



***CABINET***  
***Monday, 3rd March, 2014***

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

**Council Chamber, Civic Offices, High Street, Epping**  
**on Monday, 3rd March, 2014**  
**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](mailto: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

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**PLEASE NOTE THE START TIME OF THE MEETING**

**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**

(Assistant to the Chief Executive) To be announced at the meeting.

**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 3 February (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. COUNCIL HOUSEBUILDING CABINET COMMITTEE - 4 FEBRUARY 2014  
(Pages 7 - 16)**

(Housing Portfolio Holder) To consider the minutes from the recent meeting of the Council Housebuilding Cabinet Committee, held on 4 February 2014, and any recommendations therein.

**9. HOUSING IMPROVEMENTS AND SERVICE ENHANCEMENTS FUND - 2014/15  
(Pages 17 - 38)**

(Chairman of the Housing Scrutiny Panel) To consider the attached report (C-076-2013/14).

**10. PARKING STRATEGY AND TARIFF STRUCTURE (Pages 39 - 48)**

(Safer, Greener & Transport Portfolio Holder) To consider the attached report (C-077-2013/14).

**11. CIVIC OFFICES INSTALLATION OF SOLAR PANELS - FEASIBILITY STUDY (Pages 49 - 60)**

(Portfolio Holder for Asset Management & Economic Development) To consider the attached report (C-078-2013/14).

**12. PARK HOME SITE LICENCE CONDITIONS - PROPOSED NEW ARRANGEMENTS (Pages 61 - 76)**

(Housing Portfolio Holder) To consider the attached report (C-080-2013/14).

**13. PAY POLICY STATEMENT (Pages 77 - 90)**

(Support Services Portfolio Holder) To consider the attached report (C-079-2013/14).

**14. CHILD AND ADULT SAFEGUARDING POLICY (Pages 91 - 120)**

(Safer, Greener & Transport Portfolio Holder) To consider the attached report (C-081-2013/14).

**15. CORPORATE KEY OBJECTIVES 2013/14 - QUARTER 3 PROGRESS (Pages 121 - 142)**

(Leader of the Council) To consider the attached report (C-082-2013/14).

**16. CHRISTMAS / NEW YEAR ARRANGEMENTS (Pages 143 - 156)**

(Support Services Portfolio Holder) To consider the attached report (C-083-2013/14).

**17. CHIGWELL NEIGHBOURHOOD AREA CONSULTATION (Pages 157 - 166)**

(Planning Portfolio Holder) To consider the attached report (C-084-2013/14).

**18. DISCRETIONARY RETAIL RATE RELIEF POLICY (Pages 167 - 176)**

(Finance & Technology Portfolio Holder) To consider the attached report (C-086-2013/14).

**19. 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.

## 20. EXCLUSION OF PUBLIC AND PRESS

### Exclusion

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

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Number</b>
21	Disposal of a Council Asset – 10 Newmans Lane, Loughton	3
22	Proposed Development – St John's Road, Epping	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.

**21. 10 NEWMANS LANE, LOUGHTON (Pages 177 - 184)**

(Housing Portfolio Holder) To consider the attached report (C-085-2013/14).

**22. PROPOSED DEVELOPMENT - ST JOHNS ROAD, EPPING (Pages 185 - 194)**

(Asset Management & Economic Development Portfolio Holder) To consider the attached report (C-087-2013/14).

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## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Council Housebuilding Cabinet **Date:** Tuesday, 4 February 2014  
Committee

**Place:** Council Chamber, Civic Offices, **Time:** 6.30 - 9.10 pm  
High Street, Epping

**Members Present:** D Stallan (Chairman), W Breare-Hall, Ms S Stavrou, G Waller and C Whitbread

**Other Councillors:** K Angold-Stephens and Ms J Hart

**Apologies:** R Bassett and L Girling

**Officers Present:** A Hall (Director of Housing), P Pledger (Assistant Director (Property)), G Lunnun (Assistant Director (Democratic Services)) and J Leither (Democratic Services Assistant)

**Also in attendance:** A Gatrell (Head of Development, East Thames Group), and I Collins (Client Lead, Pellings LLP)

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### 13. DECLARATIONS OF INTEREST

The Chairman reminded Members of the guidance issued by the Assistant to the Chief Executive regarding declarations of interest at the relevant planning sub committee regarding Council housebuilding planning applications.

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

### 14. SUBSTITUTE MEMBERS

The Cabinet Committee noted that Councillor C Whitbread substituted for Councillor R Bassett.

### 15. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 10 July 2013 be taken as read and signed by the Chairman as a correct record.

### 16. PRIORITISATION OF POTENTIAL DEVELOPMENTS

The Director of Housing presented a report to the Cabinet Committee regarding a proposed strategic approach to the prioritisation of locations for potential developments. He advised that the Cabinet had previously agreed a list of potential development sites for which the Council's Development Agent would be asked to undertake detailed development and financial appraisals. Now that the Development Agent had started to undertake development appraisals for each site, there was a

need to agree a strategic approach to the prioritisation of potential sites for development.

A general strategic approach for the prioritisation of potential sites was proposed for adoption, which suggested that locations within the District be grouped together into two Groups, having regard to the Primary List of Sites previously agreed by the Cabinet and whether the locations had the capacity to deliver more or less than 10 new homes, and that development packages/phases be formulated each year, on a rotational basis in an agreed Priority Order, based on the number of applicants living within each location.

Since there were various ways in which the number of potential sites within a location could increase and, as the Development Programme progressed, the number of new homes that could be provided at locations within the groups was likely to reduce – which could have an effect on the Priority Orders within both groups – it was proposed that a review of the priority orders within the two groups be undertaken in three years' time, having regard to the same proposed strategic approach. However, on discussion, the Cabinet Committee concluded that such reviews should be undertaken annually.

The Cabinet Committee requested that, for when the Cabinet considers its recommendations, information about individual housing applicants' areas of preference for rehousing be included in the group information in addition to the number of applicants living in each area.

**Recommended:**

(1) That the following general strategic approach be adopted for the prioritisation of potential sites taken forward for development under the Council's Housebuilding Programme:

(a) Generally, over a period of time, development sites be spread around the towns/villages where sites are located, on a rotational basis, so that all locations have the benefit of affordable housing being provided in their area;

(b) Priority for the development of potential sites be given to areas in which the highest number of housing applicants live;

(c) Towns/villages with sites that could potentially deliver the greatest number of new properties be prioritised in preference to locations where less properties could be delivered; and

(d) If possible, development packages/phases generally comprise sites within the same town/village, in order to reduce the contractor's site set-up costs;

(2) That, taking account of the strategic approach set out in (1) above, locations be grouped together into the following two Groups and the Priority Orders shown (*Note: applicants can express preferences for more than one area*):



<b>Group A</b> <b>(Capacity for 10 or more new homes)</b>					
<b>Priority Order</b>	<b>Location</b>	<b>No. of Housing Applicants</b>	<b>No. of Sites</b>	<b>Max. No. of Properties</b>	<b>No. of Preferences From Applicants</b>
1	Loughton	478	16 <sup>(#)</sup>	52 <sup>(#)</sup>	1,047
2	Waltham Abbey	472	18	71 <sup>(*)</sup>	676
3	Epping	95	5	12	1,065
4	Buckhurst Hill	80	5	23	832
5	Ongar	76	2	11	404
6	North Weald	48	2	16	456

(\*) = Including the Year 1 sites

(#) = Excluding the sites at The Broadway

<b>Group B</b> <b>(Capacity for less than 10 new homes)</b>					
<b>Priority Order</b>	<b>Location</b>	<b>No. of Housing Applicants</b>	<b>No. of Sites</b>	<b>Max. No. of Properties</b>	<b>No. of Preferences From Applicants</b>
1	Theydon Bois	19	2	5	749
2	Nazeing	15	2	7	348
3	Roydon	13	1	3	215
4	Coopersale	10	3	7	152
5	High Ongar	9	1	2	307
6	Matching Green/Tye	7	1	2	193

(3) That development packages/phases be formulated each year, on a rotational basis – in the Priority Order shown in Group A above – until the capacity for the potential number of homes in a location reduces to less than 10, at which point the location be moved into Group B;

(4) That, where less than 20 homes can be provided within a development package/phase in one of the locations within Group A above, one or more sites within Group B also be included within the development package/phase, on a rotational basis – in the Priority Order shown in Group B above – to comprise a package/phase of between 20 and 25 homes; and

(5) That an annual review of the priority orders within Groups A and B in (2) above be undertaken by the Cabinet Committee having regard to the same strategic approach set-out in (1) above.

#### **Reasons for Decision:**

To achieve a strategic approach to the prioritisation of potential sites for development.

#### **Other Options Considered and Rejected:**

(a) Not to have a strategic approach – this would mean that a high profile, high cost Council Programme would not have a strategic direction; and

(b) To adopt a different approach to the prioritisation of sites.

**17. FUTURE USE OF GARAGE SITES UNSUITABLE FOR REDEVELOPMENT**

The Assistant Director of Housing (Property) presented a report reminding the Cabinet Committee that the Council's Development Agent was required to undertake feasibility studies for each of the 65 garage sites included on the list of potential development sites approved by the Cabinet. He advised that some garage sites were likely to be considered either unsuitable, financially unviable or would not obtain planning permission and a policy would need to be developed for the future use of such sites. He advised that one site from Phase 1 had already been withdrawn for the time being and envisaged that there would be more as the Programme progressed.

Members requested that the list of possible uses to be presented to a future meeting should include offering sites to the appropriate Town or Parish Council for purchase, for their own uses.

**Decision:**

That the Cabinet Committee receives a report at a future meeting on the use of difficult-to-let garage sites, and other surplus sites, that are unsuitable for redevelopment.

**Reason for Decision:**

Where sites are not developable, then their future use must be considered to maximise the Council's benefit of the Asset.

**Other Options Considered and Rejected:**

Not to have a further report.

**18. PHASE 2 FEASIBILITY REPORT**

The two local ward members had been invited to attend the Cabinet Committee meeting for this item. However, Councillor Ms J Hart gave apologies for the other ward member, Councillor L Girling advising that he was unable to attend due to work commitments.

The Assistant Director of Housing presented a report following undertaking of a feasibility study by East Thames, and their consultants, Pellings, for the redevelopment of the Council's former depot, garages and amenity land in Burton Road, Loughton.

He advised the Cabinet Committee that at the time of preparing the report, the Director of Housing had been in discussions with a representative of the Bishop of Barking regarding the possibility of land adjacent to the Burton Road development being used to provide a small Church with associated community facilities. In return for this land the Church would provide Church land elsewhere in Loughton for the development of affordable housing.

Members noted that the Director of Housing had recently been advised that, following further discussions between the Anglican Parish of Loughton and the Methodist Church in Loughton (which had a Local Ecumenical Partnership), the Partnership had been unable to agree amongst its membership to such a proposal. Therefore, this proposal was no longer being pursued.

The Cabinet Committee was advised that since the site that was subject to these discussions was in Burton Road and adjacent to the original Phase 2 proposal being considered, East Thames had been asked to consider a feasibility study to extend the development site to incorporate this additional piece of land. As a result, a potential layout for this additional land and a summary financial appraisal had been circulated to all members of the Cabinet Committee and the ward members in advance of the meeting, which showed that the proposed development of 25 affordable Council dwellings could now be increased to a minimum of 31 affordable Council dwellings.

The Cabinet Committee was advised that in accordance with Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution, the permission of the Chairman had been obtained, after prior notice to the Chief Executive, to this urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) being transacted.

**Decision:**

- (1) That the Package Two development feasibility, consisting of the former Council Depot, two garage sites and grassed area previously identified for possible housing development in the Broadway Regeneration Masterplan at Burton Road, Loughton and including the area of land to the south west, as shown on the plan attached to the supplementary agenda to provide a minimum of 31 affordable rented homes, be approved to progress to detailed planning stage and, if planning permission is received, the invitation of tenders for Year 2 and part of Year 3 of the Council's Housebuilding Programme, subject to the officers first seeking to increase the number of properties that could be provided on the site;
- (2) That it be noted that the estimated capital investment required to deliver a minimum of 31 new affordable rented Council properties in Package Two, is around £5,118,164 including fees and works;
- (3) That an appropriate level of subsidy be set aside for Package Two for the works and fees in order to achieve a pay-back of 30 years as required by the Council's Development Strategy with a positive Net Present Value (NPV);
- (4) That the Housing Portfolio Holder be authorised to submit the detailed planning application for the Burton Road development site;
- (5) That a report be submitted to the next meeting of the Cabinet Committee regarding options for the funding and programming of this development; and
- (6) That, while noting that the proposed homes at Burton Road, Loughton will be built to Code for Sustainable Homes Level 3 and have been costed on this basis - and not delaying bringing this development to fruition - taking account of the Council's commitment to energy efficiency as well as East Thames's wish to set ambitious targets for delivering the Code for Sustainable Homes at higher levels, a report be submitted to a future meeting of the Cabinet Committee considering the option of achieving a higher code level for future developments in the Programme.

**Reasons for Decision:**

The Housebuilding Cabinet Committee is required to consider and approve the package of feasibility studies and financial viability reports for each phase of the works, taking account of the views of the local ward members who represent each

site, in order for each phase to progress to planning stage and the invitation of tenders.

**Other Options Considered and Rejected:**

- (1) Not to progress with the schemes and develop alternative sites.
- (2) To amend the property sizes and types.

**19. REVIEW OF RENT CAP - EFDC AFFORDABLE RENT POLICY**

The Director of Housing presented a report to the Cabinet Committee regarding the review of the Rent Cap, relating to the maximum rent to be charged for affordable rented properties. He advised that the Rent Cap was due to be reviewed by the Cabinet Committee but that, as the current level had been agreed only just over 6 months previously, it was suggested that it remain at £180 per week for 2014/15.

**Decision:**

- (1) That the Council's Rent Cap remains at £180 per week for 2014/15;
- (2) That the Council's Affordable Rents Policy be applied to both:
  - (a) Financial Appraisals for potential developments; and
  - (b) To the actual rents charged for properties when they were let;

in relation to market rent levels, Local Housing Allowance (LHA) levels and the Rent Caps applicable at that time;

- (3) That the Council's Rent Cap next be reviewed by the Cabinet Committee towards the end of 2014/15, in time for inclusion within the Rents Strategy Chapter of the HRA Business Plan for 2015/16.

**Reason for Decision:**

The Cabinet Committee is required under the Council's Affordable Rents Policy to review the level of Rent Cap each year.

**Other Options Considered and Rejected:**

- (1) To either reduce or increase the level of Rent Cap; or
- (2) To no longer have a Rent Cap.

**20. PHASE 1 UPDATE**

The Assistant Director of Housing (Property) presented a report updating the Cabinet Committee on Phase 1 of the Council Housebuilding Programme.

The Assistant Director reported that, in July 2013, the Cabinet Committee considered feasibility studies and an investment report for Package One of the Council's Housebuilding Programme. Planning applications had been submitted for all sites in Phase 1 which consisted of five sites in Waltham Abbey. Permission had been granted for the Harveyfields site and the remaining sites would be determined at an Area Plans Sub-Committee meeting on 26 February 2014. One site had been

withdrawn for the time being, for 2 houses on the Roundhills Estate, due to legal issues to be resolved.

**Decision:**

(1) That the current progress with regard to Package One, consisting of five sites in Waltham Abbey; Harveyfields, the former Red Cross site, and three sites on Roundhills Estate be noted;

(2) That the revised budget position be noted, with total scheme costs of £3,908,324 (works & fees) for which a higher subsidy of £512,000 to that previously reported is required to achieve a 30 year payback as required by the Council's Development Strategy with a positive Net Present Value (NPV); and

(3) That the updated financial information, including the revisions to the housing estimates, be noted and the amendments to the budgets be submitted to Cabinet as part of the HRA Capital Programme and Revenue Account.

**Reasons for Decision:**

The Housebuilding Cabinet Committee receive regular updates on progress and monitored expenditure against the Housebuilding budget as delegated by the Cabinet.

**Other Options Considered and Rejected:**

None – report for noting only.

**21. FINANCIAL REPORTS**

The Director of Housing presented a report regarding the proposed format and content of monitoring reports on expenditure and other financial information relating to the Council's Housebuilding Programme. He advised that the data would be updated regularly and explained that Appendix 1 was the main summary. He advised that a suite of financial report templates had been developed and would be reported to each meeting of the Cabinet Committee. He therefore sought views on the proposed format.

Members noted that there were 7 proposed Appendices as follows:

Appendix 1	Main Summary
Appendix 2	RTB Receipts
Appendix 3	S106 Contributions
Appendix 4	Other Funding
Appendix 5	Cashflow Summary
Appendix 6	Payment Schedule
Appendix 7	Marden Close & Faversham Hall Conversion - Financial Summary

**Decision:**

(1) That the format and production of a suite of Standard Financial Report templates for the Council Housebuilding Programme - to be considered by the Cabinet Committee at each meeting - be approved, subject to a more printer-friendly presentation;

- (2) That the explanation in the report, on the information provided within each Financial Report, be attached as an appendix to future reports to the Cabinet Committee, to provide a helpful background guidance note for members;
- (3) That the current financial position be noted, in respect of:
- (a) The overall financial summary for the Housebuilding Programme and use of the various subsidies (Appendix 1);
  - (b) The amount and use of additional "Replacement Right to Buy (RTB) Receipts" available for utilisation under the Government's "one-for-one replacement" scheme (Appendix 2);
  - (c) The amount and use of financial contributions available to the Council Housebuilding Programme from Section 106 Agreements, in lieu of the provision of on-site affordable housing on private development sites, (Appendix 3);
  - (d) The amount and use of other sources of funding (e.g. sales of HRA land and non-RTB property, and external funding) (Appendix 4);
  - (e) Payments made to both contractors and East Thames, in respect of works and fees for the Housebuilding Programme (Appendices 5 & 6);
  - (f) Payments made to the contractor and the Development Agent in respect of works and fees for the Marden Close / Faversham Hall Conversion Scheme, and the overall financial summary for the Scheme (Appendix 7);
- (4) That the Cabinet Committee's first draft Annual Report to the Cabinet on the progress made with the Council Housebuilding Programme and the associated expenditure be considered at the Cabinet Committee's next meeting, for submission to the following meeting of the Cabinet; and
- (5) That the Director of Housing in conjunction with the Housing Portfolio Holder be delegated to seek HCA Investment Partner Status for the Council to utilise for future developments.

**Reason for Decision:**

The Cabinet Committee needed to ensure that budgets, costs and expenditure were properly monitored, to enable corrective action to be taken at the earliest opportunity when necessary.

**Other Options Considered and Rejected:**

- (1) Not to have regular Financial Reports presented to the Cabinet Committee;
- (2) To have Financial Reports presented at different intervals; and
- (3) To provide different Financial Reports presented to those proposed.

**22. RISK REGISTER**

The Assistant Director of Housing (Property) presented a report on the Risk Register to the Cabinet Committee. He advised that although East Thames and Pellings LLP

would be regularly updating the Risk Registers for each Phase there was a need for an overall Risk Register to capture all the issues needed to be addressed.

Members considered the current Programme-wide Risk Register.

**Decision:**

That the current Programme-wide Risk Register for the Council Housebuilding Programme be noted.

**Reasons for Decision:**

The Council's Housebuilding Programme is a major undertaking, involving significant amounts of money and risks, it was essential that the Officer Project Team and the Cabinet Committee record, monitor and mitigate those risks.

**Other Options Considered and Rejected:**

- (1) Not to have a Risk Register; and
- (2) To amend the format or content of the Programme-wide Risk Register.

**23. PROJECT PLAN**

The Assistant Director of Housing (Property) presented the five year Project Plan chart to the Cabinet Committee, which was noted.

**24. ANY OTHER BUSINESS**

The Cabinet Committee noted that there was no other urgent business for consideration.

**25. EXCLUSION OF PUBLIC AND PRESS**

The Cabinet 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**

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## **Report to the Cabinet**

**Report reference:** C-076-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Committee:** Housing Scrutiny Panel

**Subject:** Housing Improvements & Service Enhancements Fund – 2014/15

**Responsible Officer:** Alan Hall (01992 564004).

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

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### **Recommendations/Decisions Required:**

- (1) That the latest out-turn forecasts for each of the projects funded by the Housing Improvement and Service Enhancement Fund in 2013/14, provided at Appendix 1, be noted;
- (2) That the associated expenditure for any slippages on individual projects in 2013/14 be carried forward to complete the projects in 2014/15;
- (3) That, subject to the average Council rent increase agreed by full Council for 2014/15, and its decision on rent levels for re-let properties;
  - (a) The proposed list of housing improvements and service enhancements for 2014/15, and the associated recommendations for each project, set-out in Appendix 2, be approved; and
  - (b) The amount allocated from the Fund to the Major Capital Projects Reserve in 2014/15 be reduced from £850,000 to £200,000, due to:
    - The required second year's funding for Marden Close and Faversham Hall (£508,000);
    - The proposals being put forward at Appendix 2 for the allocation of resources from the Fund next year (see below); and
    - The anticipated cessation of the Government's Rent Convergence Policy from April 2015;
- (4) That the proposed £200,000 within the Major Capital Projects Reserve for 2014/15 be used to either help fund a capital project next year (subject to the subsequent approval of the Cabinet or Housing Portfolio Holder), or be added to the funding made available for the Major Projects Capital Reserve in the following year (2015/16), for a larger capital project at that time; and
- (5) That, at its meeting in January 2015, the Housing Scrutiny Panel be asked to consider and recommend to the Cabinet the proposed use of the Housing Improvements and Service Enhancements Fund for 2015/16.

## **Executive Summary:**

This report and our recommendations follow our meeting held on 22 January 2014.

When the Cabinet agreed the strategic approach for the Council's new 30-Year Housing Revenue Account (HRA) Financial Plan, it asked us to consider and recommend to the Cabinet a proposed list of housing improvements and service enhancements each year, utilising the additional funding made available as a result of HRA self-financing.

For the past two years, we have formulated lists of housing improvements and service enhancements, which have been subsequently approved by the Cabinet. An out-turn report on the forecast expenditure and the progress made on the projects agreed for 2013/14 is provided at Appendix 1.

When the Cabinet considered and approved the list of projects for 2013/14, it also asked us to consider and recommend further housing improvements and service enhancements to be undertaken in 2014/15, funded from the additional HRA resources available next year. Our proposals for the use of the anticipated £430,000 available for new projects next year, after the allocation of £200,000 to the Major Capital Projects Reserve in 2014/15 (subject to full Council agreeing the Cabinet's recommended rent increase for 2014/5) are provided in Appendix 2, with a summary of the costs provided at Appendix 3.

The amount of resources available to spend on new improvements and enhancements in 2014/15 and subsequent years is much less than anticipated this time last year - mainly due to the proposed cessation of the Government's Rent Convergence Policy from April 2015, which will significantly reduce the expected levels of rental income from 2015.

## **Reasons for Proposed Decision:**

Anticipated additional resources of £430,000 are being made available within the HRA Budget 2014/15, to spend on additional housing improvements and service enhancements in 2014/15, in addition to the allocation of £200,000 to the Major Capital Projects Reserve.

## **Other Options for Action:**

To agree a different list of improvements and service enhancements, or to allocate funding differently between the proposed schemes.

## **Report:**

1. This report and our recommendations follow the meeting of the Housing Scrutiny Panel held on 22 January 2014, and our consideration of a detailed report from the Director of Housing on:

- The anticipated out-turns of expenditure for housing improvements and service enhancements agreed for 2013/14 - for both individual projects and the programme as a whole; and
- The recommended use of the Housing Improvements and Service Enhancements Fund for 2014/15.

2. At its meeting in December 2011, the Cabinet approved the strategic approach to the new 30-Year HRA Financial Plan, in readiness for the introduction of self-financing for the HRA from April 2012. The approach agreed was to plan the repayment of the required loans to the Public Works Loan Board (PWLb) - to be taken out to fund the Department of Communities & Local

Government's (DCLG) required debt settlement - over a 30-year period. This was to enable the Council to not only maintain the Council's housing stock to a new Modern Home Standard and implement a new Council Housebuilding Programme, but to also fund additional housing improvements and service improvements over the 30-year life of the Plan.

3. For the past two years, the Cabinet has asked the Housing Scrutiny Panel to consider and recommend a proposed list of housing improvements and service enhancements to the Cabinet, utilising the additional funding, which we last did in April 2013. The lists of improvements have comprised a mix of capital and revenue projects, requiring both one-off expenditure over 1-2 years and ongoing annual expenditure, which have focused on proposals that would provide a direct and demonstrable benefit to the Council's tenants.

4. At the same time as agreeing our proposals for 2013/14, the Cabinet also asked the Housing Scrutiny Panel to consider and recommend to the Cabinet at this meeting our proposed use of the Housing Improvements and Service Enhancements Fund for 2014/15.

#### Housing Improvements and Service Improvements Fund

5. The estimated amount available to the Housing Improvements and Service Improvements Fund each year is, in effect, a balancing figure for the Housing Revenue Account (HRA) as a whole, over the 30-year period of the HRA Financial Plan. So, if net costs within the HRA over the 30 years are higher than previously forecast (or if income is lower), the amount available for new projects under the Housing Improvements and Service Improvements Budget each year can be reduced.

6. Conversely, if net costs are lower (or if income is higher) the budget can be increased, in order to achieve the Council's prime strategic objectives for the HRA - which are to ensure that the PWLB loans can be repaid when they mature and that the HRA does not accrue balances (surpluses) that are higher than necessary, or falls into deficit.

7. Since housing-related income and expenditure is ring-fenced to the HRA, any annual HRA surpluses that are not required for any specific purpose therefore need to be spent, otherwise they simply result in increased HRA Balances – which is why the Housing Improvements and Service Improvements Fund was introduced from 2012/13.

8. The Fund operates in a similar way to the HRA's Housing Repairs Fund and the General Fund's District Development Fund (DDF) in that, each year, the HRA contributes an agreed amount to the Fund (based on the estimated surplus available through the HRA Financial Plan) and the Cabinet agrees the amount to be spent from the Fund on housing improvement and service enhancement projects in the following year. If there are any underspends on the Fund at the end of the year, they are carried forward into the following year; if there are any overspends (which would need to be funded from HRA Balances), the contribution from the HRA is reduced the following year by the total amount overspent. This approach gives greater flexibility, whilst still ensuring budgetary control.

#### Progress with the Housing Improvements and Service Enhancements Fund 2013/14 and Anticipated Outturns

9. Last year, the Cabinet agreed our recommendation that 5 new housing improvements and service enhancements be undertaken in 2013/14, in addition to the completion of a further 5 projects extending / carried forward into 2013/14.

10. Appendix 1 provides a list of the agreed improvements/enhancements for 2013/14, together with the original budget and the latest forecast expenditure for each project. The following summarises the budget position for the overall 2013/14 Programme:

Original budget - 2013/14	£810,000
Latest anticipated expenditure forecast - 2013/14	£503,000

11. We were pleased to hear that, generally, good progress has been made with the delivery of most of the projects during the year to date, although some of the Key Deliverables relating to the Repairs Management Contract with Mears have had to be carried forward to next year, for operational reasons.

12. Last year, on our recommendation, the Cabinet agreed to establish a Major Capital Projects Reserve within the Fund. The Reserve enables resources to be accumulated and available when required for major capital housing projects, subject to the schemes having the approval of the Cabinet or Housing Portfolio Holder as appropriate. The Cabinet made this decision because, although the HRA Financial Plan makes provision for increased capital expenditure on individual properties within the Council's housing stock - in order to ensure that they meet the full, modern standard (a higher standard than the Decent Homes Standard) - no provision is made for major capital housing schemes within the Plan. The need for major capital schemes has occurred from time-to-time, and has included the major improvement scheme at Springfields, Waltham Abbey, small scale stock transfers of sheltered housing schemes to housing associations to enable conversion and improvement works to be undertaken and the recently-planned conversion schemes at Marden Close and Faversham Hall, Chigwell Row.

13. The Cabinet is asked to note that, due to the anticipated cessation of the Government's Rent Convergence Policy from April 2015, which will significantly reduce the expected levels of rental income from 2015 (see below), the only projects to be funded from the Major Capital Projects Reserve this year are the first year's funding of the Marden Close and Faversham Hall Conversion Schemes at Chigwell Row. This has resulted in a planned underspend of £226,000 in the Reserve this year.

14. Moreover, last year, the Fund also included allocations of funding to the Reserve of £850,000 per annum in both 2014/15 and 2015/16. However, having regard to:

- the required second year's funding for Marden Close/Faversham Hall (£508,000);
- our proposals being put forward for the allocation of resources from the Fund next year (see below); and
- the anticipated cessation of the Rent Convergence Policy from April 2015;

only £200,000 is now available to allocate from the Fund to the Reserve in 2014/15 (Note: the figure reported to our Scrutiny Panel was £247,000, but a further check of the resources within the Fund has established that £200,000 is the correct figure). This can be utilised to either help fund a capital project next year, or be added to available funding in the following year (2015/16) for a larger capital project at that time.

#### Availability of Funding for New Housing Improvements and Service Enhancements – 2014/15

15. We were advised at our meeting that, when the most recent HRA Financial Plan was produced in March 2013, it identified that £1.5million would become available for new and committed improvements/enhancements from April 2014 – on top of the £570,000 per annum available for new projects in April 2013. This forecast was subsequently reduced to £1.35million at the Quarter 2 Review of the HRA Financial Plan, which we considered at our meeting in October 2013, taking account of updated information - particularly the 2012/13 Out-turns and an assumed increased number of Right to Buy sales.

16. However, we heard at our meeting that, in late-October 2013, the Department for Communities and Local Government (DCLG) published its long-awaited Consultation Paper on the future of social rents, with a response date of 24 December 2013. We understand that the document included the following proposals:

- From April 2015, rents for existing tenancies will only be able to increase by the Consumer Prices Index (CPI) plus 1% per year (instead of the current Retail Prices Index (RPI) plus 0.5%), with no additional increase allowed (currently up to £2 per week) to achieve convergence with housing association rents for similar properties within the District;
- For new tenancies, the formula (or target) rent (i.e. the rent which housing associations currently charge for the same type of property in the same location) can be charged straight away when the new tenant moves in. Subsequently, such rents will also increase by CPI plus 1%; and
- Details of how such Council rent increases will be centrally-controlled through “rent rebate subsidy limitation” are still to be decided/published by the DCLG. This will be the way that the Government actually implements and ensures the above rents policy

17. The Cabinet will be aware that the DCLG’s proposal to cease the rent convergence arrangements from April 2015 will have a significant detrimental effect on the Council’s HRA Financial Plan, which will result in the amount of resources available to the Fund from April 2014 being significantly reduced.

18. Based on the Cabinet’s recommendation to the meeting of Full Council that average Council rents should increase by 4.1% and that vacant Council properties not currently at their target rent should be re-let at their target rent (and not at the same rent as charged to the previous tenant, or the tenants of similar properties in the locality) – on which we received a briefing earlier in our meeting - we were advised that the amount of reduction in rental income (and therefore funding for housing improvements and enhancements) as a result of the DCLG’s proposed cessation of its rent convergence policy is estimated to be around £500,000 per annum for the next five years (reducing the amount available to the Fund from £1.35 million p/a to just £850,000 p/a).

19. However, we were also advised that should, ultimately, the Council not agree that Council properties should be re-let at their target rent, the resultant rental income from such properties would be reduced by a further estimated average £250,000 per annum for the next five years. This would mean that the amount the HRA is able to contribute to the Housing Improvements and Service Enhancements Fund in 2014/15 would have to be reduced by £250,000, from £850,000 to just £600,000.

20. The Cabinet should note, though, that after taking into account the cost of previous commitments for improvements/enhancements in 2014/15, there is still an estimated £650,000 available in 2014/15 for new improvements and enhancements.

21. The following table summarises the position for the Housing Improvements and Service Enhancements Fund for 2014/15:

Expected HRA contribution to Fund – 2014/15	£850,000		
Savings from the Fund's 2012/13 Out-turn	£170,000		
Anticipated savings/slippage from 2013/14	£307,000		
<b>Total resources available to Fund in 2014/15</b>		1,327,000	
Amount required due to committed costs of 2013/14 projects (ongoing and one-off)		(£697,000)	
<b>Remaining resources available for 2014/15</b>			£630,000
Amount proposed to be allocated to the Major Capital Projects Reserve in 2014/15			(£200,000)
<b>Available to fund new projects in 2014/15</b>			£430,000

#### Proposals for the Use of the Housing Improvements and Service Enhancements Fund 2014/15

22. Following the recommendations of the Director of Housing and his Housing Management Team, we are recommending to the Cabinet the new projects listed at Appendix 2 for 2014/15. For each proposal, we have provided a description, together with details of the one-off and/or ongoing annual funding required, and whether the expenditure is capital and/or revenue. At the end of each proposal, our formal recommendation(s) are provided in bold.

23. Appendix 3 provides a spreadsheet with each of our proposals listed, summarising the one-off and ongoing expenditure for each of the next three financial years.

24. The Cabinet should note that, even after utilising all of the resources available to the Fund in 2014/15, there will still be a further £510,000 and £750,000 available to spend on new projects in the following two years (2015/16 and 2016/17), based on current forecasts. Furthermore, despite the Government's proposed cessation of its rent convergence policy from April 2015, it is currently estimated that the HRA's contribution to the Fund can be increased by £2.65million per annum to £3.45million per annum from April 2019.

25. We are therefore proposing a further recommendation to the Cabinet - that, at our meeting in January 2015, we consider and recommend to the Cabinet the use of the Housing Improvements and Service Enhancements Fund for 2015/16.

#### **Resource Implications:**

£430,000 available for new projects in 2014/15, after allocating £200,000 to the Major Capital Projects Reserve, included within the HRA Budget 2014/15.

#### **Legal and Governance Implications:**

Localism Act 2012  
Local Government and Housing Act 1989  
Housing Act 1985

#### **Safer, Cleaner and Greener Implications:**

(a) The proposed Oakwood Hill Estate Enhancements will result in an improved environment on the estate.

(b) The proposed increased budget for external wall insulation of Council properties will improve their energy efficiency.

(c) The proposed refurbishment of communal kitchens at sheltered housing schemes is likely to result in lower energy costs, due to the installation of more energy-efficient appliances.

