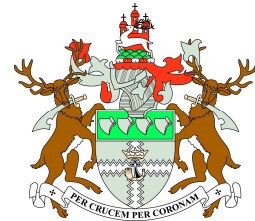


Council Agenda



Epping Forest District Council

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 Thursday, 20 February 2014 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: Ian Willett
Tel: 01992 564243 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 the Senior Democratic Services Officer 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 Chief Executive 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 - 60)

To approve as a correct record and sign the minutes of the meeting held on 17 December 2013 (attached).

3. DECLARATIONS OF INTEREST

(Chief Executive)

(a) To declare interests in any item on the agenda; and

(b) Dispensations granted by the Monitoring Officer

To receive a report on dispensations granted under the Code of Conduct in respect of item 12 (Report of the Cabinet – Budgets and Council Tax Declaration 2014/15) and in particular Local Support Grant to Parish and Town Councils.

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 the Chairman of the Overview and Scrutiny Committee or
- (d) to any Member of the Cabinet;.

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 61 - 84)

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 Asset Management and Economic Development Portfolio Holder;
- (c) Report of the Environment Portfolio Holder;
- (d) Report of the Finance and Technology Portfolio Holder;
- (e) Report of the Housing Portfolio Holder;
- (f) Report of the Leisure and Wellbeing Portfolio Holder;
- (g) Report of the Planning Portfolio Holder;
- (h) Report of the Safer, Greener and Transport Portfolio Holder;

- (i) Report of the Support Services Portfolio Holder.

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 twenty 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 to ensure that all political groups and independent members may have their questions answered.

9. MOTIONS

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

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

10. REPORT OF THE CABINET - TRANSFER OF HOUSING REVENUE CAR PARKS TO THE GENERAL FUND (Pages 85 - 86)

To consider the attached report.

11. REPORT OF THE CABINET - TREASURY MANAGEMENT STRATEGY AND INVESTMENT STRATEGY 2014/15 AND 2016/17 (Pages 87 - 118)

To consider the attached report.

12. REPORT OF THE CABINET - BUDGETS AND COUNCIL TAX DECLARATION 2014/15 (Pages 119 - 166)

- (a) To consider the attached report; and
- (b) To consider holding a recorded vote on the recommendations contained in the report.

In a letter dated 4 February 2014 to the Leader of the Council, Brandon Lewis MP, Parliamentary Under Secretary of State, Department for Communities and Local Government has stated that the Government's expectation is that at this year's budget meetings, all principal councils will adopt the practice of recorded votes on any decision relating to the budget or Council Tax, not only on the substantive budget motions agreeing the budget, setting council taxes or issuing precepts, but also on any amendments proposed at the meeting.

To facilitate this, The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 which will come into force on 25 February 2014 will make it mandatory for councils as soon as is practicable to amend their Standing Orders so as to include provisions requiring recorded votes at budget meetings. In recognition that it may not be possible to amend Standing Orders before budget meetings this year, Brandon Lewis has stated that he expects councils to adopt the practice of recorded votes by resolving to do so in line with the Regulations.

- (c) To comply with the Regulations, to resolve:

That Council Procedure Rule 17 (Voting) be amended by the addition of the following new sub-paragraph:

17.6 Voting at Budget Decision Meetings

In accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, immediately after any vote is taken at a budget decision meeting there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

"Budget decision" means a meeting at which;

- (a) a calculation is made (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992, as amended; or
- (b) a precept is issued under Chapter 4 of Part 1 of that Act,

and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting.

References to a vote are references to a vote not only on the substantive budget motions agreeing the budget, setting council taxes or issuing precepts, but also on any amendments proposed at the meeting.

13. OVERVIEW AND SCRUTINY (Pages 167 - 216)

- (a) Report of the Chairman of the Overview and Scrutiny Committee - attached;
- (b) Reports of the Overview and Scrutiny Committee (if any); and
- (c) Reports of Overview and Scrutiny Panels:
 - (i) Reports of the Constitution and Member Services Scrutiny Panel attached regarding:

- Annual Review of Contract Standing Orders and Financial Regulations;
- Review of Officer Delegation; and
- Vice-Chairman of Council – Appointment Review.

14. EPPING FOREST DISTRICT REMUNERATION PANEL ANNUAL REPORT 2013/14 (Pages 217 - 222)

To note the attached report.

15. MEMBERS' ALLOWANCES SCHEME REVIEW (Pages 223 - 250)

To consider the attached report.

16. DIRECTORATE RESTRUCTURING

To receive an oral report of the Head of Paid Service on the progress being made with the Directorate Restructuring.

17. OFFICER DELEGATION IN RESPECT OF EXECUTIVE FUNCTIONS (Pages 251 - 274)

To note the attached decision taken by the Leader of Council to approve the schedule of delegation of Executive functions following the review of 2013/14.

18. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS (Pages 275 - 278)

- (a) To receive the attached report from Councillor Jennie Hart, one of the Council's representatives on the Loughton Broadway Town Centre Partnership 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.

19. 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 Information Paragraph Number
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 COUNCIL MINUTES

Committee: Council **Date:** 17 December 2013

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.30 - 9.30 pm

Members Present: Councillors Mrs M Sartin (Chairman), A Boyce (Vice-Chairman), K Angold-Stephens, R Bassett, W Breare-Hall, T Church, Mrs T Cochrane, R Cohen, L Girling, Mrs A Grigg, J Hart, Ms J Hart, D Jacobs, Ms H Kane, P Keska, Ms Y Knight, L Leonard, Mrs M McEwen, A Mitchell MBE, R Morgan, S Murray, J Philip, Mrs C Pond, B Rolfe, B Sandler, Ms G Shiell, Mrs P Smith, P Spencer, D Stallan, Ms S Stavrou, H Ulkun, G Waller, A Watts, Mrs E Webster, C Whitbread, Mrs J H Whitehouse, J M Whitehouse, D Wixley and J Wyatt

Apologies: Councillors K Avey, Mrs H Brady, R Butler, G Chambers, K Chana, Mrs R Gadsby, P Gode, Mrs S Jones, J Knapman, Mrs J Lea, A Lion, H Mann, J Markham, G Mohindra, Mrs T Thomas, Mrs L Wagland and Ms S Watson

Officers Present: G Chipp (Chief Executive), D Macnab (Deputy Chief Executive), I Willett (Assistant to the Chief Executive), C O'Boyle (Director of Corporate Support Services), R Palmer (Director of Finance and ICT), G Lunnun (Assistant Director (Democratic Services)), A Mitchell (Assistant Director (Legal)), M Jenkins (Democratic Services Assistant), T Carne (Public Relations and Marketing Officer), A Hendry (Democratic Services Officer) and R Perrin (Democratic Services Assistant)

71. WEBCASTING INTRODUCTION

The Assistant to the Chief Executive 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.

72. MINUTES

RESOLVED:

That the minutes of the meeting held on 5 November 2013 be taken as read and signed by the Chairman as a correct record.

73. DECLARATIONS OF INTEREST

(1) The Deputy Chief Executive made a declaration of interest in respect of Item 14 Directorate Restructuring as this referred to his employment with the Council. He advised that he would be leaving the meeting during the consideration of that item. The same declaration applied to the Assistant to the Chief Executive, Director of Finance and ICT, Director of Corporate Support Services, Assistant Director of Democratic Services and Assistant Director of Corporate Support Services (Legal) who would also leave the meeting for this item.

(2) Pursuant to the Council's Code of Member Conduct, Councillor Angold-Stephens made a Disclosable Pecuniary Interest on behalf of the Loughton Resident's Association (LRA) members present, Councillors Cochrane, Cohen, Girling, Hart, Leonard, Pond and Wixley in respect of agenda item 15 Report of the Licensing Committee – Street Trading - Markets as the LRA benefitted financially from the sale of second hand books at a stall in Loughton market. He advised that the members in question had obtained dispensation from the Monitoring Officer in order to participate in the discussion on the item as this maintained the political balance of the meeting. He added that individual LRA members did not benefit financially from this. He added a further Non Pecuniary Interest regarding the market at The Broadway as a member of the Broadway Town Centre Partnership.

74. ANNOUNCEMENTS

(a) Announcements by the Chairman of the Council

(i) Chelmsford Cathedral Carol Service

The Chairman reported that she had attended a carol service at Chelmsford Cathedral for the deaf and deafblind with sign language, on 13 December.

(ii) Community Safety Team

The Chairman expressed her thanks and those of the Community Safety Team to local people who had donated toys to go to the Women's Refuge. The gifts had been collected by St. Winifred's Church, customers and staff at Tesco in Waltham Abbey and customers of Theydon Oak.

(iii) Inclusion Project

The Chairman reported that she had attended a Christmas party in Waltham Abbey Town Hall organised by the Council's Sports and Leisure Development Team as part of the Inclusion Project they were currently running. She thanked the team for donating the proceeds of the raffle to her charities.

(iv) Davenant School

The Chairman reported on the Christmas concert which she had attended at Davenant School. The impressive programme had included a wide variety of music performed to a very high standard.

(v) Chairman's Carol Service

The Chairman thanked members who had attended the Carol service held in Roydon on 13 December.

(vi) Floral Display

The Chairman announced that she intended sending the flowers from tonight's meeting to Honey Lane Care Home, Waltham Abbey.

The Chairman expressed her thanks to G Woodhall, Democratic Services Officer for selling tickets prior to this meeting for the raffle run by Mrs S Hawkins for the Chairman's charities.

(b) Announcements

The Leader advised that he had no announcements to make under this heading.

(c) Announcements by Portfolio Holders

There were no announcements to be made under this heading.

75. PUBLIC QUESTIONS (IF ANY)

There were no public questions.

76. QUESTIONS BY MEMBERS UNDER NOTICE

There were no questions from members under notice.

77. REPORTS FROM THE LEADER AND MEMBERS OF THE CABINET

The Council received written reports from the Asset Management and Economic Development Portfolio Holder, the Environment Portfolio Holder, the Finance and Technology Portfolio Holder, the Housing Portfolio Holder, the Leisure and Wellbeing Portfolio Holder, the Planning Portfolio Holder, the Safer, Greener and Transport Portfolio Holder and the Support Services Portfolio Holder.

The Chairman invited the Leader to provide an oral report and other members of the Cabinet give an oral update of their written reports.

(a) The Leader of the Council

Councillor Whitbread advised that he had attended the Economic Development Group on 12 November to discuss potential improvements to the rail link between Stansted Airport and London. He also went to a separate meeting at Stansted Airport where he met the new director of the airport.

Councillor Whitbread said he met the Leader of London Borough of Redbridge Council regarding the Central Line. At the meeting they had requested assurances from Transport for London that there would be better investment in the line and that resources would not be diverted to Crossrail.

The Leader had hosted the Joint Locality Board where they received a presentation about Health and Social Care. He also advised that they had also received a report advising that the switching off of street lighting in some parts of the district would not be operated until first week in January 2014.

The Leader reported that he had attended a meeting of Leaders of Essex authorities at which he had been advised that the police would be withdrawing match funding for PCSOs. Attempts were being made for the decision to be revisited.

(b) Planning Portfolio Holder

Councillor Bassett reported that a presentation by the Planning Barrister, Mr M Beard, had taken place on 18 November. The current Local Plan was mainly consistent with the National Planning Policy Framework. The Portfolio Holder believed that there was a 5 year land supply in the district. He advised that due to the district's exceptional setting, the Lee Valley Regional Park and motorways he believed it was less vulnerable to potential development than other areas.

(c) Support Services Portfolio Holder

Councillor Ulkun updated his report regarding the Electoral Canvass 2013. The figure relating to updates made to the register by text, internet or telephone now stood at 22,475. The number of households having completed registration was now 94.5%, with the total of voters yet to register reduced to 3,300.

(d) Finance and Technology Portfolio Holder

Councillor Stavrou updated members on her report. The Chancellor of the Exchequer's autumn statement had shown signs of an improvement in the economy. He had acknowledged that local authorities were making large savings and they had been excluded from further reductions in funding. The proposal to take away money from New Homes Bonus and allocate it to Local Enterprise Partnerships was no longer being pursued but the scheme remained under review. The increase in business rates had been capped at 2% with the Government promising to compensate local authorities for any losses.

78. QUESTIONS BY MEMBERS WITHOUT NOTICE**(a) Conservation**

Councillor P Spencer referred to the written report of the Safer, Greener and Transport Portfolio Holder regarding potential Conservation Area designation of the St. John's Church area, Buckhurst Hill and asked when designation would take place.

Councillor Waller, Safer, Greener and Transport Portfolio Holder advised that any views on the proposal would be welcomed and he could not anticipate the outcome of the process.

(b) Sir Winston Churchill Public House Site, Loughton

Councillor S Murray referred to the written report of the Asset Management and Economic Development Portfolio Holder regarding the Sir Winston Churchill Public House site in Loughton considered at the District Development Control Committee on 11 December 2013. He said there was local anger in Loughton about the decision and advised that it was important for the Council to disassociate from the remarks made by certain members about the Loughton Broadway community.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder advised that although she was not directly aware of local anger, she did know that there were strong local feelings expressed at the meeting. The Portfolio Holder pointed out that a number of improvements had been made to the area during past years and she considered that the development would further improve the area. She said that she did not associate herself with any disparaging remarks about the local community.

(c) Park Home Licensing

Councillor B Rolfe referred to the written report of the Housing Portfolio Holder regarding Park Homes. He asked for an assurance that ward councillors would be consulted and there would be prior notice issued on any decisions made.

Councillor Stallan, Housing Portfolio Holder confirmed that copies of consultation documents would be sent to ward members prior to residents. He re-affirmed that the Council would work with park home residents.

(d) Stansted Airport

Councillor P Smith asked the Leader and Asset Management and Economic Development Portfolio Holder about the recent visit the Leader made to the Chief Executive of Stansted Airport. She said it had been made clear previously that there would be little employment opportunities at the airport for residents of this District and she urged the Leader when next meeting airport representatives to emphasise the need for greater opportunities.

Councillor Whitbread, the Leader, advised that he had attended a positive meeting at Stansted Airport, alongside a representative from the Department of Work and Pensions. He would be meeting airport representatives on a regular basis and would continue to look for better employment opportunities for the district.

(e) Park Home Licences

Councillor Y Knight referred to the written report of the Housing Portfolio Holder regarding consultation on authorised Gypsy, Roma and Traveller caravan sites and requested that members have access to all the reports involved.

Councillor Stallan, Housing Portfolio Holder advised that members with such sites in their wards would be consulted.

(f) Sir Winston Churchill Public House Site, Loughton

Councillor Ms J Hart referred to the written report of the Asset Management and Economic Development Portfolio Holder and suggested there had been a lack of consultation with Loughton Broadway residents and traders. She felt that consultation should have taken longer and that the planning application should have been submitted to Area Plans South Sub-Committee in the first instance.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder, replied that she believed the agreed consultation processes had been followed and there needed to be a consistent policy applied across the District.

Councillor Bassett, Planning Portfolio Holder, added that there had been a lot of consultation about the proposal and the Council's Constitution specified which planning applications had to be submitted direct to the District Development Control Committee.

(g) North Weald Airfield

Councillor J M Whitehouse referred to options for further income generation and suggested having regard to the pressures for parking in the Epping – North Weald corridor that consideration should be given to a Park and Ride Scheme and Shuttle Bus Scheme on the airfield.

Councillor Grigg advised that consultants were currently looking at options for the airfield and she anticipated they would include a possible park and ride scheme.

(h) St. John's Road Development

Councillor J H Whitehouse asked the Asset Management and Economic Development Portfolio Holder when would a public statement be made on this development.

Councillor Grigg, Asset Management and Economic Development Portfolio Holder advised that a report to Council would be submitted soon.

(i) Sir Winston Churchill Public House Site, Loughton

Councillor K Angold-Stephens asked the Housing Portfolio Holder if he agreed that the public perception would have been improved if he had excluded himself from the District Development Control Committee meeting at which the planning application for the site had been considered. He also asked the Portfolio Holder if he now regretted his motion to exclude all members of the public from the meeting.

Councillor Stallan, Housing Portfolio Holder, advised that he had sought advice from the Monitoring Officer about his participation in the meeting and believed he had acted correctly. He advised that the public had listened to the objectors in silence but had not afforded the applicant's agent the same privilege so he had no regrets about his motion and a majority view had been taken at the meeting.

79. MOTIONS

The Chairman reported that there were no motions to be considered at this meeting.

80. REPORT OF THE CABINET - LOCAL COUNCIL TAX SUPPORT SCHEME 2014/15

Mover: Councillor Stavrou, Finance and Technology Portfolio Holder

Councillor Stavrou presented a report recommending no changes to the Local Council Tax Support Scheme 2014/15.

Report as first moved ADOPTED

RESOLVED:

That, in view of the consultation responses and experience of the 2013/14 scheme, no changes be made to the scheme for 2014/15.

81. REPORT OF THE CABINET - SUPPLEMENTARY CAPITAL ESTIMATE - PURCHASE OF LEASEHOLD INTEREST - PROPERTIES IN TORRINGTON DRIVE, LOUGHTON

Mover: Councillor Grigg, Asset Management and Economic Development Portfolio Holder

Councillor Grigg presented a report regarding a supplementary capital estimate for the purchase of the long leasehold Head Lease interest of properties in Torrington Drive, Loughton. She sought and obtained leave of the Council to correct an error in report that reference should have been made to 2 – 18 Torrington Drive and not 2 – 8. She also reported that Sainsbury's had advised that they did not require the car park in Burton Road and it would revert to the Council on surrender of the Head Lease.

Report as amended ADOPTED**RESOLVED:**

That a supplementary capital estimate in the sum of £3,484,000 be approved for the purchase of the long leasehold Head Lease interest of 2 – 18 Torrington Drive, Loughton including the Sainsbury's store, car park and a 0.121 acre car park in Burton Road.

82. REPORT OF THE CABINET - CALENDAR OF COUNCIL MEETINGS 2014/15

Mover: Councillor Ulkun, Support Services Portfolio Holder

Councillor Ulkun presented a report regarding the Calendar of Council Meetings 2014/15.

Report as first moved ADOPTED**RESOLVED:**

That the Calendar of Council Meetings 2014/15 attached as Appendix 1 to these minutes be agreed.

83. OVERVIEW AND SCRUTINY**(a) Report of the Chairman of the Overview and Scrutiny Committee**

The Council received a written report from Councillor Morgan, the Chairman of the Overview and Scrutiny Committee.

(b) Reports of the Overview and Scrutiny Committee

The Chairman announced that there were no reports to be considered under this item.

(c) Reports of Overview and Scrutiny Panels:**(i) Report of the Overview and Scrutiny Review Task and Finish Panel**

Councillor Angold-Stephens, Chairman of the Overview and Scrutiny Review Task and Finish Panel, presented a report regarding the completed Overview and Scrutiny Review. He drew attention to the section regarding local scrutiny of health issues.

Councillor Watts reported that the Audit and Governance Committee had received the report and had agreed that the proposals were robust.

RESOLVED:

- (1) That the proposals arising from the review as set out in the Appendix 2 to these minutes be approved; and

- (2) That the amendments to the Overview and Scrutiny Procedural Rules as set out in Appendix 3 to these minutes be adopted and incorporated into the Council's Constitution.

84. DIRECTORATE RESTRUCTURING

The Council considered a report from the Head of Paid Service regarding Directorate Restructuring.

The Directorate Restructure aimed to achieve the following:

- (a) make efficiency savings whilst protecting services to the public;
- (b) encourage cooperative working within and beyond the Council; and
- (c) embed an agreed set of values and behaviours into working practices.

Following a consultation process with staff and staff representatives, the proposals reduced the number of Director posts from 7 to 4 and the number of Assistant Director posts reduced from 18 to 16. There would be a salary increase for the Assistant Directors to account for their greater responsibilities.

The Head of Paid Service advised that the one-off costs of 371,400 associated with the proposed voluntary redundancies, meant the payback period for this new structure would be 12.6 months. The overall reduction in salary costs of top management would be £353,700.

RESOLVED:

- (1) That the revised Directorate Structure attached as Appendix 4 to these minutes reflecting the proposals recommended below be approved;
- (2) That the following posts be deleted from the establishment with effect from 1 April 2014, namely
 - Deputy Chief Executive,
 - Director of Corporate Support Services,
 - Director of Finance and ICT,
 - Director of Housing, and
 - Director of Planning and Economic Development;
- (3) That the post of Director of Environment & Street Scene be deleted from the establishment with effect from 1 June 2014;
- (4) That the post of Assistant to the Chief Executive be deleted from the establishment with effect from 15 June 2014;
- (5) That the termination of the employment of the Director of Planning and Economic Development on 31 March 2014, the Director of Environment & Street Scene on 31st May 2014 and the Assistant to the Chief Executive on 15 June 2014 be agreed on the grounds of voluntary redundancy/early retirement, in accordance with the costs reported;
- (6) That four new Director posts be created with effect from 1 April 2014, namely;

- Director of Communities,
 - Director of Governance (Solicitor to the Council & Monitoring Officer),
 - Director of Neighbourhoods (Deputy Chief Executive), and
 - Director of Resources (Chief Financial Officer /s151 Officer);
- (7) That the salary scale for the four new Director posts be agreed as reported;
- (8) That in accordance with the views of the Restructuring Panel, the following appointments be agreed by Council with effect from the 1 April 2014,
- | | |
|---|------------|
| • Director of Communities, | A. Hall, |
| • Director of Governance
(Solicitor to the Council & Monitoring Officer) | C.O'Boyle, |
| • Director of Neighbourhoods (Deputy Chief Executive) | D. Macnab, |
| • Director of Resources (Chief Financial Officer /s151 Officer) | R. Palmer; |
- (9) That the following posts be deleted from the establishment with effect from 1 April 2014, namely,
- Assistant Director (Benefits),
 - Assistant Director (Revenues),
 - Assistant Director (Accountancy),
 - Assistant Director (ICT),
 - Assistant Director (Facilities Management & Emergency Planning),
 - Assistant Director (HR),
 - Assistant Director (Legal),
 - Assistant Director (Development Control),
 - Assistant Director (Forward Planning, Conservation & Policy),
 - Assistant Director (Building Control),
 - Assistant Director (Community & Culture),
 - Assistant Director (Housing Property),
 - Assistant Director (Housing Operations),
 - Assistant Director (Private Sector & Resources),
 - Assistant Director (Environmental and Neighbourhoods),
 - Assistant Director (Technical Services),
 - Assistant Director (Performance & Operations), and
 - Chief Internal Auditor;
- (10) That the post of Assistant Director (Democratic Services) be deleted from the establishment with effect from 15 June 2014;
- (11) That the termination of the employment of the Assistant Director (Facilities Management & Emergency Planning) on 31 March 2014 and the Assistant Director (Democratic Services) on 14 June 2014 be agreed on the grounds of voluntary redundancy/early retirement, in accordance with the costs reported;
- (12) That the following new posts be created with effect from 1 April 2014,
- Assistant Director (Human Resources),
 - Assistant Director (Benefits),
 - Assistant Director (Revenues),
 - Assistant Director (Accountancy),
 - Assistant Director (ICT & Facilities Management),
 - Assistant Director (Governance & Performance Management),

- Assistant Director (Legal Services),
- Assistant Director (Development Management),
- Assistant Director (Neighbourhood Services),
- Assistant Director (Technical Services),
- Assistant Director (Forward Planning & Economic Development),
- Assistant Director (Housing Property),
- Assistant Director (Housing Operations),
- Assistant Director (Private Sector Housing & Communities Support),
- Assistant Director (Community Services) and
- Chief Internal Auditor;

- (13) That in accordance with Council restructuring practice, the direct assimilation of current post holders into the new Assistant Director positions be agreed as follows;

Current Post Title	New Post Title	Name
Assistant Director (HR)	Assistant Director (HR)	P. Maginnis
Assistant Director (Benefits)	Assistant Director (Benefits)	J. Twinn
Assistant Director (Revenues)	Assistant Director (Revenues)	R. Pavey
Assistant Director (Accountancy)	Assistant Director (Accountancy)	P.Maddock
Assistant Director (Legal)	Assistant Director (Legal Services)	A Mitchell
Assistant Director (Development Control)	Assistant Director (Development Management)	N. Richardson
Assistant Director (Community & Culture)	Assistant Director (Community Services)	J. Chandler
Assistant Director (Housing Property)	Assistant Director (Housing Property)	P Pledger
Assistant Director (Housing Operations)	Assistant Director (Housing Operations)	R. Wilson
Assistant Director (Private Sector & Resources)	Assistant Director (Private Sector Housing and Communities Support)	L.Swan
Assistant Director (Forward Planning, Conservation & Policy)	Assistant Director (Forward Planning & Economic Development)	K.Polyzoides
Assistant Director (Environmental & Neighbourhoods)	Assistant Director (Neighbourhood Services)	J. Nolan
Assistant Director (Technical Services)	Assistant Director (Technical Services)	Q. Durrani

- (14) That in accordance with Council restructuring practice, the direct assimilation of current post holder, B. Bassington, into the new Chief Internal Auditor position be

agreed;

- (15) That a temporary post of Assistant Director (Economic Development & Asset Management), for a fixed term of one year, reporting to the Director of Governance, be created with effect from 1 April 2014;
- (16) That the appointment process for the temporary Assistant Director (Economic Development & Asset Management) be by internal advertisement in the first instance and be conducted by the Director of Governance (Solicitor to the Council & Monitoring Officer) as soon as practicable;
- (17) That the appointment process for the new Assistant Director (ICT & Facilities Management) be ring-fenced to the current holder of the post of Assistant Director (ICT) and conducted by the Director of Resources (Chief Financial Officer/s151 Officer) as soon as practicable;
- (18) That the appointment process for the new Assistant Director (Governance & Performance Management) be by internal advertisement in the first instance and conducted by the Director of Governance (Solicitor to the Council & Monitoring Officer) as soon as practicable;
- (19) That the salary scale for the new Assistant Director posts and the Chief Internal Auditor be agreed as reported, subject to job evaluation;
- (20) That the legal advice from Essex Legal Services as to the processes adopted be noted;
- (21) That the Chief Executive be designated as the Returning Officer and Electoral Registration Officer for Epping Forest District with effect from 15 June 2014;
- (22) That the Monitoring Officer, in consultation with fellow Directors, reports to Council, via the Constitution & Member Services Scrutiny Panel, reviewing all officer delegations prior to the implementation of the new structure on the 1 April 2014;
- (23) That Members note the overall reduction in the costs of top management of £353,700 and that this provides a payback period of 12.6 months for the one-off costs of £371,400;
- (24) That the necessary adjustments are made to the Continuing Services Budgets and District Development Fund for 2014/15.

85. REPORT OF THE LICENSING COMMITTEE - STREET TRADING - MARKETS

Mover: Councillor Morgan, Member of the Licensing Committee who had chaired the Committee for this matter in the absence of the Chairman and Vice-Chairman

Councillor Morgan submitted a report regarding established markets in the District, some of which required street trading consent.

Amendment moved by Councillor Stallan and Seconded by Councillor Watts

That the words after £355 in recommendation (1) be deleted and replaced with “be waived and subsequent renewal fees be reviewed on an annual basis.”

Carried

Report as amended ADOPTED

RESOLVED:

- (1) That the established markets currently operating in Loughton (Sunday Market), The Broadway, Loughton and High Street, Ongar be required to apply for consent in accordance with the Street Trading practice but that the fee of £355.00 be waived and subsequent renewal fees be reviewed on an annual basis;
- (2) That each applicant be required to advertise their application in a local newspaper in accordance with the Street Trading practice; and
- (3) That for any application to operate a new market in the District, the Council’s full requirements for issuing a licence be met.

86. REPORT OF THE LICENSING COMMITTEE - TEMPORARY ROAD CLOSURE ORDERS

Mover: Councillor Angold-Stephens, Chairman of the Licensing Committee.

Councillor Angold-Stephens submitted a report regarding Temporary Road Closure Orders. Responsibility for temporary road closures for events like street parties had been made by Essex County Council. However the County Council had advised the District Council that they were no longer undertaking this work and this this authority should use its power to undertake this.

First Amendment moved by Councillor J M Whitehouse and Seconded by Councillor J H Whitehouse

“That the licence fee be waived for non-commercial event.”

Withdrawn

Second Amendment Moved by Councillor Philip and Seconded by Councillor Whitbread.

“That the Licensing Committee give further consideration to the charging of a fee for primarily charitable events and report thereon to a future Council meeting.”

Carried

Report as amended ADOPTED

RESOLVED:

- (1) That, subject to provision being made in the budget to employ an additional member of staff, the Council exercises its powers to make temporary road closure orders from 1 April 2014;

- (2) That subject to (3) below a fee of £170.00 be charged for a temporary road closure;
- (3) That the Licensing Committee give further consideration to the charging of a fee for primarily charitable events and report thereon to a future Council meeting ; and
- (4) That the following delegated authorities be approved and appropriate changes made to the Constitution:

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for a Road Closure Order		If an objection	If no objection made
All policy matters except the formulation of the licensing policy	All cases		

87. REPORT OF THE LICENSING COMMITTEE - HACKNEY CARRIAGE AND PRIVATE HIRE LICENSING POLICY - TAXI METERS

Mover: Councillor Angold-Stephens, Chairman of the Licensing Committee.

Councillor Angold-Stephens submitted a report regarding Hackney Carriage and Private Hire Licensing Policy – Taxi Meters.

Report as first moved ADOPTED

RESOLVED:

- (1) That the Hackney Carriage and Private Hire Licensing Policy be amended to include provisions in relation to the installation of taxi meters; and
- (2) That the fares shown in the table attached as Appendix 5 to these minutes be put out to public consultation and that if no replies are received the fares be adopted and come into effect on 2 June 2014.

88. CALL-IN AND URGENCY - NORTH WEALD MASTER PLAN - APPOINTMENT OF CONSULTANTS

The Council noted that the Chairman of the Council had agreed that the decision of the Leader of the Council (a) to waive Contract Standing Orders C5 (Contracts exceeding £50,000 etc), C15 (Receipt and Custody of Quotations and Tenders) and C16 (Opening of Tenders and Quotations – Contracts in Excess of £25,000 and (b) appoint Savills as consultants to advise on the Council's interests within the North Weald Master Plan should be treated as a matter of urgency and not be subject to call-in.














89. JOINT ARRANGEMENTS AND EXTERNAL ORGANISATIONS

The Council received two reports from Councillor Kane, one of the Council's representatives on the Waltham Abbey Town Partnership and a third report also from Councillor Kane a Council representative on the Waltham Abbey Royal Gunpowder Mills Company.

The Council received a report from Councillor Morgan, Council representative on the Stansted Airport Community Trust Fund who advised that he would prepare a more detailed item for the Bulletin on the Trust Fund's activities. Councillor Bassett asked about the eligibility criteria for grants being extended to include applications from organisations in flightpath villages. Councillor Morgan advised that he would ask about this at the next meeting of the Trust.

CHAIRMAN

Epping Forest District Council Calendar of Meetings 2014/15

		2014								2015				
Meeting		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Executive														
Council			10th(16th)	29th		30th		4th	16th	17th(19th)			21st	26th
Cabinet		19th	23rd	21st		8th	6th	3rd	1st		2nd	9th	13th	
FPM Cab Comm			26th			18th		13th		19th		19th		
AM & ED Cab Comm				14th			13th		8th		9th		20th	
Local Plan Cab Comm				7th		1st		17th		26th		16th		
Scrutiny														
OS Committee				1st		16th	14th	10th		12th	10th	23rd	27th	
Finance & Perf Mgmt			17th			9th		11th		19th		10th		
Housing				22nd			21st			20th		24th		
Planning Services				8th		2nd			9th				14th	
Safer, Cleaner, Greener				15th			7th			6th	24th		28th	
Constitution & Mbr Serv's			24th			23rd		18th		13th		17th		
Planning														
District Development			25th		13th		8th		3rd		11th		8th	
Plans East		14th	18th	23rd	20th	17th	15th	12th	10th	21st	18th	18th	15th	20th
Plans West			4th	2nd-30th	27th	24th	22nd	19th	17th	28th	25th	25th	22nd	27th
Plans South		7th	11th	9th	6th	3rd	1st-29th	26th		7th	4th	4th	1st-29th	
Licensing														
Licensing Committee							8th						8th	
Licensing Sub (Day)			17th	15th	12th	9th	7th	11th	9th	13th	10th	10th	7th	
Licensing Sub (Evening)		15th		17th	14th	11th	16th	6th	11th	15th	12th	12th	16th	
Miscellaneous														
Audit & Governance			30th			25th		24th			5th	30th		
Housing Appeals Panel		12th		7th	4th	1st	6th	3rd	8th	12th	9th	9th	13th	
Joint Consultative Comm				24th			23rd			22nd			23rd	
Local Councils Liaison				10th				20th				26th		
Standards Committee				3rd			9th			8th			7th	
Webcast meeting			<u>Easter 2015</u>			<u>Fri 3-Apr-15 - Mon 6-Apr-15</u>				<u>General Election</u>			<u>Thu 7-May-15</u>	

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OVERVIEW AND SCRUTINY REVIEW – DRAFT RECOMMENDATIONS

Section marked thus * involve constitutional changes.

Overview and Scrutiny Committee – Chairman*

(1) That Overview and Scrutiny Procedure Rule 8 be amended by the addition of a new sub-paragraph (3) as follows:

“3. The Chairman of the Committee must have experience and understanding of the Overview and scrutiny system.”

(2) That the Chairman and Vice Chairman of the Overview and Scrutiny Committee shall be invited to attend agenda planning sessions conducted by officers.

Cabinet/Overview and Scrutiny Committee Liaison*

(3) That in order to improve liaison arrangements between the Cabinet and Leader of the Council with the Overview and Scrutiny Committee the following proposals be agreed and incorporated in the Overview and Scrutiny rules:

(a) that the Leader of Council attend the first Overview and Scrutiny Committee of any Council year so as to present the Cabinet’s Forward Plan and to attend after six months to update the Overview and Scrutiny Committee on progress with that plan;

(b) that at the first meeting of the Overview and Scrutiny Committee each year, the Leader should indicate, where appropriate, any work which could be undertaken by Overview and Scrutiny on behalf of the Cabinet and likewise the Committee will indicate to the Leader work which will be undertaken by the Committee in the following year;

(c) that at the initial meeting of the Overview and Scrutiny Committee each year, members should have the opportunity to ask the Leader of Council and Portfolio Holders questions on matters of concern regarding Cabinet business;

(d) individual Portfolio Holders should attend appropriate Overview and Scrutiny Standing Panel meetings which deal with matters relating to their portfolios and should answer questions on their portfolio from Panel members;

(e) that relevant Portfolio Holders should attend any of the appropriate Standing Panel meetings dealing with matters related to their portfolio;

(f) that all Councillors be encouraged to attend discussions with the Leader of Council and Portfolio Holders at OSC or Panels, where they have an interest in the subject matter concerned;

(g) that the Standing Item on the Overview and Scrutiny Committee Agenda relating to the review of Cabinet business at its next meeting be placed earlier on the Committee’s agenda to allow more opportunity for discussion; and

(h) that the Council calendar of meetings be reviewed so as to allow more time between meetings of the Cabinet and the Overview and Scrutiny Committee so as to ease the process for call-ins and also the review of Cabinet agenda business.

Overview and Scrutiny - Work Programme*

(4) That the first meeting of the Overview and Scrutiny Committee each year should include consideration of the work programme both for the Committee and Panels and that the compilation of the work programme should take account of the following:

- (a) significant decisions, whether or not they are key decisions, which are included in the Council's Forward Plan;
- (b) monitoring of the Cabinet Forward Plan as to progress and content of proposed decisions;
- (c) items arising from the Forward Plan to be raised as part of the Cabinet review item on Overview and Scrutiny Committee agenda;
- (d) requests by the public or Councillors;
- (e) a review of topics raised by way of formal complaints to the Council during the preceding year;
- (f) topics which have arisen in Freedom of Information Act requests during the previous year;
- (g) agreed Cabinet priorities for the year;
- (h) any outstanding work by Scrutiny Panels not completed during the previous Council year;
- (i) digests of information arising from petitions received during the previous year;

(5) That the submission of items by members of the Council or the public for consideration by Overview and Scrutiny Committee continue to be based on the "pick" work request form, use of which should be enforced and that in cases where a pick form is unclear or incomplete, they be returned to the proposer with a request for clarification, the content of all requests being reviewed to ensure that only those requests which are relevant to the District or the Council and expressed in appropriate terms are brought before the Committee;

(6) That items or questions requested by the public be dealt with by officers so that these can be presented in the "Pick" form format;

(7) That where Overview and Scrutiny Committee or a Panel undertakes a review of Council services affecting the Cabinet, more follow-up work be undertaken as follows:

- (a) **after 3 months** – the relevant portfolio holder should give a verbal report on whether the OS recommendations have been agreed or any reasons why they have not been agreed or have been amended; and

(b) **after six months** – the relevant portfolio holder should report back on the implementation of those recommendations.

(8) That the Overview and Scrutiny Agenda Planning Group of officers in consultation with the Chairman of the Overview and Scrutiny Committee be given prime responsibility for managing the Overview and Scrutiny work programme including reviews of requests from the public and members via the “pick” form procedure so as to establish the relevance and suitability of reviews requested;

(9) That the preparation of the Overview and Scrutiny Work Programme should commence in February each year but with account taken of the election period April/May each year if District Council elections are taking place;

(10) That, in terms of Council budgets scrutiny, provision be made in the Council's annual training programme for Overview and Scrutiny members to be trained in budget processes before the commencement of the budget round each year and that the Director of Finance and ICT being asked to determine the most appropriate timing and content for such training sessions.

Overview and Scrutiny Panels*

(11) That Overview and Scrutiny Procedure Rules 12 and 13 be amended so as to require all Chairmen of Standing and Task and Finish Panels to attend each Overview and Scrutiny Committee to give oral or written progress reports on the work of their Panels.

(12) That the term “Standing” be discontinued in respect of the titles of Scrutiny Panels with Scrutiny Panels and Task and Finish Scrutiny Panels being used in future.

Call-in Procedure*

(13) That the following changes be made to the call-in procedure set out in the Overview and Scrutiny Procedure Rules and Protocol:

- (a) that the Chairman of the Overview and Scrutiny Committee, if requested either by the lead Councillor for a call-in or the relevant Cabinet member, should convene a meeting to discuss the call-in before this is considered formally by the Overview and Scrutiny Committee with a view to establishing whether there could be agreement between the Cabinet member and the call-in sponsor on proposals to modify the decision or the terms of the “Call in” so as to progress the matter;
- (b) that the present deadline for calling in decisions by the Cabinet or Portfolio Holders remain at five days and that a more flexible approach of allowing signing by separate e-mails from the members who support the call-in concerned be noted;
- (c) that further work be undertaken as to the possibility of instituting full electronic call-ins so as to speed up the process for dealing with these requests;
- (d) that a new provision be introduced so as to allow “call-in” sponsors to withdraw any objections they may have notified if having met with the Portfolio Holder and the Chairman of the Overview and Scrutiny Committee their concerns are met;

- (e) that situations where the procedure outlined in (d) above has been followed, an agreement has been reached on the withdrawal of call-in objections, an information report be submitted to the next meeting of the Overview and Scrutiny Committee on that withdrawal and the circumstances which led to changes in the original Cabinet decision being agreed by the Portfolio Holder or the Cabinet;
- (f) that the procedure for dealing with call-ins at the Overview and Scrutiny Committee meetings be amended to take place in the following order:
 - (i) lead “call-in” sponsor to speak first;
 - (ii) portfolio holder responds;
 - (iii) the four other signatories to the call-in to be given the opportunity to speak next;
 - (iv) Portfolio Holder responds;
 - (v) debate;
 - (vi) lead “call in” sponsor replies;
 - (v) final response by Portfolio Holder; and
 - (vi) voting.
- (g) that in cases where the number of signatories to a call-in exceeds five, the first five signatories on the call-in notification be dealt with under the previous sub-paragraph with any other signatories being able to speak only during the ensuing debate on the call-in.

Scrutiny of External Organisations

(14) That arrangements for scrutinising the work of external organisations be amended as follows:

- (a) that for the purposes of presentations by representatives of outside organisations, they should be seated in the well of the Chamber for a trial period of 9 months from the commencement of the 2014/15 Council year and reviewed subsequently by the Constitution and Member Services Scrutiny Panel.
- (b) that this layout also be used on a trial basis for call-ins with the relevant Portfolio Holder and Director sitting together in the well of the Chamber in order to answer questions from the Overview and Scrutiny Committee on call-in business.
- (c) that members take a more critical approach to the selection of outside organisations to be scrutinised, ensuring that invitations are only issued to the organisations where there are public concerns.
- (d) that a flexible approach be taken on whether or not scrutiny of an external organisation would be better conducted by a Standing or Task and Finish Panel rather than the Overview & Scrutiny Committee.

(e) that priority be given to preparing for external scrutiny sessions by extending existing arrangements by the addition of preliminary consideration at the meeting preceding the visit of the organisation concerned on the topics to be covered with Service Directors being encouraged to assist with background information which might assist follow-up questions to be formulated.

(f) that the Overview and Scrutiny Chairman determine the appropriate time allocation for presentations by external organisations but no time limit be set for questions from members of the Council.

(g) that more emphasis be given to monitoring undertakings given and proposals made by external organisations through follow up reviews after six months and reporting back to the Overview and Scrutiny Committee or the relevant Panel.

Scrutiny of Council Finance and Budgets

(15) That a new timetable for review of the budget by Overview and Scrutiny be introduced as follows:

September – Financial Issues paper from Director of Finance submitted to the Finance and Performance Management Scrutiny Panel (“the Panel”).

November – Draft growth lists/savings and DDF programme and information on fees and charges submitted to the Panel.

January – Update of medium term financial strategy for the next financial year to be considered by the Panel.

February – Final form of draft budget to be submitted to the Panel for comment.

(16) That the timetable for the budget review be publicised in the Council Bulletin so that members who are interested in particular budget issues are aware of the meetings at which the Standing Panel will be examining proposals.

(17) That in future the Panel should concentrate on policy issues and emerging trends, problems and themes rather than individual budget details which are a matter for the Cabinet.

(18) That the Panel be asked to review their terms of reference so as to avoid duplication with the work of the Finance and Performance Management Cabinet Committee.

(19) That, in line with this new approach for the Standing Panel, the present practice of holding joint meetings with the Cabinet Finance Committee be discontinued so as to separate the roles of the two bodies.

(20) That, in reviewing budgets, the Panel should take account of budget issues from previous years if relevant to the current budget.

Key Performance Indicators – Role of Overview and Scrutiny

(21) That the following changes be made to arrangements for the quarterly review of key performance indicators by Overview and Scrutiny:

- (a) that the Finance & Performance Management Standing Scrutiny Panel (“Standing Panel”) should continue to be responsible for the review of KPI performance on behalf of the Overview & Scrutiny Committee;
- (b) that the Standing Panel should continue each quarter to take an overview of all KPI performance but any “red” (below target) or “amber”(within target tolerance) designated KPIs be referred for further review to the appropriate Scrutiny Panel (where one exists) if more detailed analysis is considered necessary;
- (c) the Standing Panel should deal with “red” or “amber” designated KPIs for which there no other Panel exists;
- (d) that the Standing Panel be asked to review their terms of reference with these changes in mind.

Overview and Scrutiny – Public Profile

(22) That the following steps be taken so as to improve the public profile of the Council’s Overview and Scrutiny function:

- (a) that a more proactive stance be adopted with regard to engagement with the public;
- (b) that the Overview and Scrutiny rules be amended so as to allow an opportunity for the public to ask questions at Overview and Scrutiny Committee meetings and Scrutiny Panels and also to address those bodies on issues of concern subject to the following:
 - (i) that the questions concerned or the matters on which the Committee or Panel is to be addressed are relevant to the powers and responsibilities of the Council or relevant to the District;
 - (ii) that questions or matters of concern only be raised once in any Council year either at a Panel or the OS Committee but not at both;
 - (iii) that matters on which questions or issues are raised should be items which are on the relevant agenda;
 - (iv) that any questions or issues raised for the Overview and Scrutiny Committee or a Panel which are not set out in the agenda for the following meeting be deferred and subjected to the pick process and brought back for further discussion at the next available meeting;
- (c) that a flexible approach be adopted to facilitating the submission of business from the public for Overview and Scrutiny including the use of correspondence, email through the website and the pick form process as appropriate;
- (d) that the Forester and local press releases and the website be used to heighten the profile of Overview and Scrutiny including:
 - (i) the annual work programme for Overview and Scrutiny;

(ii) specific items due to be considered by the Overview and Scrutiny Committee or its Panels so as to encourage the public to submit evidence or comments, particularly where scrutiny of external bodies is planned; and

(iii) that the Chairman of the OS Committee be allowed maximum discretion within the Overview and Scrutiny rules to allow the public to contribute fully to the work of Overview and Scrutiny

Scrutiny of Community Safety

(23) That the current arrangements for scrutiny of Community Safety issues including the activities of the Police and Crime Commissioner for Essex be continued.

(24) That the Police and Crime Commissioner's office be asked to give longer notice of local community meetings and to take up the Council's offer of using the Council's resources to advertise these events.

Scrutiny of National Health Service

(25) That, notwithstanding that the health scrutiny was a County Council function, that an approach be made to Essex County Council for local health scrutiny to be undertaken under the auspices of the Overview and Scrutiny Committee and conducted by the Safer Cleaner Greener Standing Panel.

(26) That if members of the public or Councillors wish to raise specific health issues for review by the Panel, the pick form procedure be used and authority sought from Essex County Council to undertake local scrutiny.

(27) That liaison arrangements be put in place between the Safer Cleaner Greener Standing Panel and the County Council's Health Scrutiny Committee to ensure that there is effective liaison.

Training

(28) That the following arrangements be put in place regarding training of Councillors in Overview and Scrutiny techniques:

(a) that each year an Introductory Course on Overview and Scrutiny be held in June during years when there are District Council Elections;

(b) that Budget Scrutiny Training be given by the end of September as indicated earlier in these recommendations;

(c) that further specialist training in Overview and Scrutiny techniques be arranged as and when thought necessary and dependent on available funding; and

(d) that the Tenant's Federation which has established its own Overview and Scrutiny Committee be invited to attend future training courses on Overview and Scrutiny and that the possibility of a financial contribution towards the cost of such training from the Housing Revenue Account be researched.

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3. Overview and Scrutiny Committee - Terms of Reference.
4. Who may sit on the Overview and Scrutiny Committee?
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7. Quorum.
8. Who chairs Overview and Scrutiny Committee meetings?
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22. Procedure and Overview and Scrutiny Committee meetings.
23. Conduct of Overview and Scrutiny Functions.

24. Annual Report.

25. Party Whips.

Appendix 1 Protocol on Consideration and Reporting on Executive Decisions Called in by the Overview and Scrutiny Committee.

OVERVIEW AND SCRUTINY PROCEDURE RULES

1. ARRANGEMENTS FOR OVERVIEW AND SCRUTINY

- (a) The Council will, at the Annual Council meeting, appoint an Overview and Scrutiny Committee as set out in Article 6.
- (b) Each Overview and Co-ordinating Committee shall comprise 11 members, including a Chairman and Vice-Chairman appointed by the Council.

2. OVERVIEW AND SCRUTINY COMMITTEE - FUNCTIONS

- 1. The Overview and Scrutiny Committee will discharge the Overview and Scrutiny functions conferred by Section 20 of the Local Government Act 2000 plus those responsibilities allocated by the Council.

3. OVERVIEW AND SCRUTINY COMMITTEE - TERMS OF REFERENCE

- 1. The functions of the Overview and Scrutiny Committee shall be as follows:
 - (a) review of corporate strategies;
 - (b) ensuring that the decisions/actions of the Cabinet accord with the Council's policies and budget;
 - (c) monitoring and scrutinising the financial performance of the Council and making recommendations to the Cabinet in relation to annual revenue and capital guidelines, bids and submissions;
 - (d) when required, questioning members of the Cabinet or other Committees and officers about their decisions and performance whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
 - (e) making recommendations to Cabinet and appropriate Committees and the Council arising from the outcome of the overview and scrutiny process;
 - (f) review, scrutiny **and monitoring** of the performance of other public bodies **including the National Health Service (with the agreement of Essex County Council) and of the community safety responsibilities of the Police and Crime Commissioner** active in the District, inviting reports from them by requesting them to address the Committee and local people about their activities and performance;
 - (g) questioning and gathering evidence from any person (including Councillors, members of Council staff and others) on issues falling within the functions of the Committee;

- (h) determining terms of reference, memberships (including the appointment of Chairman and Vice-Chairman) and reporting for all Standing and 'Task and Finish' Scrutiny Panels;
- (i) scrutinising executive decisions;
- (j) considering and making responses to executive decisions which are called in either as a Committee or through referral to a Standing or 'Task and Finish' Panel;
- (k) monitoring the effectiveness of the call-in procedure, reviewing the number and reasons for call-in and making recommendations to the Council on any changes required to improve operation of the process;
- (l) monitoring and scrutiny of the Forward Plan;
- (m) review of implications of Government Consultation documents where requested by members;
- (n) reports on key performance Indicators referred to the Committee;
- (o) reports on Service Business Plans as requested by members;
- (p) receiving presentations from the Leader of the Council and other Portfolio Holders early in the Council year outlining their plans for the year ahead and reporting performance in the previous Council year;
- (q) consideration of requests from Cabinet for scrutiny involvement in policy development and determining appropriate action;
- (r) to receive evidence from a senior officer relating to a petition where the number of signatures meets or exceeds the trigger level contained in the Council's Petitions Scheme and make recommendations as appropriate;
- (s) to review, when requested by the petition organiser, the Council's response to any petition which they consider has not been dealt with properly including, if appropriate, investigating, making recommendations to the Council or Executive or arranging for the matter to be considered at a meeting of the full Council;
- (t) determining work programmes in accordance with items falling within Committee's ambit in accordance with (a)-(s) above.

4. WHO MAY SIT ON THE OVERVIEW AND SCRUTINY COMMITTEE?

1. All councillors except members of the Executive may be members of the Overview and Scrutiny Committee. However, no member may be involved in scrutinising a decision which he/she has been directly involved.

5. CO-OPTees

1. The Overview and Scrutiny Committee shall be entitled to recommend to Council the appointment of appropriate persons as non-voting co-optees.

6. MEETINGS OF THE OVERVIEW AND SCRUTINY COMMITTEE

1. Meetings of the Overview and Scrutiny Committee will be held in accordance with the Council's calendar of meetings in each year. In addition, extraordinary meetings may be called from time to time as and when appropriate. An Overview and Scrutiny Committee meeting may be called by the Chairman, or by the Proper Officer if he/she considers it necessary or appropriate.

7. QUORUM

1. The quorum for the Overview and Scrutiny Committee shall be as set out for committees in the Council Procedure Rules in Part 4 of this Constitution.

8. WHO CHAIRS OVERVIEW AND SCRUTINY COMMITTEE MEETINGS?

1. The Overview and Scrutiny Committee will be chaired by the Councillor appointed as Chairman of the Committee at the Annual Council meeting.

2. A Vice-Chairman will also be appointed by the Council at its Annual Meeting. The Chairman and Vice-Chairman of the Committee will be appointed from those Councillors serving on the Committee. The Chairman and Vice-Chairman will be appointed for a term of one year and will be eligible for re-appointment.

3. The Chairman of the Committee must have experience and understanding of the Overview and scrutiny system.

9. WORK PROGRAMME

Responsibilities

1. The Overview and Scrutiny Committee shall approve an Overview and Scrutiny Work Programme. **This programme will be co-ordinated and prepared in draft by the Overview & Scrutiny Agenda Planning Group or equivalent body in consultation with the Chairman of the Committee.**
2. **The programme shall be compiled over the period February to May each year, with allowance made in the timetable for preparing the programme for the electoral period. A draft programme will be submitted to the first Overview and Scrutiny Committee meeting of each Council year for approval.**

Compiling the Work Programme

2. In determining the contents of the work programme, the Committee will:
 - (a) seek proposals for inclusion from all Members of the Council through the Council Bulletin **and from the public including via the Council's website;**

- (b) invite the Leader of the Council and other Portfolio Holders **to attend the first meeting of each Council year to present the forward plan for the Cabinet for the following year in respect of the Council's executive functions, to answer questions on that plan and to indicate where appropriate work on the Cabinet's behalf which could be undertaken by Overview & Scrutiny;**
- (c) arrange for the Leader of the Council and other Portfolio Holders **to attend a further meeting six months after the first meeting of the council year to provide a progress report on the forward plan for the year in question;**
- (d) agree with the Leader of the Council and Portfolio Holders on any items for inclusion in the work programme which may be undertaken by Overview and Scrutiny on the Cabinet's behalf;
- (e) seek proposals from any partnership organisations on any projects which Overview and Scrutiny could undertake on behalf of those partnerships;
- (f) review the work programme for Overview and Scrutiny in respect of the current year;
- (g) consider external organisations to be scrutinised during the year in question.**

Approving the Work Programme

3. The Overview and Scrutiny Work Programme shall be approved prior to the Annual Council meeting each year and shall be of twelve months' duration. The programme shall be reviewed after six months.
4. The Committee will, in determining the work programme for Overview and Scrutiny:
 - (a) review all proposals submitted to ensure that they relate to the Council's Policy Framework including the Corporate Plan , the Forward Plan and other appropriate corporate information;
 - (b) ensure the agreed work programme has sufficient member and officer resources to support it;
 - (c) identify in advance any budgetary provision required for specific projects;
 - (d) ensure that the work programme is properly prioritised.
 - (e) allocate time limits for each project;
 - (f) ensure that any projects which do not find a place in the work programme are placed in a reserve programme for further review;
 - (g) ensure that all Members of the Council are informed about the work programme as part of the annual report to the Council in April each year;

- (h) review the work programme on a regular basis during the year.

