



CABINET
Monday, 2nd December, 2013

You are invited to attend the next meeting of **Cabinet**, which will be held at:

Council Chamber, Civic Offices, High Street, Epping
on Monday, 2nd December, 2013
at 7.00 pm .

Glen Chipp
Chief Executive

Democratic Services
Officer

Gary Woodhall
The Office of the Chief Executive
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors C Whitbread (Leader of the Council) (Chairman), Ms S Stavrou (Deputy Leader and Finance and Technology Portfolio Holder) (Vice-Chairman), R Bassett, W Breare-Hall, Mrs A Grigg, D Stallan, H Ulkun, G Waller and Mrs E Webster

<p>PLEASE NOTE THE START TIME OF THE MEETING</p>

1. WEBCASTING INTRODUCTION

- (a) This meeting is to be webcast;
- (b) Members are reminded of the need to activate their microphones before speaking; and
- (c) the Chairman will read the following announcement:

"I would like to remind everyone present that this meeting will be broadcast live to the Internet and will be capable of subsequent repeated viewing, with copies of the recording being made available for those that request it.

By being present at this meeting, it is likely that the recording cameras will capture your image and this will result in your image becoming part of the broadcast.

You should be aware that this may infringe your human and data protection rights. If you have any concerns then please speak to the Webcasting Officer.

Please could I also remind Members to activate their microphones before speaking.”

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

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

4. MINUTES

To confirm the minutes of the last meeting of the Cabinet held on 21 October 2013 (previously circulated).

5. REPORTS OF PORTFOLIO HOLDERS

To receive oral reports from Portfolio Holders on current issues concerning their Portfolios, which are not covered elsewhere on the agenda.

6. PUBLIC QUESTIONS

To answer questions asked by members of the public after notice in accordance with the motion passed by the Council at its meeting on 19 February 2013 (minute 105(iii) refers) on any matter in relation to which the Cabinet has powers or duties or which affects the District.

7. OVERVIEW AND SCRUTINY

(a) To consider any matters of concern to the Cabinet arising from the Council's Overview and Scrutiny function.

(b) To consider any matters that the Cabinet would like the Council's Overview and Scrutiny function to examine as part of their work programme.

8. FINANCE AND PERFORMANCE MANAGEMENT CABINET COMMITTEE - 19 SEPTEMBER 2013 (Pages 7 - 14)

(Finance & Technology Portfolio Holder) To consider the minutes from the meeting of the Finance & Performance Management Cabinet Committee, held on 19 September 2013, and any recommendations therein.

9. THE SALE OF CHURCH HILL CAR PARK, LOUGHTON (Pages 15 - 20)

(Asset Management & Economic Development Portfolio Holder) To consider the attached report (C-051-2013/14).

10. POTENTIAL STRATEGY OPTIONS FOR COUNCIL PROPERTY ASSETS (Pages 21 - 26)

(Asset Management & Economic Development Portfolio Holder) To consider the

attached report (C-050-2013/14).

11. LOCAL COUNCIL TAX SUPPORT SCHEME 2014/15 (Pages 27 - 36)

(Finance & Technology Portfolio Holder) To consider the attached report (C-053-2013/14).

12. POOLING OF NON-DOMESTIC RATES (Pages 37 - 50)

(Finance & Technology Portfolio Holder) To consider the attached report (C-059-2013/14).

13. LOCAL PLAN EVIDENCE BASE - UPDATED POPULATION FORECASTING WORK AND STRATEGIC HOUSING MARKET ASSESSMENT (Pages 51 - 62)

(Planning Portfolio Holder) To consider the attached report (C-060-2013/14).

14. UPDATE OF THE CAPITAL PROGRAMME 2013/14 - 2017/18 (Pages 63 - 80)

(Finance & Technology Portfolio Holder) To consider the attached report (C-57-2013/14).

15. CORPORATE PLAN KEY OBJECTIVES 2013/14 - QUARTER 2 PROGRESS REPORT (Pages 81 - 102)

(Leader of the Council) To consider the attached report (C-049-2013/14).

16. CORPORATE CLEANING AND WINDOW CLEANING CONTRACT 2014-19 (Pages 103 - 108)

(Asset Management & Economic Development Portfolio Holder) To consider the attached report (C-055-2013/14).

17. SAFEGUARDING AUDIT AND RESOURCE REQUIREMENTS (Pages 109 - 116)

(Leisure & Wellbeing Portfolio Holder) To consider the attached report (C-056-2013/14).

18. BUDGET ARRANGEMENTS TO FACILITATE DIRECT ENFORCEMENT ACTION (Pages 117 - 122)

(Planning Portfolio Holder) To consider the attached report (C-061-2013/14).

19. REVIEW OF LICENSING - STAFFING AND BUDGET (Pages 123 - 130)

(Safer, Greener & Transport Portfolio Holder) (Support Services Portfolio Holder) To consider the attached report (C-058-2013/14).

20. CALENDAR OF COUNCIL MEETINGS - 2014/15 (Pages 131 - 138)

(Support Services Portfolio Holder) To consider the attached report (C-062-2013/14).

21. ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

22. EXCLUSION OF PUBLIC AND PRESSExclusion

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
23	Purchase of the Leasehold Interest in 2-8 Torrington Drive, Loughton	3
24	Release of Clawback Covenant – T11 Site, Langston Road, Loughton	3
25	Waste Management Contract – Outcome of ISDS Dialogue	3

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.

23. PURCHASE OF THE LEASEHOLD INTEREST IN 2-8 TORRINGTON DRIVE (Pages 139 - 170)

(Asset Management & Economic Development Portfolio Holder) To consider the attached report (C-052-2013/14).

24. RELEASE OF CLAWBACK COVENANT - T11 SITE, LANGSTON ROAD, LOUGHTON (Pages 171 - 176)

(Asset Management & Economic Development Portfolio Holder) To consider the attached report (C-054-2013/14).

25. WASTE MANAGEMENT CONTRACT - OUTCOME OF INVITATION TO SUBMIT DETAILED SOLUTIONS DIALOGUE (Pages 177 - 182)

(Environment Portfolio Holder) To consider the attached report (C-063-2013/14).

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EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Finance and Performance Management Cabinet Committee **Date:** Thursday, 19 September 2013

Place: Committee Room 1, Civic Offices, High Street, Epping **Time:** 6.00 - 8.05 pm

Members Present: Councillors Ms S Stavrou (Chairman), D Stallan, G Waller and C Whitbread

Other Councillors: Councillors J Knapman

Apologies: R Bassett

Officers Present: R Palmer (Director of Finance and ICT) and R Perrin (Democratic Services Assistant)

8. Declarations of Interest

Pursuant to the Council's Code of Member Conduct, Councillors S Stavrou, J Knapman and D Stallan declared a personal interest in item 9 of the agenda, in so far as it relates to Parish Council precepts as they are Parish Councillors. They understood that there are no binding decisions being made by the Committee at the meeting and therefore would advise that when the decisions were due on this later in the budget cycle, they would seek a dispensation from the Standards Committee to participate.

9. Minutes

RESOLVED:

That the minutes of the meeting held on 20 June 2013 be confirmed and signed by the Chairman as a correct record.

10. Treasury Management - Outturn Report 2012/13

The Director of Finance and ICT presented a report regarding the Annual Outturn on Treasury Management and Prudential Indicators 2012/13. The annual treasury report was a requirement of the Council's reporting procedures and covered the treasury activity and the Prudential Indicators for 2012/13. The Council had financed all of its capital activity through capital receipts, capital grants and revenue contributions with no additional borrowing added to the £185.456m taken out last year in relation to the self-financing of the HRA.

The Director advised that when the authority's Capital Financing Requirement (CFR) became positive as a result of the Housing self-financing the normal requirement to charge Minimum Revenue Provision (MRP) to the General Fund in respect of non-HRA capital expenditure funded by borrowing was not required due to the CLG regulations to mitigate the impact.

Finance and Performance Management Cabinet Committee
Thursday, 19 September 2013

The Council's overall treasury position for 2012/13 showed £185.456m as total external debt and total investments at £45.25m which results in net investment position of £140.206m.

Further dividends of 16.7% (£420,000) had now been received from the Icelandic Investment, which had taken the return to 94% of the £2.5m in invested in Heritable bank. This resulted in 6.0% more than the impairment had allowed for and would be credited back to the District Development Fund in 2013/14.

The report provided Members with a summary of the treasury management activity during 2012/13, in which none of the Prudential Indicators had been breached and a prudent approach had been taken in relation to investment activity with priority given to security and liquidity over yield.

Resolved:

- (1) That the 2012/13 outturn for Prudential Indicators be noted; and
- (2) That the Treasury Management Outturn Report for 2012/13 be noted.

Reasons for Proposed Decision:

The report was presented for noting as scrutiny was provided by the Audit and Governance Committee who make recommendations on amending the documents, if necessary.

Other Options Considered and Rejected:

Members could ask for additional information about the CIPFA Codes or the Prudential Indicators.

11. Government Financial Consultations

The Director of Finance and ICT presented a report regarding three financial consultation papers, a guidance note on capitalisation procedures and a prospectus for business rates pooling from the Government. Two of these consultations ran for eight weeks to 24 September 2013 and other for ten weeks up until 2 October 2013.

The Director advised that the Technical Consultation regarding the Local Government Finance Settlement 2014/15 and 2015/16 sought views on a range of detailed and technical issues. The illustrative figures for the 2014/15 Settlement were published on 4 February 2013 and already showed a significant reduction in funding with a further 1% reduction from the local government spending control totals. The increased amount of funding held back would cover safety net payments, as part of the local retention of business rates. The Spending Review earlier in the year had shown a headline reduction in local government funding in 2015/16 of 10%, for individual district councils the reductions would exceed 15%. The updated Medium Term Financial Strategy (MTFS) and Financial Issues Paper had been adjusted to reflect the greater funding reductions in 2014/15 and 2015/16.

The Director advised that the Technical Consultation for New Homes Bonus and the Local Growth Fund sought views on the suggested mechanism for the pooling of £400 million of New Homes Bonus (NHB) through Local Enterprise Partnerships to support strategic housing and other local economic growth priorities.

The key issue in the consultation was on how much individual authorities would lose to fund the £400 million. Question two proposed that the same percentage reduction be applied to the NHB of all authorities to achieve the required top slice of £400 million which would be approximately 35%, and in monetary terms for the Council would be close to £800,000 in 2015/16 and approaching £1 million in subsequent years (when the scheme would have been in place for a full six years). Question 3 proposed an alternative for two tier areas that would see county councils lose all their NHB and districts making up the additional amount to reach £400 million overall. The proposal would reduce the loss from 35% to 19% and in monetary terms it would be £425,000 in 2015/16 rising above £500,000 in later years.

The Local Government Association had criticised the top slicing of NHB but given the conflict that questions 2 and 3 inspired between counties and districts, had not expressed a view on the method. It was likely that counties would respond in favour of question 2 and so it is important that districts respond in favour of question 3. The MTFs had been prepared on the prudent basis that the Council would lose 35% of the NHB from 2015/16.

The Director advised on the consultation document regarding the proposals for the use of capital receipts from asset sales to invest in reforming services aimed to gauge the level of interest from local government for the use of capital receipts to pay for the revenue costs of reforming, integrating or restructuring services, which required authorities to draw up detailed business cases and disposal plans that could be aborted if they were unlucky in the lottery of the application process.

The Cabinet Committee remarked on the usefulness of the comments and that they should be included with the draft responses, to make the Council's responses more robust. Members requested that the draft responses be agreed in liaison with the Chairman.

Resolved:

- (1) That the proposed responses to the Technical Consultation regarding the Local Government Finance Settlement 2014/15 and 2015/16, New Homes Bonus and the Local Growth Fund and the Proposals for the use of Capital Receipts from Asset Sales to Invest in Reforming Services are more robustly worded in favour of the council's views and include the officers comments within the draft responses.

Reasons for Proposed Decision:

To determine the responses to be made to the consultations.

Other Options Considered and Rejected:

Members could decide to not respond, to respond in part or to respond in full to each of the three consultations.

12. Quarter 1 Financial Monitoring

The Finance and ICT Director presented a report on the revenue and capital financial monitoring for the first quarter of 2013/14.

The report considered the financial monitoring on key areas of income and expenditure within the first quarter of 2013/14. The salaries schedule showed an underspend of £99,000 or 2.0%, compared to this time last year of 3.4%. Also the

Finance and Performance Management Cabinet Committee
Thursday, 19 September 2013

investment interest levels in 2013/14 were slightly below expectation and significantly below the previous year, with no sign of rates improving even in the longer term. Investment returns in previous years were also higher due to the longer term deals maturing at better rates than available now. The Council had received £1.940m of the original £2.5m investment placed with Heritable Bank which brought the recovery to 77.28%, with a further payment of £420,161 received in August 2013, bringing the recovery to 94%. Development control was £19,000 below expectations, although pre-applications income had exceeded the full year budget and the income estimated for 2013/14 would be reassessed during the 2014/15 budget process to see whether or not adjustments to budget would be required. Building Control income was also down by £35,000 and expenditure was down by £20,000. This would probably fall into overall deficit during the financial year unless remedial action was taken. Licensing income was also below expectation with fewer renewals on other licensing, which appears to relate to the recession. The income from MOT's carried out by the fleet operations were below expected and expenditure on salaries was down, which meant the £11,000 expected surplus was unlikely to be achieved unless things improved quickly. Local Land charges were in line with the previous year and above the original estimate which suggested income would exceed the budget for the year. The Housing Repairs Fund was currently showing an underspend of £323,000, but a large proportion of the expenditure was seasonal falling within the winter months. Overall it was too early in the financial year to be certain of the final outcome but income levels were down.

From the 1 April 2013 the Council was entitled to share the business rates collected. Changes in the rating list were important because of the local retention and the overall funds available to the Council would increase or decrease as the total value increased or decreased. The non-domestic rate estimated for 2013, started with a gross yield of £40,208,899 which was reduced by various reliefs for charities and small businesses to £31,897,379. At the end of June 2013 the net rate yield had reduced by £157,824 and whilst the Council retained 40% of the gains and losses, this would mean a reduction in funding of £63,130. The position could be improved over the rest of the year but concerns had been raised as the district was losing businesses to the Enterprise Zone in a neighbouring district. The cash collection was also important as the Council would be required to make payments to the Government and other authorities based on their share of the rating list, even if the Council did not collect any money. It was important that effective collections were made, as this would generate a cash flow advantage to the Council. As of June 2013 the total collected was £10,846,362 and payments out were £10,435,861 which meant that the Council held £410,501 of cash and so the Council's overall cash position had benefited from the effective collection of non-domestic rates.

The major capital schemes included the House building programme which was primarily aimed at the development of difficult to let garage sites, with the first phase starting in Waltham Abbey early in 2014. At this stage expenditure had been limited to some initial fees. The current Capital Programme had an allocation of around £11.7m for the various schemes, which would be revised in line with the latest cost estimates and cashflow forecasts provided by the development agent, East Thames. The Cabinet Committee requested that with the likelihood of cash collection becoming a more prominent problem in the financial climate, they would like to have a presentation from Officers on the collection methods.

Resolved:

- (1) That the Quarterly Financial Monitoring report for the period 1 April 2013 to 30 June 2013 regarding the revenue and capital budgets be noted.

Reasons for Proposed Decision:

To note the first quarter financial monitoring report for 2013/14.

Other Options Considered and Rejected:

No other options available.

13. Corporate Risk Update

The Finance and ICT Director presented a report regarding the Corporate Risk Register. The Risk Management Group and the Corporate Governance Group had reviewed and amended the Corporate Risk Register but no additional risks had been added.

The Director reported that a number of amendments had been identified and incorporated into the register. Firstly, Risk 1 - Local Plan had been amended for both the trigger and consequence to provide a more accurate picture of the risk. The Action Plan had also been amended to show key dates for the preferred options and draft plan consultations, pre-submit publication and the examination in public and adoption. Secondly, Risk 3 - Welfare Reform, the effectiveness of control had been amended within the Action Plan to advise on the updated position of the Welfare Reform Mitigation Action Plan. Thirdly, Risk 4 – Finance Income, the scoring of the risk had been changed from B2 (high likelihood, moderate impact) to A1 (very high likelihood, major impact). This was to reflect the worsening financial outlook.

The Cabinet Committee commented on Risk 3, Welfare Reform and that more clarity was required on the risk register.

Resolved:

- (1) That the Corporate Risk Register be noted;
- (2) That no new risks were incorporated into the current Corporate Risk Register;
and
- (3) That Risk 3, Welfare Reform, required further clarity.

Reasons for Proposed Decisions:

It was essential that the Corporate Risk Register was regularly reviewed and kept up to date.

Other Options for Considered and Rejected:

Members may suggest new risks for inclusion or changes to the scoring of existing risks.

14. Annual Governance Report

The Finance and ICT Director presented a report regarding the key issues raised in the Annual Governance Report. The International Standard on Auditing 260 required that the External Auditor report to those charged with governance on certain matters before they gave an opinion on the Statutory Statement of Accounts. The External Auditor had indicated that their audit of the Council's Statutory Statement of Accounts

Finance and Performance Management Cabinet Committee
Thursday, 19 September 2013

for 2012/13 would be presented to the Audit and Governance Committee on the 23 September 2013.

The purpose of the report was to communicate the significant findings of the audit of the financial statements of the Council for the year ending 31 March 2013. The Director advised the Cabinet Committee of the key findings arising from the audit:

- The Financial statements had no material misstatements identified as a result of the audit and although some areas were outstanding, any significant issues would be advised at the Audit and Governance Committee.
- Subject to satisfactory completion of the outstanding work, they anticipated issuing an unqualified true and fair opinion on the financial statements for the year ended 31 March 2013.
- There were a number of unadjusted audit differences identified by the audit work and the net effect of adjusting for these differences would be to reduce the deficit for the year by £116,000.
- No significant deficiencies were identified during the review, although some areas of improvement were identified which were discussed verbally with management.
- The Audit commission were satisfied that the Annual Governance Statement was not misleading or inconsistent with other information and that it complies with "Delivering Good Governance in Local Government".
- A verbal update on the whole of Government Accounts would be given verbally at the Audit and Governance Committee on 23 September 2013.
- Within the value for money conclusion the report advised that they were satisfied in all significant respects and that the Council had put in place proper arrangements to secure economy, efficiency and effectiveness in the Council's use of resources for the year ended 31 March 2013 and proposed to issue an unqualified value for money conclusion.

The Cabinet Committee congratulated the officers on an excellent report.

Resolved:

- (1) That the Annual Governance Report for 2012/13, prepared by the External Auditors, be noted.

Reasons for Proposed Decisions:

To ensure that Members are informed of any significant issues arising from the audit of the Statutory Statement of Accounts.

Other Options for Considered and Rejected:

The report is for noting, no specific actions are proposed.

15. Budget 2014/15 - Financial Issues Paper

The Director of Finance & ICT presented the Financial Issues Paper, which provided the framework for the Council's budget in 2014/15 and highlighted a number of financial issues that would affect the Council in the short to medium term.

The Director reported that the greatest area of current financial uncertainty and risks to the Council were:

Finance and Performance Management Cabinet Committee
Thursday, 19 September 2013

- Central Government Funding – the assumption that the overall reductions of 13.6% and 14.1% were common to each element of the Funding Assessment and on that basis it had been proposed that reduced funding to parish councils would be applied 13.6% (£43,621) for 2014/15 and 14.1% (£39,007) for 2015/16.
- Business Rates Retention – the cash collection had not been a concern but the reduction on the overall value of the rating list had been a concern as the Council retained 40% of the gains and losses and the effect of potential loss of businesses to the Enterprise zone in a neighbouring district, coupled with the lack of progress on the appeals position for non-domestic rates paid prior to 1 April 2013. There was also a possibility of pooling with other authorities to share the risk and possibly reduce levy payments through the Essex Leaders Strategic Finance Group which should be in place for 2014/15.
- Welfare Reform – the Local Council Tax Support settlement figures had been sufficient to cover the loss to parish and the districts expenditure with a small surplus. The other welfare reforms Benefit Cap and Spare Room Subsidy had only just been implemented and early indications showed that the collection rate for housing rents for the first quarter had fallen to 92.17% with the target being 96%. The Universal Credit had been subjected to delays and therefore clarity would still be required on the Councils role.
- New Homes Bonus – The Council would receive £495,000 in 2014/15, which would be allocated to the Continuing Services Budget. A prudent position had been adopted for future years with £445,000 built into the Medium Term Financial Strategy.
- Development Opportunities – These would not be prudent to be included in the Medium Term Financial Strategy until firm decisions on the different projects had been made.
- Reducing Income Streams – The actual figures up to date had not been encouraging and the North Weald Market remained on a reduced rent, with the profit share element not being triggered so far in 2013, which would reduce the CSB income by £200,000 and adjust the Medium Term Financial Strategy.
- Waste and Leisure Contracts Renewals – The waste contract would not be included in the Medium Term Financial Strategy as it had been too early in the procurement and the Leisure Management Contract had been extended for another three years, whilst a Leisure Strategy was being prepared and the Council's role in leisure provisions was considered.
- Organisational Review – Any potential changes, in the structure of the Council had not yet been included, although it had been anticipated that it would be included in the final figures for the 2014/15 budget.

The Director reported that the Council was in a stronger financial position than had been anticipated due to the greater level of savings in 2012/13 and reductions in underspent budgets. However the greater challenge lay ahead with future funding reductions in Government grants, top slicing of the NHB and a drop in local income streams. The net CSB savings required £2.3million of savings across the forecast period and this would lead to tough decisions on fees and charges and future level of service provisions, in particularly in discretionary areas. The balance at the end of 2013/14 on the general fund reserve was predicted to be £9.466m and a balance of £2m in DDF, which means that the Council does not need to make savings in year one but can take a measured approach to reduce net spending.

Recommended:

- (1) That the establishment of a new budgetary framework including the setting of budget guidelines for 2014/15 be set including:

- (a) The ceiling for Continuing Services Budget net expenditure be no more than £14,069million including net growth;
 - (b) The ceiling for District Development Fund expenditure be no more than £142,000;
 - (c) The balances continue to be aligned to the Council's net budget requirement and that balances be allowed to fall no lower than 25% of the net budget requirement; and
 - (d) The District Council Tax not be increased, with Council Tax for a Band 'D' property remaining at £148.77.
- (2) That a revised Medium Term Financial Strategy for the period to 2017/18 be developed accordingly;
 - (3) That communication of the revised Medium Term Financial Strategy to staff, partners and other stakeholders be undertaken;
 - (4) That a detailed review of fees and charges, specifically parking charges be undertaken; and
 - (5) That reductions of 13.6% and 14.1% in parish support, in line with the reductions in the central funding this Council receives be taken forward.

Reasons for Proposed Decisions:

By setting out clear guidelines at this stage the Committee establishes a framework to work within in developing growth and savings proposals. This should help avoid late changes to the budget and ensure that all changes to services have been carefully considered.

Other Options Considered and Rejected:

Members could decide to wait until later in the budget cycle to provide guidelines if they felt more information, or a greater degree of certainty, were necessary in relation to a particular risk. However, any delay will reduce the time available to produce strategies that comply with the guidelines.

16. Any Other Business

It was noted that there was no other urgent business for consideration by the Sub-Committee.

17. Exclusion of Public and Press

The Sub-committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

CHAIRMAN

Report to the Cabinet

Report reference: C-051-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Asset Management & Economic Development

Subject: Sale of Church Hill Car Park, Loughton.

Responsible Officer: Chris Pasterfield (01992 564124).

Democratic Services Officer: Gary Woodhall (01992 564470).

Decisions Required:

(1) To agree the sale of land known as Church Hill Car Park to the highest bidder, Constable Homes Ltd, for £858,000 plus the Council's reasonable legal costs on an unconditional basis.

Executive Summary:

The car park is very small having only 34 spaces and has been closed since 2006. The land is surplus to Council requirements and is not required by any of the Council's services for operational reasons. There has been very strong interest in purchasing the site which after a marketing campaign by Bidwells LLP, the Council's agent, attracted 12 bids.

The dis-used site currently has an unkempt and run down appearance which would be changed if it was re-developed.

Reasons for Proposed Decision:

To provide a substantial capital receipt.

Other Options for Action:

To not sell the site and either try to let the land or for the Council to develop the site for commercial and/or residential use.

Report:

1. The Cabinet at its meeting on 12 March 2007 declared this site to be surplus to requirements as a car park. Subsequently Bidwells were appointed as agent by the Council to make a planning application which was given approval on 6 February 2008 for eight 1 bed and two 2 bed flats of which a minimum would be 40% affordable housing.

2. The Cabinet at its meeting on 10 March 2008 decided to withdraw the site from the market and keep under review pending an improvement in the residential sales market.

