

Supplementary Council Agenda



**Epping Forest
District Council**

Council Tuesday, 15th December, 2015

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.30 pm
Committee Secretary: Council Secretary: Simon Hill
Tel: 01992 564249 Email:
democraticservices@eppingforestdc.gov.uk

7. QUESTIONS BY MEMBERS UNDER NOTICE (Pages 3 - 4)

(a) Loans by the Council

To consider a question by Councillor C C Pond to the Finance Portfolio Holder, Councillor S Stavrou.

The wording of the question is attached.

REPORTS OF THE CABINET

14. HOUSING REPAIRS AND MAINTENANCE HUB (Pages 5 - 6)

(Housing Portfolio Holder) To consider the attached report.

15. LOCAL PLAN BUDGET UPDATE (Pages 7 - 8)

(Planning Policy Portfolio Holder) To consider the attached report.

16. CALENDAR OF COUNCIL MEETINGS 2016/17 (Pages 9 - 14)

(Governance & Performance Management Portfolio Holder) To consider the attached report.

17. CAPITAL REVIEW 2015/16 - 2019/20 (Pages 15 - 16)

(Finance Portfolio Holder) To consider the attached report.

18. LOCAL COUNCIL TAX SUPPORT SCHEME 2016/17 (Pages 17 - 20)

(Finance Portfolio Holder) To consider the attached report.

Agenda Item 7

Question to the Finance Portfolio Holder, Councillor S Stavrou, by Councillor C C Pond.

Could she please itemise the loans that the Council have taken out over the last six months, and state for each:

- a. the amount, and purpose for which it was taken out
- b. The name of the lender
- c. The rate of interest and whether fixed or variable, and the annual amount thus payable
- d. The term of the loan
- e. Whether there are early redemption penalties attached, and if so what they are?

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Report to the Council

Committee: Cabinet **Date:** 3 December 2015
Subject: Repairs & Maintenance Hub – Blenheim Way, North Weald
Portfolio Holder: Councillor D Stallan (Housing)

Recommending:

(1) That, in order to cover fees and works, a Capital supplementary estimate in the sum of £300,000 for 2015/16 from the Housing Revenue Account be approved; and

(2) That the land at Blenheim Way in North Weald be transferred from the General Fund to the Housing Revenue Account, with an appropriate adjustment made in the balances due between the two funds.

1. The Council needs to re-locate its Housing Repairs Service from the Epping Depot, to enable the proposed re-development for the St Johns Road area of Epping to proceed. Having searched for alternative vacant buildings around the District and other potential development sites to relocate to, with none found to be suitable, the Cabinet have agreed to the construction of a new Repairs and Maintenance Hub on a Council-owned vacant brownfield site in Blenheim Way, North Weald.

2. This would also create the opportunity for the Housing Repairs team to be co-located with the Housing Assets Team, currently based at the Civic Offices, which would not only result in operational benefits but, more importantly, free-up accommodation at the Civic Offices – on the ground floor, close to Reception – to assist with the Council's Accommodation Strategy. With sufficient space to create additional office accommodation, the design also allows for other Council services or Partner Organisations working on behalf of the Council to occupy the building.

3. In normal circumstances, the Repairs & Maintenance Hub would be held as a General Fund asset. However, the majority of the capital reserves in the General Fund have been committed to other projects in the short to medium term. The Housing Revenue Account has the ability to borrow money following the introduction of self-financing in 2013 and it has been agreed to fund the building of the Hub from the Housing Revenue Account.

4. In order to fund the necessary works in 2015/16, the Council is requested to approve a £300,000 Capital supplementary estimate from the Housing Revenue Account. The Director of Resources has already been delegated authority to determine the most appropriate form of capital funding, including possible further loans from the Public Works Loans Board.

5. As the Repairs and Maintenance Hub would be providing services predominantly to the Housing Revenue Account, and was being funded by the

Housing Revenue Account, it was appropriate that the land involved should be transferred from the General Fund to the Housing Revenue Account.

6. Following the transfer of commercial properties from the Housing Revenue Account to the General Fund, there was a balance on which the General Fund paid interest to the Housing Revenue Account. A valuation of the land would be obtained and the transfer would reduce the balance outstanding between the two accounts, thus reducing the interest paid by the General Fund.