Urgent Items and New Proposals

5. Where new proposals or matters of urgency arise during the currency of an annual work programme, the Committee may:

- (a) determine that any new project should be added to the programme and adjust the remainder of the programme accordingly;
- (b) determine that a new project should be deferred for review when the next work programme is considered;
- (c) decline to accept an additional project and give grounds for so doing.

6. All proposals for additional or urgent projects shall be submitted in writing and presented at a convenient meeting of the Overview and Scrutiny Committee by the member or officer so proposing.

Motions at Council Meetings

7. Any motion adopted by the Council following due notice from a Member of the Council and which relates to the responsibilities of Overview and Scrutiny shall, on adoption, stand referred to the Overview and Scrutiny Committee for consideration. In determining how to respond to the motion, the Overview and Scrutiny Committee shall consider whether the proposal should be incorporated in the work programme or held for future consideration in accordance with the procedures outlined in Paragraph 4 and 5 above. The Committee shall also advise the Council, via the Members' Information Bulletin, of the action taken on such motions.

10. AGENDA ITEMS

1. Any member of the Overview and Scrutiny Committee shall be entitled to give notice to the Proper Officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the Proper Officer will ensure that it is included on the next available agenda.

2. Any members of the Council who are not members of the Overview and Scrutiny Committee may give written notice to the Proper Officer that they wish an item to be included on the agenda of that Committee. If the Proper Officer receives such a notification, then he/she will include the item on the first available agenda of the Overview and Scrutiny Committee for consideration.

3. The Overview and Scrutiny Committee shall also respond, as soon as their work programme permits, to requests from the Council or the Executive to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Executive and/or the Council. The Executive shall consider the report of the Overview and Scrutiny Committee within one month of receiving it and the Council

within two months of receiving it, or, in either case, as soon as is reasonably possible.

11. POLICY REVIEW AND DEVELOPMENT

1. The role of the Overview and Scrutiny Committee in relation to the development of the Council's budget and policy framework is set out in detail in the Budget and Policy Framework Procedure Rules.
2. In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, the Overview and Scrutiny Committee may make proposals to the Executive in so far as they relate to matters within their terms of reference.
3. The Overview and Scrutiny Committee may hold enquiries and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in this process. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so.
4. In carrying out any policy review or policy development work within their terms of reference, the Overview and Scrutiny Committee may refer all or part of such matters to a Standing Scrutiny Panel or a 'Task and Finish' Scrutiny Panel for consideration in accordance with the programme approved by the Overview and Scrutiny Committee.

5. The Overview and Scrutiny Committee or relevant Scrutiny Panel shall receive a verbal report from the relevant portfolio holder after three months from completion of any completed scrutiny study indicating whether recommendations from that study have been agreed or modified. After six months the Portfolio Holder will give a report to the Committee or Panel on Progress with implementation of those recommendations.

12. SCRUTINY PANELS - PROCEDURAL REQUIREMENTS

1. Scrutiny Panels may be established on an annual basis by the Overview and Scrutiny Committee.
2. Scrutiny Panel status will be restricted to those activities of a recurring or cyclical character which require a longer term involvement by members.
3. The Overview and Scrutiny Committee shall determine the number and terms of reference of Scrutiny Panels and shall review whether they should continue in being before the end of each Council year.
4. Scrutiny Panels will:

- (a) adhere to a work programme agreed by the Overview and Scrutiny Committee;
- (b) have a chairman and vice-chairman appointed by the Overview and Scrutiny Committee;
- (c) have memberships which reflect pro rata requirements and the lowest number of members required to achieve cross-party representation whilst allowing the inclusion of members who are not members of a political group or are not members of the Overview and Scrutiny Committee;
- (d) have memberships which represent the minimum number necessary to adhere to their work programmes;
- (e) be able to make proposals to the Overview and Scrutiny Committee for the variation of their terms of reference or work programme;
- (f) be able to seek delegated authority from the Overview and Scrutiny Committee, to vary their terms of reference and work programme according to circumstances;
- (g) report **through the Panel Chairman to meetings** of the Overview and Scrutiny Committee on progress with their work programme and on any recommendations for consideration;
- (h) be able, after consideration by the Overview and Scrutiny Committee, to report direct to the Council, the Cabinet Committee a Portfolio Holder, or any other Council body'
- (i) in the circumstances set out in (h), the report shall be submitted in the name of the Panel and presented by its Chairman, unless the work of more than one Scrutiny Panel is involved, in which case any report to another Council body will be in the name of the Overview and Scrutiny Committee and presented by its Chairman;
- (j) in the event that the submission of a Panel report to another Council body is required such that it cannot be considered by the Overview and Scrutiny Committee in accordance with paragraph (h) above, the Panel report may proceed for consideration subject to prior consultation with the Chairman of that Committee as to the reasons for urgency;
- (k) extend a standing invitation to relevant portfolio holder(s) to attend panel meetings to answer questions and provide information on any matters affecting their portfolios which are under consideration; and**
- (l) hear questions and presentations by members of the public or external organisations which are relevant to the work of the Panel concerned.**

5. Any member of the Council may be a member of a Scrutiny Panel, provided that any Cabinet member may not be a member of a Panel which directly deals with matters within his or her portfolio.

6. Any member of the Council shall be able to attend any meeting of a Scrutiny Panel and be notified of the publication of the agenda.
7. The provisions of Operational Standing Order 14 shall apply to these Scrutiny Panels.

13. 'TASK AND FINISH' SCRUTINY PANELS

1. 'Task and Finish' Scrutiny Panels may be established by the Overview and Scrutiny Committee in order to deal with ad hoc projects or reviews included in the annual work programme for Overview and Scrutiny.
2. 'Task and Finish' Scrutiny Panel status will be restricted to those activities which are issue-based, time limited and non-cyclical in character and have clearly defined objectives.
3. 'Task and Finish' Scrutiny Panels will:
 - (a) have terms of reference, membership and a work programme approved by the Overview and Scrutiny Committee;
 - (b) have a Chairman and Vice-Chairman appointed by the Overview and Scrutiny Committee;
 - (c) have memberships which need not be based on pro rata rules;
 - (d) have memberships which represent the minimum number necessary to adhere to their work programmes;
 - (e) be able to make proposals to the Overview and Scrutiny Committee for the variation of their terms of reference or work programme;
 - (f) be able to seek delegated authority from the Overview and Scrutiny Committee for the variation of their terms of reference and work programmes according to circumstances;
 - (g) report **through the Panel Chairman at each meeting of** the Overview and Scrutiny Committee on progress with their work programme and on any recommendations for consideration;
 - (h) be able, after consideration by the Overview and Scrutiny Committee, to report to the Council, the Cabinet, a Cabinet Committee, a Portfolio Holder or any other Council body;
 - (i) in the circumstances set out in (h), the report shall be submitted in the name of the Panel and presented by its Chairman, unless the work of more than one Scrutiny Panel is involved, in which case any report to another Council body will be in the name of the Overview and Scrutiny Committee and presented by its Chairman;
 - (j) in the event that the submission of a Panel report to another Council body is required such that it cannot be considered by the Overview and Scrutiny

Committee in accordance with paragraph (h) above, the Panel report may proceed for consideration subject to prior consultation with the Chairman of that Committee as to the reasons for urgency;

(k) extend a standing invitation to relevant portfolio holder(s) to attend Panel meetings to answer questions and provide information on any matters affecting their portfolios which are under consideration; and

(l) hear questions and presentations by members of the public or external organisations which are relevant to the work of the Panel concerned.

4. 'Task and Finish' Scrutiny Panels shall be flexible as to the number of Councillors appointed to membership. There will be no restriction on the numbers appointed.

5. Any Councillor may be a member of a 'Task and Finish' Scrutiny Panel, save that a member of the Cabinet may not be a member of any Panel which bears directly on his or her portfolio.

6. No 'Task and Finish' Scrutiny Panel shall be comprised of members of a single group only.

7. Any member of the Council shall be able to attend any meeting of a 'Task and Finish' Scrutiny Panel and to receive copies of agenda.

8. The normal arrangements for substitute members as set out in Operational Standing Order 14 shall not apply to Task and Finish Panels but the Chairman of any such Panel shall have discretion to accept alternate members to cover for existing members for any meeting.

14. NOMINATIONS TO STANDING SCRUTINY AND 'TASK AND FINISH' PANELS

1. The Leader of each political group (and any Councillor who is not a member of a political group) shall be notified before the commencement of each Council year of the number of Standing Scrutiny and 'Task and Finish' Panels to be appointed and the number of members to serve on each Panel, indicating pro rata requirements where applicable. Similar notice will be given through the Members' Bulletin to other members of the Council.

2. The Leader of each political group will also be notified of the number of Chairmen and Vice-Chairmen positions to be filled before the commencement of each Council year.

3. Group Leaders shall ensure that members of all political groups have an opportunity to nominate to any positions referred to under 1 and 2 above. Any nominations may be made up to the day before the meeting in question. Such nominations shall include a case for the position sought.

4. Nominations to these Panels shall be excluded from the calculation required under the Council's protocol regarding allocation of Chairman and Vice-Chairman positions between the political groups.

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15. REPORTS FROM THE OVERVIEW AND SCRUTINY COMMITTEE

1. Once recommendations on proposals for policy review or development, the Overview and Scrutiny Committee will prepare a formal report and submit it for consideration by the Executive if the proposals are consistent with the existing budgetary and policy framework, or to the Council if the recommendation would require a departure from, or a change to, the agreed budget and policy framework.
2. If the Overview and Scrutiny Committee cannot agree on a single final report to the Council or Executive as appropriate, then up to one minority report may be prepared and submitted for consideration by the Council or Executive with the majority report.
3. Reports by the Overview and Scrutiny Committee shall normally be presented by the Chairman of that Committee, unless he or she determines that it would be beneficial for a Panel Chairman to undertake this role instead or that a joint presentation is appropriate.

16. ENSURING THAT OVERVIEW AND SCRUTINY REPORTS ARE CONSIDERED BY EXECUTIVE

(a) Executive matters not delegated to the Cabinet, a Cabinet Committee or a Portfolio Holder

1. Once the Overview and Scrutiny Committee has completed its deliberations on any matter it will forward a copy of its final report to the Proper Officer who will allocate it to either or both the Executive and the Council for consideration, according to whether the contents of the report would have implications for the Council's budget and policy framework. If the Proper Officer refers the matter to Council, he/she will also serve a copy on the Leader with notice that the matter is to be referred to Council. The Executive will have 6 weeks or as soon as reasonably practical thereafter in which to respond to the overview and scrutiny report, and the Council shall not consider it within that period. When the Council does meet to consider any referral from the Overview and Scrutiny Committee on a matter which would impact on the budget and policy framework, it shall also consider the response of the Executive to the overview and scrutiny proposals.

(b) Executive Matters Delegated to an Executive Committee or Executive Member

2. Where the Overview and Scrutiny Committee prepares a report for consideration by the Executive in relation to a matter where the Executive has delegated decision making powers to another individual member of the executive or to an Executive Committee, then the Overview and Scrutiny Committee will submit a copy of their report to that individual or committee for consideration. At the time of doing so, the Overview and Scrutiny Committee shall serve a copy on the Proper Officer and the Leader. If the member or Executive Committee with delegated decision making powers does not accept the recommendations of the Overview and Scrutiny Committee then the matter will then be referred to the next available meeting of the Executive for debate before exercising his/her decision making power and responding to the report in writing to the Overview and Scrutiny Committee.

The Executive member or Committee to whom the decision making power has been delegated will respond to the Overview and Scrutiny Committee within 6 weeks of receiving it. A copy of his/her written response to it shall be sent to the Proper Officer and the Executive Member or Committee Chairmen will attend a future meeting to respond.

(c) Cabinet Business - Work Plan

3. The Overview and Scrutiny Committee will have access to the Executive's forward plan and timetable for decisions and intentions for consultation. Even where an item is not the subject of detailed proposals from the Overview and Scrutiny Committee following a consideration of possible policy/service developments, the committee will at least be able to respond in the course of the executive's consultation process in relation to any key decision.

17. RIGHTS OF OVERVIEW AND SCRUTINY COMMITTEE MEMBERS TO DOCUMENTS

1. In addition to their rights as councillors, members of the Overview and Scrutiny Committee have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

2. Nothing in this paragraph prevents more detailed liaison between the Executive and the Overview and Scrutiny Committee (or any Scrutiny Panel) as appropriate depending on the particular matter under consideration.

18. MEMBERS AND OFFICERS GIVING ACCOUNT

1. The Overview and Scrutiny Committee or a Standing Scrutiny Panel or 'Task and Finish' Scrutiny Panel may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Cabinet, the Head of Paid Service, a Director or Assistant Director to attend before it to explain in relation to matters within their remit:

- (a) any particular decision or series of decisions;
- (b) the extent to which the actions taken implement Council policy; and/or
- (c) their performance;

and it is the duty of those persons to attend if so required.

2. Where any member or officer is required to attend the Overview and Scrutiny Committee or Panel under this provision, the Chairman will inform the Proper Officer. The Proper Officer shall inform the member or officer in writing giving at least 14 working days notice of the meeting at which he/she is required to attend.

The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Committee. Where the account to be given to the Committee will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

3. Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee or Panel concerned shall in consultation with the member or officer arrange an alternative date for attendance not less than 14 days from the date of the original attendance.

19. ATTENDANCE BY OTHERS

1. The Overview and Scrutiny Committee or Panel may invite people other than those referred to in paragraph 18 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend. Such attendance is optional for those invited.

2. Any member of the public or a representative of an outside organisation may ask a question or address the Overview and Scrutiny Committee, or **any Scrutiny Panel** on any agenda item (except those dealt with in private session as exempt or confidential business) due to be considered at a meeting. The following rules shall apply to such requests:

(i) requests must relate to an existing agenda item;

(ii) requests must not raise new business for the meeting concerned;

(iii) all requests must be notified to the Council by 4 pm on the day of the meeting;

(iv) the request to ask a relevant question or address the Committee or a Panel shall only be allowed once and the same question or address may not be repeated subsequently at another scrutiny body in that Council year;

(iv) requests accompanied by proposals to circulate written material must be received **five clear days** before the meeting in time to be sent to Overview and Scrutiny Committee members in advance of the meeting;

(v) requests need not be in writing;

(vi) a maximum of two persons shall be permitted to address the Committee on any one agenda item;

(vii) a time limit of 3 minutes per speaker shall apply;

(viii) the Overview and Scrutiny Committee shall be able to ask questions on any comments made;

(ix) the Chairman of the Overview and Scrutiny Committee shall have discretion as to whether to limit the number of persons wishing to address the Committee if it is considered that the number of such speakers will unduly delay the proper despatch of business at any meeting.

20. CALL-IN

1. When a decision is made by the Executive, an individual member of the executive or a committee of the Executive, or a key decision is made by an officer with delegated authority from the Executive, or an area committee or under joint arrangements, the decision shall be published, including where possible by electronic means, and shall be available at the main offices of the Council normally within 5 working days of being made. All members of the Council will be sent copies of the written records of all such decisions within the same timescale, by the person responsible for publishing the decision.

2. That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless the required number of members objects to it and calls it in.

3. During that period, the Proper Officer shall call in a decision for scrutiny if so requested in accordance with paragraph (h) below and shall then notify the decision-taker of the call-in. He/she shall consult with the Chairman of the Overview and Scrutiny Committee who will determine that consideration of the call in will be referred to:

- (i) the next Overview and Scrutiny Committee; or
- (ii) **an appropriate Panel;** or
- (iii) a Task and Finish Panel.

If consideration of any executive decision is likely, under these rules, to be delayed for more than two weeks the Chairman of the Overview and Scrutiny Committee may require an extraordinary meeting to be convened at an earlier date if the circumstances appear to warrant this.

4. If, having considered the decision, the Overview and Scrutiny Committee or delegated Panel is still concerned about it, then it may, subject to the procedures outlined in Rule 16(a) or (b) above, refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to full Council. If referred to the decision maker they shall then reconsider within a further 5 working days, or in the case of a Cabinet decision, as soon as practically possible amending the decision or not, before adopting a final decision.

5. If the matter was referred to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does

object, it has no power to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget. Unless that is the case, the Council will refer any decision to which it objects back to the decision-making person or body, together with the Council's views on the decision. That decision-making body or person shall choose whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Executive as a whole or a committee of it, a meeting will be convened to reconsider within 14 working days of the Council request. Where the decision was made by an individual, the individual will reconsider within 14 working days of the Council request.

6. If the Council does not meet, or if it does but does not refer the decision back to the decision-making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.

7. Where an Executive decision has been taken by an area committee, then the right of call-in shall extend to any 3 members of another area committee if they are of the opinion that the decision made but not implemented will have an adverse effect on the area to which their committee relates. In such cases, those 3 members may request the Proper Officer to call-in the decision. He/she shall call a meeting of the Overview and Scrutiny Committee on such a date as he/she may determine, where possible after consultation with the chairman of the committee, and in any case within five days of the decision to call-in. All other provisions relating to call in shall apply as if the call in had been exercised by members of the Overview and Scrutiny Committee.

8. Three members of the Overview and Scrutiny Committee or any five members of the Council have the right to call in an Executive decision. Such a request shall be in writing in the prescribed format and referred in Person to the Proper Officer.

9. Call in arrangements shall not apply to decisions on non-executive functions by Committees, Sub-Committees, Panels or Boards of the Council.

10. In the operation of "call in" arrangements, members of the Council shall also adhere to the terms of the Protocol approved by the Council and set out in Appendix 1 to these rules.

21. CALL-IN AND URGENCY

1. The call-in procedure set out above shall not apply where the decision being taken by the Executive is urgent. A decision will be urgent if any delay is likely to be caused by the call in process would seriously prejudice the Council's or the public interest. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call in. The Chairman of the Council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the Chairman, the Vice-Chairman's consent shall be required. In the absence of both, a Joint Chief Executive or his/her nominee's consent shall be required. Decisions taken as a

matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

2. The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

22. PROCEDURE AT OVERVIEW AND SCRUTINY COMMITTEE MEETINGS

1. The Overview and Scrutiny Committee shall consider the following business:
 - (a) minutes of the last meeting;
 - (b) declarations of interest;
 - (c) consideration of any matter referred to the committee for a decision in relation to a call in;
 - (d) responses of the executive to reports of the Overview and Scrutiny Committee;
 - (e) **questions or requests by members of the public to address the Committee on any agenda item provided that these are relevant to the Council or the District and have not been dealt with at a previous meeting of the Committee or of any Scrutiny Panel**
 - (f) the business otherwise set out on the agenda for the meeting.

23. CONDUCT OF OVERVIEW AND SCRUTINY FUNCTIONS

1. Where the Overview and Scrutiny Committee or a Panel conducts investigations (e.g. with a view to policy development), they may also ask people to attend to give evidence at committee meetings which are to be conducted in accordance with the following principles:

- (a) that the investigation be conducted fairly and all members of the committee be given the opportunity to ask questions of attendees, and to contribute and speak;
- (b) that those assisting the committee by giving evidence be treated with respect and courtesy; and
- (c) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis.

2. Following any investigation or review, the Committee/or Panel concerned shall prepare a report, for submission to the Cabinet and/or Council as appropriate and shall make its report and findings public.

24. ANNUAL REPORT

1. The Overview and Scrutiny Committee shall submit an annual report to the Council in April each year on work undertaken during the preceding 12 months.

25. PARTY WHIPS

1. To facilitate cross party working, party whips will not be applied to the overview and scrutiny process.

PROTOCOL ON CONSIDERATION AND REPORTING ON EXECUTIVE DECISIONS CALLED IN BY OVERVIEW AND SCRUTINY

1. Purpose of Protocol

- (a) To codify how the Overview and Scrutiny Committee or delegated Panel should deal with "call in" items.
- (b) To codify how the Executive should respond to reports by Overview and Scrutiny on decisions which have been called in.

2. Validation of "Call In"

- 2.1 All "call in" requests shall be made in writing in accordance with the Council's constitution. "Call in" requests shall only be made by members of the Council who are not members of the Executive. The "call in" shall be validated by the Chief Executive and referred to the Overview and Scrutiny Committee for consideration in accordance with the provisions of the constitution.

3. Consideration of "Call In" Items by Overview and Scrutiny Committee

- 3.1 Consideration of Call-ins shall be the responsibility of the Overview and Scrutiny Committee which will decide whether to consider the issue itself or direct a Panel to undertake it and report back to the decision maker. "Call in" items shall be referred to the next available date for the Overview and Scrutiny Committee or delegated Panel. The provisions of the Overview and Scrutiny Rules in the Council's constitution will apply to "call in" requests which need to be dealt with more quickly.
- 3.2 At its meeting, the Overview and Scrutiny Committee or delegated Panel will receive:
 - (a) copies of all documentation submitted to the Executive on which the decision was based;
 - (b) a copy of the written notification of the "call in" including the names of the relevant Councillors who requested the "call in" and their grounds for so doing; and
 - (c) any other relevant documentation.
- 3.3 The relevant Executive Portfolio Holder and at least one of the members who activated the "Call in" and who shall act as spokesperson for those members, shall attend the Overview and Scrutiny Committee or delegated Panel meeting.
- 3.4 The "Call in" decision shall be considered in the following manner:
 - (a) the **Lead Signatory to the calling in of the decision** shall describe their concerns;
 - (b) **the Portfolio holder responds;**

- (c) **the four remaining signatories shall then speak in support of the “Call in”;**

(NB if there are more than 5 signatories, the only the lead member and the following 4 Councillors on the call in notification shall be called to speak. Any other Councillor whose name appears on the call in notification shall be able to speak during the general debate on the item – see (d) below.)

- (d) **the Portfolio holder responds;**

- (e) the Overview and Scrutiny Committee or delegated Panel will then debate the issues involved;

- (f) **the Lead signatory will then have an opportunity to respond to the debate;**

- (g) **the portfolio holder shall then have an opportunity to respond to the debate**

(NB. The Chairman of the meeting shall have the discretion to vary the way in which evidence is gathered including speakers and public participation if appropriate.)

- (h) **following the debate,** the Overview and Scrutiny Committee or Panel has the following options:

- (i) confirm the decision, which may then be implemented immediately, or
- (ii) refer the decision back to the decision taker for further consideration setting out in writing the nature of its concerns, or
- (iii) refer the matter to full Council in the event that the Committee or Panel considers the decision to be contrary to the policy framework of the Council or contrary to, or not wholly in accordance with, the budget.

(f) If it appears that the review of a decision of the Executive cannot be completed at one meeting, the Executive or decision taker will be informed, indicating any preliminary views the Committee or Panel may have and a proposed timescale for the completion of the review. The Chairman of the Overview and Scrutiny Committee/Panel shall, if necessary, consult with the Leader of the Council regarding the urgency of the proposed decision or any other related matter;

(g) The Chairman of the Overview and Scrutiny Committee or delegated Panel shall sum up the recommendations to be submitted to the Executive and these shall be incorporated in full in the Minutes or report of the meeting;

(h) In cases where the Overview and Scrutiny Committee or delegated Panel determines that a review of the decision is not justified or that, having reviewed the

decision of the Executive, it has no adverse comment to make, the Committee or Panel shall ensure that its decision is published in the Members' Bulletin;

(i) In the circumstances outlined in (g) above, the decision of the Executive or Decision Taker may be implemented with effect from the date of that meeting;

(i) A report detailing any appropriate recommendations of the Overview and Scrutiny Committee or delegated Panel shall be reported to the Decision Taker

(k) In presenting the recommendations of the Overview and Scrutiny Committee or delegated Panel, the Chairman may make general comments on the Committee's/Panel's recommendations, answer questions and respond to comments or new proposals made by the Executive at that meeting; and

(l) The report of the Overview and Scrutiny Committee or delegated Panel shall be sent in draft to all its Members for approval prior to their submission to the Decision Taker.

(m) Minority reports may be made by members of Overview and Scrutiny Committee or delegated Panel in accordance with the Protocol for that purpose.

4. Consideration of Reports on "Call In" Items by the Executive

4.1 The report of an Overview and Scrutiny Committee or delegated Panel will be referred in the first instance to the relevant Portfolio Holder(s) for the executive function concerned.

4.2 If the Executive decision is one which the Portfolio Holder(s) has delegated powers to make, he or she shall consider the written proposals of the Overview and Scrutiny Committee or delegated Panel, must consult the Overview and Scrutiny Committee and delegated Panel Chairmen if he or she is minded to accept or reject them. In doing so the Portfolio Holder will ensure that, in recording that decision, the reasons for accepting, rejecting or amending those views are set out in the decision notice.

4.3 If the Executive decision is one which the Executive itself or a Committee of the Executive (acting under delegated powers) is competent to take, the relevant Portfolio Holder will consider the proposals of the Overview and Scrutiny Committee or delegated Panel and refer them, with his or her written response, to the decision making body concerned.

4.4 At a meeting of the Executive or of any Committee of the Executive, the following documentation shall be submitted:

(a) the agreed report of the Overview and Scrutiny Committee or delegated Panel and any other supporting documents considered by it;

(b) a report of the Portfolio Holder indicating the response to the proposals of the Overview and Scrutiny Committee or delegated Panel, indicating the options available and recommendation for acceptance, rejection or alteration of those proposals with reasons; and

(c) any other information.

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- 4.5 The Executive or Committee of the Executive shall consider the matter as follows:
- (a) the Chairman of the Overview and Scrutiny Committee or delegated Panel shall present the views and recommendations of the Committee/Panel based on the report of the relevant OSC meeting and respond to questions, make general comments and respond to new proposals as appropriate;
 - (b) the relevant Portfolio Holder shall then respond by presenting his report and recommendations on the proposals of the Overview and Scrutiny Committee or delegated Panel;
 - (c) the Executive (or Committee thereof) shall then consider the original decision, the views of the Overview and Scrutiny Committee or delegated Panel and any proposals by the Portfolio Holder; and
 - (d) the Executive (or Executive Committee) will then make a final decision on whether to re-affirm the original decision, amend the original decision or substitute a new decision. This decision shall be recorded in the minutes of the meeting together with supporting reasons.
- 4.6 Where a Committee of the Executive is required to report to the full Executive on any matter, it shall submit a recommendation on action proposed to the Executive as part of the minutes of the meeting.

5. Implementation of Decisions When Cabinet Control or Membership Changes

- 5.1 Notwithstanding the provisions of paragraphs 3.4(g) and (h) above, where political control of the Cabinet or Cabinet membership changes following the Annual Council meeting each year, any decision made by the Executive and supported by the Overview and Scrutiny Committee or delegated Panel following a "call-in" but not implemented before the changes occur, shall stand referred to the Cabinet for further review before action is taken.

6. Consideration of "Call In" Reports of Overview and Scrutiny Committees made to the Full Council

- 6.1 In some circumstances, the Overview and Scrutiny Committee or delegated Panel may choose to refer the results of their consideration of "call in" items to the full Council, rather than the Executive in those instances set out in paragraph 3.4 (d) (iii) above and 6.2 below. With any necessary modification the "call in" shall be dealt with at the Council meeting in accordance with paragraphs 4.1 - 4.5 above.
- 6.2 In considering whether to report to the full Council, the Overview and Scrutiny Committee or delegated Panel shall take account of the advice of the proper officer on:
- (a) whether the Council may properly determine the matter if the function is delegated to the Executive;
 - (b) whether the Executive decision affects the policy or budget framework of the Authority and should properly be determined by the Council;

(c) whether the Executive decision relates to a matter which either reserved to the full Council by the constitution or by resolution; and

(d) any other advice which indicates that, for whatever reason, a report to the Executive is more appropriate to the proper despatch of Council business.

7. Restriction on "Call In"

7.1 The Overview and Scrutiny Committee shall at all times be aware that the decisions of the regulatory or non-executive bodies of the Council are not subject to "call in".

7.2 The "call in" procedure shall also not apply to any recommendation by the Cabinet to the full Council.

8. Withdrawal or Modification of a "Call In"

8.1 A valid "Call in" may be withdrawn at any time by the Lead signatory.

8.2 The lead signatory to a validated "Call In" or the relevant Portfolio Holder may request a meeting with the Chairman of the Committee prior to the "Call in" being considered by the Committee in order to discuss the following:

(a) **the management of the "Call in" debate at the Committee meeting concerned;**

(b) **the possibility of reaching agreement on removing any objections to the decision in question which are raised in the call in request; and**

(c) **the withdrawal of a "Call in".**

8.3 Where the lead signatory agrees to withdraw or modify a "Call in", the Councillor concerned shall notify his fellow signatories as soon as practicable and the circumstances shall be reported to the Overview & Scrutiny Committee.

8.4 If a "Call in" is withdrawn, the circumstances will be notified to all members of the Council via the Council Bulletin.

8.5 In cases where a Portfolio Holder has agreed to modify a decision, he or she shall issue a revised decision notice or refer the proposal back to the Cabinet, if the latter made the original decision.

8. Definitions

8.1 For the purpose of this Protocol, the following definitions shall apply:

(a) "Executive"

This term should be interpreted as referring to the Cabinet, a Cabinet Committee or an individual Portfolio Holder acting under delegated powers.

(b) "Decision"

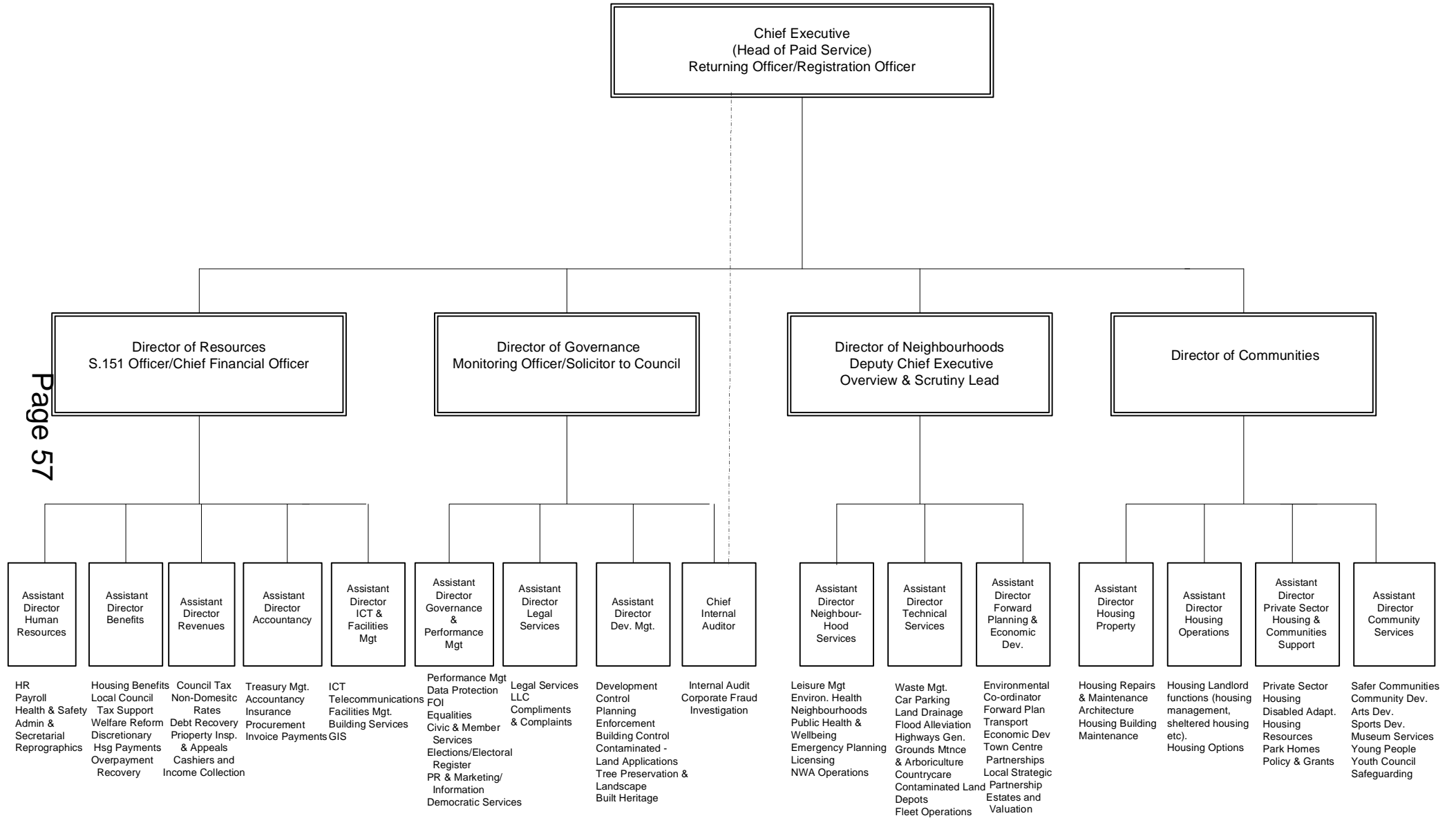
Denotes a decision on an Executive function by the Cabinet, a Committee of the Cabinet or of an individual Portfolio Holder.

(c) "Decision Taker"

This means the Cabinet, a Cabinet Committee or an individual Portfolio Holder who made the original decision.

9. Review of Protocol

9.1 This Protocol will be reviewed by the Council as part of its constitution as and when appropriate.



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TABLE OF FARES FOR HACKNEY CARRIAGES FROM

Rates 1, 2 and 3 apply to all vehicles carrying 4 or less passengers.

For vehicles licensed to carry between 5 and 8 passengers, when carrying 5 or more passengers substitute Rates 2,3 & 4, for Rates 1,2 & 3. Rate 4 only to be used by vehicles carrying 6/8 passengers on public holidays

	Fare up to 1760 yds (1609m) part thereof 400 seconds	Each additional unit of 176 yds (160.9m) or part thereof or period of 40 seconds
<p style="text-align: center;">Rate 1</p> For hiring begun between 6.00am and 10.00pm Monday to Saturday inclusive	£3.50	£0.20
<p style="text-align: center;">Rate 2</p> For hiring begun between 10.00pm and 6.00am Monday to Friday inclusive and from 10.00pm on Saturday to 6.00am on Monday and all day on Bank Holidays	£3.70	£0.30
<p style="text-align: center;">Rate 3</p> For hiring on Christmas Day, Boxing Day, New Year's Day and after 6.00pm on Christmas Eve and New Year's Eve	£4.10	£0.40
<p style="text-align: center;">Rate 4</p> For Hiring on Christmas day, Boxing Day, New Years Day and after 6.00pm on Christmas Eve and New years Eve	£5.50	£0.50

Assistance Dogs – No Charge

All other dogs, carried at driver's discretion – No Charge

Fouling of the vehicle at the discretion of the driver, up to £70.00

These fares do not include any 'toll or congestion' charge.

All fares are inclusive of VAT

Airport bookings, West End & out of area bookings to be agreed by the operator and passenger before the journey commences.

Complaints should be made to the Taxi Licensing Officer (01992 564034)

Quoting the vehicle registration mark/licence number or the driver's badge number.

Summary of above charges

Rate 1	Up to 4 passengers, minimum daytime fare is £3.50 for up to 1 mile, thereafter charged at a rate of £2.00 per mile in 20p increments. Waiting time is £18 per hour, in 20p increments
Rate 2	Rate 2 can be used as a night/Sunday rate – or – if a multi-seater vehicle carrying in excess of 4 passengers during daytime
Rate 3	Double fare commonly used at Christmas/New Year holiday period or when a multi-seater vehicle carrying in excess of 4/6 passengers during night time/Sunday hour.

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Report to the Council

Subject: Asset Management and Economic Development Portfolio Date: 20 February 2014

Portfolio Holder: Councillor A Grigg

Recommending:

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

North Weald Airfield

In my last report I mentioned that officers were commissioning further work on the condition of the runway at North Weald Airfield. That work is now well underway with the assessment of the main runway having been completed. It is hoped to receive the report shortly, following which we will be able to draw some conclusions about the approach to sustaining aviation at the Airfield as agreed by Cabinet following its consideration of the Deloitte report last year.

An approach has been made by the Essex & Herts Air Ambulance in respect of extending its operational hours at the Airfield. The Air Ambulance plays a very important role in providing medical care to critically ill or injured casualties, and officers are currently considering the request received from the Air Ambulance Management. I hope to be able to report back on the outcome of these discussions in a future report.

Economic Development

Work continues to develop with our partners to support our local economy. At the strategic level we are working closely with SELEP to ensure that the new Strategic Economic Plans reflect the needs and opportunities in Epping Forest, and with the West Essex Alliance to ensure the benefits of the new Enterprise Zone in Harlow are shared across West Essex. In addition new relationships are being formed with other councils and commercial bodies through the London Stansted Cambridge Corridor to champion the interests of communities in this economic area.

New Research is being completed into the shape and value of the tourism and visitor economy in the district in the last year, for which figures are available. The Tourism Task Force under Councillor Boyce which includes many of the main attractions in the district has agreed to continue coordinating and leading development in this sector locally. The Lea Valley Food Taskforce which is hosted in the district is expanding with East Hertfordshire Council joining the other six local authorities, DWP and the Regional Park Authority, NFU and representatives of the growers. Working groups are meeting to increase local employment opportunities in the growing

industry, and are examining the impact of planning policy in the Lea Valley on the industry.

The Town Centre Partnerships are working hard to deliver on the projects funded by the new Town Centres Fund, and a number of meetings have been held with local retailers and other partners to help increase participation. Plans are being developed to ensure the opportunities for the district of the Tour de France are realised.

The work of the local partnerships for economic growth are now also benefiting from funding agreed at Cabinet to take their work to the next stage in tourism, the growing industry and once again in supporting our local town centres. While increased capacity and leadership will also be delivered via the posts approved as part of the restructure

Work is continuing, with the support of Ignite Business Enterprise Limited, to develop a suite of business support and employability products. Subject to identifying a suitable venue it is hoped to run both a five day Business Planning workshop and a three day Employment Skills workshop each of which would result in a qualification for those attending, providing they meet the standards.

Report to the Council

Subject: Environment Portfolio

Date: 20 February 2014

Portfolio Holder: Councillor W Breare-Hall

Recommending:

That the report of the Environment Portfolio Holder be noted.

Waste Management

The procurement of the waste contract remains on schedule, with the next round of Competitive Dialogue now underway. It had been intended to reduce the bidders to three at this stage, but due to the closeness of the bids Cabinet agreed, at its meeting on the 3rd, to take four contractors through into this final stage. Once this round of dialogue is completed we are effectively back in the restricted procurement process where further negotiation is not allowed. Final tenders are due to be received at the end of the first week in April.

Discussions with the County Council in respect of Inter Authority Agreement funding have continued under the auspices of an officer group chaired by the Chief Executive of Castle Point Borough Council. Whilst this group is working, the County has agreed in the interim to withdraw its intended funding reductions for 2014/15. This is good news in the short term but we still need to await the outcome of discussions before we can be certain of the financial consequences.

Flooding

Members will appreciate that few good news stories arise from the appalling weather we have recently endured. However, I am delighted to have this opportunity to convey the gratitude of the Hillmans Cottages Management Company and residents for the work the Council's staff - Susan Stranders, Lee Savill and Trevor Baker - and our contractors, Hugh Pearl Land Drainage, undertook in preventing their homes from flooding.

The River Roding at Abridge peaked at its highest recorded level of 2.59 metres on Saturday 1st February. Nevertheless, flooding of nearby properties was averted thanks to the hard work of the Council's staff and contractors, who built a sand bag wall and deployed high-capacity pumps in time to prevent a disaster, and then monitored the situation throughout the weekend. I'm delighted to add my appreciation of their efforts to those of the residents.

Environmental Health & Neighbourhoods (from 29 Nov 2013)

Fly-tipping

A prosecution for fly-tipping at Hornbeam Close, Buckhurst Hill, resulted in fines and costs of £1431. Mr. Benjamin Miller, of The Croft, Chingford, was fined £200 and ordered to pay the Council's prosecution costs of £1211, which included clear up costs of £132, after pleading guilty in Chelmsford Magistrates Court on 3rd December 2013 to an offence of fly tipping waste (which included a saw and other potentially dangerous items) adjacent to a garage area in Hornbeam Close, Buckhurst Hill. He was also ordered to pay a victim surcharge of £20.

Similarly, Carly Titelbaum, was fined £80 and ordered to pay a contribution towards the Council's prosecution costs of £50 together with a Victim Surcharge of £20 after pleading guilty to two offences in relation to depositing household waste on land at the side of the shops in Upshire, Waltham Abbey.

Waste – duty of care

Officers have started a series of visits to commercial premises to check on compliance with the companies waste duty of care, with the intention of ensuring waste is stored and disposed of correctly to minimise the chance of it getting into the hands of rogue traders and being fly-tipped. The intention is to continue with more checks throughout 2014/15.

In line with this theme, the Environment & Neighbourhoods team recently included a page in the Council's Environmental booklet for 2014, explaining how residents can help prevent fly-tipping by complying with their household duty of care and ensuring that their waste is only given to authorised people.

Litter

The Cleaner Essex Group met on 29 January regarding the forthcoming county wide litter campaign. The campaign was initially intended to start in early April, however, due to a purdah period before the May elections, the amount of outstanding work and general preference from the Group for the campaign to start later in the year, a campaign start date has now been provisionally set for the week of 2-6 June 2014, with Friday 6 June being set as the primary day.

A "Love Essex" logo (shown on the attached example artwork) has now been adopted. This logo will be used on all campaign material, but local authorities can also add their own logo to posters etc. that they produce. All the local authorities in Essex are contributing financially towards adverts across the county, for instance at bus stops and petrol stations. The financial contribution made by each authority will be spent in that authority's district. McDonalds franchisees across Essex will also be participating, and the franchisee for the Thornwood McDonalds is keen to work with the Council (the McDonalds in Waltham Abbey is not part of the Essex group). The Environment & Neighbourhoods team will be targeting litter enforcement and education across the district and utilising existing resources to advertise the message that littering is socially unacceptable and could also result in fines and prosecution.

Banners

LITTERING
It's not pretty
Bin your litter or face **A FINE FROM £75**



LITTERING
It's not classy
Bin your litter or face **A FINE FROM £75**



LITTERING
It's not cool
Bin your litter or face **A FINE FROM £75**



LITTERING
It's not smart
Bin your litter or face **A FINE FROM £75**



DON'T WANT TO BE LABELLED
Bin your litter or face **A FINE FROM £75**



DON'T WANT TO BE BRANDED
Bin your litter or face **A FINE FROM £75**



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Report to the Council

Subject: Finance and Technology Portfolio

Date: 20 February 2014

Portfolio Holder: Councillor S Stavrou

Recommending:

That the report of the Finance & Technology Portfolio Holder be noted

Accountancy

This is always a very busy time of year for the Accountancy Service with the work to compile the budget and produce a variety of reports to the many meetings that consider the budget. As there is a separate report on the budget I will not say anything more about it here.

Benefits

The quarter three position on the key performance indicators will be considered at the March meeting of the Finance and Performance Management Scrutiny Panel, but I will take this opportunity to give a brief update. New claim processing shows an improvement for the third quarter running. The current average time taken on a new claim is now 23.44 days, which is significantly ahead of the target of 30 days. The other processing indicator is for changes of circumstance. These are also showing an improving trend and are currently at 8.07 days, compared to a target of 10 days.

We also have key performance indicators for our work on benefit fraud and these are showing a mixed picture. By the end of the third quarter we were hoping to have completed 225 investigations but the actual number is only 203. This is as a result of staff turnover and one member of the team having a serious illness. However, on the positive side the work that has been completed has yielded better results than we had hoped. There is a target that fraud should be proven in 30% of the cases investigated but we have proven fraud in 44% of cases.

Revenues

Having touched on fraud above, this is an issue that affects Council Tax as well as Benefits. A particular area of concern is the abuse of single person discounts and Audit Commission studies have shown this to be a problem across the whole country. We are pro-active in trying to address this problem and use an organisation called Datatank to assist us. In the last year this work has resulted in the removal of 664 discount awards which has generated additional income in excess of £250,000.

The key performance indicators at the end of quarter three are positive for both Council Tax and Non-Domestic Rates. At the end of December the in-year collection rate for Council Tax was 77.55% which was slightly ahead of the target of 76.90%. Similarly, Non-Domestic Rates is also ahead of the target of 81.88% with 82.66% having been collected.

Performance Management

Key Performance Indicators

As I mentioned above, third quarter performance against the Key Performance Indicators (KPI) for 2013/14 will be reported to the next cycle of meetings of the Finance and Performance Management Cabinet Committee and Scrutiny Panel.

The continued relevance of the KPI set for each year is reviewed at the end of the third quarter of each preceding year, and this exercise has therefore recently commenced for 2014/15. In order to address recommendations made by the National Audit Office following the completion of a process management review in late 2013, a 're-balancing' of KPIs of different kinds is currently being investigated, in order to focus relevant indicators on quality considerations. Performance targets for the KPIs for 2014/15 are currently being developed, and will be also considered by the Cabinet Committee at its next meeting.

Key Objectives

Third quarter progress against the Council's key objectives for 2013/14, will be reported to the next meetings of the Cabinet and the Overview and Scrutiny Committee. The objectives reflect national and local priorities and specific service challenges, and provide a statement of the authority's priorities for the year.

Draft key objectives for 2014/15 are currently being developed. The proposed objectives will be considered by the Overview and Scrutiny Committee at its next meeting, prior to adoption by the Cabinet on 7 April 2014. Once agreed, the key objectives will be published on the Council's website as a supplement to the current Corporate Plan and quarterly progress will be reported throughout the year.

Technology

Telephone switch replacement project

The majority of new phones are now on desks awaiting activation and configuration. Unfortunately, due to the sickness of a crucial member of the network team, completion of the project is likely to slip into the new financial year. There were problems earlier this month with an equipment failure that temporarily affected some calls but these were promptly dealt with and normal service was resumed.

Wireless coverage

Wireless access to the Local Area Network commenced in early February and this will soon be followed by access to the public and Member connection. Members will be advised through the Bulletin when this connection is available for use.

Report to the Council

Subject: Housing Portfolio

Date: 20 February 2014

Portfolio Holder: Councillor D Stallan

Recommending:

That the report of the Housing Portfolio Holder be noted.

Proposed Average Council Rent Increase – 2014/15

Following detailed consideration by the Finance and Performance Management Cabinet Committee, at its meeting on 3 February 2014 the Cabinet agreed my recommendation (subject to ratification by the Full Council) to increase Council rents by an average of 4.91% next year.

For many years, the Council has adopted successive Government's Rent Convergence Policies whereby, nationally, councils and housing associations have been required to bring their rents in line with each other, so that the rents for similar properties in the same location are the same - irrespective of whether they are provided by a council or a housing association.

To achieve this, all social landlords have had to calculate a "Target Rent" for each individual property, and then seek to increase or decrease rents to the Target Rent over time (which itself increases annually by RPI + 0.5%). The Council's objective has been to seek rent convergence by April 2017. However, since individual rents cannot be increased by more than RPI + 0.5% + £2 per week, and because of the large gap between what most rent levels are at the moment and what they need to be, very few properties will reach their Target Rent by 2017.

This has not been a problem to date, since the Government has always said that it would allow social landlords to reach each property's Target Rent in their own time. However, as I reported at the last Council Meeting, last year the Government announced its intention to cease its Rent Convergence Policy from April 2015, irrespective of whether individual properties had reached their Target Rent. This will have a significant detrimental impact on the Council's Housing Revenue Account (HRA), amounting to a loss of around £35 million over the next 30 years. This will have an effect on either the Council's Housebuilding Programme or the amount that can be spent on housing improvements and service enhancements – or both.

In order to reduce the impact of this expected loss a little, the Cabinet agreed that - from April 2014 - vacant Council properties should be re-let at their Target Rent, and not the same rent level as charged to the previous tenant, which is the practice already adopted by nearly all housing associations and many other councils. This is expected to increase the amount of rental income over the next five year by *an average* of £250,000 per annum (less in the early years, and more in the later years), without affecting any existing tenants.

Both the proposed average rent increase and the approach to re-let rents have been discussed with the Tenants and Leaseholders Federation, who fully support the proposals.

An average rent increase of 4.91% next year will increase the average Council rent by £4.49 per week - to around £95.60 per week.

Proposed Housing Improvements and Service Enhancements for 2014/15

At its last meeting in January, the Housing Scrutiny Panel considered a detailed report from the Director of Housing on the progress made with the housing improvements and service enhancements agreed for the current year, and a proposed list of housing improvements and enhancements for next year.

As a result, the Scrutiny Panel agreed to recommend to the Cabinet at its meeting in March 2014, seven new housing improvements and enhancements to be undertaken next year. These include: an extension of the funding for Voluntary Action Epping Forest (VAEF) to undertake garden maintenance for older and disabled Council tenants under its Mow and Grow Scheme; a scheme to subsidise the cost of leaseholders providing fire-protected front doors in blocks of flats; the installation of Wi-Fi at the Council's Homeless Persons Hostel; the refurbishment of 12 communal kitchens at the Council's sheltered housing scheme; the provision of around 25 new electric mobility scooter stores at sheltered housing schemes; and the allocation of £247,000 to the Major Capital Projects Reserve.

Oakwood Hill Environmental Improvement Scheme, Loughton

Another improvement scheme being proposed by the Housing Scrutiny Panel to the Cabinet is one that I recommended to the Scrutiny Panel myself - following discussions with the Ward and County members - to undertake an Environmental Improvements Scheme on the Oakwood Hill Estate, Loughton.

Over recent years, there has been a marked deterioration of the environment in and around the Oakwood Hill Estate - particularly the paths, roads, lighting, refuse facilities and landscaping - and I agreed with the Ward and County Members that the Estate would benefit from an Environmental Improvement Scheme. However, the main required improvements relate to the network of paths and roads (and their associated lighting), of which the majority are adopted by the Highways Authority and, therefore, maintainable at public expense by Essex County Council.

I therefore wrote to Cllr Rodney Bass, the County Council's Cabinet Member for Highways and Transportation, requesting that he gave consideration to the County Council providing a sum of £200,000 to match-fund a similar contribution from the District Council over the next two years, making a total budget of £400,000.

I am very pleased to report that I have now heard from Cllr Bass, who has agreed in principle to my funding request - in full. Furthermore, he said in his response that he would like to see this approach adopted as a template for the way the County Council and district councils work together in the future, across the County.

In addition, Loughton Town Council has also agreed in principle to making a financial contribution towards the improvement scheme.

If the Cabinet agrees to the Council's proposed allocation of funding, it is my intention to establish and chair a Member/Officer "Task Force", including senior housing officers, Ward and County Members and representatives from the Oakwood Hill Estate Residents Association (OHERA), the Oakwood Senior Citizens Club and Essex CC Highways.

Off Street Parking Programme

At its meeting this month, the Cabinet considered the next phase of the Off-Street Parking Programme. To date, 130 off-street parking bays have been constructed, across 8 sites around the District at a cost of around £0.5million - with 2 further schemes due to start on site by the end of March this year. Resident Satisfaction Surveys undertaken after individual schemes have been completed have resulted in high levels of satisfaction.

When considering which schemes on the Priority List of Potential Schemes were to go forward for the next phase of the Programme, the Cabinet agreed (subject to any call-in) to remove those estates which no longer have any Council properties in the locality. The way in which off-street parking schemes are funded was also reviewed. In the past, the cost of schemes has been shared almost equally between the HRA and the General Fund, to reflect the general proportion of Council properties remaining on estates, now that around half of all Council homes have been sold under the Right to Buy. However, it was agreed that, in future (and subject to any call-in), the funding split between the HRA and the General Fund will be calculated on a scheme-by-scheme basis, depending on the percentage of Council homes that will benefit from schemes.