Resource Implications:

Finance - The sale would generate a substantial capital receipt.

Land - Best use of Council's assets in accordance with the Asset Management Plan.

Legal and Governance Implications:

Use of assets in accordance with the Council's strategy as set out in the Asset Management Plan 2012-2017.

Safer, Cleaner and Greener Implications:

Development of a currently derelict site.

Consultation Undertaken:

Expert advice taken from chartered surveyors, Bidwells LLP.
Asset Management Co-ordination Group.

Background Papers:

See attached plan.
Other background papers include a list of unsuccessful bidders.

Impact Assessments:

Risk Management:

By employing Bidwells LLP, a strong regional firm of chartered surveyors, the Council has been able to receive expert advice and undertake a marketing campaign that generated strong interest and capital bids.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?
None

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A

Due Regard Record

Name of policy or activity:

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, ‘paying due regard’, and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at ‘formative stages’ of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
2.12.2013 Director of Corporate Support Services	The car park has been closed for a number of years and is surplus to Council requirements and has been marketed for sale on an unconditional basis. It will be the responsibility of the purchaser to apply for planning permission and comply with all regulations.

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Epping Forest District Council

Civic Offices

High Street

Epping CM16 4BZ

Centre X: 543023.161		Centre Y: 197164.732		Width : 225.000		Angle : .000	
Time : 02:59:02 PM		Date : 28 Jun 2013		Scale : 1:1250		Date : 28 Jun 2013	
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Report to the Cabinet

Report reference: C-050-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Asset Management & Economic Development

Subject: An Assessment of Potential Strategy Options relating to Council Property Assets and Associated Costs.

Responsible Officer: Chris Pasterfield (01992 564124).

Democratic Services Officer: Gary Woodhall (01992 564470).

Decisions Required:

(1) That a District Development Fund growth bid in the sum of £160,000 for 2014/15 be approved to cover specialist consultant feasibility costs for projects as detailed in the report.

Executive Summary:

This report asks for funds to employ consultants to carryout design, valuation and costing of potential development for a number of properties in order for strategic decisions to be made regarding future use, sale and development including making planning applications as necessary. By obtaining this data the Council will be able to better assess risks associated with the proposals, and these are not skills that are currently available within the Council.

Reasons for Proposed Decision:

To achieve best value and most efficient use of Council property assets.

Other Options for Action:

To not progress sites. This would mean that the Council does not obtain information on cost, value, risk from professional consultants on which to make decisions regarding the properties which may indicate that they should be sold, held, developed by the Council, developed in partnership. A potential development site could also be substantially de-risked by obtaining a planning approval which might include other approvals such as approval from the highway authority which might otherwise be a barrier to development. It would also mean that the Council is unable to test the current market for capital or rental value or other remuneration such as affordable housing.

Report:

1. The Cabinet approved a budget of £195,000 at the meeting on 1 February 2010 to evaluate sites development potential and substantial progress has been made on a number of sites.
2. At the Cabinet meeting on 19 July 2010 expenditure was approved to fund half of the cost of making a planning application for a retail park on the Langston Road Depot and

adjoining land owned by Polofind Ltd.

3. At the Cabinet meeting on 30 January 2012 a budget of £205,000 to further progress sites development potential. Whilst not all of this money has yet been expended it is committed in current consultant contracts for projects such as Langston Road retail park, St Johns development area and the Sir Winston Churchill public house development in Debden.

4. A brief update of progress on sites is as follows:

(a) Land adjacent to Oakwood Hill – a planning application for this site has been submitted and withdrawn pending further information being required. It is anticipated that the application will be re-submitted by December 2013. Further site investigation has included liaising with London Transport, soil and structural reports, and highway reports.

(b) Langston Road Depot – planning application for retail park submitted December 2010. Outline planning approval has been granted and a Section 106 Agreement agreed. Negotiations regarding the Council's clawback provision over the Polofind Ltd half of the site have been agreed subject to contract and Council approval and this will need to be documented. A full planning application is being progressed under a separate budget but independent development/valuation advice is still required.

(c) North Weald Airfield – Following the Deloitte Report the Council are considering uses within and outside the airport perimeter as part of the new Local Plan process and new consultants are being appointed to look at a North Weald Master Plan. The Council are also keen to generate further income without compromising future proposals and parts of the site that can be developed are being looked at. The Council have a duty to obtain best value for their own land holdings whilst maintaining the independence of the local Plan. It is for these reasons that it is considered best for the Council to have independent advice regarding their own substantial land holdings.

(d) Town Mead Depot – A topographical survey has been completed and a report on flood issues prepared by Peter Brett Associates. It is anticipated that there will be further discussions with the Environment Agency. A layout plan has been prepared by the Council's in-house architect and discussions are taking place with Waltham Abbey Town Council regarding their adjoining land holdings.

(f) The Broadway/Torrington Drive – that includes adjoining land is being considered for a number of potential development uses.

(g) Sir Winston Churchill Public House – Heads of Terms have been agreed with C & K Investments Ltd for the redevelopment of the site and adjoin parking areas. C & K Investments Ltd have now submitted a planning application for a public house, two large retail units and 64 flats which is currently being registered. Independent development advice is still required.

(h) St John's Road – following a marketing exercise by ECC/EFDC/ETC over twenty expressions of interest have been received for development of the combined sites. These are currently being analysed and an initial briefing of members was given on 10 October with an outline of each bid.

(i) Pyrles Lane – planning approval for residential development has been refused. The Council are currently acquiring a property adjacent to the road entrance

to the site. Once this property has been acquired a revised planning application will be considered.

(j) Economic Development – this is an area that works closely with the Council's estates and property assets and often overlaps when the development of the Council's property portfolio brings a number of economic development benefits. To focus economic development more accurately it needs to be based upon a reliable data base of information so that decisions and judgements can be made more accurately. A great deal of information and research is being carried for the Local Plan preparation but it is felt more specific information relating to economic development is required and that consultants should be appointed to liaise with research for the Local Plan and carry out this work. This would ensure that a viable Economic Development Strategy could be formulated.

5. The Budget Estimate is as follows:

Land adjacent to Oakwood Hill	£ 20,000
North Weald Airfield	£ 50,000
Town Mead Depot	£ 10,000
The Broadway/Torrington Drive	£ 20,000
Sir Winston Churchill public house	£ 10,000
St John's Road development area	£ 15,000
Pyrles Lane Nursery	£ 5,000
Economic Development	<u>£ 30,000</u>
	£160,000 Total

Resource Implications:

Valuation and Estate Management section will be able to deal with reports from consultants.

Financial gain to the Council by way of capital receipts or revenue income by development of key sites.

Legal and Governance Implications:

Section 123 Local Government Act 1972 – best consideration for the land and property assets.

Safer, Cleaner and Greener Implications:

Each site will have implications that need to be taken into account which will become apparent as the scheme progresses.

Consultation Undertaken:

Asset Management Co-ordination Group.

Background Papers:

None.

Impact Assessments:

Risk Management

None undertaken at this time.

Equality and Diversity

No implications at this time.

Due Regard Record

Name of policy or activity:

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, ‘paying due regard’, and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at ‘formative stages’ of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
2.12.2013 Director of Corporate Support Services	This report requests additional funding for the Council to employ consultants to report on various Council properties and all appointments will be undertaken in accordance with contract standing orders.

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Report to the Cabinet

Report reference: C-053-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Finance and Technology
Subject: Local Council Tax Support Scheme 2014/15
Responsible Officer: Janet Twinn (01992 564215).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That Cabinet note the responses to the consultation on the scheme for 2014/15; and**
- (2) That in view of the consultation responses and experience of the 2013/14 scheme so far, no changes are made to the scheme for 2014/15.**

Executive Summary:

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

The 2013/14 Government funding to Councils for LCTS was set at 90% of what would have been available as subsidy if the Council Tax Benefit scheme had continued. Funding for 2014/15 is expected to reduce but the exact amount will only be confirmed with the settlement figures later this month.

The Pan Essex LCTS project group, comprising of all the billing authorities and the unitary authorities in Essex, was created in January 2012 to devise a modular approach upon which all Essex authorities could base their local schemes according to local needs. The precepting authorities of Essex County Council, Essex Fire Authority and Essex Police have been involved from the beginning of the project. The project is managed by the Benefit Managers under guidance from the Essex Finance Officers Association.

The development of the 2013/14 LCTS scheme for Epping Forest included consultation with the public and the major precepting authorities. It sought to achieve cost neutrality i.e. the cut in Government funding is offset by making reductions in the amount of support that working age households can receive. A scheme that is not cost neutral is likely to result in cuts to services by the Council and other precepting authorities. The scheme was approved by Council on 18 December 2012. It is too early to provide a definitive analysis of the 2013/14 scheme outturn as the collection and recovery rates are yet to be finalised. However, indications are that the scheme will achieve the required cost neutrality desired at the outset and the collection rate is higher than originally anticipated.

On 22 July 2013, Cabinet approved the general principle that the Local Council Tax Support scheme for 2014/15 should be cost neutral for the Council and that public consultation should be undertaken on certain elements of the scheme. Consultation on the 2014/15 scheme was

undertaken from 16 August 2013 to 30 September 2013. Following the consultation period Members now need to approve the scheme for 2014/15 and decide whether the scheme should remain in its current form for 2014/15 or whether any amendments should be made.

Reasons for Proposed Decision:

If any changes are to be made to the current scheme either for financial or other reasons, full Council needs to approve the final scheme on 17 December 2013.

Other Options for Action:

If the Council does not approve any amendments to the scheme by 31 January 2014, the existing scheme will have to continue.

Report:

Proposed Local Council Tax Support scheme 2014/15

1. In 2013/14, the Government funded LCTS with a specific grant of £1.119m (including the Town and Parish Council element), but for 2014/15 the funding has been rolled into the Council's overall funding position made up of Revenue Support Grant and locally retained business rates. The Department for Communities and Local Government (DCLG) has stated that although it will not be identifiable within the draft settlement figures, the allocation will be similar to that for 2013/14, although the overall package will be reduced. DCLG have stated that Members will need to decide on the value of the funding to be used for LCTS from 2014/15.

2. It is proposed that the Epping Forest LCTS scheme for people of working age continues for 2014/15 with the same scheme as for 2013/14. The main differences between the former Council Tax Benefit scheme and the LCTS scheme for 2013/14 are as follows:

- The calculation of support is based on 80% of the Council Tax bill, rather than 100%.
- The calculation of support will be based on a maximum of a band D property. This means that anyone of working age that lives in a property with a Council Tax Band of E, F, G, or H, has support calculated as if their property was a band D.
- Inclusion of child maintenance in the calculation with a disregard of £15 per week (per family). This was disregarded in full in the CTB calculation but is income that is received into a household that may not be available to other households that pay the same amount of Council Tax.
- The capital limit has been reduced from £16,000 to £6,000, so those with capital exceeding £6,000 will be required to make full payment of their Council Tax liability.
- Second Adult Rebate is not included in the scheme for people of working age. This is a form of benefit that is not based on the council taxpayer's income and circumstances, but is based upon the income of other adults living in the property.
- The period of backdating (with good cause) is reduced from 6 months to 3 months.
- An Exceptional Hardship Scheme for LCTS was introduced to support people whose individual circumstances mean that the increased Council Tax liability is causing them exceptional hardship.

3. If the current scheme is retained for 2014/15, it will bring some stability for current recipients of LCTS as they will know approximately how much LCTS they will receive and how much Council Tax they will have to pay. For 2013/14, some other Authorities decided to support the cut in funding themselves but they are now having to make some major changes to their schemes for 2014/15 as they cannot continue to fund the shortfall. Based on current forecasts, maintaining the current scheme in Epping Forest would enable a net neutral scheme to be delivered. It is anticipated that the Government will make further cuts to funding in future years and therefore the Pan Essex LCTS project group is currently considering how schemes can be changed for 2015/16 to both simplify the administration of the schemes and

to make further cuts in expenditure on the schemes. If major changes are to be made in 2015/16, it is sensible to have a stable scheme without changes for 2014/15.

4. Consultation was undertaken to specifically look at proposals to reduce expenditure on the current scheme by either reducing the maximum percentage from 80% and/or the inclusion of Child Benefit in the calculation of LCTS entitlement. Child Benefit always used to be included in the calculation of Council Tax Benefit until the previous Government decided that it should be disregarded. It is however an income into a household which may not be available to other households who have to pay the same amount of Council Tax.

5. Currently, the total expenditure on LCTS is £7,564,000, which is made up of £4,255,000 for elderly recipients and £3,309,000 for working age recipients. It was anticipated that expenditure on the current scheme would total £7,684,000 for 2013/14 and therefore there is a small surplus which is primarily due to a decrease in the caseload. The total number of recipients in April 2013 was 8417 and this has reduced to 8304 in October 2013.

6. When estimating likely expenditure on LCTS for 2014/15, there are several factors which will increase expenditure on the current scheme, even if the scheme itself does not change. Essex County Council have indicated that they will increase their precept by 1.99% and Essex Police have also indicated that they will be increasing their precept. These increases, together with any other Council Tax increases, will in turn increase the total expenditure on LCTS. In addition to this, the applicable amounts used in the calculation to assess a household's needs will increase in April 2014, and thereby give greater entitlement to LCTS. However, this will be partially offset by an increase in state pensions and benefits. Taking these factors into account, together with the current underspend this year, if the scheme is kept the same in 2014/15, cost neutrality should still be achieved.

7. If the scheme is changed to achieve further savings, a change to the maximum percentage of 80% for working age recipients would achieve approximately £46,500 savings per 1%. The inclusion of Child Benefit in the calculation without changing the maximum percentage would achieve savings of £198,000 whilst the inclusion of child benefit and a change to the maximum percentage, would achieve savings of approximately £198,000 plus £45,000 per 1%.

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

Consultation

9. Before final approval of the scheme, councils are required to consult with the major precepting authorities (County Council, Police & Fire Authorities) and the public. Essex County Council finance officers have attended the majority of the Pan Essex LCTS project group meetings and the Police and the Fire Authority are invited and receive minutes of all the meetings. All the precepting authorities have indicated that provided the schemes remain cost neutral, they will not object to the schemes.

10. If Members wish to make any changes to the current scheme, we must consult on those changes. This includes any changes to make the scheme more beneficial to certain groups as this may have a negative impact on other groups, including taxpayers that do not receive any LCTS. The only legal challenges that have been made to other Authority's LCTS schemes have been on the basis that consultation was not properly undertaken. Although

none of the challenges were successful, Officers have been mindful that consultation needs to be properly undertaken on any changes to the scheme. In view of the uncertainty of the amount of funding available for 2014/15, consultation with the public was carried out from 16 August 2013 to 30 September 2013. The consultation was asking for views specifically on retaining the current scheme for 2014/15 and whether the percentage should be changed and/or child benefit included.

11. The other Essex Authorities have been undertaking their own consultations during a similar period. The consultation process was the same as last year and each Authority has published information on their proposals on their website with a link for responses to ECC who have the necessary consultation software. People who do not have access to the internet or who wished to give a more detailed response were able to do so directly to the Council.

12. In addition to information on the website, leaflets explaining the current scheme, the consultation and how to respond were sent with 4,000 Council Tax bills during this period. This ensured that both taxpayers receiving no help to pay their Council Tax, as well as current recipients of LCTS were made aware of the consultation. As the cost of the scheme impacts on Council finances, all EFDC staff were notified that the consultation was being undertaken.

13. Only 41 responses to the consultation were received which, although disappointing, is in keeping with the response levels of the other Essex Authorities (and is similar to the level of response to last year's consultation). The results of the consultation are shown in Appendix 1. Respondents were also able to give any additional comments which varied from comments that the scheme needs to be the same for everyone and therefore fair to everyone, that there should not be a band D restriction, support should be reduced for the unemployed to give the incentive to work, and that people of pension age should not be protected. Overall the responses to the consultation that were received did not highlight any issues that would give cause to make major changes to the scheme.

14. In total, there were approximately 4,500 people affected who have had to pay some or more Council Tax in 2013/14. The response from claimants to the 2013/14 scheme has obviously brought complaints, but the majority have been accepting that they do have to pay some Council Tax this year. The area of change that brought the most vociferous complaints has been the band D restriction. Even then, the majority of complaints about this have been from the claimants living in Band G properties, of which there were only 48 claims affected out of 4,500.

15. After the consultation closed on 30 September, Gingerbread, the charity for single parent families, did make representations that the EFDC scheme should be changed to disregard child maintenance. It appears that they have written to every Local Authority that adopted a scheme to include child maintenance. No previous representations or complaints have been received about this particular aspect of the scheme. To give protection to specific groups of people has been considered but discounted as this would put a greater financial burden on non-protected groups of people, some of whom have an income of just £71.70 per week. Consultation was undertaken in 2012 on the proposals for our scheme, and the specific proposal to include child maintenance received support from respondents. Gingerbread have stated that the median amount of child maintenance is £12.00 per week, but £15 per week of any maintenance income is disregarded anyway, and, if a claimant is receiving a passported benefit, any child maintenance that they receive is still fully disregarded. Therefore the single parents with the more modest income are still protected by the EFDC scheme.

16. In 2008 The Institute of Fiscal Studies provided written evidence to Parliament that confirmed fully disregarding child maintenance would benefit those who are better off. They said -

“Disregarding child benefit in HB/CTB does not affect families who are receiving the full

entitlement of HB/CTB, as it is impossible for them to be entitled to any more HB/CTB; it only affects those families who are on the taper of HB/CTB, and those families who, without the disregard, have incomes sufficiently high to not be entitled to HB/CTB and who will become entitled with the disregard.”

17. If maintenance is disregarded as income in future years, the impact on other claimants would need to be considered. In order to make up the shortfall in overall scheme savings that such a measure would necessitate, it would probably be necessary to look at reducing the maximum amount that can be awarded to people of working age. Currently this is 80% for the EFDC scheme but, if further savings were required because child maintenance is disregarded, that percentage may need to decrease. This would increase the amount that all claimants have to pay, including single parents that do not have the benefit of additional income from child maintenance. Therefore, by helping single parents with a higher income, it will in fact place a greater financial burden on those single parents with a lower income.

18. Due to the fact that in over a year, no-one had raised any concern over the inclusion of child maintenance as income, this is not an aspect of the EFDC scheme that we were looking to change and therefore it was not included again in the consultation for the 2014/15 scheme. As we have not consulted on such a change and there is no time to do so now, if this aspect of our scheme was changed for 2014/15 it would be vulnerable to challenge.

Resource Implications:

LCTS scheme for 2014/15:

For 2014/15 the funding has been rolled into the Council's overall funding position made up of Revenue Support Grant and locally retained business rates. The DCLG has stated that although it will not be identifiable within the draft settlement figures, the allocation will be similar to that for 2013/14, although the overall package will be reduced. If a similar allocation is used for LCTS in 2014/15, the same scheme as 2013/14 should still achieve cost neutrality.

The LCTS scheme needs to be designed to ensure, as far as possible, stability and sustainability in the Council's finances. LCTS is not a benefit and it is treated as a discount within the Council Tax calculations. This means that the Council's taxbase will reduce (as will the taxbase for all other preceptors). The anticipated funding from the Government should cover the lost Council Tax income although the DCLG will not be confirming the actual grant to each Authority until Christmas.

Exceptional Hardship Fund:

In 2013/14 there has been a small hardship fund to assist households which have been experiencing exceptional hardship. It is anticipated that the current year's budget for this fund will be adequate. The County, Fire and Police are all contributing towards this fund and they have agreed that they will continue with those contributions for 2014/15.

Legal and Governance Implications:

There is a legal requirement to make a LCTS scheme under the Local Government Finance Act 2012.

Safer, Cleaner and Greener Implications:

There are no specific implications.

Consultation Undertaken:

Consultation has been undertaken with Essex County Council, the Police and Fire authorities and the public. The results are detailed in this report.

Background Papers:

Council report 18 December 2012.

Cabinet report 22 July 2013.

Impact Assessments:

Risk Management:

There are a number of financial risks associated with the LCTS scheme, and being only part way through the first year, it is too early to be certain of the effects. Monitoring against taxbase and collection is continuing but no major problems have been identified to date.

Consultation

Consultation on LCTS has been undertaken as outlined in the Welfare Reform Act 2012.

Demand Risk

The Government grant in 2014/15 will not be as clearly identifiable as it was in 2013/14. There is a possibility that demand and eligibility for financial support under the LCTS for 2014/15 may be greater than in 2013/14, particularly if economic conditions worsen. The cost of additional discounts would be borne in proportion by the major precepting authorities (ECC, Police, Fire, EFDC). Conversely if demand falls (e.g. if economic conditions improve), the additional saving would be realised by the same authorities.

Inflation Risk

Council Tax freezes have operated in the last three years. However, there is a risk that if Council Tax is increased by County, Police, Fire, District or Parishes, then the cost of LCTS will increase.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? Yes

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? Yes

What equality implications were identified through the Equality Impact Assessment process?
A formal Equality Impact Assessment was undertaken for the 2013/14 scheme. The recommendation is that this scheme continues for 2014/15 and therefore the Equality Impact remains the same.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
Stage 1 and stage 2 Customer Impact Assessments have been published on the Council's website.

1: Should the Council make any changes to the existing Local Council Tax Support scheme?		
	Response Total	Response Percentage
Yes	19	46%
No	14	34%
Don't know	8	20%
	Total Respondents	41
	Skipped the question	103

2: If the Council has a reduction in the Government funding for Local Council Tax Support, how should the Council fund the shortfall?			
	Yes	No	Response Total
Change the scheme to reduce the amount of LCTS paid?	87.8% (36)	12.2% (5)	41
Increase the Council Tax	7.32% (3)	92.68% (38)	41
Cut services provided by the County, District, Town & Parish Councils	17.07% (7)	82.93% (34)	41
	Total Respondents		41
	Skipped the question		103

3: Currently the maximum Local Council Tax Support that can be paid to people of working age is 80% of their Council Tax liability. If the Council has to make changes to the scheme, should the maximum percentage be reduced to fund the shortfall?		
	Response Total	Response Percentage
Yes	30	73%
No	9	22%
Don't know	2	5%
	Total Respondents	41
	Skipped the question	103

4: Currently Child Benefit is not counted as income for Local Council Tax Support yet it is income that is actually received. Should Child Benefit be included as income for Local Council Tax Support?		
	Response Total	Response Percentage
Yes	28	68%
No	12	29%
Don't know	1	2%
	Total Respondents	41
	Skipped the question	103

5: In 2013/14 there is a small Exceptional Hardship Fund to help people to pay their Council Tax where they are experiencing severe hardship. Should this fund be continued in 2014/15?		
	Response Total	Response Percentage
Yes	29	71%
No	10	24%
Don't know	2	5%
	Total Respondents	41
	Skipped the question	103

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Due Regard Record

Name of policy or activity:

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, ‘paying due regard’, and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

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Date / Name	Summary of equality analysis
13/11/13 Janet Twinn Assistant Director of Finance & ICT - Benefits	<p>A formal Equality Impact Assessment was undertaken for the 2013/14 scheme. The recommendation is that this scheme continues for 2014/15 and therefore the Equality Impact remains the same. As LCTS is awarded to those on low income, any change will hit such households the hardest, as working age residents on a low income will have more Council Tax to pay. A high impact was identified on several groups including people below pension age with disabilities and/or families with children</p> <p>The scheme spreads the changes as widely as possible among the affected client group to reduce inequalities. The scheme includes matters in the calculation such as premiums for children and disabled persons, thereby giving some protection to more vulnerable groups. The Exceptional Hardship Fund will assist people with the most exceptional circumstances.</p>

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Report to the Cabinet

Report reference: C-059-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Finance and Technology
Subject: Pooling of Non-Domestic Rates
Responsible Officer: Bob Palmer (01992 564279).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To confirm the previous in principle decision to join the Essex Region Business Rates Pool; and**
- (2) To delegate authority to the Director of Finance & ICT, in consultation with the Finance & Technology Portfolio Holder, to approve and sign the detailed pooling agreement.**

Executive Summary:

Cabinet received a report on 22 July 2013 which set out the potential advantages of entering into a non-domestic rates pool. This work has been taken forward and an expression of interest was submitted to the Department of Communities & Local Government (DCLG) before the deadline of 31 October.

The principles underlying the scheme were agreed by the Essex Strategic Leaders Finance Group but the formal pooling agreement is still to be completed and signed.

Reasons for Proposed Decision:

To confirm the Council's membership of the Essex Region Business Rates Pool for 2014/15.

Other Options for Action:

Members could decide not to pursue the option of pooling, although to do so would expose the Council to a greater degree of financial risk.

