scrutiny Committee on options for a new scrutiny panel framework to be implemented from the 2015/16 municipal year.

The Panel

The Committee appointed the following members to serve on the Panel:

Councillors K Angold-Stephens (Chairman), M Sartin (Vice Chairman), R Gadsby, A Grigg, D Stallan and J H Whitehouse

The Lead officer was S Hill, Assistant Director Governance and Performance Management.

A review of the Council's Overview and Scrutiny arrangements was undertaken in 2013/14. The Council's service directorates had recently been restructured, resulting in a change from seven directorates to four. A proposal for a suggested new Overview and Scrutiny Panel structure aligned to the directorate framework was considered by the Overview and Scrutiny Committee on 25 February 2014.

This review only concerned the future structure of the Scrutiny Panel arrangements. Wider constitutional aspects (unless the Panel identify issues that affect the Constitution) and a review of the Overview and Scrutiny Committee itself, were excluded from the scope of the work of the Task and Finish Panel.

As part of the investigation process a Saturday workshop was held to get the view of members. Fourteen Members attended the scrutiny workshop facilitated by an independent Scrutiny Advisor, on 22 November 2014 with a mixture of Chairmen and Vice-Chairmen of the Scrutiny Panels, members of the Task and Finish Panel, members of the Overview and Scrutiny Committee and members of Cabinet. The workshop focused on three main sections:

- Strengths, Weaknesses & Aspirations for the current provision of Scrutiny;
- Applying insights gained from section one to the different types of Scrutiny; and
- Weighing evidence, making choices.

Attendees also discussed the following different methods of scrutiny that could be utilised in individual circumstances:

- challenge session – single issue, one session;
- single day scrutiny – a snap shot review;
- focus group meeting – focus is on consultations with users/stakeholders as opposed to scrutinising officers/members/providers;
- short-term single issue panel – typically two or three meetings to review a single issue;
- longer-term panel work – typically over four to six months, with detailed scrutiny;
- Overview and Scrutiny Committee meeting – an item with presentation and questions, discussion and with the option to make recommendations.

The utilisation of these approaches, as appropriate to individual scrutiny activities, was agreed by the Task and Finish Panel and formed part of its recommendations for a future panel framework.

The Panel recommended to the Overview and Scrutiny Committee a four committee structure, replacing the Panel Structure with a new Directorate orientated Select Committee structure. The four Select Committees being:

- Environment Select Committee;
- Governance Select Committee;
- Housing Select Committee; and
- Resources Select Committee.

They also recommended that no action be taken at the present time with regard to any possible combination of the Audit and Governance Committee and the Standards Committee but that, if necessary, a further Task and Finish Panel be established in future to consider such combination in light of new legislative audit requirements.

These recommendations were accepted by the parent Overview and Scrutiny Committee and would be put into action when practicable.

2. GRANT AID REVIEW TASK AND FINISH PANEL

Origin:

At its meeting on 16 September 2014, the Overview and Scrutiny Committee agreed the establishment of a new Task and Finish Panel to review the Council's Grant Aid Scheme for Sports, Arts, Leisure and Community Groups in terms of the overall policy/guidance and procedures for Major Grants and Service Level Agreements including those for the determination of applications, and those for the pre and post determination stages.

Aims and Objectives:

- To report findings to the Overview and Scrutiny Committee and to submit a final report for consideration by the Committee and the Council by April 2015;
- To gather evidence and information in relation to the review through the receipt of appropriate data, presentations and by participation in fact-finding visits to other authorities if necessary;
- To have due regard to relevant legislation and the Council's procedures;
- To consult political groups and independent Councillors during the review process.

Term of Reference:

To review the current structure of the Grant Aid Scheme, taking into consideration the terms of the overall policy/guidance and procedures those for the determination of applications, and those for the pre and post determination stages and how this framework would best fit the structure of the Council.

(1) To specifically consider:

- The eligibility criteria and assessment arrangements for funding taking into account the budget available and the thematic areas in the leisure and cultural strategy;
- The grant maxima;

- Appropriate arrangements for safeguarding;
- Review procedures.

(2) To consider any other matters that are deemed appropriate.