7. We recommend as set out at the commencement of this report.

Report to the Council

Committee: Cabinet

Date: 15 December 2015

Subject: Local Plan Budget & Resources Update

Portfolio Holder: Councillor R Bassett (Planning Policy)

Recommending:

(1) That a Continuing Services Budget supplementary estimate in the sum of £25,000 for 2015/16 be approved.

1. The preparation of the Local Plan for Epping Forest District is an on-going and complex process. The level of expert evidence that is required to support the emerging Local Plan is significant. The guidance on exactly what this should cover continues to evolve in light of the National Planning Policy Framework and its associated Guidance, and emerging Inspector's Reports into other Local Plan Examinations around the country. Much of the evidence and support needed requires expert knowledge on specific topics, and therefore necessitates commissioning external consultants with the requisite expertise and experience.

2. At its meeting on 3 December 2015, the Cabinet considered an update report on the budget and resources available for the preparation of the Local Plan. This included the request for £976,390 of additional District Development Funding for the period up to and including 2018/19.

3. A restructure of the Planning Policy team to improve resilience and provide career progression opportunities was agreed by the Management Board in May 2014, and the need to increase the Continuing Services Budget to fully implement this was heralded in a report to Cabinet in July 2014 (C-010-2014/15).

4. In addition, a further growth item was included in the request for District Development Funding in future years to ensure that the Projects Officer position could be replaced from April 2016, following the retirement of the current postholder. An appointment will be sought for an initial 18 month contract, with the position being kept under review.

5. Following appointment to the newly created career grade and establishment posts, the extent of Continuing Services Budget growth is now clear. An additional £25,000 is required for the remainder of 2015/16, with a further £75,000 required from 2016/17, resulting in an overall growth of £100,000 per annum to the Policy Team Budget. Therefore, a request for a Continuing Services Budget supplementary estimate in the sum of £25,000 has been recommended by the Cabinet for approval by the Council.

6. We recommend as set out at the commencement of this report.

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Report to the Council

Committee: Cabinet **Date:** 15 December 2015
Subject: Calendar of Council Meetings 2016/17
Portfolio Holder: Councillor J Philip (Governance & Development Management)

Recommending:

(1) That, as attached at Appendix 1, the draft Calendar of Council Meetings for 2016/17 be adopted.

1. Democratic Services submit the draft Calendar of Council meetings each year to the Cabinet for consideration prior to its approval by the Council. The draft Calendar at Appendix 1 is based upon the current year's calendar, with approximately the same number of meetings. It has been slightly amended in some places but wherever possible:

- (a) Miscellaneous meetings have been scheduled for a Monday evening;
- (b) Overview and Scrutiny and Select Committee meetings have been scheduled for a Tuesday evening;
- (c) Planning Sub-Committee meetings have been scheduled for a Wednesday evening; and
- (d) Cabinet and Cabinet Committee meetings have been scheduled for a Thursday evening.

2. Friday evenings have continued to be kept free of meetings, and any encroachment into August has been kept to a bare minimum due to holidays. However, the Regulatory Committees have always continued to meet throughout August in the past and this practice has been continued.

The Executive

3. Regular Council meetings have remained on their traditional Tuesday night. With the elections returning to their traditional date of the first Thursday in May, the Annual Council is scheduled for Thursday 26 May 2016. This is two days later than in the past but allows extra time to complete the appointment process and prepare the papers for the meeting.

4. One amendment from the Calendar considered by the Cabinet, is the re-scheduling of the Council meeting in December. It has been put back by 2 days to Thursday 15 December 2016. This will allow any reports to the Council from the

Cabinet to appear on the main agenda, as opposed to a supplementary agenda which was the case this year.

5. The Cabinet is scheduled to meet nine times throughout 2016/17. An extra meeting was arranged during 2015/16 to assist the Cabinet in meeting its work programme, and this can be repeated during 2016/17 if required.

6. Meetings of the Local Plan Cabinet Committee have been removed from the Calendar for 2016/17. This Cabinet Committee has not met since 25 March 2013 as all reports concerning the Local Plan are being submitted to the Cabinet for consideration and decision. It is felt by the Planning Policy Portfolio Holder that this arrangement ensures the reports get a wider audience amongst Members, and consequently the dates formerly reserved for the Cabinet Committee in the Calendar have been released.