(d) The proposed continuation of the additional funding for the Mow and Grow Scheme, will result in improved gardens for those older and vulnerable people that benefit from the continued funding.

(e) The proposed provision of scooter stores at sheltered housing schemes will result in a safer and more appropriate environment for residents to park their scooters than at present.

(f) The proposed installation of new front doors to leasehold properties in flat blocks will result in a much safer building for residents, due to the improved fire safety.

**Consultation Undertaken:**

The Tenants and Leaseholders Federation was consulted on all of the proposals within our report, at its meeting scheduled for 16<sup>th</sup> January 2014. The Federation fully support our recommendations.

**Background Papers:**

None.

**Impact Assessments:**

Risk Management

The identified risks are the usual risks relating to improvement projects e.g. actual costs of works exceeding the agreed budget and health and safety issues.

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**Housing Improvements and Service Enhancements Fund - 2013-14**  
**Programme Costs (One-off and Ongoing)**  
**(As at January 2014)**

No.	Proposal	Responsible Officer		£000's						Cap. or Rev.
				2013/14		2014/15		2015/16		
				One-off	Ongoing	One-off	Ongoing	One-off	Ongoing	
<b>Outstanding Projects from 2012/13</b>										
12/13 A	Mains-Powered Smoke Detector Installation Programme	H. Thorpe	Latest	129						C
			Original	129						
12/13 B	Conversion of communal toilets for disabled use	H. Thorpe	Latest	52						C
			Original	52						
12/13 C	On-Line Rents System for Tenants	D. Clifton	Latest	0		15				R
			Original	7		0				
12/13 D	Repairs Management Contract - Additional Key Deliverables	P. Pledger	Latest	10		31				R
			Original	41		0				
12/13 E	Locata Hosting System	R. Wilson	Latest	8						R
			Original	11						
<b>TOTALS (Outstanding Projects from 2012/13)</b>			Latest	<b>199</b>		<b>46</b>				
			Original	<b>240</b>		<b>0</b>				
<b>Agreed New Projects for 2013/14 (with Marden Close &amp; Faversham Hall 2013/14 capital costs carried forward to 2014/15)</b>										
1	Welfare Reform Mitigation Action Plan	A. Hall	Latest	48	78	30	78	0	56	R
			Original	81	78	43	79	22	79	
2	Senior Cleaner	R. Wilson	Latest		10		21		21	R
			Original		17		17		17	
3	Sheltered housing schemes - Increase in furniture budget	D. Pegler	Latest		14		14		14	R
			Original		14		14		14	
4	In-Year Housing Improvements and Enhancements Fund	A. Hall	Latest	50						C / R
			Original	50						
5	Marden Close (Feasibility Estimate - inc. fees)	P. Pledger	Latest	104		388				C
			Original	0		0				
6	Faversham Hall Conversion	P. Pledger	Latest			120				C
			Original			0				
7	Other Schemes - Major Capital Project Reserve	A. Hall	Latest	0		200		0		C
			Original	330		850		850		
<b>TOTALS (Agreed Projects for 2013/14)</b>			Latest	<b>202</b>	<b>102</b>	<b>738</b>	<b>113</b>	<b>0</b>	<b>91</b>	
			Original	<b>461</b>	<b>109</b>	<b>893</b>	<b>110</b>	<b>872</b>	<b>110</b>	
<b>GRAND TOTALS (Outstanding &amp; Agreed New Projects)</b>			Latest	<b>503</b>		<b>897</b>		<b>91</b>		
			Original	<b>810</b>		<b>1,003</b>		<b>982</b>		
<b>Savings from 2012/13 Out-Turn</b>						170				
<b>Anticipated savings/slippage from 2013/14</b>						307				
<b>Amount expected to be available for HRA Budget for new Enhancements in year</b>						850		850		
<b>Total amount of budget available to spend in year</b>						1,327		850		
<b>Available to allocate to new enhancements in year (after previous year's commitments - i.e. Latest Grand Totals above)</b>						<b>430</b>		<b>759</b>		

**Proposed List of Housing Improvements and Service Enhancements**

**2014/15**

**(1) Front Door Fire Safety Replacement Programme for Leaseholders in Flat Blocks**

<b>One-off cost(s):</b>	<b>2014/15</b>	<b>£125,000</b>
	<b>2016/17 – 2018/19</b>	<b>£100,000 p/a (3 years)</b>
	<b>Total</b>	<b>£425,000</b>
<b>Annual cost:</b>	<b>Nil</b>	
<b>Form of expenditure:</b>	<b>Capital</b>	

1. As part of its new Modern Home Standard, the Council has agreed to replace front doors to Council properties, as part of its ongoing Planned Maintenance Programme. However, front doors to individual flats in flat blocks with enclosed common parts are required to be fire-protected, to achieve at least ½ hour fire protection.

2. The replacement of fire-protected front doors in flat blocks was also the subject of a separate Cabinet decision in relation to when permission will be given to tenants to lay carpets in the common parts of flat blocks; the provision of replacement fire-protected front doors to all flats was one of the conditions when carpets would be allowed to be laid.

3. Within the leases of flats sold under the Right to Buy, responsibility for the *door frame* of is the Council's, but the leaseholder is responsible for the *actual door*. This split in responsibility therefore means that each party (the Council and leaseholder) needs to reach agreement on their replacement, since the frame cannot be replaced without interference with the door, and vice versa.

4. There are around 750 flats across the District that requires a fire-protected front door, where access to the property is off an internal common area. The cost of replacing such doors is around £750 each, which includes replacement of both the door and frame.

5. Since, under the terms of the lease, it is the leaseholder's responsibility to meet the cost of replacement front doors, and because the cost is quite high, most leaseholders are not prepared to meet this cost, when the Council replaces the doors of its own properties to provide the required fire protection. This causes a problem since, although the Council properties have adequate fire protection from the communal areas, and vice versa, the integrity of these fire protection measures is compromised by the inadequate fire-protected doors of the leasehold properties. This not only causes a risk to the leaseholder from fire and smoke entering their property from the communal areas, it also increases the risk for other residents, including the Council's tenants, if a fire starts within a leasehold property, since it can spread to the communal area much more easily.

6. This is a problem being experienced by many local authorities across the country. In response, and in order to safeguard the safety of their tenants and other leaseholders, many councils are meeting in full, or contributing to, the costs of providing fire-protection doors to leasehold properties.

7. Therefore, since it is in the Council's interest that all front doors in blocks are fire-protected, and in view of the low level of take-up from leaseholders to install fire-protected doors (due to their cost), we are recommending that a scheme is introduced whereby the

Council offers to contribute 75% of the cost of replacement doors where the door comes off of an enclosed common part (i.e around £565 per door), if leaseholders meet the remaining 25% cost (around £185).

7. This is the first year of the Front Door Replacement Programme (2013/14), and some leaseholders have agreed to meet the full cost of having fire-protected doors installed in their flats. Therefore, in order to treat all leaseholders equitably, we are also recommending that, in such cases, these leaseholders be given a refund of 75% of the cost; where they have already paid, we are recommending that the refund be applied to their 2014/15 annual maintenance charge. Those leaseholders who did not agree to have fire-protected doors installed, will be advised of the proposed scheme and offered to have a new door installed in 2014/15.

8. The cost to the Council of the proposed scheme, to fund the Council's 75% +contribution, would be around £425,000 in total (if all leaseholders accept the offer). This would be spread over the next four years, in line with the External Repairs and Redecorations Programme (although the cost next year will be £25,000 higher than the remaining three years, in order to meet the cost of refunds from the 2013/14 Programme).

#### **Recommendations:**

**(a) That, in order to help ensure that all front doors in blocks of Council flats are fire-protected, a scheme be introduced whereby the Council offers to contribute 75% of the cost of replacing fire-protected front doors to leasehold properties, where the door comes off of an enclosed common part, if leaseholders meet the remaining 25% cost;**

**(b) That, in order to treat all leaseholders equitably, where leaseholders have already agreed to pay, or have paid, the full amount for the installation of a fire-protected front door, they be given a discount/refund of 75% of the cost, with refunds for installations already paid being applied as a credit to the leaseholder's 2014/15 annual maintenance charge;**

**(c) That those leaseholders who, to date, have not agreed to have new fire-protected doors installed, be advised of the proposed scheme and offered to have a new door installed in 2014/15; and**

**(d) That the scheme be funded through an allocation of funding from the Housing Improvements and Service Enhancements Fund of £125,000 in 2014/15 and £100,000 per annum for the following three years.**

## **(2) Oakwood Hill Estate Enhancement Scheme, Loughton**

**One-off cost(s):** £200,000 (£100,000 p/a in 2014/15 and 2015/16)  
**Annual cost:** Nil  
**Form of expenditure:** Capital

1. The Oakwood Hill Estate, Loughton is a former Greater London Council (GLC) Estate, comprising a myriad of 133 houses, 144 flats and 136 maisonettes (in three-storey blocks), built in the early 1970s and serviced by a complex and extensive network of paths and roads. The Estate was transferred to Epping Forest District Council, along with all the GLC's other dwellings in our District, in 1980. Over recent years there has been a deterioration of the environment around the Oakwood Hill Estate, particularly the paths, roads, lighting, refuse facilities and landscaping.

2. We heard that the Housing Portfolio Holder had recently been approached by both the two District Council Ward Members and the County Council Divisional Member for the Estate, expressing their concerns about the deterioration of the Estate's environment; in response, the Housing Portfolio Holder advised us that he accepted that the Estate would benefit from an Estate Enhancement Scheme.

3. The main improvements required relate to the network of paths and roads (and their associated lighting), of which the majority are adopted by the Highways Authority and, therefore, maintainable at public expense by Essex County Council. Therefore, we were advised that the Housing Portfolio Holder had written to Cllr Rodney Bass, the County Council's Cabinet Member for Highways and Transportation, requesting that he gave consideration to the County Council providing a sum of £200,000 to match-fund a similar contribution from the District Council over the next two years, making a total budget of £400,000.

4. We were pleased to note at our meeting that the Housing Portfolio Holder had just received a response from Cllr Bass, who had agreed in principle to the funding request - in full. Furthermore, we noted that he had said in his response that he would like to see this approach adopted as a template for the way the County Council and district councils work together in the future, across the County.

5. In addition, we noted that Loughton Town Council had also agreed in principle to making a financial contribution towards the improvement scheme.

6. The Housing Portfolio advised us that, if the Cabinet agrees to the Council's proposed allocation of funding, it is would be his intention to establish and chair a Member/Officer "Task Force", including senior housing officers, Ward and County Members and representatives from the Oakwood Hill Estate Residents Association (OHERA), the Oakwood Senior Citizens Club and Essex CC Highways.

#### **Recommendations:**

**(a) That £100,000 per annum be allocated in 2014/15 and 2015/16 (£200,000 in total) to fund an Estate Enhancement Scheme at the Oakwood Hill Estate, Loughton;**

**(b) That the County Council's agreement in principle, at the request of the Housing Portfolio Holder, to provide match funding of £200,000 for the Enhancement Scheme be noted; and**

**(c) That a Member/Officer "Task Force" be established, chaired by the Housing Portfolio Holder, and including senior housing officers, ward members, the ECC divisional member, and representatives from the Oakwood Hill Estate Residents Association (OHERA), the Oakwood Senior Citizens Club and Essex CC Highways.**

### **(3) Refurbishment of Communal Kitchens in Sheltered Housing Schemes**

**One-off cost(s):** £140,000 (£70,000 p/a in 2014/15 and 2015/16)  
**Annual cost:** Nil  
**Form of expenditure:** Capital

1. All of the Council's sheltered housing schemes benefit from communal facilities, including a laundry room, lounge and kitchen – which, we were advised, are all used regularly, although the communal kitchens tends to be used the most. With the exception of Jessopp Court, Waltham Abbey, none of these kitchens have been refurbished since the schemes were first built, and we were told that they therefore now look very tired and dated,

with the cupboards and worktops having reached the end of their operational life and in need of replacement.

2. The sizes of kitchens vary from scheme to scheme, so it is difficult to properly estimate the cost of refurbishing each kitchen. However, based on the cost of the recently-refurbished kitchen at Jessopp Court, Waltham Abbey, we were advised that a total budget of £140,000 should be sufficient to fund the refurbishment of the remaining 12 kitchens. We are therefore proposing that the work be programmed over 2 years, with funding of £70,000 per annum allocated each year.

**Recommendation:**

**That £70,000 per annum be allocated in 2014/15 and 2015/16 (£140,000 in total) to refurbish all 12 remaining communal kitchens at the sheltered housing schemes that now require renewal.**

#### **(4) Provision of Mobility Scooter Stores at Sheltered Housing Schemes**

**One-off cost(s):** £50,000  
**Annual cost:** Nil (funded from fees)  
**Form of expenditure:** Capital

1. We are aware that increasing numbers of residents at the Council's sheltered housing schemes are purchasing electric mobility scooters, which has led to an increasing problem of where residents can store them. Some stand-alone scooter stores have been provided at a small number of sheltered schemes but, in many cases, residents have no option but to park/store them in communal lounges or corridors - which not only causes a nuisance for other residents, but also raises health and safety concerns.

2. There has therefore become a desperate need to provide additional scooter stores at a number of sheltered housing schemes. We were advised that the proposed budget of £50,000 would be sufficient to provide around 25 scooter stores across the District, with those schemes with the greatest demand and sufficient space to provide the stores given the greatest priority.

3. Users would pay a weekly charge for the rental and electricity charge usage, which is reviewed annually by the Finance and Performance Management Cabinet Committee as part of the Housing-Related Fees and Charges.

**Recommendation:**

**That £50,000 be allocated in 2014/15 to fund the provision and installation of around 25 electric mobility scooter stores, with those schemes with the greatest demand and sufficient space to provide the stores given the greatest priority.**

#### **(5) Extension of Garden Maintenance Scheme for Older and Vulnerable Tenants (Mow and Grow Scheme)**

**One-off cost(s):** £80,000 (£20,000 per annum from the main HRA budget and £20,000 per annum from the Housing Improvements and Service Enhancements Fund in 2014/15 and 2015/16)  
**Annual cost:** Nil  
**Form of expenditure:** Revenue

1. Earlier in our meeting, we received a full report on the Garden Maintenance Scheme for Older and Vulnerable Tenants, which has been operated by Voluntary Action Epping Forest (VAEF) since 2003, funded by the Housing Revenue Account.
2. Tenants are only included on the scheme if there is no-one physically able to carry out the work under the age of 70 years living at the property, with the service being provided regardless of whether they have younger relatives living in the District. Tenants in arrears of rent are ineligible to receive the service. Disabled tenants (regardless of their age) are included on the scheme, provided they meet the agreed criteria. All those applying are assessed by VAEF and are only included on the scheme if they genuinely cannot cope with their gardens and have no other means of maintaining them.
3. The service includes clearing and maintaining overgrown gardens - including lighter tasks, such as lawn cutting, hedge trimming and light weeding - with priority given to dealing with gardens that are unsafe and/or unusable and therefore hinder the tenant to enjoy the facility.
4. In April 2012, as part of the housing improvements and service enhancements for 2012/13, the Cabinet agreed that funding to the VAEF for the Scheme be increased from £20,000 per annum to £40,000 per annum for two years, in order to increase the number of vulnerable tenants benefitting from the service.
5. At our meeting, we received a report from VAEF on its activity for the period April to September 2013. We also received a presentation from the VAEF's Chief Officer on the success of the Scheme. As a result, we noted that the amount of work undertaken had substantially increased as a result of the additional funding provided and that VAEF had been able to not only better maintain its vehicles and equipment, but to also purchase a second van.

**Recommendations:**

**That Housing Revenue Account (HRA) funding of £40,000 per annum continues to be provided to VAEF for the Council's Garden Maintenance Scheme for Older and Disabled Council Tenants for a further two years from 2014/2015, with £20,000 funded from the existing budget within the HRA and the remaining £20,000 funded from the Housing Improvements and Service Enhancements Fund.**

**(6) Provision of Wi-fi at Norway House, North Weald**

**One-off cost(s):               £8,000**  
**Annual cost:                   £500 per annum**  
**Form of expenditure:       Capital/Revenue**

1. The Chairman of our Scrutiny Panel, Cllr Stephen Murray, put forward this proposal for us to consider, which had been evaluated and was supported by officers.
2. Cllr Murray drew attention to the difficulties brought to his attention by residents of Norway House of them and, more importantly their children, being unable to access the internet from their personal PCs, laptops and tablets in their rooms to undertake school and college work, as well as for domestic, leisure and other uses.
3. Since Norway House only provides temporary accommodation for around 4-6 months, it is not worth residents paying to have a landline installed in their rooms for broadband, and it is understood that the use of dongles is unreliable in this location.

4. Cllr Murray therefore suggested that the Council provides Wi-Fi at Norway House that residents can use. We were advised that the Council's ICT Service had been consulted, which had confirmed that the installation of Wi-Fi at Norway House would be technically possible and that ICT has the capacity to arrange the installation in 2014/15 and support the system on an ongoing basis. We noted that an on-site Wi-Fi survey would be required to ensure that the expected coverage can be received, and network cabling and wireless access points would need to be purchased and installed in the areas identified by the survey. Configuration for the access points would be controlled by the Council's wireless system.

5. The ICT Service had advised that, subject to survey, the maximum cost of implementation would be around £8,000, with on-going costs no more than £500 per annum.

6. For a variety of reasons, not least the bureaucracy that would be involved, we are proposing that residents should not be charged for the Wi-Fi usage, and that the cost of access be included within their room charge. We understand that an appropriate level of regulation of internet access would be applied, through the use of filters, in a similar way to the Council's Wi-Fi system at the Civic Offices.

7. Having assessed the proposal, we are of the view that the installation would provide an essential service for the residents of Norway House and their children.

**Recommendations:**

**(a) That a Wi-Fi system be provided and supported by the Council at Norway House, North Weald, funded by an allocation of one-off funding of £8,000 in 2014/15 and an ongoing support cost of £500 per annum;**

**(b) That an appropriate level of regulation of internet access be applied, through the use of filters; and**

**(c) That residents not be charged for the Wi-Fi usage, with the cost of access considered to be included within their room charge.**

**(7) Initial Feasibility Study for Chalet Replacement Scheme at Norway House, North Weald**

**One-off cost(s):** £6,000 – 2014/15  
**Annual cost:** Nil  
**Form of expenditure:** Revenue

1. In 1992, 5 pairs of chalets (10 chalets in total) were erected in the grounds of Norway House, the Council's Homeless Person's Hostel in North Weald, in order to respond to an increasing demand for temporary accommodation at that time. Each chalet comprises a lounge and two bedrooms, with pairs of chalets sharing a kitchen and bathroom. The total cost of supplying and erecting the chalets in 1992 (including fees) was around £235,000 (£47,000 per pair of chalets).

2. At the time of erection, temporary planning permission was provided for a period of 10 years. Permanent planning permission was granted in 2003.

3. The chalets have provided essential supplementary accommodation to the temporary accommodation provided within the main building at Norway House over the past 21 years. Indeed, in recent years, the need for temporary homeless accommodation has increased, if the Council is to continue to comply with the statutory requirement to not use bed and breakfast accommodation for families in excess of 6 weeks.

4. However, we were advised that the chalets will soon be reaching the end of their usable life and are already experiencing maintenance and operational problems. The construction of the chalet comprises stud walls. We were told that the cavities under the floor of the chalets are accessible to small animals/rodents and, due to the construction of the floor, dampness has entered a number of chalets from the ground, causing the floors in some areas to rot and warp. Therefore, sections of the kitchen and lounge area floors in some chalets have had to be replaced. Dampness within the chalets is a common problem, and mould can often be found on walls, furniture and clothing belonging to the occupants.

5. We understand that the PVCu glazed windows are in need of replacing; many do not open properly or have broken locks and handles which are difficult to replace given the age and design of the windows. Problems have also arisen with drainage in some of the bathrooms.

6. Families share a small kitchen (around 3.3 square metres) with one sink and one cooker. A space is provided for each family to have a fridge freezer, and each family have two a wall cabinet and a base unit. There is very little worktop space for preparation of meals.

7. In each chalet, two families share a small bathroom (comprising a bath and toilet and communal cupboard); the size of the bathroom is just 3 square metres, so there is no space to install a shower, which is more appropriate to modern living. Families find the sharing of a bathroom particularly problematical, with cleanliness and hygiene cause sometime causing arguments between families. Even with two families sharing harmoniously, with, potentially, up to 9 people sharing a bathroom or all needing to use this facility within a short time frame (e.g. before school or work) problems occur, causing residents and their children to be late for work or school.

8. In addition, most of the rooms within the main building of Norway House now have the use of their own bathroom and only share a kitchen – following a programme of bathroom installations over a number of years - which provides a more appropriate and suitable living environment for residents. Residents still need to have some element of sharing, otherwise secure tenancies would be created instead of licences – which is the Council's preferred form of occupancy for Norway House. It would therefore be preferable if the chalets also had their own bathrooms, and only shared kitchens (but of a larger size than presently).

9. We therefore agreed with officers that there is therefore a need to start planning for the renewal of the existing chalets within the next five years or so. The first stage in such a process would be to undertake an initial feasibility study to assess the design, planning and other issues associated with the provision of replacement chalets. This could include an assessment of the potential to provide an increased number of chalets in the grounds of Norway House. The feasibility study would also assess the costs of supply, erection and fees for different numbers of chalets.

10. Officers had sought a quote from Keegans, one of the Council's Framework Consultants, to undertake the feasibility study, which is £6,000 – which we consider to be acceptable.

11. We are therefore proposing that the Fund initially meets the cost of the feasibility study in 2014/15, with a view to the cost of a Chalet Replacement Scheme being met from the Major Capital Projects Reserve at some time in the future, which would be considered by the Housing Scrutiny Panel and agreed by the Cabinet at the appropriate time.

#### **Recommendations:**

**(a) That £6,000 be allocated in 2014/15 to fund an initial feasibility study to assess the design, planning and other issues – together with the costs - associated with the**



**provision of replacement chalets at Norway House, North Weald;**

**(b) That the feasibility study includes an assessment of the potential and costs to provide an increased number of chalets in the grounds of Norway House;**

**(c) That, in principle, the costs of the Chalet Replacement Scheme be met from the Major Capital Project Reserve held within the Fund, at an appropriate time in the future, subject to the approval of the Cabinet; and**

**(d) That a site visit be arranged for the Scrutiny Panel (and any other interested members) at the appropriate time, following completion of the feasibility study and prior to further consideration being given to the Chalet Replacement Project.**

## **(8) In-Year Housing Improvements and Enhancements Fund**

**One-off cost(s):** Nil  
**Annual cost:** £50,000  
**Form of expenditure:** Capital / Revenue

1. For the last two years, a small part of the Housing Improvements and Service Enhancements Fund has been set aside as an In-Year Fund for small additional projects of benefit to tenants that may be identified during the course of the year by members and officers. This has enabled the projects to be undertaken quickly, rather than having to wait until the commencement of the following financial year. Individual one-off projects costing in excess of £10,000 have to be formally authorised by Housing Portfolio Holder.

2. Last year, the Cabinet agreed our recommendation to include an annual provision of £50,000 for the In-Year Fund, within the main Housing Improvement and Service Enhancements Fund – which has been included within the Fund Programme accordingly.



**Housing Improvements and Service Enhancements Fund - 2014-15  
Programme Costs (One-off and Ongoing)**

No.	Proposal	Responsible Officer	£000's						Cap. or Rev.
			2014/15		2015/16		2016/17		
			One-off	Ongoing	One-off	Ongoing	One-off	Ongoing	
<b>Outstanding Projects from 2013/14</b>									
13/14 A	On-Line Rents System for Tenants	D. Clifton	Latest Original						R
13/14 B	Repairs Management Contract - Additional Key Deliverables	P. Pledger	Latest Original	15					R
13/14 C	Marden Close (Feasibility Estimate - inc. fees)	P. Pledger	Latest Original	31					C
13/14 D	Faversham Hall Conversion	P. Pledger	Latest Original	388					C
<b>TOTALS (Outstanding Projects from 2013/14)</b>			Latest						
			Original	554					
<b>Proposed New Projects for 2014/15</b>									
1	Front Door Fire Safety Replacement Programme for Leaseholders in Flat Block	H. Thorpe	Latest Original	125		100		100	C
2	Oakwood Hill Estate Enhancement Scheme	P. Pledger	Latest Original	100		100			C
3	Refurbishment of Communal Kitchens - Sheltered Schemes	H. Thorpe	Latest Original	70		70			C
4	Provision of Electric Mobility Scooter Stores	H. Thorpe	Latest Original	50		50			C
5	Extension of Mow and Grow Scheme	R. Wilson	Latest Original	20		20			R
6	Provision of Wi-Fi at Norway House	R. Wallace	Latest Original	8					C
7	Norway House Chalet Replacement Project - Feasibility Study	P. Pledger	Latest Original	7					C
8	In-Year Housing Improvements and Enhancements Fund	A. Hall	Latest Original	50					C / R
9	Other Schemes - Major Capital Project Reserve	A. Hall	Latest Original	200					C
<b>TOTALS (Agreed Projects for 2013/14)</b>			Latest	0	0	0	0	0	0
			Original	630	0	340	0	100	0
<b>GRAND TOTALS (Outstanding &amp; Agreed New Projects)</b>			Latest	0	0	0	0	0	
			Original	1,184	340	100			
<b>Savings from 2013/14 Out-Turn</b>						0			
<b>Anticipated savings/slippage from 2014/15</b>						0			
<b>Amount expected to be available for HRA Budget for new Enhancements in year</b>						850		850	
<b>Total amount of budget available to spend in year</b>						850		850	
<b>Available to allocate to new enhancements in year (after previous year's commitments - i.e. Original Grand Totals above)</b>						<b>510</b>		<b>750</b>	

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# Due Regard Record

Name of policy or activity: Housing Improvements and Service Enhancements Fund 2014/15

**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
6.1.14 Alan Hall	<p>Regard has been had to the existing Equality Impact Assessments relating to the different functions within the Housing Service covered by the different proposals.</p> <p>The proposal relating to the Front Door Fire Safety Replacement Programme is considered to be beneficial to disabled and older tenants and leaseholders living within blocks of Council flats, since the additional fire protection may give more time for such residents who are unable to escape from their flats in the event of a fire to be rescued.</p> <p>The proposal relating to the Oakwood Hill Environmental Improvement Scheme is considered to be beneficial to disabled and older residents and visitors on the estate, since the proposed scheme will improve the footpaths on the estate, reducing the risk of trip and other hazards.</p>

	<p>The proposal relating to the refurbishment of the communal kitchens, and the provision of electric mobility scooter stores, at the Council's sheltered housing schemes is considered to be beneficial to older, and particularly older disabled, tenants living in sheltered housing. The former will assist with the facilitation of social activities for older residents; the latter will enable older disabled tenants with mobility scooters to store them in a safe and accessible environment, thereby encouraging and enabling disabled residents to improve their quality of life.</p> <p>The proposal to continue funding VAEF to provide the Garden Maintenance Scheme for Older and Vulnerable Tenants is considered to be beneficial to disabled and older tenants, since the Scheme will assist such tenants to have their gardens properly maintained, thereby enabling them to continue to live in their own home for longer and avoiding any hazards arising as a result of the tenants attempting to undertake the work themselves.</p> <p>The proposal to install Wi-Fi at Norway House is not considered to have any effect on residents within the protected characteristics.</p> <p>The proposal to undertake an Initial Feasibility Study for a Chalet Replacement Scheme at Norway House may be beneficial to disabled residents, if any resultant scheme is able to result in improved access and facilities for disabled residents, which will form part of the Consultants Brief.</p>
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## **Report to the Cabinet**

**Report reference:** C-077-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Safer, Greener & Transport

**Subject:** Parking Strategy and Tariff Structure

**Responsible Officer:** John Gilbert (01992 564062)

**Democratic Services Officer:** Gary Woodhall (01992 564470)

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### **Recommendations/Decisions Required:**

- (1) To agree the revised District parking strategy for consultation with local businesses, business organisations and the residents;**
- (2) To agree the interim tariff structure to commence on 1 May 2014; and**
- (3) To receive a further report as early as possible in the new municipal year (2014/15) setting out proposals for new 'smart' meters and revised tariffs based on the consultation referred to in recommendation (1) above.**

### **Executive Summary:**

The Council has not raised its off street parking charges for five years, and its adopted parking strategy was last considered in November 2004. Current economic circumstances and continued pressure upon parking facilities dictate that both the strategy and tariff structure should be reviewed. It had been hoped to undertake the background work for the review in time for the commencement of the 2014/15 financial year, but this has not been possible. In order to ensure that due consideration is given to options, this report suggests that the revised strategy be considered and then consulted upon. In respect of tariffs it is suggested the existing tariffs are essentially raised in accordance with the lost inflationary increases over the past five years, pending the outcome of the strategy consultation and a more fundamental tariff review.

### **Reasons for Proposed Decision:**

The parking service is required to generate an additional £150,000 of income as part of the 2014/15 budget. It is therefore important that this income generation commence as early as possible in the new financial year to avoid the need to generate the income over a reduced period of time. It is also important that steps are taken to ensure a balance of parking provision, albeit with an emphasis upon the needs of shorter stay visitors and users of the Council's car parks

### **Other Options for Action:**

None at this stage other than to defer any increase in tariffs until the strategy has been consulted upon and agreed. However, this would require the £150,000 of additional income to be generated within a shorter period of time, perhaps with tariffs increasing to a greater

extent than would otherwise have been necessary.

## **Report:**

### Background

1. The Council's existing Parking Strategy was adopted by Cabinet in November 2004. This adoption was made at a time when the Council was acting under an agency agreement with the County Council and therefore was the de facto highways authority for the District. The adopted strategy is set out below:

- (a) *increase short stay on-street parking opportunities for shoppers and visitors;*
- (b) *provide residents with improved on-street parking facilities by precluding all-day non-residential parking in residential streets close to:*
  - (i) *town centres; or*
  - (ii) *railway stations;**(N.B. "Close" to be defined according to local circumstances)*
- (c) *encourage greater use of public transport, cycling and walking for travel to work;*
- (d) *provide long stay parking facilities for local commuters who have no alternative to the car for travel to work;*
- (e) *off-street car park season tickets to be valid in on-street facilities where provided; and*
- (f) *the current 50% maximum season ticket allocation for off-street car parks be increased where appropriate to maximise car park occupancy.*

2. Since this strategy was adopted, the highways agency has ceased, and all highway responsibilities have returned to Essex County Council. Furthermore, the agency arrangements for on-street parking have also ceased and been replaced by the North and South Essex Parking Partnerships (NEPP and SEPP respectively). This Council is a member of NEPP, along with Harlow, Tendring, Braintree, Uttlesford and Colchester, which is the lead authority and provides the on street enforcement service for the NEPP area.

3. Although not statutorily required to do so, the Council has continued with its programme of locally based parking reviews, using its own capital resources. These have tended to be controversial and problematical to deliver, since it is extremely difficult to achieve an outcome or outcomes which meet all local parking demands. However, the capital programme has within it capital resources allocated for the Epping, Buckhurst Hill and Loughton Broadway reviews. Parking reviews are currently undertaken on the Council's behalf by Essex County Highways through its contract with Ringway Jacobs.

4. The Council has appointed NEPP to undertake enforcement in the Council's off-street car parks. This decision was made since costs were considerably less than were likely by procuring an off-street service through a formal competitive exercise.

5. Off street parking tariffs are set by this Council, those on-street by NEPP. Off street tariffs have not changed for five years, this being part of the Council's policy to support the local economy. This policy has been maintained despite a report commissioned from PriceWaterHouse Coopers in late 2011 which suggested that the Council's tariffs were low and that additional income could be generated without necessarily impinging upon competitiveness with adjoining local authorities. However, recent economic and funding



circumstances have led the Council to conclude that tariffs must now increase to generate an additional £150,000 per annum, and this sum has been included within the 2014/15 Continuing Services budget.

6. The significant changes in circumstances arising from the creation of NEPP and SEPP, and the need to generate additional income to support the Council's budget means that the Council's overall parking strategy and its tariff structures are in need of review.

### Strategy Review

7. Each of the existing strategy statements is now considered in turn:

**(a) increase short stay on-street parking opportunities for shoppers and visitors**

This has always been an issue, especially for towns which have significant commuter pressure (see issue (d)). It was necessary recently to amend the tariff structure and arrangements in Epping Town Centre to enable more spaces to be made available in the Cottis Lane car park for shoppers and visitors. However, this does conflict with issue (d), which suggests that the Council should provide long stay parking for commuters who have no alternative to the car for travel to work. In reality there is insufficient car parking capacity to meet both these aspirations and therefore any revision to the overall strategy will have to reconsider the Council's approach to commuters.

**(b) provide residents with improved on-street parking facilities by precluding all-day non-residential parking in residential streets close to:**

- (i) town centres; or**
- (ii) railway stations;**

Local parking reviews have nearly all been driven by the need to try to manage the pressures from commuters (both London and locally employed) parking on street rather than in station, Council or private car parks. It is clear that commuters will always seek to pay the minimum required for a parking space, and indeed are prepared to walk significant distances to their chosen station rather than pay more nearby. This is a reflection of the cost of parking at London Underground and nearby mainline stations. Solutions for local residents involve a combination of yellow line restrictions and/or resident parking schemes. When consulted, there is always a very mixed response depending upon just how acute the problem is, residents' willingness to meet the costs of resident parking and to be inconvenienced by the controls. The major issue arising from such schemes is always 'displacement', whereby new controls displace commuter parking to the nearest available area where no restrictions apply. This can result in a relatively local scheme becoming very much wider as more residents find themselves under parking pressure, and is the main reason why schemes take much longer to implement and complete than originally envisaged. The costs associated with parking reviews are considerable and the outcomes are, at best, variable. Consideration should therefore be given to the cessation of all further on-street parking reviews.

**(c) encourage greater use of public transport, cycling and walking for travel to work;**

This element stems from when the Council was the de facto highways authority. In reality, the Council now can have only very limited impact on these matters, which are predominately within the domain of Essex County Council as the highways authority. The Council does of course have a role through its development control functions in respect of new building(s) within the district.