Report:

1. On 22 July Cabinet gave in principle agreement to joining a pool for non-domestic rates. It was agreed that this work would be supervised by the Essex Strategic Leaders Finance Group and that a scheme similar to that already in existence in Suffolk should be pursued.
2. The Essex Strategic Leaders Finance Group met on 30 September and 23 October and agreed the underlying principles of the scheme so that an expression of interest could be submitted before the 31 October deadline. DCLG have acknowledged receipt of the

application but they will need to evaluate all of the expressions of interest they have received before being able to determine which can go forward. The guidance issued by DCLG made it clear that if there were too many pooling applications across the country some could be refused.

3. The document submitted to DCLG is attached as Annex 1 and there are a number of points in it to bring to the attention of Members. Firstly, not all eligible authorities joined and this is summarised in the table below –

<u>Authorities joining the pool</u>	<u>Authorities not joining the pool</u>
Braintree District Council	Basildon District Council
Castle Point District Council	Brentwood Borough Council
Chelmsford City Council	Maldon District Council
Colchester Borough Council	Southend Unitary Council
Epping Forest District Council	Thurrock Unitary Council
Essex County Council	Uttlesford District Council
Essex Fire Authority	
Harlow District Council	
Rochford District Council	
Tendring District Council	

4. Basildon and Thurrock councils have accepted an invitation to join an alternative pool with two London Boroughs. Uttlesford have voluntarily excluded themselves as they were concerned that they might be in the non-domestic rate system safety net in 2014/15. Brentwood, Maldon and Southend did not offer any comment or reasoning for deciding not to join the pool.

5. One of the aspects claimed for the Suffolk scheme that came under greater scrutiny in constructing detailed models of an Essex scheme was the claim that members of a pool could not be worse off inside a pool than they would have been outside the pool. The modelling has shown that if all authorities in the pool suffer reductions of approximately 5% in their rating lists this could result in an authority being worse off. However, it should be stressed that this is an extreme and very unlikely scenario. It is possible that an individual authority may see a decline of that magnitude but for all of the pool members to see reductions of that size there would have to be a severe economic recession across the entire county.

6. To provide confidence to other partners in the pool, there is a requirement that no authority should join if they anticipate a reduction in their rate list of 7.5% which would put them in the non-domestic rate safety net. All authorities were required to provide evidence on their current rating lists before being eligible to join the pool. This Council's list is currently showing a reduction of approximately 1% but this is within acceptable limits for membership and several other members have recorded growth in their lists.

7. There was some debate about how the financial gain (or loss) from pooling should be split. The Districts and Boroughs felt greater weighting should be given to each authority's share of business rates income whilst the County felt greater weight should be given to each authority's baseline funding. A compromise position was reached with a formula that is based half and half on rates income and baseline funding level. One of the models of the potential financial outcomes assumed no overall growth in the pool. This model showed that compared to not pooling an additional £2.154 million is retained across the pool as a whole, with this Council gaining approximately £100,000 of additional funding.

8. The previous report included the idea of the first £1 million of additional funds being retained as a safety net, mirroring the Suffolk scheme. On further consideration it was decided to fully distribute any additional funds. The contrast with the Suffolk scheme is a reflection on the different nature of the schemes. The Suffolk scheme involves all authorities in that county and is likely to continue in a steady state with that same membership. So it is reasonable to retain some funds within the scheme as the same members will contribute and benefit. In Essex it is likely that authorities will join or leave the scheme in subsequent years and so the scheme will probably only exist in its current form for one year. Therefore, it is not appropriate to retain funds within the Essex scheme for any longer than one year.

9. The Pooling prospectus issued by DCLG required expressions of interest to be submitted by 31 October but did not provide a timetable beyond that for when pools would be informed of the success or failure of their applications. So the Essex Pool is ready to proceed if approved, work is being done to draw up a more formal and detailed pooling agreement. This work has been taken on by the Public Law Partnership and allocated to the legal team at Colchester Borough Council. As a response may be required that does not fit with our calendar of meetings it is recommended that the original in principle decision is now confirmed and that authority to conclude the final agreement is delegated to the Director of Finance & ICT in consultation with the Finance & Technology Portfolio Holder.

Resource Implications:

The implications cannot be precisely quantified as they will depend on the changes in non-domestic rates lists in the pooling authorities during 2014/15. However, based on the modelling it is anticipated that even with no growth in the pool this Council would be approximately £100,000 better off.

If all authorities participating in the pool simultaneously experienced significant reductions in their rating lists it is possible that an authority could be worse off than if they had not pooled. However, this scenario is extremely unlikely to arise.

Legal and Governance Implications:

The Local Government Finance Act 2012 creates the ability for authorities to pool their non-domestic rates. Work on a detailed pooling agreement is being undertaken by the legal team at Colchester Borough Council, under the supervision of the Public Law Partnership.

Safer, Cleaner and Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

Consultation has been undertaken with all Essex authorities through the Essex Strategic Leaders Finance Group.

Background Papers:

Report to 22 July Cabinet

Impact Assessments:

Risk Management

There is a risk that if a pool is not constructed the resources available to Essex authorities are not being maximised. The risk to each authority is reduced by joining with a wider geographical area covering a more diverse range of business activities. It is less likely that the whole area of the pool will suffer a reduction in rating lists than any one authority standing alone.

Due Regard Record

Name of policy or activity: Pooling of Non-Domestic Rates

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, ‘paying due regard’, and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at ‘formative stages’ of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
6/11/13 Director of Finance & ICT	This policy is intended to increase the resources available to the Council through joining with other Essex Authorities in a pool for non-domestic rates. Whilst the policy is aimed at increasing overall resources it does not deal with the use of those resources and so has no equalities implications.

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Essex Region Business Rates Pooling Proposal

1. Geographic coverage of the Pool

This Pool is to be formally known as the 'Essex Region Pool' and its membership is open to all local authorities that operate within the County of Essex.

2. Membership and Benefits

2.1. Membership

The following local authorities would like to confirm their intention to form a business rates pool under the arrangements set out in the Pooling Prospectus issued by the Department for Communities and Local Government in July 2013.

Braintree District Council
Castle Point Borough Council
Chelmsford City Council
Colchester Borough Council
Epping Forest District Council
Essex County Council
Essex Fire Authority
Harlow Council
Rochford District Council
Tendring District Council

2.2. Benefits

Local Authorities in the Essex region recognise that by pooling together we can retain a greater proportion of any business rate growth within the Pool area. This will provide us with an opportunity to promote and encourage further economic growth within this area.

The proposal commands wide political support and is entirely consistent with the Localism Agenda.

3. Lead Authority

The Authorities within the Essex Region Pool have agreed that Essex County Council will act as the Lead Authority for the Pool.

Essex County Council
County Hall
Market road
Chelmsford
CM1 1QH

4. Governance Agreement

The proposed Governance Agreement for the Essex Region Business Rates Pool is attached as Appendix A.

Appendix A

Essex Region Business Rates Pool

Governance Agreement

1. Purpose

- 1.1. This Governance Agreement sets out arrangements that are to be followed by all member authorities of the Essex Region Pool. The member authorities of the pool have agreed to enter into this arrangement to formalise their commitment and to set out their respective roles and responsibilities within the Pool.
- 1.2. The Purpose of this agreement is to show expression of interest and agreement to the general principles of the Pool by the member authorities. It will be followed by a more detailed legal agreement stating all the principles that are to apply to the operation of the Pool.

2. Pool Membership

- 2.1. The following local authorities are predicting their business rates income remain above the Government set safety net level for their authority and would therefore like to confirm their intention to form a Pool:

Braintree District Council
Castle Point Borough Council
Chelmsford City Council
Colchester Borough Council
Epping Forest District Council
Essex County Council
Essex Fire Authority
Harlow Council
Rochford District Council
Tendring District Council

3. Lead Authority and their Responsibilities

- 3.1. The Lead Authority for the purposes of administering the Essex region Pool will be Essex County Council.
- 3.2. The Lead Authority is to act as a point of contact for communications with the Government with regards to matters relating to the Pool, and will be the designated body through which

all payments due to or from the Pool will be paid to the Government at the agreed timetable as stated in the relevant legislation.

3.3. The Lead Authority is responsible for administration of the Pool and will be refunded subject to prior agreement by the Governing Board, any reasonable costs incurred for this function by the other member authorities from the Pool's funds, after producing a statement detailing the costs incurred.

3.4. The Lead Authority will notify all the other members of the Pool of the dates when transfers of any funds from and to each member authority are due.

3.5. Any surplus funds held by the Lead Authority are to be invested in a DMO or similar account until they are due to be reimbursed to the member authorities.

4. Governance

4.1. A Governing Board will be set up meeting at least once a year to determine amongst other things the allocation of resources (see below section 5) and agree membership of the Pool, or at any such occasion when, by mutual agreement there is a need to arrive at a critical decision.

4.2. Any issues requiring a decision to be made by the Board will be based on a majority vote, where each member authority has one vote. A minimum two thirds of the board members must be present for any such vote.

5. Distribution of the funds

5.1. It is proposed that the Essex Region Pool distributes its funds on a 'no worse off' basis. Each member authority will receive the same payments it would have received as if it were not in the Pool, subject to available resources within the Pool. (This includes the treatment of growth in enterprise zones and new renewable energy schemes.)

5.2. All member authorities are required to fund any reduction in their Business Rates income up to the level of their safety net (currently set as a 7.5% reduction in an authority's baseline funding level). Funds from the Pool will not be allocated until the audited NDR3 is available. At this stage any safety net payments will be made prior to the distribution of any remaining surplus of the Pool to member authorities.

5.3. The balance of the Business Rates income after the payment of the administration costs to the Lead Authority and any safety net payments will be distributed as follows:

5.3.1. Any surplus remaining after payment of the pool levy, will be distributed as follows:

- 50% of the net gain will be distributed using each authority's baseline funding level, and

- 50% of the net gain will be distributed using each authority's local share of Business Rates income (based on the audited NDR3)

5.3.2. Where the pooling of the Business Rates income results in a net loss, this will be funded by the member authorities as follows:

- 50% of the net loss to be funded using each authority's baseline funding level, and
- 50% of the net loss will be funded using each authority's local share of Business Rates income

5.3.3. If the Pool runs a cash deficit the Pool members in deficit will reimburse the banker any lost interest at the Bank of England base rate.

6. Dissolution of the Pool

6.1. The membership in the Pool is on a voluntary basis and any member authority will be able to leave the Pool at the end of the financial year.

6.2. A member authority that wishes to leave the Pool must notify the other Pool members of their intent no later than six months prior to the beginning of the next financial year to allow remaining members sufficient time to reconsider continuation of the Pool or the Pool dissolution.

6.3. If it is determined that the pool will be dissolved, any accumulated funds will be distributed on the basis of the net gain distribution as described in section 5.

Signed on behalf of:

Braintree District Council	

Castle Point Borough Council	

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Chelmsford City Council	

Colchester Borough Council	

Epping Forest District Council	

Essex County Council	

Essex Fire Authority	

Harlow Council	

Rochford District Council	

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Tendring District Council	

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Report to the Cabinet

Report reference: C-060-2013/14
Date of meeting: 2 December 2013



Portfolio: Planning

Subject: Local Plan Evidence: Updated Population Forecasting Work and Update to the Strategic Housing Market Assessment

Responsible Officer: Sarah King (01992 564347).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To note the updated population forecasting report from Edge Analytics, and accept it into the Local Plan Evidence Base;**
- (2) To note the updated Strategic Housing Market Assessment, and accept it into the Local Plan Evidence Base; and**
- (3) To note that the updated Strategic Housing Market Assessment will need to be revised in light of the population forecasting report from Edge Analytics.**

Executive Summary:

This report seeks the acceptance of two key pieces of technical work into the Local Plan Evidence Base.

The first is updated population forecasting work by Edge Analytics. This new work has been produced for Epping Forest District alone, and uses the most up to date information available, including newly released 2011 Census information, and new household formation rates.

The second is an updated Strategic Housing Market Assessment (SHMA), which considers the housing market, particularly in terms of affordability, current housing need, property prices and future need. The updated SHMA is already in the public domain by virtue of having been published by the other authorities which are part of the Housing Market Assessment group: Harlow, East Hertfordshire and Uttlesford Councils.

Reasons for Proposed Decision:

Adopting these two key pieces of technical work into the Local Plan Evidence Base will enable the Council to work towards a sound new Local Plan, which uses robust information. This in turn means that the new Local Plan would be far more likely to be accepted at Examination in Public by the independent Inspector.

Other Options for Action:

Not to adopt either, or both, documents into the Local Plan Evidence Base. However, if the new Local Plan was to be prepared without these two key pieces of technical work, it would be

lacking robust evidence, and not be prepared in accordance with the National Planning Policy Framework and other guidance. In that case, the Council would need to rely on the previous Essex-wide population study, and the original 2010 SHMA, both of which do not use detailed data from the 2011 Census and suggest a far higher figure than the more up to date evidence. Without a robust evidence base there could be a serious risk that the new Local Plan would not be found sound at Examination in Public, and could not be adopted by the Council as policy. If this were the case, it would be far more difficult for the Council to manage future development in the district.

Report:

Introduction

1. Two new key pieces of evidence have been prepared to inform the Local Plan. These are:

- (i) new population forecasting work by Edge Analytics; and
- (ii) an updated Strategic Housing Market Assessment (SHMA) by Opinion Research Services.

2. Epping Forest District was part of the Essex Planning Officers Association (EPOA) joint approach to population forecasting, that covered all of Essex and some adjacent authorities. This group work was completed in early 2013. However, Members and officers were concerned about the Office of National Statistics official population projections (published in 2012, but based on data from 2010) which fed into that study. Further work to investigate the detail of these governmental projections and to update the forecasts using new data released since the EPOA project ended, was commissioned for Epping Forest District alone and is now presented.

3. The Strategic Housing Market Assessment (SHMA) update follows on from the original SHMA published in 2010. The National Planning Policy Framework (NPPF) requires every local authority to be part of a SHMA, in order to adequately assess need, affordability and other issues within the housing market. A SHMA generally covers more than one local authority area as housing markets do not respect administrative boundaries; this is the case with the new SHMA update.

4. Both the updated population forecasting and the updated SHMA are key pieces of technical work which are needed to inform the Local Plan. Both need to be used in carefully assessing future housing need, and to help produce a 'sound' Local Plan (i.e. a Plan which is accepted at Examination in Public).

Updated Population Forecasting Work

5. With the abolition of regional housing targets, the NPPF requires all local authorities to *'.....plan for a mix of housing based on current and future demographic trends'* (para. 50). Essex Planning Officers Association (EPOA) commissioned Edge Analytics to forecast population and household growth for all of the local authorities in Essex (plus a few adjacent authorities) in 2011. This work used the nationally recognised POPGROUP forecasting model, and national and local data, to forecast how population was likely to change at local authority level.

6. The first two phases of work were published in early 2012, and used government's 2008-based Sub-National Population Projections (at local authority level, published 2010) to forecast potential population and household growth, and therefore likely housing growth.

Several forecasts were given, some based on trend (i.e. 'business as usual'), some on housing targets (as set out in the former East of England Plan) and some on likely jobs growth (related to growth in the labour force). These results were presented to Members in spring 2012. The third phase of the work updated these forecasts using 2010-based Sub-National Population Projections (published later in 2012). These showed a significant increase in the projections for Epping Forest District, particularly in internal migration (i.e. migration to and from other parts of the UK).

7. Members and officers were concerned about this large increase compared to phases 1 and 2, and wanted to investigate the information behind it. The fourth phase of the Essex-wide work considered the phase 3 forecasts against the first data from the 2011 Census, but no sufficiently detailed data had been released to allow for updated forecasts at that time.

8. Edge Analytics were then commissioned by EFDC to update the forecasts using data released in spring 2013: detailed 2011 Census information, new household projections (which predict how many people will live alone or in groups etc.), and revised estimates of how the population of the district had changed between 2001 and 2011. The new work also analysed changes between the Censuses at ward level, and investigated the internal migration patterns to and from the district (from within the UK) through new data.

9. The new work was carried out by Edge Analytics, who have very significant experience in the field, and the benefit of familiarity with the issues Epping Forest District faces by virtue of their work on the Essex-wide study. They used the same POPGROUP model as that within the Essex-wide work. This is advisable in relation to the Duty to Co-operate, as it conforms to the same assumptions agreed by all of the Essex authorities in the group work and so is more robust. It is also a nationally recognised and used model.

10. All of the forecasts from the Essex-wide EPOA study were rerun in the new work, except for the economic forecast. The original EPOA study contained an economic forecast based on the East of England Forecasting Model results. However since that time, the results of that model for this district have been called into question. The East of England Forecasting Model (developed by a company called Oxford Economics) was predicting a very significant level of economic growth in the district in the next few years, despite the district having a relatively small labour force due to an (on average) older population, and a very high amount of out-commuting. The experienced consultants preparing the population work advised that they seriously questioned the economic projection for this district within the East of England Forecasting Model. It was not considered appropriate to rerun this scenario.

11. Instead, and in order that economic issues could be properly reflected, the consultant who is working for the Council on economic data analysed the local 'trend' of growth in employment in the district in recent years, and projected this forward. This information was fed into the population forecasting and produced the 'Employment - Historical Trend' forecast. An additional forecast using this data, but including an extra 10% employment growth to model the effect of a more ambitious future approach to economic development locally and, for example, planned regeneration in Loughton Broadway and St. John's Road Epping, and the retail park at Langston Road, fed into the other new forecast, called 'Employment - Historical Trend plus 10%'.

12. The new population projections using freshly released data predict a lower level of trend population growth than that suggested by the government's official 2010 projection (released in 2012).

13. Edge Analytics have produced two ranges of forecasts, recognising the differences between the household projections published in 2008 and those in 2011. The household projections of 2011 suggest that nationally, household growth (new households being formed)

is slightly lower than previously predicted by government, probably partly due to the impacts of the recession. The 2011 lower rate of growth of households suggests a slightly lower level of housing need in future. However, it is also important to remember that these 2011 figures relate to a period of recession (which was not typical), and to a period of restriction on the availability of mortgage finance. The new forecasts are thus presented in two groups; group 'A' which use the 2011 (lower) household projections, and group 'B' which use the 2008 (higher) household projections. These are both presented in the Edge Analytics report to allow an informed discussion.

14. The results are shown below, with the **updated population trend forecasts shown in bold**:

Edge Analytics Population and household forecasts 2011-2033

(from table 5 Scenario dwelling growth summary, p43 of the population forecasting report)

Forecast	Dwellings per year		
	Group A (2011 households data)	Group B (2008 households data)	Average of A & B (to nearest unit)
'Official' government trend (SNPP-2010)	698	741	720
Employment - Historical Trend plus 10%	575	628	602
Employment - Historical Trend	556	609	583
Approved RSS Pure	455	455	455
Approved RSS Realistic	454	454	454
Draft Review RSS Realistic	365	365	365
Updated population trend 1^A	360	401	381
Draft Review RSS Pure	360	360	360
Updated population trend 2^B	358	400	379
Updated population trend 3^C	311	353	332
Updated population trend 4^D	302	344	323
Net-nil migration	240	273	257

A Updated population 1 aka Migration-led 10yrs Zero - based on last 10 years of internal migration data, & assuming international migration is zero overall

B Updated population 2 aka Migration-led 5yrs - based on last 5 years of both internal migration data, & international migration data

C Updated population 3 aka Migration-led 10yrs - based on last 10 years of both internal migration data, & international migration data

D Updated population trend 4 aka Migration-led 10yrs-5yrs - based on last 10 years of internal migration data, & on last 5 years international migration data

15. The 'A' group forecasts (using the lower, 2011 household projections) cover a wide range from 240 to 698 dwellings per year, but the **updated population trend forecasts are within a bracket of 302 to 360** dwellings per year (equating to 6,644 to 7,920 over 2011-2033).

16. The 'B' group (using the higher, 2008 household projections) covers a range of 273 to 741 dwellings per year, but the **updated population trend forecasts are within a bracket of 344 to 401** dwellings per year (equating to 7,568 to 8,822 over 2011-2033).

17. The full report goes into considerable detail as to how these figures are derived, and

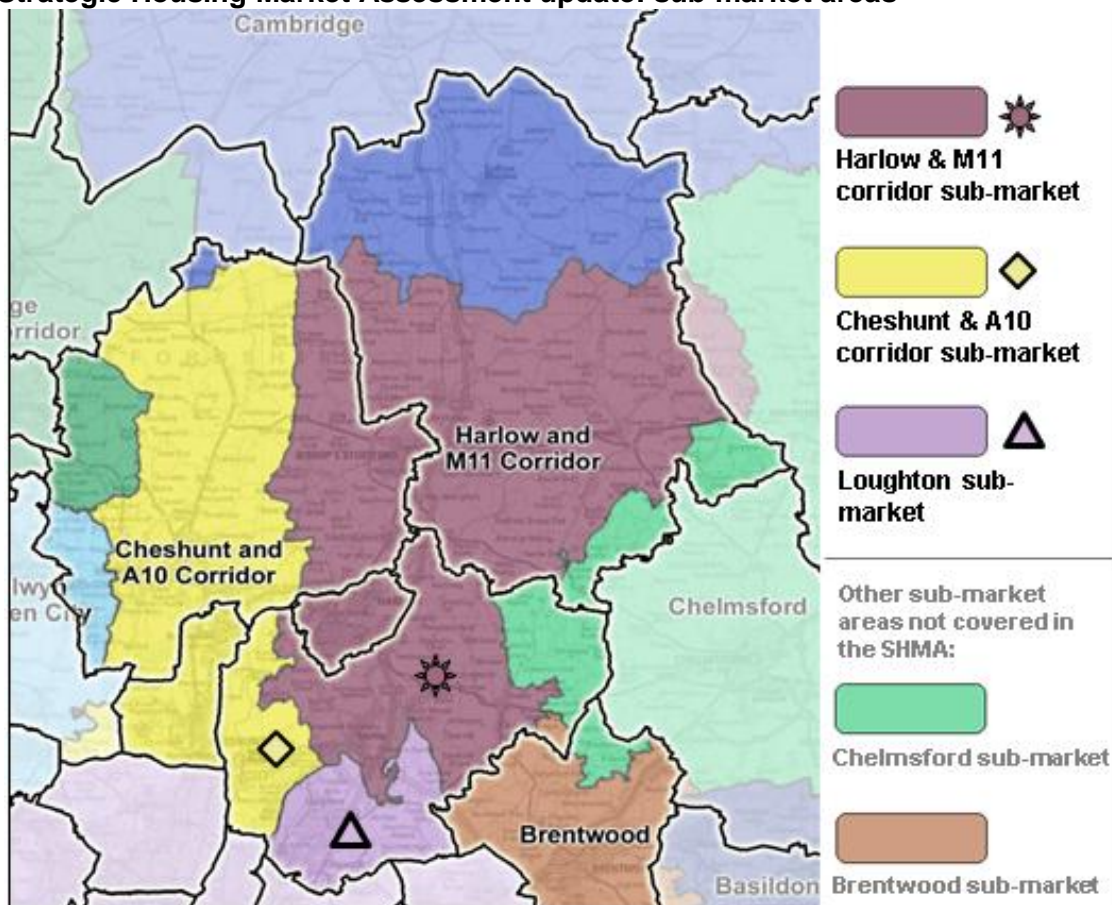
the robustness of the underpinning data.

Updated Strategic Housing Market Assessment (SHMA)

18. The NPPF directs that local authorities must ‘.....prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries’ (para. 159) This is necessary because housing markets usually cover more than one local authority, and also because cross-boundary working is required under the Duty to Co-operate.

19. The SHMA update covers the ‘London Commuter Belt East/M11 Sub-region’ Housing Market Area, which includes the districts of Epping Forest, Harlow, East Hertfordshire and Uttlesford. The original 2010 SHMA also incorporated Brentwood and Broxbourne districts, but both of these authorities declined to be included in the SHMA update. Brentwood has chosen to join a SHMA group with the more central and western Essex districts of Braintree, Chelmsford, Colchester and Maldon. Broxbourne has had a SHMA produced for its district alone.

Strategic Housing Market Assessment update: sub-market areas



Adapted from London Commuter Belt East Sub-region SHMA 2010, ORS

20. The document then divides the Housing Market Area into three sub-market areas as follows:

- ‘Harlow and M11 corridor’ – covering Epping, North Weald, Ongar, High Ongar, Thornwood, Sheering, Epping Green, Epping Upland, Stanford Rivers and some more rural areas (and all of Harlow, most of the southern half of Uttlesford, and eastern part of East Hertfordshire);
- ‘Cheshunt and A10 corridor’ – covering Lower Nazeing, Waltham Abbey,

Sewardstone, part of Roydon and some more rural areas (and the central part of East Hertfordshire); and

- 'Loughton' – covering Loughton, Loughton Broadway, Buckhurst Hill, Chigwell, Abridge, Theydon Bois, Stapleford Abbots and some more rural areas (in Epping Forest District alone).