The Cabinet agreed the next sites to go forward for off street parking, which are (subject to any call-in):

- Stanway Road, Fullers Close, Woodford Court, and Badburgham Court in Waltham Abbey;
- Roxwell House, Buckhurst Hill;
- Ladyfield Close and Paley Gardens, Loughton;
- Queens Road, North Weald; and
- St Peters Avenue, Ongar;

Council Housebuilding Programme

At the Council Housebuilding Cabinet Committee meeting held earlier in the month, following consideration of detailed Feasibility Studies and Financial Appraisals (and subject to any call-in), it was agreed to seek the development of a minimum of 31 new affordable rented homes (a mixture of houses and flats) at Burton Road, Loughton as Year 2, and part of Year 3, of the Council Housebuilding Programme. Such development was included within the Design and Development Brief for The Broadway, and the local Ward Members were invited to the meeting to participate in the discussion. The Committee also requested a report to its next meeting on the best way of programming and funding this number of new homes in one phase.

Planning Permission has already been granted for 9 flats at Harveyfields, Waltham Abbey for part of Year 1 of the Programme, and planning applications for a further three sites in Roundhills, Waltham Abbey are due to be considered by the Area Planning Sub-Committee (West) later in February, following one proposed site in Roundhills being withdrawn for the time being, resulting in 23 homes now proposed for Year 1 of the Programme in total.

At its meeting, the Cabinet Committee also agreed to recommend to the Cabinet the strategic approach to be taken towards the prioritisation of potential development sites for the future. In order to enable all parts of the District to benefit from the provision of new Council homes, the Cabinet Committee agreed that Council housebuilding should be spread around the District, with priority given to those areas with the most housing applicants on the Housing Register and the most potential sites – and agreed a rotational list of areas to benefit from Council housebuilding, which will be reviewed annually in accordance with the agreed strategic approach.

The Cabinet Committee also reviewed the level of the Rent Cap as part of the Council's Affordable Rent Policy, considered the current financial position of the Housebuilding Programme, the current Risk Register and the future Project Plan, and authorised the Director of Housing (in consultation with the Housing Portfolio Holder) to seek Investment Partner status with, and submit funding bids to, the Homes and Communities Agency. At the suggestion of a Committee Member, it was also agreed to review the level of the Code of Sustainable Homes to which Council developments should be designed in future.

Variation of Council Tenancy Conditions

In my report to the last Council meeting, I explained that under the Council's new Tenancy Policy, from 1 September 2013, a new Pilot Scheme has been introduced for Flexible (fixed-term) Tenancies to be granted to all new tenants who sign-up to the tenancy of a Council property with three bedrooms or more - for a fixed term of 10 years, including the Introductory Tenancy period.

It was therefore necessary for the Council to have a new Flexible (fixed-term) Tenancy Agreement in place by 1 September 2013. Officers undertook a detailed review of the Conditions under the Council's current Standard Tenancy Agreement, which led to the Housing Scrutiny Panel and the Tenants and Leaseholders Federation considering, and the Cabinet agreeing (on 22 July 2013), a new Tenancy Agreement for Flexible Tenancies.

The Cabinet further agreed that, in order for generally the same Conditions of Tenancy to be applied to both Flexible (fixed-term) Tenants and Secure Tenants in the future, the Council should formally vary its Standard Tenancy Agreement for all existing and future Secure Tenants along the same lines as the Flexible (fixed-term) Tenancy Agreement.

A Preliminary Notice was served on all existing Secure Tenants in November 2013, explaining and consulting on the proposal (as required by housing law) and, at its meeting on 3 February 2014, the Cabinet considered the responses received. As a result of the consultation exercise, the Cabinet agreed four minor changes to the proposed Tenancy Agreement (subject to any call-in).

Following the Cabinet's adoption of the new Standard Tenancy Agreement from 1st April 2014, the required Notice of Variation will be served on all existing tenants at the end of February 2014.

In order to include those new tenants (around 80) who have taken up tenancies since the consultation exercise, the Cabinet agreed to authorise the Director of Housing to serve a Preliminary Notice on them as well, and deal with any minor changes which result from the consultation exercise. Should the outcome of the consultation process result in any major changes, then a report will be submitted to the Cabinet and the Tenants and Leaseholders Federation for consideration. From 18 February 2014, all new Tenants will then be required to sign up to the new Tenancy Agreement.

Charging for Licensing Functions at Park Home Sites - Mobile Homes Act 2013

In December, I asked that officers consult with site owners and park home residents on a proposal to introduce fees for the licensing of park home sites. This was because, when members agreed the conditions that would be attached to the District's park home site licences in July 2012, a commitment was given not to introduce fees without first undertaking consultation.

The Council cannot introduce licence fees without first publishing a Fees Policy. Fees can only be set at a level that will recover the Council's costs in carrying out the work associated with site licensing – both for existing and new sites. The fee cannot include the cost of

enforcement, although a separate power exists which allows local authorities to charge for enforcement; this may be considered as an option for the Council at a later date.

All members with park home sites in their ward were sent a copy of the consultation document. The consultation exercise is due to be completed shortly, and the results will be reported to the Cabinet in March 2014, to decide whether or not fees should be introduced for park home licensing from April 2014 and, if so, what the fees should be.

Officers are also in the process of arranging some more events to provide site owners and residents with additional information to help them meet the requirements of the new legislation. Members will be provided with further details about this shortly.

Out of Hours Call Handling Contract

Since the time the Cabinet agreed, in December 2013, to enter into a contract with Mears to take over the Council's Out of Hours Call Handling Service, including the receipt of routine repairs calls and booking repairs appointments, an Officer Project Team has been established, chaired by the Assistant Director of Housing (Property), to oversee the transition for an April 2014 start date.

Officers from all Directorates have been tasked with writing "scripts", which will help and assist the Mears Call-Centre Staff deal with telephone calls received out of hours. This process also involves compiling a full list of buildings, sites and other assets -- as well as Council policies and procedures - for Mears to follow, in order to ensure that they deal with calls in the way the Council wants.

A first draft of the contract documents has been drafted by the Council's external solicitors, and issued to Mears for consideration.

Arrangements for the security of the Civic Offices, once the Council's Standby Service transfers to Mears, are being progressed separately by the Director of Corporate Support Services and the Asset Management and Economic Development Portfolio Holder.

Annual Report to Tenants 2013

Our Annual Report to Tenants 2013 is being sent to all tenants during February.

The Council has always provided tenants with regular reports on our housing performance, achievements and issues. In 2010, however, we became regulated by the Tenant Services Authority (TSA) – now the Homes and Communities Agency (HCA) - which required us to produce an Annual Report in a prescribed manner, detailing our performance against five standards set out in the national Housing Regulatory Framework.

Our first Annual Report to Tenants in this format was produced in 2010. Prior to publication, the report was reviewed by a 'Reading Group' - one of our tenant involvement groups. The format of the Annual Report has proved successful, and has been highlighted as an example of good practice by four national tenant organisations.

The Annual Report 2013 provides tenants with an update on the work we have carried out during the year - such as the changes to our Allocations Scheme and tenancy policies, progress with our Council Housebuilding Programme and our performance against the Tenant and Leaseholders Federation's 'Tenant-Selected Indicators'. The Annual Report also includes a Feedback Form, so that tenants can give their views on its format and content, so that we can continue to provide tenants with information that they want, in a form that they can understand.

A copy of the Annual Report will be sent to all members.

Welfare Reform Mitigation Action Plan – Progress

As members will be aware, a Welfare Reform Mitigation Project Team was formed in September 2012, chaired by the Director of Housing and comprising officers from across the Housing Directorate and the Benefits Division, to consider and implement ways that the effects of the Government's Welfare Reforms could be minimised – or at least reduced.

The Project Team formulated a Welfare Reform Mitigation Action Plan, which was adopted by the Cabinet in October 2012, and which identified around 60 separate actions to be undertaken. In addition to progress with the Action Plan being monitored at officer level by the Project Team, the Cabinet also asked the Housing Scrutiny Panel to monitor progress with the delivery of the Action Plan at its quarterly meetings, which it has done since January 2013.

I am very pleased to be able to report that 70% of all the tasks (41 actions) have now been achieved, and that there is now *only one task* that is able to be undertaken now, but has not yet been achieved. This relates to a longer-term ambition to work with the Council's Preferred Housing Association Partners to secure and provide private-rented housing as part of the non-affordable housing provision on new developments, or through acquisition from the open market. Although the Director of Housing has raised this issue with the Council's Preferred Partners, due to the long lead-in times for such projects, it will be some time until this task will be able to be achieved.

All the remaining actions relate to issues on which the Government still needs to make decisions, or issues which the Government needs to implement – particularly the proposed introduction of Universal Credit and the direct payment of housing benefit to Council tenants.

Report to the Council

Subject: Leisure & Wellbeing Portfolio

Date: 20 February 2014

Portfolio Holder: Councillor E Webster

Recommending:

That the report of the Leisure and Wellbeing Portfolio Holder be noted.

Leisure

Work is now well underway on arrangements for the Tour de France, which, as I set out in my last report, will pass through the District on 7 July 2014. The County Council led steering group has been meeting and this Council has held its first meeting of the parish councils through which Le Tour will pass. This is a very prestigious event which will bring with it worldwide coverage and interest. Although most of the technical planning for the event will be undertaken by the organisers themselves, there will still be much for the Council to do, especially regarding local information and communication for those who live or work on the route, or use the route to get to work etc. I expect to be mentioning Le Tour in every report to Council between now and 7 July when it comes through.

Leisure & Cultural Strategy

I chaired the first meeting of my Portfolio Holder Advisory Group on 13 January. This was a very useful meeting in establishing the parameters for the review and to get a better understanding of what the strategy should encompass. At the meeting officers from the Community Services Group gave presentations on the work they do, and I am sure that the Advisory Group Members were surprised by the breadth of activities provided and undertaken. The Advisory Group will undertake a tour of the Council's leisure facilities on 7 February, to gain a better understanding of the facilities and courses on offer to our residents, and to see the buildings in action. I will continue to report to Members on the progress of developing the overall strategy.

Community Services

Epping Forest Youth Council: Youth Councillors are busy promoting the forthcoming Youth Council elections in their schools. In total, Youth Councillors will support staff to deliver 25 separate assemblies across all year groups in every secondary school over a three week period! Early indications are that many young people intend to put themselves forward for election in March.

Aiming Higher for Young People': A second programme of Aiming Higher workshops is currently being delivered to pupils in Year 9 and 10 who have been identified as at risk of becoming NEET (Not in Employment, Education or Training). Following a very successful pilot in West Hatch School, groups of young people from Debden Park and Roding Valley High School are participating in a series of engaging sessions which focus on building confidence & self - esteem and challenging negative behaviour and attitudes. The project forms part of the EF Youth Futures initiative and results fed back from teachers at West Hatch School, highlight fantastic improvements in young people's behaviour and application to their school work.

After School Dance Clubs: Community Services Arts are working with two new schools to support the development of after school dance clubs. Nazeing Primary and Coopersale and Theydon Garnon Primary have both signed up and will be starting sessions this term. In the first term, as well as finding the teachers, EFDC supports with the set up and administration of the sessions. After this initial period, support is less frequent until the club is sustained by the school. In total nine clubs have been set up with the support of EFDC. Over 150 children participate each term, across the district.

Transitions Training Programme: The Transitions skills development programme, which was launched in the Epping Forest District in 2012/13 to support care workers and professionals in local residential and nursing homes, has now been expanded across the rest of Essex, with funding from Essex County Council. Recent training has been attended by artists and professionals from across the County and due to the high level of demand, several more sessions have been requested.

The Museum at the Core project: Museum staff and volunteers have been busy preparing to clear the museum building ahead of the project construction works due to begin in the spring. At the same time, the lead design team for the project have been appointed and all are keen to start work as soon as the lease purchase of 37 Sun Street has been finalised.

Grant aid for projects: The museum has been successful with two oversubscribed competitive funding bids from the Museum Development Fund; £2000 to purchase IT equipment to assist in collections digitization projects, which will allow more of the collections at EFDM and Lowewood to be available online. £1000 of Funding has also been secured to support a display initiative to provide opportunities for community groups to display objects in two 'community cases' at Lowewood Museum and at the museum showcase in the Civic Offices.

Museum Acquisitions: Whilst limiting the amount of new acquisitions for the museum during the building development project, the Council has recently made a small number of acquisitions and has received donations, which otherwise, would be lost from the historical record of the district. One item that has been acquired through the portable antiquities scheme is an inscribed silver thimble of 17th century date found in Chigwell, which was acquired with support from the Victoria and Albert Museum Purchase Fund.

The Museum has also received as donations, a complete National Service army uniform (late 1940's-1950) from a family in Loughton and a set of decorative Victorian ornamental ceramics from 'the Laurels', Buckhurst Hill.

Hidden Histories: To support the work of the Equalities Officer the Museum has produced a 'Hidden Histories' display panel as part of the Councils' promotion of LGBT history month. The panel, which will be displayed at the civic offices during February and then in eight libraries across the district in March, illustrates how the collections held at the museum show changing attitudes to same sex relations.

History of Epping Town: The Museum is working with Epping Town Council on two projects to support engagement with the history of the town. The Museum has made a first contribution to the Epping Town Council magazine with an article on Lucien Pissarro, his links with the town and how this is reflected in his art, including works held by the Museum. The Museum is also working with Epping Town Council to organise an event on 18th June to commemorate the towns' links with the Second World War submarine HMS Sickle, which the town sponsored. The date is the 70th anniversary of the loss of the submarine and will be marked by an exhibition at the Epping Town Council Offices and other civic events.

Young Curators Project: Museum staff, with funding from Arts Council England and the Royal Opera House Bridges project, have launched a programme to provide young people

experience in practical skills to assist them in curating their own exhibitions. Over the next year the Museum will work with students from Epping Forest and Herts Regional College alongside open taster sessions on; design, photography creative writing and art. The project will culminate in two exhibitions created and curated by the participants. Two members of the Museum team have been trained to provide guidance to participants in the Arts Award scheme to bronze and silver standard.

World War One Commemorations: The Museum is engaged with other officers at EFDC and partner organisations to prepare material to support the centenary commemorations planned in August this year to mark the start of the First World War. This will include an exhibition at the Civic Offices.

VAQAS Award: The Epping Forest District Museum has retained its Visitor Attraction Quality Assurance Scheme Award, administered by Visit England and this year, the work that the Museum team has undertaken in developing services on behalf of Broxbourne Borough Council, has seen Lowewood Museum obtain the VAQAS award for the first time.

Thousands of pounds being invested in local sport: Due to the high recognition that Community Services receives for its sports and health development work, it has secured a range of grant awards from £1000 to £3,000 from Active Essex, which is the County's Olympic Legacy Development division, have awarded a range of funding grants to the district for sports and activity development. This includes a variety of sports taster sessions for adults, to encourage them to get back into sport, as well as funding to support local sports clubs with 'inclusion' activity. This had total for April to September has been around £20,000.

Annual Sports Awards have been re-branded: The Council's Sports Awards that are open to individuals and clubs, have four new categories. These include young sports person of the year (£1,000 one-off award), club of the year (£1,000 one-off award) and small group/club grant (up to £250 per application) and coaching bursary (up to £250 per application).

Workplace Challenge: Funding has additionally been secured from Active Essex to operate a series of 'free' work place sports initiatives for Council staff and elected members, in order to promote improved health and well-being. The various sessions are available over the period of 8 x weeks and range from mountain biking to badminton and are all based, or, start from Epping Sports Centre. A limited number of 'loan' bikes can be booked in advance

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Report to the Council

Subject: Safer, Greener & Transport Portfolio Date: 20 February 2014

Portfolio Holder: Councillor G Waller

Recommending:

That the report of the Safer, Greener & Transport Portfolio Holder be noted.

Domestic Homicide Review

As previously reported, a further Domestic Homicide Review is now under way following the death of a young woman, Junella Valentine, at Waltham Abbey on 7 October 2013. Retired judge His Honour Anthony Bradbury, whom I appointed to chair the Review, has made good progress in leading the investigation into the circumstances, and the Panel has met twice so far. I am very hopeful that a report can be submitted to the Home Office within the normally expected six months period, and that any lessons which can be applied in future to help prevent similar tragedies from occurring will be fully set out.

Community Safety

The latest crime figures for Epping Forest District show an encouraging trend, with all categories of offence declining during the municipal year to date, compared with the equivalent period for 2012/13. During the past three months, according to Home Office statistics, the position has improved in terms of theft of and from vehicles, and also in terms of serious acquisitive crime. During this period, Epping Forest District has experienced the second best crime trend for local authority areas in Essex. While it is impossible to draw a conclusive link, I believe that the excellent work of our Community Safety team is making an important contribution.

Essex Police and Crime Panel

I was present at the meeting of the Police and Crime Panel on 29 January, when the Commissioner, Nick Alston, presented his budget for approval. He was in some difficulty because the Government had not yet announced the level of any precept cap and how any such cap might operate. In proposing an increase to the precept of 3.5 per cent to protect police numbers (which was accepted by the Panel by 12 votes to 2), Mr Alston said he had made an assumption that the cap would be set at 1.5 per cent and that the Government would again follow last year's practice by allowing PCCs to exceed the cap if their precept is in the lowest quartile of counties and provided the increase does not amount to more than £5.00 over the year for Band D households. (Even after a 3.5 per cent rise, the precept would indeed still leave Essex in the lowest quartile and would amount to a little below an extra £5.00.) The PCC added that if it turned out that his proposed precept would need to be approved by referendum before it could be implemented, he would withdraw it because he did not believe he could justify the spending of a substantial sum on a referendum.

Countrycare

Following the record number of volunteers attending Thursday working parties in 2012, even more volunteers came to work with Countrycare in 2013. There were eight new volunteers among the 54 who participated during the year on 51 separate working days. A total contribution of 4470 hours was totted up and, rated at £6.50 an hour, this equates to £29,055 in terms of donated time over the year.

On 10 December, Countrycare hosted a team building day for the Community Development section, with 25 staff taking part in a day of scrub bashing on Swaines Green Local Wildlife Site. This 22 acre site on the western side of Epping provides a habitat for a wealth of trees, plants and animals. There is firm evidence that the field boundaries are the original Saxon / Norman demarcations, and the hedgerows have been dated back to pre-Tudor times.

On 18 January, Countrycare helped Friends of Ongar Orchard plant 19 fruit trees on the piece of EFDC owned land in Shelley. The Ongar Community Orchard will be run by Friends of Ongar Orchard with help from Countrycare and Community Development. Until the 1970s, thousands of acres of apple, plum and pear orchards were located in the A12 corridor, but records show a decline of 81 per cent in Essex orchard land between 1990 and 2007, coinciding with a considerable growth in the proportion of imported fruit. In 2011 a small group of interested local people made a proposal to EFDC to plant a former allotment site as an orchard. A constitution for the Friends of Ongar Community Orchard was approved, and funding obtained from Edible Essex, a three year project (2011-2014) run by the Rural Community Council of Essex, funded by the Big Lottery's Local Food Scheme and supported by Essex County Council. Support is offered to set up or renovate allotment sites across the county and to establish or expand orchards, with public access. The orchard is also strongly supported by Ongar Town Council, which has provided grant funding as well.

Finally, on 28 January Countrycare hosted another team building day, this time for Planning and Economic Development. The participants pollarded, coppiced and layered trees in Roughtallys Wood LNR and created a stag beetle home.

Conservation

The production of guidelines for appropriate design in conservation areas and other historic locations has been identified as an important future project for the Conservation Section. Incremental change and examples of poor design greatly undermine the character and appearance of historic areas, so up to date, relevant guidance on appropriate design, focussing for instance on shopfronts and signage on historic shopping streets, would help to improve the appearance of those areas. It is also considered that more general guidance documents for owners and occupants of listed buildings, locally listed buildings and properties within conservation areas would prove helpful in reducing the number of enquiries received and discouraging inappropriate alterations.

The Conservation Section divides its time between consultations on planning applications affecting heritage assets (curtilage listed buildings, conservation areas, locally listed buildings), pre-application enquiries, both formal (which are chargeable) and informal, queries from the general public relating to heritage assets, the administration of the historic buildings grants, monitoring locally listed buildings and conservation areas, the production of conservation area character appraisals and management plans. There are also other strategic projects such as the Local Plan,

the Heritage at Risk register (an English Heritage initiative), the creation of design guidance and applications for the designation of additional listed buildings.

The number of planning application consultations has been reduced, and planning officers now deal with the more straightforward applications relating to heritage assets without a formal response from the Conservation Officer, but perhaps involving informal discussions with the Conservation section. This has released Conservation Officer time for the more strategic aspects of the role, including most importantly the character appraisals, of which it is intended to produce about four per year. As previously noted, the Staples Road Conservation Area Character Appraisal is due for early publication, together with those for York Hill and Baldwins Hill shortly afterwards.

Energy Efficiency and Fuel Poverty

At its meeting on 3 February, Cabinet noted the Council's increased requirement to gather data under the provisions of the Home Energy Conservation Act 1995, known as HECA. Under the Green Deal, which applies to businesses and social housing as well as private sector homes, local authorities have a choice, either alone or in partnership with others, of acting as promoters, producers or providers. The Housing Directorate set up a working group to formulate a view on the approach the Council should take with regard to delivering the Green Deal to residents of the district and agreed that, as uptake has been slow both nationally and locally, the Council should adopt the role of promoter for the time being.

Meanwhile, a new method for calculating fuel poverty is being introduced following recommendations set out by Professor John Hills of the London School of Economics. This will include a new definition, allowing for its more accurate measurement as it will include dual indicators to separate the extent of the issue (the number of people affected) from its depth (how badly people are affected).

There can be no doubt that the Council's additional duties will impose new demands, as the coordination of energy efficiency matters across the Council is currently the responsibility of a part-time Environmental Co-ordinator whose role also includes wider sustainability issues. Proposals for suitable permanent staffing arrangements will need to be brought forward in due course.

Parking

Tariffs

A plan is included in the budget for 2014/15 to raise an additional £150,000 per annum from off-street car parking charges. The necessary increases in tariffs which this figure entails should be considered in the context that parking charges have not increased for five years. It was my intention to bring a report to Cabinet on 3 March with a fundamental review of car parking tariffs, but in the time available that will not be possible. Instead, I shall be presenting a report on some interim changes pending a more radical appraisal later in the year. A decision has already been made to replace ticket machines during 2014, and this should enable us not only to have regularly updated and reliable information about the usage of our car parks, which will inform the decisions we wish to make, but will also enable me to consider more sophisticated and flexible tariff structures as part of the review.

NEPP ParkSafe enforcement vehicle

I took part in an interview on BBC Radio Essex about the problems caused by inconsiderate and dangerous stopping in the vicinity of schools at the beginning and end of the school day. Complaints are regularly received about this practice which threatens the safety of both children and their parents and carers. As a result of this problem, which is prevalent everywhere, the North Essex Parking Partnership has introduced a CCTV camera equipped vehicle which will be deployed across the Partnership area to focus on the places outside schools, as well as urban clearways. This vehicle will be able to deter such dangerous practices much more effectively than civil enforcement officers who are capable of patrolling a very much more limited number of locations.

I attended the launch event in Epping Forest for the ParkSafe CCTV car on 27 January at Hillhouse Church of England Primary School in Waltham Abbey. The event was attended by the head teacher, governors and pupils and was widely welcomed locally because, despite the availability of safe places to park, including a free Council car park opposite the school entrance, there are frequent incidents caused by drivers persisting in parking directly on the zig-zag lines. It is hoped that few penalty charge notices will need to be issued before drivers become aware of the possible consequences of future infringements.

Submission of schemes to NEPP

At the meeting of the North Essex Parking Partnership at Clacton-on-Sea on 8 January, I submitted a number of new schemes for investigation and implementation, following the consultation which I had undertaken with local members and parish / town councils. The status of schemes which I have submitted to date is given in the NEPP FAQs published in the Members' Bulletin which will, I hope, have answered some of the questions frequently raised about the Partnership.

Buckhurst Hill Parking Review

The outcome of the informal consultation with Buckhurst Hill residents was presented to ward members at a meeting held on 29 January. Essex Highway engineers are now updating the proposals in the light of comments received and, once this work is completed, a formal, statutory public consultation will be carried out, including advertising in the local press and notices in the vicinity of proposed changes. I have asked officers to make this information available on the Council website. Implementation – the provision of signs and yellow lining – will depend on the extent and nature of objections raised during the formal consultation and is due to be carried out during the summer months, when we hope we can rely on better weather. Completion of the Review will then allow us to commence work on the Loughton Broadway Parking Review.

Report to Council

Subject: Support Services Portfolio

Date: 20 February 2014

Portfolio Holder: Councillor H Ulkun

Recommending:

That the report of the Support Services Portfolio Holder be noted.

1. Individual Electoral Registration (IER)

Since the last meeting of Council, there has been one significant development in relation to the process to be followed in relation to the next electoral canvass beginning in July 2014 under the new individual registration regime.

The Cabinet Office has accepted a recommendation of the Electoral Commission that the electoral registration canvass form should be reproduced on A3 paper rather than the present A4. This decision has resulted from customer surveys conducted with voters as to the most user friendly way of publishing the form.

This has had an immediate impact on planning for the next canvass in that the scanning or printing facilities available in the Council cannot deal with A3 printing, folding and mailing. As a result of this, new scanners and printers will be required in the Electoral Section and external printers will need to be found to print the 130,000 plus forms required.

In all, the cost of the additional scanners/printers is estimated at between £15,000 - 20,000 and other equipment may also be necessary. An application is in preparation for additional transitional funding from the Government in addition to the £33,000 already approved.

In addition to this the cost of external printing will also have to be met and I will shortly be considering a Portfolio Holder decision as to the best method of procuring this.

2. Electoral Canvass 2013

I have reported at previous Council meetings on progress with the current electoral register canvass which is the last one to be conducted on the household system. I have commented before about the importance of ensuring that this particular canvass is as accurate as possible so as to prepare the way for the new individual canvass which will start in July 2014.

The automated response method (telephone, text or internet) for notifying 'no change' to the registration of households has been well received by voters. I have reported previously that in 2012, 15,000 electors responded by these methods over the whole canvass period. For the 2013 canvass which is now completed, a total of

23,000 have responded in this way. This has produced a net postal saving to the Council of approximately £4,600.

In terms of the overall percentage for registering all voters, in 2013 percentage is 96% compared with 90% in my last report.

3. Review of Polling Stations

The review of polling stations will commence in early February and discussions are continuing on providing better access at Hastingwood Village Hall for the next round of elections.

I have mentioned before that Faversham Hall, Chigwell Row will not be available for use after the elections this year and therefore the search is continuing for a suitable alternative venue in that area.

4. Directorate Re-Structuring

Staff in Human Resources are actively involved in the transition programme towards implementing the new Directorate structure approved by the Council at the December 2013 meeting. This includes preparation of new job descriptions, job evaluations, and interviews for vacant posts.

5. Apprenticeship Programme

The Corporate Apprenticeship Programme has now been running for three months and the Business Administrators are half way through their first placements. HR are receiving very good feedback from both the apprentices themselves about the work they been involved with and from the teams they are working with. They have regular reviews with both the NVQ Assessor and the Councils Learning & Development Manager.

The apprentices were recently set a corporate task to organise a Council stand for the Careersfest held at Epping College at the end of January 2014. They worked together to produce a leaflet and attended the event to spread the word.

The Council does not intend to recruit a further cohort of apprentices this year, this will take place in 2015.

6. Employment Law Conference

The Council hosted an Employment Law Conference at the Civic Offices at the end of January. The event was attended by our own legal and HR staff along with employees from the public sector across the county. The event was organised by VineHR which is a not-for-profit company set up by the Heads of HR from Essex authorities.

Report to the Council

Committee: Cabinet

Date: 20 February 2014

Portfolio Holder: Councillor S Stavrou (Finance and Technology)

TRANSFER OF HOUSING REVENUE CAR PARKS TO THE GENERAL FUND

Recommending:

That, with effect from 1 April 2014, the car parks at Burton Road and Vere Road Loughton currently accounted for within the Housing Revenue Account (HRA) be transferred to the General Fund.

-
1. This Council owns a number of car parks within the district most of which are accounted for within the General Fund. There are however two parks at Burton Road and Vere Road, Loughton that are accounted for within the Housing Revenue Account (HRA). This is purely historical as, like the commercial properties nearby, the car parks were transferred during the 1970's when the whole of the Debden Estate including a substantial number of HRA dwellings were acquired from the former Greater London Council.
 2. On the introduction of HRA self-financing, the Council resolved that the HRA should be maintained predominantly as a landlord account and HRA assets that were not held for social housing purposes should be accounted for within the General Fund. The commercial properties were transferred to the General Fund on 31 March 2011 on the basis that the shops involved were not provided for Council tenants but were available for residents of the district generally. The two car parks at the Broadway are provided for any resident of the District who may wish to shop at the Broadway and are therefore unrelated to the social housing activity of the HRA.
 3. Whilst the car parks could remain within the HRA, given the previous decision regarding the commercial properties, to do so would be somewhat inconsistent and would also fail to comply with the DCLG requirement that the HRA be maintained as a landlord account. We are recommending, therefore, that with effect from 1 April 2014 these Council assets be transferred from the HRA to the General Fund.
 4. The two car parks are Pay and Display and as such are expected to make a surplus of around £11,000 in 2013/14 after allowing for depreciation of a little under £5,000 so the additional net income to the General Fund is expected to be £16,000. The two car parks current value is £621,000 and this amount will need to be transferred between the HRA and General Fund Capital Financing Requirements (CFR) which has the effect of increasing HRA and reducing General Fund interest income receipts. Based on current returns on investments this is unlikely to be any more than £4,000 in 2013/14. The net benefit to the General Fund is £12,000. Whilst it does not represent savings to the Council as a whole it represents a contribution to the General Fund savings as any additional income as a result of the transfer is an equivalent loss to the HRA. The car parks will need to be revalued just prior to the transfer so that an up to date figure can be used for the adjustment to the HRA and General Fund CFR's.
 5. We understand that if the car parks are not transferred there is a risk of criticism from the

Council's external auditors over the inconsistent treatment of assets and the failure to comply with DCLG guidance on the HRA.

6. It is not necessary
to seek the permission of the Secretary of State to the proposal under section 19 of the Housing Act 1988 as there are no dwellings being transferred.
7. We recommend as set out at the commencement of this report.

Report to the Council

Committee: Cabinet

Date: 20 February 2014

Portfolio Holder: Councillor S Stavrou
(Finance and Technology)

TREASURY MANAGEMENT STRATEGY STATEMENT AND INVESTMENT STRATEGY 2014/15 -2016/17

Recommending:

That the following attached documents be adopted:

- (a) Treasury Management Strategy Statement and Annual Investment Strategy 2014/15 to 2016/17;**
- (b) Minimum Revenue Provision (MRP) Statement;**
- (c) Treasury Management Prudential Indicators for 2014/15 to 2016/17;**
- (d) the rate of interest to be applied to any inter-fund balances; and**
- (e) Treasury Management Policy Statement**

(Note: At its meeting on 6 February 2014, the Audit and Governance Committee considered how the risks associated with Treasury Management have been dealt with in the proposed Treasury Management Strategy Statement and Annual Investment Strategy. The Chairman of that Committee will report orally at the Council meeting on any comments or suggestions of that Committee).

Introduction

1. The Council's treasury activities are strictly regulated by statutory requirements and a professional code of practice (the CIPFA Code of Practice on Treasury Management – revised November 2011). There is a requirement for the Council to approve its treasury and investment strategy and prudential indicators each year.
2. The attached strategy has been prepared in line with advice from the Council's treasury advisors, Arlingclose.
3. There are no major changes to the strategy from the current strategy.

Minimum Revenue Provision

4. Each year the Council has to approve its statement on the Minimum Revenue Provision (MRP). The Council has taken on debt of £185.5m and this would normally require the local authority to charge MRP to the General Fund. The Department for Communities and Local Government has produced regulations to mitigate this impact, whereby the Council can ignore the borrowing incurred in relation to the Housing Self-financing when calculating MRP and therefore, (for MRP purposes only) the Council is classed as debt free and does not have to make provision for MRP. However, the Council may undertake additional borrowing before or after additional capital spending. This will require MRP in the year following, 2015/16

Inter-fund balances

5. The Council has inter-fund borrowed for many years between the General Fund and Housing Revenue Account and the interest charge made between the funds has been based on the average interest earned on investment for the year. As the Council has been undertaking inter-fund borrowing for many years, we are proposing to continue to use the average interest earned for the year on investments as the rate for any inter-fund borrowing.

Policy Statement

6. The Treasury Management Policy Statement is a high level statement setting out how the Council Treasury function will be undertaken. The Policy Statement was last updated as part of the 2013/14 Treasury Strategy and no amendments are proposed at this time.

Current Investments

7. The Council's investments are all denominated in UK sterling and the treasury officers receive regular information from our treasury advisors on the latest position on the use of Counterparties. The latest information supplied is as follows:

UK Banks and building societies:

- (a) a maximum maturity limit of 12 months applies to HSBC, Standard Chartered, Barclays Bank and Nationwide Building Society;
- (b) a maximum maturity limit of 6 months applies to Lloyds TSB, Bank of Scotland;
- (c) a maximum maturity limit of 100 days applies to Santander UK plc; and
- (d) a maximum maturity limit of overnight applies to RBS and Nat West.

European Banks:

- (a) a maximum maturity limit of 100 days applies to Credit Suisse, ING Bank and Landesbank Hesses-Thuringen;
- (b) a maximum maturity limit of 6 months applies to Pohjola Bank; and

- (c) a maximum maturity limit of 12 months applies to Svenska Handelsbanken, Rabobank, Bank Nederlandse Gemeeten, Deutsche Bank, and Nordea Bank.

Non European Banks:

A maximum maturity limit of 12 months applies to Australian, Canadian and US banks that are on our list.

Money Market Funds:

A maximum exposure limit of 10% of the total investment per MMF.

8. The Council currently has an investment portfolio of £61m, this will vary from day to day, depending on the cash flow of the authority. A breakdown of this portfolio by Country and length of time remaining on investments are shown in the two tables below.

Country of counterparty	£m
United Kingdom	51.0
Canada and United States of America	0.0
Australia	0.0
Ireland **	2.0
Sweden	8.0
Total	61.0

** The investments shown under Ireland relates to Money Market Funds that are AAA rated and approved to be used by Arlingclose.

Maturity profile of investment as at 31 December 2013	£m
Overnight (Call / Money Market Fund)	16.0
Up to 7 days	5.5
7 days to 1 month	5.0
1 month to 3 months	16.2
3 months to 6 months	5.0
6 months to 9 months	2.0
9 months to 1 year	1.3
Greater than 1 year	10.0
Total	61.0

9. The continued low interest rates, the use of fewer counterparties and the shorter durations of investments have reduced estimated interest income for 2014/15 to £399,000.

10. Following our meeting on 3 February 2014, the Audit and Governance Committee were due to consider this matter at its meeting on 6 February 2014 and the Chairman of that Committee will report orally at the Council meeting on the views of that Committee.

11. We recommended as set out at the commencement of this report.

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Treasury Management Strategy Statement and Investment Strategy 2014/15 to 2016/17

Introduction

In April 2002 the Council adopted the Chartered Institute of Public Finance and Accountancy's Treasury Management Code (the "CIPFA TM Code") which requires the Authority to approve a Treasury Management Strategy Statement (TMSS) before the start of each financial year.

In addition, the Department for Communities and Local Government (CLG) issued revised Guidance on Local Authority Investments in March 2010 that requires the Authority to approve an Investment Strategy before the start of each financial year.

This report fulfils the Authority's legal obligation under the Local Government Act 2003 to have regard to both the CIPFA Code and the CLG Guidance.

The Authority has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk are therefore central to the Authority's treasury management strategy.

External Context

Economic background: The Bank of England's Monetary Policy Committee (MPC) through its recent forward guidance is committed to keeping policy rates low for an extended period using the Labour Force Survey unemployment rate of 7% as a threshold for when it would consider whether or not to raise interest rates, subject to certain other conditions. Unemployment was 7.7% in August 2013, but is not forecast to fall below the threshold until 2016, due to the UK's flexible workforce.

The flow of credit to households and businesses is slowly improving but is still below pre-crisis levels. The fall in consumer price inflation from the high of 5.2% in September 2011 to 2.7% in September 2013 will allow real wage increases (i.e. after inflation) to slowly turn positive and aid consumer spending.

Stronger growth data in 2013 (0.4% in Q1, 0.7% in Q2 and 0.8% in Q3) alongside a pick-up in property prices mainly stoked by government initiatives to boost mortgage lending have led markets to price in an earlier rise in rates than warranted under Forward Guidance and the broader economic backdrop. However, with jobs growth picking up slowly, many employees working shorter hours than they would like and benefit cuts set to gather pace, growth is likely to only be gradual. Arlingclose forecasts the MPC will maintain its resolve to keep interest rates low until the recovery is convincing and sustainable.

In the US expectations for the slowing in the pace of asset purchases ('tapering') by the Federal Reserve and the end of further asset purchases will remain predominant drivers of the financial markets. The Fed did not taper in September and has talked down potential tapering in the near term. It now looks more likely to occur in early 2014 which will be supportive of bond and equity markets in the interim.

Credit outlook: The credit risk of banking failures has diminished, but not dissipated altogether. Regulatory changes are afoot in the UK, US and Europe to move away from the bank bail-outs of previous years to bank resolution regimes in which shareholders, bond holders and unsecured creditors are 'bailed

in' to participate in any recovery process. This is already manifest in relation to holders of subordinated debt issued by the Co-op which will suffer a haircut on its conversion bail-in to alternative securities and/or equity. There are also proposals for EU regulatory reforms to Money Market Funds which will, in all probability, result in these funds moving to a VNAV (variable net asset value) basis and losing their 'triple-A' credit rating wrapper. Diversification of investments between creditworthy counterparties to mitigate bail-in risk will become even more important in the light of these developments.

Interest rate forecast: Arlingclose's forecast is for the Bank Rate to remain flat until late 2016, the risk to the upside (i.e. rates being higher) are weighted more heavily towards the end of the forecast horizon, as the table below shows. Gilt yields are expected to rise over the forecast period with medium- and long-dated gilts expected to rise by between 0.7% and 1.1%.

A more detailed economic and interest rate forecast provided by the Authority's treasury management advisor is attached at **Appendix A**.

For the purpose of setting the budget, it has been assumed that new investments will be made at an average rate of 0.8%.

Local Context

The Authority currently has £185m of borrowing and £61m of investments. This is set out in further detail at **Appendix B**. Forecast changes in these sums are shown in the balance sheet analysis in table 1 below.

Table 1: Balance Sheet Summary and Forecast

	31.3.13 Actual £m	31.3.14 Estimate £m	31.3.15 Estimate £m	31.3.16 Estimate £m	31.3.17 Estimate £m
General Fund CFR	33.6	38.6	48.6	63.6	63.6
HRA CFR	155.1	155.1	155.1	155.1	155.1
Total CFR	188.7	193.7	203.7	218.7	218.7
Less: Other long-term liabilities *	0	0	0	0	0
Borrowing CFR	188.7	193.7	203.7	218.7	218.7
Less: External borrowing **	185.5	185.5	200.5	215.5	215.5
Internal borrowing	3.2	8.2	3.2	3.2	3.2
Less: Usable reserves	49.1	45.4	44.6	45.8	45.0
Less: Working capital	14.8	15.0	15.0	15.0	15.0
Resources Available for Investment	60.7	52.2	56.4	57.6	56.8

* finance leases and PFI liabilities that form part of the Authority's debt

** shows loans which the Authority may make and excludes optional refinancing

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Authority's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, subject to holding a minimum investment balance of £50m. Borrowing is anticipated in future for Land Purchase or development and the Waste Management Contract, but these are not yet certain.

The Authority has an increasing CFR due to the capital expenditure described above, retaining considerable investments and may therefore be seeking to borrow up to £30m over the forecast period. £15m in each financial year 2014/15 and 2015/16 is possible depending on the many potential development opportunities.

CIPFA's *Prudential Code for Capital Finance in Local Authorities* recommends that the Authority's total debt should be lower than its highest forecast CFR over the next three years. Table 1 shows that the Authority expects to comply with this recommendation during 2014/15.

Borrowing Strategy

The Authority currently holds £185 million of loans, the same as the previous year, as part of its strategy for funding Housing Self-Financing. The balance sheet forecast in table 1 shows that the Authority may increase borrowing up to £200.5m in 2014/15. The Authority may also borrow additional sums to pre or post-fund future years' requirements, providing this does not exceed the authorised limit for borrowing of £230 million.

The Authority's chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required. The flexibility to renegotiate loans should the Authority's long-term plans change is a secondary objective.

Given the significant cuts to public expenditure and in particular to local government funding, the Authority's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio.

The benefits of internal borrowing will be monitored regularly against the potential for incurring additional costs by deferring borrowing into future years when long-term borrowing rates are forecast to rise. Arlingclose will assist the Authority with this 'cost of carry' and breakeven analysis. Its output may determine whether the Authority borrows additional sums at long-term fixed rates in 2014/15 with a view to keeping future interest costs low, even if this causes additional cost in the short-term.

In addition, the Authority may borrow short-term loans (normally for up to one month) to cover unexpected cash flow shortages.

The approved sources of long-term and short-term borrowing are:

- Internal
- Public Works Loan Board (effectively part of HM Treasury)
- UK local authorities
- European Investment Bank
- Leasing
- any institution approved for investments (see below)
- any other bank or building society authorised by the Prudential Regulation Authority to operate in the UK
- UK public and private sector pension funds (except Essex Pension Fund)
- capital market bond investors
- special purpose companies created to enable joint local authority bond issues.

The Authority has previously raised all of its long-term borrowing from the Public Works Loan Board, but it continues to investigate other sources of finance, such as local authority loans and bank loans, that may be available at more favourable rates.

Short-term and variable rate loans leave the Authority exposed to the risk of short-term interest rate rises and are therefore subject to the limit on the net exposure to variable interest rates in the treasury management indicators below.

Debt Rescheduling: The PWLB allows authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Some bank lenders may also be prepared to negotiate premature redemption terms. The Authority may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall saving or reduction in risk.

Investment Strategy

The Authority holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. In the past 12 months, the Authority's investment balance has ranged between £54.0 and £61.5 million, and similar levels are expected to be maintained or reduced in the forthcoming year dependent on capital spending and borrowing decisions.

Both the CIPFA Code and the CLG Guidance require the Authority to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

The Authority may invest its surplus funds with any of the counterparties in table 2 below, subject to the cash and time limits shown. The detailed list of counterparties is in Appendix C.

Table 2: Approved Investment Counterparties

Counterparty	Cash limit	Time limit †
Banks and other organisations and securities whose lowest published long-term credit rating from Fitch, Moody's and Standard & Poor's is:	AAA	10 years*
	AA+	5 years*
	AA	4 years*
	AA-	3 years*
	A+	2 years
	A	1 year
	A-	
The Authority's current account bank (National Westminster Bank plc) if it fails to meet the above criteria	£10m	next day
UK Central Government (irrespective of credit rating)	unlimited	50 years**
UK Local Authorities (irrespective of credit rating)	£10m each	50 years**
UK Registered Providers of Social Housing whose lowest published long-term credit rating is A- or higher, or who are recommended by Treasury Advisor	£1m each	10 years**

UK Registered Providers of Social Housing whose lowest published long-term credit rating is BBB- or higher and those without credit ratings or who are recommended by Treasury Advisor	£1m each	5 years
UK Building Societies with credit rating A- or above	£10m each	1 year
UK Building Societies without credit ratings - seeking to add at A- or above or equivalent as recommended by Treasury Advisor	£1m each	1 year
Money market funds and other pooled funds	£5m each	n/a

† the time limit is doubled for investments that are secured on the borrower's assets

* but no longer than 2 years in fixed-term deposits and other illiquid instruments

** but no longer than 5 years in fixed-term deposits and other illiquid instruments

Current Account Bank: Following a competitive tender exercise held in 2012, the Authority's current accounts are held with National Westminster Bank plc which is currently rated A-/A-2 the minimum being A- rating in table 2. The credit ratings fell below A- in November 2013. the Authority continues to deposit surplus cash with National Westminster Bank plc providing that the investments can be withdrawn on the next working day, and that the bank maintains a credit rating no lower than BBB- (the lowest investment grade rating). In line with Arlingclose's recommendations.

Registered Providers: Formerly known as Housing Associations, Registered Providers of Social Housing are tightly regulated by the Homes and Communities Agency and retain a high likelihood of receiving government support if needed. The Authority will consider investing with unrated Registered Providers with adequate credit safeguards, subject to receiving independent advice.

Building Societies: The Council takes additional comfort from the building societies' regulatory framework and insolvency regime where, in the unlikely event of a building society liquidation, the Authority's deposits would be paid out in preference to retail depositors. The Authority will therefore consider investing with un-rated building societies where independent credit analysis shows them to be suitably creditworthy. The Government has announced plans to amend the building society insolvency regime alongside its plans for wide ranging banking reform, and investments in lower rated and unrated building societies will therefore be kept under continuous review.

Money Market Funds: These funds are pooled investment vehicles consisting of money market deposits and similar instruments. They have the advantage of providing wide diversification of investment risks, coupled with the services of a professional fund manager. Fees of between 0.10% and 0.20% per annum are deducted from the interest paid to the Authority. Funds that offer same-day liquidity and aim for a constant net asset value will be used as an alternative to instant access bank accounts, while funds whose value changes with market prices and/or have a notice period will be used for longer investment periods. Arlingclose have removed the requirement for AAA ratings following EU proposals to stop money market funds from having credit ratings.

Other Pooled Funds (Collective Investment Schemes): Table 1 above indicates that the Authority will have substantial cash balances available for investment over the medium term. It will therefore consider using pooled bond, equity and property funds that offer enhanced returns over the longer term, but are potentially more volatile in the shorter term. These allow the Authority to diversify into asset classes other than cash without the need to own and manage the underlying investments. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Authority's investment objectives will be monitored regularly. Investments in Pooled Funds will be undertaken with advice from Arlingclose Ltd. The Council currently has none of these investments.

Risk Assessment and Credit Ratings: The Authority uses long-term credit ratings from the three main rating agencies Fitch Ratings, Moody's Investors Service and Standard & Poor's Financial Services to assess the risk of investment default. The lowest available counterparty credit rating will be used to determine credit quality, unless an investment-specific rating is available. Credit ratings are obtained and monitored by the Authority's treasury advisers, who will notify changes in ratings as they occur. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:

- no new investments will be made,
- any existing investments that can be recalled or sold at no cost will be, and
- full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

Where a credit rating agency announces that a A- rating is on review for possible downgrade (also known as "rating watch negative" or "credit watch negative") so that it may fall below the approved rating criteria, then only investments that can be withdrawn on the next working day will be made with that organisation until the outcome of the review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

Other Information on the Security of Investments: The Authority understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support and reports in the quality financial press. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may meet the credit rating criteria.

When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008 and 2011, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Authority will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Authority's cash balances, then the surplus will be deposited with the UK Government, via the Debt Management Office for example, or with other local authorities. This will cause a reduction in the level of investment income earned, but will protect the principal sum invested.

Specified Investments: The CLG Guidance defines specified investments as those:

- denominated in pound sterling,
- due to be repaid within 12 months of arrangement,
- not defined as capital expenditure by legislation, and
- invested with one of:
 - the UK Government,
 - a UK local authority, parish council or community council, or
 - a body or investment scheme of "high credit quality".

The Authority defines "high credit quality" organisations as those having a credit rating of A- or higher that are domiciled in the UK or a foreign country with a sovereign rating of AA+ or higher. For money market funds and other pooled funds "high credit quality" is defined as those having a credit rating of A- or higher.

Non-specified Investments: Any investment not meeting the definition of a specified investment is classed as non-specified. The Authority does not intend to make any investments denominated in foreign currencies, nor any that are defined as capital expenditure by legislation, such as company shares. Non-

specified investments will therefore be limited to long-term investments, i.e. those that are due to mature 12 months or longer from the date of arrangement, and investments with bodies and schemes not meeting the definition on high credit quality. Limits on non-specified investments are shown in table 3 below.

Table 3: Non-Specified Investment Limits

	Cash limit
Total long-term investments	£30m
Total investments without credit ratings or rated below A-	£5m
Total investments in foreign countries rated below AA+	£5m
Total maximum non-specified investments	£40m

Investment Limits: The Authority's total useable reserves theoretically available to cover investment losses are forecast to be £30 million on 31st March 2014. In order that no more than 25% of available reserves will be put at risk in the case of a single default, the maximum that will be lent to any one organisation (other than the UK Government) will be £10 million. A group of banks under the same ownership or a group of funds under the same management will be treated as a single organisation for limit purposes. Limits will also be placed on investments in brokers' nominee accounts, foreign countries and industry sectors. Arlingclose Ltd. Will also advise on individual investment links.

Table 4: Investment Limits

	Cash limit
Any single organisation, except the UK Central Government	£10m each
UK Central Government	unlimited
Any group of organisations under the same ownership	£10m per group
Any group of pooled funds under the same management	£5m per manager
Foreign countries	£10m per group
Registered Providers	£5m in total

Approved Instruments: The Authority may lend or invest money using any of the following instruments:

- interest-bearing bank accounts,
- fixed term deposits and loans,
- callable deposits and loans where the Authority may demand repayment at any time (with or without notice),
- callable deposits and loans where the borrower may repay before maturity, but subject to a maximum of £10 million in total,
- certificates of deposit,
- bonds, notes, bills, commercial paper and other marketable instruments, and
- shares in money market funds and other pooled funds.

Investments may be made at either a fixed rate of interest, or at a variable rate linked to a market interest rate, such as LIBOR, subject to the limits on interest rate exposures below.

Liquidity management: The Authority uses cash flow forecasting calculations to determine the maximum period for which funds may prudently be committed. The forecast is compiled on a pessimistic basis, with receipts under-estimated and payments over-estimated to minimise the risk of the Authority being forced to borrow on unfavourable terms to meet its financial commitments. Limits on long-term investments are set by reference to the Authority’s medium term financial plan and cash flow forecast calculations.

Treasury Management Indicators

The Authority measures and manages its exposures to treasury management risks using the following indicators.

Security: The Authority has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2,A-=7 etc.) and taking the arithmetic average, weighted by the size of each investment.

	Target
Portfolio average credit rating	A-

Liquidity: The Authority has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three month period, without additional borrowing.

	Target
Total cash available within 3 months	£5m

Interest Rate Exposures: This indicator is set to control the Authority’s exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principal borrowed will be:-

	2014/15	2015/16	2016/17
Upper limit on fixed interest rate exposure	100%	100%	100%
Upper limit on variable interest rate exposure	25%	25%	25%

(Investments count as negative borrowing.)

Fixed rate investments and borrowings are those where the rate of interest is fixed for the whole financial year. Instruments that mature during the financial year are classed as variable rate.

Maturity Structure of Fixed Rate Borrowing: This indicator is set to control the Authority’s exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate borrowing will be:

	Lower	Upper
Under 12 months	0%	100%
12 months and within 24 months	0%	100%
24 months and within 5 years	0%	100%
5 years and within 10 years	0%	100%
10 years and within 20 years	0%	100%
20 years and within 30 years	0%	100%
30 years and within 40 years	0%	100%
40 years and within 50 years	0%	100%
50 years and above	0%	100%

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal Sums Invested for Periods Longer than 364 days: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the total principal sum invested to final maturities beyond the period end will be:

	2014/15	2015/16	2016/17
Upper Limit on principal invested beyond year end	£30m	£30m	£30m

Other Items

There are a number of additional items that the Authority is obliged by CIPFA or CLG to include in its Treasury Management Strategy.

Policy on Use of Financial Derivatives: Local authorities have previously made use of financial derivatives embedded into loans and investments both to reduce interest rate risk (e.g. interest rate collars and forward deals) and to reduce costs or increase income at the expense of greater risk (e.g. LOBO loans and callable deposits). The general power of competence in Section 1 of the *Localism Act 2011* removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment).

The Authority will only use standalone financial derivatives (such as swaps, forwards, futures and options) where they can be clearly demonstrated to reduce the overall level of the financial risks that the Authority is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be taken into account when determining the overall level of risk. Embedded derivatives will not be subject to this policy, although the risks they present will be managed in line with the overall treasury risk management strategy.

Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria. The current value of any amount due from a derivative counterparty will count against the counterparty credit limit and the relevant foreign country limit.

The Council will only use derivatives after seeking expertise, a legal opinion and ensuring officers have the appropriate training for their use.

Policy on Apportioning Interest to the HRA: From 1st April 2012, the Council can notionally split each of its existing long-term loans into General Fund and HRA pools. In the future, new long-term loans borrowed will probably be assignable in their entirety to one pool or the other. Interest payable and other costs/income arising from long-term loans (e.g. premiums and discounts on early redemption) can be identified/ credited to the respective account. Differences between the value of the HRA loans pool and the HRA's underlying need to borrow (adjusted for HRA balance sheet resources available for investment) will result in a notional cash balance which may be positive or negative. This balance will be measured and interest transferred between the General Fund and HRA at the Authority's average interest rate on investments, adjusted for credit risk.

Investment Training: The needs of the Authority's treasury management staff for training in investment management are assessed every month as part of the Treasury Management meetings, and additionally when the responsibilities of individual members of staff change.

