



CABINET
Thursday, 8th October, 2015

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

Council Chamber, Civic Offices, High Street, Epping
on Thursday, 8th October, 2015
at 7.00 pm .

Glen Chipp
Chief Executive

Democratic Services
Officer

Gary Woodhall
The Directorate of Governance
Tel: 01992 564470
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Members:

Councillors C Whitbread (Leader of the Council) (Chairman), S Stavrou (Deputy Leader and Finance Portfolio Holder) (Vice-Chairman), R Bassett, W Breare-Hall, A Grigg, D Stallan, G Waller, H Kane, A Lion and J Philip

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

(Director of Governance) To be announced at the meeting.

3. DECLARATIONS OF INTEREST

(Director of Governance) 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 September 2015 (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. ECONOMIC EVIDENCE FOR THE NEW LOCAL PLAN (Pages 5 - 14)

(Planning Policy Portfolio Holder) To consider the attached report (C-034-2015/16).

9. STRATEGIC HOUSING MARKET ASSESSMENT (Pages 15 - 26)

(Planning Policy Portfolio Holder) To consider the attached report (C-033-2015/16).

10. DEED OF VARIATION TO THE AGREEMENT WITH NORTH ESSEX PARKING PARTNERSHIP (Pages 27 - 30)

(Safer, Greener & Transport Portfolio Holder) To consider the attached report (C-028-2015/16).

11. CREATION OF NEW POST - WATER AND POLLUTION CONTROL OFFICER (Pages 31 - 36)

(Environment Portfolio Holder) To consider the attached report (C-029-2015/16).

12. KEY OBJECTIVES 2015/16 - QUARTER 1 PROGRESS (Pages 37 - 54)

(Leader of Council) To consider the attached report (C-030-2015/16).

13. CORPORATE PLAN KEY ACTION PLAN 2016/17 (Pages 55 - 66)

(Leader of Council) To consider the attached report (C-031-2015/16).

14. ICT CAPITAL REQUIREMENTS 2015 (Pages 67 - 76)

(Technology & Support Services Portfolio Holder) To consider the attached report (C-032-2015/16).

15. LEISURE MANAGEMENT CONTRACT - BUSINESS CASE AND PROCUREMENT STRATEGY (Pages 77 - 96)

(Leisure & Community Services Portfolio Holder) To consider the attached report (C-036-2015/16).

16. EPPING UPLAND NEIGHBOURHOOD AREA (Pages 97 - 110)

(Planning Policy Portfolio Holder) To consider the attached report (C-035-2015/16).

17. EPPING FOREST SHOPPING PARK - PROGRESS REPORT (Pages 111 - 114)

(Asset Management & Economic Development Portfolio Holder) To consider the attached report (C-037-2015/16).

18. 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.

19. EXCLUSION OF PUBLIC AND PRESS

Exclusion

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

Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

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

Confidential Items Commencement

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

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

Background Papers

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

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

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

Report to the Cabinet

Report reference: C-034-2015/16
Date of meeting: 8 October 2015



Portfolio: Planning Policy

Subject: Economic Evidence for the new Local Plan

Responsible Officer: Sarah King (01992 564347).

Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To note the findings of the ‘Economic Evidence report for West Essex and East Herts’ report (referred to as the Joint Economic Report) and that it be added into the Local Plan Evidence Base; and**
- (2) To note the findings of the ‘Economic and Employment Evidence to Support the Local Plan and Economic Development Strategy’ report (referred to as the Detailed EFDC Economic Report) and that it be added into the Local Plan Evidence Base.**

Executive Summary:

The Council’s existing Employment Land Review was completed in 2010 and requires revision. Two reports have been prepared, by the same consultants, to provide up to date robust economic needs evidence for the Local Plan. These are:

1. the ‘Economic Evidence report for West Essex and East Herts’ (hereafter referred to as the ‘**Joint Economic Report**’) – this was commissioned jointly by EFDC and East Herts, Harlow and Uttlesford Councils. There has been a strong emphasis by Inspectors at Examination in Public stage for some time now that jobs and housing requirements should be aligned, so this study was commissioned on the same basis as the Strategic Housing Market Assessment, to cover the four authorities and to inform all four Local Plans across the ‘Functional Economic Market Area’; and
2. the ‘Economic and Employment Evidence to Support the Local Plan and Economic Development Strategy’ (hereafter referred to as the ‘**Detailed EFDC Economic Report**’) – this was commissioned by and for EFDC alone and provides a detailed analysis of the assessed economic need, in terms of employment floorspace and type to be provided through the EFDC Local Plan. This document is necessary as the Joint Economic Report is at a high level, and expresses the Objectively Assessed Economic Need as a range of jobs growth per year, whereas the Council also needs to know the floorspace breakdown of what this need might be in order to inform the new Local Plan.

Both documents have been prepared in accordance with the Government’s National Planning Policy Framework and the Planning Practice Guidance. They provide an objective assessment of economic need over the Local Plan period 2011-2033; whilst in themselves the report findings they do not necessarily represent the employment/jobs target, they are an important step towards establishing this for the District. It is therefore proposed that the two new economic evidence reports be added to the Local Plan Evidence Base, so that they can be used, and balanced along

with all the other evidence, to help determine the eventual future employment/jobs target for the district through the Local Plan process.

Reasons for Proposed Decision:

To ensure that the Evidence Base for the new Local Plan includes robust up to date economic needs assessments, conforming to national planning policy and guidance, and demonstrating cross border co-operation. This is necessary in order to ensure the preparation of a Local Plan which will be found 'sound' at Examination in Public.

Other Options for Action:

Not to include the Joint Economic Report and the Detailed EFDC Economic Report into the Local Plan Evidence Base. However, this would jeopardise the Local Plan timetable, and seriously risk the new Local Plan being found unsound at Examination in Public stage, as it would not be based upon up to date economic needs assessments.

Also, as the Joint Economic Report has been commissioned jointly with the three other authorities in the Functional Economic Market Area (East Herts, Harlow and Uttlesford Councils), even if it were not included in the evidence base by this Council it is extremely likely to appear in the other authorities' Evidence Bases, and so will be in the public domain and therefore used within our Functional Economic Market Area.

Report:

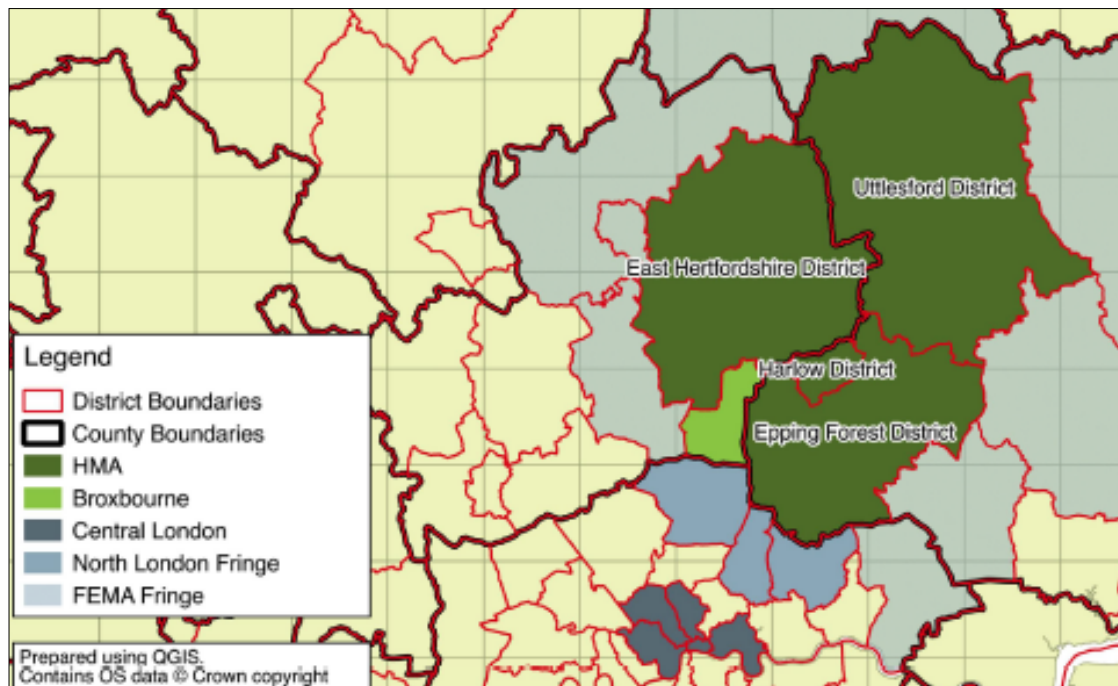
Background

1. The National Planning Policy Framework (NPPF, 2012) and the Planning Practice Guidance (PPG, 2014-15) require local planning authorities to objectively assess economic needs in their areas, and to plan to provide for them through their Local Plan. The existing Employment Land Review within the Council's Local Plan Evidence Base was published in 2010 and so is significantly out of date.

2. Central Government requires local planning authorities to assess their economic need '*....working with the other local authorities in the relevant housing market area or functional economic market area in line with the duty to cooperate*' (PPG, para. ID: 2a-007). A Functional Economic Market Area (FEMA) is the equivalent of a Housing Market Area for economic patterns instead of housing patterns. Like Housing Market Areas, Functional Economic Market Areas rarely conform to administrative boundaries, so they have to be defined carefully. FEMA's are defined using a range of data, including the flow of goods, services and information within the local economy, travel to work patterns, and transport networks.

3. EFDC has worked with the other three local authorities within its FEMA (East Herts, Harlow and Uttlesford Councils), as analysis for the data indicates that the FEMA is comparable to the Housing Market Area. The only difference is that analysis indicates that Broxbourne BC could also be considered part of the FEMA – however whether or not this is included makes little difference to the results, as the data shows the strongest economic relationships are between EFDC, East Herts, Harlow and Uttlesford Council areas. National policy and guidance acknowledges that a FEMA is unlikely to perfectly fit administrative boundaries, but that a 'best fit' should be identified that enables local authorities to plan reasonably for economic needs. The FEMA is shown in Figure 1. Along with links to Broxbourne BC, it also highlights links from the FEMA to adjacent local authorities and to inner and outer London Boroughs, as would be expected for an area with such high out commuting to London.

Figure 1 – The Functional Economic Market Area



4. The Joint Economic Report covering EFDC and the three other local authorities named above, has been prepared by Hardisty Jones Associates (consultants). It sits alongside the Strategic Housing Market Assessment (also being presented to this Cabinet meeting) which analyses the same four local authorities, demonstrating compliance with the Duty to Co-operate and the technical advice that local authorities ‘...*integrate demographic projections and economic forecasting...*’ (Objectively Assessed Need and Housing Targets: Technical advice note, Planning Advisory Service, July 2015).

5. The Joint Economic Report gives a recommended Objectively Assessed Economic Need (OAEN) range for each local authority including EFDC, expressed as a range of jobs growth per year over the plan period up until 2033. This then requires further analysis at district level, including assessment of the local economy, the strength of particular sectors and the likely breakdown of employment floorspace needed to deliver the OAEN on the ground in our district. This is achieved through the second report, the Detailed EFDC Economic Report. The same consultants have produced this report, so providing consistency of approach.

Objectively Assessing Economic Need within a Functional Economic Market Area (FEMA)

6. The NPPF and the PPG give stringent requirements for objectively assessing economic needs. The Planning Advisory Service (PAS) ‘Objectively Assessed Need and Housing Targets - Technical advice note, 2nd edition, 2015’ also gives detailed advice on preparing an economic assessment at FEMA level which is robust. Together these require that economic assessments should:

- (a) be objective, and assess supply and demand (PPG, para. ID: 2a-001/031);
- (b) assess employment and main town centre uses (i.e. not just ‘traditional’ employment such as the ‘B’ use class classifications of business, industry and storage/distribution) (PPG, para. ID: 2a-030); and
- (c) consider forecasts of economic need in terms of the scale of need and the

breakdown by economic sector and by floorspace over the Plan period (PPG, para. ID: 2a-032 / NPPF para. 161).

7. Both the Joint Economic Report and the Detailed EFDC Economic Report have been prepared in accordance with the National Planning Policy Framework, and the Planning Practice Guidance.

Headline Results from the Joint Economic Report

8. The Joint Economic Report gives following headline results (Figure 2) for Objectively Assessed Economic Need (OAEN, in net additional jobs per year) for the Functional Economic Market Area as a whole, and for each local authority, over the Local Plan period 2011-2033. These results have been reached by a careful analysis of historic job growth and projections of future jobs growth in the local area.

9. Figure 2 quantifies EFDC’s OAEN over the Local Plan period as being a range between 400 and 455 net additional jobs per year. Figure 2 shows the job projections by the location of the job, not necessarily the residence of the worker. Analysis of where workers are likely to live is another matter, and is assessed through the new Strategic Housing Market Assessment through travel to work patterns.

Figure 2 – headline results from the Joint Economic Report

Jobs growth (per year) over period 2011-2033	a) Projection based on historic share of total jobs	b) Projection based on likely future share of total jobs	Target range for job growth (per year)	<i>From Local Plan emerging evidence bases (for comparison only)</i>
East Herts DC	505	435	435 - 505	510
Epping Forest DC	400	455	400 - 455	410
Harlow DC	325	335	325 - 335	400 - 600
Uttlesford DC	665	675	665 - 675	460
Total	1,895	1,895	1,895 (same total for each projection)	1,780 - 1,980

NB – totals may not sum due to rounding

10. Figure 2 expresses projected jobs growth as a range per year for the Local Plan period. This is because the Joint Economic Report analysed the projected jobs growth across the FEMA (the 4 authorities) then modelled apportioning the ‘share’ of jobs in two different ways:

- (a) based on the historic share of FEMA jobs that each authority had; and
- (b) based on the likely future share of FEMA jobs that each authority was likely to have (according to the projections).

The Joint Economic Report then gave the range of these two figures as the range for each authority. (The 'a' and 'b' do not signify the relative importance of one or other apportionment).

11. It is important to note that the Joint Economic Report makes allowance for the planned expansion of Stansted Airport. The airport is currently estimated to be handling about 21.95 million passengers per year. It also has planning permission to extend this to 35 million passengers per year, and is planning on more growth in future. This is a key issue with regard to employment for Uttlesford district (in which the airport is located) as the expansion of the airport not only has an effect on passenger numbers but also on employment at, and associated with, the airport. Uttlesford DC was criticised at their recent Examination in Public for not including this within their previous economic forecasts, and so it was felt essential that this be included within this study.

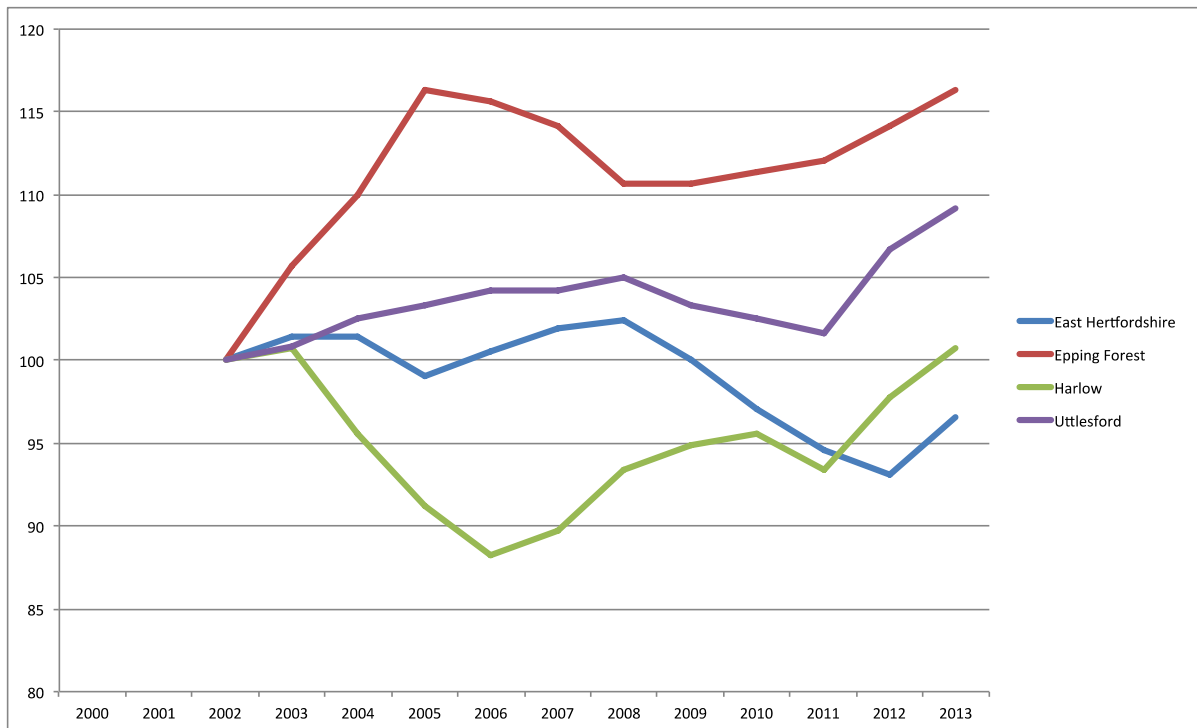
12. As can be seen from Figure 2, the result is that Uttlesford's forecast jobs growth is substantially higher than those of the other authorities. Although many of those who might take these jobs might not live within the FEMA, the jobs would be located in Uttlesford District so they need to be included in the Joint Economic Report.

13. There is also a secondary effect in that higher jobs creation in Uttlesford District effectively pulls some jobs creation away from the other districts and towards itself, (the displacement effects of drawing a larger share of the labour force to Stansted) so some jobs which might have been created in the other three districts are now projected to be created in Uttlesford District.

14. The analysis of the likely job creation relating to Stansted Airport was carefully assessed by the consultants, using the Airport's own documentation and the 'Economic Impact of Stansted Scenarios' report prepared by Oxford Economics (2013).

15. Figure 3 (which appears in the Joint Economic Report) gives some context as to the jobs growth figures in Figure 2. It shows that, from 2002 to 2013, Epping Forest District had the highest creation of jobs of the four districts, with Uttlesford District having the second largest. East Herts District actually saw an overall decline in jobs over the period, and Harlow remained almost neutral.

Figure 3 – Change in total jobs between 2002 and 2013 (Indexed at year 2002 = 100)



16. Harlow District’s jobs growth may appear lower than expected given Harlow DC’s growth aspirations, and the establishment of the Enterprise Zone within the district. This is because the Enterprise Zone is effectively a ‘policy intervention’, something outside ‘business as usual’, which would not be picked up by the projections. The Enterprise Zone is also not open yet (the London Road South site is set to open in spring 2016), and so job creation resulting from it could not yet appear in the projections.

17. Harlow DC’s growth aspirations and the establishment of the Enterprise Zone can be accounted for through the four authorities in the FEMA discussing apportionment of the eventual jobs target across the area. If Harlow DC wished to create more jobs within their area in order to help regenerate their town centre, the four FEMA authorities might, through the Duty to Co-operate, agree to a different ‘sharing out’ of the total jobs than that outlined in Figure 2.

18. East Herts District experienced an overall loss of jobs over the period 2002 to 2013, which explains why their future ‘share’ of the jobs over the FEMA is predicted to be lower than their past share. As East Herts District had proportionately less jobs in 2013 than in 2002, but the other authorities had more or roughly the same number, East Herts District’s ‘share’ of the total jobs was proportionately lower, and that pattern is forecast to continue.

19. The last column of Figure 2 ‘From Local Plan emerging evidence bases’ gives some context as to the jobs growth ranges by showing the broad figures which exist within the emerging evidence bases of the different Local Plans so far – they show that the rough total from existing emerging evidence is very similar to that suggested by the new Joint Economic Report (although the ‘shares’ are different).

20. The results from the Joint Economic Report fed into the Strategic Housing Market Assessment, in order to ensure that the economic and housing assessments are linked, as recommended by the technical advice issued by the Planning Advisory Service. (Councils such as Cheshire East and Aylesbury Vale have been heavily criticised at Examination in Public for failing to do this).

Headline Results from the Detailed EFDC Economic Report

21. The Detailed EFDC Economic Report (prepared for EFDC alone) breaks down the jobs growth forecasts for Epping Forest District, into likely requirements by Use Class, in floorspace terms, for the Local Plan period 2011-2033.

22. The need for the 'B' and 'D2' use classes is then further 'translated' into overall land requirement, as for example, the overall site area that would be needed for a business park is larger than the actual business floorspace that it would provide. However it has not been possible to convert the 'A' and 'C' uses into land requirement as it is more difficult to predict land take for these kinds of uses, as they can vary a lot.

Figure 4 – headline results from the Detailed EFDC Economic Report

Use class	Net additional Floorspace	Translated into Land requirement (B and D2 only)
A1 – Shops	-3,000 sq. m to -700 sq. m	
A2 - Financial and professional services	2,400 sq. m to 2,700 sq. m	
A3 / A4 / A5 – Restaurants & cafés / Pubs & bars / Takeaways	8,900 sq. m to 9,900 sq. m	
B1a – Offices	32,600 sq. m to 35,400 sq. m	10.2 to 13.3 hectares
B1b/B1c - Research & Development / Light Industry	5,800 sq. m to 6,300 sq. m	17.3 to 18.3 hectares
B2 - General industrial	-15,900 sq. m to -14,600 sq. m	
B8 - Storage or distribution	9,400 sq. m to 13,300 sq. m	
C1 – Hotels	50 to 190 hotel rooms	
D2 - Assembly and leisure (cinemas, indoor/outdoor sport, gyms etc.)	30,000 sq. m to 33,000 sq. m	8.3 to 9.0 hectares

NB – for the detailed version of this table please see the Detailed EFDC Economic Report, the above is a summary. The results take into account need for replacement of some existing premises, some re-use of existing sites, and some market choice.

23. It is notable from Figure 4 that need for some use classes is negative. This is because the analysis of existing provision and future need indicates that there is (or will be over the Local Plan period) a surplus of land/premises for this kind of use class in the district. It also indicates that there might be potential to re-allocate some of the existing land/premises in these use classes for development to other uses, thereby negating the need for some 'new' (greenfield) land to be allocated for some development. For example some employment sites which might have been long vacant or unsuitable because of their age might be suitable for redevelopment of another use. Of course this would have to be carefully considered within the Local Plan process, balanced along with all of the other evidence.

24. The Detailed EFDC Economic Report also notes that '....some 39% of projected employment growth does not require premises within the planning use classes because, for example, people work at or from home or in the premises of other businesses'. This is growth

which is within the Joint Economic Report jobs range, but does not appear in Figure 3 above, because it does not require premises.

Implications going forward

25. The two economic reports give, together, an assessment of Objectively Assessed Economic Need (OAEN) within Epping Forest District over the Local Plan period. However they are both 'policy off' – i.e. objective assessments of economic need, not taking into account constraints, viability, detailed apportionment etc. Those matters will be considered as part of the Local Plan process in producing the Draft Plan - Preferred Approach, taking account of all of the evidence base.