The Panel

The Committee appointed the following members to serve on the Panel:

Councillors Caroline Pond (Chairman), J Knapman (Vice Chairman), T Boyce, A Mitchell, S Murray, G Shiell and B Surtees.

The Panel did not finish its work by the end of the 2014/15 municipal year and would continue into the next year.

3. YOUTH ENGAGEMENT REVIEW TASK AND FINISH PANEL

Origin

The Overview and Scrutiny Committee meeting of 10 February 2015 set up a Task and Finish Panel to review potential options for the best use of the existing budgets for youth engagement for the future. Also, they agreed that it would be helpful to co-opt two youth councillors to sit on this panel and give their input. This Panel stemmed from a PICK form submitted by Councillor Kane the Portfolio Holder for Leisure and Community Services.

Aims and Objectives

- (a) To report findings to the Overview and Scrutiny Committee and submit a final report for consideration by the Committee and the Council by November 2015;
- (b) To include two representatives from the District Youth Council on the Task and Finish Panel;
- (c) To determine the impact of the Council's current engagement with young people, through consultation with local statutory and voluntary sector partners, and,
- (d) To determine the best use of the allocated funding for the future.

Draft Terms of Reference

1. To review the operation of the Youth Council and identify specific areas of work undertaken and the success and impact of these;
2. To review the level of engagement with peers in local schools and 'other young people' of all ages across the district, through the range of work undertaken by

the Youth Council and the importance of this engagement for local community groups;

3. To consider feedback from local schools and other partners in respect of the work of the Youth Council;
4. To identify the expenditure related to various elements of the Youth Council work programme and analyse the cost/benefit of this;
5. To consider other work undertaken by Community Services and Safety to engage with young people and identify the costs associated with this;
6. To consider the status of Essex Youth Services following recent service transformation and resulting implications for the district; and,
7. To prepare a set of recommendations for consideration by the Overview and Scrutiny Committee at its meeting in November 2015.

The Panel

The Committee appointed the following members to serve on the Panel:

Councillors S Murray (Chairman), G Mohindra (Vice Chairman), K Adams, R Butler, C Roberts and B Surtees

Two non-voting youth Councillors were also co-opted to help the Panel with their work. They were Youth Councillors J McIvor and M Tinker.

The Panel had its first meeting in April 2015 and will continue on into the new municipal year, hopefully finishing in November 2015.



Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Call-In and Urgency for the Licence For North Weald Market, Provision Of New Depot – Oakwood Hill, Loughton and Tender for Insurance Policies

1. LICENCE FOR NORTH WEALD MARKET

Recommending:

To note that the Chairman of Council agreed that the following decision of the Cabinet (11 June 2015) be treated as a matter of urgency and not be subject to the call-in provisions in accordance with Overview and Scrutiny Rule 21 (Call-In and Urgency):

- (1) That the Cabinet agrees the recommended course of action proposed by the Asset Management and Economic Development Cabinet Committee that, given the unlikely prospect of an improved trading position by the current market operator, (Hughmark International), the Council exercises its rights to determine the licence, giving six months notice, by 30 June 2015;**
- (2) That the Council re-tenders the opportunity to hold regular outdoor events on the current market area at North Weald Airfield to include, but not restricted to outdoor markets; and**
- (3) That the results of this procurement exercise be reported to a future meeting.**

1. A licence to operate North Weald Airfield Market was granted to Hughmark Continental Ltd in September 2010, expire in 2017.
2. In late 2014, the Cabinet agreed a variation to the current licence to reflect the trend of declining trade and income generated by the market. In varying the licence, the Cabinet sought a formal review of the position after six months of further trading. The Asset Management and Economic Development Committee met on the 23 April 2015, to review the performance of the market in the interim period, and proposed a recommended course of future action to the Cabinet.
3. The Chairman of the Council agreed to waive the call-in procedure set out in Overview and Scrutiny Rule 20 of the Constitution, as any delay likely to be caused by the call-in process would seriously prejudice the Council's interests, as a result of its failure to meet a contractual obligation to give notice of determining the licence by 30 June 2015.