21. Small parts of the district look to other housing market sub-areas in Chelmsford and Brentwood, but these are not covered by the SHMA update, as to cover all of the areas would almost necessitate a county-wide SHMA. This would be too broad to be helpful, as it would potentially contain a very large number of sub-market areas.

22. The SHMA update gives information on several topics including existing housing stock, dwelling prices and affordability, the possible impacts of national policy and legislative changes, current housing need and potential future housing requirements from 2011-2033 (the period of the new Local Plan). It is important to note that, in relation to future need, the SHMA update uses 2010 official population projections, and it will require review in the light of the work by Edge Analytics referred to above. However, the SHMA update still gives helpful guidance on the likely proportion of affordable housing, and the mix of dwelling sizes, required. The following points are general. They relate to the whole of the Epping Forest District Council area.

23. **Increases in housing stock** – Council tax bands run in a range from A to H, with A being the least 'expensive' (lowest market price) and H being the most expensive. Of new homes built in Epping Forest District between 2001 and 2011, the highest proportion was in band E (22.8%). The other dominant bands in terms of new homes were D, C and F. Uttlesford District shared this trait, while Harlow and East Herts have higher proportions built at lower bands between 2001 and 2011.

24. **Dwelling prices and affordability** – between 2000 and 2012, the average price of a home in Epping Forest District increased by 116%. This is the highest of all the four authorities within the SHMA. Much of this increase of course occurred in the 'boom years' before about 2007, nonetheless, prices started to rise again from 2009. Only around 6% of the stock now sells for under £150,000, with around 60% selling for more than £250,000 - this is again the highest proportion of all four local authorities. The highest rate of house price growth has occurred in flats and the lowest in detached dwellings.

25. **The possible impacts of national policy changes** – the Welfare Reform Act of 2012 capped Local Housing Allowance rates, and set them to the 30th percentile of local rents, as opposed to the 50th percentile as it was before. From April 2013, Housing Benefit entitlement reflects family size, meaning that if extra bedrooms in a property are deemed to not be required by that family, they will not receive funding for those extra bedrooms. This means that they will either have to pay the balance of the rent themselves, or move to a smaller dwelling. There is very little information available on the impact of this as it is such a recent change. However, the consultants suggest that this could lead to many families in receipt of Housing Benefit downsizing, adult children contributing to the cost of staying at home with their parents, and in the extreme, rent arrears and possible evictions.

26. **Potential future housing requirements from 2011-2033** – the projections suggest that by 2033 there will be, compared to 2010, 8% more one person households and 3% less couple households, together with 2% more lone parent households. This pattern is common to all four local authorities. It has implications for housing as both trends suggest a need for proportionately more, and smaller, dwellings to population.

27. The dwelling number forecasts made in the SHMA update use the official governmental 2010 population projections for each district, as the new Edge Analytics work was not available

at the time of preparing the document, and was only being prepared for Epping Forest District and not the rest of the SHMA group. Planning officers suggested to the SHMA group that the figures should be reviewed using the new data, but the other three authorities are reluctant to do so as a group. This Council will thus separately review the figures for future requirements in a further update to the SHMA. However the current projections are still useful, as the proportions and types of homes, and affordability levels, are still relevant, even though the actual numbers are less current.

28. Revising the SHMA update to use the new Edge Analytics population forecasts being presented as part of this report will make the SHMA even more up to date, and will make a clear link between the population forecasting and the SHMA.

29. The report gives different figures and tenure splits relating to each of the four population forecasts. However, it should be noted that the 'Net-Nil Migration' forecast is included for information only, as net-nil migration does not reflect reality, and a net-nil migration scenario has not been supported by the Planning Inspectorate in recent Examinations. Also, the SHMA update includes a 'Former East of England Plan' forecast. This is included because at the time of the original SHMA the East of England Plan was still in place, although it should be noted that this has now been revoked.

30. The four forecasts from Figure 39 in the report are summarised below. Again it should be noted that the SHMA update uses the 2010 official population projections, and will require review in light of the new Edge Analytics population work. However, the SHMA update still gives general advice on the likely proportion of affordable housing, and dwelling size mix.

31. The SHMA update notes that the results for all of the forecasts except the 'Net-Nil Migration', are similar to those within the original SHMA in 2010 in terms of the split between market and affordable housing (of any type):

Tenure mix of housing requirement for Epping Forest District to 2033

(from Figure 39: on p33 of SHMA update report) **NB** – these figures are based on the 2010 official ONS population projections and will need to be updated using the new population forecasts from Edge Analytics – see paras 22 and 30 above.

	Tenure	Trend	Former East of England Plan	Net-Nil Migration	Jobs-led
Dwelling Numbers	Market	5,900	5,600	-300	5,400
	Intermediate Affordable / Shared Ownership	6,700	6,600	4,300	6,500
	Social Rented / Affordable Rented	4,100	4,000	2,200	3,900
	Total Housing Requirement	16,700	16,200	6,200	15,800
Percentages	Market	35.30%	34.60%	-4.80%	34.20%
	Intermediate Affordable / Shared Ownership	40.10%	40.70%	69.40%	41.10%
	Social Rented / Affordable Rented	24.60%	24.70%	35.50%	24.70%

NB - All figures rounded to the nearest 100. Figures may not sum due to rounding. All percentages are calculated based on data before rounding.

32. Three of the forecasts suggest a need for roughly 65% of new dwellings to be in some form of affordable tenure. It is very unlikely that this percentage would be viable or achievable overall, but it highlights the seriousness of the affordability gap in this district. Of the three other

authorities in the group, the same three forecasts suggested a need for approximately 45-55% affordable housing. The full SHMA update contains some sensitivity testing of the forecasts based on potential changes to dwelling prices.

33. Full viability assessment of the projections in the SHMA update will need to be covered by a future piece of work, which may need to be commissioned by the Council as a discrete piece of work, or as part of a wider Local Plan viability assessment, or as part of a joint viability study for the SHMA group.

34. Using the 'trend' projection, the document projects the likely split of dwelling size required for Epping Forest District, relating to the results above. These are summarised as percentages below. They show, unsurprisingly, given the makeup of the district's population, that affordable dwellings should generally be smaller, and market homes should be larger.

Size of housing mix requirement to 2033

(from Figure 41 on p35 of the report)

Tenure	1 bedroom	2 bedrooms	3 bedrooms	4 bedrooms	5+ bedrooms
Market	2.7%	5.7%	66.7%	85.7%	100.0%
Intermediate Affordable / Shared Ownership	40.5%	73.6%	20.0%	7.1%	0.0%
Social Rented / Affordable Rented	56.8%	20.8%	13.3%	7.1%	0.0%
Total	100%	100%	100%	100%	100%

NB - Percentages are calculated based on rounded data in the full SHMA update. Figures may not sum due to rounding.

35. The information within the SHMA update will have to be considered alongside other evidence, such as the current housing waiting list, and Census 2011 data on occupancy, tenure and dwelling stock.

36. The consultants are also working on an annex to the SHMA update, on housing for older people. This has not yet been finalised, but will be presented to Councillors as soon as is practicable.

Resource Implications:

Preparation of this and the next SHMA update, and population work for Epping Forest District alone, form part of working towards the new Local Plan, and feature within the existing Local Plan budget.

Legal and Governance Implications:

The National Planning Policy Framework requires local authorities to 'prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries' (para. 159) and 'objectively to identify and then meet the housing, business and other development needs of [their] area' (para. 17). Not to do so risks having the new Local Plan found 'unsound', i.e. not being accepted at Examination in Public stage by the Planning Inspectorate.

Safer, Cleaner and Greener Implications:

The production of a new Local Plan, including consideration of housing need and new housing figures, will be subject to Sustainability Appraisal and Habitats Regulation Assessment throughout the process. This will ensure that environmental, social and economic impacts and issues are weighed carefully.

Consultation Undertaken:

Internal consultation has taken place with senior officers, the Interim Assistant Director, the Chief Executive and the Portfolio Holder.

Background Papers:

Population and household forecasts (for Epping Forest District only), Edge Analytics, August 2013

LCB East Sub-region Strategic Housing Market Assessment Update, Opinion Research Services, May 2013

National Planning Policy Framework, Department for Communities and Local Government, 2012 - <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance (Beta), Department for Communities and Local Government, August 2013 - <http://planningguidance.planningportal.gov.uk/blog/guidance/>

Greater Essex Demographic Forecasts: Phase 4 (for local authorities in Essex plus several others), Edge Analytics, January 2013

Greater Essex Demographic Forecasts: Phase 3: Further Scenario Development (for local authorities in Essex plus several others), Edge Analytics, July 2012

Greater Essex Demographic Forecasts: Phase 2: Scenario development incorporating Phase 1: Model development (for local authorities in Essex plus several others), Edge Analytics, March 2012 - <http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/281-population-projections>

London Commuter Belt East Sub-region Strategic Housing Market Assessment, Opinion Research Services, 2010 - <http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/118-strategic-housing-market-assesment>

Report to Cabinet 'Methodology for determining Objectively Assessed Housing Need' on 09/09/2013 - <http://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=295&MId=7394> (item 56) C-025-2013/14

Impact Assessments:

Risk Management

The National Planning Policy Framework requires local authorities '*objectively to identify and then meet the housing, business and other development needs of [their] area*' (para. 17). Both the updated population forecasting work and the updated Strategic Housing Market Assessment are key pieces of evidence in objectively assessing the need for this District. Not to assess the need robustly risks having the new Local Plan found 'unsound', i.e. not being accepted by the Planning Inspectorate. This would very likely mean that the Council would have much less control over where development took place, as planning applications for

housing would be far more likely to be granted on appeal by the Planning Inspectorate. The Local Plan features in the current Corporate Risk Register (no. 1, rating A1) and in Planning and Economic Development Directorate's Risk Register.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?

The formation of a robust evidence base to support the Local Plan will help to form a sound new Local Plan. This should actually impact positively on equality issues, because the Local Plan will seek to meet the needs of the area over the next 20 year period, including the provision of affordable housing, and the regeneration of deprived areas. The Local Plan thus has the potential to improve the quality of life of people living, working and doing business in the district. Planning for the correct numbers and types of homes, of the correct tenure, will help to ensure that people can afford to live in the district, and have the right kind of housing available to them.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

The potential positive impacts listed above are not limited to any one particular group; the Local Plan has the potential to improve the quality of life of all people living, working and doing business in the district.

Due Regard Record



Name of policy or activity: To note evidence to be entered into the Local Plan evidence base.

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at 'formative stages' of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
Sarah King 28/10/13	<ul style="list-style-type: none"> • The production of new, up to date population and household forecasts is relevant to equality analysis, as they could impact on all people living, working and doing business within the district, as it will influence the new Local Plan. • Data from the 2011 Census, the new household and population forecasts which are the subject of this report, and CLG Household Projections 2011, were taken into account in the equality analysis. • This data showed that the district, compared to the national average, has more older people, less younger people, slightly more married people, slightly less single people, slightly less people with a disability or long term illness, a slightly higher maternity rate, and slightly higher proportion of white British people. It also highlighted a larger number of Gypsy Romany Traveller residents than in other areas of Essex. The district is very near to the national average in terms of the population split by gender, household composition, religion or belief, and sex. • The assessment did not highlight any negative impacts on people with the protected characteristics, as even though the updated population forecasts and Strategic Housing Market Assessment do consider things like age and household size, this is done in order to

	<p>correctly identify the needs arising from different groups, to help try to meet them, not in order to treat them in any negative way.</p> <ul style="list-style-type: none">• The assessment found that the acceptance of the new population forecasting report and the Strategic Housing Market Assessment in to the evidence base could actually positively impact on some of the people with protected characteristics, and increase their equality of opportunity, by helping to inform decisions in the Local Plan to provide: more suitable housing for elderly people, a sustainable mix of sizes of housing for families, single people etc., more adaptable homes that would benefit disabled people, and more affordable housing for those in priority need on the Housing Waiting List. The assessment noted that future housing provision (i.e. pitches) for Gypsy Roma Traveller (GRT) people would be aided by a forthcoming Gypsy and Traveller Accommodation Assessment (GTAA) which will include more accessible consultation for GRT people, such as face to face interviews.• The assessment found that the acceptance of the new population forecasting report and the Strategic Housing Market Assessment in to the evidence base could help to foster good relations between communities, by helping to inform decisions in the Local Plan to help provide mixed, sustainable communities in which older people, younger people, families, single people and people with disabilities can live together in suitable homes and interact. <p>The Local Plan will also be subject to its own Equality Impact Assessment.</p>
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Report to the Cabinet

Report reference: C-057-2013/14

Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Finance & Technology

Subject: Update of the Capital Programme 2013/14 – 2017/18

Responsible Officer: Teresa Brown (01992–564604).

Democratic Services Officer: Gary Woodhall (01992–564470).

Recommendations/Decisions Required:

- (1) That the latest five-year forecast of capital receipts be noted;**
- (2) That the level of usable capital receipts currently predicted to be £6,611,000 at 31 March 2018 be noted;**
- (3) That the following amendments to the Capital Programme be approved or, where relevant, recommended to Council to approve:**
 - (a) carry forwards totaling of £888,000 from 2013/14 to 2014/15 in respect of General Fund capital schemes as outlined in the report;**
 - (b) a carry forward of £150,000 from 2013/14 to 2014/15 in respect of the Open Market Shared Ownership initiative;**
 - (c) re-phasing of the Disabled Facility Grant budget by bringing forward an allocation of £94,000 to 2013/14 from future years;**
 - (d) virements within the Housing Revenue Account in respect of the categories of work identified in the report;**
 - (e) re-phasing of the housebuilding programme, planned maintenance programme and off street parking initiative financed within the Housing Revenue Account as identified in the report.**

Executive Summary:

This report sets out the Council's Capital Programme for the five year period 2013/14 to 2017/18. This includes the forecast capital investment in Council owned assets; estimates of capital loans to be made for private housing initiatives; and projected levels of revenue expenditure funded from capital under statute. The capital programme has been prepared by updating the programme approved in February 2013 with new schemes and allocations approved by Cabinet since then.

Each scheme within the capital programme has been reviewed and spending control officers have reassessed estimated final costs and the phasing of expenditure profiles for each scheme as part of the capital review. Recommendations have been made to make amendments as appropriate.

The Council's overall programme of capital expenditure is summarised for each Directorate in Appendix 1 and shows a commitment to invest £83,564,000 on Council-owned assets over the five year period under consideration. Details of individual schemes or groups of projects are shown at Appendix 2 for the General Fund capital programme and an analysis of works

into specific categories is shown at Appendix 3 for the Housing Revenue Account (HRA) Capital Programme. Appendix 1 also shows a commitment to finance capital loans to the tune of £2,436,000 and planned expenditure of £1,971,000 which is now classified as revenue expenditure but which can be financed from capital resources, over the five year period. Analyses of these figures are given in Appendices 4 and 5 respectively.

The report also reassesses the funding available to finance these schemes and the suggested application of the different sources of funding is given in the lower section of Appendix 1 over the five-year period. It identifies estimated external funding from grants and private sources of £5,104,000, and it proposes that capital receipts of an estimated £13,486,000 and revenue contributions of an estimated £69,381,000 be applied to finance the capital programme over the next five years. The estimated level of capital resources available now and in the future are given in Appendix 6. In summary, the balance of capital receipts is expected to fall from £13,900,000 as at 1 April 2013 to £6,611,000 by 31 March 2018 and the Major Repairs Fund balance is expected to decrease from £9,755,000 to £3,652,000 by the end of the period.

Reasons for Proposed Decision:

The capital programme presented in the appendices is based on decisions already approved by the Cabinet or decisions that the Cabinet is soon to consider. The expenditure profiles suggested are based on Member agreed timescales and practical considerations. The decisions proposed are intended to make the best use of the capital resources currently available and forecast to become available for capital schemes to 2017/18.

Other Options for Action:

The level of capital receipt resources is predicted to fall to £6,611,000 by 31 March 2018, based on the assumption that the generation of usable capital receipts will be limited to the sale of council houses, which is predicted to generate an average of approximately £2,000,000 per year. The revenue consequence of reducing the level of capital receipts over the next five years is to reduce investment income. Members may choose to reconsider the inclusion of some new schemes or re-assess the inclusion of some existing schemes.

With regard to financing the HRA capital programme, RCCO (Revenue Contribution to Capital Outlay) contributions could be reduced by increasing the use of usable capital receipts, beyond that which is required. This option has been rejected in the past because the RCCO levels suggested in this report are affordable within the HRA, according to current predictions, and any use of usable capital receipts for HRA purposes would have the effect of reducing capital resources available for the General Fund.

Report:

Finance and ICT

1. There are several ICT projects underway this year. The main project is the large-scale upgrade of the Council's telephony system, which was placed top priority because the telephone switches were reaching the end of their useful lives. Progress has been swift and early indications are that the upgrade is being well received. Full installation is anticipated by the end of the financial year. Other projects include: the combining and integration of the Environment & Street Scene system; the completion of the document management system roll out; and the development of the Council's wireless network and mobile working facilities. Some slippage is expected on the disaster recovery server project but this will be partially offset by bringing forward expenditure relating to the core switch replacement project whereby early payment will secure a more favourable price. The net effect is to recommend a carry forward sum of £52,000 from 2013/14 to 2014/15.

2. A report was submitted to Cabinet in October which detailed several ICT capital projects scheduled for 2014/15, including the replacement of host servers, core switch replacement and air conditioning for critical network riser cabinets. A sum of £373,000 was approved. and this has been included in the capital programme attached; it is anticipated that revenue savings will be generated by these projects. In addition to this amount, the Finance and Performance Management Scrutiny Panel have requested that ICT staff approach all Members to ascertain whether they feel they would benefit from additional solutions to improve Member connectivity to ICT systems, including email systems. If a positive response is received, an additional sum of £27,000 would be required.

Corporate Support Services

3. The majority of capital works undertaken by this directorate is covered by the Five Year Planned Maintenance Programme and a comprehensive report was presented to Cabinet in October which gave details of all the projects within this programme. The main projects include a large scale upgrade of electrical and lighting works, energy conservation works, fire safety upgrades, DDA compliant works and environmental improvement works to the civic offices. It also covers large scale improvement works to Council-owned shops, leisure centres and North Weald Airfield buildings. Although a lot of work was undertaken in the first half of the year, the majority of the work is carried out in the second half and most projects are expected to be completed by 31 March 2014. However, slippage on works associated with the Upshire Road shops, gutter replacements at the civic offices and works to the Epping sports centre car park was reported within the Planned Maintenance Review and all appropriate amendments have been reflected in the capital programme attached.

4. The roofing works planned to upgrade of the industrial units will commence next year. Recommendations included in the consultant's report are under consideration and some feasibility costs may be incurred this financial year, however the bulk of this budget has been carried forward to 2014/15. Plans for solar panels were put on hold but the allocation has been left in the Capital Programme, pending a review.

5. The recently-approved budget for the purchase of a long leasehold interest in the second floor of Bridgeman House, Waltham Abbey and to carry out refurbishment works has been included in the attached programme. The budget for the Bakers Lane toilet block refurbishment works has been increased to £89,000 following a report to Cabinet in September; this work has now commenced. Progress has also been made on the property management system; a new system has been selected and is in the process of being installed. Completion is expected by the end of this financial year.

6. Feasibility works for new developments at Langston Road Depot and other Council sites are on-going. A report elsewhere on the agenda gives an update of progress on individual sites and requests additional revenue funding for consultant feasibility costs. If approved, this budget will not be part of the Capital Programme but, in the event of approval being granted to develop any Council assets or acquire new assets, the associated budgets will increase the Capital Programme and the level of usable capital receipts will go down by a corresponding amount. At present, a relatively small capital allocation of £101,000 exists on the attached programme for new developments; this includes a sum of £75,000, approved by Cabinet in September.

Deputy Chief Executive:

7. Members agreed to commit a sum of £250,000 towards the purchase of a lease for the museum at 37A Sun Street. Lottery Heritage Funding has now been secured which will enable the museum to be substantially extended and refurbished. A project Team has been set up and work is expected to start this financial year. The Capital Programme has been amended to reflect the full cost of the extension and works, and the funding statement has been updated to take account of the income receivable from the Heritage Lottery Fund.

8. The building works at the Limes Farm Hall project is complete and the centre is now

operating a full service, however there were a few snagging issues which are underway and it is anticipated that all costs will be finalised this year.

9. Construction on the new Astroturf pitch at Waltham Abbey is complete but there are some outstanding works on the flood lighting system. These works are expected to be completed by Christmas and be operational in the new year; the project is expected to come in on budget.

Environment & Street Scene

10. The budget for waste management vehicles and equipment for 2013/14 includes £327,000 for new vehicles; two sweepers have been purchased at a cost of £223,000; a virement of £12,000 was approved by the Director to purchase two grounds maintenance vehicles; and the surplus budget is currently held as a contingency. The remaining budget of £90,000 relating to the purchase of new waste and recycling containers are expected to be fully spent in the current financial year. It is recommended that the contingency sum of £92,000 be carried forward into 2014/15 for the replacement of a refuse freighter which is coming to the end of its useful life.

11. The Buckhurst Hill parking review scheme is now underway and, once complete, the parking review at Loughton Broadway will commence. The latter is unlikely to start before April 2014 and a carry forward of £185,000 is recommended to 2014/15 in respect of this scheme.

12. A schedule of capital works to be completed at North Weald Airfield is jointly agreed each year with the market operators. However, work has been kept to a minimum this year following the Council's decision to carry out essential works only having negotiated a reduction in the market operator's capital contribution this year.

13. The flood alleviation scheme capital budget currently has an approved budget of £97,000. This has been set aside for new equipment as the Environment Agency is expected to transfer the responsibilities for flood warning telemetry equipment back to the Council this year. It is anticipated that equipment, costing about £23,000, will be purchased for one of the four flood alleviation sites before 31 March 2014. The remaining budget of £74,000 is requested to be carried forward to 2014/15.

14. The CCTV upgrade programme is progressing on target: the Coopersale system is complete; applications and licenses for the Loughton system are progressing; and works are planned this year for Queens Road Buckhurst Hill and Langston Road Depot.

15. The budget for the grounds maintenance vehicles has been increased by £12,000 this year by means of a virement from the waste management vehicle budget in order to finance two mowers for the countrycare service.

Planning and Economic Development:

16. There are no projects held within the current five-year Capital Programme at present.

Housing General Fund:

17. The housing estate parking schemes are jointly funded between the HRA and the General Fund. Work has commenced on some schemes but the original allocation in this year is too high and needs to be re-phased over the next two years. It is recommended that £485,000 be carried forward to 2014/15.

Housing Revenue Account (HRA):

18. In July 2013 the Housebuilding Cabinet Committee met to consider the Council's Housebuilding Strategy and to agree a report on how the housebuilding programme will be

funded as well as the financial appraisals and feasibilities for the schemes to be included in the first phase. The first phase of the programme was agreed, and progress is underway on five sites which centre around the Roundhills and Harveyfields sites in Waltham Abbey. The Council's Development Agent, East Thames has developed the five sites up to the detailed planning stage and the first application was submitted in September 2013. Subject to planning approval, it is anticipated that the first phase will be tendered using the East Thames Framework Agreement and that work will commence on site in March 2014. If these timescales are achieved, the first phase of the housebuilding programme is expected to be completed by June 2015. East Thames has also updated the cashflow on the full housebuilding programme and this has been reflected in the Capital Programme attached. From the previous phasing reported, the changes include downward revisions of £545,000 and £511,000 in 2013/14 and 2014/15 respectively.

19. The other housing developments category includes budgets for the purchase of a previously sold council house and also for the conversion works at Marden Close. A virement of £32,000 is requested from the Contingency budget to cover increased costs.

20. Work on the council's existing housing stock is progressing well and expenditure within the category including heating, rewiring and water tank replacements has increased this year mainly due to greater demand for rewiring works as a consequence of the introduction of new rewiring regulations. It is anticipated additional funds are necessary and a virement of £875,000 is requested primarily from the roofing, kitchen and bathroom replacement budgets.

21. Work on the planned programmes for windows and doors started slowly at the beginning of the year but significant progress has been made and expenditure is expected to exceed the agreed budgets by the end of the financial year. Additional funds of £348,000 are requested in the form of virements from other categories.

22. The three roofing contracts (flat roofs, tiled roofs and balcony resurfacing) will all need to be re-tendered in this financial year and delays in expenditure are expected until the contractors are appointed. Underspends are anticipated and it is therefore recommended that £606,000 be transferred out of the roofing budgets to support additional requirements in other categories.

23. The other planned maintenance category includes communal TV upgrades, energy efficiency measures, door entry systems and Norway House improvements. Energy efficiency works and door entry installation works are expected to be low this year. With regard to energy efficiency works, a contractor has been identified and an appointment expected shortly with works anticipated to commence in 2014. Leaseholders are currently being consulted on door entry installations works and an approximate underspend of £256,000 on this budget is likely; a virement of this sum to other categories is therefore recommended.