26. This Council will need to continue to discuss economic need with its FEMA partners (East Herts, Harlow and Uttlesford Councils) through consideration of what the Joint Economic Report says about OAEN across the area, and how it could potentially be accommodated within the four districts. The Council will use the established Co-operation for Sustainable Development Board as the mechanism for these initial discussions.

Resource Implications:

The Joint Economic Report and the Detailed EFDC Economic Report are accounted for in the existing Local Plan budget.

Legal and Governance Implications:

The National Planning Policy Framework requires each local authority to '*...assess the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period....*' (NPPF para. 161). Not having robust economic needs assessments within the Local Plan Evidence Base risks the new Local Plan being found 'unsound', i.e. not being accepted at Examination in Public stage by the Planning Inspectorate.

Safer, Cleaner and Greener Implications:

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

Consultation Undertaken:

Informal consultation was undertaken with senior officers from Planning Policy.

Background Papers:

Economic Evidence report for West Essex and East Herts ('Joint Economic Report'), Hardisty Jones Associates, 2015

Economic and Employment Evidence to Support the Local Plan and Economic Development Strategy ('Detailed EFDC Economic Report'), Hardisty Jones Associates, 2015, including

- Appendix 1 (Methodology)
- Appendix 2 (Evidence Base Review & Consultations)
- Appendix 3 (Demand Analysis)
- Appendix 4 (Sites & Premises)

West Essex and East Hertfordshire Strategic Housing Market Assessment, Opinion Research Services, 2015

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

Planning Practice Guidance, Department for Communities and Local Government, 2014-15 - <http://planningguidance.planningportal.gov.uk/blog/guidance/>

Objectively Assessed Need and Housing Targets - Technical advice note, 2nd edition, Planning Advisory Service 2015 - <http://www.pas.gov.uk/documents/332612/6549918/OANUpdatedadvicenote/f1bfb748-11fc-4d93-834c-a32c0d2c984d>

The SDP Economy and Surface Access report, London Stansted Airport, 2015 – <http://www.stanstedairport.com/about-us/developmentplan/>

The Economic Impact of Stansted Scenarios, Oxford Economics, 2013 - <http://lsc.co/wp-content/uploads/2013/07/OXFORD-ECONOMICS-STANSTED-FINAL-REPORT-November-2013.pdf>

Risk Management:

Not having robust economic needs assessments within the Local Plan Evidence Base risks the new Local Plan being found ‘unsound’, i.e. not being accepted at Examination in Public stage by the Planning Inspectorate. This would very likely mean that the Council would have much less control over where development took place, as in the absence of an up to date Local Plan, planning applications for economic development would be far more likely to be granted on appeal by the Planning Inspectorate. The Local Plan features in the current Corporate Risk Register (no. 1, rating A1).

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

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- The inclusion of the two economic reports into the Local Plan Evidence Base is relevant to equality analysis, as it could potentially impact on all people working and/or doing business or wishing to work and/or do business in the district.
 - Data from the 2011 Census, the CLG Household Projections 2012 (released 2015), ONS 2012 Sub-national population projections, and ONS Vital Statistics were taken into account in the equality analysis.
 - This data showed that the district, compared to the national average, has more older people, less younger people, slightly more married people, slightly less single people, slightly less people with a disability or long term illness, a slightly higher maternity rate, and a slightly higher proportion of 'White British' people. The district is very near to the national average in terms of the population split by household composition, religion or belief, and sex.
 - The assessment did not highlight any negative impacts on people with the protected characteristics, as even though the two economic reports assess the likely economic activity of people partly according to factors like age, sex and likelihood of pregnancy and maternity, this is done in order to correctly identify the needs arising from different groups, to help try to meet them, not in order to treat them in any negative way. The two economic reports seek to assess need and respond appropriately.
 - The assessment found that the inclusion of the two economic reports into the Local Plan Evidence Base could positively impact on some of the people with protected characteristics, and increase their equality of opportunity. This might be achieved through the two economic reports helping to inform decisions in the Local Plan to provide:
 - more jobs for a wide range of people, including younger and older people; and
 - newer employment premises which would be likely to be better adapted for wheelchair users than older existing premises.
 - The assessment found that the inclusion of the two economic reports into the Local Plan Evidence Base could help to foster good relations between communities, by:
 - helping to inform decisions in the Local Plan to help provide more jobs for a wide range of people, including younger and older people, that could encourage mixed, sustainable communities; and
 - providing for newer employment premises which would be likely to be better adapted for wheelchair users than older existing premises - enabling them to work more comfortably alongside non-wheelchair users.
 - The Local Plan will also be subject to its own Equality Impact Assessment.

Report to the Cabinet

Report reference: C-033-2015/16
Date of meeting: 8 October 2015



**Epping Forest
District Council**

Portfolio: Planning Policy
Subject: Strategic Housing Market Assessment
Responsible Officer: Sarah King (01992 564347).
Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) To note the findings of the updated Strategic Housing Market Assessment (SHMA) and that it be added into the Local Plan Evidence Base

Executive Summary:

The existing adopted Strategic Housing Market Assessment (SHMA) which covers EFDC (along with East Herts, Harlow and Uttlesford Districts) is out of date and requires revision. A revised, robust SHMA has been prepared by consultants, covering the same four authorities, and in compliance with requirements in the National Planning Policy Framework, the Planning Practice Guidance and technical advice from the Planning Advisory Service.

The revised SHMA presented to Cabinet provides figures for Objectively Assessed Housing Need (OAHN), for Epping Forest District, and the other three Districts named above. The figure for OAHN is of course not the housing target, but an important step towards establishing one. It is recommended that the revised SHMA be included in the Local Plan Evidence Base, so that it can be balanced along with all the other evidence, to help find the eventual future housing target for the district through the Local Plan process (Please see also the report on Economic evidence also being submitted to this Cabinet meeting).

Reasons for Proposed Decision:

To ensure that the Evidence Base for the new Local Plan includes a robust up to date SHMA, conforming to national policy and guidance, and demonstrating cross border co-operation. This is fundamental to preparing a Local Plan which can be found 'sound' at Examination in Public.

Other Options for Action:

Not to include the updated SHMA into the Local Plan Evidence Base. However, doing this would jeopardise the Local Plan timetable, and risk the new Local Plan being found unsound at Examination in Public stage. Also, as the updated SHMA is a joint study with three other authorities in the Housing Market Area (East Herts, Harlow and Uttlesford District Councils), even if it were not noted by this Council it is extremely likely to appear in the other authorities' Evidence Bases, and so will be public and in use within our Housing Market Area.

Report:

Background

1. The National Planning Policy Framework (NPPF, 2012) and the Planning Practice Guidance (PPG, 2014) require local planning authorities to prepare a Strategic Housing Market Assessment (SHMA) to assess housing need in their area. Discussions on Objectively Assessed Housing Need (OAHN) and SHMAs have been prominent at Examinations in Public in the last few years. Of the 126 Local Plans examined or submitted for Examination since the NPPF was published, approximately 37% of these ran into problems concerning housing numbers; these plans were either withdrawn, delayed, or eventually found 'sound' but only subject to an immediate or early review (analysis as at March 2015).
2. Previous SHMAs have been prepared for the defined Housing Market Area of 'West Essex/East Herts', comprising Epping Forest DC, East Herts DC, Harlow DC and Uttlesford DC. The last of these was published in 2012 and is significantly out of date.
3. Opinion Research Services have produced a new SHMA in accordance with requirements in the National Planning Policy Framework, the Planning Practice Guidance and technical guidance from the Planning Advisory Service. Opinion Research Services are consultants who produce SHMAs for many local authorities across the county, and have been successful in defending their SHMAs at Examination in Public.

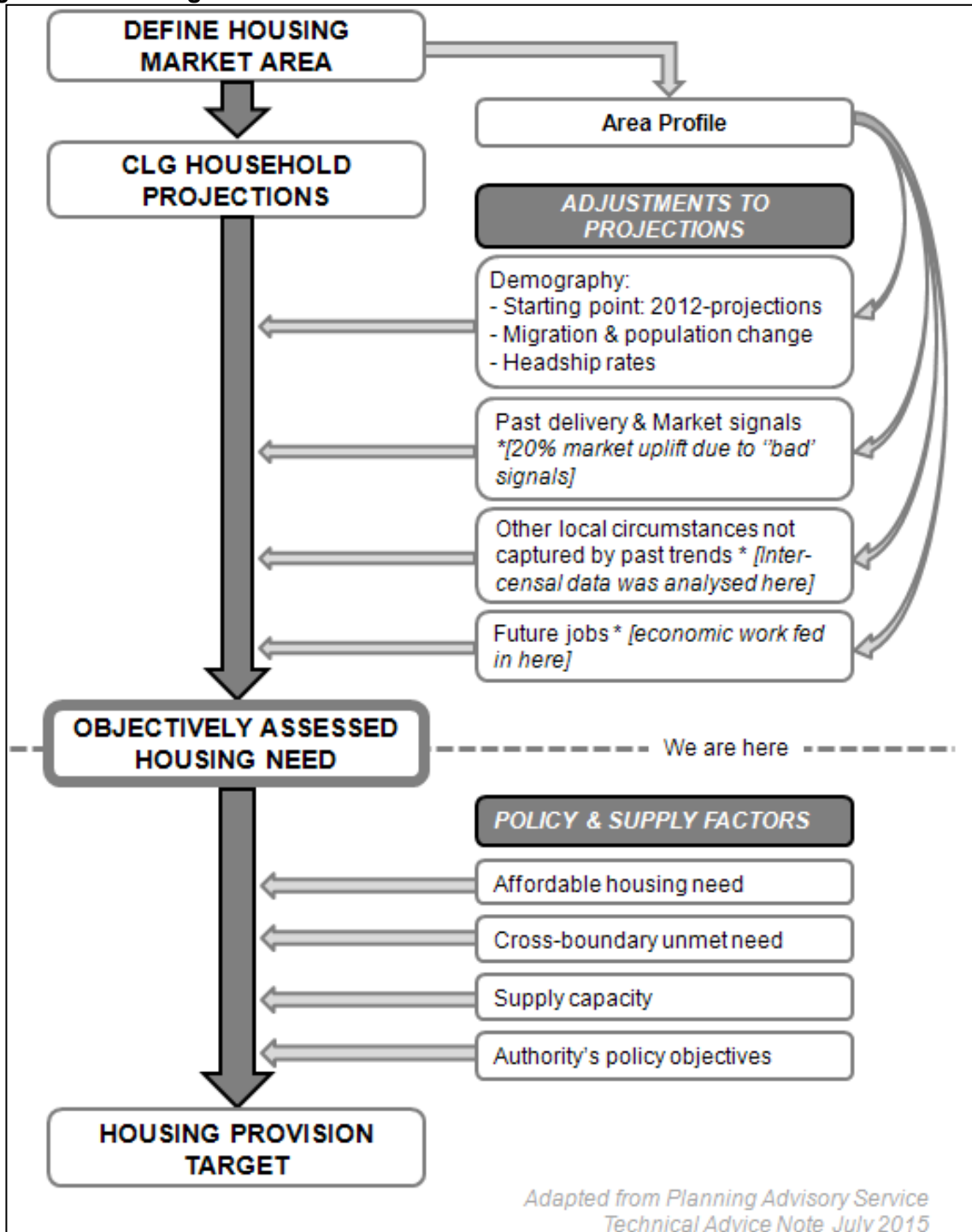
Objectively Assessing Housing Need within a SHMA

4. The NPPF and the PPG give specific requirements for a SHMA that Inspectors at recent Examinations have paid particular regard to. The Planning Advisory Service (PAS) '*Objectively Assessed Need and Housing Targets - Technical advice note, 2nd edition, 2015*' also gives detailed advice on preparing a SHMA which is robust. Together these documents set out that a SHMA should:

- assess '*full housing needs*', analysing the mix of housing and range of tenures needed over the Local Plan period. This should meet household and population projections, taking account of migration and demographic change. (NPPF, para. 159);
- treat 'housing need' as '*....the scale and mix of housing and the range of tenures that is likely to be needed in the housing market area over the plan period*'. A SHMA '*....should cater for the housing demand of the area and identify the scale of housing supply necessary to meet that demand*' (PPG, para. ID: 2a-003);
- be an objective analysis of the evidence, '*entirely about need and demand, to the exclusion of any supply-side factors such as physical constraints, policy designations and adverse impacts of development.*' (Technical advice note, PAS, July 2015); and
- analyse Market Signals, for example dwelling prices, rents, affordability, rate of development, overcrowding etc., and if these are 'bad' (meaning if they are 'worse' than England as a whole, and/or getting relatively worse over time) that the projections should be uplifted to compensate (PPG, para. ID: 2a-019/020).

5. The PAS technical advice note gives a helpful diagram of the processes involved in objectively assessing housing need (adapted below with comments in italics relevant to EFDC), and then taking this forward through further work to the next stage, identifying the housing provision target. The revised SHMA only deals with the first half of the diagram – up to identification of Objectively Assessed Housing Need - the position marked by the dotted line on Figure 1 below.

Figure 1 - PAS diagram



Defining the Housing Market Area

6. Government policy requires that a SHMA should assess housing need in an effective Housing Market Area (HMA). An HMA is ‘...a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work.’ (PPG, para. ID: 2a-010). HMAs are defined by considering a range of matters including dwelling prices, where people choose to move to, and travel to work patterns. In practice this means that HMAs very often cross administrative boundaries, and local planning authorities are required to work with all the other authorities within their Housing Market Area, under the Duty to Cooperate, to prepare a SHMA.

7. The 2010 SHMA defined the Housing Market area as including Epping Forest DC, East Herts DC, Harlow DC, Uttlesford DC Brentwood BC and Broxbourne BC. However Broxbourne BC and Brentwood BC elected not to be included in the 2012 SHMA, or in the new SHMA. Both of these authorities form part of the Co-operation for Sustainable Development group, through which ongoing Duty to Co-operate discussion can be facilitated, and indeed the methodology for this SHMA was discussed at this group.

8. The revised SHMA has reconsidered the factors which help to define a Housing Market Area, and has found that Epping Forest DC, East Herts DC, Harlow DC and Uttlesford DC still form an effective Housing Market Area, and so it proceeds to assess housing need on that basis.

Official CLG/ONS projections

9. The Planning Practice Guidance requires that Government’s Household Projections and Population projections must be the starting point for identifying OAHN (as shown in Figure 1). The Office for National Statistics produces the ‘Sub-National Population Projections’ which are in effect the national ‘official’ population projections.

10. The most recent of these were published in 2014 and suggest that over the 2011-2033 Local Plan period, the population over the SHMA area would increase by 4,432 per year.

Figure 2 – Baseline CLG/ONS population projections per year

2011-2033	East Herts DC	Epping Forest DC	Harlow DC	Uttlesford DC	SHMA area total
Additional population per year	1,376	1,286	673	1,096	4,432

NB – totals may not sum due to rounding

Adjustments to Projections (based on local circumstances)

11. The Planning Practice Guidance allows that local authorities ‘...may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates ...’ (PPG, para. ID 2a-017).

12. The new SHMA undertook careful analysis of national projections between the Censuses (2001 and 2011) referred to as the intercensal period, and found that future projections of migration were significantly larger than those which had actually been seen on the ground, especially for Epping Forest DC.

13. The robustness of the Census in terms of monitoring migration patterns has been reinforced by the Public Administration Select Committee who stated that the Census ‘...provides the most accurate data on the number and characteristics of migrants at the local level...’ (House of Commons Public Administration Select Committee Migration Statistics (HC 523, July 2013)).

14. Opinion Research Services were able to use the analysis of changes in data between the Censuses to produce instead, projections which were based on real changes which took place in the local area. They noted that ‘*On balance, data for the most recent intercensal period provides the most reliable basis for future population projections*’ (p41 of the SHMA). This had the effect of reducing the baseline projections in the SHMA area, in some districts more than others.

15. The intercensal projections (Figure 3) are far more robust for the local area in that they are based on actual trends experienced in the area. They suggest that over the 2011-2033 Local Plan period, the population over the SHMA area would increase by 2,952 per year. These figures are similar to those produced from the Essex Planning Officers Association forecasts undertaken by Edge Analytics and used in previous SHMAs, which provide a benchmark.

Figure 3 – Intercensal projections

2011-2033	East Herts DC	Epping Forest DC	Harlow DC	Uttlesford DC	SHMA area total
Additional population per year	931	661	399	962	2,952

NB – totals may not sum due to rounding

16. The specific method used for deriving these intercensal projections has been supported previously at Examination, where it was noted that ‘*a 10 year period is a reasonable approach*’ and ‘*the inter-censal period provides a readily understandable and robust check on the reasonableness of the average*’ (Report on Bath & North East Somerset Examination in Public, June 2014). The new SHMA is based on these intercensal projections.

Headline Results of the Revised SHMA

17. The detail of the methodology and consideration of all of the factors involved in Figure 1 in arriving at OAHN are given in the revised SHMA report.

18. The revised SHMA gives the following headline results (Figure 4) for Objectively Assessed Housing Need (in net additional dwellings) for the Housing Market Area as a whole, and for each local authority, over the Local Plan period 2011-2033. It quantifies EFDC’s OAHN over the Local Plan period as 11,300 net additional dwellings.

Figure 4 – headline results from the revised SHMA

OAHN 2011-2033 (dwellings)	East Herts DC	Epping Forest DC	Harlow DC	Uttlesford DC	SHMA area total
Market	12,200	8,100	2,500	9,700	32,500
Affordable	4,200	3,200	3,400	2,800	13,600
TOTAL	16,400	11,300	5,900	12,500	46,100

NB – totals may not sum due to rounding

19. It should be noted that Central Government defines ‘affordable housing need as ‘those households who cannot afford to meet their housing needs in the market’ (meaning renting or buying). This is calculated on the basis of local circumstances. Central Government (Definitions of general housing terms, 2012) sets out that ‘affordable housing’ includes:

- Social rented housing - owned by local authorities and private registered providers for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency; and
- Affordable rented housing - is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable) and
- Intermediate housing - homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low cost homes for sale and intermediate rent, but not affordable rented housing.

20. The revised SHMA also gives a detailed breakdown of the OAHN for each district by tenure and by dwelling size. The breakdown for Epping Forest District’s OAHN is given in Figure 5 (breakdowns for the other authorities are in the revised SHMA report).

Figure 5 – detailed results for EFDC from the revised SHMA

OAHN 2011-2033 (dwellings)		EFDC (dwellings)	EFDC (% , rounded)
Market Flat	1 bed flat	430	4%
	2+ bed flat	450	4%
Market House	2 bed house	1,020	9%
	3 bed house	4,090	36%
	4 bed house	1,580	14%
	5+ bed house	510	5%
MARKET total		8,100	72%
Affordable Flat	1 bed flat	570	5%
	2+ bed flat	450	4%
Affordable House	2 bed house	710	6%
	3 bed house	1,180	10%
	4+ bed house	310	3%
AFFORDABLE total		3,200	28%
GRAND TOTAL		11,300	100%

NB – totals may not sum due to rounding

Implications Going Forward

21. As noted above, the revised SHMA gives a figure for this district for Objectively Assessed Housing Need, which is not the housing target. However it is an important step towards establishing the eventual housing target in future through the Local Plan process. The next steps that need to be taken in order to establish a housing target are shown on Figure 1, below the dotted line. This represents a significant amount of work, considering constraints, policy aims, other evidence etc.

22. This Council's Members will also need to continue to discuss housing need with its SHMA partners (East Herts, Harlow and Uttlesford Councils) through consideration of what the SHMA says about OAHN, and how it could potentially be accommodated within the four authorities. These initial discussions will be held through the established Co-operation for Sustainable Development Board and then brought back to each individual authority for decision making.

23. The SHMA does not take into account the viability of providing for the housing need identified, i.e. how easy/difficult it would be for the market to deliver the required levels of affordable housing. This will be analysed through the ongoing Viability Study (Dixon Searle Partnership), and further work on the new Local Plan.

24. It should be noted that there are a number of things which will 'count against' the eventual housing target figure. The following can be deducted from the final housing target:

- completions from the start of the Local Plan period (2011 at present) – as at the end of June 2015 this amounts to 948 net dwellings (of which 185 were affordable). These figures are derived from completion certificates issued by Building Control. As long as the Local Plan is adopted by 2018 then all completions from 1st April 2011 onwards will count towards the target. (Local Plans must have a 15 year span as a minimum, so as long as the Local Plan is adopted in 2018, there will be 15 years remaining until the end of the Plan period, 2033. If for any reason the Local Plan were not adopted until 2019, then the 15 year Local Plan period would have to be from 2012 onwards, in which case completions from 2012 onwards could be counted, and so on);

- current permissions for housing, once they are built (completed). The analysis of current outstanding housing permissions is still ongoing but approximately 900 dwellings have been identified so far which have permission and have not yet been built;
- an allowance for ‘windfall’ – this relates to dwellings on sites which might not be allocated within the new Local Plan, but might come forward within the Local Plan period. Such sites are often smaller in size than those which might normally be allocated within a Local Plan. Government allows that this can be taken into account as long as there is evidence to support this having taken place in the past. Previous analysis undertaken has suggested that approximately 80 dwellings per year have been delivered in the District in this way in the past; and
- empty homes brought back into use – the Council has performed well against its target to bring empty homes back into use within the district, and thus an allowance can be made of approximately 30 dwellings per year to be delivered in this way.

25. After the OAHN has been assessed, the PPG requires that local authorities ‘consider’ whether to make any further uplift on the SHMA figures, to ensure that there is enough market housing planned in order to make the affordable housing deliverable (PPG, para. ID 2a-029). This does not fall within the remit of a SHMA or OAHN, as confirmed recently by the Inspector examining the Cornwall Local Plan; it is a policy decision that comes afterwards. It is also important to note that the revised SHMA already incorporates an uplift on baseline household projections for Market Signals, as required by the PPG (para. ID: 2a-019/020), so some uplift has already been made. This Council will need to consider this issue carefully in the coming months, while continuing to engage with SHMA partners.

26. The Council also needs to consider the implications of the SHMA in relation to the five year assessment of land supply. Every local planning authority is required to keep an up to date assessment of whether its existing (permitted) housing supply for the next five years equates to five years’ worth of its adopted housing target (PPG, para. ID: 3-030). As this Council’s housing target has still to be determined, this supply cannot be calculated. Brandon Lewis (Planning and Housing Minister) made clear in a letter to the Planning Inspectorate that a SHMA does not represent a housing target and should not be used in this way: *‘The publication of a locally agreed [SHMA] provides important new evidenceHowever, the outcome of a Strategic Housing Market Assessment is untested and should not automatically be seen as a proxy for a final housing requirement in Local Plans....Councils will need to consider Strategic Housing Market Assessment evidence carefully....Only after these considerations are complete will the council’s approach be tested at examination by an Inspector. Clearly each council will need to work through this process to take account of particular local circumstances in responding to Strategic Housing Market Assessments.’* (Brandon Lewis, December 2014).