2. PROVISION OF NEW DEPOT – OAKWOOD HILL, LOUGHTON

Recommending:

To note that the Chairman of Council agreed that the following decision of the Cabinet (11 June 2015) be treated as a matter of urgency and not be subject to the call-in provisions in accordance with Overview and Scrutiny Rule 21 (Call-In and Urgency):

(1) To accept the tender of £2,385,176 from T. J. Evers Ltd to undertake the design, build and construction of the new depot at Oakwood Hill for Grounds Maintenance and Fleet Operations.

1. As part of the development of the Epping Forest Shopping Park, it is necessary for the Council's services currently based at its depot at Langston Road, Loughton to be relocated to a new depot facility at Oakwood Hill. Tenders had recently been received for the construction of the new depot.
2. The Chairman of the Council agreed to waive the call-in procedure set out in Overview and Scrutiny Rule 20 of the Constitution, as any delay likely to be caused by the call-in process would seriously prejudice the Council's interests, by virtue of delaying the relocation of services from the existing Langston Road Depot, thereby adversely impacting the programme for the delivery of the Epping Forest Shopping Park.

3. TENDER FOR INSURANCE POLICIES

To note that the Chairman of Council agreed that the following decision of the Cabinet (11 June 2015) be treated as a matter of urgency and not be subject to the call-in provisions in accordance with Overview and Scrutiny Rule 21 (Call-In and Urgency):

(1) To note the outcome of the tender exercise for the Council's insurance policies and enter into an agreement with Zurich Municipal for five years with an option to extend for a further two years.

1. The Council's long-term insurance agreement with Zurich Municipal expires at the end of June 2015. To maximise interest from the market, the portfolio of policies was broken down into different lots to give insurers the opportunity to bid for all of the policies or just those that they specialised in. The policies were broken down into four main lots with those then sub-divided into smaller lots to give a total of eleven bidding opportunities. As some insurers provide a substantial discount where all of their policies are taken a fifth lot was included which allowed tenderers to bid for all of the lots as a group.
2. The deadline for submitting tenders was noon on 26 May and tenders were received from four different companies. Tenders were then evaluated to determine the most economically advantageous outcome for the Council, with 60% of the marks being awarded for price and 40% for quality. Zurich Municipal were the only company to bid for all of the policies together and offer a package discount. The bid from Zurich Municipal for all the policies together was £687,813 per annum (inclusive of IPT).
3. As all of the quality assessments for Zurich Municipal were satisfactory and the combined policy offer was cheaper than the use of individual lots, the Cabinet considered that a new long-term agreement should be entered into with Zurich Municipal.
4. The Chairman of the Council agreed to waive the call-in procedure set out in Overview and Scrutiny Rule 20 of the Constitution, as any delay likely to be caused by the call-in process would seriously prejudice the Council's interests, as there would be a gap between the expiry of the old policies and the commencement of the new policies, leaving the Council uninsured for a short period.

Report to the Council

Committee: Constitution Working Group **Date:** 28 July 2015
Chairman: Councillor M McEwen
Subject: Disciplinary Arrangements for Relevant Officers

Report of the Constitution Working Group

Recommending:

- (1) That the revised Officer Employment Procedure Rules be adopted and incorporated into the Council's Constitution; and**
 - (2) That the proposed rules be subject to further revision based on Government guidance in 6 months time.**
-

1. The Government have made changes to the statutory disciplinary and dismissal procedures applying to heads of paid service, monitoring officers and chief financial officers whereby a new process replaces the current statutory Designated Independent Person (DIP) procedure. The legislation is called the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015.

2. The current DIP statutory procedures required that no disciplinary action in respect of a relevant officer could take place other than in accordance with a recommendation in a report made by a DIP. This process has been amended, as well as removing the statutory requirement for a DIP to take disciplinary action generally, the regulations include rules in respect of dismissal.

3. The key elements of the new process are:

(a) The dismissal of a relevant officer must be approved by way of a vote at a meeting of the authority, who instead of only being able to take action in accordance with DIP recommendations, will be able to dismiss provided they take into account:

- (i) Any advice, views or recommendations of a panel;
- (ii) The conclusions of any investigation into the proposed dismissal; and
- (iii) Any representations from the protected officer concerned.