**(d) provide long stay parking facilities for local commuters who have no alternative to the car for travel to work**

As indicated in the background section, this is the element which gives rise to the greatest tension, due to the nature of the District. The Council has eight LUL Central Line stations, not all of which have their own off-street parking, or have only very limited parking. It is clear

that commuters will travel long distances to be able to park and use the Central Line rather than use main line rail services. The rising cost of parking at both main line and LUL stations has resulted in an exodus of commuters into Council car parks, which in turn has caused difficulties for local people wanting to park in and use town centres.

The second category of commuters is the local employers/employees, who work in the District's town centres and require long stay parking. These include Council employees who do not have access to the Council's own office car parks.

Tariffs have been held down for a number of years to assist the local economy, but this has had the effect of making the car parks extremely attractive to London commuters. Consideration needs to be given to the role of the Council in providing long stay parking for commuters versus the need to ensure parking availability for shorter stay visitors and shoppers.

**(e) off-street car park season tickets to be valid in on-street facilities where provided**

This element is no longer deliverable since NEPP is now responsible for on-street parking arrangements.

**(f) the current 50% maximum season ticket allocation for off-street car parks be increased where appropriate to maximise car park occupancy**

Over time some minor amendments have been made to enable the greater use of season tickets in Council car parks. However, the take up of season tickets remains very low (just 151 permits compared to the 1,754 spaces available) with the majority of the season tickets being purchased by a few large employers within the District. The approach to season tickets will need to be reconsidered in the light of decisions made around commuter parking and tariff structures.

Proposed New Strategy

8. In considering a revised parking strategy, it is necessary to recognise that all the competing demands cannot be met at this time within existing car parking capacity. It has been demonstrated previously that whatever tariff structure is implemented, it will inevitably disadvantage one set of users over another. The Council has therefore to consider how best to balance the competing demands of local users, local employers/employees and those who commute out of the district to London and elsewhere.

9. The proposed strategy for consultation is as follows:

(1) *In order to support the economic vitality of town centres and associated businesses, the following principles be considered:*

(a) *the provision and availability of short stay parking for up to five (5) hours;*

(b) *the introduction of linear tariffs (i.e. equal steps from one charging period to the next, such as 70 pence for each hour);*

(c) *differential tariffs for different locations;*

(d) *the continuation of limited free parking on Saturdays within each town centre;*  
*and*

(e) *the continuation of free parking in all car parks on Saturdays in December of each year;*

(2) *The needs of locally based employers and their employees be recognised and that provision be made to facilitate their long stay parking;*

(3) *The wish of residents and non-residents to use the Central Line to commute to work be recognised and facilitated, but that the costs of that parking properly reflect the comparative costs of parking in station and other private parking facilities;*

(4) *In support of (1), (2) and (3) above, Council parks be generally available for both short and long stay use but that the balance between those uses be controlled through:*

(a) *the retention of short stay only parking in designated locations (e.g. a five hour maximum stay);*

(b) *the tariff structure (to include season ticket arrangements);*

(c) *the promotion of season tickets, and subject to the available technology, the use of "smart cards" for local employers and employees; and*

(d) *the balance of season ticket availability within car parks;*

(5) *Given the difficulties of determining acceptable solutions for parking pressures around commuter stations within the District, the current policy not undertaking any further wide area parking reviews once the existing commitments to Buckhurst Hill and Loughton have, subject to available resources have been delivered, be maintained. Following these implementations, all requests for further on-street controls or amendments to existing controls shall be referred directly to Essex County Council as the Highways Authority or to the North Essex Parking Partnership. The Council will, through its relationships with NEPP and the County Council, continue to seek to influence NEPP and the County Council in investigating on-street parking stress and determining and delivering solutions;*

(6) *The need to encourage alternative modes of transport to the car are recognised. However, given that the availability of public transport is limited, particularly in the more rural areas the Council will continue to seek to influence the County Council to ensure the availability of appropriate public transport. It will also endeavour, through its adopted planning policies and development control powers when approving new developments, to seek to ensure a balance between:*

(a) *the need to have access to and use of a car; and*

(b) *the proximity of and availability of public transport;*

(7) *The needs of those with disabilities be recognised and that:*

(a) *dedicated free spaces for holders of valid "blue badges" continue to be provided in the Council's car parks; and*

(b) *notwithstanding (a) above, a vehicle displaying a valid blue badge can park in any space within a Council car park at no charge; and*

(8) *That the cleanliness and safety of the Council's car parks be maintained such as to retain the accredited status of Park Mark.*

10. It is important that there is 'buy in' of the strategy, particularly from local businesses, which frequently tell the Council that parking is a key issue in encouraging people to work in and visit the District. It is therefore suggested that the proposed strategy be formally issued

for consultation through the Town & Parish Councils, Town Centre Partnerships, Federation of Small Businesses, Chambers of Commerce and “One Epping Forest”. In addition it is also suggested that the proposed revised strategy also be placed on the Council’s website so that residents generally can express their views. The consultation exercise will invite general comment and also ask some specific questions in respect of:

- (a) free parking on Saturdays;
- (b) free parking at weekends in December each year; and
- (c) a linear tariff structure, with protection for short stay use.

**(Recommendation (1)).**

Tariff review

11. It had been hoped to bring a proposed new tariff structure to this meeting of Cabinet. Unfortunately because of resource pressures and the need to ensure that the technology available through ‘smart’ parking meters would be able to deal with more complex tariff structures, this has not been possible. However, it is proposed that a report be brought back to cabinet at the earliest opportunity in the new municipal year setting out proposals for longer term changes to tariffs and the introduction of “smart” parking meters.

**Recommendation (2)**

12. It is therefore proposed that in the short term, given the requirement to generate additional income that:

- (a) the existing tariffs be inflated to reflect the five years where there has been no increase; and
- (b) the long stay “all day” tariff be increased beyond inflation to reflect local station charges

13. The application of inflation alone does not provide a linear tariff, an issue which should be addressed in any future tariff proposals. In retaining the 10p tariff for up to 30 minutes it should be noted that whilst this accounts for 45% of ticket purchases, it generates only 4% of the overall income. This should be compared with users staying up to 2 hours, 45%, generating 52% of the income and those staying longer than 2 hours, 10%, generating 44% of the income. It is proposed to retain the five hour maximum stay limit in Cottis Lane car park, to ensure that it clearly retains its identity as a short stay car park.

14. The new interim tariff structure is proposed as follows:

Type As is Proposed	Up to 30 min	Up to 1 hour	Up to 2 hours	Over 2 hours	Up to 3 hours	Over 3 hours	Up to 4 hours	Up to 5 Hours
<b>Cottis Lane</b>	0.10 0.10	0.65 0.70	1.30 1.40		1.90 2.10		2.50 2.80	3.20 3.50
<b>Short stay</b>	0.10 0.10	0.65 0.80	1.40 1.60		2.80 3.20	9.00 10.00		
<b>Long stay</b>			1.40 1.60	2.80 3.50				
<b>Combined</b>	0.10 0.10	0.65 0.80	1.40 1.60	2.80 3.50				

### **(Recommendation (3))**

#### **Resource Implications:**

In order to ensure that income targets are met, it should be recognised that parking fees are subject to VAT at 20%. Therefore each tariff has within it an element of VAT, thereby reducing the income that the Council actually receives, such that to raise the additional £150,000 for the 2014/15 budget, requires tariff increases to generate an additional £180,000 per annum.

On this basis, the current tariff structure, based on the usage data provided by NEPP, generates in the region of £ £950,000 per annum, which amounts to £780,000 of income per annum once VAT is deducted, from pay & display income, electronic payments (via MiPermit) and season tickets (NB. Does not include income from penalty charge notices). The revised tariffs set out above would, if usage remained the same, generate an additional £160,000 (£133,000 after VAT), slightly less than the required £180,000 (£150,000 after VAT) in the 2014/15 budget. However, it is important to note that this increase is based upon modelling, which by definition includes assumptions around usage. Furthermore, the changes made at Cottis Lane last year have only been in force a relatively short while and therefore more time is needed to see how usage settles.

If a sensitivity analysis is undertaken at 5%, 10% and 15% reductions in usage, it produces, after deducting VAT, a predicted reduction in additional income of around £40,000, £80,000 and £120,000 respectively.

The estimated outturn for the 2013/13 budget was a surplus of £296,000. This has now been reduced to a probable outturn of around £255,000, a reduction of £41,000. The reasons for this shortfall are not known, but it does indicate how difficult it is to accurately predict income from parking, especially in difficult economic times. Therefore, and looking forward to the position after the consideration of the strategy, the tariff structure will have to be amended to generate further income and to protect the Council from the effects of potential reduced usage.

#### **Legal and Governance Implications:**

Amendments to tariff structures are undertaken on the Council's behalf by NEPP, who will have to follow the normal statutory publication protocols. It should be noted that government has recently introduced a duty upon local authorities whereby they will be required to publish on their website full financial details of parking revenues. Councils are also being required to publish the number of controlled parking spaces in their area, both on and off street. This forms part of the government's 'transparency' agenda, informing residents and businesses of what income the Council generates from parking revenues and what it does with that income. It is also likely that Government will require the publication of an annual parking report, setting out similar detail.

Additionally the Government is undertaking a consultation exercise on town centre parking generally, which has been responded to by NEPP. Copies of that response and additional comments made by this Council following consideration by the Safer, Cleaner, Greener Scrutiny Panel have been published in the Members' Bulletin.

#### **Safer, Cleaner and Greener Implications:**

The amendments to the strategy and tariff structure have no direct consequences. The Council's car parks are already designated under Park Mark (safety checked) and the

proposed changes will not alter that position. Car parks are regularly maintained and cleansed and cleansing requirements are included within the forthcoming new waste management contract.

#### **Consultation Undertaken:**

If the recommendations are accepted then the proposed strategy will be issued for consultation to local businesses and residents.

#### **Background Papers:**

Government Consultation on Town Centre Parking  
Government requirements for transparency in a number of issues including parking revenues  
Budget papers for 2013/14 and budget estimates for 2014/15  
PriceWaterHouseCoopers – “Revenue Income Optimisation” – November 2011

#### **Impact Assessments:**

##### Risk Management

The major risk is as set out in the resources element of the report, that being difficulties around the modelling of the consequences of changes to car parking tariffs. Until time has elapsed following their introduction, it will not be possible to be certain that income streams have reacted in the way anticipated.

A second risk relates to the current Government agenda on car parking charges and support for the town centre. The consultation paper and requirements to publish financial data are set out in the report. The generation of an additional £150,000 (net) in income may be seen as a further burden upon local business, despite the Council having kept tariffs static for some five years, and intending to ensure that short stay spaces remain available for visitors / shoppers etc.

The modelling of data assumes that Sainsbury's will agree to the revised tariffs as proposed. Members are reminded that the car parks in Loughton associated with Sainsbury's stores are managed by the Council but not owned by the Council. The Loughton car park is large (270 spaces) and whilst the Council only receives 10% of the income stream, if there is no agreement, there would be an additional income shortfall of around £5,000 per annum.

##### Equality and Diversity

See attached Due Regard record.

# **Due Regard Record**

## **Name of policy or activity:**

### **Review of parking strategy and tariff structure**

**3 February 2014 / John Gilbert – Director of Environment & Street Scene**

The provision of off street car parking is a service made available to all. Provision is made in most of our car parks for those with disabilities through the provision of dedicated free spaces for those who display a valid “blue badge”. When dedicated spaces are full or where due to the limited size of the car park no dedicated space is provided, holders of “blue badges” can park free of charge in any car parking space. In both cases, parking is free and without limit of time.

All the Council’s car parks are accredited under “ParkMark”, which means they are well maintained, well lit and have the benefit of CCTV. Accreditation is authorised by the Police.

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## **Report to the Cabinet**

**Report reference:** C-078-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Asset Management and Economic Development

**Subject:** Civic Offices Installation of Solar Panels - Feasibility

**Responsible Officer:** Mike Tipping (01992 564280).

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

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### **Recommendations/Decisions Required:**

- (1) That a scheme to install photovoltaic solar panels to two roof elevations of the Civic Offices complex proceeds in 2014/15 provided this can be achieved within the load factors identified in the structural survey;
- (2) That the necessary remedial works/replacement works to the roofs of the main Civic and Conder buildings be carried out as part of the solar panel scheme;
- (3) That the Council purchase the solar panels and associated equipment as the option that provides the best rate of financial return on the investment, together with ongoing savings on energy costs and income from the feed in tariff;
- (4) That British Gas be appointed to provide a turnkey solution for the supply and installation of the solar panels under a framework agreement in accordance with contract standing orders;
- (5) That Contract Standing Orders be waived in relation to seeking competitive quotations and Stace LLP be appointed as project Manager for the solar panels project, including the remedial roof works and roof covering replacement works;
- (6) That approval be given to make all necessary planning and building regulations applications to enable this project to proceed; and
- (7) That, if the Cabinet decides not to proceed with the Solar Panel scheme, then remedial works/replacement works to the roof of the main Civic Offices and Conder buildings be carried out in any event.

### **Executive Summary:**

This report considers the feasibility of installing photovoltaic solar panels on the Civic Offices Buildings, including options, budget costs, payback periods and the benefits to enable Cabinet to decide whether they wish to proceed with this project.

Adequate budget provision exists for this project therefore no additional financial provision or supplementary estimates will be required.

### **Reasons for Proposed Decision:**

To provide a further opportunity to reduce the Council's energy consumption and costs from commercial suppliers, reduce carbon emissions and to undertake a further initiative to demonstrate a community lead under the Safer Cleaner Greener agenda.

### **Other Options for Action:**

Not to proceed with this scheme and forego the savings that could be achieved in energy consumption and costs and reduction in carbon emissions but with the resultant savings in the Capital Programme during 2014/15.

### **Report:**

1. The Cabinet at its meeting on 21 October 2013 as part of its consideration of the Planned and Preventative Maintenance Programme for 2014/15 received an update on the current market position in relation to solar panel technology, likely installation costs, benefits and pay back periods.

2. Cabinet was reminded that this project was previously removed from the Planned and Preventative Maintenance Programme although financial provision was retained in the Capital Programme.

3. As a result Cabinet resolved *"That a detailed feasibility study into the installation of Solar Panels at the Civic Offices be conducted during 2013/14, with a detailed report on the outcome submitted to a future meeting of the Cabinet to determine whether the project should be implemented during 2014/15."*

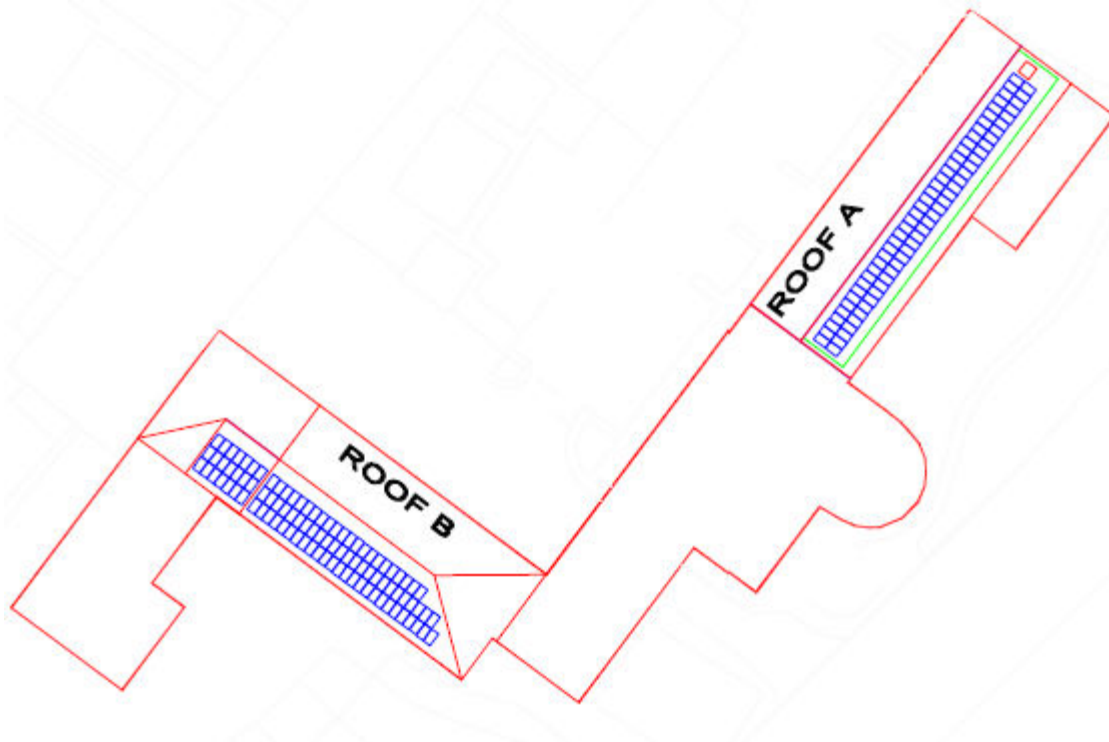
4. The feasibility study is divided into a number of elements as follows.

#### Structural Considerations

5. The first consideration is whether or not the roof structures could withstand the weight of solar panel arrays without the need for strengthening and if strengthening was required what would be involved and how much would it cost?

6. Stace LLP were therefore instructed to carry out structural surveys of the roofs of the main civic office building, the Conder building and Homefield House. The roofs of the rear extension and 323 house have been discounted because of access difficulties and the lack of usable space to mount solar panels.

7. The diagram below shows the two main roof elevations concerned.



8. The results of the structural survey were positive in that it has confirmed that the two large roof elevations on the two main buildings are capable of accepting solar panel arrays without the need for strengthening provided that the loading does not exceed 15Kg per square metre.

9. As part of the survey the condition of the existing roof coverings has also been examined.

#### Main Building – Roof A

10. The roof covering of the main building is of stainless steel construction with a lead coating. The life expectancy of the stainless steel covering is estimated at 20 to 25 years. However the lead coating is showing visible signs of weathering/localised surface corrosion which shows as discolouration.

11. The Survey report recommends that the roof and valley gutters be coated to extend the life expectancy before installing the solar panels as a precaution against further corrosion and /or water ingress.

12. Clearly attempting this type of remedial work after the solar panels are installed would be complicated and more costly than undertaking the work beforehand.

13. It would only be necessary to coat the elevation that will receive the panels at this stage. The other elevation could be dealt with at a later date by including provision in a future planned and preventative maintenance programme.

14. The estimated cost of a liquid applied coating is £45,000

#### Conder Building – Roof B

15. The Conder building was originally constructed with a flat metal deck roof. This was later converted to a 30 degree pitched roof constructed of engineered timber roof trusses

which is supported by both a ring beam around the perimeter of the building and a central spine beam running the length of the roof. The pitched roof covering is constructed of artificial slates with half round clay tiles for ridge and hip details. The slates are underlined with bitumen felt and fixed into timber battens.

16. The survey report finds as follows:

*“Roof area B is generally found to be in poor condition. The roof covering of Eternit slates has tiles lifting and/or slipped in various locations. It is evident the two large localised repairs have been completed at a more recent date. The first repair located along the hip end and the second located beneath the aerial. This could be a result of wind uplift or poor fixing details.*

*Within the roof area the bitumen underlay roofing felt has become brittle and torn in many locations causing the roof to suffer with water ingress which in turn presents an on-going maintenance issue as various patch repairs have made carried out. You would expect the bitumen underlay felt to have a life expectancy in line with the roof covering, however the expectancy may have been jeopardised by lack of ventilation to the roof or the felt being fixed tort across the rafters.*

*Within the product literature it states the artificial slates have a 40 year life expectancy. Whilst the slates have not quite reached the intended life expectancy, the amount of isolated repairs indicates the covering in place may not be most suited to the environment. This along with the number of slipped and/or damaged tiles along with the brittle bitumen underlay felt provides a susceptible inlet for water.”*

17. This conclusion does not come as a surprise. In previous years bids have been made in the Planned and Preventative Maintenance Programme for capital funds to replace the roof covering but financial pressures at the time prevented this. Instead an ongoing programme of repairs and patching has taken place.

18. Works to replace the roof covering with new felt and similar artificial slates or new felt and a metal panel system with tile effect is estimated to cost between £80,500 and £81,700. These budget estimates also include provisional sums for renewal of fascia and guttering, access, a contingency sum and temporary removal and reinstatement of the lightning protection.

19. It would be possible to phase the work but this approach would increase the cost due to reduced scale, possible duplication on work stages and need to re-establish the site set up.

20. In summary therefore the roof covering of the Conder Building is in poor condition and will continue to deteriorate. The roof covering of the main civic building is in better condition but remedial works are required before further deterioration occurs. It is clear that these remedial and replacement works will need to be carried out irrespective of whether the installation of the solar panels proceeds or not.

#### Homefield House

21. The roof was found to be generally in a fair condition but appears to be close to the design limit. On inspection of the property and roof construction it was evident it was suffering with tension cracking appearing within the two internal cross walls. The survey report advises that no additional loading is applied to the roof area until remedial works have been carried out to resolve the tension cracking. These works should be carried out irrespective of whether solar panels are installed or not.

22. Further inspection would then be required to ascertain whether the roof could sustain additional loading. However in view of this uncertainty and the relatively small area of roof it is not considered worthwhile to pursue solar panels on this roof.

23. Facilities Management will be arranging for remedial works to resolve the tension cracking to be carried out from within existing maintenance budget resources.

#### Other Works

24. In addition to the remedial works/roof replacement referred to above, some other work will be necessary to facilitate the installation of solar panels.

25. Firstly on the Conder Building the aerial mast and Private Mobile Radio (PMR) aerials will need to be dismantled and removed.

26. It is not proposed to reinstate the mast and aerial back on the Conder roof once the roof covering replacement and solar panel installation has been completed.

27. It is proposed to re-site the PMR aerial elsewhere within the Civic Offices complex. This will improve the visual appearance of the Conder Roof.

28. The cost of these works will be funded out of existing radio maintenance and building maintenance budgets.

29. Secondly, as mentioned earlier, it will be necessary to temporarily remove lightning protection equipment from the Conder building and reinstate it after completion of the roof covering replacement and solar panel installation works.

30. Some modifications to the lightning protection equipment on the main Civic roof will also be required.

#### Planning Consent and Building Regulations Approval

31. Because the front (High Street) elevation of the main building is within a designated area (Conservation Area) planning permission will be required. The informal views of the Planning Officer and Conservation Officer is that they cannot see any objection to the proposal although a formal application will have to be made.

32. The south/west facing elevation of the Conder Building will not require planning permission as it is outside of the Conservation Area. Planning permission would however be required if as part of any installation it was proposed to change the shape, height or the appearance of the roof.

33. There are also certain conditions that must be adhered to during the installation works, relating to clearance distances and positioning of the panels on the roof elevations.

34. A Building Regulations application will be required in respect of both installations.

#### Other Consents

35. An Energy Performance Certificate (EPC) is required at a rating of D or better (i.e. A, B or C) for the Civic Offices complex to ensure that the Council receives the highest possible rate of feed in tariff. The EPC is different to the Display Energy Certificate that the complex currently has and renews annually.

36. Without the EPC at the required rating the Council will receive a lower level of feed in tariff for the energy generated by the solar panels as defined in the relevant legislation.

37. An assessment of the complex has been undertaken by an assessor approved and authorised by The Chartered Institute of Building Services Engineers using the approved Government matrix. Taking into account additional lighting conversion works currently being undertaken and including the proposed solar PV installation will in his opinion ensure the Council receives a D rating or better.

38. However because of the inclusion of the solar PV installation in the calculations, the EPC cannot be issued until after the installation has been completed.

39. A Distribution Network Operative (DNO) certificate is also required which is effectively approval from the National Grid to connect onto their network.

### Installation Options

40. There are essentially two options available, (A) outright purchase of the equipment and (B) renting out the roof space.

#### Option A – Outright Purchase

41. Under this option the Council would, through a procurement process, purchase all of the equipment and arrange and carry out the installation, including all the connections to the internal power network and if required the National Grid.

42. The main benefit of this option is that the Council receives all of the feed in tariff for the electricity generated together with any income that might be generated for surplus energy fed back into the National Grid. The Council also benefits from savings achieved through having to purchase less energy from a commercial supplier. A reduction in carbon emissions will also be achieved through the carbon reduction arrangements.

43. The main disadvantage of this option is the capital outlay for the purchase and installation of the equipment.

#### Option B – Rent out the Roof

44. Under this option the Council would commission a provider to supply and install all of the equipment including connections to the internal power network and if required the National Grid.

45. The main benefit with this option is that there would be no capital outlay for the solar panels and associated equipment.

46. The disadvantages are that the Council would be entering into a 20 year agreement with the supplier.

47. The supplier would charge an annual operating rental to the Council which should be offset by the income received from the feed in tariff which the supplier would receive and the savings the Council would make on its purchased energy. The only direct benefit to the Council would be in reduced carbon emissions through the carbon offset arrangements.

48. Whilst these systems require little or no maintenance there is concern that having a third party's equipment installed on the Council's buildings could lead to complications if ongoing maintenance is required to the roof, possible disputes in the event of damage to the

third party equipment and potential loss of flexibility in terms of the ongoing management of the buildings.

49. Whichever of the two options is chosen the Council will still have to carry out the remedial works to the two roof elevations.

50. Taking all these factors into account it is recommended that the Council should pursue option A – outright purchase.

#### Potential Suppliers

51. Several potential suppliers have been reviewed. Some will supply a turnkey solution, i.e. offer a complete supply and installation service, others supply the equipment but do not carry out installations.

52. In order to comply with contract standing orders the focus has also been on finding suppliers within a recognised framework agreement. Two major energy suppliers were identified and approached. One considered the project to small and the other British Gas showed clear interest.

53. British Gas through its subsidiary British Gas Solar are able to offer a turnkey solution within a recognised framework agreement and it is therefore recommended that this be the chosen procurement route.

#### **British Gas Proposal Summary**

	Roof A - Civic	Roof B - Conder	Totals
Total price (ex VAT) £	37,226	42,463	79,689
PV System size (kWp)	23.92	24.44	48.36
Estimated annual output (kWh)	21,600	22,314	43,914
FiT tariff per kWh	12.57	12.57	
FiT revenue – year 1 (£)	2,715	2,805	5,520
Export Revenue – Year 1 (£)	501	518	1,019
Energy cost savings – year 1 (£)	1,361	1,406	2,767
Total revenue & Benefits year 1 (£)	4,577	4,729	9,306
Simple payback (years)	7.4	8	8
Return (%)	13.6	12.2	12.9 average
Annual Co2 offset (kg)	11,426	11,804	23,230

54 The performance of solar PV panels is impossible to predict with certainty due to the variability in the amount of solar radiation (sunlight) from location to location and from year to year. The above estimate is based upon the standard MCS procedure and is provided by British Gas for guidance only. It should not be considered as a guarantee of performance.

55 MCS stands for Microgeneration Certification Scheme, an internationally accepted quality assurance scheme recognised by the Department of Energy and Climate Change.

#### Project Management

56. Whilst British Gas will provide a turnkey solution for the supply and installation of the solar panels, the Council will have to project manage the remedial works, new roof covering, lightning protection and aerial mast works, make the necessary planning and building

regulation applications as well as client supervision of the solar panel installation.

57. These aspects would normally be the responsibility of the Facilities Management (FM) Team. However, subject to final Council approval of the budget for 2014/15 the FM team will have a full programme of work with the Planned and Preventative Maintenance Programme and routine maintenance programme and will have little or no capacity to take on additional projects.

58. In order to avoid delaying the solar panel project and/or the remedial/replacement works to the roofs it is recommended that external resources be engaged to provide the required project management.

59. It is further recommended that Stace LLP be engaged as project managers in view of the work already undertaken in providing the structural survey and their familiarisation with the complex.

60. This will be a departure from the normal procurement process and therefore it will be necessary to waive contract standing orders in relation to either using a company on a recognised framework agreement, or seeking quotations either through Constructionline or by compiling an ad hoc list.

#### Overall Financial Summary

61. The table below shows the various cost elements that would be required should Cabinet accept the recommendation to proceed with this scheme. It should be noted that all prices for the remedial works to the Civic Roof, the replacement of the Conder roof covering, and the lightning protection works are budget estimates and would be subject to a competitive procurement exercise.

	Activity	Budget estimate	Capital Provision 2013/14 (£)	Capital provision 2014/15 (£)
1.	Structural Survey	2,800		
2.	EPC Certificate	1,000		
3.	Applied liquid coating to Civic Roof	45,000		
4.	Recovering Conder roof	81,700		
5.	Solar Panel Installation	79,689		
6.	External Project Management including CDM	12,728		
	Total estimated project cost	219,117		
	Capital Programme		3,800	196,200
	Planned & Preventative Maintenance Programme – Gutters/soffits and fascias and replacement of slipped slates			25,000
	Total Budget Provision		3,800	221,200



## Overall Summary

62. If the Council agrees to proceed with the solar panels project, based on current data the Council will:

- receive an estimated average return on its capital investment of 12.1%.
- achieve a simple payback period of 8 years on a life expectancy of the panels of 20 years.
- generate an estimated 43,914 kWh of energy per annum.
- achieve estimated benefits/savings in year 1 of £9,306.
- achieve CO<sub>2</sub> offset of 23,230kg per annum.
- visibly demonstrate its community lead on safer, greener and cleaner issues.

63. Outright purchase of the solar panels and associated equipment offers a more beneficial solution than system rental.

64. Remedial/replacement works to the roofs of the main Civic building and Conder buildings at an estimated value £139,428 including external project management fees would have to be undertaken irrespective of whether the solar panel scheme proceeds or not.

### **Resource Implications:**

Finance: Capital provision of £221,200 in 2014/15.

### **Legal and Governance Implications:**

Procurement of the supply and installation of the solar panels through a recognised framework agreement. Proposed departure from contract standing orders relating to the proposed method for procuring external project management resources.

### **Safer, Cleaner and Greener Implications:**

This will be a high profile scheme providing a visible demonstration that the Council is taking a community lead to promote the Safer, Cleaner and Greener agenda.

Estimated annual energy generation of 43,914kWh  
Estimated annual CO<sub>2</sub> offset of 23,230kg

### **Consultation Undertaken:**

None

### **Background Papers:**

Structural Survey of the Civic Offices roofs  
Solar PV proposal provided by British Gas

### **Impact Assessments:**

#### Risk Management

The remedial works to the Civic Roof and the recovering of the Conder Building roof will prolong the life of the buildings, decrease the likelihood of water penetration and minimise ongoing maintenance works and costs.

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## Due Regard Record

Name of policy or activity: Civic Offices Installation of Solar Panels - Feasibility

**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.

<b>Date / Name</b>	<b>Summary of equality analysis</b>
7/2/14 Mike Tipping Assistant Director of Corporate Support Services	The feasibility study relates to the financial and other aspects of whether the Council should install solar panels to the Civic Offices complex as a means of generating energy and reducing the amount of energy it procures from commercial suppliers.  There would not appear to be any equality issues arising from this consideration.

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## **Report to the Cabinet**

**Report reference: C-080-2013/14**

**Date of meeting: 3 March 2014**



**Epping Forest  
District Council**

**Portfolio: Housing**

**Subject: Proposed New Arrangements for Park Home Site Licence Conditions**

**Responsible Officer: Lyndsay Swan (01992 564146)**

**Democratic Services: Gary Woodhall (01992 564470)**

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### **Recommendations/Decisions Required:**

- (1) That, following the recent consultation with park home residents and site owners:
  - (a) The Epping Forest District Council Policy on Fees for Licensing Residential Park Home Sites attached at Appendix A be adopted from 1 April 2014; and**
  - (b) The fees be added to the Schedule of Housing Fees and Charges and reviewed by the Finance and Performance Management Cabinet Committee on an annual basis; and****
- (2) That a decision on the draft conditions to be attached to site licences for Gypsy, Roma and Traveller sites, and which will be the subject of a separate consultation with the owners, residents and other interested parties, be delayed pending interpretation of the implications of further guidance on recommended separation distances between park homes.**

### **Executive Summary:**

In July 2012 the Cabinet agreed the conditions to be attached to the site licences for the permanent residential park homes sites in the District (C-012-2012/13). These included a condition that, if in the future, local authorities are able to charge for park home licensing functions, the Council reserves the right to charge for such functions, although the Cabinet also agreed that if the Council intended to charge, all residents and site owners would first be consulted.

The new Mobile Homes Act includes the power for local authorities to charge for functions associated with licensing park home sites. While this legislation only allows charges to be made for the administration of the Council's licensing functions and not for enforcement, it is considered that an effective presence on site during the licensing process could reduce site licence contraventions. It is considered that this would reduce officer time spent on enforcement at a later stage.

A proposed fee structure has been devised and site owners, park home owners and other interested parties have been consulted. Residents that are tenants in a park home are not liable for paying the pitch fee (and as such any licence fee) so views on potential charging were not sought from them. Taking into account the views expressed, it is recommended that the Epping

Forest District Council Policy on Fees for Licensing Residential Park Home Sites attached at Appendix A be agreed for implementation from 1 April 2014.

The Cabinet has also agreed that the site licence conditions for the Gypsy, Roma and Traveller sites in the District should generally be in accordance with those already agreed for the permanent residential sites and that a consultation process should also be undertaken with the residents on Gypsy, Roma and Traveller sites that are occupied on a permanent residential basis.

Site licence conditions were drafted and were discussed at the joint Management Board/Cabinet meeting on 11 December 2013. These were generally based on the conditions that had already been agreed for the permanent residential sites, with appropriate amendments to take account of the differences between the settled community and Gypsy, Roma and Traveller sites. It was agreed that the Housing Portfolio Holder should consider whether a consultation should be carried out with residents on the Gypsy, Roma and Traveller sites accordingly. Following the meeting, however, additional information has come to light on the appropriate spacing of park homes. As officers wish to seek further guidance on this before making recommendations to the Portfolio Holder at this stage, the Housing Portfolio Holder has been asked to agree to delay consideration of this consultation until further notice.

#### **Reasons for Proposed Decision:**

The cost of the Council's site licensing functions is currently borne by the General Fund which is under increasing pressure. The Mobile Homes Act 2013 allows local authorities to cover their licensing costs by levying a charge on site owners. This can be passed on by the site owner to individual home owners in their pitch fees but the cost to each individual home owner through the fees proposed would be small. However, the Council cannot impose charges at this stage as Members gave a commitment at the Cabinet on 23 July 2012 (C-012-2012/13) not to do so without consulting with site owners and home owners first.