Resource Implications:

The SHMA update was accounted for in the existing Local Plan budget.

Legal and Governance Implications:

The National Planning Policy Framework requires each local authority to *‘....prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries’*. (para. 159). Not having a robust SHMA within the Local Plan Evidence Base risks having the new Local Plan being found ‘unsound’, i.e. not being accepted at Examination in Public stage by the Planning Inspectorate.

Safer, Cleaner and Greener Implications:

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

Consultation Undertaken:

The SHMA is a piece of technical evidence produced by consultants, jointly commissioned with our SHMA partners, and as such will be used to inform policies in the Draft Plan - Preferred stage of the Local Plan, which will in turn itself be consulted on. Informal consultation was undertaken with senior officers from Planning Policy.

Background Papers:

West Essex and East Hertfordshire Strategic Housing Market Assessment, Opinion Research Services, 2015

Economic Evidence report for West Essex and East Herts, Hardisty Jones Associates, 2015

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

Planning Practice Guidance, Department for Communities and Local Government, 2014-15 - <http://planningguidance.planningportal.gov.uk/blog/guidance/>

Objectively Assessed Need and Housing Targets - Technical advice note, 2nd edition, Planning Advisory Service 2015 - <http://www.pas.gov.uk/documents/332612/6549918/OANupdatedadvicenote/f1bfb748-11fc-4d93-834c-a32c0d2c984d>

Signal failure? A Review of Local Plans and Housing Requirements, Nathaniel Lichfield & Partners, 2015 - <http://nlplanning.com/uploads/ffiles/2015/03/219520.pdf>

Preliminary findings in the Cornwall Local Plan Strategic Policies Examination, Inspector Simon Emerson, 2015 - <https://www.cornwall.gov.uk/media/12843214/ID05-Preliminary-Findings-June-2015-2-.pdf>

Letter from Brandon Lewis MP (Minister of State for Housing and Planning) to The Planning Inspectorate, 2014 - <http://tinyurl.com/Brandon-Lewis-letter>

Report on Bath & North East Somerset Examination in Public, The Planning Inspectorate June 2014 - http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Core-Strategy/cs_pins_final_report.pdf

Risk Management:

Not having a robust SHMA within the Local Plan Evidence Base risks having the new Local Plan found 'unsound', i.e. not being accepted at Examination in Public stage by the Planning Inspectorate. This would very likely mean that the Council would have much less control over where development took place, as planning applications for housing would be far more likely to be granted on appeal by the Planning Inspectorate. The Local Plan features in the current Corporate Risk Register (no. 1, rating A1).

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

- The inclusion of the revised, up to date Strategic Housing Market Assessment (SHMA) into the Local Plan Evidence Base is relevant to equality analysis, as it could impact on all people living, working and doing business within the district, as it will influence the new Local Plan.
- Data from the 2011 Census, the CLG Household Projections 2012 (released 2015), ONS 2012 Sub-national population projections, and ONS Vital Statistics were taken into account in the equality analysis.
- This data showed that the district, compared to the national average, has more older people, less younger people, slightly more married people, slightly less single people, slightly less people with a disability or long term illness, a slightly higher maternity rate, and a slightly higher proportion of 'White British' people. The district is very near to the national average in terms of the population split by household composition, religion or belief, and sex.
- The assessment did not highlight any negative impacts on people with the protected characteristics, as even though the updated Strategic Housing Market Assessment considers housing need, whilst factors like age, sex and household size are analysed, this is done in order to correctly identify the needs arising from different groups, to help try to meet them, not in order to treat them in any negative way. The SHMA seeks to assess need and respond appropriately.
- The assessment found that the inclusion of the revised, up to date Strategic Housing Market Assessment (SHMA) into the Local Plan Evidence Base could positively impact on some of the people with protected characteristics, and increase their equality of opportunity. This could be done through new SHMA helping to inform decisions in the Local Plan to provide:
 - more suitable housing for elderly people;
 - a sustainable mix of sizes of housing for families, single people etc.;
 - more adaptable homes that would benefit wheelchair users; and
 - affordable housing for those in priority need on the Housing Waiting List.
- The assessment noted that future housing provision (i.e. pitches) for Gypsy Roma Traveller (GRT) people would be aided by the separate Gypsy and Traveller Accommodation Assessment (GTAA) which was prepared with more accessible consultation for GRT people, such as face to face interviews. Government requires that Councils assess GRT need in this way, separately to need for the settled community which is assessed through the SHMA.
- The assessment found that the inclusion of the revised, up to date Strategic Housing Market Assessment (SHMA) into the Local Plan Evidence Base could help to foster good relations between communities, by helping to inform decisions in the Local Plan to help provide mixed, sustainable communities in

which older people, younger people, families, single people, wheelchair users, and those currently unable to afford housing in the area can live together in suitable homes and interact.

- The Local Plan will also be subject to its own Equality Impact Assessment.

Report to the Cabinet

Report reference: C-028-2009/10
Date of meeting: 8 October 2015



**Epping Forest
District Council**

Portfolio: Safer, Greener and Transport

Subject: Deed of Variation to the Agreement with North Essex Parking Partnership

Responsible Officer: Qasim (Kim) Durrani (01992 564055).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To agree to the transfer of £100,000 from a ring fenced account of the North Essex Parking Partnership for the purpose of additional resource to make and implement traffic regulation orders across the Partnership;**
- (2) Subject to recommendation (1), to enter into the consequent Deed of Variation to the Joint Committee Agreement of 2011; and**
- (3) To give delegated authority to the Portfolio Holder for Safer Greener and Transport, to agree future minor amendments to the Deed of Variation, in consultation with the Director of Neighbourhoods.**

Executive Summary:

The Essex County Council (as Highway Authority) transferred delegated authority from Epping Forest District to the North Essex Parking Partnership (NEPP) in respect of on-street civil parking enforcement. The Council joined the NEPP along with Braintree, Harlow, Tendring and Uttlesford District Councils and Colchester Borough Council by entering into the Joint Committee Agreement in April 2011. The Joint Committee consists of Executive Cabinet Members from each district and the County Council Cabinet Member for Highways.

The Committee has recently voted to seek agreement to utilise the £100,000 allocated by Essex County Council, for cash flow purposes, at the time the Partnership was set up, towards carrying out some of the traffic regulation order functions.

Reasons for Proposed Decision:

The Joint Committee Agreement 2011 is a legal contract between the six Local Authorities and County Council which requires each member authority to agree any amendment under its own governance arrangements.

Other Options for Action:

To not agree to the Partnership's use of the £100,000, currently sitting in a holding account, for the making of traffic regulation orders and the maintenance of signs and lines across the Partnership. This may reduce the Council's ability to benefit from reallocated resources

and/or ultimately in the sum being returned to County.

Report:

1. NEPP was created on 1 April 2011 under delegated authority from the Essex County Council (ECC) and it consists of: Braintree, Epping Forest, Harlow, Tendring and Uttlesford District Councils, and Colchester Borough Council.

2. Colchester Borough Council is the host authority for NEPP and employs all the staff. The Joint Committee, which consists of an Executive Cabinet Members from each of the six districts and County Council, manages the Partnership. The basis of this arrangement is a formal legal agreement between all the Districts and County Council.

3. The Agreement defines the responsibilities and liabilities for all the members. It consists of funding arrangements from the County Council as well the risks that reside with the Districts should the Partnership be in deficit. For instance should the Partnership have a deficit budget outcome in a financial year then it would be for the individual Districts to cover the deficit between them.

4. At the time of setting up the Partnership, to help with cash flow arrangements, the County Council made available to NEPP a sum of £100,000. This fund remains in a ring fenced account and the Partnership has not had to utilise it for its intended purpose, primarily because the deficit which it inherited at its inception has been made up, and the Partnership is now operating in surplus. There is a risk that if the NEPP does not agree a suitable alternative use for the funding and make the consequential change to the Agreement then this fund is likely to be returned to the County Council at the end of the Agreement in March 2018.

5. All six Member authorities of the Joint Committee, via their respective portfolio holders and after consultation with the County Council, agreed that it would be useful if the £100,000 could be transferred from the current ring fenced account to enable its use to support the traffic regulation order function and the maintenance of signs and lines.

6. NEPP receives funding for carrying out minor parking schemes across its geographical area, either directly from the County Council, member Districts, or any surpluses it generates from its operations. The provision of additional £100,000 will enable more repairs to signs and lines and support the process of making new traffic regulation orders across the Partnership.

7. In order to satisfy the necessary governance requirements of this Council and the legal agreement Cabinet's formal approval of the proposal described above and the resultant Deed of variation is sought.

8. Controversial or significant changes to the original legal agreement quite rightly requires a report to Cabinet but it is suggested that straightforward, minor or consequential changes should be delegated to the Portfolio Holder for Safer Greener and Transport, in consultation with the Director of Neighbourhoods, in order to deal efficiently with such matters and enable the Council to respond quickly, especially in seeking value for money in relation to funds.

Resource Implications

A sum of £100,000 is available to NEPP. No additional resource is required from Epping Forest District Council.

Legal and Governance Implications:

The Joint Committee of the Partnership exercises the County Council's Executive Highway functions.

Safer, Cleaner and Greener Implications:

By keeping road signs and lines in good state of repair enables: enforcement and addresses the safety of all road users, tackling inconsiderate parking, preventing congestion and its effects on local air quality etc

Consultation Undertaken:

Officers of NEPP have consulted with the County Council

Background Papers:

Previous Cabinet reports, The Joint Committee Agreement 2011.

Impact Assessments:Risk Management

The sum of £100,000 is currently sitting in a ring fenced account and if not availed by NEPP will be transferred back to the County Council at the end of NEPP in March 2018.

Due Regard Record

Name of policy or activity:

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

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

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

Date / Name	Summary of equality analysis
	There is a potential to assist those who through their protected characteristic benefit from clearer to distinguish road signage , traffic regulation which makes parking more accessible/available to certain groups or deters/enforces against Illegal parking.

Report to the Cabinet

Report reference: C-029-2015/16
Date of meeting: 8 October 2015



**Epping Forest
District Council**

Portfolio: Environment
Subject: Creation of a new post: Water and Pollution Control Officer
Responsible Officer: Qasim (Kim) Durrani (01992 564055).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) To agree to create a permanent new post so that the Council can meet its statutory duties with regards to water quality and pollution control; and
- (2) Subject to approval of Recommendation 1) above to agree to a growth bid in the Continuous Services Budget of £36,650 from April 2016 onwards; and
- (3) Subject to approval of Recommendations 1 and 2) above to recommend a supplementary estimate in the sum of £10,000 for 2015/2016 to the Council for approval.

Executive Summary: The Private Water Supplies Regulations 2009 (PWSR) were implemented to meet the UK's obligations under the revised European Union (EU) Directive 98/83EC. The regulations placed a number of additional statutory requirements on Local Authorities and consequently increased the burden on both staff and financial resources. At the time the PWSR were introduced it was decided by the Council to try and implement the new provisions within existing staff and budgetary resources. Despite the commitment and concerted effort made to try and get the work done, this has not been possible. The Council has been identified by the Drinking Water Inspectorate (DWI) for failing to meet its statutory obligations. The DWI has said, that in the event the EU fine the UK for failing to meet the relevant directive, it may look to the Local Authorities who have not met their obligations under the PWSR to cover the cost of any infraction. Officers have met with the DWI in order to discuss the challenges that the Council is faced with regards to the nature of the PWS within the district and to demonstrate its commitment and proposed remedial strategy to meet its obligations. If the Council is to meet its statutory duties with regards to private water supplies and other pollution related work and reduce the potential risk of both reputational and financial penalties, an additional member of staff is required.

Reasons for Proposed Decision:

There are serious public health and environmental issues posed by defective and sub standard private water supplies and drainage systems particularly on many horticultural sites within the district. The Council has not been able meet the requirements of the PWSR and therefore has failed in its statutory duties. It is not possible to absorb the work within existing resources. There is no non - statutory work being carried out that can be replaced with the statutory duties placed upon the Council by the PWSR.

Other Options for Action: - see paragraph 9 for further information.

1. To continue to try and absorb the work within existing resources;
2. To offer overtime to existing staff to carry out the work;
3. To continue with the existing arrangement of employing a temporary officer from an agency for 16 hours a week;
4. To employ an alternative temporary officer from an agency but increase the contract to 36 hours a week;
5. To commission a consultant to carry out all the initial risk assessments associated with private water supplies and then review the position; and
6. To employ an officer for a fixed term (3 years) and then review the position.

Report:

1. The PWSR 2009 placed a number of additional statutory requirements on Local Authorities with regards to the inspection and testing of private water supplies. This includes carrying out a risk assessment within 5 years (of the implementation of the regulations) and to regularly monitor all large supplies in accordance with specified frequencies to determine compliance with the standards. The process must be reviewed in light of any new circumstances and renewed every 5 years. The Council now has a duty to enforce and is statutorily obliged to submit a report to the DWI every year about the supplies and the work carried out.

2. At the time the PWSR were introduced it was decided to try and deliver the new provisions within existing staff and budgetary resources. Despite the commitment and concerted effort made to get the work done, conflicting priorities and workload issues have prevented any significant progress being made.

3. The Council has not been able to complete the required annual return to the DWI and has failed to carry out the necessary risk assessments within the 5 year time frame as specified in the regulations. Therefore the Council has been deemed to have failed its statutory obligations.

4. The approximate numbers of PWS (that now include Private Distribution Systems) in the district, based on current knowledge, can be seen in the table below:

Description of Supply	Statutory/discretionary service required under the regulations	Numbers
High risk private water supplies that need monitoring and risk assessments	Statutory	16 (but likely to include the additional horticultural nursery sites currently under investigation)
Single dwelling private water supplies	Discretionary - but statutory enforcement if found defective	33
Private Distribution Systems	Statutory	6 identified so far
Unknown private water supplies (predominantly suspected on horticultural nursery sites)	Currently unknown	Estimated 25

5. In October 2014 a temporary resource was secured from an Agency, for 16 hours a week, in order to assist with the work. Inspections carried out so far on the horticultural nurseries within the district have found families living in very poor conditions. It is known that these conditions exist on other horticultural nursery sites. Very challenging situations have been found not only with regards to living conditions but also with regards to the supply of drinking water (abstracted in most cases from private water supplies), foul and surface water disposal and a variety of pollution problems.

6. The conditions mentioned above pose a significant risk to human health and the environment. Statutory notices must be served in order to mitigate the risks and ensure compliance with the relevant legislation. The number of notices will be significant (given the multiple owners/occupiers on sites) and complex. The various issues will be very time consuming to resolve.

7. Officers invited representatives from the DWI to a meeting in order to discuss the problems found on these sites and to inform them as to what the Council is proposing to do in order to redress the situation. The DWI has said that the conditions of these private water supplies and pollution issues are some of the worse they have seen. The DWI has reinforced that fact that Local Authorities who are failing to properly implement the provisions of the PWSR run the risk of incurring penalties.

8. It is considered, not necessarily based on the number but because of the complex nature of the private water supplies within the district, that an additional full time, permanent, officer is required. This officer would also deal with the various pollution and environmental issues being found on these sites. It is currently envisaged that all of these issues will require the service of a range of statutory notices in order to affect the required level of compliance.

9. There are a range of other options for action with regard to how best to secure this additional resource:-

(i) It is not possible to absorb the work within existing staffing resources as there is just not the capacity;

(ii) The work cannot be carried out on overtime. There is just too much to do. Visits and sampling need to be carried out in the day time and on a weekday. In the vast majority of cases two officers are required to be on site. The work is complex and the expertise required to carry out the work is currently very limited within the Council;

(iii) Significant progress, in order to satisfy the DWI's requirements, will not be made by continuing to employ the existing 'experienced' temporary officer from an Agency as he is only able to work for 16 hours a week;

(iv) Consideration could be given to employ an alternative officer from an Agency who is able to work 36 hours a week. However, experience to date has shown a shortage in qualified and experienced people in this particular field. It is not considered sensible to employ a person, long term, through an Agency. This could make effective enforcement difficult. In addition the expertise gained about the sites and the work will not be retained within the Council;

(v) The Council could look to commission consultants to carry out all the initial risk assessments. However, experience to date has shown a shortage in qualified and experienced people able to do the work. Consultants will be very expensive and it is currently considered that this will not offer 'best value for money'. In addition the expertise gained about the sites and the work will not be retained within the Council. Given the complex nature of the sites and condition of supplies found to date on the horticultural sites within the district, officers are currently not confident that consultants will take the time to do the job properly.

As there is now a statutory duty to enforce, it is considered that there is a potential for the Council's enforcement role to be compromised if consultants were employed to do the work. This could ultimately result in further costs if appeals against notices are successful and/or further work needs to be carried out by officers in order to be confident in the systems before serving notices;

(vi) To employ an officer for a fixed term (3 years) and then review the position. It is considered that if the post is for a restricted period it will not attract the right person for the job. In order for a person to become fully competent in the work a lot of investment, in terms of officer time and 'on the job' experience, will be required. On many of the horticultural sites, in addition to the very poor condition of the water supplies, it is apparent that the lack of/condition of the foul drainage systems also pose serious public health and environmental risks. Therefore it is strongly considered that there is a need for the Council to invest in a permanent resource, as taking on an officer on a fixed term contract is not considered affective in the longer term.

10. It should be recognised that there is a significant amount of immediate and on going work associated with implementing the provisions of the PWSR. Also additional resources are required in order to tackle the pollution related problems being found on many sites within the district. The work is complex, very time consuming and difficult to effectively deliver. The Council has to date been unable to meet its statutory duties relating to these two areas of work and is at risk of incurring both reputational and financial penalties. Therefore it is proposed that a new Water and Pollution Officer post be created. **(Recommendation 1)**

11. In order to fund the post in the long term an increase in the Continuous Services Budget of £36,650 in total from April 2016 onwards is sought. **(Recommendation 2)**

12. In order to fund the new post from January 2016 to April 2016, a supplementary estimate of £10,000 will be required for 2015/2016. **(Recommendation 3)**

Resources

Employment of the current temporary agency officer (16 hours a week) is being funded from existing resources. The money is being vired from the contaminated land work budget but this is not sustainable in the longer term.

Sampling costs can be met from existing budgets.

A new job description has been evaluated for Water and Pollution Control Officer resulting in grade 7. Therefore a CSB growth of £36,650 will be required from April 2016 onwards.

A Supplementary Estimate of approximately £10,000 will be required from 1st January 2016 to fund the new post, depending on the time taken in the recruitment process.

Legal and Governance Implications:

Water Industry Act 1991

Private Water Supply (England) Regulations 2009

Building Act 1984

Public Health Acts

Land Drainage Acts

Environment Protection Act 1990

Epping Forest District Council's Land Drainage Byelaws

Safer, Cleaner and Greener Implications:

Pollution of the land, water and air are inherent issues that need to be addressed to ensure the district is greener and sustainable. It is essential to ensure that drinking water and

drainage systems are fit for use in order to keep the residents of the district safe and healthy.

Consultation Undertaken:

Assistant Director - Human Resources

Background Papers:

ENV-010-2009/10

C-038-2010/11

ENV-002-2014/15

Impact Assessments:

Risk Management

The inability to implement the requirements of the Private Water Supply Regulations 2009 within existing resources and the associated risks have been a 'rolling' item in the Environment and Street Scenes Business Plan (now the Neighbourhoods Directorate) since 2010. However, it was not until recently, when inspections started on the horticultural sites within the district, that the extent and seriousness of conditions relating to housing, water supplies and drainage have been realised.

The Council has not been able meet the requirements of the PWSR and therefore has failed in its statutory obligations. The Council has been identified in the DWI Annual Drinking Water Reports. The DWI has said, that in the event the European Union fine the UK for failing to meet the relevant directive, it may look to the Local Authorities who have not met their obligations under the PWSR to cover the cost of any infraction.

There are serious public health and environmental issues posed by the conditions found on the nursery sites and potentially from all private water supplies. If the Council does not address these it runs the risk of inciting both reputational and financial penalties. The conditions have the potential to cause an outbreak of waterborne diseases. There are vulnerable families, including children, now living on the nursery sites.

If adequate staff resources are not secured the current action in the Neighbourhoods Action Plan 2015/16, relating to the inability of the Council to properly implement the provisions of the legislation, will have to be escalated.

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

This report relates to securing the required resources to ensure that the Council is able to deliver its statutory obligations in regards to private water supplies. The application of the legislation has to be applied equally across all groups of people. In this respect the subject has no potential to affect or discriminate against group of people.

Ensuring that defective private water supplies and drainage systems, that are being found on many of the horticultural nursery sites within the district, are up to standard will improve the living and environmental conditions of vulnerable groups of people including children and migrant workers.



Epping Forest District Council

Report to Cabinet

Report reference: C-030-2015/16

Date of meeting: 8 October 2015

Portfolio: Leader

Subject: Corporate Plan Key Action Plan 2015/16 – Quarter 1 Progress

Responsible Officer: Barbara Copson (01992 564042)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) That the Cabinet review the position in relation to the achievement of the Council's key objectives for 2015/16 at the end of Quarter 1.

Executive Summary:

The Corporate Plan is the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims are supported by Key Objectives, which provide a clear statement of the Council's overall intentions for these five years.

The Key Objectives are delivered by an annual action plan, with each year building upon the progress against the achievement of the Key Objectives for previous years. The annual action plans contain a range of actions designed to achieve specific outcomes and are working documents and therefore are subject to change and development to ensure the actions remain relevant and appropriate, and to identify opportunities to secure further progress or improvement.

The Corporate Plan Key Action Plan for 2015/16 was agreed by the Cabinet in March 2015. Progress in relation to individual actions and deliverables 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 progress against the Key Action Plan for 2015/16 at the end of the first quarter (30 June 2015).

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 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 2015-2020 is the Council's highest level strategic document. It sets the strategic direction for the authority for the five year lifetime of the Plan. It focuses on a number of key areas that the Council needs to focus on during that time and helps to prioritize resources to provide quality services and value for money. These key areas are known as the Corporate Aims and are supported by a set of Key Objectives which represent the Council's high-level initiatives and over-arching goals to achieve the Corporate Aims. The Key Objectives are in turn, delivered via an annual Key Action Plan.

2. The Key Action Plan 2015/16 is populated with actions or deliverables designed to secure progress against each of the Key Objectives during 2015/16. During the subsequent years in the lifetime of the Key Objectives, annual action plans will be developed which build on progress achieved during preceding years. The annual action plans are working documents and are therefore subject to change and development to ensure that the actions remain relevant and appropriate, and to identify opportunities to secure further progress or improvement.

3. The Key Action Plan 2015/16 was agreed by Cabinet at its meeting on 9 March 2015. Progress against the Key Action Plan is reviewed on a quarterly basis to ensure the timely identification and implementation of appropriate further initiatives or corrective action where necessary.