(b) The process has also been extended to require the Council to approve the dismissal of the Chief Finance Officer and Monitoring Officer.

(c) It will not apply to disciplinary action short of dismissal.

4. The Council is required to set up a Panel and appoint two relevant independent persons to the Panel which must include at least two independent persons under Section 28 (7) of the Localism Act 2011. This deals with the Member Code of Conduct regime, under which the Council has appointed these persons. However, these independent persons will

need to be invited onto the Panel, which they may refuse to do. The Council can appoint other suitably experienced/qualified independent persons or use an independent person appointed by another authority.

5. The normal proportionality rules apply to such committees, meaning that the Panel is subject to the Council's pro rata rules.

6. Attached to this report as an appendix are the new Officer Employment Procedure Rules.

7. Unfortunately the new regulations provided little detail of how the new process would operate in practice and there were a number of gaps within the legislation regarding the composition of the Panel. Therefore the Constitution has been amended in accordance with Schedule 3 of the 2015 Regulations. Once further advice is available from the Local Government Association (LGA) a Guidance Note will be submitted to the Constitution Working Group for consideration. The Constitution Working Group has requested that a review take place in 6 months time based on any further advice submitted by the Government.

OFFICER EMPLOYMENT PROCEDURE RULES

CONTENTS

Rule

1. Definitions
2. Responsibility for Appointment, Dismissal and Disciplinary Action
3. Recruitment and Appointment – General Requirements
4. Recruitment of Chief Officers
5. Appointment of the Chief Executive
6. Appointment of other Chief Officers
7. Appointment of Assistants to Political Groups
8. Objection by the Executive – Appointment of Chief Officers
9. Disciplinary Action
10. Disciplinary Panels
11. Objection by the Executive – Dismissal of a Chief Officer
12. Redundancy Procedures

Appendix

- 1 Operational Standing Orders – Staff

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OFFICER EMPLOYMENT PROCEDURE RULES

A. DEFINITIONS AND RESPONSIBILITIES

1. Definitions

In these rules:

- (a) "the 1989 Act" means the Local Government and Housing Act 1989;
- (b) "the 2000 Act" means the local Government Act 2000;
- (c) **"the 2011 Act" means the Localism Act 2011(b);**
- (d) **"chief financial officer", "disciplinary action", "head of the authority's paid service" and "monitoring officer"** have the same meaning as in the Local Authorities (Standing Orders) (England) Regulations 2001;
- (e) "Chief Executive" means the most senior officer of the Council in terms of managerial status and may include any person designated as Head of Paid Service pursuant to s4 of the Local Government and Housing Act 1989 and Deputy Chief Executive shall be construed accordingly;
- (f) "Chief Financial Officer" means the individual who has responsibility for financial administration pursuant to and for the purposes of s151 of the Local Government Act 1972;
- (g) "Chief Officer" means
 - (i) ~~Chief Executive, Deputy Chief Executive, Director of Corporate Support Services, Director of Finance and ICT, Director of Housing, Director of Planning and Economic Development, Director of Environment and Street Scene, Assistant to the Chief Executive~~ **Director of Communities, Director of Governance, Director of Neighbourhoods, Director of Resources;**
 - (ii) Further for the purposes of these Rules alone the Chief Financial Officer and Monitoring Officer, Deputy Financial Officer and Deputy Monitoring Officer are included within the definition of Chief Officer;
 - (iii) Further this definition will also include any post which is subsequently created to these Rules and whose terms of appointment expressly state that these Rules will apply as if to a Chief Officer.
- (h) "Executive" and "Executive Leader" have the same meaning as in Part II of the 2000 Act;
- (i) "Member of Staff" means a person appointed to or holding a paid office or employment under the authority;
- (j) "Pro Rata Rules" mean the principles set out in s15 of the 1989 Act;
- (k) "Proper Officer" means an officer appointed by the authority for the purposes of the relevant provisions in these Rules;