The Cabinet also agreed that the site licence conditions for the Gypsy, Roma and Traveller sites in the District should generally be in accordance with those already agreed for the permanent residential sites and that a consultation process should also be undertaken with the residents on these sites accordingly. However, further information has come to light on the recommended spacing between pitches and until officers have had a chance to review this, it is considered that consultation with the Gypsy, Roma and Traveller residents should be held in abeyance.

#### **Other Options for Action:**

The option not to charge is not being pursued because the cost of the work involved in licensing park home sites comes from the General Fund which is under increasing pressure. The Mobile Homes Act 2013 provides an opportunity to recover these costs. Moreover, the cost per home owner is relatively low.

Consideration has been given to adopting a charging policy other than the one proposed. The legislation will only allow local authorities to recover their actual costs in any charging scheme adopted and Officers have modelled several different ways of doing this. The charging scheme included in The Epping Forest District Council Policy on Fees for Licensing Residential Park Home Sites, attached at Appendix A, is considered to be the fairest and, at the same time, will allow additional sites to be included without the recalculation of the fees for all the sites.

The option not to consult has been discounted since the Housing Scrutiny Panel gave a commitment in its report to the Cabinet on 23 July 2012 (C-012-2012/13), in which the site licence conditions were agreed, that it would not impose charges without prior consultation.

## Report:

### Charging for Site Licensing on Permanent Residential Sites

1. New legislation introduced in May 2013 will allow local authorities to charge for licensing functions on park home sites from 1 April 2014. Under the legislation site owners can be charged for new site licence applications, for transfers and for amendments to site licences. Local authorities may also charge an annual licensing fee for existing sites but only after first preparing and publishing a fair and transparent charging policy. The fees can cover the licensing function only and not the Council's costs in dealing with complaints or taking enforcement action. A separate power exists which allows local authorities to charge for enforcement and this may be considered as an option for this Council at a later date.

2. In setting its fees policy a Council can decide to exempt certain types or categories of site. It can also decide to charge different amounts for different sites which may be based on the site's size.

3. Importantly, the legislation allows the site owner to pass on any charge imposed on him/her by the Council in the first year, to home owners through their 'pitch fees'. This is likely to be unpopular with home owners but it is something that is beyond the Council's control unless the Council decided not to charge at all for licensing, which has been rejected as an option for action. The charging scheme which appears in the tables below and which is summarised in the Policy attached at Appendix A has been devised with the expectation in mind that the costs will ultimately fall on the home owner. The officer and administration time that is currently spent in carrying out the Council's licensing function on the existing sites has been included. The total cost to be recovered is about £3,600 per annum.

4. Officers have drafted a proposed fee structure for annual licence fees, fees for new site licences and transfers of, and amendments to, existing site licences. Sites are 'banded' as follows from 1 to 5 according to their size in terms of the number of pitches:

Table 1: Proposed Bandings

<b>Band</b>	<b>N° Pitches</b>	<b>Sites in Epping Forest</b>
<b>1</b>	1 – 5 pitches	2 family sites with 1 pitch on each
<b>2</b>	6 – 24 pitches	Ludgate House, Chingford (20 pitches) The Owl, High Beach (20 pitches)
<b>3</b>	25 – 99 pitches	Abridge Park, Abridge (65 pitches) Roydon Marina Village, Roydon (50 pitches) The Elms, High Beach (36 pitches)
<b>4</b>	100 – 199 pitches	There are currently no Band 4 sites in the District
<b>5</b>	more than 200 pitches	Breach Barns, Waltham Abbey (250 pitches) Woodbine Close, Waltham Abbey (209 pitches)

5. The proposed fee scales are calculated on the basis of the time taken in inspecting the site and administration multiplied by the officer's hourly rate. Although there are currently no Band 4 sites in the District it is important to allow for the possibility of new sites of this size in the future. The method outlined recognises that larger sites are more complex and take more time in terms of site inspections than smaller sites but that fixed costs such as travelling and admin time are higher per pitch on smaller sites.

## Annual Licence Fee

6. The proposed annual licence fees have been calculated as described above. Table 2 below shows the effect of using this formula to establish annual licence fees for the actual sites in the District in terms of the charges that would be made to each site owner. Assuming, as is their right, the site owner passes on his/her costs to the home owners in their annual pitch fees, a breakdown of the cost to each home owner in each band is also given if the proposed fees were implemented.

7. Calculating the fees in this way, home owners on very small sites would have a disproportionately large pitch fee. The Council, in setting its fees policy, can exempt certain types or categories of sites from licence fees and it is therefore proposed that the fee policy exempts from licence fees, those sites that have 5 units or less (Band 1). These sites historically require little or no Council involvement beyond issuing the licence in the first instance and the administrative costs in recovering the monies is likely to outweigh the actual income received.

Table 2: The Effect of Proposed Charges on Site Owners and Residents

	Band 5		Band 3			Band 2
<b>Number of units per site</b>	250	209	65	50	36	20
<b>Total charge to site owner</b>	£950	£950	£410	£410	£410	£250
<b>Charge per household (rounded)</b>	£4.00	£4.50	£6.00	£8.00	£11.50	£12.50
<b>Total Annual Income</b>	<b>£3,630</b>					

## New Site Licence - Transfer and Amendment

8. Applying the same principles, a fee structure has also been devised for new site licence applications and transferring and amending site licences, which is shown in the table below. The site owner is not entitled to pass these charges on to residents in pitch fees.

Table 3: Proposed Fee Structure for New Licences, Transfers and Amendments

	Band 5	Band 4	Band 3	Band 2	Band 1
	£	£	£	£	£
<b>New site licence application - fee charges</b>					
Charge to site owner	1,120	930	775	620	545
<b>Application to transfer a site licence – fee charges</b>					
Charge to site owner	290	290	290	290	290
<b>Application to amend a site licence – fee charges</b>					
Charge to site owner	310	290	285	275	270



9. During January and February 2014 a consultation on the charging policy has been carried out with the 9 site owners, 652 park home residents and Members on the approach being taken. Overall there was a response rate of 34% from park home residents and 44% from site owners. Of those that responded to each question the outcome was as follows:

Table 4: Outcome of Consultation

<b>Question:</b>		<b>Yes</b>	<b>No</b>	<b>Don't know</b>
1. Is a fee policy based on size banding the best approach?	Residents	53%	31%	16%
	Site owners	80%	20%	0
2. Is the proposed annual licence fee fair?	Residents	29%	63%	8%
	Site owners	80%	0	20%
3. Do you agree that the owners of sites with 5 units or less should not have to pay a fee?	Residents	55%	29%	16%
	Site owners	50%	50%	0

10. While the majority of the residents that responded considered that a fee policy based on size banding was the best approach, a larger majority considered that the annual licence fee proposed was unfair. This might be expected as, as a result of charging, residents consider that they are likely to have to pay the additional cost through their pitch fees. This view might be supported by the comments from about 50% of all respondents who felt strongly that the home owners should not have to pay for licensing at all and that it should be paid by the site owner.

11. The majority of site owners feel that a fee policy based on size banding is the best approach and also that the annual fee is fair although of the 9 site owners (7 from the larger sites and the remaining 2 from sites with only one park home) only 4 responded and it is not clear whether these came from the larger or smaller sites.

12. If the charges are agreed it is recommended that they be implemented from 1<sup>st</sup> April 2014 and added to the Council's Schedule of Housing Fees and Charges to be reviewed by the Council's Finance and Performance Management Cabinet Committee on an annual basis along with the Council's other fees and charges.

Site Licence Conditions for Gypsy, Roma and Traveller Sites

13. In April 2011 the Cabinet agreed that the 'Standard Park Home Site Licence Conditions for Permanent Residential Sites in Epping Forest District Council' be adopted (C-069-2010/11). At the same time it was determined that, following a further consultation exercise, site licence conditions generally based on these standard site licence conditions are to be considered for use in respect of Gypsy Roma and Traveller (GRT) sites that have planning permission as permanent residential park home sites.

14. On 11 December 2013 there was an informal discussion at the joint Management Board/Cabinet meeting on the most appropriate way to consult residents on Gypsy, Roma and Traveller sites on the proposed conditions to be attached to their site licences. It was agreed that the Housing Portfolio Holder should receive a report recommending these actions.

15. However, following the meeting, Officers have been made aware that there is new guidance which may affect recommended separation distances between park homes. As this guidance may result in the necessity to revise the site licence conditions, it is considered that further information needs to be sought on it before consulting with residents on the Gypsy, Roma and Traveller sites on their site licence conditions. As this may a For this reason Officers intend to seek further advice before making recommendations to the Portfolio Holder to proceed with the consultation with the Gypsy, Roma and Traveller community on this issue.

## Conclusion

16. It is recommended, therefore, the Policy attached at Appendix 1, The 'Epping Forest District Council Policy on Fees for Licensing Residential Park Home Sites' be adopted and reviewed annually by the Finance and Performance Management Cabinet Committee, with the Council's other fees and charges. In addition, it is also recommended that further consultation is carried out site owners and residents on the Gypsy, Roma and Traveller sites be carried out once guidance on the spacing of units has been reviewed.

### **Resource Implications:**

If the proposed fee structure is approved, the annual income to the Council would be £3,630

### **Legal and Governance Implications:**

Caravan Sites and Control of Development Act 1960  
The Mobile Homes Act 2013

### **Safer, Cleaner and Greener Implications:**

Although the Council cannot charge for enforcement functions, it is anticipated that increased Officer presence on site as a result of carrying out licensing functions will lead to reduced contraventions of the site licence conditions. One aspect of the site licence conditions is to improve site safety, by maintaining safe distances between homes for example, so it can be said that the policy will improve the safety of sites.

### **Consultation Undertaken:**

When considering the conditions that should be attached to the site licences for the permanent residential park homes sites in the District in July 2012 (C-012-2012/13), the Housing Scrutiny Panel gave a commitment that it would not impose charges without prior consultation. A consultation was carried out in January and February 2014 and a summary of the outcome is outlined in Table 4 of this Report.

Officers held an information event for park home owners and representatives on the Mobile Homes Act on 2 October 2013 which included information about the possibility of charging for licensing but it had not at that time been calculated what those charges should be. Site owners and residents now need to be consulted on the actual fees to be imposed.

The joint meeting of the Cabinet and Management Board at their meeting on 11 December 2013 informally discussed the conditions to be attached to the site licences for the District's Gypsy, Roma and Traveller sites and also on charging for the administration of site licensing. It was agreed that the Housing Portfolio Holder should receive a report recommending that separate consultations be carried out on the two issues.

Following the meeting, Officers became aware of new guidance which may affect recommended separation distances between park homes. As further information needs to be sought on this before consulting with residents on the Gypsy, Roma and Traveller sites on their site licence conditions it was considered that Officers should not proceed with this consultation until further clarification has been made available. A recommendation was therefore made to the Housing Portfolio Holder that the consultation on fee charging should go ahead but that the consultation with site owners and residents on the Gypsy, Roma and Traveller sites should be held in abeyance at this time. The Housing Portfolio Holder formally agreed to this approach on 8 January 2014 (HSG-024).

## **Background Papers**

None.

## **Impact Assessments:**

### Risk Management

The charging of fees may give residents the impression that the Council is the first port of call for any problems, resulting in an increase in the number of enquiries and complaints being received. However, it is anticipated that the increased officer presence on site as a result of the new site licensing arrangements will result in fewer contraventions against the site licence conditions and, therefore, less time spent on potential enforcement.

There is also a chance that the site owner will not pay the fee. In such cases the legislation allows payment to be enforced through representation to the First Tier Tribunal (Property Chamber).

### Equality and Diversity

See Due Regard Report attached.

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# **(Draft) Fees Policy for Licencing Residential Park Homes Sites**

**This Policy Statement is effective from**

EFDC FEES POLICY FOR LICENSING FOR RESIDENTIAL PARK HOME SITES

## **1. INTRODUCTION**

1.1 Epping Forest District Council ('the Council') has powers under the Caravan Sites and Control of Development Act 1960 (the Act) as amended by the Mobile Homes Act 2013 (the 2013 Act) to issue licences in respect of 'relevant protected sites' and to charge fees for the provision of their licensing functions. This power comes into force on 1<sup>st</sup> April 2014.

1.2. A **relevant protected site** is defined in the Act as any land to be used as a caravan site other than one where a licence is:

- Granted for holiday use only
- In any other way subject to conditions which restrict the usage of the site for the stationing of caravans for human habitation at certain times of the year (such as planning conditions).
- It does not include sites that are owned by the local authority.

Therefore a protected site relates to all park home sites that are used for permanent residential use, apart from local authority owned sites.

1.3 Local authorities can charge:

- a licence fee for applications to grant or transfer a licence or an application to alter the conditions on a licence and ;
- an annual licence fee for administering and monitoring licences.

1.4 Importantly, in terms of the annual licence fee, the legislation allows the site owner to pass on each year to residents through their annual 'pitch fees' the amount of the charge imposed of the site owner by the Council in the first year. If the Council's charges increase in subsequent years the proportion of the charge that that can be passed on is limited to the amount of the charge imposed in the first year and any subsequent Retail Price Index increases will be applied to it.

1.5 Before a local authority can charge a fee, it must prepare and publish a fees policy.

When fixing a fee the local authority:

- must act in accordance with their fees policy
- may fix different fees in different cases
- may determine that no fee is required in some cases.

1.6 Any fees charged must fairly cover the costs (or part of the costs) incurred by a local authority under its functions in Part 1 of the Act, other than the costs of enforcement action. They must be reasonable and transparent and whilst different fees can apply to different types of cases, there must be consistency in the fee structure and its application.

## **2. THE FEE STRUCTURE**

2.1 In calculating its fee structure, the Council will calculate its fees in accordance with the provisions of 2013 Act which allows a local authority to include all its reasonable costs and this includes administrative costs, officer visits to the site, travel costs, consultations, meetings, undertakings and informal advice.

2.2 The Council will when deciding its fee structure base it on the size of a site because the cost to the Council in terms of officer time and administration is proportional to the number of units on a site. Sites are banded from 1 to 5 according to the number of units on a site and a fixed cost is applied to each which takes into account the legitimate and reasonable costs incurred.

2.3 The Council has taken account of the fact that in calculating the fees in this way could

mean residents on very small sites would have a disproportionately large pitch fee as the site owner may pass on charges as mentioned in paragraph 1.4 of this policy. The Council, in setting its fees policy, can exempt certain types or categories of sites from licence fees and it is therefore determined that the fee policy should exempt from licence fees, those sites that have 5 units or less (Band 1). These sites historically require little or no Council involvement beyond issuing the licence in the first instance and the administrative costs in recovering the monies is likely to outweigh the actual income received.

2.4 The Council has consulted with residents and park home owners of existing sites in relation to the annual fee proposed. The results of the consultation together with officer recommendations were included in the report to Cabinet on 3 March 2014 and the fee structure for 2014 was agreed by Cabinet.

**The licence fee structure for residential park home sites for 2014 is attached at Appendix 1.**

### **3. REVIEW OF THE FEE STRUCTURE**

3.1 A review of the fee structure will be carried out annually in March and revised if necessary. Any adjustments will take into account variations in actual officer and administration time to those predicted in Appendix 1; any changes to officer hourly rates, mileage costs or any other typical associated costs in providing the licensing function.

3.2 Any surpluses and deficits for the previous year will be presented to the Director of Communities, and where agreed, the fees to the site owner will be adjusted accordingly for the following year.

3.3 In setting their annual fees each year the Council will inform the site owner of the extent to which they have had regard to any deficits and surpluses from the previous year and will confirm with the site owner the annual fee for the forthcoming year.

### **4. PUBLISHING THE FEE POLICY**

4.1 The fees policy for licensing of residential park home sites will be published on the Councils website –(insert link).

4.2 If the Council revises its fees policy, it will replace the published policy with the revised policy.

4.3 There will also be a hard copy of the fees policy kept with the Private Sector Housing Team which will be available to view at the Civic Offices, Monday to Friday 9am to 5pm.

### **5. HOW THE FEES ARE TO BE PAID.**

5.1 The Council requires all fees to be included with any application for a new site licence, for amending a site licence or for transferring a site licence.

5.2 In the case of existing sites, where an annual site licence is payable, the request for payment will be made in April each year and must be paid to the Civic Offices within 28 days of the dated request.

5.3 The Council requires payment to be made by ...

5.4 Where a payment to the Council has become overdue, the Council may apply to the

First Tier Tribunal, for an order requiring the licence holder to pay the Council the amount due by the date specified in the Order. Where a licence holder fails to comply with such an Order within the period of 3 months from the date of the Order, the Council may apply to the First Tier Tribunal for an Order revoking the site licence.

## **6. APPEALS AGAINST THE FEES CHARGED**

A licence holder has the right to apply to the First Tier Tribunal where they disagree with the licence fee being charged.



## Epping Forest District Council

## Fees for Licensing Residential Park Home Sites 2014



	<b>Band 5</b>	<b>Band 4</b>	<b>Band 3</b>	<b>Band 2</b>	<b>Band 1</b>
	More than 200 pitches	100 – 199 pitches	25 – 99 pitches	6 – 24 pitches	1 – 5 pitches
	£	£	£	£	£
<b>Annual Fee</b>					
Charge to site owner	950	730	410	250	0
<b>New site licence application - fee charges</b>					
Charge to site owner	1,120	930	775	620	545
<b>Application to transfer a site licence – fee charges</b>					
Charge to site owner	290	290	290	290	290
<b>Application to amend a site licence – fee charges</b>					
Charge to site owner	310	290	285	275	270

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# Due Regard Record

Name of policy or activity: **Proposed New Arrangements for Park Home Site Licence Conditions**

Date / Name	Summary of Equality Analysis
6 January 2014	<p>The report concerns charging for licensing functions on permanent residential park homes sites and site licensing conditions on Gypsy, Roma and Traveller sites.</p> <p><u>Permanent Residential Sites</u></p> <p>There are approximately 630 park home dwellings in the District which comprises about 2% of the total housing stock of 44,670 at the time of the Private Sector House Condition Survey 2011.</p> <p>With the exception of age, the profile of park home owners across the 9 protected characteristics is likely to be the same as that for residents in dwellings of more traditional types of construction. However, there are age restrictions in operation on some of the larger park homes, which means that residents have to be over 55. This means that the age profile will be higher than that in the settled community. This has been taken into account in the consultation which was carried out by the traditional method of a written consultation form.</p> <p>In addition, an information evening was held at the Council Offices on 2<sup>nd</sup> October 2013 to help residents understand the provisions of the new Mobile Homes Act. A presentation was given by LEASE, an organisation which has been funded by the CLG to provide advice and guidance on the legislation relating to park homes. Representatives of each site were invited and the event was web-cast for those who could not attend.</p> <p>It may be said that that the fee charging might impact on older people disproportionately because their incomes are likely to be lower than households in other age groups. However, the proposed charging policy has been designed in such a way as to have a minimal impact on the individual residents. It is considered that residents will find that the benefits of improved conditions on site will outweigh the cost.</p> <p><u>Gypsy, Roma and Traveller Sites</u></p> <p>At the last caravan count in January 2014 there were approximately 156 Gypsy/Roma/Traveller households living on permanent residential sites in the District. The recommendation of the Report at this stage is to postpone consultation on the site licence conditions pending review of new guidance on optimum separation distances between pitches. Once a decision has been reached on this issue the consultation will proceed and consideration will be given to the best and most suitable means to consult with these residents.</p>

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## **Report to the Cabinet**

**Report reference:** C-079-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Support Services

**Subject:** Pay Policy Statement

**Responsible Officer:** Paula Maginnis (01992 564536).

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

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### **Recommendations/Decisions Required:**

**(1) To recommend the Pay Policy Statement to Council, subject to any amendments or suggestions.**

### **Executive Summary:**

Section 38 (1) of the Localism Act 2011 requires the Council to produce a Pay Policy Statement for each financial year setting out details of its remuneration policy. Specifically it should include the Council's approach to its highest and lowest paid employees.

It draws on the Review of Fair Pay in the Public Sector (Will Hutton 2011) and concerns over low pay.

### **Reasons for Proposed Decision:**

To enable members of the Cabinet to comment on the Council's Pay Policy Statement before it is agreed by full Council.

### **Other Options for Action:**

The content of the Statement could be amended.

### **Report:**

1. The Localism Act 2011 requires the Council to publish a Pay Policy Statement setting out details of its remuneration policy. Specifically including the Council's approach to its highest and lowest paid employees.
2. The Council's first Pay Policy Statement was published on the website in March 2012.
3. The matters which must be included in the statutory Pay Policy Statement are as follows;
  - the Council's policy on the level and elements of remuneration for each chief officer;
  - the Council's policy on the remuneration of its lowest paid employee (together with its definition of 'lowest paid employees' and its reasons for adopting that

- definition);
- the Council's policy on the relationship between the remuneration of its chief officers and other officers; and
- the Council's policy on specific aspects of chief officers' remuneration: remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

4. The Act defines remuneration in broad terms and guidance suggests that it is to include not just pay but also charges, fees, allowances, benefits in kind, increases in/enhancements of pension entitlements and termination payments.

5. The Council's Pay Policy Statement for 2014/15 has been amended to reflect:

- the decisions taken at Council on 17 December 2013 regarding the Directorate Restructure;
- the new Local Government Pension Scheme employee contribution rates with effect from 1 April 2014;
- the Returning Officer fees paid in 2013/14; and
- the national pay award, 2013.

6. The draft Pay Policy Statement for 2014/2015 sets out the Council's current practices and policies and is attached at Appendix 1 for comment. The amendments are highlighted bold.

7. Changes to the Policy Statement can be made through the year subject to full Council's agreement. Changes to the various policies and guidelines will continue to be agreed in accordance with current practices.

**Resource Implications:**

There are no resource implications as it is a statement of current practice and policies.

**Legal and Governance Implications:**

The Policy Statement ensures that the Council complies with its duty under the Localism Act 2011.

**Safer, Cleaner and Greener Implications:**

N/A

**Consultation Undertaken:**

N/A

**Background Papers:**

Hutton Review of Fair Pay in the Public Sector: March 2011

**Impact Assessments:**

Risk Management

The Council would not comply with the Localism Act 2011 if it did not produce and publish a Pay Policy Statement.

## EPHING FOREST DISTRICT COUNCIL

### PAY POLICY STATEMENT 2014/15

#### Introduction

Epping Forest District Council is located adjacent to three outer London boroughs and on the Central Line into the City of London. Also residents have easy access to major motorway routes as both the M11 and M25 run through the district. There is a high incidence of commuting from the district which impacts on the local labour market and levels of pay, particularly for jobs that require skills that are in relatively short supply. Whilst the current recession has eased some long standing recruitment difficulties and improved retention rates in key skill areas, the situation is not static and is capable of changing very rapidly.

This Statement reflects the Council's current policies and strategies which will be amended over time to deal with changing circumstances. These documents play an important role in attracting and retaining the best people to the Council.

All decisions on pay and reward for Chief Officers will comply with the Council's current Pay Policy Statement. Salaries for Chief Officers will be considered by Full Council.

#### Hutton Review 2011

The Hutton Review looked at the rise in executive pay in the private and public sectors. It suggested that the 'public overestimates how much public sector executives are paid' and that 'chief executive officers of companies with a turnover of between £101 million and £300 million earn more than twice their public sector counterparts'. It also suggested that pay multiples (between the highest and lowest paid employees) were much wider in the private than public sector.

The Review proposed that public bodies should publish information on senior managers pay and pay multiples between the highest and lowest paid employees and to that end some of these recommendations have been taken forward by the Localism Act 2011.

#### Legislation

Section 38 (1) of the Localism Act 2011 requires English and Welsh Councils to produce a Pay Policy Statement for 2012/2013 and for each financial year thereafter.

The Council's Pay Policy Statement;

- Must be approved formally by the Council;
- Must be approved each year;
- May be amended during the course of the financial year; and
- Must be published on the Council's website.

The Pay Policy Statement must include;

- The level and elements of remuneration for each of the Chief Officers;

[Type text]

- The remuneration of its lowest paid employees (together with its definition of 'lowest paid employees' and the Council's reasons for adopting that definition);
- The relationship between the remuneration of its Chief Officers and other Officers; and
- Other aspects of Chief Officers' remuneration; remuneration on recruitment, increases and additions to remuneration, use of performance-related pay and bonuses, termination payments and transparency.

Remuneration is defined widely, to include not just pay but also charges, fees, allowances, benefits in kind, increases/enhancements of pension entitlements and termination payments.

All salaries and calculations are based on full time equivalent (fte) figures and where applicable includes Inner Fringe Allowance.

### **Publication of the Pay Policy Statement**

The Policy has been made available on the Council's website and contains hyperlinks to associated documents.

### **Effect of this Policy Statement**

Nothing in this Policy Statement enables unilateral changes to employee's terms and conditions. Changes to terms and conditions of employment must follow consultation and negotiation with individuals and recognised trade unions as set out in other agreements and in line with legislation.

### **Single Status Agreement**

In 1997, the National Joint Council (NJC) for Local Government Services (a body that brings together public sector employers and trade unions) came to an agreement to introduce a new pay and grading structure covering all employees whose terms and conditions are governed by the 'Green Book'. In 2004 the NJC set a timetable that required all pay and grading reviews to be completed by 31 March 2007. Epping Forest District Council met this timetable and implemented Single Status in July 2003.

As a result of this process a new salary structure and a Job Evaluation Maintenance Procedure were agreed between the trade unions and the Council. Collective Agreements, which set out a number of terms and conditions and pay arrangements, were also agreed with the trade unions. The Agreements are applied consistently to all employees.

### **Pay Awards**

Major decisions on pay, such as annual pay awards, are determined for most local authorities in England and Wales by the National Agreement on Pay, arrived at through a system of central collective bargaining mechanisms between representatives of Local Government Employers and representatives of the relevant trades unions on the National Joint Council. It is the Council's policy to implement national agreements.

### **Overtime and Evening Meeting Allowances**



[Type text]

Payments for working outside normal working hours are set out in the Council's Collective Agreements.

### **Annual Leave**

The Council's Annual Leave Policy sets out leave entitlements for employees.

### **Flexi-Time Scheme**

The Council's Scheme applies to all employees with some exemptions due to service delivery needs. The arrangements are set out in the Council's guidance.

### **Subsistence Policy**

Subsistence Allowances are paid in accordance with the Council's Subsistence Policy. The policy sets out when employees are able to claim, what to claim and how.

### **Car and Cycle Allowance Policy**

The Council pays Essential and Casual Car User allowances in appropriate circumstances which are in accordance with 'Green Book' rates. The Car and Cycle Allowance Policy sets out when employees are able to claim, what to claim and how.

The general principles of both policies are to ensure that employees only claim for additional expenses when undertaking work for the Council.

These policies are applied consistently to all employees.

### **Car Leasing**

Cabinet, at its meeting on 3 December 2012 agreed the following changes to the Council's Car Lease Scheme, following a lengthy review and robust consultation process;

- Employees on the current scheme will be allowed one further lease of 3 years, after which the scheme will close
- The Council will make its contribution based on a maximum of £4,000 per annum including insurance with all costs over the maximum to be met in full by the employee
- The Council's contributions are capped as follows:
  - Year 1 – 70%
  - Year 2 - 60%
  - Year 3 – 50%
- These reducing contribution rates are the upper limits. Employees who currently qualify for the lower rates of Council contribution will retain their current rate and will be unaffected until the cap falls below their current rate.

[Type text]

**Currently there are 31 employees on the Scheme; 2 Chief Officers; 6 Assistant Directors and 23 employees.**

As a comparison at 2013/14 there were 43 employees on the Scheme; 4 Chief Officers; 7 Assistant Directors and 32 employees on the Scheme. At 2012/13 there were 60 employees on the Scheme; 4 Chief Officers; 13 Assistant Directors and 43 employees.

The Cabinet also agreed to implement a Green Car Salary Sacrifice Scheme for all eligible staff to access with no Council contribution towards the cost of an employee's lease payments. Currently there are 7 employees on this Scheme.

### **Professional Fees and Subscriptions**

The Council will meet the cost of a legal practising certificate for all those employees where it is a requirement of their employment, in addition the professional fees for the statutory roles of the s151 Officer and Deputy s151 Officer. No other professional fee or subscription is paid. The Council does not differentiate between Chief Officers and other staff.

### **Pensions and Termination Payments**

On ceasing to be employed by the Council, individuals will only receive compensation:

- in circumstances that are relevant (e.g. redundancy), and
- that is in accordance with our published Pension Policy on how we exercise the various employer discretions provided by the Local Government Pension Scheme (LGPS), and/or
- that complies with the specific term(s) of a compromise agreement.

All employees with contracts of 3 months or more are automatically enrolled into the Local Government Pension Scheme (LGPS), which is administered by Essex County Council. Details of the contribution rates are set out below. **In addition, the Council will automatically enrol employees into the LGPS if they meet the relevant criteria in accordance with the automatic enrolment provisions.**

The Council has the option to adopt a number of statutory discretions under the;

- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006.
- The Local Government Pension Scheme (Administration) Regulations 2008.
- The Local Government (Discretionary Payments) Regulations 1996 (as amended).

In general the Council has chosen not to exercise a range of discretions relating to the LGPS due to additional costs. The Council's Pension Policy contains information regarding all its discretions and includes information regarding Flexible Retirement arrangements.

[Type text]

Payments on grounds of Redundancy are covered by the Council's Redundancy and Efficiency Payments Policy.

All employees are treated in the same way with regard to the calculation of severance payments in situations of redundancy.

### **Pension Contributions**

Proposed employee contribution rates will apply wef 1 April 2014;

<b>Salary</b>	<b>Contribution</b>
<b>Up to £13,500</b>	5.5%
<b>£13,501 to £21,000</b>	5.8%
<b>£21,001 to £34,000</b>	<b>6.5%</b>
<b>£34,001 to £43,000</b>	<b>6.8%</b>
<b>£43,001 to £60,000</b>	<b>8.5%</b>
<b>£60,001 to £85,000</b>	<b>9.9%</b>
<b>£85,001 to £100,000</b>	<b>10.5%</b>
<b>£100,001 to £150,000</b>	<b>11.4%</b>
<b>£150,001 and above</b>	<b>12.5%</b>

### **Election Fees**

Council employees engaged by the Returning Officer for election duties received payments under the relevant schedule of fees (i.e. polling and counting duties).

### **Remuneration of Employees, Grades 1-12**

#### **Pay Scale**

For employees subject to the 'National Agreement on Pay and Conditions of Service of the National Joint Council (NJC) for Local Government Services' (commonly known as the 'Green Book'), the Council uses a pay spine that commences at national Spinal Column Point (SCP) 5 and ends at local SCP 58. This pay spine is divided into 12 pay grades; **grade 1 contains 1 scale point**, grades 1 – 10 contain five incremental points and grades 11 and 12 contain 4 incremental points. Grade 1 is the lowest and grade 12 is the highest of these pay grades. Posts are allocated to a pay band through a process of job evaluation.

The Council uses the NJC Job Evaluation Scheme to evaluate all posts on grades 1 – 12. This also includes Craft Workers who are subject to the Joint Negotiating Committee (JNC) for Local Authority Craft and Associated Employees National Agreement on Pay and Conditions (commonly known as the 'Red Book').

The Council does not operate overlapping pay grades therefore, the minimum point of a pay grade is not lower than the maximum point of the preceding pay grade.

Individuals will normally receive an annual increment, subject to the top of their grade not being exceeded. For grades 1 – 10 the 5<sup>th</sup> point each grade will only be awarded if the employee has at least 5 years continuous service with the Council.

[Type text]

An Inner Fringe Allowance of **£806** per annum is paid to employees (this does not apply to Apprentices).

### **Assistant Directors**

Assistant Directors are paid on grades 11 or 12 and are also subject to the NJC Job Evaluation Scheme. The salary ranges for these grades wef 1 April 2014 will be;

Grade	Scale Column Points	Salary Range
Grade 11	SCP 51 – 54	<b>£46,373 - £49,951</b>
Grade 12	SCP 55 - 58	<b>£51,959 - £55,993</b>

The salary shown is inclusive of the Inner Fringe Allowance of £806 per annum.

**The salaries for Assistant Directors will be increased by 5% with effect from 1 April 2014. The increase reflects the additional workloads and reduction in the numbers of Directors and Assistant Directors as a result of the Directorate Restructure. The increase was agreed by Council on 17 December 2013.**

**A Salary benchmark exercise was carried out by an external adviser which informed the level of salary to be paid to Assistant Directors.**

### **Definition of Lowest Paid Employees**

For the purpose of this Policy Statement, employees on grade 1 are defined as our lowest-paid employees. **This is because no employee of the Council is paid lower than SCP 5 which is contained in grade 1. With effect from 1 October 2013 grade 1 contains only 1 SCP; SCP 5.** At 31 March 2014, the fte annual value of this SCP will be **£13,241** which includes an Inner Fringe Allowance of **£806** per annum.

**The exceptions to the lowest grade are Apprentices who are paid £120.00 per week.**

### **General**

The values of the SCPs in grades 1 – 12 are increased by pay awards notified from time to time by the National Joint Council for Local Government Services. **Pay has been frozen for the past three years, however, a national pay award was implemented to these grades effective from 1 April 2013 of 1%.**

An Inner Fringe Allowance of **£806** per annum is paid to employees (this does not apply to Apprentices).

Annual salaries are paid pro-rata to part-time employees based on the hours contracted to work.

### **Remuneration of Chief Officers**

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**Following the Head of Paid Service Report to Council on 17 December 2013 a new Council structure will be implemented from 1 April 2014. Chief Officer salaries were increased by 15% to reflect the reduction in the number of Directors and the increased workloads of the remaining Director posts.**

**A Salary benchmark exercise was carried out by an external adviser which informed the level of salary to be paid to Directors.**

The Council will not agree any pay arrangement which does not reflect the correct employment and/or tax/NI status of a Chief Officer or employee.

It will be the responsibility of Council to agree the initial salaries for Chief Officers following external advice/evaluation/benchmarking.

### **Chief Executive**

The Chief Executive role was recruited to on a permanent and full-time basis in 2012. During the recruitment process the Council took external advice to set the appropriate salary for the role which took account of current economic circumstances and the recruitment market.