24. The Council is monitoring a number of properties that are suffering with significant structural movement to ensure that works are carried out when needed. Although the budget is currently underspent, works are in progress on a number of sites including 661a Copperfield. Additional sites identified for structural works include Hillyfields wall and 116 Grosvenor Drive. This budget is expected to be fully spent by the year end.

25. Expenditure on the void refurbishment programme in the first six months of the year has already exceeded the full year budget and this increased level is expected to continue throughout this financial year. As part of the repairs refresh programme, increased capital improvements are now being undertaken while properties are void. In addition to this, there has been a significant increase in the number of void properties since the introduction of the benefit cap within the Welfare Reform Act; this has resulted in a number of tenants downsizing due to under occupancy. It is recommended that this budget be increased by £791,000 by means of virements from other HRA budget categories.

26. Both contracts for kitchen replacements and bathroom replacements have been

renewed recently and workload has been low in the first half of the year. Kitchen installation works have commenced but it is likely that there will be an underspend on the programme this year as a large number of kitchens are being replaced under the void refurbishment programme instead. With regard to the bathroom replacement programme, work to replace non-standard bathrooms in properties on the Limes Farm estate has commenced. Again, this budget is expected to be underspent by the end of the financial year because more bathrooms are now being replaced as part of the voids refurbishment programme. It is recommended that virements of £312,000 and £672,000 be made from the kitchen and bathroom budgets respectively to finance the increase in work load on the rewiring programme.

27. The programme for environmental improvements includes budgets for off street parking on housing estates, watercourse repairs, CCTV, environmental improvements to shops and fencing. The largest project in this category is off street parking and it is anticipated that the budget for the works will be under spent in the current financial year, it is therefore proposed that £510,000 be carried forward into 2014/15. A temporary hold on works to garage sites is in place until potential development sites, identified as part of the housebuilding programme, are confirmed. Works on drainage projects are expected to be low due to a transfer of responsibility to the Water Authorities. It is recommended that a virement of totalling £168,000 be made to other HRA budgets.

28. The number of disabled adaptation requests received from Essex County Council Occupational Therapists has increased compared to previous years and this trend is likely to continue. It is anticipated that this budget will be fully spent by the end of the current financial year.

29. The other repairs and maintenance category includes budgets for feasibilities, asbestos removal and a contingency sum for unexpected capital works. Feasibility studies are to be carried out on the gas pipework replacement project for five block types at Ninefields. The contingency budget is likely to be underspent. It is recommended that a virement of £32,000 be made to the other housing developments budget.

30. Works including DDA conversion works to communal toilets and a programme of installing smoke detectors & rewiring carried out under the Service Enhancement budget are progressing well. However, implementation of the online rents system has been delayed and it is recommended that this budget of £10,000 be carried forward to 2014/15.

31. The Housing DLO Vehicles budget is anticipated to be fully spent by the end of this current financial year.

Revenue Expenditure Finances from Capital under Statute

32. Expenditure on Disabled Facilities Grants was low compared to the budget in 2012/13 due to the low number of referrals received from the occupational therapists at the end of the previous financial year. The referrals have picked up in this financial year and expenditure is expected to increase in the remainder of this year and next year. It is recommended that £94,000 be brought forward from future years to allow for the increasing workload in this year.

33. The situation with regard to other private sector housing assistance is that the new Housing Assistance policy came into effect from 1 July 2012, which involves loans being offered to private householders rather than grants. However, some grants are still being administered where approvals were sanctioned before the change came into effect. These payments continue to be paid as grants. It has been estimated that the commitment will be in the region of £100,000 this year and will not continue thereafter.

34. The schemes relating to the Waltham Abbey Regeneration are being managed and provided by Waltham Abbey Town Council and financed from a premium paid by Lidl. The initiative commenced in 2011/12 and all capital schemes are expected to be completed in the

current financial year.

Capital Loans

35. Under the Council's Open Market Shared Ownership (OMSO) scheme, EFDC provides interest-free loans to B3Living to provide shared ownership to Epping Forest residents. Phase 1 is now complete and proved to be a success. The implementation of phase 2 was agreed by the housing portfolio holder and has now commenced. Although it is progressing well, it is thought unlikely that the full budget will be spent this year and a carry forward of £150,000 is recommended.

36. With regard to other private sector housing assistance, a major change was introduced on 1 July 2012, when all discretionary financial assistance given by the Council became repayable upon the sale or transfer of property. Although expenditure is low at present, it is expected to pick up during the year as publicity and positive communication on the new arrangements are increased. The budget is expected to be fully spent by the year-end.

HRA Self-Financing

37. From 1 April 2012 the HRA has operated under the new rules of Self-financing whereby the Council retains its own rents and the old Subsidy system was abandoned. This enables EFDC to fund and manage the housing stock without Government intervention. A 30-year plan was drawn up by our housing consultant, which was presented to Cabinet on 12 March 2012, which indicated that surplus balances would be generated. Members decided to invest these surpluses in a construction programme to provide 120 new Council properties over a six year period.

38. The 30-year plan also forecasts the usable Capital Receipts likely to be available to the Council to finance capital expenditure. The rules regarding the amount of capital receipts which can be retained from right-to-buy sales changed under the self-financing rules. The Council now retains a sum of money based on the outstanding debt attributable to each house sold plus a further amount representing the 'Local Authority Share' of the capital receipt. These two elements can be used to fund any schemes within the capital programme or to offset debt. However, the third element retained by the Council can only be used for the provision of replacement housing. This element, often referred to as 1-4-1 funding, comes from any increase in right-to-buy sales over the numbers used in the self-financing settlement. This last element has to be used within three years of receipt and can only constitute a maximum 30% of the house-building programme. Appendix 6 forecasts the anticipated receipts the Council will retain over the next five years.

39. The Council's housing consultant monitors the position carefully and provides regular updates to the 30-year HRA plan in order to ensure that the Council achieves the best use of the resources available.

Capital Financing:

40. Appendix 1 shows a summary of the capital programme along with the financing profile. The Council has approved estimates of capital expenditure under Prudential Code Indicator P (2) and also financing proposals for the years 2013/14 to 2015/16. Appendix 1 has applied the same principles with regard to funding although changes in the expenditure profile have been reflected in the financing requirements in each year.

41. The Council has maintained a consistent policy of prudence in forecasting available capital resources to ensure that any capital project included in the capital programme will be fundable. This means that only capital receipts received to date and projected receipts from the sale of council houses and mortgage receipts are taken into account; no recognition of any other potential receipts is made. Therefore when predicting levels of available capital funding, receipts from future land sales are not taken into account.

42. Similarly a prudent view is taken of other sources of capital funding including funds receivable from Government Grants and private contributions. For instance, the availability of Section 106 monies to fund capital projects is based on payments received to date and not payments anticipated in the future. With regard to Section 106 monies, in the past these sums were generally used for the provision of affordable housing via contributions to Housing Associations. However, from 2013/14 onwards it has been agreed that Section 106 monies will be used to support the Council's own house-building programme.

43. As anticipated, the position regarding generation of capital receipts has improved since the rise in the maximum allowable discount from £34,000 to £75,000 introduced on 1 April 2012. The number of Council House sales rose to 13 sales last year from 7 the year before and, to date, 24 sales have completed this year. The number of applications increased significantly when the discount was increased and has stabilised at a higher level. Future projections are notoriously difficult to make as there remain many uncertainties in the housing market, therefore a cautious and prudent approach has been adopted at this stage: 32 sales have been estimated for 2013/14 and 20 sales thereafter. The situation will continue to be monitored.

44. Appendix 6(a) shows the latest forecast of capital receipt generation, their application and hence the likely level of resources available to fund new projects. It takes into account the changes which accrue as a result of the new HRA self-financing and capital pooling rules and shows that, based on current expenditure and projected receipts, usable capital receipts will be reduced to £6,611,000 by 31 March 2018 at the end of the programme period.

45. Appendix 6(b) shows anticipated balances on the Major Repairs Reserve with an estimated balance of £3,652,000 by 31 March 2018. However, the use of revenue contributions and capital receipts are indicative figures only and will be revised when the HRA forecast is updated within the 30-year plan. Any increases in the use of these sources of funding will result in a decrease in the use of funds held within the Major Repairs Fund and an increase in the balance at the end of the five year programme. Conversely, any reductions in the use of revenue contributions and capital receipts will have the opposite effect.

Resource Implications:

The budget provision is detailed in the report and appendices.

Legal and Governance Implications:

The legal and governance implications are taken into account within individual project reports.

Safer, Cleaner and Greener Implications:

In considering individual capital schemes and the programme overall, the Council gives due consideration to safer, cleaner and greener issues.

Consultation Undertaken:

All Directors and spending control officers for individual schemes have been consulted.

Background Papers:

Reference has been made to previous Cabinet reports and minutes. The Local Government Act 2003 (for England and Wales) and the Regulations have also been complied with.

Impact Assessments:

Risk Management:

There is a financial risk involved in reducing the balance of usable capital receipts over the next five years. This is recorded in the Corporate Risk Register (No.17) and identifies the following potential consequences: loss of interest strategy becoming untenable in the long run; service reductions required; and large Council Tax increases. These implications, these are taken into account within individual project reports.

Equality and Diversity:

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? N/A

What equality implications were identified through the Equality Impact Assessment process?
N/A

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A

Due Regard Record

Name of policy or activity:

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at 'formative stages' of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
12 Nov 2013	This report represents a financial summary of the sums approved within the Council's Capital Programme from 2013/14 to 2017/18, in addition to the associated funding projections over this period of time.
Teresa Brown Principal Accountant	At this stage the aims of the public sector equality duty will already have been taken into account when the individual schemes were originally approved. As this report does not represent a formative stage in the approval of capital projects, an equality analysis is not considered relevant in respect of this report.

**CAPITAL PROGRAMME
2013/14 to 2017/18 FORECAST**

	2013/14	2014/15	2015/16	2016/17	2017/18	5 Year
	Revised £000	Forecast £000	Forecast £000	Forecast £000	Forecast £000	Total £000
EXPENDITURE						
Finance & ICT	467	425	0	0	0	892
Corporate Support Service	1,390	962	518	497	131	3,498
Deputy Chief Executive	673	1,100	0	0	0	1,773
Environment & Street Scene	746	535	219	170	170	1,840
Housing	150	835	0	0	0	985
Total General Fund	3,426	3,857	737	667	301	8,988
Total HRA	12,888	16,772	15,183	15,043	14,690	74,576
Total Capital Expenditure on Council Assets	16,314	20,629	15,920	15,710	14,991	83,564
Total Capital Loans	514	872	350	350	350	2,436
Total Revenue Expenditure Financed From Capital under Statute	465	366	380	380	380	1,971
TOTAL CAPITAL PROGRAMME	17,293	21,867	16,650	16,440	15,721	87,971
FUNDING						
Government Grant for DFGs	330	366	380	325	290	1,691
Housing Ass Growth Area Funding	90	0	0	0	0	90
Other Government/EEC Capital Grants	450	1,143	0	0	0	1,593
Private Funding	405	816	169	170	170	1,730
Total Grants	1,275	2,325	549	495	460	5,104
General Fund	2,902	2,645	668	597	231	7,043
HRA	172	995	984	893	893	3,937
REFCuS & Loans	439	872	350	405	440	2,506
Total Capital Receipts	3,513	4,512	2,002	1,895	1,564	13,486
HRA - RCCO	4,200	5,700	5,700	5,700	5,700	27,000
HRA - MRR	8,305	9,330	8,399	8,350	7,997	42,381
Total Revenue Contributions	12,505	15,030	14,099	14,050	13,697	69,381
TOTAL	17,293	21,867	16,650	16,440	15,721	87,971

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**CAPITAL PROGRAMME
2013/14 to 2017/18 FORECAST**

	2013/14 Revised £000	2014/15 Forecast £000	2015/16 Forecast £000	2016/17 Forecast £000	2017/18 Forecast £000	5 Year Total £000
Finance & ICT						
General IT	467	425	0	0	0	892
Total	467	425	0	0	0	892
Corporate Support Service						
Planned Maintenance Programme	468	482	518	497	131	2,096
Upgrade of Industrial Units	13	300	0	0	0	313
Waltham Abbey Swimming Pool Roof	10	0	0	0	0	10
Solar Energy Panels	20	180	0	0	0	200
Purchase of Bridgeman House, W Abbey	654	0	0	0	0	654
Property Management System	35	0	0	0	0	35
New Developments	101	0	0	0	0	101
Bakers Lane Refurbishment	89	0	0	0	0	89
Total	1,390	962	518	497	131	3,498
Deputy Chief Executive						
Limes Farm Hall Development	11	0	0	0	0	11
Waltham Abbey All Weather Pitch	12	0	0	0	0	12
Museum Property Purchase	650	1,100	0	0	0	1,750
Total	673	1,100	0	0	0	1,773
Environment & Street Scene						
Waste Management Vehicles & Equip't	313	92	30	30	30	495
Pay & Display Machines		40	50	0	0	90
Parking & Traffic Schemes	202	185	0	0	0	387
N W Airfield Market Improvements	74	69	69	70	70	352
Flood Alleviation Schemes	23	74	0	0	0	97
CCTV Systems	95	45	40	40	40	260
Grounds Maint Plant & Equipt	39	30	30	30	30	159
Total	746	535	219	170	170	1,840
Housing General Fund						
Housing Estate Parking	150	835	0	0	0	985
Total	150	835	0	0	0	985
TOTAL GENERAL FUND	3,426	3,857	737	667	301	8,988

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**CAPITAL PROGRAMME
2013/14 to 2017/18 FORECAST**

	2013/14	2014/15	2015/16	2016/17	2017/18	5 Year
	Revised	Forecast	Forecast	Forecast	Forecast	Total
	£000	£000	£000	£000	£000	£000
Housing Revenue Account						
House Build	283	3,318	3,280	2,976	2,976	12,833
Other Housing Developments	349	390	0	0	0	739
Heating/Rewiring/Water Tanks	3,282	2,603	2,645	2,469	2,253	13,252
Windows/Doors	1,888	1,271	1,091	1,177	1,074	6,501
Roofing	1,120	1,264	1,128	1,500	1,190	6,202
Other Planned Maintenance	400	432	394	408	386	2,020
Structural Schemes	600	600	300	300	300	2,100
Small Capital Repairs/Voids	1,229	438	438	438	438	2,981
Kitchen & Bathroom Replacements	2,050	4,218	4,031	4,088	4,352	18,739
Garages & Environmental Improvements	709	1,563	561	372	406	3,611
Disabled Adaptations	446	450	450	450	450	2,246
Other Repairs and Maintenance	221	165	815	815	815	2,831
Capital Service Enhancements	229	10	0	0	0	239
Housing DLO Vehicles	82	50	50	50	50	282
TOTAL HRA	12,888	16,772	15,183	15,043	14,690	74,576

**CAPITAL LOANS FOR PRIVATE HOUSING ASSISTANCE
2013/14 to 2017/18 FORECAST**

Appendix 4

	2013/14	2014/15	2015/16	2016/17	2017/18	5 Year
	Revised	Forecast	Forecast	Forecast	Forecast	Total
	£000	£000	£000	£000	£000	£000
Capital Loans						
Open Market Shared Ownership Scheme	375	522	0	0	0	897
Private Sector Housing Loans	139	350	350	350	350	1,539
TOTAL CAPITAL LOANS	514	872	350	350	350	2,436

**REVENUE EXPENDITURE FINANCED FROM CAPITAL UNDER STATUTE
2013/14 to 2017/18 FORECAST**

Appendix 5

	2013/14	2014/15	2015/16	2016/17	2017/18	5 Year
	Revised	Forecast	Forecast	Forecast	Forecast	Total
	£000	£000	£000	£000	£000	£000
REFCuS						
Waltham Abbey Regeneration Scheme	35	0	0	0	0	35
Disabled Facilities Grants	330	366	380	380	380	1,836
Other Private Sector Grants	100	0	0	0	0	100
TOTAL REFCuS	465	366	380	380	380	1,971

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**CAPITAL RECEIPTS
2013/14 to 2017/18 FORECAST**

	2013/14 Revised £000	2014/15 Forecast £000	2015/16 Forecast £000	2016/17 Forecast £000	2017/18 Forecast £001	5 Year Total £000
Receipts Generation						
Housing Revenue Account	2,927	1,775	1,775	1,774	1,774	10,025
General Fund	0	0	0	0	0	0
Total Receipts	2,927	1,775	1,775	1,774	1,774	10,025
Receipts Analysis						
Usable Receipts	1,102	301	273	238	230	2,144
Available for Replacement Homes	1,141	728	728	728	728	4,053
Payment to Govt Pool	684	746	774	808	816	3,828
Total Receipts	2,927	1,775	1,775	1,774	1,774	10,025
Usable Capital Receipt Balances						
Opening Balance	13,900	12,630	9,147	8,146	7,217	13,900
Usable Receipts Arising	2,243	1,029	1,001	966	958	6,197
Use of Capital Receipts	(3,513)	(4,512)	(2,002)	(1,895)	(1,564)	(13,486)
Closing Balance	12,630	9,147	8,146	7,217	6,611	6,611

Appendix 6(b)

**MAJOR REPAIRS RESERVE
2013/14 to 2016/17 FORECAST**

	2013/14 Forecast £000	2014/15 Forecast £000	2015/16 Forecast £000	2016/17 Forecast £000	2016/18 Forecast £001	5 Year Total £000
Opening Balance	9,755	8,372	6,087	4,934	4,018	9,755
Major Repairs Allowance	6,922	7,045	7,246	7,434	7,631	36,278
Use of MRR	(8,305)	(9,330)	(8,399)	(8,350)	(7,997)	(42,381)
Closing Balance	8,372	6,087	4,934	4,018	3,652	3,652

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Report to the Cabinet

Report reference: C-049-2013/14

Date of meeting: 2 December 2013

Portfolio: Leader of the Council

Subject: Corporate Plan Key Objectives 2013/14 – Quarter 2 Progress

Responsible Officer: Steve Tautz (01992 564180)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) That the Cabinet review progress in relation to the achievement of the key objectives for 2012/13, for the first six months of the year.

Executive Summary:

The Corporate Plan is the Council's key strategic planning document, setting out service delivery priorities over the four-year period from 2011/12 to 2014/15, with strategic themes reflecting those of the Community Strategy for the district. Updates to the Corporate Plan are published annually, to reflect the key objectives for each year of the plan period and progress against the achievement of objectives for previous years.

The annual identification of key objectives provides an opportunity for the Council to focus specific attention on how areas for improvement will be addressed, opportunities exploited and better outcomes delivered over the coming year. The key objectives are intended to provide a clear statement of the Council's overall intentions for each year, containing specific actions and desired outcomes.

A range of key objectives for 2013/14 was adopted by the Cabinet in March 2013. Progress in relation to the achievement of the key objectives is reviewed by the Cabinet and the Overview and Scrutiny Committee on a quarterly and outturn basis.

Reasons for Proposed Decision:

It is important that relevant performance management processes are in place to review and monitor progress against the key objectives, to ensure their continued achievability and relevance, and to identify proposals for appropriate corrective action in areas of slippage or under performance. This report presents progress against the key objectives for 2013/14, for the first half of the year.

Other Options for Action:

No other options are appropriate in this respect. Failure to monitor and review performance against the key objectives and to consider corrective action where necessary, could have negative implications for the Council's reputation and judgements made about its progress, and might mean that opportunities for improvement were lost. The Council has previously agreed arrangements for monitoring performance against the key objectives.

Report:

1. The Corporate Plan for 2011/12 to 2014/15 translates the vision for the district set out by the Community Strategy, into the Council's strategic direction, priorities and the most important outcomes that it wants to achieve. The Corporate Plan helps to prioritise resources to provide quality services and value for money.

2. The key objectives adopted for each year of the Corporate Plan are not intended to reflect everything that the Council does, but instead focus on national priorities set by the Government and local challenges arising from the social, economic and environmental context of the district. The key objectives represent the Council's high-level initiatives and over-arching goals for each year.

3. Progress against the key objectives was an area of focus in former corporate inspection processes, in order to assess the Council's progress in improving the services that it delivered, and to identify and reflect plans to secure improvement. Whilst such external assessment processes have generally been abolished, it remains important to ensure that appropriate performance management processes are in place to review and monitor progress against the key objectives, and to take appropriate corrective action where necessary in areas of slippage or behind-target performance.

4. The key objectives for 2013/14 were adopted by the Cabinet at its meeting on 11 March 2013. The delivery of the Key Objectives is supported by a range of individual actions, with target dates spread throughout the year (and beyond in some instances). Some of the actions can only be achieved incrementally or are dependent upon the completion of other actions, and the action plan is intended to be fluid to reflect changes in priorities, and can therefore be subject to some revision during the year.

5. Progress against the key objectives is reviewed and monitored on a quarterly basis, in order to ensure the timely identification and implementation of appropriate corrective action where necessary. Performance for the first quarter of the year was considered by the Cabinet at its meeting on 9 September 2013.

6. At the end of the second quarter of the year, 18.5% of the individual actions supporting the Key Objectives for 2013/14 had been achieved. A schedule detailing six-month progress against individual actions designed to secure the achievement of each of the key objectives (at 30 September 2013), is attached as Appendix 1 to this report.

7. In reporting progress against the objectives, the following 'status' indicators have been applied to the current position for each individual action:

(a) **Achieved (Green)** - specific actions have been completed or in-year targets achieved;

(b) **On-Track (Green)** - it is anticipated that specific actions will be completed in accordance with in-year targets;

(c) **Under Control (Amber)** - specific actions have not been completed or achieved in accordance with in-year targets, although completion/achievement is likely to be secured by a revised target date or by year-end;

(d) **Behind Schedule (Amber)** - specific actions have not been commenced or achieved in accordance with quarterly or other in-year targets;

(e) **Not Achieved (Red)** - specific actions have not been completed or achieved in accordance with in-year targets; and

(f) **Pending (Grey)** - specific actions have not yet been commenced, as they rely on the prior completion of other actions.

8. The Cabinet is requested to review current progress against the key objectives for 2013/14. This report was also considered by the Overview and Scrutiny Committee at its meeting on 26 November 2013, and any comments or concerns raised by the Committee will be reported to the Cabinet meeting.

Resource Implications:

Resource requirements for actions to achieve specific key objectives for 2013/14 will have been identified by the responsible service director/chief officer and reflected in the budget for the year.

Legal and Governance Implications:

There are no legal or governance implications arising from the recommendations of this report. Relevant implications arising from actions to achieve specific key objectives for 2013/14 will have been identified by the responsible service director/chief officer.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district. Relevant implications arising from actions to achieve specific key objectives for 2013/14 will have been identified by the responsible service director/chief officer.

Consultation Undertaken:

Progress against actions to achieve specific key objectives for 2013/14 as set out in this report, has been submitted by each responsible service director/chief officer direct to the 'Ten' performance management system. Current progress in respect of each of the key objectives for 2013/14 has been reviewed by Management Board (30 October 2013) and was considered by the Overview and Scrutiny Committee at its last meeting (26 November 2013).

Background Papers:

Six-monthly progress submissions for the key objectives for 2013/14 and relevant supporting documentation held by responsible service directors/chief officers.

Impact Assessments:

Risk Management:

There are no risk management issues arising from the recommendations of this report. Relevant issues arising from actions to achieve specific key objectives for 2013/14 will have been identified by the responsible service director/chief officer.

Equality & Diversity:

Any equality implications arising from this report are set out in the Due Regard Record attached as an appendix to this report.