4. A schedule detailing Quarter 1 (Q1) progress against the fifty (50) individual actions of the 2015/16 Key Action Plan, is attached as Appendix 1 to this report. In reporting progress, the following 'status' indicators have been applied to the to individual actions:

- (a) **Achieved** - specific actions have been completed or in-year targets achieved;
- (b) **On-Target** - it is anticipated that specific actions will be completed or in-year targets achieved;
- (c) **Under Control** - specific actions have not been completed or achieved in accordance with in-year targets, although completion/achievement is likely to be secured by revised target date or year-end;
- (d) **Behind Schedule** - specific actions have not been completed or achieved in accordance with quarterly or other in-year targets, and completion/achievement may not be secured by year-end; and
- (e) **Pending** - specific actions were not completed or achieved in accordance with in-year targets.

5. At the end of Quarter 1:

- 45 (90%) of the individual actions have been achieved or are on target to be achieved by the target date or a revised target date by the end of the year;
- 2 (4%) of the individual actions are behind schedule and may not be completed by the end of the year; and
- 3 (6%) of the individual actions are currently on hold as a result of external circumstances.

6. The Cabinet is requested to review progress against the Key Action Plan for 2015/16 at the end of Quarter 1. This report will also be considered by the Overview and Scrutiny Committee at its meeting on 20 October 2015.

Resource Implications:

Resource requirements for actions to achieve specific key objectives for 2015/16 will have been identified by the responsible service director 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 2015/16 will have been identified by the responsible service director.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district. Relevant implications arising from actions to achieve specific key objectives for 2015/16 will have been identified by the responsible service director.

Consultation Undertaken:

Progress against actions to achieve specific key objectives for 2015/16 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 2015/16 has been reviewed by Management Board (19 August 2015) and will be considered by the Overview and Scrutiny Committee on 20 October 2015.

Background Papers:

Quarter 1 progress submissions for the key objectives for 2015/16 and relevant supporting documentation is held by responsible service directors.

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 2015/16 will have been identified by the responsible service director.

Due Regard Record

SUBJECT: Corporate Plan Key Objectives 2015/16 – Quarter 1

REPORT TO: Cabinet (8 October 2015)

Date/Officer	Summary of equality analysis
<p>28 August 2015</p> <p>B Copson</p>	<p>The Council remains subject to a duty imposed by the Local Government Act 1999, to secure continuous improvement in the way in which its functions and services are exercised. An overriding aim of the key objectives is to improve outcomes and circumstances for all sections of the community.</p> <p>The annual identification of actions to take forward the key objectives provides an opportunity to focus attention on how areas for improvement will be addressed, opportunities exploited and better outcomes delivered over the coming year.</p> <p>There are no equality implications arising from the specific recommendations of this report. Relevant implications arising from individual actions in the 2015/16 Key Action Plan to achieve the key objectives, will be identified by the responsible service director.</p>

i) (a) Ensure the Medium Term Financial Strategy meets service requirements

Action	Lead Directorates	Target Date	Status	Progress
1) Deliver identified savings	Management Board	31-Mar-16	On Target	Q1 (2015/16) Savings are on track at the end of Q1. Quarterly financial reporting of cumulative savings will be presented to Management Board to monitor progress. Most of the savings identified involved restructuring actions that have already been implemented in Q1.
2) Progress savings identified	Management Board	31-Mar-16	On Target	Q1 (2015/16) The 2016/17 budget process will follow a similar cycle to last year. The Director of Resources has already produced a financial issues paper and an outline MTFs to kick the process off. Savings targets will be considered at a Leadership Team meeting in the autumn.
3) Develop business cases	Management Board	30-Sep-15	On Target	Q1 (2015/16) Several ideas have come forward and these are now being worked up into business cases.
4) Commence the budget cycle	Resources	31-Jul-15	On Target	Q1 (2015/16) A meeting of the Finance Cabinet Committee has been arranged for 20 July and the agenda will include the Financial Issues Paper.

i) (b) Review and develop the Council’s assets and landholdings

Action	Lead Directorates	Target Date	Status	Progress
1) Complete phase 1 of the Council House-buildings	Communities	31-Dec-15	Behind Schedule	(Q1 2015/16) The contractor has commenced construction works. However, the development has been delayed mainly due to the time it took for the contractor to put a performance bond in place. There are also on-going discussions with the contractor about responsibility for some additional costs, all of which are due to be considered by the Council Housebuilding Cabinet Committee on 27th July 2015.
2) Complete the major refurbishment scheme at Marden Close	Communities	30-Sep-15	On Target	(Q1 2015/16) The refurbishment/conversion scheme is due for completion in October 2015.
3) Secure planning permission and commence Phase 2 of the Council Housebuilding Programme	Communities	31-Aug-15	On Target	(Q1 2015/16) Following refusal by the Area Plans Sub-Committee of planning permission to provide 52 new affordable homes, a revised planning application for 51 new affordable homes has been submitted and is awaiting determination by the District Development Management Committee.
4) Negotiate and complete the St John's redevelopment Scheme at Epping	Neighbourhoods	30-Sep-15	Under Control	(Q1 2015/16) The Diocese has agreed to relax the Covenant on Lindsay House and the terms of disposal to Essex County Council have been agreed. The legal documentation regarding the purchase and subsequent sale of the St John's Road Site to Frontier Developments, is largely complete. Awaiting final agreement by the County Council's Cabinet in early September 2015. Legal advice has been sought regarding State Aid. A potential alternative site for a new Housing Repairs Centre, to which the facilities at the Epping Depot at the St Johns Rd site (together with the Housing Assets staff

					currently based at the Civic Offices, Epping) could relocate is under consideration.
5) Work in partnership with Moat Housing to commence the development of the Council garage site	Communities	31-Mar-16	On Target		(Q1 2015/16) The Director of Communities is working with Moat Housing on the arrangements for the proposed development, including the design (on which ward members will be consulted). EFDC's Legal Services are also close to completing the first draft of the required lease.
6) Seek to vacate the Council's Hemnall Street Offices, Epping in order to redevelop/let the premises.	Management Board Communities	31-Mar-16	Pending		(Q1 2015/16) Awaiting space to become available at both the Civic Offices, Epping and the Epping Forest Museum, Waltham Abbey (when the extension/refurbishment is completed in Jan/Feb 2016).
7) Review all licence arrangements at North Weald Airfield	Neighbourhoods	30-Apr-15	On Target		(Q1 2015/16) As a result of the marketing exercise undertaken by Savill's, three expressions of interest have been obtained from potential Development Partners to increase aviation activity and revenue. Interviews are being held in late August, with the intention of reporting to the Asset Management Cabinet Committee in October 2015.
8) Progress the Epping Forest Shopping Park Scheme	Neighbourhoods	30-Sep-16	On Target		(Q1 2015/16) The Council has acquired the interest of its previous Development Partner Polofind Ltd. Project Team now working directly to EFDC. Main contract being let in accordance with OEJU Regulations. Highways Contract due to be tendered by end of August 2015 with practical construction work due to commence February 2016. Anchor Tenants largely secured. Still aspiration to open for the Christmas Trading Period in 2016.

i) (c) Make savings and increase income through shared services

Action	Lead Directorates	Target Date	Status	Progress
1) Work with 5 neighbouring councils to renew the contract and service arrangements for the Shared Housing Register Management Service	Communities	31-Jan-16	On Target	(Q1 2015/16) Following a detailed EU Competitive Dialogue process, the Herts & Essex Housing Options Consortium (HEHOC) has selected the existing provider, LHS, on the basis of price and quality, to provide the service under a new contract. The Housing Portfolio Holder has formally agreed to award the Council's contract to LHS and the legal contract documentation is currently being prepared for signature.
2) Approach neighbouring authorities to carry out checking and vetting of Building Control plans through partnership working.	Governance	31-Jan-16	On Target	(Q1 2015/16) Continue to partner with architects in respect plan checking work taking place in other authorities and we are adding partners to our list which is bringing in more work and income. Weston Homes continue to be our biggest partner.
3) Review the shared opportunities with the Public Law Partnership	Governance	31-Mar-16	On Target	(Q1 2015/16) Ongoing – staff attend quarterly meetings with the PLP and special interest groups. Use of shared library and reduced costs for training are explored and utilised.. Monitoring Officer investigations are both conducted by EFDC or on our behalf through the PLP.
4) Explore the possibility of sharing an integrated HR/Payroll IT system with other authorities.	Resources	30-Sep-15	On Target	(Q1 2015/16) Work is progressing with Braintree and Colchester and a common specification has been agreed for a new system.

5) Explore providing payroll services to other authorities.	Resources	31-Mar-16	On Target	(Q1 2015/16) This was intended to follow on from the implementation of the new system. However, one authority in Essex is having difficulties and initial discussions have been held with them to provide support.
6) Explore providing an audio typing service to other authorities.	Resources	31-Mar-16	On Target	(Q1 2015/16) An approach had been received from Harlow but it was not possible to reach any agreement. Opportunities will now be explored with other authorities.
7) Identify additional Council services that may benefit from a shared provision with other organisations (either provided by the Council or others)	Management Board	31-Mar-16	On Target	(Q1 2015/16) Not due yet - some early conversations about potential opportunities identified have taken place.

ii) (a) Produce a Local Plan

Action	Lead Directorates	Target Date	Status	Progress
1) Update the Council's Housing Strategy, following production of the Preferred Options for the Local Plan.	Communities	31-Dec-15	Pending	(Q1 2015/16) Awaiting production of the Local Plan Preferred Options.
2) Complete the gathering of information to form the evidence on which key decisions will be taken as part of the Local Plan.	Neighbourhoods	30-Apr-15	Under Control	(Q1 2015/16) Local Development Scheme agreed by Cabinet in June. Preferred Options targeted for Autumn 2016. Cabinet to consider Green Belt Review Stage 1 in September 2015 with Stage 2 to be completed by the end of the year. (Target date - Ongoing)

3) Agree on objectively assessed Housing and Employment Need for the Local Plan Period.	Neighbourhoods	30-Apr-15		On Target	(Q1 2015/16) The Strategic Housing Market Area Assessment is due to be considered by the Duty to Co-operate Board on the 22 September 2015. A series of workshops are planned before the Council seeks to formally submit the Objectively Assessed Housing and Employment Need conclusions, into the Local Plan Evidence Base, at its Cabinet Meeting in October 2015.
4) Agree a Draft Local Plan and undertake the appropriate sustainability appraisal.	Neighbourhoods	30-Jun-15		Under Control	(Q1 2015/16) The sustainability appraisal work has commenced and due to completion in the early Autumn. Cabinet has agreed to the initial CIL Assessment.
5) Undertake the Preferred Options Consultations.	Neighbourhoods	30-Sep-15		Under Control	(Q1 2015/16) Preferred Options Consultation was according to the current LDS programmed to take place in July to September 2016. Extended consultation on the 1st Phase of the Green Belt Review is likely delay this phase of the Local Plan. Preferred Options Consultation now likely to start 10 weeks of consultation in early September 2016.
6) Submit the Final Local Plan to the Planning Inspectorate for Examination.	Neighbourhoods	Mon-30-Nov-15		Under Control	(Q1 2015/16) Final Plan to be submitted to Planning Inspectorate in October 2017 with a potential Examination in Public in early 2018, dependent on Planning Inspector availability, with adoption in September 2018 if found sound.

ii) (b) Sustainable economic development

Action	Lead Directorates	Target Date	Status	Progress
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Corporate Plan Key Action Plan 2015/16 – Q1 Progress

Appendix 1


1) Consider the practicalities of revising procurement arrangements to encourage/require contractors to employ local residents for Council contracts.	Resources	31-Dec-15	On Target	(Q1 2015/16) An updated Procurement Strategy was approved by the Finance Cabinet on 19 March 2015. Revisions to procurement arrangements will be considered when implementing the strategy.
2) Incorporate the findings of the Economic Development Study into the Local Plan Evidence base with a view to determining future Employment Need.	Neighbourhoods	30-Apr-15	On Target	(Q1 2015/16) The future employment needs of the District have been assessed as part of the work undertaken to develop the Strategic Housing Market Area Assessment which also addresses employment. Due to be considered by Cabinet in October 2015.
3) After consultation on Preferred Options to allocate Employment land within the Council's Local Plan.	Neighbourhoods	30-Nov-15	Under Control	(Q1 2015/16) Employment policies and site allocations will be made after consideration as part of the Preferred Options exercise. Scheduled for Autumn 2016. Council to consider Publication Plan in March 2017 (Target Date March 2017)
4) Develop and implement a new Economic Development Plan for the District, building on the work that has been undertaken with regard to individual Town Centres.	Neighbourhoods	31-May-15	Behind Schedule	(Q1 2015/16) Work is ongoing with respect to the development of the Economic Development Plan. A key decision which will be central to the plan, is the employment requirements identified through the SHMA. The Plan is now anticipated in December 2015.
5) Continue to support the work of Local Business Partnerships to support the local economy and generate additional local employment opportunities.	Neighbourhoods	(not specified)	On Target	(Q1 2015/16) Work is ongoing to support Local Business Partnerships through attendance at Town Centre Partnerships, the publication of Business Briefings and organisation of networking events. The work in relation to Superfast Broadband will be of significant benefit to businesses in rural areas.
6) Continue with the Council's apprenticeship scheme for the district's young people, providing sustainable	Resources	30-Sep-15	On Target	(Q1 2015/16) A new cohort will be recruited during 2015. The council is in discussion with partners to see if it is possible to expand

employment opportunities.


the apprenticeship scheme.

ii) (c) Leisure and Cultural Strategy

Action	Lead Directorates	Target Date	Status	Progress
1) - Complete the extension and major refurbishment of the Epping Forest District Museum, Waltham Abbey and open to the public.	Communities	31-Dec-15	On Target	(Q1 2015/16) Good progress continues to be made, with an estimated completion date for works in October 2015, to be followed by the 3/4 month fit-out period prior to opening in Jan/Feb 2016.
2) Work in partnership with Waltham Abbey Town Council to investigate the feasibility of developing a new leisure/community hub at Hillhouse, Waltham Abbey.	Communities Neighbourhoods	31-Mar-16	On Target	(Q1 2015/16) Initial discussions continue to be held at officer level between EFDC, WATC, Essex CC and NHS England on potential community/leisure development opportunities for the locality around Hillhouse. Initial costings have been produced by Essex CC's consultants (funded by Essex CC) to inform the discussions. The intention is to come forward with a report to Cabinet in the Autumn proposing, and seeking funding for, the joint appointment of consultants to formulate a Masterplan, on which local residents can be consulted, prior to consideration/adoption by the Cabinet.
3) Appoint external specialist support to the competitive dialogue process for the new Leisure Management Contract, to ensure that the Council achieves best consideration.	Neighbourhoods	30-Apr-15	Achieved	(Q1 2015/16) RTP Consultants appointed. Officer Working Groups and Portfolio Holder Advisory Group established. Work is advanced on Initial Business Case to be considered by Portfolio Holder Advisory Group in September and Cabinet in October. The report to Cabinet will be recommending the Contract Strategy to include Contract length, packaging and options for refurbishment and/or

<p>4) In accordance with the recommendations of the Leisure and Culture Strategy, jointly pursue the provision of a new Secondary School on the Ongar Campus site</p>	<p>Neighbourhoods</p>	<p>31-May-15</p>		<p>Achieved</p>	<p>new build. (Q1 2015/16) Since formal adoption by Full Council in December 2014, work is ongoing to deliver the key objectives of the Strategy through the Leisure Management Procurement process and Neighbourhood and Communities Business Plans. (Target Date - Ongoing)</p>
<p>5) As part of the competitive dialogue procurement process for the new Leisure Management Contract, take forward the provision of a replacement swimming pool in Waltham Abbey.</p>	<p>Neighbourhoods</p>	<p>(not specified)</p>		<p>On Target</p>	<p>(Q1 2015/16) As per ii) (c) 2).</p>

iii) (a) Customer Contact

Action	Lead Directorates	Target Date		Status	Progress
<p>1) Increase the opening hours of the Council Office at the Limes Centre, Chigwell, to improve access for local</p>	<p>Communities</p>	<p>30-Jun-15</p>		<p>On Target</p>	<p>(Q1 2015/16) - Cabinet has approved the appointment of an additional part-time member of staff, funded by the HRA for an initial 2-year pilot period - and recruitment is underway. Once</p>

residents to a range of Council services.

2) Introduce web-based and smartphone applications to enable Council tenants to report repairs on-line.

Communities

31-May-15

On Target

appointed, the opening hours of the Council Office at the Limes Centre will be increased into weekday afternoons

(Q1 2015/16) A new smartphone App has been produced and is now available for Council tenants to use to easily report repairs, using a "diagnostic tool" - as part of the Communities Directorate's approach to encourage channel shift. This was also identified and agreed as one of the "Key Deliverables" for the Repairs Management Contract with Mears. Work is also progressing on the development of a similar web-based facility for tenants to report repairs as well.

3) Establish a multi-disciplinary officer group to undertake a review and report on Management proposals for improving customer contact with the Council.

Board

31-Mar-16

On Target

(Q1 2015/16) The scope of the project has been agreed by Management Board and the multi-disciplinary officer group will hold its initial meeting in September.

iii) (b) Modern Technology to enhance the Customer Contact

Action	Lead Directorates	Target Date	Status	Progress
1) Introduce more flexible methods for customers to pay for Council services.	Resources	31-Dec-15	On Target	(Q1 2015/16) This work is ongoing and the most recent example is the support given to the Neighbourhoods Directorate to facilitate the payment of parking charges by debit and credit cards.

<p>2) Introduce an on-line facility for customers to easily view and research objects held by the Epping Forest District Museum.</p>	<p>Communities</p>	<p>31-Mar-16</p>		<p>On Target</p>	<p>(Q1 2015/16) Work is progressing well.</p>
<p>3) Scan old Development Control & Building Control files and microfiche and increase the number of planning records available on the Council's website.</p>	<p>Governance</p>	<p>31-Jul-16</p>		<p>On Target</p>	<p>(Q1 2015/16) Microfiche scanning project using supervised apprentice staff is well underway. Historic planning application information continues to be scanned so that more information is available to the public and businesses on the Website. Selected Building Control documents are being scanned to enable remote working. In both cases, quality checking is taking place before secure destruction of hard documents.</p>
<p>4) Investigate and, if possible, implement the returns of Local Land Charges Searches by email.</p>	<p>Governance</p>	<p>30-Apr-16</p>		<p>Pending</p>	<p>(Q1 2015/16) Electronic solutions to viewing LLC Register on public access computers, emailing searches to solicitors and receiving email searches with card payments are largely dependant on ICT input – although this is ongoing and LLC are liaising with ICT, this is progressing slowly and proving difficult to solve.</p>
<p>5) Update the Contracts Register so that the contract documentation can be accessed and viewed by using an icon on the register. This will apply to new contracts at first.</p>	<p>Governance</p>	<p>30-Apr-16</p>		<p>On Target</p>	<p>(Q1 2015/16) Funding of £40,000 has been secured to progress electronic records within Legal Services. Liaising with ICT, Information@Work Aspect has been identified as a possible solution for electronic records management – a scanning machine has been obtained and dedicated staff employed from 10 August 2015 to start scanning Legal Records beginning with the Contracts Register.</p>
<p>6) Identify, during audits, any manual documentation or process that can be</p>	<p>Governance</p>	<p>31-Mar-16</p>		<p>On Target</p>	<p>(Q1 2015/16) Internal Audit continues to identify efficiencies during their audit work. Recently Internal Audit has been working with IT on a new gifts and hospitality form, and looking at the sickness absence</p>

improved by conversion to electronic form.

7) Continue the implementation of the Council's ICT Strategy, with the completion of key projects.

Resources 31-Mar-16

On Target

form as part of the Personal Data Working Group.

(Q1 2015/16) The implementation of the ICT Strategy is continuing. Many different options have been evaluated for mobile working and solutions are in place in several areas of the Council.

8) Complete a review of accommodation and make recommendations on utilisation of space and flexible methods of working.

Management Board 30-Sep-15

On Target

(Q1 2015/16) Visit to Leadership Team by Colchester's Director of Operations to explain how flexible working has progressed there. Subsequent workshop with leadership team to identify how each directorate at Epping might approach this. Job description for transformation director role drafted and recruitment process started.



iii) (c) Understanding the ageing population

Action	Lead Directorate	Target Date	Status	Progress
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<p>1) Undertake a study to identify and better understand the demographics of an ageing population in the District and the effects on the Council and local residents</p>	<p>Communities</p>	<p>31-Mar-16</p>	<p>On Target</p>	<p>(Q1 2015/16) The final scope of the study, which will be led by the Asst. Director (Community Services and Safety) has almost been finalised. A multi-directorate officer project team has been formed to oversee and progress the project, which has already met a few times. The Council's National Graduate Trainee will be seconded to work on the project, under the supervision of the Lead AD, for 6 months from September 2015.</p>
<p>2) Review the provision and delivery of community and cultural services to older people.</p>	<p>Communities</p>	<p>31-Oct-16</p>	<p>On Target</p>	<p>(Q1 2015/16) This is being reviewed as part of the wider Ageing Population Project, with the current provision and delivery under initial review.</p>
<p>3) Undertake a review of the Council's sheltered and designated accommodation for older people</p>	<p>Communities</p>	<p>31-Mar-16</p>	<p>On Target</p>	<p>(Q1 2015/16) Two separate work-streams have been identified and established, each managed through officer project teams. Work-stream 1 is considering the streamlining and modernisation of the Scheme Management Service and is being led by the Asst. Director (Housing Operations) with a view to an outcome report being considered in detail by the Housing Select Committee in November 2015, with resultant recommendations being made to Cabinet. Work-stream 2 is considering the longer-term rationalisation and improvement of existing sheltered/grouped housing scheme sites. Led by the Director of Communities, it will produce a proposed strategy for consideration by the Housing Select Committee in 2016.</p>

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Epping Forest District Council

Report to Cabinet

Report reference: C-031-2015/16

Date of meeting: 8 October 2015

Portfolio: Leader

Subject: Corporate Plan Key Action Plan 2016/17

Responsible Officer: Barbara Copson (01992 564042)

Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) That a report be made to the Council recommending that the Corporate Plan Key Action Plan proposed for 2016/17 be adopted.

Executive Summary:

The Corporate Plan is the Council's key strategic planning document, setting out its priorities over the five-year period from 2015/16 to 2019/20. The priorities or Corporate Aims are supported by Key Objectives, which provide a clear statement of the Council's overall intentions for these five years.

The Key Objectives are delivered by an annual action plan, with each year building upon the progress against the achievement of the Key Objectives for previous years. The annual action plans contain a range of actions designed to achieve specific outcomes and are working documents and are therefore subject to change and development to ensure the actions remain relevant and appropriate, and to identify opportunities to secure further progress or improvement.