As at 31 March 2014 the salary for the Chief Executive role will be a spot salary of £112,000 per annum which includes the Inner Fringe Allowance of £806 per annum and evening meeting allowances. The postholder is entitled to claim essential car allowance in accordance with the Council's policy. The salary and pay arrangements for the Chief Executive were agreed at Full Council on 18 June 2012.

The Chief Executive is also the Council's Head of Paid Service and from 16 June 2014 the Chief Executive will take on the responsibility of the Returning Officer.

The Returning Officer role attracts payment of fees and expenses, depending on the elections held in any year. The amount for such payments varies according to the particular elections held from year to year. These fees are taxable and subject to National Insurance and pension deductions.

**In 2013/14 the Returning Officer (Assistant to the Chief Executive) officiated as Deputy County Returning Officer in respect of the County Council Elections and as Returning Officer for a District Council by-election, the fees for which are set by the County and the Council respectively. The fees are based on electorate figures for the County Divisions and the District Ward where elections were held.**

**For these duties the following fees were paid to the Returning Officer:**

**County elections - May 2013**

**Fee: £4410 (gross) Expenses: No claim**

**District Council by-election - May 2013**

**Fee: £438.45 (gross) Expenses: No claim**

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**The amount for such payments varies according to the particular elections held from year to year. These fees are taxable and subject to National Insurance and pension deductions.**

**Only a proportion of the fees were retained by the Returning Officer. The remainder were paid to employees who provide specific support in the organisation of elections which are outside the scope of the ordinary scale of election fees.**

#### **Deputy Chief Executive**

**From 1 April 2014 this role will no longer exist in the Council's structure, it will become a designation and will be additional to a Director role. The postholder will not receive an additional payment for these duties.**

#### **Directors**

All Directors report to the Chief Executive. As at 1 April 2014, the annual FTE salary range for the four Director posts will be **£82,472 - £88,363** which includes the Inner Fringe Allowance of **£806** per annum. The postholders are entitled to claim essential car allowance in accordance with the Council's Policy and can claim evening meeting allowances. There are three incremental points in this grade.

Any pay awards to Directors' salaries will be agreed at a national level as notified from time to time by the JNC for Chief Officers of Local Authorities. Directors have not received a national pay award since 1 April 2008.

The statutory roles of Monitoring Officer and 'Section 151' Officer will be carried out by the Director of Governance and the Director of Resources respectively. The postholders do not receive additional payments for these duties.

#### **Assistant to the Chief Executive**

**From 16 June 2014 this role will no longer exist in the Council's structure.**

#### **General Principles Applying to Remuneration of All Employees**

On recruitment, individuals will be placed on the appropriate SCP within the pay grade for the post that they are appointed to. Usually new starters will be placed on the bottom of the pay grade unless their current salary is higher. In these circumstances their starting scale point will match their salary at least.

Access to appropriate elements of the Council's Relocation Scheme may also be granted in certain cases, when new starters need to move to the area.

The Council does not apply performance-related pay or bonuses.

Market Supplements will be paid in accordance with the Council's Policy for Payment of Market Supplements.

[Type text]

Honorarium or ex-gratia payments will be paid in accordance with our Additional Payments Policy.

These policies are applied consistently to all employees.

## Pay Multiples

The Hutton Review raised concerns about multiples in the order of 20 or higher between the lowest and the highest paid employees in local authorities. However the Interim Report noted that the most top to bottom pay multiples in the public sector are in the region of 8:1 to 12:1. The Council is therefore content that having due regard for the level of responsibilities and personal accountability between the lowest and highest paid roles, the current multiple of 8.5 seems to be both justifiable and equitable.

The council does not set the remuneration of any individual or group of posts by reference to a multiple. However, as suggest by the Hutton Review the Council will monitor multiples over time to ensure they are appropriate and fair and will explain significant changes in pay multiples. The multiples are as following;

Role	2012/13		2013/14		2014/2015	
	Multiple	Salary	Multiple	Salary	Multiple	Salary
Chief Executive compared to lowest salary	N/A		x 8.6	£112,000	x8.5	£112,000
Acting Chief Executive compared to lowest salary	x 8.5	£110,000	N/A		N/A	
Deputy Chief Executive compared to lowest salary	x 6.5	£87,083	x 6.5	£87,083	N/A	
Directors compared to lowest salary	x 6	£76,838	x 6	£76,838	x6.8	£88,363
Assistant to the Chief Executive compared to lowest salary	x 4.7	£61,063	x 4.7	£61,063	N/A	
Assistant Directors compared to lowest salary	x 4	£52,837	x 4	£52,837	x4.2	£55,993
Average salary compared to Chief Executive	N/A		x4.3	£26,300	x4.2	£27,000
Average salary compared to lowest salary	x 2	£26,300	x2	£26,300	x2	£27,000

- The Director salary used is the top point of the Director range
- The Assistant Director used is the top point of grade 12

[Type text]

- The average salary is based on fte and has not been pro rata'd for part-time employees
- The lowest fte salary in the Council is £13,241

### **Remuneration Panel**

The Council is not at this time considering forming a separate Remuneration Panel to set pay rates for Council employees. The Council will continue to use an external body to evaluate Chief Officer roles when required and/or to provide benchmark pay information for these roles. It will also continue to use an internal job evaluation panel to evaluate those posts graded 1 – 12.

Annual pay awards will continue to be determined at a national level and implemented by the Council.

It will be the responsibility of Council to agree the initial salaries for Chief Officers following external advice/evaluation/benchmarking.

### **Review**

The Localism Act 2011 requires relevant authorities to prepare a Pay Policy Statement for each subsequent financial year. Our next Statement is scheduled to be for 2015/16 and will be submitted to Council for approval as reasonably practical before 31 March 2015.

If it should be necessary to amend this 2014/15 Statement during the year that it applies, an appropriate decision will be made by the relevant Committee, however, Council will agree the Pay Policy Statement.



# 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.

<b>Date / Name</b>	<b>Summary of equality analysis</b>
1 February 2014  Assistant Director – CSS (HR)	The Pay Policy Statement is a statement of fact and is not used to decide Policy.  Decisions on pay (apart for those agreed Nationally) are agreed by Council.

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## **Report to the Cabinet**

**Report reference:** C-081-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Safer, Greener & Transport

**Subject:** Epping Forest District Council Combined Child & Adult Safeguarding Policy.

**Responsible Officer:** Julie Chandler (01992 564214).

**Democratic Services:** Gary Woodhall (01992 564470).

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### **Recommendations/Decisions Required:**

**(1) That the Cabinet agrees to adopt the Council's new Combined Safeguarding Policy which covers all aspects of Safeguarding for children, young people and vulnerable adults; and**

**(2) That the Cabinet recommends that all Elected Members undertake appropriate training on the requirements of the Policy, so that they are able to play a proactive role in safeguarding, within the Epping Forest District.**

### **Executive Summary:**

The Council has a Duty of Care under Section 11 of the Children Act 2004 with respect to 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 works in accordance with the protocols set out by Essex Safeguarding Adults Board, to help ensure that vulnerable 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, Central Government has moved towards a more 'joined- up' approach towards safeguarding through Ofsted audit inspections. 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 response to this, the Council has developed a new, combined safeguarding policy.

The new policy now makes reference to a range of new and emerging safeguarding issues that are becoming a high priority across the County. These include Child Sexual Exploitation, 'Honour' Based Abuse and Stalking and Harassment amongst others. It also sets out the Councils required procedures in respect of 'Concerns, Incidents and Allegations' and provides a comprehensive guide to the responsibilities of staff and Elected Members.

Cabinet is therefore asked to adopt the new policy for the Council to meet its responsibilities effectively and to proactively promote its use by Elected Members.

## **Reasons for Proposed Decision:**

The Council's safeguarding policy has been comprehensively reviewed in order to comply with the new, combined approach to safeguarding children, young people and vulnerable adults, which is being driven by Essex Safeguarding Children's and Adult's Boards. This new document clearly sets out individual and Council-wide responsibilities from the Senior Management Leadership team, staff who work face to face with the public and Elected Members.

## **Other Options for Action:**

To not adopt the revised safeguarding Policy, but this would place children, young people and vulnerable adults at increased risk, and expose the Council to challenge and potential litigation under Section 11 of the Children Act 2004.

## **Report:**

### Background

1. As a key provider of public services the Council 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.

2. 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.

3. 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.

4. 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.

5. In order for the Council to effectively meet its responsibilities in regard to safeguarding, all staff and Elected Members need to be aware of their role in the protection of children, young people and vulnerable adults from harm. Therefore, the Council has completely reviewed its Safeguarding Policy and this now provides a 'step by step' guide to

recording and reporting any 'concerns, incidents or allegations'.

6. It also includes reference to a range of new and emerging safeguarding issues that are becoming a high priority across the County, and these include Child Sexual Exploitation, 'Honour' Based Abuse and Stalking and Harassment amongst others.

7. However, it should be noted, that the Policy is a 'live' document and will continually be updated in line with any changes to legislation or new priorities.. (N.B. since the policy was completed in December, a new priority has emerged in Essex around Human Trafficking and this will need to be added to the document. Epping Forest District was highlighted within a recent presentation by Essex Police, due to its proximity to London and its location between there and Stansted Airport).

8. The new policy clearly sets out the responsibility and roles of Council staff across the whole safeguarding agenda and highlights the safeguarding Lead Officers within the authority, who are able to offer support and advice to staff and Elected Members. It also identifies the requirements of all Members, which include undertaking safeguarding training and keeping abreast of new and emerging priorities. It should be noted that the Safer, Greener and Transport Portfolio Holder is the Lead Member for safeguarding and in this role he attends and contributes to the Corporate Safeguarding Working Group. As such the Portfolio Holder is fully aware of current priorities and issues. Councillor Waller also acts as Member Champion and is available to offer advice in respect of initial safeguarding concerns.

9. This report therefore seeks Cabinet's formal adoption of the Council's new Safeguarding Policy and Procedures (attached at Appendix 1) and a commitment to encourage greater understanding and awareness across the member arena.

#### **Resource Implications:**

There are no financial implications in respect of this report and recommendations. However, the report does seek Elected Member commitment to safeguarding best practice.

#### **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 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.

#### **Background Papers:**

- Children Act 1989 and 2004
- The role of District Councils in safeguarding children and young people – *Local*

*Government*

- *Improvement and Development*
- *The role of District Councils in Safeguarding Adults – Local Government Improvement and Development*
- *Changes to Disclosure and Barring: What you need to know – HM Government*
- *Working Together to Safeguard Children – Department of Education*
- *Equality Analysis - Safeguarding Statutory Guidance - Department for Education*
- *Safeguarding in the Workplace – Independent Safeguarding Authority*

**Impact Assessments:**

Risk Management

Under the Children 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 and/or sanction. The Council is also responsible for protecting vulnerable adults from harm and exploitation.

# **Safeguarding Children, Young People and Vulnerable Adults**

## **Epping Forest District Council Policy and Procedures**



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## 1. Definitions

- 1.1 'Safeguarding':** This term includes all forms of activity that aims to protect or promote the welfare of individuals and/or groups of people. This includes activity which ensures prevention of harm, safe recruitment, staff training, awareness raising, provision of activities designed to promote inclusion, personalised risk management and risk assessments, confidential data storage, information sharing and referral. At a county level, safeguarding includes specialist services.
- 1.2 'Child Abuse':** This is any form of physical, emotional or sexual mistreatment or lack of care that leads to injury or harm of a child or young person. There are four main types of child abuse: physical, sexual, emotional and neglect (NSPCC 2011).
- 1.3 'Children and Young People:** Anyone under the age of 18 years, including pre-birth.
- 1.4 'Vulnerable Adults':** A person over the age of 18 years who for reasons of mental or physical ability, health/ illness are unable to protect themselves against harm or exploitation. They may require community care services to support their wellbeing. Vulnerable adults are at risk of abuse in the same way as children and young people, but also in respect of having property/money stolen or misused, being defrauded, or, being put under pressure in relation to their money or property.
- 1.5 'Adult abuse':** is defined as the violation of an individual's human and civil rights by any other person or persons. It may involve a single or repeated act or omission, occurring within a personal or other relationship where there is an expectation of trust. Adult abuse is any form of physical, emotional, sexual, psychological, institutional, financial or discriminatory abuse or neglect.
- 1.6 'Significant Harm':** This is any physical, sexual or emotional abuse, neglect, accident or injury that is sufficiently serious to adversely affect health, development and quality of life.
- 1.7 'Initial Response Team':** The front door of referrals to Essex Social Care.
- 1.8 'Domestic Violence':** The Home Office defines domestic violence as "Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse (eg. psychological, physical, sexual, financial or emotional) between those aged 16 or over, who are or have been intimate partners or family members, regardless of gender or sexuality". *The Council's Domestic Abuse strategy and can be found on the Intranet linked directly to this policy.*
- 1.9 'Child Sexual Exploitation':** Child sexual exploitation is illegal activity by people who have power over young people and use it to sexually abuse them. This can involve a broad range of exploitative activity, from seemingly 'consensual' relationships and informal exchanges of sex for attention, accommodation, gifts or cigarettes, through to very serious organised crime. *The Council's Child Sexual Exploitation Strategy can be found on the Intranet linked directly to this policy.*
- 1.8 'Honour Based Abuse':** This can be a collection of practises used to control behaviour within families in order to protect perceived cultural and religious beliefs and /or honour. Violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Women are predominantly (but not exclusively) the victims, which can be distinguished from other forms of violence, as it is often committed with some degree of approval and/or collusion from family and/or community members. In addition, 'Honour' Based Abuse can be found in gang culture, when it is used to punish a gang member who is seen to have been disloyal to the gang. *The Council works to Essex County Council's HBA Policy and this can be found on the Intranet linked directly to this policy.*

**1.9 'Forced Marriage':** Forced marriage should not be confused with arranged marriages as these often work out well. A forced marriage is when an unwilling bride or groom are made to marry because of their parents wishes, without the valid consent of both people, where physical pressure or emotional abuse is used. Victims are sometimes persuaded to return to their country of origin under false pretences. *The Council works to Essex County Council's Strategy for Forced Marriage and this can be found on the Intranet linked directly to this policy.*

**1.10 'Female Genital Mutilation':** This includes procedures that intentionally alter or cause injury to the female genital organs for non- medical reasons. *The Council works to Essex County Council's Strategy for FGM and this can be found on the Intranet directly linked to this policy.*

**1.11 'Prevent':** In addition to safeguarding and promoting the welfare of children, young people and vulnerable adults, the Council has a responsibility to work with Essex Police on the 'Prevent' agenda. This work aims to help prevent often vulnerable young individuals who may be susceptible to being exploited by radical extremists who promote violence. These people often use persuasive rationale and charismatic individuals to attract people to their cause and reasoning. They inspire new recruits and embed their extreme views and persuade vulnerable individuals of the legitimacy of their unlawful behaviour.

There are a number of personal circumstances and factors that can make a person more susceptible to radicalisation, including issues with identity or personal crisis, particular personal circumstances, unemployment or underemployment and criminality. All of these may contribute to alienation from UK values and could lead to a decision to cause harm to symbols of the community or the state.

The Home Office leads on the anti-terrorism strategy, '**CONTEST**, and **PREVENT**' and this is part of the overall **CONTEST** strategy, aiming to stop people becoming terrorists or supporting violent extremism. *The Council's Prevent Strategy can be found on the Intranet directly linked to this policy.*

## **1.12 Further reading materials**

### **Other guidance available from the internet:**

- i) The role of District Councils in safeguarding children and young people – *Local Government Improvement and Development*
- ii) The role of District Councils in Safeguarding Adults – *Local Government Improvement and Development*
- iii) Changes to Disclosure and Barring: What you need to know – *HM Government*
- iv) Working Together to Safeguard Children – *Department of Education*
- v) Equality Analysis - Safeguarding Statutory Guidance - *Department for Education*
- vi) Safeguarding in the Workplace – *Independent Safeguarding Authority*

## 2. Scope of the Policy

This safeguarding policy is designed to cover all aspects of safeguarding for service users, their families, carers and supporters, local residents, core and non core employees, casual workers, voluntary workers, temporary employees, work experience students, agency staff, consultants and other contracted persons within the duration of that contract.

The 'definitions' section of this policy lists the main safeguarding concerns that have been identified within Essex, Epping Forest District and most other districts within the county. Although in some areas of Essex the number of incidents relating to Child Sexual Exploitation, Honour Based Abuse and Forced Marriage is fairly low, these are becoming more and more evident and are a focus within the agendas of the local Stay Safe Groups in Essex.

This policy is to be used alongside the Council's Strategic Plan for Safeguarding which reflects the business plans of Essex Safeguarding Children's Board and Essex Safeguarding Adults Board and is linked to the Council's Corporate Plan, the Community Strategy and Directorate Business Plans. It sets out Epping Forest District Council's Policies and Procedures in respect of the wider safeguarding agenda and will be reviewed on an annual basis and in line with new legislation.

Further safeguarding guidance and reading materials can be found within the Southend, Essex, and Thurrock (SET) Child and Safeguarding Adults Guidelines and by accessing the Essex Safeguarding Children's Board and Essex Safeguarding Adults Board websites.

## 3. EFDC Mission Statement

*"Epping Forest District Council is committed to safeguarding and promoting the welfare of all children, young people and vulnerable adults, as service users, residents and visitors to the area. The Council acknowledges the importance of working with partner agencies to ensure that children have safe, healthy and happy childhoods and that young people and vulnerable adults are given the support they need to enjoy quality of life and well-being".*

This Mission Statement is underpinned by the following:

- valuing, listening to and respecting children, young people and vulnerable adults as well as promoting their welfare and protection;
- safe and robust recruitment, supervision and safeguarding training for all staff working with the public;
- provision of a current and comprehensive Safeguarding Policy and related procedures which is accessible and promoted to all staff;
- efficient and effective reporting of concerns, incidents and allegations; and
- strategic planning and decision-making which considers the impact on children, young people and vulnerable adults.

It is important to note that abuse and exploitation can happen in any setting and this includes a person's home (including a care or nursing home), at work, at nursery, school or college, in a hospital, at a day care centre, **or, anywhere else that people spend their time.** Due to the wide range of settings where this can take place, perpetrators are a diverse group and often known to the victim, however this is not always the case.

## **4. Safeguarding Roles in Essex**

### **4.1 The role of Essex County Council**

Essex County Council has responsibilities as the Children's Services Authority and as provider of Adult Social Care for Essex. It has a duty to conduct Section 47 (s.47) enquiries where there is reasonable cause to suspect a child who lives in, or is found in a local authority area, is suffering from or likely to suffer significant harm in the form of physical, sexual, emotional abuse or neglect.

All other statutory organisations in Essex including Epping Forest District Council have a duty to assist and provide information in support of s.47 child protection enquiries. The Council's procedures additionally require all staff within the organisation to refer or report safeguarding concerns, incidents and allegations to Essex Social Services or directly to the county-wide Initial Response Team in respect of children and young people. The relevant officers at Essex County Council are then responsible for coordinating any safeguarding investigation under s.47 of the Children Act 2004.

### **4.2. The role of the Essex Safeguarding Boards**

Essex Safeguarding Children's Board (ESCB) is a **statutory** multi-agency organisation, which brings together agencies who work to safeguard and promote the welfare of children and young people. The objective of this Board is to coordinate and oversee the work of local partners and agencies in regard to safeguarding and to advise and direct improved safeguarding practice.

The Essex Safeguarding Adults Board (ESAB) is an inter-agency forum for agreeing how the different services and professional groups should cooperate to safeguard vulnerable adults across Essex. It also makes sure that arrangements work effectively to identify abuse or inadequate care, help vulnerable people and plan and implement joint preventative strategies. The Board aims to raise awareness and promote the welfare of vulnerable adults by the development of an effective cooperative, involving people from a wide range of public and voluntary services and other organisations.

### **4.3. The role of West Essex (Local) Stay Safe Group**

West Essex Stay Safe Group consists of representatives from a range of agencies including NHS, Essex Social Care, Police, Probation, Education, Voluntary Sector and District Councils. This group is responsible for developing an Action Plan to improve safeguarding practice across the West Area and for considering actions to address emerging issues.

## **5. The role of Epping Forest District Council**

The District Council is committed to maintaining a whole organisation approach to safeguarding and promoting the welfare of children, young people and vulnerable adults, whatever their age, culture, disability, gender, language, racial origin, religious belief and sexual identity.

The Leadership Team and Elected Members recognise the important role they play in ensuring the safeguarding agenda is driven across the whole organisation and the Council's responsibility to work in partnership and share information with other agencies such as Essex Social Services and Essex Police.

The Council therefore aims to ensure that every member of staff whether full-time, part-time, agency or voluntary are equipped with the knowledge and confidence to identify and deal effectively with any safeguarding situation or concern that arises.

### **What is expected of Staff?**

All Council staff are required to undertake safeguarding training to a level appropriate to their role within the organisation and will work to safeguard and promote the welfare of all children, young people and vulnerable adults. Those staff who work directly with these groups, will undertake a minimum of Level 2 Multi-Agency Training to enable them to be equipped with the knowledge and confidence to identify and refer any incidents of abuse.

All managers will undertake safeguarding training to ensure that they have a sound working knowledge of relevant legislation, fully understand their duty of care and responsibilities, and can be advocates of best practice in safeguarding.

### **Corporate Commitment**

As part of the Council's commitment to robust safeguarding, it has a corporate safeguarding group consisting of representatives from each Directorate, who have responsibility for ensuring that all colleagues across the council are aware of the Council's safeguarding policy and procedures. In addition, the Council has a nominated Safeguarding Lead Professional, Lead Officer, Deputies and Elected Member Champion who are defined on pages 10 and 11.

The Council's Lead Safeguarding Officer additionally represents the Council and district on the West Stay Safe Group and the Essex Local Authorities Safeguarding Group.

## 6. Epping Forest District Council Safeguarding Policy

### Introduction

Under Sections 11 and 47 of the Children Act 2004, Epping Forest District Council has a duty to safeguard and promote the well-being of children and young people and to cooperate with Essex County Council in discharging its safeguarding duties as a Children's Services Authority.

As provider of Sheltered Housing Schemes, Homelessness Accommodation, Community Safety and a range of other services, the District 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 their protection.

As part of its commitment to safeguarding, the Council treats Domestic Violence as a key work priority and on a monthly basis hosts the MARAC (Multi Agency Risk Assessment Conference). This focused inter agency approach administered by Essex Police seeks agreed actions from each respective agency in dealing with high risk victims of Domestic Violence and perpetrators.

In order to meet its safeguarding duties and responsibilities, Epping Forest District Council will:

- Ensure that unsuitable people are prevented from working with children, young people and vulnerable adults through robust use of the Council's 'Safe Recruitment' and induction procedures and Disclosure and Barring Service (DBS) checking.
- Provide training to staff appropriate to their level of involvement with children, young people and vulnerable adults to ensure that employees understand the different forms of abuse as well as their roles and responsibilities under the Council's Codes of Conduct and the Combined Safeguarding Policy;
- Conduct regular reviews of safeguarding practice throughout the organisation;
- Ensure that the welfare and needs of children, young people and vulnerable adults are considered by all Members, employees, volunteers and contracted services when taking decisions in relation to service provision;
- Take seriously and respond appropriately and expediently to all concerns, incidents and allegations;
- Prevent abuse by promoting good practice amongst staff; create a safe and healthy environment for children, young people and vulnerable adults and encourage a whistle blowing environment where staff feel confident and safe in reporting any concerns;
- Work in partnership with other agencies in order to safeguard children, young people and vulnerable adults and share information where required and appropriate;
- Undertake a complete review of safeguarding policies and procedures annually and in line with any changes in legislation;

This policy/procedures apply to all services within the scope of Epping Forest District Council. In addition, to employees and Members, it also applies to volunteers, outside hirers, outside organisations delivering services on behalf of the Council, contractors and grant funded organisations.

## 7. Service Roles and Responsibilities

There are a range of functions carried out by the District Council which have a positive outcome on the wellbeing of children, young people and vulnerable adults and the following list is to be illustrative rather than provide a full set of duties which relate to this:

- **Housing Services** - By achieving the decent homes standard, Epping Forest District Council directly improves the health and life chances of children, young people and vulnerable adults by improving the standard of housing; preventing and responding to homelessness and by working closely with other local services and agencies. The Housing Directorate is also responsible for the allocation of suitable housing to those in most need, including children, young people and those with disabilities in providing necessary adaptations to enable them to participate fully in everyday life. During their everyday work housing staff are in a position to identify safeguarding issues including Domestic Violence which is becoming significantly more common and has a direct impact on children, young people and vulnerable adults.
- **Community Safety** – In addition to generic work to reduce crime and fear of crime, the Council's Community Safety Team plays a key role in ensuring the safety of local children, young people and vulnerable adults. This includes identifying a wide range of safeguarding concerns including issues of Domestic Violence and sexual exploitation and reporting these directly to Essex Police and Essex Social Care. The team also provides a signposting service to victims to enable them to access local support mechanisms.
- **Community Services** – These services which include Community Development, Arts, Museum and Sports and Health Development enable children, young people and vulnerable adults to benefit from a wide range of activities such as play schemes, health improvement initiatives and community events. This work contributes to the improved health of these individuals and helps to build self esteem and confidence to improve resilience to potential harm or exploitation. Throughout their work, front line staff are in a position to identify safeguarding issues and witness disclosures and concerns.
- **Planning Services** – This service can impact upon children's, young people's and vulnerable adults' health and safety in the design of new developments, by ensuring plans are appropriate to their needs such as provision of play facilities and 'green space' and by ensuring that there is appropriate access to health and social care services. Indeed, planning officers may also identify issues of abuse when visiting people's homes or businesses.
- **Environmental Health Services** – In addition to responsibilities in respect of food hygiene and nutrition, Environmental Health Officers inspecting conditions in council owned, private rented accommodation and local businesses may become aware of situations that could adversely impact on children, young people and vulnerable adults. The Council also plays a key role as a licensing authority, with one of the four of the Licensing objectives of the Act, being 'Protection of children from harm'.
- **Financial Services** – With responsibility for administration of Benefit payments and Council Tax, the Council's Financial Services help to ensure that children, young people and vulnerable adults are protected from the effects of poverty and that family income is maximised. Fraud Investigation Officers and others visiting people's homes or speaking to people on the phone as part of their daily work, can also identify a range of safeguarding including situations of domestic abuse.
- **Human Resources** - Ensures the effective implementation of the Council's Safe Recruitment Policy and Induction and that all staff employed to work with children, young people and vulnerable adults, or who come into contact with families, are subject to the appropriate external checks including Disclosure and Barring, prior to appointment. HR also retains a

database of all posts within the authority, the level and type of safeguarding training required for each of these and when this requires updating.

## **8. The role of Epping Forest District Council staff and Elected Members**

### **The Council's Leadership Team and Elected Members:**

Elected Members, Chief Executive, Directors and Assistant Directors are responsible for driving the safeguarding agenda throughout the organisation. This work includes Member representation on the Corporate Safeguarding Group, Leadership Team regard to safeguarding in meetings, dissemination of information through service teams and inclusion of safeguarding within service strategies and business plans.

### **Staff**

All employees of the Council are responsible for conducting themselves in a way that prevents safeguarding issues arising in relation to the services provided, by following the 'Safe Working Practice' guidelines found on Page 17.

In addition, all external organisations and contractors working with or providing services for the Council are required to comply with the Council's Combined Safeguarding Policy and where relevant, have their own policy and procedures in place.

It is the responsibility of all EFDC staff, volunteers and agency workers, to adhere to best practice, participate in training appropriate to their levels of contact with children, young people and vulnerable adults, and to report any concerns, incidents or allegations in accordance with the relevant procedures set out on pages 19 to 21.

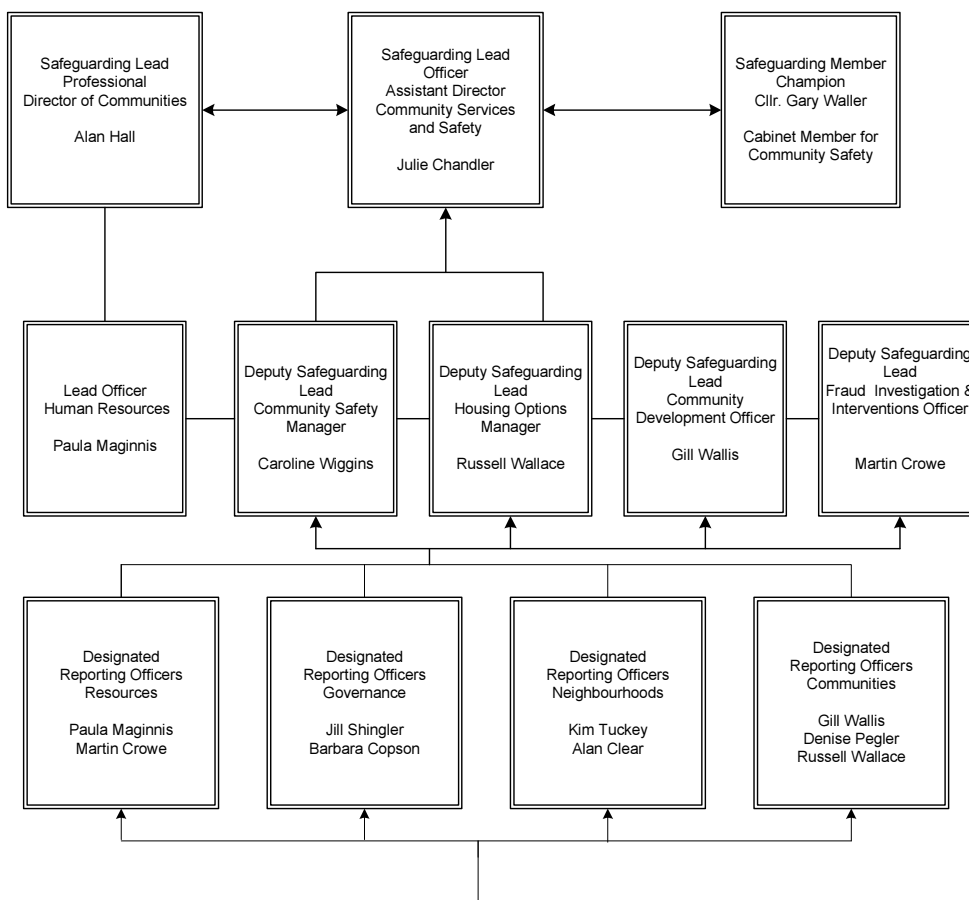


## 9. Designated Roles in Epping Forest District Council (see structure chart p.11)

<b>Safeguarding Lead Professional</b>	This position is held by the Director of Communities. The Lead Professional has overall accountability for safeguarding children, young people and vulnerable adults.
<b>Safeguarding Lead Officer</b>	The Safeguarding Lead Officer is the Assistant Director Community Services and Safety, who is responsible for advising the Lead Professional in regard to concerns, referrals and safeguarding allegations against staff.
<b>Safeguarding Lead Deputies</b>	The Safeguarding Lead Deputies are the Community Safety Manager, Housing Options Manager, Community Development Officer and Fraud Investigation and Intervention Officer. These officers deputise for the Safeguarding Lead Officer as and when required.
<b>Elected Member Champion</b>	This position is held by the Cabinet Member for Community Safety who champions safeguarding issues to all members.
<b>Designated Safeguarding Reporting Officers</b>	Representatives on the Corporate Safeguarding Group are the Designated Reporting Officers. They are responsible for disseminating safeguarding information, identifying training requirements of staff and providing best practice examples within their service areas. They are responsible for reporting any incidents, allegations and concerns.
<b>HR Safeguarding Lead</b>	The Assistant Director Human Resources is the first point of call for staff reporting safeguarding allegations against employees and refers to the Lead Professional and Lead officer on this.
<b>HR Operational Team:</b>	The Human Resources Team are responsible for ensuring that safe recruitment procedures are in place and that appropriate checks are made, including DBS (*Disclosure and Barring Service) prior to any employee who will have direct contact with children, young people or vulnerable adults starting work with the Council.
<b>Managers:</b>	All EFDC Managers are responsible for carrying out the correct safeguarding induction process for all new members of staff, including ensuring that all new staff undertake safeguarding training to a level appropriate to their role within 3 x months of their appointment.

Please see structure overleaf

## SAFEGUARDING STRUCTURE



Employees and Member – Contact Numbers		
Name	Ext Number	Email Address
Alan Hall	4004	<a href="mailto:ahall@eppingforestdc.gov.uk">ahall@eppingforestdc.gov.uk</a>
Julie Chandler	4214	<a href="mailto:jchandler@eppingforestdc.gov.uk">jchandler@eppingforestdc.gov.uk</a>
Councillor Gary Waller	07974 412523	<a href="mailto:Gary.waller@which.net">Gary.waller@which.net</a>
Caroline Wiggins	4122	<a href="mailto:cwiggins@eppingforestdc.gov.uk">cwiggins@eppingforestdc.gov.uk</a>
Russell Wallace	4024	<a href="mailto:rwallace@eppingforestdc.gov.uk">rwallace@eppingforestdc.gov.uk</a>
Paula Maginnis	4536	<a href="mailto:pmaginnis@eppingforestdc.gov.uk">pmaginnis@eppingforestdc.gov.uk</a>
Martin Crowe	4170	<a href="mailto:mcrowe@eppingforestdc.gov.uk">mcrowe@eppingforestdc.gov.uk</a>
Barbara Copson	4042	<a href="mailto:bcopson@eppingforestdc.gov.uk">bcopson@eppingforestdc.gov.uk</a>
Jill Shingler	4106	<a href="mailto:jshingler1@eppingforestdc.gov.uk">jshingler1@eppingforestdc.gov.uk</a>
Kim Tuckey	4034	<a href="mailto:ktuckey@eppingforestdc.gov.uk">ktuckey@eppingforestdc.gov.uk</a>
Alan Clear	4301	<a href="mailto:aclear@eppingforestdc.gov.uk">aclear@eppingforestdc.gov.uk</a>
Gill Wallis	4557	<a href="mailto:gwallis@eppingforestdc.gov.uk">gwallis@eppingforestdc.gov.uk</a>
Denise Pegler	0208 508 8596	<a href="mailto:dpegler@eppingforestdc.gov.uk">dpegler@eppingforestdc.gov.uk</a>

## **10. Individual Staff functions**

### **10.1 Lead Professional**

The Lead Professional has a range of responsibilities for safeguarding and promoting the welfare of children, young people and vulnerable adults, including:

- 1) To ensure that the arrangements set out in this policy are in place and followed to by all Council staff and Elected Members.
- 2) To ensure that the Council effectively discharges its duties under Section 11 of The Children Act 2004 and s47 and promotes inter-agency co-operation between agencies and information sharing.
- 3) To oversee procedures in relation to allegations made against a member of staff.
- 4) To maintain a high level of senior management commitment to the importance of safeguarding and promoting the welfare of children, young people and vulnerable adults.