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Due Regard Record

SUBJECT: CORPORATE PLAN KEY OBJECTIVES 2013/14 – QUARTER 2 PROGRESS

REPORT TO: CABINET (2 DECEMBER 2013)

Date/Officer	Summary of equality analysis
<p>1 November 2013</p> <p>S. Tautz</p>	<p>No equality analysis necessary. There are no equality implications arising from the specific recommendations of this report.</p> <p>Relevant implications arising from individual actions to achieve key objectives for 2013/14, will have been identified and considered by the responsible service director/chief officer when the objective and associated actions were initially developed.</p>

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KEY OBJECTIVES 2013/14 – QUARTER 2 PROGRESS REPORT

Proactively promote the policies and reputation of the Council internally and externally

Action	Target Date/Status/Officer	Progress
(a) - Development of high-level internal and external communications calendar	30 June 2013	(Q1 2013/14) Proposed review of the key decision list in Leadership Team through which Directors can provide further updates on major corporate projects over a 12 month rolling period. Internal Communications plan drafted for Leadership Team.
	Behind Schedule	(Q2 2013/14) Twelve-month rolling External Corporate Communications Calendar produced for Chief Executive approval and on-going Management Board update.
	Deputy Chief Executive	
(b) - Development of a target list of media partners	30 June 2013	(Q1 2013/14) Weekly press cutting service with periodic summary reviews produced for Leadership Team by Public Relations. Resource implications for 'Contact Us' email responses. Further review into potential electronic monitoring alternatives following upgrade of Newsflash Media Management application September 2013.
	Not Achieved	(Q2 2013/14) Weekly media cutting service maintained. Newsflash application upgraded, but implementation delayed due to accessibility issues. Further discussion arranged with developer to resolve difficulties.
	Deputy Chief Executive	
(c) - Development of a Social Networking Strategy and increased use of social media	30 June 2013	(Q1 2013/14) Draft Strategy produced for consultation pending referral to Website Development Board and Leadership Team for adoption.
	Behind Schedule	(Q2 2013/14) Social Networking Strategy approved by Website Development Board. Equality Impact Assessment undertaken in anticipation of presentation of Strategy to Management Board and Cabinet with identification of financial provision required for implementation.
	Deputy Chief Executive	

Engage with communities to put them at the centre of the Council's policy development and service design

Action	Target Date/Status/Officer	Progress
(a) - Publication of Engagement Charter	30 November 2013	(Q1 2013/14) Consultation Activity reported to Finance and Performance Management Scrutiny Panel at June 2013 meeting. Forward Plan of Engagement agreed.
	On Track	(Q2 2013/14) On-going/completed corporate and service area implementation, including Crime and Disorder, Employee, Healthworks (for Harlow Partnership), Careline, Trade Waste etc.
	Deputy Chief Executive	

(b) - Identification of key stakeholders	30 September 2013	(Q1 2013/14) Identification underway in liaison with Local Strategic Partnership (LSP).
	Achieved	(Q2 2013/14) Key Stakeholders identified in liaison with LSP. The stakeholder list will be used to invite delegates to the annual LSP Conference to be held in February 2014.
	Deputy Chief Executive	
(c) - Facilitation of new Tenant Scrutiny Panel	31 May 2013	(Q1 2013/14) The Tenant Scrutiny Panel has been established and tenant members have received training from an external specialist trainer, in partnership with Uttlesford DC (in order to share costs). The Scrutiny Panel has been meeting on a regular basis and has chosen to review the way the Housing Directorate handles complaints, as the subject of its first Annual Service Review. An informal get-together between all members of the Tenant Scrutiny Panel, Tenants and Leaseholders Federation and all Housing Managers is planned, in order to introduce everyone to each other and for tenant representatives to understand which Housing Manager is responsible for which functions.
	Achieved	
	Director of Housing	(Q2 2013/14) The informal get-together has taken place. The Scrutiny Panel continues to meet.

Review the strategic direction of the Council to ensure a clear and consistent set of priorities to facilitate decision-making in constrained times

Action	Target Date/Status/Officer	Progress
(a) - Determination of the council's Housing Strategy for 2013-16	31 December 2013	<p>(Q1 2013/14) It was originally planned to produce a new Housing Strategy in 2013. However, for a number of reasons, following consultation with the Chairman of the Housing Scrutiny Panel, the Housing Portfolio has decided, in principle, that the production of the new Housing Strategy should be deferred until such time as the Local Plan Preferred Options has been published for consultation for a further year. The main reasons are that the Council's strategic direction for the Local Plan (i.e. nos. of new homes, locations and affordable housing requirements) is still under consideration, and the Strategic Housing Market Assessment (SHMA) (including the supplementary report on older people's housing) has not been finalised - both of which are important foundations on which the Housing Strategy needs to be based. In the meantime, an interim Housing Strategy Key Action Plan has been formulated for the forthcoming year, which the Housing Portfolio Holder will be asked to formally approve later in July 2013, at the same time as formally confirming the proposed deferral of the production of the Housing Strategy. All members are being advised of this approach, through the Council Bulletin.</p> <p>(Q2 2013/14) The Housing Portfolio Holder has formally agreed to the deferral of formulating a new Housing Strategy until the Preferred Options Stage of the Local Plan has been completed. He has also formally approved a new Housing Strategy Key Action Plan for 2013/14. The Housing Scrutiny Panel will consider the 12-Month Progress Report on the previous Key Action Plan (2012/13) at its meeting on 22 October 2013.</p>
	On Track	
	Director of Housing	
(b) - Development of council's Economic Development Strategy	30 November 2013	(Q1 2013/14) A consultant has been assisting in this task.
	Behind Schedule	<p>(Q2 2013/14) Ideally, relevant information from the 2011 census should be considered as part of the development of the Economic Development Strategy, which is due for release in early 2014. A full report on progress with the Strategy will be made to the Cabinet in the third quarter of the year.</p>
	Director of Planning & Economic Development	

(c) - Development of the council's Waste Strategy	30 September 2013	(Q1 2013/14) Incorporated within the procurement of the waste services contract. The specification of the final contract will not be fully specified until after later stages of competitive dialogue. It may become necessary to extend the deadline beyond September.
	Not Achieved	(Q2 2013/14) Although the procurement of the waste contract remains on schedule, until such time as specifications are refined through the latter stages of the process, reviewing the existing strategy will not be possible. The status of the strategy review can be reconsidered early in 2014 (i.e. in the Q3 update) when the second stage of competitive dialogue will have been completed and Members will have considered in detail the service changes being offered and the merits of increased performance versus the associated costs. Consideration should perhaps be given to extending the original target to enable the strategy and procurement process to be aligned.
	Director of Environment & Street Scene	
(d) - Development of the council's Leisure Strategy	30 November 2013	(Q1 2013/14) Portfolio Holder decision to establish Portfolio Holder Advisory Group (Culture and Wellbeing) prepared. Initial research into leisure needs (including building the evidence base of the local plan) is underway. Date for initial scoping meeting of Officer Working Group has been set. Indicative timetable for the leisure management procurement process identified.
	Behind Schedule	(Q2 2013/14) The Portfolio Holder Advisory Group has yet to meet, but a scoping exercise is underway through the Officer Working Group lead by the Deputy Chief Executive.
	Deputy Chief Executive/ Director of Environment & Street Scene	
(e) - Development of the council's Operational Property Strategy	31 December 2013	(Q1 2013/14) The Operational Property Strategy comprises a number of facets on which work has commenced. Smarter Working - This element of the strategy is intrinsically linked to the ICT Strategy and changes to corporate policy/culture which should help in reducing the space requirement at the Civic Offices. The detail of how much space can be vacated will not be known until the smarter working strategy has been formulated. A small group of three Assistant Directors is scoping the methodology for achieving this including gathering evidence from other authorities that have undergone a similar transformation. HR has reviewed the Homeworking Policy that will be submitted to Management Board for discussion shortly.
	Behind Schedule	
	Director of Corporate Support Services	(Q2 2013/14) It is intended that the Council's direction of travel and action plan will be drafted for December 2013 with the intention to adopt the Strategy and action plan by April 2014. New telephony and broadband access will be put in place. The development of key sites will have an impact on the strategy in relation to depot requirements and future provision. The Waste Management contract is currently in procurement through competitive dialogue, but outcome in terms of future depot provision for the service is not yet known.
(f) - Determination of the council's approach to the 'Green Deal' initiative	30 June 2013	(Q1 2013/14) In April 2013 the Council agreed to provide information and advice on the Green Deal to local residents and has provided some information on its website.
	Achieved	(Q2 2013/14) Take up of the Green Deal has been slow. However, increasing costs of energy emphasises the importance of acting to reduce or lower energy costs.
	Director of Planning & Economic Development	

Deliver a robust and resilient Local Plan that facilitates appropriate growth, whilst protecting the special character of the district

Action	Target Date/Status/Officer	Progress
(a) - Adoption of Community & Engagement Strategy for Local Plan	1 April 2013	(Q1 2013/14) Engagement strategy agreed by Cabinet on 23 April 2013.
	Achieved	(Q2 2013/14) Action achieved, no update required.
	Director of Planning & Economic Development	
(b) - Publication of Local Plan Preferred Options Consultation	Autumn 2013	(Q1 2013/14) New timetable being considered by Cabinet on 22 July 2013.
	Not Achieved	(Q2 2013/14) New timetable approved by Cabinet on 29 July 2013. Further information has come to light as the timetable was prepared, which will be revised accordingly. New target date for completion 30 June 2014.
	Director of Planning & Economic Development	
(c) - Publication of Local Plan	Autumn 2014	(Q1 2013/14) New timetable being considered at Cabinet on 22 July 2013.
	Behind Schedule	(Q2 2013/14) New timetable approved at Cabinet on 29 July 2013. Further information has come to light as the timetable was prepared, which will be revised accordingly. New target date for completion 30 June 2016.
	Director of Planning & Economic Development	
Page 61 (d) - Compliance with duty to co-operate	No target date set	(Q1 2013/14) This is a significant and ongoing effort.
	On Track	(Q2 2013/14) The Council has many neighbouring authorities with whom it has to co-operate. Inaugural and ongoing output focused meetings have been held or are to be held with them all.
	Director of Planning & Economic Development	

Promote internal cultural change to break down silo working and implement new flexible ways of working

Action	Target Date/Status/Officer	Progress
(a) - Develop overarching Organisational Development Plan	30 June 2013	(Q1 2013/14) Re-programmed for completion in fourth quarter, original target date considered too ambitious.
	Not Achieved	(Q2 2013/14) Scoping meeting held with organisational development specialist from Southend Council. Workshop planned for next Leadership Team meeting (4 December 2013).
	Chief Executive	

(b) - Review senior management structure	31 December 2013	(Q1 2013/14) Draft structure discussed with directors, assistant directors, Cabinet, Appointments Panel and unions. Formal consultation to start in August with a paper scheduled for September Council.
	On Track	(Q2 2013/14) Consultation exercise completed and market testing of comparator salaries undertaken. Request of Directorate Restructuring Panel to consider alternative structures completed. Report to Council scheduled for December 2013 meeting.
	Chief Executive	
(c) - Adoption of new organisational values and behaviours	This is the high-level action for key Operating Models action (c) See progress against the specific next level actions(c) (i) and (c) (ii)	
(c) - (i) Undertake staff attitude survey	30 June 2013	(Q1 2013/14) Survey completed
	Achieved	(Q2 2013/14) Analysis of the survey has been added to the Management Board work programme with individual reports on Christmas Closures (post 2013) and flexitime scheduled for consideration during the current calendar year.
	Director of Corporate Support Services	
(d) - (ii) Publication of organisational values and behaviours and incorporation into working practices	30 June 2013	(Q1 2013/14) Values drafted and agreed. Soft launch in July staff briefing. (Performance & Development review (PDR) process redesigned to cover values. Communications working on follow up poster/publications.
	Behind Schedule	(Q2 2013/14) Pilot PDR process for Directors and Assistant Directors to be launched with effect from 1 April 2014. First draft of posters/publications reviewed, full launch to coincide with implementation of new senior management structure in April 2014.
	Chief Executive	
(d) - Development of a more commercial approach to service delivery	This is the high-level action for key Operating Models action (d) See progress against the specific next level actions(d) (i) and (d) (ii)	
(d) - (i) Adoption of customer centric approach to service delivery	No target date set	(Q1 2013/14) Approach to service delivery to be reviewed in the fourth quarter of the year, once values and behaviours are embedded.
	On Track	
	Chief Executive	(Q2 2013/14) Pilot processes/services to be identified for review during the fourth quarter of the year.
(d) - (ii) Generation of increased revenue for traded services	No target date set	(Q1 2013/14) To be reviewed in fourth quarter.
	On Track	(Q2 2013/14) Parking charges currently being reviewed, alongside other fees and charges, as part of the preparation of the budget for 2014/15. Separate review looking at revenue opportunities at North Weald Airfield is underway.
	Chief Executive	

(e) - Consider feasibility of a one-stop-shop at the Broadway, Loughton	30 June 2013	(Q1 2013/14) Following informal discussions with the Cabinet, it has been agreed to hold consideration of the feasibility of providing a One Stop Shop at The Broadway in abeyance, until after the Senior Management Restructure has been implemented and the Council's future approach to customer contact has been determined.
	Pending	
	Director of Housing	(Q2 2013/14) No further action required at this stage.
(f) - Provision of a more effective and efficient corporate out-of-hours emergency reporting service	31 March 2014	(Q1 2013/14) Management Board has approved a draft report for consultation with the Staff Side and individual members of staff affected, proposing that the Council contracts with Mears Ltd from April 2014, as part of the existing Repairs Management Contract, to provide an Out of Hours Call Handling Service for all emergency calls to the Council received out of hours (housing and non-housing), together with a service enhancement for Council tenants enabling them to report and make appointments for all repairs out of hours. The cost of the proposed service would be around £35,000 per annum, representing an ongoing saving of round £70,000 per annum on the current cost of the in-house service. The Cabinet will be considering the proposal, following the staff consultation exercise, in September 2013.
	On Track	
	Director of Housing/ Director of Corporate Support Services	(Q2 2013/14) The Cabinet agreed the proposal at its meeting on 21 October 2013 and adopted an on-site security option to mitigate the effects of no longer having Standby Officers based at the Civic Offices during evenings and at weekends.
- Introduction of a new Housing Allocations Scheme	1 September 2013	(Q1 2013/14) The Cabinet approved a completely new Housing Allocations Scheme in April 2013, effective from 1 September 2013. There is a significant amount of work being undertaken to implement the new Scheme, which is expected to remove around 3,500 applicants from the Housing Register and will require all remaining and new applicants to be re-assessed under the provisions of the new Scheme.
	Achieved	
	Director of Housing	(Q2 2013/14) The new Allocations Scheme was successfully introduced from 1st September 2013. The no. of applicants re-registered on the Housing Register as at 1st October 2013 was 1,436, although new registrations continue to be received.

(h) - Exploration of appropriate options for smarter working and changes to corporate policy and culture	31 March 2014	(Q1 2013/14) A draft ICT Strategy has been considered by the Leadership Team and this will be presented to the Finance & Performance Management Scrutiny Panel in September for initial Member consideration. This strategy does include elements around smarter working and cultural change but these themes will need to be developed and taken forward in other specific pieces of work on transformation.
	Under Control	(Q2 2013/14) The draft ICT Strategy has been considered by the Scrutiny Panel and is going to Cabinet in October for Member approval. The strategy includes elements around smarter working and cultural change but these themes will need to be developed and taken forward in other specific pieces of work on transformation. Work to change corporate culture has centred on the development and implementation of the Values and Behaviours referred to above. Initial cross-directorate meetings and soft market research indicate that policy changes which may involve greater home working (e.g. reduced desk –per–head ratio and better use of technology) require a specific transformation programme, external expertise and a clear business case. The Chief Executive is considering how best to progress this.
	Director of Corporate Support Services/Director of Finance & ICT	
(i) - Assessment of grounds maintenance service in conjunction with new waste management contract	30 September 2013	(Q1 2013/14) Decision made to consider the future of the grounds service after the first stage of competitive dialogue and the receipt of initial tenders. Cabinet to consider in October 2013.
	Behind Schedule	(Q2 2013/14) Recommendation to Cabinet on 21 October 2013 that Grounds maintenance be retained in-house and excluded from the remainder of the waste contract procurement process. Decision of Cabinet to be reported and reflected within the Q3 update.
	Director of Environment & Street Scene	
Update of Local Land and Property Gazetteer and review of mapping service structure	This is the high-level action for key Operating Models action (j) See progress against the specific next level actions(j) (i) and (j) (ii)	
(j) - (i) Achievement of the 'Silver' service grade for the Local Land and Property Gazetteer	30 April 2013	(Q1 2013/14) Good progress being made but now a risk of progress being stalled through difficulties with data protection requirements. This is preventing the temporary employment of support from Broxbourne Borough Council to deal with errors in the existing gazetteer database.
	Not Achieved	(Q2 2013/14) Further delays arose through a continuation of the issues set out in the Q1 report above, as well as the need to appoint additional staff in support of the existing LLPG Officer. The support officer from Broxbourne is now in place and progress is being made and consideration is also being given to what other resources could be applied to move the project forward at a greater pace. Greater emphasis is currently being given in ensuring the robustness of the core Gazetteer system than the status of the system with GeoPlace (the national Gazetteer custodians). It is essential that the underpinning Gazetteer data is wholly accurate, since otherwise all forthcoming required data integrations, such as for the new waste contract, may be compromised. Success in achieving this core data upgrading will in time guarantee achievement of the highest level of GeoPlace grades.
	Director of Environment & Street Scene	

(j) - (ii) Completion of the Gazetteer structure considerations	Red	30 September 2013	(Q1 2013/14) Cross functional team considering where a corporate function would best fit.
		Not Achieved	(Q2 2013/14) Delays in establishing the mechanisms for updating the Gazetteer have resulted in the completion of this part of the Project Team's work also being delayed. The work of the Project Team continues and its recommendations will be fed into the Chief Executive's final proposals for the forthcoming senior management restructure.
		Director of Environment & Street Scene	
(k) - Review of future provision of Careline Service	Green	31 March 2014	(Q1 2013/14) Although Essex County Council recommended that a new county-wide telecare contract should be procured from April 2014, it is understood that, following representation from a number of Essex providers, including this Council, Essex CC officers and members are currently considering the most appropriate way forward, having regard to the views expressed by existing providers.
		On Track	(Q2 2013/14) No further information has been received from Essex County Council about its intentions although the County Council is currently undertake a major senior management restructure which may be delaying its consideration.
		Director of Housing	

Deliver key priorities within budget

Action	Target Date/Status/Officer	Progress
- Development of revised key indicator set based on key strategies	31 March 2014	(Q1 2013/14) Revised Key Performance Indicator set adopted for 2013/14. Progress reviewed by Management Board and the Finance and Performance Management Scrutiny Panel on a quarterly basis.
	Achieved	
	Chief Executive	(Q2 2013/14) Action achieved, no update required.
(b) - Delivery of all key outcomes	31 March 2014	(Q1 2013/14) On track to date.
	On Track	(Q2 2013/14) At the end of the second quarter (30 June to 30 September 2013) of the year, 18.5% of the individual actions supporting the Key Objectives for 2013/14 had been achieved. For the same period, 74.3% of the adopted Key Performance Indicators achieved target performance.
	Chief Executive	
(c) - Consumption of resources within budget	31 March 2014	(Q1 2013/14) There is concern about the levels of income from Development Control and building Control as these are significantly below their estimated levels at the end of the first quarter. However, overall it is still anticipated that the capital and revenue outturns will be contained within budget.
	On Track	(Q2 2013/14) Concern remains about the levels of some of the Council's key income streams as some are significantly below their estimated levels. However, overall it is still anticipated that the capital and revenue outturns will be contained within budget.
	Director of Finance and ICT	

(d) - Setting of a consistently low district council tax	31 March 2014	(Q1 2013/14) The Spending Review announced that further grants will be available for Councils choosing to freeze their Council Tax for both 2014/15 and 2015/16. It is anticipated that Members will want to accept this offer and so Council Tax will continue to be frozen.
	On Track	(Q2 2013/14) A member query has arisen on the relative merits of continuing to accept the Freeze Grant or increasing the Council Tax. In response to this a report has been written for consideration at the November 2013 meetings of the Finance and Performance Management Cabinet Committee and Scrutiny Panel.
	Director of Finance & ICT	

Prepare for changes arising from the transfer of public health responsibilities

Action	Target Date/Status/Officer	Progress
Page 96 - Development of a District Public Health Strategy	30 September 2013	(Q1 2013/14) The local priorities for Health and Wellbeing have been established. A draft joint strategy for West Essex has been prepared in conjunction with Harlow and Uttlesford district councils, the West Essex Clinical Commissioning Group (CCG) and the County Council Public Health Locality Manager. There has been a delay due to the CCG not having yet established a 5-year plan and the first meeting of the West Essex Wellbeing Board being delayed due to the local government elections. Now due to meet 24 July.
	Achieved	(Q2 2013/14) It has become clear that the Council does not need the type of Public Health Strategy that was originally envisaged. A public health strategy has been developed, entitled 'The Epping Forest Health & Wellbeing Strategy' and is itself an offshoot of the Strategy for 'West Essex Health & Wellbeing' which is part of the suite of strategies overseen by the Local Strategic Partnership. Whilst it has been suggested that the Epping Forest Health & Wellbeing Strategy should reference in a little more detail the importance of core environmental health responsibilities and actions, and also those relating to housing, there is no clear need for a dedicated Epping Forest Public Health Strategy document to be developed.
	Director of Environment & Street Scene	

Maximise potential of the Council's key development sites

Action	Target Date/Status/Officer	Progress
(a) - Development of plans for development of T11 site at Langston Road, Loughton	This is the high-level action for key Strategic Sites action (a). See progress against the specific next level actions(a) (i), a (ii) and (a) (iii)	
(a) - (i) Completion of a development agreement with the owner of the T11 site	31 December 2013	(Q1 2013/14) Meetings with the owners of the T11 site are taking place. Timing is linked to the outcome of the waste contract procurement process and expected vacation of the site.
	Under Control	(Q2 2013/14) A confidential report on the progress of the development agreement and the outcome of other linked the negotiations is scheduled for the 2 December 2013 meeting of the Cabinet.
	Director of Corporate Support Services	
(a) - (ii) Facilitation of a detailed planning application for the T11 site	31 December 2013	(Q1 2013/14) Meetings with the owners of the T11 site are taking place. Timing is linked to the outcome of the waste contract procurement process and expected vacation of the site.
	Under Control	(Q2 2013/14) A report agreeing the Council's contribution to the cost of the application has been agreed by Council. The timing of the application is linked to the negotiations referred to above and is being made on behalf of the owners of the T11 site.
	Director of Corporate Support Services	
(a) - (iii) Commencement of development at the T11 site	31 March 2015	(Q1 2013/14) The procurement of the new waste management contract provides for the contractor to be able to remain at Langston Road, or an alternative site, for at least a year.
	Under Control	(Q2 2013/14) There remain too many variables to give an exact date for the commencement of development of the site, including when the refuse contractor (once selected), can vacate the site.
	Director of Corporate Support Services	
(b) - Development of plans for the council's site at North Weald, including disposal if appropriate	This is the high-level action for key Strategic Sites action (b). See progress against the specific next level actions (b) (i) and (b) (ii)	
(b) - (i) Consideration of a report reviewing the future of North Weald Airfield	30 June 2013	(Q1 2013/14) Report completed and to be presented to Cabinet on 22 July 2013.
	Achieved	(Q2 2013/14) The report was considered by Cabinet on 22 July 2013, when it was agreed that the mixed use option (Option 3 within the Deloitte report) be taken forward into the local plan 'Preferred Options' consultation.
	Director of Environment & Street Scene	

(b) - (ii) Incorporation of recommendations for North Weald Airfield into development of Local Plan	Autumn 2013	(Q1 2013/14) Outcome of Cabinet on 22 July 2013 will be incorporated within the 'Preferred Options' consultation phase of the Local Plan, scheduled for 2014.
	On Track	(Q2 2013/14) Following the decision of the Cabinet in July 2013, the appointment of consultants to masterplan suitable development of some land at North Weald Airfield (whilst retaining aviation) is underway.
	Director of Environment & Street Scene/ Director of Planning & Economic Development	
(c) - Development of plans for the disposal of all or part of the St. Johns Road site	This is the high-level action for the Key Strategic Sites action (c). See progress against the specific next level actions (c) (i) and (c) (ii)	
(c) - (i) Jointly market the St Johns Road site for sale in part or as a whole	30 June 2013	(Q1 2013/14) Joint marketing with Essex County Council and Epping Town Council is underway with a topographical survey on 15 July 2013 and viewing days on 22 and 24 July 2013.
	Achieved	(Q2 2013/14) A successful Expressions of Interest exercise has been completed and a presentation of the results has been made to Epping Town Council and EFDC members. It is intended to formally report the outcome to the Cabinet in early 2014 and to assist the Town Council as required.
	Director of Corporate Support Services	
(c) - (ii) Relocation of the Housing Repairs Depot	31 March 2014	(Q1 2013/14) A schedule of the Council's requirements for a new base for the Housing Repairs Service has been assessed and formulated - which has established that a minimum floor area of 1,045 SqM of internal space, plus a further minimum floor area of 1,000 SqM. of external space, would be required. The Council's requirements have been circulated to commercial agents to identify suitable premises.
	Under Control	(Q2 2013/14) No relocation site identified yet - awaiting clarification of overall depot requirements in the Waste etc. contract. No risk of impact on operations yet.
	Director of Housing	
(d) - Disposal of the council's nursery site at Pyrles Lane, Loughton	This is the high-level action for Key Strategic Sites action (d). See progress against the specific next level actions (d) (i) and (d) (ii)	
(d) - (i) Determination of a planning application for the nursery site at Pyrles Lane	30 June 2013	(Q1 2013/14) Planning application refused.
	Achieved	(Q2 2013/14) Action achieved. See Action (d) (ii) below.
	Director of Planning & Economic Development	