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Rev 6

Z:\OCE\DS\CONSTITUTION\M1-M11 OFFICER EMPLOYMENT PROCEDURE RULES

- (l) "The Rules" means the Officers Employment Rules;
- (m) ***"independent person" means a person appointed under section 28(&) of the 2011 Act;***
- (n) ***"local government elector" means a person registered as a local government elector in the register of electors in the authority's area in accordance with the Representation of the People Acts;***
- (o) ***"the Panel" means a committee appointed by the authority under the Local Government Act 1972 for the purposes of advising the authority on matters relating to the dismissal of relevant officers of the authority;***
- (p) ***"relevant meeting" means a meeting of the authority to consider whether or not to approve a proposal to dismiss a relevant officer; and***
- (q) ***"relevant officer" means the chief finance officer, head of the authority's paid service or monitoring officer as the case maybe.***

2. Responsibility for Appointment, Dismissal and Disciplinary Action

- 2.1 Save as otherwise provided for by these Rules and subject to the exceptions in sub paragraphs 2.2 and 2.3 below, the function of appointment and dismissal of, and taking disciplinary action against, a Member of Staff of the authority must be discharged, on behalf of the authority, by the Chief Executive or by a Member of Staff nominated by him.
- 2.2 The exceptions referred to in sub paragraph 2.1 are as follows:
 - (a) the Chief Officers of the Council as defined above; and
 - (b) any person appointed in pursuance of Section 9 of the 1989 Act (assistants for political groups).
- 2.3 Nothing in paragraph 2.2 above shall prevent a person from serving as a member on any panel, committee or sub-committee established by the authority to consider an appeal by:
 - (a) another person against any decision relating to the appointment of that other person as a Member of Staff of the authority; or
 - (b) a Member of Staff of the authority against any decision relating to the dismissal of, or taking disciplinary action against, that Member of Staff.

B. RECRUITMENT

3. Recruitment and Appointment – General Requirements

3.1 Declarations

- 3.1.1 The Council will draw up a statement requiring any candidate for appointment

as a Member of Staff to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor or Member of Staff of the Council; or of the partner of such persons.

3.1.2 No candidate so related to a councillor or a Member of Staff will be appointed without the authority of the relevant Chief Officer of the service to which that candidate has applied or a Member of Staff nominated by him/her for this purpose.

3.2 Seeking Support for Appointment

3.2.1 The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor for any appointment with the Council.

3.2.2 No councillor will seek support for any person for any appointment with the Council.

3.2.3 The Council will disqualify any applicant who directly or indirectly seeks the support of any Member of Staff for any appointment with the Council save where the applicant is an existing Member of Staff and seeks a reference from another Member of Staff in support of such application.

3.2.4 The content of Rule 3.2 shall be included in any recruitment information.

4. Recruitment of Chief Officers

4.1 Where the Council proposes to appoint a Chief Officer and it is not proposed that the appointment be made exclusively from among their existing Members of Staff, the Council will:

(a) Draw up a statement specifying (i) the duties of the Chief Officer role concerned; and (ii) any qualifications or qualities to be sought in the person to be appointed;

(b) Make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

(c) Make arrangements for a copy of the statement mentioned in Rule 4.1 (a) to be sent to any person on request.

5. Appointment of Chief Executive

5.1 The full Council will approve the appointment of the Chief Executive following the recommendation of such an appointment by a panel of seven councillors allocated between political groups in accordance with the Pro Rata Rules who will interview applicants for this position. Such a panel shall include at least one Executive member.

5.2 All councillors appointed to such a panel is required to have undertaken recruitment and selection training before taking part in interviews.

5.3 The appointment panel will not seek the approval of the full council for the proposed appointment until it has complied with the procedure at Rule 8 below.

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6. Appointment of other Chief Officers.

- 6.1 A panel of not less than seven councillors allocated between political groups in accordance with the Pro Rata Rules will interview and, where authorised following the procedure referred to in Rule 8, appoint to these positions. Such a panel shall include at least one Executive member.
- 6.2 All councillors appointed to such a panel are required to have undertaken recruitment and selection training before taking part in interviews.

7. Appointments of Assistants to Political Groups

- 7.1 Appointments of assistants to a political group shall be made in accordance with the wishes of that political group.