7. In line with previous years, the Council Housebuilding Cabinet Committee has not been included on the Calendar as the advice from Officers is that it meets as and when evaluations for the different sites are received. Therefore, no purpose would be served in scheduling regular quarterly meetings.

Overview & Scrutiny

8. Last year, an opportunity was been taken to revise the organisation of Overview & Scrutiny for 2015/16. Following the initial meeting in June 2015, to confirm the membership and Chairmen of each Select Committee, there were five Scrutiny cycles – each spread over two months and culminating in a meeting of the full Overview & Scrutiny Committee. It was felt that this arrangement had worked well, and it is proposed to retain it for 2016/17.

Planning

9. The Calendar for 2011/12 changed the frequency of the Area Planning Sub-Committees from a three weekly cycle to a four weekly cycle. It is felt that this change has worked well, with minimal impact upon the relevant Key Performance Indicators, and this arrangement has again been retained for 2016/17.

10. The week of the Annual Council meeting has been kept free of Planning meetings and this will enable training to take place for any new Members elected. However, Planning meetings have been arranged for the other weeks in May between the Election and the Annual Council meeting, as there would be a detrimental impact upon the Planning Performance Indicators if there was a six or seven week gap between meetings of the Sub-Committees.

Religious Festivals

11. No Area Planning Sub-Committee meeting has been scheduled for Wednesday 12 October 2016, as this would clash with the Jewish festival of Yom Kippur. This has necessitated a five week gap between Sub-Committees from September to October, but the usual four week gap has been reinstated for the meeting cycles for the remainder of the municipal year (with the exception of Christmas week). The scheduled dates for Rosh Hashanah of 2/3/4 October 2015 and for Pesach of 10/11 April 2016 has also been kept clear of all meetings.

Licensing

12. Licensing Sub-Committee meetings have remained on a Tuesday morning, and no evening meetings for the Licensing function have been scheduled. A Premises Review would only be held in the evening if the Chairman of the Licensing Committee felt that it would be in the public interest to do so. Oftentimes, additional meetings of the Sub-Committee are arranged to hear cases concerning Premises (Alcohol) Licences, but these are scheduled as and when required. All members of the Licensing Committee continue to meet twice a year to consider policy and procedural matters.

Miscellaneous Committees

13. Both the Youth Council and the Local Highways Panel have not been included in this schedule as it is felt that these are meetings that sit outside the Council. The Youth Council have their own programme, and although the Local Highways Panel involves both the County and District Councils they are not organised by the District Council.

14. Two meetings of the Appointments Panel have been scheduled for the two Thursdays following the Local Elections on 12 and 19 May 2016, prior to the Annual Council on 26 May. Two corresponding meetings have also been scheduled for May 2017.

15. The Chief Internal Auditor has proposed that the number of meetings of the Audit & Governance Committee be reduced from the current five to four meetings per year. A report will be considered by the Committee at its next meeting on 30 November 2015, and two potential schedules have been provided to allow for their decision.

16. A new initiative for 2016/17 is the scheduling of one date per month predominantly for Member Briefings in relation to the development of a new Local Plan. This is to minimise the impact upon the Calendar when Member Briefings are required, and the Planning Policy team can schedule these dates into their Project Plan. These dates could also be used for other meetings or further Member Training sessions if they are not required by the Planning Policy team.

17. The Local Councils Liaison Committee was asked to indicate their preferred evening for their meetings at their last meeting on 16 November 2015. Their preference was to hold their meetings on a Monday evening and this has been accommodated in the schedule.

Parish and Town Council Meetings

18. With 24 Parish and Town Councils within the District, it is extremely difficult to avoid some clashes and many Local Councils wait for the District Council calendar to be published so that they can work around it. It is considered that the attached Calendar meets the concerns of the dual-hatted Members as far as possible.

19. It should be noted that the current Calendar is extremely congested and the organisation of any additional meetings should be given very careful consideration.