Progress in relation to individual actions and deliverables is reviewed by the Cabinet and the Overview and Scrutiny Committee on a quarterly and outturn basis.

Reasons for Proposed Decision:

The annual adoption of an action plan in a timely way supports the delivery of the Council's Key Objectives and informs the budget setting process.

Other Options for Action:

The Council could decide not to adopt an annual action plan, although this might mean that the potential to make progress was not identified and taken forward, and that opportunities for improvement were lost.

Report:

1. The Corporate Plan 2015-2020 is the Council's highest level strategic document setting the strategic direction for the authority for the five year lifetime of the Plan. It focuses on a number of key areas that the Council needs to focus on during that time, and helps to prioritize resources to provide quality services and value for money. These key areas are known as the Corporate Aims and are supported by a set of Key Objectives which represent

the Council's high-level initiatives and over-arching goals to achieve the Corporate Aims. The Key Objectives are in turn, delivered via an annual Key Action Plan.

2. The adoption in March 2015 of the Corporate Plan, Aims and Key Objectives for the five years until 2019/2020 brought with it a new approach to the delivery of the Key Objectives. Formerly the Key Objectives had a 12 month lifespan and were agreed annually alongside the budget setting process in February. The move to a five year lifespan for these objectives and an annual action plan to deliver them was not only more appropriate for the Council's highest level strategic objectives, but enabled a longer view of the Council's priorities and earlier planning of activities to deliver them. The development of annual action plans was therefore brought forward in the fiscal year to better inform the budget setting process and to allow for earlier member involvement.

3. The Key Action Plans are populated with actions or deliverables designed to secure progress against each of the Key Objectives during that year. During the subsequent years in the lifetime of the Key Objectives, annual action plans will be developed which build on progress achieved during preceding years. The Key Action Plans inform the development of detailed annual directorate business plans and other service plans setting out service provision and informing the prioritization of resources. The annual action plans are working documents and are therefore subject to change and development to ensure that the actions remain relevant and appropriate, and to identify opportunities to secure further progress or improvement.

4. A draft Key Action Plan for 2016/17 has been developed, populated with actions or deliverables which build on work identified in the 2015/16 action plan, to take forward the Key Objectives during their second year. The draft action plan was subsequently considered by the Finance and Performance Management Cabinet Committee and the Overview and Scrutiny Committee in July 2015, and comments and suggestions made have been incorporated. The Action Plan was further considered by Management Board on 9 September 2015 and is attached at Appendix 1.

5. The Cabinet is requested to consider the proposed Corporate Plan Key Action Plan for 2016/17 and to recommend its adoption to the Council. Progress against Key Action Plans is published on the Council's website.

Resource Implications:

Resource requirements for actions to achieve Key Action Plan 2016/17 actions will have been identified by the responsible service director 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 2016/17 will have been identified by the responsible service director.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district. Relevant implications arising from the Key Action Plan 2016/17 will be identified by the responsible service director.

Consultation Undertaken:

The Corporate Plan Key Action Plan 2016/17 is a strategic planning document for the Council and which is directed internally. It is not considered that consultation with customers or external organisations is required. The actions set out in this action plan have been submitted by each responsible service director. The Key Action Plan 2016/17 was considered by the

Finance and Performance Management Committee (20 July 2015) and Overview and Scrutiny Committee (21 October 2015).

Background Papers:

The Corporate Plan 2015-2020 sets out the Corporate Aims and Key Objectives 2015-2020; and the Corporate Plan Key Action Plan 2015/16.

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 2016/17 will be identified by the responsible service director.

Due Regard Record

SUBJECT: Corporate Plan Key Action Plan 2016/17

REPORT TO: Cabinet (8 October 2015)

Date/Officer	Summary of equality analysis
<p>10 September 2015</p> <p>B Copson</p>	<p>The Council remains subject to legislation which requires the Council to secure continuous improvement in the way in which its functions and services are exercised, and to pay due regard to the public sector equality duty.</p> <p>An overriding aim of the key objectives is to improve outcomes and circumstances for all sections of the community. The annual identification of actions to take forward the key objectives provides an opportunity to focus attention on how areas for improvement will be addressed, opportunities exploited and better outcomes delivered over the coming year.</p> <p>There are no equality implications arising from the specific recommendations of this report. Relevant implications arising from individual actions in the 2016/17 Key Action Plan to achieve the key objectives, will be identified by the responsible service director.</p>

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

Action	Lead Directorate	Responsibility for Achievement	Target Date	Progress Report (as at end of Quarter X)
<p>Aim (i) To ensure that the Council has appropriate resources, on an ongoing basis, to fund its statutory duties and appropriate discretionary services whilst continuing to keep Council Tax low.</p>				
<p>(a) To ensure that the Council's Medium Term Financial Strategy plans to meet the Council's financial and service requirements for any forward five year period, whilst minimising any reliance on Government funding.</p>				
<p>1) Deliver the savings identified for 2016/17 in the business cases approved by Members</p>	<p>Management Board</p>	<p>Chief Executive</p>	<p>March 2017</p>	
<p>2) Progress preparations for delivering savings for 2017/18 within the MTFS</p>	<p>Management Board</p>	<p>Chief Executive</p>	<p>March 2017</p>	
<p>3) Develop additional business cases, including the use of the invest to save fund, to address the need for net savings in subsequent years.</p>	<p>Management Board</p>	<p>Chief Executive</p>	<p>Sept. 2016</p>	
<p>4) Continue with the presentation of the Financial Issues Paper and MTFS update in July.</p>	<p>Resources</p>	<p>Director Resources</p>	<p>July 2016</p>	
<p>5) Review the future options for the HRA Financial Plan, in the light of the Government's requirement to reduce Council rents by 1% p/a for 4 years and to sell "high value" empty Council properties, following consultation with the Tenants and Leaseholders Federation and the Housing Select Committee.</p>	<p>Communities</p>	<p>Director Communities</p>	<p>Nov. 2016</p>	
<p>(b) To continue to review and develop the Council's own assets and landholdings for appropriate uses, in order to maximise revenue streams and capital receipts, and to deliver the following key projects:</p> <ul style="list-style-type: none"> ■ The Epping Forest Shopping Park, Loughton ■ St John's Redevelopment Scheme, Epping ■ Council Housebuilding Programme ■ North Weald Airfield 				

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

1) Complete Phase 1 of the Council Housebuilding Programme to provide 23 new affordable rented homes in Waltham Abbey.	Communities	Assistant Director. (Housing Property & Development)	July 2016	
2) Commence Phase 2 of the Council Housebuilding Programme to provide [51] new affordable rented homes at Burton Road, Loughton.	Communities	Assistant Director. (Housing Property & Development)	April 2016	
3) Relocate the Housing Repairs Service from the Epping Depot, together with the Housing Assets Team, to alternative suitable alternative premises in order to vacate the current Depot site to enable the planned St John's Redevelopment Scheme and to free-up office accommodation at the Civic Offices, Epping.	Communities	Assistant Director (Housing Property & Development)	April 2016	
4) To facilitate, by the purchase of Essex County Council's interest and subsequent disposal to the preferred developer, the St John's Road redevelopment scheme. This action to be taken to deliver the community and economic development benefits sought in the adopted Development Brief.	Neighbourhoods	Director Neighbourhoods	April 2016	
5) Work in partnership with Moat Housing to commence the proposed development of the Council garage site at Vere Road, Loughton to provide 15 affordable rented homes, together with up to 14 additional parking spaces to facilitate the development of the adjacent site of the former Sir Winston Churchill PH.	Communities	Director Communities	June 2016	
6) Following the response to the "Expressions of Interest" for North Weald Airfield marketing exercise, evaluate the submissions received in order for the Asset Management Cabinet Committee to recommend any preferred proposal to the Cabinet.	Neighbourhoods	Director of Neighbourhoods	Nov. 2016	

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

7) To progress the Epping Forest Shopping Park on a sole owner operator basis with the aim of achieving an opening for the Christmas period 2016.	Neighbourhoods	Director Neighbourhoods	October 2016	
8) Commence Phase 3 of the Council Housebuilding Programme to provide up to 35 new affordable rented homes in Epping, Coopersale, North Weald and Ongar.	Communities	Assistant Director. (Housing Property & Development)	June 2016	
9) Secure planning Phase 4 of the Council Housebuilding Programme to provide up to 50 new affordable rented homes at various small sites in Loughton and Buckhurst Hill.	Communities	Assistant Director (Housing Property & Development)	May 2016	
10) Subject to the receipt of planning permission, secure the provision of the affordable rented homes at the Council-owned site at Pyrles Lane, Loughton as part of any sale of the site to a private developer	Communities	Director Communities	June 2016	
(c) To explore appropriate opportunities to make savings and increase income through the shared delivery of services with other organisations, where such arrangements would provide improved and/or more cost effective outcomes.				
1) Ensure liaison with the Communities Directorate on Housing related / led projects is constructive and productive to retain Building Control project work in-house	Governance	Assistant Director (Development Management)	April 2016	
2) Include a clause as standard in new commercial leases, to require the use of the Building Control service.	Neighbourhoods	Assistant Director (Forward Planning & Economic Development)	April 2016	
3) Estates colleagues to include use of the in-house building control service in their standard negotiations.	Governance	Assistant Director (Forward Planning & Economic Development)	April 2016	

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

4) Include as standard in the specification for new contracts to upgrade Council facilities, a requirement to use the in-house Building Control service. For example: The Leisure Contract requires upgrades to sports centres.	Neighbourhoods / Resources	Assistant Directors (Forward Planning & Economic Development) / (ICT & Facilities Management)	April 2016	
5) For major development projects in which the Council has a sole or significant interest, ensure building regulations work is carried out by the in-house team. For example the Langston Road Shopping Park, and the St Johns Road redevelopment scheme.	Neighbourhoods	Director Neighbourhoods	April 2016	
6) Identify and undertake measures to raise the profile and successes of the in-house building control team.	Governance	Assistant Director (Development Management)	April 2016	
7) Participate in the renegotiations of the contracts for the provision of on-line library services.	Governance	Assistant Director (Legal Services)	March 2017	
8) Explore the possible expansion of the insurance service provided to Uttlesford. District Council.	Resources	Assistant Director (Accountancy)	Sept. 2016	
9) Implement an integrated HR/Payroll IT system jointly with at least one other authority.	Resources	Assistant Director (HR)	March 2017	
10) Evaluate possibility of shared service as part of Debt Working Party.	Resources	Assistant Director (Revenues)	Sept. 2016	
11) Provide HR/payroll services to at least one other authority.	Resources	Assistant Director (HR)	March 2017	

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

12) Evaluate possibility of shared service as part of Scanning Working Party.	Resources	Assistant Director (Benefits)	Sept. 2016	
13) Identify additional Council services that may benefit from a shared provision with other organisations (either provided by the Council or others), to reduce costs, create income and/or improve service delivery.	Management Board	Chief Executive	March 2017	
Aim (ii) To ensure that the Council has a sound and approved Local Plan and commences its subsequent delivery				
(a) To produce a sound Local Plan, following consultation with local residents and working with neighbouring councils, that meets the needs of our communities whilst minimising the impact on the District's Green Belt.				
Page 63 Update the Council's Housing Strategy, following production of the Preferred Options for the Local Plan.	Communities	Director Communities	Dec. 2016	
2) To undertake Phase II of a comprehensive Green Belt Review as a key component of the local Plan evidence base.	Neighbourhoods	Assistant Director (Forward Planning & Economic Development)	January 2016	
3) Agree a Draft Local Plan and undertake the appropriate sustainability appraisal.	Neighbourhoods	Assistant Director (Forward Planning & Economic Development)	May 2016	
4) Undertake all necessary consultations and negotiations under the Duty to Co-operate with Neighbouring Authorities to ensure that the Local plan meets this test at Examination.	Neighbourhoods	Assistant Director (Forward Planning & Economic Development)	On-going	
5) Submit the Final Local Plan to the Planning Inspectorate for Examination.	Neighbourhoods	Assistant Director (Forward Planning & Economic Development)	Oct 2017	

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

(b) To increase opportunities for sustainable economic development within the District, in order to increase local employment opportunities for residents.				
1) Continue with the Council's apprenticeship scheme for the district's young people, providing sustainable employment opportunities.	Resources	Assistant Director (HR)	Sept. 2016	
(c) To deliver the Council's new Leisure and Cultural Strategy, in order to maximise participation and value for money in the provision of leisure and cultural services to local residents and visitors.				
1) In partnership with Essex County Council, NHS England and Waltham Abbey Town Council, undertake a Master-planning exercise for the provision of a proposed new swimming pool, new health centre and an independent living scheme for older people at Hillhouse, Waltham Abbey.	Neighbourhoods / Communities.	Director Neighbourhoods / Director Communities.	May 2016	
2) Undertake a public consultation exercise on the Draft Masterplan for Hillhouse, Waltham Abbey.	Neighbourhoods / Communities	Director Neighbourhoods / Director Communities	Sept. 2016	
3) In accordance with the recommendations of the Leisure and Culture Strategy to jointly pursue the provision of a new Secondary School on the Ongar Campus site, with a view to entering a Dual-Use Agreement for the Leisure Centre.	Neighbourhoods	Assistant Director. Neighbourhoods	April 2016	
4) As part of the competitive dialogue procurement process for the new Leisure Management Contract, take forward the provision of a replacement swimming pool in Waltham Abbey.	Neighbourhoods	Assistant Director. Neighbourhoods	Sept. 2016	

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

5) Subject to the receipt of funding from Arts Council England, investigate the possible establishment of a Museum Heritage and Culture Development Trust, in order to lever in more external funding than is currently possible.	Communities	Assistant Director (Community Services & Safety)	June 2016	
Aim (iii) To ensure that the Council adopts a modern approach to the delivery of its services and that they are efficient, effective and fit for purpose.				
(a) To have efficient arrangements in place to enable customers to easily contact the Council, in a variety of convenient ways, and in most cases have their service needs met effectively on first contact.				
1) Review the success of the increased opening hours and the increased delivery of Council services at the Council Office at the Limes Centre Chigwell after 12 months' operation, with an interim review after 6 months.	Communities	Assistant Director (Community Services & Safety)	January 2017	
2) Implement and/or produce an Implementation Plan for, the agreed proposals for improving customer contact.	Management Board	Assistant Director (Governance & Performance Improvement)	March 2017	
(b) To utilise modern technology to enable Council officers and members to work more effectively, in order to provide enhanced services to customers and make Council services and information easier to access.				
1) Achieve significant progress in the scanning of paper and microfiche Development Control files to increase both information available on iPlan and enable flexible working.	Governance	Assistant Director Development Management	March 2017	
2) Scan Building Control paper and microfiche files to promote flexible working and reduce storage costs.	Governance	Assistant Director Development Management	March 2017	

Corporate Plan: 2015-2020
KEY ACTION PLAN 2016-2017

3) Undertake document scanning projects in Legal Services and Development management to support the Transformation Programme.	Governance	Assistant Directors (Legal Services & Development Management)	March 2017	
4) Continue the implementation of the Council's ICT Strategy, with the completion of the following key projects: (a) Roll out and development of Information@Work; and (b) Mobile and flexible working.	Resources	Assistant Director (ICT & Facilities Management)	March 2017	
5) Free up computer suite 1 for re-use as office accommodation.	Resources	Assistant Director (ICT & Facilities Management)	March 2017	
(c) To ensure that the Council understands the effects of an ageing population within the District and works with other agencies to make appropriate plans and arrangements to respond to these effects.				
Pages 65 Complete the multi-service study to identify and better understand the demographics of an ageing population in the District and the effects on the Council.	Communities	Assistant Director (Community Services & Safety)	June 2016	
2) Commence the implementation of the action plan formulated as a result of the multi-service study to mitigate the effects on the Council of an ageing population in the District.	Communities	Assistant Director (Community Services & Safety)	Sept. 2016	
3) Review the delivery of housing support at the Council's sheltered housing schemes in the District.	Communities	Assistant Director (Housing Operations)	June 2016	
4) Review the Council's sheltered housing stock assets, with a view to rationalisation and modernisation through a strategic approach.	Communities	Director Communities	June 2016	

Report to the Cabinet

Report reference: C-032-2015/16
Date of meeting: 8 October 2015



Portfolio: Technology & Support Services
Subject: ICT Capital Requirements
Responsible Officer: David Newton (01992 564580).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That a sum of £185,000 be included in the Capital programme for 2016/17 for the following ICT projects:
- (i) Replacement of security devices used for authentication of electronic payment system transactions;
 - (ii) Upgrade to accountancy general ledger system;
 - (iii) Storage Solution for public facing servers; and
 - (iv) Implementation of other projects identified from the ICT strategy to improve productivity/efficiency, or maintain service.

Executive Summary:

Following the revision of the Capital programme all proposed ICT projects are considered on an annual basis and funding made available when required. Estimated project costs for the financial year 2016/17 are set out below.

Reasons for Proposed Decision:

The ICT projects detailed below are necessary to maintain the current ICT infrastructure, improve business continuity within the Council and allow staff to fully utilise the benefits available from ICT systems.

Other Options for Action:

To refuse the critical projects identified will impact on the reliability of the ICT infrastructure and could result in the inability to make payments. To refuse funding for the other projects will impact on the ICT strategy implementation.

Report:

1. Capital funding is sought for the following projects, (assessed benefits are contained in the appendices):

(a) Priority ICT Strategy Projects – please see Appendix 1:

Project	Explanation	Amount
Replacement of security devices used for authentication of electronic payments	BACS (Banker Automated Clearing Service) is the system which processes the council's electronic payments such as Direct Debits, the HSM device is a secure unit used to authenticate these payments, the current HSM devices will not be supported by our suppliers after December 2016. The replacement devices will ensure we are able to make payments to suppliers and residents.	£10,000
Upgrade to accountancy general ledger system	E-Financials is our general ledger system, the current version is unsupported and requires a chargeable upgrade to get us onto the latest supported version, which also offers greater functionality	£25,000
Storage Solution for public facing servers	With the increase in remote working and system integration with external partners, the secure environment which holds our public facing servers will need to have sufficient storage space available. This project will add capacity and improve performance and resilience.	£30,000

(b) Other ICT Strategy Projects – please see Appendix 2:

Project	Explanation	Amount
Extension of ICT Service Desk System to cover Facilities Management	The recently implemented ICT service desk system offers the capability to incorporate the running of the Facilities Management support function within the same system, this gives benefits for internal customers, and allows more efficient use of support staff across the two teams, and more efficient management of specialist staff.	£10,000
Integration between corporate gazetteer and the Revenues/ Benefits system (phase 2 of 2)	At present there is no automatic integration between the corporate land and property gazetteer and the Academy system (used by Revenues and Benefits). This means that the data held in these systems is not directly linkable to the corporate address data set, which limits its use in reporting and also means that there is a risk of addresses not being correctly entered or identified. This also leads to unnecessary duplication of work in the management of address data.	£10,000
Mobile access to email and data	This will fund the procurement of additional licenses to meet Staff and Member requirements for Good For Enterprise (remote email) and for other Good Applications for Staff use. This project helps enable mobile working, by allowing secure communication with a dispersed team.	£5,000
Document Management further rollout and enhancements	We are planning on replacing one of our Information@work scanners in this year to ensure the continuity of scanning work. The remainder of this sum will be used for system enhancements around the new version 5 of the Information@Work application.	£10,000
Additional Data Storage Capacity	Current capacity management projections show that our Storage Area Network (SAN) will be fully utilised in 2016, this sum will allow the procurement of additional capacity to meet ongoing needs for additional storage capacity, especially linked to the increased importance of scanning documents and holding them electronically.	£15,000
Back up Tape Drives	With the increase in SAN capacity (see above) it is essential that sufficient capacity exists to back-up this data. Capacity management projections indicate that even without the additional storage we would be nearing the limits of capacity in 2016; as such this procurement is essential to ensure the resilience of our data storage.	£3,000

Essential Security enhancements	A number of security devices and appliances are in use to protect our ICT infrastructure from external threats. In 2016/17 two key items in this area are end of life and will require replacement in order to maintain the security required to meet the requirements of the PSN (Public Sector Network) code of connection, and also to ensure the safe operation of our systems.	£25,000
Integration capability for Planning system via Web Services	As part of the waste project ICT obtained the Web Services Module for M3 Public Protection. It is proposed to purchase the same module for the Land and Property system (planning and building control) which will allow the development of mobile working and integrated solutions.	£15,000
Security enhancements to aid integration	With increasing demands for integration of our systems with those of external partners (as with the Waste System and the Corporate Mapping system) a Reverse Proxy will provide a secure standard solution to allow for these connections to simplify future integrations.	£10,000
Training Room Interactive White Board replacement	The Interactive White Board in the ICT training room is now 6 years old, and is not compatible with newer devices (particularly apple), this causes recurring problems for trainers.	£7,000
Upgrade of Cash Receipting system	The current version of this software requires upgrading to the latest version to meet the more stringent requirements of PCI-DSS (Payment Card Industry-Data Security Standards) and to ensure support is available. This upgrade is chargeable in terms of implementation work.	£10,000

Resource Implications:

Our budgetary estimates indicate that an amount of £185,000 is required for the ICT projects. An amount of £200,000 and £373,300 for ICT Capital projects was agreed for the previous financial years 2015/16 and 2014/15 respectively. The vast majority of these projects have been completed on time and within budget. A detailed ICT Update Report for this current financial year is scheduled to be presented to the Resources Select Committee during April 2016.

This report excludes any request for funding relating to the Corporate Flexible Working project. EFDC are currently looking to recruit a Head of Transformation to facilitate with the progression of this scheme. Therefore, it is felt sensible to withhold any request for funding for this specific project until such time as recommendations are forthcoming. Should the decision be to proceed, an additional £189,000 would be required to progress the ICT element of this project and a supplementary report would be submitted at this time (please see Appendix 3 for a detailed breakdown).

Legal and Governance Implications:

None.

Safer, Cleaner and Greener Implications:

None.

Consultation Undertaken:

Discussion undertaken with all Directorates.

Background Papers:

None.

Risk Management:

Failing to maintain and update the ICT infrastructure could disrupt the day to day operations of critical systems and will have a significant impact on staff's ability to carry out their duties.