8. Objection by the Executive – Appointment of Chief Officers

- 8.1 In relation to any proposed appointment for any Chief Officer post an offer of appointment should not be made until the Proper Officer has been notified of the name of the person that is proposed is to be offered such position and any other particulars which are considered to be relevant to the appointment and the Proper Officer has notified every member of the Executive of the authority of:
- (a) the name of the person to whom it is proposed to make the offer;
 - (b) any other particulars relevant to the appointment which have been notified to the Proper Officer; and
 - (c) the period within which any objection to the making of the offer is to be made by the Executive Leader on behalf of the executive to the Proper Officer; and
- 8.2 Upon such notification having been made then the appointment will only be offered if:
- (a) the Executive Leader has, within the period specified above notified the appropriate appointment panel or individual that neither he nor any other member of the Executive has any objection to the making of the offer;
 - (b) the Proper Officer has notified the appropriate appointment panel, that no objection was received by him within that period from the Executive Leader; or
 - (c) the relevant appointment panel is satisfied that any objection received from the Executive Leader within that period is not material or is not well founded.

C. DISCIPLINARY ACTION

9. Disciplinary Action

9.1 Suspension

- 9.1.1 Any Chief Officer may be suspended whilst an investigation takes place into alleged misconduct.

9.1.2 The Chief Executive, in consultation with the Monitoring Officer and the Chief Financial Officer as appropriate, shall have delegated authority to suspend a Chief Officer where, in his/her opinion the presence at work of the Chief Officer concerned could compromise an investigation of any alleged misconduct, for a maximum period of 10 working days. Any decision to suspend any Chief Officer for a longer period shall be taken by a Panel of councillors comprising not less than seven Councillors allocated between political groups in accordance with the pro rata rules and convened within the 10 day period of the temporary suspension.

9.1.3 The Leader of the Council, in consultation with the Monitoring Officer and the Chief Financial Officer, shall have delegated authority to suspend the Chief Executive for a maximum period of 10 working days where, in his/her opinion the presence at work of the Chief Executive could compromise the investigation of any alleged misconduct. Any decision to suspend the Chief Executive for a period of more than 10 working days up to a maximum of 2 months shall be made by a Panel of not less than 7 Councillors allocated between political groups in accordance with pro rata rules.

9.1.4 Any assistant to a political group may be suspended by the leader of that political group.

9.1.5 Any suspension will be on full pay and for a period of not more than two months ~~save as provided for in 9.2.2 below~~ and shall be kept under constant review.

9.2 Independent Person

~~9.2.1 No Disciplinary Action other than the suspension referred to in paragraph 9.1 above may be taken in respect of the Chief Executive, the Monitoring Officer or the Chief Financial Officer except in accordance with a recommendation in a report made by a designated independent person within the meaning of Regulation 7 of the Local Authorities (Standing Orders) (England) Regulations 2001.~~

~~9.2.2 Further, in respect of any period for which the Chief Executive, the Monitoring Officer or the Chief Financial Officer may be suspended, the independent person may terminate or extend any period of that suspension (including extending it beyond two months should it appear to that independent person as being necessary) and vary the terms of any suspension as he or she sees fit.~~

~~9.2.3 The independent person may inspect any documents or have questions answered by any Member of Staff of the Council in connection with such investigation.~~

9.2 Dismissal

9.2.1 A relevant officer may not be dismissed by an authority unless the procedure set out in paragraphs 9.2.1 (i) – (vi) is complied with.

- (i) The Council will invite relevant independent persons to be considered for appointment to the Panel, with a view to appointing at least two independent persons to the Panel.**

- (ii) ***“Relevant independent person” means any independent person who has been appointed by the Council or, where there are fewer than this, such independent persons as have been appointed by another authority or authorities as the Council considers appropriate.***
- (iii) ***Subject to 9.2.1 (iv) the Council must appoint to the Panel such relevant independent persons who have accepted an invitation issued in accordance 9.2.1 (i) in accordance with the following priority order;-***
 - (a) ***a relevant independent person who has been appointed by the Council and who is a local government elector;***
 - (b) ***any other relevant independent person who has been appointed by the Council;***
 - (c) ***a relevant independent person who has been appointed by another authority or authorities.***
- (iv) ***The Council is not required to appoint more than two relevant independent persons in accordance with paragraph (iii) but could if it wished.***
- (v) ***The Council must appoint any Panel at least 20 working days before the relevant meeting.***
- (vi) ***Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the authority must take into account, in particular;***
 - (a) ***Any advice, views or recommendations of the Panel;***
 - (b) ***The conclusions of any investigation into the proposed dismissal; and***
 - (c) ***Any representations from the relevant officer.***