20. We recommend as set out at the commencement of this report.

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Epping Forest District Council Calendar of Meetings 2016/17

		2016								2017					
Meeting		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	
Executive															
Council		26th		26th		27th		1st	15th	14th(16th)			25th	25th	
Cabinet			9th	21st		1st	6th	3rd	1st		2nd	9th	6th		
FPM Cab Comm			16th	28th		15th		10th		19th		30th			
AM & ED Cab Comm				14th			27th			26th			13th		
Scrutiny															
OS Committee			7th	19th			25th		19th		28th		18th		
Housing Select Comm			20th			6th		8th		17th		14th			
Governance Select Comm				5th		29th		29th		31st			4th		
Nghbrhds/CS Select Comm			28th			13th		15th		24th		21st			
Resources Selct Comm				12th			10th		6th		7th	28th			
Constitution Working Grp						20th					21st				
Planning															
District Development			8th		3rd	28th		30th			8th		5th		
Plans East		11th	15th	13th	10th	7th	5th	9th	7th	18th	15th	15th	12th	10th	
Plans West		18th	22nd	20th	17th	14th	19th	16th	14th	25th	22nd	22nd	19th	17th	
Plans South			1st-29th	27th	24th	21st	26th	23rd		4th	1st	1st-29th	26th	31st	
Licensing															
Licensing Committee							19th						19th		
Licensing Sub-Comm			7th	5th	2nd	6th	4th	8th	6th	10th	7th	7th	4th		
Miscellaneous															
Member Briefings			13th	25th	16th	12th	18th	24th	15th	11th	9th	13th	3rd		
Audit & Governance I			27th			19th		28th			6th	27th			
Audit & Governance II			27th			19th			12th			27th			
Housing Appeals Panel			6th	4th	1st	5th	3rd	7th	5th	9th	6th	6th	10th		
Joint Consultative Comm				18th			17th			16th			24th		
Local Councils Liaison				4th				7th				6th			
Appointments Panel		12th-19th												11th-18th	
Standards Committee				11th			24th			23rd			20th		
Dev Control Chairs/Officers						26th						20th			
Webcast meeting:															
			Easter 2017			Fri 14-Apr-17 to Mon 17-Apr-17									
			Rosh Hashanah			Mon 3-Oct-16 to Tue 4-Oct-16 (Sundown Sun 2-Oct-16)									
			Yom Kippur			Wed 12-Oct-16 (Sundown Tue 11-Oct-16)									
			Pesach			Tue 11-Apr-17 (Sundown Mon 10-Apr-17)									
			County Council Elections			Thu 4-May-17									

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Report to the Council

Committee: Cabinet **Date:** 15 December 2015

Subject: Capital Programme Review 2015/16 to 2019/20

Portfolio Holder: Councillor S Stavrou (Finance)

Recommending:

- (1) That a Capital supplementary estimate in the sum of £88,000 in 2015/16 for the Museum Development Project be approved;**
 - (2) That a Capital supplementary estimate in the sum of £49,000 in 2015/16 for planned maintenance works at the Civic offices be approved;**
 - (3) That a Capital supplementary estimate in the sum of £12,000 in 2015/16 for two remaining Private Sector Housing Grants be approved; and**
 - (4) That a Capital supplementary estimate in the sum of £7,000 in 2015/16 for CCTV equipment at Town Mead Depot be approved.**
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1. At its meeting on 3 December 2015, the Cabinet considered the Council's Capital Programme for the five-year period 2015/16 to 2019/20. This included: the forecast capital investment in Council owned assets; estimates of capital loans to be made for private housing initiatives; and projected levels of revenue expenditure funded from capital under statute.

2. As part of the Review, the Council's projected capital expenditure was reviewed and a number of amendments agreed, including carry forwards, reductions, virements and re-phasing of projects. There were also four areas where additional funding was considered necessary and the Cabinet agreed to seek the Council's approval for four supplementary estimates in 2015/16.

Museum Redevelopment Project

3. The Capital Programme included a major project to extend and redevelop the Council's Museum. This would provide step free access across the site and allow a large percentage of the reserve collections to be brought into the heart of the Museum. Work began on site in April 2015 with an expected completion date of October 2015. However, there had been a number of delays with the project, which had resulted in increased costs for the Council. It was estimated that a further £88,000 would be required and the Council is requested to approve a Capital supplementary estimate in this sum.