Appendix 1 - Priority ICT Strategy Projects

Replacement of security devices used for authentication of electronic payments: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X		X						
Council	X	X	X		X	X	X	X	
Members	X		X						

Upgrade to accountancy general ledger system: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X								
Council	X	X	X		X	X	X	X	
Members									

Storage Solution for public facing servers: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X							
Council	X	X	X					X	
Members	X	X				X		X	

Appendix 2: Projects identified from the ICT Strategy

Extension of ICT Service Desk System to cover Facilities Management: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X							X	
Council	X		X	X	X	X	X	X	X
Members						X		X	

Integration between corporate gazetteer and the Revenues/ Benefits system (phase 2 of 2): Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X							X	
Council	X				X	X	X	X	
Members	X								

Mobile access to email and data: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X				X	X	X	X
Council	X	X		X	X	X	X	X	X
Members						X		X	

Document Management further rollout and enhancements: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X				X			
Council	X	X	X		X	X	X		X
Members	X	X				X			X

Additional Data Storage Capacity: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X	X						
Council	X	X	X		X	X	X	X	
Members	X	X	X						

Back up Tape Drives: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public									
Council			X			X			
Members									

Essential Security Enhancements: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X				X			
Council	X	X	X		X	X	X	X	
Members	X	X				X		X	

Integration capability for Planning system via Web Services: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X	X	X	X	X		X	
Council	X	X	X	X	X	X	X	X	
Members	X		X			X		X	

Security enhancements to aid integration: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X				X			
Council	X	X	X	X	X	X	X	X	
Members	X	X				X		X	

Training Room Interactive White Board Replacement: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public								X	
Council	X	X		X	X	X	X	X	
Members	X	X				X		X	

Upgrade of Cash Receipting system: Assessed benefits:

	Customer Service	24/7 Service Availability	24/7 Service Resilience	Retain Low Council Tax and use finances efficiently				Improved communication	Enable flexible/remote working
				Reduced procurement costs	Reduced ongoing costs	Improved process	Improved Staff productivity		
Public	X	X						X	
Council	X	X	X			X		X	
Members		X						X	

Appendix 3: Corporate Flexible Working Project

Project	Explanation	Amount
Desktop environment upgrades including a Pilot of Virtual Desktops and Citrix enhancements	Citrix is the system that ICT uses to deliver software and desktops to users. The current version is up to date, but does not offer the best balanced solution to all users and some work is required to improve performance. The change to using Virtual Desktops will mean performance can be tailored more easily to user requirements.	£50,000

Other ICT Strategy Projects

Project	Explanation	Amount
Extension of telephone system	ShoreTel Mobility extends our telephone system by allowing users to use their smartphones as part of the network. This means that within our offices, users can connect to the corporate Wi-Fi network to make and receive calls, and also use an App to replicate the functionality of the desktop client.	£20,000
Distribution Switches	ICT have over recent years upgraded a large proportion of the internal network infrastructure, and it is planned to continue this work by replacing our pair of distribution switches. These devices are paired for redundancy and resilience.	£20,000
Remote Support tools	Bomgar is a tool which will allow us to securely offer remote support to PCs sitting outside of our core network infrastructure, this will be of real value in supporting remote working.	£5,000
Committee and Conference Room Interactive White Boards	ICT has previously procured interactive whiteboards for the ICT Training Room, the Hunter Room at North Weald Airfield, and Committee Room 1. Their usage has increased over time, and it is now clear that further installations are warranted in Committee Room 2 and the Conference room.	£14,000
Video Conferencing	Video conferencing is increasing available as a tool to enable meetings to be held with the minimum impact on staff time. This sum allows for the equipping of a specific room as a bookable corporate resource for staff and members. Video conferencing will support our flexible working rollout, as it will provide dispersed teams with a new way of communication.	£5,000

Corporate Flexible Working rollout

Project	Explanation	Amount
Corporate Flexible Working rollout	Successful testing has identified a number of hardware options to enable flexible home working. Depending on the equipment mix this sum could equip more than 100 staff with the necessary hardware.	£75,000

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

Date / Name	Summary of equality analysis
3/8/15 David Newton	<p>The projects within this report will impact on both employees and the public</p> <p>The two groups impacted by the strategy are members of staff (if they lack ICT skills as our training offering is being changed) and people with disabilities. (Public in terms of online service via the website, staff in terms of new technology).</p> <p>Mitigation is in place for both of these areas, a training needs analysis is to be carried out for new starters, and one to one coaching will be available to them if required (and to existing staff). We will also ensure that suitable hardware and software solutions (e.g. Jaws) are tested and available to staff members with disabilities that require them</p> <p>In terms of online service provision, the Website Development Board continues to oversee the development of the website and collate any feedback received, which is then fed back into the design of the site.</p> <p>The projects also advance equality of opportunity by improving the ways we can collect and analyse data, which will help us pinpoint areas of need or analyse trends. Also the move to put more services online helps make information more available to all groups, and accessible to those with mobility issues, or who are unable to access our services in normal hours.</p> <p>The projects will also offer benefits by increasing the scope for flexible/remote working by staff, which will assist those with Caring responsibilities.</p>

Report to the Cabinet

Report reference: C-036-2015/16
Date of meeting: 8 October 2015



**Epping Forest
District Council**

Portfolio: Leisure and Community Services

Subject: Leisure Management Contract - Business Case and Procurement Strategy

Responsible Officer: Derek Macnab (01992 564050).

Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That, as recommended by the Portfolio Holder Advisory Group for Leisure Management, the Business Case and Procurement Strategy for the Council's new Leisure Management Contract be agreed, which will:

- (a) be through a Design, Build, Operate and Manage contract for a period of 20 years and deliver a new build replacement for Waltham Abbey Swimming Pool;**
- (b) be based on the affordability levels identified seeking to maximise return on investment;**
- (c) consider a detailed variant Business Case to include operating costs for a potential new Leisure Centre development at North Weald, with the option to either replace or retain Ongar and Epping Sports Centres;**
- (d) enable the market to present options which are commercially more favourable to the Council; and**
- (e) utilise the evaluation criteria within the Procurement Strategy to select the best future management partner; and**

(2) That, in accordance with the Business Case and Procurement Strategy, the existing Leisure Management Contract with SLM Ltd be extended by one year from 3 January 2016, on the existing terms and conditions, and with a three month break-clause included.

Executive Summary:

In December 2014, the Council adopted a new Leisure and Cultural Strategy. The Strategy identified future need and defined the role that the District Council may play, in the provision of opportunities for people to lead healthier lives. The most significant direct investment in leisure, is the provision of the four Sports/Leisure Centres, currently managed under contract on the Council's behalf by Sport and Leisure Management Ltd (SLM). The ten year contract is due to expire in January 2016.

In preparation for a new contract, the Council has been considering, through the work of the Portfolio Holder Advisory Group for Leisure Management, the level of service to provide in future and the best procurement and contractual options., to deliver the Council's Key Objectives. The Council has appointed external expertise to support the process, (RPT Consultants), who have been working with the multi-disciplinary officer project team to develop a Business Case and Procurement Strategy. The document was presented to the Portfolio Holder Advisory Group on the 17 September. This report seeks Cabinet approval of the Business Case and Procurement Strategy, as recommended by the Portfolio Holder Advisory Group. In addition, it seeks agreement to a contract extension with SLM the current management partner, for up to a year on the existing terms and conditions..

Reasons for Proposed Decision:

To ensure that the Council can continue to operate and maintain its facilities and achieve maximum value for money in the way that it delivers Sports and Leisure opportunities to its residents.

Other Options for Action:

The Council has previously determined that a management contract with a suitably, experienced external private sector operator or Leisure Trust, is the best means of achieving its Key Objectives with respect to the management of its Leisure Facilities. There are alternative options, such as the establishment of an in-house Leisure Trust or re-adopting direct management at the end of the current contract. However, these would present greater financial risks to the Council.

Report:

Introduction

1. In December 2014, the Council adopted a new Leisure and Cultural Strategy which identified future need and the role that the District Council may play in the provision of opportunities for people to lead healthier lives, contribute to community wellbeing and promote social inclusion.
2. The District Council currently provides a range of Leisure and Cultural Services to include Arts, Community and Sports/Health Development as well as the District Museum Service. These operate largely on an outreach basis, working closely with other partners in the public and voluntary sector, with a good track record of accessing external funding.
3. However, the most significant direct investment in leisure is the provision of the four Sports/Leisure Centres, currently managed under contract on the Council's behalf, by Sport and Leisure Management Ltd (SLM).
4. The 10 year contract with SLM is due to expire in January 2016. The Council therefore needs to determine the future level of service it wishes to provide and importantly, what Leisure Management procurement and contractual options, it may wish to pursue

Key Objectives

5. Epping Forest District Council's Key Objectives with respect to the management of its Leisure facilities, are to increase use and the level of activity for all residents, to provide services which are complementary to and not in competition with facilities provided by others in the District, to improve the range of services offered, maximise external capital investment in the Council's facilities and reduce revenue costs by the minimisation of management fees,

to any external management partner.

Future Leisure Management Contract Options

6. As part of the Council's initial decision to seek an alternative provider in 2005, extensive consideration was given to the respective management options available, namely direct management, private sector operator, in-house trust or established trust. An evaluation of the benefits of adopting the particular options was undertaken, and a firm conclusion was reached that outsourcing to a private sector partner or external trust, was the preferred option.

7. A recent review of these options has reached the same conclusion. This decision was informed as a result of a number of exploratory visits to other authorities who have recently re-let large management contracts, coupled with the increasing feature in the leisure contracting market of private sector companies being willing to invest capital or enter into joint development arrangements, for new or extensively extended leisure facilities.

8. There is considerable amount of complexity in relation to the procurement of a new Leisure Management contract for the Council, by virtue of the number of variables and unknowns in relation to the condition of buildings, and future services options. Whilst it would be possible to replicate the previous approach, where the Council had specified its requirements in detail through the contract specification, this would have a constraining effect on any future contractor. The Council's current operator has already referred to this restriction and has indicated that an alternative approach of competitive dialogue may be preferable.

Portfolio Advisory Group and Consultancy Support

9. The procurement of the new Leisure Management Contract needs to be addressed in a strategic way. This is particularly true given that there are increasing demands on the Council's resources, resulting in a need to determine future corporate priorities, alongside the changing socio-economic and demographic make-up of the District, with future levels of growth being determined by the Local Plan.

10. As such, the Council agreed to appoint a Portfolio Holder Advisory Group. The role of the Group is to offer advice and guidance to the Leisure and Community Services Portfolio Holder, in determining the specification for the contract and the scope of any new facilities.

11. Due to the complexity of the Competitive Dialogue process, (although it has been successfully utilised in the procurement of the Council's Waste and Recycling Contract) and the amount of resource required to undertake the procurement in the required timescales, experienced external support was sought. RPT Consulting were appointed through a competitive tender. The lead consultant Robin Thompson has been working closely with the multi-disciplinary officer project team, established to manage the project.

Project Plan

12. In June, RPT Consultants presented a draft Project Plan to the Portfolio Holder Advisory Group. In summary, it was agreed that the new contract would be procured through three Phases. Phase 1 to focus on the development of a Business case and Procurement Strategy, the subject of this report. When adopted, this will lead to Phase II, the Procurement Phase. This should consist of three stages. Firstly a pre-Qualification, whereby a shortlist will be drawn up of a maximum of five bidders and a OJEU (Official Journal of the European Union) notice issued. The second stage will be the invitation to Submit Detailed Solutions (ISDS), which should include the key Method Statements from the bidders for the delivery of

the service. At the end of this stage, the shortlist will be reduced to a maximum of three bidders. At this point, the Council will need to decide which of the Business Case options to progress with. The third stage is the Final Tender stage where the bidders will submit their best and final offer. There will be further dialogue and clarification with the final bidders, and the outcome will be the selection of the preferred and reserve bidder. Finally, Phase III of the process is the Contract Mobilisation and handover. A three month period will be allocated for this. It is planned to formally award the new contract in June 2016, with a predicted start date of September 2016.

13. Finally, Phase III of the process is the Contract handover, and a three month period will be allocated for this. With the current contract due to expire in January 2016m a short-term extension to the current contract with SLM will be required. RPT have advised that short-term extensions are common to allow a procurement process to complete, and it is recommended that a one year extension is granted on the existing terms and conditions to SLM. This would allow a contingency period for any delays, however, it is anticipated that a contract start date of September 2016 is realistic. To allow flexibility, it is also recommended that a 3 months notice break-clause which can be triggered after the initial six months of the extension, should be inserted to accommodate any slippage.

Contract Extension

14. With the current contract due to expire in January 2016, a short-term extension to the current contract with SLM will be required. RPT have advised that short-term extensions are common to allow a procurement process to complete. It is recommended that a one year extension is granted on the existing terms and conditions to SLM. This would allow a contingency period for any delays to the overall procurement timetable. However, it is anticipated that a contract start date of September 2016. is realistic. To allow flexibility it is also recommended that a 3 months break-clause notice, which can be triggered after the initial six months of the extension, should be inserted, to accommodate any slippage.

Business Case and Procurement Strategy

15. Having accepted a general Three Phase approach to the procurement of the new Leisure Management Contract, the Portfolio Holder Advisory Group, at its meeting of the 17 September 2015, received a presentation from the Council's Consultants on the Business case and Procurement Strategy. A copy of the full document is attached for consideration at Appendix One. The Appendices to the Business case and Procurement Strategy contain a considerable amount of detailed analysis, to support the conclusions and recommendations of the document. These have not been published in full within the Agenda, but are listed as Background Papers.

16. In summary, the Business Case and Procurement Strategy covers:

- **Section 1** – An outline of the procurement stages and timetable.
- **Section 2** – An analysis of the relative performance of each of the Council's Leisure Centres, and the required level of subsidy in the form of management fees.
- **Section 3** – An assessment of the likely level of investment required for each of the Leisure Centres with respect to ongoing maintenance, based on building condition surveys.
- **Section 4** – An indication of the key outcomes to be achieved through the

procurement process, in line with the agreed policy aspirations of the Council's Leisure and Cultural Strategy.

- **Section 5** – The identification of a number of development options for future leisure provision, namely Option One – Maintain Existing Provision, Option Two – Refurbishment and new Build and Option Three – Refurbishment.
- **Section 6** – An outline of the establishment of an affordability position for the Council considering a number of factors to include the future revenue position of the Council and how much capital input may be required. Evaluation criteria for the new contract are also proposed.
- **Section 7** – Contains a Summary of the key issues of the Business Case and Procurement Strategy and makes a number of key recommendations.

Conclusion

17. Having considered in detail the Business Case and Procurement Strategy, the Portfolio Holder Advisory Group is recommending to Cabinet its formal adoption and in particular the following recommendations:

- That the procurement for the new leisure contract commences in October 2015, through a competitive dialogue process which seeks to deliver the outcomes set out in the Business Case and Procurement Strategy and in particular will:
 - Be through a Design, Build, Operate and Manage contract for a period of 20 years deliver a new build replacement for Waltham Abbey Swimming Pool;
 - Be based on the affordability levels identified seeking to maximise return on investment;
 - Consider a detailed variant Business Case to include operating costs for a potential new Leisure Centre development at North Weald, including the option to either replace or retain Ongar and Epping Sports Centres;
 - Enable the market to present options which are commercially more favourable to the Council; and
 - Utilise the evaluation criteria within the Procurement Strategy to select the best future management partner.

Resource Implications:

Contained within the Council's Medium Term Financial Forecast is a requirement to achieve a £250,000 saving per annum on the current management fee, from year two of the new contract. Capital projections for any new facilities are contained within the Business Case. The estimated costs of future maintenance for the Council's existing Leisure Centres, are contained within the Business Case

Legal and Governance Implications:

A representative of the Council's legal Services is an active member of the Officer project team and is advising on contractual issues in relation to the procurement of the new contract.

A draft Voluntary Ex-Ante Transparency (VEAT) notice has been prepared to facilitate the extension of the existing contract with SLM.

Safer, Cleaner and Greener Implications:

Any new leisure Facilities provided under the new contract will seek to achieve the BREEAM standard for energy efficiency.

Consultation Undertaken:

The Council's current Leisure Management Contractor has been consulted on the general approach and timescale, to include the requirement for a contract extension.

Background Papers:

The Appendices to the Business Case and Procurement Strategy prepared by RPT Consulting, and the Council's Leisure and Cultural Strategy.

Risk Management:

Not to agree a procurement strategy and contract extension would present a risk to the continuation of a safe and efficient service to residents.

Due Regard Record

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Active participation in sports and leisure activities can assist people in living a healthy and fulfilling life. Participation rates vary between sections of the community. The new contract will have guaranteed elements to ensure that accessible activities are made available to young people, the elderly, and people with disabilities. Women's Only Sessions will be promoted to encourage participation by women of all ages and faiths. Childcare facilities will also be provided.

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**Epping Forest District Council (EFDC)
Leisure Management Contract**

**Business Case & Procurement Strategy - Overview
11 August 2015**

Contents	Appendices
1. Introduction	A. Financial Implications
2. Existing Performance	B. Waltham Abbey New Build Revenue Projections
3. Key Outcomes and Needs Assessment	C. North Weald New Build Revenue Projections
4. Future Development Options	D. Procurement Options
5. Affordability and Evaluation Criteria	
6. Summary and Recommendations	

1.0 Introduction

This paper sets out the procurement strategy for the Leisure Management Contract for the Council and includes

- Existing Performance
- Key Outcomes & Facility Need
- Future Development Options
- Affordability Levels & Financial Implications
- Evaluation Criteria

The overall approach and timetable is based on a new contract being in place for September 2016 and is based on a competitive dialogue process and will consist of the following stages

Table 1 – Procurement Stages

Stage	Description	Timetable
Pre Qualification (PQQ)	<ul style="list-style-type: none"> • Market the Opportunity and select a shortlist of circa 5 bidders based on experience and track record 	Sept – Nov 2015
Invitation to Submit Detailed Solutions (ISDS)	<ul style="list-style-type: none"> • Invite bidders to submit proposals for a number of options (mandatory and variant bids) • Enables Council to decide on best option to pursue and a shortlist of circa 3 bidders 	Nov 2015 – Mar 2016
Invitation to Submit Final Tenders (ISFT)	<ul style="list-style-type: none"> • Council determines which option to proceed with and asks the shortlist to provide final tender (their best offer) 	Mar - June 2016
Preferred Bidder and Contract Award	<ul style="list-style-type: none"> • A preferred bidder selected (with a reserve bidder) to enable finalisation and award of contract, followed by mobilisation and handover 	June – Sept 2016

The principles set out in this paper are based on analysis of existing performance and also industry benchmarks on future performance to illustrate what the likely outcomes are from a procurement process.

2.0 Existing Performance

There are a number of areas where the existing contract provides costs to the Council and

should be considered in any future procurement, principally around the following three areas

- Existing Contract and Management Fee with SLM, to include the performance of the Centres
- Current maintenance and other costs which EFDC are responsible for and future condition survey costs

We summarise the existing position over the following paragraphs.

Existing Contract

The current management fee which EFDC pay SLM will be £942,073 (2015/16 financial year). The overall performance of SLM is summarised below, with further detail in Appendix A.

Table 2 – SLM Existing Performance (2013/14)

£'000's	Epping	Loughton	Ongar	Waltham Abbey	Total
Income	745	2,086	856	909	4,596
Expenditure	1,047	1,822	1,134	1,218	5,221
Net Surplus/(Deficit)	(302)	264	(278)	(309)	(625)
Central Costs	120				120
Management Fee	902				902
SLM Profit	N/A	N/A	N/A	N/A	157

It should be noted that the costs illustrated above are based on 2013/14 detailed analysis as the 2014/15 figures are not yet available. This is the reason the management fee differs from the figure for 2015/16.

Maintenance and Condition Survey Costs

Currently EFDC has responsibility for landlord maintenance and other additional costs relating to depreciation and support costs, which for 2015/16 are summarised below.

- Council Maintenance Costs £106,270
- Other costs £977,030

With the management fee paid to SLM the total revenue costs for 2015/16 are £2.025 million.

In addition to these costs EFDC has undertaken condition surveys of the four facilities in 2013/14 and this has identified a total requirement for condition survey costs of £11.3 million over the next fifteen years. This is split across the Centres as follows

- Epping Sports Centre (ESC) £2.3 million (£1.3m in first 2 years)
- Loughton Leisure Centre (LLC) £2.9 million (£2.3m in years 8 – 15)
- Ongar Sports Centre (OSC) £3.4 million (£2m in first 4 years)
- Waltham Abbey Pool (WAP) £2.6 million (£1.5m in first two years)

With the exception of Loughton all the facilities need significant investment in condition survey works during the next 2-4 years.

Existing Cost Summary

The existing costs for EFDC to operate the current leisure management contract are in effect £1,052,343 per annum (based on 2015/16 budget), which includes the annual maintenance costs and the management fee. These are the existing costs to EFDC we have used in the business case to establish future revenue savings which can be used to fund capital investment. These costs also exclude any condition survey costs, however the assumption is that these would replace maintenance costs.

3.0 Key Outcomes

There has been significant work undertaken to date which has identified the need for facilities within EFDC, which has culminated with the Leisure Strategy prepared in 2014.

As a result of these issues and the need identified, there are a number of key outcomes which the future Leisure Management Contract is expected to deliver, which include

- **Facility Investment**

- Redevelopment of Waltham Abbey Pool, through a total replacement on a new site, with a facility mix which should seek to include:
 - 25 metre, 6 lane pool with learner pool
 - Health and fitness provision to include studio and at least 50 station gym
- Investment in Epping SC and potentially Ongar SC to provide new or refurbished facilities.
- Investment in Loughton LC to improve and enhance the existing provision
- Life Cycle costs responsibility to sit with the contractor
- New or refurbished facilities to be environmentally sustainable, through striving to achieve BREEAM (Building Research Establishment Environmental Assessment Method) excellent.

Through the procurement it is important that the Council specify any facilities which are required from a need analysis but may not be provided by the market on a purely commercial basis, then allow the market to present any commercial activities to improve the financial return. Typically this means the Council should specify the level of swimming provision, sports hall provision and squash provision as none of these would be provided as a commercial proposition.

- **Service Delivery**

- Maintain the level of quality of provision as current as a minimum, with continuous improvement
- Deliver on the Council's key objectives for provision of sport and physical activity
- Increased participation in sport and physical activity, based on improving the current levels of participation

- **Financial Implications**

- Capital Investment to come from a number of sources including Council capital reserves, Section 106, possible grant funding and Council prudential borrowing
- The revenue position is expected to be significantly improved on the current costs to enable any revenue savings to be used to fund capital financing.
- Surplus Share to be included based on simple 50:50 share of surplus above management fee submission, to provide income generation for the Council.
- Utilities benchmarking to be included based on price benchmarking only – Contractor responsible for energy consumption
- Overall the Council is seeking £250,000 revenue savings by year 2 of the contract

4.0 Future Development Options

We identify in this section a number of opportunities for each of the facilities and the overall development of the future facilities. In particular this has taken into account the condition survey and other factors (such as existing design and site opportunities), such as:

- Waltham Abbey is in need of replacement and a study has been undertaken to identify a potential site to relocate the centre to, linked to future health proposals;
- Loughton Leisure Centre is a relatively new facility and the condition survey illustrates that major works are not likely to be required for at least 8 years;
- The Council has undertaken a Masterplanning exercise which has identified North Weald as a potential location for some growth and a desire from local residents for improved leisure and community facilities;
- The new Ongar Academy is in the process of being developed and is likely to require some sports facilities; and
- Epping Sports Centre and Ongar Sports Centre both require significant condition survey work in the near future (within the next 3-4 years).