Staff regularly attend training courses, seminars and conferences provided by Arlingclose and CIPFA. Relevant staff are also encouraged to study professional qualifications from CIPFA, the Association of Corporate Treasurers and other appropriate organisations.

Investment Advisers: The Authority has appointed Arlingclose Limited as treasury management advisers and receives specific advice on investment, debt and capital finance issues. The quality of this service is controlled by Officers experienced in these matters.

Investment of Money Borrowed in Advance of Need: The Authority may, from time to time, borrow in advance of need, where this is expected to provide the best long term value for money. Since amounts borrowed will be invested until spent, the Authority is aware that it will be exposed to the risk of loss of the borrowed sums, and the risk that investment and borrowing interest rates may change in the intervening period. These risks will be managed as part of the Authority's overall management of its treasury risks.

The total amount borrowed will not exceed the authorised borrowing limit of £230 million. The maximum period between borrowing and expenditure is expected to be two years, although the Authority is not required to link particular loans with particular items of expenditure.

Financial Implications

The budget for investment income in 2014/15 is £399.0 thousand, based on an average investment portfolio of £57 million at an interest rate of 0.8%. The budget for debt interest paid in 2014/15 is £5.5 million, based on an average debt portfolio of £185 million at an average interest rate of 3%. If actual levels of investments and borrowing, and actual interest rates differ from those forecast, performance against budget will be correspondingly different.

Other Options Considered

The CLG Guidance and the CIPFA Code do not prescribe any particular treasury management strategy for local authorities to adopt. The Director of Finance and ICT, having consulted the Portfolio Holder for Finance and Technology, believes that the above strategy represents an appropriate balance between risk

management and cost effectiveness. Some alternative strategies, with their financial and risk management implications, are listed below.

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Reduced risk of losses from credit related defaults
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults
Borrow additional sums at long-term fixed interest rates	Debt interest costs will rise; this is unlikely to be offset by higher investment income	Higher investment balance leading to a higher impact in the event of a default; however long-term interest costs will be more certain
Borrow short-term or variable loans instead of long-term fixed rates	Debt interest costs will initially be lower	Increases in debt interest costs will be broadly offset by rising investment income in the medium term, but long term costs will be less certain
Reduce level of borrowing	Saving on debt interest is likely to exceed lost investment income	Reduced investment balance leading to a lower impact in the event of a default; however long-term interest costs will be less certain

Appendix A - Arlingclose Economic & Interest Rate Forecast December 2013

Underlying assumptions:

- Growth continues to strengthen with the second estimate for Q3 growth coming in at an unrevised 0.8%. The service sector remains the main driver of growth, boosted by a contribution from construction.
- The unemployment rate has fallen to 7.6%. The pace of decline in this measure will be dependent on a slower expansion of the workforce than the acceleration in the economy, alongside the extent of productivity.
- The CPI for December has fallen to 2.0%, a much more comfortable position for the MPC. Utility price increases are expected to keep CPI above the 2% target in 2014, before falling back again.
- The principal measure in the MPC's Forward Guidance on interest rates is the Labour Force Survey (LFS) unemployment rate. The MPC intends not to raise the Bank Rate from its current level of 0.5% at least until this rate has fallen to a threshold of 7%.
- The reduction in uncertainty and easing of credit conditions have begun to unlock demand, much of which has fed through to the housing market. In response to concerns over a house price bubble, the Bank of England announced a curtailment of the Funding for Lending Scheme, which will henceforth concentrate on business lending only.
- The MPC will not hesitate to use macro prudential and regulatory tools to deal with emerging risks (such as curtailing the FLS). Absent risks to either price stability or financial stability, the MPC will only tighten policy when it is convinced about the sustained durability of economic growth.
- Federal Reserve monetary policy expectations - the slowing in the pace of asset purchases ('tapering') and the end of further asset purchases - will remain predominant drivers of the financial markets. Tapering of asset purchases will begin in Q1 2014. The US political deadlock over the debt ceiling will need resolving in Q1 2014.
- The European backstop mechanisms have lowered the risks of catastrophic meltdown. The slightly more stable economic environment at the aggregate Eurozone level could be undone by political risks and uncertainty in Italy, Spain and Portugal (doubts over longevity of their coalitions). The ECB has discussed a third LTRO, as credit conditions remain challenging for European banks.
- China data has seen an improvement, easing markets fears. Chinese leaders have signalled possible monetary policy tightening.
- On-going regulatory reform and a focus on bail-in debt restructuring is likely to prolong banking sector deleveraging and maintain the corporate credit bottleneck.

Forecast:

- Our projected path for short term interest rates remains flat. Markets are still pricing in an earlier rise in rates than warranted under Forward Guidance and the broader economic backdrop. The MPC will not raise rates until there is a sustained period of strong growth. However, upside risks weight more heavily at the end of our forecast horizon.
- We continue to project gilt yields on an upward path through the medium term. The recent climb in yields was overdone given the soft fundamental global outlook and risks surrounding the Eurozone, China and US.

	Mar-14	Jun-14	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17
Official Bank Rate													
Upside risk		0.25	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.75	0.75	0.75	1.00
Arlingclose Central Case	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Downside risk													
3-month LIBID rate													
Upside risk	0.20	0.25	0.30	0.35	0.40	0.50	0.55	0.60	0.65	0.70	0.75	0.90	0.95
Arlingclose Central Case	0.45	0.45	0.50	0.55	0.65	0.75	0.75	0.75	0.75	0.75	0.80	0.80	0.80
Downside risk			0.05	0.10	0.20	0.30	0.30	0.30	0.30	0.30	-0.35	-0.35	-0.35
1-yr LIBID rate													
Upside risk	0.35	0.30	0.35	0.40	0.45	0.50	0.60	0.70	0.75	0.75	0.75	0.80	0.80
Arlingclose Central Case	0.90	0.95	0.95	0.95	1.00	1.05	1.10	1.15	1.20	1.25	1.30	1.40	1.40
Downside risk	-0.25	-0.25	-0.25	-0.30	-0.35	-0.40	-0.45	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
5-yr gilt yield													
Upside risk	0.50	0.75	0.75	0.75	0.85	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	1.45	1.50	1.55	1.60	1.65	1.70	1.75	1.85	1.95	2.10	2.30	2.50	2.50
Downside risk	-0.50	-0.50	-0.50	-0.50	-0.55	-0.60	-0.60	-0.60	-0.65	-0.75	-0.80	-0.80	-0.80
10-yr gilt yield													
Upside risk	0.50	0.50	0.50	0.65	0.75	0.85	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	2.55	2.60	2.65	2.70	2.75	2.80	2.85	2.90	3.00	3.10	3.30	3.50	3.50
Downside risk	-0.50	-0.50	-0.50	-0.50	-0.55	-0.60	-0.60	-0.60	-0.65	-0.75	-0.80	-0.80	-0.80
20-yr gilt yield													
Upside risk	0.50	0.75	0.75	0.75	0.85	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.25	3.30	3.35	3.40	3.45	3.50	3.55	3.65	3.75	3.85	4.05	4.15	4.15
Downside risk	-0.50	-0.50	-0.50	-0.50	-0.55	-0.60	-0.60	-0.60	-0.65	-0.70	-0.75	-0.80	-0.80
50-yr gilt yield													
Upside risk	0.50	0.75	0.75	0.75	0.75	0.75	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Arlingclose Central Case	3.45	3.50	3.55	3.60	3.65	3.70	3.75	3.80	3.85	3.95	4.05	4.15	4.15
Downside risk	-0.50	-0.50	-0.50	-0.50	-0.55	-0.60	-0.60	-0.60	-0.65	-0.70	-0.75	-0.80	-0.80

Appendix B - Existing Investment & Debt Portfolio Position

	31.12.13 Actual Portfolio £m	31.12.13 Average Rate %
External Borrowing:		
PWLB - Fixed Rate	153.656	3.000
PWLB - Variable Rate	31.800	0.620
Local Authorities	0	0
LOBO Loans	0	0
Total External Borrowing	185.456	
Other Long Term Liabilities:		
PFI	0	
Finance Leases	0	
Total Gross External Debt	185.456	
Investments:		
<i>Managed in-house</i>		
Short-term investments	43.06	0.632
Long-term investments	10.0	1.15
<i>Managed externally</i>		
Fund Managers	0	0
Pooled Funds (<i>please list</i>)	7.0	0.4
Total Investments	60.06	
Net Debt	125.396	

Appendix B

Prudential Indicators 2014/15 - 2016/17

1. Background:

There is a requirement under the Local Government Act 2003 for local authorities to have regard to CIPFA's Prudential Code for Capital Finance in Local Authorities (the "CIPFA Prudential Code") when setting and reviewing their Prudential Indicators.

2. Gross Debt and the Capital Financing Requirement:

This is a key indicator of prudence. In order to ensure that over the medium term debt will only be for a capital purpose, the local authority should ensure that debt does not, except in the short term, exceed the total of capital financing requirement in the preceding year plus the estimates of any additional capital financing requirement for the current and next two financial years.

If in any of these years there is a reduction in the capital financing requirement, this reduction is ignored in estimating the cumulative increase in the capital financing requirement which is used for comparison with gross external debt.

The Director of Finance reports that the Authority had no difficulty meeting this requirement in 2013/14, nor are there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

3. Estimates of Capital Expenditure:

3.1 This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on Council Tax and in the case of the HRA, housing rent levels.

Capital Expenditure	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Non-HRA	4.293	4.555	8.629	1.417	1.397
HRA*	13.918	11.130	17.823	15.490	15.187
Total	18.211	15.685	26.452	16.907	16.584

3.2 Capital expenditure will be financed or funded as follows:

Capital Financing	2013/14 Approved	2013/14 Revised	2014/15 Estimate	2015/16 Estimate	2016/17 Estimate
	£m	£m	£m	£m	£m
Capital receipts	4.315	3.402	7.895	2.040	1.938
Government Grants	0.987	1.254	2.346	0.549	0.495
Major Repairs Allowance	8.709	6.679	10.511	8.618	8.451
Revenue contributions	4.200	4.350	5.700	5.700	5.700
Total Financing	18.211	15.685	26.452	16.907	16.584

Table 1 shows that the capital expenditure plans of the Authority can be funded entirely from sources other than external borrowing.

4. Ratio of Financing Costs to Net Revenue Stream:

4.1 This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs. The definition of financing costs is set out in the Prudential Code.

4.2 The ratio is based on costs net of investment income.

Ratio of Financing Costs to Net Revenue Stream	2013/14 Approved	2013/14 Revised	2014/15 Estimate	2015/16 Estimate	2016/17 Estimate
	%	%	%	%	%
Non-HRA	-3.28	-0.25	-0.05	-0.06	-0.83
HRA	16.97	16.30	16.05	15.81	15.03

5. Capital Financing Requirement:

5.1 The Capital Financing Requirement (CFR) measures the Authority's underlying need to borrow for a capital purpose. The calculation of the CFR is taken from the amounts held in the Balance Sheet relating to capital expenditure and financing.

Capital Financing Requirement	2012/13 Actual £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
HRA	155.1	155.1	155.1	155.1	155.1
Non-HRA	33.6	38.6	48.6	63.6	63.6
Total CFR	188.7	193.7	203.7	218.7	218.7

5.2 The Council is to embark on a house building programme. The preliminary work started during 2012/13 with the works themselves having started in 2013/14. Whilst the business plan includes a very modest allocation for this, it is expected that the programme will be expanded in years beyond 2014/15 once the first schemes have been completed successfully and following the Government announcement with regards to "Reinvigorating Right to Buy and One for One Replacement" where the Government desire is at a national level every additional home sold under Right to Buy will be replaced by a new home for affordable rent. Given the need to borrow for any additional house building the Council took advantage of the competitive borrowing rates whilst it could, rather than borrowing in a few years time when those rates will be unavailable. In the meantime this will allow the General Fund to continue (as it has done for a number of years) to internally borrow from the Housing Revenue Account at an appropriate rate, resulting in no detrimental impact on the General Fund from self-financing and would be fair to the HRA as it will still broadly receive the same level of income that it would have had if it had invested the money, rather than loaned internally to the GF.

6. Incremental Impact of Capital Investment Decisions:

6.1 This is an indicator of affordability that shows the impact of capital investment decisions on Council Tax and Housing Rent levels. The incremental impact is calculated by comparing the total revenue budget requirement of the current approved capital programme with an equivalent calculation of the revenue budget requirement arising from the proposed capital programme.

Incremental Impact of Capital Investment Decisions	2013/14 Estimate £	2014/15 Estimate £	2015/16 Estimate £	2016/17 Estimate £
Increase in Band D Council Tax	2.69	-0.45	-0.28	0.15
Increase in Average Weekly Housing Rents	-2.84	-0.48	0.02	0.01

7. Authorised Limit and Operational Boundary for External Debt:

7.1 The Authority has an integrated treasury management strategy and manages its treasury position in accordance with its approved strategy and practice. Overall borrowing will therefore arise as a consequence of all the financial transactions of the Authority and not just those arising from capital spending reflected in the CFR.

7.2 The **Authorised Limit** sets the maximum level of external debt on a gross basis (i.e. excluding investments) for the Authority. It is measured on a daily basis against all external debt items on the Balance Sheet (i.e. long and short term borrowing, overdrawn bank balances and long term liabilities). This Prudential Indicator separately identifies borrowing from other long term liabilities such as finance leases. It is consistent with the Authority's existing commitments, its proposals for capital expenditure and financing and its approved treasury management policy statement and practices.

7.3 The Authorised Limit is the statutory limit determined under Section 3(1) of the Local Government Act 2003 (referred to in the legislation as the Affordable Limit).

7.4 The Operational Boundary has been set on the estimate of the most likely, i.e. prudent but not worst case scenario with sufficient headroom over and above this to allow for unusual cash movements.

7.5 The Operational Boundary links directly to the Authority's estimates of the CFR and estimates of other cashflow requirements. This indicator is based on the same estimates as the Authorised Limit reflecting the most likely, prudent but not worst case scenario but without the additional headroom included within the Authorised Limit.

	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
Authorised Limit for Borrowing	200.00	200.00	230.00	230.00	230.00
Authorised Limit for External Debt	200.00	200.00	230.00	230.00	230.00
Operational Boundary for Borrowing	188.00	188.00	204.00	219.00	219.00
Operational Boundary for External Debt	188.00	188.00	204.00	219.00	219.00

8. Adoption of the CIPFA Treasury Management Code:

8.1 This indicator demonstrates that the Authority has adopted the principles of best practice.

Adoption of the CIPFA Code of Practice in Treasury Management
The Council approved the adoption of the CIPFA Treasury Management Code at its meeting on 22 April 2002.

The Authority has incorporated the changes from the revised CIPFA Code of Practice into its treasury policies, procedures and practices.

9. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure:

9.1 These indicators allow the Authority to manage the extent to which it is exposed to changes in interest rates. This Authority calculates these limits on net interest paid (i.e. interest paid on fixed rate debt net of interest received on fixed rate investments)

9.2 The upper limit for variable rate exposure has been set to ensure that the Authority is not exposed to interest rate rises which could adversely impact on the revenue budget. The limit allows for the use of variable rate debt to offset exposure to changes in short-term rates on investments.

	Maximum during 2012/13 %	2013/14 Approved %	2013/14 Revised %	2014/15 Estimate %	2015/16 Estimate %	2016/17 Estimate %
<u>Fixed</u>						
Upper Limit for Fixed Interest Rate Exposure on Debt	96	100	100	100	100	100
Upper limit for Fixed Interest Rate Exposure on Investments	(76)	(100)	(100)	(100)	(100)	(100)
<u>Variable</u>						
Upper Limit for Variable Interest Rate Exposure on Debt	4	25	25	25	25	25
Upper Limit for Variable Interest Rate Exposure on Investments	(24)	(75)	(75)	(75)	(75)	(75)

9.3 The limits above provide the necessary flexibility within which decisions will be made for drawing down new loans on a fixed or variable rate basis; the decisions will ultimately be determined by expectations of anticipated interest rate movements as set out in the Authority's treasury management strategy.

10. Maturity Structure of Fixed Rate borrowing:

10.1 This indicator highlights the existence of any large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years.

10.2 It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The maturity of borrowing is determined by reference to the earliest date on which the lender can require payment.

Maturity structure of fixed rate borrowing	Existing level (or Benchmark level) at 31/03/13 %	Lower Limit for 2014/15 %	Upper Limit for 2014/15 %
under 12 months	0	0	100
12 months and within 24 months	0	0	100
24 months and within 5 years	0	0	100
5 years and within 10 years	0	0	100
10 years and within 20 years	0	0	100
20 years and within 30 years	100	0	100
30 years and within 40 years	0	0	100
40 years and within 50 years	0	0	100
50 years and above	0	0	100

11. Credit Risk:

11.1 The Authority considers security, liquidity and yield, in that order, when making investment decisions.

11.2 Credit ratings remain an important element of assessing credit risk, but they are not a sole feature in the Authority's assessment of counterparty credit risk.

11.3 The Authority also considers alternative assessments of credit strength, and information on corporate developments of and market sentiment towards counterparties. The following key tools are used to assess credit risk:

- Published credit ratings of the financial institution (minimum A- or equivalent) and its sovereign (minimum AA+ or equivalent for non-UK sovereigns);
- Sovereign support mechanisms;
- Credit default swaps (where quoted);
- Share prices (where available);
- Economic fundamentals, such as a country's net debt as a percentage of its GDP);
- Corporate developments, news, articles, markets sentiment and momentum;
- Subjective overlay.

11.4 The only indicators with prescriptive values remain to be credit ratings. Other indicators of creditworthiness are considered in relative rather than absolute terms.

12. Upper Limit for total principal sums invested over 364 days:

12.1 The purpose of this limit is to contain exposure to the possibility of loss that may arise as a result of the Authority having to seek early repayment of the sums invested.

Upper Limit for total principal sums invested over 364 days	2013/14 Approved £m	2013/14 Revised £m	2014/15 Estimate £m	2015/16 Estimate £m	2016/17 Estimate £m
	30	30	30	30	30

Appendix C - Current Recommended Sovereign and Counterparty List as at 31/12/2013

Country/ Domicile	Counterparty	Maximum Counterparty Limit £m	Maximum Group Limit (if applicable) £m	Maximum Maturity Limit
UK	Santander UK Plc (Banco Santander Group)	10.0		6 months
UK	Bank of Scotland (Lloyds Banking Group)	10.0	10.0	6 months
UK	Lloyds TSB (Lloyds Banking Group)	10.0		6 months
UK	Barclays Bank Plc	10.0		1 year
UK	HSBC Bank Plc	10.0		1 year
UK	Nationwide Building Society	10.0		1 year
UK	NatWest (RBS Group)	10.0	10.0	Overnight
UK	Royal Bank of Scotland (RBS Group)	10.0		Overnight
UK	Standard Chartered Bank	10.0		1 year
Australia	Australia and NZ Banking Group	10.0		1 year
Australia	Commonwealth Bank of Australia	10.0		1 year
Australia	National Australia Bank Ltd (National Australia Bank Group)	10.0		1 year
Australia	Westpac Banking Corp	10.0		1 year
Canada	Bank of Montreal	10.0		1 year
Canada	Bank of Nova Scotia	10.0		1 year
Canada	Canadian Imperial Bank of Commerce	10.0		1 year
Canada	Royal Bank of Canada	10.0		1 year
Canada	Toronto-Dominion Bank	10.0		1 year
Finland	Nordea Bank Finland	8.0		12 months
Finland	Pohjola Bank	8.0		6 months
France	BNP Paribas	Suspended		Suspended
France	Credit Agricole CIB (Credit Agricole Group)	Suspended		Suspended

France	Credit Agricole SA (Credit Agricole Group)	Suspended		Suspended
France	Société Générale	Suspended		Suspended
Germany	Deutsche Bank AG	8.0		1 year
Germany	Landesbank Hessen-Thuringen	8.0		100 days
Netherlands	ING Bank NV	8.0		100 days
Netherlands	Rabobank	8.0		1 year
Netherlands	Bank Nederlandse Gemeenten	8.0		1 year
Sweden	Svenska Handelsbanken	8.0		1 year
Switzerland	Credit Suisse	8.0		100 days
US	JP Morgan	8.0		1 year

***Please note this list could change if, for example, a counterparty/country is upgraded, and meets our other creditworthiness tools or a new suitable counterparty comes into the market. Alternatively, if a counterparty is downgraded, this list may be shortened.*

Group Limits - For institutions within a banking group, the authority executes a limit of that of an individual limit of a single bank within that group.

The Council is not currently investing with the Euro Zone counterparties but the limits above are those recommended by Arlingclose.

Appendix D - Non-Specified Investments

Instrument	Maximum maturity	Maximum £M	Capital expenditure?	Example
Call accounts, term deposits & CDs with banks, building societies & local authorities which do not meet the specified investment criteria (on advice from TM Adviser)	5 years	20	No	
Deposits with registered providers	5 years	20	No	
Gilts	5 years	10	No	
Bonds issued by multilateral development banks	5 years	5	No	<i>EIB Bonds, Council of Europe Bonds etc.</i>
Sterling denominated bonds by non-UK sovereign governments	5 years	5	No	
Money Market Funds and Collective Investment Schemes	5 years	20	No	<i>Investec Target Return Fund; Elite Charteris Premium Income Fund; LAMIT; M&G Global Dividend Growth Fund</i>
Corporate and debt instruments issued by corporate bodies purchased from 01/04/12 onwards	5 years	5	No	
Collective Investment Schemes (pooled funds) which do not meet the definition of collective investment schemes in SI 2004 No 534 or SI 2007 No 573	These funds do not have a defined maturity date	10	Yes	<i>Way Charteris Gold Portfolio Fund; Lime Fund</i>

Appendix E - MRP Statement 2014/15

CLG's Guidance on Minimum Revenue Provision (issued in 2010) places a duty on local authorities to make a prudent provision for debt redemption. Guidance on Minimum Revenue Provision has been issued by the Secretary of State and local authorities are required to "have regard" to such Guidance under section 21(1A) of the Local Government Act 2003.

The four MRP options available are:

- Option 1: Regulatory Method
- Option 2: CFR Method
- Option 3: Asset Life Method
- Option 4: Depreciation Method

NB This does not preclude other prudent methods.

MRP in 2013/14: Options 1 and 2 may be used only for supported (i.e. financing costs deemed to be supported through Revenue Support Grant from Central Government) Non-HRA capital expenditure funded from borrowing. Methods of making prudent provision for unsupported Non-HRA capital expenditure include Options 3 and 4 (which may also be used for supported Non-HRA capital expenditure if the Authority chooses). There is no requirement to charge MRP in respect of HRA capital expenditure funded from borrowing.

The MRP Statement will be submitted to Council before the start of the 2014/15 financial year. If it is ever proposed to vary the terms of the original MRP Statement during the year, a revised statement should be put to Authority at that time.

The Authority's CFR at 31st March 2012 became positive as a result of the Housing Subsidy reform settlement. This would normally require the Authority to charge MRP to the General Fund in respect of Non-HRA capital expenditure funded from borrowing. CLG has produced regulations intended to mitigate this impact, and as such under Option 2 (the CFR method) there is no requirement to charge MRP for Self-financing debt.

The Authority may in 2014/15 borrow additional funds to pre or post fund future capital requirements. If this happens the MRP will not be effective until 2015/16.

TREASURY MANAGEMENT POLICY STATEMENT

1. INTRODUCTION AND BACKGROUND

1.1 The Council adopts the key recommendations of CIPFA's Treasury Management in the Public Services: Code of Practice (the Code), as described in Section 5 of the Code.

1.2 Accordingly, the Council will create and maintain, as the cornerstones for effective treasury management:-

- A treasury management policy statement, stating the policies, objectives and approach to risk management of its treasury management activities
- Suitable treasury management practices (TMPs), setting out the manner in which the Council will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.

1.3 The Council will receive reports on its treasury management policies, practices and activities including, as a minimum, an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close, in the form prescribed in its TMPs.

1.4 The Council delegates responsibility for the implementation and monitoring of its treasury management policies and practices to the Finance & Performance Cabinet Committee and for the execution and administration of treasury management decisions to the Director of Finance & ICT who will act in accordance with the organisation's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.

1.5 The Council nominates the Audit & Governance Committee to be responsible for ensuring effective scrutiny of the treasury management strategy and policies.

2. POLICIES AND OBJECTIVES OF TREASURY MANAGEMENT ACTIVITIES

2.1 The Council defines its treasury management activities as:

"The management of the Council's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks."

2.2 This Council regards the successful identification, monitoring and control of risk to be the prime criteria by which the effectiveness of its treasury management activities will be measured. Accordingly, the analysis and reporting of treasury management activities will focus on their risk implications for the organisation, and any financial instruments entered into to manage these risks.

2.3 This Council acknowledges that effective treasury management will provide support towards the achievement of its business and service objectives. It is therefore committed to the

principles of achieving value for money in treasury management, and to employing suitable performance measurement techniques, within the context of effective risk management.”

2.4 The Council’s borrowing will be affordable, sustainable and prudent and consideration will be given to the management of interest rate risk and refinancing risk. The source from which the borrowing is taken and the type of borrowing should allow the Council transparency and control over its debt.

2.5 The Council’s primary objective in relation to investments remains the security of capital. The liquidity or accessibility of the Authority’s investments followed by the yield earned on investments remain important but are secondary considerations.

Report to the Council

Committee: Cabinet

Date: 20 February 2014

Portfolio Holder: Councillor S Stavrou

BUDGETS AND COUNCIL TAX DECLARATION 2014/15

Recommending:

- (1) That the list of CSB growth and savings for the 2014/15 budget (set out in Annex 1) be approved;**
- (2) That the list of District Development Fund items for the 2014/15 budget (set out in Annex 2) be approved;**
- (3) That the revenue estimates for 2014/15 and the draft Capital Programme for 2014/15 be approved as set out in Annexes 3, 4 (a-g) and 5 including all contributions to and from reserves as set out in the attached Annexes;**
- (4) That the medium term financial forecast be approved as set out in Annexes 8 a and 8 b;**
- (5) That the 2014/15 HRA budget be approved and that the application of rent increases and decreases resulting in an average increase of 4.91% from £91.10 to £95.59, be approved;**
- (6) That the Council's policy of retaining revenue balances at no lower than £4.0M or 25% of the net budget requirement whichever is the higher for the four year period to 2016/17 be amended to no lower than £4.0M or 25% of the net budget requirement whichever is the higher during the four year period up to and including 2017/18;**
- (7) That the report of the Chief Financial Officer on the robustness of the estimates for the purposes of the Council's 2014/15 budgets and the adequacy of the reserves (see Annex 9) be noted.**

Declaration of Council Tax

- (8) That it be noted that under delegated authority the Director of Finance & ICT, in consultation with the Finance and Technology Portfolio Holder, calculated the Council Tax Base 2014/15:**
 - (a) for the whole Council area as 50,679.4 (Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended); and**
 - (b) for dwellings in those parts of its area to which a Parish precept relates as set out below and in Annex 6.**

	Tax Base
Abbess, Beauchamp & Berners Roding	202.4
Buckhurst Hill	5,016.0
Chigwell	5,737.7
Epping Town	4,828.3
Epping Upland	403.0
Fyfield	404.4
High Ongar	527.5
Lambourne	825.0
Loughton Town	11,828.2
Matching	415.5
Moreton, Bobbingworth and The Lavers	541.2
Nazeing	1,975.9
North Weald Bassett	2,422.4
Ongar	2,609.1
Roydon	1,264.7
Sheering	1,274.0
Stanford Rivers	343.6
Stapleford Abbotts	493.8
Stapleford Tawney	77.4
Theydon Bois	1,938.3
Theydon Garnon	81.3
Theydon Mount	108.7
Waltham Abbey Town	7,131.1
Willingale	229.9

(9) That the following amounts be calculated for the year 2014/15 in accordance with sections 31 to 36 of the Local Government Finance Act 1992:

- (a) £123,761,841 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
- (b) £113,144,884 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
- (c) £10,616,957 being the amount by which the aggregate at 9 (a) above exceeds the aggregate at 9 (b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
- (d) £209.49 being the amount at 9 (c) above (Item R), all divided by Item T (the amount at 8 (a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
- (e) £3,077,383 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Annex 6);
- (f) £148.77 being the amount at 9 (d) above less the result given by dividing the amount at 9 (e) above by Item T (8 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

(10) That it be noted that the County Council, the Police Authority and the Fire Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each of the category of dwellings in the Council's area as shown in Annex 7 (to be tabled);

(11) That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in Annex 7 Part B (tabled) as the amounts of Council Tax for 2014/15 for each part of its area and for each of the categories of dwellings.

(12) That in accordance with section 52ZB of the Local Government Finance Act 1992, Council determines that the amount of Council Tax shown at (9) (f) of £148.77 for 2014/15, being unchanged from 2013/14 is not excessive and therefore there is no need to hold a local referendum.

General Fund Budget Guidelines

1. The annual budget process commenced with the Financial Issues Paper (FIP) being presented to the Finance & Performance Management Cabinet Committee on 19 September 2013. The paper was prepared against the background of cuts in public expenditure, ongoing difficulties within the economy and highlighted the uncertainties associated with:
 - a) Central Government Funding
 - b) Business Rates Retention
 - c) Welfare Reform
 - d) New Homes Bonus
 - e) Development Opportunities
 - f) Reducing Income Streams
 - g) Waste and Leisure Contract Renewals
 - h) Organisational Review
2. There is now greater clarity on some of these issues, but several of them will not be resolved for some time. The key areas are revisited in subsequent paragraphs.
3. In setting the budget for the current year Members had anticipated using £44,000 from the general fund reserves. This was possible as the MTFS approved in February 2013 showed a combination of net savings targets and limited use of reserves which still adhered to the policy on reserves over the medium term. The limited use of reserves in 2013/14 was not significant as the MTFS at that time was predicting the use of just over £1.3 million of reserves to support spending in the following three years.
4. The revised four year forecast presented with the FIP took into account all the additional costs known at that point and highlighted the additional reductions in support grant and the potential top-slicing of New Homes Bonus. This projection showed a need to achieve net savings of £700,000 on the 2014/15 estimates, followed by £700,000 in 2015/16 and 2016/17 and £200,000 in 2017/18 to keep revenue balances above the target level at the end of 2017/18.
5. Members adopted this measured approach to reduce expenditure in a progressive and controlled manner. The budget guidelines for 2014/15 were therefore established as:
 - i. The ceiling for CSB net expenditure be no more than £14.07m including net growth/savings.

- ii. The ceiling for DDF net expenditure be no more than £0.142m.
- iii. The District Council Tax to be frozen.

The Current Position

6. The overall revenue budget summary is included as Annex 3. The main year on year resource movements are highlighted in the CSB and DDF lists, which are attached as Annexes 1 and 2. In terms of the guidelines, the position is set out below, after an update on each of the key areas highlighted in the FIP.

a) Central Government Funding

7. The 2013/14 financial year took us into the new world of locally retained business rates, vastly reduced Revenue Support Grant and Local Council Tax Support. Rather unhelpfully the DCLG did not provide a separate figure for Local Council Tax Support Grant for 2014/15 and this has been maintained with the draft figures supplied immediately before Christmas. This means it is necessary to provide two comparative tables below to illustrate the reductions in funding. The first table is based on Formula Grant but this is only possible up to 2013/14.

	2009/10 £m	2010/11 £m	2011/12 £m	2012/13 £m	2013/14 £m
Formula Grant (adjusted)	9.368	9.415 (8.710)	7.590 (7.543)	6.656	6.050
Increase/(Decrease) £	0.046	0.047	(1.120)	(0.887)	(0.606)
Increase/(Decrease) %	0.5%	0.5%	(12.9%)	(11.8%)	(9.1%)

8. The figures shown above illustrate the substantial annual reductions that began in 2011/12. Even using the adjusted figure of £8.710m for 2010/11, Formula Grant has reduced by £2.66m or 31% over the last three years. From 2014/15 Formula Grant has not been separately identified so a different comparison is needed.

	2013/14 £m	2014/15 £m	2015/16 £m
Formula Grant	6.050	Not known	Not known
Homelessness Grant	0.113	Not known	Not known
Local Council Tax Support Grant	1.119	Not known	Not known
Funding Assessment	7.282	6.375	5.393
Increase/(Decrease) £	n/a	(0.907)	(0.982)
Increase/(Decrease) %	n/a	(12.5%)	(15.4%)

9. By not providing a full analysis for 2014/15 and 2015/16 the DCLG has prevented a detailed comparison with earlier periods. The draft figure for 2014/15 of £6.375m was slightly higher than the previous figure of £6.290m but the 2015/16 figure at £5.393m is slightly lower than the previous figure of £5.40m. It can still be seen that in three years under this new system funding reduces by £1.889m or by 25.9%. Using the two tables to make a crude comparison it can be seen that over 5 years funding has fallen by nearly 60%. The funding position in 2015/16 is £735,000 worse than had been anticipated in the February 2013 MTFS, in updating the MTFS this full reduction has been allowed for.
10. As part of abolishing Council Tax Benefit and introducing Local Council Tax Support the DCLG had to determine whether parish councils would be affected by the reduction in council tax base or left outside the calculations. Despite the consultation responses 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 is that DCLG does not have a legal power to make grant

payments direct 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 last year that parish councils should be fully protected from this change for 2013/14, a decision not shared by many authorities across the country. This meant that the figure notionally relating to parishes of £312,812 was topped up with an additional £7,460 to £320,272.

11. The draft settlement has no separate figures for Local Council Tax Support, let alone a detailed split between the district and the parishes. Cabinet agreed in December that in the absence of this data it should be assumed that the overall reductions should be treated as applying equally to the Local Council Tax Support element. Based on the draft settlement, it is proposed to reduce the funding to parish councils by 12.5% for 2014/15 (£40,034) and 15.4% for 2015/16 (£43,156). These amounts need to be seen in the light of the total parish precepts for 2013/14 being just short of £3m. Information was circulated to parish colleagues before Christmas and confirmed after the meeting of the Finance & Performance Management Cabinet Committee on 20 January.

b) Business Rates Retention

12. There was concern at this time last year about the design of this new system but thankfully the DCLG listened to the views being expressed and modified several of their assumptions. To refresh Member's memories some of the information from the 2013/14 budget papers is repeated below in paragraphs 13 to 17.
13. For this district the predicted total amount of non-domestic rates for 2013/14 has been set as £31,888,336, which is shared out as shown in the table below.

Authority & Percentage Share	Amount £
Central Government (50%)	15,944,168
EFDC (40%)	12,755,334
Essex County Council (9%)	2,869,950
Essex Fire Authority (1%)	318,884

14. As the billing authority we are responsible for collecting the money and then paying it over as set out above. 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) is also paid to Central Government as a "Tariff". The tariffs are used to provide "Top Ups" to those authorities whose non-domestic rate income is lower than their deemed funding from business rates. Overall this means we will be collecting nearly £32 million but retaining less than £3 million, or just over 9%.
15. The basic amounts within the system are now fixed for an extended period, DCLG have stated that the system will not be re-set until 2020. Although this does not apply to the tariff payments that will be increased annually by inflation, we have been given an indicative tariff figure for 2014/15 of £10.148 million.
16. Overall the predicted total level of non-domestic rates is broadly in line with the current position and it is unlikely that we will have either a large initial shortfall or any windfall gain from the new system. There is a major concern here though due to the way appeals and refunds will be treated within the system. Even though DCLG have already had the benefit of non-domestic rates paid in respect of periods prior to 1 April 2013, all appeals regardless of start date will be accounted for within the new system. This will mean billing authorities will be refunding money that they have not benefited from in the first place. It also means that in getting to a predicted level of non-domestic rates for 2013/14, allowance has to be made for the amount of money you anticipate having to pay out in appeals and refunds.

17. Calculating an appropriate provision for appeals is extremely difficult as there are currently more than 500 appeals with the Valuation Office. Each appeal will have arisen from different circumstances and it is difficult to produce a uniform percentage to apply. This is a particular concern at the moment as there is one property in the south of the district which has a rateable value approaching £6 million and is currently being appealed. If a full provision was included in our calculations for the owners of this property being completely successful in their appeal there would be a significant shortfall. Based on previous experience and discussions with the Valuation Office a provision has been calculated that is felt to be prudent, but given the size of the financial risk here it is worth mentioning the potential problem.
18. Having had that reminder of how we got here it is necessary to consider what our monitoring has told us since the start of the year. There are two aspects to the monitoring, firstly changes in the rating list and secondly the collection of cash. Changes in the rating list are important as with local retention the overall funds available to authorities will increase or decrease as the total value of the list increases or decreases. The NNDR1 form set out the non-domestic rate estimates for the year and started with a gross yield of £40,208,899 which was then reduced by the various reliefs for charities and small businesses and an allowance for appeals to get to a net rate yield of £31,897,379. At the end of December the net rate yield had reduced by approximately £600,000 and as the Council retains 40% of gains and losses this would mean a reduction in funding of £240,000. However, the allowance for appeals figure has not been reduced during the year for the appeals that have been settled. This has not been done to be prudent as the large appeal mentioned above is still to be settled and the Council has recently been notified of another large appeal involving a pipeline. External advice is being obtained on the pipeline case as the Valuation Office does not appear to have followed all of the correct procedures in dealing with this case. If the Council has to bear the cost of the pipeline case the net rate yield would be reduced by approximately £1.6 million.
19. Cash collection is important as the Council is required to make payments to the Government and other authorities based on their share of the rating list. These payments are fixed and have to be made even if no money is collected. Therefore, effective collection is important as this can generate a cash flow advantage to the Council. If collection rates are low the Council is left to finance these payments from working capital and so has to reduce investment balances. At the end of December the total collected was £29,474,306 and payments out were £23,920,351, meaning the Council was holding £5,553,955 of cash and so the Council's overall cash position was benefitting from the effective collection of non-domestic rates. This would not have been possible without the additional funding of £25,000 provided in the 2013/14 budget for enforcement action on arrears cases.
20. The Autumn Statement and the draft settlement figures made some unexpected changes to the system and also set out the likely funding and tariff amounts for the next two years –

	2013/14 £m	2014/15 £m	2015/16 £m
Baseline Funding	2.909	2.966	3.048
Tariff	9.846	10.038	10.315
Increase %		1.95%	2.76%

21. Both the money the Council retains as part of its own funding and the tariff that has to be paid into the central pool increase by 1.95% for 2014/15 and then by 2.76% for 2015/16. The increase in funding from retained business rates is more than offset by the reductions in support grant, the two figures combined give the Funding Assessment figure shown under paragraph 9. This means that in the first three years of this system the percentage of funding coming from retained business rates goes from under 40% to nearly 60%, which illustrates the increasing importance of

economic development and good collection rates.

22. The unexpected changes to the system included reducing the annual increase from the RPI value of 3.2% to 2%, providing a discount of £1,000 for some retail premises and extending the doubling of small business rate relief. These measures will help businesses but reduce the amount of business rates available to the Council and introduce an additional administrative burden. The Chancellor has stated that local authorities will be fully compensated for these losses and it is hoped that will prove to be the case.
23. In summary, at the end of December the collection of cash is not a concern but the reduction in the overall value of the rating list is. The other concern is the fact that there has been little progress on the appeals position and so this significant risk is still with us. The MTFs has not assumed either any growth or any shortfall in funding from retained business rates for 2014/15 onwards. However, to be prudent £250,000 has been included in the DDF for 2014/15 to provide against the outstanding appeals.
24. One other aspect of the new scheme worth mentioning is the ability to pool with other authorities to share risk and possibly reduce levy payments. The DCLG were very late issuing guidance last year and so although most Essex authorities were keen on pooling in principle, no agreements was possible for 2013/14. The possibility of pooling was taken forward through the Essex Leaders Strategic Finance Group and the outline terms of a pool were agreed 2014/15. However, the changes in the Autumn Statement and draft settlement have significantly reduced the potential benefits and so pooling will not now take place in Essex during 2014/15. It is understood that authorities in Hertfordshire will also be withdrawing their pooling application.

c) Welfare Reform

25. This phrase is used to capture a number of initiatives that are radically changing the way many benefits are paid and the amounts of those benefits. The single largest change from 1 April 2013 is the abolition of Council Tax Benefit and its replacement with Local Council Tax Support (LCTS). Much effort has gone in across the county to develop, consult on and implement schemes aimed at being self financing. Because of the requirement to protect people of pension age and the different demographics across the county it was not possible to agree a single uniform scheme but a number of common principles were agreed that all of the schemes were based on.
26. In constructing our own scheme we were always conscious that some of the assumptions being used by the DCLG and the Department for Work & Pensions (DWP) meant that talk of a 10% saving would in reality mean a funding gap closer to 15%. This meant many variables were modeled and considered before a draft scheme was agreed by Cabinet for consultation and finally adoption by Council in December 2012. The final scheme for 2013/14 aimed to reduce expenditure of £8.95 million to £7.68 million to provide a saving of 14%. The settlement figures for 2013/14 included sufficient grant to compensate authorities for the reduction in tax base and to cover both the loss to the local councils and the loss to this Council.
27. The scheme has been carefully monitored through the year and the revised estimate for the year is £7.56 million, a reduction of approximately £120,000 or 1.6%. This small saving has arisen through a reduction in caseload from above 8,400 at the start of the year to under 8,300 now.
28. Given the position on the current year's scheme and the projections for 2014/15, Council decided on 17 December 2013 to keep the scheme for 2014/15 very similar to that for 2013/14. This approach is common not only across Essex but most of the country as well. As the funding reductions in 2015/16 are more substantial it is likely that schemes will need to be amended to seek savings in that year and so a degree of stability and consolidation in 2014/15 is welcomed. It should be remembered that a lot

of residents have been asked to pay Council Tax for the first time and in getting them used to this idea it would be counter-productive to increase their bills too quickly. In dealing with first time payers a balance has to be struck between bills which are too big and consequently ignored as the resident has no chance of paying them or too small in which case there is a belief that the charge will not be pursued. This will need to be borne in mind when constructing the 2015/16 scheme as the good rate at which we have been able to collect 20% of the full charge is unlikely to be maintained if the charge goes much above 30%.

29. I will take this opportunity to briefly update on some of the other welfare reforms. Both the Benefits Cap and the Removal of Spare Room Subsidy (also known as the "Bedroom Tax") were delayed but have now been introduced. The full effects of these changes will not be evident for some time. However, it is encouraging that at the moment it is anticipated that the existing provision for both hardship relief (for LCTS) and discretionary housing payments will be adequate.
30. The other major change that has received considerable media coverage is the replacement of a collection of different benefits with a single Universal Credit (UC). Unfortunately this scheme has also been subjected to delays and confusion, further highlighted by a report from the National Audit Office. The latest update as part of the Autumn Statement said that existing housing benefit claims would not transfer to UC until 2016/17. This was helpful in at least clarifying the role of local authorities in the short term whilst the DWP is still to decide on the role it wants local authorities to ultimately perform under UC. Despite the delay with UC the DWP are pushing ahead with the introduction of a Single Fraud Investigation Service. Although the dates are still rather vague for this too with it taking place between October 2014 and March 2016.

d) New Homes Bonus

31. The amount of NHB payable for a year is determined by the annual change in the total number of properties on the council tax list in October. This means that the bonus is payable on both new housing and empty properties brought back in to use. The increase in the tax base is multiplied by a notional average council tax figure of £1,439, with an additional premium for social housing. The calculated figure is then shared with 20% going to the county council and 80% to the district, with the amount being payable for six years. For 2014/15 the Council will receive approximately £535,000 and this will be added to the CSB income figure.
32. There was concern in September with a DCLG consultation proposing to top slice £400m of funding from the NHB due to authorities to contribute to the Local Growth Fund which will be administered by Local Enterprise Partnerships (LEPs). Thankfully it has been confirmed that this will not now be happening. However, uncertainty remains over the future of NHB as the DCLG is conducting a review which is meant to conclude by Easter 2014. This is likely to change some aspects of the scheme and one possibility that has been discussed is the withholding of NHB where the planning permission has only been granted on appeal.
33. In September the MTFS was adjusted to allow for the large reduction to fund the LEPs and by including anticipated amounts for NHB in subsequent periods. This has now been reversed as the top slice is not taking place but income for future years has become more uncertain. This is a prudent position to adopt until the review is concluded.

e) Development Opportunities

34. Significant, although not universally popular, progress has been made since September on some of the Council's development sites. The re-development of the Winston Churchill in Debden will bring additional income from NHB and retained

business rates but there has been local opposition to the scheme. A more popular scheme has been the purchase of the long lease for the Sainsbury's site at Torrington Drive as parts of this site are derelict. The certainty over these schemes has meant it has been possible to make adjustments to the capital and revenue budgets for them.

35. There are several other schemes still in progress such as the possibility of a retail park in Loughton and a mixed use redevelopment of the St Johns area in Epping. The Council has had the requirement for capital resources to be used for revenue generating schemes as part of the Capital Strategy for some time. If schemes proceed it will only be after rigorous examination to ensure business cases make sense and a financial benefit is anticipated.
36. Given the lack of certainty at this time about which of the potential sites will progress, and indeed which of the schemes for a given site, the MTFs and capital projections do not include either any capital financing requirement or any revenue projections. The only budgets that are included for the developments are those that Members have already approved for preliminary consultancy and planning works.

f) Reducing Income Streams

37. Several of the key income streams are monitored on a monthly basis and the table below sets out the position at the end of December –

Activity	Original Estimate	Estimate to end December	Actual to end December	Possible Shortfall/(Surplus)
Building Control	£459,200	£351,980	£285,051	£100,000
Dev. Control	£541,250	£393,680	£427,694	(£40,000)
Land Charges	£179,940	£136,970	£155,438	(£25,000)
Licensing	£300,930	£248,770	£236,590	£20,000
Fleet Ops.	£251,160	£191,160	£171,252	£30,000

38. The FIP reported on the income position as at the end of August, which showed a combined potential shortfall of £230,000. In every area the income position has improved in the subsequent four months. This is particularly evident for Development Control which has seen a potential shortfall of £40,000 turn into a potential surplus of £40,000. The combined potential shortfall is still significant at £85,000 but this is an improvement of £145,000 on the previous position.
39. The other key income stream worth commenting on is the market at North Weald. As the operator was experiencing financial difficulties the Council agreed to a reduced rent, which included a profit share element if the income exceeds a given level in any individual week. So far the level of income necessary to trigger the profit share has not been reached in any week, although the market is continuing to trade on an adequate basis and still attracts approximately 200 traders each week. The estimates were based on a lower level of income but part of this reduction was attributed to the DDF so that the longer term trend could be evaluated before adjusting down the CSB. Given experience so far in 2013, it appears likely that the estimate for CSB income from the market will need to be reduced by £200,000 and the MTFs has been adjusted for this.
40. The shortfalls in income and the other financial pressures necessitated a critical review of fees and charges. One key area that needed to be revisited was pay and display charges in the Council's off-street car parks. These charges had not been increased for five years and the study by Price Waterhouse Coopers in 2011/12 predicted that modest changes in the fee structure could boost income by more than £300,000. The meeting of the Finance and Performance Management Cabinet Committee in

November decided that officers should bring forward a charging structure which provides £150,000 of additional income and this amount has been included in the MTFS.

g) Waste and Leisure Contract Renewals

41. Two of the Council's high profile and high cost services are provided by external contractors, SITA for waste and SLM for leisure. The current waste contract expires in November 2014 and a procurement exercise is underway for the new contract. A competitive dialogue procedure is being used to seek innovation and efficiency in the provision of this service. Market intelligence suggests it should be possible to procure the service at a lower cost than the current contract. However, at this early stage in the process it would not be prudent to build any savings in to the MTFS.
42. The leisure management contract was due to expire in January 2013 but an option was exercised that extended the contract for three years. A Leisure Strategy is being prepared and as part of this serious consideration will need to be given to what is the appropriate role for local authorities in leisure provision in these difficult financial times. The budget book for 2013/14 includes net expenditure of over £2m for leisure facilities and this is not sustainable in the long term given the Council's financial position.

h) Organisational Review

43. In December Council agreed the revised top management structure proposed in the Head of Paid Service Report. From April 2014 the organisation will be based on a four directorate structure. In a full year this will provide a CSB saving of approximately £350,000, although in order to achieve this one-off costs of £370,000 will need to be incurred. The savings and expenditure fall in more than one year as it is necessary for operational reasons for some of the staff affected to remain in post beyond 31 March 2014. Each Director will be reviewing their new directorate to identify both savings and areas in need of additional investment and some adjustments to resources may be necessary during 2014/15.
44. As part of the Head of Paid Service Report, the need was discussed for a DDF budget to support projects on transformational change. The Chief Executive is still to set out in detail his plans for transformation but a budget of £150,000 has been included at this stage.

The ceiling for CSB net expenditure be no more than £14.07m including net growth

45. Annex 1 lists all the CSB changes for next year. The MTFS in September included CSB savings of £643,000 but the revised 2013/14 budget has an additional £64,000 of savings. The most significant item not already covered above is a reduction in the NNDR bill for the Civic Offices. Growth of £13,000 had been allowed for this item but a successful appeal has provided a saving of £87,000, a net change of £100,000.
46. The greater savings in 2013/14 and inflation being less than had been allowed for mean that the opening CSB in 2014/15 is £219,000 lower than anticipated in the previous MTFS. This combined with CSB savings being £76,000 higher than the target mean the closing CSB is £295,000 lower than previously predicted.
47. The MTFS at Annex 8 (a) shows that the CSB total is £295,000 below the CSB target of £14.07m and it is therefore proposed to reduce the CSB target to £13.77m.

The ceiling for DDF net expenditure be no more than £0.142m

48. The DDF net movement for 2014/15 is £1.863m, Annex 2 lists all the DDF items in detail. The largest cost item is £321,000 for work on the Local Plan. The Local Plan is

a substantial and unavoidable project and in 2013/14 and the subsequent two years DDF funding of £0.751m is allocated to it. The Director of Planning and Economic Development has been asked to provide regular updates to Cabinet to monitor this project and the expenditure incurred on it. Other significant items of expenditure include £199,000 for the planned building maintenance programme and £160,000 for the work on asset rationalisation.

49. The DDF lists include £150,000 for the Chief Executive's Transformation Programme. As the organisational restructure is taken forward below the Assistant Director level external consultancy assistance will be necessary to transform processes and structures. Whether all of this funding is needed will depend on the scale and nature of the projects pursued but it is prudent to include a significant budget at this time.
50. At £1.863m the DDF programme is £1.721m above the target for 2014/15. However, this needs to be balanced with the reduction in 2013/14 as the predicted spend in the previous MTFS of £1.557m has been reduced by £0.886m to £0.671m. Taking the two years together there is a net increase in DDF spending of £0.835m. In September the various costs and savings from the restructure were still to be determined and these have increased the DDF spend by £566,000 (severance costs of £371,000, £150,000 for transformation and £45,000 for the temporary Assistant director post for Economic Development), with the other significant new item being the £160,000 for the work on asset rationalization. Therefore, it is proposed to increase the DDF ceiling for 2014/15 from £0.142m to £1.863m. The DDF is predicted to continue to have funds available through to the end of the period covered by the MTFS.

The District Council Tax be frozen

51. Members have indicated that they want to benefit from the Council Tax freeze grant for 2014/15 and so the Council Tax will not be increased for 2014/15.

That longer term guidelines covering the period to March 2018 provide for

The level of General Fund revenue balances to be maintained within a range of approximately £4.0m to £4.5m but at no lower level than 25% of net budget requirement whichever is the higher;

52. Current projections show this rule will not be breached by 2017/18, by which time reserves will have reduced to £7.531m and 25% of net budget requirement will be £3.194m.

Future levels of CSB net expenditure being financed predominately from External Funding from Government and Council Tax and that support from revenue balances be gradually phased out.

53. The outturn for 2012/13 added £469,000 to reserves, whilst the revised estimates for 2013/14 anticipate a reduction of £160,000. This would leave the opening revenue reserve for 2014/15 at £9.51m and with the estimates for 2014/15 showing a decrease of £243,000, reserves at the end of 2014/15 would be just under £9.3m. The Medium Term Financial Strategy at Annex 4 shows deficit budgets throughout the period to 2017/18. The level of deficit peaks at £931,000 in 2015/16 and reduces to £340,000 in 2017/18, although this is achieved through CSB savings of £700,000 in both 2015/16 and 2016/17 and a smaller saving of £200,000 in 2017/18.

The Local Government Finance Settlement

54. This has already been covered in some detail above and whilst the figures are currently subject to consultation it is not anticipated that they will change significantly. Beyond 2015/16 the figures may fluctuate following the General Election and the next

Comprehensive Spending Review and cannot be predicted with any certainty, although further reductions of 3% each year have been allowed for in both 2016/17 and 2017/18.