(d) - (ii) Relocation of the Nursery Service from the Pyrles Lane site	31 December 2014	(Q1 2013/14) Future of nursery service awaits clarification of depot requirements within the Waste Management etc. contract. Highly likely that glass houses will not be required.
	On Track	(Q2 2013/14) The Council is in the process of acquiring a neighbouring property with a view to addressing the concerns of the Area Plans Sub-Committee as part of a revised planning application.
	Director of Corporate Support Services	
(e) - Deliver Regeneration Action Plan for council land at The Broadway, Loughton	30 September 2014	(Q1 2013/14) The Broadway Regeneration Action Plan, which relates to the land under the control of the Council, was adopted by the Cabinet in 2012. Before the development of the land can be progressed: (a) the Parish of Loughton needs to decide whether it wishes to provide a new church and community hall on EFDC-owned land in The Broadway, enabling replacement housing to be provided elsewhere on the Church's land. This involves discussions with the Methodist Church. The Director of Housing has written to the Bishop of Barking (CofE) seeking a meeting with to discuss the Church's aspirations and intentions, in order to move forward; and (b) the outcome of the proposed re-development of the Sir Winston Churchill PH site by a private developer, which may or may not include some of the Council's land, needs to be determined. Once the way forward is clearer, the Council's Preferred Housing Association Partners will be invited to submit proposals for the development of the Council's remaining land for affordable housing. With regard to sites not under the Council's control, the proposed developer of the Sir Winston Churchill site is in discussions with the Council about a proposed development scheme. Following initial discussions with Transport for London about its development proposals around Debden Station, no further contact has been received. Negotiations with the developer are progressing well and it is hoped that Heads of Term will be agreed shortly to enable a report to be submitted to the Cabinet in September. Once approved the developer will submit a planning application and the development agreement will be finalised.
	Under Control	
	Director of Housing	(Q2 2013/14) The Bishop of Barking's development consultant has advised that the Anglican and Methodist Churches wish to work together on a vision for church provision in Loughton, which may include some church and community provision at The Broadway. A meeting with the development consultant has been arranged to discuss further. A planning application has been submitted by the developer in respect of the Sir Winston Churchill site and a confidential report relating to the Torrington Drive/Sainsbury's site is due to be considered by the Cabinet on 2 December 2013.
(f) - Development of depot provision at Oakwood Hill, Loughton	This is the high-level action for key Strategic Sites action (f). See progress against the specific next level actions (f) (i), (f) (ii) and (f) (iii)	
(f) - (i) Facilitation of a detailed planning application for Oakwood Hill, Loughton	30 June 2013	(Q1 2013/14) An additional geotechnical survey has been completed and a resubmission of the planning application is being prepared for August.
	Not Achieved	(Q2 2013/14) Following further work with interested parties and subject to consultation with the Director of Planning and Economic Development, a resubmission of the planning application is now scheduled for November 2013.
	Director of Corporate Support Services	

(f) - (ii) Procurement of the detailed design and development of Oakwood Hill, Loughton	31 December 2013	(Q1 2013/14) See Action (f) (i) above. No additional progress to report.
	Behind Schedule	(Q2 2013/14) Further progress with this action awaits the outcome of the revised planning application.
	Director of Corporate Support Services	
(f) - (iii) Commencement of development at Oakwood Hill, Loughton	31 March 2014	(Q1 2013/14) See Action (f) (i) above. No additional progress to report.
	Behind Schedule	(Q2 2013/14) See Action (f) (ii) above. No additional progress to report.
	Director of Corporate Support Services	
Page 100 - Commencement of the Council's new house building programme	31 March 2014	(Q1 2013/14) East Thames Group has been appointed as the Council's Development Agent for the Housebuilding Programme. A new Council Housebuilding Cabinet Committee has been formed. The Development and Financial Appraisals for the developments in the first year of the Housebuilding Programme, comprising 25 new rented homes on 3 sites in Waltham Abbey, were considered by the Council Housebuilding Cabinet Committee on 10th July 2013 and it was agreed that all three sites should be progressed to the planning application stage. The Cabinet Committee has agreed to utilise East Thames' EU-compliant Framework Agreements for the procurement of the works contractors, who will be selected through a competitive process from the Approved List.
	On Track	
	Director of Housing	(Q2 2013/14) A planning application for one of the proposed developments, at Harveyfields, Waltham Abbey, was submitted at the end of September 2013, and applications for the remainder are due to be submitted in October 2013. If planning permission is granted, it is envisaged that a start on site will take place before the end of the financial year.

Prepare and plan for the effects of welfare reforms in an effective and coordinated way

Action	Target Date/Status/Officer	Progress
(a) - Delivery of the council's Welfare Reform Mitigation Action Plan	31 December 2013	(Q1 2013/14) Following the formation of an (Officer) Welfare Reform Mitigation Project Team the Cabinet adopted a Welfare Reform Mitigation Action Plan in October 2012, which identified 59 separate actions. Progress is regularly monitored by both officers and, on a quarterly basis, the Housing Scrutiny Panel. Nearly two thirds of all the tasks have now either been achieved or nearly achieved, with most of the remaining third of all tasks either not yet being required or are no longer required. At the recent 3-Year re-accreditation assessment of the Housing Directorate's Customer Service Excellence Award, the external assessor awarded 'Compliance Plus' accreditation for the comprehensive and customer-focused approach taken by the Council to the Welfare Reforms Mitigation Project.
	On Track	
	Director of Housing	(Q2 2013/14) At 1 October 2013, 38 (65%) of the actions had been achieved. Only 3 tasks that are able to be undertaken now, have not yet been achieved. All remaining tasks cannot be undertaken until the Government makes decisions on the timing and procedures for the introduction of Universal Credit.
(b) - Implementation of an updated local scheme of support for council tax	31 December 2013	(Q1 2013/14) A report is going to the July Cabinet to start the consultation process for the 2014/15 scheme. Joint work on LSCT continues across Essex and there are no reasons at this time to suspect that the 2014/15 scheme will not be approved in time.
	On Track	
	Director of Finance & ICT	(Q2 2013/14) The consultation has now been completed and it is likely that the scheme for 2014/15 will be very similar to that for 2013/14. A report is being made to the Cabinet on 2 December 2013 to confirm the terms of 2014/15 scheme.
(c) - Retention of adequate resources to ensure the threat of fraud is effectively managed	31 December 2013	(Q1 2013/14) The Department for Work and Pensions has not yet provided any more information on their road map towards a Single Fraud Investigation Service or their timescale for achieving this objective. As part of the corporate restructure, one of the options being considered is the consolidation of fraud officers into the Internal Audit Unit. This could help in providing a consistent and co-ordinated approach to the threat of fraud.
	On Track	
	Director of Finance & ICT	(Q2 2013/14) The Department for Work and Pensions are moving towards a Single Fraud Investigation Service but have not set out the implications for individual local authorities and staff. As part of the corporate restructure, one of the options being considered is the consolidation of fraud officers into the Internal Audit Unit. This could help in providing a consistent and co-ordinated approach to the threat of fraud.

Page 101

(d) - Retention of adequate resources to effectively operate council's benefit function	31 December 2013	(Q1 2013/14) & (Q2 2013/14) Further information is also still awaited from the DWP on a detailed implementation plan for Universal Credit and the future role of local authorities in the benefits system. To date staff retention has not been a problem and the performance on both changes of circumstance and new claims processing are better than the respective targets at the end of the second quarter.
	On Track	
	Director of Finance & ICT	
(e) - Publication of appropriate information in respect of welfare reforms and the implications	No target date set	(Q1 2013/14) & (Q2 2013/14) Benefits and Housing Services continue to work with partners and to provide information and assistance where appropriate. However, as set out above, there has been a lack of significant announcements on how welfare reform is to be taken forward.
	On Track	
	Director of Finance & ICT/Director of Housing	

Report to the Cabinet

Report reference: C-055-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Asset Management and Economic Development
Subject: Corporate Cleaning and Window Cleaning Contract 2014-2019
Responsible Officer: Mike Tipping (01992 564280).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That a contract for cleaning and window cleaning at the Civic Offices, Hemnall Street Offices, Epping Depot, Langston Road Depot, Town Mead Depot and the Epping Forest District Museum, when it re-opens in 2015, be awarded to Comprehensive Cleaning Services for a period of five years from 1 April 2014 at a cost of £92,829.68 for the first year; and**
- (2) To note that Comprehensive Cleaning Services were the first ranked company following an evaluation based on price and quality but had the second lowest tender on price alone.**

Executive Summary:

This report describes the tendering process for a corporate contract for cleaning and window cleaning at six operational sites and makes a recommendation for the award of the contract.

Reasons for Proposed Decision:

To ensure an adequate standard of cleaning at six operational sites whilst at the same time achieving best value for money.

Other Options for Action:

To do nothing and carry on with the current cleaning arrangements. This would have been contrary to financial regulations and contract standing orders as well as not offering the best value for money.

Report:

1. A tendering process has been undertaken for the renewal of the corporate cleaning and window cleaning contract for six operational buildings; the Civic Offices, Hemnall Street Offices, Epping Depot, Langston Road Depot and Town Mead Depot. The contract will also encompass the Epping Forest District Museum when it re-opens after refurbishment in early 2015.
2. Because the long term future of a number of the premises included in the contract is uncertain flexibility has been included in the contract conditions to vary, suspend or terminate

the cleaning requirements for operational reasons without cost or penalty to the Council.

3. The same experienced consultant engaged to conduct a similar process in 2010 was employed to conduct this tender process, which because of its value, had to be undertaken in accordance with European Union rules (OJEU process).

4. This procedure was adopted as there was no framework agreement available either through the Essex Procurement Hub or other recognised consortium arrangements and Construction Line does not cover this particular service industry.

5. As part of the OJEU process the basis of evaluating tenders had to be declared at the outset and for this contract it was stated that tenders would be evaluated on a 50/50 cost/quality basis, the same basis as for the existing contract.

6. Tender documents were issued to six companies and the results of the tendering process are shown in the table below.

7. Churchill Contract Services withdrew from the process during the tender period citing operational reasons.

8. From the initial assessment of the five tenders opened, two were deemed not suitable for detailed evaluation. Detailed evaluation of the remaining three tenders by Comprehensive Cleaning Services, Lewis & Graves and Servest Ltd was carried out including post tender interviews to seek clarifications around the detail in their respective tender submissions.

9. As a result adjusted tender figures are shown in the table below.

10. The annual value of the current contract is £91,707.46. The current contract contains provision for the contractor to request an annual inflationary increase based on RPI for the month preceding the anniversary of the Contract for years two and three.

11. However as the contractor has not requested these inflationary increases they have not been applied. Had they been applied the true value of the current contract would be £97,669.33.

12. All three tenders are therefore competitive and offer savings over the true value of the current contract.

13. Whilst Servest Ltd (the current contractor) offered the lowest tender in terms of cost they were ranked third in terms of quality. The Consultant's view is that they have vastly underestimated the number of cleaning hours required at the Civic Offices, a reduction of 20 hours per week and the productivity rate they have proposed is unrealistically high.

14. There are performance issues with Servest at present and whilst the company has been receptive to listen to the Council's concerns there has been no sustained improvement in the overall quality or standard of service.

15. It is therefore difficult to see how Servest Ltd., could achieve and maintain the required level of performance for the new contract with substantially less resources.

16. It is for these reasons that it is recommended that Comprehensive Cleaning Services the highest ranked company in terms of cost and quality, but the second lowest company on price alone, be awarded the contract from April 2014.

Company	Tender figure £	Adjusted tender figure £
Birkin Cleaning Services Ltd	117,813.80	-
Comprehensive Cleaning Services	99,199.28	92,829.68
Hi- Spec	97,382.63	-
Lewis and Graves	96,586.71	95,296.71
Servest Ltd	91,172.68	88,966.52
Churchill Contract Services	Withdrew from the tender process	

Resource Implications:

£92,829.68 continuing service budget for 2014/15.

Legal and Governance Implications:

Procurement has been carried out in accordance with contract standing orders and European procurement regulations.

Safer, Cleaner and Greener Implications:

There are no specific implications.

Consultation Undertaken:

None.

Background Papers:

Specification and Tender submission documents and Consultants evaluation reports.

Impact Assessments:

Risk Management

Robust arrangements for ensuring that six operational building are adequately cleaned and all refuse removed from within the buildings.

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Due Regard Record

Name of policy or activity: Renewal of Corporate Cleaning and Window Cleaning Contract 2014 - 2019

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at 'formative stages' of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
4 November 2013 Mike Tipping Assistant Director CSS	The proposal is to let a new contract for office and window cleaning at six operational sites for a period of five years commencing April 2013. Therefore there are not considered to be any equality issues arising from this proposal.

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Report to the Cabinet

Report reference: C-056-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Safer, Greener & Transport

Subject: Safeguarding Audit and Resource Requirements

Julie Chandler (01992 564214).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That the Cabinet notes the new and emerging issues relating to Safeguarding of Children, Young People and Vulnerable Adults, and the increased responsibilities of district and borough councils in relation to this;**
- (2) That the Cabinet considers the findings of the Council's Safeguarding self assessment audit submitted on 25 October 2013 and;**
- (3) That the Cabinet agrees to a DDF sum of £88,000 for the appointment of a full – time senior level Safeguarding Officer and a part time Admin. Assistant post for a fixed term period of two years.**

Executive Summary:

The Council has a Duty of Care under Section 11 of the Children's Act 2004 in respect of safeguarding and promoting the welfare of children and young people who live and receive services within the district and those young people originating from the district who are 'looked after'. In addition, although there is currently no legislative requirement for the safeguarding of Vulnerable Adults, the Council is responsible for ensuring that these adults who live in the district, or receive local services are safe from harm and are not subjected to exploitation or abuse.

During the last year, Government has moved towards a more 'joined- up' approach towards safeguarding and Ofsted audit inspections, and in line with this, Essex Safeguarding Children's and Adults Boards are now working more closely together and have introduced combined safeguarding assessments and training for statutory partners in Essex. In addition, Ofsted has announced that rather than focussing its inspection on County Council's as the statutory provider of Children's Services, it will scrutinise district and borough council's safeguarding arrangements and where weaknesses or strengths are demonstrated, it will publish these along with the Tier 1 authority findings.

The Council was required to complete the first of these new assessments in October, which contained eight specific themes to assess the ability of organisations to fulfil their safeguarding duties under Section 11 and 47 of the Children's Act. Previously, these assessments were required on a three yearly basis, but local councils are now required to complete them annually. Unfortunately, during the assessment process, it was identified that the Council is 'not meeting' 10% and only 'partly meeting' 55% of its requirements under

Section 11 of the Children Act. Therefore only 35% of the council's arrangements for safeguarding fully meet the standards required. Particular weaknesses were found under the theme of Embedding Policy across the organisation.

Under the new themes assessed, a great deal more emphasis has been placed on a 'whole organisation' approach to safeguarding and the need for senior and leadership commitment, adequate resourcing, wider staff awareness, training, record keeping and policy development. As this requires a significant amount of extra work for Councils, many within Essex have established full time Safeguarding Officer posts and some have small safeguarding teams to undertake the additional work required.

At present, there are no dedicated staff resources within the Council for safeguarding and until now, it has been possible to manage the workload involved through expanding the roles of existing staff. However, in consideration of the findings of the recent self assessment and the knowledge that these will be required on an annual basis, it is evident that a new, dedicated resource is required, in order to accommodate the volume of work entailed and to ensure that the Council, its' staff and Elected Members can meet their duties and responsibilities.

Reasons for Proposed Decision:

Due to changes in Safeguarding Ofsted Inspections and local assessments, greater scrutiny will be placed on district and borough councils. In future, instead of inspections focussing predominantly on Essex County Council, any strengths and weaknesses found in district and borough councils will be published in addition to identified strengths and areas for improvement of the multi-agency response.

Other Options for Action:

None. If Cabinet decides to reject this recommendation it puts the Council at risk of not meeting its legal duties and responsibilities.

Report:

1. The first Children's Act was passed in 1989 in order to allow the state to intervene in parent-children relations, mainly in the case of abuse and violence. Following this, the death of Victoria Climbié, who was tortured and murdered by her parents in 2000, activated a public inquiry headed by Lord Laming. Within this it was discovered that there were numerous instances where Victoria could have been saved and that many of the organisations involved in her care did not share information and respond appropriately. The subsequent report by Lord Laming made numerous recommendations related to child protection in England and her death was largely responsible for the formation of the Every Child Matters initiative and the introduction of the Children Act 2004.

2. On a national level, Ofsted, the Care Quality Commission, HM Inspectorate of Constabulary, HM Inspectorate of Probation and HM Prisons agencies are now committed to a new joint inspection of multi-agency arrangements for the protection of children in England. These inspections focus on the effectiveness of local authority and partners' services for children and may trigger inspection activity by HM Crown Prosecution Service Inspectorate where authorities are identified as not meeting their legal duties.

3. The new inspection regime scrutinises local district and borough council safeguarding arrangements as part of the wider Essex County Council audit. It also proposes to include production of a specific report that identifies the strengths and areas for improvement of the multi-agency response as well as strengths and weaknesses in individual agencies.

Previously, the focus of the published reports was on Essex county Council as the Children's Services Authority.

The Role of District and Borough Authorities

4. As a key provider of public services the Council therefore has a responsibility to safeguard and promote the welfare of children, and young people. This is a legislative requirement under Section 11 of the Children Act 2004 and includes children and young people who have originated from the district but may be living in foster or social care within or outside of the district. This responsibility extends under Section 47 of the Children's Act, in respect of the Council's duty to cooperate with Essex County Council in discharging its safeguarding duties as a Children's Services Authority.

5. With responsibility for Sheltered Housing Schemes, Homeless accommodation, Community Safety and a range of other services, the Council also has a responsibility for the safeguarding and well-being of Vulnerable Adults and works with Essex Police and Essex County Council Social Care team in its role as the lead agency for the protection of vulnerable people.

6. These responsibilities and duties have been separate for children, young people and vulnerable adults up until early 2013 when Essex Safeguarding Children and Adults Boards merged, in a move to safeguard vulnerable people throughout their lifetime. This has resulted in an amalgamation of several county safeguarding groups and local policies and procedures.

7. Local Councils are now measured on their ability to fulfil their duties and responsibilities for safeguarding, by completing annual self assessments based around eight distinct themes as below:

- Senior management and leadership commitment to safeguarding
- Lines of accountability
- Embedding policy
- Early help and interagency working
- Information sharing
- Learning and improvement
- Service development and emerging issues, and;
- Safe recruitment, vetting and allegations management

8. The first of these new assessments was completed in October.

How has the Council met its' responsibilities to date?

9. The Council established a Corporate Safeguarding Group in 2008, consisting of representatives from each service area and a Lead Professional, Lead Officer and Deputies. At this time, the EFDC Safeguarding Policy was reviewed and updated and new procedures were developed across the organisation. These arrangements put EFDC ahead of many of the other district and borough councils in Essex and the Council was held in high regard by Essex Safeguarding Children's Board in terms of its ability to fulfil its duties.

10. However, over the last 18 months, there have been a range of new and emerging issues related to safeguarding which have impacted on local Council's across Essex including the Epping Forest District. These include issues such as Domestic Abuse, Child Sexual Exploitation (CSE) and 'Honour' based Abuse (HBA). Examples of local cases includes young people who have been subject to CSE being re-located from London Boroughs to live in the District and women seeking refuge from 'Honour' based Abuse and

Forced Marriage finding refuge here. The Domestic Homicide in Loughton last year has also really highlighted the reality that these are issues for Epping Forest residents and the steady increase in incidents of Domestic Abuse further demonstrate the need for greater vigilance and awareness of staff and Members.

11. The District Council's response to these new issues and the new arrangements for safeguarding inspections has been to undertake a complete review of the Council's Safeguarding Policy and procedures including developing a combined child and adult policy and identifying designated safeguarding roles within the organisation. The new policy highlights the importance of ensuring a whole Council approach to safeguarding including Elected Members, and the need for all staff and Members to be trained in safeguarding to a level that meets the requirement of their role.

12. The Council's procedure for reporting issues of concern and allegations against staff has also been reviewed and officers are currently completing a new secure IT database to record and report all safeguarding incidents and referrals that arise within the authority. The new Safeguarding Policy additionally includes specific policies and guidance on the wider safeguarding concerns that are being seen in Essex and Epping Forest and the Council's Intranet is being updated with a Safeguarding Portal highlighted on the Home page.

13. A new Safer Recruitment Policy and induction programme has additionally been developed in line with the new Corporate Policy which includes details of the Government's recent changes to the criminal records and barring arrangements for people employed to work with children, young people and vulnerable adults. This will be submitted to Joint Consultative Committee in December.

14. However, in the recent safeguarding self assessment that was undertaken during October, it was identified that the Council is 'not meeting' 10% and only 'partly meeting' 55% of its requirements under Section 11 of the Children Act. Therefore only 35% of the council's arrangements for safeguarding fully meet the standards required. Particular weaknesses were found under the theme of Embedding Policy across the organisation.

15. This report therefore seeks Cabinet approval for a DDF sum of £88,000 for the appointment of a full – time senior level Safeguarding Officer and a part time Admin. Assistant post for a fixed -term period of two years. It is anticipated that this will enable the Council to put in place the necessary actions in order to fully meet its duties and responsibilities. After this time, it is hoped that the level of this resource could be reduced, as it is anticipated that the longer term safeguarding role would involve maintenance of the standards achieved.

Resource Implications:

Due to the responsibility level of the officer post, it is anticipated that it will be Grade 9 (subject to Job Evaluation) commencing salary £35,430 plus on costs, The Admin. Assistant role is expected to be Grade 4, at approximately £8,415 per annum for 18hrs per week plus costs. Therefore the total cost of both posts being £43,845 per annum.

Legal and Governance Implications:

The Council is required to fulfil it's duties to safeguard and promote the well being of children and young people under Section 11 and 47 of the Children's Act 2004. The Essex Safeguarding Adults Board, although not under statutory obligation, also assesses statutory partners on the strength of their Adult Safeguarding arrangements.

Safer, Cleaner and Greener Implications:

The District Council is responsible for ensuring that all children, young people and vulnerable adults are protected from harm and exploitation.

Consultation Undertaken:

The Council has been in consultation with Essex County Council and district, city and borough authorities across Essex in respect of safeguarding children, young people and vulnerable adults. New inspection frameworks for safeguarding through annual self assessment audits have been agreed by all statutory partners in Essex.

Background Papers:

Children's Act 1989 and 2004.

Impact Assessments:Risk Management

Under the Children's Act 2004, the Council has a duty to protect children and young people living or originating from the Epping Forest District, from harm and exploitation. It also has a duty Under Section 47 of the Children's Act to work with Essex County Council in regard to any investigations into the welfare or harm of a child. If the Council does not fulfil these duties and responsibilities, it is at risk of failing a child, or young person and receiving very negative publicity.

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Due Regard Record

Name of policy or activity: Cabinet Report on establishing new safeguarding staff resources for the Council

What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, ‘paying due regard’, and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record? Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at ‘formative stages’ of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record: When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of equality analysis
2 nd December 2013. Cabinet report requesting growth item for appointment of Safeguarding Officer and Admin Assistant.	This report will impact on both the public and employees The report refers to establishing dedicated staffing resources, to improve the Council’s ability to safeguard children, young people and vulnerable adults (with or without Mental Capacity issues) from harm. It will assist the Council in meeting it’s legal duties under Section 11 and 47 of the Children’s Act 2004. It contains improved equality of opportunity for the above groups of people, due to the significance of promoting welfare and safeguarding people from harm. It also aims to offer improved protection of people from Domestic Abuse, ‘Honour’ Based Abuse, Forced Marriage and Female Genital Mutilation. If Cabinet agree the contents of this report there will be a positive impact on equality.

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Report to the Cabinet

Report reference: C-061-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Planning
Subject: Budget Arrangements to Facilitate Direct Enforcement Action
Responsible Officer: John Preston (01992 564111).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That the taking of direct action by the Council using section 178 of the Town and Country Planning Act (as amended) be confirmed as being delegated to the Director of Planning & Economic Development;**
- (2) That the costs of taking such action be met from the existing DDF budget for Appeals and Contingencies (DC110 3680); and**
- (3) That the costs of taking such direct action will be placed as a charge on the land or property, so that they are eventually recouped.**

Executive Summary:

When the Council uses the enforcement powers available to it under the Town and Country Planning Acts, the service of an enforcement notice generally leads to the breach of planning control being resolved. Such notices are often the subject of appeals, and on some occasions prosecutions are undertaken, which serve to delay the impact of the notice.

Much more rarely the requirements of the notice are not met by the owner or developer taking action to comply with the notice, and the Council itself then has a power to take direct action under section 178. In practice, this may also involve the Council using professional contractors.