As a result of these issues the future development options for the facilities are summarised below

- Waltham Abbey – create a new pool and fitness facility on an alternative site to replace the existing
- Loughton Leisure Centre – consider some refurbishment through extension of the health and fitness offer (potentially to utilise the existing octagonal space)
- Epping Sports Centre – there are potential three options which could be considered for the redevelopment of Epping as follows
 - Refurbishment of the Existing Facility – including the potential to demolish part of the facility and create a new build to develop the fitness and reception area.
 - New build facility to replace the existing facility on the same site (essentially to develop a dryside facility)
 - New build facility to replace both Epping and Ongar facilities and create a new Leisure Centre (with pool and dryside) in North Weald
- Ongar Sports Centre – if a new facility is not developed to replace the Ongar and Epping sites then the main option will be to maintain and refurbish the existing. If a new build option to replace both the existing sites at Epping and Ongar then consider the remaining facilities to deliver the school facilities and sporting facilities at the new Academy for community use.

We have therefore considered three potential development options for the future procurement based on these opportunities, as summarised below

Table 3 – Development Options

Option	Option Description
Option 1 – Maintain Existing	<ul style="list-style-type: none"> • All existing facilities maintained with limited refurbishment and condition survey works undertaken • Effectively considered the status quo and maintaining the service

Option	Option Description
Option 2 – Refurbishment & New Build	<ul style="list-style-type: none"> • New facility to replace Waltham Abbey to include Pool and fitness facility (including studio space) • Refurbishment of Loughton to extend health and fitness and redevelop the octagonal space for new facilities • Refurbishment of Ongar SC to resolve condition survey issues and maintain the existing facilities • Refurbishment and part build of Epping SC to create a new facility on the existing site
Option 3 - Rationalisation	<ul style="list-style-type: none"> • New facility to replace Waltham Abbey to include Pool and fitness facility (including studio space) • Refurbishment of Loughton to extend health and fitness and redevelop the octagonal space for new facilities • Development of new wet and dry leisure facility in North Weald to replace Epping SC and Ongar SC with a purpose built facility to deliver significant service and financial benefits

It is recognised that the rationalisation option can only be progressed as the development at North Weald progresses and is unlikely to be able to be delivered from the start of the new contract. Indicative financial implications for each of the options have been developed in Appendix A (supported by financial projections for new facilities in Appendices B and C) and we summarise the implications below.

Table 4 – Financial Implications

	Existing Costs	Option 1 – Maintain Existing	Option 2 – Refurbishment & New Build	Option 3 - Rationalisation
Capital Required (£'million)	11.3	11.3	17.11	22.07
Revenue (£'000's)				
Income	4,542	4,587	5,406	5,995
Expenditure	5,468	5,414	5,447	5,247
(Surplus)/Deficit	927	826	41	(747)
Savings on Existing	N/A	100	886	1,674

It can be seen that there are significant opportunities to deliver revenue savings through options 2 and 3, however there is a need for greater levels of capital, some of which could potentially be funded through prudential borrowing.

We summarise in the table below some of the key benefits and disadvantages of each of the options

Table 5 – Options Analysis

Option	Benefits/Disadvantages
Option 1 – Maintain Existing	<ul style="list-style-type: none"> • Short term solution – resolves condition survey issues • Still requires significant capital investment in condition survey costs and is unlikely to deliver financial outcomes • No real improvement to customer service

Option	Benefits/Disadvantages
Option 2 - Refurbishment & New Build	<ul style="list-style-type: none"> • Provides a new build for Waltham Abbey • Delivers refurbished facilities but maintains the four facility provision • Some improvement in the service to customers but still retains some of the building issues with Epping and Ongar in particular • Capital cost is higher than maintain existing but opportunities to fund significant amounts of this (in particular the new build for Waltham Abbey through prudential borrowing)
Option 3 – Rationalisation	<ul style="list-style-type: none"> • Provides a complete new facility solution for the District with three Centre provision maintaining Loughton and creating new builds at Waltham Abbey and North Weald, enabling environmental issues to be addressed • Likely to be highest initial capital cost solution, but also best revenue position through minimizing costs and maximising revenues • Enables future risks of new buildings to be eliminated and resolves condition survey issues • Linked to future developments at North Weald, so unlikely that can be delivered for the new contract start • Potential to generate capital receipts from Epping SC site and Ongar site to contribute to capital costs

Overall it can be seen that the best long term solution is likely to be Option 3 with the rationalisation, however this is unlikely to be deliverable for the start of the new contract. Option 2 therefore would be a sensible interim solution for the new contract, with the potential to develop a new facility at North Weald as part of the next contract, which we explore later in the project.

It should be recognised that if a new build is to be developed at North Weald then a detailed business case will be required which would assess the need and also the design and financial implications. This should also consider the potential option to retain Ongar with a new facility at North Weald.

Procurement Options

Consideration should also be given to whether the development should be through a Design, Build, Operate and Maintain (DBOM) Contract or whether the Council should invest in the developments and let a management contract. We summarise in Appendix D a comparison of the two principle routes and set out the advantages and disadvantages of each.

We recommend that the Council progress with a DBOM contract approach for Waltham Abbey as this transfers the most risk to the partner and also ensures that any interface issues between capital build and operation are the responsibility of the partner.

Consideration as to the development of a new facility at North Weald can then be given to either a traditional procurement for the construction or a DBOM. If during this procurement the Council can appoint an operator who they can negotiate with over a new facility then the Council may develop the new facility with input from the operator.

5.0 Affordability and Evaluation Criteria

Affordability

It will be important to set out for the bidders an affordability position which considers a number of different factors including the revenue position of the Council and the capital input the Council is prepared to make. It can be seen that options 2 and 3 have the potential for the capital required to be financed through the improved revenue position and as such we recommend that affordability position for the Council is set out as follows:

Council Affordability

A revenue budget of £927k per annum has been identified as the affordability limit. If bidders require any additional capital funding the Council have the ability to provide up to a further £20 million assuming that the scheme stays within the affordability limits, for which bidders will need to account for repayment costs in accordance with the amounts set out below.

In addition the Council are seeking that the revenue costs (including any capital financing) deliver a saving of £250k to the Council by Year 2 of the new contract.

At this stage of the project the Council has identified the potential to borrow the capital identified above but it will be dependent on overall affordability at the time and subject to any changes in legislation, etc when the capital is required.

The affordability evaluation will be undertaken based on the capital being provided by the Council through prudential borrowing.

For any capital that is provided through prudential borrowing the following repayment costs should be clearly shown within bidders submissions.

- Based on interest rate of 3.63% with a 30 year term
- £59,378 per annum per £1 million borrowed

Thus if a bidder is borrowing £3 million then they should include a repayment of £178,134 per annum in their financial submission.

The actual interest rates (including the provision for MRP) which will be used for any borrowing will be determined at the time of drawdown, but for the purposes of evaluation bidders should use the above figures.

The Council anticipate that any capital investment schemes should deliver significant revenue savings in order to fund the capital investment required as set out above through prudential borrowing.

The Council can then consider how it funds the future capital depending on the bids received, but this gives the bidders the potential to use up to £20.0 million, as long as it can be funded through revenue improvements. We anticipate that bidders will seek to overachieve and come in lower.

The Council can then also consider what length and level of borrowing it undertakes once bids have been received, for example, other councils have borrowed over the life of the asset as opposed to the contract (such as 40 years). There will also be a need to consider

the cashflow for the project once bids have been received and the borrowing can be factored to accommodate this.

Bid Options and Structure

We set out in Table 6 below the structure of the bid (both mandatory and optional submissions) for the ISDS phase which will mean bids which will enable the Council to consider the future options before narrowing down the options at ISFT.

Table 7 – Bid Requirements

Bid	Requirements
Mandatory Solution (MS)	<ul style="list-style-type: none"> • Design, Build, Operate and Maintain (DBOM) for a new Waltham Abbey Facility with the facility mix identified in the key outcomes (can be partial new build or total new build) • Investment in Loughton Leisure Centre, Epping SC and Ongar SC to improve the commercial return as per option 2 as a minimum • Operation of all facilities, to include accounting for condition survey works • Full responsibility for the building including operational delivery (in accordance with specification) and life cycle costs • 20 Year Contract Term from 1 September 2016 • Bidders should include construction programme and should price for interim operation of the existing facilities until the new facilities are open • Bidders can include any additional commercial facilities which improve the overall financial offer.
Mandatory Variants (MV)	MV1 – As per MS but with the operation of a new facility in North Weald to replace Ongar and Epping. Operation only (including life cycle costs) is required
Optional Variants (OV)	<p>The bidder can submit any additional variant bids which provide added value to the Council and deliver either an improved service or better value for money. In particular some of the areas which the Council has identified as possible added value items include</p> <ul style="list-style-type: none"> • Commercial development (such as soft play, extreme sports, climbing) which deliver enhanced opportunities and finances • Differing contract terms (either longer or shorter) • Different risk profiles, such as life cycle costs • Different prices to customers

As illustrated in Table 7, The Council also invites any optional variant bids covering one of more of the variables identified if they contribute in a significant way to the achievement of desirable outcomes for the Council. For the avoidance of doubt bidders are able to submit any number of optional variant bids, as well as any other options the bidder may have identified.

The Council shall not consider any optional variant bids unless Bidders have fully complied with the submission and proposals for the Standard Mandatory and Mandatory Variant bids.

In relation to any capital developments included within the base solution (standard mandatory and mandatory variant bids), it is envisaged that a contractual project approval

process will be incorporated into the Contract to take account of any future developments that may need to be finalised post contract award.

Bidders will be asked to provide the capital cost and net revenue impact of each Capital Development proposal, subject to a number of assumptions including detailed design development and award of planning.

Evaluation

The approach to evaluation will be to deliver a bidder who provides the most economically advantageous bid to take into account the design and capital build, service quality and commercial arrangements.

Bidders' Detailed Solutions will be scored against the evaluation criteria set out in the Evaluation Model. The Evaluation Model also sets out the maximum weightings that have been given to each criteria. Bidders will be scored only on the information contained within their Detailed Solutions and only against the evaluation criteria in the Evaluation Model.

Tenders will be evaluated against the award criteria set out below, with more detailed criteria for levels 2 & 3.

An Evaluation Team shall be responsible for evaluating the Detailed Solutions and raising clarification issues with Bidders and ultimately making short listing recommendation(s) to the Council's Project Boards and Members.

The Evaluation methodology and Evaluation Model will be applied by the Council to score and rank Bidders and will be used to determine which Bidders and Detailed Solutions will be short-listed for the detailed dialogue phase leading to call for Final Tenders.

Tier 1 Evaluation Criteria	Weighting	Level 2 Sub Criteria	Level 3 Sub Criteria
Services	40%	<ul style="list-style-type: none"> Outcomes Quality/Customer Care Operational Delivery 	<ul style="list-style-type: none"> Specific areas, such as Sports Development, Staffing, Health & Safety
Technical	10%	<ul style="list-style-type: none"> Development/ Design Planning Risk Maintenance 	<ul style="list-style-type: none"> Design and maintenance proposals
Commercial	50%	<ul style="list-style-type: none"> Usage, Expenditure & Revenue Affordability Contract Acceptance Capital Costs Delivery & Risk 	<ul style="list-style-type: none"> Deliverability of financials, financial, risk
Total	100%		

Bidders should note that at the Final Tender stage it will be a submission requirement that Bidders submit a solution that reflects the dialogue to date and does not step back or renege from the solution proposed in dialogue.

The Council will score the Detailed Solutions (and Final Tenders) against the Tier 2 (and where applicable Tier 3) sub-criteria set out in the Evaluation Model. The Evaluation Team will score the Detailed Solutions (and Final Tenders) in accordance with the general

principles and descriptions shown in the table below. Each response will be marked out of a total possible score of 10.

Score	Rating	Criteria for Awarding Score
0	Unacceptable	Does not meet any of the Council's requirements.
1-2	Very Weak	Insufficient information provided / unsatisfactory.
3-4	Poor	Fails to meet the minimum standard, some major concerns
5-6	Acceptable	Satisfactorily achieves the minimum standard, acceptable, no major concerns
7-8	Very Good	Exceeds the requirements, good, full and robust response, gives confidence and will bring added value/benefit to the Council
9-10	Excellent	Considerably exceeds requirements, outstanding, and will bring significant added value/benefit to the Council, shows innovation and the Council has full confidence in response.

The pass mark for the following evaluation areas is 5 out of 10 and any responses scoring less than 5 for any area listed below will be considered to not meet the requirements and therefore fail the evaluation and the submission will be rejected. These evaluation areas are

- Health & safety
- Staffing

For the evaluation of affordability the following scoring mechanism will be used, and will apply to the overall annual average Management Fee, to include any costs of capital through prudential borrowing requirements.

The Council is expecting that the overall cost of the Detailed Solutions submitted will be within the Council's affordability threshold

The Council reserves the right to reject any Detailed Solutions which exceed the affordability threshold as being non-compliant.

At ISDS the overall annual Management Fee of the Detailed Solution will be scored on a scale which is fixed as follows:

- an overall annual Management Fee which achieves the affordability threshold will score 1
- an overall annual Management Fee that exceeds the affordability threshold will score 0.
- an overall annual Management Fee of £500,000 under the affordability threshold or less will score the maximum score of 10

The scores will be calculated to one decimal place. A worked example is shown below based on a management fee which is £350,000 below the affordability level:

- Receives 1 mark for achieving the affordability level
- receives a further 6.3 marks for the pro rata'd amount between affordability level and £500,000 below, i.e. $350,000/500,000 = 0.7 \times 9$ marks (difference between 1 & 10) = 6.3

- total marks received is 7.3 marks (1+6.3)

The Council reserves the right to change the sensitivities of this scoring mechanism at the Final Tender Stage. Without limitation this may be done by reducing the range of costs.

6.0 Summary & Recommendations

The paper sets out the procurement strategy and future development options for the various sites, which illustrate that there is the potential for the capital cost of any new build for Waltham Abbey to be financed through improved revenue positions (using prudential borrowing). However it should be recognised that at this stage these are indicative and there is the potential for additional costs (such as ground conditions) which may increase the capital costs.

The recommended long term solution would be to replace Ongar and Epping with a purpose built facility in North Weald to deliver a more effective and deliverable service to residents, however it is recognised that this is unlikely to be delivered by the start of the new contract and accordingly the bid requirements are structured to allow the Council to deliver this in the new contract.

It is recommended that the procurement for the new leisure contract commences in September 2015 through a competitive dialogue process which seeks to deliver the outcomes set out in this paper and in particular will

- Be through a DBOM contract for a period of 20 years, including the new build of Waltham Abbey
- Be based on the affordability levels identified
- Seek costs for the future operation of the proposed new facility at North Weald, through the procurement
- Consider a detailed business case for the proposed new development at North Weald, including the option to either replace or retain Ongar
- Enable the market to present options which are commercially more favourable to the Council
- Utilise the evaluation criteria within the paper

The aim of the procurement will be to secure a partner who can deliver the outcomes identified in this paper and within the Council Strategy.

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Report to the Cabinet

Report reference: C-035-2015/16
Date of Meeting: 8 October 2015



Portfolio: Planning Policy
Subject: Epping Upland Neighbourhood Area Designation
Responsible Officer: Luke Waterston (01992 564166)
Democratic Services: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

(1) To agree that the Neighbourhood Area application from Epping Upland Parish Council for the designation of the whole Parish as a Neighbourhood Planning Area should exclude an area in the north of the Parish shown on the map at appendix 2 for the following reasons:

- (a) a number of strategic cross boundary matters have been identified which include, but are not limited to, Green Belt review, cross district boundary agreement of housing and job growth figures, and planning and delivery of key strategic infrastructure;**
- (b) the matters identified in (a) above are not within the remit of a Neighbourhood Plan to address;**
- (c) a comprehensive assessment of all of the possible sites around Harlow (in Epping Forest, Harlow and East Hertfordshire District Council areas) must be carried out to ensure that the most suitable site(s) (if any at all) are allocated for development in local plans for those three Districts; and**
- (d) the proposed area to be excluded from the Neighbourhood Area designation is defined by existing physical and administrative boundaries, and does not cover an area of high existing population.**

Executive Summary:

An application for the designation of a Neighbourhood Area for the purposes of the preparation of a Neighbourhood Plan was received from Epping Upland Parish Council (EUPC) on 4 August 2015. Once received, local planning authorities (LPAs) are required to publicise the application.

The Neighbourhood Planning (General) Regulations 2012 (as amended) prescribe timescales for the consultation, and determination of neighbourhood area applications. Once publicised, LPAs are required to determine the application within no more than 8 weeks, including consulting on the application for no less than 4 weeks.

Accordingly, the consultation period on EUPC's application started on 17 August 2015, the consultation period ran from 17 August 2015 until 14 September 2015. Therefore, in order to meet the 8 weeks deadline EFDC must determine the application by 12 October.

The location of Epping Upland Parish, immediately adjacent to Harlow's administrative boundary, and the possibility of strategic cross-boundary growth via the Local Plans of Epping Forest, Harlow and East Hertfordshire District Councils, has caused EFDC officers to consider the desirability of designating the whole of the Parish as a Neighbourhood Area for neighbourhood planning purposes, at this stage in the preparation of the District Local Plan.

In assessing the alternatives available, EFDC officers have sought legal advice from Counsel specialising in planning law. Having considered that legal advice, officers confirm that the District Council has a broad discretion in determining whether, in the particular circumstances relevant to this application, it is desirable to designate the entire area identified in the application.

Officers recommended that the north eastern extension of Epping Upland Parish, covering an area of land **that follows the Parish boundary with Nazeing Parish Council along the Epping Road (B181) and Roydon Parish Council to the north of Richmond's Farm and then following the Parish / District boundary with Harlow District to the point where it meets Epping Long Green, (easting 544028.389; northing 206044.974), south west following the public right of way running through Epping Long Green to where it meets Epping Road (easting 543687.220; northing 205800.888),** should be excluded from the Neighbourhood Area Designation (see attached map at appendix 2).

Reasons for Proposed Decision:

In summary, the reasons for recommending that the Council designate an area smaller than the entire Epping Upland Parish are that, having regard to the location of the Parish on the District boundary with Harlow, there are a number of strategic and cross-boundary issues that must properly be considered under the Council's Duty to Cooperate. It is not within the remit of the neighbourhood planning process to address and deliver matters including, but not limited to, Green Belt review, cross-boundary agreement of housing and job growth figures, and the planning and delivery of key strategic infrastructure.

Other Options for Action:

- (i) To designate the whole of Epping Upland Parish area as a Neighbourhood Area.
- (ii) To designate alternative areas of the Parish, as per part g. of Appendix 1.

Report:

1. Neighbourhood planning was introduced as part of the Localism Act 2011. It enables town/parish councils and neighbourhood forums to actively participate in plan making by preparing a Neighbourhood Development Plan (NDP). Once a NDP has been independently examined, approved by way of a local referendum and subsequently 'made' by the local planning authority (LPA), it will form part of the statutory development plan. As such, planning decisions must be taken in accordance with the NDP as part of the development plan. NDPs can include housing and employment land allocations, policies and design statements; they can be as simple or as complicated as the town/parish council choose. Crucially, the NDP must be in general conformity with national planning policy and practice guidance as well as the strategic policies of the LPA's Local Plan.

2. On 9 February 2015 the Secretary of State made several amendments to the Neighbourhood Planning (General) Regulations 2012. These amendments relevant to the Council's consideration of the current application are set out in the Neighbourhood Planning (General) (Amendment) Regulations 2015, and may be summarised as follows:

- Where the proposed neighbourhood area shares the same boundaries as the parish, the Local Planning Authority (LPA) is required to consult on the application for a period of no less than 4 weeks. (Under the previous, 2012 Regulations the LPA was required to consult for a period of no less than 6 weeks).
- The amendments to the Regulations prescribe the date by which the (LPA) must determine applications for designation of a neighbourhood area. In the case of EUPC's application, EFDC must determine the application within 8 weeks from the date immediately following that on which the application was first publicised.

3. To date, in Epping Forest District eight applications for the designation of neighbourhood areas have been received from parish and town councils. Of the seven designated to date, six have included the whole parish identified in each application.

4. The seventh application was for the designation of a Neighbourhood Area covering the whole of North Weald Bassett Parish Council, which EFDC approved with the exclusion of an area to the west of the M11. This area was excluded for the following reasons:

- A number of strategic cross boundary matters were identified including, but not limited to Green Belt review, cross District boundary agreement of housing and job growth figures and planning and delivery of key strategic infrastructure. These matters are not within the remit of a neighbourhood plan.
- A comprehensive assessment of all of the possible sites around Harlow is needed to ensure that the most suitable site(s) (if any at all) are allocated for development and to ensure that any development takes account of wider interests beyond the parish.
- The area proposed for exclusion was defined by existing physical and administrative boundaries, and did not cover an area of high existing population.

The eighth application, submitted by Epping Upland Parish Council, is the subject of this report.

5. In a parished area a LPA is required to have regard to the desirability of designating the whole of the area of a parish or town council as a neighbourhood area (s. 61G(4) of TCPA 1990 refers). The LPA should take into account the parish or town council's statement explaining why the area applied for is considered appropriate to be designated as such. Whilst the LPA should aim to designate the area applied for, it can refuse to do so if it considers the area is not appropriate. Where it does so, the LPA must give reasons. Therefore, LPAs have some flexibility in determining whether it is desirable to designate the whole parish and subsequent case law supports this approach. In *R (Daws Hill Neighbourhood Forum) v Wycombe District Council, (2013)* the Court of Appeal confirmed that the LPA has a broad discretion as to the area which it considers appropriate to designate as a neighbourhood area and that, on the facts of the case, the LPA had not acted unlawfully by designating a smaller area than that which had been applied for. The key matter in that case was that the areas excluded from the designation contained two strategic development sites, (as allocated in the Core Strategy), and that the LPA did not consider it was desirable for these areas to be included as part of the Neighbourhood Area. Local Plan preparation for Epping Forest District is at a stage where it is not yet known whether and to what extent it will be necessary to include any strategic land allocations within the emerging Local Plan and, in the event that it is appropriate to include one or more strategic land allocations, their location.

6. It is clear that the 1990 Act (s.61G(5)) confers on the Council a broad discretion as to whether it is appropriate to designate the entire parish, or any part thereof, as a neighbourhood

area.

Criteria

7. In considering applications for designation of neighbourhood plans that may be made by parishes that include cross boundary or strategic matters, it is important to set out a clear structure for how such applications will be considered. At a meeting held on 13 April (2015 report C-078-2014/15 refers) the Cabinet agreed to apply a detailed set of criteria when determining the designation of a neighbourhood area. It was recognised that as the Local Plan process evolves and strategic site allocations are identified throughout the District, it would be necessary to consider all subsequent applications for the designation of neighbourhood areas against the same criteria.