The 2014/15 General Fund Budget

55. Whilst the position on some issues is clearer now than it was when the FIP was written there are still significant risks and uncertainties. Signs of improvement in the economy are encouraging, although some concern exists over a housing price bubble. It seems unlikely now that the country will fall back into a recession and most commentators are predicting growth in the economy. There is less economic uncertainty than at this time last year but with the General Election approaching in 2015 there is increasing political uncertainty. We are also still to see the full impact of the changes to local government financing and the welfare reforms as these remain works in progress.
56. Retention of non-domestic rates is now with us, although we will retain less than £3 million of the nearly £32 million we collect and we will only be able to keep 20% of any growth in the rating list. Although in expressing disappointment at the structure of the scheme we must still welcome the fact that we will now be retaining some element of growth which previously has gone entirely to central government.
57. An area of concern highlighted in the section on Business Rates Retention is the transfer of financial risk to billing authorities. The key risk here is the large number of appeals that are outstanding against previous rating assessments and the difficulty in calculating an appropriate provision. Over time as the backlog of appeals with the Valuation Office is cleared and more trend data becomes available it should be possible to calculate provisions with greater confidence.
58. The comments in paragraph 21 highlight the shift in funding from revenue support grant to retained business rates and this is a trend which is likely to continue. The Government is incentivising authorities to pursue residential development and economic development and it is clear that those authorities that do relatively less well in delivering growth will be penalised through the funding systems.
59. The other area worth touching on again is welfare reform. It remains to be seen whether the public will behave in the way that has been modeled, but the local council tax support scheme can be amended for subsequent periods if necessary. It would be helpful for claimants and staff if the DWP could set out clearly an irrevocable timetable of when the other benefit changes will be implemented and also provide some clarity on the role that local authorities will have under universal credit. At the moment it is difficult for both local authorities and claimants to plan for the future.
60. The starting point for the budget is the attached Medium Term Financial Strategy, Annex 8. Annexes 8 (a) and 8 (b) are based on the current draft budget, no Council Tax increase (£148.77 Band D) for 2014/15 or 2015/16 and subsequent increases of 2.5% per annum for both the following years.
61. Members are reminded that this strategy is based on a number of important assumptions, including the following:
 - Future Government funding will reduce by 3% for 2016/17 and 2017/18.
 - CSB growth has been restricted and the CSB target for 2014/15 of £14.07 million has been achieved. Known growth beyond 2014/15 has been included but will be subject to a further review to help identify savings.
 - All known DDF items are budgeted for, and because of the size of the Local Plan programme the closing balance at the end of 2017/18 is anticipated to reduce to £0.872m.
 - Maintaining revenue balances of at least 25% of NBR. The forecast shows that the deficit budgets throughout the period will reduce the closing balances at the

end of 2017/18 to £7.5m or 59% of NBR for 2017/18, although this can only be done with further savings in 2015/16 and subsequent years.

The Housing Revenue Account

62. The balance on the HRA at 31 March 2015 is expected to be £2.682m, after a surplus of £0.107m in 2013/14 and a deficit of £0.800m in 2014/15. The estimates for 2013/14 have been compiled on the new self-financing basis and so the negative subsidy payments have been replaced with borrowing costs.
63. The rent increase is set with reference to an individual property's formula rent but subject to various constraints. This process of Rent Restructuring to bring Council rents and Housing Association rents more in line with each other still needs to be addressed. The rent increase for 2014/15 is likely to see a narrowing of this gap between Council and Housing Association rents, with an average rent increase of 4.91% for Council dwellings.
64. An update to the current five-year forecast is being prepared and will be presented to a subsequent Cabinet. The HRA has had substantial balances for some time and this position is expected to continue under self-financing.
65. Both the Housing Repairs Fund and the Major Repairs Reserve are expected to have positive balances throughout the medium term. Members are recommended to agree the budgets for 2014/15 and 2013/14 revised and to note that although a deficit budget is proposed for 2014/15 the HRA has substantial ongoing balances.

The Capital Programme

66. The Capital Programme at Annex 5 shows the expenditure previously agreed by Cabinet. Members have stated that priority will be given to capital schemes that will generate revenue in subsequent periods. This position has been stated in previous Capital Strategies and has been reinforced by the increasing awareness that capital spending reduces investment balances and thus impacts on the general fund revenue balance through lower interest earnings.
67. Annex 5d sets out the estimated position on capital receipts for the next four years. Members will note that even with a substantial capital programme, which exceeds £91m over five years, it is anticipated that the Authority will still have more than £3m of usable capital receipt balances at the end of the period. However, it should be noted that a number of sites are currently under review and that this could involve either receipts through disposals or additional expenditure to fund developments.

Risk Assessment and the Level of Balances

68. The Local Government Act 2003 (s 25) introduced a specific personal duty on the "Chief Financial Officer" (CFO) to report to the Authority on the robustness of the estimates for the purposes of the budget and the adequacy of reserves. The Act requires Members to have regard to the report when determining the Council's budget requirement for 2014/15. If this advice is not accepted, this should be formally recorded within the minutes of the Council meeting. The report of the CFO is attached as Annex 9, Members will note the following conclusions:
 - (i) the estimates as presented to the Council are sufficiently robust for the purposes of the Council's overall budget for 2014/15; and
 - (ii) the reserves of the Council are adequate to cope with the financial risks the Council faces in 2014/15 but that savings will be needed in subsequent years to bring the budget back into balance in the medium term.

The Prudential Indicators and Treasury Management Strategy 2014/15

69. Since 2004/05 it has been necessary to set affordable borrowing limits, limits for the prudential indicators and a Treasury Management Strategy. These elements of the budget requirements were set out in a separate report to Cabinet on 3 February.
70. Due to the £190m of debt for the HRA self-financing the Council is no longer debt free and the Prudential Indicators and Treasury Management Strategy have been amended for this. Ongoing difficulties persist in financial markets but higher capital requirements have eased concerns about some banks, Arlingclose still advise a very restricted counter party list but have allowed some increase in suggested investment periods.

Council Tax

71. The revenue and capital budgets of the various spending portfolios are set out in Annexes 4(a)-(g). Annex 3 summarises the overall budget for the Council for the General Fund and the HRA and is grossed up for the effects of local parish and town council precepts. Annex 5 summarises the Council's Capital Programme. The budget as submitted produces a District Council Tax (Band D) of £148.77 for 2014/15 (£148.77 for 2013/14), which represents a 0% increase. The average (Band D) Council Tax including local Parish/Town Council precepts will be £209.49 (£208.36 in 2013/14), which represents an increase of less than 1%.

Council Tax Declaration

72. Under Recommendations (1) – (4) which include Annexes 1, 2, 3, 4(a)-(g) the Council will agree its budget for the next year. The Authority must then proceed to declare a Council Tax. The appropriate technical recommendations are set out in Recommendations (8) onwards. These have been revised following changes to the Local Government Finance Act 1992 brought in as part of the Localism Act 2011. Under these changes the billing authority is now required to calculate a Council Tax requirement for the year, not its budget requirement as previously. The standard form of declaration recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA) has been used as it is designed to avoid the possibility of legal challenge to the declaration of the Council Tax.
73. The Council Tax bases for each band in each area of the District were calculated by the Director of Finance & ICT in consultation with the Finance and Technology Portfolio Holder. These are reproduced in Recommendations (8) (a) and (b) and form part of the ensuing calculations. The amounts to be levied within the District in respect of Essex County Council, Essex Police Authority, Essex Fire Authority and Parish and Town Councils are notified to this Authority and are matters on which the District Council has no discretion.
74. However, the precepts of Parish and Town Councils are levied on the District Council and then taken into account in the General Fund. Details relating to the District Council precept together with the precepts in respect of Parish and Town Councils are set out in the recommendations and analysis in Annex 6.

Guide to the Council Tax Calculation

75. The figures in Recommendation (9) draw on calculations contained within the report as follows:

9(a) is the total of the revenue expenditure items shown in Annex 3 summary of revenue including the total of the Parish/Town Council precepts;

9(b) is the total of the revenue income items shown in Annex 3;

9(c) is the difference between the revenue expenditure and income as shown in Annex 3 (in simple terms it represents the net budget requirement of the District Council plus Parish and Town Council precepts);

9(d) is obtained by dividing 9(c) by the Council Tax Base; this represents the average Band 'D' Council Tax for the District and Parish/Town Councils only;

9(e) as shown in Annex 3 is the total of Parish/Town Council precepts; and

9(f) represents the equivalent of dividing 9(e) by the Council Tax Base, the resulting figure being deducted from the figure shown in 9(d); this provides the average Band 'D' Council Tax for the District Council only.

76. This process culminates in the figures shown in Annex 6, which are the Council Tax amounts for the District Council and the Parish/Town Councils for each valuation band for 2014/15. To these amounts are added Council Tax figures supplied by the major precepting authorities and which are further summarised as the total Council Tax due for each valuation band in Part B of Annex 7.
78. Annex 7 relating to the precepts of various parts of the District will be tabled at the meeting.

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Council : 20 February 2014

List of Annexes

Annex 1 CSB Growth/Savings List

Annex 2 DDF List

**Annex 3 Revenue Expenditure, Income and
Financing Summary**

Annex 4 Directorate Budgets (a –g)

Annex 5 Capital Budgets and Financing

Annex 6 District and Parish Council Tax Rates

**Annex 7 Major Precepting Authorities Analysis
(Tabled)**

Annex 8 Medium Term Financial Strategy (a & b)

**Annex 9 Chief Finance Officers Report on the
Robustness of the Estimates in the
2014/15 Budget.**

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CONTINUING SERVICES BUDGET - GROWTH / (SAVINGS) LIST

Directorate	Service		Original	Revised	Estimate	Estimate	Estimate	Estimate
			2013/14 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016/17 £000's	2017/18 £000's
Chief Executive	Corporate Management	Chief Executive Post- Salary savings	(22)	(22)				
	Directorate Restucture	Savings			(70)	(20)		
	Total Chief Executive		(22)	(22)	(70)	(20)	0	0
Communitites	All Weather Pitch	Townmead Project	(32)	(9)	(23)			
	Youth Council	Youth Council	12	12				
	CCTV Cameras	Transfer replacement cameras to capital	(25)	(25)				
	Policy Unit Group	Grant Finder subscription discontinued	(4)	(4)				
	Directorate Restucture	Savings/Increase			5			
Total Communities			(49)	(26)	(18)	0	0	0
Governance	Local Land Charges	ECC Charge for highways LLC search	(9)	(9)				
	Democratic Services	Democratic Services Assistant (Premises Licences)			22			
	Development Control	Planning Fees increase	(50)	(24)				
	Development Control	Pre Application Fees Increase		(32)				
	Development Control	Publicity		(8)				
	Building Control Ring Fenced Acc	Savings from removal Vacant Posts	(29)	(29)				
	Building Control Ring Fenced Acc	Savings from removal Vacant Posts	19	19				
	Building Control Ring Fenced Acc	Reduction in Fee Income		73				
	Building Control Ring Fenced Acc	Reduction in Fee Income		(73)				
	Planning Policy & Conservation	Economic Development Assistant			21			
	Conservation Policy	Conservation Advice SLA			12	2		
	Performance Management	Staff Suggestion scheme		(2)				
	Governance Directorate	Savings from removal Vacant Posts	(8)	(8)				
	Directorate Restucture	Savings			(73)	(19)		
Directorate Savings	General	(5)	(5)					
Total Governance			(82)	(86)	(28)	(19)	0	0

CONTINUING SERVICES BUDGET - GROWTH / (SAVINGS) LIST

Directorate	Service	Original	Revised	Estimate	Estimate	Estimate	
		2013/14 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016/17 £000's	2017/18 £000's
Neighbourhoods	Grounds Maintenance		Leasing costs Ransome Mowers	(10)	(10)		
	Leisure Facilities		Loughton Leisure management fee reduction	(66)	(66)		
	Land and Property		Increased Rental Income - Brooker Road	(70)	(136)		
	Land and Property		Increased Rental Income - David Lloyd Centre		(11)		
	Land and Property		Oakwood Hill Workhop Units Voids		25		
	Land Drainage & Flood Defence		Flood Defence Income from ECC		(6)		
	Licensing		Licencing Officer (Premises Licences)		26	5	
	Land and Property		Bridgeman House Income		(20)	(20)	
	Land and Property		2-18 Torrington Drive		(224)		
	North Weald Airfield		Loss of income Market Rents	174	348		
	Off Street Parking		Change of contractor	(23)	(23)		
	Off Street Parking		Loss of Penalty Notice income		52		
	Off Street Parking		NPASJ Levy		(6)		
	Off Street Parking		HRA car parks transferred to General Fund		(10)		
	Off Street Parking		Parking Fee Increases		(107)		
	Fleet Operations		Reduced Income		20		
	Estates		Senior Surveyor		11	33	
	Waste Management		Gate Fees saving		(42)		
	Waste Management		Contract savings		(31)		
	Waste Management		Recycling Credits Reduction		7		
	Waste Management		Avoided Disposal Payment	(176)	(179)		
	Environmental		Savings from removal Vacant Posts	(33)	(33)		
	Waste Management		Inter Authority Agreement, reduced ECC Income		40	8	
	Directorate Restructure		Savings		(150)	(24)	
		Total Neighbourhoods			(204)	(74)	(418)
						(31)	19
						0	
Resources	Directorate Savings		General	(3)	(3)		
	External Audit		BDO fees	(30)	(30)		
	Civic Offices		Out of Hours Service		(13)	(5)	
	Civic Offices		NNDR Re-assessment	13	(87)		
	Offices Waltham Abbey		Area Office Rent	(12)	(12)		
	Offices Trapps Hill		Area Office Rent	(4)	(4)		
	Finance & ICT		Savings from removal Vacant Posts	(63)	(63)		
	Finance Miscellaneous		Stationery- procurement savings	(15)	(16)		
	Finance Miscellaneous		Car Leasing (excluding HRA)	(24)	(41)	(15)	
	Finance Miscellaneous		Employers Superannuation on Non-Contracted Overtime		38	(9)	
	Finance Miscellaneous		Additional Employers Pension re Auto Enrolement		40	(7)	
	Housing Benefits		Housing Benefit Admin Subsidy settlement reductions	104	104	26	
	Council Tax		Reduction in Court Cost Income		35	55	
	NNDR		Fees re Enforcement action on Bad Debts	25	31		
	Directorate Restructure		Savings		(3)		
		Total Resources			(9)	(46)	90
						41	(7)
						0	
Other Items	Investment Interest		Reduction due to shops transfer	60	60	109	
	New Homes Bonus			(550)	(566)	(535)	
	Pensions		Deficit Payments	53	53		
	Total CSB			(803)	(707)	(870)	
					33	55	
						0	

DISTRICT DEVELOPMENT FUND

Directorate	Description	Original	B/F from	Revised	Estimate	Estimate	Estimate	Estimate
		2013/14 £000's	2013/14 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016/17 £000's	2017/18 £000's
Chief Executive	Corporate Policy Making			14	14			
	Corporate Policy Making							150
	Corporate Policy Making			100	78			22
	Corporate Policy Making			(22)	(17)			(5)
	Corporate Policy Making							48
Total Chief Executive		0	92	75	215	0	0	0
Communitites	Community & Culture			6	8			
	Grants to Voluntary Orgs							20
	Grants to Voluntary Orgs							(16)
	Grants to Voluntary Orgs			16				32
	Safer Communities			14				27
	Safer Communities							(28)
	Safer Communities							
	Safeguarding							44
	Homelessness			52				
	Homelessness			(52)				
	Private Sector Housing			14				14
Communities			94				188	
Communities			(94)				(137)	
Total Communitites		44	21	20	110	0	0	0
Governance	Elections			(110)				(100)
	Electoral Registration							(7)
	Electoral Registration							7
	Democratic Services							17
	Members Allowances							7
	Civic & Member			5				5
	Public Relations & Information			11				11
	Public Relations & Information			(14)				(14)
	Local Land Charges			(20)				(30)
	Local Land Charges							5
	Local Land Charges							93
	Planning Admin							(20)
	Planning Admin							55
	Planning Policy							24
	Building Control Group			(36)				(79)
	Building Control Group			24				(89)
	Development Control			50				62
	Development Control							(2)
	Development Control							48
Development Control							(55)	
Development Control			(10)				(10)	
Development Control			(4)				(5)	
Planning Services							17	
Governance							7	
Performance Management							104	
Performance Management							(18)	
Total Governance		(104)	108	(72)	211	3	0	0

DISTRICT DEVELOPMENT FUND

Directorate	Description	Original	B/F from	Revised	Estimate	Estimate	Estimate	Estimate
		2013/14 £000's	2012/13 2013/14 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016/17 £000's	2017/18 £000's
Neighbourhoods	Food Safety							
	Inspections	4	1	5	4			
	Inspection of Workplaces	10	6	16				
	Inspection of Workplaces			8				
	Inspection of Workplaces			(70)				
	Estates & Valuation	91	21	112	160			
	Estates & Valuation	(13)	(3)					
	Estates & Valuation			11	33			
	Land and Property			35				
	Land and Property	11		11				
	Public Conveniences	21		21				
	Licensing			19	4			
	Parks & Grounds	10						
	Parks & Grounds	(10)						
	Countrycare	5	1	4	4	0		
	Countrycare	9		9	9	8		
	Planning Policy				45			
	Economic Development	Business Promotion & Support		10		10		
	Economic Development	Town Centres Support/Portas Funding	35	10	41	39		
	Economic Development	Project Assistant			10			
	Economic Development	Food Task Force				30		
	Economic Development	Tourism Task Force				25		
	Forward Planning	Local Plan	282	292	400	321	30	
	Forward Planning	Maternity Cover			39	13		
	Town Centre Regeneration	Waltham Abbey Regeneration Projects	21	28	45			
	North Weald Airfield	Loss of Income - Hangar 5	14		14	4		
	North Weald Airfield	Loss of Income - Market Rents	125		11			
	North Weald Airfield	Safety of Bund	2	1	3	3	3	
	NWA Strategy Action Plan	Aviation Consultant		12				
	NWA Strategy Action Plan	NWA Consultancy exercise	76	64	152			
	Contaminated Land & Water Quality	Contaminated land investigations	14	22	40	25		
	Waste Management	Waste contract procurement consultants	100		60	40		
Waste Management	Wheeled bin replacements	9		9				
Waste Management	Publicity		10	10				
Waste Management	Advertising		1					
Off Street Parking	Loss of Pay & Display income			43				
Street Cleansing	Surplus on recycling of street cleansing arisings			(4)	(18)			
Abandoned Vehicles	Abandoned vehicles contract	4	4	4	4			
Neighbourhoods	Restructure - Severance Pay			107	66			
Total Neighbourhoods		820	480	1,165	821	5	0	0

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REVENUE EXPENDITURE, INCOME AND FINANCING

2013/14 ORIGINAL ALL REVENUE ITEMS £	2013/14 REVISED ALL REVENUE ITEMS £		GENERAL FUND ACCOUNT £	2014/15 ORIGINAL HOUSING REVENUE ACCOUNT £	ALL REVENUE ITEMS £
Gross Expenditure					
1,070,450	1,091,200	Office of the Chief Executive	4(a) 1,170,660	0	1,170,660
4,542,480	4,446,420	Governance	4(b) 4,638,750	0	4,638,750
17,774,074	18,006,270	Neighbourhoods	4(c) 18,120,390	0	18,120,390
40,974,980	41,193,770	Resources	4(d) 42,004,740	0	42,004,740
37,675,350	31,675,390	Communities	4(e) 4,705,740	27,712,950	32,418,690
246,490	261,330	Internal Trading Organisations	4(f) 258,990	0	258,990
102,283,824	96,674,380	Total Expenditure on Services	70,899,270	27,712,950	98,612,220
5,602,000	5,559,000	Interest Payable (Inc HRA)	451,000	5,130,000	5,581,000
(68,000)	(169,000)	Return of heritable funds	0	0	0
12,909,000	11,029,000	Revenue Contribution to Capital	0	16,211,000	16,211,000
320,270	320,270	Parish Support Grants	280,238	0	280,238
2,989,715	2,989,715	Precepts Paid to Parish Councils	3,077,383	0	3,077,383
124,036,809	116,403,365	Total Gross Expenditure	74,707,891	49,053,950	123,761,841
Gross Income					
38,819,690	38,712,290	Government Subsidies	39,366,390	0	39,366,390
31,080,440	30,966,280	Rents from Dwellings	0	31,814,570	31,814,570
5,183,290	5,026,900	Miscellaneous Rents, Trading Operations etc.	4,211,690	875,460	5,087,150
5,057,990	5,011,030	Fees and Charges	3,174,660	1,574,880	4,749,540
447,200	428,200	Interest on Mortgages and Investments	399,000	1,200	400,200
5,236,280	6,355,940	Grants and Reimbursements by other Bodies	5,990,260	0	5,990,260
85,824,890	86,500,640	Total Operational Income	53,142,000	34,266,110	87,408,110
(81,850)	54,956	Contribution from/(to) Revenue Reserves	242,993	799,840	1,042,833
(672,000)	(305,000)	FRS 17 Adjustment	(62,000)	0	(62,000)
984,000	671,000	Contribution from/(to) District Development Fund	1,863,000	0	1,863,000
(3,169,112)	(3,471,112)	Contribution from/(to) Other Reserves	(104,000)	(2,738,000)	(2,842,000)
23,528,000	15,330,000	Contribution from/(to) Capital Reserves	2,633,000	16,726,000	19,359,000
7,169,494	7,169,494	Exchequer Support	6,375,941	0	6,375,941
113,583,422	105,949,978	Total Gross Income	64,090,934	49,053,950	113,144,884
10,453,387	10,453,387	To be met from Local Taxation	10,616,957	0	10,616,957
Financed by:					
7,463,672	7,463,672	District Precept			7,539,574
2,989,715	2,989,715	Parish Council Precepts	9e		3,077,383
10,453,387	10,453,387	Total Financing			10,616,957

Office of the Chief Executive

Programme 2014/15

2013/14 Original		2013/14 Probable		Revenue Expenditure	2014/15 Original	
£	£	£	£		£	£
1,467,430		1,475,940		Corporate Activities	1,590,020	
	1,467,430		1,475,940	Total Expenditure		1,590,020
	396,980		384,740	Income from Internal Charges		419,360
	1,070,450		1,091,200	Net Expenditure (see Annex 3)		1,170,660
	1,070,450		1,091,200	To be met from Government Grant and Local Taxation		1,170,660
	-		-	Capital Expenditure (see Annex 5)		-

Governance

Programme 2014/15

2013/14 Original		2013/14 Probable			2014/15 Original	
£	£	£	£	Revenue Expenditure	£	£
449,360		324,330		Elections	543,430	
1,295,780		1,304,730		Member Activities	1,328,850	
2,584,300		2,505,620		Planning Services	2,521,020	
430,480		420,100		Other Activities	504,030	
3,417,118		3,496,720		Support Services	3,582,123	
	8,177,038		8,051,500	Total Expenditure		8,479,453
	3,634,558		3,605,080	Income from Internal Charges		3,840,703
	4,542,480		4,446,420	Net Expenditure (see Annex 3)		4,638,750
				Service Generated Income		
1,252,520		1,304,330		Fees and Charges	1,211,610	
199,100		76,870		Grants and Reimbursements by other Bodies	128,000	
	1,451,620		1,381,200	Total Income		1,339,610
	3,090,860		3,065,220	To be met from Government Grant and Local Taxation		3,299,140
	-		-	Capital Expenditure (see Annex 5)		-

Neighbourhoods

Programme 2014/15

2013/14 Original		2013/14 Probable		Revenue Expenditure	2014/15 Original	
£	£	£	£		£	£
1,417,340		1,452,890		Environmental Health	1,463,560	
277,350		364,460		Licensing	382,100	
2,016,830		1,961,340		Leisure Management	2,012,160	
1,020,300		1,111,670		North Weald	969,420	
189,780		197,410		Emergency Planning	205,310	
7,691,454		7,547,950		Waste Management	7,716,830	
758,910		753,940		Land Drainage & Sewerage	755,200	
978,430		1,035,020		Parks and Grounds	1,079,830	
1,312,200		1,222,410		Technical Services	1,313,780	
1,253,250		1,418,500		Forward Planning & Economic Development	1,443,230	
710,880		671,570		Land & Property	696,490	
4,544,210		4,390,700		Support Services	4,501,940	
	22,170,934		22,127,860	Total Expenditure		22,539,850
	4,396,860		4,121,590	Income from Internal Charges		4,419,460
	17,774,074		18,006,270	Net Expenditure (see Annex 3)		18,120,390
Service Generated Income						
4,132,860		4,124,160		Miscellaneous Rents, Trading Operations etc	4,184,690	
1,398,800		1,352,900		Fees and Charges	1,559,290	
2,904,100		3,074,110		Grants and Reimbursements by other Bodies	3,039,950	
	8,435,760		8,551,170	Total Income		8,783,930
	9,338,314		9,455,100	To be met from Government Grant and Local Taxation		9,336,460
	1,414,000		1,703,000	Capital Expenditure (see Annex 5)		4,324,000

Resources

Programme 2014/15

2013/14 Original		2013/14 Probable			2014/15 Original	
£	£	£	£	Revenue Expenditure	£	£
39,278,870		38,873,600		Housing Benefits	39,707,570	
1,801,500		1,843,050		Local Taxation	1,828,540	
(98,010)		462,810		Other Activities	456,990	
2,681,770		2,627,370		Accommodation Services	2,940,550	
3,056,700		2,989,810		ICT Services	3,105,830	
2,482,000		2,369,390		Financial Services	2,513,980	
1,346,900		1,402,750		Other Support Services	1,393,620	
	50,549,730		50,568,780	Total Expenditure		51,947,080
	9,574,750		9,375,010	Income from Internal Charges		9,942,340
	40,974,980		41,193,770	Net Expenditure (see Annex 3)		42,004,740
				Service Generated Income		
38,406,860		38,382,290		Government Subsidies	39,000,390	
33,280		27,000		Miscellaneous Rents, Trading Operations etc	27,000	
48,050		39,200		Fees and Charges	29,200	
455,200		578,700		Grants and Reimbursements by other Bodies	534,080	
	38,943,390		39,027,190	Total Income		39,590,670
	2,031,590		2,166,580	To be met from Government Grant and Local Taxation		2,414,070
	1,048,000		955,000	Capital Expenditure (see Annex 5)		1,087,000

Communities

Programme 2014/15

General Fund £	2013/14 Original		General Fund £	2013/14 Probable		Revenue Expenditure	2014/15 Original		
	Housing Revenue £	Total £		Housing Revenue £	Total £		General Fund £	Housing Revenue £	Total £
		0			0				
	32,501,850	32,501,850		26,607,670	26,607,670	Council Housing		27,712,910	27,712,910
1,696,620		1,696,620	1,213,530		1,213,530	Private Sector Housing	1,196,150		1,196,150
489,880		489,880	492,420		492,420	Homelessness	444,350		444,350
447,010		447,010	420,660		420,660	Voluntary Sector Support	482,170		482,170
867,140		867,140	1,052,260		1,052,260	Community services	1,034,680		1,034,680
1,400,360		1,400,360	1,623,640		1,623,640	Sports Development	1,576,630		1,576,630
1,033,090	976,670	2,009,760	873,730	972,180	1,845,910	Support Services	609,770	1,034,340	1,644,110
5,934,100	33,478,520	39,412,620	5,676,240	27,579,850	33,256,090	Total Expenditure	5,343,750	28,747,250	34,091,000
760,640	976,630	1,737,270	608,560	972,140	1,580,700	Income from Internal Charges	638,010	1,034,300	1,672,310
5,173,460	32,501,890	37,675,350	5,067,680	26,607,710	31,675,390	Net Expenditure (see Annex 3)	4,705,740	27,712,950	32,418,690
						Service Generated Income			
412,830		412,830	330,000		330,000	Government Subsidies	366,000		366,000
	31,080,440	31,080,440		30,966,280	30,966,280	Rents from Dwellings		31,814,570	31,814,570
119,500	897,650	1,017,150		875,740	875,740	Miscellaneous Rents, Trading Operations etc		875,460	875,460
455,790	1,651,670	2,107,460	417,940	1,665,610	2,083,550	Fees and Charges	143,510	1,574,880	1,718,390
	1,200	1,200		1,200	1,200	Interest on Mortgages and Investments		1,200	1,200
328,880		328,880	861,260	0	861,260	Grants and Reimbursements by other Bodies	651,230		651,230
	(1,003,000)	(1,003,000)		(6,795,000)	(6,795,000)	HRA Interest & Reversal of Depn		(7,353,000)	(7,353,000)
	(126,070)	(126,070)		(106,120)	(106,120)	Use of Balances		799,840	799,840
1,317,000	32,501,890	33,818,890	1,609,200	26,607,710	28,216,910	Total Income	1,160,740	27,712,950	28,873,690
3,856,460	-	3,856,460	3,458,480	-	3,458,480	To be met from Government Grant and Local Taxation	3,545,000	-	3,545,000
1,831,000	13,868,000	15,699,000	1,897,000	11,048,000	12,945,000	Capital Expenditure (see Annex 5)	3,218,000	17,773,000	20,991,000

Internal Trading Organisations

Programme 2014/15

2013/14 Original		2013/14 Probable			2014/15 Original	
£	£	£	£	Revenue Expenditure	£	£
2,262,900		2,315,780		Housing Maintenance	2,414,070	
429,300		440,110		Fleet Operations	445,630	
	2,692,200		2,755,890	Total Expenditure		2,859,700
	2,445,710		2,494,560	Income from Internal Charges		2,600,710
	246,490		261,330	Net Expenditure (see Annex 3)		258,990
Service Generated Income						
251,160		231,050		Fees and Charges	231,050	
	251,160		231,050	Total Income		231,050
	(4,670)		30,280	To be met from Government Grant and Local Taxation		27,940
	50,000		82,000	Capital Expenditure (see Annex 5)		50,000

Non Service Budgets

Programme 2014/15

General Fund £	2013/14 Original Housing Revenue	Total £	General Fund £	2013/14 Probable Housing Revenue	Total £	Revenue Expenditure	General Fund £	2014/15 Original Housing Revenue	Total £
	£			£				£	
(446,000)		(446,000)	(427,000)		(427,000)	Interest & Investment Income	(399,000)		(399,000)
(68,000)		(68,000)	(169,000)		(169,000)	Return of heritable funds			-
	12,909,000	12,909,000	150,000	10,879,000	11,029,000	Revenue Contribution to Capital		16,211,000	16,211,000
(1,349,000)		(1,349,000)	(1,765,000)		(1,765,000)	Other Items	(1,637,000)		(1,637,000)
425,000	5,177,000	5,602,000	451,000	5,108,000	5,559,000	Interest Payable (Inc HRA)	451,000	5,130,000	5,581,000
(3,265,000)	(58,000)	(3,323,000)	(2,686,000)	(36,000)	(2,722,000)	Depreciation Reversals & Other Adjs.	(2,633,000)	(29,000)	(2,662,000)
(4,703,000)	18,028,000	13,325,000	(4,446,000)	15,951,000	11,505,000		(4,218,000)	21,312,000	17,094,000
-	20,263,000	20,263,000	-	12,644,000	12,644,000	Transferred to Housing Summary	-	16,726,000	16,726,000
(4,703,000)	38,291,000	33,588,000	(4,446,000)	28,595,000	24,149,000		(4,218,000)	38,038,000	33,820,000
		(44,220)			(160,000)	Contribution (from)/to Revenue Reserves			(243,000)
		672,000			305,000	FRS 17 Adjustment			62,000
		10,888			(19,112)	Contribution (from)/to Other Reserves			(104,000)
		(3,180,000)			(3,452,000)	Transfer (from)/to Housing Revenue Account			(2,738,000)
		(984,000)			(671,000)	Contribution from District Development Fund			(1,863,000)
		30,062,668			20,151,888	Reduction in Amount to be met from Government Grant and Local Taxation & other Housing Revenue Account items			28,934,000

Capital Programme

Programme 2014/15

General Fund £	Housing Revenue £	2013/14 Original	General Fund £	Housing Revenue £	2013/14 Probable	Gross Expenditure	General Fund £	2014/15 Original Housing Revenue	Total £
		Total £			Total £			£	
-		-	-		-	Governance	-		-
1,414,000		1,414,000	1,703,000		1,703,000	Neighbourhoods	4,324,000		4,324,000
1,048,000		1,048,000	955,000		955,000	Resources	1,087,000		1,087,000
1,831,000	13,868,000	15,699,000	1,897,000	11,048,000	12,945,000	Housing	3,218,000	17,773,000	20,991,000
	50,000	50,000	-	82,000	82,000	Internal Trading Organisations	-	50,000	50,000
4,293,000	13,918,000	18,211,000	4,555,000	11,130,000	15,685,000	Total Capital Expenditure	8,629,000	17,823,000	26,452,000
-	12,909,000	12,909,000	150,000	10,879,000	11,029,000	Less: Revenue Contributions to Capital	-	16,211,000	16,211,000
4,293,000	1,009,000	5,302,000	4,405,000	251,000	4,656,000	To be met from Capital Resources	8,629,000	1,612,000	10,241,000
Financed by:									
3,821,000	494,000	4,315,000	3,341,000	61,000	3,402,000	Capital Receipts	7,051,000	844,000	7,895,000
343,000		343,000	780,000		780,000	Government Grants	1,509,000		1,509,000
129,000	515,000	644,000	284,000	190,000	474,000	Other Grants	69,000	768,000	837,000
4,293,000	1,009,000	5,302,000	4,405,000	251,000	4,656,000	Total Financing	8,629,000	1,612,000	10,241,000

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COUNCIL TAX RATES FOR DISTRICT & PARISH/TOWN COUNCILS 2014/15

ANNEX 6

Authorities	Tax Base No.'s	Precept 2014/15	Council Tax Band D	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
		£	£	£	£	£	£	£	£	£	£
District Expenses	50,679.4	7,539,574	148.77	99.18	115.71	132.24	148.77	181.83	214.89	247.95	297.54
Abness, Berners and Beauchamp Roding	202.4	5,000	24.70	115.65	134.92	154.20	173.47	212.02	250.57	289.12	346.94
Buckhurst Hill	5,016.0	345,563	68.89	145.11	169.29	193.48	217.66	266.03	314.40	362.77	435.32
Chigwell	5,737.7	270,575	47.16	130.62	152.39	174.16	195.93	239.47	283.01	326.55	391.86
Epping Town	4,828.3	404,805	83.84	155.07	180.92	206.76	232.61	284.30	335.99	387.68	465.22
Epping Upland	403.0	14,846	36.84	123.74	144.36	164.99	185.61	226.86	268.10	309.35	371.22
Fyfield	404.4	10,780	26.66	116.95	136.45	155.94	175.43	214.41	253.40	292.38	350.86
High Ongar	527.5	12,437	23.58	114.90	134.05	153.20	172.35	210.65	248.95	287.25	344.70
Lambourne	825.0	29,267	35.48	122.83	143.31	163.78	184.25	225.19	266.14	307.08	368.50
Loughton Town	11,828.2	581,700	49.18	131.97	153.96	175.96	197.95	241.94	285.93	329.92	395.90
Matching	415.5	13,586	32.70	120.98	141.14	161.31	181.47	221.80	262.12	302.45	362.94
Moreton, Bobbingworth and the Lavers	541.2	13,647	25.22	115.99	135.33	154.66	173.99	212.65	251.32	289.98	347.98
Nazeing	1,975.9	68,164	34.50	122.18	142.54	162.91	183.27	224.00	264.72	305.45	366.54
North Weald Bassett	2,422.4	138,737	57.27	137.36	160.25	183.15	206.04	251.83	297.61	343.40	412.08
Ongar Town	2,609.1	267,578	102.56	167.55	195.48	223.40	251.33	307.18	363.03	418.88	502.66
Roydon	1,264.7	28,365	22.43	114.13	133.16	152.18	171.20	209.24	247.29	285.33	342.40
Sheering	1,274.0	31,066	24.38	115.43	134.67	153.91	173.15	211.63	250.11	288.58	346.30
Stanford Rivers	343.6	19,900	57.92	137.79	160.76	183.72	206.69	252.62	298.55	344.48	413.38
Stapleford Abbotts	493.8	5,709	11.56	106.89	124.70	142.52	160.33	195.96	231.59	267.22	320.66
Stapleford Tawney	77.4	1,507	19.47	112.16	130.85	149.55	168.24	205.63	243.01	280.40	336.48
Theydon Bois	1,938.3	99,133	51.14	133.27	155.49	177.70	199.91	244.33	288.76	333.18	399.82
Theydon Garnon	81.3	976	12.00	107.18	125.04	142.91	160.77	196.50	232.22	267.95	321.54
Theydon Mount	108.7	1,424	13.10	107.91	125.90	143.88	161.87	197.84	233.81	269.78	323.74
Waltham Abbey Town	7,131.1	708,425	99.34	165.41	192.97	220.54	248.11	303.25	358.38	413.52	496.22
Willingale	229.9	4,193	18.24	111.34	129.90	148.45	167.01	204.12	241.24	278.35	334.02
Town and Parish Total	50,679.4	3,077,383	60.72	40.48	47.23	53.97	60.72	74.21	87.71	101.20	121.44
District, Town and Parish Total	50,679.4	10,616,957	209.49	139.66	162.94	186.21	209.49	256.04	302.60	349.15	418.98

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Medium Term Financial Strategy

Introduction

1. For a number of years as part of the Council's sound financial planning arrangements a four-year financial strategy has been prepared. This document allows a considered view to be taken of spending and resources. Without a medium term financial strategy finances would be managed on an annual basis leading to sudden expansions and contractions in services. Clearly such volatility would lead to waste and be confusing for stakeholders.
2. Managing this Council's finances has been made easier by isolating one off fluctuations (District Development Fund or DDF) from the ongoing core services (Continuing Service Budgets or CSB). This distinction highlights the differing effects in the medium term of approving different types of initiative.
3. A key part of the strategy is future rises in Council Tax and the Council has a stated ambition to remain a low tax authority in the long term. To achieve this over the long term it is important to avoid the gimmick of one-off reductions. For 2014/15 it appears there will be a mixed picture across Essex, with some authorities increasing charges to just below the referendum limit and some considering token reductions.
4. At its 19 September 2013 meeting the Finance and Performance Management Cabinet Committee decided to recommend a continued freeze in the Council Tax. Following questions raised by the Finance and Performance Management Scrutiny Panel a report was presented illustrating the financial effects of a continued freeze compared to modest increases in the charge. Following consideration of that report in November by that Committee, Cabinet decided that the policy of continuing the freeze was appropriate.

Previous Medium Term Financial Strategy

5. The September meeting of the Finance and Performance Management Cabinet Committee considered the annual Financial Issues Paper and an updated medium term financial strategy. At that time Members attention was drawn to a number of areas of significant uncertainty. Key amongst those were the structural reforms to the financing of local authorities through the local retention of NNDR and the Government's programme of welfare reform. The general state of domestic and world economies remained a concern and this was reflected in poorly performing income streams. There were also questions over the New Homes Bonus, Development Opportunities and the Organisational Review.
6. Against this background of risk and uncertainty a forecast was constructed that set a target of £14.07m for CSB expenditure for 2014/15 and maintained the requirement for annual CSB savings over the forecast period. At this time deficit budgets were anticipated for each year of the forecast, although these were reducing at the end of the forecast.
7. At that time the predicted General Fund balance at 1 April 2018 of £6.98m represented 53% of the anticipated Net Budget Requirement (NBR) for 2017/18 and was therefore somewhat higher than the guideline of 25%. It was also predicted at that time that there would be £1.4m left in the DDF at 1 April 2018.

Updated Medium Term Financial Strategy

8. In the period since the Financial Issues Paper the Government has provided the draft settlement figures for the next two years. The reductions in funding were somewhat larger than had been anticipated but this has been partially off set by savings to date exceeding their target. In constructing the forecast it has been necessary to make certain assumptions, these are set out below:
 - a) CSB Growth – the net savings required for 2014/15 have been found, but budgets will be re-visited during the course of 2014/15 to seek further reductions. In common with the earlier version of the strategy, target CSB savings are included for the period 2015/16 to 2017/18. The top management restructure, the removal of the threatened top slicing of new homes bonus, and additional income from the property portfolio and parking have helped achieve the savings required for 2014/15. However, annual net savings targets of £0.7m for 2015/16 and 2016/17 are likely to prove challenging.
 - b) DDF – all of the known items for the four-year period have been included and at the end of the period a balance of £0.872m is still available. This is a worsening on the position in the current year's budget, where the MTFS adopted in February 2013 showed a closing balance at the end of the period of £1.5m.
 - c) Grant Funding – beyond 2015/16 it has been assumed that there will be a 3% reduction in grant over the remaining two years of the MTFS. These figures will be subject to change following the General Election and the next Comprehensive Spending Review.
 - d) Other Funding – no amounts have been included for any additional New Homes Bonus that may arise for years after 2014/15. No growth, or reduction, in funding has been anticipated from changes in the non-domestic rating list. An additional allowance of £250,000 has been made in the DDF in 2014/15 to supplement the allowance for losses on appeals of £2.6m as there are approximately 500 appeals still outstanding.
 - e) Council Tax Increase – Members have confirmed they wish to freeze the charge for 2014/15 and 2015/16. Increases of 2.5% have been allowed for subsequent years. These assumptions have been built into the strategy.
9. This revised medium term financial strategy has deficits throughout the period, although these are reducing and the use of reserves in 2017/18 is £591,000 lower than in 2015/16. The predicted revenue balance at the end of the period is £7.53m, which represents 59% of the NBR for 2017/18 and thus comfortably exceeds the target of 25%.
10. It is worth repeating that savings of £0.7m are still necessary in the next two years of the strategy and in approving the medium term financial strategy Members are asked to note these targets. The strategy will be monitored during the year and updated for the September 2014 meeting of the Finance and Performance Management Cabinet Committee.

GENERAL FUND MEDIUM TERM FINANCIAL STRATEGY 2013/14 - 2017/18

ORIGINAL 2013/14	REVISED FORECAST 2013/14	FORECAST 2014/15	FORECAST 2015/16	FORECAST 2016/17	FORECAST 2017/18
£'000 NET REVENUE EXPENDITURE	£'000	£'000	£'000	£'000	£'000
15,171 Continuing Services Budget	15,161	14,644	14,294	13,838	13,314
-803 CSB - Growth Items	-707	-870	33	55	0
0 Net saving	0	0	-700	-700	-200
14,368 Total C.S.B	14,454	13,774	13,627	13,193	13,114
984 One - off Expenditure	671	1,863	54	55	66
15,352 Total Net Operating Expenditure	15,125	15,637	13,681	13,248	13,180
0 Contribution to/from (-) Insurance Res	30	10	0	0	0
-984 Contribution to/from (-) DDF Balances	-671	-1,863	-54	-55	-66
-44 Contribution to/from (-) Balances	-160	-243	-931	-465	-340
14,324 Net Budget Requirement	14,324	13,541	12,696	12,728	12,774
FINANCING					
6,849 Government Support (NNDR+RSG)	6,849	6,095	5,156	5,001	4,851
6,849 Total External Funding	6,849	6,095	5,156	5,001	4,851
7,464 District Precept	7,464	7,540	7,540	7,727	7,923
11 Collection Fund Adjustment	11	-94	0	0	0
To be met from Government 14,324 Grants and Local Tax Payers	14,324	13,541	12,696	12,728	12,774
Band D Council Tax	148.77	148.77	148.77	152.46	156.33
Percentage Increase %		0.0	0.0	2.5	2.5

GENERAL FUND MEDIUM TERM FINANCIAL STRATEGY 2013/14 - 2017/18

	REVISED FORECAST 2013/14	FORECAST 2014/15	FORECAST 2015/16	FORECAST 2016/17	FORECAST 2017/18
REVENUE BALANCES	£'000	£'000	£'000	£'000	£'000
Balance B/forward	9,670	9,510	9,267	8,336	7,871
Surplus/Deficit(-) for year	-160	-243	-931	-465	-340
Balance C/Forward	9,510	9,267	8,336	7,871	7,531
DISTRICT DEVELOPMENT FUND					
Balance B/forward	3,581	2,910	1,047	993	938
Transfer Out	-671	-1,863	-54	-55	-66
Balance C/Forward	2,910	1,047	993	938	872
CAPITAL FUND (inc Cap Receipts)					
Balance B/forward	13,900	12,630	5,613	4,662	3,733
New Usable Receipts	2,243	1,029	1,001	966	958
Use of Capital Receipts	-3,513	-8,046	-1,952	-1,895	-1,564
Balance C/Forward	12,630	5,613	4,662	3,733	3,127
TOTAL BALANCES	25,050	15,927	13,991	12,542	11,530

The Chief Financial Officer's report to the Council on the robustness of the estimates for the purposes of the Council's 2014/15 budgets and the adequacy of the reserves.

Introduction

1. The Local Government Act 2003 section 25 introduced a specific personal duty on the "Chief Financial Officer" (CFO) to report to the Authority on the robustness of the estimates for the purposes of the budget and the adequacy of reserves. The Act requires Members to have regard to the report when determining the Council's budget requirement for 2014/15. If this advice is not accepted, the reasons must be formally recorded within the minutes of the Council meeting. Council will consider the recommendations of Cabinet on the budget for 2014/15 and determine the planned level of the Council's balances.
2. Sections 32 and 43 of the Local Government Finance Act 1992 also require billing and precepting authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the net budget requirement.
3. There are a range of safeguards, which exist to ensure local authorities do not over-commit themselves financially. These include:
 - The CFO's s.114 powers, which require a report to the Cabinet and to all members of the local authority if there is or is likely to be unlawful expenditure or an unbalanced budget
 - The Prudential Code, which applied to capital financing from 2004/05.

The Robustness of the Recommended Budget

4. A number of reports to the Cabinet in recent years have highlighted the difficulties inherent in setting budgets, not least because of significant changes in the level and complexity of Government funding and continuing pressure to protect and develop services. At the same time major changes have been introduced to the way the Council is structured and managed and the way services like waste and leisure are delivered. These changes and the extended period of low economic growth are still ongoing and represent significant risks to the Council's ability to evaluate all the financial pressures it faces.
5. However the Council's budget process, developed over a number of years, has many features that promote an assurance in its reliability:
 - The rolling four year forecast provides a yardstick against which annual budgets can be measured
 - The early commencement of the budget process and the clear annual timetable for both Members and officers including full integration with the business planning process promotes considered and reasoned decision making
 - The establishment of budget parameters in the summer is designed to create a clear focus before the budget process commences

- The analysis of the budget between the continuing services and one off District Development Fund items smoothes out peaks and troughs and enables CSB trends to be monitored
 - The adoption of a prudent view on the recognition of revenue income and capital receipts
 - The annual bid process whereby new or increased budgets should be reported to Cabinet before inclusion in the draft budget
 - Clear and reasoned assumptions made about unknowns, uncertainties or anticipated changes
6. With a Cabinet system the onus is on Portfolio Holders to work closely with Directors to deliver acceptable and accurate budgets. This role has been taken seriously and has helped enhance the detailed knowledge of the Cabinet. There is an established process that allows the Finance Scrutiny Panel to challenge and debate the detailed budgets with the Finance Cabinet Committee.
7. The budget is therefore based on strong and well-developed procedures and an integrated and systematic approach to the preparation of soundly based capital and revenue plans and accurate income and expenditure estimates. The risks or uncertainties inherent in the budget have been identified and managed, as far as is practicable, and assumptions about their impact have been made.
8. **The conclusion is that the estimates as presented to the Council are sufficiently robust for the purposes of the Council's overall budget for 2014/15.**

Factors to be taken into account when undertaking a Risk Assessment into the overall Level of Reserves and Balances

9. Guidance from the Chartered Institute of Public Finance and Accountancy (CIPFA) states that the following factors should be taken into account when the CFO considers the overall level of reserves and balances:
- Assumptions regarding inflation;
 - Estimates of the level and timing of capital receipts;
 - Treatment of demand led pressures;
 - Treatment of savings;
 - Risks inherent in any new partnerships etc;
 - Financial standing of the authority i.e. level of borrowing, debt outstanding etc;
 - The authority's track record in budget management;
 - The authority's capacity to manage in-year budget pressures;
 - The authority's virements and year-end procedures in relation to under and overspends;
 - The adequacy of insurance arrangements.
10. These issues have formed the basis for budget reports in the past and they remain relevant for the current budget.

Factor Assessment

a. Inflationary pressures

11. Every year base budget estimates are produced and then different inflation factors are applied to the resultant figures to take budgets to out-turn prices. It is inevitable that there will be either over or under provision for the full cost of inflation, as prices will vary against the estimates made. Efforts have been made to predict the level of inflation in the coming year, although the difficulty in making these predictions is highlighted by inflation remaining stubbornly high and above the target for, and predictions of, the Monetary Policy Committee. Only the most recent figures for the year to December 2013, released on 14 January, have shown inflation actually at the target level of 2%, reducing from 2.1% for November. However, whilst recovery in the overall economy remains weak the Monetary Policy Committee are likely to continue their cautious stance and not intervene with increases in interest rates to reduce inflation. This has been re-affirmed in the forward guidance provided by the Bank of England's new Governor.
12. Inflation, as measured by CPI, has come down from its peak close to 3% but had remained above 2% and contributed to pressure for a pay award. Pay rates had been frozen for several years prior to the 1% increase for 2013/14. The Medium Term Financial Strategy (MTFS) includes an allowance of 1% for pay awards for 2014/15 and 2015/16. In the budgets the centrally held vacancy allowance has been reduced from 2.5% to 1.5%. This reflects the deletion of many vacant posts in January 2013 and the consequent reduction in the levels of salary under spends.

b. Estimates on the level and timing of capital receipts

13. The Council has always adopted a prudent view on the level and timing of capital receipts. Capital receipts are not recognised for budgetary purposes unless they have been received or their receipt is contractually confirmed prior to the budget being ratified. Currently, no significant disposals are anticipated in 2014/15.
14. The exception to this relates to receipts from council house sales. In this instance because sales occur throughout the year assumptions are made about their generation. Following the increase in Right to Buy discounts the number of sales has increased from previous years. The pattern of less than 10 sales per annum will end in 2013/14 with more than 30 sales likely, although this is expected to reduce to 20 for 2014/15. This indicates that the various Government initiatives to encourage lending have been effective and that it has become easier to obtain a mortgage.
15. Even with the Authority's substantial capital programme, which exceeds £91m over five years, it is anticipated that the balance of usable capital receipts at 31 March 2018 will be £3.1m. The Capital Strategy continues to emphasise that priority will be given to capital schemes that will create future revenue benefit, either through increased income or reduced costs.

c. Treatment of demand led pressures and savings

16. Demand led pressures have been evident on the benefits and homelessness services as the Welfare Reforms begin to impact. Although the pressure has been eased in part by the slow improvement in the economy. Locally the stagnation in the housing market seems to be improving, with some increases in key income streams like planning and land charges. The income from both these areas will be greater in 2013/14 than 2012/13.
17. The net savings for the 2014/15 budget have been achieved from three main areas. Firstly, the restructuring of top management has provided an ongoing saving in excess of £350,000. Secondly, the use of capital to invest in the long leasehold at Torrington Drive has boosted income by more than £220,000. The third significant item is changing pay and display parking fees, after five years of freezing them, which should provide £150,000. A number of other smaller savings have also been identified and together these provide a sound base for the 2014/15 budget. However, there is still a need for further savings in 2015/16 and 2016/17 and work is ongoing on a number of ideas to reduce net costs.

d. Risks inherent in partnership arrangements etc

18. There are several partnership arrangements, some of which carry risks of varying degrees in monetary terms. The risks have not been specifically identified in the budget but are underwritten through the Authority's balances.

e. Financial standing of the authority (i.e. level of borrowing, debt outstanding etc)

19. The Authority is no longer debt free, due to self-financing for the Housing Revenue Account (HRA). Although this is not a significant concern as the 30 year business plan for the HRA has demonstrated that the Authority will be considerably better off in the long term. Revenue reserves for both the General Fund and the HRA are in a healthy state.
20. A major threat to the Authority's financial standing is further substantial reductions in central government funding. The period from 2011/12 to 2015/16 will see grant funding reduced by approximately 60%. The period beyond 2015/16 will be the subject of the next Comprehensive Spending Review and by then the improvement in the economy may have strengthened and there may have been a change of Government. This means predicting beyond 2015/16 is hazardous although if current trends are maintained there will be further reductions in revenue support grant and an increasing reliance on retained business rates.
21. Last year I expressed concern at the transfer of large financial risks to local authorities at a time of economic uncertainty. These risks were the localisation of Council Tax Benefit and the local retention of non-domestic rates. The implementation of Local Council Tax Support has been a success and the scheme has been managed within budget. In view of the success so far the scheme has been left largely unchanged for 2014/15. However, it may prove to be a concern again for 2015/16 if significant changes are necessitated by funding reductions.
22. Local retention of non-domestic rates has been more problematic and still represents a considerable financial risk. The major concern here arises from

the treatment of appeals and refunds. Even though DCLG have already had the benefit of non-domestic rates paid in respect of periods prior to 1 April 2013, all appeals regardless of start date are accounted for within the new system. This means billing authorities are refunding money that they have not benefited from in the first place. There are still more than 500 appeals outstanding and it is difficult to robustly predict what the combined outcomes will be.

f. The authority's track record in budget management, including its ability to manage in-year budget pressures

23. The Authority has a proven track record in financial management as borne out by the Annual Audit Letters from the Authority's external auditors. A comparison of actual net expenditure with estimates over a number of year's shows that the Council rarely experiences over spends of any significance.
24. Most managers have received training on budget management. A course involving an external trainer, the CFO and the Chief Internal Auditor has now been supplemented with additional detailed training on a directorate basis being provided by accountancy staff.
25. The quarterly budget monitoring reports on key budgets to both the Finance and Performance Management Cabinet Committee and Scrutiny Panel will continue throughout 2014/15. The production of these reports during the year is essential in identifying emerging problems at the earliest opportunity. This allows maximum benefit to be accrued from any corrective action taken.

g. The authority's virement and year-end procedures in relation to under and overspends

26. The Authority has recognised and embedded virement procedures that allow funds to be moved to areas of pressure. Although underspends and overspends are not automatically carried forward, the Authority does have an approved carry forward scheme for capital and DDF which is actioned through the formal provisional outturn report to the Finance & Performance Management Cabinet Committee in the summer of each year.

h. The adequacy of insurance arrangements

27. On 23 July 2012 Cabinet decided to exercise the two year extension option to the three year contract which commenced in June 2010. The 2010 contract was entered into following a collaborative procurement exercise with twelve other authorities. Market intelligence suggested a re-tender at this time was unlikely to provide good value for money, particularly as Zurich had offered to freeze premiums in the first year of the extension. The Authority still maintains an insurance fund, which as at 31 March 2013 had a balance of £1.13m.

i. Pension liabilities

28. The latest triennial valuation as at 31 March 2013 showed an increase in the funding level of the scheme to 77% (the value of the scheme's assets only cover 77% of the liabilities). This has allowed the actuaries to reduce both the deficit payments and the projected recovery period. However, ongoing contributions have increased from 13% to 15.9% and this leaves the combined payment figure for 2014/15 and the two subsequent years similar to the current level.