9.3 Councillors

9.3.1 Councillors will not be involved in the disciplinary action against any member of staff below Chief Officer level, ***(except relevant officers referred to in paragraph 1(q))*** except where such involvement is necessary for any investigation or inquiry into alleged misconduct, through the Council’s disciplinary, capability and related procedures, as adopted from time to time or as otherwise provided for by these Rules.

9.3.2 Other Councillors may participate in such proceedings where there is a right of appeal to members in respect of disciplinary action.

10. Disciplinary Panels

10.1 Disciplinary Action short of dismissal in respect of the Chief Executive, Monitoring Officer and Chief Financial Officer may be made by a panel ***Committee*** comprising not less than seven councillors allocated between political groups in accordance with the Pro Rata Rules and including at least one member of the Executive to consider the report on any disciplinary matters. ~~produced by the independent person referred to in~~

~~paragraph 9.2.1 above and must be in accordance with any recommendation made in that report.~~

- 10.2 The full Council ~~may~~ **will** approve the dismissal of the Chief Executive, Monitoring Officer and Chief Financial Officer following the recommendation of such a dismissal by the Panel **referred to in 9.2.1 and Committee referred to in 10.1** provided that
- (i) such dismissal is in accordance with any recommendation made in the report produced by the ~~independent person~~ Panel referred to in paragraph 9.2.1 above; and
 - (ii) the procedure referred to in paragraph 11 below has been complied with.
- 10.3 Disciplinary Action, including dismissal, in respect of any individuals in the positions of Chief Officers, other than the Chief Executive, Monitoring Officer and Chief Financial Officer, may be taken by a panel of seven councillors allocated between political groups in accordance with the Pro Rata Rules including at least one member of the Executive and provided that the procedure referred to in paragraph 11 below has been complied with.
- 10.4 Disciplinary Action, including dismissal, in respect of any assistants to political groups, may be taken by a panel made up of not less than three councillors from that political group (unless there are less than three councillors affiliated to that party when the panel should be made up of all councillors affiliated to that party).

11. Objection by the Executive - Dismissal

- 11.1 In relation to any proposed dismissal of an individual in a Chief Officer post notice of dismissal should not be given until the Proper Officer has been notified of the name of the person that is proposed is to be dismissed and the reasons for the proposed dismissal and the Proper Officer has notified every member of the executive of the authority of:
- (a) the name of the person it is proposed to dismiss;
 - (b) the reasons for the proposed dismissal;
 - (c) the period within which any objection to the dismissal is to be made by the executive leader on behalf of the executive to the Proper Officer.
- 11.2 No notice of dismissal or recommendation for dismissal as the case may be shall be given until either -
- (a) the Executive Leader has, within the period specified above notified the panel proposing to dismiss that neither he nor any other member of the Executive has any objection to the proposed dismissal;
 - (b) the Proper Officer has notified the panel that no objection was received by him within that period from the Executive Leader; or
 - (c) the relevant panel is satisfied that any objection received from the Executive Leader within that period is not material or is not well founded.

12. Redundancy Procedures

12.1 The Epping Forest District Council Redundancy and Redeployment Policy and Procedure does not apply to Chief Officers. However the principles referred to within that policy will be adhered to so far as is appropriate when considering a potential redundancy situation affecting any individuals who hold any of the above posts and whether to dismiss any such person. The Epping Forest District Council Policy for Redundancy and/or Early Retirement shall apply in full to Chief Officers.

12.2 A panel of members comprising not less than seven councillors allocated between political groups in accordance with Pro Rata Rules including at least one member of the Executive will consider whether any persons holding any post referred to in 12.1 above shall be made redundant when it appears there is a need to consider such matters (“the Redundancy Panel”).