8. As explained above the Council should ensure consistency with previous decisions it has made on designating neighbourhood areas. Application of the detailed criteria enables a consistent approach to be taken when considering applications for neighbourhood areas. This ensures that, prior to designation, any known and potential strategic and cross boundary matters that should rightfully be addressed by the District Council under the Duty to Cooperate are identified and assessed.

9. The Government's Planning Practice Guidance (PPG) identifies the types of considerations that should be taken into account in determining whether a proposed neighbourhood area is desirable.

"The following could be considerations when deciding the boundaries of a neighbourhood area:

- o village or settlement boundaries, which could reflect areas of planned expansion*
- o the catchment area for walking to local services such as shops, primary schools, doctors' surgery, parks or other facilities*
- o the area where formal or informal networks of community based groups operate*
- o the physical appearance or characteristics of the neighbourhood, for example buildings may be of a consistent scale or style*
- o whether the area forms all or part of a coherent estate either for businesses or residents*
- o whether the area is wholly or predominantly a business area*
- o whether infrastructure or physical features define a natural boundary, for example a major road or railway line or waterway*
- o the natural setting or features in an area*
- o size of the population (living and working) in the area*

Electoral ward boundaries can be a useful starting point for discussions on the appropriate size of a neighbourhood area; these have an average population of about 5,500 residents." (PPG ID 41-033-20140306)

Application by Epping Upland Parish Council

10. The Parish Council's application, received on 4 August 2015, was subsequently advertised with the period allowed for representations between 17 August and 14 September 2015. Three representations were received within the consultation period. The first from Epping Town Council advises that the Town Council has no objection to Epping Upland being designated as a Neighbourhood Area. The second is from Sellwood Planning, on behalf of the promoters of land to the west of Sumners (bounded in part by Water Lane and Epping Road, Tylers Cross, and partly within Epping Upland Parish and Harlow District). This representation did not raise an objection to the designation of the Parish as a neighbourhood area but stated that it was inappropriate to include their site, to the north of Parsloe Road, since it raises strategic issues more appropriately dealt with in the Local Plan. It also pointed out that a consistent approach should be taken when considering EUPC's application, and refers to the Cabinet's decision in respect to the North Weald Bassett Neighbourhood Area boundary (11

June 2015, item 7). The third representation from Harlow District Council states that the Council is concerned the designation of a Neighbourhood Area directly adjoining Harlow District may impact on the growth needed to meet Harlow and EFDC's future needs and that decisions should not be taken that would impede cooperation between the two authorities on cross boundary matters. It notes that there are several matters of cross boundary significance that have been identified between Harlow and Epping Forest District Councils, including but not limited to, establishment of housing and employment need figures, apportionment of growth needs across the SHMA/Functional Economic Area and identification and delivery of key strategic infrastructure. Harlow Council considers that until these matters are addressed by the Local Authorities, through the Duty to Cooperate, the designation of a Neighbourhood Plan Area on the periphery of Harlow is premature and further that such cross-boundary issues should not be dealt with in a Neighbourhood Plan. The representation states that there are a number of development interests and land promotions on the borders of Harlow, which are within, partly within or adjoin the proposed Neighbourhood Area and that until decisions on site allocations are reached it would again be premature to designate these areas as a Neighbourhood Plan Area. If EFDC is mindful to approve the application, Harlow Council recommends that the boundaries of the proposed Epping Upland Neighbourhood Plan Area be amended to remove areas which have been promoted on the periphery of Harlow.

11. In addition a representation from Buckhurst Hill Parish Council was received after the close of the consultation period stating that the Parish Council has no objections to the application.

12. The established criteria referred to above have been applied in respect of this proposed Neighbourhood Area designation and the resulting analysis is set out at Appendix 1. In this case it is clear there are a number of strategic and cross boundary issues that must be analysed, discussed and agreed at the district level. It is not within the remit of the neighbourhood planning process to deal with matters including the overall establishment of housing and job growth figures, strategic transport matters and green belt boundary review. Furthermore, the Duty to Cooperate requires that EFDC continues to work closely with neighbouring authorities and other key regulatory and infrastructure provision organisations, and at this level such matters are beyond the remit of the neighbourhood planning function.

13. In considering the most appropriate area to be designated, careful regard has also been had to the Government's Planning Policy Guidance and legal advice. Consequently, in accordance with section 61G(4) of the 1990 Act, it is not considered desirable to designate the whole of Epping Upland Parish area as a neighbourhood area. There are no clear parameters for how an amended designation should be formulated, but it would appear reasonable to ensure that any such revised designation is created on the basis of known factors. Therefore, for reasons set out in detail in Appendix 1, it is suggested that the following area of Epping Upland Parish should be excluded from the Neighbourhood Area Designation: an area of land that follows the Parish boundary with Nazeing Parish Council along the Epping Road (B181) and Roydon Parish Council to the north of Richmond's Farm and then the Parish / District boundary with Harlow District to where it meets Epping Long Green (easting 544028.389; northing 206044.974), then south west following the public right of way running through Epping Long Green to where it meets Epping Road (easting 543687.220; northing 205800.888).

14. Should the District Council as part of its Local Plan make any allocations in the area excluded from the Neighbourhood Plan Area, the Council would involve the Parish in the process and any subsequent masterplanning or Action Area Plan.

Resource Implications:

Neighbourhood planning is supported by the Planning Policy team from within existing resources. Government funding is available at particular stages, and this is sought at the

appropriate times.

Legal and Governance Implications:

The Localism Act 2011 introduced neighbourhood planning and brought about changes to the Town and Country Planning Act 1990 (as amended). Relevant subordinate legislation is provided by Neighbourhood Planning (General) Regulations 2012 (as amended) and detailed policy and guidance is provided within the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

Safer, Cleaner and Greener Implications:

The SCG Scrutiny Panel is required to keep under review the application of Strategic Environmental Assessment (SEA) as it applies to the preparation of the new Local Plan. The SEA is one of the key mechanisms by which alternative sites and policy options will be tested to determine which is the most appropriate to deliver the vision and objectives of the Local Plan.

Consultation Undertaken:

Representations were invited on the application for designation between 17 August 2015 and 5:00pm on 17 September 2015. To date, two representations have been received, as set out in the body of this Report.

Background Papers:

Epping Upland Parish Council application for designation of Neighbourhood Area – 4/8/2015
Representations received from Sellwood Planning – 1/9/2015; Epping Town Council – email dated 7/9/2015
61G(4) of the 1990 Act

Risk Management:

There are a number of potential risks associated with this decision, which could include the Council's decision on the designation of the neighbourhood area being challenged. Accordingly, Counsel's advice has been sought to ensure that a lawful approach is being taken.

(Appendix 1)
DESIGNATION OF NEIGHBOURHOOD AREAS

Area application received: **Epping Upland PARISH COUNCIL**
Assessment date: **15 September 2015**

Criterion	Response (Yes / No / N/A)	Justification
a. Does the application include the whole of a Parish area?	Yes	Application letter dated 17 July 2015 identifies that the Parish Council consider the area is appropriate for the following reasons: <ol style="list-style-type: none"> 1. The area defined is covered by Epping Upland Parish Council in its entirety 2. The area is recognised by the local community, EFDC and ECC as being the Parish of Epping Upland.
b. If only part of the Parish has been applied for, have appropriate reasons been supplied to justify this approach?	N/A	
c. If more than one Parish area is seeking designation as a neighbourhood area, have appropriate reasons been supplied to justify this approach?	N/A	
d. Does the Parish immediately adjoin the district boundary?	Yes	Epping Upland Parish immediately adjoins Harlow District Council area along part of its northern boundary. A distinct spur of land also extends to the north west, part of which borders Harlow District Council.
If yes, are there any known or potential matters covered by the Duty to Cooperate that cannot lawfully or reasonably be addressed via the Neighbourhood Plan process?	Yes	<p>The potential growth of Harlow, into land within Epping Forest District, has been mooted for more than decade. As a result of continuing changes to the national planning system, progress in terms of land allocations via Local Plans and an agreed method of delivery have been delayed.</p> <p>The Duty to Cooperate requires Local Planning Authorities to establish matters of cross boundary significance, and to reach consensus on how these matters should be addressed. A number of such matters have been identified between Harlow and Epping Forest District Councils. These include, but are not limited to, establishment of housing and employment</p>

	<p>need figures, apportionment of growth needs across the SHMA/Functional Economic Area, and identification and delivery of key strategic infrastructure. Clearly there are a number of key strategic matters that need to be addressed in taking forward the possible growth of Harlow, notwithstanding that at this stage; Epping Forest District Council has not yet determined whether such growth is the best way to meet the needs of the district as a whole.</p> <p>Further, there are a number of known development interests on the borders of Harlow, all of which are being actively promoted for inclusion in the Local Plan. As above, Epping Forest District Council has not yet determined which, if any, of these sites may be appropriate for allocation in the Local Plan. However, the matters which must be addressed in order to reach reasonable conclusions are complex and wide ranging. It is not considered reasonable that the Parish Council would be able to undertake this function. The consideration of such matters also includes areas that are not lawfully part of the remit of a neighbourhood development plan, for example a Green Belt Review.</p> <p>The potential allocation west of Sumners estate is an area where the issues of Green Belt Review, landscape sensitivity, flood risk, transport infrastructure and links to Harlow are of particular concern, and require a comprehensive approach to comparison and assessment across the broader Harlow area.</p> <p>A large site, Copped Hall Estate is located primarily within Epping Upland Parish, but also crosses the boundary with Harlow District. A discrete area of this site is located to the north of Gibbons Bush Farm and to the south of Hospital Wood, and is primarily within Harlow District. Gibbons Bush Farm, its access road, and the land immediately surrounding the farm effectively isolate the area from the rest of the site.</p> <p>This area is also subject to a range of potential constraints affecting parts of the site, including wildlife sites, areas of flood risk, listed buildings, Green Belt Review, landscape sensitivity, transport infrastructure and links to Harlow are of particular concern, and require a comprehensive approach to comparison and assessment across the broader Harlow area.</p>
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		<p>If a stage is reached in which the sites mentioned above are allocated for development purposes, there may then be an opportunity for the neighbourhood area to be altered. In the meantime, the District Council must continue to work closely with neighbouring authorities under the Duty to Cooperate, and in due course will seek to actively engage with the Parish Council on any emerging proposals.</p>
<p>e. Where the parish does not immediately adjoin the district boundary, are there any identified strategic matters for consideration by the Local Plan process, including those that may be covered by the Duty to Cooperate?</p>	N/A	<p>Epping Upland parish immediately adjoins the district boundary, question d. above refers.</p>
<p>f. Considering d. and e. above, does the presence of any identified issues indicate an amended area would be desirable?</p>	Yes	<p>It is not considered desirable to designate the whole of Epping Upland Parish as a neighbourhood area for reasons set out in d. above.</p> <p>It would be more appropriate if the area immediately adjoining the district boundary, encompassing potential development sites bordering Harlow were not subject to a neighbourhood area designation.</p>
<p>g. If it is desirable to designate an alternative area, what is the new area that is proposed? (Reflecting guidance provided by PPG section 41-033-20140306)</p>	Yes	<p>There are several alternatives available in considering the most appropriate and desirable area to be designated as a neighbourhood area. Counsel advice is clear that it is for the District Council to make such a determination, but that this must be fully justified. PPG guidance identifies that ward boundaries may provide an appropriate starting point.</p> <p>The area being considered for exclusion is in the north of Epping Upland Parish, covering an area of land that follows the Parish boundary with Nazeing Parish Council along the Epping Road (B181) and Roydon Parish Council to the north of Richmond's Farm and then following the Parish / District boundary with Harlow District to the point where it meets Epping Long Green, (easting 544028.389; northing 206044.974), south west following the public right of way running through Epping Long Green to where it meets Epping Road (easting 543687.220; northing 205800.888).</p>

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CONCLUSION

In accordance with s. 61(G) of the Town and Country Planning Act 1990 (as amended) it is not considered desirable to designate the whole of Epping Upland Parish Council as a neighbourhood area.

The reasons for this are set out above, but in summary, this decision is recommended due to the location of the parish bordering Harlow District, and the associated strategic cross border planning matters which must be addressed.

A revised area is proposed as per the attached plan.

Due Regard Record

Name of policy or activity:

Determination of Neighbourhood Area designation for Epping Upland Parish Council

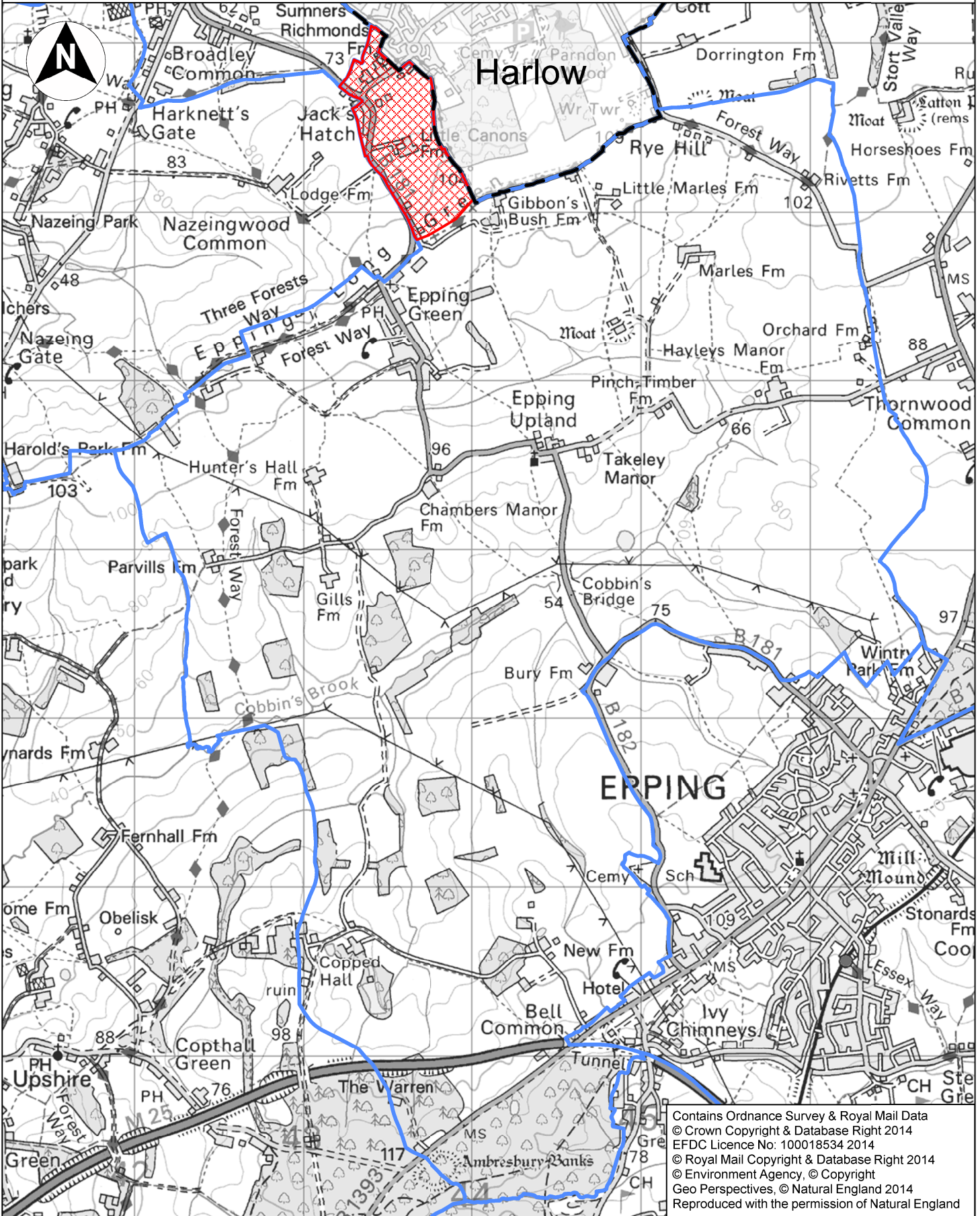
What this record is for: By law the Council must, in the course of its service delivery and decision making, think about and see if it can eliminate unlawful discrimination, advance equality of opportunity, and foster good relations. This active consideration is known as, 'paying due regard', and it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

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

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

Date / Name	Summary of equality analysis
Ken Bean / Luke Waterston 15/09/2015	<ul style="list-style-type: none"> • The Cabinet report is seeking the designation of a neighbourhood area covering part of the Parish of Epping Upland. • 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. • For reasons set out in the Cabinet Report, it is not considered

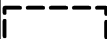

	<p>desirable to designate the whole of the Parish for Neighbourhood Plan purposes. In summary these reasons relate the District Council's proper assessment of matters to be addressed under the Duty to Cooperate in respect of the preparation of the Council's District Local Plan.</p> <ul style="list-style-type: none">• The area proposed to be excluded from the Neighbourhood Area is defined on the basis of administrative boundaries and existing physical features, and is done so to deliver effective and appropriate spatial planning for the area. No equality issues are identified.
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 Geo Perspectives, © Natural England 2014
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Civic Offices
 High Street
 Epping, Essex,
 CM16 4BZ
 Tel. 01992 564000

Key:

-  EFDC administrative boundary
-  Suggested area for removal from the Epping Forest Plan Area designation

-  Parish boundaries
-  M11 Motorway

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Report to the Cabinet

Report reference: C-037-2015/16
Date of meeting: 8 October 2015



**Epping Forest
District Council**

Portfolio: Asset Management and Economic Development
Subject: Epping Forest Shopping Park – Progress Report
Responsible Officer: Chris Pasterfield (01992 564124).
Democratic Services: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That Cabinet considers and notes general progress on the Epping Forest Shopping Park project, and
- (2) Agree that the Asset Management and Economic Development Cabinet Committee should undertake more detailed future monitoring of the project, in addition to ongoing regular reports to Cabinet.

Executive Summary:

This report advises Members on progress with respect to the development of the new Epping Forest Shopping Park in Langston Road, Loughton.

Reasons for Proposed Decision:

The Council having acquired the interest of their development partner Polofind Ltd, is now the sole owner, developer and future operator. The project represents a major capital investment on behalf of the Council. Bringing forward the development is not only complex but has an element of risk. As such, Cabinet has requested general progress reports at each cycle of meetings.

Other Options for Action:

None as this is in accordance with a specific request of the Cabinet.

Report:

Project Management

1. From the inception of the Shopping Park Development, external consultancy advice has been obtained, with respect to the various technical roles and responsibilities involved in managing a project of this scale and complexity. These consultants have been working collaborately in a Project Team, with co-ordination provided by a specialist project manager from White Young and Green. A number of the consultants were originally engaged by Polofind. However, all costs have been split evenly up until the time that the Council acquired the sole interest. The Council's external solicitors, DAC Beachcroft have been transferring the consultant's appointments to the Council. A number of the revised contacts

are now completed, with the remainder to be concluded by the end of October 2015.

2. Whilst Council officers and the consultant project team are working effectively together, given the importance of the success of the project to the Council and the sums of expenditure involved, appropriate governance arrangements need to be in place. This is to oversee the construction of the retail park and mitigate risk. To date, Cabinet have received monitoring reports on general progress and key decisions have been taken by both the Cabinet and Council. Going forward, it is proposed that the Asset Management and Economic Development Cabinet Committee take responsibility for more detailed monitoring of the scheme. A report will be presented to their next meeting on the 15 October, suggesting how this can be achieved in practice.

Highways Tender

3. The tender for the Section 278 Highways Improvement Works has been posted onto the Government's Contracts Finder Website. The closing date for submissions is 5.00 p.m. on the 14 October.

4. Essex County Highways have been slow to provide final technical approval to S278 works. However, due to the amount of detailed design and technical discussions that have already taken place it has been decided to progress the tender process as the risk is deemed to be low that any major alterations will be required.

5. As part of the Highways Scheme, revised access to the BP garage was included within the design, which received full planning approval in 2012. However, recently BP have expressed concern that there is an alternative egress from the petrol station that they might prefer. A meeting was arranged on the 28th September to discuss this in more detail. The Portfolio Holder will give a verbal update on the outcome of this meeting.

6. The programme and completion date of the S278 works will not be known until the tender process has been completed and a main contractor appointed. It is a planning condition requirement that these works are completed before the EFSP is able to open for trading. Until these dates are available it will not be possible to confirm the opening date of the shopping park.

Planning

7. The Reserved Matters Planning Application was approved on the 10 June 2015. Condition information requirements have now all been satisfied.

Architectural

8. The shopping park is to be constructed under a design and build contract arrangement of an estimated cost to fall within the OJEU procurement processes. Drawings have been completed to a detailed stage and will be included in the tender package for the main contract, which is being again uploaded onto the Contracts Finder Website. There will however be alterations required to comply with unit lettings as different tenants will have different requirements. As such, unit sizes may change which will be achieved by moving party walls.

Utilities

9. Utilities divisionary works have been commissioned and no further progress at this time.

Marketing/Letting

10. Strong interest in the Shopping Park continues and unsolicited bids are being received from major retailers despite anchor lettings not being completed yet. Work has continued on Heads of Terms and tenants fit out specification requirements and these are now moving forward in legal hands to be documented by the Council's solicitors DAC Beachcroft. A verbal update on Marketing and lettings activity will be provided by the Portfolio Holder.

Relocation of Other Users

11. T J Evers, the building contractor has begun on site clearance and piling for the new Depot at Oakwood Hill. A positive first Progress Meeting was held on site on 22 September and second meeting will be on 20 October, by which time it is hoped the steel frame of the buildings will be appearing. The Museum store has relocated to temporary provision at Oakwood Hill Industrial Estate, in accordance with previous decisions.

Resource Implications:

Funding for the development of the retail park has previously been agreed in accordance with the development appraisal considered by the Extraordinary Council Meeting in June 2015.

Legal and Governance Implications:

The Council has engaged legal advisors to support the procurement process. Although Cabinet will continue to receive regular progress reports, it is intended that the Asset Management Cabinet Committee take on the role of more detailed scrutiny of the project to ensure that good governance continues to be achieved.

Safer, Cleaner and Greener Implications:

Highways improvements will reduce congestion and emissions. Security at the shopping park will involve the use of ANPR and CCTV

Consultation Undertaken:

Essex County Council Highways.

Background Papers:

Report to Cabinet 20 July 2015.
Report to Council 23 June 2015.

Risk Management:

The project is subject to constant risk management with a formal Risk Assessment Register reviewed regularly at Project Team Meetings.

Due Regard Record

This page shows **which groups of people are affected** by the subject of this report. It sets out **how they are affected** and how any **unlawful discrimination** they experience can be eliminated. It also includes information about how **access to the service(s)** subject to this report can be improved for the different groups of people; and how they can be assisted to **understand each other better** as a result of the subject of this report.

S149 Equality Act 2010 requires that due regard must be paid to this information when considering the subject of this report.

The new shopping park will be fully accessible with facilities for people with disabilities and young children.