### **10.2 Safeguarding Lead Officer and Deputies**

The Safeguarding Lead Officer has overall responsibility for ensuring that staff are aware of the Council's commitment to safeguarding, are appropriately trained and understand fully their responsibilities. This work includes:

- 1) Chairing and managing the Council's Corporate Safeguarding Working Group.
- 2) Advising the Council on new legislation, procedures and policy and updating the relevant documentation.
- 3) Responding to Ofsted Safeguarding Audit Inspections on behalf of the Council.
- 4) To be responsible for ensuring that there are clear lines of accountability for safeguarding including services that are provided by the Council through external contractors, for example, the management and provision of leisure centres.
- 5) To ensure that all information regarding safeguarding is held confidentially, in a central database, and in accordance with the Council's Data Protection Policy.
- 6) To inform the District Local Strategic Partnership and supporting community strategies which assist in the co-ordination and planning of services for children, young people and vulnerable adults.
- 7) Acting as safeguarding advisor and expert to the Council.
- 8) Acting as the Council's main link with Essex Safeguarding Children and Adult's Boards.
- 9) Acting as Vice Chair of West Stay Safe Multi-Agency Group.

### **10.3 Safeguarding Lead Officer Deputies**

- 1) The Safeguarding Lead Officer Deputies cover safeguard in the absence of the lead officer and have particular responsibility as the main contact for safeguarding incidents and concerns.

#### **10.4 Service Directors**

Service Directors are responsible for ensuring that Assistant Directors, managers and staff within their Directorate are aware of the contents of this policy, that the Council's duties to safeguard and promote the welfare of children, young people and vulnerable adults are met and that this policy and the Council's Safeguarding Procedures are effectively discharged. They are additionally responsible for;

- 1) Development of local arrangements for safeguarding and promoting the welfare of children, young people and vulnerable adults, as this relates to the duties and functions of their service area.
- 2) Inclusion of safeguarding and promoting the welfare of children, young people and vulnerable adults within annual business plans and service action plans
- 3) Ensuring that the Council's Safe Recruitment Policy is implemented and that an appropriate level of Disclosure and Barring check is undertaken for new staff, and renewed for existing staff on a three yearly basis.
- 4) Ensuring that staff refer any safeguarding concerns to Essex Police (where a child, young person or vulnerable adult is in immediate danger), or Social Care using an ECC999 form, and that the Council's Safeguarding Lead Officer or deputies are advised accordingly.
- 5) Ensuring that the appropriate level of safeguarding training is undertaken by all staff as related to service requirements. This will include existing staff and those new to the service/authority as part of their induction.

In carrying out these responsibilities, they will have regard to the following matters (amongst others):

- (a) The appropriateness or otherwise of interviewing customers/service users with children, young people and vulnerable adults present, in light of matters under discussion.
- (b) The appropriateness or otherwise of photographing children, young people and vulnerable adults by members of the general public at Council events, and the need to obtain permission of parents/guardians to use photographs in promotional material.
- (c) The appropriateness of staff having physical contact with children, young people and vulnerable adults except in certain circumstances e.g. assisting a child or young person participating in sports activity such as gymnastics/trampolining.
- (d) The provision of first aid by Council staff to children, young people, and vulnerable adults.

#### **10.5 Assistant Directors, Managers and Supervisors**

Assistant Directors, managers and supervisors are responsible for complying with the requirements of this policy and service level procedures. Furthermore, they are responsible for the promotion of a culture amongst staff which recognises the rights of children, young people and vulnerable adults and the Council's responsibility for their safety when receiving its services.

- 1) They will ensure that this policy and procedures are clearly published and understood by all staff working within their area of responsibility. They must ensure that any matters of concern, with respect to an individual child, young person or vulnerable adult are reported to the Lead Safeguarding Officer or Deputies, and that appropriate follow-up action is taken.

- 2) It is the responsibility of all line managers and supervisors to ensure that all procedures and working practices are up-to-date, including risk assessments **and that these are always reviewed when an incident occurs or modifications to working practices take place.** Any risks identified must be notified to the relevant Service Director and a local action plan devised to manage, reduce or remove the risk.
- 3) Service managers that provide direct services for children, young people and vulnerable adults should additionally where practicable, ensure that these groups are involved in the planning and development of services provided and seek feedback on service delivery to enable effective review.

## 10.6 Employee Responsibilities

All employees, volunteers and agency staff are responsible for complying with the requirements of this policy and any service level procedures or actions put in place by the service. Furthermore, they should take all reasonable steps to ensure (within the context of their duties) that risks are minimised and that children, young people and vulnerable adults are protected and their welfare promoted when using Council services.

To ensure effective implementation of this policy, all employees have a responsibility to:

- be aware of, and abide by this policy and any service level procedures or actions;
- undertake safeguarding training at the level identified in respect of their work;
- ensure that they work in such a way that they do not place children, young people or vulnerable adults in a position of risk;
- report any incidents of concern with respect to safeguarding to their line manager immediately;
- co-operate with any risk assessment process undertaken by their manager;
- ensure that they behave appropriately towards any children, young person or vulnerable adult who they come into contact with whilst carrying out their duties, by following service area guidelines on appropriate conduct, where provided, or in accordance with recommendations on Page 17;
- seek the advice of the Safeguarding Lead Officer or Deputies in respect to any issues that they have concerning safeguarding or the welfare of children, young people and vulnerable adults.

## 10.6 Employees Working away from the Office Base

Employees who come into contact with children, young people or vulnerable adults whilst working away from their office base, for example as a lone worker, must act in an appropriate manner and not put themselves at risk or allegations (see Safe Working Practices page 17).

They have a responsibility under this policy to report any matters of concern which they become aware of when dealing with children, young people or vulnerable adults, or, the children of service users with whom they come into contact, by using the Council's stated procedures. (Pages 19-21).

## 10.7 Elected Members

The Council is committed to ensuring that its Elected Members are appropriately trained and aware of their safeguarding responsibilities and those of the authority. This includes awareness of the Council's safeguarding duties under Section 11 of the Children Act 2004; Domestic Abuse and Violence, emerging issues including Child Sexual Exploitation, Honour Based Abuse and Forced Marriage and safeguarding of Vulnerable Adults.

The Portfolio Holder for Community Safety holds the position of Member Champion for safeguarding and is responsible for attending the Corporate Safeguarding Working Group and promoting the importance of safeguarding amongst all Members.

## 11. Safeguarding and Information Sharing

All staff and Elected Members are responsible for keeping safeguarding concerns and information confidential, outside of sharing this with designated officers within the Council.

Where a member of staff becomes aware of any issues relating to the protection or welfare of a child, young person or vulnerable adult with whom it has contact, these concerns must be reported immediately to Line Management or a Designated Lead / Reporting Officer.

Elected Members should report their concerns directly to the Council's Designated Safeguarding Lead Officer or a Deputy.

**This information should not be shared with any other third party and should always be shared lawfully and ethically.**

Information relevant to protection of children, young people and vulnerable adults will be about:

- their health and development and exposure to possible harm;
- a parent or carer who is unable to provide adequate care for them, or
- other individuals who may present a risk of harm

Often, it is only when information from a number of sources has been shared, collated and analysed, that it becomes clear that a child/children, young person or vulnerable adult is suffering or likely to suffer significant harm.

Once a report has been made, the Designated Safeguarding Reporting Officer will decide who to share the information with and this will depend on the following:

- The urgency of the concern;
- If the concern relates to a disclosure by a child and young person, or, vulnerable adult;
- If other services are likely to come into contact with that child, young person or his / her parents, or vulnerable adult, or,
- If advice is needed on a case which may require assessment for intervention

Where required, the Safeguarding Lead Officer or Deputy is then responsible for agreeing an action plan with the Service Director or Assistant Director, in respect of the Council's actions towards that child, young person and his/her family or vulnerable adult.

**It should be noted that government expects organisations to share information about individuals who may be at risk of abuse as early as possible so that individuals can be protected.** Withholding information may lead to abuse not being dealt with in a timely manner. Staff therefore, have a duty to share information related to suspected abuse, and consent is not required to breach confidentiality and make safeguarding referrals where;

- A serious crime has been committed
- The alleged perpetrator may go on to abuse other victims
- The child, young person or adult is deemed to be at serious risk
- There is a statutory requirement under the Children's Act 2004, Mental Health Act 1983 and Care Standards Act 2000.

## **12. Safeguarding allegations against a member of staff or volunteer**

The Council takes seriously any complaints made about the conduct of staff and volunteers in respect of their contact with children, young people, families and vulnerable adults. This includes any person who works with children or adults that has, in any connection with her/his employment, voluntary activity or in a personal capacity:

- Behaved in a way that has or may have harmed a child, young person or vulnerable adult;
- Possibly committed a criminal offence against or related to a child, young person or vulnerable adult, or;
- Behaved in a way which indicated s/he is unsuitable to work with children, young people or vulnerable adults.

All complaints received by the Council will be investigated fully, and, where applicable, action will be taken against the member of staff via the disciplinary procedure. If deemed necessary, the member of staff will be re-deployed or suspended whilst the investigation takes place. The decision to suspend lies ultimately with the Chief Executive or Deputy Chief Executive.

In the event of a serious allegation against a member of staff, the Council will follow the procedures set out in the Southend, Essex and Thurrock (SET) procedures document - 'Allegations against adults who work with children and young people', and will involve the Local Authority Designated Officer (LADO) employed by Essex County Council who can be contacted on 01245 436744  
Email: [childrens.safeguarding@essex.gov.uk](mailto:childrens.safeguarding@essex.gov.uk).

Support is routinely offered to all staff who are subject to an allegation.

### **Whistle Blowing**

The Council's Confidentiality Policy covers staff concerns about colleagues in regard to safeguarding children, young people and vulnerable adults. Because of fear about repercussions, staff may find it difficult to raise Child Protection or other concerns about colleagues or managers. The policy therefore provides guidance and assurance in the process to be followed in respect of raising concerns relating to the behaviour of colleagues when working or interacting with children, young people and vulnerable adults. It also provides details of alternative ways to report concerns confidentially, outside of the Council.

In the case of malicious or unfounded allegations being made against a member of staff by a colleague in the Council or a member of the public, the Council will take this very seriously and take any necessary action accordingly.

## 13.1 Safeguarding Allegations against an Elected Member

Safeguarding allegations against Elected Members will be treated the same way as an allegation against a member of public. This will involve a referral to Essex Police, who will conduct a full investigation into any allegation made.

## 13.2 Safe Working Practice with children, young people and vulnerable adults

This section outlines the expected behaviour of EFDC staff (including agency staff), volunteers and Elected Members. It aims to provide guidance to help protect children, young people and vulnerable adults and help individuals to identify any practices or behaviour, that could be mistakenly interpreted and perhaps lead to a false/wrongful allegation of abuse being made.

In representing the District Council all staff and Members are considered to be acting in a position of trust, in that they are in a place of power or influence over individuals whom they come in contact with by virtue of their work or the nature of their activity. It is therefore vital for all those in a position of trust to understand the power and responsibilities this can have.

The following list therefore provides an overview of expected behaviour for all individuals working or dealing directly with children, young people and vulnerable adults;

- All staff, volunteers and Elected Members should act as good role models;
- Children, young people and vulnerable adults should be listened to and respected at all times regardless of their age, gender, ethnicity, ability or sexual orientation;
- Relationships with children, young people and adults must be professional and appropriate to their age and/or ability and an appropriate level of language used;
- If a child, young person or vulnerable adult needs comforting, this must be done in a way that is both age appropriate and respectful, and not intrusive or threatening, with the least physical contact possible;
- In the case of staff working in a 'caring' role or in 'loco parentis', they must have confidence in challenging and dealing effectively with issues of unacceptable or dangerous behaviour;
- Awareness that children, young people and vulnerable adults can develop infatuations towards people working/dealing with them. If this happens staff should inform their line manager and should respond in a way that maintains the dignity of all concerned; Members should bring this to the attention of the Council's Safeguarding Lead Officer or Deputies.
- If any kind of physical support is required in working or dealing with children, young people or vulnerable adults it is always advisable to have a colleague or witness available;
- Where possible, avoid unobserved situations of one to one contact, if it is unavoidable always ensure that another adult knows where you are, with whom and why;

**Where you have regular contact with a child, young person or vulnerable adult ensure that you:**

- never allow a work relationship to develop into a 'friendship';
- never make contact with a child, young person or vulnerable adult you have met through work outside of that work (unless your job role requires you to);
- never offer to transport a person alone, or invite them into your home without prior consent from a parent/carer;
- never give out your personal contact details including mobile number or email address (unless your job role requires you to);
- never communicate with them through social networking sites such as Facebook, MSN and Twitter (unless your job role requires you to);
- never discriminate or make discriminatory remarks;
- never trivialise abuse or its effects;



- never allow any activity with sexual connotations;
- never engage in or tolerate any inappropriate physical activity or bullying of a child/young person or vulnerable adult by a peer or other adult;
- never make demeaning or insensitive comments, and,
- never engage in any behaviour which might be misunderstood or misinterpreted.

## 14. Safeguarding Reporting Procedures

The SET (Southend, Essex and Thurrock) safeguarding guidelines outline the basic safeguarding procedures which should be followed by all local authorities in Essex.

Epping Forest District Council has developed the following simplified procedures in regard to safeguarding issues and concerns, and requires all staff and members to follow these.

**Where the safeguarding concern relates to a child, young person or vulnerable adult:**

### **Procedure A (See page 20)**

For incidents where a child, young person or vulnerable adult is thought to be in immediate danger of physical or psychological harm.

### **Procedure B (See page 20)**

For concerns that have been referred by a third party, or a disclosure by a child young person or vulnerable adult which are of a serious nature and you believe could lead to harm.

### **Procedure C (See page 21)**

For incidents where there is no immediate danger but concerns are related to a child or young persons' welfare or development.

### **Procedure D (See page 21)**

This is used where a safeguarding allegation is made about a member of staff or an Elected Member.

#### **Confidentiality:**

Once a referral/report has been made staff must not discuss any of the safeguarding issues with anyone else within or outside the Council including parents, carers, relatives, of the child, young person or vulnerable adult. The only individuals who information should be shared with, are line managers, the Designated Safeguarding Reporting Officer, Safeguarding Lead or Deputies, or in the case of an allegation against a member of staff, the Human Resources Manager.

#### **Data Protection:**

All copies of the Concern, Incident and Allegation (CIA) Form must be retained on the Council's secure database via I@W. This information will be retained in accordance with data protection periods.

## **PROCEDURE A**

Reporting a safeguarding concern about a child or young person which requires **immediate action / intervention**

### **CALL 999**

**If you witness or are given information from a third party that suggests that a child, young person or vulnerable adult is in immediate danger,**

1. REPORT what you have seen/heard and then RECORD these details immediately
2. If you witness the incident STAY CALM UNTIL THE POLICE ARRIVE and if anyone else has heard or seen the incident ask them to stay with you and provide support to the victim where able and safe to do so and without compromising the situation.
3. If the perpetrator is not at the scene, talk to the victim and record whatever is said in writing as soon as you are able to do so. Allow the child, young person or vulnerable adult to talk at their own pace and only ask questions for clarification. DO NOT ask leading questions. This information must then be recorded on a concern, Incident and Allegation Form (CIA) (see pages 22-23. Down loadable from the Intranet) and passed to a Designated Lead Officer to be filed in accordance with the Council's procedures.
4. Remember that the information you record may be used in court, so it needs to be as accurate as possible.

## **PROCEDURE B**

Reporting a serious safeguarding concern regarding a child or young person that has been referred to you by a third party, or disclosed by a child or young person

**If the victim is not in any immediate danger of harm**

1. RECORD what is said to you as accurately as possible.
2. Tell the third party or the child/young person concerned that you will have to refer the information on to someone else. If their understanding is limited, tell them that you cannot keep it a secret and that you will be seeking help for them.
3. REPORT - Once you have enough information, immediately phone Essex Social Care Direct on 0845 603 7634 and make the referral.
4. Then follow this up by using an ECC 999 form (refer to designated Lead Officer) and fax it to Essex Social Care Direct within 24 hours of the call being made.
5. A copy of this referral must be passed to a Designated Lead Officer to be filed in accordance with the Council's procedures.
6. If you have not heard back from Social Care within 3 x days as to the action they will/will not be taking in regard to your referral, phone them on 0845 603 7634 and ask what is happening.

## PROCEDURE C

### For adult safeguarding concerns not requiring immediate action

1. RECORD what is said or seen as accurately as possible and only ask questions for clarification, do not ask any leading questions. (This info must later be transferred to SET SAF1 Safeguarding Adults form).
2. Tell the person that you will have to refer the information on to someone else. If their understanding is limited, tell them that you cannot keep it a secret and that you will be seeking help.
3. REPORT - Immediately report the concern to a Designated Lead Officer and ensure that they are given the SET SAF1.
4. If you do not have an immediate concern but want advice call AskSAL helpline on **08452 66 66 63**

## PROCEDURE D

### For safeguarding allegations against a member of staff, volunteer or Elected Member

1. If the allegation is made face to face, try and obtain another witness to your conversation with the person reporting the allegation.
2. Take accurate notes of the allegation made and do not ask leading questions. As soon as possible transfer this information to a CIA form and capture as much detail as possible.
3. Immediately contact the Assistant Director - Human Resources – Paula Maginnis on Extn. 4536 and if she is unavailable contact;
  - Designated Lead Officer - Julie Chandler on Extn. 4214 or
  - Lead Professional – Alan Hall on Extn. 4004.
4. If the allegation is made in writing the same procedure is followed.

**Specific Housing Services Safeguarding Procedures:** In addition to the above procedures, the Council's Housing Service may need to make a referral to Essex Social Care in relation to Homeless 16-17 year olds and intentionally homeless households with children. This contact is made for an assessment of whether they are a child in need to whom a duty is owed by Essex Social Care under terms of the Children Act 1989.

**Intentionally homeless household with children:** This would also be referred to Essex Social Care for an assessment of whether they are owed a duty by virtue of the Children Act 1989.

As both of these types of referral have a safeguarding element, the Safeguarding Lead or Deputies must be made aware when they are referred to Essex Social Care. As such, a downloadable CIA form should be used by all Housing staff when making such a referral. This form will log all relevant data relating to the case in the Council's safeguarding database and automatically email the Safeguarding Lead and Deputies.

**Safeguarding Concern / Incident / Allegation (CIA) form**



**CONFIDENTIAL**

This form should be completed by the member of staff responding to the concern, incident of allegation. Please complete as much of this form as possible. Electronic copies of this form are available to download from the Intranet front page.

**SECTION A: INITIAL DETAILS**

Your name	
Your position	
Your Line Manager	
Date	
Time of Report	am/pm

Would you describe this report as a:	Concern	Incident	Allegation	(please circle as appropriate)
--------------------------------------	---------	----------	------------	--------------------------------

**SECTION B: PERSONAL DETAILS OF CHILD OR VULNERABLE ADULT INVOLVED**

Full Name	
Person Type (please circle)	Child      Vulnerable Adult
Gender (please circle)	M      A
Date of Birth	
Activity Attending or Location	
Home Address	
Parent/Guardian/Relative Name/s	
Contact Telephone No. for Parent/Guardian/Carer/Relative	
Child's School (if applicable)	
Is the child disabled? (please circle)	YES      NO      N/A

**SECTION C; DETAILS OF CONCERN, INCIDENT OR ALLEGATION**

Please record the accurate details of the concern/incident/allegation below. Only include factual information regarding what you have observed and/or what you have been told. Include as much detail as you can remember. Please include details of anyone else who witnessed the incident (use extra blank paper if necessary and attach to this form).

**Details of concern, incident or allegations:**

--

**Action taken, if any, by the person reporting the incident:**

--

Are the parents/guardians aware of this concern/incident/allegation at the time of this report being made? YES NO

Please send a confidential email (or hand delivery) copy of this form on to one of the Designated Safeguarding Officers below, **immediately** if there is risk of significant harm or within 24 hours with other concerns.

- Caroline Wiggins - Community Safety Manager (Ext. 4122)
- Russell Wallace - Housing Options Manager (Ext. 4024)
- Gill Wallis - Community Leisure Officer (Ext. 4557)
- Julie Chandler - Assistant Director Community Services and Safety (Ext.4214/4397)
- Martin Crowe - Fraud Investigations & Intervention Manager (Ext. 4170)

**Remember that the information you have provided is confidential, do not discuss with anyone other than those directly involved and only then in a professional capacity. Please sign and date below.**

Signed	Date
--------	------

**Officer Action – To be completed by DESIGNATED SAFEGUARDING LEADS OR REPORTING OFFICERS ONLY**

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Signed	Date
--------	------

## Due Regard Record

Name of policy or activity: Cabinet Report recommending formal adoption of the Council's new, combined Safeguarding Policy

**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.

<b>Date / Name</b>	<b>Summary of equality analysis</b>
March 3 <sup>rd</sup> Cabinet Julie Chandler	<p>This report will impact on the public, employees and Elected Members</p> <p>The report seeks agreement from Cabinet to adopt the Council's new Safeguarding Policy, which now includes reference to children, young people and vulnerable adults living, working and studying in the district. It will assist the Council in meeting its legal duties under Section 11 and 47 of the Children Act 2004 and contains improved equality of opportunity for the above groups of people, due to the significance of promoting welfare and safeguarding people from harm.</p> <p>It also aims to offer improved protection of people from Domestic Abuse, 'Honour' Based Abuse, Child Sexual Exploitation, Forced Marriage and Female Genital Mutilation.</p> <p>Therefore, if Cabinet agree the recommendations of this report there will be a positive impact on equality.</p>

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## **Report to Cabinet**

**Report reference: C-082-2013/14**

**Date of meeting: 3 March 2014**



**Epping Forest  
District Council**

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**Portfolio: Leader**

**Subject: Corporate Plan Key Objectives 2013/14 – Quarter 3 Progress**

**Responsible Officer: Steve Tautz (01992 564180)**

**Democratic Services: Gary Woodhall (01992 564470)**

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### **Recommendations/Decisions Required:**

**(1) That the Cabinet review the nine-month progress in relation to the achievement of the Council's key objectives for 2013/14.**

### **Executive Summary:**

The Corporate Plan is the Council's key strategic planning document, setting out its 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 deliverables and actions designed to support 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 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 nine-month (1 April to 31 December 2013) progress against the key objectives for 2013/14.

### **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 the review of progress 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 represent the Council's high-level initiatives and over-arching goals for the year. The objectives 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.

3. The key objectives for 2013/14 were adopted by the Cabinet at its meeting on 11 March 2013. The achievement of the objectives is supported by a range of individual deliverables and actions, with target dates spread throughout the year (and beyond in some instances). Some of the deliverables can only be achieved incrementally or are dependent upon the completion of other actions, and are intended to be fluid to reflect changes in priorities and other influencing factors.

4. Progress against the key objectives was an area of focus in former corporate inspection processes, in order to assess the Council's success in improving the services that it delivers, and to identify and reflect plans to secure improvement. Whilst such external assessment processes have generally ceased, it remains important to review progress against the key objectives, and to take appropriate corrective action where necessary in areas of slippage or under-performance. Progress towards the achievement of individual deliverables and actions is therefore reviewed on a quarterly basis, in order to ensure the timely identification and implementation of appropriate corrective action. Performance for the first six months of the year was considered by the Cabinet at its meeting on 2 December 2013.

5. A schedule detailing nine-month progress against the fifty-four individual deliverables and actions designed to support the achievement of each of the key objectives, is attached as Appendix 1 to this report. In reporting progress, the following 'status' indicators have been applied to the current quarterly position for each individual deliverable or action:

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

(b) **On-Target (Green)** - specific deliverables or actions will be completed or achieved in accordance with in-year targets;

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

(d) **Behind Schedule (Red)** - specific deliverables or actions have not been completed or achieved in accordance with in-year targets and completion/achievement may not be secured by year-end; and

(e) **Pending (Grey)** - specific deliverables or actions cannot currently be fully completed or achieved, as they rely on the prior completion of other actions or external factors outside the Council's control.

6. At the end of the third quarter of the year, 40 (74%) of the individual deliverables or actions supporting the key objectives had either been completed or achieved, or were anticipated to be completed/achieved by a revised target date or at year-end. Some 8 (15%) deliverables or actions may not be completed or achieved by year-end and a further 6 (11%) are currently on-hold as a result of external circumstances.

7. 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 on 25 February 2014 and any comments or concerns raised by the Committee will be reported to the Cabinet meeting.

#### Key Objectives 2014/15

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

#### **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 and 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 (5 February 2014) and was considered by the Overview and Scrutiny Committee at its last meeting (25 February 2014).

#### **Background Papers:**

Nine-month 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

There are no equality 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.

## KEY OBJECTIVES 2013/14 – THIRD-QUARTER PROGRESS (1 APRIL – 31 DECEMBER 2013)

### OBJECTIVE – To proactively promote the policies and reputation of the Council internally and externally

Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Development of high-level internal and external communications calendar	Deputy Chief Executive	30-Jun-13	Achieved	<p>(Q1 2013/14) Proposed review of the key decision list in Leadership Team through which service directors can provide further updates on major corporate projects over a twelve-month rolling period. Internal communications plan drafted for Leadership Team.</p> <p>(Q2 2013/14) Twelve-month rolling external Corporate Communications Calendar produced for Chief Executive approval and on-going Management Board update.</p> <p>(Q3 2013/14) Achieved. External Communications Calendar considered by Management Board, agreed and issued. Calendar being regularly updated by Public Relations and Marketing Officer.</p>
(b) - Development of a target list of media partners	Deputy Chief Executive	30-Jun-13	Under Control	<p>(Q1 2013/14) Weekly press cutting service with periodic summary reviews produced for Leadership Team, although resource implications likely for 'Contact Us' email responses. Further review of potential electronic monitoring alternatives following upgrade of Newsflash Media Management application, to be investigated in September 2013.</p> <p>(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.</p> <p>(Q3 2013/14) Upgraded Newsflash application being tested by end of January 2014, for subsequent implementation. New upgrade will be more accessible.</p>
(c) - Development of a Social Networking Strategy and increased use of social media	Deputy Chief Executive	30-Jun-13	Under Control	<p>(Q1 2013/14) Draft strategy produced for consultation pending referral to Website Development Board and Leadership Team for adoption.</p> <p>(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 the Cabinet, together with financial provision.</p> <p>(Q3 2013/2014) Social media monitoring pilot implemented over the Christmas 2013 closure period. Ongoing financial issues to be presented to Management Board in February 2014.</p>



**OBJECTIVE – To engage with communities to put them at the centre of the Council’s policy development and service design**

Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Publication of Engagement Charter	Deputy Chief Executive	30-Nov-13	Achieved	<p>(Q1 2013/14) Consultation activity reported to Finance and Performance Management Scrutiny Panel at June 2013 meeting. Forward plan of engagement agreed.</p> <p>(Q2 2013/14) On-going/completed corporate and service area implementation, including crime and disorder, employee, Healthworks (for Harlow Partnership), Careline, trade waste etc.</p> <p>(Q3 2013/14) Forward plan of engagement on track. Outturn report to be presented to Finance and Performance Management Scrutiny Panel in June 2014.</p>
(b) - Identification of key stakeholders	Deputy Chief Executive	30-Sep-13	Achieved	<p>(Q1 2013/14) Identification underway in liaison with Local Strategic Partnership (LSP).</p> <p>(Q2 2013/14) (Q3 2013/14) Achieved. 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.</p>
(c) Facilitation of new Tenant Scrutiny Panel	Director of Housing	31-May-13	Achieved	<p>(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 for tenant representatives to understand which managers are responsible for specific functions.</p> <p>(Q2 2013/14) The informal get-together has taken place. The Scrutiny Panel continues to meet.</p> <p>(Q3 2013/14) Difficulties are currently being experienced achieving a sufficient number of consistent members to attend meetings. The Assistant. Director of Housing (Private Sector and Resources) is taking action to work with the membership to bring the meetings and work programme back on course.</p>



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**OBJECTIVE – To review the strategic direction of the Council to ensure a clear and consistent set of priorities to facilitate decision-making in constrained times**


Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Determination of the council's Housing Strategy for 2013-16  Page 127	Director of Housing	31-Dec-13	Pending	(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.
				(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 twelve-Month progress report on the previous Key Action Plan at its meeting on 22 October 2013.
				(Q3 2013/14) At its meeting on 22 January 2014, the Housing Scrutiny Panel reviewed the six-month progress report for the Housing Strategy Key Action Plan. No further actions with the formulation of the proposed new Housing Strategy are required at present, until the Preferred Options Stage of the Local Plan has been completed.
(b) - Development of council's Economic Development Strategy	Director of Planning and Economic Development	30-Nov-13	Under Control	(Q1 2013/14) A consultant has been assisting in this task.  (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 report on progress with the strategy will be made to the Cabinet in the third quarter of the year.  (Q3 2013/14) The Cabinet will consider a report on 3 February 2014, seeking agreement to ten high-level economic development priorities. Extra resources are being provided to support the economic development activities of the Council and further resources will be sought from partner agencies.

<p>(c) - Development of the council's Waste Strategy</p>	<p>Director of Environment and Street Scene</p>	<p>30-Sep-13</p>		<p>Under Control</p>	<p>(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.</p> <p>(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.</p> <p>(Q3 2013/14) The procurement of the waste contract remains on schedule but decisions around the collection methodology to be employed, following the second round of competitive dialogue, will not be taken by the Cabinet until February 2014.</p>
<p>Page 128 (d) Development of the council's Leisure Strategy</p>	<p>Director of Environment and Street Scene/Deputy Chief Executive</p>	<p>30-Nov-13</p>		<p>Behind Schedule</p>	<p>(Q1 2013/14) The Leisure and Wellbeing Portfolio Holder has established a Portfolio Holder Advisory Group to progress work on the new Leisure Strategy. Initial research into leisure needs (including building the evidence base of the local plan) is underway and an indicative timetable for the leisure management procurement process has been identified.</p> <p>(Q2 2013/14) The Portfolio Holder Advisory Group has yet to meet, but a scoping exercise is underway through an officer working party lead by the Deputy Chief Executive.</p> <p>(Q3 2013/14) The Portfolio Holder Advisory Group (PAG) has met and agreed its terms of reference and the scope, timescales and strategic themes it would like to develop. The PAG has also received presentations on Community and Cultural Services and is undertaking a tour of the Council's leisure facilities on 7 February 2014. A mapping exercise has been completed and is waiting commissioning of building condition surveys. The revised target date for the completion of the new Leisure Strategy is 31 July 2014.</p>



<p>(e) - Development of the council's Operational Property Strategy</p>	<p>Chief Executive</p>	<p>31-Dec-13</p>		<p>Behind Schedule</p>	<p>(Q1 2013/14) The Operational Property Strategy comprises a number of facets on which work has commenced. The smarter working 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.</p> <p>(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, as will major service contracts. The waste management contract is currently in procurement through competitive dialogue and the outcome of the new contract in terms of future depot provision for the service is not yet known.</p> <p>(Q3 2013/14) Implementation of new telephony and broadband access on track. A locality review has been undertaken including other public sector partners, to discuss respective sites and operational requirements. A more detailed plan will be developed as part of the second phase of the senior management restructure, for completion by 30 September 2014.</p>
<p>(f) Determination of the council's approach to the 'Green Deal' initiative</p>	<p>Director of Planning and Economic Development</p>	<p>30-Jun-13</p>		<p>Achieved</p>	<p>(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.</p> <p>(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.</p> <p>(Q3 2013/14) Take up of the Green Deal remains slow and reflects the national position. The Cabinet is to consider a report on this on 3 February 2014.</p>

**OBJECTIVE – To deliver a robust and resilient Local Plan that facilitates appropriate growth, whilst protecting the special character of the district**

Action/Deliverable	Lead Officer	Target Date		Status	Progress
<p>(a) - Adoption of Community &amp; Engagement Strategy for Local Plan</p>	<p>Director of Planning and Economic Development</p>	<p>1-Apr-13</p>		<p>Achieved</p>	<p>(Q1 2013/14) Achieved. Engagement strategy agreed by the Cabinet on 23 April 2013.</p> <p>(Q2 2013/14) (Q3 2013/14) The Planning Portfolio Holder provides regular reports to the Cabinet on progress with the preparation of the Local Plan. In the third quarter of the year, the main community engagement activity concerned the masterplanning exercise for North Weald Bassett.</p>

(b) - Publication of Local Plan Preferred Options Consultation	Director of Planning and Economic Development	31-Oct-13		Under Control	(Q1 2013/14) New timetable to be considered by the Cabinet on 22 July 2013. (Q2 2013/14) New timetable approved by the 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 is 30 June 2014. (Q3 2013/14) The Council has been carefully considering evidence on population, which will underlie the determination of its objectively assessed housing need. There is a concern to ensure consistency between different pieces of evidence and a new timetable will be required.
(c) - Publication of Local Plan	Director of Planning and Economic Development	31-Oct-13		Under Control	(Q1 2013/14) New timetable to be considered by the Cabinet on 22 July 2013. (Q2 2013/14) New timetable approved by the 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 is 30 June 2014. (Q3 2013/14) The Council has been carefully considering evidence on population, which will underlie the determination of its objectively assessed housing need. There is a concern to ensure consistency between different pieces of evidence and a new timetable will be required.
(d) Compliance with duty to co-operate Page 130	Director of Planning and Economic Development	Ongoing		On Track	(Q1 2013/14) Compliance with the Duty to Cooperate is a significant and ongoing effort. (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 all neighbouring authorities. (Q3 2013/14) The Duty to Cooperate is being emphasised in recent Inspectors' decisions on Local Plans. Formal comments have been made on several adjoining authorities' planning documents. Progress in discussions with key partners has continued, but has not yet resulted in formal outputs.