29. In earlier years annual applications were made to DCLG for capitalisation directions, as separate directions are required for the Housing Revenue Account and the General Fund. It has been increasingly difficult to obtain capitalisation directions and for 2011/12 the qualifying criteria were doubled. Even though the applications for 2011/12 met the tougher criteria they were still rejected by DCLG. In view of this no applications were made for 2012/13 or 2013/14 and the full amounts of the deficit payments have been included in the CSB.

Statement on the adequacy of the reserves and balances

30. The Use of Resources assessment previously conducted by the external auditors moved on from the formulaic approach of CPA to achieve the 'good' ranking for reserves. The old formula had suggested that the Council should maintain a General Fund balance of at least £0.89m but no more than £17.86m. The Council's current best estimate of the General Fund balance at 31 March 2015 is £9.27m as shown in the Annex 4 b. This is clearly within the range specified but as a benchmark is not particularly useful. Therefore a risk assessment related to the Authority's individual circumstances is provided as a more meaningful benchmark against which the adequacy of the balances can be determined.
31. The following table lists those developments and cost pressures within the four-year forecast that offer the greatest risk to financial stability.

Item of risk	Estimated level of financial risk £000	Level of risk %	Adjusted level of risk £000
Basic 5% of Net Operating Expenditure			800
Grant reduction being 10% instead of 3% beyond 2015/16	750	40	300
Pay award being settled 1% in excess of estimate for 14/15 and future years	800	25	200
Inflationary pressures between 1-4% higher than budget	600	20	120
Loss of North Weald Market Income	3,000	40	1,200
General Income between 1-4% less than budget	600	10	60
Unintended consequences of HRA reform impacting on General Fund	2,000	10	200
Localisation of Council Tax Benefit - Increase in caseload not covered by funding	1,000	20	200
Retention of non-domestic rates – losses on appeals	1,000	35	350
Renegotiating External contracts and partnership arrangements	4,000	25	1,000
Emergency Contingency	800	20	160
New Homes Bonus, income over MTFs greater than anticipated	(1,200)	30	(400)
Total	13,350		3,940

32. The estimates for income generated from the market at North Weald airfield have been reduced but this remains a key source of income. Uncertainties surrounding the future of the airfield create a risk to the Authority that needs to be recognised and quantified hence its inclusion in the list above.
33. A number of contracts have been granted to outside bodies for the provision of Council services. The failure of any of these contracts would inevitably lead to the Council incurring costs, which may not be reimbursed. Other than certain bond arrangements there is no specific provision made in the estimates for this type of expenditure, which therefore would have to be covered by revenue balances.
34. The presentation in this table is not a scientific approach, but a crude attempt to put a broad order of scale on the main financial risks potentially facing the Council. It is meant to be thought provoking rather than definitive. It is certainly not a complete list of all the financial risks the Council faces but it shows the potential scale of some of the risks and uncertainties and the impact they may have on the Council's balances if they were to come to fruition.
35. Based on the old CPA formula there is an expectation that an authority should carry a level of balance that equates to at least 5% of the net operating expenditure (NOE) of the Authority. During the period of the four-year plan NOE is expected to average out at £14.5m, which suggests a figure of £725,000.
36. The Council has always been conscious of its balances position as can be demonstrated by budget reports over many years. Fortunately for the Authority the question had not been whether it had a sufficient level of balance but rather that it had too much. Balances increased by £469,000 in 2012/13 to leave a balance of £9.67m at 31 March 2013.
37. A number of policies have been determined previously to bring about reductions and the current policy reflects that deficit budgets are necessary to support the structured reduction in spending. The current policy allows for balances to fall to no lower than 25% of Net Budget Requirement (NBR). This is slightly different from the NOE stated above, the average NBR figure for the next four years is expected to be £13.2m therefore 25% of that figure equates to £3.3m. The current four-year forecast shows balances still at £7.5m at the end of 2017/18.
38. The risk assessment undertaken above suggests that 20-25% of NBR is about the range that this authority should be maintaining its balances within. By 31 March 2018 balances will represent 59% of NBR, which is more than adequate. However, Members are aware that this situation can only be achieved with CSB savings and have stated a clear target of reducing expenditure throughout the period of the medium term financial strategy.
39. It has already been stated that the capital fund is expected to remain in a surplus position beyond 2017/18 and the capital programme is fully funded.
40. The main earmarked reserve is the District Development Fund (DDF) which is used to keep one off items of income and expenditure separate from the base budget. At 31 March 2013 the balance on the DDF was £3.6m, which was an increase of £0.1m in the year. The DDF is predicted to have a balance of £0.9m at the end of 2017/18, although this is likely to be reduced by the Local Plan and any further organisational changes. The only other earmarked reserve with

a significant balance is the Insurance Reserve, which stood at £1.1m at the end of 2012/13. There were no significant movements in the year on this fund.

41. The HRA revenue balance of £3.375m at 31 March 2013 is expected to increase, by £107,000 in 2013/14 and then decrease by £800,000 in 2014/15. The balance on the Housing Repairs Fund is expected to reduce over the next year, from £2.99m to £2.33m. Similarly the Housing Major Repairs Reserve is predicted to decrease from £9.998m to £6.532m. The 30 year business plan has demonstrated that under self-financing the overall financial standing of the HRA will improve significantly and its reserves going into 2014/15 remain healthy.
42. **The conclusion is that the reserves of the Council are adequate to cope with the financial risks the Council faces in 2014/15 but that savings will be needed in subsequent years to bring the budget back into balance in the medium term.**

Report to Council

Date of meeting: 20 February 2014

Subject: Overview and Scrutiny report to Council – February 2014

Contact for further information: Councillor R Morgan



Recommendation:

That the Overview and Scrutiny progress report from January 2014 to the present be noted.

Report

Overview and Scrutiny Committee Meeting – 28 January 2014

1. At our meeting last Tuesday, we received a presentation from the Essex Probation Service. The speakers were Neeve Bishop and Adrian Saward from the Probation Services based in Harlow. They showed a film on how the probation service worked from the point of view of the offender. They stopped the film on various occasions to enable the members present to ask questions, and used these opportunities to fill in the background to the probation service and the related organisations that they work with, such as giving specialist help to people with alcohol related problems and people with anger issues.
2. Members raised a general concern that although using the probation services instead of imposing a custodial sentence was fine for handling low level offences, but the release of high risk offenders to the probation service was a worry. They thought that these offenders should have access to the various programmes, such as anger management, while they were still in prison.
3. We then considered the Cabinet Agenda for their meeting of 3 February 2014. Councillor Chambers commented, that under agenda item 12, 'Establishment of an Economic Development Strategy', where it talked of funds for health centres. He wanted to register that he was in favour of this.
4. Councillor Philip wanted to say that the Constitution and Member Services Standing Panel fully endorsed the continuation of the consultation as outlined in agenda item 14, the 'Review of Licensing – Staffing and Budget' report. He also endorsed item 16, the 'Historical Planning Records Microfiche Project'. He noted that it was expensive but we had to do it now or lose access to the microfiche files.
5. Councillor Philip then went on to endorse item 22, the report on the 'Wide Area Network Contract Renewal', saying that the proposed route was the correct way to go.
6. Councillor Murray commented in relation to agenda item 20 – 'Council Budget 2014/15', recommendation 3(b). He wished it noted that he was in support of it.

7. We then considered three reports from the Constitution and Member Services Scrutiny Standing Panel. The first one was the 'Annual Review of Officer Delegation', updating the schedule of officer delegation reflecting the new Directorate structure. This was approved. We then considered the 'Annual Review of Contract Standing Orders and Financial Regulations' which we also agreed.

8. The last report from the Constitution Panel was on the 'Vice Chairman of Council - Appointment Review'. This prompted a debate on whether a person should be nominated by 15 or 12 members and if this new system was fair for the minority parties and the independents on the council. After a considerable debate and a vote, the report was agreed.

9. Finally we considered our work programme and agreed to ask the Epping Forest College Principal to our April meeting and if possible someone from the Mental Health Services in our District to our February meeting.

Report to Council

Date of meeting: 20 February 2014



Report of: Constitution & Member Services Standing Scrutiny Panel

Chairman: Councillor J Philip

Subject: Annual Review of Contract Standing Orders (CSOs) and Financial Regulations

Recommendations:

(1) That the proposed changes to CSOs listed below be adopted and published in the Council's Constitution:

(a) CSO 35 (Local Businesses)

That CSO 35 (Local Businesses) be re-positioned within CSOs to give it greater prominence and an index at the beginning of CSOs to aid navigation by officers be added to the published version;

(b) CSO 16 (Receipt, Custody and Opening of Quotations)

That CSO 16 (Opening of Tenders and Quotations – Contracts in Excess of £25,000) be amended as follows:

“Quotations and tenders received in accordance with these Standing Orders shall be opened at one time, as follows:

(i) in respect of contracts with an estimated value exceeding £25,000 but not exceeding £50,000, the relevant Chief Officer ~~in the presence of~~ **or at least one of his principal or senior officers and a representative of the Director of Governance,** shall open the quotations received; ~~and shall maintain a record of all such quotations;~~

(ii) in respect of contracts with an estimated value in excess of £50,000 the Portfolio Holder concerned, in the presence of authorised representatives of the **Director of Governance** and the relevant Chief Officer, shall open the tenders which, in the normal course of events, will not be less than three working days after the closing date for receipt of those tenders; and

(iii) the **Director of Governance or his/her authorised representative** shall maintain and sign a record of all tenders opened, which record shall also be signed by the member of the Cabinet **in attendance (in respect of contracts valued in excess of £50,000 only) and** the representative of the Chief Officer concerned.”

(c) CSO 19 (Acceptance of Quotations/Evaluation of Tenders)

That CSO 19 (Acceptance of Quotations – Contracts Exceeding £25,000 but Not Exceeding £50,000) be amended as shown below:

“(1) a Chief Officer may, subject to the provisions of Standing Order C4 (Contracts

exceeding £25,000 but not exceeding £50,000) accept the lowest quotation received in respect of a contract not exceeding £50,000 in value or amount; a quotation other than the lowest received shall not be accepted until the relevant Portfolio Holder has considered a report from the appropriate Chief Officer or other person.

(3) Paragraph (1) above shall not apply where:

(i) the tender documentation prepared by the Chief Officer and submitted to prospective tenderers specifies that the acceptance of any tender will be not only based on consideration of price but also on an assessment of quality; and

(ii) where sub-paragraph (i) above applies, the methodology for assessing tenders on the basis of price and quality shall be documented and signed by the Chief Officer prior to the opening of tenders and retained as part of the contract documentation.

(iii) the relevant Chief Officer has obtained approval in advance of the terms under which quotations will be accepted from the Cabinet or the relevant Portfolio Holder and acceptance of a quotation is fully in compliance with that decision **in which case the results of the evaluation process shall be reported back to the Cabinet or the Portfolio Holder as appropriate.**

(iv) in cases where quotations received exceed the limit of £50,000, provided that the lowest quotation exceeds the pre-contract estimate by no more than 10%.”

(d) CSO 12 (Contract Extensions)

That a new CSO (to be numbered C12) be approved as follows:

“C12 Contract Extensions

(a) **No contract in excess of £25,000 shall be extended (other than extensions provided for under CSO 11 (serial contracts) without prior approval by a Portfolio Holder or the Cabinet. Any such proposal shall explain the circumstances which leads the relevant Chief Officer to recommend that course of action and indicate the terms on which the contract is to be extended and a date on which the proposed extension will terminate.**

(b) **No more than two contract extensions shall be approved in respect of any one contract.”**

(2) That any further alterations to CSOs and Financial Regulations to reflect any other changes arising from the recent Directorate restructuring be delegated to the Assistant to the Chief Executive for incorporation in final version before publication.

Report:

Introduction

1. This report deals with our annual review of CSOs and Financial Regulations which provide controls on contract procedures and provide for financial governance.

2. We have been advised that there has been a recent review by Internal Audit and this has resulted in the proposals set out in this report which we were asked to consider. We would emphasise that the suggested changes to CSOs are points of detail rather than major alterations, being designed to reinforce existing requirements. These points are discussed in turn below and changes to the relevant CSOs are shown in bold text (additions) or crossings out (deletions).

CSO 35 - Local Businesses

3. In order that the use of local contractors/suppliers is tested during procurement, it is recommended that CSO 35 be made more prominent within CSOs so that users are always aware of the need to comply with need to seek at least one local tender if possible.

CSO 16 – Receipt, Opening and Recording of Quotations Valued between £25,000 and £50,000

4. In order to monitor the requirement for contracts to be executed in this value range, it is proposed that receipt, opening and recording of such quotations should be dealt with through Democratic Services. Currently only tenders in excess of £50,000 are dealt with in this way. This would improve controls on tendering procedures and is supported by the Essex Procurement Hub for tenders which are dealt with through that organisation. This requires an amendment to CSO C16.
5. Portfolio Holders will continue to supervise tender openings for contracts valued over £50,000 but, for those in the £25,000-£50,000 range, these would now be attended by a member of Democratic Services staff and a senior officer from the relevant Directorate.

CSO 19 – Evaluation of Tenders

6. Internal Audit found instances of Portfolio Holders agreeing the basis for evaluating tenders but without the results of that exercise always being reported back to them. It is proposed that CSO C19(c) be amended to require that a report to the Portfolio Holder concerned on the results of evaluations or to the Cabinet whichever is appropriate.

CSO C12 – Contract Extensions

7. We have been advised that there have been Portfolio Holder approvals extending contracts in the light of particular circumstances and, on some occasions, for a second time. There are no rules about contract extensions of this kind and it is suggested that a limit should be placed on the number of such occasions when this can take place. A limit of two extensions is suggested, this having the benefit of giving greater assurance that the Council is achieving best value in its procurement.

CSO (1) and CSO 10 (Contractor Selection)

8. We were asked to consider a change to this CSO to reflect the current practice of consulting contractors/suppliers if there is a lack of in house expertise prior to tenders being invited. Currently this CSO precludes tenders being invited from any company which has been consulted in this way.
9. The proposal was for contracts valued in excess of £50,000, that one or two firms could be consulted and be allowed to tender if necessary provided that Chief Officers ensure that any advice received is not anti competitive.

10. We had misgivings about this proposal and agreed with officers that a further look should be taken at this proposal so as to put more safeguards in place to prevent any anti-competitive behaviour and to avoid disclosure of sensitive commercial information. We will receive a report on the outcome of a further review by officers at a later meeting.

Conclusion

11. These recommended changes require the approval of the Council prior to publication in the Council's Constitution.
12. In addition some clerical amendments to CSOs and Financial Regulations may be required to reflect the recent approval of a new Directorate structure. We propose that these be made by the Assistant to the Chief Executive when the approved revision is published.
13. We recommend as set out at the commencement of this report.

Report to Council

Date of meeting: 20 February 2014



Report of: Constitution & Member Services Standing Scrutiny Panel

Chairman: Councillor J Philip

Subject: Officer Delegation

Recommendations:

- (1) That the proposed alterations (shown in black highlighting) to the schedules of officer delegation reflecting the new Directorate structure be approved with effect from 1 April 2014;**
- (2) That the revised schedule of Council functions be published in the Council's Constitution; and**
- (3) To note that the delegated authorities in respect of Deputy Monitoring Officer, Deputy Electoral Registration Officer and Deputy RIPA Officer cannot be finalised at present due to pending appointments required under the implementation of the new Directorate structure but that once an appointment has been made, the decisions of the Director of Governance and the Chief Executive will be added to the schedule.**

Report:

1. We have carried out the annual review of officer delegation. This report deals with those delegated authorities which need to be approved by the Council (ie non Cabinet functions).
2. We were advised that the new structure alters the number of Directors and re-allocates functions across the new Directorates and that this results in many existing delegated authorities being exercised by different post holders. However, the scope of the delegation is unaltered although an opportunity has been taken to update electoral matters as some recent changes, including referendums, are not covered.
3. We draw attention to three designations, set out in recommendation (3) above, which cannot be finalised at present pending the outcome of ring-fenced interviews to an Assistant Director position as part of implementation of the new structure. It is recommended that once an appointment to the position concerned has been made, the decisions of the Chief Executive and the Director of Governance on allocation of these roles be added to the schedule.
4. As previously, these delegated authorities are submitted for approval as they are the Council (Council functions) and will then be published in the Constitution.

5. Proposals for alterations in respect of Cabinet functions have been sent to the Leader of Council and are reported elsewhere on the agenda for this meeting.
6. We recommend as set out at the commencement of this report.

**PART TWO – COUNCIL AND
REGULATORY FUNCTIONS**

**DELEGATION APPROVED BY
OR ON BEHALF OF THE COUNCIL**

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL1	Council - 29.10.85 (Minute 57(2))	DIRECTOR OF GOVERNANCE	ACCESS TO INFORMATION ACT 1985 – PROPER OFFICER To act as Proper Officer for the purposes of the Act generally and in particular for the purposes of – Section 100(B)(2) – circulation of reports and agenda Section 100(B)(7)(c) – supply of documents to the press Section 100(C)(2) – summaries of minutes Section 100(D)(1)(a) – compilation of lists of background papers Section 100(D)(5)(a) – identification of background papers Section 100(F)(2) – papers not open to members
CL2	Policy & Co-ordinating Committee (Minute 62(1) - 11.2.86)	CHIEF EXECUTIVE SERVICE DIRECTORS	ACCESS TO INFORMATION ACT 1985 – DEPOSIT OF BACKGROUND DOCUMENTS Proper Officers for the purpose of Section 100(D)(1)(b) – provision of one copy of relevant background papers to be open for inspection by the public at all reasonable times.
CL3	Policy & Co-ordinating Committee (Minute 56 – 30.9.97)	DIRECTOR OF GOVERNANCE	AFFIDAVITS – SWEARING OF To secure sworn affidavits from any member of Council staff where required by the Council.
CL4	Council (Minute 104(5) – 19.4.83)	CHIEF EXECUTIVE SERVICE DIRECTORS	APPRAISAL OF TOP MANAGEMENT* To implement the Council’s scheme for staff performance development reviews (*NB. ‘Top Management’ includes Service Directors) APPRAISAL OF STAFF To implement the Council’s scheme for staff performance development reviews (NB excluding Service Directors).

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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL5	Personnel Sub-Committee (Minute 13 – 7.6.88)	CHIEF EXECUTIVE SERVICE DIRECTORS	ATTENDANCE ALLOWANCES FOR OFFICERS To authorise, in cases where the Service Directors determine that time off in lieu cannot be allocated due to workload, the attendance of such officers at any function or meeting and to grant payments on rates applicable for weekend working, in the same way as currently applies to Members' approved duties.
CL6	Council (Minute 78(5) – 27.2.90)	DIRECTOR OF RESOURCES	BORROWING DETERMINATION (a) To discharge all powers regarding sources of borrowing available to the Council under Section 43(2) of the Local Government and Housing Act 1989 subject to regular monitoring reports to the Cabinet, and (b) To compile and maintain a register of loan instruments.
CL7	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	BYELAWS – CERTIFICATION To act as Proper Officer for the purposes of Section 238 of the Local Government Act 1972.
CL8	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	BYELAWS – PARISH & COUNTY COUNCIL COPIES To act as Proper Officer for the purposes of Section 236(a) of the Local Government Act 1972.
CL9	Policy & Co-ordinating Committee (Minute 48 – 3.12.85)	CHIEF EXECUTIVE SERVICE DIRECTORS	CAR LEASING SCHEME (a) To approve applications from eligible staff under the Scheme; (b) To check eligibility of applicants, approve ordering of vehicles, notify users of outcome of applications; and (c) To be responsible for the financial administration of the Scheme;

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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Cabinet (Minute 61 – 1.9.08) Personnel Sub-Committee (Minute 37 – 25.7.89)	MANAGEMENT BOARD CHIEF EXECUTIVE SERVICE DIRECTORS	(d) To determine essential car user status for relevant staff posts. (e) To authorise early termination charges to members of staff with leased cars who receive redundancy notices; (f) To determine the appropriate user business mileage contribution banding for each member of staff receiving authorisation for a leased car.
CL10	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	CHAIRMAN OF COUNCIL – CASUAL VACANCY To act as Proper Officer for the purposes of Section 88(2) of the Local Government Act 1972 (Convening of special Council meeting to fill casual vacancy in the office of Chairman of the Council).
CL11	Finance Sub-Committee (Minute 13 – 14.11.73)	DIRECTOR OF RESOURCES (or other duly authorised signatory)	CHEQUES – SIGNING To sign cheques on behalf of the Council.
CL12	Council (Minute 90(4) – 22.4.97) S.O. F1(3), F1(4)	MR R PALMER DIRECTOR OF RESOURCES (MR PETER MADDOCK, ASSISTANT DIRECTOR AS DEPUTY)	CHIEF FINANCIAL OFFICER Designated as Chief Finance Officer being the officer having responsibility under Section 151 of the Local Government Act 1972, Section 73 of the Local Government Act 1985 and Section 114 of the Local Government Finance Act 1988.
CL13	Policy & Co-ordinating Committee (Minute 51 – 4.1.94)	DIRECTOR OF RESOURCES	COLLECTION FUND To calculate the surplus or deficit on the Collection Fund in accordance with the Local Authorities (Funds) (England) Regulations 1992.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL14	Council (Minute 90(4) – 22.4.97)	CHIEF EXECUTIVE DEPUTY CHIEF EXECUTIVE DIRECTOR OF GOVERNANCE ASSISTANT DIRECTOR (LEGAL SERVICES)	COMMON SEAL – ATTESTATION OF To attest the Common Seal of the Council.
CL15	Personnel Sub-Committee (Minute 13 – 15.11.73)	CHIEF EXECUTIVE SERVICE DIRECTORS	COMPASSIONATE LEAVE To grant to staff up to five days leave (with pay) per year for compassionate reasons. (Note: Leave in excess of five days to be granted at the discretion of the Management Board).
CL16	Council (Minute 18 - 18.6.12)	MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)	CONDUCT OF COUNCILLORS In accordance with Sections 26-37 of the Localism Act 2011: (a) To determine whether a complaint merits formal investigation after consultation with the independent person; (b) To arrange any such investigation; (c) To seek resolution of complaints without formal investigations wherever practicable; (d) To submit regular reports to the Standards Committee on the exercise of this delegated authority under (a), (b) and (c) above; (e) To refer decisions on whether to investigate any complaint to the Standards Committee, if it is considered that this is appropriate; (f) To close any complaint where an investigation finds no breach of the Code of Conduct, subject to the report and the findings from the investigation being provided to the subject councillor, the independent person and to the Standards Committee;

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
Page 180	Standards Committee (Minute 21 – 13.12.12)	MONITORING OFFICER (or in the absence of, the DEPUTY MONITORING OFFICER)	<p>(g) To seek local resolution of any complaint where an investigation finds evidence of a failure to comply subject to the following:</p> <ul style="list-style-type: none"> (i) consultation with the independent person and the complainant; (ii) a summary report being made to the Standards Committee on the action taken; <p>(h) To refer any investigation report where local resolution is not possible to a hearing Sub-Committee of the Standards Committee for consideration;</p> <p>(i) To prepare, maintain and publish registers of members' interests in respect of this Council and all Parish and Town Councils in the District and to make these available for public inspection at the Civic Offices, Epping, on the District Council's website and (where appropriate) on the websites of parish and town councils; and</p> <p>(j) To determine applications for dispensations from the effect of Section 31(4) of the Localism Act 2011 in the following categories:</p> <ul style="list-style-type: none"> Section 33(2)(a) (Quorum) Section 33(2)(b) (Political Balance) Section 33(2)(d) (Executive Business)
CL17	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	<p>COUNCIL MEETINGS – NOTICES AS TO ADDRESSES FOR DELIVERY OF SUMMONS</p> <p>To act as Proper Officer in accordance with Schedule 12 (paragraph 4(3) of the Local Government Act 1972 as to the receipt of these notices.</p>
CL18	Council (Minute 127 – 23.4.13)	MONITORING OFFICER	<p>CONSTITUTION – MINOR AMENDMENTS</p> <p>To make amendments to the Constitution to reflect the following:</p> <ul style="list-style-type: none"> (a) statutory changes over which the Council has no control; and (b) minor drafting and clerical errors.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL19	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCIL MEETINGS – SIGNATURE OF SUMMONS TO ATTEND To act as Proper Officer in accordance with Schedule 12 (paragraph 4(2)(b) of the Local Government Act 1972 as to the signing of the summons.
CL20	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCILLORS – ACCEPTANCE OF OFFICE To act as Proper Officer under Section 83(1)-(4) of the Local Government Act 1972 in respect of the witness and receipt of declarations and acceptances of office by councillors.
CL21	Policy & Resources Committee (Minute 3 – 11.10.73)	CHIEF EXECUTIVE	COUNCILLORS – RESIGNATION FROM OFFICE To act as Proper Officer for the purposes of Section 84 of the Local Government Act 1972, in respect of the receipt of notices of resignation from office by councillors.
CL22	Council (Minute 49 – 18.12.01)	DIRECTOR OF GOVERNANCE	COUNCILLORS – SUBSTITUTES To receive notices from Group Leaders regarding the appointment of substitute members, subject to certain conditions.
CL23	Council (Minute 100(7) – 18.4.2000)	DIRECTOR OF GOVERNANCE	COURT, TRIBUNAL, INQUIRY PROCEEDINGS – ENGAGEMENT OF STAFF AND ADVICE To appoint appropriate staff and/or external Solicitors and/or Counsel to appear for, conduct and settle proceedings on behalf of the Council in Courts, tribunals, inquiries and other similar venues.
CL24	Council (Minute 78(4) – 17.2.85)	DIRECTOR OF GOVERNANCE	DATA PROTECTION ACT 1984 To act as Proper Officer for the purposes of the Data Protection Act 1984 for the receipt of notices.

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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL25	Finance Sub-Committee (Minute 67(iii) – 6.3.74)	DIRECTOR OF RESOURCES	DIRECT DEBITING To execute a direct debiting indemnity on behalf of the Council.
CL26	Policy & Co-ordinating Committee (Minute 44 – 29.11.83)	SERVICE DIRECTORS/ DIRECTOR OF RESOURCES	DISTURBANCE COMPENSATION To grant disturbance allowances following home loss in appropriate cases and subject to the budgetary provision of the Council, in any one year, not being exceeded and in accordance with the Land Compensation Acts.
CL27	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – AUTHENTICATION To act as Proper Officer for the purposes of Section 234(1) – (2) of the Local Government Act 1972 for the purposes of authentication of documents.
CL28	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – CERTIFICATION OF PHOTOGRAPHIC COPIES To act as Proper Officer for the purposes of Section 229(5) of the Local Government Act 1972 for the purposes of certifying photographic copies of documents.
CL29	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	DOCUMENTS – DEPOSIT To act as Proper Officer for the purposes of Section 225(1) of the Local Government Act 1972 in relation to the deposit of documents.
CL30	Standing Order A32 Council (Minute 24(1) – 9.7.91)	CHIEF EXECUTIVE (or in his absence the DEPUTY CHIEF EXECUTIVE)	DOCUMENTS – INSPECTION AND SUPPLY FOR COUNCILLORS To determine requests by members of the Council to inspect or to be provided with copies of Council documents.
CL31	Council Minute – 19.4.05	G CHIPP CHIEF EXECUTIVE (Deputy registration officer : TBD	ELECTORAL MATTERS (a) Registration Officer under section 8(2)(a) of the Representation of the People Act (RPA) 1983 and

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>(i) through Section 28 of the RPA, Acting Returning Officer for the purposes of UK Parliamentary elections; and</p> <p>(ii) through Section 6 of the European Elections Act 2002, Local Returning Officer for European Parliamentary elections.</p> <p>(Duties: responsibility for the electoral register, for EU parliamentary elections (under the direction of the Regional Returning Officer) and for UK Parliamentary elections.)</p> <p>(b) Counting Officer for the purposes of Section 61E of the Town & Country Planning Act 1990 and the Localism Act 2011 (Section 116)</p> <p>(Duties: responsibility for the local referendums on Neighbourhood Plans)</p> <p>(c) District Returning Officer for the Epping Forest District under Section 35(1) of the RPA 1983</p> <p>(Duties: responsibility for the conduct of District Council/Parish Council elections and, through Sections 52ZQ and 113 of Local Government Finance Act 1992, Proper Officer for local referendums in connection with Council Tax precepts.)</p> <p>(d) Proper Officer under Sections 34, 35 and 105(2) of the Local Government Act 2000</p> <p>(Duties: responsibility for petitions and referendums in connection with the Executive Constitution of the Council).</p> <p>(e) Nominated Deputy County Returning Officer under Section 35(1) of the RPA 1983</p> <p>(Duties: responsibility for County Council elections as appointed by and under the direction of the County Returning Officer.)</p> <p>continued</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
			<p>(f) Nominated Local Returning Officer under Section 54 of the Police & Social Responsibility Act 2011</p> <p>(Duties: conduct of elections for Police & Crime Commissioners under the direction of County Returning Officer.)</p> <p>(g) Nominated Local Counting Officer for the purposes of Section 128 of the Political Parties, Elections and Referendums Act 2000.</p> <p>(Duties: conduct of national referendums under the direction of the Chief Counting Officer (i.e. the Chief Executive of the Electoral Commission).</p>
CL32	Council Minute 75(8) – 14.12.04	G CHIPP RETURNING OFFICER	<p>ELECTIONS – DISCRETIONARY FEES AND CHARGES</p> <p>To determine annually the scale of discretionary fees and charges, for which there is no statutory amount, by allowing for inflation and rounding up to the nearest whole number.</p>
CL33	Council Minute 115 – 19.4.05	G CHIPP RETURNING OFFICER	<p>ELECTIONS – FEES AND EXPENSES</p> <p>To determine the scale of fees and expenses payable by the Returning Officer at elections of District and Parish Councils, adjusting the schedule for inflation and rounding up to the nearest whole number.</p>
CL34	Policy & Co-ordinating Committee (Minute 101 – 1.12.98)	DIRECTOR OF GOVERNANCE	<p>ELECTORAL REGISTRATION – PROSECUTIONS</p> <p>To institute and pursue proceedings in relation to electoral registration offences.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL35	Council (Minute 71 – 17.12.02)	DIRECTOR OF GOVERNANCE (or, in the absence of the office holder, a nominated deputy)	ENFORCEMENT ACTION 1. Authority to prosecute the unauthorised display of advertisements, unauthorised works to a listed building or in a conservation area breach of Tree Preservation or Hedgerow Regulations, and non-compliance where enforcement action has previously been authorised. 2. Authority to take the appropriate enforcement action, including serving an injunction where the Director of Governance , or his nominee, considers the circumstances to be urgent.
CL36	Cabinet (Minute 138 – 25.11.02) Council (Minute 29 - 28.6.11)	DIRECTOR OF GOVERNANCE SERVICE DIRECTORS	FREEDOM OF INFORMATION ACT 2001/RE-USE OF PUBLIC SECTOR INFORMATION To be responsible for co-ordinating compliancy with the requirements of the Freedom of Information Act throughout the Council, including providing guidance and promoting compliance with the Act so as to assist with the easy, appropriate and timely retrieval of information. To be responsible for establishing and operating procedures for their service areas for managing requests for information under the Act and ensuring that requests are dealt with in accordance with statutory deadlines.
CL37	Council (Minute 19.12.06)	DIRECTOR OF NEIGHBOURHOODS	GAMBLING ACT 2005 – LICENSING FUNCTIONS See Appendix A.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL38	District Development Control Committee (Minute 49 (3) - 26.6.13)	DIRECTOR OF COMMUNITIES	<p>GROWTH AND INFRASTRUCTURE ACT 2013</p> <p>To determine applications received under Section 7 to modify, remove or discharge affordable housing obligations, subject to:</p> <p>(a) Prior consultation with the Director of Governance; the Chairman (or in his/her absence, the Vice-Chairman) of the relevant Area Plans Sub-Committee and local ward members; and</p> <p>(b) Details of the application and the resultant Determination being reported in the following issue of the Council Bulletin.</p>
CL39	Development Committee (Minute 31 – 25.8.92)	DIRECTOR OF GOVERNANCE	<p>HAZARDOUS SUBSTANCES</p> <p>To determine applications for hazardous substances consent under the Planning (Hazardous Substances) Regulations 1992 except where there are objections from interested parties, which shall be determined by the Plans Sub-Committees.</p>
CL40	Council (Minute 12(11)(a) – 27.2.90)	CHIEF EXECUTIVE (or in his absence the DEPUTY CHIEF EXECUTIVE)	<p>HEAD OF PAID SERVICE</p> <p>In accordance with Section 4 of the Local Government and Housing Act 1989 designated as Head of the Authority's Paid Service.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL41	<p>Council (Minute 54(4) – 20.12.77)</p> <p>Personnel Sub-Committee (Minute 49(6) – 4.10.88)</p>	<p>CHIEF EXECUTIVE</p> <p>SERVICE DIRECTORS ALL MANAGERS OR SUPERVISORS RESPONSIBLE FOR ONE OR MORE STAFF</p>	<p>HEALTH AND SAFETY AT WORK – IMPLEMENTATION</p> <p>(a) To be responsible on behalf of the Council for the general policy for the safety, health and welfare of employees as set out in the Council’s statement of policy;</p> <p>(b) To be directly responsible for the implementation in each Directorate of the Council’s general policy for safety, health and welfare;</p> <p>(c) To ensure that adequate budgetary provision is made to meet the cost of any safety programme; and</p> <p>(d) To be responsible in the work area under their control for:</p> <ul style="list-style-type: none"> (i) implementation of general policy of health, safety and welfare; (ii) annual review of work areas to assess training needs and priorities for improvements; (iii) identification of hazards for employees and the public; (iv) consultation with employee representatives on safety matters; and (v) setting an example in safe behaviour.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL42	Council (Minute 52(c) – 12.12.00)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	<p>HIGH COURT ACTION</p> <p>To instigate High Court action in the following circumstances:</p> <p>(a) appeals lodged in accordance with Sections 288 and 289 of the Town and Country Planning Act 1990 (as amended) which shall be authorised by the Director of Governance;</p> <p>(b) applications for High Court injunctions to secure planning enforcement under the Town and Country Planning Act 1990 (as amended) which shall be authorised by the District Development Control Committee or an Area Plans Sub-Committee, or to deal with breaches of Abatement Notices under the Environment Act 1995 or Amendments thereof which shall be authorised by the Cabinet;</p> <p>(c) any applications for High Court injunctions where immediate emergency action is required to prevent serious distress to public safety or residential amenity which shall be authorised by the Director of Governance in consultation with the appropriate Portfolio Holder.</p> <p>(d) any other category of High Court action which shall not admit of delay resulting from reference to the full Council – which shall be authorised by the Cabinet or any appropriate committee or subcommittee; and</p> <p>(e) to make applications in consultation with the appropriate members under High Court injunctions where immediate emergency action is required to prevent serious distress to public safety or residential amenity.</p>
	Council (Minute 100(5) – 18.4.00)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	To defend High Court Proceedings instituted against the Council (subject to reporting on action taken to the next Cabinet meeting).
	Council (Minute 29(2) – 15.7.86)	DIRECTOR OF GOVERNANCE (or nominated Deputy)	To lodge, after prior consultation, appeals in the High Court in accordance with the provisions of Sections 288 and 289 of the Town and Country Planning Act 1990, as amended, subject to a report being made to the next appropriate meeting on the action taken.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL43	Council (Minute 34 – 22.7.97)	DIRECTOR OF GOVERNANCE	INSOLVENCY – ENFORCEMENT OF DEBTS To issue statutory demands pursuant to Section 268(1)(a) of the Insolvency Act 1986. To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action taken being reported to the next appropriate Cabinet meeting.
CL44	Council (Minute 100(6) – 18.4.2000)	DIRECTOR OF RESOURCES (or nominated Deputy)	INSURANCE – INSTITUTION OF LEGAL PROCEEDINGS To institute, defend, appeal, withdraw or agree a compromise in connection with any legal proceedings concerning the Council's insurance matters, subject to reporting on any significant issues to the next appropriate Cabinet meeting.
CL45	Policy & Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	LAND CHARGES To act as proper officer to the Council for the purposes of Section 212(1) and (2) of the Local Government Act 1972 (local registrar of land charges)
CL46	Cabinet (Minute 184 – 10.4.06)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES) Appropriate Portfolio Holder	LICENSING To authorise suitably qualified officers to exercise those functions relating to licensing set out in the attached list of environmental health legislation as set out in Appendix B, subject to the policies from time to time agreed by the Licensing Committee. To delegate appropriate powers to the Director of Neighbourhoods relating to the management and provision of service set out in the attached list of environmental health legislation as set out in Appendix B.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL47	Licensing Committee (Minute 12 – 15.10.08)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES) SENIOR LICENSING OFFICER or suitably qualified officer authorised by them	LICENSING – HACKNEY CARRIAGE AND PRIVATE VEHICLE LICENCES To determine Licences in respect of hackney carriage and private hire licensing (as set out in Appendix C) except in those circumstances where under the Council’s policy they stand referred to the Licensing Sub Committee (see Minute 12 opposite).
CL48	Council (Minute 48 – 26.9.13)	DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (NEIGHBOURHOOD SERVICES)	LICENSING – SCRAP METAL DEALERS ACT 2013 To implement Appendix D (Schedule of delegations under the Act) insofar as they relate to matters to be undertaken by officers. To authorise officers to carry out inspections of the sites and vehicles used and conduct investigations and to issue and undertake prosecutions that may arise under the Act.
CL49	Policy & Co-ordinating Committee (Minute 24(2) – 8.10.91)	DIRECTOR OF RESOURCES	LOCAL GOVERNMENT AND HOUSING ACT 1989 – DETERMINATIONS UNDER PART IV To make determinations under the following sections of the Local Government and Housing Act 1989: Section 42(2)(g) – Reimbursable expenditure Sections 50(3)(b) and 60(2) – Usable capital receipts

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL50	Council (Minute 24(1)(2) – 9.7.91)	DIRECTOR OF RESOURCES	<p>LOCAL GOVERNMENT AND HOUSING ACT 1989 – PROPER OFFICER DESIGNATIONS</p> <p>Proper Officer designations made for the purposes of the Sections of the Local Government and Housing Act 1989 indicated:</p> <p>Section and Purpose</p> <p>Section 2 (preparation and maintenance of lists of politically restricted posts).</p> <p>Section 37 (deposit and preparation of statements as to the provision of financial assistance).</p>
CL51	Council (Minute 34 – 22.7.97) (Minute 168 - 20.4.10)	DIRECTOR OF GOVERNANCE ASSISTANT DIRECTOR (LEGAL SERVICES)	<p>MAGISTRATES’ AND COUNTY COURTS – DEFENCE AND PURSUIT OF PROCEEDINGS</p> <p>To institute, defend, pursue and settle proceedings on behalf of the Council and to appear on the Council’s behalf, in any proceedings before the Magistrates’ and County Courts.</p>
	Personnel Sub-Committee (Minute 88 – 21.11.89 and 88(b) – 1.12.92)	MR G OAKLEY (MANAGING LEGAL EXECUTIVE)	To appear for the Council in legal proceedings pursuant to Section 223(1) of the Local Government Act 1972 and Section 60(2) of the County Courts Act 1982.
CL52	Council (Minute 10 – 15.5.2001)	C O’BOYLE DIRECTOR OF GOVERNANCE	MONITORING OFFICER AND DEPUTY To act as Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989 and Sections 26-37 of the Localism Act 2011 for the purpose of performing the duties imposed by those sections.
	Council (Minute 70 – 6.11.12)	C O’BOYLE DIRECTOR OF GOVERNANCE	To be responsible for any Parish or Town Councils which are affiliated for the time being to the Epping Forest Standards Committee under Chapter 7 of the Localism Act.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Council (Minute 10 – 15.5.01)	TBD	To act as Deputy Monitoring Officer with the power to act in the absence or during any illness of the Monitoring Officer in accordance with Section 5 of the Local Government and Housing Act 1989.
CL53	Policy and Resources Committee (Minute 3(3) – 11.10.73)	DIRECTOR OF RESOURCES	OFFICERS – RECEIPT OF MONEY DUE To act as Proper Officer for the purposes of Section 115 of the Local Government Act 1972).
CL54	Council (Minute 86 – 15.2.05)	DIRECTOR OF GOVERNANCE	OMBUDSMAN – NOTICES To act as proper officer for the purposes of Section 30(5) of the Local Government Act 1974 (publication of notice on receipt of a report from the Local Ombudsman).
CL55	Council (Minute 87 – 15.2.05)	G CHIPP RETURNING OFFICER	PARISH POLLS To act as Returning Officer for the purposes of a Parish Poll in the District in accordance with the Parish and Community Meetings (Polls) Rules 1987,
CL56	Personnel Sub-Committee (Minute 139 – 20.3.90)	DIRECTOR OF RESOURCES	POLITICALLY RESTRICTED POSTS (a) To notify all politically restricted postholders of their designations; (b) To incorporate the designation as to politically restricted status in contracts of employment; and (c) To maintain and issue revised lists when necessary and notify the independent Adjudicator.
CL57	Policy and Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	PROTECTED BUILDINGS To act as Proper Officer for the purposes of paragraph 28 of Schedule 16 to the Local Government Act 1972 (receipt and deposit of lists of protected buildings).

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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated						
CL58	Council (Minute 117 – 20.4.04)	MONITORING OFFICER	REGISTRATION OF INTERESTS – DISTRICT COUNCIL Receipt, custody and public deposit of registration of interests of District Councillors under the Local Government Acts 2000 and 2007 and regulations made thereunder.						
CL59	Council (Minute 117 - 20.4.04)	MONITORING OFFICER	REGISTRATION OF INTERESTS – TOWN AND PARISH COUNCILS Receipt, custody and public deposit of registration of interests of Parish and Town Councillors in accordance with the Local Government Acts 2000 and 2007 and regulations made thereunder.						
CL60	Council (Minute 23 – 15.5.08)	DIRECTOR OF GOVERNANCE (TBD AS DEPUTY)	REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000 – DESIGNATION OF RIPA OFFICER AND DEPUTY For the purposes of the Regulation of Investigating Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003, the following officers of the Council be appointed to exercise on behalf of the Council, the power to authorise the carrying out of directed surveillance under the following articles: <table border="1"> <thead> <tr> <th>Article</th> <th>Purpose</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>Section 28(3)(b) of the Regulation of Investigatory Powers Act 2000 (Directed Surveillance) – for the purpose of preventing or detecting crime or of preventing disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).</td> </tr> <tr> <td>4</td> <td>Section 29(3)(b) of the Regulation of Investigatory Powers Act 2000 (Covert Human Intelligence Sources) – for the purpose of preventing or detecting crime or of preventing Disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).</td> </tr> </tbody> </table>	Article	Purpose	4	Section 28(3)(b) of the Regulation of Investigatory Powers Act 2000 (Directed Surveillance) – for the purpose of preventing or detecting crime or of preventing disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).	4	Section 29(3)(b) of the Regulation of Investigatory Powers Act 2000 (Covert Human Intelligence Sources) – for the purpose of preventing or detecting crime or of preventing Disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).
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4	Section 28(3)(b) of the Regulation of Investigatory Powers Act 2000 (Directed Surveillance) – for the purpose of preventing or detecting crime or of preventing disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).								
4	Section 29(3)(b) of the Regulation of Investigatory Powers Act 2000 (Covert Human Intelligence Sources) – for the purpose of preventing or detecting crime or of preventing Disorder (subject to the restrictions set out in Articles 7, 8 and 9 of the Regulations).								

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL61	Policy & Co-ordinating Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	RESOLUTIONS – CERTIFICATION To act as Proper Officer for purposes of paragraph 25 of Schedule 4 to the Local Government Act 1972 (certification of resolutions).
CL62	Council (Minute 29 – 28.6.11) Council (Minute 29 – 28.6.11)	DIRECTOR OF GOVERNANCE DIRECTOR OF NEIGHBOURHOODS	RE-USE OF PUBLIC SECTOR INFORMATION REGULATIONS 2005 To be responsible in accordance with the Council's policy for administering requests for information under the Re-use of Public Sector Information Regulations 2005, including the level of fees and charges to be made if information supplied is to be re-used. To be responsible for administering requests under the 2005 Regulations in respect of use of CCTV data, taking account of the Council's policy and charging arrangements.
CL63	Personnel Sub-Committee (Minute 2 – 4.10.73) (As amended by Personnel Sub-Committee Minute 169 – 26.9.78)	CHIEF EXECUTIVE SERVICE DIRECTORS	STAFF – APPOINTMENTS PROCEDURE To make all external appointments to each service in respect of posts graded below Assistant Director level except appointments where member involvement is considered desirable.
CL64	Policy & Co-ordinating Committee (Minute 59(b) – 8.2.94)	CHIEF EXECUTIVE SERVICE DIRECTORS	STAFF – MISCELLANEOUS DELEGATIONS To determine staff issues in terms of grading, structure and local conditions of service (including car leases, posts requiring an increase in hours of up to 1 or 2 per week, creation of junior posts in direct substitution of more senior ones, restructurings which reduce the number of posts and costs within a section, minor re-ranging subject to prior consultation with staff representatives, no increase in budget, maintenance of a register.

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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
CL65	Council (Minute 90(5) – 23.2.82)	MANAGEMENT BOARD (in consultation with appropriate Service Director and the Portfolio Holder with responsibility for Finance)	STAFF – RETIREMENT To offer enhanced early retirement and redundancy under the terms of the superannuation scheme or gratuity scheme to appropriate staff where the resultant vacated posts can be made available for redeployment of otherwise redundant employees.
CL66	Development Committee (Minute 73 – 2.3.93) (Minute 108 – 6.3.01)	DIRECTOR OF GOVERNANCE	TELECOMMUNICATIONS EQUIPMENT To determine, after prior consultation with ward councillors, whether the prior approval of the Council should be required to the siting and appearance of notified development under the Town and Country Planning (General Permitted Development) Order 1995. To exercise the above-mentioned authority in consultation with the Chairman of the appropriate Committee or Sub-Committee and all ward councillors in respect of those proposals submitted in accordance with the prior approvals procedure where the Director of Governance consider that an objection should not be raised to the development but where opposition has been received.
CL67	Resource Committee (Minute 40 – 28.9.93)	DIRECTOR OF RESOURCES DIRECTOR OF RESOURCES (or staff delegated to act)	TREASURY MANAGEMENT (a) To have control of the aggregated monies under Section 151 of the LGA 1972. (b) To be responsible for all executive decisions on borrowing, investment or financing under Section 151 subject to a requirement to act in accordance with the CIPFA Code for Local Authorities.
X	NIL		
Y	NIL		
Z	NIL		

GAMBLING ACT 2005 – TABLE OF DELEGATIONS OF LICENSING FUNCTIONS
DIRECTOR OF NEIGHBOURHOODS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	ALL OFFICERS
Three-year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting – when appropriate			X (to be approved by Executive Councillor)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Cancellation of club gaming/club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

DIRECTOR OF NEIGHBOURHOODS

LICENSING

Charities Act 1992

Part III (Street Collections)

Local Government (Miscellaneous Provisions) Act 1976

S16 (Power to obtain particulars of Persons interested in Land)

Local Government (Miscellaneous Provisions) Act 1982

Sections 14, 15, 16 and 17 (Acupuncture, Tattooing, Ear Piercing and Electrolysis)

Section 37 (Temporary Markets)

Schedule 3 Paragraphs 7, 8, 9, 10, 13, 15 to 19 and 25 (Control of Sex Establishments)

Schedule 4 paragraphs 7, 9 and 10 (Street Trading)

Hackney Carriage and Private Hire Licences

Town and Police Clauses Act 1847 (Sections 37, 41, 42, 43, 45, 46, 47, 50, 68)
(except temporary road closures which are the subject of objections which shall be dealt with by the Licensing Sub-Committee)

Town and Police Clauses Act 1889 (Sections 4, 5 and 6)

Local Government (Miscellaneous Provisions) Act 1976 (Part II)

**APPENDIX C
(CL46)**

DIRECTOR OF NEIGHBOURHOODS

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Decision to object when local authority is acting as a Responsible Authority			All cases
Determination of an objection to a temporary event notice		All cases	
Determination of application to vary licence at community premises to include alternative licence conditions		If a police objection	All other cases

Matter to be dealt with	Full Committee	Sub Committee	Officers
Decision whether to consult other responsible authorities on minor variation			All cases
Determination of minor variation			All cases
All policy matters except the formulation of the statement of licensing policy	All cases		

**APPENDIX D
(CL48)**

DIRECTOR OF NEIGHBOURHOODS

SCRAP METAL DEALERS ACT 2013 - DELEGATION OF POWERS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Licensing policy	All cases		
Fee Setting - when appropriate	All fees		
Application for or renewal of a Site or Collector's licences		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received / representations have been withdrawn
To issue a closure notice on non-residential premises being used as a scrap metal dealer's site		All cases	All cases
Application to the Magistrates Court for a closure order		All cases	All cases
Termination of a closure order		All cases	All cases
Application to the Magistrates Court to discharge a closure order.		All cases	All cases
Revocation of a licence		All cases	All cases
Consideration of and imposition of conditions		All cases	All cases

PLANNING **SERVICES** – DELEGATION OF
COUNCIL FUNCTIONS

Schedule 1 – Development Management – Director of Governance

Schedule 2 – Trees, Conservation and Related Functions – Director of Governance

DEVELOPMENT CONTROL FUNCTIONS

Function	Principal Relevant Legislation (*see note)	Relevant Details	Exceptions
Care of the Environment District Development Control Committee (Minute 30 – 7.12.10)	Town and Country Planning (Environmental Impact Assessments) (England and Wales) Regulations 1999 Planning (Hazardous Substances) Act 1990, Section 36, 36A and 36B Planning (Hazardous Substances) Regulations 1992	To determine the need for and scope of environmental impact assessments required under the Town and Country Planning Acts. To determine applications for hazardous substances consent except those where there are objections from interested parties, which shall be determined by the relevant Area Planning Sub-Committee. To obtain and use necessary powers of entry to the land in relation to the above.	No
Development Control District Development Control Committee (Minute 30 – 7.2.10) Council Minute 29 – 28.6.11	Town and Country Planning Act 1990 - Section 70, 70(A), 191-3 etc Planning and Compensation Act 1991, Section 10 Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Part 1, Reg. 16-19 Town and Country Planning (Development Management Procedure) (England) Order 2010, Part 6, Article 35 Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 3, Reg. 14-15 Town and Country Planning General	1. Subject to Appendix A below, which are matters to be determined by Committee, to determine or decline to determine any: (a) planning applications; (b) applications for approval of reserved matters; (c) applications arising from any condition imposed on any consent, permission order or notice; (d) advertisement consents; (e) listed buildings and conservation areas consents; (f) discharge of conditions; and (g) non-material and minor material amendments.	Yes (See Appendix A to this Schedule)

Function	Principal Relevant Legislation (*see note)	Relevant Details	Exceptions
	Permitted Development Order 1995, Part 6 and Part 31 of Schedule 2	<p>2. To agree the precise wording of additional/revised conditions to be attached to planning permissions, at members' request.</p> <p>3. To determine whether prior approval of the method of any proposed demolition and any proposed site restoration is required and to give such approval where required except where objections from interested parties are received, which shall be determined by the Area Plans Sub-Committees.</p> <p>4. In relation to telecommunications equipment, to determine, after prior consultation with ward Councillors, whether the prior approval of the Council should be required to the siting and appearance of notified development.</p> <p>5. In relation to agricultural development, to determine whether to require the formal submission of details.</p> <p>6. To determine applications in relation to certificates of lawful use and development.</p> <p>7. To obtain and use necessary powers of entry to the land in relation to the above.</p>	
Enforcement District Development Control Committee (Minute 30 – 7.12.10)	<p>Town and Country Planning Act 1990 (as amended), Part 7, section 171-190, 196 A, B, C, 198-200 214(A)-(D), 215-219, 220 or 221 and 224, 325, 330</p> <p>Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Part 5, sections 27 and 30</p> <p>Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 4, sections 38, 88, 88A and 88B</p>	<p>Authority for Director of Governance to:</p> <p>1. Issue Stop Notices, Temporary Stop Notices, Enforcement Notices, Breach of Conditions Notices, Building Preservation Notices, Listed Buildings Enforcement Notices, Planning Contravention Notices, Conservation Area Notices, Discontinuance Notices in respect of advertisements and Section 215-219 Notices for all breaches of planning legislation, in accordance with the Council's adopted enforcement policy.</p> <p>2. Prosecute the unauthorised display of advertisements, unauthorised works to a listed building, and non-compliance where enforcement action has previously been authorised.</p> <p>3. Take appropriate enforcement action, including serving an injunction</p>	

Function	Principal Relevant Legislation (*see note)	Relevant Details	Exceptions
	Local Government (Miscellaneous Provisions) Act 1982 (Section 37)	<p>where the Director of Governance or their nominee, having regard to the evidence considers the circumstances to require urgent action.</p> <p>4. Investigate if a temporary market has been held in breach of Section 37 of the 1982 Act.</p> <p>5. Vary the requirements for compliance with notices already authorised, including altering the period required for compliance, service of further notices and withdrawal of notices.</p> <p>6. Determine when action is not expedient in relation to breaches of control considered inconsequential or insignificant.</p> <p>7. Obtain and use powers of entry necessary in relation to the above.</p>	
	Town and Country Planning Act 1990 (Section 178) (Council Minute 126 – 23.4.13)	8. To authorise direct action (or re-charge the cost of that action) in pursuit of a valid enforcement notice under Section 178.	Subject to budget provision being available and to local District Councillors being notified

APPENDIX A: MATTERS TO BE DETERMINED BY THE RELEVANT COMMITTEE

- (a) Applications contrary to the provisions of an approved draft Development Plan or Development Plan, and which are recommended for approval;
- (b) Applications contrary to other approved policies of the Council, and which are recommended for approval;
- (c) Applications for major commercial and other developments, (e.g. developments of significant scale and/or of wide concern) and which are recommended for approval;
- (d) Applications for residential development consisting of 5 dwellings or more (unless approval of reserved matters only) and which are recommended for approval);
- (e) The Council's own applications on its land or property which are for disposal;
- (f) Those applications recommended for approval where there are more than two expressions of objections received, material to the planning merits of the proposal to be approved, apart from approvals in respect of householder type developments, telecommunication masts, shop fronts and vehicular crossovers and "other" category developments (changes of use, advertisements, listed building consents, conservation area consents), where more than four expressions of objections material to the planning merits of the proposal to be approved are received;
- (g) Applications including certificates of lawfulness in respect of existing use and development, recommended for approval contrary to an objection from a local council which are material to the planning merits of the proposal;
- (h) Applications referred by a District Councillor, whose own ward must be within the remit of the relevant Area Plans Sub-Committee and who has firstly notified the relevant Ward Councillors in advance, so long as the referral has been requested in writing to Officers within 4 weeks of that applications notification in the Council Bulletin;
- (i) Applications where the recommendation conflicts with a previous resolution of a Committee;
- (j) Applications submitted by or on behalf of a Councillor of the Authority (and/or spouse/partner) or on behalf of a member of staff of **Development Control Division of the Governance Directorate and the Forward Planning and Economic Development Division of the Neighbourhoods Directorate** (and/or spouse/partner) and also in those cases where a councillor is an objector in a purely personal capacity;
- (k) Any other application which the Director of **Governance** considers it expedient or appropriate to present to committee for decision (e.g. those raising issues not covered by existing policies, or of significant public interest, or those with a significant impact on the environment);
- (l) An application which would otherwise be refused under delegated powers by the Director of **Governance** but where there is support from the relevant local council and no other overriding planning consideration necessitates refusal.