12.3 The Redundancy Panel will, in addition to any other steps that appear to them to be appropriate as referred to in the Redundancy and Redeployment Procedure, be responsible to ensure that:

(a) any individuals that may be affected by any decisions relating to redundancy are informed at an early stage of the fact that they may so be affected and the reasons for this. Thereafter any such individuals should be kept informed of relevant information pertaining to the redundancy decision making process as it continues.

(b) individuals are meaningfully consulted during the redundancy process and, in particular, sufficient information is given to them such as to enable them to understand why such redundancies are being considered and an opportunity is given to those individuals to comment on such information and make alternative proposals with a view to avoiding redundancy.

(c) that consideration is given to whether any alternative positions may be available to the affected individuals.

The Redundancy Panel shall ensure that notification is given to the Executive of any proposed decision to dismiss by reason of redundancy in accordance with paragraph 11 above. Such notification is to be made before the Redundancy Panel notifies the individual concerned that it is proposed to recommend to the Council to make that individual redundant in accordance with paragraph 12.5 below.

12.4 If the Redundancy Panel decides that a notice of redundancy should be issued to any individual then it should inform the individual concerned of its intention to recommend the Council to do so and inform that individual that they have a right to appeal and the Panel should set a reasonable period for the individual to make such an appeal.

12.5 If the individual does not appeal within the set timescale then the full Council will approve the dismissal of the individual concerned following the recommendation of the Redundancy Panel.

12.6 If the individual does appeal within the set timescale then a Redundancy Appeal Panel will be appointed which will consist of not less than seven councillors, drawn

from political groups in accordance with Pro Rata Rules and including at least one member of the Executive, who will hear and adjudicate upon the appeal.

- 12.7 If the appeal is dismissed then the full Council will approve the dismissal of the individual concerned following the recommendation of the Redundancy Appeal Panel.

Report to the Council

Committee: Standards Committee **Date:** 28 July 2015

Subject: Review of Terms of Reference

Chairman: Councillor G Chambers

Recommending:

(1) That the following be approved as the new Terms of Reference for the Standards Committee:

(a) promoting and maintaining high standards of conduct by Councillors and Co-Opted Members;

(b) assisting Councillors and Co-Opted Members to observe the Members' Code of Conduct;

(c) advising the Council on the adoption or revision of the Members' Code of Conduct;

(d) monitoring the operation of the Members' Code of Conduct;

(e) advising, training or arranging to train Councillors and Co-Opted Members on matters relating to the Members' Code of Conduct

(f) considering dispensations to Councillors and Co-Opted Members (including Parish and Town Councillors) from requirements relating to interests set out in the Members' Code of Conduct

(g) dealing with any reports referred from or on behalf of the Monitoring Officer on any matter, including investigations relating to Councillor conduct;

(h) the exercise of (a) to (g) above in relation to the Parish Councils wholly or mainly in its area and the members of those Parish Councils either directly or through joint arrangements from time to time agreed; and

(i) adjudication on complaints regarding the operation of District Council protocols annexed to the Constitution; and

(2) That the Council note the Terms of Reference above might be further revised as part of the ongoing review of the Constitution.

1. At its meeting held on 14 July 2015, the Standards Committee considered and approved changes to its Terms of Reference as a result of legislative changes

made in the Localism Act 2011

2. In summary the changes are for point (f), the amendment was to “*consider*” dispensations to Councillors from the requirements relating to interests in the Members’ Code of Conduct rather than “*granting*”.

3. For point (g), case tribunals and interim case tribunals had been abolished, and this was amended to refer to dealing with any reports “*referred from or on behalf of the Monitoring Officer*” on any matter, including “*investigations relating to Councillor conduct.*”

4. For point (h), the amendment was to exercise authority in relation to Parish Councils “*either directly or through joint arrangements from time to time agreed.*” This reflected the ability of Parish or Town Councils to make their own arrangements for Standards issues rather than automatically coming under the remit of the District Council.

5. These revisions affect the wording of Article 9 of the Constitution and therefore require the assent of Council. The Standards Committee noted that there is an ongoing review of the whole Constitution being undertaken by Officers and the Constitution Working Group at the current time, and further revisions to these Terms of Reference may be recommended by that review in March 2016.

6. We recommend as set out at the commencement of this report.