**OBJECTIVE – To promote internal cultural change to break down silo working and implement new, flexible ways of working**




Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Develop overarching Organisational Development Plan	Chief Executive	30-Jun-13	Behind Schedule	(Q1 2013/14) (Q2 2013/14) Achievement of action re-programmed for the fourth quarter of the year, as the original target date (30 June 2013) was considered to be too ambitious. (Q3 2013/14) The agreement of the new senior management structure was postponed from the Council meeting in September 2013, until December 2013, which adversely impacted the completion of this action. An Organisational Development Plan will now be developed as part of the implementation of the second phase of the restructure, by 30 September 2014.

(b) - Review senior management structure	Chief Executive	31-Dec-13	Achieved	<p>(Q1 2013/14) Draft structure discussed with directors, assistant directors, the Cabinet, the Appointments Panel and the trade unions. Formal consultation to start in August 2013 with a paper scheduled for the September 2013 meeting of the Council.</p> <p>(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.</p> <p>(Q3 2013/14) Achieved. New senior management structure proposals agreed by the Council on 17 December 2013.</p>
(c) - (i) Undertake staff attitude survey	Director of Corporate Support Services	30-Jun-13	Achieved	<p>(Q1 2013/14) Achieved. Staff attitude survey completed</p> <p>(Q2 2013/14) Analysis of survey results added to the Management Board work programme, for individual reports on Christmas closures (post 2013) and flexitime scheduled for consideration during current year.</p> <p>(Q3 2013/14) Action plans are being developed to address specific issues raised in the survey, as part of the new directorate structure.</p>
(c) - (ii) Publication of organisational values and behaviours and incorporation in to working practices	Chief Executive	30-Jun-13	Achieved	<p>(Q1 2013/14) Values and behaviours drafted and agreed. Soft launch in July 2013 staff briefing. Performance &amp; Development Review (PDR) process redesigned to cover new values and behaviours. Public Relations and Marketing Officer working on follow-up poster/publications.</p> <p>(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.</p> <p>(Q3 2013/14) PDRs already being conducted for Directors and Assistant Directors using Values and Behaviours. Preparations for launch on track.</p>
(d) - (i) Adoption of customer centric approach to service delivery	Chief Executive	Not specified	Behind Schedule	<p>(Q1 2013/14) The Council's approach to service delivery is to be reviewed in the fourth quarter of the year, once the new values and behaviours are embedded.</p> <p>(Q2 2013/14) Review still anticipated to be undertaken during fourth quarter of the year.</p> <p>(Q3 2013/14) A high-level review of options adopted by some peer authorities is to be undertaken in the fourth quarter of the year. Appropriate pilot introduction to be carried out as part of the implementation of the second phase of the senior management restructure, by 30 September 2014.</p>

(d) - (ii) Generation of increased revenue for traded services	Chief Executive	Not specified		Under Control	<p>(Q1 2013/14) Options for increased revenue to be reviewed in the fourth quarter of the year.</p> <p>(Q2 2013/14) Parking charges currently being reviewed, alongside other fees and charges, as part of the preparation of the budget for 2014/15. A separate review looking at revenue opportunities at North Weald Airfield is underway.</p> <p>(Q3 2013/14) Increased parking charges have been agreed in principle and detailed proposals are currently being developed. The approach to other fees and charges will be incorporated into the budget proposals for 2014/15 to be considered by full Council in February 2014. The review looking at revenue opportunities at North Weald Airfield is ongoing.</p>
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(e) - Consider feasibility of a one-stop-shop at the Broadway, Loughton	Director of Housing	30-Jun-13		Pending	<p>(Q1 2013/14) Following informal discussions with the Cabinet, it has been agreed to hold consideration of the feasibility of 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.</p> <p>(Q2 2013/14) (Q3 2013/14) No further action required at this stage.</p>
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<p>Page 132</p> <p>(f) - Provision of a more effective and efficient corporate out-of-hours emergency reporting service</p>	Director of Housing/Director of Corporate Support Services	31-Mar-14		On Track	<p>(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 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.</p> <p>(Q2 2013/14) The Cabinet is due to consider the proposed out-of-hours emergency reporting service at its meeting on 21 October 2013, together with an accompanying action plan for mitigating the effects of no longer having standby officers based at the Civic Offices during evenings and weekends.</p> <p>(Q3 2013/14) The Cabinet agreed the proposed service in October 2013. An officer project team has been established to ensure that all required actions are completed to enable the new arrangements to commence from April 2014. All officers responsible for services are currently setting out the action to be taken by Mears for every type of out-of-hours call, and the project team will shortly be visiting Mears' call centre to see the operation. Separately, the external private solicitor appointed to draft the legal documentation has produced the first draft of the required services agreement between the Council and Mears, which is currently with Mears for consideration. One standby officer at risk of redundancy has been successfully re-deployed.</p>
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<p>(g) - Introduction of a new Housing Allocations Scheme</p>	<p>Director of Housing</p>	<p>1-Sep-13</p>		<p>Achieved</p>	<p>(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.</p> <p>(Q2 2013/14) The new Allocations Scheme was successfully introduced from 1 September 2013. The number of applicants re-registered on the Housing Register as at 1 October 2013 was 1,436, although new registrations continue to be received.</p> <p>(Q3 2013/14) Achieved. No further action required.</p>
<p>(h) - Exploration of appropriate options for smarter working and changes to corporate policy and culture</p>	<p>Director of Finance and ICT /Director of Corporate Support Services</p>	<p>31-Mar-14</p>		<p>On Track</p>	<p>(Q1 2013/14) A draft ICT Strategy has been considered by the Leadership Team and this will be presented to the Finance &amp; Performance Management Scrutiny Panel in September 2013 for initial Member consideration. This 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.</p> <p>(Q2 2013/14) The draft ICT Strategy has been considered by the Scrutiny Panel and is going to Cabinet in October 2013 for Member approval. Work to change corporate culture has centred on the development and implementation of the new Values and Behaviours. 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.</p> <p>(Q3 2013/14) The Cabinet has approved the ICT Strategy. A DDF budget of £150,000 has been included in the estimates for 2014/15 to assist with the transformation programme. The Chief Executive is considering the projects he wishes to take forward and it is anticipated that the associated business cases will be presented to Members in due course.</p>
<p>(i) - Assessment of grounds maintenance service in conjunction with new waste management contract</p>	<p>Director of Environment and Street Scene</p>	<p>30-Sep-13</p>		<p>Achieved</p>	<p>(Q1 2013/14) Decision made to consider the future of the grounds maintenance service after the first stage of competitive dialogue and the receipt of initial tenders for the new waste management contract.. Cabinet to consider in October 2013.</p> <p>(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 management contract procurement process.</p> <p>(Q3 2013/14) Achieved. The Cabinet has agreed to retain the Grounds Maintenance Service in-house and therefore exclude it from the procurement exercise for the new waste management contract.</p>

<p>(j) - (i) Achievement of the 'Silver' service grade for the Local Land and Property Gazetteer</p>	<p>Director of Environment and Street Scene</p>	<p>30-Apr-13</p>		<p>Behind Schedule</p>	<p>(Q1 2013/14) Good progress is being made but there is 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.</p> <p>(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 Local Land and Property Gazetteer (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.</p> <p>(Q3 2013/14) Although the original deadline has not been achieved, excellent progress continues to be made on ensuring the accuracy of the LLPG. The achievement of a specific award has been deferred and preference given to ensure the overall robustness of the LLPG and associated mapping systems, which will serve the Council in the longer term. Assuming present progress is maintained, an accurate and usable LLPG will emerge and the 'awards' will automatically follow.</p>
<p>(j) - (ii) Completion of the Gazetteer structure considerations</p> <p>Page 134</p>	<p>Director of Environment and Street Scene</p>	<p>30-Sep-13</p>		<p>Achieved</p>	<p>(Q1 2013/14) A cross-functional Project Team is currently considering where a corporate gazetteer function would best fit.</p> <p>(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.</p> <p>(Q3 2013/14) The Project Team has made recommendations to the Chief Executive for consideration as part of the senior management restructure. These were accepted and the proposals were adopted by Council in December 2013 as part of the overall restructure proposals.</p>
<p>(k) - Review of future provision of Careline Service</p>	<p>Director of Housing</p>	<p>31-Mar-14</p>		<p>Pending</p>	<p>(Q1 2013/14) Although Essex County Council (ECC) recommended that a new county-wide telecare contract should be procured from April 2014, it is understood that, following representation from a number of providers (including Epping Forest DC), ECC officers and members are currently considering the most appropriate way forward, having regard to the views expressed by existing providers.</p> <p>(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 of the future of county-wide telecare services.</p> <p>(Q3 2013/14) No further information has been received from Essex County Council in connection with future telecare arrangements.</p>

**OBJECTIVE – To deliver key priorities within budget**

Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Development of revised key indicator set based on key strategies	Chief Executive	31-Mar-14	Achieved	(Q1 2013/14) Revised key performance indicator set adopted for 2013/14 adopted by Finance and Performance Management Cabinet Committee in March 2013. (Q2 2013/14) (Q3 2013/14) Achieved. No update required.
(b) - Delivery of all key outcomes	Chief Executive	31-Mar-14	On Track	(Q1 2013/14) On track to date. (Q2 2013/14) At the end of the second quarter (30 June to 30 September 2013) of the year, 20.3% 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. (Q3 2013/14) At the end of the third quarter of the year, 40 (74%) of the individual deliverables or actions supporting the key objectives had either been completed or achieved, or were anticipated to be completed/achieved by a revised target date or at year-end. Some 8 (15%) deliverables or actions may not be completed or achieved by year-end and a further 6 (11%) are currently on-hold as a result of external circumstances. For the same period, 80% of the adopted key performance indicators had achieved cumulative target performance.
(c) - Consumption of resources within budget	Director of Finance and ICT	31-Mar-14	On Track	(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 anticipated that the capital and revenue outturns will be contained within budget. (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. (Q3 2013/14) The performance of key income streams has improved and the CSB target for the 2014/15 budget has been achieved. It is anticipated that the use of reserves in 2013/14 will be in line with the revised estimates.
(d) - Setting of a consistently low district council tax	Director of Finance and ICT	1-Apr-14	On Track	(Q1 2013/14) The Spending Review announced that further grants will be available for councils choosing to freeze the Council Tax for both 2014/15 and 2015/16. It is anticipated that Members will want to accept this offer and that Council Tax will continue to be frozen. (Q2 2013/14) A member query has arisen on the relative merits of continuing to accept the freeze grant or increasing the Council Tax. A report in response will be considered by the Finance and Performance Management Cabinet Committee and Scrutiny Panel in November 2013. (Q3 2013/14) It is likely that the Council Tax will continue to be frozen for both 2014/15 and 2015/16.

**OBJECTIVE – To prepare for changes arising from the transfer of public health responsibilities**





Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Development of a District Public Health Strategy	Director of Environment and Street Scene	30-Sep-13	Achieved	<p>(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 Essex County Council's Public Health Locality Manager. There has been a delay due to the CCG not having yet established a five-year plan and the first meeting of the West Essex Wellbeing Board being delayed due to the local government elections.</p> <p>(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 and Wellbeing Strategy' and is itself an offshoot of the Strategy for 'West Essex Health &amp; 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 &amp; 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.</p> <p>(Q3 2013/14) The West Essex Wellbeing Board is due to meet for third time. The Board has received a presentation from the Clinical Commissioning Group and is due to identify joint strategic projects at its meeting on 30 January 2014. The work of Local Strategic Partnership Health Theme Group is ongoing. The 'Healthworks' project in Waltham Abbey has proved successful</p>





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**OBJECTIVE – To maximise the potential of the Council's key development sites**





Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - (i) Completion of a development agreement with the owner of the T11 site	Director of Corporate Support Services	31-Dec-13	Under Control	<p>(Q1 2013/14) Meetings with the owners of the T11 site are taking place. Timing is linked to the outcome of the new waste management contract procurement process and expected vacation of the site.</p> <p>(Q2 2013/14) A confidential report on the progress of the development agreement and the outcome of other linked negotiations is to be considered by the Cabinet on 2 December 2013.</p> <p>(Q3 2013/14) Further meetings with the owners of the T11 site and respective professional advisors have taken place. It is anticipated that a draft development agreement will be completed by the end of the financial year.</p>



<p>(a) - (ii) Facilitation of a detailed planning application for the T11 site</p>	<p>Director of Corporate Support Services</p>	<p>31-Dec-13</p>		<p>Under Control</p>	<p>(Q1 2013/14) Meetings with the owners of the T11 site are taking place. Timing is linked to the outcome of the new waste management contract procurement process and expected vacation of the site.</p> <p>(Q2 2013/14) A report agreeing the Council's contribution to the cost of the application has been agreed. 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.</p> <p>(Q3 2013/14) The preparation of a detailed planning application remains linked to the negotiations reported in the second quarter of the year.</p>
<p>(a) - (iii) Commencement of development at the T11 site</p>	<p>Director of Corporate Support Services</p>	<p>31-Mar-15</p>		<p>Under Control</p>	<p>(Q1 2013/14) The procurement of the new waste management contract provides for the contractor to be able to remain at the Council's depot at Langston Road, Loughton, or an alternative site, for at least a year.</p> <p>(Q2 2013/14) There remain too many variables to give an exact date for the commencement of development of the site, including when the waste management contractor (once selected), can vacate the site.</p> <p>(Q3 2013/14) Progress remains as reported for the second quarter of the year.</p>
<p>(b) - (i) Consideration of report reviewing the future of North Weald Airfield</p>	<p>Director of Environment and Street Scene</p>	<p>10-Jun-13</p>		<p>Achieved</p>	<p>((Q1 2013/14) Report completed. To be presented to the Cabinet on 22 July 2013.</p> <p>(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.</p> <p>(Q3 2013/14) Achieved. No update required.</p>
<p>(b) - (ii) Incorporation of recommendations for North Weald Airfield into development of Local Plan</p>	<p>Director of Environment and Street Scene/Director of Planning and Economic Development</p>	<p>31-Oct-13</p>		<p>Under Control</p>	<p>(Q1 2013/14) The outcome of the Cabinet consideration on 22 July 2013 will be incorporated within the 'Preferred Options' consultation phase of the Local Plan, scheduled for 2014.</p> <p>(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.</p> <p>(Q3 2013/14) The Cabinet has agreed (2 December 2013) that extra resources can be applied to asset management in addition to the North Weald masterplanning work, which is currently in progress and now anticipated to be completed by a revised target date of 31 March 2014.</p>





<p>(c) - (i) Jointly market the St Johns Road site for sale in part or as a whole</p>	<p>Director of Corporate Support Services</p>	<p>30-Jun-13</p>		<p>Achieved</p>	<p>(Q1 2013/14) Joint marketing with Essex County Council and Epping Town Council is underway with a topographical survey to be undertaken on 15 July 2013 and viewing days on 22 and 24 July 2013.</p> <p>(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 on 2 December 2013 and to assist the town council as required.</p> <p>(Q3 2013/14) Following a successful Expressions of Interest exercise and a presentation to Town and District Council members, Epping Town Council has appointed Strettons to represent their interests. The three external experts and officers have analysed the bids and are undertaking detailed discussions in order to bring a report to the Cabinet as soon as possible.</p>
<p>(c) - (ii) Relocation of the Housing Repairs Depot by 31 March 2014</p>	<p>Director of Housing/Director of Corporate Support Services</p>	<p>31-Mar-14</p>		<p>Pending</p>	<p>(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.</p> <p>(Q2 2013/14) No relocation site identified yet, awaiting clarification of overall depot requirements for the waste management contract. No risk of impact on operations yet.</p> <p>(Q3 2013/14) No further progress. Although the depot will not be relocated by 31 March 2014, there are no implications at present. Indeed, it is preferable to find the right site, at an appropriate cost, rather than seeking to relocate unnecessarily quickly.</p>
<p>(d) - (i) Determination of a planning application for the nursery site at Pyrles Lane</p>	<p>Director of Corporate Support Services</p>	<p>30-Jun-14</p>		<p>Achieved</p>	<p>(Q1 2013/14) Planning application refused.</p> <p>(Q2 2013/14) (Q3 2013/14) Achieved. No update required.</p>
<p>(d) - (ii) Relocation of the Nursery Service from the Pyrles Lane site</p>	<p>Director of Corporate Support Services</p>	<p>31-Dec-14</p>		<p>On Track</p>	<p>(Q1 2013/14) The future of nursery service awaits clarification of depot requirements within the new waste management contract. It is highly likely that glasshouse provision will not be required.</p> <p>(Q2 2013/14) The Council is in the process of acquiring a neighbouring property with a view to addressing concerns raised by the Area Plans Sub-Committee, in a new planning application.</p> <p>(Q3 2013/14) The Council has acquired the neighbouring property and is consulting with Essex County Council (Highways) with a view to submitting a new planning application.</p>

<p>(e) - Deliver Regeneration Action Plan for council land at The Broadway, Loughton</p>	<p>Director of Corporate Support Services/Director of Housing</p>	<p>30-Sep-14</p>		<p>On Track</p>	<p>(Q1 2013/14) The Broadway Regeneration Action Plan for the land under the control of the Council, was adopted in 2012. Before development can be progressed: (a) the Parish of Loughton needs to decide whether to provide a new church and community hall on EFDC-owned land in The Broadway, enabling replacement housing 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) 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, which may or may include some of the Council's land, needs to be determined. Once the way forward is clear, the Council's Preferred Housing Association Partners will 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 discussion about a proposed 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 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.</p> <p>(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 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.</p> <p>(Q3 2013/14) Following further discussions between the Anglican Parish of Loughton and the Methodist Church (which has a Local Ecumenical Partnership), the Partnership has been unable to agree to the proposal that EFDC land at Burton Road be used to provide a church and community facility, in return for the site of the Methodist-controlled Church at Mannock Drive being developed for affordable housing. At its meeting on 3 February 2014, the Council House Building Cabinet Committee considered development and financial appraisals to develop all the EFDC land to the south of Burton Road to provide a minimum of 31 new affordable rented homes, as Phase 2 of the house building programme. The Committee agreed that development should be sought, but that an attempt should be made to increase the density of the development and that a planning application should be submitted accordingly. Discussions ongoing with Moat Housing for the development of the EFDC land to the north of Vere Road for affordable rented housing, as part of the development of the Sir Winston Churchill site. A progress report on the various development sites at The Broadway will be made to the Asset Management and Economic Development Cabinet Committee in February 2014.</p>
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<p>(f) - (i) Facilitation of a detailed planning application for Oakwood Hill, Loughton</p>	<p>Director of Corporate Support Services</p>	<p>30-Jun-13</p>		<p>Behind Schedule</p>	<p>(Q1 2013/14) An additional geotechnical survey has been completed and a resubmission of the planning application for the site is being prepared for August 2013.</p> <p>(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 currently scheduled for November 2013.</p> <p>(Q3 2013/14) Consultation is still ongoing to allow a resubmission of the planning application.</p>
<p>(f) - (ii) Procurement of the detailed design and development of Oakwood Hill, Loughton</p>	<p>Director of Corporate Support Services</p>	<p>31-Dec-13</p>		<p>Behind Schedule</p>	<p>(Q1 2013/14) An additional geotechnical survey has been completed and a resubmission of the planning application for the site is being prepared for August 2013.</p> <p>(Q2 2013/14) Further progress with this action awaits the outcome of the revised planning application.</p> <p>(Q3 2013/14) Consultation is still ongoing to allow a resubmission of the planning application.</p>
<p>(f) - (iii) Commencement of development at Oakwood Hill, Loughton</p>	<p>Director of Corporate Support Services</p>	<p>31-Mar-14</p>		<p>Behind schedule</p>	<p>(Q1 2013/14) An additional geotechnical survey has been completed and a resubmission of the planning application for the site is being prepared for August 2013.</p> <p>(Q2 2013/14) Further progress with this action is also dependent on the outcome of the resubmitted planning application.</p> <p>(Q3 2013/14) Further progress with this action is still dependent on the outcome of the resubmitted planning application.</p>
<p>(g) - Commencement of the council's new house building programme</p>	<p>Director of Housing</p>	<p>31-Mar-14</p>		<p>On Track</p>	<p>(Q1 2013/14) East Thames Group has been appointed as the Council's Development Agent for the housebuilding programme and a new Housebuilding Cabinet Committee has been formed. The development and financial appraisals for the developments in the first year of the programme, comprising 25 new rented homes on three sites in Waltham Abbey, were considered by the Cabinet Committee on 10 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.</p> <p>(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.</p> <p>(Q3 2013/14) Planning permission for the Harveyfields development has been granted. Planning applications for the remaining sites were submitted in October 2013. If planning permission is granted for the remaining sites, they will provide 23 new affordable rented properties for Year 1 of the House Building Programme (2 properties less than originally proposed, due to the withdrawal of 2 proposed houses at Roundhills which need further consideration). The Year 1 package of sites is expected to commence on-site in Spring 2014.</p>

**OBJECTIVE – To prepare and plan for the effects of welfare reforms in an effective and coordinated way**

Action/Deliverable	Lead Officer	Target Date	Status	Progress
(a) - Delivery of the council's Welfare Reform Mitigation Action Plan	Director of Housing	31-Dec-13	Achieved	<p>(Q1 2013/14) Following the formation of an (officer) 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 re-accreditation assessment of the Housing Directorate's Customer Service Excellence Award, 'Compliance Plus' accreditation was awarded for the comprehensive and customer-focused approach taken to the welfare reforms mitigation project.</p> <p>(Q2 2013/14) At 1 October 2013, 38 (65%) of the actions had been achieved. Only three tasks that are able to be undertaken now, have not yet been achieved. All remaining takes cannot be undertaken until the Government makes decisions on the timing and procedures for the introduction of Universal Credit.</p> <p>(Q3 2013/14) Quarterly progress reports on the delivery of the action plan continue to be made to the Housing Scrutiny Panel. As at 1 January 2014, a further three tasks have been achieved, resulting in 70% of all the tasks in the action plan being achieved. Furthermore, only one further task that is able to be undertaken now, has not yet been achieved (relating to a longer-term ambition to work with the Council's Preferred Housing Association partners to secure and provide private-rented housing as part of the non-affordable housing provision on new developments or through acquisition from the open market). Although this issue has been raised with the Council's referred partners, due to the long lead-in times for such projects, it will be some time until this task will be able to be achieved. All the remaining actions relate to issues on which the Government still needs to make decisions or issues that it needs to implement, particularly the proposed introduction of Universal Credit and the direct payment of housing benefit to Council tenants. Therefore, there is little more the Council can do in terms of delivering the action plan, until the Government implements these elements. Consequently, both the officer project team and the Housing Scrutiny Panel have agreed not to consider any further progress reports, until such time as preparations need to be made by the Council for the introduction of Universal Credit and direct payments, when quarterly reports will resume.</p>

<p>(b) - Implementation of an updated local scheme of support for council tax</p>	<p>Director of Finance and ICT</p>	<p>31-Dec-13</p>		<p>Achieved</p>	<p>(Q1 2013/14) A report was made to the Cabinet in July 2013 to start the consultation process for the 2014/15 scheme. Joint work on local support for council tax continues across Essex and there are no reasons at this time to suspect that the 2014/15 scheme will not be approved in time.</p> <p>(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.</p> <p>(Q3 2013/14) The scheme for 2014/15 was approved by both the Cabinet and Council in December 2013.</p>
<p>(c) - Retention of adequate resources to ensure the threat of fraud is effectively managed</p>	<p>Director of Finance and ICT</p>	<p>31-Dec-13</p>		<p>Under Control</p>	<p>(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 senior management 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.</p> <p>(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 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.</p> <p>(Q3 2013/14) The Department for Work and Pensions have still to set out a clear timetable and their further analysis of staff requirements and TUPE implications. The Chief Internal Auditor is producing a report to set out an implementation plan for a Corporate Fraud Team.</p>
<p>(d) - Retention of adequate resources to effectively operate council's benefit function</p>	<p>Director of Finance and ICT</p>	<p>31-Dec-13</p>		<p>Pending</p>	<p>(Q1 2013/14) (Q2 2013/14) (Q3 2013/14) Further information is still awaited from the Department for Work and Pensions 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 performance on both changes of circumstance and new claims processing have exceeded target at the end of the third quarter of the year.</p>
<p>(e) - Publication of appropriate information in respect of welfare reforms and the implications</p>	<p>Director of Finance and ICT</p>	<p>Not specified</p>		<p>Pending</p>	<p>(Q1 2013/14) (Q2 2013/14) (Q3 2013/14) The Councils benefits and housing services continue to work with partners and provide information and assistance where appropriate. However, as set out above there has been a lack of significant announcement by the Department for Work and Pensions on how welfare reform is to be taken forward.</p>

## **Report to the Cabinet**

**Report reference:** C-083-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Support Services

**Subject:** Christmas/New Year Arrangements

**Responsible Officer:** Paula Maginnis (01992 564536).

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

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### **Recommendations/Decisions Required:**

**(1) Cabinet decides on the following options for future arrangements over the Christmas/New Year period:**

**(a) That the Civic Offices Building remains open;**

**(b) That the the continuation of the arrangements and the proposed 5 year schedule be agreed; or**

**(c) That the arrangements for 2014/15, as set out in the proposed 5 year schedule be agreed; and**

**(2) That if recommendation 1 ( c ) is agreed, the Christmas/New Year arrangements be considered by the Joint Consultative Committee on an annual basis, following consultation with residents and Members.**

### **Executive Summary:**

The current arrangements for the closure of the Civic Offices building ended Christmas/New Year 2013/2014. Consultation has taken place with staff and Management Board; both strongly support the continuation of the arrangements. Management Board also supports the continuation of the arrangements for the next five years.

There are a range of services that the public can access during this period, for both emergencies and normal day-to-day service delivery.

Due to the improvements to the Civic Offices regarding lighting and heating over the previous 2-3 years the savings to the Council during the closure are no longer a decisive factor.

The number of telephone calls to the main switchboard number, reduced by 65% during the 'Christmas' week and by 44% during the 'New Year' week, compared with 'normal' levels.

Across Essex there is a mixture of Councils who open or close during this period. The majority of Council's make decisions on an annual basis regarding their arrangements for this period.

A report regarding future arrangements was submitted to the January 2014 meeting of the

Joint Consultative Committee. The recommendations were not agreed. In addition a formal proposal was put to the Committee at the meeting which was also not agreed.

**Reasons for Proposed Decision:**

To enable Cabinet to discuss and agree the arrangements for future Christmas/New Year periods.

**Other Options for Action:**

The Cabinet can substitute other arrangements to the closure arrangements and/or the length of schedule.

**Report:**

1. In June 2002 the Council received a proposal from Unison requesting that staff took their 2 statutory days on the 30 and 31 of December 2002, resulting in the Civic Office closure from noon on 24 December 2002 until 2 January 2003. (Members had previously agreed that the 27 December 2002 would be a special leave day enabling the closure).

2. At this time staff was consulted on the proposal and were also asked if they would agree to use their statutory days for the next 5 years to allow future closures. Staff overwhelmingly agreed with the proposals and after member agreement the arrangements were put in place. This earlier agreement ended Christmas/New Year 2007/2008.

3. The results of the Employee Survey 2006 showed that 75% of staff who responded to the employee survey indicated that the use of special leave days and the 2 statutory days was the most valued benefit offered by the Council. As a result of this response Management Board agreed that a proposal to extend the current arrangements for a further period be submitted to members. An extension to the arrangements was agreed by Cabinet in November 2007 which ended Christmas/New Year 2012/2013.

4. Members agreed a further 1 year extension to the arrangements for the Christmas/New Period 2013/14.

5. The Joint Consultative Committee requested a report which was considered at their January 2014 meeting. The report recommended that the Committee:

*(1) Recommend the continuation of the current Christmas/New Year arrangements; and*

*(2) Subject to recommendation (1), agree the arrangements for the next 5 years.*

The Committee voted on these recommendations, resulting in a 7 (staff) – 7 (member) division.

6. Member representatives made the following formal proposal:

(i) That the Christmas/New Year arrangements as stated on the schedule for 2014/15 be agreed;

(ii) That the Christmas/New Year arrangements are considered by the Joint Consultative Committee on an annual basis;

(iii) Consultation is carried out with residents; and



- (iv) Consultation is carried out with members.

The Committee voted on these recommendations, resulting in a 7 (member) – 7 (staff) division.

### Employee Consultation – Employee Survey February 2013

7. As stated, the current arrangements came to an end after 2013/14 and staff were consulted on the closure through the Employee Survey in 2013. The following questions were asked in the Survey;

- Do you wish the arrangements for a Christmas/New Year closure to continue?
- Would you agree to use annual leave to facilitate the closure?
- Are you aware of any adverse comments made by the public relating to the current closure arrangements?
- If Yes, give details.
- Are there current arrangements in place to deal with public enquiries and emergencies during this period?
- Please detail other ways to cover frontline services without the need to open the main offices.

8. In summary 94% of staff who responded to the survey wished the current arrangements to continue, regardless of faith. Staff were asked if they would agree to use their annual leave (in addition to using their Statutory Days) to facilitate the closure, 43% said they would 55% said they would not.

9. Only 5% of respondents were aware of the public making adverse comments regarding the closure and 64% of respondents stated that they were aware of arrangements for the public over this period.

10. Most respondents suggested that emergency/call out arrangements, use of the Council's website and the use of remote/home working arrangements were ways to cover frontline services during this period, rather than opening the Civic Offices.

11. The majority of respondents across all faiths wished the arrangements to continue.

### Management Board Consultation

12. At its meeting on 11 December 2013, Management Board reviewed and discussed the current Civic Offices closure over the Christmas and New Year period. It supported the continuation of the current arrangements on the basis of the following:

- (i) a very strong support expressed in the staff survey;
- (ii) new arrangements with Mears for out of hours cover would allow the Council to continue to be even more contactable;
- (iii) electronic services operated by the Council would be available, including on-line payments;
- (iv) goodwill from staff would be maintained. Staff have shown enormous goodwill when faced with exceptional circumstances, e.g. during 2013 when the Civic Offices suffered water damage to the building including the electrics, clearing staff car parks of snow to enable the building to open, assisting other authorities in emergency

situations (i.e. Tendring's emergency centres during the flooding). In addition, staff will be required to work in new teams and adopt new ways of working as a result of the restructure, the implementation of smarter working and doing more with less;

(v) many private and public organisations are closed over the Christmas/New Year period;

(vi) cover arrangements for monitoring social media enquiries and for updating the website remotely are being introduced; and

(vii) the preference for staff to attend work at peak/busy times, rather when it is less busy.

13. Furthermore, Management Board recognised that as the Council adopts flexible working practices and maximises the use of technology (both for staff and the public), access to Council services will evolve over the coming years.

14. Management Board supported the continuation of the current arrangements for the next 5 years. A copy of the proposed schedule is attached at Appendix 1.

#### Joint Consultative Committee – Member Representatives

15. Member Representatives of the Joint Consultative Committee at their January 2014 meeting noted that the current Christmas/New Year arrangements were popular with staff. However, the Council is providing services to the public. They also commented that the 5 year schedule was not practical, the period was too long, as the Council's working arrangements were likely to change during this period.

16. Member Representatives recommended a counter proposal which is set out in paragraph 6 of this report.

17. Any further comments of the Committee's Member Representatives will be provided verbally at the meeting.

#### Joint Consultative Committee – Staff Representatives

18. The Staff Representatives of the Joint Consultative Committee would ask that the Cabinet give consideration to the following comments in support of the Management item in respect of the Council's Christmas and New Year working arrangements.

19. The Council adopted the idea of limiting the services available to the public between Christmas and the New Year over 10 years ago. We use the term 'limiting' because it is important to remember that the Council is not completely closed during this period. In addition to the list of services provided (paragraphs 24 to 30 of the management report) it should be noted that there are many other services available 24/7, i.e. the Council website gives access to an abundance of information and forms including planning, building control and housing benefit application forms, business rates, council tax and housing vacation and registration forms, direct debits, etc.

20. In addition, there are several ways that the public can pay for services, other than through the Council's Cashier service, i.e. using 'Pay Point' for rents, which is located in many shops, paying for business rates, council tax, rent and planning applications via the Council website, as well as the dedicated telephone payment line. There is also a payment kiosk situated in the library at Waltham Abbey, which is available during their opening times.

21. There is no doubting the opinion of staff in support of the Christmas to New Year working arrangements, which are borne out by the results of the 2006 staff survey and the more recent emphatic results of the 2013 survey. However, in addition, we would ask the Cabinet to consider the following points:

- Staff have become accustomed to the extended break over the Christmas period and feel the benefit of being able to 're-charge their batteries', following the stressful build-up of the holiday season, in particular for those in public facing jobs. This has a significant impact on staff well-being and work-life balance.
- It gives the opportunity for staff to visit extended family members, whether residing within the UK or abroad, which helps to lift morale and sustain family values.
- Staff have suffered financially over recent years, having benefited from a mere 1% pay rise since 2009, during which time their salary has been eroded by almost 15% as a result of inflation. This has had a significant detrimental effect on staff morale.
- For the Council to ignore the overwhelming strength of feeling from the staff, in support of the Christmas to New Year closure, could seriously damage staff-management relations and have a detrimental effect on staff morale.

22. Aside from the obvious benefits to staff, it should not go un-noted that there are significant gains to be had by the Council resulting from the Christmas to New Year closure. Aside from those listed in the management report, we would ask the Cabinet to consider the following points:

(i) Staff are required to sacrifice two days annual leave, fixed during the Christmas closure period, which they would likely otherwise take during a far busier work period.

(ii) The majority of staff are anxious and concerned about their future, particularly the next couple of years whilst the Council goes through the transition of directorates and services. This will no doubt be more successful and easier for all parties concerned with a well-motivated workforce.

(iii) Well motivated, happy workers are less likely to seek alternative employment, which is a concern bearing in mind the job market is constantly improving. The erosion of staff conditions, as well as pay could quickly make retention and recruitment a problem for the council.

(iv) Human Resources and the trade unions have worked in recent years, at the behest of the Joint Consultative Committee, in producing and promoting the benefits of staff surveys. To which end the last one was completed by 58% of staff, which whilst being a significant percentage was nonetheless still less than ideal. However, the one outstanding result of any recent staff survey has been the 94% of those completing the survey expressing their wish that the existing Christmas to New Year closure arrangements continue. In choosing whether to acknowledge such a strong view from the staff will no doubt have a profound effect on the result of future surveys, which should be something that the Council can capitalize on.