TREES, CONSERVATION AND RELATED FUNCTIONS

Function	Relevant Legislation	Relevant Details	Exceptions
Buildings	Planning (Listed Buildings and Conservation Areas) Act 1990 Section: 3 (1-8)	To serve Building Preservation Notices in urgent cases, subject to report to and review by the next meeting of District Development Control Committee. To obtain and exercise powers of entry to undertake surveys in connection with: (1) Statutory Plans (2) Applications for Planning Permission	Yes
Dangerous trees on private land	Local Government (Miscellaneous Provisions) Act 1976 Sections: 23 and 24	Discretionary power to take action to make safe trees on private land, including to: (1) Obtain and use necessary Powers of Entry to the land; (2) Serve relevant notices; (3) Respond to appeals; (4) Undertake works directly where necessary; and (5) Recover expenses.	No
Countryside hedgerows	The Hedgerow Regulations 1997 Sections: 5 to 15 incl.	The responsibility to: (1) Regulate the removal of certain hedgerows; (2) Issue relevant notices, including to require hedgerow replacement; (3) Respond to appeals; (4) Take necessary enforcement or legal action;	No

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>(5) Obtain and use necessary powers of entry to the land;</p> <p>(6) Surveying land in connection with any hedgerow removal notice;</p> <p>(7) Ascertaining whether any offences have been committed under Regulation 7; and</p> <p>(8) Determination of whether a notice should be served under Regulation 8.</p>	
High Hedges	Anti-social Behaviour Act 2003 (Part 8) Sections: 68, 69, 70, 74, 75, 77, 79 and 80.	<p>The responsibility to:</p> <p>(1) Deal with complaints in relation to the height of domestic hedgerows;</p> <p>(2) Issue, withdraw or relax the requirements or relevant notices;</p> <p>(3) Serve relevant documents regarding notifications;</p> <p>(4) Notify interested parties;</p> <p>(5) Respond to appeals;</p> <p>(6) Take relevant legal or enforcement action, including undertaking works directly and recovering expenses; and</p> <p>(7) Obtain and use powers of entry necessary in relation to (1), (2), (3) and (6).</p>	No
Protection of trees	Town and County Planning Act 1990 (as amended) Part VIII Sections: 197, 198, 199, 201, 203, 205, 206, 207, 208, 209, 210, 211, 214, 214A, B, C&D, 324	<p>The duty and responsibility to:</p> <p>(1) Take all necessary measures to make Tree Preservation Orders where trees are at risk, and are of significant existing or potential amenity value, or where they are of wider or strategic importance, subject to publication of the details in the Council Bulletin;</p>	No

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>(2) Amend, confirm, decide not to confirm or revoke such orders (i.e. TPOs) subject to reporting any objections regarding the making of the order to the relevant Area Planning Sub-Committee for this decision;</p> <p>(3) Determine applications for works to preserved trees except as set out below:</p> <p>(i) applications recommended for approval where more than two expressions of objection material to the planning merits of the proposal have been received;</p> <p>(ii) applications recommended for approval contrary to an objection from a local council which are material to the planning merits of the proposal; and</p> <p>(iii) applications which a Councillor representing a ward within the relevant Area Plans Sub-Committee area requests in writing within four weeks of notification in the Council Bulletin should be referred to the appropriate Sub-Committee provided that the member has notified the Ward Councillor in advance;</p> <p>(4) Take any necessary action in respect of claims for compensation;</p> <p>(5) Take action to ensure replacement planting where appropriate, by serving relevant notices, or by undertaking such planting directly and reclaiming the costs, and to publish any decision not to require replacement planting in the Council Bulletin;</p> <p>(6) Respond to appeals;</p> <p>(7) Take legal action in aspect of breaches of Part VIII of the Act where expedient, in conjunction with the Director of Governance, including injunctive action and recovery of costs;</p> <p>(8) Take appropriate action in respect of notification of works to trees in Conservation Areas, including the issue of the Tree Preservation Orders as necessary; and</p>	

Function	Relevant Legislation	Relevant Details	Exceptions
		<p>(9) Authorise all expedient measures to gain entry to land in respect of the execution of any of the above, including to:</p> <p>(i) issue a warrant if admission has been refused or if a refusal is reasonably anticipated or if the case is urgent;</p> <p>(ii) to take samples of trees or soil; and</p> <p>(iii) for the authorised person(s) to take with them such other persons as may be necessary.</p>	

- Note: The authorities to undertake the stated functions, as set under the relevant sections shall be taken to be automatically updated to take into account changes, modifications and updating as they occur in the relevant legislation, subject to no new authorities being created. All references are to the legislation as currently amended.

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Report to Council

Date of Meeting: 20 February 2014

**Report of: Constitution and Member Services
Standing Scrutiny Panel**

Chairman: Councillor J Philip

Subject: Vice-Chairman of Council – Review of Appointment Procedure



Recommending:

That paragraphs 5.02 and 5.03 of Article 5 in the Constitution (Chairman of Council) be amended as set out in Appendix 1 to this report so as to provide for a new process for appointing a Vice Chairman of Council.

-
1. At the Annual meeting of the Council in May 2013, it was agreed that the Overview and Scrutiny Committee should be asked to undertake a review of the process for the nomination to and appointment of the Vice Chairman of Council. The Overview and Scrutiny Committee delegated that review to this Panel.
 2. We have considered the review at three of our meetings this year. The review has included consideration of information on how other local authorities arrange their appointment process and the operation of the points system used previously by this Council.

Previous and Current Procedures for Appointing the Vice Chairman

3. A points system was operated by the Council between 2000 and 2007. We have received details of that system and understand that it provided a rotational system linked to the number of councillors in any group. The system was suspended in 2004/5 and 2005/6 and was replaced by the current system at the May 2007 Annual Council meeting.
4. The current procedure contains some elements of the earlier arrangement but without the points system. Any candidate for Vice Chairman must secure 12 signatories on a nomination from at least two political groups. We believe that the points system had the effect of taking the control of the appointment process out of the hands of the members and meant that no independent members could become the Chairman as it was based on group strengths. We are therefore not recommending that this procedure should be reinstated or continued.

5. We have considered methods used by other councils. During the summer of 2013, the Council was fortunate to have help from a student intern, Roisin Perry who has undertaken online research with other authorities. Over 80 other local authorities have been reviewed. From this research there seems to be a majority that do not define any process other than the Vice Chairman being appointed at the annual meeting. This wording derives from the basic legal requirement under the Local Government Act 1972.

Other Methods

6. Where specific procedures have been found, these fall into one of the following categories:
- (a) a points system;
 - (b) by nomination of the current Vice Chairman's party;
 - (c) a rotational system (often party based);
 - (d) a qualification system (normally by service years or by positions served);
 - (e) a person mandate system (an application system); and
 - (f) by length of service (call down from longest serving).
7. We also noted that the following options were used:
- (a) drawing of lots;
 - (b) an equalities-balanced approach; and
 - (c) a simple vote at Council.

A New Procedure

8. Having considered the options available, we are of the view that a scheme which requires cross party support for any candidate is the most appropriate for this Council. This method allows the control of the appointment of the Civic Head of the Council by its members rather than rely on a "system". Therefore, the amendments we are proposing are:
- (a) that any nomination should have the support of a quarter (15) of the Council with nominators being serving District Councillors at the point the nominations are considered by the Appointments Panel after the elections (this is a change from 12 members from two political groups);
 - (b) that independent or unaffiliated members should be allowed to support a nomination;
 - (c) that the procedure should specify that all nominations should be considered by the Appointments Panel; and
 - (d) that if the Vice Chairman is unable to be elected Chairman, the same procedure would apply in that year to both Vice Chairman and Chairman positions.

Views of EFDC Members

9. Officers undertook a wider consultation with all members via the Council Bulletin on 18 October 2013. Members expressed the following views:

Councillor K Angold-Stephens:

"The LRA is wholly opposed to the increase in nominations for VC from 12 to 15. This discriminates against smaller parties and individual members. Members find it unseemly to go from meeting to meeting to drum up support when they are on their own or part of a small group. This decision would clearly favour a majority party whose members would be able to sign at a group meeting and would almost certainly do so if it was a member of their own party. It thus discriminates in favour of the majority party when the person is supposed to be selected on merit and not on political persuasion. So far our Council has been quite fair in its approach but an unscrupulous majority party in the future could make sure their candidate always won which is against the spirit of the job and against the constitution but there would be no way of others being able to successfully challenge that decision. Even 12 is a high hurdle for some individual members but we accept the bar has to be set somewhere.

I am also surprised the report did not recommend a method of supporting nominations by e-mail instead of actual signatures. There must be a way of doing this to avoid the necessity of an individual having to tout their nomination from meeting to meeting to gain a signature or, as recently, travelling around the District to gather signatures.

We accept that finding a solution will not be easy but this proposal does nothing to address the issue and may make matters worse."

Councillor G Chambers

"I agree with all comments in the revised section of 5.03 with the exception of the following.

There needs to be a further 15 signatures to endorse the vice chairman to become chairman. This of course would allow members to vote out someone who proves not to be suitable during his or her time in office as the vice chair.

Additionally 15 signatures could be sent in opposing the vice chair to become chair which would then mean we would need a vote in chamber. Just feel here needs to be mechanism to remove someone who becomes unsuitable. Perhaps we have this elsewhere in the constitution."

Councillor B Sandler

"I understand the content and cannot disagree with this style of appointment but this should only be put into operation if the Council does not have a one party majority. I firmly believe that if one party has the control of the Council then that party alone should hold the Office of Chairman and Vice Chairman."

Councillor P Spencer

"The proposals should look at ways of including suitable candidates from minority parties and independents."

Councillor D Stallan

"I support the proposed amendments to Section 5.02 as stated. I have no additional comments to make."

Councillor Janet Whitehouse

"In response to the consultation on the appointment of the Vice Chairman I didn't support the proposals for change at the scrutiny panel and I confirm that I don't support the revised Section 5.02 proposals.

I would like all members to have the opportunity to be consulted on all the possibilities that were in the report that came to the scrutiny panel."

Use of E-Mail for Nominations

10. We are also recommending that a further sub paragraph be added to those set out in paragraph 8 above in order to allow the use of e-mail for nominations. "That nominators be able to indicate their support for any nomination to the co-ordinating member via e-mail."
11. In discussion at the Overview and Scrutiny Committee members asked that advice be given on how the e-mail system should be used to put forward nominations.
12. We remain of the view that this position should command the support of at least a quarter of the Council and recommend the adoption of the new procedure and the consequential changes to Article 5 as set out in Appendix 1 to this report.

**Draft Proposed Revision - Section of Article 5 (5.02 and 5.03) of the Constitution
(Chairing the Council)**

“5.02 Election of Chairman of the Council

The individual elected to the office of Chairman of Epping Forest District Council shall be elected on merit by the Council at its Annual meeting.

5.03 Appointment of Vice Chairman of Council

The appointment of the Vice Chairman of the Council shall be undertaken by the Council on the basis of merit in accordance with the following provisions:

- (a) nominees for the office of Vice-Chairman of the Council are required to submit a nomination form supported and signed by no fewer than 15 serving District Councillors on the date when the Appointments Panel holds its first meeting in any municipal year;
- (b) nominees for Vice Chairman of the Council may be a Councillor from any political group on the Council or any independent or unaffiliated Councillor;
- (c) nominators are able to indicate their support for any nomination to the co-ordinating member via e-mail;
- (d) all nominations shall be considered by the Appointments Panel for onward recommendation to the Annual Council meeting;
- (e) it is expected that the person appointed by the Council as Vice Chairman of the Council shall normally be elected as the Chairman of the Council for the following Council year;
- (f) If for any reason, a Vice Chairman is unable to be elected as Chairman of the Council following their year as Vice Chairman, the procedure outlined in (a) to (c) above shall also apply to the election of a new Chairman;
- (g) the Council may suspend the operation of the appointment process set out above at an Annual Council meeting. A motion to that effect and giving reasons as to why this would be in the best interests of the Council may only be adopted if the equivalent of 65% of Council members present at the meeting vote in favour; and
- (h) the nomination of candidates for the position of Vice-Chairman and the expression of support for any nomination may be notified to the co-ordinating member by electronic mail.”

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**EPPING FOREST DISTRICT
REMUNERATION PANEL
ANNUAL REPORT 2013/14**

Introduction

1. This is the annual report of the District Remuneration Panel for the Epping Forest District. The report summarises the Panel's work during the year 2013/14 and indicates further matters for review in the future.

Legal Background

2. We were established under the Local Government Act 2000, which requires the Council to establish a Remuneration Panel to advise on payment of allowances and expenses to District Councillors.

3. Remuneration schemes agreed under these arrangements are subject to public notification and copies of remuneration schemes once agreed must be made available to the public for scrutiny as must the details of payments actually made at the end of each financial year.

Membership:

4. The Panel currently comprises three independent members, namely:

David Jackman
Rosemary Kelly
Stephen Lye

Background:

5. Councils are required to establish and have regard to the recommendations of local Remuneration Panels in setting and reviewing their Allowances Schemes. There are no national limits set. However, whilst acknowledging the value of local flexibility and independence provided by Remuneration Panels, the Government feel that it is important that Panel decisions are informed by good practice elsewhere.

6. The Government's "Guidance on Consolidated Regulations on Local Authority Allowances" outlines the main statutory provisions and gives non-statutory advice. A summary is given below:

(a) Basic Allowance:

Each local authority must make provision for a basic, flat rate allowance payable to all members; the allowance must be the same for each councillor and can be paid as a lump sum or in instalments;

(b) Special Responsibility Allowances (SRAs):

Each authority may make provision for the payment of Special Responsibility Allowances for those councillors who have significant responsibilities; the Panel recommends the responsibilities and the levels of allowances;

(c) Co-optees' Allowance:

Each authority may make provision for the payment of an allowance to co-optees for attending meetings, conferences and seminars;

(d) Childcare and Dependant Carers' Allowances:

Local authorities may make provision for the payment for an allowance to those councillors who incur expenditure on the care of children or dependant relatives whilst undertaking particular duties;

(e) Travel and Subsistence:

Each authority may determine the levels of travel and subsistence allowances and the duties to which they should apply;

(f) Pensions:

Each local authority may specify which councillors, if any, should be eligible for inclusion in the Local Government Pension Scheme and which allowances (Basic and/or Special Responsibility) should be pensionable;

(g) Indexation:

Each local authority may determine its allowances should be increased in accordance with the specified index and can identify the index and set the number of years (not exceeding four) for which it should apply;

(h) Backdating:

Each local authority may determine that, where amendments are made to an Allowances Scheme, the allowances as amended may be backdated.

Background to the Current Scheme

7. The Epping Forest District Council's Members' Allowances Scheme was initially approved by the Council in December 2002 following consideration of a report from this Panel. The Scheme has since been reviewed several times by the Panel with recommendations being considered by the Council.

8. Since 2002, the Council, for budget reasons, has not paid the full amounts of allowances recommended by the Panel as set out in the Council's adopted scheme. At its meeting in May 2008, the Council decided to implement a Basic Allowance at a figure of £3,150 per annum (approximately 73%) of the amount of Basic Allowance set out in the scheme - £4,300 per annum.

9. Similarly the Council implemented Special Responsibility Allowances at amounts less than those included in the approved scheme.

Benchmarking

10. In undertaking reviews in recent years we have taken account of a survey conducted in the Spring/Summer 2008 on behalf of the Local Government Association and the Improvement and Development Agency. A total of 324 (83.9%) of 386 authorities responded to the survey which collected information on Basic Allowance, Special Responsibility Allowances and other allowances paid to members. This is the latest national survey undertaken.

Basic Allowance

11. Basic Allowance is payable to all members to reflect the time and effort required to attend meetings, site visits and to deal with constituent problems and queries. It should also cover any incidental costs, e.g. telephone calls, paper, envelopes. It should also be borne in mind that the allowance recognises that there is a voluntary element to the work undertaken by members and that it does not set out to fully compensate all of the work undertaken.

12. As advised earlier, this Council's adopted scheme provides for a Basic Allowance of £4,300 per annum with current implementation being £3,150 per annum. In reviewing the Scheme this year we have not recommended any change in the amount of £4,300 per member per annum as there seems little point in doing so whilst payments continue to be made at less than that in the adopted Scheme.

13. However, we are conscious that the figure of £4,300 was adopted several years ago and we propose to revisit it next year. To assist us with our review next year we have asked the officers to obtain up-to-date comparative data from other similar authorities which will be taken into account with other data such as applying the Minimum Adult Wage to a 15/16 hour week, applying the percentage of any increase in staff salaries.

Implementation

14. We have again discussed the Council's level of implementation of the Basic Allowance, taking account of the views of councillors who responded to our invitation to advise us of any issues or concerns about the Allowances Scheme. Implementation of a Basic Allowance payment at less than the sum provided in the approved Scheme is unusual and may be unique to this Council. We reiterate the comments we have made in previous years that by paying a relatively low Basic Allowance there is a danger of undervaluing the role of councillor which could make it more difficult to attract potential candidates to stand for election in future. It may also lead to public perception that current councillors are not worthy of receiving the full amount. Whilst we appreciate that implementation is a matter for the Council to determine and there is a need for restraint in setting the Council's budget and achieving savings we remain of the view that the level of implementation should be higher. We have made recommendations which if adopted will (a) increase the implementation figure to £3,435 per member per annum (approximately 80% of the full amount) in 2014/15 with little impact on the budget; and (b) achieve payment of the full amount of £4,150 per member per annum in either 2015/16 or 2016/17.

15. The figure of £3,435 is achieved by discontinuing the IT Connectivity Allowance and including it in the Basic Allowance and by including a sum of £35 per member which is the cost of the fee for a councillor to register as a Data Controller with the Information Commissioner. We were asked to consider this registration from an allowances point of view having regard to the fact that currently only 10 District Councillors have registered. It is a matter for each member to decide whether registration is necessary and if so to register. From the information provided to us it would seem that the majority if not all councillors should be registered. By making it clear that provision has been made in the Basic Allowance for payment of the registration fee we hope this will lead to a higher level of registration.

Special Responsibility Allowances (SRAs)

16. The Council's Scheme identifies SRAs in common with other authorities, e.g. for the Leader, Cabinet Portfolio Holders, Chairmen of Committees, Panels. The amounts recommended by us in 2008 resulted from multipliers being applied to the recommended amount of the Basic Allowance. Similar to the Basic Allowance the Council has implemented

Special Responsibility Allowances at amounts less than those included in the approved Scheme and for this reason we have not reviewed the amounts other than that for the Chairman of the Standards Committee.

17. When we reviewed the Allowance Scheme last year, the new standards regime had not been in operation very long and we agreed to review the SRA for the Chairman of the Standards Committee this year when we felt that the new role would have become clearer. We have been advised that the role has in the main been chairing meetings of the Standards Committee and we have concluded that the responsibility has not differed significantly from the position last year. Accordingly we are not recommending any change in the SRA at this time and we propose to review the matter again if and when the workload for that role increases.

IT Connectivity Allowance

18. We have again considered whether this Allowance is still applicable at a time when the majority of councillors have the required access to the internet in their homes. The councillors who made submissions to us supported the discontinuance of this Allowance with it being incorporated into the Basic Allowance, thereby increasing the level of implementation with little effect on the budget. Our recommendations reflect this suggestion.

Travel Expenses – Car Travel

19. We were advised that following an inspection of the Council's payroll arrangements by HMRC, directions had been given on how travelling and subsistence expenses were to be treated for tax and national insurance purposes. One of the requirements is that deductions for tax and National Insurance apply to councillors' home to Civic Offices and return journeys as the Civic Offices are regarded by HMRC as councillors' place of work. Although we are aware that some councillors do not agree with the direction from HMRC and representations have been to us that other authorities are not applying the HMRC direction we have recommended amendments to the wording of the Council's Scheme to reflect the HMRC requirements. Councillors wishing to challenge the ruling should individually approach HMRC with evidence as to why they consider the Civic Offices are not their place of work.

Travel Outside of the District

20. In our discussions with councillors it became clear that there is a need to reinforce the requirements in the approved Scheme regarding travel for approved duties outside of the District. In reporting to members we have made it clear that the Scheme does not require councillors to use public transport. What is required is that claims irrespective of mode of travel must not exceed the lower of: (a) rail/underground fares and other fares from station to destination at each end of the journey; or (b) the appropriate car mileage.

Pensions

21. We have recommended changes to the wording of the Scheme to reflect the current entitlement of councillors to join the Local Government Pension Scheme and the government's intention to discontinue the entitlement of councillors to join the Scheme from 1 April 2014 with existing subscribers' accrued rights protected.

Submissions

22. Finally we would like to thank those councillors who took time to respond to our invitation to express views and concerns about the Allowances Scheme. We have taken

account of those submissions in formulating our recommendations to changes to the Scheme.

Report to the Council

Committee: Independent Remuneration Panel

Date: 20 February 2014

Members of the Panel: D Jackman, Ms R Kelly and S Lye

MEMBERS' ALLOWANCES SCHEME REVIEW

Recommendations:

Basic Allowance

- (1) That no change be made to the amount of Basic Allowance of £4300 per member per annum currently included in the adopted Members' Allowances Scheme;

Implementation

- (2) That the level of implementation of the Basic Allowance for 2014/15 be increased from £3,150 per member per annum to £3,400 by discontinuing the IT Connectivity Allowance of £250 per member per annum and incorporating that amount in the Basic Allowance;
- (3) That ,subject to adoption of (2) above, the level of implementation of the Basic Allowance be further increased from £3,400 to £3,435 to meet the cost of a member registering as a Data Controller with the Information Commissioner and members be reminded of the requirements for registration and the risks of not registering (thereby increasing the level of implementation from 73% to 80% of the full amount at "zero" cost ;
- (4) That in formulating future budgets the Council considers increasing further the level of implementation of the Basic Allowance to achieve payment of the full amount of £4,300 in the adopted Members' Allowances Scheme by either:
 - (a) increasing the level of implementation to the full amount in 2015/16; or
 - (b) phasing an increase in the level of implementation to approximately 90% (£3,870 per member) in 2015/16 and 100% (£4,300 per member) in 2016/17;

Special Responsibility Allowances

- (5) That no change be made to the current amounts of Special Responsibility Allowances;
- (6) That the Panel give further consideration to the amount of the Special Responsibility Allowance for the Chairman of the Standards Committee if the workload for that position increases from the current level;

Independent Persons – Standards Regime

- (7) That, although not part of the Members' Allowances Scheme, the Independent Persons appointed by the Council as part of its standards arrangements continue to be paid an allowance of £250 per member per annum in 2014/15;

- (8) That the Panel give further consideration to this allowance if the workload for the position increases from the current level or, if and when, the Council changes the number of Independent Persons;

Connectivity Allowance

- (9) That, subject to adoption of (2) above, the IT Connectivity Allowance be discontinued with effect from 1 April 2014;

Travel Outside of the District

- (10) That no change be made to the Members' Allowances Scheme regarding the restrictions placed on the amount that can be claimed for travel outside of the District;

HMRC Requirements

- (11) That the Members' Allowances Scheme and Guidance Note be amended to reflect the requirements of HMRC in relation to the treatment of mileage and subsistence for taxation and National Insurance purposes;
- (12) That the attention of members be drawn to their ability to challenge the HMRC requirements;

Pensions

- (13) That the Members' Allowances Scheme be amended to reflect the current entitlement of councillors to join the Local Government Pension Scheme and the Government's intention to discontinue the entitlement of councillors to join the Scheme after 1 April 2014 with existing subscribers' accrued rights protected;

Revised Scheme and Guidance Note

- (14) That, subject to the adoption of the above recommendations, the amended Members' Allowances Scheme and Guidance Note attached as an Appendix to this report incorporating changes indicated in bold type and underlined be adopted.

Current Members' Allowances Scheme

1. We have undertaken our annual review of the Members' Allowances Scheme. As part of our review we asked the officers to place an item in the Council Bulletin inviting councillors to raise issues/concerns about the current Scheme. Three responses were received and we invited those members to a meeting to give them an opportunity to expand on the submissions they had made. At the subsequent meeting a fourth member was also in attendance.

2. We would like to take this opportunity to thank those members for their submissions and attendance at the meeting at which we had a lively and very useful discussion. We have taken account of the submissions made in formulating our recommendations.

Basic Allowance

3. In the light of our meeting with councillors we believe there is a need to clarify our views on the amount of Basic Allowance. Originally several years ago, we recommended and the Council adopted our recommendation for a Basic Allowance of £4,300 per member per annum. However, the Council decided at that time not to implement payment of the full amount and to restrict it to £3,150 per member per annum. As a result, for several years, mindful that this Council's payments were one of the lowest in the country we have encouraged the Council to implement payment of the full amount. However, the Council has decided not to do so.

4. In undertaking this review we have not reviewed the amount of £4,300 per member per annum as there seemed little point in doing so whilst actual payments of £3,150 are being made. However, we have not changed our stance and are still of the view that the full amount of £4,300 should be paid although we accept the Council for political reasons and possible public reaction might find this difficult.

5. In the light of the Council's consistent stance over the years, in undertaking the current review we were initially not minded to repeat our recommendation about implementation of the full amount. However, as a result of the views expressed by councillors at our meeting with them we have revisited this issue.

6. The councillors who attended our meeting expressed support for the discontinuance of the IT Connectivity Allowance of £250 per member per annum taking account of the fact that the vast majority of councillors now have their own access to electronic means of communication and any new members are likely to have such access. The councillors also expressed support for integrating the Connectivity Allowance into the Basic Allowance so as to secure an increased level of implementation with little or no effect on the budget. We understand that of the current 57 members only six have not undertaken the training which triggers payment of the Connectivity Allowance.

7. Last year the Council adopted our recommendation to reduce the amount of the Connectivity Allowance to £250 per member per annum from the previous allowance of £500 in the first year of office and £250 in subsequent years. The Council also adopted our recommendation that the allowance be reviewed again if and when the law allows replacement of paper agenda, reports etc. with electronic tablets. The law has not changed and there seems little likelihood of this being achieved in the near future. Although we did not anticipate reviewing this allowance this year we have done so in view of the submissions made to us by councillors and we are recommending that the level of implementation of the Basic Allowance for 2014/15 be increased from £3,150 per member per annum to £3,400 by discontinuing the IT Connectivity Allowance of £250 per member per annum and incorporating that amount in the Basic Allowance.

8. Our attention has been drawn to the requirements for councillors to register with the Information Commissioner as Data Controllers under the provisions of the Data Protection Act 1998.

9. The requirement for notification relates to any personal information that members hold and process in relation to their constituency casework, which relates to living individuals. Constituency casework includes member activities such as:

- maintenance of constituents' complaints and enquiries;

- details of follow up action and outcomes; and
- case details where the councillor is acting as an agent/intermediary.

10. These activities fall outside of the data processing undertaken by the Council, and are not therefore covered by the authority's own notification as a data controller.

11. The Data Protection Act regulates the holding and processing of personal information. Organisations or individuals that obtain or process personal information covered by the Act may need to notify the Information Commissioner about such processing, following which a description of processing activities is placed on a public register of notifications. Data controllers must also comply with the data protection principles of the Act, which form a framework for the proper handling of personal information. Individuals whose personal data is held or processed have rights under the Act, for example, to a copy of the information held about them.

12. We have been advised that it is a matter for each member to determine whether they should notify as a data controller. Members should therefore consider what personal information they hold and process in relation to their own constituency casework and, if necessary, submit formal notification to the Information Commissioner.

13. We have also been advised that currently only 10 District Councillors have registered with the Information Commissioner. Officers are of the view that the majority of members should be registering and in an attempt to encourage registration it was suggested that we consider this issue from an allowances point of view. It is known that many other authorities meet the cost of registering members by either having a separate budget for this purpose or making allowance for it in setting the level of the Basic Allowance.

14. The registration fee is £35 per annum. Having regard to the comparatively small sum involved we are recommending that the level of implementation of the Basic Allowance be increased by a further £35 to £3,435 per member per annum. If the Council adopts this recommendation we suggest that members be reminded of the requirements for registration and the risks of not registering.

15. Although our recommendations will result in a limited increase in the level of implementation we remain of the view that the Council should be moving towards full implementation of the Basic Allowance of £4,300 per member per annum. In formulating future budgets we are recommending the Council to take alternative approaches to achieve this level:

- (a) increasing the level of implementation to the full amount in 2015/16; or
- (b) phasing an increase in the level of implementation to approximately 90% (£3,870 per member) in 2015/16 and 100% (£4,300 per member) in 2016/17.

16. At our meeting with councillors we discussed again the possibility of withholding part of the Basic Allowance pending a member completing the "mandatory" training required to fulfil certain functions, eg. planning, licensing. We understand that the council may shortly be giving consideration to ways of achieving the necessary training and, if necessary, we will give this matter further consideration at our next review.

Special Responsibility Allowances

17. We have given further consideration to the Special Responsibility Allowance for the Chairman of the Standards Committee as the new standards regime was in its infancy when we recommended an allowance of £500 per annum last year.

18. We understand that during the last year the role of the Chairman of the Standards Committee has in the main been chairing meetings of that Committee. As we have not been able to identify any increase in responsibility we see no reason to recommend any change in this allowance at this time. However, we will review the position in future years if there is an increase in workload.

19. We have not undertaken a review of other Special Responsibility Allowances as we understand that there has been no change in responsibilities since our last review.

Independent Persons on the Standards Committee

20. As Independent Persons on the Standards Committee are not members of the Council or of its committees or sub-committees, any remuneration falls outside of the Council's Members' Allowances Scheme. However, in order to assist the Council in determining an appropriate payment we were asked last year to consider the matter and make a recommendation to the Council.

21. At that time we found it difficult to determine the extent of this role pending the new standards arrangements being in operation for a reasonable period. However, having regard to the expected role and the number of Independent Persons appointed by the Council we recommended and the Council adopted a payment of £250 per Independent Person per annum.

22. We have been informed that the role of Independent Persons has been attendance at meetings of the Standards Committee and being consulted by the Monitoring Officer about complaints made about District, Town and Parish councillors. We have concluded, having regard to the limited number of hearings into complaints held since the new arrangements came into being that the role has not differed from the position when we last considered the matter. We are not recommending any change in this allowance and are suggesting that it be reviewed again if the workload for the position increases from the current level or, if and when, the Council changes the number of Independent Persons.

Travel Outside of the District

23. We have received further representations about the requirements of the adopted Scheme for travel outside of the District. Members may reclaim reasonable travel expenses (including rates for car travel, public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties.

24. In relation to travel outside of the District the adopted Scheme imposes a limit on the amount claimable. For journeys to approved meetings outside the District or by members resident outside the District, claims irrespective of mode of travel may not exceed the lower of:

(a) rail fare plus underground and other fares from station to destination at each end of the journey; or

(b) the appropriate car mileage.

25. We have discussed this issue previously and in our experience it is a common feature of expense payment schemes in both the public and private sector. **In order to avoid any misunderstanding we would emphasise to members that the Scheme does not prevent them from travelling by car by choice. The Scheme merely caps the cost to the public purse of any travel to what is reasonable bearing in mind that mileage allowances incorporate significant sums for standing charges eg.road tax, insurance, depreciation, and that claiming a mileage allowance could be viewed as profiteering.**

26. We remain of the view that there is no need to change this part of the Scheme.

HMRC Requirements

27. We were advised that in March 2013, the Council had hosted one of its regular inspections by HMRC of its payroll arrangements. The inspection had reflected HMRC's particular interest in taxation arrangements and had covered payroll arrangements for both Council employees and elected members.

28. We understand that following the inspection HMRC issued directions to the Council on how travelling and subsistence allowances were to be treated for tax and national insurance purposes. The directions were:

(a) all future taxable and non-taxable travel expenses should be reimbursed through the payroll system;

(b) the Council should differentiate between taxable and non-taxable travel expenses;

(c) deductions for tax and national insurance should apply to councillors' home to work journeys;

(d) deductions for tax/NI would not apply to business mileage incurred by councillors if the rate claimed did not exceed 45p per mile;

(e) for the purposes of (c), councillors' workplace was deemed to be the Civic Offices; and

(f) for the purposes of (d), business mileage applied to journeys undertaken from home to other venues and return in connection with Council business.

29. We are proposing amendments to the Remuneration Scheme and the Guidance Note to reflect the requirements of HMRC. We are aware that some councillors believe the HMRC ruling is flawed and that their home and not the Civic Offices is their place of work. We wish to point out to those councillors the ability for individuals to challenge the ruling with HMRC if they can provide evidence and details of expenditure to support their claim. From the Council's point of view it is clear that if the Council fails to subject the home to office mileage payment to PAYE, the Council rather than the councillor will be liable for the tax and National Insurance contributions.

Councillors' Pensions

30. We are also proposing wording amendments to the Scheme to reflect the current entitlement of councillors to join the Local Government Pension Scheme and the Government's intention to discontinue the entitlement of councillors to join the Scheme from

1 April 2014 with existing subscribers' accrued rights protected. Whilst this seems certain at the time of preparation of our report the necessary regulations had not been laid before Parliament.

Recommendations

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

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PART 6

MEMBERS' ALLOWANCES SCHEME

**SCHEME OF MEMBERS' ALLOWANCES -
STATEMENT CONCERNING IMPLEMENTATION
2014/15**

**The following scheme has been agreed for the period
11 June 2014 to 26 May 2015**

(to be determined by the Council)

EPPING FOREST DISTRICT COUNCIL - REMUNERATION AND EXPENSES SCHEME

The Epping Forest District Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 1990 and the Local Authorities (Members' Allowances) (England) Regulations 2001, hereby makes the following scheme:

1. This scheme may be cited as the Epping Forest District Council Members' Allowance Scheme and shall have effect for the period **11 June 2014 to 26 May 2015**.

2. In this scheme:

"business mileage" means mileage incurred for journeys by Councillors between their homes and business venues or between the Civic Offices, Epping and business venues;

"Councillor" means a member of the Epping Forest District Council who is a Councillor;

"home to office mileage" means mileage incurred for journey by Councillors between their homes and the Civic Offices, Epping;

"independent person" means (a) a member of the Standards Committee who is not an elected councillor or (b) a co-opted member of an Overview and Scrutiny Committee, or the Audit and Governance Committee who is not an elected councillor;

"year" means the ~~12 months~~ the period ending with **26 May 2015**.

3. **Basic Allowance**

Subject to paragraph 7, £4,300 shall be paid to each Councillor. ~~An annual supplementary basic allowance of £250 per Councillor (for each year of office) shall be payable in accordance with Appendix 1 to this scheme. Payments are subject to deductions for tax and national insurance dependant on the circumstances of individual councillors.~~

4. **Special Responsibility Allowances**

(1) For each year a special responsibility allowance shall be paid to those Councillors who hold the special responsibilities in relation to the allowances specified in Schedule 1 to this scheme. Special responsibility allowances shall be calculated as multipliers of the Basic Allowance. There is no restriction on the number of separate SRA's which are payable to an individual member.

(2) Subject to paragraph 7, the amount of each allowance shall be the amount specified against that special responsibility in Schedule 1 for the year.

5. **Travelling and Subsistence (including Cycle Allowance)**

(1) These expenses may be claimed by members of the Council in connection with the carrying out of approved duties specified in Schedules 2, 3 and 4 of this scheme.

(2) Payments may be claimed up to the maximum casual user rate set for officers of the Council as adjusted annually by the National Joint Council for Local Government Services (travel expenses) and the East of England Regional Assembly (subsistence expenses).

(3) Payment of home to office car mileage will be subject to deduction of tax and national insurance contributions, dependant on the circumstances of individual councillors. Business mileage incurred by councillors will not be subject to such deductions if the mileage rate claimed does not exceed 45 pence per mile.

6. Child Care and Dependant Carers' Allowances

- (1) The maximum rate for this allowance shall be set at a rate equivalent to the Adult National Minimum Wage (currently £6.31 per hour).
- (2) A member of the Council shall be eligible to claim up to four hours of the allowance for the performance of approved duties under this scheme and for the purpose of contributing to the cost of providing personal care to immediate dependants who are in need of care and supervision.
- (3) The rate applicable shall be subject to automatic increases on an annual basis in line with uprating of the Adult National Minimum Wage.
- (4) The allowance is not payable in respect of carers who are members of the member's immediate and close family i.e. parents, children, spouses, co-habitees or members of the same household as the member.
- (5) All claims shall be subject to Audit checks and no claim in excess of the maximum level will be payable, whatever the circumstances.

7. Renunciation

A councillor or independent member may by notice in writing given to the Assistant to the Chief Executive elect to forego any part of his entitlement to an allowance under this scheme.

8. Part-year Entitlements

- (1) The provisions of this paragraph shall have the effect of regulating the entitlements of a councillor to basic and special responsibility allowances where, in the course of a year, this scheme is amended or that councillor becomes, or ceases to be, a councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable:
- (2) If an amendment to this scheme changes and the amount to which a councillor is entitled by way of a basic allowance or a special responsibility allowance, then in relation to each of the periods:
 - (a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect; or
 - (b) beginning with the day on which an amendment takes effect and ending with the day before that on which the next amendment takes effect, or (if none) with the end of the year;

the entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

(3) Where the term of office of a councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his term of office subsists bears to the number of days in that year.

(4) Where this scheme is amended as mentioned in sub-paragraph (2), and the term of office of a councillor does not subsist throughout the period mentioned in such-paragraph (2)(a), the entitlement of any such councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole of the same proportion as the number of days during which his term of office as a councillor subsists bears to the number of days in that period.

(5) Where a councillor has during part of, but not throughout a year such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of that allowance as bears to the whole of the same proportion as the number of days during which he/she has such special responsibilities, bears to the number of days in that year.

(6) Where this scheme is amended as mentioned in sub-paragraph (2), and a councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph (2)(a) of that paragraph any such special responsibilities as entitle him or her to a special responsibility allowance, that councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.

9. Claims and Payments

(1) Payments shall be made in respect of basic and special responsibility allowances, subject to subparagraph (2), in instalments of one quarter of the amount specified in this scheme on the last Wednesday of each third month;

(2) Where a payment of one-quarter of the amount specified in this scheme in respect of a basic allowance or a special responsibility allowance would result in the councillor receiving more than the amount to which by virtue of paragraph 8(1), he or she is entitled, the payment shall be restricted to such amount as will ensure that no more is paid than the amount to which he or she is entitled.

(3) Claims must be made within a period of one year of the duty being carried out. Payments after that period will only be made in exceptional circumstances.

10. Uprating for Inflation

There will be no inflationary adjustment to the allowances set out in this scheme except those relating to travel, subsistence and child and dependant carers.

11. Co-optees' Allowance

Co-optees' allowance will be payable to independent members as set out in Schedule 5 to this scheme.

12. Withholding/Recovery of Payments

~~12.1 If any councillor or independent member is wholly suspended or partially suspended under Part III of the Local Government Act 2000, or regulations~~

~~made under that part, the Council shall be entitled to withhold any payments of Basic and Special Responsibility or Travelling and Subsistence Allowances in respect of that period of suspension or partial suspension.~~

12.1 Where any councillor or independent member has already received a payment in respect of any period during which they have been:

~~(a) — suspended or partially suspended from their responsibilities or duties as a member of the Authority in accordance with Part III of the Local Government Act 2000 or regulations made under that part; or~~

(a) ceased to be a member of the Authority; or

(b) not entitled in any other way to receive the allowance in respect of that period, the Council may require that such part of the allowance as relates to the period in question shall be repaid to the Authority.

13. Pensionable Status

13.1 Remuneration payable to councillors of the Epping Forest District Council under this scheme shall be entitled to pensionable status in accordance with a scheme made under Section 7 of the Superannuation Act 1972, if they opt in to the Essex Superannuation Scheme.

13.2 For the purposes of a Paragraph 13.1 above basic allowance and special responsibility allowance will be treated as amounts in respect of which such pensions are payable in accordance with a scheme under that Act.

14. Further Guidance

Further guidance on this scheme can be found in Appendix 2.1.

SCHEDULE 1

1. The following are specified as the special responsibilities in respect of which special responsibility allowances are payable and the amounts of those allowances.

DUTY	ANNUAL AMOUNT OF SRA
Leader of Council	£10,750
Cabinet members	£6,450 (each)
Chairman, District Development Control Committee	£3,225
Chairmen of Area Plans Sub-Committees	£3,225 (each)
Chairman of Overview and Scrutiny Committee	£4,300
Chairmen of Licensing Sub Committee (6)	£3,225 (divided equally between the six Chairmen).
Chairmen of Complaints, Staff Appeals and Housing Appeals and Review Panels	£110 each (per meeting held)

Chairman of Audit and Governance Committee	£2,150
Chairmen of Standing Scrutiny Panels	£2,150 (each)

SCHEDULE 2 APPROVED DUTIES

1. The following are specified as an approved duty for the purpose of the payment of travelling and subsistence expenses, attendance at any of the following:
- (a) a meeting of the authority, the Cabinet, a Cabinet Committee, the Overview and Scrutiny Committee and its Panels, the Standards Committee and its Sub-Committees, or as a member of any other Committee or sub-committee, panel, working group, special committee or board of the authority;
 - (b) any other meeting held by the Authority provided that:
 - (i) where the authority is divided into two or more political groups, it is a meeting to which members of at least two such groups have been invited; or
 - (ii) if the authority is not so divided, it is a meeting to which at least two members of the authority have been invited;
 - (c) duties relating to the supervision of tender opening as required by the Council's Standing Orders;
 - (d) attendance as representative of the Council at any approved conference or meeting of the outside organisations set out in Schedules 3 and 4;
 - (e) attendance at any meeting or other official function at the request of the Chief Executive, Deputy Chief Executive or a Service Director including meetings between group representatives for a particular Committee and officers;
 - (f) any other duty approved by the Council or the Cabinet or any other committee, sub-committee, special committee or Board or Panel or any duty of a class so approved, for the purpose of, or in connection with, the discharge of functions or the body, or of any of its committees or sub-committees;
 - (g) attendance by a councillor at a meeting of which he or she is not a member for the purpose of explaining a motion referred from the Council;
 - (h) attendance as a councillor at the invitation of the Local Government Commissioner for Administration for the purpose of investigating a complaint against this Council of maladministration;
 - (i) attendance as an appointed representative of Epping Forest District Council at any meeting of Essex County Council or any of its committees or sub-committees for the purpose of formal consultations on any matter affecting the powers or duties of this Council or the district or any part thereof;
 - (j) attendance on behalf of the Council or the Cabinet or as a Chairman on behalf of a Committee at an official function;
 - (k) attendance at seminars and training courses arranged by the authority;
 - (l) consultation meetings arranged by the authority where the member's attendance is required or where the subject directly affects the member's ward;

- (m) site visits arranged by Area Plans Sub-Committees or the District Development Control Committee;
- (n) informal site visits by individual councillors in respect of their duties as members of an Area Plans Sub-Committee;
- (o) attendance at a meeting concerning joint working or partnership arrangements to represent the Council's interests.

2. There is specified as an approved duty for the purpose of paying travelling and subsistence expenses attendance at any of the outside organisations shown in Schedule 4.

3. Attendance by members of the Council at meetings of outside organisations not shown in Schedule 4 shall NOT qualify for payment of travelling and subsistence expenses.

SCHEDULE 3 CONFERENCE AND MEETINGS

<p>Conference and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which does not involve an absence overnight from the councillors normal place of residence.</p>	<p>Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travel outside the Epping Forest District is required).</p>
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<p>Conferences and meetings organised by any person or body who is not doing so by way of trade nor whose objects are wholly or partly political, attendance at which is authorised by or on behalf of the authority and which involves an absence from the councillor's normal place of residence of one or more nights.</p>	<p>Appropriate subsistence and travelling expenses (second class return rail fare or car mileage at the appropriate rate whichever is the less if travelling outside the Epping Forest District is required).</p>
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SCHEDULE 4 OUTSIDE ORGANISATIONS

Attendance as appointed representative of the Council on any outside organisations, such attendances being deemed approved duty for the purpose of paying subsistence and travelling expenses.