Section 178 is clearly an important "back up" power to secure planning control when other steps have not been successful.

Whilst the taking of most enforcement action is delegated to officers, decisions about direct action have previously been taken by Councillors, perhaps partly reflecting that it is an unusual power that is being used, but also partly because in the past there has not been a budget set aside to allow for direct action.

In considering the need to take direct action, it suggests that there is a serious breach of planning control, and that the normal steps have been taken, but without resolving the breach of control. This also implies that time will already have elapsed, and the requirement to obtain Cabinet approval for the budget for direct action adds further time to the process.

In considering the use of direct action at sites in Ongar and in Theydon Bois in the past few

years, it is suggested that there should have been a budget arrangement to cover direct action.

The Council's normal budgetary approach is not to have funds set aside in budgets which are not being used, because the funds if unused for the particular purpose could have been used for more pressing purposes.

It is possible for the costs of direct action to be treated as a simple debt, and also to be placed as a charge on the property, so as to ensure those costs are recouped in due course; in particular when a site is sold. Clearly however, such expenditure may not be recouped in all cases within a short or set period.

It is suggested that budget is therefore applied to these purposes, within limits, and by using some existing budget for this purpose as well as the original purpose of the budget.

Reasons for Proposed Decision:

The recommendations herein are confirming the previous delegation of powers, rather than making a new arrangement. Those powers in practice have been limited by the need to separately gain budgetary approval from Cabinet on each and every occasion. They should provide a small simplification to procedures.

The budget proposed to be used already exists, and steps will be taken to recoup the funds expended.

Other Options for Action:

To leave the existing arrangements for direct action, requiring a Councillor decision to agree the action, and Cabinet to agree one off budgets in each case.

To introduce a budget solely for direct enforcement action.

Report:

1. The enforcement of planning control is an important role for the Council in the protection of the District from unauthorised and unacceptable development, including harmful development. It is part of the system of planning control, or management of development.
2. Whilst most of those promoting the development of their land or property go through the correct channels, and obtain prospective permission, and comply with any conditions imposed, some do not.
3. The Council can take enforcement action where it is expedient to do so, and, contrary to what some might think or want, it is not an offence to undertake development without gaining prospective planning permission.
4. The process of taking enforcement has many democratic safeguards built in, but can then take time to deal with matters. Sometimes those suffering adverse impacts from unauthorised development consider the processes take too long, or consider that insufficient is being done to bring matters within control.
5. Although there is a propensity to appeal enforcement notices, and to take time to comply with their requirements, they are generally complied with. If they are not complied with then the next step is usually to commence a prosecution for the failure to comply. The failure to comply with an enforcement notice is an offence.

6. In a few instances notices are not complied with to an agreed timetable, and to secure compliance it is possible for the Council to act directly (or for the Council to employ professional contractors to secure compliance with the notice.)

7. Most enforcement action is now within the delegated powers of officers, rather than requiring the approval by Committee, and it is logical for direct action to be delegated in order to secure compliance with the terms of the notice. Those terms are not made any different just because the owner or developer has not complied with them.

8. In dealing with some cases over the past few years, there was a strong sense that objectors had already experienced the adverse impacts of development, and that the system was being played and becoming very drawn out. Members recognised that requiring a report to be brought forward (because there was no specific budget) could be seen as simply adding to the time to deal with the matter, and that the case for direct action was already very clear.

9. The Council agreed some while ago to have a District Development Fund budget to deal with occasions where costs were awarded against the Council in a planning appeal, and to deal with similar contingencies. That is a depleting budget pot rather than one which is repeated every year, and it is not bottomless. However, as direct action is an unusual occurrence, and to avoid having several budgets, it is suggested that this budget is used to cover direct action as well. That budget has some £46,000 in it at present.

10. Although the Council is prepared to fund direct action to ensure that the particular notice is complied with, it will seek to reclaim that expenditure, because the responsibility to comply with the notice rests with the owners and those with interests in the land. It will seek to issue a simple debt, but will also seek to place a charge on the land so that if the simple route does not work, that in due course the costs can be recouped.

Resource Implications:

The report explains that this is about using an existing budget for an additional purpose and that at present the budget has sufficient resource within it. It explains why a separate budget is not proposed, and that steps will be taken to recoup the expenditure.

Legal and Governance Implications:

Before taking any enforcement action, the Council's legal views are taken, and the drafting of the notices is undertaken by the Council's legal section. This report is really about securing compliance with the notice rather than any new step. From a governance point of view the comments made about this step reinforcing the planning system are important.

Safer, Cleaner and Greener Implications:

There are no particular implications, other than that the steps proposed are about preserving the character of the District.

Consultation Undertaken:

None.

Background Papers:

Text for background papers...

Impact Assessments:

Risk Management

Because what is proposed is about securing compliance with notices already judged necessary, and which may have been tested at appeal or by a prosecution in the court already, it is not really introducing new risks. By confirming that delegated powers are to be used, and selectively using an existing budget, a prudent approach is being used, but which can allow quicker results. Steps will also be taken to recoup the expenditure incurred.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?
N/A.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A.

Due Regard Record

Name of policy or activity:

What this record is for:

By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record?

Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at 'formative stages' of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record:

When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of Equality Analysis
1 November 2013	If there are significant equalities considerations in a particular case where planning enforcement is being considered, then these would usually be considered at the initial stages of the investigation, and by the time of the issue of the notice itself. Indeed if those changed and became more marked, so that a greater period for compliance with the notice was required then that case can be put to the Council. Direct action is usually only going to be taken where the arguments for and against action have already been made and considered, but where the requirement to comply with the notice is being ignored. Direct action will be about securing good relations in that planning control is being secured.

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Report to the Cabinet

Report reference: C-058-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Safer, Greener & Transport
Support Services

Subject: Licensing Review – Staffing and Budget Implications

Responsible Officers: Ian Willett 01992 564243
Allison Mitchell 01992 564017

Democratic Services Officer: Gary Woodhall 01992 564470

Recommendations:

(1) To approve, in principle, the inclusion of a growth item in the 2014/15 Continuing Services Budget in a sum of £ 54,780 in respect of:

(a) one additional permanent post of Licensing Officer at a cost of £28,810 per annum (including on costs);

(b) one additional post of Democratic Services Assistant at a cost of £21,170 per annum (including on costs); and

(c) other associated costs (allowances, printing etc and GIS expenses of £4,800 per annum;

(2) That for the purposes of recommendation (1) above, the existing temporary positions of Licensing Officer and Democratic Services Assistant approved by the Council at its meeting on 23 April 2013 (127(vii)) for the purpose of a nine month trial of new licensing arrangements be made permanent;

(3) That recommendations (1) and (2) be made subject to outcome of reviews of the trial licensing arrangements as follows:

(a) by the Constitution and Member Services Scrutiny Panel and the Overview and Scrutiny Committee of member meeting arrangements for hearing licensing applications; and

(b) by the Licensing Committee of matters relating to the review that effect licensing policy; and

(4) That a further report be made to the next Cabinet meeting on the outcome of the reviews set out in the recommendations above so that a final decision on whether or not the CSB growth item is to be incorporated in the budget could be made.

Executive Summary

A trial in respect of new licensing arrangements was approved by the Council in April 2013.

This trial involved:

- (a) new processes for consulting the public on premises licences submitted to the Council involving notifications to householders within the vicinity of the premises concerned;
- (b) new member meeting arrangements so as to make licensing hearings more accessible to the public by holding them in the evening on a regular basis.

The trial period was designed to operate for a year, effective from the date on which the new arrangements came into operation, with a review after nine months.

Additional posts of Licensing Officer and Democratic Services Assistant were approved in order to cover the additional work generated by the trial. These posts are temporary and budgetary provision for them ends in at the end of the financial year.

The purpose of this report is to seek a decision in principle on whether these posts are to become permanent. The results of the trial will be reviewed by the Licensing Committee and the Constitution and Member Services Scrutiny Panel. As this is effectively the last meeting at which the Cabinet is able to consider CSB growth items, the Cabinet is being asked to include the additional cost of the two additional permanent posts in next year's budget, pending a further report on the outcome of the review of this trial.

The report also updates the Cabinet on other developments affecting the case for retaining these positions.

Reasons for Proposed Decision:

To secure provisional CSB funding for these two temporary posts as permanent positions, pending further review.

Other Options for Action:

None at this stage, pending the outcome of the trial review. Options which could arise could cover:

- (a) reversion to previous licensing arrangements;
- (b) continuing of staffing support on a purely temporary basis; or
- (c) no additional staffing.

Report:

1. The Council on 9 April 2013 approved recommendations of a Scrutiny Task and Finish Panel on licensing arrangements. A copy of the Panel's review report can be found as part of the agenda for that meeting.

2. The review introduced new arrangements in two main areas:
 - (a) consultation with properties within 150 metres of the application premises in respect of premises licences; and
 - (b) new meeting arrangements whereby licensing meetings could be held in evenings to make hearings more accessible to working Councillors and members of the public.
3. Recognising the additional resources which would be required to support these changes, the Council approved a supplementary District Development Fund estimate of £64,000 (approximately) to support the initiative. Most cost was attributed to additional staffing in the Licensing Section of the Corporate Support Services Directorate and Democratic Services in the Office of the Chief Executive. The additional posts created were:
 - (a) Licensing Officer (Salary Grade 5 cost of £24,590 (including on cost) for the trial period; and
 - (b) Democratic Services Assistant (Salary Grade 4 cost of £ 20,880 for the trial period)
4. As indicated these two posts are temporary positions, with time limited funding up to the end of the financial year. This is because, in approving the new licensing arrangements, the Council stipulated that they should operate for 9 months and then be reviewed. The latter review is now pending and will be conducted by the Constitution and Member Services Scrutiny Panel (member meeting arrangements and review) and the Licensing Committee (licensing policy)
5. This is the last opportunity for the Cabinet to consider CSB growth bids for the 2014/15 budget. However, the position regarding whether the new licensing arrangements are to become permanent in the future is uncertain until the two bodies mentioned have reviewed the position and decide if the trial has been a success.
6. A decision in principle on the CSB growth bid in recommendation (1) is therefore sought so as to hold the position until the review is completed and the Cabinet advised of the preferred course of action. The review results will be submitted to the February 2014 Cabinet meeting so that a final decision can be made on including these posts in the permanent establishment.
7. What has become apparent during the trial is that wider considerations have emerged in regard to these positions. These are discussed in the succeeding paragraphs.

Licensing Section

8. An additional temporary member of staff has been employed. Experience has shown that the complexity of this work is such that the temporary member of staff was not able to undertake all the duties envisaged. What has become apparent is that only the existing licensing officers have the experience to undertake the full range of these duties.
9. Although the temporary member of staff has been a very valuable resource for the Licensing Section, one impact is that the Licensing Officers have become progressively more office-based dealing with the complexities of licensing applications and less on compliance visits at the premises themselves. This point is illustrated by the fact that in September, 10 such applications were processed.

10. Further impacts on the Section have been felt from two other developments:

(a) Scrap Metal Dealers:

The Council has recently taken on the responsibility for licensing scrap metal dealers. Prior to the change in Regulations by the Government dealers were required to register themselves and only limited information needed to be obtained and entered onto a public register. The Council had 10 applications on the register and it was uncertain as to how many new applications would be received. Currently 10 applications are being dealt with but more are expected as dealers become aware of the legislation. In addition, the Licensing Committee have correctly required officers to carry out compliance visits for each of these premises, twice yearly;

(b) Road Closures:

Essex County Council has until recently undertaken temporary road closures to allow street parties etc. to take place. The County Council has now decided that it will not undertake this and are referring applicants to the District Council's Licensing Section. This was reported to the last meeting of the Licensing Committee which decided that they could not make a decision on the District Council exercising these powers without further information. If adopted this process will add to the workload for the Section.

11. An overview of costs is given below if these temporary arrangements become permanent.

(a) Staffing – a permanent post at Scale 6 (c. £28,810 p.a. inc on cost) would be necessary. This would be a Licensing Officer to reflect the need for knowledge and experience of licensing procedures;

The existing temporary member of staff represents spending of c £11,000 (six months of the trial); and

Other staffing costs in respect of evening meeting attendance total £2,000.

(b) Other Costs – GIS property identifications for consultation purposes plus additional printing/stationery are estimated to have generated additional expenditure of £1,000 over the first six months of trial.

Democratic Services

12. The new system of Licensing Sub Committee meetings began from the new municipal year (June 2013). During the period it was envisaged that there would be one day time and one evening meeting per month: 24 meetings per year.

13. During the period 1 June – 1 November (5 months) there have been a total of 19 meetings. There have also been two meetings of the full Licensing Committee with an additional meeting planned for December. If the same frequency of meetings continues during the rest of the year, approximately 40 to 50 meetings could be held before May 2014. The licensing of scrap metal dealers and sites has now been added by Government and could well necessitate still more meetings.

14. As a consequence of the review last year, members approved a temporary post of Democratic Services Assistant to help deal with the increase in meetings and administration. This provision ceases in May 2014. The cost is £21,170 (£10,500 for 6 months to date) for a full year including on costs. To this must be added approximately £800 for evening meeting allowance for the same period.

15. If members are to continue the current processes, the permanent retention of the post is necessary. This is against the background of steadily increasing levels of meetings supported by Democratic Services which, with internal meetings and webcasting, has risen to 390 supported meetings and events in the last year. To this must be added the likely impact of the Directorate Restructuring Review. Although the latter has not yet been approved, two posts in Democratic Services positions are likely to be deleted from the establishment. If the temporary post of Democratic Services Assistant is not continued, a net loss to the Section of three posts may result.

Conclusions

16. These are itemised below:

- (a) there is, as expected, a substantial additional workload emerging from the trial of the new licensing arrangements;
- (b) this has manifested itself in an increase in the number of licensing meetings and more pressure on the Council's resources to deal with the volume of work from licensing applications;
- (c) additional risks can be identified in the maintenance of the required programme of compliance visits to licensed premises;
- (d) the growth in the number of meetings for licensing has contributed to a congested calendar and meeting "overload" for officers and members; and
- (e) resourcing of Democratic Services is set to be reduced under the Directorate Restructuring process.

17. The outcome of the current reviews will be designed to explore the reaction to these issues.

18. Equally important is the Council's engagement with local communities. It may be difficult to avoid adverse public reaction to changes to consultation arrangements which have been extended but which could not be reversed on financial grounds.

Resource Implications:

The licensing arrangements trial is supported by funding for two temporary posts which is time limited to May 2014. The cost is c. £50,000 p.a.

If the trial arrangements become permanent in their present form two posts are thought to be necessary:

Licensing Officer: £28,810 per annum

Democratic Services Assistant: £21,170 per annum

£49,980

Evening Attendance Allowances can be expected to increase by approximately £2,800 per annum assuming that the current frequency of meetings continues.

If members decide not to continue with the trial arrangements there would be redundancy costs of approximately £1600 should redeployment not prove possible.

There are also additional costs associated with the consultation relating to GIS time and printing/envelope/postage costs of approximately £2,000.

Legal and Governance Implications:

The licensing process is subject to the statutory and constitutional framework within which the Council operates.

In terms of hearings held by Licensing Sub Committees, these are subject to constitutional rules provided for the purpose. All meetings are subject to the legal requirements set out in the Local Government Acts 1972, 2000 and 2007 together with the Localism Act 2011.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Licensing Committee
Constitution and Member Services Scrutiny Panel

Background Papers:

None.

Impact Assessments:

Risk Management

Risks arising from absence of compliance visits to licensed premises could arise.

Equality and Diversity:

See attached "due regard" assessment.

Due Regard Record

Name of policy or activity:

What this record is for:

By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it must be recorded as evidence. We pay due regard by undertaking equality analysis and using what we learn through this analysis in our service delivery and decision making. The purpose of this form is as a log of evidence of due regard.

When do I use this record?

Every time you complete equality analysis on a policy or activity this record must be updated. Due regard must be paid, and therefore equality analysis undertaken, at 'formative stages' of policies and activities including proposed changes to or withdrawal of services. This record must be included as an appendix to any report to decision making bodies. Agenda Planning Groups will not accept any report which does not include evidence of due regard being paid via completion of an Equality Analysis Report.

How do I use this record:

When you next undertake equality analysis open a Due Regard Record. Use it to record a summary of your analysis, including the reason for the analysis, the evidence considered, what the evidence told you about the protected groups, and the key findings from the analysis. This will be key information from Steps 1-7 of the Equality Analysis process set out in the Toolkit, and your Equality Analysis Report. This Due Regard Record is Step 8 of that process.

Date / Name	Summary of Equality Analysis
14 November 2013 I Willett	<p>The substantive review of the Council's premises licensing procedures is being undertaken by the Constitution and Members Services Scrutiny Panel and will report to a later Cabinet meeting in more detail.</p> <p>The Cabinet in considering this report is being asked to agree the continuation of posts that support a wider consultation agenda that seeks to ensure that the public are aware of premises licence applications that are made within their local area. The arrangements were designed to increase public awareness across a broader section of the community.</p> <p>The Review itself will also examine the impact and benefits of holding meetings relating to those premises in the evening and whether this has enabled an equality of access to these meetings.</p> <p>Issues that might be relevant are whether holding meetings at particular times may mean that some sections of the community are not able to attend.</p> <p>The report before the Cabinet therefore seeks only to secure sums to support this process in the draft budget subject to later report.</p>

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Report to the Cabinet

Report reference: C-062-2013/14
Date of meeting: 2 December 2013



**Epping Forest
District Council**

Portfolio: Support Services
Subject: Calendar of Council Meetings 2014/15
Responsible Officer: Gary Woodhall (01992 564470).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That, as attached at Appendix 1, the draft Calendar of Council Meetings for 2014/15 be recommended to the Council for adoption.

Executive Summary:

The Cabinet considers the calendar of meetings each year prior to its final approval by the Council. The calendar has developed over time to meet the changing needs of the authority and, where possible, meetings of a Committee have been standardised on a particular night of the week. Within the current Democratic Services Business Plan, there is an item to review the Calendar of Council Meetings, and in particular the frequency of meetings. The only changes proposed for the Calendar this year are:

- (i) an extra meeting of the Cabinet and Overview & Scrutiny in the autumn;
- (ii) Overview & Scrutiny Committee meetings rescheduled to allow Members more time to study the Cabinet agenda; and
- (iii) an additional week after the Local Elections free from Area Planning Sub-Committees to allow training in the Planning Protocol for any new Members elected to the Council.

Reasons for Proposed Decision:

Item for action within the Democratic Services Business Plan for 2012/13 & 2013/14.

Other Options for Action:

Individual frequencies of meetings could be varied. In practice additional meetings are added as and when issues dictate. Similarly, meetings can be cancelled if there is a lack of business.

Report:

1. Within the current Democratic Services Business Plan, there is an item in the Action Plan to review the Calendar of Council Meetings, and in particular the frequency of individual Committees. As a result, Democratic Services submit the draft Calendar of Council meetings

each year to the Cabinet for consideration prior to its approval by the Council.

2. The draft Calendar at Appendix 1 is based upon the current year's calendar, with approximately the same number of meetings. It has been slightly amended in some places but wherever possible:

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

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

The Executive

4. Council meetings have remained on their traditional Tuesday night. Due to the delay in holding the Local Elections to coincide with the European Election on 22 May 2014, the Annual Council has had to be rescheduled for Tuesday 10 June.

5. One small change to the calendar for Cabinet meetings has been requested by the Leader of Council. The frequency of Cabinet meetings in the autumn has been revised from every 6 weeks to every 4 weeks, which results in an extra meeting of the Cabinet being held during this period. Recent Cabinet agenda have contained a large number of reports (the July cycle required two meetings to complete all the business), and it is felt that an extra meeting of the Cabinet will assist in meeting its work programme. This will involve some additional costs to the Council, but most other Councils hold monthly Executive meetings as a matter of course.

6. It will be noted from the Appendix that that the North Weald Airfield & Asset Management Cabinet Committee has been renamed the Asset Management & Economic Development Cabinet Committee, in line with the Leader Decision in October 2013. The Council Housebuilding Cabinet Committee has not been included on the Calendar as the advice from Officers is that it meets as and when evaluations for the different sites are received. Therefore, no purpose would be served in scheduling regular quarterly meetings.

Overview & Scrutiny

7. The additional Cabinet meeting in the Autumn will also entail an extra meeting of the Overview and Scrutiny Committee, as it has traditionally met six days before each Cabinet to scrutinise the published Cabinet agenda. However, due to the increasing size of Cabinet agenda, the Overview and Scrutiny Task & Finish Panel has recommended that meetings of the Overview & Scrutiny Committee be rescheduled to allow the Members a little more time to study the Cabinet agenda. Therefore, meetings of the Overview & Scrutiny Committee have now been moved to the Thursday before Cabinet, i.e. 4 days before the meeting.

8. There may be occasional instances where a Scrutiny Panel is not on a Tuesday evening, but this is to enable the Scrutiny Panel to retain their quarterly meeting schedule.

Both the Finance & Performance Management Cabinet Committee and Scrutiny Panel have an additional meeting to allow for their participation in the budget preparation process, including a 'joint' meeting in January to consider the draft budget for the following year.

Planning

9. The calendar for 2011/12 changed the frequency of the Area Planning Sub-Committees from a three weekly cycle to a four weekly cycle. It is felt that this change has worked well, with minimal impact upon the relevant Key Performance Indicators, and this arrangement has been retained for 2014/15. An additional week after the Local Elections has been kept free of Planning meetings to enable training to take place for any new Members elected.

Licensing

10. Licensing Sub-Committee meetings to consider applications from Taxi Drivers have remained on a Tuesday morning, but there has also been an additional meeting each month scheduled for a Thursday evening to consider Premises (Alcohol) Licences. The evidence so far is that more than one evening Licensing Sub-Committee meeting has been required per month, but additional meetings have been scheduled as necessary, and the current process is due to be reviewed by Overview and Scrutiny shortly. If the result of this review is that the evening meetings for Alcohol Licences are no longer continued then these meetings can be cancelled and the accommodation would become available for other meetings.

Miscellaneous Committees

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

Waste Management Contract

12. As part of the process to let the new Waste Management Contract in 2014, there will be some additional meetings required. Currently, the Member Appointment Panel is provisionally scheduled for either 25 April 2014 or 30 April 2014; the date to be confirmed when the composition of the Panel is confirmed.

13. Following on from the member Appointment Panel, there will need to be an additional meeting of the Cabinet and Council; these currently are scheduled for 12 May 2014 and 16 June 2014 respectively. The Cabinet meeting has been added to the matrix at Appendix 1, and the Council will be added to the matrix for the following year. However, the accommodation for both meetings has been provisionally booked.

Conclusion

14. The Cabinet is requested to consider the draft Calendar of Council meetings for 2014/15, as attached at Appendix 1, and whether any further changes are required. However, it should be noted that the current Calendar is very congested and the organisation of any additional meetings should be given very careful consideration. Any changes requested by the Cabinet will be incorporated into the final version to be considered by the Council on 17 December 2013.

Resource Implications:

No identifiable savings as there are no significant changes planned for next year's Calendar. There may be a slight increase in costs due to the extra meetings of the Cabinet and Overview & Scrutiny planned for the Autumn.

Legal and Governance Implications:

None foreseen, as the proposed Calendar allows the Council to fulfil its obligations under the various different Local Government Acts.

Safer, Cleaner and Greener Implications:

Any substantial increase in the number of Member meetings would hinder the Council in meeting its obligations under the Nottingham Declaration.

Consultation Undertaken:

All Directors, Assistant Directors & other Senior Officers.

Background Papers:

None.

Impact Assessments:**Risk Management**

That an insufficient number of meetings would be scheduled for a particular Committee to complete its business for the year; however, if this became apparent then additional meetings could be arranged as necessary.

Due Regard Record

Name of policy or activity:

What this record is for:

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Date / Name	Summary of Equality Analysis
29 October 2013	Wherever possible, meetings have not been scheduled to coincide with major religious festivals; however there is one meeting of Area Plans Sub-Committee West where it has not been possible to avoid a clash with the Jewish New Year festival of Rosh Hashanah.

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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	29th		30th		4th	16th	17th(19th)			21st	26th
Cabinet			23rd	21st		8th	6th	3rd	1st		2nd	9th	13th	12th
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		23rd		
Scrutiny														
OS Committee			19th	17th		4th	2nd-30th	27th		29th		5th	9th	
Finance & Perf Mgmt			17th			9th		11th		19th		10th		
Housing				22nd			21st			20th		24th		
Planning Services				1st		16th			16th				14th	
Safer, Cleaner, Greener				8th			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)			10th	8th	5th	9th	7th	11th	9th	13th	10th	10th	7th	
Licensing Sub (Evening)		15th		19th	14th	11th	16th	11th	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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