23. Finally, it is worthwhile remembering that the staff are not asking for anything extra, but merely requesting that the arrangements put in place in 2002 by the council be allowed to continue. Furthermore, it should be noted that many Council services are now far more accessible compared to back then due to the advances in technology.

## Services Provided over this Period

- Environmental Services

24. The Waste Management Officers are available during this time as are the Noise Enforcement Officers (call out service between 1pm – 12am). North Weald Airfield is open on the non-bank holidays and weekends.

- Legal Services

25. If the Courts are open during this period either a Barrister's Chambers or a Council Legal Officer will be on standby should there be a warrant executed and a hearing during this period. If the Courts are closed the need does not arise.

- Community Services

26. Call-out arrangements are in place for the Museum and the Limes Centre in respect of an alarm call.

- Planning

27. The Building Control team are available over this period for dangerous structures (statutory requirement). A range of information and forms regarding Planning applications and issues are available on the website for the public to access.

- Housing

28. Call-out arrangements are currently in place for the Housing Repairs and Homeless teams (including Norway House) and the Careline service is available 365 days of the year. The Scheme Manager Service also undertakes at least one visit to sheltered scheme residents over this period. Arrangements are in place to deal with emergencies arising from Housing contracts, including the contractors themselves.

29. From April 2014 new arrangements with Mears will provide out of hours cover for all Council services.

- Standby Officers

30. Currently, the Standby Officers are on duty over the Christmas/New Year period and assist the public who ring the Council on the main switchboard number. This service will be transferred to Mears from 1 April 2014 who will continue to handle all the calls to the Council over this period from their call centre.

- Cashiers

31. The public can continue to make payments on line during this period.

- Communications

32. Changes to the Website and telephone systems will make it easier for officers to respond to circumstances as they arise, as messages can be changed without visiting the Civic Offices.

### Savings on Heating and Lighting for Seven days

33. Over the Christmas/New Year period 2012/2013 the savings of closing the Civic Offices was £1727. This low amount reflects the improvements to the Civic Offices regarding lighting and heating efficiencies of the building. (The dates covered were 24 – 28 December 2012, 31 December 2012 and 1 January 2013). (Information for 2013/14 is not available).

### Number of Calls to Main Number

34. The table below sets out the number of calls to the main switchboard number. The majority of calls answered by the Standby Officers, during this period were for housing repairs issues.

<b>Date</b>	<b>Total Call Volume</b>
1-Dec-13 to 5-Dec-13	3553
23-Dec-13 to 27-Dec-13	1232
31-Dec-13 to 2-Jan-14	1554

**Table 1**

<b>Date</b>	<b>Out of Hours calls</b>
25-Dec-13 to 1-Jan-14	506

**Table 2**

35. The figures include repeat calls as Standby Officers can only take one call at a time but all the calls are logged by the system.

36. Table 1 shows that the volume of calls to the Council's main number reduces by approximately 65% during the Christmas week and by 44% during the New Year week.

37. Management Board acknowledged the decrease in the number of calls and visitors to the Civic Offices during this period. For practical reasons they would wish their staff to attend work when the public wish to contact the Council rather than during this period where contact is significantly reduced.

38. From 2014/15 this service will be undertaken by Mears.

### What Other Essex Authorities Do

39. Essex authorities were requested to provide information regarding their arrangements for 2013/14 which are set out below. The majority of authorities decide their arrangements on an annual basis.

<b>Authority</b>	<b>Arrangements for 2013/14</b>
Braintree	Closed for the official bank holidays and the 27th
Brentwood	Closed for the official bank holidays and the 27th
Castle Point	Same arrangements as Epping. Decided on an annual basis
Chelmsford	Same arrangements as Epping. Decided on an annual basis
Colchester	Closed on Christmas Eve and 27 <sup>th</sup> December. Open from 30 <sup>th</sup> December, statutory days are used to facilitate the close.
Essex County Council	Closed for the official bank holidays and the 27th
Harlow	Same arrangements as Epping. Have a 5 year schedule in place from 2013. The Civic Offices are closed during this period.
Havering	Closed for bank holidays and using statutory day for Friday 27 December
Maldon	Only closed for the official bank holidays.
Rochford	Closed for the official bank holidays and the 27th
Tendring	Only closed for the official bank holidays
Thurrock	Closed for the official bank holidays and the 27th
Uttlesford	Closed for the official bank holidays and the 27th

### Sickness Absence

40. Over the last 10 years, sickness absence in the UK is on average 27% higher during October to March than in April to September. (Office of National Statistics). At the Council over recent years there is only a 13% difference.

41. There is approximately a 30% reduction of new sickness absence cases in Q4 compared to Q3. Many cases in Q4 are due to long term absence first recorded in Q3.

42. There are likely to be several factors for this reduction and one factor could be the break staff receive over the Christmas/New Year period.

### **Resource Implications:**

There are no resource implications to the Council.

### **Legal and Governance Implications:**

There are no legal or governance implications.

**Safer, Cleaner and Greener Implications:**

There are no safer, cleaner and greener implications.

**Consultation Undertaken:**

Employees were consulted through the Employee Survey 2013. The results were reported to the Joint Consultative Committee on the 25 July 2013 and 23 January 2014.

**Background Papers:**

Joint Consultative Committee of 23 January 2014.

**Impact Assessments:**Risk Management

The Council is not closed during this period, the public can still access a range of services, emergency or otherwise.

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PROPOSED SCHEDULE OF CHRISTMAS AND NEW YEAR LEAVE ARRANGEMENTS: 2014 - 2019

	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>
<b>2014/2015</b>	<b>22<sup>nd</sup></b>	<b>23<sup>rd</sup></b>	<b>24<sup>th</sup></b>	<b>25<sup>th</sup></b>	<b>26<sup>th</sup></b>	<b>27<sup>th</sup></b>	<b>28<sup>th</sup></b>	<b>29<sup>th</sup></b>	<b>30<sup>th</sup></b>	<b>31<sup>st</sup></b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>
	Normal Work Day	Normal Work Day	Close at Noon	Christmas Day	Boxing Day	Weekend	Weekend	Special Leave Day	Statutory Day	Statutory Day	New Year's Day	Special Leave Day	Weekend
	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>2015/2016</b>	<b>22<sup>nd</sup></b>	<b>23<sup>rd</sup></b>	<b>24<sup>th</sup></b>	<b>25<sup>th</sup></b>	<b>26<sup>th</sup></b>	<b>27<sup>th</sup></b>	<b>28<sup>th</sup></b>	<b>29<sup>th</sup></b>	<b>30<sup>th</sup></b>	<b>31<sup>st</sup></b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>
	Normal Work Day	Normal Work Day	Close at Noon	Christmas Day	Boxing Day	Weekend	Bank Holiday	Statutory Day	Statutory Day	Special Leave Day	New Year's Day	Weekend	Weekend
	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>
<b>2016/2017</b>	<b>22<sup>nd</sup></b>	<b>23<sup>rd</sup></b>	<b>24<sup>th</sup></b>	<b>25<sup>th</sup></b>	<b>26<sup>th</sup></b>	<b>27<sup>th</sup></b>	<b>28<sup>th</sup></b>	<b>29<sup>th</sup></b>	<b>30<sup>th</sup></b>	<b>31<sup>st</sup></b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>
	Normal Work Day	Normal Work Day	Weekend	Christmas Day	Boxing Day	Bank Holiday	Statutory Day	Statutory Day	Special Leave Day	Weekend	New Year's Day	Bank Holiday	Normal Work Day
	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>
<b>2017/2018</b>	<b>22<sup>nd</sup></b>	<b>23<sup>rd</sup></b>	<b>24<sup>th</sup></b>	<b>25<sup>th</sup></b>	<b>26<sup>th</sup></b>	<b>27<sup>th</sup></b>	<b>28<sup>th</sup></b>	<b>29<sup>th</sup></b>	<b>30<sup>th</sup></b>	<b>31<sup>st</sup></b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>
	Normal Work Day	Weekend	Weekend	Christmas Day	Boxing Day	Statutory Day	Statutory Day	Special Leave Day	Weekend	Weekend	New Year's Day	Normal Work Day	Normal Work Day
	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>
<b>2018/19</b>	<b>22<sup>nd</sup></b>	<b>23<sup>rd</sup></b>	<b>24<sup>th</sup></b>	<b>25<sup>th</sup></b>	<b>26<sup>th</sup></b>	<b>27<sup>th</sup></b>	<b>28<sup>th</sup></b>	<b>29<sup>th</sup></b>	<b>30<sup>th</sup></b>	<b>31<sup>st</sup></b>	<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>
	Weekend	Weekend	Special Leave Day	Christmas Day	Boxing Day	Statutory Day	Statutory Day	Weekend	Weekend	Special Leave Day	New Year's Day	Normal Work Day	Normal Work Day

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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.

**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.

<b>Date / Name</b>	<b>Summary of equality analysis</b>
1 February 2014  Assistant Director – CSS (HR)	<p>The Council has closed the Civic Offices over the Christmas/New Year since 2002.</p> <p>Staff and members have been consulted at various times during since 2002, with both parties agreeing to continue the arrangements up to this point.</p> <p>During February 2013 staff were consulted on the arrangements via the Employee Survey. 58% of staff responded to the Survey.</p> <p>The following is a breakdown of Survey respondents who wished the arrangements to continue;</p> <ul style="list-style-type: none"> <li>91% of male respondents</li> <li>96% of female respondents</li> <li>94.5% of Christian respondents</li> <li>100% of Hindu respondents</li> <li>100% of Jewish respondents</li> <li>80% of Muslim respondents</li> <li>95% of atheists</li> <li>100% of Sikh respondents</li> </ul> <p>This shows that the benefit is uniformly supported by staff regardless of gender or</p>

	<p>race.</p> <p>Overall, 94% of respondents wished to see the arrangements to continue.</p> <p>Over the last 10 years, sickness absence in the UK is on average 27% higher during October to March than in April to September. (Office of National Statistics). At the Council over recent years there is only a 13% difference. It should be noted that there is approximately a 30% reduction of new sickness absence cases in Q4 compared to Q3. Many cases in Q4 are due to long term absence first recorded in Q3.</p> <p>The Council is not closed during this period and a number of services are providing a normal service in particular, the Careline service. Scheme Managers also make visits over this period. In addition, the Waste Management Officers provide a regular service on the non Bank Holidays.</p> <p>Calls to the main switchboard number will continue to be answered, in 2014 by Mears. The majority of calls are for housing repairs and arrangements are in place for call out for Council staff and contractors.</p>
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## **Report to the Cabinet**

**Report reference:** C-084-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Planning

**Subject:** Chigwell Neighbourhood Area Consultation

**Responsible Officer:** Chris Butcher (01992 564294).

**Democratic Services:** Gary Woodhall (01992 564470).

---

### **Recommendations/Decisions Required:**

- (1) To designate the neighbourhood area covering Chigwell Parish following the receipt of representations; and**
- (2) To agree that all responsibilities between designating the neighbourhood area and bringing the neighbourhood plan into force, in this and any subsequent neighbourhood plans, be delegated to the Director of Neighbourhoods.**

### **Executive Summary:**

Neighbourhood Development Plans (NDPs) were introduced as part of the Localism Act 2011. They enable local communities (town/parish councils or designated neighbourhood forums) to shape the way that their local area develops over the coming years. Once approved, NDPs form part of the statutory development plan, and are therefore a material consideration when deciding on planning applications.

### **Reasons for Proposed Decision:**

The decision on the neighbourhood area has been recommended in order that the Council meets its duties under the relevant regulations. The recommendation on delegation to officers makes explicit the delegated element of the governance arrangements agreed by Cabinet on 29 July 2013.

### **Other Options for Action:**

To not designate the proposed neighbourhood area, or to designate a different area. Neither action is recommended as there is nothing to support either approach. To decline to delegate elements of the responsibility for neighbourhood plans to officers. This is not recommended as it would go against the governance arrangements approved by Cabinet in July 2013 and would lead to delays in progressing neighbourhood plans.

### **Report:**

1. The Government introduced Neighbourhood Planning as part of the Localism Act 2011 in order to enable town/parish councils and Neighbourhood Forums to actively participate in plan making. A Neighbourhood Development Plan (NDP), once it has passed a referendum, forms part of the statutory development plan and is therefore taken into account

in the determination of planning applications. They can include housing and employment land allocations, policies and design statements and can be as simple or as complicated as the town/parish council choose. Crucially, the NDP must be in conformity with national planning policy as well as the District Council Local Plan.

2. The District Council has a statutory obligation to perform certain duties during the preparation of an NDP. The governance arrangements for neighbourhood planning were agreed by Cabinet on 29<sup>th</sup> July 2013.

3. Chigwell Parish Council submitted an application for the designation of a neighbourhood area in November 2013. The proposed neighbourhood area, which can be found in Appendix 1, follows the line of the Parish boundary. Following receipt of the application, and in line with Regulation 6 of the Neighbourhood Planning (General) Regulations 2012, the Council invited representations on the proposed neighbourhood area for a period of 8 weeks from 16<sup>th</sup> December 2013 to 10<sup>th</sup> February 2014.

4. Two representations were received during this period. The first, submitted by Loughton Town Council, related to concerns about reducing the area of open space between Chigwell and Loughton and were not relevant to the proposed neighbourhood area itself. It should therefore not have a bearing on the Cabinet's decision to designate the neighbourhood area. The second representation, submitted by Barton Willmore on behalf of Higgins Homes, supported the identification of the neighbourhood area. Both representations can be found in Appendix 2.

5. Following designation of the neighbourhood area, the Parish Council can progress with the preparation of the NDP. A draft Plan must be submitted to the District Council. Representations will be invited on the plan for a period of at least 6 weeks, after which an independent examination will be held. Finally, the Plan will be subject to a referendum before Full Council is asked to bring it into force. At this point the NDP will become part of the statutory development plan for Epping Forest District.

6. This is the second such application that the Council has received. A neighbourhood area covering the Parish of Moreton, Bobbingworth and the Lavers was designated by Cabinet on 29 July 2013.

#### **Resource Implications:**

Currently neighbourhood planning is being delivered within existing resources. The Government has a dedicated funding resource for the development of NDP's, and as such, the Council will receive £5,000 for designating a neighbourhood area. Further payments will be received as the NDP is progressed up to a maximum total of £30,000.

#### **Legal and Governance Implications:**

The legal and governance arrangements were agreed by Cabinet on 29 July 2013.

#### **Safer, Cleaner and Greener Implications:**

N/A.

#### **Consultation Undertaken:**

Whilst not a consultation, representations were invited with regard to the designation of a neighbourhood area covering Chigwell Parish for an 8 week period between 16 December 2013 and 10 February 2014.

**Background Papers:**

Chigwell Parish Council submission for Neighbourhood Area designation.

**Impact Assessments:**Risk Management

It will need to be ensured that Council resources do not extend beyond the level of assistance agreed with the governance arrangements as approved at Cabinet in July 2013.

Appendix to follow – map of neighbourhood area (i.e. the whole parish)



Chris Butcher →

J Willet.  
J Preston

**Chigwell**  
PARISH COUNCIL

CHIEF EXECUTIVE  
18 NOV 2013



Hainault Road • Chigwell • Essex • IG7 6QZ

Tel: 020 8501 4275 Fax: 020 8501 2045  
e-mail: kay.canning@chigwellparishcouncil.gov.uk

*Clerk to the Council*  
Kay Canning

*Our Ref: NEIGHBOURHOOD PLAN*

14<sup>th</sup> November 2013

Mr. Glen Chip  
Epping Forest District Council  
Civic Offices  
323 High Street  
Epping  
Essex  
CM16 4BZ

Dear Sir,

**CHIGWELL PARISH COUNCIL NEIGHBOURHOOD PLAN**

Section 5 (1) of the Neighbourhood Planning Regulations 2012 require that the Parish Council must submit an application for designation of a neighbourhood area to Epping Forest District Council as the planning authority. This letter is Chigwell Parish Council's application. The following information is required:

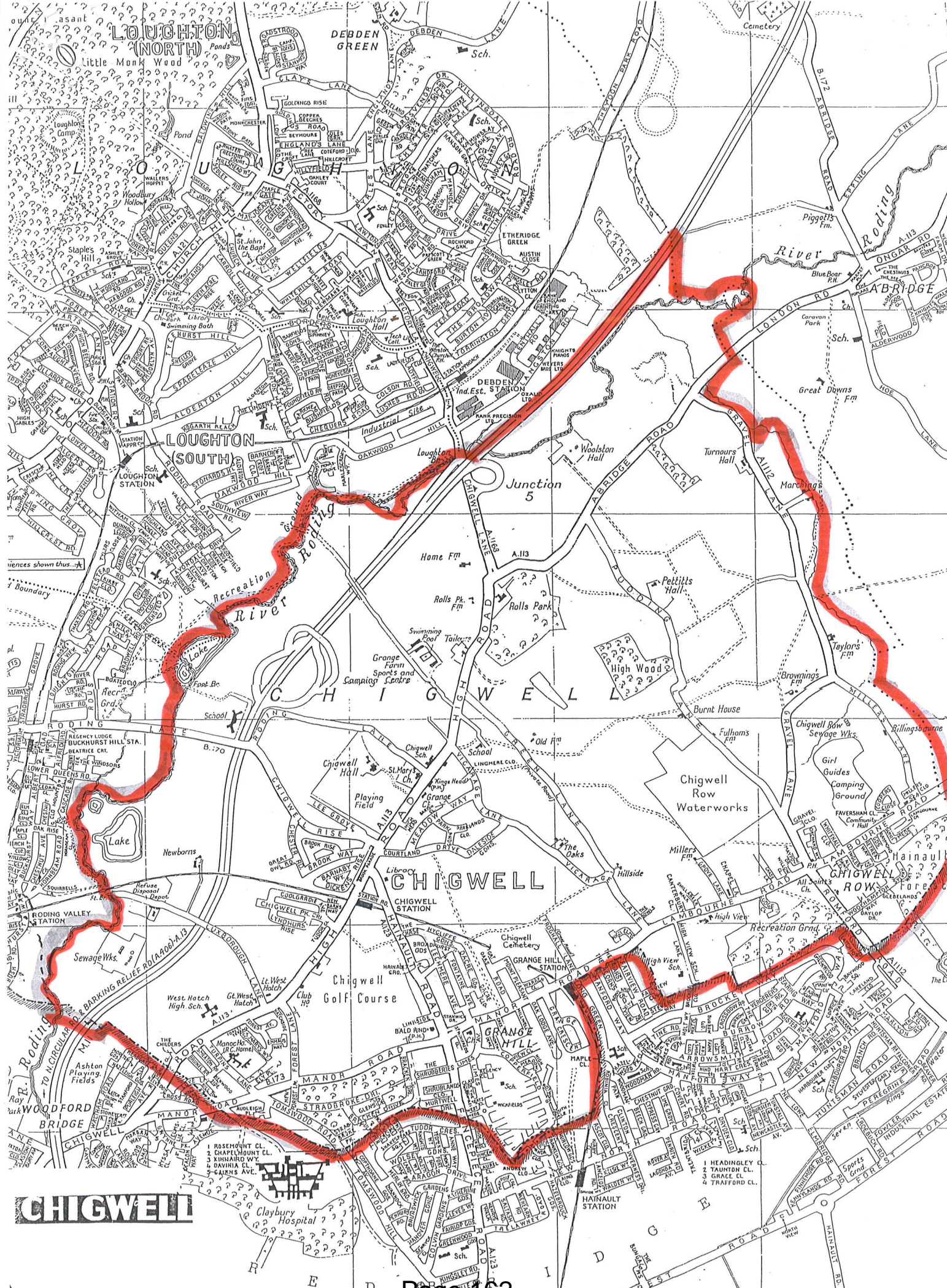
- a) Please find enclosed a map. The parish boundary identifies the area to which the application relates.
- b) This area is considered appropriate to be designated as a neighbourhood area as it is the area administered by Chigwell Parish Council.
- c) The organisation making this application is a relevant body as it is a Parish Council (as defined in section 61G of the Town & Country Planning Act 1990).

Yours sincerely,

Mrs K. A. Canning  
Cert H.E MILCM  
Clerk to the Council

EPPING FOREST DISTRICT COUNCIL  
18 NOV 2013  
PLANNING SERVICES

Chigwell, my dear fellow, is the greatest place in the world. *Charles Dickens (1812 – 1870)*



# CHIGWELL

- 1 ROSEMOUNT CL.
- 2 CHAPEL MOUNT CL.
- 3 KINNAIRD WY.
- 4 DAVINIA CL.
- 5 CAIRNS AVE.

- 1 HEADINGLEY CL.
- 2 TAUNTON CL.
- 3 GRACE CL.
- 4 TRAFFORD CL.

Our Ref: P.2.1/VRM  
Your Ref: FP/CB/CHG



**LOUGHTON**  
TOWN COUNCIL

1 Buckingham Court, Rectory Lane  
Loughton, Essex IG10 2QZ  
Telephone: 020 8508 4200  
Facsimile: 020 8508 4400  
e-mail: [contact@loughton-tc.gov.uk](mailto:contact@loughton-tc.gov.uk)  
Web site: [www.loughton-tc.gov.uk](http://www.loughton-tc.gov.uk)

Town Clerk: Enid K Walsh

e-mail: [contact@loughton-tc.gov.uk](mailto:contact@loughton-tc.gov.uk)  
 extn 207

Forward Planning  
Directorate of Planning & Economic Development  
Epping Forest District Council  
Civic Offices  
Epping CM16 4BZ  
(Emailed to: [ldfconsult@eppingforestdc.gov.uk](mailto:ldfconsult@eppingforestdc.gov.uk))

9 January 2014

Dear Forward Planning

**Re: Chigwell Parish Council application for the designation of a Neighbourhood Plan Area**

The Planning and Licensing Committee considered this application at its meeting on 6 January 2014.

Members would be concerned if development was diverted into Loughton from the proposed application. The Committee stressed it is of great importance that there is continued maintenance of the open spaces between Chigwell and Loughton as these include green belt and wildlife areas, and cover a Site of Special Scientific Interest (SSSI).

I would be grateful if you can inform the Town Council of your decision on the designation of this neighbourhood area.

Yours sincerely

*Vivienne Messenger*

Vivienne Messenger  
Planning Committee Clerk

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Beansheaf Farmhouse  
Bourne Close  
Calcot  
Reading  
RG31 7BW  
T/ 0118 943 0000

Forward Planning,  
Epping Forest District Council,  
Civic Offices,  
High Street,  
Epping,  
ESSEX. CM16 4BZ

20575/A3/MO/NS/ef

**BY EMAIL & POST: [ldfconsult@eppingforestdc.gov.uk](mailto:ldfconsult@eppingforestdc.gov.uk)**

10th February, 2014

Dear Sir/Madam,

**CHIGWELL NEIGHBOURHOOD PLAN AREA CONSULTATION - RESPONSE ON BEHALF OF HIGGINS HOMES**

On behalf of our clients Higgins Homes, we write in response to the consultation of the Chigwell Neighbourhood Plan Area which has been put forward by Chigwell Parish Council.

Higgins Homes has development interests in and around Luxborough Lane / Chigwell Park Drive which it is seeking to promote for residential development during the Plan period. In the recent past Higgins Homes has submitted information about possible development opportunities in this location to Epping Forest District Council as the local planning authority (LPA) looks to prepare its Strategic Housing Land Availability Assessment (SHLAA) and Local Plan.

Page 164 Looking ahead to the production of the Neighbourhood Plan, and its first formal consultation stage, Higgins Homes would be very pleased to discuss the various development opportunities which could be delivered in the Luxborough Lane / Chigwell Park Drive area with the Neighbourhood Plan makers and LPA. It is hoped that land in this location could be allocated for small to medium size housing allocations.

With regard to the current consultation exercise, Higgins Homes supports the identification of the proposed Chigwell Neighbourhood Plan Area and looks forward to receiving future invitations by the Neighbourhood Plan makers to become involved in the plan making process.

Yours faithfully,



**NEVILLE SURTEES**  
Associate

cc. S. Hancocks - Higgins Homes  
J. Leedham - Higgins Homes



FS 29637

Registered in England  
Number: 0C342692

Barton Willmore LLP  
Registered Office:  
Beansheaf Farmhouse  
Bourne Close  
Calcot  
Reading RG31 7BW  
F/ +44 (0)118 943 0001

# Due Regard Record



Name of policy or activity: To agree the designation of a neighbourhood area for the Parish of Chigwell.

**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
Chris Butcher 2/2/14	<ul style="list-style-type: none"><li>• The Cabinet report is seeking the designation of a neighbourhood area covering the Parish of Chigwell.</li><li>• Once commenced, the Neighbourhood Plan may have various equality implications for a number of different groups, both in terms of the level of engagement that is undertaken during its preparation and the impact that any policies may have on different sections of the local community. However it is the duty of the Parish Council to consider such issues during the preparation of the neighbourhood plan, and as such, the neighbourhood plan should be subject to equality analysis separately.</li><li>• The designated neighbourhood area will cover the Parish of Chigwell in its entirety. This is considered to be an appropriate boundary and will ensure that the Neighbourhood Plan is inclusive of all parts of the local community who may be impacted by the proposals promoted within it.</li></ul>

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## **Report to the Cabinet**

**Report reference:** C-086-2013/14

**Date of meeting:** 3 March 2014



**Epping Forest  
District Council**

**Portfolio:** Finance and Technology

**Subject:** Discretionary Retail Rate Relief Policy

**Responsible Officer:** Rob Pavey (01992 564211).

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

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### **Recommendations/Decisions Required:**

**(1) To amend the existing Discretionary Rate Relief Policy to include a Retail Rate Relief Policy as set out in Appendix 1 of this report.**

### **Executive Summary:**

The Council has a well-established and effective Discretionary Rate Relief Policy covering relief for non-profit organisations such as sports clubs and certain charities including St Claire's Hospice and local cubs and scouts organisations. However, the Government announced in the Autumn Statement on 5 December 2013 that it will provide a relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments. The relief will be granted in each of the years 2014-15 and 2015-16 only and the Government will fully fund the cost of the relief. The Council has recently received guidance from the DCLG with regards to this relief and each local authority is to set up a local scheme and award a discretionary relief under section 69 of the Localism Act 2011. Therefore it is necessary to amend the existing policy and the local scheme as laid out in Appendix 1 draws upon the guidance received by Government.

### **Reasons for Proposed Decision:**

In order to grant Retail Rate Relief the Council must adopt a local scheme, and in accordance with the discretionary rate relief powers contained within section 47 of the Local Government Finance Act 1988 (as amended) decide in each individual case when relief should be granted.

### **Other Options for Action:**

A scheme is laid out in Appendix 1 and Members can vary the terms of that scheme, although this is not recommended as there is a limit on the relief that the Government will fund.

### **Report:**

1. As part of the Government's commitment to support town centres and high streets the Chancellor announced in his Autumn Statement of 2013, a new retail discount is being introduced from 1 April 2014. A £1,000 discount on business rates for small retail premises

with rateable values of £50,000 or less will take effect for 2 years from 1 April 2014. Advice from Government is that all retailers that meet the qualifying criteria will receive the relief.

2 Government will fully reimburse local authorities for their share of the lost business rates income arising from the awarding of the relief granted under this scheme. It is anticipated that around 800 businesses will benefit from this relief totalling £750,000.

3. In granting the relief the Council must consider State Aid implications. State Aid is the means by which the EU regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to state aid. Retail relief will be compliant where it is awarded within De Minimis rules. To administer De Minimis it is necessary for each local authority to establish that the award of aid will not result in the business having received more than 200,000 euros of State Aid in a three year period (consisting of the current and preceding two years).

4. Businesses will be contacted and invited to apply for the relief by completing an application form which will include a declaration regarding State Aid. Administering the return of application forms and awarding relief will be an additional administrative burden that will need to be absorbed within existing resources. The local scheme is laid out in Appendix 1 and incorporates the Government guidance issued regarding this relief.

#### **Resource Implications:**

The cost of this relief is anticipated to be around £750,000 and will be fully reimbursed by Central Government.

#### **Legal and Governance Implications:**

The Council has responsibilities under Section 47 of the Local Government Finance Act 1988 to consider applications for Discretionary Rate Relief. Failure to have a policy in place to deal with cases on an individual basis or a scheme for retail relief could leave the Council open to a charge of maladministration. The existing policy has proved effective but now needs to be updated for the introduction of Retail Relief.

#### **Safer, Cleaner and Greener Implications:**

None.

#### **Consultation Undertaken:**

None.

#### **Background Papers:**

Local Government Finance Act 1988  
Localism Act 2011  
Current Discretionary Rate Relief Policy  
Business Rates Retail Relief Guidance – issued by the DCLG

#### **Impact Assessments:**

##### Risk Management

The scheme could assist in offsetting the risks of non-collection from the businesses in receipt of the relief. There is a risk that relief could be incorrectly granted in terms of State Aid and the Government's recommended Declaration will be used on application forms for ratepayers to complete.





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## RETAIL RATE RELIEF POLICY

### 1 BACKGROUND

- 1.1 The retail sector is changing, particularly due to internet shopping, and many high streets are experiencing challenges as they look to adapt to changing consumer preferences in how people shop. The Government wishes to support town centres and high streets in their response by providing particular support to retailers
- 1.2 The Government announced in the Autumn Statement on 5 December 2013 that it will provide a relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less in each of the years 2014-15 and 2015-16 only.

### 2 INTRODUCTION

- 2.1 Section 69 of the Localism Act 2011 amends Section 47 of the Local Government Finance Act 1988. The changes came into effect from 1<sup>st</sup> April 2012 and they extend the provision relating to the granting of discretionary rate relief.
- 2.2 The Local Government Finance Act 1988 gives Local Authorities the power to grant discretionary retail rate relief to properties that are occupied hereditaments with a rateable value of £50,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.

### 3 AVAILABLE RELIEF

- 3.1 The total amount of relief available for each property for each of the years under this policy is £1,000. The amount does not vary with rateable value and there is no taper.
- 3.2 There is no relief available under this policy for properties with a rateable value of more than £50,000
- 3.3 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis.
- 3.4 The relief will be applied against the net business rates bill after all other reliefs have been taken into account.
- 3.5 Where the net rate liability for the day after all other reliefs but before retail rate relief is less than the retail rate relief, the maximum amount of retail rate relief will be no more than the value of the net rate liability.
- 3.6 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de-minimis limits.

### 4 AWARDING RELIEF

- 4.1 Properties that will benefit from the retail rate relief will be occupied hereditaments with a rateable value of £50,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.

4.2 We consider shops, restaurants, cafes and drinking establishments to mean:

(i) Hereditaments that are being used for the sale of goods to visiting members of the public:

- Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off-licence, chemists, newsagents, hardware stores, supermarkets, etc.)
- Charity shops
- Opticians
- Post offices
- Furnishing shops/display rooms (such as carpet shops, double glazing, garage doors, etc.)
- Car/caravan show rooms
- Second hand car lots
- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

(ii) Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as hair dressers, nail bars, beauty salons, tanning shops, etc.)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

(iii) Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

4.3 The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide as to the types of uses that the Council considers to be retail for the purpose of this policy.

- 4.4 On receipt of a completed application form, the Council will determine whether particular properties not listed are broadly similar in nature to those above and, if so, consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above will not be eligible for relief.
- 4.5 As a guide, the list below sets out the types of uses that the Council does not consider to be retail for the purpose of this policy:
- (i) Hereditaments that are being used for the provision of the following services to visiting members of the public:
- Financial services (such as banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers, etc.)
  - Other services (such as estate agents, letting agents, employment agencies, etc.)
  - Medical services (such as vets, dentists, doctors, osteopaths, chiropractors, etc.)
  - Professional services (such as solicitors, accountants, insurance agents, financial advisors, tutors, etc.)
  - Post office sorting office
- (ii) Hereditaments that are not reasonably accessible to visiting members of the public. This is not defined within the Government guidance. However, for the purpose of this scheme, this would include properties which do not have a customer facing 'front of house'. The expectation is that, in the normal course of events, members of the public would ordinarily attend the property in person. Examples where relief would not be granted would include skip hire, scaffolding services, distribution premises etc where attendance in person does not normally occur.
- 4.6 The retail relief may not be granted, in common with other discretionary reliefs, on properties occupied by billing authorities, precepting authorities or a functional body, within the meaning of the Greater London Authority Act 1999. These properties are collectively referred to as Excepted Hereditaments.

## **5 ADMINISTRATION OF APPLICATIONS FOR RELIEF**

- 5.1 A completed application form is required together with any evidence deemed necessary by the Council to assist in making a decision.
- 5.2 Applications for relief in respect of any financial year must be received no later than six months after the end of that financial year in common with rules governing other Section 47 discretionary reliefs.
- 5.2 Authority to consider and make decisions on discretionary retail rate relief applications can be made by officers providing they meet the criteria contained within this policy.

- 5.3 Decisions regarding applications for discretionary retail rate relief will be notified to the ratepayer in writing as soon as reasonably practicable. Unsuccessful applicants will be given reasons for any refusal to award relief.

## **6 DURATION OF AWARDS**

- 6.1 The award of discretionary retail rate relief will be made for a fixed period ending on 31<sup>st</sup> March 2016. The only exceptions are where the business rates liability of a retail business ends before this date, the rateable value of the premises increases above £50,000 or the premises cease to be wholly or mainly used for retail purposes.

## **7 RIGHT OF APPEAL**

- 7.1 There is no statutory right of appeal against a decision made by the Council in respect of discretionary retail rate relief. However, the Council will review the decision if the ratepayer is dissatisfied with the outcome. This review will be carried out independently by the Director of Resources.
- 7.2 If an unsuccessful applicant decides to request a review, they will still need to continue to pay their rates bill. Once the review has been conducted, the ratepayer will be informed in writing whether the original decision has been revised or upheld.
- 7.3 The right of appeal process does not affect a ratepayer's legal right to challenge the decision by way of a judicial review.

# Due Regard Record

Name of policy or activity: Discretionary Rate Relief Policy

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<b>Date / Name</b>	<b>Summary of equality analysis</b>
14/2/14  Rob Pavey	<p>The aim of the policy is to support high streets and town centres and consequently local communities.</p> <p>The relief will be applied to all qualifying properties. It is important that the policy clearly shows the criteria on which a business could be eligible so that all potential applicants are aware of why their application has been accepted or refused.</p>

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