**SCHEDULE 5
CO-OPTEEES' ALLOWANCE**

Chairman of the EFD Standards Committee:	£500 per annum
Independent Persons affiliated to the EFD Standards Committee:	£250 per annum
Co-opted independent members of an Overview and Scrutiny Committee	£500 per annum
Co-opted members of the Audit and Governance Committee	£500 per annum

~~Member Remuneration Scheme~~

~~Members Connectivity Scheme – Agreement between Epping Forest District Council and Members of the Council~~

~~Basic Allowances paid to Councillor by Epping Forest District Council (“the Council”) are made in accordance with Section 18 of the Local Government and Housing Act 1989 as amended by Section 99 of the Local Government Act 2000.~~

~~Relevant regulations applied in formulating this agreement are The Local Authorities (Members Allowances)(England) Regulations 2003.~~

~~Grants in respect of the Member Connectivity Scheme have been considered and agreed by the Council’s Independent Remuneration Panel on 12 October 2005, as being a supplement to the Basic Allowance.~~

~~Terms and Conditions of Agreement~~

~~1. In signing this agreement the Councillor undertakes to:~~

~~(i) provide IT equipment to enable them to view agenda and minutes documents, forward plan and such other documents that may be put on the Council’s extranet or internet site;~~

~~(ii) abide by the Connectivity Scheme (Annex 1) and Standards Committee Guidance on the use of ICT (Annex 2); the Council’s other adopted ICT related policies including the security of any data and remote working policies; and the provisions of the Local Government Act 1972 regarding the transmission of Exempt Business as defined in Schedule 12A (or other exemption categories that may be enacted) outside of the Council and any internal meeting, all of which should be considered confidential until published for public consumption;~~

~~(iii) treat any contact information relating to officers and members that does not appear on the Council’s public website as confidential;~~

~~(iv) cease to receive paper copies of minutes and agenda for those Committees, Sub-committees and Panels of which he/she is not a member.~~

~~2. The Council undertakes to provide:~~

~~(i) An ‘extranet’ (a private intranet) connection to the Council’s IT network using a ‘token’ scheme to control access and a user name and password for each member;~~

~~(ii) Training on the use of the system;~~

~~(iii) ICT support relating to 2(i) above and advice from Democratic Services (DS) on 2(ii) above;~~

~~(iv) A paper copy of the agenda to members of Council, each Committee, Sub-committee or Panel (unless the member indicates in writing otherwise);~~

~~(v) Email notification of publication of agenda and minutes to all members;~~

~~(vi) Headed paper and envelopes for use by members for Councillor correspondence.~~

Payment of Allowances

~~3. The addition to the Basic Allowance will be paid to each Councillor entering into this agreement quarterly in arrears (currently £250 per annum).~~

~~4. The Council may review the payment of such allowances from time to time as necessary and may change or cease payment upon resolution at Full Council.~~

Acceptance

~~I confirm that I have read and accepted the terms and conditions of this agreement.~~

Signed by Councillor:	Dated:
Name (Please print):	
Signed on behalf of the Council:	Dated:
Ian Willett Assistant to the Chief Executive	

~~Member Connectivity Scheme~~

~~This document provides information on the Member Connectivity Scheme.~~

~~Introduction~~

~~The Connectivity Scheme has been introduced to enable members to receive electronic notification of and Internet access to papers for Council meetings and associated information. The scheme has been made possible following the introduction of the Committee Management System (CoMS) which publishes our publicly available agenda to the Internet via the Council's website. The Connectivity Scheme will, however, provide members with access to a wider range of information including agenda planning, up to date notification of publication, call in and portfolio holder decision making.~~

~~The Agreed Scheme~~

~~The Connectivity Scheme provides members with an additional allowance (payable as part of the existing Scheme of Members Allowances) towards acquiring computer equipment and to use this equipment to access information on the Council's Agendas and Minutes via the Internet.~~

~~Members would be expected to use this system to access all agenda and minutes information and cease to receive hard copy agenda (except for those of which they are a member or required to attend by virtue of a position).~~

~~Under the scheme you will receive £250 per annum (payable normally quarterly in arrears) from which members will be expected to assist with the cost of a Personal Computer (PC) (if necessary); Internet connection and any consumables. This sum will be subject to tax and National Insurance.~~

~~Equipment Specification~~

~~The minimum specification required for PC equipment is:~~

- ~~(i) — A PC that can access the Internet;~~
- ~~(ii) — A broadband connection to your home;~~
- ~~(iii) — A valid email account;~~
- ~~(iv) — Internet Browser software; and~~
- ~~(v) — A printer capable of printing A4 pages.~~

Data and Equipment Security and Use Guidance

~~The equipment is the individual member's property and can be used for non-council activities. Members must adhere to:~~

- ~~(i) The User Policy Statement for the CoMS system;~~
- ~~(ii) Issued Standards Committee Guidance on the Use of IT by Members;~~
- ~~(iii) The Council's other adopted ICT related policies including the security of any data and remote working policies;~~
- ~~(iv) The provisions of the Local Government Act 1972 regarding the transmission of Exempt Business as defined in Schedule 12A outside of the Council.~~

~~What the Council will provide:~~

~~The Council will:~~

- ~~(i) Provide an 'extranet' (a private intranet) connection using a 'token' scheme to control access and a user name and password for each member;~~
- ~~(ii) Training on the use of the system;~~
- ~~(iii) ICT support relating to (i) above and advice from DS on (ii) above;~~
- ~~(iv) A paper copy of the agenda to members of each Committee (unless the member indicates in writing otherwise);~~
- ~~(v) Email notification of publication of agenda and minutes to all members;~~
- ~~(vi) Headed paper and envelopes for use by members for Councillor correspondence.~~

~~What the Council will not provide:~~

~~The Council will not:~~

- ~~(i) Provide ICT support for PC's or any peripherals purchased by members under the scheme;~~
- ~~(ii) Advise on purchase of equipment or choice of ISP.~~
- ~~(iii) Provide a paper copy of agenda for other Committees if you are not a member. Paper copies of Agenda will be available at the meeting in small quantities.~~
- ~~(iv) Plain paper and print cartridge consumables.~~

~~Glossary of Terms used in this document~~

~~**Broadband**— a system of connecting to the Internet that allows voice, data, and video to be broadcast over the same medium at the same time. They may also allow multiple data channels to be broadcast simultaneously. It is much faster than traditional dial-up methods of connection.~~

~~**Browser**— Software that allows a computer user to find and view information on the Internet.~~

~~**Committee Management System**— A computer system used by EFDC to publish and archive all Agenda and Minutes of Council meetings and publish these to the Internet and Intranet.~~

~~**Email account**— An account provided by your ISP by which you can receive email. Your current or chosen ISP will be able to provide details of how you can set an account up.~~

~~**Extranet**— An extension of the Council's Intranet giving authorised people controlled access to the Intranet from outside of the Council's network.~~

~~**Exempt Business**— Items of business on an agenda that are confidential to the Council and should not be disclosed to third parties.~~

~~**Internet**— A network that links computer networks all over the world by satellite and telephone, connecting users with service networks such as e-mail and the World Wide Web.~~

~~**Internet Browser**— See Browser.~~

~~**ISP**— Internet service provider. A company that provides Internet connection services~~

~~**IT helpdesk**— The Council provides a helpdesk to support its applications. Its contact number is 01992 564321~~

~~**Password**— In this case means a word that when entered on the password screen allows access to the extranet~~

~~**Peripherals**— A piece of computer hardware such as a printer or a disk drive that is external to but controlled by a computer's central processing unit.~~

~~**Personal Computer (PC)**— A computer with its own operating system and a wide selection of software, intended to be used by one person.~~

~~**Portfolio holder decision-making**— Means an executive decision made by a member of the Cabinet~~

~~**DS**— Democratic Services at EFDC.~~

~~**Remote working**— Is another way of describing someone accessing the Council's network from outside of the building i.e. remotely.~~

~~**Token**— A piece of equipment that provides a secondary form of identification when accessing the Council's extranet.~~

~~**User name**— In this instance means your name on the system. Normally a combination of your initials and your surname.~~

~~Extract from the protocol on use of Council Facilities by members:~~

~~Guidance on the Use of IT by Councillors~~

~~1. Purpose of Guidance~~

~~1.1 The Council provides Councillors with an allowance towards the costs of providing and maintaining equipment, software or other consumables necessary to allow them to access the Committee Management System. This protocol gives advice on use of computer equipment in order to minimise risks to both the Council and to individual Councillors.~~

~~2. Security~~

~~2.1 Under the terms of the Connectivity Scheme, Councillors are responsible for:~~

~~(i) ensuring that their password and secondary authentication equipment remain accessible only by themselves;~~

~~(ii) abiding by the Council's published ICT policies and standards relating to security of systems and data and remote working;~~

~~(iii) meeting the requirements of the Local Government Act 1972 and any subsequent Act in relation to exempt and confidential information; and~~

~~(iv) adhering to specific user policies for systems they are given access to.~~

~~3. Use of Equipment~~

~~3.1 Councillors should be mindful of the onus placed upon them under 2 above. They should ensure that any material down-loaded via the Intranet is kept securely at any remote location. Councillors should ensure that if the computer is shared, proper arrangements are made to limit access to materials stored by the member, that fall into exempt and confidential categories. Such material will be routinely endorsed "Restricted".~~

~~3.2 Councillors should not store or download any material which:~~

~~(i) causes the Council to be brought in to disrepute;~~

~~(ii) contravenes the Access to Information or Data Protection Acts or similar legislation;~~

~~(iii) is illegal or inconsistent with the high standards expected of those in public office;~~

~~(iv) is defamatory; or~~

~~(v) breaches the Council's Code of Conduct (including confidentiality).~~

~~3.3 — If a Councillor uses their computer for the preparation of any material of a personal or political nature, he/she must make it clear that such material is published in a private capacity and not by or on behalf of the Council, and that no costs have been incurred by the Council as a consequence of its publication. Similarly, a Councillor should not express views on any matter relating to the Council without expressly indicating that the views are personal and not those of the Authority.~~

~~3.4 — Councillors should be aware that the internet is a completely unregulated medium and they are not protected in any way from viruses etc.~~

~~3.5 — The Council accepts no responsibility for Councillors' use of IT equipment.~~

~~For more information see the Member Connectivity Scheme and related ICT Policies.~~

MEMBER REMUNERATION SCHEME

EPPING FOREST DISTRICT COUNCIL GUIDANCE NOTE ON ALLOWANCES AND EXPENSES FOR MEMBERS

1. INTRODUCTION

- 1.1 A Councillor is eligible for the payment of attendance allowances and for reimbursement of travel and subsistence expenses in respect of approved duties carried out on behalf of the Council. An approved duty is one which has been authorised by or on behalf of the Council in advance.
- 1.2 The Council has a formal scheme for allowances which is updated from time to time. A copy of the scheme is set out elsewhere in the Constitution binder. This note is of a more informal nature and is designed to assist members in dealing with their claims and explaining the arrangements to the public.

2. BASIC ALLOWANCE (INCLUDING SUPPLEMENTARY BASIC ALLOWANCE)

- 2.1 This is a flat rate allowance payable to all members of the Council. This annual amount is paid in quarterly instalments. Members do not have to claim this amount.
- 2.2 A grant of £250 per annum as a supplement to the basic allowance will be payable to assist members in receiving electronic notification of and Internet access to papers for Council meetings and associated information subject to the member signing an agreement to undertake to meet the terms and conditions set out in the Members' Connectivity Scheme (set out in Appendix 1 attached).

3. SPECIAL RESPONSIBILITY ALLOWANCE

- 3.1 This is a special allowance payable to the Leader, Cabinet members and certain Chairmen. It is designed to reflect the additional responsibilities of these office holders. This amount is paid in quarterly instalments during the year and does not have to be claimed.

4. TRAVEL EXPENSES

- 4.1 Members may re-claim reasonable travel expenses (including public transport tickets, taxi fares, parking costs where appropriate subject to submission of evidence of expenditure) in respect of approved duties as defined in the scheme (Schedule 2).

4.2 Car Travel

The normal rates for car travel are the same as the higher rates paid to officers classed as casual users. Claims must be fixed on the rates applicable at the time of the journey. These rates are set out on the reverse of the claim form and are reviewed annually.

4.3 Shortest Distance

Claims for car travel should be by reference to the shortest distance from home to the Council offices or other venue for the approved duty concerned. No claim for additional expenses will be entertained unless there is a valid reason for incurring the additional mileage.

- 4.4 Travel Direct from Place of Employment etc

For claims involving direct travel from a Councillor's place of **employment** (or other departure point) for an approved duty, the distance claims shall be limited to the home to meeting venue element of the journey. All such claims must be endorsed "CLAIM LIMITED" on the form.

4.5 Travel Outside the District – Limit on Amount Claimable

For journeys to approved meetings outside the District or by members resident outside the district, claims irrespective of mode of travel must not exceed the lower of:

- (a) second class return rail fare plus underground and other fares from station to destination at each end of the journey; or
- (b) the appropriate car mileage.

This is subject to consideration of any special circumstances as set out in 4.6 below.

4.6 Travel over Long Distances – Special Circumstances

If, for any reason, a councillor undertakes travel over long distances or from outside the District, members are advised to contact the Assistant to the Chief Executive in advance for advice on what would constitute a reasonable claim in the circumstances.

4.7 Use of Public Transport within Epping Forest District

The rate for travel by public transport must not exceed the ordinary fare (or any available cheap fare). A member may not claim travelling expenses in respect of a single duty from more than one body. In all such claims evidence of expenditure (i.e. tickets or other receipts) **MUST** be provided. No claim will be allowed without such evidence.

4.8 Cycle Allowance

This allowance is payable at the highest of the higher casual rates paid to officers classed as casual users.

4.9 Child and Dependant Carer's Allowance

This allowance may be claimed at a rate equivalent to the current rate for the Adult National Minimum Wage. Certain conditions are set out in the Scheme.

5. **SUBSISTENCE EXPENSES**

5.1 Subsistence expenses (covering refreshments and meals etc paid for by a member) are claimable by councillor in respect of making attendances connected with approved duties on behalf of the Council. The rates for such expenses are set out (by reference to meal time and periods of absence) on the reverse of the form which is supplied to members on a quarterly basis. These rates may not be exceeded. Periods of absence will be calculated on the basis of departure from home or place of work if it is not possible to return home in the time available.

5.2 All claims for subsistence must be accompanied by receipts in respect of meals etc as evidence of expenditure actually having been incurred. No claims will be allowed in the absence of such evidence.

5.3 Special arrangements exist in respect of subsistence expenses in respect of duties involving an absence overnight from a councillor's normal place of residence. These are outlined under Section 7 relating to conferences.

5.4 A Councillor may not claim subsistence expenses in respect of a single duty from more than one body.

6. CONFERENCES

6.1 Attendance at Conferences and payment of allowances and expenses are subject to prior approval by the Council, Cabinet, appropriate committee, Leader or Deputy Leader in all cases.

6.2 All conferences deemed to be approved duties shall, in accordance with statutory requirements, be relevant to the District and not wholly or partly commercial or political in their objectives.

Allowances for Attendance at Conferences (Involving an Absence from Home)

Subsistence - Nights Away from Home

6.3 For conferences involving one or more night's absence, claims can be made for reasonable day or overnight expenses that are necessarily and exclusively incurred in the attendance as an authorised representative of the Council at a meeting, conference or seminar that it held outside of the Epping Forest District.

Claims for Subsistence

6.4 These claims should cover such items as hotel bills, refreshments, meals (other than free meals which should be discounted) and similar items. No claims will be allowed unless evidence is provided of all expenditure being claimed. All relevant bills and receipts should be forwarded to the Assistant to the Chief Executive with claims.

Travel Claims

6.5 The guidance outlined under paragraph 4.5 will apply to all conferences.

7. TAXATION AND NATIONAL INSURANCE IMPLICATIONS

7.1 Details of the tax and national insurance implications of allowance payments and expenses claimed are available **through Democratic Services. In such matters, members are advised to seek advice from their tax office in the event of any concerns.**

7.2 Supplementary Note Regarding Treatment of Claims for Travel Expenses by Car for Tax and National Insurance Purposes

(a) Travel by Car – Councillors' Homes to Civic Offices Expenses ("Home to Office Mileage")

Her Majesty's Revenue & Customs (HMRC) deems a councillor's workplace for the purposes of their role as an elected representative to be the Civic Offices, Epping and therefore that such expenses are subject to tax and national insurance deductions.

(b) Travel by Car – Councillors' Homes to Other Venues or Civic Offices to Other Venues for the Purposes of Council Business ("Business Mileage")

HMRC has determined that such travel shall not be subject to tax or national insurance deductions except where the rate of reimbursement exceeds 45 pence per mile. Travel to any meetings of the Council or its subordinate bodies which are held at a location other than the Civic Offices is deemed to be business mileage.

(c) **Second Journeys**

Second journeys, , will be subject to taxation and National Insurance deductions depending on whether the journey constitutes home to office or business mileage.

8. ALTERATION OF CLAIMS

8.1 All claim forms submitted by members are checked by Democratic Services. The Assistant to the Chief Executive (or the Assistant Director - Democratic Services acting on his behalf) is authorised to reduce incorrect claims in the following circumstances:

- (a) where a member does not attend at a claimed meeting;
- (b) where a claimed meeting is not approved;
- (c) where an incorrect amount of allowance is claimed; and
- (d) where a correct date has not been claimed.

8.2 Any changes under paragraph 8.1 will be notified to members after the claim form has been processed. Any other problems with members' claims will be referred back for the claimant and processing of the claim will not take place until the query has been clarified.

9. INTERPRETATION

9.1 These guidelines are subject to the overall interpretation of the Chief Executive as to what constitutes a reasonable claim in any individual circumstances.

EPPING FOREST DISTRICT COUNCIL

Reference No: 3/2013-14

LEADER DECISION

Subject: Schedule of Officer Delegation in respect of Executive Functions

Decisions:

- (1) That the attached Schedule of Officer Delegation in respect of executive functions for the year 2013/14 be approved;
- (2) That the revised schedule be published as part of the Constitution.

Explanatory Notice:

1. Officer delegation is reviewed once a year by the Constitution and Member Services Standing Scrutiny Panel. This review covers officer delegation in respect of both executive and Council functions.
2. The review for 2013/14 has now been completed and revised delegated authorities in respect of executive functions now require the approval of the Leader of Council before they can be published in the Constitution.
3. Appendix 1 to this decision notice shows the revised Schedule of Delegation which are alterations to reflect the changes to post titles and responsibilities of Directors under the revised management structure approved by the Council in December 2013.

Legal and Constitutional Powers:

Local Government Act 2000
Local Government etc Act 2007
Localism Act 2011

I approve the schedule of delegation to officers in respect of Executive Functions for 2013/14 for publication in the Constitution.

Signed; (Councillor C Whitbread)

Leader of the Council

Date: 3 February 2014

PU/IW

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PART ONE

EXECUTIVE FUNCTIONS – DELEGATION

BY THE LEADER OF COUNCIL

EXECUTIVE FUNCTIONS – DELEGATION BY THE LEADER OF COUNCIL

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX1	Finance Sub-Committee (Minute 398 - 31.1.80)	DIRECTOR OF RESOURCES	AGENDA AND MINUTES - CHARGES TO SUBSCRIBERS To approve charges.
EX2	Housing Committee (Minute 74 – 4.3.92)	DIRECTOR OF COMMUNITIES	AGRICULTURAL DWELLINGS To accept applications for rehousing and offer suitable alternative accommodation where the Agricultural Dwelling House Advisory Committee advises that the property is required for occupation by an agricultural employee in the interest of efficient agriculture.
EX3	Environmental Health and Control Committee (Minute 10 – 10.5.78)	HEALTH PROTECTION AGENCY (HPA) (Any Consultant Staff Member)	AIRCRAFT Proper Officer for the purposes of the Public Health (Aircraft) Regulations 1970.
EX4	Cabinet (Minute 142 – 14.3.05)	DIRECTOR OF COMMUNITIES (or in his absence ASSISTANT DIRECTOR COMMUNITY SERVICES) Ditto Ditto	ANTI SOCIAL BEHAVIOUR ACT 2003 <u>Part 1 (Premises Where Drugs Used Unlawfully)</u> Authority to respond to Police Consultations after discussion with Ward Councillors <u>Part 4 (Dispersal of Groups)</u> Authority to discuss proposals of the Police for dispersal orders with ward members, County Councillors and Town or Parish Councils Authority to consent to the making of Dispersal Orders after considering the results of discussions and after consulting the relevant portfolio holder <u>Part VI (Environment)</u> Authority for making of Closure Orders under Section 40. Authority for notice of cancellation of Closure Orders under Section 41.

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	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Cabinet (Minute 10 – 6.6.05)	Ditto	To respond to formal consultation procedures in connection with the making of Anti Social Behaviour Orders on behalf of the Council. To issue certificates of consultation under the Act on behalf of the Council.
EX5	Development Committee (Minute 19 – 30.5.2000)	DIRECTOR OF GOVERNANCE DIRECTOR OF NEIGHBOURHOODS	BUILDING ACT 1984 – SECTION 98 AUTHORISATION To authorise designated postholders within the Governance and Neighbourhoods Directorates to exercise powers under Section 98 of the Building Act 1984 to enter premises in connection with the enforcement of the Building Regulations.
EX6	Development Committee (Minute 23(1) – 6.2.74) Council Minute (Minute 24(1) - 9.7.91) Development Committee (Minute 35(1) – 15.7.99)	DIRECTOR OF GOVERNANCE (ASSISTANT DIRECTOR OF DEVELOPMENT MANAGEMENT) POST PBC/02 & 03 (PRINCIPAL BUILDING CONTROL SURVEYOR) POSTS PBC/04-9 (SENIOR BUILDING CONTROL SURVEYORS)	BUILDING REGULATIONS To determine applications under the Building Regulations and associated legislation, including the Building Act 1984, consistent with the instructions of the Development Committee and subject to submission to that Committee of any contentious applications. BUILDING ACT 1984 To act as Proper Officer for the purposes of Section 78 of the Building Act 1984.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	Development Committee (Minute 35(2) - 15.7.99)	DIRECTOR OF GOVERNANCE	<p>BUILDING ACT 1984</p> <p>To carry out the following functions under the Building Act 1984:</p> <p>(a) Section 34 - serve notices requiring work contravening building regulations to be removed or altered to achieve compliance;</p> <p>(b) Section 77 - approve applications to a Magistrates' Court for an order requiring dangerous buildings or structures to be made safe;</p> <p>(c) Section 79 - serve notices where it appears that a building is by reason of ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood; and</p> <p>(d) Section 81 - serve notices specifying certain matters and conditions in relation to the demolition of buildings.</p>
EX7	Personnel Sub-Committee (Minute 138 – 20.3.90) and Development Committee	DIRECTOR OF GOVERNANCE	<p>BUILDING CONTROL – VETTING OF APPLICATIONS</p> <p>To enter into working arrangements with other local authorities within East Anglia for the checking of one (Minute 66 - 16.1.90) another's building regulation activities on a consultancy basis, this arrangement to be activated where staffing levels fall below establishment or volume of applications submitted exceeds staffing capacity.</p>
EX8	Transportation Committee (Minute 115 – 26.1.93)	DIRECTOR OF NEIGHBOURHOODS	<p>CAR PARK TARIFFS</p> <p>To determine individual tariffs in off-street Pay and Display Car Parks within agreed policy.</p>
EX9	Personnel Sub-Committee (Minute 79 – 17.11.81)	DIRECTOR OF RESOURCES (after consideration of any comments of the relevant portfolio holder)	<p>CAR PARKS (COUNCIL)</p> <p>To determine applications to use Council office car parks. (See also under "Offices – Use of")</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX10	Policy & Co-ordinating Committee (Minute 44(3) - 29.11.83)	DIRECTOR OF NEIGHBOURHOODS	CAR PARKS (PUBLIC) To approve the use of Council car parks by charitable organisations or for other charitable purposes.
EX11	Policy and Co-ordinating Committee (Minute 66(a) - 4.12.90)	DIRECTOR OF NEIGHBOURHOODS (NB. This function is being exercised by the Director of Governance on a temporary basis for the time being.)	COMMERCIAL TENANCIES - SERVICE OF NOTICES To sign notices and answers to originating applications for new tenancies under Part II of the Landlord and Tenant Act 1954.
EX12	Executive Committee (Minute 449 - 11.3.02)	DIRECTOR OF GOVERNANCE	COMPLAINTS AND COMPLIMENTS PROCEDURE To make payments up to £250 in respect of upheld complaints at Stages 1, 2 and 3 and to make payments above £250 with the consent of the Complaints Panel.
EX13	Council (Minute 74(3) - 20.12.88)	DIRECTOR OF COMMUNITIES DIRECTOR OF NEIGHBOURHOODS	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK INSIDE THE DISTRICT To submit bids for work inside the District, to utilise spare capacity/manpower only.
EX14	Council (Minute 74(3) - 20.12.88)	CHIEF EXECUTIVE	COMPULSORY COMPETITION - AUTHORITY FOR THE COUNCIL TO SUBMIT BIDS FOR WORK OUTSIDE THE DISTRICT To refer to the Management Board and through them to the Cabinet any proposal involving the authorisation of bids for work outside the district but only in the context of agreed policy for shared services.
EX15	Policy and Resources Committee (Minute 347 - 14.2.78)	CHIEF EXECUTIVE SERVICE DIRECTORS	CONFERENCES - ATTENDANCE BY OFFICERS To approve the attendance of officers at annual conferences, taking into account the subject matter of the conference and the budgetary provision made.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX16	Council (Minute 52 – 12.12.2000)	DIRECTOR OF RESOURCES AND DIRECTOR OF GOVERNANCE (or nominated Deputy)	DEBTS To take steps to enforce a debt following the commencement of bankruptcy proceedings, subject to action being reported to the Cabinet.
EX17	Policy & Co-ordinating Committee (Minute 78 - 1.12.81)	DIRECTOR OF RESOURCES	ENERGY MANAGEMENT & CONSERVATION To implement the Council's policy.
EX18	Personnel Sub-Committee (Minute 67 - 24.11.87)	CHIEF EXECUTIVE SERVICE DIRECTORS	EX GRATIA PAYMENTS To consider and approve the making of appropriate ex gratia payments to staff at all levels for temporarily undertaking significant additional duties and responsibilities subject, in the case of emergencies where payments are not covered by the approved salary budget, to a report being made to the Cabinet.
EX19	Leisure Services Committee (Minute 5 - 23.5.91)	DIRECTOR OF NEIGHBOURHOODS	FEES AND CHARGES – LEISURE To approve the level of fees and charges within the parameters outlined within the Leisure Management Contract. To introduce individual pricing charges for Cultural and Community Services generally in line with the current level of inflation, or in certain circumstances at a rate which reflects the true cost of providing the service.
EX20	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant Staff Member) (see also under "Disease Control")	FOOD HYGIENE - ENTRY TO PREMISES To act as registered medical practitioner to the Council under the Public Health (Control of Disease) Act 1984 and thereby authorised to enter any premises, vessel or aircraft for the purpose of regulations made under that section.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX21	Portfolio Holder Decision HSG-029 – 2009/10	DIRECTOR OF COMMUNITIES	GARAGES To sell isolated garages in accordance with the Council's Policy.
EX22	Housing Services Committee (Minute 155 - 12.2.80)	DIRECTOR OF COMMUNITIES	HARDSTANDINGS - COUNCIL HOUSES (a) To approve, subject to satisfactory works to boundary walls, hedges and fences and other necessary works and also Essex County Council being satisfied as to the standard of footpath crossings, applications by tenants to construct car hardstandings in front gardens; and (b) To apply the above policy to hardstandings provided by tenants without permission.
EX23	Council Housebuilding Cabinet Committee (Minute 4 (5) – 10.7.13)	DIRECTOR OF COMMUNITIES	HOMES AND COMMUNITIES AGENCY – SHORT FORM AGREEMENTS That the Director of Communities be authorised to enter into Short Form Agreements with the Homes and Communities Agency for all (Council housing) developments, to enable affordable rents to be charged for the properties built under the Housebuilding Programme, and that the "Provider Representative" named in the Agreements be a senior figure at East Thames Group.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX24	Council Housebuilding Cabinet Committee (Minute 5 (3) – 10.7.13)	DIRECTOR OF COMMUNITIES	<p>HOUSEBUILDING PROGRAMME – ALLOCATION OF FUNDING TO SCHEMES</p> <p>That, once the Cabinet Committee has authorised the use and provisional level of subsidy required for individual developments and/or development packages, the Director of Communities be authorised to allocate funding from the sources listed in Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 to individual developments and/or development packages – utilising the most appropriate source of funding for the development(s), having regard to the time limits within which they must be utilised - up to and in excess of the provisional level approved by the Cabinet Committee, once tenders to undertake the works have been received from contractors, subject to:</p> <p>(a) The amount allocated being no more than 15% of the level provisionally approved by the Cabinet Committee;</p> <p>(b) Sufficient funds being available at the time of allocation; and</p> <p>(c) The Cabinet Committee receiving a report to its next meeting on the amount of subsidy allocated, and its source of funding.</p> <p>Note - Minute 5 (1) of the Housebuilding Cabinet Committee held on 10th July 2013 lists the following sources of funding:</p> <ul style="list-style-type: none"> • Loans from PWLB • Capital receipts from additional RTB sales covered by the Agreement with CLG • Current and future financial contributions for affordable housing from Section 106 Agreements • Capital receipts from the sale of HRA land or building, where the Cabinet has specifically agreed that they should be used to help fund the Council Housebuilding Programme • Grant from the HCA • Any other external funding sources.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX25	Housing Committee (Minute 125-27.1.97)	DIRECTOR OF COMMUNITIES HOUSING OPTIONS MANAGER	HOUSING ACCOMMODATION – ALLOCATION To allocate accommodation in accordance with the Housing Allocations Scheme.
EX26	Housing Committee (Minute 49 – 30.10.91)	DIRECTOR OF COMMUNITIES	HOUSING ACCOMMODATION - DESIGNATION FOR ELDERLY To cancel designations.
EX27	Housing Committee (Minute 41(20) & (21) – 17.9.96)	DIRECTOR OF COMMUNITIES	HOUSING ACCOMMODATION – TENANCIES FOR 'LIVE IN' CARERS To grant requests to provide or extend joint tenancies to 'live in' carers where such requests are considered to be justified.
EX28	Housing Committee (Minute 93(b) - 11.3.87)	DIRECTOR OF COMMUNITIES	HOUSING DEFECTS - PLANNING APPLICATIONS FOR REINSTATEMENT WORKS To submit applications for deemed planning consent in connection with the reinstatement of all Council owned designated defective dwellings.
EX29	Portfolio Holder Decision (1.3.04)	DIRECTOR OF COMMUNITIES	HOUSING LAND – USE FOR COMMUNITY EVENTS To grant licences for community events to be held on housing land in the future, subject to consultation with Ward Members and local residents (where residential properties are located nearby) and all health and safety insurance requirements being met by the organisation staging the event.
EX30	Council (Minute 23(7)(2) - 29.6.82) Housing Committee (Minute 116(4) - 26.1.98)	DIRECTOR OF COMMUNITIES (in consultation with the appropriate Portfolio Holder)	HOUSING LAND - SURPLUS PLOTS To negotiate, agree terms and dispose of surplus plots of garden land (in consultation with the relevant Portfolio Holder and appropriate Ward Members) as identified by the Council.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX31	Housing Committee (Minute 145 - 25.3.97)	DIRECTOR OF COMMUNITIES	HOUSING LAND - WAYLEAVES To grant wayleaves where there is no detrimental effect on the Council, subject to consultation with Ward Members.
EX32	Cabinet (Minute 155 – 6.2.06)	DIRECTOR OF COMMUNITIES	HOUSING OPTIONS CONSORTIUM To exercise the Cabinet's functions in respect of the Housing Options Consortium, being a partnership of local authorities of which the Council is a member.
EX33	Housing Committee (Minute 74 - 4.3.92)	DIRECTOR OF COMMUNITIES	HOUSING REGISTER RULES – WAIVING To waive Housing Register Rules where the Director of Communities considers there are good grounds for so doing.
EX34	Housing Services Director Committee (Minute 6(a)(iii) - 29.10.73)	DIRECTOR OF COMMUNITIES	(HOUSING) MUTUAL EXCHANGES To approve applications under the Mutual Exchange Scheme.
EX35	Public Health Committee (Minute 72 - 21.9.83)	HPA (Any Consultant member of staff)	ILLNESS - PERSONS IN NEED OF CARE AND ATTENTION To act as proper officer to the Council for the purposes of Section 47 of the National Assistance Act 1948 (removal to suitable premises of persons in need of care and attention or those suffering from grave chronic illness).
EX36	Public Health Committee (Minute 72 - 21.9.83) (Minute 92 - 17.3.92)	HPA (Any Consultant member of staff)	INFECTIOUS AND COMMUNICABLE DISEASES To act as proper officer to the Council for the purposes of the Public Health (Infectious Diseases) Regulations 1968, the Public Health (Control of Diseases) Act 1984 and Section 47 of the National Assistance Act 1948.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX37	<p>Council (Minute 23 – 15.5.08)</p> <p>Cabinet (Minute 42 – 29.7.13)</p> <p>NB. Delegated authority to deal with Section 23-25 of the Land Drainage Act 1991 (as amended) will come into operation once final confirmation from Essex County Council has confirmed the delegation (27.8.13)</p>	<p>DIRECTOR OF NEIGHBOURHOODS ASSISTANT DIRECTOR (TECHNICAL SERVICES) DRAINAGE MANAGER (AND RELEVANT STAFF DULY AUTHORISED TO ACT ON HIS BEHALF)</p> <p>RELEVANT PORTFOLIO HOLDER</p>	<p>LAND DRAINAGE AND FLOOD DEFENCE</p> <p>To act under the statutory provisions in the Epping Forest District Council – Land Drainage Byelaws 2005.</p> <p>To act under the statutory provisions listed below:</p> <p>Land Drainage Act 1991</p> <p>Section 14 General drainage powers to maintain, construct and improve drainage works etc</p> <p>Section 15 Disposal of spoil from works to watercourse</p> <p>Section 23, 24 and 25 Consenting to and enforcement of ordinary watercourses as delegated by Essex County Council as amended by the Flood & Water Management Act 2010</p> <p>Sections 26 and 27 Powers to require works for maintaining flow of watercourses etc</p> <p>Section 64 Powers of entry for internal drainage boards and local authorities</p> <p>Public Health Act 1936</p> <p>Section 260 Power to deal with ponds, ditches etc</p> <p>Section 262 Power to require culverting of watercourses and ditches where building operations in prospect</p> <p>Section 263 Approval of plans to culvert or cover any stream or watercourse</p> <p>Section 264 Issue of notice requiring the repair or cleansing of culverts</p> <p>To approve updates to the list of legislation set out above.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX38	Land Sub-Committee (Minute 130 – 31.1.95) Resource Sub-Committee (Minute 56 – 24.9.91)	DIRECTOR OF NEIGHBOURHOODS (after considering any views of the relevant Portfolio Holder) DIRECTOR OF GOVERNANCE (Interim for the year 2014/15) Ditto	LANDLORD AND TENANT - ESTATES MANAGEMENT (a) To serve notices under Part II of the Landlord and Tenant Act 1954 as amended by Part I of the Law of Property Act 1969 in connection with negotiation of new rentals for Council properties. (b) To take immediate corrective management action (except the institution of legal proceedings) for breaches of covenant in leases of shops, industrial estates and industrial land (c) To approve rent reviews and lease renewals for shops and industrial premises. (d) To let Council shops for periods of three years up to a maximum of 12 years. (e) To approve licences to assign and licences for change in use in consultation with the relevant Portfolio Holder.
EX39	Policy and Co-ordinating Committee Minute 44(3) – 29.11.83	DIRECTOR OF NEIGHBOURHOODS	NAMING OF STREETS To approve the names of new streets in accordance with the Town and Police Clauses Act 1847, where, following consultation, one name is agreed by all parties.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX40	Council (Minute 138 – 28.4.09) Portfolio Holder Decision L/001/2005/6 dated 20.5.05	DIRECTOR OF NEIGHBOURHOODS (OR NOMINATED OFFICER) DIRECTOR OF GOVERNANCE (OR NOMINATED OFFICER) DIRECTOR OF NEIGHBOURHOODS	NORTH WEALD AIRFIELD - NON COMMERCIAL LETTINGS (a) To negotiate and produce agreements and licences for all regular bookings and single events (of a non public character) which comply with the standard licence agreement and fees operated by the Council. (b) To negotiate in liaison with the Airfield Manager, any arrangements regarding use of the Airfield (except those which fall under item (1) above), and, where appropriate, to draft and execute appropriate agreements or licences for all Airfield uses including any negotiated under (a) above, which may be referred to the Director of Neighbourhoods . (c) That subject to compliance with the Council's policy the Director of Neighbourhoods be granted delegated authority to sanction the Concessionary Hire of Leisure Facilities by, or on behalf of, registered charities, for Fundraising Events.
EX41	Public Health Committee (Minute 72 – 21.9.83)	HPA (Any Consultant member of staff) (See also under "Disease Control")	NOTIFIABLE DISEASES To act as proper officer for the purposes of the Public Health (Control of Disease) Act 1984.
EX42	Cabinet (Minute 142 – 14.3.05)	DIRECTOR OF NEIGHBOURHOODS (or authorised Environmental Health Officer)	NUISANCES Authority to make closure orders under Section 40 of the Anti Social Behaviour Act 2003 and to give notices of cancellation of closure orders under Section 41 of that Act

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX43	Personnel Sub-Committee (Minute 79 – 17.11.81)	DIRECTOR OF RESOURCES	OFFICES - USE OF To determine applications to use Council offices (See also under "Car Parks (Council)").
EX44	Cabinet Minute 151(10) – 18.4.11	DIRECTOR OF COMMUNITIES	OFF STREET CAR PARKING SCHEMES "To submit planning applications for future off-street parking schemes at the appropriate time after the resident consultation exercise."
EX45	Policy and Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF RESOURCES	ORDNANCE SURVEY To act as proper officer for the purposes of Section 191 of the Local Government Act 1972 (Marking out and checking of reputed boundaries).
EX46	Policy and Co-ordinating Committee (Minute 99 – 21.11.89)	DIRECTOR OF GOVERNANCE	PHYSICAL ASSAULTS ON STAFF In the event of the Crown Prosecution Service not proceeding after physical assault on a Council employee, to give instructions to prosecute where the Director of Governance consider that the Attorney General's guidelines for prosecutions in a private prosecution for assault are satisfied.
EX47	Housing Committee (Minute 74 – 4.3.92)	DIRECTOR OF GOVERNANCE DIRECTOR OF RESOURCES	POSSESSION ORDERS - MORTGAGE ARREARS To obtain and execute in the case of mortgage arrears where an Order for possession is granted by the Courts, a warrant for the possession of a property. To offer for sale on the open market any property subsequently repossessed.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX48	Housing Committee (Minute 75 – 14.11.95)	DIRECTOR OF COMMUNITIES	<p>POSSESSION ORDERS - RENT ARREARS/GAS SAFETY INSPECTIONS AND OTHER RELATED ACTIONS</p> <p>(a) To serve notices of seeking possession for any of the grounds contained in Schedule 2 of the Housing Act 1985;</p> <p>(b) Where considered appropriate, to serve notices to quit in cases where the tenant is not a secure tenant as defined in the Housing Act 1985;</p> <p>(c) To institute proceedings in the Council Court for the possession of properties following service of a notice seeking possession or a notice to quit;</p> <p>(d) To institute proceedings in the County Court for the recovery of rent, court costs and service charges; and</p> <p>(e) To obtain and execute a warrant for eviction where possession has been awarded by the Court. In respect of secure and non-secure tenancies of Housing Revenue Account properties:</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
	<p>Housing Committee (Minute 46 – 12.9.2000)</p> <p>Housing Management Sub Committee (Minute 161 – 15.2.77)</p> <p>Portfolio Holder Decision (24.3.2004)</p>	<p>DIRECTOR OF COMMUNITIES, ASSISTANT DIRECTOR (HOUSING PROPERTY AND DEVELOPMENT), ASSISTANT DIRECTOR (HOUSING OPERATIONS), AREA HOUSING MANAGER (NORTH), AREA HOUSING MANAGER (SOUTH)</p> <p>HOUSING OPTIONS MANAGER</p> <p>DIRECTOR OF COMMUNITIES HOUSING ASSETS MANAGER (HMT/01) (or any officer authorised to act)</p>	<p>(f) to approve and sign Notices and Seeking Possession and Notices to Quit;</p> <p>(g) to initiate proceedings in the County Court for possession and the recovery of rent, mesne, profits, service charges and court costs, in accordance with relevant legislation; and</p> <p>(h) to seek and execute warrants of execution for possession; and</p> <p>(i) to undertake the actions set out in (a), (b) and (c) above, in respect of non-secure tenancies and licences at the Council's Homeless Persons' Hostel (Norway House) including the eviction of any homeless person who defaults in the payment of accommodation charges for four successive weeks or more.</p> <p>(j) Approve and sign Notices of Seeking Possession on the grounds of a breach of tenancy conditions for not allowing the Council access to undertake required repairs and maintenance;</p> <p>(k) Initiate proceedings in the County Court for possession or to provide access for the purpose of undertaking the statutory annual Gas Safety Inspection in accordance with the relevant legislation; and</p> <p>(l) Seek and execute warrants of execution for possession authorised by the Court.</p>

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX49	Standing Order A41(4)	DIRECTOR OF GOVERNANCE	PRESS RELEASES To issue press releases in advance of publication of relevant committee minutes, if appropriate.
EX50	Cabinet (Minute 109 – 18.12.06)	DIRECTOR OF COMMUNITIES ASSISTANT DIRECTOR OF COMMUNITIES (PRIVATE SECTOR HOUSING COMMUNITIES SUPPORT)	PRIVATE SECTOR HOUSING – ASSISTANCE (including Decent Homes Repayable Assistance, Small Works Repayable Assistance, Thermal Comfort Grants, Conversion Grants, Empty Homes Repayable Assistance and Disabled Facilities Grants) To exercise the powers and duties under relevant legislation. (See also 'Private Sector Housing – General')
EX51	Cabinet (Minute 184 – 10.4.06)	DIRECTOR OF COMMUNITIES ASSISTANT DIRECTOR OF COMMUNITIES (PRIVATE SECTOR HOUSING AND COMMUNITIES SUPPORT) RELEVANT PORTFOLIO HOLDER	PRIVATE SECTOR HOUSING – GENERAL To exercise the powers and duties set out in Appendix A including powers of entry by warrant where this is not specified in the legislation listed. To authorise updates to the list of legislation set out in Appendix A (see also 'Private Sector Housing – Assistance')
EX52	Finance Sub-Committee (Minute 57 – 31.5.79)	DIRECTOR OF RESOURCES	RATING - DISABLED PERSONS To administer the provisions of the Rating (Disabled Persons) Act 1978.
EX53	Leisure Services Committee (Minute 5 – 23.5.91)	DIRECTOR OF NEIGHBOURHOODS	RECREATION CHARGES – LEISURE ACTIVITIES AND EVENTS To make adjustments to the level of fees and charges within the maximum approved by the Cabinet.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX54	Housing Management Sub-Committee (Minute 152(c)(2) – 11.3.80)	DIRECTOR OF COMMUNITIES	RENT ARREARS - DECEASED TENANTS To write off rent arrears in respect of deceased tenants, where there is no means of recovering the debt.
EX55	Cabinet Minute 46 – 12.9.11	DIRECTOR OF COMMUNITIES	RESTRICTIVE COVENANTS – HOUSING IN MULTIPLE OCCUPATION To agree requests to vary restrictive covenants on former Council houses, in order to grant permission for their use as privately-rented shared accommodation, provided all of the conditions set out in Cabinet Minute 46 – 12.9.11 have been met.
EX56	Cabinet (Minute 184 – 10.4.06) Leader decision 2/11 (May 2011) Portfolio Holder Decision ENV/004/2009-10 Council (Minute – 20.4.10)	DIRECTOR OF NEIGHBOURHOODS (or in his absence ASSISTANT DIRECTORS (ENVIRONMENT AND NEIGHBOURHOOD SERVICES AND TECHNICAL) (or suitably qualified officers authorised by the above-named) Appropriate Portfolio Holder DIRECTOR OF NEIGHBOURHOODS	“SAFER, CLEANER, GREENER” LEGISLATION – AUTHORISATION OF OFFICERS To exercise those functions relating to the management and provision of the Environmental Health Service set out in the list of environmental health legislation in Appendix B including, where necessary, powers of entry by warrant. To delegate appropriate powers to the Director of Neighbourhoods relating to the management and provision of the Environmental Health Service set out in the attached list of environmental health legislation as set out in Appendix B. To approve updates to the list of environmental legislation set out in Appendix B.
EX57	Council (Minute 24(2) – 30.6.81)	DIRECTOR OF COMMUNITIES (after considering the views of the Portfolio Holder)	SALE OF COUNCIL HOUSES - DISCOUNTS To determine, under Part V of the Housing Act 1985, applications for discounting of entitlement periods where a potential purchaser lives with their parents.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX58	Council (Minute 40(4) – 15.7.86) Housing Committee Minute 117(5) & (6)	DIRECTOR OF COMMUNITIES	SALE OF COUNCIL HOUSES - RESTRICTIVE COVENANTS, MINOR EXTENSIONS AND ALTERATIONS To deal with applications for minor extensions or alterations in sold Council houses in accordance with the terms of the house sales agreement. To agree, in consultation with the Portfolio Holder, future requests for release of restrictive covenants to allow development within the curtilage of former Council properties, prior to planning permission being obtained. To negotiate terms for the release of covenants agreed by the Director of Communities , subject to the outcome being reported to the Portfolio Holder for approval.
EX59	Council (Minute 11(c) – 2.6.77)	DIRECTOR OF NEIGHBOURHOODS	SALE OF COUNCIL HOUSES - VALUATIONS To carry out all valuations in respect of sale of Council houses.
EX60	Policy and Resources Committee (Minute 3 – 11.10.73)	DIRECTOR OF GOVERNANCE	SECURITIES To act as proper officer for the purposes of Section 146 (1)(a)(b) of the Local Government Act 1972 (declarations and certificates regarding securities).
EX61	Public Health Committee (Minute 73 – 21.9.83)	HPA (Any Consultant member of staff)	SHIPS To act as proper officer to the Council for the purposes of the Public Health (Ships) Regulations 1970.
EX62	Housing Committee (Minute 121 – 8.11.77)	DIRECTOR OF GOVERNANCE (in consultation with Director of Communities)	SQUATTERS - EVICTION To take such urgent action as is necessary to secure the vacation of any Council properties, which are occupied by squatters.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX63	Council (Minute 90(5) – 23.2.82)	DIRECTOR OF RESOURCES	STAFF - APPOINTMENTS TO POSTS REQUIRING LITTLE OR LIMITED TRAINING To determine whether, in respect of the filling of posts requiring little or limited training, appointments should be made from outside the Council's current workforce.
EX64	Personnel Sub-Committee (Minute 3 – 31.5.83)	DIRECTOR OF RESOURCES (or in his absence the Deputy Chief Executive)	STAFF - TRAVELLING ALLOWANCES To consider and adjudicate on any request to make an exception to policy for reimbursement of travelling expenses in pursuance of an officer's duties, being limited to second class rail fare.
EX65	Personnel Sub-Committee (Minute 77 – 28.5.74)	CHIEF EXECUTIVE SERVICE DIRECTORS	STUDY LEAVE To grant, at their discretion, up to one week's leave of absence with full pay for the purposes of final revision in the period preceding an examination.
EX66	Policy & Co-ordinating Committee (Minute 23 – 5.10.93)	DIRECTOR OF GOVERNANCE	SUBSCRIPTIONS - OUTSIDE ORGANISATIONS To pay subscriptions in respect of organisations on which the Council is represented at member level.
EX67	Public Health Committee (Minute 46 – 19.9.84)	DIRECTOR OF GOVERNANCE	SUNDAY TRADING - CAR BOOT SALES To institute proceedings in respect of such sales where complaints have been received and satisfactory evidence is available.
EX68	Portfolio Holder decision reference H/026/2002-3	DIRECTOR OF COMMUNITIES	SUPPORTING PEOPLE – SIGNING OF CONTRACTS To sign the Supporting People “Block Subsidy” and “Block Grants” contracts with Essex County Council for 2003/03, and subsequent years, in order to receive funding from the Essex Supporting People Commissioning Body for the provision of support services.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX69	Council Minute 127 – 23.4.13	CHIEF FINANCIAL OFFICER (DIRECTOR OF RESOURCES)	TAX BASE To declare the Council's Domestic and NNDR Tax Bases in accordance with the Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base)(England) Regulations 2012 and any subsequent legislation.
EX70	Personnel Sub-Committee (Minute 37 – 14.2.74)	CHIEF EXECUTIVE SERVICE DIRECTORS	TEMPORARY STAFF To engage temporary staff and/or part time staff and subject to the overall estimated salaries bill for the service concerned not being exceeded in any one year.
EX71	Housing Services Committee (Minute 6(a)(iii) – 29.10.73)	DIRECTOR OF COMMUNITIES	TENANCIES - COUNCIL HOUSES To allocate tenancies in accordance with the Housing Allocation Scheme.
EX72	Portfolio Holder Decision (23.8.04)	DIRECTOR OF COMMUNITIES OR NOMINATED OFFICER	TENANCIES – DEMOTED TENANCY ORDERS Inter alia: (1) To serve demoted tenancy notices in appropriate cases; (2) To apply to the County Court for Tenancy Demotion Orders and subsequent Possession Orders in appropriate cases.
EX73	Housing Management Sub-Committee (Minute 33(c)(2) – 15.5.74)	DIRECTOR OF COMMUNITIES	TENANCIES - SERVICE To accept any application for priority Council housing in cases where a tenant of service accommodation reaches retirement age after having occupied the accommodation for a minimum of 15 years.
EX74	Housing Services Committee (Minute 6(d)(1) – 29.10.73)	DIRECTOR OF COMMUNITIES	WARRANTS OF DISTRAINT To issue warrants of distraint in housing cases.

	Authorising Committee and Minute Ref or Other Authority	Officer(s) Authorised	Subject and Function(s) Delegated
EX75	<p>Development Committee (Minute 60 – 6.1.93) Public Health Committee (Minute 52 – 17.11.92) Housing Committee (Minute 56 – 24.11.92)</p> <p>Development Committee (Minute 60 – 6.1.92)</p>	<p>DIRECTOR OF NEIGHBOURHOODS (in consultation with the Director of Governance) ASSISTANT DIRECTOR - NEIGHBOURHOOD SERVICES DIRECTOR OF COMMUNITIES (Housing Act Powers)</p> <p>DIRECTOR OF GOVERNANCE</p>	<p>WARRANTS FOR ENTRY</p> <p>To make applications to the Magistrates Court for entry pursuant to the Environmental Protection Act 1990, Public Health Acts 1936-61, Control of Pollution Act 1974, Clean Air Acts 1956-68, Food Safety Act 1990, Building Act 1984, Housing Acts 1957-85 and Local Government and Housing Act 1989.</p> <p>To make applications to the Magistrates' Court for warrants of entry in accordance with the Building Act 1984 and the Town and Country Planning 1990.</p>
EX76	Public Health Committee (Minute 144(a) – 9.3.77)	<p>DIRECTOR OF NEIGHBOURHOODS</p> <p>(after consideration of any views of the Portfolio Holder and local ward member(s))</p>	<p>WASTE DISPOSAL ON LAND</p> <p>To submit representations to Essex County Council on any proposed licence.</p>

Report of Councillor Jennie Hart, District Council Representative on the Broadway Town Centre Partnership, May - December 2013

The BTCP is made up of:

Chairperson: Dave Stannard

Deputy Chairperson: Joan Davis

Secretary: Doreen Corsi

EFDC Officer: Chris Pasterfield (Chief Estates Officer)

EFDC Councillors: Councillors Jennie Hart, John Knapman
(Councillors Ken Angold-Stephens and Lance Leonard also attend meetings)

Loughton Town Council: Councillor Leon Girling
(Councillor Margaret Owen also attends meetings)

Epping Forest College: Carol Moya

Debden Traders' Association: (DTA): Geraldine Wilson, Dave Pilkington, V. Gadhia, Linda Knight. Peter Sparks

Restore Church: Judy Lovell

Epping Forest Community Church: Luke Lowrie

Debden Community Association: Colin Harries,

Residents: Geoff Boughton, Peter Relph,

Dave Stannard was re-elected as Chairperson at the 2013 AGM.

Joan Davis was not able to be present but was re-elected as Deputy Chairperson at a later date.

Doreen Corsi was re-elected as Secretary

Regrettably, Dave Stannard has been seriously ill over the last year and Joan Davis has been acting Chairperson for the times when Dave has been unwell. Dave has however remained active and has been involved in many events over this period

A recent introduction to the agenda has been councillors' reports and traders reports. Councillors present reports on Council matters relevant to the BTCP and the traders voice any relevant matters and concerns.

Co-ordination of Town Council events and BTCP events is to take place in the future.

There was no summer Debden Day this year but this was compensated for by the time and energy put into making Christmas 2013 one of the most successful ever for Debden.

A sub-committee was set up to discuss the Broadway Christmas lights and Christmas activities and the following events were held:

29 November 2013 - The switching on of the Christmas lights

This event was opened by the Town Mayor, Jill Angold –Stephens who was conveyed along the Broadway in a horse-drawn carriage loaned by T Cribb and Sons. It was followed by an exciting programme of music and entertainment. Local schools sang and entertained and there was a record turnout in the number of children from Sir Thomas Willingale Primary School. Students from Epping Forest College performed and sang, and for the first time Epping Forest Community Theatre performed.

More residents attended this happy event than in the past and a light buffet organised by Cllr. Margaret Owen was provided afterwards in the Restore Community Centre.

1 December 2013 - Santa's run (or walk)

This very successful event was organised by Geraldine Wilson of Geraldine's Hairdressers and with Geraldine's enthusiasm, raised over £2,000 for St. Clare Hospice. Those taking part ran or walked a circular route between Debden and Loughton in colourful Santa outfits enjoying a Christmas buffet afterwards at the Restore Community Centre.

4 December - Santa's Sleigh Ride

This was a community event with a carnival atmosphere organised by Loughton Town Council which contributed to the Christmas fun. Cllr. Leon Girling made an excellent Father Christmas as he rode on a sleigh through the streets of Debden accompanied by local councillors, residents and children on decorated open-top vehicles. Christmas songs were provided half way by Epping Forest College students who again gave their time.

14 December 2013 - Christmas Debden day

This was a hugely successful day using Debden Day funds and further funding from Loughton Town Council and Epping Forest District Council. The opening was attended by The Town Mayor, MP Eleanor Laing and EFDC Chairman, Cllr. Mary Sartin.

A Santa's Grotto designed by Davenant students was enjoyed by many local children at no cost to parents. Davenant students assisted Santa Claus in his grotto. There were extra fun events in the form of free face painting and free fairground rides. Almost 2,000 competition pamphlets were delivered to all local primary schools for a 'Spot the Sheep' competition.

A Christmas Dinner for senior citizens, with a professional pianist and college students waiting on, was held in Epping Forest College.

Twenty eight Debden Traders advertised in a colourful Christmas card which was delivered to 2100 households, inviting residents to come and enjoy Christmas Debden Day.

Other subjects which have been discussed are:

- **Sainsbury's:** The store is currently being renovated and will be closed for 3 months from January 2014.
- **The Sir Winston Churchill Public House Site** development application

A public meeting was held 12 November 2013 to give local people an opportunity to air their views on the development proposals. The District Council's Chief Estates Officer, Chris Pasterfield and Assistant Director of Planning, Nigel Richardson, attended.

At the DDCC on 10 December 2013, members voted in favour of the application for 64 flats, 2 retail outlets and a restaurant or public house to replace the existing building.

- **New businesses in The Broadway**
- **Re-location of the Jewellers.**
- **Proposal (proposed in 2008 Design Brief) to widen the passage-way from Burton Road car park to The Broadway.** This would be beneficial to shoppers using the Burton Road car Park and to the Broadway traders.
- **Community Project** There are plans in 2014 for a competition for Debden primary school children to design a mural for one of the walls under the Broadway Arcade. Epping Forest College, Davenant Foundation School and Debden Park High School students are all involved in this project. The details are to be finalised and Luke Lowrie of Epping Forest Community Church is co-ordinating the competition.
- **Re-planting the central reservation in the Broadway:** There was a decision to request roses and evergreen ground- cover as the area had become badly damaged. The Council agreed and the central reservation was re- planted early December 2013. It was decided that if this doesn't work and plants do not survive, raised beds or large planters may be the best option.
- **Brickclamps Path:** Cllr.Jennie Hart requested a shrub border to improve the appearance of this route to the Broadway, and a border of roses and lavenders has now been planted along one wall of Brickclamps Path.
- **Lucton Fields (land opposite EF College):** Eleanor Laing's help sought by resident Pete Relph to get the field brought into community use.

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