Planned Maintenance Works – Civic Offices

4. The Five-Year Planned Maintenance Programme was reviewed periodically

to ensure that the Council's operational and commercial property assets were properly maintained and improved to meet Health & Safety requirements, statutory regulations, contractual obligations, customer demands, as well as the long term protection and value of the Council's assets.

5. As part of this review, the Cabinet agreed to revise a number of spending profiles into 2016/17. However, it was also agreed to request that the Council approved a Capital supplementary estimate in the sum of £88,000 for planned maintenance works at the Civic Offices; this sum having originally been set aside within the planned maintenance revenue account for the replacement windows at the Civic Offices.

Private Sector Housing Grants

6. The Capital budget for private sector housing assistance covered private sector housing grants approved under the previous system of non-repayable grants for decent homes, small works and thermal comfort assistance. A new Housing Assistance policy came into effect from 1 July 2012, which involved the offer of loans to private householders rather than grants. However, two remaining grants, sanctioned before the change came into effect, had become payable this year, and the Cabinet had agreed to request Council approval for a £12,000 supplementary estimate to cover this commitment.

CCTV Equipment at Town Mead Depot

7. The CCTV Capital Programme had progressed well but the essential installation of a CCTV system at Town Mead Depot in Waltham Abbey, due to security problems, had led to unexpected expenditure from this budget. Consequently, the Cabinet had agreed to request Council approval for a £7,000 capital supplementary estimate to cover the cost of the new system, which would be financed by a contribution from revenue budgets where savings had already been identified.

Conclusion

8. We recommend as set out at the commencement of this report.

Report to the Council

Committee: Cabinet

Date: 15 December 2015

Subject: Local Council Tax Support Scheme 2016/17

Portfolio Holder: Councillor S Stavrou (Finance)

Recommending:

(1) That the revised Local Council Tax Support Scheme 2016/17 be approved.

1. As part of the major changes to the Welfare Benefits system, from 31 March 2013 Council Tax Benefit ended and was replaced by a new scheme called Local Council Tax Support (LCTS). A key principle of the scheme was the protection of people who are of an age where they can claim Pension Credit. The Government introduced Regulations to ensure that pensioners who previously received Council Tax Benefit have continued to receive the same level of assistance they had prior to LCTS being introduced.

2. In 2013/14, the Government funded LCTS with a specific grant, but after that initial year, the funding has been rolled into the Council's overall funding position made up of Revenue Support Grant and locally retained business rates. The specific allocation for LCTS funding is therefore not identifiable, but the overall package has been reducing each year and will reduce again in 2016/17. The Department for Communities and Local Government have stated that Members will need to decide on the value of the funding to be used for LCTS.

3. After operating the same scheme for three years, it is proposed that the scheme should be changed for 2016/17 as the cost of the scheme is exceeding the funding allocated to the scheme.

4. Consultation was undertaken to specifically look at proposals to reduce expenditure and administration on the current working age scheme. The two specific issues were to seek views on changing the maximum percentage that people of working age can receive from the current 80%, and the introduction of a minimum income floor for people who are self-employed.

Maximum Discount Percentage for People of Working Age

5. Currently, the total expenditure on LCTS is £6,644,000, which is made up of £3,743,000 for elderly recipients and £2,901,000 for working age recipients. It was originally anticipated that expenditure on the current scheme would total £6,741,640 for 2015/16 and therefore there is an underspend which is primarily due to a decrease in the caseload. The total number of recipients of LCTS has fallen from 7612 in April 2015, to 7360 in October 2015, a reduction of 252 in seven months. If this trend of a reduction in the caseload continues, there will be a reduction in LCTS

expenditure to offset against the cost of the scheme, but it will not be sufficient to offset the full cost.

6. Based on the current caseload, if the scheme was not changed, the expenditure in 2016/17 will be in the region of £6,587,000. As the grant is expected to reduce by 10%, the shortfall for 2016/17 is likely to be in the region of £1,361,000 unless the scheme is changed to reduce expenditure.

7. If the scheme is changed to achieve further savings, a change to the maximum percentage of 80% for working age recipients would achieve approximately £40,800 savings per 1% reduction. A reduction in the maximum percentage to 77% would therefore mean that the cost of the scheme would be in the region of £6,465,000, whilst a reduction in the maximum percentage to 75% would mean that the cost of the scheme would be in the region of £6,383,000. It is therefore proposed to decrease the maximum percentage used for calculating Local Council Tax Support for people of working age from 80% to 75%, to make savings of £204,000.

8. As the major impact of any further reduction in LCTS will be on low income working age families, there is a risk of a reduction in the collection rate should this group be asked to pay considerably more towards their Council Tax. With the Government Welfare Reform initiatives that are ongoing, it is this same group who are most affected by the social sector under occupancy rule and benefit 'capping'. If there is a significant reduction in the amount of support, there will become a time where people who were paying their Council Tax, albeit that it was difficult for them, will not pay at all because the total amount is impossible for them. The savings outlined above can only be achieved if those sums can be collected.

9. If the maximum percentage is reduced to 75%, based on the Council Tax for the current year, the amount of LCTS would be reduced by approximately £1.15 (£0.85 if claiming a single resident discount) per week for a band B property, £1.30 (£0.97 if claiming a single resident discount) per week for a band C property and £1.45 (£1.10 if claiming a single resident discount) per week for a band D property. It will be these amounts that people in receipt of LCTS will have to pay in addition to the amount that they are paying under the current scheme.

A Minimum Income Floor for the Self-Employed

10. A further proposed change is in relation to working age claims where either the claimant, the partner, or a non-dependant is self-employed. The Universal Credit Regulations provide that there is a Minimum Income Floor where a person is self-employed. This means that if their declared earnings from self-employment are below the National Living Wage of £7.20 per hour for workers aged 25 or older, or the National Minimum Wage levels for workers under 25 years, it is the National Living Wage/National Minimum Wage rates that are used in the calculation of Universal Credit.

11. Self-employed claims are the most difficult and time consuming to calculate as many people do not have audited accounts, and, in many cases have very few records at all. The Benefit Assessment Officers have to act as an Accountant using whatever evidence is available, but ultimately it is very difficult to verify any income and expenditure details for the self-employed. It is not uncommon for a Benefit Assessment Officer to spend up to half a day assessing just one self-employed claim.

12. If our LCTS scheme was changed to introduce the Minimum Income Floor for self-employed, then the administrative burden on the Authority would be greatly reduced, and it would be aligning our scheme with other Government Welfare Reforms. Universal Credit is currently due to commence roll-out in the Epping Forest District in February 2016 and therefore it is appropriate to introduce this change to our Local Council Tax Support scheme from April 2016 to provide a consistent approach to Welfare Reform.

13. For people who are starting new businesses, it is proposed that the Minimum Income Floor would not apply for the first year of the business. This gives the person the opportunity to assess whether their business is financially viable or not. For those who have an established business and declare income from self-employment that is below the Minimum Income Floor, either the National Living Wage rate or the National Minimum Wage rate will be used in the calculation of LCTS for the number of hours that are worked.

14. There are currently about 300 claims where someone in the household is self-employed. About 65% of these have declared earnings below the hourly rate of £7.20. There will therefore be some savings to the LCTS scheme through the introduction of the Minimum Income Floor but it is not possible at this time to be able to give an estimated value. However, the main objectives are to provide a consistent approach to Welfare Reform and to reduce the administrative burden on the Authority.

Consultation

15. If changes are to be made to the current scheme, we must consult on those changes with the major preceptors (County Council, Police & Fire Authorities) and the public. Consultation with the public was carried out from 27 August 2015 to 11 October 2015. The consultation was asking for views specifically on retaining the current scheme for 2016/17, whether the maximum percentage should be changed and whether a Minimum Income Floor for the self-employed should be introduced. The consultation also included questions concerning the funding of the LCTS scheme.

16. A total of 43 responses were received to the consultation which, although disappointing, is a similar number to previous years where 58 responses were received for the 2015/16 consultation and 41 responses for the 2014/15 consultation. The results of the consultation were debated by the Cabinet and showed that a much larger number of people viewed the consultation but then chose not to respond. It could be surmised that they were satisfied with the proposals in the consultation as they did not have strong views against the issues in the consultation. Overall the responses to the consultation that were received did not highlight any issues that would give cause to reconsider the two proposed changes.

17. We recommend as set out at the commencement of this report.

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